

## POLITICS &amp; POLICY

# FBI Crackdown on Computer Child Pornography Opens Hornet's Nest, Stinging America Online

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The federal crackdown on on-line child pornography has inflamed the debate over whether new laws are needed and has confronted America Online Inc. with a hazardous public-relations dilemma.

Federal agents arrested a dozen people nationwide on Wednesday, alleging they used the America Online service to swap digitized photographs of children ages 13 and younger engaged in sex acts.

The dragnet set off frenzied jockeying for sound bites by proponents and opponents alike in the fight over new curbs to block obscenity in cyberspace. Both sides hailed the FBI sweep as validation of their diametrically opposed arguments.

Sen. James Exon, widely viewed by denizens of the Internet as the leading enemy of free expression on-line, put out a statement saying this week's arrests "illustrate the growing problem of computer pornography." He called for "more stringent laws" to "punish those who transmit indecent material over computer networks where children have open access."

## Laws Aren't Needed

But Jerry Berman of the Center for Democracy and Technology, which opposes new controls, countered that the crackdown shows new laws aren't needed at all. "The good news is something can be done about this. We hope this will frame

the debate and convince Congress we don't need the kind of blunderbuss approach advocated by Sen. Exon."

That leaves America Online and other on-line services, and Internet access providers, smack in the middle. They clearly thrive in part based on the free-wheeling and sexually-laden communication that flourishes on the Internet and elsewhere. Yet they haven't found a way to help prevent the minuscule traffic in blatantly illegal materials that also takes place.

For the on-line business, the challenge will be how to forestall restrictive measures that trample on the free expression many customers seem to desire, while backing efforts to eliminate child pornography and on-line activity that endangers children.

The child-porn fallout "could be as damaging to their brand as bad hamburger meat would be to McDonald's—and maybe even more so," says John Lister of the brand-identity firm Lister Butler Inc. "I don't exactly see how they're going to correct it." Guy Smith, chairman of crisis-management firm Smith Worldwide Inc., adds, "It's a very difficult public-relations situation simply because it casts the First Amendment against the potential abuses of it, particularly with children."

## Playing Up Raciness

Some on-line purveyors play up racy material as a lure. "Unlimited! Uncensored!" said one Internet access provider's

ad in newspapers yesterday, picturing a screen shot featuring "XXX" and "Erotica." America Online itself allows users to sign on anonymously and form their own so-called "chat rooms" with titles such as "hot talkin' honeys."

Yesterday, one user in the "Men4very-hotunder21female" chat room asked, "Anybody have any hot short skirt pics of young girls like me?" Responded another, "No, but I'd sure like some." In a two-hour stint, one reporter received four propositions asking for sex, phone sex and on-line sex, among other intimate requests.

Adults clearly have the right to engage in such flirtations. But these kinds of on-line sites also can let adults approach minors. Should America Online be held liable for the misbehavior of its customers? And should Congress adopt tougher measures seeking to limit the free-for-all?

"There's no indecency statute that you can pass that will be effective against [electronic] stalkers," argues Mr. Berman of the Center for Democracy and Technology. "You need law enforcement. You need the kind of tools the FBI is using here."

But porn opponent Patrick Trueman of the American Family Association counters that the Justice Department is eager—and should be—to prosecute the on-line services directly if they "knowingly profit from the distribution of obscenity or child pornography." Mr. Trueman was head of Justice's obscenity division during the Bush Administration.