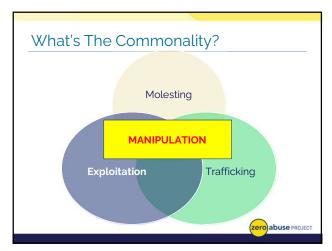


#### But what about this?

- · Child Molester: 2018 and 2020
  - But perp is 16 & 17 at time of offenses
- Online Exploitation: January 2021
   Meets V through online chat
- Sexual Exploitation / Attempted Sex Trafficking: 2022

   All done while perp in jail





# Agenda Case Study What we learned Takeaways



# Let's begin at the beginning

- Who is Austin?
  - In 2018: 16 years old
  - Dropped out of HS in sophomore year (self-report)
  - Limited criminal history:
    - o Juvenile: burglary
    - o Guns?





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## Let's begin at the beginning

- Who is Austin?
  - Family: scattered
    - Both dad and mom have multiple children
    - Maternal grandmother in the picture (14 years older than mom)
    - Ward of state by early 2020
  - Socio-economic
  - ImpoverishedMental health?









## First Set of Sex Offenses

- Sexual violations of Austin's sister
  - First Allegations: Molested her in 2016 2018
    - $_{\odot}\,$  Victim was between 10 and 12
    - Vaginal penetration
    - $_{\odot}$  Victim disclosed to mentor at school
  - Investigation?
  - Intervention?
    - o DCS





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## Second Offense

- Second Offense: January 2020
  - Mom starts allowing visits at her home
  - Austin molests victim in bedroom

  - o Victim runs from house o Immediate disclosure
    - Digital penetration by Austin
  - Case filed March 24, 2020
    - o Charges filed in adult court





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# Rape Charges

- Why rape?
  - Rape is a "direct file" charge in adult court
  - Defendant had just turned 18 (Feb. 2021)
    - Conduct occurred when 17 and 16

STATE OF INDIANA MARION COUNTY, sac		IN THE MARION SUPERIOR COURT CEMINAL DIVISION
		Cause No. 69
STATE OF ENDLINA	3	ENGINATION COUNT! RAFE LC 75-42-4 (10/10 A LEVEL A PERSON
		COUNTR ROT LC 36-40-4 (100) A HOUR 3 PELONY
On this date, the under Circuit, bring duly woorn Indiana	nigned Deputy P on his list oath	resocuting Attorney of the Nitoteenth Todicial or having affermed), says that in Maises County,
COUNTI		
On or about or between	Sensory IS 2000	Lord January 13, 2008, Farmer Agency did
knowlegly or trooretionally	have other sexus	d conduct with K.J., when K.J. was compelled by
Seens;		
COUNTIL		
On or about or between	Doly 1, 2018, and	August 1, 2018, 1
protectionally have sexual i	reinvolume with I	K.J., when K.J. was compelled by force:
all of which is contrary	to statute and ag	sizes the peace and dignity of the State of Badlana.
		March 25, 2522 Date
		RYAN MEANN Maden County Prosecution 19th Judicial Covari
		/ed Bischard Veres
		Deputy Prosecuting Attucky
State's Witnessen correct Marky, BUPD		

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## Plea Agreement

- 11/25/2020: Plea Agreement accepted
  - Judgment of conviction entered
  - Defendant ordered released
    - Pre-trial incarceration: About 8 months
- Pleads guilty to amended counts: Criminal Confinement and Sexual Battery
- Sentence: 5 years suspended



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## Sentencing

Sex Offender Probation: 5 years

21. You shall not possess or view obscene matter as defined by IC 35-49-2-1 or child pornography as defined in 18 U.S.C. § 255(8), including but not limited to: videos, magazines, books, DVD's, and material downloaded from the Internet. You shall not visit stilly clubs, adult bookstores, motels specifically operated for sexual encounters, peep shows, bars where partially nude or exotic dancers perform, or businesses that sell sexual devices or aids.

22. You shall not travel alone after 10 p.m. (including but not limited to: driving, walking, bicycling, etc.) unless given permission by your probation officer. You shall be under intensive supervision and complete a travel log and/or journal of daily activities as directed by your probation officer.

(\*Conditions 23-28 apply, but are subject to an assessment completed by the probation department within forty-five (45) days of the supervision start date)

23. You are prohibited from accessing or using certain web sites, chat rooms, or instant messaging programs frequented by children. You are prohibited from deletine, erasine, or tampering with information on your personal computer with intent to

24. You shall not use a social networking web site or an instant messaging or char room program to communicate, directly or through an intermediary, with a child less than streen (16) years of age. This includes your own child, stephthd, sibing or networking with the control of the control

25. You shall have no contact with any person under the age of 16 unless you receive Court approval or successfully complete a court-approved sex offender treatment program, pursuant to IC 35-38-2-2.4. Contact includes face-to-face, telephonic, written, electronic, or any indirect contact via finite parties.



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## Supervision

Defendant living with grandmother





## Supervision

- Non-compliance begins
  - First Violation: 1/29/2021
    - No HIV testing or drug screen, No job / fired, Won't attend treatment intake
  - Home Visit: 2/2/2021
    - Austin answers door: smartphone in



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#### Feb. 2021 Home Visit

- · Phone Viewed in Home:
  - Phone contains
    - o social media accounts,
    - o evidence of drug use and commercial sex activity
    - o photos of Austin with
- Preliminary Phone Forensics:
  - Austin chatting with minors as young as 12 years of age.
- Warrant issued: 2/4/2021

Criminal Complaint, 1:22-cr-98-JMS



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## **Fugitive Status**

- Fugitive from February 2021 to December 2021
  - Near-arrest in November 2021
    - o Firearm call
      - Defendant fleesGun found
    - Gun Tound
  - Arrest in December 2021
    - o Call by pregnant girlfriend's friend



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## The Phone: Jackpot

- · Phone contains evidence of
  - Possession of CSAM
  - Receipt of CSAM
  - Sexual Exploitation
  - Firearm by Felon
  - Coercion / Enticement



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# Federal Case: Exploitation / Receipt

- Digital Evidence: January of 2021
  - Defendant getting sexually explicit images from 14 y/o girl
  - Defendant knew victim was 14
  - Victim not comfortable with age difference
- Investigating the chat:
  - Finding the victimInterviews

  - Explanation of images



# Federal Case: Exploitation / Receipt

- January of 2021: Sexual Exploitation
  - Images of Minor Victim 1 with har genitals exposed: DMC\_0418/jpg\_DMC\_0419/jpg\_DMC\_0423/jpg\_DMC\_0421/jpg\_ DMC\_0422/jpg\_ and DMC\_0423/jpg\_Distals Austin received three images on or between Juney 22, 2021 and Junuay 30, 2021 using Suspelast, in internet-based neolaction.
  - ii. Videos of Minor Victim 1 with her genital and pube area exposed car-chair media-video-giKjdjabdtApertPR77Enuev, car-chair media-videoshWsGFFZZLrukWmkHSELmov, IMG, 9418.mpd, IMG, 9419.mpd, IMG, 9420.mov, IMG, 9421.mov, IMG 9422.mov, and IMG, 9422.mov, Isaiah Anntia received these videos on or between January 22, 2021 and January 30, 2021. These images and videos are listed in Count 1 of the Superseding



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## Federal Case: Negotiations

- Plea offer reached: August 2, 2022
  - Possession of Child Pornography with a Prior Conviction
  - $-\,$  Set for Change of Plea and Sentencing on 12/28/22

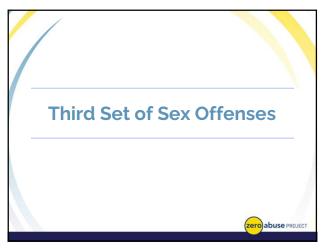


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## Federal Case: Negotiations

- What did this plea give Austin?
  - Plea offer: TOTAL: 10-20 years
  - What he was eligible to receive:
    - Sexual Exploitation of a Minor: 15-30 years
      - Prior conviction: 25-50 years
      - Reg. sex offender: +10 years
      - TOTAL: 35-60 years





# 3<sup>rd</sup> Set of Sex Offenses

- Clark County Detention Center:
  - Inmate Tablets: Text Messages
  - Phones in common areas
    - Audio and video calls





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## 3<sup>rd</sup> Set of Sex Offenses

- Immediate look at texts:
  - Thousands of text messages from his teen girlfriend
    - o She had given birth to a daughter
  - Lots of talk about sex
  - But then ...



# Manipulative Chokehold

- · Progression:
  - You're my sex slave
  - I want you to have sex with my brother and record it
  - I want you to have sex with my brother and his friend and to record it
  - I want you to sell pussy to make money for us
  - I want you to have sex with my cousin and record it
  - I want my cousin to be your pimp



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# Investigating the Calls / Messages

• Search Warrant at Girlfriend's Home



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# Investigating the Calls / Messages

· Let's find the cousin!





# Manipulation of Girlfriend's Family

- Manipulation of Girlfriend's Family
  - Spent thousands on Austin's defense
  - Harboring a fugitive
  - Impregnated daughter
  - Mother treated Austin like her child



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## Manipulative Chokehold

Seasoning — A combination of psychological manipulation, intimidation, gang rape, sodomy, beatings, deprivation of food or sleep, isolation from friends or family and other sources of support, and threatening or holding hostage of a victim's children. Seasoning is designed to break down a victim's resistance and ensure compliance.

**Turn Out** — To be forced into prostitution (*verb*) or a person newly involved in prostitution (*noun*).





#### What We Learned

Don't underestimate the danger of "young" sex offenders



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## Why Do Juveniles Offend?

 "Some juvenile sex offenders appear primarily motivated by sexual curiosity. Others have longstanding patterns of violating the rights of others. Some offenses occur in conjunction with serious mental health problems. Some of the offending behavior is compulsive, but it more often appears impulsive or reflects poor judgment."

Finkelhor (2009)





#### So what about these "youthful" offenders?

- · What are we seeing?
  - Adolescents and young adults with unfettered access to pornography
  - Younger population that is more tech-savvy
  - Offenders with an interest in kids are now emboldened by what they find online
  - Offenders who have a history of being victims of child abuse or intra-family violences



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#### So what about these "youthful" offenders?

- Lack of consensus as to how to change their behavior and to protect the community
- Move away from incarceration
  - But how effective is "containment" approach?
  - What about offenders who lack stability and sources of accountability?
- How to address this offense while also tending to victimization issues?



## So what about these "youthful" offenders?

- Example: Austin
  - Effect of "time-served" plea
  - Absence of immediate and extensive supervision
    - No search of residence
    - o No home visit before "home detention" granted
  - Absence of employment / education history
  - Bottom line: who would ensure that Austin followed the rules if probation wasn't living with him?



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## Youthful Offenders Groom Differently

 Youthful offenders are less capable of grooming the whole community than older offenders



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#### What We Learned

 Pay attention to offenders – even when they're locked up

Liam Cobb



## What We Learned

 Never underestimate the impacts of sex offenses on "compliant" victims



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## What We Learned

- · "Compliant" Victims
  - Despite their best efforts, kids never have the control
  - They will bear the brunt of public shame
  - Adultification



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# Tech Changes Things

- How Does Tech Change the Equation?
  - Tech changes case outcomes
  - Tech changes accountability
  - Tech changes what "the system" thinks about offenders



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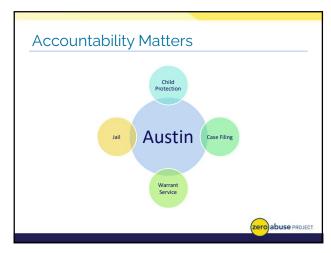
# Tech changes case outcomes

• What if ...



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# **Accountability Matters**

- Tech Matters: Accountability
  - Speed of accountability
  - Perception of accountability
  - Effect of accountability



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## Accountability

- How does tech change accountability?
  - Greater likelihood of conviction
  - Pre-trial safety
  - Better understanding of victimization
  - Post-conviction results and supervision



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# **Accountability Matters**

- Perception of Accountability
  - Immediate release prior to sentencing
- · What if tech helped?
  - Release on a GPS monitor?
  - Immediate search of home by ESD K-9?



#### Accountability: Tech and Offender's Words

- If you want to know who the offender really is
  - Read his writings
  - Listen to his calls
  - Look at his collection
- And if you want the Judge / Jury to know who offender is . . .
  - Give them this evidence



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