



involving the online distribution of child pornography. Each attending team will receive a free copy of the software to bring back to their offices. There is no registration fee for teams from Attorney General offices, and the NAAG-NCJRL partnership will provide funding for travel and hotel. Prosecutors will also receive CLE training for the course.

A nomination form is included on the back of this e-newsletter.

## **ATTORNEYS GENERAL FIGHTING CYBERCRIME**

### **MULTI-STATE**

#### **34 Attorneys General Settle Claims Against Dell Computer**

Thirty-four Attorneys General reached a \$3.35 million settlement with Dell Inc. and Dell Financial Services, L.P. for allegedly misleading consumers about financing terms, warranties and rebates. The settlement resolves allegations by the States that Dell, both by telephone and on their web site, misled consumers about financing terms, failed to timely pay rebates and failed to provide promised repairs and customer support. Dell agreed to deposit \$1.5 million of the settlement into an account for payment of customer restitution, with the remainder to be distributed to the settling states for attorney's fees, investigative costs and penalties. Under the agreement, Dell agreed to several measures that will result in clearer disclosures and fairness in marketing. These measures include clearer and more conspicuous advertisements and disclosures about financing terms and warranty services, issuance of timely rebates and comprehensive efforts to effectively resolve customer complaints. The States par-

ticipating in the settlement are Arizona, Arkansas, California, Connecticut, Delaware, Florida, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Washington, West Virginia, Vermont and Wisconsin.

### **ALABAMA**

#### **Alabama Attorney General Presents Evidence in Child Pornography Case**

Attorney General Troy King personally presented evidence to a grand jury which resulted in a 311-count indictment of Richard Dobbins on felony charges related to the production and possession of child pornography. Specifically, Dobbins is charged with 115 counts of production of child pornography, a class A felony, and 196 counts of possession of child pornography, a Class B felony. Assistant Attorney General Hallie Dixon also participated in the presentation of evidence. If convicted, Dobbins faces a maximum sentence of life imprisonment and fines up to \$60,000 for each production count; and up to 20 years imprisonment and fines of up to \$30,000 for each possession count. The case was investigated by Attorney General King's Investigations Division with assistance from the Walker County Sheriff's Office and District Attorney's Office and the Alabama Department of Revenue. It will be prosecuted by Assistant Attorneys General Kelly Hawkins and Hallie Dixon and Deputy Attorney General Rushing Payne.

## FLORIDA

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### **Florida Attorney General's CyberCrime Unit Arrests Predator**

Attorney General Bill McCollum's CyberCrime Unit, together with the Lake County Sheriff's Office and the Pensacola Police Department, arrested Robert Brown on charges he sexually assaulted someone he thought was a minor, but was actually an undercover detective with the Sheriff's Office posing as a 14-year-old girl. Brown exposed himself via a webcam to that person and solicited her for sexual activities. Brown was charged with soliciting a minor for sex, a third-degree felony, and lewd and lascivious behavior on a computer, a second-degree felony.

## ILLINOIS

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### **Illinois Attorney General's ICAC Unit Makes Arrest on Child Pornography Charges**

Attorney General Lisa Madigan joined Piano Police Chief Steven Eaves to announce the arrest of Michael Anderson after a search of his home revealed evidence of computers containing child pornography. Anderson was charged with 17 felony counts on charges that include Possession of Child Pornography and Distribution of Child Pornography. Based on a lead from the Federal Bureau of Investigation, Attorney General Madigan's Internet Crimes Against Children (ICAC) Task Force worked with the Police Department to serve a search warrant obtained from the Kendall County State Attorney's Office. The search led to the seizure of two computers and other digital evidence. A forensic examiner from Attorney General Madigan's ICAC Task Force conducted a search of the evidence which revealed thousands of images of alleged child pornography.

The Department of Homeland Security/ICE also assisted in the investigation.

## KENTUCKY

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### **Kentucky Attorney General Announces Grant to Fund Cybersecurity Programs**

Attorney General Jack Conway joined Kentucky Child Now and the Kentucky Department of Education to announce a \$77,000 grant from the AT&T Foundation to help fund cybersecurity initiatives in the state. The grant will fund two regional development workshops for parents and teachers and 30 student assemblies during the 2009 calendar year. The goal of the workshops is to help train teachers and adults about Internet safety so they can help educate others about online dangers. The grant will be administered by Kentucky Child Now.

## MISSISSIPPI

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### **Mississippi Attorney General's Cybercrime Unit Makes Arrest on Child Pornography Charges**

Attorney General Jim Hood's Internet Crimes Against Children Unit investigators arrested George Duke, who is charged with 10 counts of possession of child pornography. The Hinds County Sheriff's Office assisted with the arrest. Duke allegedly possessed hundreds of images on his computer of children under the age of 18 in sexually explicit poses. Duke faces five to 40 years on each of the counts. His arrest is part of Operation Fairplay, which uses numerous technologies to help law enforcement track suspected child predators.

## MONTANA

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### **Montana Attorney General Asks Legislature to Enact Response to Internet Crimes Against Children**

Attorney General Steve Bullock joined Representative Margie MacDonald to introduce HB 407, which would clarify Montana's statute to say that an offender who travels to meet a victim under the age of 16, or persuades a victim to travel for the purpose of engaging in sexual conduct,

Commits the offense of sexual abuse of children. The legislation also requires law enforcement to report any child pornography that is recovered to the National Center for Missing and Exploited Children (NCMEC) so that Montana officials can work with law enforcement around the country to locate and rescue child victims. Attorney General Bullock has also asked the legislature to increase staff in his Computer Crime Unit.

## NEBRASKA

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### **Nebraska Attorney General's Investigators Arrest Online Predator**

Attorney General Jon Bruning's investigators joined the Nebraska State Patrol to arrest Steve Mulholland on suspicion of violating the state online child enticement law. Mulholland had contacted one of Attorney General Bruning's investigators who was posing as an underage girl in an instant messaging Internet site. Mulholland used a computer to engage in sexually explicit conversations with the investigator, and then set up a time and location to meet for a sexual encounter.

## NEW HAMPSHIRE

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### **New Hampshire Attorney General Launches Internet Safety Education Campaign**

Attorney General Kelly Ayotte joined representatives of Comcast to kick off a year-long Internet safety public education campaign. The campaign includes both Public Service Announcements (PSAs) featuring Attorney General Ayotte and complimentary educational videos that are available On Demand for all of Comcast's digital cable customers. The total value of the Campaign is more than \$100,000, with the PSAs set to run on more than 40 cable TV networks carried by Comcast in New Hampshire.

## NEW JERSEY

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### **New Jersey Attorney General Announces Guilty Plea in Child Pornography Case**

Attorney General Anne Milgram joined Criminal Justice Director Deborah Gramiccioni to announce that Sean Turner pled guilty to second degree distribution of child pornography over the Internet. Turner was among more than three dozen people arrested during "Operation Shield," an investigation targeting offenders who distributed known images and videos of child pornography over the Internet. In pleading guilty, Turner admitted that he knowingly used Internet file sharing software to make multiple files containing child pornography readily available for any other user to download from a designated "shared folder" on his computer. As part of the plea agreement, the Division of Criminal Justice will recommend that Turner serve a sentence of three years in state prison and also be required to register un-

der Megan's Law. Deputy Attorney General Betty Rodriguez represented the Division at the plea hearing.

## NEW MEXICO

### **New Mexico Attorney General Announces Sentence in Child Pornography Case**

Attorney General Gary King announced that Timothy O'Hara was sentenced to jail for five years related to child sexual abuse files found on his home computer. O'Hara pled guilty to six counts of distribution of child pornography. Attorney General King's Internet Crimes Against Children (ICAC) Unit began investigating O'Hara and his father Patrick after receiving a tip from the National Center for Missing and Exploited Children. Patrick O'Hara is currently serving eight years in the state Department of Corrections.

## OREGON

### **Oregon Attorney General Includes ICAC Funding in His Legislative Agenda**

Attorney General John Kroger announced his legislative agenda during an address at Portland State University. Included in his five policy proposals is an initiative to fight Internet sex predators by restoring funding for his office's Internet Crimes Against Children program. The total cost of all five policy proposals is less than two million dollars per year - less than one percent of his office's total budget.

## PENNSYLVANIA

### **Pennsylvania Attorney General's Child Predator Unit Arrests Webcam Predator**

Attorney General Tom Corbett's Child Predator Unit agents arrested David Arrowood, who is accused of using the Internet to send sexually explicit webcam videos to what he believed were 13 and 14-year old girls, but were actually undercover Unit agents. Arrowood allegedly used an Internet chat room to contact two different undercover agents, and in addition to sending the webcam videos, also sent the "girls" links to Internet pornography sites. He is charged with one count of unlawful contact with a minor, a second-degree felony punishable by up to 10 years in prison and a \$25,000 fine; and five counts of unlawful contact with a minor and one count of criminal use of a computer, both third-degree felonies which are each punishable by up to seven years in prison and a \$15,000 fine.

## SOUTH CAROLINA

### **South Carolina Attorney General's ICAC Task Force Member Arrests Predator**

Attorney General Henry McMaster announced that Michael Gregor was arrested during an undercover Internet sting conducted by the City of Clinton Department of Public Safety, a member of Attorney General McMaster's Internet Crimes Against Children (ICAC) Task Force. Gregor was arrested on one count of Criminal Solicitation of a Minor, a felony punishable by up to 10 years imprisonment and a \$5,000 fine, and one count of Attempted Criminal Sexual Conduct with a Minor, a felony punishable by

up to 20 years imprisonment. Arrest warrants allege that Gregor solicited sex on the Internet from an individual he believed to be a 13-year-old girl but in reality was an undercover police officer. Gregor was arrested when he arrived at a predetermined location to meet the "girl." The Richland County and Lexington County Sheriff's Departments, both Task Force members, assisted with the execution of search warrants at Gregor's home and place of business, resulting in the seizure of multiple computers and computer-related items.

## TEXAS

### **Texas Attorney General Announces Sentence in Online Solicitation Case**

Attorney General Greg Abbott announced that Paul Kirksey, a former police officer who pled guilty to five felony online solicitation charges, was sentenced to five years of incarceration and three consecutive 10-year probated sentences. He is also required to register as a sex offender until 10 years after he completes his probation. Kirksey was indicted for distributing sexually explicit images over the Internet to an undercover investigator in Attorney General Abbott's Office who he thought was a 13-year-old girl. Upon examination of Kirksey's computer, evidence was recovered that he had solicited another unknown minor. Kirksey admitted to the jury that he had solicited "two or three" minors, but he did not recall their names or screen names.

## UTAH

### **Utah Attorney General Announces Internet Predator To Be Sentenced**

Attorney General Mark Shurtleff announced that Wayne Bergeson will receive sentencing on 11 felony second-degree counts of sexual exploitation of a child and five second-degree felony counts of possession of a dangerous weapon by a restricted person. According to court documents, the Utah Crimes Against Children (ICAC) Task Force had to make a forced entry into Bergeson's home after receiving information he was downloading child pornography. During the search of the home, they found numerous child pornography videos that included bestiality and sexual abuse of children as young as two-years-old. The case was investigated by Salt Lake City Police Detective Mark Buhman and Agent Rachelle Reynolds and prosecuted by Assistant Attorneys General Paul Amann and Peter "Rocky" Rognlie, all members of the Task Force.

## WASHINGTON

### **Washington Attorney General Announces Hearing on Anti-Child Pornography Bill**

Attorney General Rob McKenna announced that a public hearing was scheduled on a bill he requested that would close a loophole shielding users of child pornography. The Senate bill, SB 5183, makes the viewing of child pornography a class C felony. The companion House bill is HB 1247.

## WISCONSIN

### Wisconsin Attorney General's Agents Make Arrest on Child Pornography Charges

Attorney General J.B. Van Hollen's Division of Criminal Justice special agents, along with City of Kenosha Police Department officers, executed a search warrant for computers and items related to child pornography at the home of Sherman Last. Several computer hard drives, compact discs, DVDs and floppy discs were seized. A forensic preview was done on Last's home computer, and several child pornography images and videos were located. Last was arrested and charged with two counts of Possession of Child Pornography.

## IN THE COURTS

### FIRST AMENDMENT: OBSCENE CARTOONS

*U.S. v. Whorley*, 2008 WL 5265645 (4th Cir. December 23, 2008). The Fourth Circuit Court of Appeals upheld the obscenity conviction for adult-to-adult e-mail about sex with children. Dwight Whorley was convicted in the U.S. District Court of the Eastern District of Virginia on 74 counts of obscenity and child pornography charges after his receipt of that material was found on a publicly assessable computer. Specifically, he was convicted on 20 counts of receiving obscene Japanese cartoons, 20 counts of having done so after being previously convicted on child pornography charges, 14 counts of possession of child pornography and 20 counts of sending or receiving obscene e-mails describing children in interstate commerce. Whorley appealed, contending that the statutes under which he was convicted were unconstitutional. He claimed

(1) that § 1462 is facially unconstitutional in prohibiting receipt of obscene materials because receiving materials is an incident of their possession, and possession of obscene materials is protected by the holding in *Stanley v. Georgia*, 394 U.S. 557 (1969); (2) that § 1462 is facially unconstitutional because the term "receives," when used in the context of a computer, is unconstitutionally vague; (3) that § 1462 is unconstitutional as applied to text-only e-mails, arguing that text alone cannot be obscene; and (4) that § 1466A(a)(1) is unconstitutional under the First Amendment, as applied to cartoons, because cartoons do not depict actual minors. In addition to his constitutional challenges, Whorley challenged numerous procedural rulings by the district court and the reasonableness of the sentence that it imposed. Because § 1462 punishes trafficking in commerce, not the mere possession of obscene materials, and "receives" has a uniform meaning that is readily understood, the appeals court rejected Whorley's facial challenges, as well as his arguments that textual matter cannot be obscene under § 1462 and that cartoons depicting minors in sexually explicit conduct must depict real minors to violate § 1466A(a)(1). The court affirmed the conviction.

*Note: The Editor thanks Tom Clancy, Director of the National Center for the Justice of Law, University of Mississippi School of Law, for this case information.*

### CHILD PORNOGRAPHY:

#### MANDATORY BAIL RESTRICTIONS

*U.S. v. Arzberger*, 2008 WL 5453739 (S.D.N.Y. December 31, 2008). The U.S. District Court for the Southern District of New York ruled that portions of amendments to the Bail Reform Act of 1984 promulgated by the 2006 Adam Walsh Child Protection Safety Act violate the due process clause of the Fifth Amendment because they impose automatic restrictions on fundamental rights. Jason Arzberger's e-mail address was found by Interpol agents during

the search of the home of an Italian producer of child pornography. When the agents learned that Arzenberger had communicated several times with the producer about obtaining movies, an undercover FBI agent arranged to sell Arzberger pornographic DVDs depicting young girls. Arzberger was charged with one count of possessing child pornography. He was ordered to undergo drug testing and a mental health evaluation, but the magistrate did not order electronic monitoring.

The government moved to add additional conditions as required by 18 U.S.C. Sect 3142©(1)(B) and modify the terms of Arzberger's release, and Arzberger challenged the constitutionality of the amendments. As to the curfew with electronic monitoring requirement, the magistrate agreed that it would impinge on a constitutionally protected liberty interest. The magistrate said that a defendant must be allowed to present evidence at a bail hearing as to his individual characteristics and the particular circumstances of the offense and contest why such conditions are necessary to ensure his return to court and the safety of the community.

## POSTINGS ON MYSPACE:

### EMPLOYMENT RAMIFICATIONS

Spanierman v. Hughes, 2008 U.S. Dist. LEXIS 69569 (D. Conn. September 16, 2008). The U.S. District Court for the District of Connecticut rejected a challenge brought by a non-tenured teacher when the public school district at which he taught did not renew his contract due to his MySpace postings. Jeffrey Spanierman, a teacher at a public high school, created a MySpace page, allegedly "to communicate with students about homework, to learn more about the students so he could relate to them better and to conduct casual, non-school-related discussions. One of his colleagues became concerned about the page because of the content posted and because of the nature of the personal

conversations Spanierman had with the students. She reported it the school administration, which placed Spanierman on administrative leave and ultimately declined to renew his contract. Spanierman sued, arguing two other teachers had MySpace pages and he was being "selectively prosecuted" in violation of the Equal Protection Clause. The court dismissed that claim because Spanierman had not shown that the other teachers had contact with students via their MySpace pages. Spanierman also raised a free speech claim, but the court said that while the U.S. Supreme Court has recognized that students and teachers retain free speech rights in the school environment, those rights are not unrestricted, citing *Morse v. Frederick*, 127 S. Ct. 2618 (2007).

## LEGISLATIVE NEWS

### SPYWARE

#### Florida Spyware Bill Passes Senate Committee

FLORIDA. PASSED SENATE COMMITTEE. On February 19, S.B. 164, a bill pre-filed for the 2009 session which amend the state's computer crimes law to establish criminal penalties for the transmission of spyware, passed the Senate Commerce Committee. The bill would authorize the Florida Department of Legal Affairs or any state attorney to bring a civil action for injunctive relief against any party that, without authorization, introduces any spyware or other computer contaminant. The bill was referred to the Senate Judiciary Committee.

## SEX OFFENDER REGISTRIES

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### **Georgia Sex Offender Registry Law Requires Capture of E-Mail Address, Password**

GEORGIA. EFFECTIVE January 1, a new Georgia law requires registered sex offenders to additionally provide their e-mail address(es), screen names and passwords to authorities. The new law follows federal regulations passed in 2006, but adds the requirement to capture passwords as well. The penalties for failing to do so include probation violations and imprisonment.

## CYBERBULLYING

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### **California Cyberbullying Law Allows Expulsion From School as Penalty**

CALIFORNIA. EFFECTIVE January 1, California's cyberbullying law allowed state schools to suspend or expel students who harass their peers through cyberbullying. The original bill was AB 86.

## INTERNET HUNTING

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### **Wyoming Bill Banning Internet Hunting Passes Senate**

WYOMING. PASSED SENATE. On February 20, the Wyoming State Senate approved a bill that would prohibit Internet hunting, which allows a person to log onto a web site and shoot animals with a remote-controlled rifle attached to a web cam. The Wyoming State House had already passed the bill.

## INTERNET CHILD PREDATORS

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### **New Hampshire Law Increases Penalties for Internet Crimes Against Children**

NEW HAMPSHIRE. EFFECTIVE January 1, penalties for enticing a child over the Internet are increased, with Online Child Exploitation becoming a Class A felony if the victim is under the age of 13 and otherwise a Class B felony. The legislation, S.B. 495, also includes tougher penalties for repeat offenders, including up to 30 years in prison for a third offense. The legislation also creates separate offenses for the manufacture, possession and distribution of child pornography, including a term of up to life in prison for a second offense of manufacturing child pornography.

### **Federal: Bill Requiring DNA Database for Child Predators Introduced in House**

INTRODUCED. On January 9, Representative Sheila Jackson-Lee (D-TX) introduced H.R. 382, a bill that would create and maintain a separate DNA database collected from child predators. It also authorizes grants to states to improve programs that would reduce recidivism of such predators. The bill has been referred to the House Judiciary Committee.

## WARRANTLESS BORDER SEARCHES

### **Federal: Bill Limiting Warrantless Border Searches Introduced in House**

INTRODUCED. On January 7, Representative Eliot Engel (D-NY) reintroduced H.R. 239, a bill that would impose requirements on warrantless U.S. border searches of laptops and other digital electronic devices. Such a search would be prohibited unless it is based on 1) a reasonable suspicion about the owner of such devices or 2) an independent constitutional authority to make a seizure. The bill has been referred to the U.S. House Judiciary Committee's Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law.

## INTERNET TAXATION

### **Federal: Bill Making Moratorium on Internet Taxes Permanent Introduced in Senate**

INTRODUCED. On January 6, Senator John Ensign (R-NV) introduced S. 43, a bill that would make the moratorium on state and local Internet access taxes permanent. The bill has been referred to the Senate Finance Committee.

## INTERNET SAFETY

### **Federal: Bill Allowing Use of Grants for Internet Safety Introduced in House**

INTRODUCED. On January 28, Representative Adam Putnam (R-FL) introduced H.R. 780, a bill which would amend the Elementary and Secondary Education Act of 1965 to allow the use of state subgrants for programs promoting the safe use of the Internet. The bill has been referred to the House Committee on Education and Labor.

## SUPREME COURT UPDATE

On January 21, the U.S. Supreme Court refused to hear the government's appeal to consider the constitutionality of the Child Online Protection Act (COPA) for a third time. The Court had issued two preliminary rulings in the case in 2002 and 2004, sending the case back to the appeals court the first time and the second time issuing a temporary injunction preventing prosecutors from enforcing COPA. In urging the Court to hear the case, *Mukasey v. American Civil Liberties Union*, No. 08-565, the government's brief argued that the lower courts' decisions declaring the law unconstitutional "would leave millions of children unprotected from the harmful effects of enormous amounts of pornography" on the Internet.

## NEWS YOU CAN USE

[www.uscc.gov](http://www.uscc.gov).

### STUDY: BIG INCREASE IN PERSONALIZED SPAM

A study by Cisco Systems Inc. found a large increase in the amount of personalized spam, which online identity thieves create using stolen lists of e-mail addresses or other poached data about their victims, such as where they went to school or which bank they use. Unlike traditional spam, most of which is blocked by e-mail filters, personalized spam, known as “spear phishing,” often escapes filters because it is sent in smaller amounts and often comes from accounts criminals have set up at reputable web-based e-mail services. Many of the messages are expertly crafted, linking to well designed, but bogus, web sites or to sites that immediately install malicious code. Cisco found that four percent of all spam studied in a one month period were targeted attacks, while a year ago it was less than one percent. Since 90 percent of all e-mails sent worldwide are spam, that equates to 800 million messages/day of spear phishing.

### REPORT: CHINA CYBER SPYING ON U.S.

The U.S. – China Economic and Security Review Commission report to Congress indicated that the U.S. is vulnerable to cyber espionage by China. According to the report, China could access unclassified U.S. military networks, which could be used to delay or disrupt U.S. forces. The report also warned that computer parts manufactured in China may be vulnerable to tampering, as counterfeit routers made in China were found at the Defense Department. Additionally, it was found that the Chinese government is also training citizens in cyber operations at military academies. The report is available on the Commission’s web site at <http://>

### STUDY: CYBERCRIMINALS PROFITING FROM RECESSION

Cybercriminals are benefiting from the economic recession as people may be more gullible to online scams, according to a report by security firm McAfee. The report, “Virtual Criminology Report – Cybercrime vs. Cyberlaw,” compiles the opinions of professionals in the legal, technology and research fields. It lists some new schemes intended to exploit vulnerabilities from the economic crisis, such as phishing e-mails pretending to be resume sites to collect personal details, and fake e-mails from banks claiming to be notices of a bank failure. The report also noted that some countries are more insistent about prosecuting cybercrime than others, and countries such as China and Russia have become a safe haven for cybercriminals. According to the report, the best designed malware comes from Russia. The report can be accessed (for free after registering) at <http://resources.mcafee.com/content/NAMcAfeeCriminologyReport>

### NEW CYBERSECURITY MEASURES RECOMMENDED

The Commission on Cybersecurity of the Center for Strategic and International Studies Commission on Cybersecurity, a non-profit organization that conducts research and develops policy initiatives on international issues, issued a report with recommendations on the handling of cybersecurity. The report recommends a Center for Cybersecurity Operations (CCO) headed by an appointed White House advisor. The CCO would regulate computer security for the public and private sectors, form new cybersecurity rules and test computers for vulnerabilities. The Commission said that it found coordination necessary because information about computer threats is not shared throughout the public and private sectors. Five of the Commission members are part of President Obama’s

transition team. The report can be accessed at [http://www.csis.org/media/csi/pubs081208\\_securing\\_cyberspace\\_44.pdf](http://www.csis.org/media/csi/pubs081208_securing_cyberspace_44.pdf).

## TOP 20 COMPANIES FOR PRIVACY NAMED

American Express topped the list of the annual survey of the most trusted companies for privacy, as announced by the Ponemon Institute, a privacy and information security research company, and TRUSTe, an organization founded by the Electronic Frontier Foundation and the CommerceNet Consortium to help consumers and businesses identify trustworthy companies. Their study surveyed 6,486 adults about the companies that best safeguarded personal information. Making up the top 10 after American Express were eBay, IBM, Amazon, Johnson & Johnson, Hewlett Packard, U.S. Postal Service, Proctor & Gamble, Apply, Nationwide and Charles Schwab. Most were on the list before, but Apple, Yahoo, Facebook, Verizon and FedEx were new to the top 20. Google, which was ranked 10th last year, dropped from the list, but other technology companies such as Apple, Yahoo and Facebook improved their rankings. The complete list can be accessed at [http://truste.org/about/press\\_release/12\\_15\\_09.php](http://truste.org/about/press_release/12_15_09.php).

## IRS EXPANDS FREE ONLINE FILING PROGRAM

The Internal Revenue Service (IRS) is expanding a program that allows taxpayers to file returns online at no charge. They say that those who file electronically can receive refunds in as few as 10 days, compared to six to eight weeks for those filing paper returns. Taxpayers with adjusted gross incomes of \$56,000 or less, or about 70 percent of taxpayers, can use a Free File computer program that walks them through the filing process step by step. Tax-

payers with higher incomes can fill out and file their returns online. Almost 90 million taxpayers, comprising about 58 percent of returns, filed online in 2008. The IRS Oversight Board has set a goal to have 80 percent of taxpayers file online by 2012.

## INTERNET TOPS NEWSPAPERS AS NEW SOURCE

The Pew Research Center for the People & the Press reported that 40 percent of people surveyed get their news online, compared with 35 percent who read newspapers. Television continued to be the most prevalent source of news, as 70 percent of those surveyed named it as their source of news. However, 59 percent of Americans under 30 years of age said their news source was the Internet, with an identical number getting their news from television. Of those young people getting news from television, 23 percent watch CNN and 17 percent watch Fox News. Additional survey statistics can be accessed at <http://people-press.org/report/479/internet-overtakes-newspapers-as-news-outlet>.

## RESEARCHERS FIND UNDETECTABLE PHISHING ATTACK

Seven researchers, including Americans Jacob Appelbaum of Noisebridge, the Tor Project; David Molnar of the Computer Science Department, University of California at Berkeley; and independent security researcher Alexander Sotirov, released a paper detailing an undetectable phishing attack by exploiting the algorithms used to protect secure web sites. The researchers found that MD5, a hashing algorithm, has a vulnerability that makes it possible to have one legitimate web site and one phishing web site with the same hash value for their Secure Socket Layer (SSL) certificate. The researchers used about 300 Sony Playstation 3s to build a

“rogue certificate authority” that could issue bogus hash values. While admitting that it would be difficult for the attack to take place in the real world, the researchers said that the MD5 algorithms should be replaced. The paper can be accessed at <http://www.win.tue.nl/hashclash/rogue-ca>.

## FEDERAL GRANTS AVAILABLE ANT FOR STATE

The availability of the following grants for which state governments are eligible have been announced since the last issue of this e-newsletter:

- Office of Juvenile Justice and Delinquency Prevention (OJJDP) FY 09 Recovery Act Internet Crimes Against Children Task Force Program Grants

These grants are only for Internet Crimes Against Children (ICAC) Task Forces currently receiving funding under the program. Applicants must demonstrate how the requested funds are to be used for maintaining and/or expanding current task forces, improving task force effectiveness or paying for salaries for task force personnel. The application deadline is April 8, 2009. The full announcement can be accessed at <http://ojjdp.ncjrs.gov/grants/solicitations/FY2009/ARRAICACTaskForceProgram.pdf>.

- SMART Office FY 09 Comprehensive Adam Walsh Act Implementation Act Grant Program

These grants are for states that have elected to carry out the requirements of the Sex Offender Registration and Notification Act (SORNA). Applicants must demonstrate how the requested funds will facilitate jurisdictional compliance with SORNA. Some suggested projects include, but are not limited to:

- developing or enhancing sex offender registration programs;
- enhancing infrastructure for the collection, storage, submission or analysis of sex offender biometric data and DNA;
- developing or enhancing law enforcement or other criminal justice information sharing;

- providing support for coordinated interagency efforts to comply with SORNA; or
- developing and implementing training for law enforcement and other criminal justice agency personnel responsible for sex offender registration and compliance.

The application deadline is March 30, 2009. The complete announcement can be accessed at [http://www.ojp.usdoj.gov/smart/funding/SMART\\_FY09\\_AWA.pdf](http://www.ojp.usdoj.gov/smart/funding/SMART_FY09_AWA.pdf).

- Edward Byrne Memorial Justice Assistance Grant Formula Program – State Solicitation

This grant program allows states to support a broad range of activities to prevent and control crime based on their specific needs and conditions. Funding is based on a formula. The Bureau of Justice Statistics (BJS) calculates, for each state or territory, a minimum base allocation which can be enhanced by 1) the state’s percent of the national population, and 2) the state’s share of the national violent crime statistics. Once the state’s funding is calculated, 60 percent is allocated to the state and the rest to local government. The areas in which funds can be used are for programs in: law enforcement; prosecution and court; prevention and education; corrections and community corrections; drug treatment and enforcement; planning, evaluation and technology improvement; and crime victim and witness (other than compensation). The application deadline is April 9, 2009. The full announcement can be accessed at <http://ojp.usdoj.gov/BJA/recoveryJAG/JAGrecoveryState.pdf>

## TOOLS YOU CAN USE

### Stalking Statistics in

### U.S. Available

“Stalking Victimization in the U.S.,” a publication from the Bureau of Justice Statistics, presents findings on non-fatal stalking victimization in the U.S., based on the largest data collection of such behavior to date. Topics include stalking and harassment prevalence rates by demographic characteristics, offender characteristics, cyberstalking, protection measures and emotional im-

pact. It can be accessed at <http://www.ojp.usdoj.gov/bjs/pub/pdf/svus.pdf>

## Free Cyberbullying Package Released

CyberSmart! released its Cyberbullying Package which offers free K-12 cyberbullying prevention lessons for schools in partnership with the Character Education Partnership, The National School Boards Association's Technology Leadership Network, the National Association of School Psychologists and the National Cyber Security Alliance. The lessons are nonsequential and can be integrated into existing curriculums. Information about the package can be accessed at <http://www.cybersmartcurriculum.org/cyberbullying>.

**NATIONAL ASSOCIATION OF ATTORNEYS GENERAL**

**“OPERATION FAIRPLAY – UNDERCOVER PEER-TO-PEER TRAINING”**

**April 14 – 16, 2009  
University, MS 38677**

**NOMINATION FORM - RETURN BY MARCH 30, 2009**

**\*\*PLEASE NOTE: THIS FORM IS NOT AN AUTOMATIC APPROVAL TO ATTEND THE TRAINING.  
APPROVAL NOTICE WILL BE SENT UNDER SEPARATE COVER\*\***

**MEETING ID NO. # 0904\_FRPLY**

**Please use one form per registrant/nominee. Complete all sections.**

**Please return form to:** National Association of Attorneys General, Attn: Marland Holloway, Cyberspace Project Assistant, 2030 M Street, N.W., 8<sup>th</sup> Floor, Washington, DC 20036 or **Fax to (202) 331-1427.**

<b>Name (as it should appear on badge):</b> _____	<b>Full Mailing Address:</b> _____
<b>Title:</b> _____	_____
<b>Phone Number:</b> _____	_____
<b>Fax Number:</b> _____	
<b>E-mail:</b> _____	
<b>Attorney General Office:</b> _____	

**Travel By (Check one):** Air \_\_\_\_\_ Rail \_\_\_\_\_ Car \_\_\_\_\_

**State Bar registration number(s)** State \_\_\_\_\_ Number \_\_\_\_\_  
**(For CLE credit)** State \_\_\_\_\_ Number \_\_\_\_\_

**Dietary Restrictions?** If so describe: \_\_\_\_\_

**Special Requests** If you require special services or auxiliary aids to assist you while attending the meeting and events during the Cyber Crime Training, such as sign-language interpreters, note-takers, large print materials or Braille materials, please contact Marland Holloway, Project Assistant, at 202-326-6262 or by email at mholloway@naag.org. NAAG will make suitable arrangements.

**(NAAG Use Only):**

**This Nominee Has Been Approved To Attend This Training:** Yes ( ) No ( )