

CSAM

CHILD SEXUAL ABUSE MATERIAL

aka: child pornography



tinyurl.com/CSAM4LADA

ANGELA BRUNSON, DEPUTY DISTRICT ATTORNEY

LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

CYBER CRIME DIVISION

The Web brings people together because no matter what kind of twisted sexual mutant you happen to be, you've got millions of pals out there. Type in 'Find people that have sex with goats that are on fire' and the computer will say, 'Specify type of goat.'

~Comedian Richard Jeni



WHAT IS OR IS NOT CSAM?

CSAM

- Real child under 18
- Actual/simulated sexual conduct:
 - Oral copulation
 - Intercourse/penetration
 - Masturbation
 - Bestiality
 - Excretory functions
 - Exhibition of genitals or pubic or rectal area for purpose of sexual stimulation of viewer
 - Sado/Maso: Intentional infliction of pain for sexual gratification or stimulation

EROTICA

Everything else.

Even if owner, distributor, or viewer is sexually stimulated by it.

Nudism, anime...

NOT GUILTY AT ALL IF

Legitimate medical, scientific, or educational purpose

CSAM: REPORTED BY HUMANS

- Family/Friend,
- Computer/Phone Repair,
- Co-worker/Student,
- Librarian,
- Employer IT department,
- Other case investigation.



CSAM: HUMAN REPORTS TO NCMEC



Home | **CYBERTIPLINE REPORT** | CONTACT US |    

Report an incident

Information entered into this report will be made available to law enforcement for possible investigation. You can contact the National Center for Missing & Exploited Children 24 hours a day at 1-800-THE-LOST (1-800-843-5678).

0% complete

Incident Information

What are you reporting?*	Where did the incident occur?
<input type="text" value="Select"/> Child Pornography (possession, manufacture, and distribution) Online Enticement of Children for Sexual Acts Child Sex Trafficking Child Sexual Molestation (not by family member) Child Sex Tourism Misleading Domain Name Misleading Words or Digital Images on the Internet Unsolicited Obscene Material Sent to a Child	<input type="text" value="Select"/>
<input type="text" value="you are reporting"/>	<input type="text" value=""/>
Approximate Date and Time of Incident	Time Zone
<input type="text" value=""/> 	<input type="text" value="Select"/>
Do you have information about one or more individuals involved in the reported incident?*	
<input type="button" value="Yes"/> <input type="button" value="No"/>	

* indicates a required field

Report It

24-Hour  **HOTLINE**
1-800-THE-LOST (1-800-843-5678)

If you think you have seen a missing child, contact the National Center for Missing & Exploited Children 24-hours a day, 7 days a week.

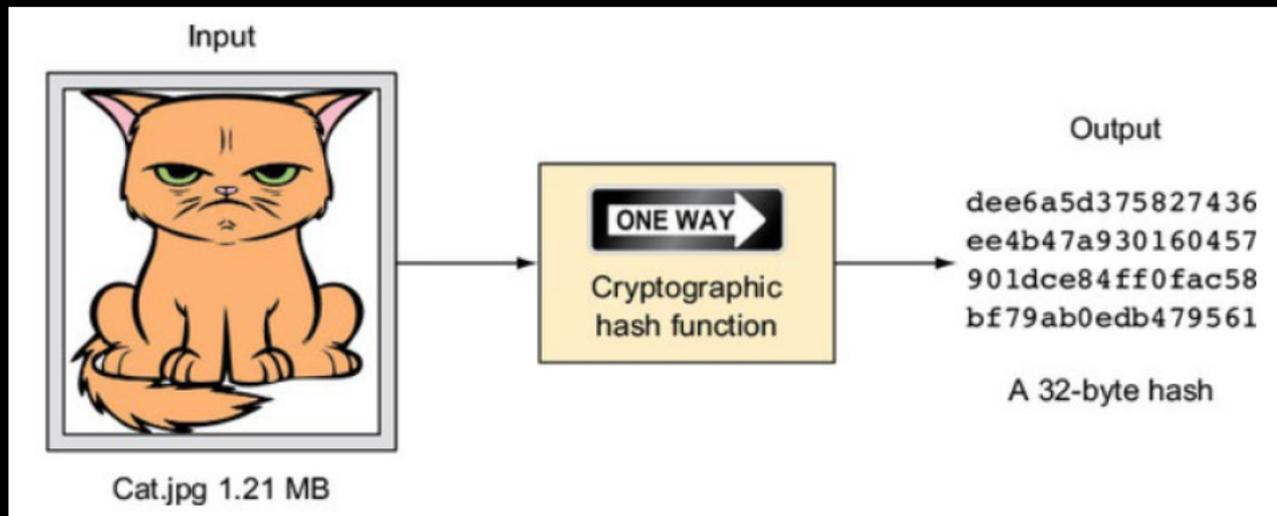
Report Child Sexual Exploitation

Use the CyberTipline to report child sexual exploitation. Reports may be made 24-hours a day, 7 days a week online at www.cybertipline.org

[Learn more about CyberTipline >](#)

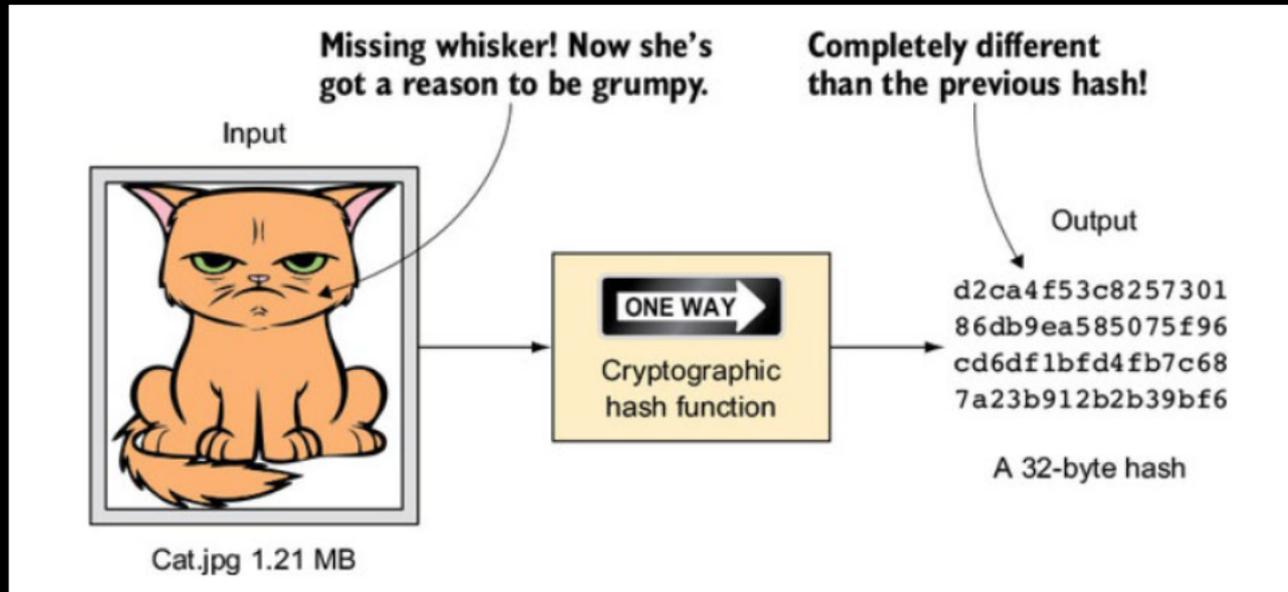
CSAM: REPORTED BY WEBSITE

- All files on the internet have HASH values (fingerprint)
 - Pictures
 - Videos



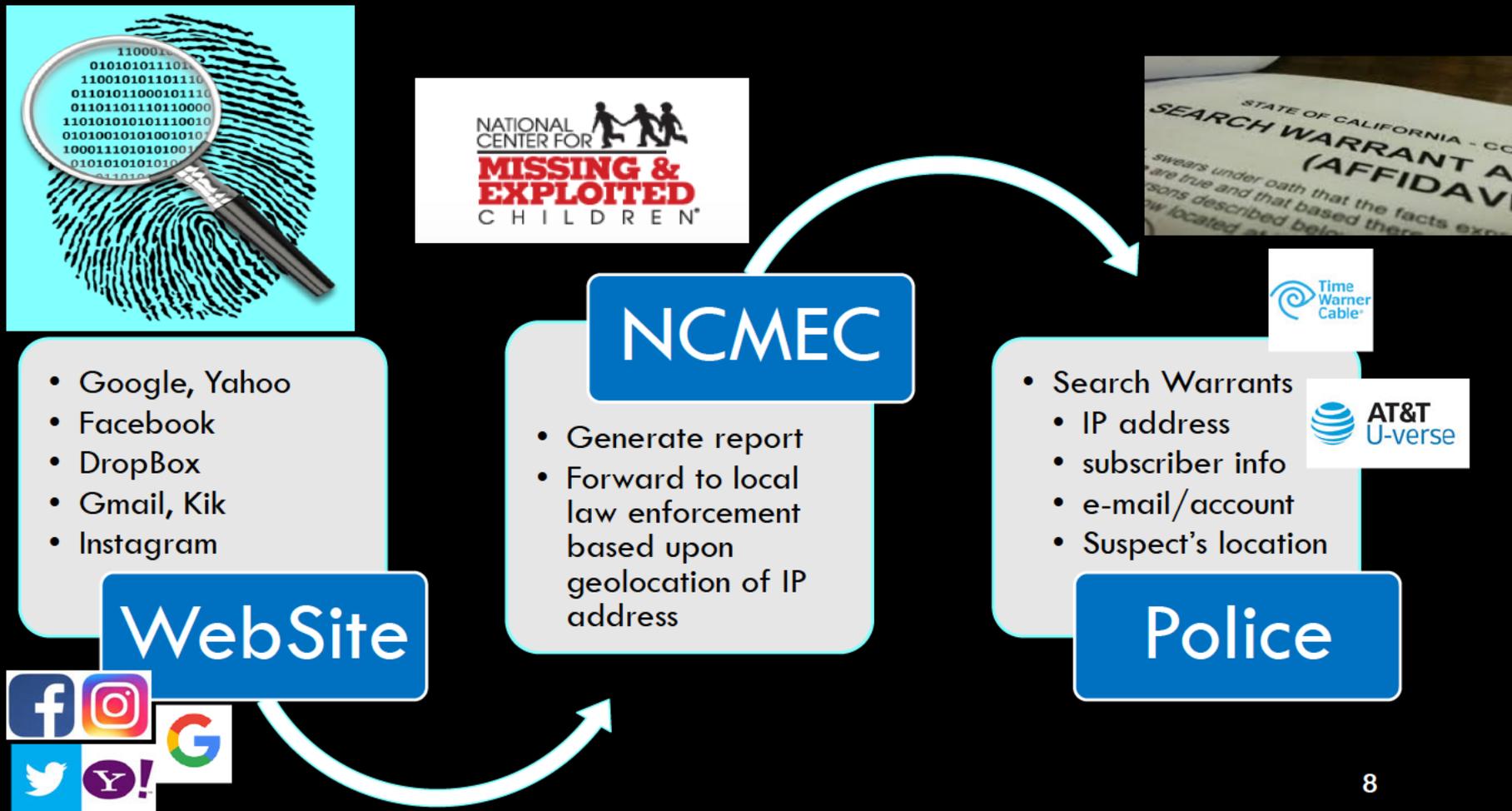
CSAM: REPORTED BY WEBSITE

- All files on the internet have HASH values (fingerprint)
 - Pictures
 - Videos

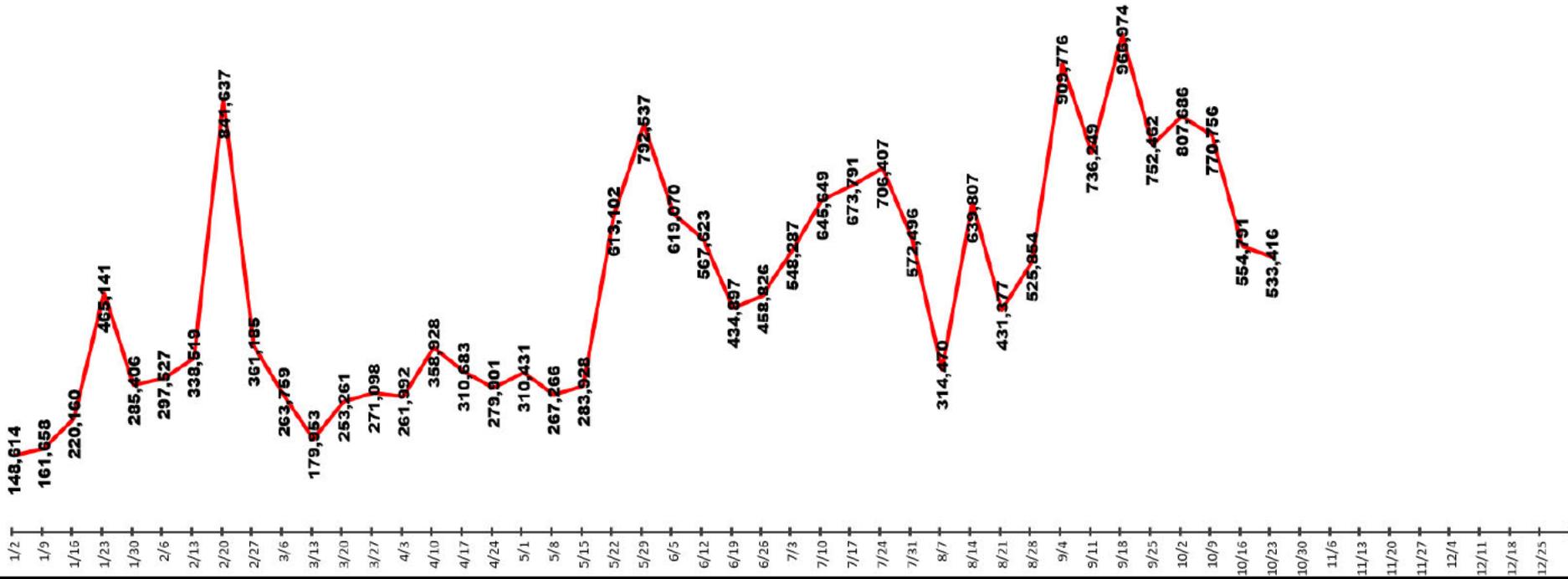


CSAM: REPORTED BY WEBSITE

- **Cybertip:** Files have HASH values (fingerprint) which the website can search to locate CSAM. Websites in USA=mandated reporters, USC Title 42 sec 13032 and 18 U.S.C. § 2258A(a).



2021 Child Sexual Abuse Material (CSAM) Cybertips reported to the National Center for Missing and Exploited Children in the United States



CYBER CRIME OR BRANCH & AREA

Cyber Crime PC311 filings (until further notice):

- 1) D is an attorney, teacher, doctor, law enforcement, politician, celebrity, state licensee; or
- 2) The case is likely to generate media attention; or
- 3) D has any prior conviction for PC311; or
- 4) D has a prior conviction for offense which requires PC290 registration in CA; or
- 5) Any Evidence Code 1108 prior conduct (allegations, reports, arrests, whether charges were or were not filed).

Branch & Area PC311 filings (until further notice):

- 1) D is **NOT**: attorney, teacher, doctor, law enforcement, politician, celebrity, state licensee; and
- 2) The case is **NOT** likely to generate media attention; and
- 3) D does **NOT** have any prior conviction for PC311; and
- 4) D is **NOT** a PC290 registrant; and
- 5) **No** Evidence Code 1108 prior conduct (allegations, reports, arrests, whether charges were or were not filed).

CHARGES

		<u>Sentence range</u>	<u>Bail</u>
• <u>Possession</u>	PC 311.11(a)	[CJ/16-2-3]	\$20K
• One count per location.	<i>People v. Hertzig (2007) 156 Cal.App.4th 398</i>		
<u>Poss Over 600 images</u>	PC 311.11(c)(1)	[CJ/16-2-5]	\$40K
<i>one video of any length counts as 50 images per <u>PC311.11(f)</u></i>			
<u>Poss Sadomasochistic</u>	PC 311.11(c)(2)	[CJ/16-2-5]	\$40K
<i>any infliction of pain for sexual gratification</i>			
Select ONE Possession Count per curtilage.			
• <u>Poss w/Prior 290</u>	PC 311.11(b)	[2-4-6]	\$40K
<i>To be filed by Cyber Crime Division</i>			
• <u>Distribution</u>	PC 311.1(a)	[CJ/16-2-3]	\$20K
Posted, sent, or shared to another person (don't charge for cloud storage).			
You can file one count per date, or you can file one count for each distributed image/video.			
D can be sentenced for mult distrib counts. <i>People v. Clair (2011) 197 Cal.App.4th 949</i>			
<i>Different offenses committed on different dates = consecutive bail</i>			

JURY INSTRUCTIONS

PC311.1(a) Distribution of CSAM

CALCRIM 1141

1. The defendant (distributed/ [or] showed/ [or] exchanged) obscene matter (to/with) **someone else;**
 2. When the defendant acted, (he/she) knew the character of the matter;
- [AND]
3. When the defendant acted, (he/she) knew that the matter showed a person under the age of 18 years who was personally participating in or simulating sexual conduct(;/.)

JURY INSTRUCTIONS

PC311.11(a) Possession of CSAM

CALCRIM 1145

1. The defendant possessed or controlled matter that contained [an] image[s] of a minor personally engaging in or simulating sexual conduct;
2. The defendant knew that (he/she) possessed or controlled the matter;

AND

3. The defendant knew that the matter contained [an] image[s] of a minor personally engaging in or simulating sexual conduct.

JURY INSTRUCTIONS

PC311.11(c)(1) Possession Over 600 Images of CSAM

CALCRIM 1145

- *Instruction for PC311.11(a) Possession plus:*

The *matter* the defendant knowingly possessed or controlled contained more than 600 images all of which the defendant knew showed a minor engaged in or simulating sexual conduct;

AND

The *matter* contained at least ten or more images involving a prepubescent minor or a minor under 12 years of age.

Each photograph, picture, computer or computer-generated image, or any similar visual depiction counts as *one image*.

Each video, video-clip, movie, or similar visual depiction counts as *50 images*.]

JURY INSTRUCTIONS

PC311.11(c)(2) Possession of Sadomasochistic CSAM

CALCRIM 1145

- *Instruction for PC311.11(a) Possession plus:*

[To prove the sexual sadism or sexual masochism allegation, the People must prove that the *matter* showed sexual sadism or sexual masochism involving a minor.

Sexual sadism means intentionally causing pain for purposes of sexual gratification or stimulation.

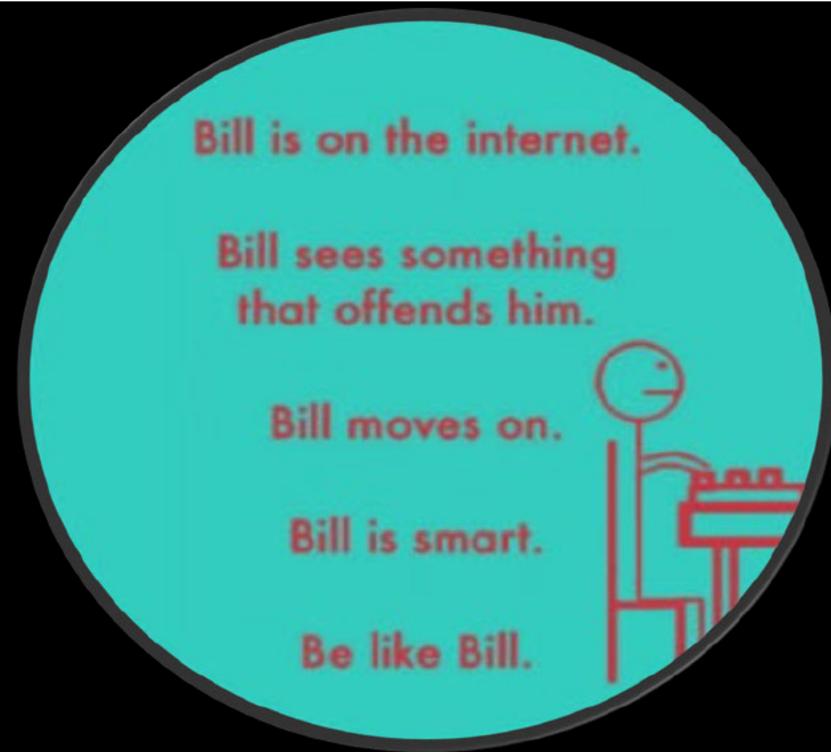
Sexual masochism means intentionally experiencing pain for purposes of sexual gratification or stimulation.]

CSAM TERMS

NSFW

File name, or Web browser search history

- **PTHC**: Pre Teen Hard Core
- **r@ygold**: Former producer of CSAM.
- **Twink** or **boi**: refers to an underage male.
- **Lolita**: refers to an underage female.
- **MAP**: Minor Attracted Person.
- **Motherless dot com**: website dedicated to incest & porn.
- **Pedo/Hebe**: pedophile (pre-pub); **Hebe**: Hebephile (pubescent).
- **Littlevickie** or **Vicky** or **Tara**: well known series of images/vids containing CSAM – they usually contain sado PC311.11(c)(2).
- **5yo** or **6yo** or **7yo**... five years old, six years old...



FILING OFFICER SHOULD BRING:

- Filing Sheet,
- Bail Sheet,
- Rap Sheet,
- Reports,
- Search Warrants & Returns,
- Cybertip(s), if numerous – put on disks: 1 for DA, 1 for defense (No CSAM)
- Disks – NO THUMB DRIVES
 - One disk marked **“CONTAINS CSAM”** (Adam Walsh Act)
 - *Keep this disk locked in a cabinet/drawer – do not place in DA file*
 - Two disks with everything else:
 - Audio/Video of D’s interview, SW before/after...

- 
- Best
 - Better
 - Good
 - Not Good
 - Avoid this guy

If CSAM is on BWV, Filing DDA should notify Claudio Alejo (626) 429-8025 CAlejo@da.lacounty.gov so access to Evidence.com file(s) is restricted.

SAMPLE FILING SHEET

DR OFFICE CYBER		FILING DIV L.A.		CASE NO. 189223		FILING DATE / / 2018		JUDICIAL DISTRICT CENTRAL	
AGENCY DIVISION L.A.		FILING OFFICER		SERIAL NO.		AGENCY FILE NO./CITATION NO.		JUDICIAL DISTRICT CENTRAL	
DEF. NO. DEFENDANT NAME (LAST, FIRST MIDDLE), AKA(S) 01 Oh, Pete									
<input type="checkbox"/> GANG MEMBER NAME OF GANG									
SEX (M/F)	DOB	IF DEFENDANT UNDER 18 KEY CODE		C.I.I. NO.	BOOKING NO.	CASH SEIZED EXCEEDS: SEIZURE OF \$999 OR LESS OTHER ASSETS SEIZED		<input type="checkbox"/> \$25,000 <input type="checkbox"/> \$10,000 <input type="checkbox"/> \$ 1,000 <input type="checkbox"/>	ARREST DATE
M	1/2/34								
<input type="checkbox"/> CUSTODY <input type="checkbox"/> BOND/RELEASE		WARRANT	EXTRADITION	LETTER DATE	RECOMMENDED BAIL (BY USC ONLY)	ALLEGABLE PRIORS <input type="checkbox"/> YES <input type="checkbox"/> NO		ON PROBATION <input type="checkbox"/> YES <input type="checkbox"/> ONE CASE <input type="checkbox"/> MULTIPLE CASES <input type="checkbox"/> NO	
APPEARANCE DATE:					\$60,000				
FOR PC 187 ONLY: IS DEFENDANT ELIGIBLE FOR A SPECIAL CIRCUMSTANCE? <input type="checkbox"/> YES <input type="checkbox"/> NO			IF ELIGIBLE, WAS A PC 190.3(a) ALLEGATION FILED? <input type="checkbox"/> YES <input type="checkbox"/> NO		LIST ANY ELIGIBLE UNFILED PC 190.3(a) ALLEGATION(S):			ON PROB/PRIOR W/PRIOR <input type="checkbox"/> YES	
DEF. NO. DEFENDANT NAME (LAST, FIRST MIDDLE) AKA(S)									
<input type="checkbox"/> GANG MEMBER NAME OF GANG									
SEX (M/F)	DOB	IF DEFENDANT UNDER 18 KEY CODE		C.I.I. NO.	BOOKING NO.	CASH SEIZED EXCEEDS: SEIZURE OF \$999 OR LESS OTHER ASSETS SEIZED		<input type="checkbox"/> \$25,000 <input type="checkbox"/> \$10,000 <input type="checkbox"/> \$ 1,000 <input type="checkbox"/>	ARREST DATE
<input type="checkbox"/> CUSTODY <input type="checkbox"/> BOND/RELEASE		WARRANT	EXTRADITION	LETTER DATE	RECOMMENDED BAIL (BY USC ONLY)	ALLEGABLE PRIORS <input type="checkbox"/> YES <input type="checkbox"/> NO		ON PROBATION <input type="checkbox"/> YES <input type="checkbox"/> ONE CASE <input type="checkbox"/> MULTIPLE CASES <input type="checkbox"/> NO	
APPEARANCE DATE:									
FOR PC 187 ONLY: IS DEFENDANT ELIGIBLE FOR A SPECIAL CIRCUMSTANCE? <input type="checkbox"/> YES <input type="checkbox"/> NO			IF ELIGIBLE, WAS A PC 190.3(a) ALLEGATION FILED? <input type="checkbox"/> YES <input type="checkbox"/> NO		LIST ANY ELIGIBLE UNFILED PC 190.3(a) ALLEGATION(S):			ON PROB/PRIOR W/PRIOR <input type="checkbox"/> YES	
DISTRICT ATTORNEY USE ONLY - CHARGES									
F/M	CT NO	CHARGE NAME	CODE & SECTION	FORM NO.	DEF. NO.	OFFENSE DATE(S)	PLEADING TEXT		
F	1	Distrib CSAM	PC311.1(a)		1	1/1/20	Twitter		
F	2	Distrib CSAM	PC311.1(a)		1	2/2/20	Facebook		
F	3	Poss CSAM	PC311.11(a)			6/1/20	images		
CONDUCT ENHANCEMENTS (e.g., Weapons, GBI, Gang, Quantity, Special Circumstances)									
CODE & SECTION	FORM NO.	CT. NO.	DEF. NO.	PLEADING TEXT					
PRELIMINARY HEARING TIME ESTIMATE 45 MIN	VIP VERTICAL PROSECUTION <input type="checkbox"/> YES <input type="checkbox"/> NO KEY CODE	REQUEST PROTECTIVE ORDER <input type="checkbox"/> YES <input type="checkbox"/> NO	CASE CATEGORY	VICTIM ASSISTANCE REFERRAL <input type="checkbox"/> YES - NOTIFY VWAP <input type="checkbox"/> NO	VICTIM RESTITUTION REQUIRED <input type="checkbox"/> YES <input type="checkbox"/> NO (AMOUNT IF KNOWN) \$	<input type="checkbox"/> VICTIM GANG MEMBER R/N/L/D/Y/W/M			

BAIL SHEET

2021 FELONY BAIL SCHEDULE

LOS ANGELES COVID BAIL SCHEDULE

SEE EXCEPTION #19 FOR PC290 OFFENSES

OR/Bond conditions to consider in
light of Humphries decision

"least restrictive means"

No unsupervised time w/minors

No internet (work/school/counselg OK)

No social media

GPS Electronic Monitoring

Attend ___ SPAA mtgs/wk

Install "Accountability Software"

S&S including devices/data

Felony Bail Computation Worksheet		AMOUNT
1	Name of Arrestee: Pete Oh	
2	List all offenses: PC311.1(a); PC311.1(a); PC311.11(a)	
Base Bail (see <i>Felony Bail Schedule at pages 5-22</i>)		
3	Of the offenses listed in 2, which carries the highest bail schedule amount? List code and section number here: PC311.11(a) List the bail schedule amount for that offense in 3a.	\$20,000
Is arrestee charged with two or more offenses? If yes, move to 3b and 3c. If no, move to 4		
3b	Were additional offenses committed against separate victims OR were the offenses committed on separate dates? If yes, list the sum of the bail schedule amount(s) for each additional offense committed against a separate victim and/or on a separate date in 3b. PC311.1(a) PC311.1(a)	\$20,000 \$20,000
3c	Were additional separate sex acts committed on the same victim AND may each act be punished separately? If yes, list the sum of the bail schedule amounts for each additional separate sex act in 3c.	
If no to 3b and 3c, base bail is only the bail amount for the offense listed in 3a		
Enhancements (see <i>Felony Bail Schedule at page 23</i>)		
4	Was the offense committed for the benefit of a gang? If yes, add \$40,000	4
5	Was a weapon involved? If yes, add only the greatest of 5a-5d. If no weapon, move to 6	
5a	Did the arrestee personally discharge a firearm, causing GBI or death? If yes, add \$1,000,000	5a
5b	Did the arrestee personally discharge a firearm, not causing GBI/death? If yes, add \$200,000	5b
5c	Did the offense involve possession, use, or discharge of a firearm? If yes, add \$50,000	5c
5d	Did the arrestee use a weapon other than a firearm? If yes, add \$20,000	5d
6	Did the offense involve infliction of GBI? If yes, add \$30,000	6
7	Does the arrestee have any prior convictions? If no prior convictions, move to 8	
7a	Is the arrestee charged with a current narcotics sale AND does the arrestee have a prior conviction for narcotics sale per Penal Code section 11370.2 during the past 5 years? If yes, add \$30,000 per prior conviction	7a
7b	Does the arrestee have a prior conviction for a serious or violent felony or enumerated sex offense? If yes, add \$50,000 per prior conviction	7b
7c	Is the arrestee charged with a serious or violent felony AND does the arrestee have two or more convictions for serious or violent felonies? If yes, add \$1,000,000	7c
7d	Has the arrestee served a prison term during the past 5 years? If yes, add \$10,000 per term	7d
8	Are there any other enhancements to be added? If no other enhancements, move to 9	
8a	Is the crime a hate crime? If yes, add \$25,000	8a
8b	Is the victim over 65, under 15, or disabled AND is the crime enumerated in Penal Code sections 667.9-667.10? If yes, add \$25,000	8b
8c	Add only once: Are there other felony charges pending against arrestee, or is the arrestee on parole, felony probation, or probation department supervision? If yes, add \$25,000	8c
8d	If base bail is less than \$1,000,000 and neither 6a nor 8c apply: Does the offense carry a possible term of life imprisonment? If yes, add \$1,000,000	8d
9	Add lines 3a through 8d. This is the Total Bail: 9	\$60,000

Name of Person Completing Form

Badge #

If Law Enforcement, Do You Oppose O/R Release? Yes No

If deviation from Felony Bail Schedule is sought, please attach request and supporting documentation.

PROBATION NEW LEGISLATION APPROVED BY GOVERNOR SEPT 30, 2020

[HTTP://LEGINFO.LEGISLATURE.CA.GOV/FACES/BILLNAVCLIENT.XHTML?BILL_ID=201920200AB1950](http://leginfo.ca.gov/faces/billnavclient.xhtml?bill_id=201920200AB1950)

AB 1950 (Probation: Length of Terms) amended PC §§ 1203a and 1203.1

EFFECTIVE JANUARY 01, 2021

**Misdemeanor probation is now 1 year,
unless: offense includes a specific probation length within its provisions.**

**Felony probation is now 2 years,
unless: PC § 667.5(c) [violent felonies],
offense includes a specific probation length within its provisions,
violations of PC 487(b)(3), 503, or 532a, if total value taken exceeds \$25,000.**

**Misdemeanor PC311: one year summary probation.
Felony PC311: two years formal probation.**

**NEW PC290 REGISTRATION EFFECTIVE JAN 1, 2021
APPLIES TO CONVICTIONS AFTER JULY 1, 1944**

**TIER ONE
10 YEAR MINIMUM**

**PC311.1(a)
misdemeanor
distribution**

**PC311.11(a)
misdemeanor
possession**

**TIER THREE
LIFETIME**

**PC311.1(a)
felony
distribution**

**PC311.11(a)
felony
possession**

INTERNET IDENTIFIER REGISTRATION
California Penal Code § 290.024

(a) A person who is convicted of a **felony** on or after January 1, 2017, requiring registration pursuant to the Act, **shall** register his or her Internet identifiers **if a court determines at the time of sentencing** that any of the following apply:

(1) The person used the Internet to collect any private information to identify the victim of the crime to further the commission of the crime.

(2) The person was convicted of a felony pursuant to subdivision (b) or (c) of Section 236.1 and used the Internet to traffic the victim of the crime.

(3) The person was convicted of a **felony** pursuant to Chapter 7.5 (commencing with Section 311) and **used the Internet to prepare, publish, distribute, send, exchange, or download** the obscene matter or matter depicting a minor engaging in sexual conduct, as defined in subdivision (d) of Section 311.4.

INTERNET IDENTIFIER REGISTRATION FORM **PC290.024**

Form available **HERE**



STATE OF CALIFORNIA
CJS 8841
(Rev. 01/2021)

[Print Form](#) [Reset Form](#)

DEPARTMENT OF JUSTICE
Page 1 of 2

INTERNET IDENTIFIER REGISTRATION FORM

Sex Offender Registration Act – California Penal Code (Pen. Code) Section (§) 290.024

Pursuant to Pen. Code, § 290.014(b), if any person, required to register Internet identifiers pursuant to Pen. Code, § 290.024, adds or changes an Internet identifier as defined in Pen. Code, § 290.024, the person shall send written notice by mail of the addition or change to the law enforcement agency or agencies with which he or she is currently registered **within thirty (30) working days** of the addition or change. The law enforcement agency or agencies shall make the information available to the Department of Justice.

PLEASE DO NOT SUBMIT THIS FORM TO THE CALIFORNIA DEPARTMENT OF JUSTICE.

IMPORTANT: This form is to be used only for registrants specified under Pen. Code, § 290.024.

Pursuant to Pen. Code, § 290.024(a), a person who is convicted of a felony on or after January 1, 2017, requiring registration pursuant to the Act, shall register his or her Internet identifiers if a court determines at the time of sentencing that any of the following apply:

- The person used the Internet to collect any private information to identify the victim of the crime to further the commission of the crime.
- The person was convicted of a felony pursuant to subdivision (b) or (c) of Pen. Code, § 236.1 and used the Internet to traffic the victim of the crime.
- The person was convicted of a felony pursuant to Chapter 7.5 (commencing with Pen. Code, § 311) and used the Internet to prepare, publish, distribute, send, exchange, or download the obscene matter or matter depicting a minor engaging in sexual conduct, as defined in subdivision (d) of Pen. Code, § 311.4.

For purposes of this chapter, "Internet identifier" means any electronic mail address (e-mail) or username used for instant messaging or social networking that is actually used for direct communication between users on the Internet in a manner that makes the communication not accessible to the general public. "Internet identifier" does not include Internet passwords, date of birth, social security number, or Personal Identification Number (PIN).

For Registrant Completion

This information is for registrant identification purposes only

LAST NAME		FIRST NAME		MIDDLE INITIAL
DRIVERS LICENSE NUMBER	STATE OF ISSUANCE	DATE OF BIRTH		
<p>I declare that I have no active Internet identifiers to disclose at this time. (Initials)</p> <p>I declare that I have the following active Internet identifiers to disclose at this time. (Initials)</p>				
INSTANT MESSAGING / SOCIAL NETWORKING APPLICATION (For example, Facebook, Twitter, Snapchat, Instagram, etc.)	E-MAIL / USERNAME	ACTIVE DATE (REQUIRED)	INACTIVE DATE	

I have been notified of my duty to register Internet identifier information pursuant to Pen. Code, §§ 290.024(a) and 290.014(b). I have read or had another read to me the declaration statements, and I initialed the applicable statement. I understand my duty to know sex offender registration requirements, including changes to the law, that may be made after I sign this form. I certify the information provided is true and accurate. I understand failure to comply with registration requirements, providing false information, or failing to provide accurate information is punishable as a criminal offense. I understand that refusing to sign this form is also punishable as a criminal offense.

REGISTRANT SIGNATURE

DATE

For Law Enforcement Purposes

Internet identifier information should be submitted via the California Sex and Arson Registry application within 72 hours. **Do not submit the hard copy** Internet Identifier Registration Form to the California Department of Justice. Please retain the original, signed form at your agency and provide a copy to the registrant.

OFFICER NAME	PHONE NUMBER		
REGISTERING AGENCY	CR	PCN	

OFFICER SIGNATURE

DATE

Registrant Rolled Right Thumbprint -
If amputated, use next
available finger



STATE OF CALIFORNIA
CJS 8841
(Rev. 01/2021)

DEPARTMENT OF JUSTICE
Page 2 of 2

INTERNET IDENTIFIER REGISTRATION FORM

Sex Offender Registration Act – California Penal Code (Pen. Code) Section (§) 290.024

NAME OF PERSON NOTIFIED	Last	First	Middle	CI NUMBER (SID)	DATE

Privacy Notice

As Required by Civil Code § 1798.17

Collection and Use of Personal Information. The California Justice Information Services (CJIS) Division of the Department of Justice (DOJ) collects the information requested on this form as authorized by Pen. Code, § 290.024. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The DOJ's general privacy policy is available at <https://oag.ca.gov/privacy-policy>.

Providing Personal Information. All the personal information requested in the form must be provided. Failure to provide the mandatory personal information will result in your registration not being processed.

Access to Your Information. Please contact the local law enforcement agency where you registered if you wish to review the personal information collected on this form, as permitted by the Information Practices Act.

Possible Disclosure of Personal Information. The local law enforcement agency where you registered is required by law to enter this information into the California Sex and Arson Registry (CSAR). Additionally, the California Sex Offender Registry is required by law to provide the information in CSAR to other law enforcement agencies.

The information you provide may also be disclosed in the following circumstances:

- With other persons or agencies where necessary to perform their legal duties, and their use of your information is compatible and complies with state law, such as for investigations or for licensing, certification, or regulatory purposes;
- To another government agency as required by state or federal law.

Contact Information. For questions about this notice or information on your registrant record, you may contact the California Sex Offender Registry manager by phone at (916) 210-3113, by e-mail at MegansLaw@doj.ca.gov, or via mail at:

The Department of Justice
California Sex Offender Registry
P.O. Box 903387
Sacramento, CA 94203-3870

I have read and understand the Privacy Notice as required by Civil Code § 1798.17

SIGNATURE OF REGISTRANT

DATE

FORFEITURE ORDER

***PREPARE 3
ORIGINALS AT
TIME OF FILING.***

***UPON DISPO:
1) COURT FILE
2) DEFENSE
3) SCAN & SEND
TO I/O THEN
PLACE IN DA FILE.***

1 JACKIE LACEY
District Attorney
2 By: ANGELA BRUNSON; State Bar No. 189223
Deputy District Attorney
3 Cyber Crime Division
4 211 W Temple St 10th Fl
Los Angeles CA 90012
5 (213) 257-2444

6
7 **SUPERIOR COURT OF STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

8 PEOPLE OF THE STATE OF CALIFORNIA,
9

10 Plaintiff,

11 v.

12 Defendant.
13

Case No. _____

ORDER PURSUANT TO
PENAL CODE SECTIONS
502.01 AND 312

14
15 **GOOD CAUSE HAVING BEEN SHOWN, IT IS HEREBY ORDERED:**

16 The following items are to be forfeited to the [insert name of agency, examples: Los Angeles
17 Police Department, Internet Crimes Against Children Regional Task Force or Los Angeles
18 Sheriff's Department] pursuant to Penal Code Sections 502.01 and 312:

- 19 1) [insert item which contained CSAM as listed on Property Report];
20 2) [example: Apple iPhone 7, black & silver, model A1468].
21

22 DATE: _____

Judge of the Superior Court

23
24
25
26
27
28
Report # _____

SAMPLE DISPOSITIONS

- Felony PC311.1(a) or PC311.11(a)
- 2 years formal felony probation,
- ____ days County Jail / Credit time served,
- PC290 registration (*Tier 3 lifetime*),
- Attend a minimum of 52wks of sex offender counseling per PC1203.067(b),
- Internet Identification Registration per PC290.024,
- Forfeiture of seized devices per PC312 and PC502.01,
- Search & seizure including electronic data/devices per PC1546-1546.4,
- \$300 fine per PC290.3.
- As a friendly reminder, expungement is prohibited per PC1203.4(b).

AFTER DISPO:

Scan copy of Forfeiture Order to Investigating Officer and shred CSAM disk

SAMPLE DISPOSITIONS

- Felony PC311.11(c)(1) or PC311.11(c)(2)
- 2 years formal felony probation,
- ____ days County Jail / Credit time served,
- 30-60 days Cal Trans or Community Labor,
- PC290 registration (*Tier 3 lifetime*),
- Attend a minimum of 52wks of sex offender counseling per PC1203.067(b),
- Internet Identification Registration per PC290.024,
- Forfeiture of seized devices per PC312 and PC502.01,
- Search & seizure including electronic data/devices per PC1546-1546.4,
- \$300 fine per PC290.3.
- As a friendly reminder, expungement is prohibited per PC1203.4(b).

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SAMPLE DISPOSITIONS

- Multiple PC311.1(a)'s combined w/PC311.11(c)(1) or PC311.11(c)(2)
- 2yr formal felony probation,
- Consider: County Jail, Cal Trans, Community Labor, in-patient residential treatment, and/or 16-2-5 suspended prison,
- PC290 registration (*Tier 3 lifetime*),
- Attend a minimum of 52wks of sex offender counseling per PC1203.067(b),
- Internet Identification Registration per PC290.024,
- Forfeiture of seized devices per PC312 and PC502.01,
- Search & seizure including electronic data/devices per PC1546-1546.4,
- \$300 fine per PC290.3.
- As a friendly reminder, expungement is prohibited per PC1203.4(b).

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SAMPLE DISPOSITIONS

- Misdemeanor PC311.1(a)/PC311.11(a)
 - Recommendation: Always file as a felony (you may not have all the facts yet at time of filing to know the extent of suspect's offenses, and studies suggest many CSAM offenders have or will commit hands on sexual abuse).
 - Ask defense to seek Evidence Code 730 Evaluation w/**CPORT** (score of 2 or lower)
 - **CPORT** = Child Pornography Offender Risk Tool
 - *Generally, misd is considered for D aged 25y or younger with less than 100 images, cooperative, honest, has no priors, and is enrolled in GED/college and/or employed.*
 - HD approval is required to reduce felony to misd –see Legal Policies Manual
 - 1yr summary probation
 - __ day(s) county jail (credit time served)
 - High School diploma/GED, or college enrollment, and/or current employment
 - PC290 registration (Tier One: minimum of 10 years)
 - Attend a minimum of 52wks of sex offender counseling or SPAA / SCA mtgs,
 - Forfeiture of seized devices per PC312 and PC502.01,
 - Search & seizure including electronic data/devices per PC1546-1546.4,
 - \$300 fine per PC290.3.
- As a friendly reminder, expungement is prohibited per PC1203.4(b).

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REASONS NOT TO SHOW CSAM TO JURY

- Every time CSAM is distributed = **re-victimize the child**
- **People v. Jeffrey Dahmer: jurors offered post-trial counseling... ALL WANTED and ACCEPTED.**
 - Jurors are not likely not emotionally / spiritually / physically equipped.
 - Risk of permanent refusal to perform civic duty in the future.
- **Ask defense to stipulate CSAM = CSAM.**
 - Chances are the case is proceeding to trial for some other reason.
 - If you must, consider G rated or redacted screen shots to illustrate size of child hand/face, diapers, toys, clothing; have detective describe unpleasant stuff.
- **There is no “correct” number of images that will appease all 12 jurors. Risk of offending = you lose the personality contest.**

“That’s so horrible, he must be guilty” is NOT the goal.
- **Starting voir dire with assurance that no CSAM will be displayed makes process less tedious (ever pick jurors for a PC288?)**
- **OJ Simpson is to CSAM defendant as glove is to CSAM...**
 - **D’s reaction unpredictable: sexually aroused? Vomit on cue...?**

REMEMBER

- **PC311 SOL: 10 years** after commission of the offense. [PC801.1\(b\)](#).
- **CSAM disks must be stored in a locked cabinet, not in DA file.**
- **Should defense counsel need to view the CSAM:**
 - Ask I/O or DAI or Cyber to lend you a clean laptop for CSAM viewing purposes, then
 - Schedule appointment time with defense counsel to view it in your office (or other government building). [Adam Walsh Act](#).
- **CSAM is never to be turned over to defense without a Protective Order reviewed by DDA then signed by judge. Call a Cyber Crime Division DDA with questions – see last slide.**
- If CSAM is on BWV, notify Claudio Alejo CAlejo@da.lacounty.gov (626) 429-8025 so access is restricted, do not give file to defense.
- **Misdemeanor and felony convictions for PC311 offenses can never be expunged per PC1203.4(b).**
- **CSAM is not limited to just “naked minors!”**
 - *See Dost Factors on next slide*

DOST FACTORS

U.S. v. DOST (1986) 636 F. SUPP. 828

- **Focus:** *Genital, pubic, or rectal areas*
- **Setting:** *Sexually suggestive, bed or bedroom, sex toys*
- **Unnatural pose:** *Spread legs, hands+knees+head turn*
- **Age appropriate:** *Lingerie, leather, high heels, makeup*
- **Conduct or sexual “coyness” of child:** *tongue, lollipop*
- **Intended to elicit a sexual response from viewer?**





With the Dost factors in mind, see how many can you identify in this 1min 15sec clip from the movie "[Little Miss Sunshine](#)."

CSAM can include *CLOTHED* children.

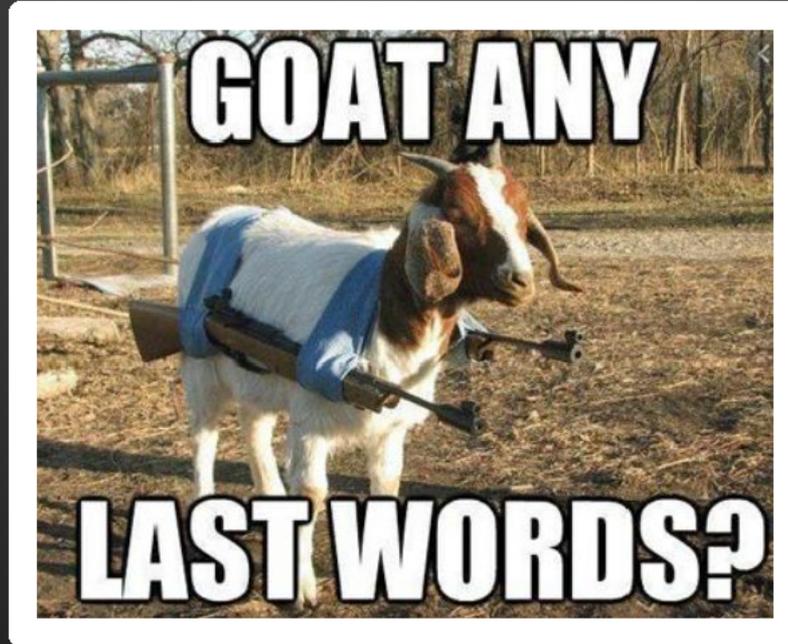


"History will judge us by the difference we make in the everyday lives of children."

I started this presentation with the quote about the world wide web connecting people who share things in common – specifically with regard to goats. I'll conclude the presentation with my own personal, more positive goat reference: these two little guys, my "kids" along with my favorite quote.

Here at the DA's Office, we all do truly make a difference, so thank you for doing what you do.

There are no “baah-d” questions



tinyurl.com/CSAM4LADA





tinyurl.com/CSAM4LADA



CYBER CRIME DIVISION

OFFICE# 213-257-2428

Defendants with last names **A-L**

DDA Angela Brunson



CYBERLIFE AWARENESS



Los Angeles ICAC

Defendants with last names **M-Z**

DDA Teresa De Castro