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Tuesday, May 5, 2020

Tim Irwin

Juvenile Judge, Knox County, TN

After graduating from Knoxville Central High School in 1976, Tim attended the University of Tennessee, where he earned all S.E.C. and Academic All American before being drafted in the third round by the Minnesota Vikings. After a fourteen year N.F.L. career and graduating from the University Of Tennessee College Of Law he was in private practice for fifteen years. Tim has been the Judge of the Knox County Juvenile Court since August of 2005.

Tim has served on the Board of Governors for the Knoxville Bar Association. He is currently serving on the Tennessee Juvenile Court Judges Executive Committee and serves as a delegate to the Three Branches Institution. In 2013 he also received the Law and Liberty award from the Knoxville Bar Association Barristers. In 2014, Judge Irwin received the McClain-Abernathy Award for Outstanding Service and Dedication to the Children of Tennessee.

Framing the Issue of Juvenile Justice / Need for Accountability
Tim Irwin, Juvenile Judge, Knox County (TN)

Discussion on juvenile justice issues and how to most effectively hold juveniles accountable.

- Demographics
    - 432,226 population (as of 2010 census)

- Initial state of engagement upon arrival to bench
    - Last juvenile court system-wide mtg. occurred 5 yrs. prior
    - Commitments in 2005
        - 299 Social Services commitments
        - 51 Juvenile Justice commitments
        - Daily bed population between 40 and 45 youth

- Current reality
    - 702 Social Services commitments
    - 26 Juvenile Justice commitments
    - Total of 17 youth in the Richard L. Bean Juvenile Service Center (120 bed detention facility)
        - 7 State
        - 4 Other Counties
        - 6 Knox County youth

- Critical principles upheld that got us where we are today

    - **Engaging community partners in appropriately addressing juvenile needs**
        - Bi-monthly Safe Policy Meetings
            - Includes all Magistrates, Police Chief, Sheriff, Law Director, SRO Lead, Federal Prosecutors, District Attorney, community mental health agencies (specifically dealing with indigent youth), shelter care representatives, Dept. of Children Services, Community Service Coordinator from Knox County Courts, and metropolitan drug coalition.

    - **Ensuring Accountability**
        - As an offender
        - As a service provider
            - Serious Habitual Offender Comprehensive Action Program (SHOCAP) example
                - List reviewed – who is missing bed checks – call out any issues – identify accountable party

- o **Placing Public Safety First**
  - ▪ Juvenile rehabilitation second
    - • Juvenile court is not an independent kingdom- need to work with all other pieces – especially the social services piece in keeping kids safe, rehabilitating children, and in keeping the community safe.

- o **Focusing on Importance of Prevention**
  - ▪ Boys and Girls Club of America Study *(January 2019)*
    - • 772 children in the Boys and Girls Club study. Only one child in the study appeared before the Judge or a Magistrate in Juvenile Court.

Recommendation: *If your court is not fully engaging law enforcement, consider serving as a community convener to establish a Memorandum of Agreement (MOA) in support of multidisciplinary teams in support of community youth.*

Law enforcement is a critical partner in standing up this multi-disciplinary approach. If an MOA doesn't currently exist, model from other jurisdictions and adapt to meet your specific needs, and utilize positon in law enforcement to support an enhanced collaborative approach that shares the burden of accountability across components of the support network that exists.

I am submitting a MOA of the Safe Policy Initiative in Knox County, Tennessee.

SAFE POLICY
MEMORANDUM OF UNDERSTANDING

Updated
April 2017

WHEREAS: Providing for the safety and security of run away, neglected, or abandoned children is a top priority for Knoxville and Knox County; and

WHEREAS: Prevention programs, to have an impact, must be available from birth through age eighteen; and

WHEREAS: Intervention services must be implemented for at-risk youth at the earliest age possible; and

WHEREAS: School violence continues to be perceived as a problem by the citizens of Knox County; and

WHEREAS: The incidence rate of serious, habitual, and violent offenders continues to afflict our community; and

WHEREAS: The mission of SAFE POLICY is to bring together chief executives to present a process and method of information sharing, cooperation, and coordination leading to improved public policy for troubled, neglected, abandoned, problem, and delinquent youth in our schools, our community, and in the juvenile justice system.

We, the policy makers of Knox County, vested with the responsibility of ensuring the safety, education, and well-being of our children and youth, agree to adopt this Memorandum of Understanding in order to:

1. Promote information sharing strategies that support comprehensive, proactive partnerships between juvenile court, law enforcement, schools, government agencies, and social service providers.

2. Share information for planning and research purposes in a manner that is both legal and appropriate.

3. Establish an interagency working group to identify and address juvenile crime, victimization, family violence, school, and public safety issues.

4. Develop a school safety implementation plan.

5. Maintain a comprehensive strategy that coordinates, assesses, plans, and acts upon identified implementation phases.

6. Develop organizational processes and policies to coordinate information and services in collaborative manner to improve systemic responses to youth related issues.

7. Share resource information, juvenile justice records, photographs, fingerprints, and other appropriate resources to provide public safety.

8. Share information among participating agencies within the justice system regarding internet crimes against children.

The continued success of this interagency effort is predicated on the mutual agreement to meet regularly for the purpose of discussing at the policy making level issues, concerns, and strategies to address the complexities associated with preventing and/or controlling the growth of the juvenile offender and improving the strategies and responses of the juvenile justice system. The involved parties agree to continue to commit policy level persons to represent their agencies in the development and implementation of operational strategies and policies to improve the juvenile justice system.

There are several specific programs presently in existence that the signatories of this document will continue to support. The programs and brief descriptions of each are as follows:

KNOX COUNTY TRUANCY INITIATIVE:

The Knox County Truancy Initiative deters juvenile crime activities through a systematic approach to identify youth and parents who are in violation of the state's truancy laws. The school system advises Juvenile Court and the District Attorney's office of all students who have 10 or more days of unexcused absences. Families of students identified are required to attend an evening meeting with authorities. If the truancy continues, they are required to attend a Truancy Review Board. All necessary resources provided by participating agencies are made available to the families and students to solve the problems related to the truancy. The program has been in effect since 1998, and significant success has resulted in higher attendance rates and lower dropout rates. Appropriate agencies will be notified to determine any further action needed, and the parents will be notified to pick up their child at the Center.

SERIOUS HABITUAL OFFENDER COMPREHENSIVE ACTION PROGRAM (SHOCAP):

SHOCAP policies and procedures were developed in 1988 among the participating agencies to identify serious habitual juvenile offenders and to further their rehabilitation and interdict the habitual offender cycle regarding serious and violent juvenile offenders. Juvenile offenders are designated by court order as a serious habitual offender based on a point system and other relevant factors resulting from delinquent offenses. They are required to carry a SHOCAP identification card, have strict probation/aftercare rules, and are subject to curfew checks by law enforcement. A detailed database is maintained on all SHOCAP offenders. The SHOCAP committee meets monthly to discuss the status and intervention for each juvenile.

GANG OFFENDER COMPREHSENSIVE ACTION PROGRAM (GOCAP):

The GOCAP initiative, instituted in 1994, focuses on an interagency response to gang offenders similar in nature to that used in SHOCAP. It is an information, case management, and enforcement program that outlines gang definition and criteria for identification of gang offenders who have demonstrated a propensity to commit serious crime. Monthly meetings of the GOCAP committee are held to discuss gang activities and trends. Adult offenders are included in this program, and adult probation and parole agencies, federal agencies, and representatives of neighboring law enforcement agencies are members of the committee.

TRANSITION SCHOOL:

The Transition Program, initiated in 1997, is a transitional educational placement for students who have just been released from the custody of the Tennessee Department of Children Services prior to their placement back into a regular school setting, or serious offenders who have been ordered, via court order, into the program prior to commitment. The objectives of the Transition Program are:

- To maintain the serious offenders in a controlled situation, where their behavior is closely monitored and any violations are corrected.
- To protect innocent students from the potential delinquent activity of the serious offenders.
- To separate easily influenced at-risk students from the serious offenders.
- To eliminate truancy and out-of-school suspensions among the serious offenders, which will in turn prevent an increase in daytime crime rates.
- To prepare the serious offenders for a smooth transition back to their base schools, so they might earn enough credits to graduate, or obtain their GED's.

SCHOOL RESOURCE OFFICERS (SRO):

Policies and procedures for the participating agencies were developed to maintain a safe and secure environment within our schools. Trained school resource officers are placed in elementary, middle and high schools to work in partnership with Knoxville and Knox County Law Enforcement.

THREAT ASSESSMENT TEAM:

A School Threat Assessment team meets regularly to discuss policies, strategies, concerns and referrals regarding the complex issues of group or individual threats to staff, students, or the institution of the Knox County Public School System. This process includes:
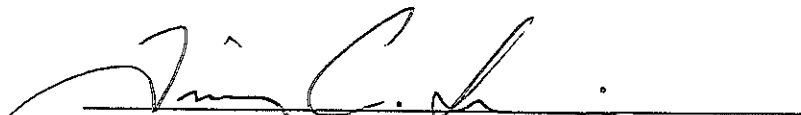
- The team established indicators of serious threat behaviors.
- Identifies individuals involved in threatening behavior.
- Identifies level of interdiction needed.
- Makes referrals to proper interdiction agencies.
- Coordinates all pertinent information regarding individuals referred to team.
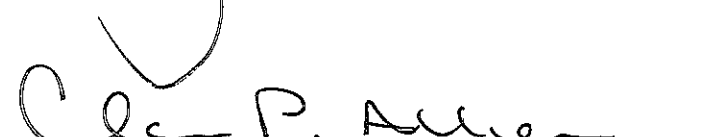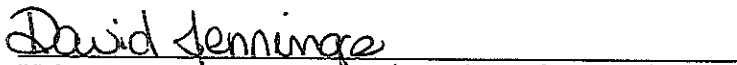
RESTORATIVE JUSTICE:

Non-violent juvenile offenders who are required to complete community service work hours while under court supervision are placed in the Restorative Justice program. Many juveniles commit crimes because they lack empathy, and an understanding of how their acts impact their community. Restorative Justice changes the philosophy that a criminal offense is a crime against the government to that of an offense against the community. Thus these juveniles are required to give back to their community in order to establish accountability, and the community becomes significantly engaged in the lives of these youth. The Compassion Coalition, a partnership of churches and faith based organizations, works with the juvenile justice system to identify appropriate work sites, and to supervise the youth while they complete their community service hours by working in food pantries, furniture repair and distribution to the needy, car care, and other charitable activities.
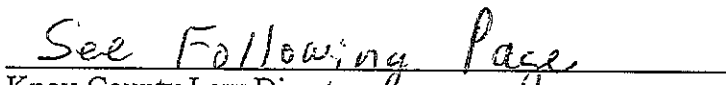
Detailed policies and procedures are contained in existing agreements for each specific program and are maintained in the Safe Policy file.
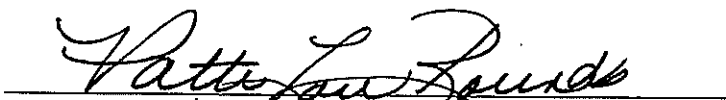
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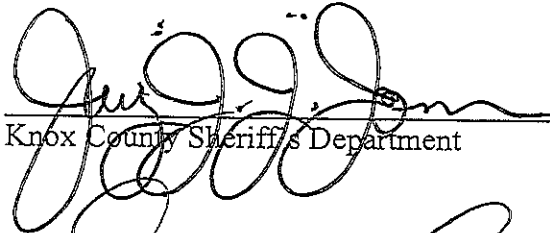
_____
Knox County Juvenile Court

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Knox County District Attorney General

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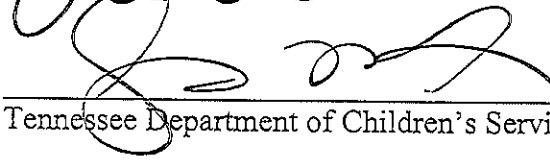U.S. District Attorney _Assistant U.S. Attorney by Brooklyn Sawyers Bell_

_____
Knox County Law Director _See Following Page_

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Knox County Schools
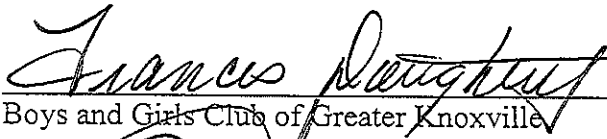
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~~Knox County~~ Police Department
Knoxville

(signature)

Knox County Sheriff's Department

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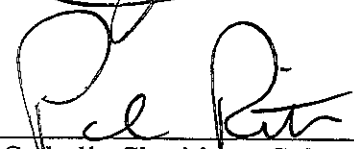
Tennessee Department of Children's Services

(signature) Frances Daughter
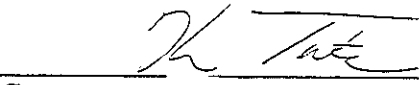
Boys and Girls Club of Greater Knoxville

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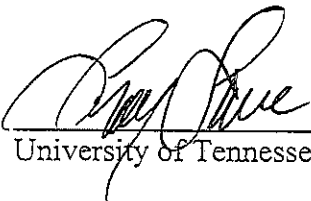
Helen Ross McNabb Mental Health Center

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Catholic Charities – Columbus Home – Assessment Center

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Restorative Justice

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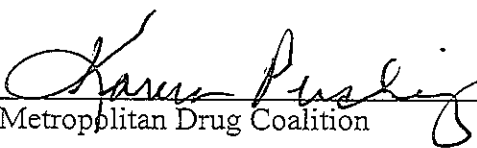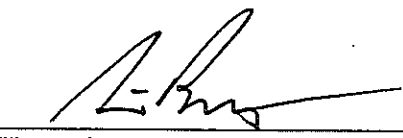
University of Tennessee Police Department

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Metropolitan Drug Coalition

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Knox County Mayor

(signature) Madeline Rogero

Knoxville Mayor

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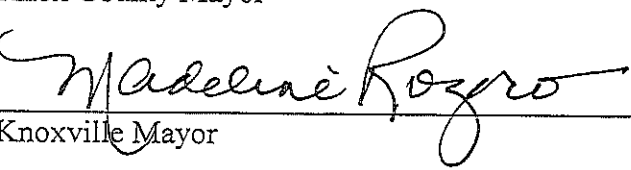
CHRIS CIMINO
SR. VICE CHANCELLOR
9-1-17
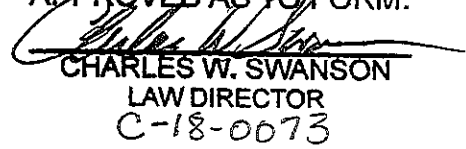
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APPROVED AS TO LEGAL FORM

(signature) Richard B Armstrong 4/28/17

Knox County Law Director   Date

APPROVED AS TO FORM:

(signature)

CHARLES W. SWANSON
LAW DIRECTOR
C-18-0073

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Brett Kyker

Assistant Prosecuting Attorney in the Criminal Division of the Cuyahoga County Prosecutor's Office

Brett Kyker is an Assistant Prosecuting Attorney in the Criminal Division of the Cuyahoga County Prosecutor's Office. Since joining the Office in June 2004, he has worked in several units, including the Children and Family Services Unit, the Juvenile Justice Unit, and the General Felony Unit. In August 2010, Assistant Prosecuting Attorney Kyker joined the Major Trial Unit, where he was assigned to the Elder Protection Section and also worked with the FBI Violent Crimes Task Force. As part of his work with the FBI Violent Crimes Task Force, he was sworn in as a Special Assistant United States Attorney and participated in prosecutions in the United States District Court for the Northern District of Ohio. In April 2011, Assistant Prosecuting Attorney Kyker joined the Internet Crimes Against Children (ICAC) Unit. Approximately one year later, he was named Director of the Ohio Internet Crimes Against Children (ICAC) Task Force, a statewide task force committed to combatting the online exploitation of children. In December 2014, Assistant Prosecuting Attorney Kyker took over as Project Manager of the Cuyahoga County Sexual Assault Kit Task Force, a team of investigators, law enforcement officers, assistant prosecuting attorneys, and victim advocates assembled to address a backlog of untested sexual assault kits dating back to the early 1990s. In December 2018, Assistant Prosecuting Attorney Kyker was named Chief of the Juvenile Justice Unit. He is a graduate of John Carroll University and the Cleveland-Marshall College of Law.

John F. Clark

President and Chief Executive Officer of the National Center for Missing
& Exploited Children (NCMEC)

John F. Clark is president and CEO of the National Center for Missing &
Exploited Children, the nation's leading nonprofit organization on the
forefront of child protection for more 36 years.
Since 1984, NCMEC's mission has been to help find missing children, reduce
child sexual exploitation and prevent child victimization. The organization has
helped law enforcement recover more than 311,000 missing kids, distributed
billions of missing posters, and operated a 24/7 missing children hotline,
offered comfort to countless families and trained and provided free resources
to law-enforcement and other professionals across the country.

Clark has served as NCMEC's leader for four years. He has extensive law-enforcement
background, including 28 years with the United States Marshals Service. Before joining NCMEC,
Clark was director of security at Lockheed Martin Corp., the nation's largest defense contractor.

As CEO, Clark oversees a staff of nearly 350 employees and offices in four states, including
Virginia, New York, Florida and Texas. In December 2018, Clark ushered in a new era for
NCMEC as the organization moved to its new headquarters in Alexandria, Virginia.

For 22 years, NCMEC has operated the CyberTipline, a centralized mechanism for reporting child
sexual exploitation. During his tenure at NCMEC, Clark has seen an exponential rise in these
reports, with more than 35 million reports made to the CyberTipline in the last two years alone.

What makes NCMEC truly unique is its 30,000-foot view of the evolving threats to our nation's
children. Clark is passionate about sharing this knowledge with families and communities to better
protect children.

Throughout his career, Clark has been a leading child advocate. During his tenure at USMS, Clark
implemented and administered Title I of the Adam Walsh Child Safety and Protection Act, which
directed USMS to locate and apprehend fugitive sex offenders. He also oversaw the
implementation and operation of the National Sex Offender Targeting Center.
Clark was appointed director of the USMS in 2006 by then-President George W. Bush as its ninth
director, a post he held for five years. Before joining the USMS, Clark worked for the
U.S. Capitol Police and U.S. Border Patrol. He earned a Bachelor's of Science Degree from
Syracuse University.

<u>**Combatting Online Child Sexual Exploitation and Preventing Internet Crimes Against Children**</u>
John Clark, President & CEO, the National Center for Missing & Exploited Children

I.   <u>Background on NCMEC and Its Programs to Combat Online Child Sexual Exploitation</u>

Since its founding in 1984, the National Center for Missing & Exploited Children (NCMEC) has become the leading nonprofit organization and the nation's congressionally designated clearinghouse on missing and exploited children issues. Today NCMEC has more than 340 employees working to fulfill NCMEC's mission to prevent child abduction, recover missing children, and combat child sexual victimization through five main programs of work relating to: (1) missing children; (2) exploited children; (3) community outreach; (4) training and education; and (5) family resources.

A. <u>NCMEC's Programs to Combat Child Sexual Exploitation</u>

After the Internet became more accessible to the general public in the 1990s, NCMEC started to see a growing threat to children being sexually exploited, enticed, and groomed into abusive situations by online predators. In response to this threat, NCMEC created two core programs to combat online child sexual exploitation: the CyberTipline and the Child Victim Identification Program (CVIP). NCMEC utilizes the expertise it gains from these two core programs to create and provide prevention and educational programs to families, children, educators, law enforcement, and other child-serving professionals. Procuring data from actual child sexual exploitation reports enables NCMEC to craft data-driven messaging that takes into account real-life incidents and actual trends we see regarding how offenders seek to entice and abuse children online. This unique insight enables NCMEC to provide targeted prevention and educational resources to address these issues so that we can use our operational knowledge to break the cycle and prevent and disrupt child sexual victimization whenever possible.

Since its creation in 1998, the CyberTipline has served as the online mechanism for members of the public and electronic service providers to report incidents of child sexual exploitation including: child sex trafficking; online enticement of children for sexual acts; child sexual molestation; child pornography; child sex tourism; unsolicited obscene materials sent to children; misleading domain names; and misleading words or digital images. To date, NCMEC has received over 71 million CyberTipline reports, and the volume of content reported to the CyberTipline continues to rise each year. In 2018, NCMEC received over 18 million reports containing 45 million suspected child sexual exploitation images, videos, and related content. In 2019, NCMEC received slightly fewer reports – just under 17 million – but these reports contained over 69 million images, videos, and related content. Today the CyberTipline is a key tool in helping ESPs; members of the public; federal, state, and local law enforcement; and prosecutors combat online child sexual exploitation.

A majority of reports received by the CyberTipline are submitted by ESPs (99%), and most involve international offenders (93%) rather than U.S.-based offenders. Regardless of whether a CyberTipline report is submitted by a member of the public or an ESP, NCMEC's process for receiving, adding value, and making reports available to domestic law enforcement is the same. NCMEC's primary goals are to prioritize reports indicating imminent danger to a child and to determine where the reported incident is occurring so the report can be made available to the appropriate law enforcement agency for its independent review, investigation, and potential

prosecution. Every day, NCMEC receives tens of thousands of reports to the CyberTipline, and the volume and complexity of reports continues to escalate. Most reports to the CyberTipline relate to transmission of child sexual abuse material. However, in recent years, the increase in chat and other social media platforms has increased the danger to children for new types of exploitation, including enticement, sextortion, and online grooming. This development will be further discussed in Section II.

The second program NCMEC operates is the Child Victim Identification Program (CVIP), which has a dual purpose to help: (1) track and provide information regarding previously identified child victims; and (2) locate unidentified child victims depicted in sexually abusive images, so law enforcement can identify and rescue them. Currently, many law enforcement agencies send copies of child sexual exploitation content seized from offenders to CVIP, and NCMEC triages this content to determine which images/videos are new so efforts can be made to identify the child, and which images are of children who have been previously identified.

B. NCMEC's Collaborations with Domestic and International ESPs, Law Enforcement, and Nonprofits

Given the complexity and sheer volume of child sexual exploitation online, combatting these crimes against children requires that NCMEC collaborate closely with ESPs, nonprofit organizations, and law enforcement agencies around the world and at the federal, state, and local level in the United States. This collaboration is essential to successfully track and identify trends in online crimes against children; identify and rescue victims; identify and investigate offenders; and support survivor services for children who have been victimized.

NCMEC facilitates collaboration among these different entities who all share a mission to combat online child sexual exploitation through a variety of initiatives and programs. As one example, NCMEC is dedicating increased resources to streamline the handling of CyberTipline reports for each of the 61 Internet Crimes Against Children (ICAC) units. This will enable NCMEC analysts to provide full analysis and prioritization on each domestic CyberTipline report made available to an ICAC unit. NCMEC also actively participates in trainings around the world to provide technical assistance to international law enforcement agencies that are receiving CyberTipline reports and to provide support to international nonprofits that are supporting victims of online child sexual abuse. As a third example, NCMEC convenes CyberTipline Roundtables every two years at NCMEC headquarters. These Roundtables have grown over the past 6 years to include federal, state, local and international law enforcement, as well as child-serving nonprofits and the Department of Justice, for facilitated discussions regarding the CyberTipline process, reporting, technology trends, and potential improvements to detect and deter the circulation of child sexual abuse material.

II. The Victimization of Children Online Through Online Enticement and Sextortion

In addition to the prevalent transmission of child sexual abuse images and videos online, NCMEC has witnessed an increase in reports relating to online enticement and sextortion, which are forms of online child sexual exploitation where children are lured into victimization by a predator through online interaction. Online enticement covers a broad spectrum of exploitation and occurs on every type of online platform and online app in which an offender can communicate with a child. Often online enticement involves luring a child to share sexually explicit images, meeting

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in person for sexual purposes, engaging the child in sexual conversation or role-playing, compelling the child to perform sexually by themselves or with another child via live-streaming, or, in some instances, to sell or trade the child's sexual images to others.

Over the past 7 years, NCMEC has tracked trends in sextortion and has witnessed a dramatic increase in sextortion cases being reported. Sextortion involves the use of non-physical forms of coercion, such as blackmail, to acquire sexual content from a child, engage in sex with a child, or acquire money from a child. NCMEC attributes the rapid growth in sextortion reports to multiple factors, including: (1) an increase in the occurrence of the crime facilitated by the use of message and chat functionality online; (2) increased recognition and public awareness of the crime resulting in increased media reporting; and (3) proactive steps taken by some ESPs to identify this type of child sexual exploitation on their platforms and report it to NCMEC's CyberTipline.

Unlike some other forms of child sexual exploitation, incidents of sextortion and enticement can vary dramatically based on the child and the offender. In 2016, NCMEC conducted a detailed analysis of sextortion reports that had been submitted to the CyberTipline and identified several red flags and risk factors relating to incidents of sextortion. A summary of this research is available on NCMEC's website (see https://www.missingkids.org/theissues/sextortion).

One of the more devastating aspects of sextortion is the speed at which this exploitation occurs. NCMEC's review of the sextortion reports it receives indicates that when an offender's goal is to obtain sexually explicit content from a child, the blackmail consistently occurs almost immediately, mostly within hours or days after the offender first obtains any sexually explicit content from the child. This trend highlights the urgency in detecting and reporting this victimization so that appropriate intervention can remove the child from the situation and safeguard them from continuing harm.

Many enticement and sextortion cases involve an offender who is posing as an age-appropriate peer to lure a child into sexual activity online. However, NCMEC is aware that children also can be victimized by other children. This can occur when a child is pressured by a classmate or peer to make and send explicit images or engage in online sexual activity or when a child shares such images voluntarily and the images are then circulated to others or shared online without that child's consent. NCMEC receives sexual exploitation reports relating to each of these different types of abuse and recognizes that the commonality is the lasting and devastating harm to the child victim in these cases. In order to provide child victims and their families with appropriate resources and guidance, NCMEC facilitates several survivor services (see https://www.missingkids.org/theissues/csam) and also provides guidance on how child victims can interact with ESPs to try to have their explicit images removed from an online platform, even if the images do not meet the legal definition of child pornography (see https://www.missingkids.org/gethelpnow/isyourexplicitcontentoutthere).

III. Recommendations

NCMEC respectfully provides the following specific recommendations for consideration as the Commission studies how to best curtail and prevent online child sexual exploitation:

1. Continue enhancing communication and collaboration among law enforcement, ESPs, NCMEC, and other child-serving nonprofits to keep children safer online

It is critical for NCMEC, other child-serving nonprofits, law enforcement, and ESPs to continue expanding opportunities to communicate on improving the identification of new trends and offender behaviors; technological developments; and collaboration to keep children safer online.

2. <u>ESPs should adopt up-to-date, consistent best practices</u>
   It is critical for ESPs to adopt consistent, industry-wide best practices to detect, report and remove child sexual exploitation material from their platforms. NCMEC specifically recommends the following best practices for ESPs:

   i. <u>Make Timely and Robust Reports to NCMEC's CyberTipline</u>: ESPs should register to report CSAM content on their platforms to the CyberTipline; consistently make efforts to detect and moderate CSAM; and report substantive, actionable information regarding the reported incident.
   ii. <u>Implement Appropriate Technologies</u>: ESPs should implement readily available image and video hashing technologies to facilitate voluntary detection of CSAM.
   iii. <u>Prioritize Time Sensitive Reports</u>: ESPs should ensure they escalate reports as high priority when they suspect a child is in imminent danger. Companies should also provide information on how law enforcement can submit legal process or emergency disclosure requests as necessary.
   iv. <u>Engage in Voluntary Industry Initiatives</u>: NCMEC actively facilitates several voluntary hash-sharing initiatives that ESPs can participate in to share and obtain CSAM hashes to improve their ability to moderate CSAM content.

3. <u>Promote and expand child safety education</u>
   Continue emphasis on preventing online child sexual exploitation by providing appropriate education to children, their families and child-serving professionals. NCMEC provides age-appropriate safety and prevention resources focusing on the topics of online and real-world safety, including skills on how to handle a variety of situations ranging from staying home alone to knowing what to do in case of an emergency, to abduction and child sexual exploitation prevention. Prevention education and awareness is especially essential in times of unpredictability for children, such as this current timeframe when COVID-19 stay-at-home orders are in place.

4. <u>Expand survivor services for child victims and their families</u>
   As NCMEC continues to expand its survivor services, it is important that it be joined in these efforts by the Department of Justice and federal, state, and local law enforcement and social service agencies. A uniform, consistent approach among these agencies and NCMEC to create consistent, increased support services for victims and their families, including crisis intervention, emotional support, referrals to appropriate community agencies and mental health professionals, and enhanced opportunities to seek restitution, will greatly enhance the current disparate resources available to survivors.

5. <u>Ensure that end-to-end encryption is not implemented without exception for detecting CSAM</u>
   As companies consider moving towards implementing end-to-end encryption, ensure that adequate measures are put in place to make sure the encrypted system is not used to entice

children into sexually abusive situations or distributed CSAM images and videos. See https://www.missingkids.org/theissues/end-to-end-encryption#whatncmecisdoingaboutit.

6. Change terminology from "child pornography" to "child sexual abuse material"
Currently, the federal criminal code uses the term "child pornography," which is a sanitized term that distorts the actual circumstances of a child's abuse and trauma. These images depict the rape and sexual abuse of children, who can never consent to any sexual activity with adults. NCMEC supports referring to these crimes with the phrase "child sexual abuse material" to reflect the true criminality of the recording, dissemination, and possession of material depicting the rape and sexual abuse of children as well as the actual circumstances of crime done against the child.