

SEXUAL EXPLOITATION OF CHILDREN

HEARINGS
BEFORE THE
SUBCOMMITTEE ON CRIME
OF THE
COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES
NINETY-FIFTH CONGRESS
FIRST SESSION
ON
SEXUAL EXPLOITATION OF CHILDREN

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Ms. HOLTZMAN. And if you had enough staff and enough police working on it you probably would get all 40 of them; is that correct?

Mr. MARTIN. That is correct, one at a time.

Ms. HOLTZMAN. Maybe all at one time you had enough people?

Mr. MARTIN. That is true, but they don't work from 8 to 5 like most people do, and it is a very time consuming type of investigation through surveillance and whatever. They may shoot once a week, or once a month, or something like that.

Ms. HOLTZMAN. Thank you, Mr. Chairman.

Mr. CONYERS. Mr. Martin, we are going to need your continued assistance to us as we try to make a nexus, and I am going to, after we return from the vote that is taking place on the floor, continue the question of law enforcement and the legal considerations of Congressman Kildee and Attorney Bob Leonard, who heads the National District Attorneys Association. We want to continue this line of questioning in 15 minutes.

The subcommittee stands in recess.

[Brief recess.]

Mr. CONYERS. The subcommittee will come to order.

I am very pleased to call to introduce our next witness our distinguished colleague from Michigan, Mr. Dale Kildee, who represents the 7th District, and who has introduced H.R. 3913, along which he has gathered a number of sponsors, and is the subject of our consideration here today.

We welcome you to introduce the next witness for us.

TESTIMONY OF HON. DALE E. KILDEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

Mr. KILDEE. Thank you.

Mr. Chairman and colleagues, as author of H.R. 3913, I would like to say that the existence of sordid sexual exploitation of children deeply shocks and outrages me, as I am sure it does you. The sexual abuse of children is presently being encouraged by the greed of people who have no sense of social responsibility or decency.

I feel that existing State and Federal statutes do not adequately address the problem. For the most part, States have not yet addressed the problem of the commercial sexual abuse of children. The existing Federal statute which prohibits interstate shipment of obscene materials has not prevented an increase in sexually explicit materials employing children.

I might comment that the psychological impact of sexual abuse is well documented. First, there is a disturbing tendency for parents who abuse their children to have been victims themselves while they were children. The increase in sexual abuse creates frightening implications for future generations. Second, children who have been sexually abused tend to have sexual dysfunctions later in life in terms of promiscuity or in terms of inability to have a sexual life at all.

In the early part of this century, the Congress took action to regulate the conditions of the employment of children because of the atrocious working conditions that existed. I deeply believe that just as pernicious as the sweatshops which left physical scars are the mod-

ern day conditions which have psychic scars. I feel that responsible legislation is needed to prevent these activities.

Under the child labor law, not only was certain child labor declared illegal, but the products of that child labor could not lawfully be sold.

I am joined in this attitude by a close personal friend who has been asked to testify before the committee today. Bob Leonard has been Genesee County, Michigan's prosecuting attorney for 14 years. In addition to being an excellent prosecutor of criminal activities, he has been particularly responsive to the needs of the people in our home community. He founded and has operated an extremely effective Consumer Protection Division. He was responsible for setting up one of the first rape crisis centers in the country. His concern for the problems facing our community has been widely recognized. On a local level, he was in the enviable position in the last election of having no opposition.

His activities have even been recognized on a national level. He is the president-elect of the National District Attorneys Association. I think that that recognition is indicative of the thoroughness and hard work that goes into his job.

Bob has now undertaken the task of addressing the problem of the criminal sexual abuse of children. He played an instrumental role in setting up the task force of the National District Attorneys Association which is dealing with this problem.

I take great pride in introducing my prosecutor, Robert Leonard.

Mr. CONYERS. The subcommittee welcomes you, Attorney Robert Leonard. You are well known to a number of us. We congratulate you on becoming the president-elect of the National District Attorneys Association.

You prepared a thoughtful statement and exhibits which, without objection, we will incorporate into our record at this point and then will allow you to proceed in your own way.

[The prepared statement of Mr. Leonard follows:]

STATEMENT BY ROBERT F. LEONARD

We're here today to address a problem that was virtually unrecognized as recently as six or eight months ago.

The problem of sexual abuse of children has long plagued our society. Such offenses have proven difficult for law enforcement because of an inability to detect the crime where many perpetrators are for the most part relatives and friends and youth workers with ulterior motives and where the victims do not or cannot complain to someone who will listen. If complaints about such offenses are made, the child very often will ultimately yield to family pressure to cover up the embarrassing abuse. Or, the victims' fragile memories and child-like perceptions often preclude successful prosecution.

Recently, reports of sexual abuse of children have come from widely scattered points across the country and information gathered by investigating these incidents has made it apparent there is a new and perilous dimension to an already grave problem.

Abuse for profit is manifested in child prostitution and kiddie porn and has created a multimillion dollar industry built on the physical and psychological brutalization of thousands of our young citizens.

Pornography should not be the major focus of our concern. It is brutalization of our children suffering perverted physical and psychological abuse that has brought us here today, and the reading and viewing material depicting such acts is but a spin-off of the underlying victimization.

The tentacles of this illegal activity form an underground network reaching from New York to California and Michigan to Louisiana. Prosecutors in cities

across the country have uncovered and compiled information pointing to a high degree of exchange and communication among those who prey on our children. Seemingly isolated cases of such deviancy reveal a frightening set of sophisticated intercommunications upon closer scrutiny. Please permit me to review a few of the more recent headline stories:

A Michigan Scoutmaster, once employed as a Scouting executive is charged with criminal sexual conduct stemming from incidents with young boys.

Four Michigan men are arrested separately for sexual exploitation and pandering of more than 30 boys between the ages of 10 and 14. While not an organized ring, they informally exchange victims or names and the number of boys involved may ultimately range to as many as 300.

Six adult men are charged in Illinois for running a nationwide organization alleged to use camps and churches as vehicles for luring runaway youths into becoming male prostitutes to serve wealthy homosexuals.

Two Illinois men are picked up for allegedly using two 14-year-old boys in a pornographic movie which they planned to distribute across the country.

New Orleans police arrest a probation officer and foster father of two state wards for aggravated rape and aggravated crimes against nature on 8 to 12 year-old-boys. He is also a former Scout troop leader.

An Episcopal priest is under arrest in Tennessee on 16 separate counts involving child abuse and pornography at the boys' farm he directs and where he receives wards of the Tennessee courts.

The operator of a Michigan nature camp for boys is now serving time in prison for criminal sexual conduct with a 10-year-old boy.

A Michigan philanthropist is being sought on state and federal charges for two counts of criminal sexual conduct involving 8 and 14 year-old boys which took place on an island he owns and for which a nature camp was planned.

A New Jersey "Church" purportedly functions as the front for boy lover movement publications. Many of these people and organizations interrelate through the exchange of information and even the exchange of the child victims themselves.

One of the best illustrations of this tragic phenomenon was revealed just last week as four men were the first of many expected to be convicted in a wholesale sex operation based in New Orleans, but with national, and even international, connections. These men organized a boy scout troop to attract their young victims. They are also linked to a boys school in Florida and one of them is sought on an earlier child molestation in England. They made extensive use of underground pedophilic publications as a technique for locating and distributing children. Nearly all of the offenders in this scheme are well educated and sophisticated individuals who have used their responsible community positions as a "cover" for deviant and destructive behavior.

These stories are surfacing in state after state and through cooperation among members of the National District Attorneys Association, we have discovered that these child abusers are zealous proselytizers of their perverted notions. We have evidence connecting offenders in Michigan, Illinois, Louisiana, California, Tennessee, New Jersey, and other states.

In February of this year the National District Attorneys Association formed a Task Force to cope with these unique cases. In early March we contacted Mr. Benjamin Civiletti, who heads the Criminal Division of the Justice Department, out of a realization that federal involvement is absolutely necessary to effectively surmount the obstacles created by local jurisdictional limits. He has advised us that the FBI and Postal Inspectors' Service now have pending between 25 and 30 separate investigations involving commercial sexual exploitations of children. Mr. Civiletti's work and cooperation with our member prosecutors has been an indispensable aid.

Our local experience clearly illustrated the need for a federal attack on the problem. County district attorneys face enormous difficulty and expense in seeking to investigate multistate offenses. My county budget permits us to extradite perhaps a dozen out of hundreds of offenders each year who might be subject to such process. When a conspiratorial group of individuals from several states combine to molest children and even produce movies across state lines depicting their abuse, where else but in federal court should the prosecution take place? What state should try such a case? What state would want to prosecute it? What state has the money to prosecute it?

A reporter for the Traverse City Record-Eagle has tracked the activity of a single suspect who disappeared from a Michigan county a few months ago,

1. Christopher Brian Busch
2. Gregory Greene
3. Douglas Bennett
- * 4. The "Unnamed" man.

Gerald Richards
Francis (Frank) D. Sheldon

shortly after he was charged with two counts of criminal sexual conduct involving 10 and 14 year-old boys.

Dwyer Grossman has been linked to four organizations suspected of being fronts for child pornography. One of the organizations is described as a "children's mission". Another is a "church" and "educational foundation" for youth. They are believed to have reaped the benefits of full tax exemptions from the Internal Revenue Service and state taxing units as charitable organizations. One of the "fronts" is headquartered in New Jersey; another is purportedly based in Illinois.

The suspect lived in a filthy New York apartment for at least five months, where the walls were covered with "tons of photographs" of children at play at his summer camp, according to his apartment owner.

The product of a wealthy Long Island family, Grossman was graduated from Cornell University, then taught for 10 years in an exclusive boarding school for boys in New Jersey. He then spent two years at a private boys' academy for students in fourth through ninth grades. He is alleged to have been director of a boys' camp in Vermont.

Records reveal that Grossman applied to serve as a Big Brother in a California county while scouting locations for a boys' camp in that state.

He apparently actively sought funds from wealthy contributors, including a Michigan philanthropist, in order to get his camp underway.

While there is a need for a multi-faceted attack on this problem, no simplistic answers exist and we must find an approach that respects sacred First Amendment and privacy rights.

Supreme Court Justice Hugo Black once remarked that, "laws adopted in time of dire need are often very hasty and oppressive laws, especially when, as often happens, they are carried over and accepted as normal". In responding to public concern over child pornography and abuse we should not prohibit offensive conduct by trampling upon the rights of expression guaranteed by the First Amendment of the U.S. Constitution. In fact, I have some questions about the language used in parts of the proposed Child Abuse Prevention Act derived from my concern for First Amendment rights.

And yet, I have an overriding belief that federal legislation is desperately needed and that line-drawing, if it occurs, should be to protect the now defenseless minds and bodies of our children. We all know of the tremendous emotional and physical growing pains experienced in a normal childhood. We can only imagine the frustration, anguish, fear and devastation that might result from a single aberrant sexual encounter.

A respected Michigan psychiatrist-psychoanalyst states a generally-acceptable view of child development that if a child gets through the first six years of psycho-sexual development in a healthy state, then a single seduction or molestation, whether heterosexual or homosexual in nature, will not alter his sexual role. However, a child with a flimsy sexual identification at age seven or eight may suffer permanent development damage and a reversal of his heterosexual identification by an environmental trauma of contact with a pedophile of either sex. The doctor concluded that such encounters are more likely to tip the balance for a seven or eight year-old than for a fifteen year-old who may have more fully acted out or solidified his sexuality.

The solution is also made difficult by the types of people we have discovered as the perpetrators of such exploitation. They are not always the stereotyped dirty old men in sleazy trenchcoats. Most are clothed with respectability as priests, counselors, camp officials, bus drivers, coaches, Scout leaders and Big Brothers. Certainly the overwhelming majority of people in these service functions are contributing and enriching influences on the lives of our children. So we must find a means of screening out the abusers without destroying the valuable contributions made by others.

We cannot arrive at solutions to these complex and amorphous circumstances without further study. We might explore the desirability of requiring some screening or criminal-records-check of individuals working for organizations focusing on children's activities. Perhaps civil liabilities for failures to properly screen workers should attach.

Federal sanctions might be directed against organizations receiving Federal funds, directly or indirectly and who permit sexual exploitation to occur behind the facade of legitimacy.

Frank Sheldon

There certainly should be a national effort to educate parents and children. Whole communities must be warned of the infiltration of a small number of individuals who would prostitute friendships and organizations for self-gratification. We must guard against making courts the unwitting accomplices of these criminals who take advantage of weak state supervision and licensing standards to receive funding and children for their own abusive purposes.

With offenders who are unusually bright, yet sick individuals, we need special legislation that carries unusual penalties. We may want centralized mental treatment or behavior modification centers designed to alter the deviant acts of these people, if possible, before they are returned to society, if we conclude they should be returned at all. We need also to study their methodology so that we can better ferret out, convict, and control other offenders.

As one of the legislative means of addressing this complex problem, I am in agreement with the basic thrust of the proposed Child Abuse Prevention Act. The proposal succeeds in aiming criminal sanctions as directly as possible at the acts of sexual abuse that are inexorably tied to the material produced. The Act also succeeds simply by its recognition that the problem is national in scope and requires at least in part, a federal solution.

However, I do entertain some questions about the broad language of the statute which I raise for discussion with this distinguished group.

For example, might this statute be interpreted to include the newscaster, the anthropologist, or documentary filmmaker who may face criminal sanctions under the broad language of the statute even if acting responsibly for legitimate news or academic purposes. On the other hand, Congress might decide that even for serious artistic statements it should be illegal to permit a child to simulate or carry out any sexual act on the screen because of the possibility of psychological damage to the child-actor. Or Congress might conclude that such a decision should be left to the parent or that to impose federal law as the bill is currently worded would overreach the limits of governmental action in constitutionally protected areas.

Under Section 2252 (a) (2) of the proposed Act, are we imposing an unconstitutional mandate on individual adult bookstore operators to bear the burden of determining whether each and every person appearing in every movie or book in his store is over or under the magic age of 16. The real question here is whether the law is enforceable against the local bookstore seller? Or is this a matter that might better be left to local government to control?

In my opinion the federal government might better focus on the actual physical abuse of the child, the interstate transportation of children for that purpose, and the photographing, filming and wholesale distribution of such materials between states.

Perhaps we should review already existing federal law for possible revisions that would help in stopping this abuse, even if as a supplement to the proposed statute. For example, the Mann Act Section 2421 might be amended to refer to the transportation of "persons" rather than being limited to "women or girls" as it now reads. We now know that young boys are transported across state lines for the same immoral purposes.

These general considerations, of course, are offered to assist you in arriving at the best possible legislation after considering all arguments.

Perhaps, I have raised more questions today than I have answered. I hope, however, that I have acted as a catalyst in moving forward to protect children while at the same time helping to avoid undue interference with the constitutionally protected rights of all our citizens. Thank you.

LIST OF EXHIBITS

Membership of National District Attorney's Association Task Force on Sexual Abuse of Children.

Hermes Magazine. (May be found in subcommittee files.)

Letter from Robert F. Leonard, Prosecuting Attorney, Genesee County, to Benjamin Civiletti, Assistant U.S. Attorney General, March 4, 1977.

U.S.C.A. 18 § 2421, Mann Act.

Flow chart of national connections within boy-lovers community constructed by convicted child molester.

Newspaper articles.

NATIONAL DISTRICT ATTORNEYS ASSOCIATION TASK FORCE ON SEXUAL ABUSE OF CHILDREN

Hon. Bernard Carey, States Attorney, Cook County, Civic Center, Chicago, Ill. 60602.

Hon. Harry Connick, District Attorney, Orleans Parish, 2700 Tuland Avenue, New Orleans, La. 70119.

Hon. Joseph Freitas, San Francisco County District Attorney, Hall of Justice, 880 Bryant Street, San Francisco, Calif. 94103.

Hon. Robert F. Leonard, Prosecuting Attorney, Genesee County, 200 Court House, Flint, Mich. 48502.

Hon. J. William Pope, Jr., District Attorney General, 18th Judicial Circuit, P.O. Box 280, Pikeville, Tenn. 37367.

Hon. Dennis Ryan, State's Attorney, Lake County, Court House, Waukegan, Ill. 60085.

LETTER TO THE ASSISTANT U.S. ATTORNEY GENERAL

NATIONAL DISTRICT ATTORNEYS ASSOCIATION,
Chicago, Ill., March 4, 1977.

Mr. BENJAMIN CIVILETTI,
Assistant Attorney General-Designate, Criminal Division, Department of Justice
Washington, D.C.

DEAR MR. CIVILETTI: Just a note to express my appreciation to you and your staff for the courtesies extended us when we met with the Attorney General and you in your offices on Friday. I believe such frank exchange of ideas will be beneficial for all.

As I mentioned to you on the phone yesterday, the National District Attorneys Association is anxious to develop a close working relationship with your department and to meet with you to get some insight on your thoughts and philosophy on the problems of the Criminal Justice System.

Since it is impossible for you to attend the San Diego Conference this month, hopefully you will be able to attend our spring Board of Directors meeting in Chicago May 11-13 at the Continental Plaza. If this is possible, we would be happy to make accommodations for you at the hotel. There are approximately 75 board members and about 60-65 generally attend.

Also pursuant to our phone conversation, I would like to briefly expand on the matter of sexual child abuse. The problem appears to be national in scope and obviously its implications are tragic. It involves primarily children between ages 5 to 15 being sexually abused by adults. It seems there may very well be a national conspiracy made up of an inter-relating network of foster homes, churches, nature camps and other similar programs ostensibly set up to handle wayward, incorrigible, homeless youngsters. These groups are not always tied together by any common denominator other than many have the same M.O. or the same organizer. Someone that needs investigation is a person by the name of Dyer Grossman, who it appears, goes from state to state setting up these organizations, and in some cases, affiliating with a New Jersey church under circumstances which avoid any scrutiny by the IRS.

These phony organizations are established in such a way as to be the conduit to accumulate youngsters to be used in making porno films and being available for sexual activities with adult perverts. Some of the expenditures for these youngsters are unknowingly being provided by public funding. These programs are being stocked with young children by over-burdened courts, insensitive parents, and in some cases, well-meaning officials. Once the youngster is placed in the program whether Michigan, Tennessee, Louisiana or any other state, he is trapped and becomes the easy prey for the sexual deviates who in most cases are running the programs.

These adult perverts appear to be aware of the network and travel between states attending these camps and sexually abusing these children for money usually paid to the camp officials. Many of these people involved in this type of activity are very wealthy individuals and some are respectable community leaders in their home towns.

The district attorneys with whom I have spoken who have this problem have told me that their communities are outraged and they are anxious to cooperate in any way in dealing with this matter. They feel very restricted in confronting the issue because of the jurisdictional limitations. This is the reason I brought the matter to your attention. If our suspicions are borne out and there is a national network, it would seem that the federal government could be helpful in assisting local district attorneys in attacking this problem. If you would, please let me know your thoughts on this matter.

The Liaison Committee between the National District Attorneys Association and the Attorney General is being set up and the names of the Committee should be to you in the next four or five days.

If I can be of any further assistance in this matter or any matter of mutual concern, please contact me.

Sincerely,

ROBERT F. LEONARD
President-Elect.

CHAPTER 117—WHITE SLAVE TRAFFIC

Sec.

2421. Transportation generally.

2422. Coercion or enticement of female.

2423. Coercion or enticement of minor female.

2424. Filing factual statement about alien female.

§ 2421. TRANSPORTATION GENERALLY

Whoever knowingly transports in interstate or foreign commerce, or in the District of Columbia or in any Territory or Possession of the United States, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose to induce, entice, or compel such woman or girl to become a prostitute or to give herself up to debauchery, or to engage in any other immoral practice; or

Whoever knowingly procures or obtains any ticket or tickets, or any form of transportation or evidence of the right thereto, to be used by any woman or girl in interstate or foreign commerce, or in the District of Columbia or any Territory or Possession of the United States, in going to any place for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent or purpose on the part of such person to induce, entice, or compel her to give herself up to the practice of prostitution, or to give herself up to debauchery, or any other immoral practice, whereby any such woman or girl shall be transported in interstate or foreign commerce, or in the District of Columbia or any Territory or Possession of the United States—

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

June 25, 1948, c. 645, 62 Stat. 812; May 24, 1949, c. 139, § 47, 63 Stat. 96.

HISTORICAL AND REVISION NOTES

Reviser's Note. Based on Title 18, U.S.C., 1940 ed. §§ 397, 398, 401, 404 (June 25, 1910, c. 395, §§ 1, 2, 5, 8, 36 Stat. 825-827).

Section consolidates sections 397, 398, 401, and 404 of Title 18, U.S.C., 1940 ed. Section 397 of Title 18, U.S.C., 1940 ed., containing a definition of the terms "interstate commerce" and "foreign commerce" was omitted as unnecessary in view of the definition of those terms in section 10 of this title.

Section 401 of Title 18, U.S.C., 1940 ed., prescribing venue was omitted as unnecessary in view of section 3237 of this title.

Section 403 of Title 18, U.S.C., 1940 ed., was omitted. No definition of "Territory" is necessary to the revised section as it is phrased. Construction therein of "person" is covered by section 1 of Title 1, U.S.C. 1940 ed., General Provisions, as amended. Last paragraph of said section relating to construction of this chapter was omitted as surplusage.

This chart was drawn by Gerald S. Richards, now serving 2-10 in Jackson State Prison, Jackson, Michigan, for sexually molesting a minor male.

The contents of the chart have not been verified in full.

12-7-76

First - contact by Guy Stewart

- (K) Joe TAZLAAR (Boy friend, MARK SCHUEK, Port Huron)
 met BE FORD through another B.L. - Gordon MAULIER (alias Larry KOSKOFF)
 of PONTIAC, MICHIGAN
- (L) DONALD KELLER, Edinburg, Washington (uses P.O. Box)
 in contact with L. Coleman and possibly other staff
- (M) DONALD SA. BERG, Phoenix, Arizona
- (N) Jerome Rugg, P.O. Box (STATISH), N.Y.C. - N.Y. (PREVIOUSLY
 FOREMANING, APPROX. 1950)
- (O) Some boys in the Farm's brochures
 have appeared AS models in Diagnostic
 magazines in ASST. BROCHURES. (more info)
- (P) LITERATURE ON THIS SENT IN JUNE, 1976,
 Farm SANDBERG (N) who claims to know
 the man who's run this Camp 3 years ago.
- (Q) "For Money or Love" - a book on subject of pederasty
 in USA - Foreword by US Senator Birch Bayh -
 KELLER (G) claims to have written a substantial
 portion based on boys he claims to have peddled
 AT "Playland" arcade in Times Square - the book
 also gets INTO BOY-PROSTITUTION IN USA today. Keller's
 private photos speak for themselves.
- (R) "At Woods" - (this was present in the original book but I don't know where)
- (S) (M) "HELLO" is B.S.'s boy-lover for many years. His father, BERRY WOOD, is
 the Catholic from CHICAGO who "Lured" MESSASER (see heading
 on this) to the farm in 1950 - the book "HELLO" is...

Joe Tazlaar
 Boy friend Mark
 Schuek,
 Port Huron

Dec. 1976

*Dorian Philosophy

