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July 6, 2006

One Hundred Ninth Congress
United States House of Representatives
Committee on Energy and Commerce
Subcommittee on Oversight and Investigations
Washington, DC 20515-6115

Oral Testimony of Prosecutor Wayne J. Forrest, Somerset County New Jersey,
Regarding the Sexual Exploitation of Children Over the Internet: How the State of
New Jersey is Combating Child Predators on the Internet, Before the United
States House of Representatives Subcommittee On Oversight and Investigations,
Monday, July 10, 2006 at 10:30am at the Raritan Valley Community College
Conference Center Room A, North Branch, New Jersey

Dear Honorable Members of the United States House of Representatives:

I am Wayne J. Forrest, Prosecutor of Somerset County, New Jersey. Thank you for inviting me here today to speak about the sexual exploitation of children over the Internet in Somerset County and the steps taken by the Somerset County Prosecutor's Office to combat this problem.

Like the rest of the country, in the past ten years we here in Somerset County have experienced a dramatic increase in cases involving the sexual exploitation of children. Our experience shows that this increase is due in large part to the proliferation of the Internet. In Somerset County in particular, I believe we have had extensive experience with this problem because Somerset County is such an affluent county. In fact, the 2000 United States Census ranked Somerset County as the number one county in the country in median household income at \$88,957.00. As a wealthy county, computers are everywhere in Somerset County. All Somerset County children have access to the Internet, either at home, at school, at the library, or at a friend's house. In addition, Somerset County children also have more privacy and autonomy due to factors such as both parents being employed outside the home, large homes with individual bedrooms for each child, and frequently a personal computer with Internet access in their bedroom. Under these circumstances, the sexual exploitation of children over the Internet is of particular concern to us in law enforcement in Somerset County.

Having been in law enforcement now for over thirty years, I can tell you that thirty years ago, there were far less cases involving the sexual exploitation of children. At that time, pedophiles interested in sexual activity with children would have to leave the privacy and security of their homes to physically trade child pornography with other like-minded individuals or “lurk” at the schoolyard fence in an attempt to lure an actual child victim. Now, what we have seen is that through the Internet, pedophiles have access to millions of images of child pornography from around the globe without leaving their bedrooms. In addition, the prolonged viewing of unlimited and readily available child pornography leads more and more pedophiles to take the next step and attempt to meet and victimize an actual child. Our experience in Somerset County has taught us that this type of criminal behavior is happening every day, and generally falls into one of three main categories: (1) cases involving actual child victims who are sexually assaulted; (2) cases involving undercover agents posing as children (“virtual victims”) who are solicited online for sexual activity, and (3) child pornography cases.

In Somerset County, while we have always had cases involving actual child victims who are sexually assaulted, the Internet has led to an increase in cases in which the child victim willingly participates in the initial contact with the pedophile. Due to the pedophile’s ability to “groom” the child victim over time through repeated communications over the computer, our experience shows that the child victim will begin to identify with the offender and be more willing to meet that offender in person. One example of this is the Christopher Wahler case, described in detail in my Written Statement, in which a 36 year-old man met a 14 year-old victim over the Internet by posing as a 17 year-old boy. Through repeated communications with the victim, he convinced the victim to meet him in person, at which time he sexually assaulted her.

With regard to cases involving undercover agents posing as children who are the targets of pedophiles who engage them in graphic sexual communications over the Internet and subject them to images of pornography, we have found that pedophiles do not hesitate to travel to Somerset County to meet their intended victims in person for sexual activity. Some examples of these types of cases are the Marc S. Balkin and Edward Bostonian cases described in detail in my Written Statement. In addition, our experience shows that this type of offender often exhibits no obvious signs of being a danger to our children prior to his arrest, which is demonstrated by the fact that we have arrested professionals, teachers, and even a police officer for this type of offense.

Finally, the prevalence of computers in Somerset County brings with it the concomitant presence of child pornography. As with any community in which there are computers with Internet access, there are individuals in Somerset County who use their computers to view, download, transmit or create child pornography, as evidenced by the James Nafus, Jr. and Christopher Hickman cases, which I have included in my Written Statement.

After recognizing the growing nature of this problem almost ten years ago, when I left the Attorney General’s Office to become the Somerset County Prosecutor I took a number of steps to educate and train our police officers, assistant prosecutors, and parents in an effort to combat this problem and protect the citizens of Somerset County. For example, in 1998 we created a free Internet safety presentation that educates parents and other concerned citizens on the dangers of the Internet and provides guidance for keeping children safe. We also created and

distributed free informational brochures for parents and children to provide rules for safe Internet use. In addition, I have sent our assistant prosecutors and detectives for advanced training in investigating and prosecuting these types of crimes so that we can stay at least one step ahead of the individuals who commit these crimes in the constantly changing area of computer technology and computer crimes. Finally, I created a High Tech Computer Crimes Unit within the Prosecutor's Office to assist other law enforcement agencies in properly investigating these specialized crimes. Through these steps, I believe the Somerset County Prosecutor's Office provides the citizens of Somerset County with highly trained police officers and detectives to both proactively and reactively investigate these more challenging crimes, assistant prosecutors who are better prepared to prosecute these cases, and the educational awareness to help prevent the sexual exploitation of our children over the Internet.

Respectfully submitted,

Wayne J. Forrest
Prosecutor, Somerset County