

A. Purpose:

To provide definitions and abbreviations to clarify terminology referenced in ICAC SOP 01 – CyberTip Triage and Distribution protocols

B. Responsibility:

ICAC Intelligence Analyst

C. Procedure:**1. Definitions:****a. Affirmative Defense (C.G.S. 53a-196g):**

In any prosecution for a violation of section 53a-196d, 53a-196e, 53a-196f or 53a-196h it shall be the affirmative defense that:

(1) the defendant (A) possessed fewer than three visual depictions, other than a film, videotape or series of images in electronic, digital or other format where such images are intended to be displayed continuously, of child pornography, (B) did not knowingly purchase, procure, solicit or request such visual depictions or knowingly take any other action to cause such visual depictions to come into the defendant's possession, and (C) promptly and in good faith, and without retaining or allowing any person, other than a law enforcement agency, to access any visual depiction or copy thereof, took reasonable steps to destroy each such visual depiction or reported the matter to a law enforcement agency and afforded that agency access to each such visual depiction, or

(2) the defendant possessed a visual depiction of a nude person under sixteen years of age for a bona fide artistic, medical, scientific, educational, religious, governmental or judicial purpose.

b. **Child Images (Unclothed)** - NCMEC terminology for files that depict an unclothed child or children – breasts/nipples or genitalia uncovered for female children and genitalia is uncovered for male children – but the focus of the image is not on the child's genitalia.

c. Child Pornography (C.G.S. 53a-193):

Prior law restricted child pornography to material involving a live performance or photographic or other visual reproduction of a live performance which depicts a minor in a prohibited sexual act. The act, instead, defines it as any visual depiction, including any photograph, film, videotape, picture, or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct. The production of the depiction must involve use of a person engaging in such conduct who was under age 16 at the time of its creation. It specifies that the trier of fact must

decide disputes about the actor's age. Sexually explicit conduct. The act defines "sexually explicit conduct" as actual or simulated:

- (a) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal physical contact between persons of either sex or with an artificial genital;
- (b) bestiality;
- (c) masturbation;
- (d) sadistic or masochistic abuse; or
- (e) lascivious exhibition of the genitals or pubic area of any person.

c. **Erotica/Exploitative:** To indicate a clothed or unclothed file is sexually exploitative (e.g., a clothed child wearing lingerie or an unclothed child in a sexually suggestive pose).

d. **ICAC Data System:** The secure Internet portal that is administered by West Virginia State Police and is for storage and administration of CyberTip case data.

e. **ICAC Affiliate:** The CT ICAC has affiliate members from local town police departments that have signed an ICAC Memorandum of Understanding (MOU) with CSP-CCU. These agencies individual designees are listed in ICAC Data System under USERS. Note: while most affiliates provide only one detective for the CT Task Force, larger towns may have several detectives that will accept CyberTip assignments.

f. **Sexually Explicit Activity:** real or simulated:

- (a) Sexual intercourse of any kind;
- (b) Masturbation;
- (c) Sadistic/masochistic conduct; and/or,
- (d) Lascivious exhibition of the anus, breast, genitals, or pubic area of any person.

2. Abbreviations

a. **CSAM** – Child Sexual Abuse Material – alternative reference for Child Pornography, see above definition.

b. **IDS** – ICAC Data System - assists credentialed law enforcement investigators in quickly and securely accessing information involving the online exploitation of children.

c. **NCMEC** – National Center for Missing and Exploited Children

Approved by Director: Dr. Guy Vallaro

- d. **ESP** – Electronic Service Provider
- e. **ISP** – Internet Service Provider
- f. **DESPP** – Department of Emergency Services and Public Protection
- g. **DSS** – Division of Scientific Services
- h. **OSINT** – Open-Source Intelligence
- i. **CSP** – Connecticut State Police
- j. **CCU** – Computer Crime Unit
- k. **CP (Unconfirmed)** - Child Pornography Unconfirmed – NCMEC’s terminology on age indeterminant content.
- l. **Apparent Child Pornography (ACP)** - NCMEC’s terminology for content that appears to depict child sexual abuse material (CSAM).