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Child Pornography: Patterns From NIBRS



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The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is committed to improving the justice system's response to crimes against children. OJJDP recognizes that children are at increased risk for crime victimization. Not only are children the victims of many of the same crimes that victimize adults, they are subject to other crimes, like child abuse and neglect, that are specific to childhood. The impact of these crimes on young victims can be devastating, and the violent or sexual victimization of children can often lead to an intergenerational cycle of violence and abuse. The purpose of OJJDP's Crimes Against Children Series is to improve and expand the nation's efforts to better serve child victims by presenting the latest information about child victimization, including analyses of crime victimization statistics, studies of child victims and their special needs, and descriptions of programs and approaches that address these needs.

Concerns about pornography and child exploitation have increased in recent years as new electronic and imaging technology facilitate its production and dissemination. Such concerns have led to legislation, and to additional initiatives involving federal and local law enforcement, aimed at inhibiting the production, sale, and dissemination of pornography depicting juveniles. These measures are also directed at the dissemination and sale of pornography to minors (Klain, Davies, and Hicks, 2001).

One of the tools that may help law enforcement control this problem is the Federal Bureau of Investigation's (FBI's) National Incident-Based Reporting System (NIBRS). NIBRS, the crime statistics system designed to replace the present Uniform Crime Reporting (UCR) system,

allows for the first time the tracking of crimes that involve pornography and child exploitation. Ultimately, by using NIBRS, law enforcement will be able to follow the numbers, locations, and characteristics of such crimes over time and across the nation to monitor their trends and their potentially changing nature.

Currently, NIBRS data are available from only a small fraction of the law enforcement jurisdictions in the country (covering about 14 percent of the population). The system has already cataloged a substantial number of pornography offenses; however, some questions exist about the accuracy and reliability of how police report child pornography offenses within NIBRS. Nonetheless, given the increased interest in this crime and the limited amount of information currently available from other

A Message From OJJDP

The validity of research findings often depends on the quality of the available data. The redesign of the FBI's Uniform Crime Reporting system has resulted in the National Incident-Based Reporting System (NIBRS), which could become a helpful tool in efforts to control the dissemination and sale of pornography depicting juveniles. By collecting data on pornography/obscene material offenses from law enforcement jurisdictions, NIBRS enables researchers to draw conclusions about the number, locations, and characteristics of these crimes.

NIBRS data suggest that approximately 2,900 crime incidents of pornography with juvenile involvement were known to state and local police in 2000; these offenses most often were committed by a lone adult male offender, occurred in a residence, and did not involve a computer. Data from two major investigators of Internet crime, the FBI and the U.S. Postal Service, are not included in the NIBRS database. Thus, evidence from NIBRS may be skewed toward family abuse and noncommercial production of pornography.

The related apparent increase in pornography crime involving children may indicate more offenses, greater awareness, or better recordkeeping. Currently, NIBRS data represent about 14 percent of the population. As more jurisdictions support uniform reporting of accurate data to NIBRS and as its codes become more refined, NIBRS will become even more useful in identifying and tracking trends in child pornography.

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The National Incident-Based Reporting System

The U.S. Department of Justice is replacing its long-established Uniform Crime Reporting (UCR) system with a more comprehensive National Incident-Based Reporting System (NIBRS). Whereas UCR monitors only a limited number of index crimes and gathers few details on each crime event (except in the case of homicide), NIBRS collects a wide range of information on victims, offenders, and circumstances for a greater variety of offenses. Offenses tracked in NIBRS include violent crimes (e.g., homicide, assault, rape, robbery), property crimes (e.g., theft, arson, vandalism, fraud, embezzlement), and crimes against society (e.g., drug offenses, gambling, prostitution). Moreover, NIBRS collects information on multiple victims, multiple offenders, and multiple crimes that may be part of the same episode.

Under the new system, as with the old, local law enforcement personnel compile information on crimes coming to their attention, and this information is then aggregated at the state and national levels. For a crime to be counted in the system, it only needs to be reported and investigated. The incident does not need to be cleared or an arrest made, although unfounded reports are deleted from the record.

NIBRS holds great promise, but it is still far from a national system. The Federal Bureau of Investigation began implementing the system in 1988; participation by states and local agencies is voluntary, and the pool of agencies contributing data to NIBRS has increased each year. By 1995, jurisdictions in 9 states were contributing data; by 1997, 12 states were contributing data; and by the end of 2000, jurisdictions in 19 states submitted data, thus providing coverage for 14 percent of the nation's population and 11 percent of its crime. Participation by all local jurisdictions occurs in only 3 states (Idaho, Iowa, and South Carolina), and only 3 cities with populations greater than 500,000 (Austin, TX; Memphis, TN; and Nashville, TN) are reporting. Thus, the crime experiences of large urban areas are particularly underrepresented. The system, therefore, is not yet nationally representative nor do its data represent national trends or national statistics. Nevertheless, NIBRS is assembling large amounts of crime information and providing a richness of detail about juvenile victimizations that was previously unavailable. The patterns and associations these data reveal are real and represent the experiences of a large number of youth. For 2000, the 19 participating states¹ reported a total of 2,115,980 crimes against individuals, with at least 215,030 of these crimes occurring against juveniles. However, these patterns may change as more jurisdictions join the system.

Using NIBRS to analyze child pornography has limitations because NIBRS is not truly national and excludes federal agencies that are active in pursuing this crime. However, there have been few other sources of statistical information about child pornography. Moreover, NIBRS includes a number of offenses involving pornography and juveniles from a considerable variety of jurisdictions; for this reason, and because NIBRS will eventually become a national system, it is useful as a tool for analysis at its current stage of development.

More information about NIBRS data collection can be found at the following Web sites: www.fbi.gov/ucr/ucr.htm, www.search.org/nibrs/default.asp, and www.jrsa.org/ibrcc/.

¹ Arkansas, Colorado, Connecticut, Idaho, Iowa, Kansas, Kentucky, Massachusetts, Michigan, Nebraska, North Dakota, Ohio, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, and West Virginia.

sources, these cases merit examination to provide a rudimentary profile of the nature and extent of this crime as known to police.

NIBRS data for 1997–2000 on 2,469 crime incidents involving pornography¹ reveal that:

- ◆ Approximately 2,900 (based on extrapolations from the data) nationwide crime

incidents of pornography with child/juvenile² involvement³ were known to state and local police in 2000.

- ◆ The proportion of all pornography incidents with child/juvenile involvement increased from 15 percent in 1997 to 26 percent in 2000.
- ◆ A lone adult offender most often committed pornography offenses with child/juvenile involvement.

Terminology

Adult pornography. Incidents involving obscene pornography but not child pornography and not in conjunction with any identified crime against a juvenile.

Child exploitation pornography. Incidents primarily involving the possession or distribution of pornography that depicts underage juveniles.

Juvenile victim pornography. Includes the production of child pornography and the use of pornography in the seduction of a child.

Pornography with juvenile involvement. Either child exploitation pornography or juvenile victim pornography.

Known to police. The offenses being counted are those that have been reported to the police or discovered by the police as part of an investigation or routine policing. They do not presume an arrest, indictment, or conviction for the crime.

For more information, see sidebar on page 4.

- ◆ Of the juvenile victims identified in conjunction with pornography crimes, 62 percent were female, 25 percent were members of the offender's family, 59 percent were teens (12–17 years old), 28 percent were elementary school age (6–11 years old), and 13 percent were preschoolers (younger than 6 years old).

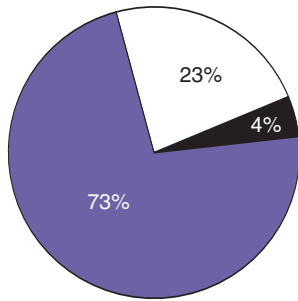
Better national data on child pornography are needed to analyze trends and characteristics. NIBRS, with improved local

¹ The offense category in NIBRS is called "pornography/obscene material." Normally, pornography is only criminal when it is deemed obscene. In this Bulletin the term "pornography" is generally used to mean obscene pornography or material that is criminal. See discussion in footnote 2.

² With regard to child pornography, state statutes vary in their age definitions of a "child" or "juvenile," with some states designating younger than 18 years old, younger than 17 years old, or even younger than 16 years old as their thresholds (U.S. Department of Health and Human Services, National Clearinghouse on Child Abuse and Neglect Information, and National Center for Prosecution of Child Abuse, 1999). In this Bulletin the terms "child" and "juvenile" refer to legally underage people.

³ Possession, distribution, or production of child pornography or use of pornography in the seduction of a child.

Types of Pornography Incidents Reported by NIBRS



N=2,469 Incidents

- Adult
- Juvenile victim
- Child exploitation

training and participation, could be an important source of these data.

Pornography Offenses Known to Police

Pornography offenses come to police attention infrequently, comprising less than 0.03 percent of all crimes known to police during 1997–2000. In only 4 percent (111) of the 2,469 incidents containing a pornography offense was there an identifiable juvenile victim (see figure). However, “child exploitation” was coded in an additional 23 percent (566) of these incidents, indicating that the pornography likely involved depictions of juveniles. The remaining 73 percent of pornography incidents known to police (those that did not involve a juvenile victim or record child exploitation, i.e., adult pornography) concerned the illegal possession, manufacture, sale, or distribution of non-child-related forms of obscene material (Federal Bureau of Investigation, 1997–2000).

NIBRS is far from a nationally comprehensive data set, and the jurisdictions covered exclude most major urban areas of the United States. Nonetheless, it is possible and useful to make some preliminary extrapolations based on NIBRS in light of the virtual absence of information about the scope of the problem. In 2000, NIBRS was estimated to include jurisdictions containing about 11 percent of all national crime. If pornography offenses are assumed to be distributed in rough proportion to other crimes, the implication would be

that approximately 8,900 pornography offenses were known to state and local police nationwide in 2000; approximately 2,900 of these incidents would have involved juvenile victims or child exploitation (Federal Bureau of Investigation, 1997–2000).

Because NIBRS is expanding, accurately gauging real increases in the pornography problem across time is not feasible. However, for those law enforcement agencies that reported NIBRS data for both 1997 and 2000, the total number of crime offenses recorded decreased 2 percent from 1997 to 2000, while pornography offenses increased 68 percent and juvenile victim/child exploitation pornography offenses jumped 200 percent. In addition, the proportion of all pornography offenses involving child exploitation or juvenile victims increased from 15 percent in 1997 to 26 percent in 2000. (The increase occurred regardless of whether jurisdictions that were added to NIBRS during the 3-year period were included in or excluded from comparisons.) This disproportionate increase supports the notion that more such crimes are coming to police attention. However, the increase does not necessarily mean that there is more of such criminal activity (for example, as a result of the Internet) because such an increase could stem simply from more aggressive police efforts against these crimes or from the improvement of recordkeeping within NIBRS. For example, the late 1990s saw the inauguration of the CyberTipline and the Internet Crimes Against Children task

forces, whose goals included increased law enforcement activity against child pornography found on the Internet (Medaris and Girouard, 2002).

By the end of 2003, the CyberTipline was receiving more than 1,500 reports on child pornography per week (National Center for Missing & Exploited Children, retrieved 2004 from the Web). However, in the absence of more recent NIBRS data, the effect of these reports on the number of cases known to state and local police cannot be determined. Much of what is reported to the CyberTipline involves Web sites or communications of uncertain origin and results in referrals to federal rather than local law enforcement agencies.

Pornography Incidents With Juvenile Involvement

Two types of pornography episodes involved juveniles (see sidebar on page 4). Juvenile victim pornography offenses (primarily the production of child pornography) tended to be different from other pornography incidents, including pornography offenses with child exploitation only (those that had no identifiable juvenile victim, i.e., possession and distribution). For example, all juvenile victim pornography incidents included other offenses in addition to illegal pornography; the great majority of them were sexual or violent offenses (see table 1). Adult pornography incidents

Table 1: Pornography Offense and Any Accompanying Offense, by Incident Type

Accompanying Offense	Type of Incident (%)		
	Juvenile Victim Pornography (n=111)	Child Exploitation Pornography (n=566)	Adult Pornography (n=1,792)
Any accompanying offense?			
Yes	100	4	4
No	0	96	96
Total	100	100	100
Any violent or sexual offense?			
Yes	95	1	1
No	5	99	99
Total	100	100	100

Source: Federal Bureau of Investigation. 1997–2000. *National Incident-Based Reporting System*. Computer file. Compiled by the Federal Bureau of Investigation, U.S. Department of Justice. Ann Arbor, MI: Inter-University Consortium for Political and Social Research (producer and distributor).

Pornography Involving Child Exploitation and Juvenile Victims

Much pornography is not criminal and is protected by the first amendment to the Constitution. Its possession, production, distribution, or sale only becomes criminal when the pornography is considered obscene. Obscene pornography involves more extreme depictions of sexual activity, generally described in statutory language with the following criteria: (1) to the average person, applying contemporary statewide standards, it appeals to the prurient interest; (2) taken as a whole, it depicts or describes sexual conduct in a patently offensive way; and (3) it lacks serious literary, artistic, political, or scientific value (e.g., California Penal Code, section 311). Because of statutory vagueness and because community standards and law enforcement practices vary, the definition of “obscene” pornography may differ considerably from community to community. It can involve depictions of bestiality, incest, sadomasochistic practices, or many other things. When law enforcement acts on pornography, the National Incident-Based Reporting System (NIBRS) has a category—pornography/obscene material offenses—for such crimes.

Pornography that depicts actual juveniles has a very different status under the law than other types of pornography. It is not subject to first amendment protection and the more contentious standards that apply to other types of pornography (Klain, Davies, and Hicks, 2001). It is also regarded as having victims—the children who are depicted. Although such material is usually referred to as “child pornography,” the criminalization applies to depictions of all underage juveniles, including teenagers.

NIBRS treats child pornography within its general category of pornography offenses that are deemed crimes against society (rather than crimes against persons or property), and there is no option in the system to designate individual pornography victims. However, NIBRS collects incident information that enables two types of juvenile involvement with pornography offenses to be recognized.

First, police can code several types of criminal activities incorporated in the pornography offense, one of which is child exploitation. In NIBRS, “child exploitation” denotes pornography in which children are depicted, including commercially distributed magazines, home videos, personal photographs, and computer images.¹ In principle, this category of child exploitation includes the sexual depiction of any underage juvenile; however, it is probably skewed toward depictions of preadolescents and young adolescents because judgments about precise age and hence criminality are more difficult in portrayals of older teens.

Second, NIBRS allows the coding of multiple offenses that are part of the same criminal incident. Thus, crimes against persons (individual victims) can occur in the same incident in which a pornography offense was recorded. For these crimes,

NIBRS collects victim information that can reveal the presence of juvenile victims in a pornography incident.

The authors have labeled the latter cases—those in which a pornography offense is reported to NIBRS in conjunction with another criminal offense against a juvenile—as “juvenile victim pornography” incidents.² Such incidents can include several types of criminal circumstances; for example, pornography involving a child is being produced and the child can be specifically identified (and thus recorded as a victim with a specified age and relationship to the offender), or pornography is being used as part of the seduction and molestation of a child. A variety of other complex crimes can also be included in this category, such as a child molester (or a child abuser) who, on arrest, is found to be in possession of criminal pornography, even though the pornography may not be directly involved in the offense against the child.

For purposes of analysis, this Bulletin distinguishes three types of pornography incidents, two of which involve juveniles:

- ◆ **Juvenile victim pornography incidents.** These incidents, described above, include an identifiable victim. Cases involving the production of child pornography using identifiable children are included in this category (the child victimization is usually regarded as sexual abuse and is recorded in NIBRS as a forcible sex offense).
- ◆ **Child exploitation pornography incidents.** This category involves pornography incidents in which child exploitation is recorded but additional offenses against specified juvenile victims are not included. It is assumed that these pornography offenses involve the depiction of juveniles who cannot be identified or recorded as individual victims³—for example, the confiscation of a magazine containing sexual depictions of children or a computer with such images downloaded from the Internet. This category includes most incidents involving the possession, distribution, and sale of child pornography. (When an incident is recorded in NIBRS as child exploitation and also includes victimization against an identifiable juvenile victim, it is counted as “juvenile victim pornography” and not as “child exploitation pornography.” The latter category is reserved for child exploitation alone with no identifiable victim.)
- ◆ **Adult pornography incidents.** These pornography offenses do not indicate juvenile involvement (either as identifiable victims or with the code for child exploitation). They include cases of obscene pornography and may include violations of “harmful to minors” laws found in many states that make it illegal to provide pornography to minors, even though the material may be legal for adults.⁴

¹ Child exploitation is also used in other contexts to refer to children involved in prostitution. Here it refers only to children involved in sexual depictions.

² For these cases, a juvenile is any person younger than 18 years old.

³ New graphic technology as used in pornography permits the creation of simulated children who may be difficult to distinguish from real children. Such images were previously criminalized by the federal Child Pornography Prevention Act, but those provisions have been invalidated by the Supreme Court. Authorities are uncertain about the amount of child pornography that may have involved such simulated images but believe it is not extensive. NIBRS has no provision for distinguishing such simulated child pornography from other child pornography.

⁴ Juvenile recipients of such materials would not be identified as victims unless they were the targets of another crime, such as sexual molestation.

Pornography Involving Child Exploitation and Juvenile Victims (continued)

These categories reflect, but do not systematically record, some of the different ways in which pornography crimes are detected. For example, police can conduct undercover operations in which they purchase or obtain illegal pornography from adult stores, mail order outlets, Internet sites, or Internet correspondents; suspicious images can be reported to the police by photo developers, computer repair personnel, abused

spouses, or other private citizens; or victims of sexual abuse, sexual assault, or prostitution may disclose that they were photographed in the course of their victimization. In addition, illegal pornography may be identified when searches are conducted as part of a police investigation of crimes as diverse as stolen property or securities fraud.

and child exploitation pornography incidents rarely included additional crimes.

The frequency of arrest for juvenile victim pornography incidents was substantially higher than for other pornography incidents; this may be connected to the presence of additional violent offenses. More than half (55 percent) of these incidents resulted in an arrest, which is much higher than the arrest frequencies for adult pornography incidents (24 percent) or child exploitation pornography incidents (27 percent). It was also higher than the typical arrest rate for all violent crimes against juveniles (32 percent). When sex offenses occur and there is pornography that documents them, police may be particularly confident about the crime.

Juvenile victim pornography incidents occurred in various locations but overwhelmingly in private residences and homes, which is also where sexual abuse tends to occur (see table 2). In contrast, other pornography incidents often occurred outside, in stores, in schools and colleges, and in other buildings. Child exploitation pornography incidents were more residence based than adult pornography incidents, but less so than juvenile victim pornography incidents.

Since pornography is often sold in stores, examining the types of commercial establishments associated with pornography offenses is informative (see table 2). Not surprisingly, specialty stores and convenience stores accounted for about half of the adult pornography incidents. The higher association of child exploitation pornography incidents with department and discount stores and supermarkets may be because such businesses often have discount film-processing centers, whose employees can identify and report suspicious photographs to police.

Pornography incidents of all types were likely to involve a lone offender, typically an adult male (see table 3). In contrast, only a small number of juvenile offenders

and female offenders were included in each category. In cases where females participated in child exploitation pornography incidents, however, the incidents occurred in conjunction with a male offender 45 percent of the time; this was also the case in 32 percent of the adult pornography incidents. This collaborative pattern on the part of female offenders also appears to be true for juvenile victim pornography incidents (50 percent), but there are too few cases (only 16) for a reliable conclusion. In addition, in cases where a juvenile victim was identified, female perpetrators were more likely to participate in incidents with family offenders (23 percent of incidents) and less likely to be part of nonfamily incidents (11

percent of incidents) (Federal Bureau of Investigation, 1997–2000).

A great deal of interest has been focused on the use of computers and the Internet in conjunction with pornography offenses because computers can facilitate both the dissemination and the detection of such material (Wolak, Mitchell, and Finkelhor, 2003). NIBRS enables the police to indicate whether computers were used in the commission of criminal acts, but the data show that a small minority of all pornography offenses known to police were coded as involving computer use (see table 4). This may indicate that the majority of pornography crimes through 2000 had no computer or Internet connection, or it

Table 2: Location of Pornography Offenses, by Incident Type

Location	Type of Incident (%)		
	Juvenile Victim Pornography	Child Exploitation Pornography	Adult Pornography
All	(n=111)	(n=566)	(n=1,792)
Residence/home	83	61	45
Outside	5	10	17
Store	0	7	12
Other building	3	6	11
School/college	2	7	8
Other/unknown	7	9	7
Total	100	100	100
Stores	(n=0)	(n=38)	(n=206)
Specialty store	—	21	30
Department/ discount store	—	37	22
Convenience store	—	8	19
Grocery/supermarket	—	16	11
Drug store/doctor's office/hospital	—	10	9
Service station	—	5	6
Liquor store	—	3	3
Total	—	100	100

Source: Federal Bureau of Investigation. 1997–2000. *National Incident-Based Reporting System*. Computer file. Compiled by the Federal Bureau of Investigation, U.S. Department of Justice. Ann Arbor, MI: Inter-University Consortium for Political and Social Research (producer and distributor).

Table 3: Offender Patterns in Pornography Offenses, by Incident Type

Offender Pattern	Type of Incident (%)		
	Juvenile Victim Pornography	Child Exploitation Pornography	Adult Pornography
Age and number	(n=108)	(n=428)	(n=1,201)
Lone adult	71	81	76
Multiple adults	12	9	8
Multiple mixed age	3	2	2
Multiple juveniles	4	1	3
Lone juvenile	10	7	11
Total	100	100	100
Gender and number	(n=108)	(n=452)	(n=1,291)
Lone male	75	81	80
Multiple males	10	5	7
Multiple mixed gender	7	6	4
Multiple females	1	0	1
Lone female	7	8	8
Total	100	100	100

Note: Data are based on incidents with offender information only.

Source: Federal Bureau of Investigation. 1997–2000. *National Incident-Based Reporting System*. Computer file. Compiled by the Federal Bureau of Investigation, U.S. Department of Justice. Ann Arbor, MI: Inter-University Consortium for Political and Social Research (producer and distributor).

may reflect a lack of police familiarity with some of the coding options NIBRS provides. In addition, a considerable amount of the activity surrounding Internet pornography has occurred within federal agencies such as the FBI and the U.S. Postal Inspector’s Office, whose data are not currently included in NIBRS.

Juvenile Victims in Pornography Incidents

Most pornography incidents with identifiable juvenile victims involved a single victim rather than multiple victims (71 percent of incidents). However, from the

perspective of *victims* rather than *incidents*, half (50 percent) of the victims experienced incidents that involved additional victims. Of the juvenile victims identified in pornography incidents, 62 percent were females and 38 percent were males. For juvenile victims whose offender could be identified, 25 percent were members of the offender’s family, 64 percent were acquaintances, and 11 percent were strangers. Fifty-nine percent of the victims were teens (12–17 years old), 28 percent were elementary school age (6–11 years old), and 13 percent were preschoolers (younger than 6 years old) (Federal Bureau of Investigation, 1997–2000).

State-to-State Disparities

There is reason to believe that states and local jurisdictions may vary a great deal in the number of pornography offenses coming to police attention. Factors such as state statutes,⁴ community standards, availability of pornography, and initiatives undertaken by police and prosecutors all play a role in explaining these differences. NIBRS does reveal considerable variability at the state level (see table 5). For example, South Carolina and Vermont recorded less than 1 juvenile involvement pornography offense for every 100,000 offenses of all types reported to NIBRS during 1997–2000. In contrast, Utah recorded more than 12 such pornography offenses for every 100,000 offenses reported, and Idaho, Iowa, and Michigan also had rates well above the average.

Implications

Crimes involving pornography and juvenile victims or child exploitation are relatively infrequent in the NIBRS data and comprise a minority of all pornography-related crimes. Moreover, the estimated 2,900 incidents in 2000 are dwarfed by reports of overall sex crimes against juveniles, which can be roughly estimated at 269,000 for the same period. Nonetheless, the data showing a rise in the numbers of such crimes between 1997 and 2000 are consistent with perceptions that more of these crimes are being uncovered, either because they are increasing or because police are cracking down on them, or possibly both. If the Internet was a major factor in such an increase or in greater detection, it was not yet clearly reflected in the 2000 NIBRS data, which showed a small number of pornography offenses involving the use of a computer. The rise in juvenile-related pornography is notable because it occurred in the context of an overall decline in reported cases of sexual abuse of children and sex crimes in general that occurred during the middle and late 1990s (Finkelhor and Jones, 2004).

The data suggest only a modest association of general pornography crimes with child victimization. In 73 percent of all pornography incidents known to police,

⁴ For example, in some states simple possession of child pornography is not a crime or is just a misdemeanor, whereas in others it is a felony (Klain, Davies, and Hicks, 2001).

Table 4: Computer Use in Pornography Offenses, by Incident Type

Computer Use	Type of Incident (%)		
	Juvenile Victim Pornography (n=111)	Child Exploitation Pornography (n=566)	Adult Pornography (n=1,792)
Computer used	7	13	7
No computer used	93	87	93
Total	100	100	100

Source: Federal Bureau of Investigation. 1997–2000. *National Incident-Based Reporting System*. Computer file. Compiled by the Federal Bureau of Investigation, U.S. Department of Justice. Ann Arbor, MI: Inter-University Consortium for Political and Social Research (producer and distributor).

Table 5: Pornography Offenses With Juvenile Involvement Reported to NIBRS, per 100,000 Offenses of All Types, by State, 1997–2000

State	Offenses	State	Offenses
Utah*	12.8	West Virginia*	5.5
Michigan*	10.3	Texas†	5.3
Idaho†	9.9	Kentucky‡	4.5
Iowa†	9.7	Connecticut‡	4.3
Virginia*	9.5	Colorado*	3.9
Ohio‡	9.4	Nebraska‡	2.1
North Dakota*	9.4	South Carolina†	0.8
Massachusetts‡	8.6	Vermont*	0.0
Tennessee*	7.8	All states	7.3

Notes: Arkansas and Kansas are excluded because their recent addition to NIBRS creates uncertainty about the stability of their rates. For all states: total offenses, $N=8,794,296$; pornography offenses with juvenile involvement, $N=646$.

* More than 50 percent of population represented by NIBRS data (as of October 2000).

† One hundred percent of population represented by NIBRS data (as of October 2000).

‡ Less than 50 percent of population represented by NIBRS data (as of October 2000).

Source: Federal Bureau of Investigation. 1997–2000. *National Incident-Based Reporting System*. Computer file. Compiled by the Federal Bureau of Investigation, U.S. Department of Justice. Ann Arbor, MI: Inter-University Consortium for Political and Social Research (producer and distributor).

there was no child involvement—neither child pornography nor child victimization. Even in a majority (92 percent) of the child exploitation pornography offenses, police were unable to link the offender with an identifiable victim. This means that in most of the cases in which police were investigating an offender for possession or distribution of child pornography, they were unable to connect the offender to a crime against an actual child. Of course, offenders may have committed such crimes or may have been at risk to do so, but police were unable to detect them.

Pornography offenses with juvenile involvement tend to occur in homes and residences more often than in commercial establishments; the offenders are usually lone adult males. When victims are identified, they comprise a slight preponderance of girls and teens with both family and nonfamily relationships to the offender. The variability in state identification of crimes involving pornography with juvenile involvement suggests that states could increase identification of such crimes by making concerted efforts to do so, such as establishing special-mission investigative units and using police and prosecutors who are specially trained to pursue such crimes.

Caution needs to be observed when interpreting the conclusions in this Bulletin

because of some uncertainty about the full reliability of NIBRS data in this crime domain, in which police information has not previously been aggregated across jurisdictions. The data are derived from a group of jurisdictions that may not be representative of the nation as a whole. In particular, they do not include reports from federal agencies that have been active in combating child pornography and that tend to be involved in cases with a larger scale and more commercial dimensions. It is possible that the cases currently in NIBRS are thus skewed in the direction of family abuse and noncommercial production.

The analysis is also limited by some of the data categories in NIBRS, which do not capture distinctions that are generally considered to be important by researchers in the field of child pornography. For example, it would help future efforts if the NIBRS codes could be developed to better delineate juvenile victims' exact connection in pornography crimes—as subjects in images or as victims in sex crimes in which pornography was used.

Caution is also warranted because of the highly variable nature of community standards and law enforcement practices regarding pornography. Perhaps the most important and practical suggestion at present is for increased training of law enforcement officials so that information

about pornography involving juveniles is clearly, accurately, and uniformly recorded in NIBRS as it becomes the major national source of crime information. Clearer protocols and examples of how to report and code a variety of complicated episodes involving juveniles and pornography could be very helpful for local law enforcement. This will certainly enhance NIBRS's utility as a tool for identifying and combating crimes against children in the future.

Finally, the analyses presented in this Bulletin point to the need for more and better research in regard to child pornography. The expansion of Internet access has raised concerns about increasing numbers and possibly a changing profile of consumers and producers of child pornography, as well as the increased involvement of child pornography in conventional child-molesting activities. It is important for law enforcement to have the tools to monitor these trends. In addition, many questions exist about the effect of child pornography on young people, both those exposed to and those portrayed in its imagery. Although research on such questions raises difficult ethical issues, thoughtful social scientists, clinicians, and representatives from the juvenile justice field should collaborate to see what types of investigations are possible. These investigations may lead to new approaches to combating pornography.

References

- Federal Bureau of Investigation. 1997–2000. *National Incident-Based Reporting System*. Computer file. Compiled by the Federal Bureau of Investigation, U.S. Department of Justice. Ann Arbor, MI: Inter-University Consortium for Political and Social Research (producer and distributor).
- Finkelhor, D., and Jones, L.M. 2004. *Explanations for the Decline in Child Sexual Abuse Cases*. Bulletin. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- Klain, E.J., Davies, H.J., and Hicks, M.A. 2001. *Child Pornography: The Criminal-Justice-System Response*. Washington, DC: American Bar Association Center on Children and the Law.
- Medaris, M., and Girouard, C. 2002. *Protecting Children in Cyberspace: The ICAC Task Force Program*. Bulletin. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

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National Center for Missing & Exploited Children. *CyberTipline Fact Sheet*. Retrieved May 6, 2004, from the Web: www.ncmec.org/en_US/documents/cybertipline_factsheet.pdf.

U.S. Department of Health and Human Services, National Clearinghouse on Child Abuse and Neglect Information, and National Center for Prosecution of Child Abuse. 1999. *Child Abuse and Neglect: State Statutes Elements*. No. 30: Child Pornography. Alexandria, VA: National Center for Prosecution of Child Abuse.

Wolak, J., Mitchell, K., and Finkelhor, D. 2003. *National Juvenile Online Victimization Study (N-JOV): Methodology Report*. Durham, NH: University of New Hampshire, Crimes against Children Research Center.

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