

TESTIMONY OF

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THE NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN

for the

UNITED STATES SENATE

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

SUBCOMMITTEE ON CHILDREN AND FAMILIES

**“Breaking the Silence on Child Abuse:
Protection, Prevention, Intervention and Deterrence”**

December 13, 2011

Madame Chairwoman and members of the Subcommittee, I welcome this opportunity to appear before you to discuss the problem of child sexual abuse. Senator Mikulski, your first-hand experience working these cases gives you invaluable insight. We appreciate your leadership on these issues.

As you know, the National Center for Missing & Exploited Children is a not-for-profit corporation, authorized by Congress and working in partnership with the U.S. Department of Justice. NCMEC is a public-private partnership, funded in part by Congress and in part by the private sector. For 27 years NCMEC has operated under Congressional authority to serve as the national resource center and clearinghouse on missing and exploited children. This statutory authorization (see 42 U.S.C. §5773) includes 19 specific operational functions, among which are:

- operating a national 24-hour toll-free hotline, 1-800-THE-LOST® (1-800-843-5678), to intake reports of missing children and receive leads about ongoing cases;
- operating the CyberTipline, the “9-1-1 for the Internet,” that the public and electronic service providers may use to report Internet-related child sexual exploitation;
- providing technical assistance and training to individuals and law enforcement agencies in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children;
- tracking the incidence of attempted child abductions;
- providing forensic technical assistance to law enforcement;
- facilitating the deployment of the National Emergency Child Locator Center during periods of national disasters;
- working with law enforcement and the private sector to reduce the distribution of child pornography over the Internet;
- operating a child victim identification program to assist law enforcement in identifying victims of child pornography;
- developing and disseminating programs and information about Internet safety and the prevention of child abduction and sexual exploitation; and
- providing technical assistance and training to law enforcement in identifying and locating non-compliant sex offenders.

Our longest-running program to help prevent the sexual exploitation of children is the CyberTipline, the national clearinghouse for leads and tips regarding crimes against children on the Internet. It is operated in partnership with the Federal Bureau of Investigation (“FBI”), the Department of Homeland Security’s Bureau of Immigration and Customs Enforcement (“ICE”), the U.S. Postal Inspection Service, the U.S. Secret Service, the Military Criminal Investigative Organizations (“MCIO”), the Internet Crimes Against Children Task Forces (“ICAC”), the U.S. Department of Justice’s Child Exploitation and Obscenity Section, as well as other state and local law enforcement. We receive reports in eight categories of crimes against children:

- possession, manufacture and distribution of child pornography;
- online enticement of children for sexual acts;
- child prostitution;
- sex tourism involving children;
- extrafamilial child sexual molestation;
- unsolicited obscene material sent to a child;
- misleading domain names; and
- misleading words or digital images on the Internet.

These reports are made by both the public and by Electronic Service Providers (“ESPs”), who are required by law to report apparent child pornography to law enforcement via the CyberTipline (18 U.S.C. §2258A). The leads are reviewed by NCMEC analysts, who examine and evaluate the content, add related information that would be useful to law enforcement, use publicly-available search tools to determine the geographic location of the incident in the report, and provide all information to the appropriate law enforcement agency for investigation. These reports are triaged continuously to ensure that children in imminent danger get first priority.

The FBI, ICE, Postal Inspection Service and the MCIOs have direct and immediate access to all CyberTipline reports, and assign agents and analysts to work at NCMEC. In the 13 years since the CyberTipline began, NCMEC has received and processed more than 1.2 million reports. ESPs have reported to the CyberTipline more than 8 million images/videos of apparent child pornography. Working in conjunction with law enforcement, more than 60 million images and videos have been reviewed by the analysts in our Child Victim Identification Program (“CVIP”), which assists prosecutors

to secure convictions for crimes involving identified child victims and helps law enforcement to locate and rescue child victims who have not yet been identified.

As we all know, recent events have highlighted the problem of child sexual abuse. A great deal has been written and said about it. But what are the facts?

We've come a long way since Congress initiated the federal efforts to combat child abuse in 1974. Thanks to the Child Abuse Prevention and Treatment Act (CAPTA), states have made significant progress in the reporting, investigation and treatment of these cases. All 50 states have laws requiring mandatory reporting of child abuse under certain circumstances. There are now 560 accredited children's advocacy centers in the U.S., with 290 more working toward accreditation. These facilities coordinate investigation and intervention services in a child-friendly environment – and last year served more than 270,000 abused children.

Despite this progress, the problem persists. According to the U.S. Department of Health and Human Services (HHS) in 2009 state child protective agencies reported approximately:

- 543,000 substantiated incidents of neglect;
- 123,000 substantiated incidents of physical abuse, and;
- 66,000 substantiated incidents of child sexual abuse.¹

However, the HHS data does not accurately depict the scope of child sexual abuse.

Because the HHS data is compiled from reports made by state child protective service agencies, it is generally limited to allegations of child abuse committed by caretakers. The U.S. Department of Justice (DOJ) data indicates that there are actually many more incidents of child sexual abuse each year. A DOJ incidence study estimated that, in a given year, 285,400 children were victims of a sexual assault.² Although it is difficult to know with certainty how many children are sexually assaulted each year, we do know that child sexual abuse continues to be a serious problem that deserves our immediate attention.

¹ U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau, *Child Maltreatment 2009*, pages 46-47. This is the most current report.

² U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, *National Incidence Studies of Missing, Abducted, Runaway and Thrownaway Children*, August 2008, Page 2.

How are we learning about child sexual abuse? We usually don't hear about the abuse from the child victims. DOJ found that, for a variety of reasons, only one-third of the estimated incidents of child sexual abuse were reported to law enforcement.³ Some child victims disclose their abuse after becoming adults. For example, many adults came forward after highly-publicized allegations of abuse by members of the clergy. For some adults, the damage resulting from childhood sexual abuse becomes more pronounced as they grow older and begins to affect many aspects of their lives.

We hear about abuse from those who are designated as mandatory reporters under state laws and other concerned adults who report allegations of abuse. These mandatory reporters are specified by profession in most states – generally professions that involve contact with children and an opportunity to see the signs of abuse. These usually include health care professionals, law enforcement officers, educators, and child care providers. In addition, 18 states require all adults to report abuse.

Finally, we also learn about child sexual abuse through investigations of child pornography on the Internet. Law enforcement investigations of crimes against children in the *online* world often lead to the discovery of crimes against children in the *offline* world. Individuals who possess and distribute child pornography may be sexually abusing a child or may trade images with someone who is sexually abusing a child. Because very few child victims tell anyone about their abuse, it is only through the great work of federal, state and local law enforcement that these abusers are caught and the children can get help.

Who are abusing these children? The vast majority of child victims are victimized by someone they know, someone they should be able to trust – someone who is in their lives for a legitimate reason. This is true for cases investigated primarily by child protective services and for cases investigated primarily by law enforcement. According to a DOJ survey, 81% of child sexual assaults were committed by someone with legitimate access to the child.⁴ Of the child pornography victims identified by law

³ *Ibid*, Page 5.

⁴ *Ibid*, Table 3, Page 7. Identity of perpetrator: Family member, 10% of estimated victims; Acquaintance, 64% of estimated victims; Person known by sight, 7% of estimated victims.

enforcement, 70% were abused by a parent, guardian, relative, neighbor, family friend, babysitter, coach or a guardian's partner.⁵

The good news is that, regardless of how the abuse is reported, many child victims today are getting the help they need. However, there is room for improvement in our reporting system.

Mandatory reporters should always be required to report child sexual abuse directly to law enforcement. Although mandatory reporters may also be required to report suspected child sexual abuse to their supervisors within an institution or organization, child sexual abuse is a crime in all states and law enforcement must be involved at the outset. Once a report is made, law enforcement will involve the appropriate child protection authorities.

Another recommendation is to require training of mandatory reporters on how to recognize the signs of child sexual abuse, which can be both physical and psychological. This will ensure that they are better equipped to respond to warning signs.

The most important change we can make is to encourage all adults to speak up for the child victims of sexual abuse. We should teach people what to look for and make this information widely available in an effort to encourage grassroots momentum for combating child sexual abuse. I recognize that many people are afraid of getting involved or of making a mistaken allegation based on mere suspicion. But we are the only ones who can act on these suspicions and help stop the abuse.

Recent events have highlighted the gaps in the reporting of child sexual abuse. I'm confident that we can work together to better protect children.

Thank you.

⁵ Data from Child Victim Identification Program, National Center for Missing & Exploited Children, December 2011.