

Investigating and Prosecuting Child Exploitation Offenses Committed on Social Networking Websites

Exemption 6

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Social networking websites provide computer users with the ready means to establish private online communities. In their simplest form, these websites enable individual users to access and link to personal profiles created by other users; the more sophisticated forms of the websites enable multiple users to link together into single, mutually accessible groups in order to share online media. While typically used for benign purposes, such as dating and professional networking, the websites are increasingly used to receive and distribute child pornography.

This article has three aims. First, it describes the unique organizational features offered by social networking websites, and how child pornography offenders exploit these features. Second, the article explains how it is possible to turn these same organizational

features against those offenders in order to identify and prosecute them. Third, the article offers general tips for investigating and prosecuting child exploitation crimes committed on social networking websites.

Capabilities of Social Networking Websites

Perhaps one of the most recognizable and basic examples of a social networking site is Facebook. Facebook permits a user to configure personal web pages hosted on the site. A page may display a user's name and an image that is uniquely associated with the user, such as his or her photograph; the names and unique images associated with the Facebook pages of others designated by the user as "friends"; and trivial things, such as books and movies, of which the user is a "fan." Aside from permitting the designation of friends whose photographs and names appear on personal pages, Facebook does not provide

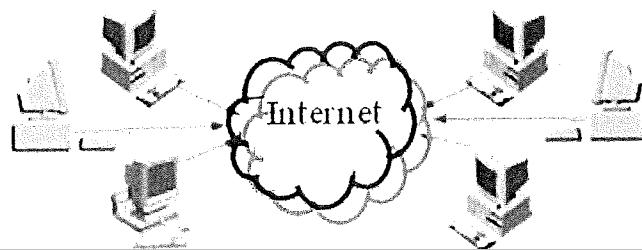
much opportunity for users to organize themselves through the site in any meaningful way. Nor does Facebook enable users to hide material and information posted on pages from outsiders; anyone, whether a registered Facebook member or not, may access a personal web page and see the friends, images, and information displayed there.

At the other end of the spectrum of sophistication is Multiply, a social networking site that emphasizes media sharing. Multiply enables the creation of networks composed of direct contacts, i.e., Multiply users permitted to access videos, images, and music posted onto personal homepages. The site enables users to specify the nature of these contacts, and even to limit access to certain items on personal homepages only to particular subsets of contacts. Security settings also make it possible for Multiply users to designate whether content posted on their homepages can be viewed publicly (by any member of Multiply), privately (by any member of the designator's Multiply network), or at a heightened privacy level (by invitation only). Linked network constituents may also chat with each other online through their Multiply home pages.

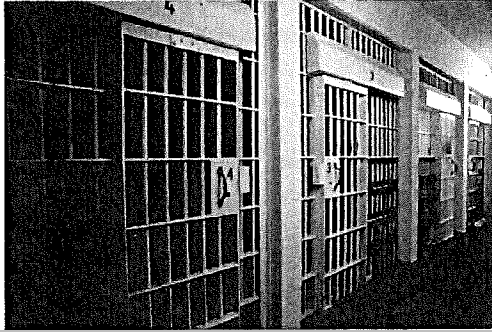
Thus, through Multiply, it is possible to create homepages on which to post child pornography videos and images accessible only to specific invitees or specially designated contacts. Working in concert, multiple users may create online child pornography forums by designating each other as Multiply contacts and permitting mutual access to the child pornography hosted on their personal pages. Multiply users without explicit access to the child pornography who view such homepages would see only publicly available matter. To unauthorized viewers, the child pornography posted on the pages would, in effect, be invisible. The combination of these organizational features -- internal communication (chatting), media sharing, multi-level designation of contacts, and security settings -- make social networking websites like Multiply appealing vehicles for committing child pornography offenses.

Charging Offenses Committed on Social Networking Websites

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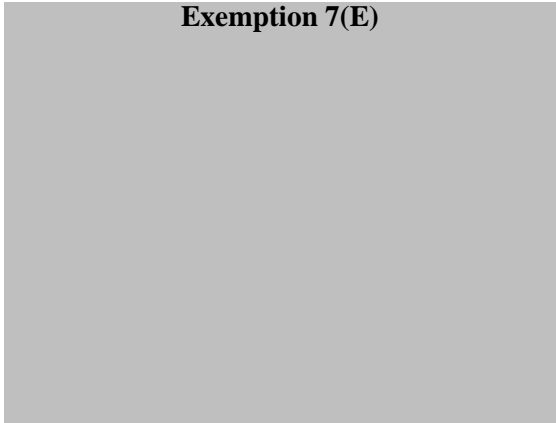
Tips for Investigating Social Networking Websites

The following may prove helpful to prosecutors and agents seeking to gather evidence regarding child pornography offenses that occur on social networking websites:

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facilitate the creation of private online communities, from e-mail to peer-to-peer file-sharing, has provided a commensurate opportunity for child pornography offenders to commit their crimes. Social networking websites are no exception. But the very characteristics that make these websites an attractive means for organizing groups dedicated to sharing child pornography may also aid in the identification and prosecution of these offenders. Indeed, the highly organized nature of online groups that form on social networking websites ensures that a careful investigation will yield evidence that supports significant charges and high sentences.

Conclusion

Each advance in the Internet's ability to