

4-2012

Trends in Law Enforcement Responses to Technology-facilitated Child Sexual Exploitation Crimes: The Third National Juvenile Online Victimization Study (NJOV-3)

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Recommended Citation

Wolak, J., Finkelhor, D., and Mitchell, K. (2012). Trends in Law Enforcement Responses to Technology-facilitated Child Sexual Exploitation Crimes: The Third National Juvenile Online Victimization Study (NJOV-3). Durham, NH: Crimes against Children Research Center.

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Trends in Law Enforcement Responses to Technology-facilitated Child Sexual Exploitation Crimes: The Third National Juvenile Online Victimization Study (NJOV-3)

April 2012

Janis Wolak, David Finkelhor & Kimberly J. Mitchell

Abstract

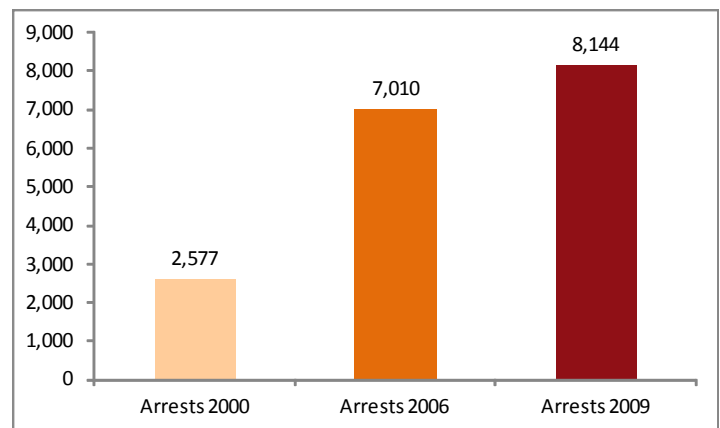
Overall arrests for technology-facilitated child sexual exploitation crimes did not continue to increase from 2006 to 2009 as they had earlier in the decade. However, arrests for child pornography possession increased by about 50% from 2006 to 2009. In addition, arrests for technology-facilitated sex crimes with identified victims doubled, but the increase was in cases where offenders knew their victims in person, not cases in which they met online. Arrests of offenders who solicited undercover police posing as minors declined between 2006 and 2009, after rising earlier in the decade. The decline may be because of shifts in law enforcement strategies that included more focus on child pornography offenses.

This bulletin reports on trends in arrests of individuals who committed technology-facilitated child sexual exploitation crimes in the US. These include sex offenders who used the Internet to meet victims or to facilitate the abuse of children who were family members or face-to-face acquaintances, who solicited sex from undercover investigators posing online as minors or who used the Internet to download child pornography. The data come from 3 waves of the National Juvenile Online Victimization (NJOV) Study that examined arrests in 2000, 2006 and 2009. See the end of this report for a description of the methodology of the NJOV Study.

Arrests for technology-facilitated child sexual exploitation crimes increased substantially between 2000 and 2009.

In 2009, US law enforcement agencies made an estimated 8,144 arrests for technology-facilitated child sexual exploitation crimes, more than 3 times as many as in 2000 (Figure 1). However, the largest increase in numbers of arrests happened between 2000 and 2006 when the number of arrests almost tripled.

Figure 1. Estimated number of arrests for technology-facilitated child sexual exploitation crimes, by year



While the estimate for arrests in 2009 appears higher, we cannot be sure there was actually an increase in arrests in 2009 compared to 2006. Our survey of law enforcement agencies has a margin of error, also known as a “95% confidence interval.” This confidence interval shows the range of possible numbers within which the true number of arrests is likely to fall in 95 out of 100 attempts to estimate it with a sample of the size we used. Our estimate of arrests in 2006 is 7,010 with possible estimates ranging between 6,188 and 7,832 (see Table 1). The estimate for 2009 is 8,144 with a range of between 7,440 and 8,849. These ranges overlap, which indicates that the estimated number of arrests in 2009 could be similar to the number in 2006. In other words, 2009 arrests did not increase significantly in comparison to those in 2006.

Table 1. Estimated total arrests for technology-facilitated child sexual exploitation crimes by year

	Arrests 2000	Arrests 2006	Arrests 2009
Estimated number	2,577	7,010	8,144
95% Confidence Interval	2,277—2,877	6,188—7,832	7,440—8,849

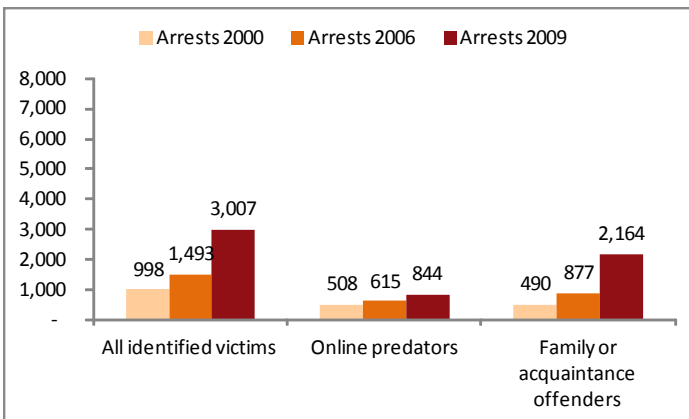
Arrests increased for crimes with identified victims, declined for solicitations to undercover investigators and increased for downloading child pornography.

Sex crimes with identified victims

Arrests for crimes with identified victims increased substantially. (“Identified victims” are directly victimized by offenders and identified by police during the investigation.) These arrests grew by one-third between 2000 and 2006 and then doubled between 2006 and 2009 (Figure 2).

However, arrests of sex offenders who used the Internet to meet victims – so-called “online predators” – accounted for little of this increase. Rather, most of the increase was of offenders who used technology to facilitate sex crimes against victims *they already knew face-to-face* – we call these “family and acquaintance” offenders. Most sex crimes against minors are committed by such persons. More family and acquaintance offenders may be using technology in the course of their crimes. For example, computers and cell phones may be used to plan meetings with victims and to take and store pictures. Also, police may be more aware of the ways technology can be used in sex crimes and thus more likely to examine computers, cell phones and other devices during investigations of sexual abuse cases.

Figure 2. Estimated arrests for crimes with identified victims, by year

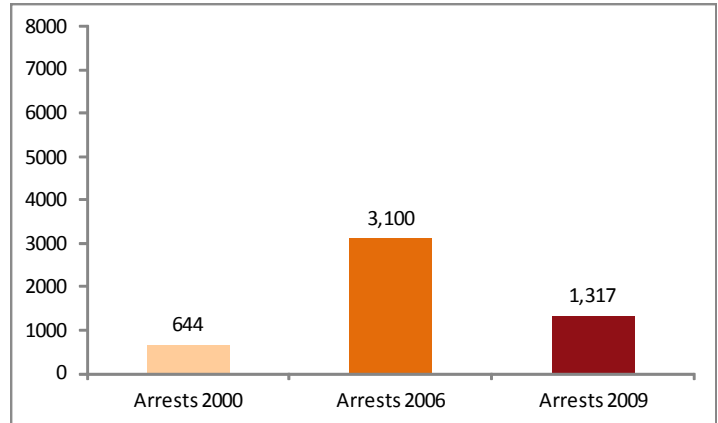


Note: Some numbers do not add exactly due to rounding.

Solicitations of undercover investigators posing online as minors

Arrests of offenders who solicited law enforcement investigators posing online as minors spiked in 2006 but then declined in 2009 (Figure 3). This rise and fall may reflect a shift in focus among law enforcement agencies, who in the early 2000s trained many officers to pose online as adolescents, but then may have cut back on these time-intensive investigations in favor of investigations of child pornography, which became easier to conduct due to developing police technology.

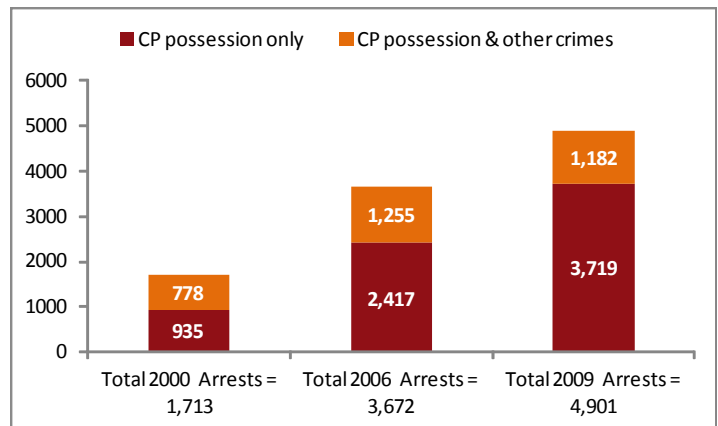
Figure 3. Estimated arrests for solicitations to undercover investigators posing online as minors, by year



Child pornography (CP) possession and distribution

Arrests for CP possession increased steadily between 2000 and 2009 (Figure 4). Close to half of 2009 arrests for technology-facilitated child sexual exploitation (46%) were for CP possession only (no additional sex crimes). We have measured significant increases in arrests for CP possession in each of the three NJOV studies.

Figure 4. Estimated arrests for CP possession, by year



Proactive investigations of online CP trading generated more arrests in 2009.

Law enforcement agencies are aggressively tackling online CP trading by proactively targeting offenders through a variety of tactics – for example, posing online as traders, tracing suspects who transact business on commercial trading sites, and monitoring file sharing networks. Arrests attributable to such proactive investigations more than doubled between 2006 and 2009.

Arrests generated by proactive investigation of online CP trading

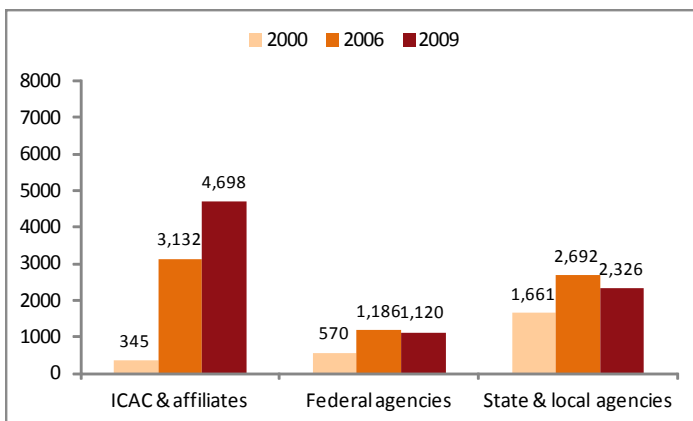
- In 2009, 2,353 arrests
- In 2006, 880 arrests
- In 2000, 274 arrests

ICAC Task Forces and affiliated agencies made more arrests for technology-facilitated crimes.

Arrests by Internet Crimes against Children (ICAC) Task Forces* increased sharply (Figure 5). One factor in this increase may be arrests by the growing number of ICAC Task Force affiliates – state and local agencies formally associated with ICAC Task Forces through written agreements.

The number of arrests made by federal agencies remained about the same between 2006 and 2009, as did the number of arrests made by state, county and local agencies that were not affiliated with ICAC Task Forces.

Figure 5. Estimated arrests by ICAC Task Forces and affiliates, federal agencies and state and local agencies, by year



Federal charges were filed in more cases.

Federally charged cases increased by about 25% between 2006 and 2009 even though arrests by federal agencies remained constant. Most federally charged cases that did not result from arrests by federal agencies came from ICAC Task Forces, which often have working relationships with US Attorneys that facilitate referrals for federal prosecution.

Estimated cases resulting in federal charges

- In 2009, 1,887 cases
- In 2006, 1,444 cases
- In 2000, 551 cases

Estimated cases resulting in state charges

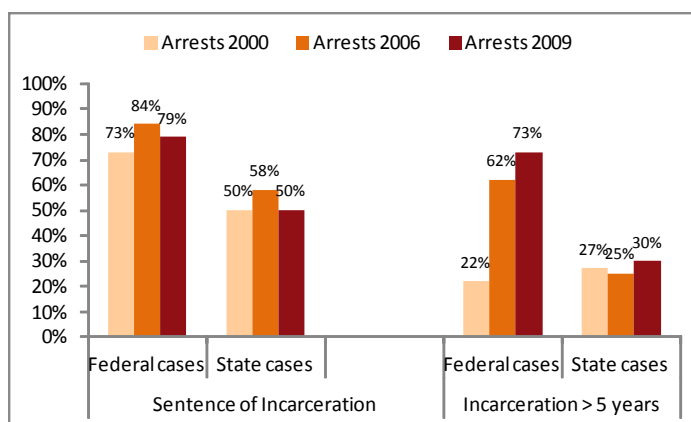
- In 2009, 6,304 cases
- In 2006, 5,714 cases
- In 2000, 2,194 cases

Some cases involved both federal and state charges. For example, an offender might be charged with federal crimes for child pornography offenses and with state crimes for child molestation.

In federal cases, more offenders received sentences of 5 years or longer.

In each year of the study (2000, 2006 and 2009), about 90% of cases with known outcomes ended in guilty pleas or convictions at trial, a high conviction rate for sex crimes. Most offenders in federal cases with known outcomes were sentenced to incarceration, and most incarcerations were for 5 years or longer (Figure 6). Fewer offenders who were charged under state laws were sentenced to incarceration and, when they were, sentences were shorter.

Figure 6. Percentage of federal and state cases with sentences of incarceration (cases with known outcomes) and with incarcerations of > 5 years, by year



Discussion

Law enforcement in the U.S. appears to be energetically engaged in investigating and prosecuting individuals who use the Internet to commit sex crimes involving children. The most recent trends suggest considerable flexibility and adaptability in their strategies. Overall, arrests in 2009 did not increase as markedly from 2006 as they did earlier in the decade, but arrests for certain types of crimes increased, suggesting a change in focus. There were dramatic increases in arrests for the possession of child pornography and trading in this contraband from 2006 to 2009. This may reflect new tools that law enforcement acquired, including the electronic tagging of known child pornography images and the ability to monitor traffic in these images through peer-to-peer file sharing networks.

At the same time, cases involving police posing online as adolescents declined from 2006-2009, possibly because these cases are time and resource intensive, as investigators need to conduct sometimes lengthy interactions with targets before gathering enough evidence to make an arrest. When suspects are in possession of child pornography, by contrast, arrests often can be made more immediately.

* The ICAC Task Force program is funded by the US Department of Justice. Its aim is to provide training and technical assistance to state and local law enforcement agencies to enhance their ability respond to technology-facilitated child sexual exploitation crimes.

Law enforcement officials continue to debate what mix of strategies allows them catch and incapacitate the most dangerous offenders in the most efficient way. While the data analyzed here do not answer these questions in any specific way, they do suggest that the changes in arrest patterns have not resulted in any lower rate of conviction or any decline in the severity of sanctioning, which could possibly indicate less serious offenders.

Law enforcement and parents have also been concerned about the degree to which growth in Internet technology and social network activity may be putting youth at risk for victimization by online sexual predators. Interestingly, while an increasing number of children were abused by someone using technology as part of the offense, the increase was largely of offenders who abused family members and face-to-face acquaintances. The increase in arrests between 2006 and 2009 of sex offenders who used the Internet to meet victims was relatively small. Meanwhile overall sexual abuse and sexual offenses against children declined during this same time period [1, 2].

Our interpretation of the available data is not that the Internet or social networking communication is putting young people at greater risk of victimization. Rather, as electronic communication becomes a dominant medium for interpersonal interaction, every kind of social activity, criminal and non-criminal, has a growing technology footprint. This footprint may also enhance the ability of parents and law enforcement to identify and prosecute it. Thus the big increase in arrests of family and acquaintance offenders with a technology component does not mean that online technologies are making youth more vulnerable, but only that the existing vulnerability is increasingly enacted and evident online, even in the context of overall declines in sexual abuse from the mid-1990s to the present.

Nonetheless, this and other research continues to signal that the online environment is a rapidly changing one. Careful monitoring of trends is important to identify emerging risks to young people and provide feedback about policies to combat them.

How the National Juvenile Online Victimization (NJOV) Study was conducted

The National Juvenile Online Victimization (NJOV) Study collected information from a national sample of law enforcement agencies about the prevalence of arrests for and characteristics of technology-facilitated sex crimes against minors during three 12 month periods: July 1, 2000 through June 30, 2001 (NJOV1), and calendar years 2006 (NJOV2) and 2009 (NJOV3).

We used a two-phase process of mail surveys followed by telephone interviews to collect data from a national sample of the same local, county, state, and federal law enforcement agencies.

First, we sent the mail surveys to a national sample of more than 2,500 agencies. These surveys asked if agencies had made arrests for technology-facilitated sex crimes against minors during the respective 12 month timeframes. Then we conducted detailed telephone interviews with law enforcement investigators about a random sample of arrest cases reported in the mail surveys. In NJOV2 and NJOV3 “technology-facilitated” was defined to include Internet use and electronic technologies such as cell phones used for texting and taking and sending photographs.

The data, weighted to account for sampling procedures and non-response, includes 612 cases from NJOV1, 1,051 cases from NJOV2 and 1,299 cases from NJOV3. Having weighted data that is based on a representative sampling of law enforcement agencies and arrest cases allows us to estimate the incidence of arrests for specific types of crimes during the timeframes of the three NJOV Studies.

Table 2 provides details about the dispositions of the mail survey and telephone interview samples for the 3 waves of the NJOV Study. Study procedures were approved by the University of New Hampshire Human Subjects Review Board and complied with all Department of Justice research mandates.

Table 2. Final dispositions and response rates for the National Juvenile Online Victimization (NJOV) Study

	NJOV1	NJOV2	NJOV3
# agencies in sample	2,574	2,598	2,653
No jurisdiction	65	282	190
Eligible agencies	2,509	2,316	2,463
Responded to mail survey	2,205 (88%)	2,028 (87%)	2,128 (86%)
Reported cases	383 (15%)	458 (20%)	590 (24%)
# cases reported	1,723	3,322	4,010
Not selected for sample	646 (37%)	1,389 (42%)	1,522 (38%)
Ineligible	281 (16%)	276 (8%)	459 (11%)
Total # cases in sample	796	1,657	2,029
Non-responders	101 (13%)	446 (27%)	471 (23%)
Refusals	25 (3%)	118 (7%)	159 (8%)
Invalid or duplicate cases	40 (5%)	30 (2%)	100 (5%)
Completed Interviews	612 (79%)	1,051 (64%)	1,299 (64%)

Note: NJOV1 arrests occurred between July 1, 2000 and June 30, 2001; NJOV2 arrests in 2006; NJOV3 arrests in 2009

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ACKNOWLEDGEMENTS

This research depended on the assistance of hundreds of law enforcement personnel. We thank each of you for helping us and for the important work you do to protect children.

NJOV₃ was funded by Grant No. 2009-SNB-90001 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. The total amount of federal funding was \$825,704. Points of view or opinions in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice. We are grateful to the many law enforcement investigators who participated in this research and to the talents, perseverance and skills of research assistants Kristina Breton, Elisabeth Cloyd, Matthew Cutler, Laura Healey, Kaitlin Lounsbury, Marisa MacDonnell, Dianne Ramey, Lynn Russ and Samantha Senechal.

We welcome inquiries about our research. Please contact Janis.Wolak@unh.edu.

NJOV Study papers, methodology and other reports are available at the website of the Crimes against Children Research Center: <http://www.unh.edu/ccrc/internet-crimes/papers.html>.



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