

**Testimony of
Greg Abbott, Attorney General of Texas
House Energy and Commerce Committee
Subcommittee on Telecommunications and the Internet
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Mr. Chairman and members of the subcommittee, my name is Greg Abbott, I am the Attorney General for the state of Texas, and I thank you for the opportunity to testify before you today.

Let me start by thanking you for shining a spotlight on the growing national nightmare of the Internet being used as a playground for child predators. Your legislative proposal – appropriately named “Deleting Online Predators Act” – is an important step towards making the Internet safer for our children and families. I wish the solution to the growing problem was as easy as hitting a delete button. Unfortunately, it is much more complex. With your active involvement, though, Internet safety will become more of a reality for millions of American children.

The dangers to children created by social networking websites and chat rooms are very real. The Texas experience is both illustrative – and alarming.

Three years ago, we created a Cyber Crimes Unit in the Office of the Attorney General of Texas. One of its primary missions was to find, arrest and convict child predators who use the Internet to stalk their prey. The unit’s nationally recognized success is tragic evidence of the risk children face when using chat rooms or social networking websites.

Our Cyber Crimes Unit has investigators who log onto chat rooms that are used by teenagers. Sometimes they log on to social networking sites like MySpace. The investigators typically assume the identity of a teenage girl, usually around the age of 13 or 14. Not long after they log on and assume an under-age identity, they are barraged with aggressive and vulgar language that is uninvited. All too often, the offensive Internet “chat” turns into action. The predator sets a time, date and location to sexually assault what he believes to be a 13 or 14 year old girl. On more than 80 occasions, the predator has shown up at the location of his choosing to act out on

his criminal intent. The location is sometimes a motel, sometimes an apartment, sometimes a parking lot, sometimes other places. It is not uncommon for the predator to bring things like condoms, alcohol, even a bed. Each of those 80+ occasions has resulted in an arrest of the child predator by the Texas Attorney General's office.

As an example, we recently arrested a 50-year-old man after he showed up at a Central Texas restaurant to meet what he thought was a 14-year-old girl. This predator had been talking with the girl – who in reality was one of our Cyber Crimes investigators – in an online chat room. He even stopped on his way to the meeting and bought some wine coolers to give the girl.

And not long ago, we arrested a 52-year-old university professor at a bus station in McAllen, Texas, where he was waiting for what he thought was a 13-year-old girl he met online. He even bought the would-be teenager a bus ticket so she could travel from miles away to meet him.

The 80th arrest was particularly notable. It was the arrest of 27-year-old John David Payne, who had been chatting with what he thought was a 13-year-old girl he met on MySpace. In reality, the graphic sexual conversations he was having were with a Texas Attorney General investigator.

What makes his case particularly frightening – although sadly not unusual – is that, at the time of his arrest, Mr. Payne was out on bail from an arrest that occurred six months prior. In fact, at the time of his most recent arrest, he was already under indictment for online solicitation of a minor. In other words, while he was out on bond awaiting trial for illegal Internet solicitation of a minor, he was back on the Internet, trolling for his next victim. These child predators are dangerous and incorrigible, and children simply cannot be safe with the current landscape of cyberspace chat rooms and social networking sites.

Unfortunately, not all of the people chatting with predators are undercover officers, and not all of the predators are caught in stings. Real children are real victims of real predators. Recently, a 14-year-old girl from Central Texas was raped by a man she chatted with on a social networking site. This is just one of the most recent examples, examples that are repeated around the country with increasing frequency.

As we hold this hearing today, millions of teenagers are chatting online, posting personal information on a profile page, talking to other teens on social networking sites, and meeting people in chat rooms. Before we leave here today, countless of those teens will have innocently chatted with someone they didn't know. And, before we leave today, some of those unknown chatters will turn out to be predators who have just located their next target.

Clearly, safeguards are needed at schools and libraries – as well as in our homes – if we are to protect our children against these predators. Such safeguards are the kinds of protections that Americans have come to expect.

Streets, neighborhoods and playgrounds are essential to our daily lives and are part of the American social and economic fabric. Nevertheless, we must police our streets, neighborhoods and playgrounds to ensure their safety. Similarly, the Internet superhighway and social network sites are vital to our modern day economy and they provide an effective platform for the exchange of ideas, information and commerce. They also have developed into virtual neighborhoods where people can simply socialize. But, these modern-day neighborhoods and playgrounds are proving just as susceptible to criminals and predators as their traditional counterparts, if not more so.

As can be expected, the responsibility for protecting children and teens who use the Internet is a shared responsibility. Law enforcement will continue to improve its efforts to track down, arrest and put behind bars anyone who uses the Internet to harm children.

Parents are also a part of the process. Parents must use oversight, education and vigilance to protect their children. Just as parents warn children not to take candy from strangers and to look both ways before crossing the street, parents must warn children about the dangers that exist on the Internet. Parents frequently evaluate whether their teen is sufficiently responsible with a car before allowing him or her to go driving. One reason, of course, is that teens, if driving irresponsibly, could hurt themselves or others. The same is true with the Internet. Parents

should ensure that their teenagers are sufficiently informed and responsible in their Internet use. Otherwise, they could get hurt.

But the great weight of the problem must be shouldered by the very creators and hosts of these networking sites and chat rooms that provide the previously non-existent opportunity for child predators. Social networking sites and chat rooms have created an environment in which predators target their next victim and plot their next attack. Predators use these web locations as a starting point for raping a child! The creators and hosts of these networking sites are not the predators who commit the crime, but they create the opportunity for the criminal to carry out his crime.

The creators and hosts of these networking sites are part of the problem, and as part of the solution they must do more than pay lip service to providing a safe environment for children. They must take affirmative, definitive action to ensure the protection of children who use their sites and chat rooms. They can no longer be allowed to turn a blind eye to the predators who lurk on the playground they created.

Admittedly, some of these networking sites and chat rooms have *begun* the process of a constructive dialogue to address the issue. But, if they are honest, they will admit that the predator problem persists, and that there is more they can do to solve the problem.

As mentioned earlier, parents have a role to play. But parents are being denied some of their ability to play that role. The networking sites should structure their systems so parents can block access to their sites. Parents across the country prevent their children from going to locations where crime may occur, where sex and drugs may be traded, or where their children could be harmed. Parents should not be denied that opportunity (that responsibility) simply because the location is in a virtual neighborhood, rather than a neighborhood down the street. If parents want their children to have the opportunity to participate on the networking sites, the sites should be offer parents filtering software to block their child's access to content and websites that parents deem inappropriate.

Heightened precaution must be taken to protect children under 16 from child predators. Should networking sites really mix 13 year old children with adults who are participating in the networking site for the purpose of looking for a sex partner? To avoid this problem, the sites should be structured so that only children over a certain age can participate in sites with adults.

Children who use the sites should not be subjected to sexually explicit images and solicitations, or other age-inappropriate material. The sites should be structured so that such material is not accessible without age verification.

While social networking sites are a lot of fun for kids – and have the potential to expose our children to a world of knowledge and bring them literally worldwide friends – many of the sites also subject children to a world of predators, pedophiles and pornographers.

As law enforcement officers, we are asking that social networking sites and chat rooms more effectively police themselves, or be shut down. Our society does not tolerate houses of prostitution. Neither should it tolerate virtual houses that promote predators.

Computer literacy and Internet access are necessities, not luxuries. And without question they have made our lives better. But the anonymity of the Internet has created opportunities for child predators and child pornographers, giving them cover to act on their perversions.

It turns out that the Internet, for all of its benefits and all of its conveniences, is still a pretty dangerous place. It would not be an exaggeration to say that no child is safe from the unwanted advances of chat room predators, men who use the Internet in an attempt to realize their worst fantasies.

Thank you for working to protect children from the nightmare of these predators. We look forward to working with you to win the war against those who threaten the safety of our children, our families, our homes and our communities.