

# Monthly Columns

by Attorney General Jack Conway



## June 2009

In my travels across Kentucky, parents have often asked me what government can do to protect kids on the Internet. Law enforcement have also complained to me that many officers don't have the resources to process a computer hard drive for evidence, despite the fact that 80% of crimes committed today involve some type of digital evidence.

The concerns of parents and police in every corner of the Commonwealth have helped shape my agenda as attorney general. For the past year-and-a-half, I have worked closely with Kentucky lawmakers to draft legislation that would strengthen state laws to better protect children from the dangers that exist online and have identified areas where the law lags technology. I have also worked closely with parents, like Mark Neblett, whose daughter, Rachel, committed suicide after being stalked online.

My cybercrimes legislation, passed by the General Assembly during the 2009 regular session, took effect on June 25. This was not only a personal victory, but a victory for Kentucky families.

My new law puts in place important safeguards for parents and it gives police and prosecutors the tools they need to arrest and convict cyberpredators who try to harm our children.

### About the Cybercrimes Law:

- Prohibits sex offenders from logging onto social-networking sites that are used by children under the age of 18.
- Requires sex offenders to update their email addresses and online identifiers with the registry in a similar fashion as they update their physical addresses. The bill codifies the Kentucky State Police Department's current practice of making emails available in a searchable database that is accessible to the public.

- Amends Kentucky's stalking statute to include cyberstalking, recognizing that threats or harassment can take place online and in person.
- Closes a loophole in current law by clarifying that it is a crime for a person to transmit live sexually explicit images of themselves to minors over the Internet or other electronic network via webcam or other technological devices.
- Allows police to seize personal property, such as a computer or car, which has been used by a predator in the commission of sexual offenses against children.
- Grants administrative subpoena power to the Office of the Attorney General when investigating online crimes involving the sexual exploitation of children. This gives investigators direct access to secure relevant information that will help officers identify perpetrators in these cases.
- Creates the crime of "phishing" when someone tries to obtain personal identifying information using a web page, electronic device or email.

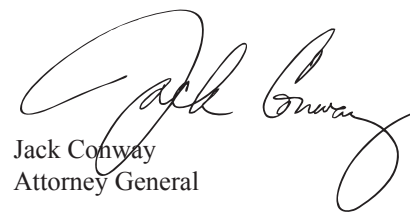
In addition to bringing criminal statutes up to date with changes in technology, I've talked to more than 14,000 Kentucky children and adults about the dangers that exist online through my cybersafety presentations. I have also partnered with the Kentucky Department of Education and Kentucky Child Now to expand our cybersafety education efforts across the Commonwealth.

June marked the one-year anniversary of my new cybercrimes unit dedicated to investigating crimes that occur online. Since its creation, the unit— a member of the Internet Crimes Against Children Task Force (ICAC)—has launched 50 child pornography investigations and seized more than 14,400 child pornographic images and nearly 2,200 videos depicting child pornography.

We opened a digital forensics lab in our office and have assisted 28 law enforcement agencies process digital evidence. My office was one of only nine agencies in the country selected by Microsoft to host cybersafety training. To date, we have trained 400 law enforcement officers and prosecutors on the latest techniques in fighting cybercrimes and data collection.

I appreciate all of the parents, law enforcement officers, prosecutors and lawmakers who have worked with us on this issue and helped us make Kentucky a safer place to live, work and raise a family.

For more information about cybersafety, visit [www.ag.ky.gov](http://www.ag.ky.gov)



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