

**THE IMPACT ON CHILDREN WHO HAVE BEEN VICTIMS OF CHILD
PORNOGRAPHY**

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Written Testimony of Sharon W. Cooper, MD FAAP

It is my honor to be invited to offer testimony regarding the victim impact on children and families, of the crime of child pornography. As a physician who works with children who have been victims of all forms of abuse and neglect, I have evaluated numerous children who have been exploited pornographically. These children have been as young as 18 months and have suffered all types of victimization to include sadistic sexual abuse resulting in homicide. Over the past 15 years, I have also evaluated hundreds of thousands of images of child sexual abuse and have taught investigators, Internet Crimes against Children (ICAC) Task Force members, child abuse physicians, prosecutors, judges and sexual assault nurse examiners, methods on analyzing images to determine if they are consistent with minor children.

Child pornography has been produced since ancient times initially as art and sculpture. Images however which mirrored abuse became most apparent with the advent of photography in the 1800s. Such abusive images of children began to become a point of investigation in America when the United States Postal Inspection Service followed their distribution through the mail. For nearly 20 years, child sexual abuse images on the Internet and more recently in communication devices have become a threat to the health and wellbeing of children throughout the world. The United Nations Study on Violence against Children (2006) spurred the sobering and

accurate report, Violence against Children in Cyberspace by ECPAT International (2005). This document describes child sexual exploitation as a diverse form of maltreatment. It is my opinion that child pornography is constitutes insult to injury. The injury is child sexual abuse. The insult is the memorialization of the abuse and its availability for any anonymous viewer.

For the remainder of my testimony, I will refer to child pornography as child sexual abuse images or child abuse images as this is the accepted international terminology referring to this memorialization of sexual abuse. This is a better term because it debunks the myths that these images reflect voluntary modeling, that they are predominantly digitally morphed, that they don't reflect children but instead adults made to look like children and finally and perhaps most importantly, that this is a victimless crime.

The term child sexual exploitation refers to five different types of abuses of children. Most of these abuses are facilitated either by information or communication technology (ICT). This provides a broader parameter than the original term Internet Crimes against Children (ICAC), though the multijurisdictional task forces which bear this name in the US continue to rescue children every day from horrendous abuses in cyberspace and the offline world. Though there are different types of child sexual exploitation, child sexual abuse images are often a common thread of victimization through each type. Examples of child sexual exploitation are as follows:

1. Child sexual abuse images include the production, downloading, possession, distribution and trading of images of children being sexually abused from positioned lewd exposure of a child's genitals to obvious genital penetration of any or all orifices of a child's body. These images may also include coerced child on child sexual contact with no adult depiction or sexually explicit exhibitionism of a child involving masturbation. The overwhelming number of convictions in this crime is for those who download, possess and trade these images. These acts are akin to a case of voyeurism in that an offender is looking through a digital window at the sexual abuse of a child, not for the purpose of attempting to rescue the child, but for his own sexual gratification. When this offender then distributes these images, it is as if he is calling others to come and look in the window as well and derive their own prurient enjoyment. Initially, in depth interviews of these types of offenders completed by the COPINE project at the University of Cork College, Ireland revealed several motives for collection. The two most common motives reported by the incarcerated study subjects were sexual gratification through masturbation and as a plan for action (Taylor M. & Quayle E. 2003). Additional offender research from Australia cites that these voyeurs virtually call others to join in with them in watching the abuse as a means of networking with like-minded persons (Carr, A. 2009).
2. Intrafamilial prostitution of children as a second form of sexual exploitation entails marketing children for sex to others by family members for the purpose

of secondary gain to the exploiter. Such gain might be financial, but may also be a component of attempted relationship stabilization by a parent or caregiver with a spouse or paramour, or for food, clothing, shelter or influence.

Research has shown that intrafamilial sexual exploitation is an important factor in runaway behaviors which then often results in a minor being exploited through survival sex on the streets. (Estes, 2001). There have been numerous reported cases of parents who have marketed their children online in this fashion using sexual abuse images as part of the lure for a perpetrator. In other words, child pornography has been used by family members to advertise the sale of their children to online predators who will not only ultimately possess these images but often produce more while sexually assaulting children as young as 5 years (Ex-Duke researcher sentenced on child porn charges - NewsObserver.com March 31, 2010; Woman pleads guilty – Orlando Sentinel.com August 20, 2009)).

3. Cyber-enticement leading to the production of child sexual abuse images and distribution to collectors at times by live streaming video constitutes the third type of child sexual exploitation. Research has shown that 64% of offenders contact youth online often many times a day for one to more than six months in an effort to encourage an offline meeting (Wolak J et al, 2004). Many victims are often cajoled to self-produce images as they become more and more compliant because of feelings that they truly have come to love the offender. These images are sometimes shared with others as part of networking thus making the victim ultimately feel that his private relationship

has become common knowledge in the online world and his sense of guilt, shame and self-blame are magnified many times over.

4. Child sex tourism is a fourth type of sexual exploitation, typically associated with a person who travels to have sex with a child. The child may reside his destination or he may take a child with him to an alternative destination, such as a children's theme park etc. The resulting sexual abuse images are often distributed to collectors who have been advised in advance of the criminal activity and on occasion these collectors have actually traveled to share in the sexual abuse as well. The United States is cited both as a country of origin and destination for sex tourists; (Sher J., 2007).
5. Commercial sexual exploitation of children (CSEC) and domestic minor sex trafficking (DMST) are cited as the most underreported form of child abuse (Estes RJ & Weiner NA, 2002; Shared Hope, International 2009). Trafficking continues to evolve to include transmission of erotica as part of online marketing of minors for sexual services. Child sexual abuse images are part of this victimization when there is production and use of pornographic images of minors by traffickers to gain compliance, control through psychological abuse in association with rape, intimidation, and extortion. This possession of images often occurs during the "breaking in" process when in conjunction with repeated sexual assaults, digital videography evokes additional shame, guilt and a sense of helplessness. Researchers have found that in 49% of American trafficked women, pornography was made during exploitive victimization. The overwhelming majority of women brought into trafficking

were groomed, abducted or extorted as underage minors. The additional impact reported by children who describe being photographed by those who represent the demand for sex occurs most commonly through the use of 3G and 4G mobile phone technology which allows easy and instant transmission to others. (Farley M., 2003).

When I have conducted clinical interviews of victims of sexual abuse images, a common theme inevitably emerges – the victim’s right to privacy. Even when I have evaluated middle school aged children who were exploited as preschoolers and whose images are circulated today on the Internet, the invasion of privacy is a foremost concern. Many children and young adults who were victimized as minors speak of living a “double life” in that when they are with peers, they struggle to appear well adjusted, but inside they report remaining always vigilant and fearful that any interaction with a computer might lead to exposure of the images of the sexual abuse that they have endured. Because we are unable as yet to fully affirm that images are permanently erased and destroyed from the Internet, these children will continue to experience more than the usual diagnoses of posttraumatic stress disorder, anxiety and depression. Their additional diagnosis is non-delusional paranoia – as could be found in any of us were we in the same position. One victim discussed with me her insomnia, years after the sexual abuse had ended because she was aware that videos were on the Internet. She described walking around her house looking out the windows many nights. When I asked what she was searching for, she replied that she was looking for the people who would be looking back in at her.

Despite the fact that the National Center for Missing and Exploited Children has captured more than 45 million images of child sexual abuse, the numbers are still underestimated. This fact reflects that as a country we usually catalogue only those images which reflect completely prepubescent children. Puberty begins in girls in the U.S. with breast development and is usually at about 9-10 years of age. For boys, sexual maturation is measured by the development of more visible pubic hair, which doesn't become apparent until a male is 11-12 years of age (Shumei SS et al, 2002). Children who are maturing through puberty will still be children once their bodies appear indistinguishable from that of an adult. These children's images therefore are not included in both national and international databases unless an investigation begins with a known victim who is yet still a minor. Consequently, the overwhelming number of child sexual abuse images involving adolescents are not included in the millions of images recognized today (Cooper S, 2011, Steingraber S, 2007).

Offenders who download, possess and trade in child sexual abuse images of a certain typology, such as sadistic imagery promote the further commission of this type of abuse against children because of the continued demand and desire for new images. One victim who was abused in this manner described to me, seven years after the abuse, that she spent a significant amount of her life "terrified". She also had a compulsion of looking for ceiling or wall mounted video cameras wherever she went

with her mother, reminding her that she was never really sure that someone wasn't watching her.

From the perspective of mental health treatment for victims of sexual abuse images, research has shown that the majority of clinicians feel ill prepared on how to approach a therapeutic model for these kinds of patients (Weiler J et al, 2010).

Though clinicians often are experienced in the treatment of child sexual abuse, they are unprepared for the degree of denial that is common in this type of client. A study of nearly one hundred victims in the UK explored the reasons that children would not disclose the pornographic component of their abuse. The children stated that:

- The pictures made it look as if they just “let it happen”
- They were sometimes made to smile while they were being abused
- Sometimes they were the recruiter for friends who came for sleepovers or other activities that ultimately resulted in their being sexually abused too. This led the index children to feel as if they were responsible bystanders and witnesses to a friend's abuse.
- Some victims talked about having to participate in mutual sexual contact with other children or having to participate in exhibitionism through masturbation as a deterrent to disclosure of the sexual exploitation
- Children reported having been told that they were responsible for the abuse because they did not make it stop and that the offender would tell their non-

offending parent or caregiver that the abuse and pornography was their fault (Palmer T. & Stacey L, 2004).

An additional deterrent to successful mental health support to child sexual abuse image victims is the reality that when a child is ready to disclose abuse, they have reconciled in their mind the need to share this information. There may be many reasons for what is often referred to as an outcry, but the child has lowered their defense mechanisms enough to speak to a trusted person. On the other hand, the discovery of abusive images first is not at all necessarily linked to a child's willingness to disclose the fact that abuse has occurred and images were made. This has led to a realization by many professionals that these victims often deny that anything has happened and if confronted with their own pictures, many will even state that the picture does not depict them. This is referred to as "double silencing" – i.e. children are silent about being sexually abused and even more so regarding pornographic victimization (Swedish Children's Welfare Foundation 2006). It appears that a factor that contributes to this denial is the worsening of feelings of guilt, shame and self-blame when images exist to illustrate one's deepest secret.

A consideration should be given to the immature brain development of youth as evidenced in serial MRI studies that reflect that the prefrontal cortex is not mature until one is nearly 25 years of age (Lenroot RK & Giedd JN, 2006). This fact is in conjunction with the presence of mirror neurons throughout the brain which act by convincing us that what we see, we are experiencing (Buccino G et al, 2004). These two neurobiological factors require that special consideration be given to youth offenders who sadly are

growing up exposed to Internet based adult pornography. Their ideas of sexual exploration may drift into the more difficult to find caches of child sexual abuse images. However, decisions related to sentencing for this age group should take into consideration that a youth's cognitive reasoning is not that of a mature adult and alternative diversionary options should be available for first time offenders.

Finally, child sexual abuse images profoundly wound families of child victims. Unlike child sexual abuse, where the abuse comes to an end and the parent(s) become determined that they will protect their children from any further harm, in the case of online child sexual exploitation involving abusive images, families cannot feel confident that they can protect their children from finding out about the images, or from being harassed by peers should they see the images, or in the worst case scenario, stalked by other sex offenders who desire to contact the child for the purpose of enticement. This immense lack of resolution has resulted in a continuum of ongoing harm - from parents who refuse to allow their children to receive any mental health or even physical examinations to assure that no genital harm or sexually transmitted infections have occurred to the extreme of parental suicide as well as subsequent victim suicide. If a parent desires to opt out of notification that offenders continue to download, trade and possess images of their children afforded by the Justice for All Act, the child's protection is only temporary, because once he is no longer a minor, he must make the decision for himself regarding ongoing notification that people are continuing to access images of his abuse.

CONCLUSION

Victimization from child sexual exploitation involving child sexual abuse images is diverse. Hopefully, decisions regarding sentencing will take into consideration many of the factors cited in this testimony. Restitution for these types of victims or forfeiture should be considered in light of the fact that mental health services are just beginning to address these diverse needs. There is hope that with training and international exchange of scientific research, victims will be afforded a best practice model for desired mental health outcomes. In addition it is hopeful that cleansing the Internet of images is a probability in the near future. More importantly, perhaps the day will come when children are not seen as fair game for sexual abuse and exploitation.

Thank you for your careful consideration of these many complexities in the life of a child victim of information and communication technology sexual exploitation.

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