The exploitation of people for sexual and other purposes is nothing new; but, use of the Internet to facilitate these crimes is a more recent phenomenon. People can be victimized in a variety of ways online. The focus of this chapter is primarily on sexual victimization and stalking. The primary targets of such crimes are almost exclusively children and women, even though, the occurrence of women stalking men via the Internet is not all that uncommon. Internet sex predators victimize people by enticing them through online contact for the purpose of engaging them in sexual acts; by using the Internet for the production, manufacture, and distribution of child or other sexually deviant pornography; by using the Internet to expose youth to child pornography and encouraging them to exchange pornography; and by enticing and exploiting women and children for the purpose of sexual tourism (travel with the intent to engage in sexual behavior) for commercial gain and/or personal gratification. 1

Estimates of the number of children affected by online crime, child exploitation and abuse, and other Internet-related crimes vary considerably because of the difficulties associated with identifying and tracking these crimes. One estimate puts the number of children who are prostituted in the United States between 100,000 and 3 million. 2 The numbers of children involved in pornography and sex trafficking also are uncertain and probably severely underestimated. Computer sex offenders frequently roam chat rooms and post sexually explicit material to make contact with young children and teenagers. Initial victimization may be indirect and limited to showing a child pornographic sites or initiating sexual conversations in a chat room, by e-mail or instant messages. More aggressive predators will spend time developing close relationships with vulnerable children. Eventually, they may introduce potential victims to photographs of children engaged in “normal” sex with adults, send them gifts, and/or contact them by telephone. Typically, sex offenders will try to gain the trust of victims, attempt to alienate them from their family, and eventually try to set up a physical meeting to consummate the victimization. Some online sex offenders have gone so far as to send plane tickets to children to fly across the country to meet them. 3

Online Victimization of Young People One of the more comprehensive examinations of the issue of the online victimization of young people is the Youth Internet Safety Survey 4 conducted by Finkelhor, Mitchell, and Wolak and sponsored by the National Center for Missing and Exploited Chil-dren (NCMEC). The survey, conducted in 2000 and 2005, measured several areas of problems that youths reported being exposed to while surfing online, including the following:

**Sexual solicitations and approaches**: Requests to engage in sexual activities or sexual talk or give personal sexual information that were unwanted or, whether wanted or not, made by an adult.

**Aggressive sexual solicitation:** Sexual solicitations involving off-line contact with the perpetrator through regular mail, by telephone, or in person, or attempts or requests for off-line contact.

**Unwanted exposure to sexual material:** Without seeking or expecting sexual material, being exposed to pictures of naked people or people having sex when doing online searches, surfing the Web, opening e-mail or e-mail links.

**Harassment:** Threats or other offensive behavior (not sexual solicitation), sent online to the youth or posted online about the youth for others to see. Not all such incidents were distressing to the youth who experienced them.

**Distressing incidents** were episodes where youth rated themselves as very or extremely upset or afraid as a result of the incident. 5

In the past, child pornography took the form of pictures, magazines, and videotapes— many homemade and collected over long periods of time by pedophiles. Pedophiles now use the Internet for four primary purposes: trafficking child pornography, locating children to molest, engaging in inappropriate sexual communication with children, and communicating with other pedophiles. 102 In the past, the distribution and sharing of child pornography was through clandestine newsletters or tightly controlled networks, 103 whereas today the networking and distribution are online.

In the summer of 1996, a U.S. federal grand jury indicted 13 individuals from the United States and 3 from Australia, Canada, and Finland, charging them with orchestrating and participating in an online molestation of 10-year-old girls. The defendants took part in real-time photo shoots where they typed messages requesting photos of the girls in certain poses, while one member shot photos with a digital camera and transmitted the photos back to the group. The defendants were members of the Orchid Club, a private, online child pornography group that shared sexually explicit images and videos of girls as young as five. To be a member of the Orchid Club, members had to know the password to access photos and online chat sessions. Initiation to the club required a potential member to describe a personal sexual experience with a child. After the molestation, members allegedly asked that the camera be aimed at the girl’s pubic area and then inquired about traveling to Monterey, California, to molest her themselves.

As noted by Lanning and Burgess, 104 child pornography collectors take great pride in their collections, sometimes numbering in the thousands of pictures, magazines, or videos. In a recent arrest by the U.S. Customs Service, a computer was seized that contained well over 100,000 images of child pornography. 105 The images were catalogued and filed by age, gender, hair color, sex act, and several other variables. Customs officials estimated that it took endless hours of work to enter and develop the file structure containing the images. In the past, the distribution of such a collection would take endless hours of photocopying, film developing, or video processing. If done commercially, it was relatively easy to track the source. Today the individual with the 100,000 images could easily upload the files to the Internet through a variety of mechanisms and methods and distribute them to the masses in a matter of hours. These images could then be downloaded and saved by anyone and redistributed at a later date.

Posting child pornography via Web pages has been curtailed substantially over the past decade; however, the distribution via e-mail, newsgroups, bulletin boards, filesharing sites, file transfer protocols (ftps), and other direct connect mechanisms continues. The development of inexpensive video recorders and Web cameras has made it very easy for individuals to create high-quality movies of child pornography. Software programs like Photoshop and scanners also allow individuals to create images of child pornography from drawings or legitimate photographs. In addition, advanced encryption programs and software are now readily available and make detection even more difficult. These facts inevitably lead to the conclusion that the computer and the Internet are facilitating child pornography and changing the nature of manufacturing, distributing, and collecting it.

Sexually abusing children is most commonly assumed to be a learned behavior that has important ties to the Internet and the distribution of child pornography. There are a range of user groups, Web forums, and chat rooms where individuals who are interested in developing relationships with children can identify and talk with others who share their interests. 125 These sites provide a way for pedophiles to come together to validate their sexual interests, share information about their habits, and find support for their behaviors, much like the computer hacker subculture discussed in Chapter 4. Exchanges between individuals provide information on the ways individuals become interested in relationships with children, and how to justify these behaviors. For example, online communities often use the term child love to refer to their attractions, rather than the term pedophile, which they perceive to be a derogatory and stigmatizing clinical term that does not adequately account for their behaviors. 126

Cyberbullying

In addition to harassment and sexual exposure over the Internet, young people are also at risk of experiencing cyberbullying. There is no consistent definition for this behavior, though the National Crime Prevention Council defines cyberbulling as occasions “when the Internet, cell phones or other devices are used to send or post text or images intended to hurt or embarrass another person.” 9 This can include the use of text messages via cell phone, as well as e-mails, instant messaging, and other Web-based services to annoy or otherwise hurt someone’s feelings. Some even use social networking sites like Facebook as a means to post pictures or messages about another person without his or her knowledge or consent that could be embarrassing or hurtful. 10

Bullying is distinctive in that it occurs among juvenile populations only; whereas, the same actions among adults would be defined as harassment or stalking. 11 Cyberbullying in particular is different from real-world bullying because the perpetrators can reach their victim at all hours, day or night. So, a victim may find it hard to get away from their bully and find some relief. There are several potential reasons as to why young people use the Internet as a means to engage in bullying. Online communications and text messaging allow bullies to hide their identities and easily contact their victims. Furthermore, some may feel that it is easier to say something mean or hurtful via e-mail than in person. Box 8.2 below underscores ongoing growth in the incidence of cyberbullying.

STALKING VIA THE WORLD WIDE WEB

Stalking is most often defined as the willful or intentional commission of a series of acts that would cause a reasonable person to fear death or serious bodily injury and that, in fact, place the victim in fear of death or serious bodily injury. 16 Stalking laws have changed in response to expanded knowledge derived through research on the online stalking phenomenon. Traditionally, many statutes had a narrow definition of stalking that included a specific intent requirement. 17 However, many states have changed their laws to broaden the definition of stalking to include repeated behavior that is harassing, communicating, or nonconsensual communication. In addition, some states have adopted a “general intent” requirement, rather than a specific intent requirement, which allows for the prosecution of cases that involve implied threats and threats that may or may not be considered “credible.” 18 Some definitions also take into account the receiver’s reactions to the communications, including any reaction that would cause a reasonable person to fear for his or her personal safety; to fear bodily injury or death to himself or herself or a related person; to suffer substantial emotional distress; or to become seriously alarmed, terrorized, or tormented by the behavior. 19

Many stalking laws are broad enough to encompass stalking via e-mail or other electronic communication, defining the prohibited conduct in terms of “communication,” “harassment,” or “threats” without specifying the means of such behavior. A more specific definition of cyberstalking would be the use of the Internet, e-mail, or other electronic communications device to stalk, threaten, or harass a person. Other states have specifically defined stalking via e-mail within their stalking or harassment statute. For example, California recently amended its stalking law to expressly include stalking via the Internet. 20

The numbers of cyberstalking incidents is unknown, but recent estimates suggest these behaviors appear to be on the rise, particularly among young people and college students due in part to frequent Internet use among this population. 21 For example, research by Finn found that approximately 15 percent of a sample of college students had experienced online harassment. 22 Similarly, Holt and Bossler found that 18.9 percent of students at a large southeastern university had been harassed at some point within the past year through a chat room, instant messaging service, or in Internet relay chats (IRCs). 23 Evidence from the National Crime Victimization Survey’s Supplemental Victimization Survey (SVS) found that approximately one in four stalking victims experienced cyberstalking via e-mail or instant messaging. 24 Additionally, 1 in 13 victims was tracked via electronic monitoring tools, such as computer spyware, digital cameras, and GPS technology. 25

The traditional conception of criminal stalking involves a stranger following some unsuspecting female and showing up for repeated interactions with the victim. This conception has been reinforced in the popular media through television shows and films that portray the image of the traditional stalker. However, the dynamics of stalking have extended far beyond this traditional conception, and laws designed to identify and punish modern forms of stalking have changed to meet these challenges. What makes this area of law difficult to enforce is that it is often hard to distinguish between stalking behavior that is dangerous and behavior that is comparatively benign. Police officers investigating reports of stalking are quite familiar with both cases that involve actual danger and those that are false and/or overestimate the degree of danger. To be sure, many cases of stalking do not even rise to extreme levels of violence or harassment. 26 Nonetheless, all forms of stalking should be taken seriously, as they represent a fundamental threat to a person’s physical and psychological well-being.

Traditional stalkers have been known to use binoculars, telescopes, cameras equipped with “long lenses,” video cameras, hidden microphones, the Internet, public records, and accomplices (both witting and unwitting) to keep track of the whereabouts and activities of those they target. 27 Cyberstalking is simply the electronic form of stalking, where the harassment or threats are directed via the Internet typically using social networks, e-mail, chat rooms, bulletin boards, or even Web pages. Most often, due to the distance between users and the anonymity of the Internet, this behavior will not escalate into physical harm, but this does not mean that the pursuit is any less distressing. 28

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