



**Testimony of Cyber Division Section Chief Raul O. Roldan
of the Federal Bureau of Investigation
before the
Committee on Energy and Commerce
Subcommittee on Oversight and Investigations
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Congressional Testimony**

Good Morning Mr. Chairman, Congressman Stupak, and Members of the Subcommittee. On behalf of the FBI, I would like to thank you for this opportunity to address the FBI's role in combating the sexual exploitation of children through the use of the Internet. Specifically, I would like to explain to the Subcommittee how the FBI manages the Innocent Images National Initiative on a national and an international level.

Two weeks ago, the Subcommittee heard the testimony of Acting Executive Assistant Director Chris Swecker which described this initiative and its accomplishments. As he testified, over the past 10 years, the Innocent Images program has grown exponentially. Between fiscal years 1996 and 2005, there has been a 2050% increase in cases opened (113 to 2500). During this ten-year period, the program has recorded over 15,556 investigations opened; 4,784 criminals being charged; 6,145 subjects being arrested, located or summoned to appear in a court of law; and 4,822 convictions obtained.

The FBI's Innocent Images Unit is responsible for the creation and implementation of national and international initiatives targeting those who use the Internet to sexually exploit defenseless children. The unit, housed in Calverton, Maryland, also works closely with and has a sizable contingent assigned to the National Center for Missing and Exploited Children. The Innocent Images Unit serves as a central location for addressing major cases such as the sexual exploitation of children through pornographic websites, distributing investigative leads to our field divisions and Legal

Attaché offices, and managing the FBI's national program. Its responsibilities include developing and publishing policy, managing program funds, certifying undercover operations, and the training of FBI employees, state, local and international partners.

The number of funded positions for the Innocent Images program is 127 positions. Due to the seriousness of these matters, however, the FBI has consistently utilized personnel resources at a higher level than those funded. We currently have the equivalent of 242 Agents working child sexual exploitation matters. Not just anyone can do this work. Our dedicated men and women are exposed to the most graphic and disturbing images and movies that you could possibly imagine. They wade through thousands of pieces of material every day, all day, and then they go home and tuck their own children into bed. However, the men and women of the Innocent Images Unit, and those involved in investigating the sexual exploitation of children in our field offices, are some of the most dedicated and hard working people in the federal government. They enjoy my respect and sincere appreciation for the work that they do everyday. They are some of the most dedicated and passionate employees I have met in my 18-year career as a Special Agent of the FBI.

At any one time, the FBI has more than 2,400 active child sexual exploitation investigations. Because of the magnitude of the crime problem, and in an effort to capitalize on the FBI's intelligence collection, analysis, and investigative strengths, our primary focus is on complex investigations targeting organized criminal groups involved in commercial child sexual abuse websites. As Mr. Swecker testified, these investigations almost always span multiple jurisdictions and usually expand beyond the borders of the United States. In an effort to reach beyond the borders of the United States in a more efficient manner, the FBI has partnered with law enforcement officials

from several countries who work side by side with FBI agents in Calverton, Maryland in a task-force setting.

Other areas where the FBI makes a major impact include investigating the financiers of illegal websites, as well as individuals or groups who engage in the production of child sexual abuse images. The FBI also investigates sexual predators that travel from one jurisdiction to another to engage in sex with minors. Finally, we target persons with large collections of child sexual abuse images. These individuals represent a real danger as we find a large percentage of those we arrest for possession of images of child sexual abuse are also committing contact offenses. Our investigative efforts attempt to maximize the impact the FBI can have on this very serious crime problem. I would like to describe how we work a typical case, such as a child sexual abuse website investigation.

An investigation may sometimes be initiated from a referral by the National Center for Missing and Exploited Children. We utilize a variety of investigative techniques, to include administrative subpoenas and data base checks, to capture evidence in an attempt to locate the server where the website contents are physically located. Once the server is located and upon finding probable cause, a search warrant is requested and issued. In many cases the company that runs the server is not aware that its computers contain illegal content as they may also host hundreds of legitimate websites. Once the search warrant is executed, the media containing the illegal content is seized and delivered to our Computer Analysis and Research Teams (CART) for forensic analysis. Given the tremendous amount of digital data seized by the FBI, this analysis could take months to accomplish, as these teams are responsible for the forensic examination of digital data in all of the FBI's investigative programs, to include

counterterrorism investigations and other high priority matters.

Once the computer analysis is completed, the targets of the investigation are prioritized in partnership with prosecutors from the Department of Justice. I want to state unequivocally that any information that would lead us to a child who is being sexually abused is treated not only as a top priority, but also as a matter of great urgency. Our second priority is the identification of the website administrators. Generally, these individuals administer more than one child sexual abuse website. Thereafter, the producer of the images is identified, as these images represent evidence of the actual sexual molestation of a child. Next the funding vehicle and the financiers of the website are identified.

Once the illegal website and the organizations managing, financing, and producing the child sexual abuse and exploitation images have been taken out of business, the information associated with the customers paying for access to the illegal website is analyzed and acted upon. Of course we recognize that the customers of the websites may also be sexually exploiting children and we do everything possible to investigate these individuals. But this endeavor is complex and labor intensive. First, we must accurately identify the customers accessing the website. I must reemphasize the word accurately, because in order for us to initiate an investigation, each and every one of the perpetrators must first be accurately identified. This phase of the investigation is very lengthy and requires vast resources as child sexual abuse websites investigated by the FBI have been found to contain anywhere from 9,000 to more than 30,000 different customers entries. Another issue to consider is the fact that most illegal-website customer entries are normally years old. Once outdated, this information cannot be utilized to show probable cause, request search warrants, or acquire the appropriate

evidence to proceed with an investigation.

The most useful data for the purpose of attempting to identify the customer is the credit card numbers. In order to obtain credit card information from a financial institution on these types of investigations the FBI must seek a Federal Grand Jury subpoena. Currently this requires a presentation to a Grand Jury to request a subpoena for each individual bank in order to identify each and every individual account holder who paid to enter the illegal website. Even after all of the financial information is obtained through these subpoenas, and a thorough analysis of all of the information is conducted, there is rarely enough probable cause established to request a search warrant on the customers' residences. The only option that remains is knocking on the customers' doors and asking for consent to access to their computers. If this consent is not granted, the investigation cannot proceed any further until additional incriminating evidence is uncovered through other investigations. Under our current process, it takes an excessive amount of time for a team of intelligence analysts to process and analyze a customer list on an average child pornography website. It would also take more than 11 special-agent-hours to accomplish a knock-and-talk type of investigation on each illegal-website customer. Again, let us remember that every illegal-website investigation will have a minimum of thousands, and sometimes hundreds of thousands of customers. We are exploring ways to expedite this process, but there are numerous hurdles to overcome.

In contrast, another totally separate investigative technique currently being utilized by the FBI to address child sexual abuse matters through Peer-to-Peer investigations, allows for us to capture child sexual abuse and exploitation images as they are being exchanged by pedophiles, and collect identifying information on the perpetrators the instant the crime is occurring. Immediately thereafter, we can obtain

search warrants, and have the authorities go in and seize evidence in as little as a one-week time period. Using the technique I just described, and others also currently available, the FBI makes hundreds of arrests and prosecutable cases every year. For example, one such investigative effort resulted in over 400 cases opened, 300 search warrants, over 50 convictions to date, and 14 victim children identified and rescued.

This example was presented to you in order to better describe how the FBI has to prioritize not only who must be targeted in an investigation, but also what investigative tools must be utilized in order to maximize investigative results by making a serious impact on the overall crime problem, and putting the most egregious sexual offenders behind bars.

My comments today are intended to reassure the Subcommittee and the American people that the FBI takes this matter very seriously and has a very aggressive program designed to address child sexual exploitation. In closing, the FBI looks forward to working with other law enforcement agencies, private industry, and the Department of Justice in continuing to combat this very serious crime problem. The protection of our children requires the combined efforts of all sectors of our society. I would like to express my appreciation to the Subcommittee for addressing this very serious issue, and I would also like to thank Chairman Whitfield, Ranking Member Stupak, and the Subcommittee for the privilege of appearing before you today. I look forward to answering your questions.