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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS

2001-02

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on ... Corrections and Courts (AC-CC)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (May/2012)

Assembly

Record of Committee Proceedings

Committee on Corrections and the Courts

Assembly Bill 495

Relating to: seizure of computers used in crimes against children.

By Representatives Walker, Suder, Pettis, Starzyk, Underheim, Gundrum, Vrakas, Nass, Urban, Ladwig, Townsend, Olsen, Gronemus and Coggs; cosponsored by Senators Rosenzweig, Burke, Cowles, Hansen, Huelsman, Darling and Harsdorf.

September 17, 2001 Referred to Committee on Corrections and the Courts.

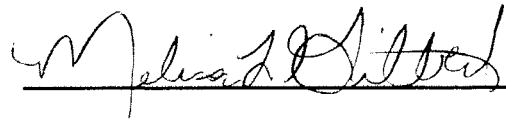
September 19, 2001 **EXECUTIVE SESSION**

Present: (9) Representatives Walker, Suder, Friske, Owens,
Underheim, Balow, Coggs, Pocan and Colon.
Absent: (1) Representative Skindrud.

Moved by Representative Balow, seconded by Representative Owens, that **Assembly Bill 495** be recommended for passage.

Ayes: (9) Representatives Walker, Suder, Friske,
Owens, Underheim, Balow, Coggs, Pocan
and Colon.
Noes: (0) None.
Absent: (1) Representative Skindrud.

PASSAGE RECOMMENDED, Ayes 9, Noes 0, Absent 1



Committee Clerk

Vote Record

Assembly - Committee on Corrections and the Courts

Date: 9/19/01
 Moved by: Balow Seconded by: Owens
 AB: 495 SB: _____ Clearinghouse Rule: _____
 AJR: _____ SJR: _____ Appointment: _____
 AR: _____ SR: _____ Other: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- Passage
 - Introduction
 - Adoption
 - Rejection
 - Indefinite Postponement
 - Tabling
 - Concurrence
 - Nonconcurrence
 - Confirmation

| Committee Member | Aye | No | Absent | Not Voting |
|--------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Rep. Scott Walker, Chair | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Rep. Scott Suder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Rep. Donald Friske | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Rep. Carol Owens | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Rep. Rick Skindrud | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Rep. Gregg Underheim | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Rep. Larry Balow | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Rep. G. Spencer Coggs | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Rep. Mark Pocan | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Rep. Pedro Colon | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Totals: | <u>9</u> | <u>0</u> | <u>1</u> | _____ |



Gilbert, Melissa

From: Walker, Scott
Sent: Friday, March 23, 2001 12:10 PM
To: Kesner, Alan R.
Subject: Legislation question

Importance: High

AB 495
folder

Alan,

I met with Harry Kohal and Detective John Dubinski this morning to talk about concerns that they have with the current law. Specifically, they are interested in changing the law so that computer equipment involved with the collection of child pornography is taken from the offender (whether he is convicted or a plea is taken).

They mentioned something about legislation being introduced in 1995, but that it did not advance in the legislature. Do you have any ideas about who introduced the bill or have you seen a draft?

Thanks,

Scott Walker



Gilbert, Melissa

From: Walker, Scott
Sent: Wednesday, May 16, 2001 3:20 PM
To: Gilbert, Melissa
Subject: FW: Legislation question

Follow Up Flag: Follow up
Flag Status: Flagged

Did we put any thing into drafting?

-----Original Message-----

From: Kesner, Alan R.
Sent: Friday, March 23, 2001 2:49 PM
To: Walker, Scott
Subject: RE: Legislation question

AB 495
folder

I recall the our office put together a set of proposals a few years ago, including that one, which I had a part in drafting. I don't recall specifically whether they ever reached the status of a numbered bill, but I do remember reviewing a few LRB drafts. I cannot recall specifically who was the drafter, but somehow Jefren Olson comes to mind. I don't know where his old work can now be found.

I am not in my office right now, so cannot look into my old paper files on this topic (through the wonders of technology, I am responding to you from my home in Wauwatosa, having just now finished a court appearance here in Milwaukee County.). I will be back in the office on Monday and can look for some of the materials then. If you would like something sooner, let me know, and I may be able to find a summary or two that I prepared back then (but as you may know, most of the legislative people in our office have changed since that time as well, so the current folks may not be able to locate the old materials very easily).

Thanks for your interest in this topic. If you do have any questions as this issue develops, please feel free to get in touch with me. Not only am I Assistant AG, but I am also one of your constituents.

Alan Kesner

-----Original Message-----

From: Walker, Scott
Sent: Friday, March 23, 2001 12:10 PM
To: Kesner, Alan R.
Subject: Legislation question
Importance: High

Alan,

I met with Harry Kohal and Detective John Dubinski this morning to talk about concerns that they have with the current law. Specifically, they are interested in changing the law so that computer equipment involved with the collection of child pornography is taken from the offender (whether he is convicted or a plea is taken).

They mentioned something about legislation being introduced in 1995, but that it did not advance in the legislature. Do you have any ideas about who introduced the bill or have you seen a draft?

Thanks,

Scott Walker



Gilbert, Melissa

From: Dsida, Michael
Sent: Friday, July 20, 2001 4:13 PM
To: Gilbert, Melissa
Subject: forfeiture of computers

AB 495
folder

Hope you had a nice weekend.

Here are my remaining questions about this draft:

1. Some property that is subject to forfeiture under current law may be the subject of a secured loan (for example, a car). In that case, the lender (assuming s/he was not involved in the offense) is paid from the proceeds of the forfeiture. Do you want the same treatment for computers?
2. If a person pleads guilty to a related offense, I would leave open the possibility of the state proving that the computers were used in connection with the sex offense if it could prove (in the civil case) that the sex offense occurred. But since the state may not be able to prove -- or may not want to prove -- that the sex offense occurred, it probably makes sense to permit the state to show that the computers were used in connection with the offense to which the person pleads guilty. Is that okay?

Mike Dsida
Legislative Reference Bureau
608/266-9867
michael.dsida@legis.state.wi.us



Gilbert, Melissa

From: Walker, Scott
Sent: Tuesday, August 21, 2001 8:48 AM
To: Gilbert, Melissa
Subject: FW: Computer Seizure bill draft LRB-3365/P1

-----Original Message-----

From: Alan Kesner [mailto:akesner@ci.wauwatosa.wi.us]
Sent: Tuesday, August 21, 2001 8:44 AM
To: Walker, Scott
Cc: Harry Kohal
Subject: Computer Seizure bill draft LRB-3365/P1



Missy (or Scott):

First, let me re-introduce myself. I am Alan Kesner. I was formerly an Assistant AG at DOJ there in Madison, dealing with technology and gambling issues. We had a few dealings with each other at that time. Now, I am the City Attorney for Wauwatosa, so we may have even more opportunity to work together. If you need anything from the City, please feel free to call me, and I will do what I can.

Harry Kohal brought me the above bill draft for my review. It is very similar to a portion of Jeffren Olsen's 1995 draft which I believe was numbered 1995 AB 1055 (I think that is the right session and bill number, anyway. My notes on it have long since disappeared.).

I think the draft does mostly what was intended by the request that was made to you, within the limits of our Wisconsin forfeiture laws. I might make two suggestions:

- (1) The crimes covered in Section 1 might be a bit broader. There are, conceivably, ways that computers could be used as a tool in almost all of the sex crimes against children in ch. 948, although the draft covers the most obvious.
- (2) Also, it might be important to include "attempts" when discussing 948.08 and 948.12 ("Attempt" is included in the definition of Child Enticement under 948.07, so it needs no specific reference otherwise).

Other than those minor concerns (and I note that the bill would be a huge step even without these suggested additions), I think the bill is well-tailored for its goal. If you have any further questions or concerns, please do not hesitate to call me.

Alan.

Alan R. Kesner, City Attorney
Wauwatosa, Wisconsin
414-479-8905



TO: All Legislators
FROM: Rep. Scott Walker
DATE: September 10, 2001
RE: LRB 3365/1 (computer seizures in crimes against children)

AB 495

Many criminals, especially sex offenders, use computers and related accessories to prey on children. Child enticement and child pornography are two of the most common offenses committed with the aid of computer equipment. For example, a Milwaukee couple was arrested earlier this year after a computer technician accidentally discovered sexually explicit photos of the couple's eight-year-old daughter on the family's home computer.

Cars and certain other items used during the commission of a crime may be seized by law enforcement agencies, according to Wisconsin's statutes. The ability to permanently confiscate computer equipment remains legally murky, however. Accordingly, a former member of the Department of Justice, who now serves as the Wauwatosa city attorney, has asked that we introduce legislation to clarify that such equipment may indeed be seized.

It makes no sense to allow criminals to maintain possession of computers used to exploit children. Additionally, equipment that is confiscated can be used to fight crime instead (thus easing the budget woes of local law enforcement units).

If you wish to co-sponsor **LRB 3365/1**, please respond to this e-mail or call my office at 266-9180 by the end of the day on Wednesday, **Sept. 12**. Please note the short deadline.

Analysis by the Legislative Reference Bureau

Current law authorizes the seizure of any property directly or indirectly derived from the commission of a crime. Current law also authorizes the seizure of certain property used in the commission of certain crimes, including the following: 1) vehicles used to transport stolen property; 2) controlled substances, materials, or equipment used in the commission of a crime relating to controlled substances; 3) vehicles, equipment, and devices used in the commission of a crime relating to a submerged cultural resource (an archaeological site or historic property that is located beneath the surface of a lake or stream); and 4) pirated, bootlegged, or counterfeit recordings and any equipment used to make them.

Current law provides a specific civil procedure that applies to the seizure of such property. Under those provisions, the state, in a civil case, must prove by the greater weight of the evidence that the person committed the offense from which the property is derived or with respect to which the property is used. The state may use a record of a person's conviction in a criminal case to satisfy that requirement.

The bill authorizes the seizure of any computer that is used to facilitate the commission of a crime against a child or an attempt to commit such a crime. Under the bill, the computer may be seized if either of the following apply: 1) the state proves that a person committed the offense, either through a record of a conviction or through other evidence, and used the computer in doing so (the method provided for seizures under current law); or 2) a person is charged with the offense in a criminal case but pleads guilty to a different offense, and the state proves that the computer was used in the commission of the offense to which the person pleads guilty.

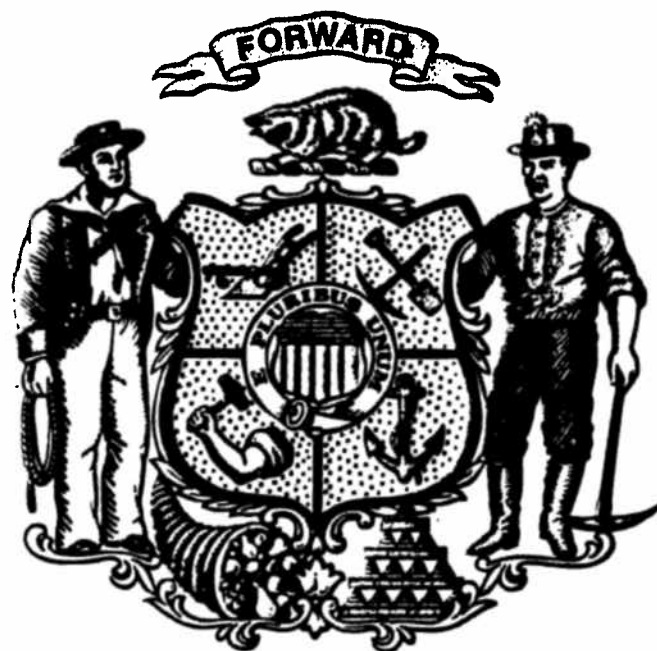


Testimony to Senate Committee on Judiciary, Consumer Affairs and Campaign Finance Reform – 3/5/02

Re: AB 495

This bill is similar to legislation that takes guns away from criminals convicted of gun related felonies, and forgery equipment from forgers, in that it will take the computer equipment used in a felony out of the hands of the felon. Right now the law makes no uniform provision state wide for permanent forfeiture of the computer as a criminal tool upon plea agreement or conviction. This bill closes that loophole and mandates it uniformly state-wide. Right now, it is up to each DA and Judge to take action at their discretion. Federal authorities make this condition a part of every sentence and plea agreement. This bill would make it consistent and uniform in every county in Wisconsin. I therefore am in favor of implementation of this bill being enacted.

Harry H. Kohal
Northwoods Software Development, Inc.
4200 W Brown Deer Rd. Suite 100
Brown Deer, WI 53209
414-365-3038 X240 Cell 414-322-4311
www.northwoodsoft.com



Tosa man guilty of child porn charge

By Janice Kayser
Staff Writer

WNT
4/12/01

A Wauwatosa man was convicted of possession of child pornography and must now register as a sex offender.

On March 21 Milwaukee County Circuit Court Judge Jeffrey Wagner ordered resident Jeffrey M. Schoknecht, 44, of 2077 Sunset Court, to register as a sex offender with the Wauwatosa Police Department within 30 days.

Schoknecht's road to the felony conviction started last year, when Wauwatosa police were asked to assist the Waukesha County Sheriff's Department in a search warrant of Schoknecht's home.

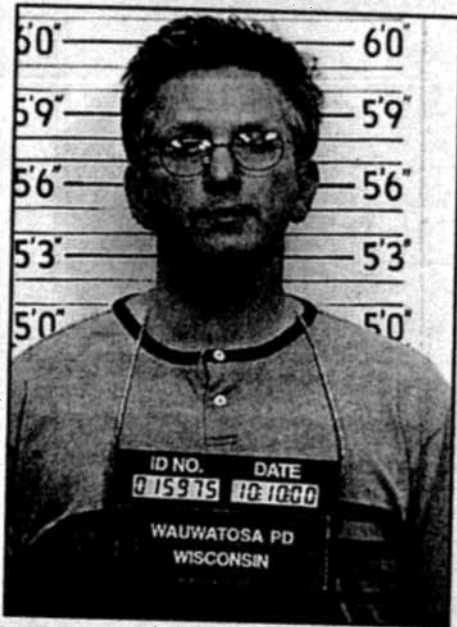
Schoknecht, who worked as a paper carrier for the Journal Sentinel in Waukesha, had allegedly taken an interest in a 14-year-old New Berlin boy, also a paper carrier, and had contact with the boy in an Internet chat room.

When the boy's father found out what was going on, he got a restraining order against Schoknecht and Waukesha sheriff's deputies began investigating Schoknecht on suspicion of child enticement and second degree sexual assault. Schoknecht violated that restraining order in August when he showed up at a football game at Hart Park, where the boy was with his father.

Because Schoknecht had contacted the boy through the Internet, Waukesha sheriff's deputies went to his Wauwatosa home Sept. 13 and, assisted by Wauwatosa police, carried out a search warrant, seizing several disks and a computer.

Although officers did not find enough evidence to pursue child enticement charges against Schoknecht, they did find on the disks hundreds of downloaded images of young boys, ages 8 to 14, engaged in sexual acts.

When the Waukesha investigation began, Schoknecht was living with his 36-year-old male housemate, who has custody of two young, male foster children. The housemate, who told police he



Wauwatosa resident Jeffrey M. Schoknecht must register as a sex offender with the Wauwatosa Police Department following his conviction for possessing child pornography.

Schoknecht never used Schoknecht's computer, reportedly moved out with the two boys soon after the Waukesha investigation began. No images of the foster children were found in Schoknecht's collection.

Wagner stayed a 2-year jail term and two years of probation for Schoknecht, provided he meets the terms of release, which includes 300 hours of community service, sex offender evaluation and treatment, and a \$1,000 donation to the Child Abuse Prevention fund.

Schoknecht must also provide a DNA sample for a nationwide DNA bank, may not possess any pornography of children or adults, may have only supervised contact with persons under the age of 18 and may not use the Internet.

Wauwatosa Police say they will not return Schoknecht's computer to him.



Woman pleads guilty in sex case

She, husband charged with exploiting child, 8

By DAVID DOEGE MJS 5/24/01
of the Journal Sentinel staff

A west side woman charged in an unusual sex case involving her 8-year-old daughter after a computer repair technician found child pornography on her family's home computer pleaded guilty Wednesday to three felonies and is in line to testify against her husband in his trial.

The 41-year-old woman pleaded guilty to charges of sexual exploitation of a child, incest and failure to act on the sexual assault of a child. She is going to receive a recommendation from prosecutors for prison time when she is sentenced this summer after her husband's trial.

The woman entered her pleas after having been recently examined by a psychologist who concluded the woman suffers from a mental illness but is mentally fit to participate in court proceedings.

The psychologist concluded the woman was not criminally insane at the time of the sexual exploitation of her daughter.

The woman and her husband are not being identified by the Journal Sentinel to keep the identity of their daughter confidential.

Psychologist Deborah L. Collins wrote in a report to Circuit Judge Jeffrey A. Wagner that the woman, who suffers from a

personality disorder and depression, said the sexual exploitation of her daughter was her husband's idea.

"She said that she eventually, reluctantly and painfully agreed to various sexual activities including other adult partners and, eventually, their daughter, despite her (the woman's) reservations," Collins wrote.

"I was hoping it would go away," the woman told Collins, adding that she feared she would lose her husband if she did not go along with the activities.

The husband, 49, is awaiting trial on four counts of first-degree sexual assault of a child, incest with a child, sexual exploitation of a child, manufacture of marijuana, and two counts of possession of an electric weapon.

Assistant District Attorney Paul Dedinsky told Wagner this week that he might file additional charges against the husband, who, like his wife, is being held in the County Jail while the girl is kept in temporary foster care.

The couple was charged in February after police, acting on information from a computer repair technician, raided their home.

Materials seized during the raid "depicted such sexual activities as bestiality, bondage, gay sex, lesbianism, pornographic animations, group sex and child pornography," according to a criminal complaint. "There are also numerous images of naked children . . . 144 images out of the 2,796 total images which could be considered child pornography."



REGIONAL

BRIEFING

MJS 6/15/01

Ex-professor sentenced for taping naked boys

Madison — A former college math professor was sentenced to 33 months in prison Thursday for secretly videotaping naked boys in a YMCA locker room.

Gordon L. Miller, 62, of Stevens Point was ordered to pay a \$80,000 fine for possession of child pornography. He was also ordered to surrender the video and computer equipment he used in the crime.

Miller was arrested Nov. 16, 1998, after he was found with a video camera inside a duffel bag that had been used to film boys in the Stevens Point Area YMCA boys' locker room.

The Stevens Point Police Department determined he had been secretly videotaping children at the YMCA for five years.

Miller, a member of the University of Wisconsin-Stevens Point mathematics and computing faculty for 35 years, has retired from the job.



Man OKs plea deal in sex case involving daughter, pornography

MJS 7/6/01

By DAVID DOEGE

of the Journal Sentinel staff

A west side man who was charged in an unusual sex case involving his 8-year-old daughter after a computer repair technician found child pornography on the family's home computer accepted the terms of a plea bargain Tuesday.

The plea bargain eliminates the need for the girl and the man's wife to testify in a trial.

The 49-year-old man could face prison terms totaling up to 159½ years when he is sentenced later this month for sexual abuse of his daughter.

He was convicted of one count of causing mental harm to a child, one count of sexual exploitation of a child, one count of possession of an electric weapon and 25 counts of possession of child pornography.

Assistant District Attorney Paul Dedinsky said that the State Crime Laboratory is still analyzing the contents of the

man's home computer. Numerous additional counts of possession of child pornography will be made a part of the case record on sentencing day but will not be issued as formal charges under the terms of the plea bargain, he said.

The man and his 41-year-old wife are being held in the County Jail pending sentencing. She pleaded guilty in May to charges of sexual exploitation of a child, incest and failure to act on the sexual assault of a child.

The woman and her husband are not being identified by the Journal Sentinel to keep the identity of their daughter confidential. On sentencing day, Dedinsky will recommend that both be imprisoned.

The girl is being kept in temporary foster care.

The couple were charged in February after police, acting on information from a computer repair technician, raided their home.





ONLINE EDITION

Wauwatosa News Times



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Special Sections

With the advent of the World Wide Web, today's you...

Aug 30 2001 12:00AM By Holly Aarhus Staff Writer

With the advent of the World Wide Web, today's youth have at their fingertips a superhighway of informational, educational and entertainment possibilities.

But unsupervised, kids can quickly be exposed to the dark side of the Internet – adults who want to prey on and exploit children for their own sexual gratification.

Wauwatosa police Detective John Dubinski is determined to make sure the predators don't come to Wauwatosa, as he

STALKS THE STALKERS

By Janice Kayser

Staff Writer

After spending more than two years trying to catch online predators using their computers for child enticement or to collect or sell child pornography, Wauwatosa police Detective John Dubinski said parents need to "stop being ignorant" and learn how to protect their kids.

"Years ago, the predators would hang around the school yard or playground," he said. "But now they have a portal to the world and they're surfing the Internet, searching for their next victim, trying to earn the trust of our children. They're slick, they're smart and parents need to wake up and see who their kids are talking to on the computer. It's a scary scene out there."

Since attending a 1998 conference sponsored by the Office of Juvenile Justice Delinquency Prevention that focused on investigating computer crimes,

AB 495 folder

[This Week's Sections](#)

Dubinski earned the unofficial title of computer crimes expert at the Wauwatosa Police Department. Over the last year, while he also investigates credit card and identity thefts on the computer, his focus has been on those crimes that victimize children.

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To illustrate the frightening array of predators lurking on the Internet, Dubinski demonstrated -- under four of his many fictitious teen-age girl screen names -- just how much attention a girl can get just by logging on and entering a teen chat room.

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Dubinski can "play out" any screen name he creates -- sometimes he pretends to be a shy 13-year-old neglected by her father, a 14-year-old cheerleader taking a break from her homework or sometimes a 12-year-old boy looking for a little adventure.

After logging on, Dubinski waits and watches.

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Within seconds, solicitations from potential online predators pour onto his computer screen.

The questions come in rapid succession, from several different people, from as far away as London and as close as Kenosha, according to their screen name profiles.

"Hi -- how old? Ever had sex?"

"What do you look like?"

"Still a virgin?"

"Ever touch a real man?"

"Do you like older men?"

Bingo.

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Sixty seconds online and it's paydirt for Dubinski; sadly though, he hits it every time he logs on as he attempts to make a dent in computer crimes against children.

[Community](#)

"Nothing surprises me anymore," he said after the demonstration. "Even if we

[Discount Coupons](#)
[Guestbook](#)
[Community Websites](#)

had 100 detectives doing this 24 hours a day, there would never be a shortage of these creeps."

Predators are smooth

Dubinski said the questions he gets asked can be tame in the beginning, during what he called the "courting" process, whereby the predator begins to lure the child or teen by being a good listener for problems at home, consoling the child and building up their self-esteem.

But almost always, the questions come back to sex, and the predator hopes for a phone number and an address, giving the predator a way to send gifts to the victim — money, a new computer game, clothes, jewelry.

"They almost always look for an 'in,' to begin alienating their potential victim from his or her friends and family," Dubinski said. "Often they start out as a good listener, earning the child's trust, siding with the teen-ager who feels wronged by her parents, or the girl whose best friend betrayed her in some way, and then the predator begins to drive a much larger wedge between his potential victim and family."

Dubinski said the predators also will send pornographic pictures to their victims, similar to ones he has received while posing as a teen-age girl, to find out what kind of response the photo receives and begin the "desensitization" of their victim.

"They may start out with a topless picture of a pop star downloaded from an adult Web site or a movie star posed in Playboy, all in an effort to make posing naked look sort of glamorous," Dubinski said. "Then the pictures will get more graphic, and maybe lead up to the predator sending a nude picture of himself, then asking the girl to send him a picture in return."

The girl's picture could stay in the predator's private collection, be posted on his own pay-to-enter Web site or posted on a child pornography bulletin board for others to view, Dubinski said.

Families report concerns

The explosion of internet use by children has brought numerous calls to police from Wauwatosa parents, concerned about threatening or harassing messages or e-mail their children received online. When Dubinski goes to their home to investigate, he makes it a point to educate the parents — and the kids — about

the bad guys out in cyberspace.

"I try and compare the Internet with the use of the family car when I talk to parents," he said. "I ask them 'When your child turns 16, would you ever just hand them your car keys and say go anywhere you want, do anything you want and with anyone at all?' Of course not, but that is exactly what happens when they don't monitor their kids' online activities and chat room conversations."

Tosa police encourage computer repair techs to report child porn. The transport of child pornography across cyberspace is huge business, Dubinski said.

During the last year, Wauwatosa police have arrested numerous people for possession of child pornography found on their computer hard drives and diskettes by family members or computer repair technicians.

To further enhance communication between Wauwatosa area computer repair technicians and the police, Capt. John Bozicevich said the Police Department soon will be offering a training seminar for computer repair technicians to help them keep an eye out for child pornography.

"We need to work together on this," Bozicevich said. "It's just one more way to encourage people to call us with anything suspicious, so we can start our investigations right away."

For information on the training seminar, contact the police department at (414) 471-8430.

State Rep. Scott Walker (R-Wauwatosa) is drafting legislation to present to the Assembly during the fall session that would give law enforcement agencies the right to keep all computer equipment used for computer crimes, including the viewing of child pornography.

Dubinski applauds Walker's actions.

"Like a gun is used in a robbery, the computer is the weapon of choice for the predator," Dubinski said. "Anything that helps us take the computer away from the predator, making it even just a little bit more difficult for them to get back in business online, is helpful."

The Wisconsin Department of Justice has made special efforts to try and catch online predators. Its Internet Crimes against Children Task Force, formed in 1999, has resulted in the arrest of 50 "travelers" -- people who travel a distance

and sometimes from other states to have sex with children they have met over the Internet, which, according to Mitch Henke, spokesman for the Department of Justice, is about one suspect every two weeks.

"There is no limit to the number of sex predators lurking on the Internet," he said. "We have people come to Wisconsin from Indiana, California and beyond."

Funded by a \$250,000 federal grant, the task force has blazed a trail nationally for its zero tolerance against online predators.

"We really are at the forefront in Wisconsin," said Henke. "Only 30 states have similar task forces, and we were one of the first. The attorney general's office is committed to catching these individuals."

Dubinski serves on a local task force, Wisconsin Association of Computer Crimes Investigators, that started meeting two years ago to keep one another apprised of changing computer technology and predator methodology.

"We have speakers who meet with us and tell us what's happening on their end to combat this kind of crime," said Dubinski. "Postal inspectors, FBI agents, former computer hackers -- it's an important group."

But no matter how much detective work is done or how many task forces are created to combat computer crimes against children, Dubinski said the first line of defense for children and teens is their parents.

"Watch what they're doing online and who they're talking to, if gifts start arriving for them or mail from someone whose name you don't recognize shows up in your mailbox," he said. "Parents are the best protection their children have against these creeps."

CNI Photos by Mary Catanese-Pugens

Wauwatosa Detective John Dubinski sits in front of a bank of computers as he chats online.

Dubinski uses an enormous amount of equipment and numerous aliases as he attempts to track down online predators.

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Sex offender Schoknecht sentenced for his crime

By Jason Blazina WEA
Staff Writer

A Wauwatosa man charged last fall with possession of child pornography received his sentence last week.

Jeffrey Schoknecht, 44, of the 2000 block of Sunset Court, was charged last Oct. 23 with three counts of possession of child pornography stemming from a Sept. 13 search of his home by authorities. Each count carried a maximum possible penalty of a \$10,000 fine/5 years imprisonment or both.

Schoknecht plead guilty to two counts of a Class E Felony - Possession of Child Pornography. The sentence includes: four years probation; 300 hours of community service; a donation of \$1,000 to the CAP (Child Abuse Protection) Program; registration as a sex offender; a mandate of no pornography nor unsupervised contact with anyone under the age of 18 during the probation term; and submittal of a DNA sample.

Also, Schoknecht - forbidden from Internet use over the next four years - must undergo a review after 90 days along with a psychological exam and counseling. As a convicted felon, firearm ownership is forbidden.

A paper carrier for the *Milwaukee Journal Sentinel* before quitting last September, Schoknecht was found to have numerous pornographic images involving boys engaged in sexually explicit conduct.

Several computer disks - red and blue - were confiscated and found to contain the illegal images. Schoknecht had retrieved those specific images from his Internet surfing, saying he kept the material on the colored disks.

On one disk, a subfolder labeled as "jerking and rimming/computer and phone/new folder" included a child - aged 12-14 - with his genitals exposed and masturbating.

The same ZIP disk, featuring additional lewd reference titles, contained 176 image files in the folder series. One image depicted homosexual acts performed by minors, this time under the age of 16. Age consultation was conducted by Dr. Judith Guinn of the Child Protection Center of the Children's Hospital of Wisconsin.

According to Assistant District Attorney Paul Piffin, it remains to be seen if Schoknecht recovers his computer equipment.

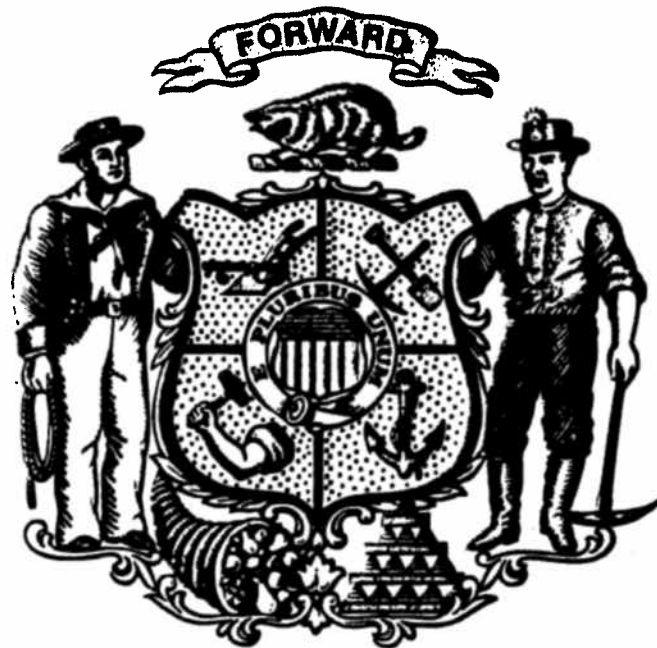
"The question is what constitutes contraband in each case, and someone can still use a computer without the Internet," he said. "Mr. Schoknecht would have to go through the proper legal channels to recover his equipment, and a city attorney (David Bretl) could challenge the ruling."

Carol Kohal - a neighbor of Schoknecht's - stated that the sex offender deserved jail time.

"We share a lot-line, and I have three kids under the age of 18 in the house. One woman in the area doesn't even have her grandchildren over anymore," she said. "You work hard to afford a home, and then you have this creep living around here."

According to Kohal, her family will continue to reside in the area despite the incident.

"We will stay because we've been here 16 years, and he won't intimidate us....but people like this will know they're not welcome."



Harry Kohal
contact for LRB 336511
(computer seizures)

work
phone: 414-365-3038 x240

cell: 414-322-4311

Fax: 414-~~322~~-365-3835

AB 495
folder

STATE OF WISCONSIN

To MG

Date _____ Time _____

DET. WHILE YOU WERE OUT
JOHN DUBINSKI
M 414 471 8430 ext. 134
of jdubinski@exepc.com
Phone _____

| | | | |
|--------------------|-----------------|--|--|
| Telephoned | Please Call | | |
| Called to See You | Rush | | |
| Returned Your Call | Will Call Again | | |

Message DISPOSITION OF
COMPUTER EVIDENCE

PLS E-MAIL LINK TO BILL

ASAP
Party Receiving Call



Alm Kesner

414-471-8447

AB 495 folder