



Department of Justice

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STATEMENT REGARDING THE VIDEOTAPE FROM STATE OF GEORGIA V. GENARLOW WILSON

David E. Nahmias, United States Attorney for the Northern District of Georgia,
issued the following statement:

Our office has received inquiries regarding the videotape introduced into evidence in the case of State of Georgia v. Genarlow Wilson, which depicts minors engaging in sexually explicit conduct and which has been copied and provided to persons not involved in that criminal investigation and judicial proceeding.

Federal laws prohibit the knowing distribution, receipt, and possession of child pornography -- that is, visual depictions of minors engaging in sexually explicit conduct - under most circumstances. These laws are intended to protect the children depicted in such images from the ongoing victimization of having their sexual activity viewed by others, potentially for years to come, particularly if the images are placed on the internet or otherwise broadly enter the public domain. These Federal laws trump any contrary requirement of the State's Open Records Act that may exist.

Accordingly, we have advised that the videotape at issue constitutes child pornography under Federal law and should not be knowingly distributed, received, or possessed outside of law enforcement and judicial proceedings. We further advise

anyone in possession of that videotape outside of law enforcement or judicial proceedings to return it to law enforcement or destroy it immediately.

The objective of this statement is to end any further dissemination of this child pornography and to encourage those who possess it to return or destroy it. Pursuant to the policy of this office and the Department of Justice, we will neither confirm nor deny any possible investigation of this matter. We also will have no comment on the underlying state prosecution of Genarlow Wilson, which is distinct from this matter.