

United States Naval Criminal Investigative Service

Director Brant Begins A New Era



Looking To The Future With The Defense Criminal Investigative Organizations . . .



Keeping In Touch With The Present Through The Director's Advisory Board (DAB) . . .

**... And
Renewing
Ties With A
Proud Past
As Former
Directors Visit**





January 1998

2

New assignments, changes occur within the hierarchy of NCIS, including the appointment of two new members of the Senior Executive Service (SES).

10

Strategic Planning Group established to help NCIS adapt to future changes and challenges.

14

Director's Advisory Board gives non-management personnel an opportunity to have their ideas heard by senior management and to offer recommendations.

Director David L. Brant

Deputy Director John F. McEleny

*Assistant Director for
Government Liaison & Public Affairs
Special Agent Victor H. McPherson*

*Deputy Assistant Director for
Congressional Liaison
Special Agent P. Cole Hanner*

*Deputy Assistant for Public Affairs
Special Agent Al Chester*

*Editor
Mr. Gary M. Comerford*

*Editorial Assistants
CDR Charles A. Menickelly, USNR
Mr. Larry Welch
Mrs. Shelia Reeves
RM2 Rodney Johnson, USNR
YN3 Roseanne Sambuco, USNR*

This edition of the NCIS Bulletin was published with administrative assistance from Naval Reserve Unit NCISHQ 0166.

15

Second Nathaniel Stinson EEO Award in five years is presented to NCIS.

16

Child Pornography on the internet is becoming increasingly more prevalent and law enforcement must learn new techniques in order to track sexual predators.

30

The Bulletin Board . . . Four agents receive DoD FCI awards... "Top Cops"... and more.

Plus

Retired Ring-In... Liaison... Sports ... the "Plank Holders List" ... and the new "Top Twenty List."

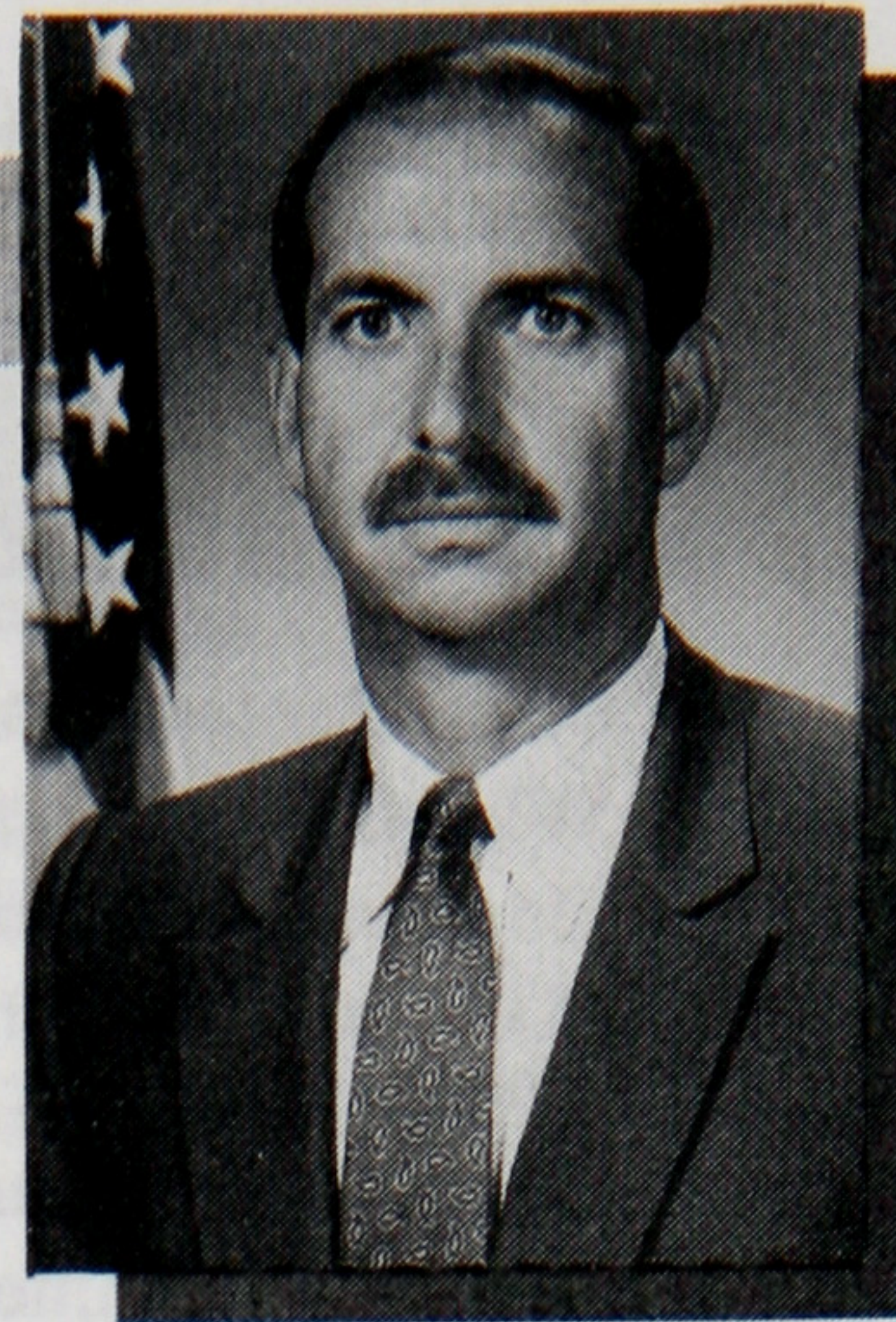
On The Cover Defense Criminal Investigative Organization (DCIO) leaders gathered at NCIS Headquarters in November to sign a memorandum of agreement outlining guidelines by which the agencies would run leads for each other. Seated is NCIS Director David L. Brant. Standing behind him are: Director William G. Dupre of the Defense Criminal Investigative Service (DCIS); Brig. Gen. Daniel Doherty, Commander, U.S. Army Criminal Investigations Command; and Brig. Gen. Francis X. Taylor, Commander, U.S. Air Force Office of Special Investigations.

In the middle photo, Director Brant meets with members of the Director's Advisory Board, while in the bottom photo, Directors of NCIS past and present pose for a group photograph.

The NCIS Bulletin is produced by the Office of Government Liaison and Public Affairs. It is an internal document and is intended for use by all current and retired members of NCIS and their immediate families. Due to the nature of the information in this document, it is not intended for public release. Opinions expressed are not necessarily those of the United States, Department of Defense or Department of the Navy. Any comments or suggestions should be forwarded to: Naval Criminal Investigative Service, Office of Government Liaison and Public Affairs (Code 07S), Washington Navy Yard Building 111, 901 M Street S.E., Washington, D.C. 20388-5380.

Director's Message . . .

As this edition of the *NCIS Bulletin* suggests, we are entering a new and exciting era in defense criminal investigations.



Building upon a sturdy foundation and proud legacy provided to us by our predecessors, NCIS is moving boldly into new ways of doing business. We are leveraging the extraordinary talents and dedication of our agents, analysts, technicians, and administrative professionals to support the crime fighting efforts of the entire defense investigative community. In return, our Navy/Marine Corps customers and we are benefiting tremendously from our strategic partnership with our defense investigative counterparts.

As recent messages from NCIS Headquarters have underscored, we are striving to share scarce resources with Marine Corps CID, Army CID, Air Force OSI, and the Defense Criminal Investigative Service (DCIS). In September, my counterparts and I signed an historic agreement creating the Defense Criminal Investigative Organization (DCIO) Enterprise-Wide Working Group and committing our agencies to seeking ways to strategically enhance our interoperability and share the best of our respective business practices and capabilities.

In furtherance of that commitment, we have agreed to join forces in the war on computer-based crime. Beginning later this year, NCIS, Army CID, OSI, and DCIS will cooperate in the establishment of a DoD Computer Forensics Laboratory and Computer Investigations Training Program.

In November, my counterparts at Army CID, Air Force OSI and DCIS and I signed another groundbreaking and evolutionary document committing our agencies to greater interoperability and cooperation in the cross-servicing of investigative leads. This initiative grew out of an NCIS idea first proposed three years ago by the NCIS Long-Range Planning Board.

Finally, with this issue, I am inaugurating the new *NCIS Bulletin* as a medium of professional communication within the defense investigative community. I am creating an editorial board to expand the professional charter of the *Bulletin* and elevate the *Bulletin's* stature as a professional journal for critical discourse on issues of professional interest to the entire defense investigative community.

I encourage you to share your unique experiences, knowledge and insights with your peers in future issues of this, your professional journal.

Happy Holidays!


DAVID L. BRANT

There is a need for enhancing communication between headquarters and the field elements of the Naval Criminal Investigative Service (NCIS). We can satisfy this need and increase our effectiveness in serving the Department of the Navy by selectively publishing information of interest to the members of NCIS. This Bulletin is intended for use by all members of NCIS.

Two SES Appointments Made

Major Changes Occur In NCIS

By Gary M. Comerford
Bulletin Editor

A number of major changes have occurred in the hierarchy of the Naval Criminal Investigative Service since the beginning of the summer.

Most notable is the selection of Special Agent David L. Brant as the Director of NCIS, in May, 1997. Prior to his selection, Director Brant had served as Assistant Director for Counterintelligence.

In the months following Director Brant's appointment, several changes were made in the leadership of NCIS.

Assistant Director Ernest Simon, who had been in charge of Government Liaison and Public Affairs (GL&PA), was appointed as Assistant Director for Criminal Investigations. Special Agent Victor H. McPherson, who had been Deputy Assistant Director for Career Services, was promoted to Assistant Director for GL&PA.

In September, 1997, Special Agent Joseph J. Hefferon was appointed as Assistant Director for Counterintelligence.

Assistant Director Hefferon, along with Special Agent in Charge Wayne Bailey of the Norfolk Field Office also were promoted to the Senior Executive Service.

Other changes include the appointment of Mr. Dan Butler as Executive Assistant to the Director and Coordinator of the Strategic Planning Group; Col. Carlos Hollifield, USMC, as Military Assistant to the Director; Ms. Donna Green as Deputy Assistant Director for Career Services; Special Agent Al Zane

as Deputy Assistant Director of the newly-formed Computer Investigations and Operations (CIO) Department; Special Agent Charles C. "Chuck" Briant as Deputy Assistant Director of the General Crimes Department; Special Agent Frank Kauffman as Deputy Assistant Director of the Criminal Intelligence Department; Special Agent Al Chester as Deputy Assistant Director for Public Affairs; and Special Agent P. Cole Hanner as Deputy Assistant Director for Congressional Affairs.

DIRECTOR BRANT

Director Brant was born on September 30, 1952, in Danville, Illinois. He received a bachelor's degree in psychology from Bradley University in 1974 and a master's degree in criminology from Indiana State University in 1975. He joined the NCIS in 1977 after serving as a police officer for two years in the Dade County Metropolitan Public Safety Department in Miami, Florida.

Since joining NCIS, Director Brant has served as Special Agent Afloat on the U.S.S. Independence (1979-1980); Special Operations Squad Leader at the NCIS Resident Agency, Subic Bay, Republic of the Philippines (1981-1983); Executive Assistant to the Director of NCIS (1984-1986); Special

Agent in Charge of the NCIS Resident Agency Mayport, Florida (1986-1989); Deputy Regional Director, NCIS Southeast Asia Region (1989-1991); Deputy Assistant Director for Counterintelligence (1991-1992); and Assistant Director for Career Services (1992-1993).



Navy General Counsel Steve Honigman and Principal Deputy Counsel Leigh Bradley visit NCIS Headquarters to congratulate Director David L. Brant on his selection.

(Photo by Gary M. Comerford)

During the 1993 NCIS reorganization, Director Brant was assigned as Assistant Director for Administration. He was appointed as Assistant Director for Counterintelligence in July, 1993, and promoted to the Senior Executive Service in September, 1993. He was appointed Director of NCIS by Secretary of the Navy John Dalton in May, 1997.

Director Brant received the Navy Meritorious Civilian Service Award in 1989. He is a graduate of the Senior Executive Course at the John F. Kennedy School of Government at Harvard University.

ASSISTANT DIRECTOR HEFFERON COUNTERINTELLIGENCE

Assistant Director Hefferon was born on October 13, 1953 in Watertown, New York. He received a bachelor's degree in criminology from Mercyhurst College, Erie, Pennsylvania in 1974.

Following graduation, he was commissioned an officer in the United States Marine Corps on January 1, 1975 and served in various active duty and reserve assignments as a combat engineer officer, 2nd Marine Division, military police platoon commander, Marine Corps Base, Camp Lejuene, N.C., and team commander 12th Counterintelligence Team, 4th Marine Division until 1995.

Since joining NCIS in 1978, Assistant Director Hefferon has served at New York City Resident Agency (1978-1981); Special Agent and Staff Assistant to the Regional Director, NCIS Resident Agency, Republic of the Philippines (1981-1983); Desk Supervisor, NCIS Headquarters, Counterintelligence Directorate 1983-1985; Special Assignment Central Intelligence Agency 1985-1988; Special Agent in Charge, (SAC), NCIS Regional Counterintelligence Unit South East Asia, Republic of the Philippines (1988-1990); Senior Staff Counterintelligence Officer, Commander U.S. Naval Forces Central Command, for Operation Desert Storm (1990-1991); Head, Collection Management Division, Counterintelligence Directorate, NCIS Headquarters, (1991-1992); Assistant to Deputy Assistant Director for Counterintelligence Policy, Plans and Programs (1992-1993).



He was appointed Deputy Assistant Director for Counterintelligence Operations, serving from 1994 to 1997. He was promoted to Assistant Director for Counterintelligence in October, 1997. Assistant Director Hefferon is a member of the Senior Executive Service (SES).

Assistant Director Hefferon received Department of Navy Superior Civilian Service Medal in September 1991; the Department of Defense Desert Shield/Desert Storm Medal in 1992; and the National Intelligence Meritorious Unit Citation as Team Leader in 1991.

ASSISTANT DIRECTOR SIMON CRIMINAL INVESTIGATIONS

Assistant Director Simon was born on December 10, 1951, in Los Angeles, California. He attended San Diego State University, where he earned a bachelor's degree in sociology.

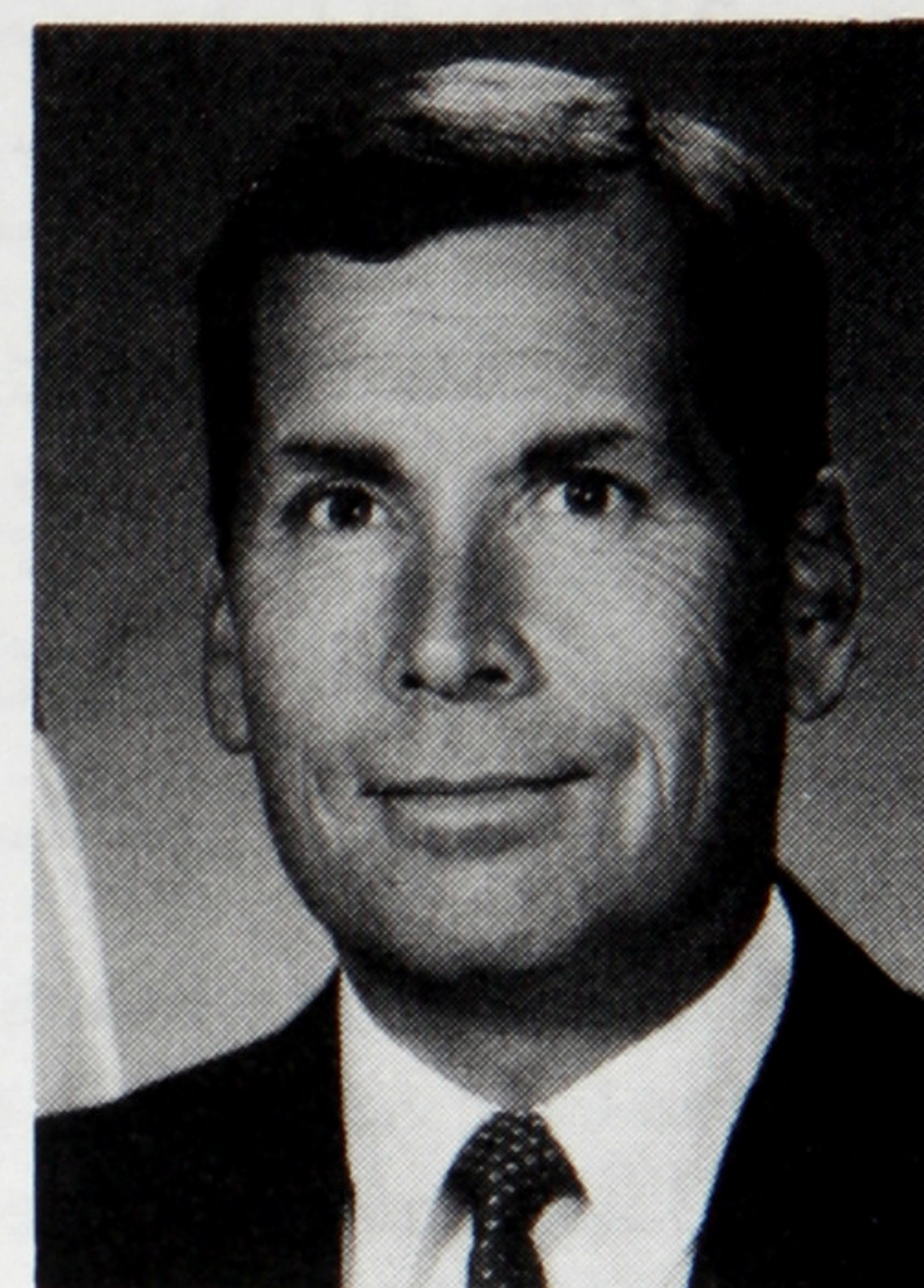
Following graduation, Assistant Director Simon joined the NCIS in 1975. He has been assigned to a variety of NCIS field positions in San Diego, Guam, New York, Newport, R.I. and Washington, D.C.

He has served as the Assistant Special Agent-in-Charge at the NCIS field office in Newport, R.I., and New York. He also served as the Special Agent in Charge (SAC) of the Resident Agency at Naval Air Station Miramar and the SAC of the Regional Fraud Office in San Diego, California.

He was assigned to the NCIS Headquarters Fraud Department in 1990, first serving as Head, Operations and Liaison Division.

Assistant Director Simon was promoted Deputy Assistant Director for Fraud Investigations in 1993 and appointed as Assistant Director for Government Liaison & Public Affairs (GL&PA) in May, 1996. He was appointed Assistant Director for Criminal Investigations in June, 1997.

In his current position, he is responsible for the supervision of the General Crimes Investigations Department, the Procurement Fraud Investigations Department, the Criminal Intelligence Department, and the Technical Services Department, which includes the Polygraph Program, the Technical



Surveillance Countermeasures Program, and two forensic laboratories located in Norfolk, Virginia, and San Diego, California.

Assistant Director Simon has received several sustained superior performance awards. He is a graduate of the George Washington University Contemporary Executive Development Institute.

ASSISTANT DIRECTOR McPHERSON GOVERNMENT LIAISON & PUBLIC AFFAIRS

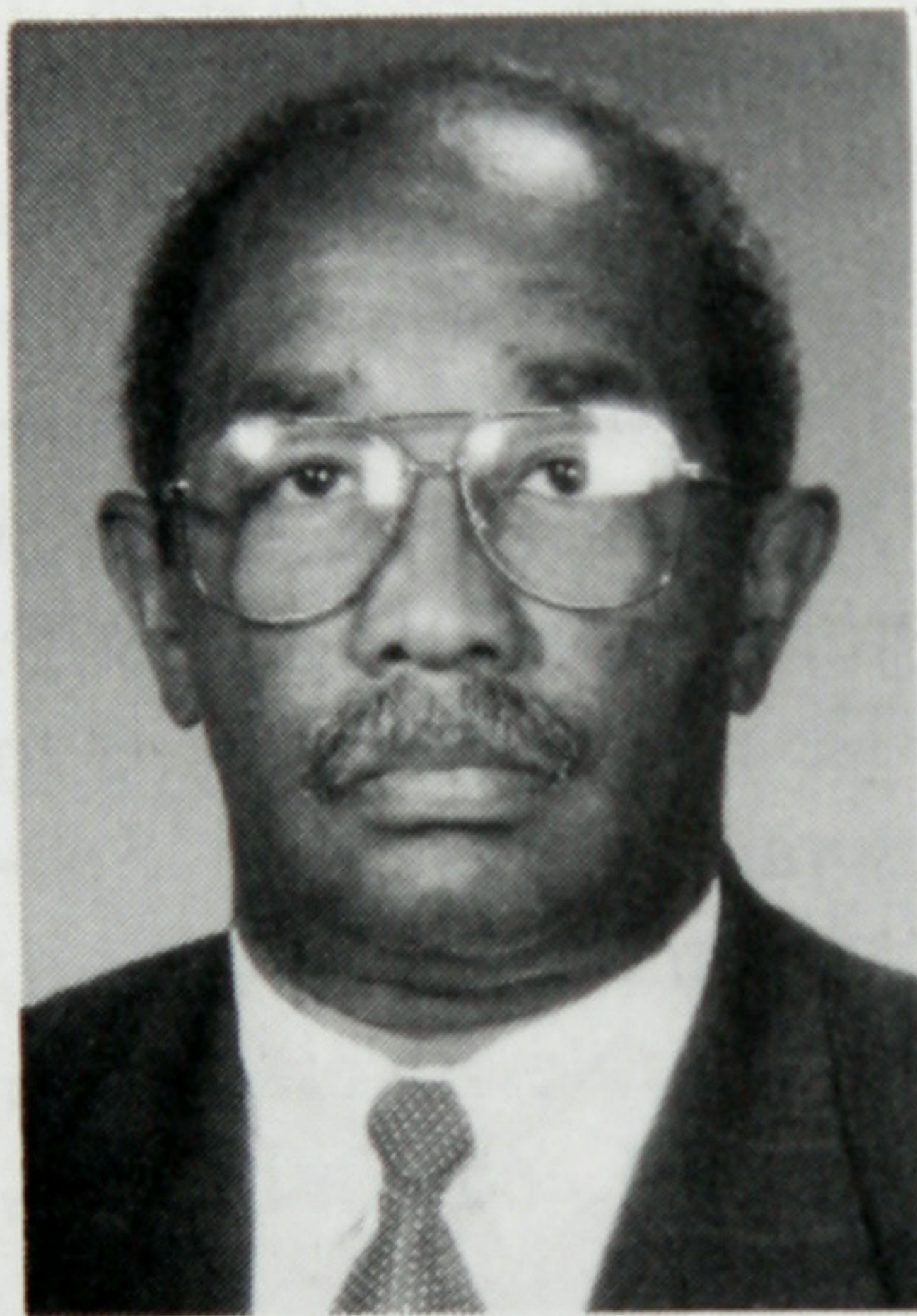
Assistant McPherson was born on May 25, 1942, in Kansas City, Kansas, and grew up in Washington, D.C., where he attended District schools and Howard University. He enlisted in the U.S. Army in 1962, serving as a special agent with Military Intelligence.

Upon his release from active duty, he became a special agent with the Office of Naval Intelligence, predecessor of the Naval Criminal Investigative Service (NCIS), and was assigned to Boston, Massachusetts.

He has served subsequent tours at Great Lakes, IL; Okinawa, Japan; Representational Resident agent at Ballast Point Submarine Base, San Diego, California; Staff Assistant, and later Assistant Special Agent in Charge (ASAC) and Fraud Squad Leader, at Subic Bay, Republic of the Philippines; Special Agent in Charge (SAC) at Twentynine Palms, California, which also included responsibility for military installations at Barstow and China Lake; ASAC at Yokusuka, Japan; Deputy Inspector General at NCIS Headquarters; and as Deputy Regional Director of the National Capitol Region in Washington D.C.

In January, 1993, he was transferred to NCIS Headquarters where he was subsequently promoted to Deputy Assistant Director for Career Services. He served in that position until June, 1997, when he was appointed as Assistant Director for Government Liaison and Public Affairs.

Assistant Director McPherson has a bachelor of science degree in security from the Northeastern University School of Criminal Justice in Boston, Massachusetts, and a master of business degree from National University in San Diego, California. He attended the Senior Officials in National Security Course taught at the John F. Kennedy School of



Government, Harvard University.

He is also a captain in the U.S. Naval Reserve, and served as the senior investigator in the reserve unit supporting Naval Sea Systems Command Inspector General's Office from October, 1995, to September, 1997, when he was transferred to the reserve unit supporting the Office of the Secretary of Defense Technology Transfer Office.

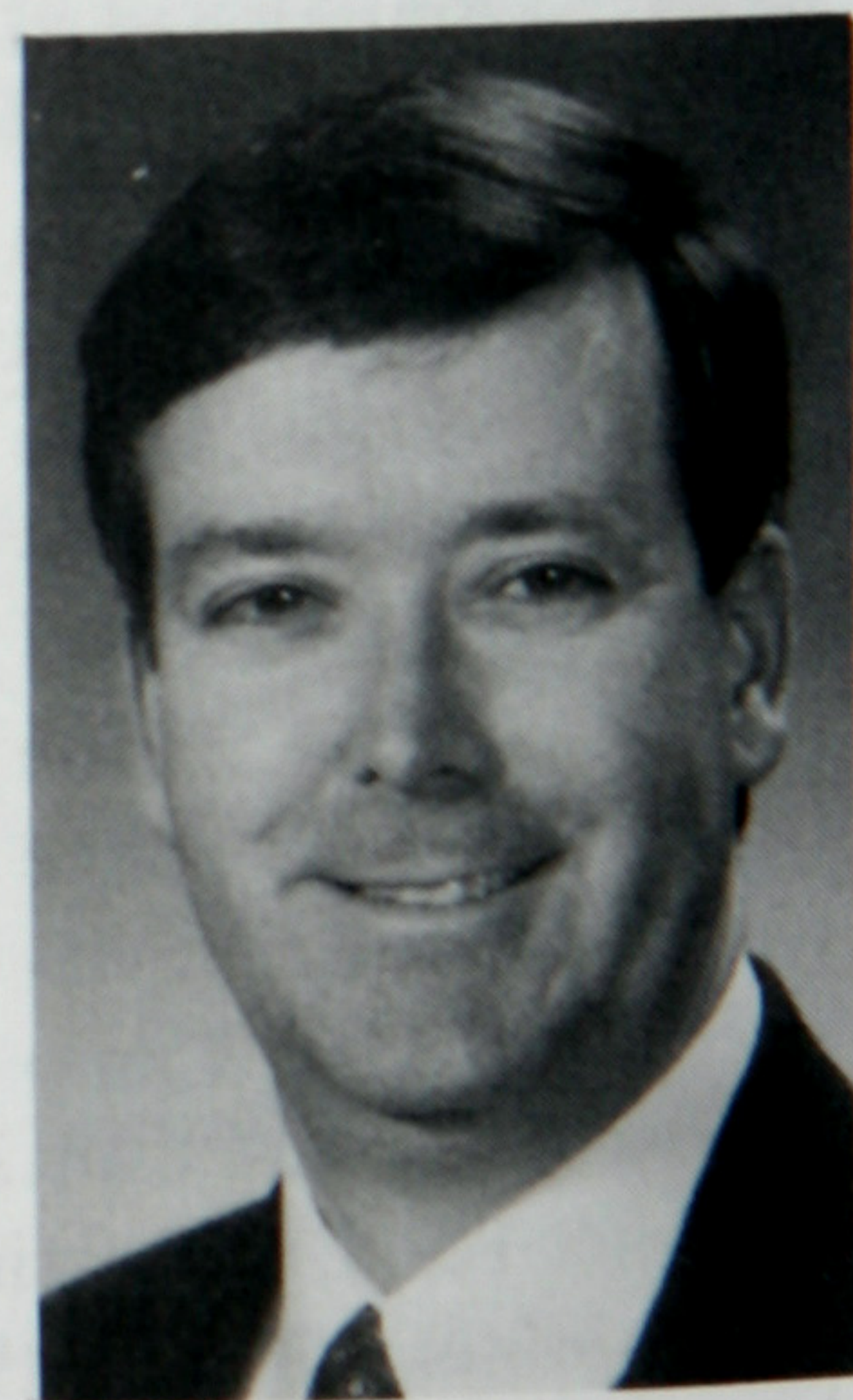
EXECUTIVE ASSISTANT TO THE DIRECTOR BUTLER

Mr. Butler was appointed Deputy Assistant Director for Congressional Affairs for NCIS in February, 1995, and named as Executive Assistant to the Director and Coordinator of the Strategic Planning Group in June, 1997.

Prior to that, he served on the staff of the Advisory Board on the Investigative Capability of the Department of Defense as a Management Consultant and Team Chief for Counterintelligence and Personnel Policies.

Mr. Butler received a bachelor's degree in economics from Columbia University in 1981, and a master's degree in public administration from Harvard University, John F. Kennedy School of Government, in 1993.

Mr. Butler served on active duty with the United States Navy from 1981 to 1991 as an intelligence of-

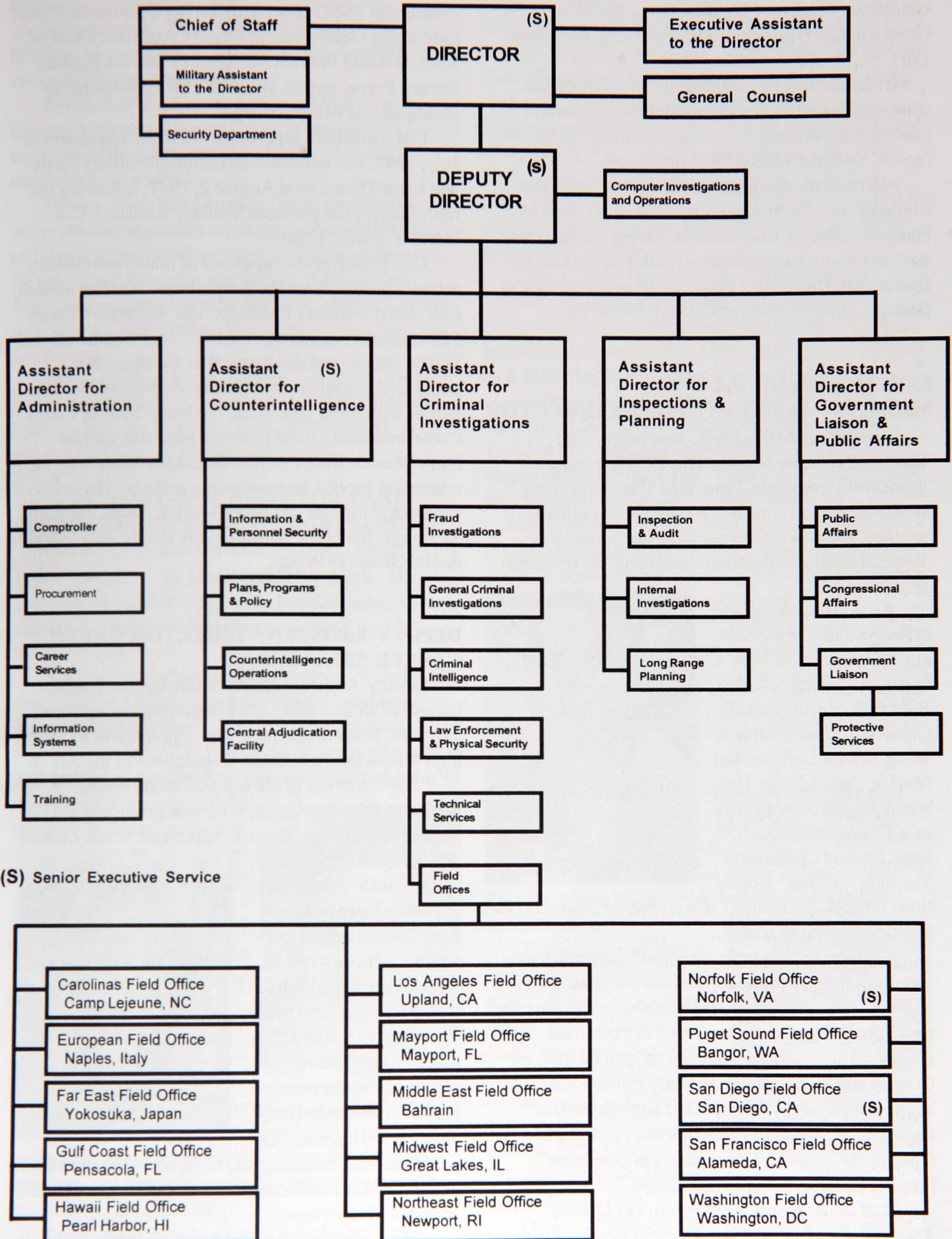


ficer. His first operational assignment was with F-14 Fighter Squadron 102 and the aircraft carrier U.S.S. America as the tactical reconnaissance intelligence officer. Following two deployments to the Mediterranean Sea and Indian Ocean, he served as an intelligence watch officer and human intelligence (HUMINT) requirements officer on the staff of the Commander in Chief, U.S. Naval Forces Europe in London, England.

In 1987, after graduating with distinction from the Federal Law Enforcement Training Center in Glynn, Georgia, and receiving additional counterintelligence training, Mr. Butler was designated a Special Agent and assigned to the NCIS Resident Agency in Rota, Spain, as a counterintelligence officer.

Following a brief separation from active duty in 1990, Mr. Butler was recalled to active duty for six months in 1991 for Operation Desert Storm. He

NAVAL CRIMINAL INVESTIGATIVE SERVICE



established the NCIS office in Souda Bay, Greece, and conducted counterintelligence and counterterrorism investigations and operations in Greece until his release from active duty in August 1991.

Mr. Butler has received numerous awards and commendations for his superior performance and management accomplishments, including the Secretary of Defense Award for Excellence.

His military decorations include the Navy and Marine Corps Commendation Medal with Gold Star, Navy and Marine Corps Achievement Medal (three awards), Navy Expeditionary Medal for service in Beirut, Southwest Asia Service ribbon for service in Bahrain, and two Meritorious Unit Citations.

COL. HOLLIFIELD, USMC MILITARY ASSISTANT TO THE DIRECTOR

A native of Morristown, Tennessee, Col. Hollifield was commissioned in 1974 following graduation from East Tennessee State University where he earned a bachelor's degree in political science. He also possesses a master's degree in systems management from the University of Southern California.

As a company-grade officer, he served in a variety of units to include a Communications Battalion, Force Reconnaissance Company, Marine Aircraft Wing, Marine Division, and Marine Amphibious Unit where he performed duties as a Communications Officer, Platoon Commander, Training Officer, Operations Officer, Executive Officer, Aerial Observer, and Deputy Provost Marshal.

Promoted to Major in June 1985, he reported to Headquarters Marine Corps where he directed the Marine Corps Physical Security and Counterterrorism program. Subsequently he served in numerous command and staff assignments to include duty as Commanding Officer of a Military Police Company and Commanding Officer, MEU Service Support Group-11, 11th Marine Expeditionary Unit (Special Operations Capable) participating in Operation Provide Hope in Somalia and Kenya.

Staff assignments include tours as Deputy Assistant Chief of Staff for Tactical Readiness /



Training and Inspector, 1st Force Service Support Group (FSSG); Deputy Commander/Executive Officer, 1st FSSG (Forward) during Operations Desert Shield and Desert Storm; Deputy Assistant Chief of Staff, G-1 and Provost Marshal, 11 Marine Expeditionary Force; and as Head of Law Enforcement, Headquarters Marine Corps.

Col. Hollifield reported to NCIS Headquarters in July, 1997, and assumed the duties of Military Assistant to the Director on August 2, 1997, following the retirement of the previous Military Assistant, Col. David T. Swan, USMC.

Col. Hollifield is a graduate of numerous military schools, among them the Amphibious Warfare School, U.S. Army Military Police Officer Advance Course, FBI National Academy, Marine Corps Command and Staff College, and the Army War College. His personal decorations include the Meritorious Service Medal with three gold stars, the Navy/Marine Corps Commendation Medal with one gold star, and the Navy/Marine Corps Achievement Medal as well as numerous service and campaign awards. He is also authorized to wear the Navy/Marine Corps Parachutist Wings, the Navy Scuba Divers Badge, and Naval Aerial Observer Wings.

DEPUTY ASSISTANT DIRECTOR GREEN CAREER SERVICES

Deputy Assistant Director Green (nee Cheek) joined NCIS as a GS-3 clerk/stenographer on June 24, 1974. Prior to that, she was appointed as a GS-01 high school intern with the Department of the Army.

"I've hit every grade but 10," said Deputy Assistant Director Green, who was promoted to GS-15 at the same time she was appointed to her current position.

Deputy Assistant Director Green has spent most of her career in personnel administration. She initially was assigned to the Civilian Personnel Branch of the Administration Department with responsibility for preparing travel orders and handling payroll matters. She remained there until August, 1986, when she transferred to the Law Enforcement and Physical Security (LEPS) Programs Department.

As a management analyst, she was responsible for



security manpower studies and the rewriting of classification standards for civilian guards and police.

In December, 1987, she transferred to the Career Services Department as a management analyst to develop civilian personnel policy.

As head of the Career Services Department, Deputy Assistant Director Green is responsible for transfers, hiring, pay, travel and other personnel administrative matters.

Deputy Assistant Director Green has attended numerous management seminars to include the Chief of Naval Operations Executive and Management Development Program, the Office of Personnel Management Development Seminar, and the Executive Women's Workshop at the Center for Creative Leadership.

In her off duty hours, Deputy Assistant Director Green enjoys reading, horseback riding, hunting and fishing. She, her husband, Tom, and their five-year-old son Elliot live in Pomfret, Maryland.

DEPUTY ASSISTANT DIRECTOR ZANE COMPUTER INVESTIGATIONS AND OPERATIONS

Deputy Assistant Director Zane was born on January 31, 1947, in Manhattan, New York. He received a bachelor's degree in business administration from Adelphi University in Garden City, New York, in 1969.

Following graduation, he completed Naval Aviation Reserve Officer Candidate School and was commissioned as an ensign. He was then assigned to Naval Flight School at Pensacola, Florida, where he was trained as a helicopter pilot and received his gold naval aviator's wings in February 1971. He subsequently was assigned to Helicopter Combat Support Squadron Six stationed at Norfolk, Virginia, where he served until he left the Navy to join the Naval Criminal Investigative Service (NCIS) in 1974.

Deputy Assistant Director Zane was initially assigned to the NCIS office in Norfolk.

Between 1974 and 1978 he worked in all investigative disciplines, from violent crime and fraud to counterintelligence. During this period he specialized in source handling and the development of proactive operations targeting criminal activity.

Subsequent assignments included Assistant Special Agent in Charge, NCIS Resident Agency



Sigonella, Italy (1978-1982); Staff Assistant to the Regional Director, NCIS Regional Office New York (1982-1983); Assistant Special Agent In Charge for Foreign Counterintelligence, NCIS Resident Agency New York (1983-1986); Assistant Regional Director for Foreign Counterintelligence, NCIS Regional Office Europe (1986-1989); Special Agent in Charge of the NCIS Resident Agency, London, UK (1989-1991); student at the U.S. Naval War College in Newport, Rhode Island (1991-1992); and Assistant to the Director of Naval Intelligence for Counterintelligence (1992-1994).

Deputy Assistant Director Zane returned to NCIS Headquarters as Chief of the Americas Division, Counterintelligence Directorate, and served in that capacity until July, 1995, when he was detailed as a Staff Assistant to Rep. Jerry Lewis (R-CA).

In February, 1997, he was appointed as the Director of the Defense Computer Investigations Training Program, and in September, 1997, he assumed additional duties as Deputy Assistant Director for Computer Investigations and Operations.

While serving as the Special Agent in Charge of the Resident Agency in London, he was assigned to the U.S. Navy Central Command Bahrain as Liaison Officer for counterintelligence coordination in support of Operation Desert Shield. He was the first special agent to hold this assignment.

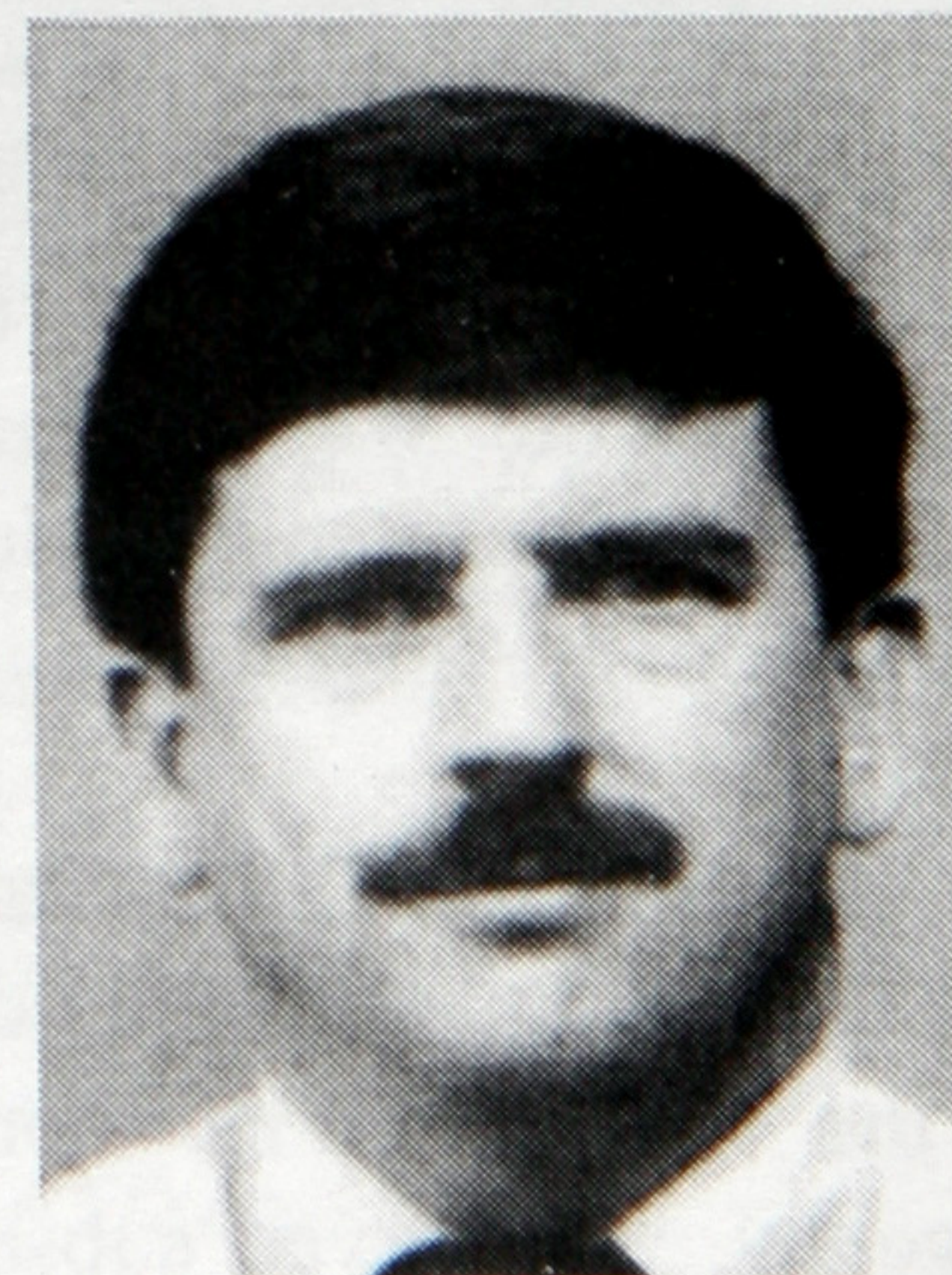
Special Agent Zane is a recipient of the Superior Civilian Service Medal and has a master's degree in national security and strategic studies from the U.S. Naval War College.

DEPUTY ASSISTANT DIRECTOR BRIANT GENERAL CRIMINAL INVESTIGATIONS

Deputy Assistant Director Briant is a 1975 graduate of Jacksonville University in Jacksonville, Florida, where he earned a bachelor's degree in urban studies.

Following graduation, he was commissioned as an ensign in the United States Navy and subsequently qualified as a surface warfare officer. He also served as weapons officer and later as an officer-agent with NCIS in London, England, until his release from active duty in 1980.

Deputy Assistant Director Briant has served in Groton, Connecticut; London, England; as Assistant



Special Agent in Charge of the Washington Field Office. His headquarters assignments have included tours in special access program support; Chief, Counterintelligence Investigations Division; Assistant for Counterintelligence Resource Management; and as Chief of the Europe, Africa and Middle East Counterintelligence Operations Division.

He was the Special Agent in Charge of the NCIS Resident Agency in Panama and the U.S. Naval Forces South Staff Counterintelligence Officer during Operation Just Cause. He then was assigned in Saudi Arabia as the Deputy Counterintelligence Staff Officer, U.S. Central Command, during Operation Desert Storm.

His last two assignments were as Chief of the Program Integration Office at the National Counterintelligence Center and as the Assistant Director for Counterintelligence Operations in the Office of the Deputy Assistant Secretary of Defense for Intelligence and Security.

Deputy Assistant Director Briant is the recipient of the Secretary of Defense Medal for Meritorious Civilian Service, the Navy Superior Civilian Service Medal, the Navy Meritorious Civilian Service Medal, and the Operation Desert Storm Civilian Service Medal.

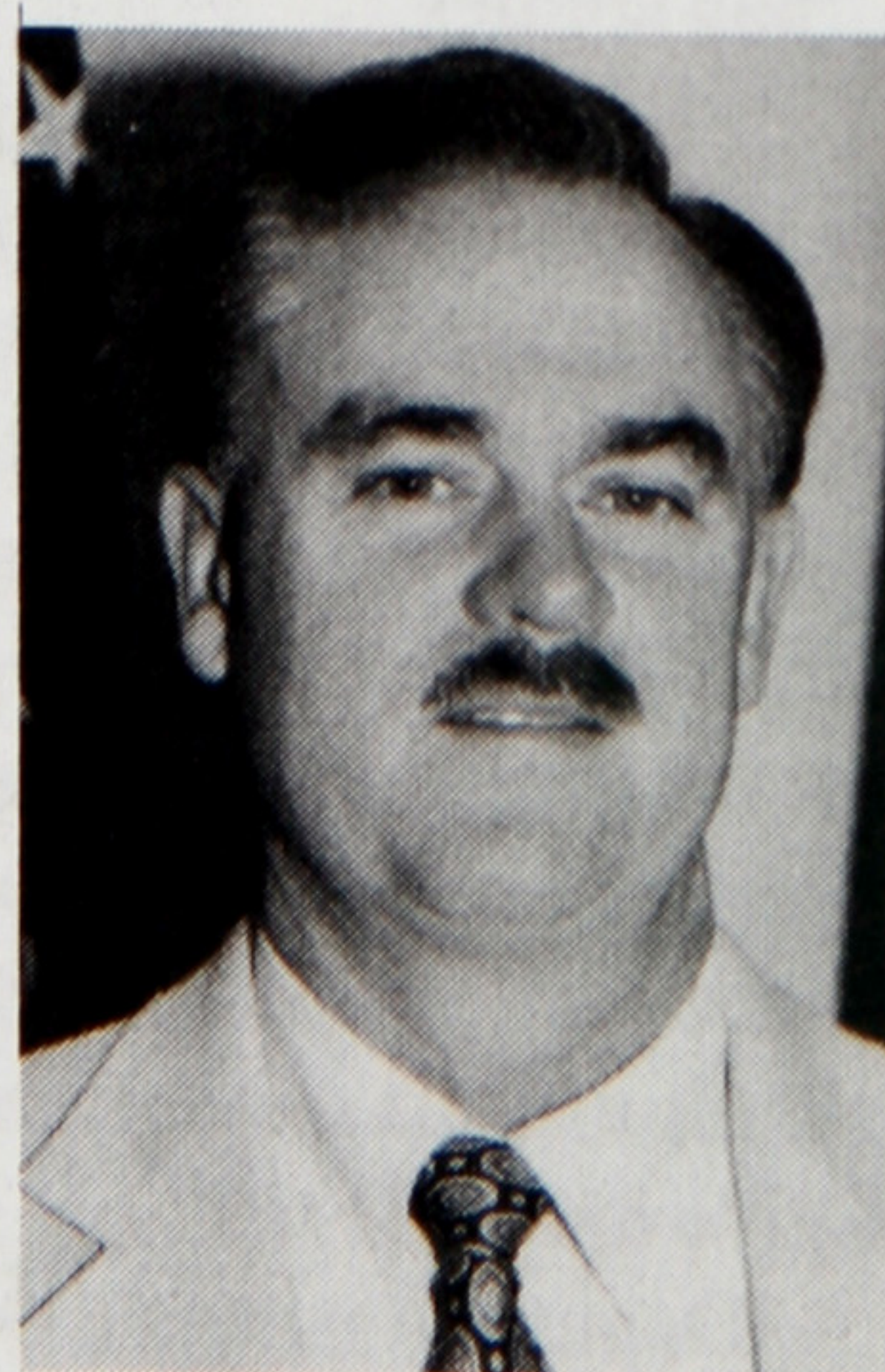
He is a captain in the Naval Reserve and currently serves as the National Capital Region Deputy Director of the Joint Reserve Unit supporting the Defense Human Intelligence (HUMINT) Service.

DEPUTY ASSISTANT DIRECTOR KAUFFMAN CRIMINAL INTELLIGENCE

Deputy Assistant Director Kauffman was born in Tacoma Park, Maryland, and raised in Richmond, Virginia. He attended Virginia Commonwealth University in Richmond and graduated in 1971 with a bachelor's degree in law enforcement.

After serving two years as a police officer with the City of Richmond, he returned to the Washington, D.C., area to attend graduate school at American University.

He joined NCIS in August, 1974, and was assigned to the Washington Resident Agency. He served subsequent assignments at: Andrews Air Force Base,



Maryland; Special Agent Afloat on the U.S.S. Saratoga (CV-60); Kings Bay, Georgia; Assistant Special Agent in Charge, Camp Pendleton, California; Special Agent in Charge (SAC), Rota, Spain; SAC, Washington, D.C.; Deputy Regional Director, European Region, London, England; and Deputy Assistant Director for the Office of Inspections.

He was appointed Deputy Assistant Director for Criminal Intelligence in May, 1997.

Deputy Assistant Director Kauffman is the recipient of several sustained superior performance awards.

DEPUTY ASSISTANT DIRECTOR CHESTER PUBLIC AFFAIRS

Deputy Assistant Director Chester was born and raised in Jacksonville, Florida. He attended Florida A&M University in Tallahassee, Florida, on an athletic scholarship and was starting quarterback for the Rattlers when they won the first NCAA Division I-AA national championship.

After receiving a bachelor's degree in sociology from Florida A&M in 1979, he traveled north to play two years of professional football with the Toronto Argonauts of the Canadian Football League.

In September 1981, he returned to Jacksonville, Florida, where he worked in numerous capacities to include recreation counselor, high school coach, and teacher, and criminal investigator with the Public Defender's Office. In September, 1984, he was appointed by the Mayor of Jacksonville as his administrative aide.

In February 1985, he began his career with the NCIS. Prior to his present assignment as the Deputy Assistant Director for Public Affairs, NCIS Headquarters, he served as the Assistant Special Agent in Charge for criminal investigation, Far East Field Office, Yokosuka, Japan (1996-1997); Resident Agent in Charge, NAS Cecil Field, Florida (1993-1996); Special Agent in Charge of Protective Service Detail, Naples, Italy (1992-1993); Senior Agency Representative at the Federal Law Enforcement Training Center, Glynco, Georgia (1989-1992); Program Manager (Training Department), NCIS Headquarters, Washington, D.C. (1987-1989); NCIS



Resident Agencies in Adak, Alaska, and Cecil Field, Florida.

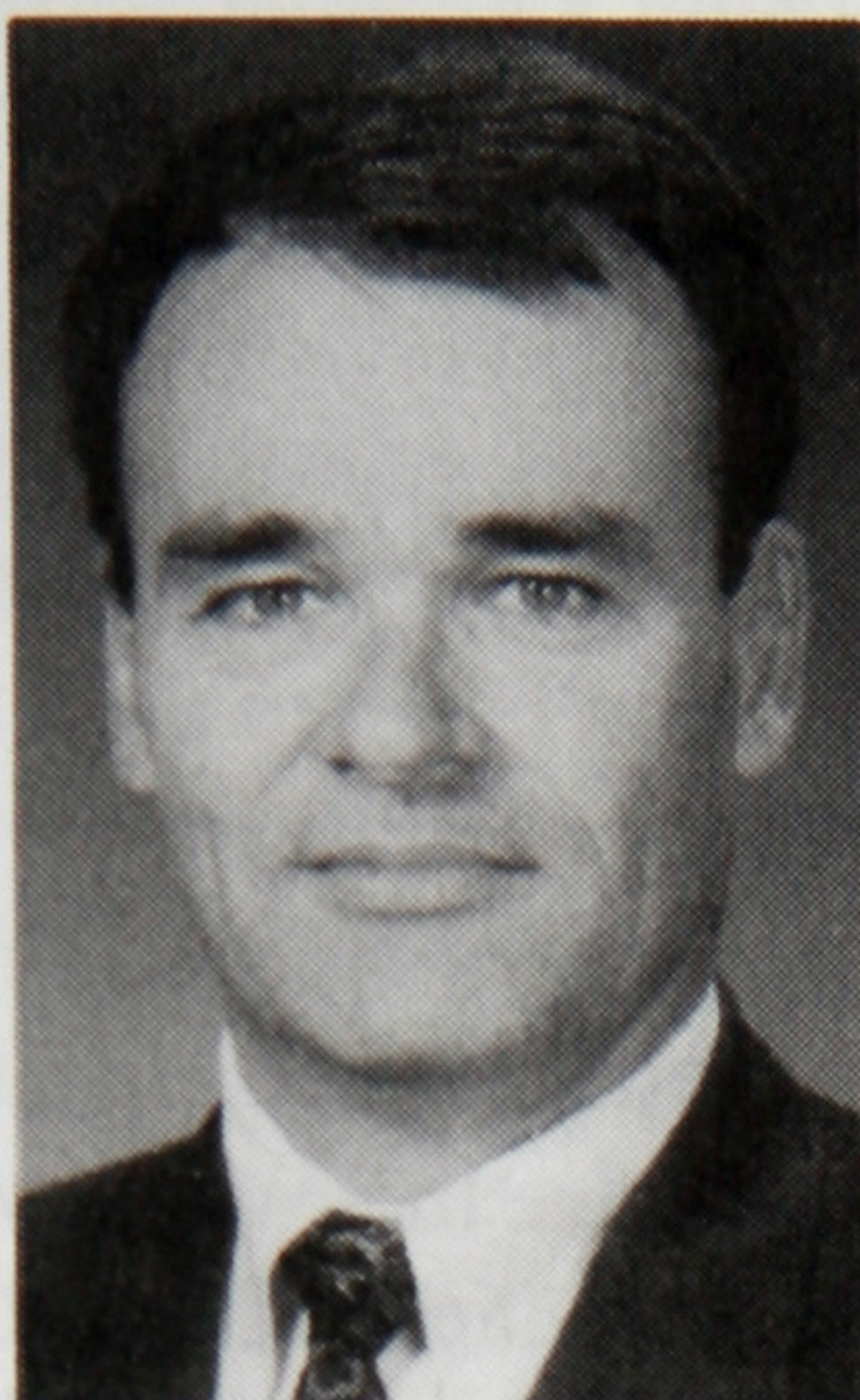
DEPUTY ASSISTANT DIRECTOR HANNER CONGRESSIONAL AFFAIRS

Deputy Assistant Director P. Cole Hanner is a 1972 graduate of Florida State University, where he earned a bachelor's degree in criminal justice.

Following graduation, he took a job with the Federal Bureau of Investigation, where he worked on a variety of support issues while assigned to the Washington Field Office.

In 1975, he joined the Naval Criminal Investigative Service as a special agent, serving his initial tour at Little Creek, Virginia. He had subsequent tours in Norfolk, Virginia; Rota, Spain; Kansas City, Missouri; Honolulu, Hawaii; Chicago, Illinois; Keflavik, Iceland; and Yokosuka, Japan.

While serving in Japan, he was the Assistant Spe-



cial Agent in Charge for the Foreign Counterintelligence Program in the Far East Field Office. During his tenure there, the Far East Field Office was awarded a Meritorious Unit Citation from the National Foreign Intelligence Community for its work on a highly sensitive case involving the use of poison gas.

In 1996, he was assigned to NCIS Headquarters in Washington, D.C., and appointed Deputy Assistant Director for Public Affairs.

While serving in that capacity, Deputy Assistant Director Hanner was the primary NCIS point of contact and coordinator for the movie "Perfect Crime," which aired on USA Network in July, 1997. The movie was based on an actual homicide investigation involving the disappearance of a female Marine Corps captain from the Marine Corps Base at Quantico, Virginia. The focus of the movie was NCIS Special Agent JoAnne Jensen, whose leadership and efforts resulted in an arrest and conviction of the missing woman's husband. It was a historic case because the victim's body was never found.

Deputy Assistant Director Hanner served as head of Public Affairs until July, 1997, when he was appointed as head of Congressional Affairs.

ATD Machin Retires

Gen. John G. Sheehan, USMC, congratulates Special Agent Rick Machin after presenting him with the Joint Distinguished Civilian Service Award, during his retirement ceremony in Norfolk on August 2, 1997. Machin had served as Special Assistant for Law Enforcement Agency Liaison to Gen. Sheehan, while he was Commander in Chief U.S. Atlantic Command and Supreme Allied Commander Atlantic (USACOM / SACLANT).

Machin, who also served as the Assistant to the Director (ATD), was presented with the Navy Superior Civilian Service Award by NCIS Director David L. Brant.

A native of Dekalb, Illinois, Machin served as an enlisted Marine in Vietnam during the 1968 Tet Offensive. At the conclusion of his Marine Corps tour, he returned to Northern Illinois University. Following graduation he served as a trooper with the Illinois State Police until 1973, when he joined NCIS.

During his NCIS career he served in Okinawa, Japan; New London, Connecticut; as Deputy Regional Director of the Mid-Atlantic



Region in Norfolk; as well as several tours at Headquarters, including Deputy Director of Criminal Investigations and Executive Assistant to the Director.

In July, 1993, he was appointed as Regional Director of the NCIS Eastern Region and served in that position until August, 1994, when he was appointed as ATD and Special Assistant at ACOM/SACLANT. Machin was a member of the Senior Executive Service.

Director Visits The Field, Believes In "Management By Walking Around"

It is sometimes called MBWA -- management by walking around...

In his first six months as Director of NCIS, Director Brant has been doing a lot of walking around. He has met with each of the most senior civilian and senior military leaders in the Department of the Navy at least once.

He routinely meets with the Secretary of the Navy, Under Secretary of the Navy, Chief of Naval Operations, Vice Chief of Naval Operations, Commandant of the Marine Corps, and Assistant Commandant of the Marine Corps.

Director Brant has visited the Washington, Norfolk, Camp Lejeune, San Diego, and Los Angeles Field Offices and every department at NCIS headquarters. His plans call for visits to each field office at least once in the coming year.

In addition to walking, the Director is doing a lot of listening. He has created the Director's Advisory Board (DAB) to advise him on issues important to agents and administrative professionals throughout the agency. He has held "town meetings" at each of the field offices he has visited.

"I believe senior management can grow insulated and indifferent to the needs of our customers and our dedicated NCIS employees if managers fail to get out and find out what's happening in the field, face-to-face," stated Director Brant. "Communications is critical in our business, and listening is a lost art. I intend to ask lots of questions as I continue my first year as Director."

Port Hueneme

While visiting Los Angeles, Director Brant toured Port Hueneme and spent time discussing NCIS support to the Seabees. "The Commanding Officer of the base was extraordinarily complimentary of the responsiveness of our office."

Admin Professionals

In addition to an all-hands town meeting, the Director met separately with Los Angeles Field Office administrative professionals and USMC CID agents assigned to NCIS as special agents. "We sometimes forget that our agency's work would grind to a halt without our professional administrative support staff. I wanted time to speak with them alone and listen to their ideas," Director Brant offered.

Marine CID

"We're lucky to have so many dedicated, hard-working Marine Corps CID agents on the team," Director Brant said. "Only the 'cream-of-the-crop' make it into Marine Corps CID, and we have the very best of the best in NCIS!"

At the recent NCIS Strategic Management Conference, NCIS Field Office SACs validated that sentiment when they approved a recommendation to explore expanding and enhancing the NCIS/Marine Corps CID relationship.

"They're impressive," added Dan Butler, Director Brant's Executive Assistant. Butler accompanied the Director on his visit to Los Angeles and San Diego.

DCIO SACs

Director Brant made it a point to meet with the special agents in charge of counterpart agencies in



Director Brant, center, listens intently to a question from one of the members of the San Diego Field Office. In the background at left is Special Agent in Charge Cliff Simmen. At right is Mr. Dan Butler, Executive Assistant to the Director.



Director Brant met with the leadership of the Defense Criminal Investigative Organizations (DCIO's) from the Los Angeles area during his trip to the West Coast. From left to right are Army CID Special Agent in Charge Bill Gunther; Air Force OSI Special Agent in Charge Bob Hicks; Director Brant; DCIS Special Agent in Charge John Sauer; and NCIS Special Agent in Charge Rodney Miller.

(Photo by Lisa Shrosbree)

the Los Angeles area. "We will be working more closely than ever with our colleagues in DCIS, OSI, and CID. We have a lot to learn from one another, and we can provide the Navy and Marine Corps with better service if we take advantage of our close relationships with the other DCIOs."

San Diego

Director Brant finished his first visit to the West Coast with a town meeting at the San Diego Field Office.

"The agents in San Diego have a terrific mission. It runs the gamut from violent crime, drugs, fraud, counterintelligence, security, force protection, and opportunities to deploy to the Far East with carrier battle groups, amphibious readiness groups and Marine Expeditionary Units. San Diego is a crucible of criminal investigative prowess." Executive Assistant Butler met with the NCIS Field Office San Diego Law Enforcement Physical Security Team (LEPS).

"Another hard-charging team of stand-outs," Butler related. "We forget sometimes how absolutely critical the LEPS teams are to Navy and Marine Corps force protection." Butler added, "The men and women of the NCIS LEPS teams go on to be the leaders in the Navy security community. We benefit tremendously from their tours with NCIS."

Strategic Planning Group (SPG) and DCIO Enterprise-Wide Working Group

Section 907 of the National Defense Authorization Act for Fiscal Year 1998, signed into law by President Clinton in October, states that the heads of the military department criminal investigative organizations (MCIOs) "shall take such action as may be

practicable to conserve the limited resources available to the military department criminal investigative organizations by sharing personnel, expertise, infrastructure, training, equipment, software, and other resources."

The Act further states: "The heads of the military department criminal investigative organizations shall meet on a regular basis to determine the manner

"San Diego is a crucible of criminal investigative prowess."

- Director Brant

in which and the extent to which the military department criminal investigative organizations will be able to share resources."

The Act requires that the Secretary of Defense submit to Congress a plan designed to "maximize the resources available to the military department criminal investigative organizations" by December 31, 1997.

NCIS got a "jump start" on the new law when Director Brant created the NCIS Strategic Planning Group (SPG) in June, 1997.

According to Director Brant, "I tasked the SPG with taking a brutally honest, objective look at how we do business. I asked the group to recommend to me ways we could improve...The framers of section 907 knew what they were doing. If we're going to provide the Navy and Marine Corps with the finest investigative support possible, we have to be willing to take a long hard look at our business practices, and

we have to work more closely with Marine Corps CID, Army CID, Air Force OSI, and DCIS."

Prior to June, the heads of the defense criminal investigative organizations (DCIOs: NCIS, Army CID, Air Force OSI, and DCIS) met monthly for informal discussion on issues of mutual concern.

In July 1997, the heads of the DCIOs agreed to establish a formal working group that would be charged with breaking down barriers between the DCIOs; exploring ways to conserve limited resources; coordinating planning and mission execution for the purpose of achieving efficiencies; and identifying enterprise-wide "best business practices" that could benefit the entire DCIO community, the military departments, the taxpayer, "and, most importantly, the men and women serving in the Armed Forces of the United States."

On August 8, 1997, the Defense Criminal Investigative Organization (DCIO) Enterprise-Wide Working Group (DEW Group), formally convened at NCIS HQ, Washington Navy Yard, Washington DC.

The group included principal planning deputies of

the four DCIOs: CID, NCIS, OSI, and DCIS. NCIS is represented by Deputy Director John McEleny, Chief of Staff Chuck Lohman and Executive Assistant Dan Butler.

The DEW Group created four standing working group panels comprised of DCIO subject matter

experts to examine enterprise-wide opportunities to conserve resources.

The four panels are: Cross-Servicing of Investigative Leads and Co-Location Panel; Technical Support Programs Panel; Protective Support Operations Panel; and the Enter-

- Director Brant

prise-Wide Best Business Practices Panel. NCIS Special Agent John Harris is the Chairman of the Cross-Servicing/Co-Location Panel.

DEW Group panels were charged with aggressively developing and examining innovative proposals to achieve DCIO enterprise-wide efficiencies. Panels were charged with making recommendations to the DEW Group to implement innovative structural and procedural ideas.

Over the course of the succeeding four months

"Only the 'cream-of-the-crop' make it into Marine Corps CID, and we have the very best of the best in NCIS!"



Four Marine CID agents assigned to NCIS are shown above with Director Brant. From left to right are Special Agents Scott Smith and Rodney Bush, Director Brant, and Special Agents Richard Grier and Scott Bloomquist. The four Marines work in the Los Angeles area.

(Photo by Lisa Shrosbree)

the DEW Group met several times, received reports from panels, issued guidance to panels, and discussed joint planning concerns.

On November 14, 1997, Director Brant, Director William Dupree (DCIS), General Frank Taylor (OSI) and General Dan Doherty (Army CID), signed a memorandum of agreement to improve interoperability and cross-servicing of DCIO leads.

"The MOA is an important first step in developing a protocol for routine interoperability," Executive Assistant Butler stated. "The MOA was skillfully negotiated by Special Agent Harris and it will have a profound impact over time in the way the DCIOs do business." Final implementing guidance for the DCIOs will be approved at the January 8, 1998, meeting of the DEW Group and promulgated to the field immediately thereafter.

Co-location

Building upon the successful negotiation of a cross-servicing of investigative leads regime, the DEW Group tasked the panel to take the next step and explore opportunities to co-locate DCIO offices where practicable to enhance interoperability and reduce aggregate DCIO infrastructure costs. To date, the DCIOs have had substantive discussions regarding realignment of personnel and possible co-location of offices in several locations.

"Currently, OSI has a special agent assigned to the NCIS Field Office in Los Angeles, California, as a cost-effective means for maintaining a necessary OSI presence in a high-cost urban area at no cost for infrastructure to OSI. OSI and CID have co-located their offices in Phoenix, Arizona and San Diego, California. These co-location arrangements have benefited all three agencies," Butler stated.

Training

To facilitate cross-servicing of leads and development of uniformly high standards of investigative excellence, the DCIOs have begun to explore opportunities to coordinate and consolidate training programs. The DCIOs have agreed to pool resources to develop a joint computer investigations training program.

The DCIOs, with funding assistance from the Office of the Assistant Secretary of Defense (Command, Control, Communications and Intelligence) commissioned a computer investigations training requirements study in early 1997. It is anticipated that a cadre of DCIO computer investigations



NCIS Special Agents Tom "Bon Jovi" Buongervino and Jawad "Mash" Mashny take a coffee break with Director Brant. Both literally worked their way up through the ranks to become the first new special agents added to the rolls in four years.

Buongervino enlisted in the Navy and served in the Antiterrorist Alert Center (ATAC) at NCIS Headquarters. Mashny is a former Marine sergeant.

Both were working in the ATAC as civilian analysts when they were selected for special agent training. They graduated from Basic Agent training at the Federal Law Enforcement Training Center on January 3, 1997, becoming the first special agents added to the rolls of NCIS since August, 1992. The two are assigned to the San Diego area.

specialists will begin training in 1998 in more various computer investigations courses.

An OSD Program Budget Decision, recently signed by the Deputy Secretary of Defense, tasked the DEW Group with developing a basic agent training consolidation implementation plan by June 30, 1998. In January 1998, the DCIOs will assemble a new DEW Group panel to examine additional opportunities to share resources in the training arena.

New Opportunities

"I'm confident the work of the DEW Group will improve our ability to serve the Navy and Marine Corps; and, their work will open up new and exciting opportunities for all DCIO professionals," Director Brant remarked.

DAB Establishes Eight Working Groups To Focus On Key Issues Of Interest

*By Special Agent Bonnie Brady
NCIS Headquarters*

Representatives from NCIS offices worldwide met at Headquarters for a week in September for the first meeting of the Director's Advisory Board (DAB). The DAB was created by Director David L. Brant to obtain input from nonmanagement personnel on key issues.

During the week-long conference, numerous issues were discussed and more than 40 were addressed during meetings with Director Brant, who was very enthused about the amount of input and participation.

Due to the complexity and magnitude of some of the issues, eight working groups were established to focus on topics including the GS-13 promotion policy, transfer policy, career paths, management, public affairs, budget and equipment, legal issues, and outside employment.

Although members spent most of the time on more serious issues, there was time for a little levity. "A can of worms" was a favorite phrase frequently used to describe some of the issues discussed. So on the final day of the conference, DAB members surprised Director Brant with a birthday cake, complete with a tin can filled with gummy worms.

Over the next several months, the DAB hopes to clarify some of the more common misconceptions about policy and procedures, and be the catalyst for some significant and constructive changes for the betterment of NCIS.



The Director's Advisory Board

The next meeting of the DAB was scheduled to be held December 8-12, 1997, at NCIS Headquarters.

Members of the DAB include: Special Agent Bob Mulligan, Gulf Coast Field Office; Special Agent John McNutt, Midwest Field Office; Special Agent David Sosebee, Carolinas Field Office; Mr. Willard Preston, Information Systems Department; Special Agent Tim Danahey, Criminal Investigations Directorate; Special Agent Rick Jordan, Bahrain Field Office; Mr. Nick Lakis, Law Enforcement and Physical Security Department; Special Agent Jim Whitner, Norfolk Field Office; Ms. Brenda Revelle, Central Adjudication Facility; Special Agent Donival Thompson, San Francisco Field Office; Special Agent Torri Piper, San Diego Field Office; Director Brant; Special Agent Bonnie Brady, DAB

Chairperson; Special Agent Cheryl Diprizio, European Field Office; Ms. Beth Ann Fitzgibbons, Information and Personnel Security Department; Ms. Mary Banks, Career Services Department; Ms. Shelia Reeves, Office of Government Liaison and Public Affairs; Special Agent Roberto Rivera, Hawaii Field Office; Special Agent Joanne Jenson, Washington Field Office; Special Agent Darrell Paul, Far East Field Office; Special Agent Terry Davidson, Mayport Field Office; Special Agent Dennis Becker, Counterintelligence Directorate; Special Agent Robert McCutchin, Northwest Field Office; Ms. Cheryl Marsh, Training Department; Special Agent Roger Poole, Information Systems Department; Investigative Assistant Lisa Shrosbree, Los Angeles Field Office; and Special Agent Chris Cote, New England Field Office.

NCIS Receives Second Stinson EEO Award

For the second time in five years, the Naval Criminal Investigative Service (NCIS) has been awarded the prestigious Nathaniel Stinson Equal Employment Opportunity (EEO) award. The Stinson Award was presented to NCIS by the Honorable Bernard Rostker, Assistant Secretary of the Navy for Manpower and Reserve Affairs, during a ceremony held at the Pentagon on April 1, 1997. Deputy Director John F. McEleny accepted the award on behalf of NCIS.



In the photo at left, NCIS Deputy EEO Officer Jackie Hoffman, Navy Principal Deputy General Counsel Leigh Bradley, and Deputy Director McEleny admire the award.

Below, Deputy EEO Officer Hoffman, Assistant Secretary of the Navy Rostker, Deputy Director McEleny and Special Agent Gary Hargrove pose for a group shot with the award.

NCIS received the award for its Alternative Dispute Resolution (ADR) Program. Hargrove is one of the program's coordinators. ADR is a form of conflict resolution which facilitates communication to mitigate employees' concerns in a confidential and

non-confrontational manner. The goal is an acceptable outcome for both parties without the filing of a formal grievance.

NCIS received its first Stinson Award in 1992 for increased hiring and promotion of women and minorities despite personnel cutbacks in the Department of Defense.



(Photos by Gary M. Comerford)

Policing Cyberspace



Child Pornography Flourishes On The Internet

*By Special Agent David E. Watson
NCIS Los Angeles Field Office*

(This article was written by Special Agent Watson as a term paper while he was attending the Delinquency Control Institute, Class 104, at the University of Southern California, February, 1997.)

The problem of child pornography production, distribution and collection is over 100 years old and is growing increasingly more prevalent and serious with the advent of inexpensive computers and easy access to the Internet.

In this paper I will define child pornography, trace its history and its effects on children, briefly examine U.S. and foreign statutes relating to child pornography and discuss its dissemination via the Internet.

I will then present practical investigative approaches and techniques law enforcement agencies can use to tackle the problem and discuss methods by which parents, educators and police can shield children from the material as well as from computer-based sexual predators.

I will discuss steps that have been proposed by international bodies to stem the rising tide of child exploitation via the Internet and, lastly, I will examine the Communications Decency Act of 1996 in the context of its impact on the child pornography problem versus First Amendment free speech issues.

I. What is Child Pornography? Who collects it, and why?

Child pornography has been defined in a number of ways by a number of bodies dependent on differing cultural, moral and social beliefs.

INTERPOL has defined it as, "the visual depiction of the sexual exploitation of a child, focusing on the child's sexual behavior or genitals," (Healy, 1996; 2). The Council of Europe has defined it as, "any audiovisual material which uses children in a sexual

context," (Healy, 1996; 2). Experts in the field have largely agreed with these definitions.

Retired FBI Special Agent Kenneth Lanning has defined child pornography as "a sexually explicit reproduction of a child's image," (Lanning, 1992, 24).

The definition of "child" also varies from jurisdiction to jurisdiction. Child pornography legislation in Australia defines anyone under age 16 as a child, while the standard in Canada and most European countries is anyone under age 18. U.S. laws vary by state, with some states permitting persons as young as 15 to consent to engage in sex acts.

U.S. Federal law, (18 USC 2255) was amended

Many people are surprised to learn that child pornography was not proscribed by Federal law in the U.S. until 1978 . . .

as recently as 1984 to redefine a child as anyone under age 18. This law previously defined a child as anyone under age 16.

For the purposes of this discussion, I will rely on the definition of child pornography as set forth in U.S. Federal law. The Child Pornography Prevention Act of 1996, codified as Title 18 of the United States Code, section 2256(8), now defines child porn, in part, as any visual depiction of sexually explicit conduct, involving the use of a minor or promoted in a way to appear that a person involved is a minor. The full text of this definition may be found in section III of this paper, "Child Pornography Statutes."

A distinction should be drawn between child pornography and "child erotica." Child erotica can be, "any material relating to children which serves a sexual purpose for the given individual," (Lanning, 1992; 26), such as non-pornographic photos of

children either clothed or nude, child sex fantasy writings, drawings, articles of clothing, etc.

According to Lanning, child pornography is treasured by the pedophile and it represents their most cherished sexual fantasies, (Lanning, 1992; 26). Pedophiles are known to compulsively and systematically collect child porn and they often categorize it by the age of the children depicted, the acts depicted or by other classification. Their collections often include books, magazines, photos, slides, video tapes, charts, diaries, etc. (ECPAT, 1996; 1). Increasingly, they store their collections in digital form on computers, often along with child sex fantasy writings they have authored or acquired on the Internet.

II. The History of Child Pornography and its Effects.

It is believed that children have been sexually exploited by adults since homo sapiens acquired the intelligence and reasoning powers to recognize that sexual activity can provide a sense of power, control, gratification and recreation, (Tyler, 1985; 61). The first photographic images of child pornography date back to the development of photography itself, circa 1860.

One of the earliest such photographers was Charles Ludwig Dodgson (1832-1898). Dodgson was a clergyman at Oxford University's Christ Church College and was known to have extensively photographed nude girls, some as young as age 6. His photos might not be considered obscene by today's standards, probably falling into the category of child erotica, but during the Victorian era any nudity was shocking and scandalous.

Today, Dodgson is better known by his pseudonym, Lewis Carroll, the author of "Alice's Adventures in Wonderland," (Tyler 1985; 61).

Child pornography has flourished since the 1860's and by the 1970's was a multimillion dollar international business. During the 1960's and 1970's most child porn was produced in Europe, primarily in the Scandinavian countries and The Netherlands. Many people are surprised to learn that child pornography was not proscribed by Federal law in the U.S. until 1978, (Via, 1988; 1), though some individual states criminalized possession or distribution prior to this time.

During the 1970's a wide variety of European child porn could be purchased over the counter in

Computer Investigations & Operations Dept. Established

On October 1, 1997, the Naval Criminal Investigative Service established the Computer Investigations and Operations (CIO) Department.

Special Agent Al Zane was named as Deputy Assistant Director of the new department and reports directly to NCIS Deputy Director John F. McEleny.

Zane, a former Navy helicopter pilot, joined NCIS in 1974. He has served in each of the investigative disciplines to include general crimes, fraud and counterintelligence. In recent years, he has served primarily in counterintelligence assignments.

In July, 1995, he was detailed as a staff assistant to Rep. Jerry Lewis (R-CA) and in February, 1997, he was appointed as the Director of the Defense Computer Investigations Training Program, serving in that position until he was appointed as Deputy Assistant Director of the CIO.

Currently, the CIO has a staff of eight full-time personnel, including both special agents and computer specialists reporting to NCIS Headquarters. In 1998, this effort will be expanded to 37 full-time personnel.

Additionally, there are 60 trained personnel, both special agents and field computer specialists, supporting this mission area on a part-time basis throughout the organization.

"The CIO was created because the agency realized the need to have a specially-trained group to focus on attacks against the Navy and Marine Corps information infrastructure," said Special Agent Matt Parsons, who is assigned to the CIO.

Although the CIO's primary focus is on hackers targeting Navy and Marine Corps information systems, it does assist on other computer-related crimes, such as child pornography. It recently assisted the Criminal Investigations Department on a major child pornography investigation by retrieving over a hundred photos from diskettes and producing them on paper for use in court.

adult book stores or by mail order from within the U.S. or from overseas (Goldstein, 1984; 52). Following passage of the Protection of Children Against Sexual Exploitation Act of 1978, the child porn business went largely underground and trading was done primarily hand-to-hand or through the U.S. Mail.

The U.S. Postal Inspection Service is credited with launching the first Federal assault on the child pornography trade and since 1984 has conducted over 2,400 such investigations resulting in over 2,100 convictions (Whitcomb, 1995; 17).

Today, enforcement of child pornography laws is coming of age as agencies begin to police "cyberspace."

In the U.S., over 50 percent of the child porn confiscated today depicts boys rather than girls and this figure jumps to 75 percent in Canada, (Healy, 1996; 3). These figures are interesting in that studies have traditionally indicated a much higher rate of child sex abuse among females than males, presumably due to reluctance on the part of boys to report abuse for fear of being stigmatized as homosexual. In contrast to the U.S. and Canada, girls appear to be favored by child porn collectors in Japan, (Healy, 1996; 3).

Today, enforcement of child pornography laws is coming of age as agencies begin to police "cyberspace".

There are eight principal uses of child pornography by the pedophile, (ECPAT, 1996; 2):

- (1) to aid in their sexual arousal and gratification;
- (2) to validate their behavior as "common" and "normal;"
- (3) as a means of seducing children for sex;
- (4) to blackmail a child to remain silent about ongoing sexual abuse;
- (5) to preserve the child's youth in the image;
- (6) to establish trust and camaraderie with other pedophiles;
- (7) to gain access to additional child porn through exchanges, and;
- (8) to produce for sale or profit.

Clearly, child pornography is a serious crime that is integrally linked to the continued victimization of children.

III. Child Pornography Statutes

Each of the 50 states and the Federal government have enacted laws aimed at curbing the spread of child pornography.

The principal Federal statutes in this area are:

18 USC 2251 - prohibits production of child pornography.

18 USC 2252 - prohibits sale or distribution of child pornography.

18 USC 2253 - allows for criminal forfeiture of profits, proceeds or property derived from child pornography production or distribution.

18 USC 2254 - allows civil forfeiture in a manner similar to 18 USC 2253.

A number of acts have amended these laws in recent years. The Child Protection Act of 1984 raised the age of a child to include anyone under age 18; the Child Abuse Victims' Rights Act of 1986 provided a civil remedy to child abuse victims, allowing them to sue child pornographers in Federal court for personal injury; the Child Sexual Abuse and Pornography Act of 1986 amended 18 USC 2251 to prohibit the advertisement of child pornography and changed the definition of child pornography to include undeveloped film and videotape.

The first Federal laws addressing computer child pornography are contained in the Child Protection and Obscenity Enforcement Act of 1988 which made it a felony to use computers to commit acts proscribed by 18 USC 2251 and 2252 (Via, 1988; 8).

The most recent legislation to be enacted, the Child Pornography Prevention Act of 1996, created a new statute, 18 USC 2256(8) and redefined child pornography as follows: "any visual depiction, including any photograph, film, video, picture, drawing or computer or computer-generated image or picture, which is produced by electronic, mechanical, or other means, of sexually explicit conduct, where (1) its production involved the use of a minor engaged in sexually explicit conduct; (2) such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct, (3) such visual depiction has been created, adapted or modified to appear that an 'identifiable minor' is engaging in sexually explicit conduct; or (4) it is advertised, distributed, promoted or presented in such a manner as to convey the impression that it is a visual depiction of a minor engaging, in sexually explicit conduct."

This law is significant in that it is the first Federal

law to address the problem of computer-generated or "morphed" child pornography. This act also allows for a 15 year prison sentence for the production and distribution of child pornography. Each of the Federal laws require that state lines be crossed, interstate commerce be impacted or that the offense occur on Federal lands to be chargeable in U.S. District Court. If none of these conditions can be met, the state courts are the appropriate venue.

California laws dealing with child pornography are contained in Section 311 of the Penal Code. Penal Code section 311.2(a) specifically addresses the preparing, selling or distributing of obscene matter depicting a minor. Other relevant statutes include: 311.2, (exhibition of minors in obscene matter); 311.3(a), (developing or duplicating obscene matter depicting a person under age 14); 311.4, (using a minor for the sale or distribution of obscene matter); and 313.1, (distribution of obscene matter to a minor), (CA Penal Code; 1996, Sec 311).

Though the law defines a minor as anyone under age 18, investigators often have difficulty determining the age of children depicted in pornography. In such instances, expert medical opinions should be obtained from pediatricians familiar with the "Tanner Scale," (Whitcomb, 1995; 41). The Tanner Scale is a measure of genital and breast development ranging from I (prepubescent) to 5 (adult).

IV. The Internet

The majority of child pornography distributed today is done so electronically via the Internet. Briefly, the Internet is a worldwide linking of computer systems. Originally created by the U.S. Department of Defense in the 1950's and 1960's in an effort to secure its computer systems from enemy attack, the Internet today offers computer users virtually unlimited resources in information gathering, communications and recreation.

Unfortunately, pedophiles have found the Internet very attractive for the collection and distribution of child pornography. In many ways, the computer Internet is the perfect medium for the pedophile. Through the personal computer and the Internet, the pedophile can communicate with other pedophiles, validate his paraphilia (defined as an "abnormal or unnatural attraction"), organize his collection, trade images, locate victims and create and distribute new child pornography (Lanning, 1992; 30).

San Diego Field Office Holds Computer Crimes Conference

Approximately 200 Navy personnel attended a computer conference hosted by the Naval Criminal Investigative Service (NCIS) San Diego Field Office at the Marine Corps Recruit Depot (MCRD) October 21-24, 1997.

The purpose of the conference was to introduce NCIS computer crimes investigators to the local commands and to educate Navy and Marine Corps commands on legal issues in an automated environment. During the conference, NCIS special agents and local systems administrators were able to discuss how they could assist each other in detecting computer intrusions.

Guest speakers included Assistant U.S. Attorney Mitchell Dembin, Chief, General Crimes, U.S. Attorney's Office San Diego; Col. John Thomas, USAF, DISA; Lt. Julie Lucas, USN, Fleet Information Warfare Center; Cmdr. Timothy Nagel, JAGC, USN, Office of General Counsel; NCIS Special Agent Pete Garza of the Los Angeles Field Office; Mr. Ron Boersma, Systems Administrator, Space and Naval Warfare Command; and two former "hackers."

The conference included classified briefs on issues such as the National Information Infrastructure, information operations and counterintelligence threats, and system vulnerabilities.

The conference was organized and coordinated by Special Agents Torri Piper, Jonathan Lee, and John Karshner, who began planning for the event in December, 1996.

Conference attendees included commanding officers, executive officers, legal officers, security officers and systems administrators from the Navy and Marine Corps; defense contractors; representatives from the Defense Information Systems Agency (DISA), the U.S. Air Force Office of Special Investigations (OSI), the Defense Criminal Investigative Service (DCIS), the Federal Bureau of Investigation (FBI), and the San Diego, Los Angeles, and Long Beach police departments; the U.S. Attorney's Office; the State of California; and the General Services Administration.

The Internet is divided into a number of areas, each of which offers a specific feature or service to the user. One of the most common uses is electronic mail or e-mail. E-mail allows computer users to send and receive electronic messages. Binary files, which when decoded appear as pictures, can be attached to e-mails. This is one of the most common means by which child pornography is distributed.

Another area of the Internet is the Usenet newsgroups. This is essentially a collection of electronic message postings arranged by topic. Newsgroups can be found which deal with literally thousands of topics ranging from political discussions to rose cultivation.

One large segment of the Newsgroups deals with the discussion of sex-related topics and several openly feature child pornography. Newsgroups such as "alt.sex.pedophilia," "alt.sex.incest," "alt.sex.binaries.children" and others contain graphic images of child pornography that anyone with a computer and modem can "download" and view in the privacy of his home. Conversely, anyone can post child pornography images to these newsgroups for others to download.

Another area of the Internet where child pornography can be traded are "chat rooms." Chat generally refers to online, real-time communication between individuals via computer. It may be done within the same Internet service provider such as America Online (AOL), or via Internet Relay Chat which allows instant communication between users utilizing separate Internet service providers. Chat areas have been created such as "bidad4sons," "boylovr," "barelylegal," etc., in which users openly discuss their sexual desires for children. Child pornography cannot be distributed directly via chat, though chat users can trade images via e-mail.

V. Enforcement Approaches

Child pornography investigations can be both difficult and technical, though the rewards can also be great. Unfortunately, most police agencies, whether local, state or Federal, are ill equipped to undertake such investigations and officers often lack the training and expertise to see such an investigation through to prosecution.

Since child pornography investigations can often cross many jurisdictions and spin-off into additional investigations, the most favored approach is that of

the multi-jurisdictional task force, (Whitcomb, 1995; 24).

Three task force models are currently being used in the U.S. The first is the Network Model which is a loosely configured group of local, state and Federal investigators, prosecutors and social service providers who essentially share information and lend assistance to each other when needed. A model of this type is currently in place in the Boston area.

The second model is the Strike Force, a more structured group of investigators representing various agencies as well as prosecutors and victim service providers. These individuals do not work together on a daily basis, but can come together as a cohesive unit in a central location when the need arises. A Strike Force is currently in operation in Chicago.

The last model is that of the Task Force. This is the most structured of the three models and its

The beauty of the Task Force model is that no child pornography investigation is outside the scope of the team's jurisdiction.

members meet on a daily basis and work together out of a central location. The Los Angeles-based Sexual Assault Felony Enforcement Team (SAFE Team) is an example of the Strike Force model.¹

The SAFE Team is composed of officers and agents of the Los Angeles County Sheriff's Department, the Los Angeles Police Department, the California Department of Justice, California Department of Corrections (Parole), the Postal Inspection Service, the U.S. Customs Service, the U.S. Naval Criminal Investigative Service (NCIS) and the Federal Bureau of Investigation (FBI). The FBI generously provides office space, clerical personnel and vehicles to the team.

The SAFE Team has at its disposal two Assistant U.S. Attorneys experienced in handling federal child pornography prosecutions as well as a Los Angeles County Deputy District Attorney to whom state investigations are referred.

The beauty of the Task Force model is that no child pornography investigation is outside the scope of

¹ Special Agent Watson is a full-time member of the SAFE Team.

the team's jurisdiction and the traditional jurisdictional "turf" problems evaporate in a climate of cooperation where everyone is working toward a common goal.

VI. Investigative Techniques

A number of different techniques can be undertaken when conducting child pornography investigations. I will briefly describe a number of these methods, based both on personal experiences and personal interaction with SAFE Team supervisor, Sgt. Tom Sirkel of the Los Angeles County Sheriff's Department.

One of the most well-tested techniques is the postal sting. In this scenario, a fictitious child pornography distribution firm is created and advertisements are placed in legitimate adult pornography magazines. The ads do not overtly state that child pornography is being offered, but rather are worded in such a way as to imply that exotic, hard-to-get material is available.

Inquiries are received from potential suspects who in turn are mailed business reply cards upon which they indicate the types of pornography they wish to receive and the gender and ages they prefer. If a subject states he is interested in receiving child porn, he is sent a catalog featuring child pornography video tapes.

When the suspect actually places an order for child porn videos, a controlled delivery of such material is effected by the use of an undercover Postal Inspector dressed as a letter carrier. A Federal search warrant is served immediately afterwards and in many cases, additional child pornography is found. Though it is illegal for the suspect to receive and possess child pornography, typically no prosecution will be undertaken if no additional child porn is found.

Officers may from time to time receive information from commercial film developers that child pornography has been received for processing. California Penal Code Section 11166 requires that processors report this information to law enforcement as soon as possible and provide copies of the pornography within 36 hours.

The investigating officer should initiate his investigation quickly bearing in mind that the suspect is expecting his photo order to be returned to the drop-off point (usually a retail store) within a matter of days. The pornography should be examined to ascertain that a child is, in fact, depicted in violation of law.

Agent Receives Award For Porn Investigation

Special Agent Donald L. Hatcher received an "Excellence in Achievement" award from Special Agent in Charge Rod Miller of the Los Field Office in October, 1997, for his role in an investigation involving child pornography.

In July, 1997, Hatcher initiated a joint investigation with the Port Hueneme Police Department regarding allegations that a Navy petty officer was in possession of child pornography he downloaded from the Internet.

The investigation determined that the suspect was acting out of revenge against a supervisor, and that he solicited an accessory to use the pornographic material to implicate the supervisor in criminal wrong-doing.

Hatcher obtained oral-wire authority and was able to get a tape recording of the suspect discussing his plans with a member of the command who was cooperating with authorities on the case.

Although the suspect declined to be interviewed, Hatcher was able to obtain a confession from the accessory before the fact.

The investigation was completed and an interim report was provided to the command within three weeks of initiation of the case, allowing the command to take swift judicial action.

The suspect was taken to General Courts Martial in September, 1997, where he pled guilty to multiple charges of violations of Articles 90 and 134, of the Uniform Code of Military Justice (UCMJ). He was awarded a bad conduct discharge, confinement for seven months, and reduction to E-1.

The accessory received non-judicial punishment in October, 1997, after being found guilty of violations of Articles 90, 92, and 134, of the UCMJ. The accessory was awarded 45 days restriction, 45 days extra duty, reduction to E-2, and forfeiture of \$900 pay.

"In pursuing this timely investigation, Special Agent Hatcher demonstrated meticulous attention to detail and exceptional professional responsiveness to command needs," Special Agent in Charge Miller said.

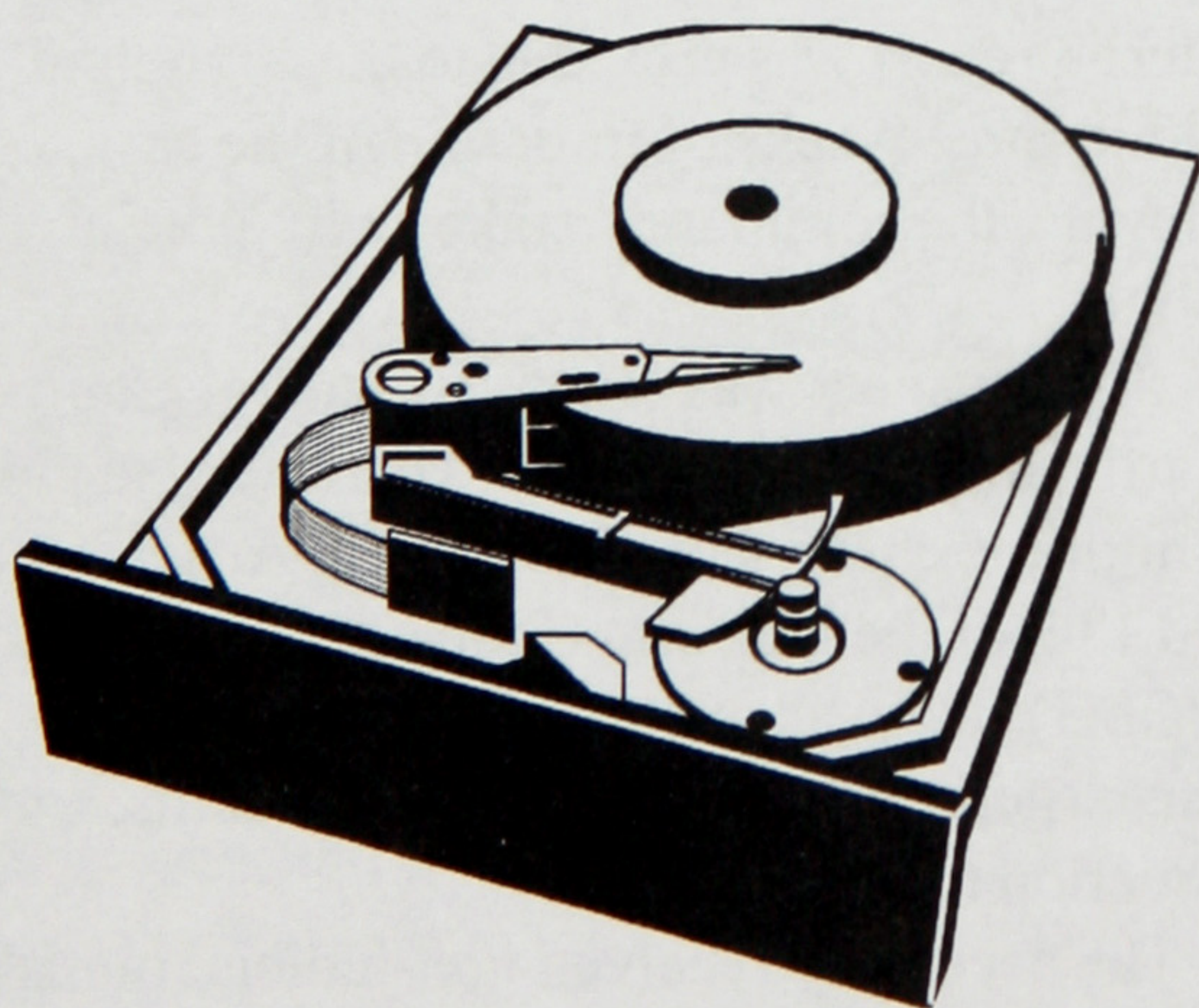
Assuming that the suspect did not provide his true name on the outside of the processing order envelope, the photos should be closely examined in order to possibly determine the location where they were shot or possibly the identity of the victim or suspect.

The next step is to notify the retail store manager that a child pornography suspect will be coming in to pick up an order. A surveillance of the photo counter should be considered, though this can be time-consuming. The management may be asked to immediately notify investigators when the suspect inquires about the whereabouts of his order. Investigators then respond to the store, whereupon contact can then be made with the suspect.

The suspect should be interviewed and a search warrant for his premises requested, after which the matter may be handled as a sexual molestation investigation.

Other stings involve the use of the computer. Before any undercover computer stings are attempted, the undercover officer should create an undercover identity for himself complete with a fictitious name, date of birth, employment, undercover telephone and other trappings, just as would be done in more conventional undercover operations.

Before conducting undercover child pornography investigations, officers should first take the time to familiarize themselves with what I refer to as the



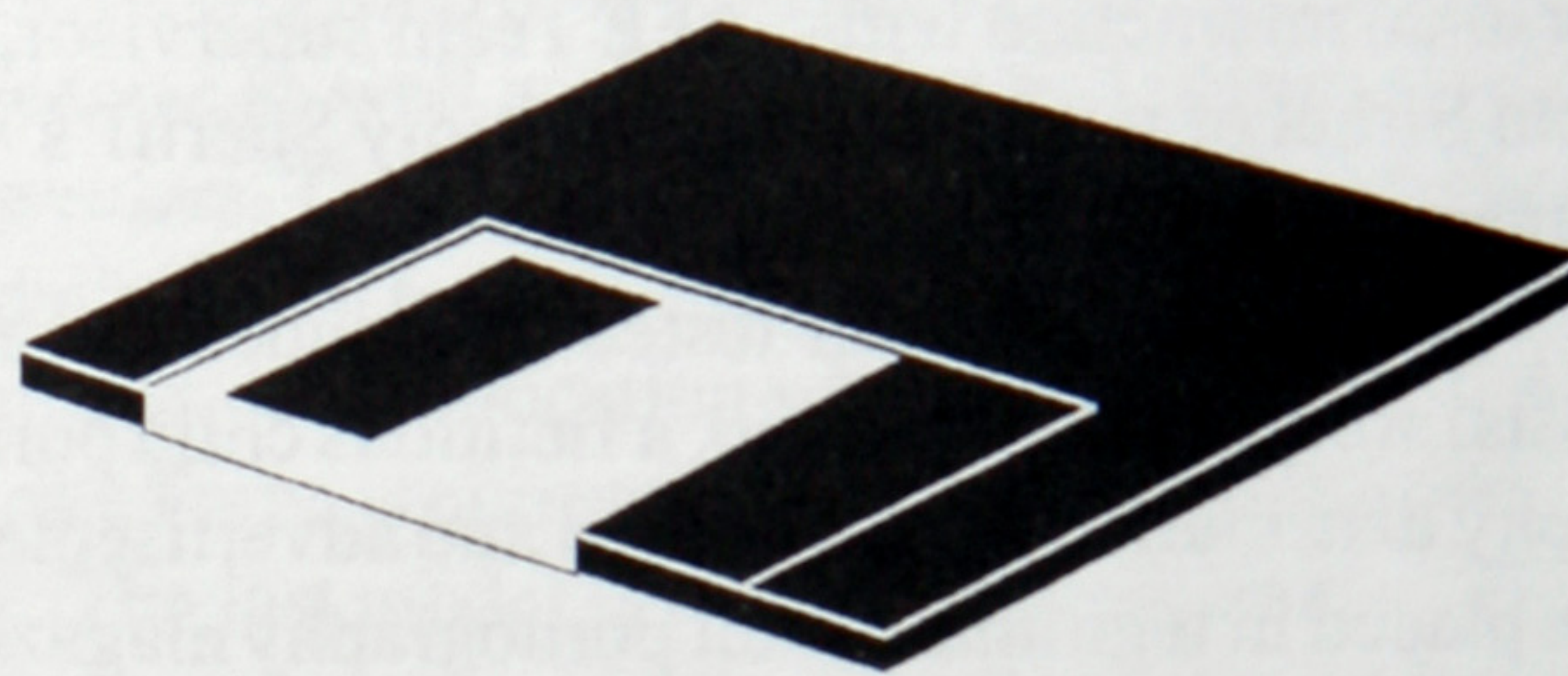
sexual deviant subculture that exists on the Internet. This takes time but does provide an excellent education into the behavior patterns of the pedophile. The individual postings in the newsgroups should be studied in order to learn their lingo.

Once a fairly good familiarity with the lingo is attained, the undercover officer is then ready to enter the chat rooms and begin dialogs with pedophiles.

All conversations of possible evidentiary value

should be saved on disk for later reproduction.

In many instances, individuals will post ads in Internet Newsgroups requesting child pornography or offering to trade such material. An e-mail is then sent to the suspect by an undercover agent posing as a fellow pedophile. E-mails are then exchanged and in many cases the suspect will either state that he possesses child pornography or will actually send the undercover agent child pornography pictures. This is



often enough for the acquisition of a search warrant for the suspect's home and computer.

The suspect can often be positively identified by use of a Federal Grand Jury subpoena directed to his Internet service provider or through telephone or utility company subscriber records if he gives his home address or phone number during undercover communications.

Care must be taken when directing subpoenas to smaller, unknown Internet service providers due to the likelihood that the company may inform the suspect that he is under investigation. This is seldom, if ever, a problem with the larger, legitimate providers.

Another problem arises when the suspect requests child pornography from the undercover agent in return. Child pornography obviously cannot be transmitted back to the suspect in an uncontrolled fashion. To do so would constitute distribution of child pornography by the undercover agent, lower the agency to the level of the suspect, create an excellent defense for the suspect in court and, of course, re-victimize a child should the suspect pass the material on to someone else.

It has been found that a perceived good-faith attempt to provide child porn to the suspect often suffices. This can be accomplished by transmitting a set of blurry, flesh-tone images to the suspect who is told that they were recently digitally scanned from the undercover agent's personal collection of Polaroid photos of children. When the images do not appear as discernible pictures on the suspect's screen, he often assumes that a technical problem is to blame and may request that they be mailed to him instead.

A controlled delivery as described above can then be undertaken.

Another option is to inform the suspect requesting photos that the agent possesses video tapes of child pornography. Child pornography video tapes are usually much more sought after due to their comparative rarity. Obviously, these cannot be electronically transmitted, so a controlled postal delivery or undercover hand-to-hand meet can be set up. Undercover meets are ideal mechanisms allowing for the positive identification of suspects and locations prior to search warrant execution.

In many instances, the forensic examination of the suspect's computer following the execution of a search warrant will uncover the Internet addresses, and possibly true names, of other individuals with whom the suspect previously traded. This results in multiple "spin-off" investigations and many times, the original suspect's computer identity can be assumed by the undercover officer who then corresponds with new suspects.

Obviously, some online suspects are more cautious and more technically inclined than others. As a result of recently published newspaper stories about computer child porn arrests, some suspects have turned to the use of encryption software to transmit their images, believing that Internet service providers and law enforcement agencies read and examine their non-encoded transmissions.

The undercover officer should become familiar with the use of encryption software such as "Pretty Good Privacy" (PGP), which is the most sophisticated and best known of such software in use today. The use of encryption during undercover communications may give the suspect a false sense of security, thus enhancing the outcome of the investigation, (Sirkel, 1997).

VII. Protecting Children in Cyberspace

In recent years there have been a number of publicized incidents of pedophiles contacting child victims online, (NCMEC, 1994; 2). Parents should be aware of the risks and take action to protect their children. Children online are subject to being sent pornography or other objectionable material, run the risk of being targeted by a child molester or becoming the target of harassment, (NCMEC, 1994; 2).

Most Internet service providers allow their customers the option of tailoring their children's computer access to block sites such as adult-oriented



chat rooms and newsgroups. The National Center for Missing and Exploited Children advises parents that they can greatly reduce the risks of their children being victimized online by adhering to the following tips:

(1) Never give out identifying information such as home addresses, school names, phone numbers, etc. in a public area of the Internet such as a chat room. If such information is given out it should be done so only to persons the parent knows and trusts.

(2) Get to know the services the child uses. If the parent does not know how to log on to the Internet, take the time to find out and examine the areas of the net the child uses.

(3) Never allow the child to arrange a face-to-face meeting with another computer user. If such meetings are arranged, make the first one in a public spot and accompany the child.

(4) Never allow children to respond to messages or bulletin board items that are suggestive, obscene, or threatening. Report such items to the Internet service provider.

(5) Remember that many people online are not who they claim to be. The 12 year-old-girl your child may be communicating with may in fact be a 40-year-old man.

(6) Online offers that sound "too good to be true" usually are.

(7) Monitor the child's use of the computer and limit his time online.

(8) Consider keeping the computer in a family room rather than the child's bedroom, (NCMEC, 1994; 4).

The NCIS has recently taken steps to protect the dependent children of Navy members. In addition to publishing online safety tips such as those above, NCIS, in conjunction with Cerious Software, Inc., is offering special software parents can use to scan the

contents of their children's computers and floppy disks for the presence of objectionable material. The software detects all graphic image and sound files and then allows the parent to view or listen to the files and remove any found to be objectionable.

Called "Thumb Plus," the software is available to the public free of charge directly from NCIS or may be downloaded from the NCIS site on the World Wide Web (<http://www.ncts.navy/homepages/thumbs/thumb.html>).

VIII. Legal Issues, Censorship and The Communications Decency Act of 1996

The regulation of child pornography on the Internet raises quite a few legal issues. Since the Internet is a truly global linking of computer systems and child pornography laws vary in scope from country to country, who is ultimately responsible? For each nation across the globe, who is legally liable for material placed on a bulletin board system, an online service provider or on the Internet itself? The person who introduces the material, the system operator, the online provider, the producer of the material or the person who downloads it?

What if some of these persons live in countries which don't have child pornography laws? If child pornography is transmitted from a country where it is legal to a country where it is illegal, which country's standards of decency should apply to the Internet (World Congress Against the Commercial Sexual Exploitation of Children, 1996; 12)?

These and other questions are being fought out in courts around the world.

The first World Congress Against the Commercial Sexual Exploitation of Children was held in Stockholm, Sweden in August of 1996. Representatives of governments, law enforcement agencies, child advocates, the United Nations Children's Fund (UNICEF) and others attended to address questions and issues relating to international child exploitation, including the international computer trade of child pornography.

The World Congress called on all nations to work together to enforce existing laws and create new laws aimed at protecting children from all forms international sexual exploitation.

While uniform international laws may be years away from reality, the U.S. has recently passed one of the most stringent and controversial laws aimed at

regulating the Internet.

Known as the Communications Decency Act of 1996 (CDA), this act amends portions of The Communications Act of 1934, (47 USC 223). It reads in part: "Whoever, in the District of Columbia or in interstate or foreign communications, by means of a telecommunications device, knowingly makes, creates, or solicits and initiates the transmission of any comment, request, suggestion, proposal, image, or other communication which is obscene, lewd, lascivious, filthy or indecent, with the intent to annoy, abuse, threaten, or harass another person ... shall be fined not more than \$100,000 or imprisoned not more than two years, or both."

The CDA further prohibits the transmission of such material to anyone under age 18, (USC, Title 47, section 223).

As passed, the CDA attempts to regulate all forms of obscenity on the Internet. Introduced by Sen. James Exon (D-Nebraska), the bill was passed and signed into law by President Bill Clinton in February, 1996.

The problem of child pornography is showing no signs of abatement. It is more prevalent today than ever before, primarily due to the ease of storage, manufacture, transmission and anonymity the Internet affords the pedophile.

Court challenges immediately followed. The law is unique in that it attempts to not only regulate obscenity, which traditionally is a "community standards" issue, but it also attempts to protect children from receiving sexually explicit material that does not fall under the legal definition of obscenity, (Harmon, Los Angeles Times. June 13, 1996, P. A-1).

The American Civil Liberties Union, the American Library Association, the Newspaper Association of America, Microsoft Corporation and Internet service providers all challenged the law in U.S. District Court, arguing that the CDA amounted to the equivalent of electronic book burning and was a violation of the First Amendment.

The U.S. Justice Department, supported by the Christian Coalition, the National Law Center for Children and Families and other groups, argued that law was necessary to protect children on the Internet, just as television and other media is regulated.

In June, 1996 the CDA was struck down as unconstitutional by a U.S. Appeals Court three-judge panel in Philadelphia. U.S. District Judge Stewart Dalzell wrote, "The Internet may fairly be regarded as a never-ending worldwide conversation. The government may not, through the CDA, interrupt that conversation. As the most participatory form of mass speech yet developed, the Internet deserves the highest protection from governmental intrusion.", (Harmon, Los Angeles Times, June 13, 1996, P. A-1). The Justice Department is planning to take the issue to the U.S. Supreme Court. In the mean time, the CDA is blocked from implementation.

IX. Conclusion

The problem of child pornography is showing no signs of abatement. It is more prevalent today than ever before, primarily due to the ease of storage, manufacture, transmission and anonymity the Internet affords the pedophile. The problem can be attacked on several fronts, however.

First, the public must be educated so as to understand the dangers of child pornography. The public must accept that the problem is growing and it is far from being a victimless crime issue.

Fundamentally, a child pornography photo is a graphic depiction of a child being molested. It is a picture of a felony crime in progress. Child pornography reduces the value of a child's body to nothing, teaching the child that the body is for sale and has no other value. Once produced, child porn has the effect of fueling the demand for more such material as well as the demand for child sex, (World Congress Against Commercial Sexual Exploitation of Children, 1996; 1).

Through the Internet, child pornography can now be accessed and downloaded by anyone with a computer and modem. What was previously a risky commodity to acquire via mail or personal contact, can now be done with relative ease and anonymity in one's own home.

Well-meaning, but possibly overly-broad measures such as the CDA may actually do more harm than good by relegating child pornography to an

obscenity issue, not the child victimization problem that it is. I feel that law enforcement and child advocacy groups must push child pornography to the political forefront to increase public awareness, in much the same way as the issues of rape and domestic violence have been. Maybe then, the growing proliferation of child porn will be curbed.

Meanwhile, local, state and federal agencies must gear up to attack the problem and push for the strongest prosecution of suspects.

References

Akdeniz, Yaman, 1997, *Regulation of Child Pornography on the Internet*, University of Leeds, London, England. Internet site: (<http://www.leeds.ac.uk/law/pgs/yaman/htm>).

Bosarge, Betty B., 1985, "Western European Nations Cooperate to Help Stop Child Pornography Exports to U.S.," *Juvenile Justice Digest*, Vol. 13, No. 4, Feb. 25, 1985.

ECPAT International- End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes, 1997, *Child Pornography*, Bangkok, Thailand, Internet site: (<http://www.rb.se/ecpat/index.htm>).

Exon, James, (Senator, D-Nebraska) 1996, "The Communications Decency Act of 1996," Senate Bill S.652 codified as 47 USC 223, U.S. Government Printing Office, Washington, DC.

Farley, Robert Hugh, 1995, "Child Sexual Exploitation: Improving Investigations and Protecting Victims," handout material presented during training seminar at the Torrance, CA Police Department, December 7, 1995.

Goldstein, Seth L., 1984, "Investigating Child Sexual Exploitation: Law Enforcement's Role," *FBI Law Enforcement Bulletin*, January, 1984.

Hannon, Amy, 1996, "Court Bars Law Blocking Indecent Internet Material," *The Los Angeles Times*, June 13, 1996.

Kenney, et al., 1995, *Police Work with Juveniles and the Administration of Juvenile Justice- Eighth Edition*, Springfield, IL, Charles C. Thomas

Lanning, Kenneth V. and Burgess, Ann W., 1984, "Child Pornography and Sex Rings", *FBI Law Enforcement Bulletin*. January 1984

McLean, J.J., 1995, "Investigative Recommendations for

Certain Crimes Involving Computers," handout material presented during training seminar at the Torrance, CA, Police Department, December 8, 1995.

McLellan, Dennis, 1981, "Getting to Know the Pedophile: The Wolf in Sheep's Clothing," The Los Angeles Times, December 3, 1981.

National Center for Missing and Exploited Children, 1996, "Child Safety on the Information Highway", Washington, DC

Ramos, B.J., 1996, "Porn's New Enemy: Parents Seek and Destroy Smut with Free Software," Navy Times, July 29, 1996.

Skelton, Chad, 1996, "Child-less Pornography", Id Magazine, January 25, 1996.

Smith, Raymond, 1997, "Case Demonstrates Link between Child Porn, Internet," The San County Sun, January 26, 1997.

Tyler, Toby, 1997, Delinquency Control Institute (DCI) Class Notebook, University of Southern California, Los Angeles, CA.

United States Department of Justice, 1996, Legal Brief filed with the U.S. Supreme Court, 96-511, in the matter of Janet Reno, Attorney General of the United States, et al.

v American Civil Liberties Union, et al., U.S. Government Printing Office, Washington, DC.

United States Senate, Committee on the Judiciary, Subcommittee of Juvenile Justice, 1985 transcript of hearings: Effect of Pornography on Women and Children, U.S. Government Printing Office, Washington, DC.

United States Naval Criminal Investigative Service, 1996, "Protecting Our Children in Cyberspace," Internet site: (<http://www.ncts.navy/homepages/thumbs/thumbs.html>).

Via, Susan R., 1988, Sexual Exploitation of Children: Federal Statutory Summary, from handout materials presented at the 1996 San Diego Conference of Child Maltreatment, San Diego, CA..

Walsh, James, 1996, "The Terror and Pity," Time, September 2, 1996, Vol. 148, No. 11.

Whitcomb, Debra, 1995, Child Sexual Exploitation - A Blueprint for Action, Education Development Center, Inc., Newton, MA..

World Congress Against Commercial Sexual Exploitation of Children, 1996, Child Pornography: an International Perspective, Stockholm, Sweden, Internet site: (<http://www.usis.usemb.se/children/csec/215e.htm>).

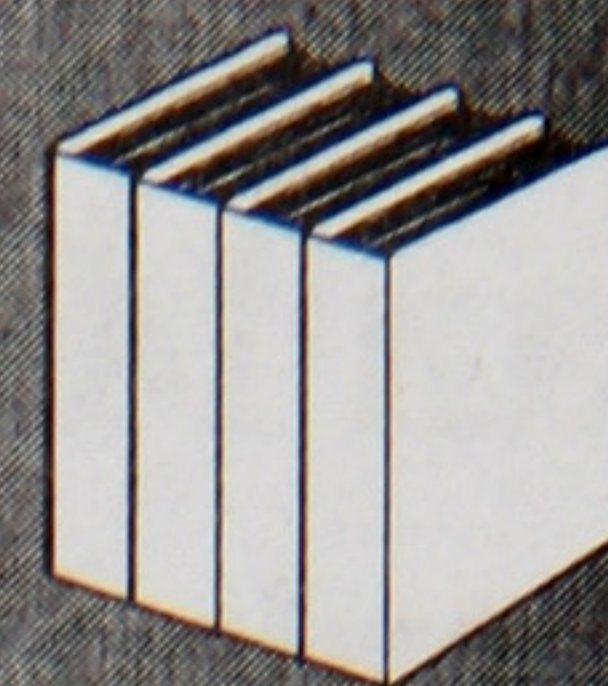
NCIS Offers Free Special Software To Parents

The NCIS has recently taken steps to protect the dependent children of Navy members. In addition to publishing online safety tips, NCIS, in conjunction with Cerious Software, Inc., is offering special software parents can use to scan the contents of their children's computers and floppy disks for the presence of objectionable material.

Called "Thumb Plus," the software is available to the public free of charge directly from NCIS or may be downloaded from the World Wide Web at the following address:

<http://www.ncts.navy/homepages/thumbs/thumb.html>

Training



Far East Field Office Holds Training For Japanese Employees

*Article and photographs
By Special Agent Darrell Paul
Far East Field Office*

Constitutional law... report writing... interviews and interrogations... latent prints... crime scene photography... casts and molds... case management... surveillance exercises... mock crime scenes ...

It's the NCIS Basic Agent School at the Federal Law Enforcement Training Center at Glynco, Georgia, right?

Wrong!

Recently, Japanese Master Labor Contract (MLC) employees from NCIS offices in Yokosuka, Yokohama, Atsugi, Iwakuni, Sasebo and Okinawa converged on Yokohama, Japan, for a one-week, in depth training conference.



Isao Kondo dusts for prints

The course covered not only those topics identified above, but also topics germane to the MLC's primary roles as NCIS information security specialists.

From liaison to Japanese Police Organization, from the Status of Forces Agreement (SOFA) to the Japanese prosecution process, from

crime scene processing to a round table discussion with Special Agent-in-Charge Tom Orzechowski of the NCIS Far East Field Office, MLC employees received a full range of training never before offered to them.

In discussing the recently completed course of training, Special Agent Richard Warner, conference coordinator, said it is extremely important that NCIS MLC's have a full understanding of an agent's job. Warner stated that MLC's get involved in all aspects of criminal investigations involving Japanese nationals and often find themselves in crime scenes of joint investigations.

Warner added the MLC's need to have a clear understanding of differences between Japanese and American investigative theories and law and also need the



Minouru Tokumoni, left, assists Mami Tanabe with pouring a plaster cast.

ability to help process scenes.

From feedback received by the field office, the training was both beneficial and educational, but more importantly, the training enhanced the MLC's confidence and allowed the employees a chance to get together and discuss areas of mutual interest.

Special Agent in Charge Orzechowski summed up the MLC training conference by saying, "Day in and day out, the MLC's make a significant contribution to our mission and I was extremely happy to be able to recognize their hard work and dedication with some well earned training."

For anyone who has worked with MLC's in the Far East, Orzechowski's comments say it all....

A 'National Model'

San Diego Field Office Hostage Negotiations Team Works With Local Authorities To Resolve Crises

In 1987, the San Diego Field Office of the Naval Criminal Investigative Service (NCIS) established a hostage negotiations team. Since that time, it has developed into what many now refer to as a "national model."

NCIS special agents on the San Diego Field Office Hostage Negotiations Team (SDFO HNT) have had to deal with a variety of crisis situations ranging from barricaded suspects with guns to suicidal "jumpers."

For example, Special Agents Ed Jex, Doug Floto, and JoAnn Kuhrt, have successfully negotiated suicidal sailors from a residence, a roof top, a bridge, and even from the top mast of a Navy amphibious ship at pier side.

Acquiring the ability to deal with such crises isn't something that just happens. It requires training and certification.

To stay certified and current in the crisis negotiations field the SDFO HNT has coordinated and participated in numerous crisis drills with area Navy and Marine Corps commands.

SDFO HNT negotiators have provided training briefs regarding crisis negotiations techniques to hundreds of DON personnel, and its members have participated in San Diego County Hostage Negotiators Association quarterly training since 1988.

Since 1995, SDFO HNT members have been members of the California Association of Hostage Negotiators (CAHN),



San Diego Field Office Hostage Negotiation Team

and participated in quarterly and annual training.

Special Agent JoAnn Kuhrt, SDFO HNT Team Leader participated in NCIS Headquarters' first "Crisis Negotiations Certification Course" in September 1996, which was presented to east coast special agents.

In July 1997, The San Diego Field Office arranged for several of its members to attend hostage negotiations certification training sponsored, at no cost, by the San Diego office of the Federal Bureau of Investigation (FBI).

CALL OUT PROGRAM

In May 1996, Kuhrt initiated a voluntary call-out program with the San Diego Police Department (SDPD), in which SDFO HNT members stand "crisis duty" for one month at a time with the SDPD Emergency

Negotiation Team (ENT).

NCIS and FBI special agents, respond to all crisis situations requiring trained negotiators in San Diego County. Work assignments for NCIS and FBI special agents are determined at each incident by the SDPD ENT team leader.

NCIS special agents participate as active team members at crisis incidents, not just observers. Their assignments at incidents have included acting as secondary negotiator, intelligence collection, records checks, team set-up, and technical services.

From May, 1996, through August, 1997, Special Agents Ed Jex, Doug Floto, Mary Shanley, Paul McCreary, and Kuhrt voluntarily stood the SDPD ENT duty. They responded to a total of 20 crisis call-outs with ENT, totalling over 140 hours in actual crisis call-out experience.

Six of the incidents involved Navy personnel, former

Navy personnel, or Navy dependents.

"A NATIONAL MODEL"

Sergeant Joseph Molinoski, SDPD ENT Administrative Assistant, reported that SDPD's multi-agency ENT -- with specific mention of NCIS -- was briefed during the Spring course of instruction at the FBI's National Academy, Hostage Negotiations Course. It was endorsed as a "National Model" demonstrating how state and federal law enforcement agencies should work crisis incidents together.

In May 1997, Lt. James Barker, Administrative Head of SDPD's ENT, provided training at the 8th Annual (40-hour) Training Conference of the CAHN regarding SDPD's multi-agency ENT.

Lt. Barker encouraged the 400 local law enforcement officials in attendance, to include Federal agencies in their crisis call-outs, and stated the multi-agency working crisis teams were successful and assured the best training at all levels of law enforcement.

TEAM MEMBERS

SDFO's HNT is currently made up of the following special agents:

Wayne Clookie HNT Supervisor

JoAnn Kuhrt, HNT Co-Team Leader

Mark Liptak, SDPD, HNT Co-Team Leader

Paul McCreary, HNT Technical Support & Negotiator

Edward Jex, Negotiator

Mary Shanley, Negotiator

Mark Giordani, Negotiator

Joel Gossett, Negotiator

Doug Floto, Negotiator

Eric Chapman, SDYU Negotiator

Celia Jorgensen, Negotiator w/Spanish speaking abilities

Alex Bedoya, Negotiator w/Spanish speaking abilities

Call-Out Incident Summaries

Special Agent Doug Floto participated in the successful resolution of two incidents involving barricaded suspects with guns.

Floto also responded to a third incident involving a man armed with a handgun, who barricaded himself in his apartment and threatened the lives of his family members. The family members later escaped and told authorities that the man had consumed over 20 pills. After hours of unsuccessful contact, a SWAT entered the residence and found that the man had died from apparent suicide.

Special Agent Ed Jex responded to six incidents over the past year. One hostage/barricade situation involved an off-duty school police officer who took his girlfriend and a naval officer hostage at gun point. Fortunately, negotiations were successful and the situation was resolved.

Jex participated in another successful negotiation involving a former Navy petty officer who fired several shots at his ex-wife, then barricaded himself in a hotel room and threatened suicide.

Special Agent JoAnn Kurht participated in several successful negotiations, including four attempted suicide situations, and three barricaded suspects with guns. In two of the barricaded suspect situations, the entire neighborhood was evacuated and a SWAT response was required.

One of the suspects was a Navy dependent wife who was walking down the street with a loaded pistol. The woman was upset over money problems and the deployment of her husband.

Another suspect, who was high on methamphetamines, invited police officers to shoot him after he was stopped for auto theft. The suspect ran to the top of an apartment complex, and threatened to blow-up the complex by igniting gas lines. The incident lasted 12 hours and required a full neighborhood evacuation. It was eventually resolved after a SWAT team assisted by a canine officer and dog found the suspect asleep in an attic crawl space and apprehended him.

Special Agent Paul McCreary participated in four call-outs which included three attempted suicides, and a barricaded suspect, who held his girlfriend hostage at gunpoint. The gunman surrendered, following successful negotiations. Ironically, the girlfriend reconciled with the gunman after he served some jail time.



NCIS Special Agents Receive Four DOD FCI Awards

Four NCIS special agents were honored at the Department of Defense (DOD) Counterintelligence (CI) Conference held in Carlisle, Pennsylvania, on May 13, 1997.

The award presentations were made by Ms. Joan Dempsey, Acting Assistant Secretary of Defense for Command, Control, Communications and Intelligence.

Special Agent Michael Harris and former **Special Agent Tracy Neary** were presented with the DOD CI Award for Investigations.

Working in concert with the FBI and NCIS Field Offices in Washington, Mayport and Norfolk, Neary and Harris initiated immediate steps to identify and neutralize the attempted espionage activity of Machinists Mate First Class Kurt Lessenthien. Neary and Harris personally conducted the successful interrogation of Lessenthien.

Had Lessenthien succeeded in establishing a relationship with the foreign intelligence service and passed information, potentially millions of dollars invested in the submarine program would have been ineffective, joint intelligence collection and sharing between Allies could have been compromised, and the supporting ships and personnel would have been placed at risk.

On October 29, 1996, Lessenthien pled guilty to five specifications of UCMJ Article 92 and five specifications of UCMJ Article 106 (a). He was awarded twenty-seven years confinement; dishonor-

able discharge; total forfeitures, and reduction of rank to E-1.

At the same award ceremony, **Special Agent Gary Mayer**, Counterintelligence Staff Officer (CISO) United States Forces Japan (USFJ), was presented the DOD CI Award for CI Support to Military Operations. Mayer was nominated for the award by USFJ.

Also, **Special Agent Wanda Simmen** was presented an award for Exceptional Service for her

overall outstanding work during her assignment as Assistant CISO for Commander in Chief Pacific (CINCPAC) from 1994 to 1997.

The Hawaii State Law Enforcement Officials Association (HSLEOA) honored NCIS **Special Agent Mike Moran** as one of its "Officers of the Year" during its 44th Annual Convention Banquet on August 1, 1997.

Moran reported to NCIS Hawaii Field Office in July, 1995. He was assigned initially to the Narcotics Unit at Pearl Harbor, and later to the

Resident Agency at the Kaneohe Marine Corps Base.

According to the write-up in the awards banquet booklet: "Moran coordinated naval investigations with local police into the disappearance of a Marine lance corporal reported missing on May 9, 1996. The victim's decomposed body was discovered on June 3, 1996 on Nuuanu Pali Drive.

"As a result of his extraordinary investigative

Agents Of The Year Chosen

After considerable deliberation involving numerous outstanding nominations for superior performances in 1996, the following were chosen as Special Agents of the Year:

Special Agent Rob Cully, Norfolk Field Office (Fraud);

Special Agent Doug Floto, San Diego Field Office (Foreign Counterintelligence); and

Special Agent Tony Titra, Gulf Coast Field Office (General Crimes)

Director David L. Brant presented the awards to the three special agents on December 10, 1997, in a special ceremony in the atrium of NCIS Headquarters.

The ceremony was scheduled after the *Bulletin* went to press, so complete coverage and an article will be in the next edition.