

# WCL SATL BRIEF SYMPOSIUM: SEXUAL VIOLENCE AND TECHNOLOGY

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**NOVEMBER 2ND  
2018**



ORGANIZED BY  
WCL SCIENCE AND TECHNOLOGY  
LAW BRIEF

# INTRODUCTION

Dear Attendee,

On behalf of the WCL Science and Technology Law Brief, I would like to thank you for your interest and support. Our mission has always been to educate the public on the legal questions that arise from our ever-changing society. In the last ten years alone society has moved on from flip phones to smart phones that can access the internet in a second. In conjunction, today's teens have moved away from posting their "Top 8" on their Myspace page from the family computer to posting whatever and whenever they want to on Facebook, Instagram, or Snapchat, (just to name a few) in a second on their smart phone. With this new technology comes greater access to not only connect with others, but also for exploitative purposes. From today's event we hope to bring more attention to these concerns and to provide the public and law enforcement with helpful information. Thank you again for your attendance.

Sincerely,

The WCL Science and Technology Law Brief

# EVENT AGENDA

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## Timeline:

12:00pm- Panel 1 starts

1:30pm expected end of 1st panel (We expect 5-10 minutes of Q & A starting around 1:20)

1:30pm-2:00pm lunch break

2:00pm expected start of Panel 2

3:30pm expected end of 2nd panel (We expect 5-10 minutes of Q & A starting around 3:20)

3:30pm-4:00pm all around questions, individual questions, clean up

## Panel 1:

Topic 1: What is image exploitation relating to adults?

Topic 2: How are these images spread and where do they end up?

Topic 3: What should the everyday person know or look out for online?

Topic 4: What would you like to tell someone who is a victim of this type of behavior?

Topic 5: What do you wish the general public knew about this type of exploitation?

Topic 6: Is there anything about this type of exploitation that you wish legislators around the country knew?

## Panel 1 Panelists:

Ian Harris-Moderator, NNEDV, WCL Professor

Mary Katherine Burke- RAINN

John Wilkinson- AEquitas

## Panel 2:

Topic 1: How are these exploitative images being spread via technology and the internet?

Topic 2: How can the spread of these images be fought with technology?

Topic 3: What should the everyday person and/or parent know or look out for online?

Topic 4: What would you like to tell someone who is a victim, and their parent(s), of this type of behavior?

Topic 5: What do you wish the general public knew about this type of exploitation?

Topic 6: Is there anything about this type of exploitation that you wish legislators around the country knew?

## Panel 2 Panelists:

Aryan Kushan- Moderator, WCL Professor of Social Media and The Law

Peggy Klein -National Center for Missing and Exploited Children

Emily Cashman Kirstein-THORN

Thomas Sullivan- Detective for MPDC, member of FBI-MPDC Child Exploitation & Human Trafficking Task Force

Andrea Hertzfeld- AUSA

Alix Skelton- FBI Agent

# PANEL I

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**Mary Katherine Burke- RAINN (Rape, Abuse, and Incest National Network):** Mary Katherine Burke is a policy counsel at RAINN, the nation's largest anti-sexual violence organization, where she draws on her background in the criminal justice system as both an practitioner and victim's rights advocate to reform the criminal justice system's response to sexual violence on the state and federal levels, and represents RAINN as part of a multi-disciplinary team on the DOJ's Sexual Assault Kit Initiative. Ms. Burke has over a decade of experience working directly with victims of gender-based violence. She practiced for years as a trial attorney at The Legal Aid Society in New York City, and as a community-based victims' advocate in Washington, D.C. supporting survivors of international and domestic sex trafficking, sexual assault and domestic violence. In her pro bono practice, Ms. Burke has represented adult and minor clients fleeing gender-based violence and gang violence in immigration court in Virginia and Maryland. Ms. Burke is a graduate of the University of Mary Washington with Bachelor of Arts in Religion and Political Science, and received her Juris Doctorate from Rutgers School of Law – Newark, where she was a Kinoy-Stavis Public Interest Fellow, a Levin Law Scholar and recipient of the Carol Russ Memorial Prize for advancing women's rights under the law. She is a member of the New York bar.

**Ian Harris-Moderator, NNEDV (National Network to End Domestic Violence), WCL Professor:** Ian Harris is a professor of Domestic Violence Law at WCL and the Technology Safety Legal Manager at the National Network to End Domestic Violence (NNEDV). Prior to joining NNEDV, Ian served as the Director of the Family Law/Domestic Violence Unit at Staten Island Legal Services (SILS) in New York City. Professor Harris is a faculty member for the National Judicial Institute on Domestic Violence, a consultant for the National Council of Juvenile and Family Court Judges, and a Commissioner on the DC Domestic Violence Fatality Review Board. He received his JD from the American University Washington College of Law and an MA from the American University School of International Service.

**John Wilkinson- AEquitas:** John F. Wilkinson (JD) is an Attorney Advisor with AEquitas: The Prosecutors' Resource on Violence Against Women. As an Attorney Advisor, he presents on trial strategy, legal analysis and policy, and ethical issues related to violence against women at the local, state, national and international level. John has presented extensively on the investigation and prosecution of domestic violence, sexual violence, stalking and human trafficking both in the United States and abroad. John's international work includes developing and implementing trainings for police, prosecutors, judges and allied professionals in national and international conferences in Cameroon, Canada, South Africa, Fiji, France, Brazil, and Egypt.

Prior to working with AEquitas, John was the Program Manager for the Gun Violence Prosecution Program, Homeland Security Program and Southwest Border Crime Program of the National District Attorneys Association (NDAA) where he traveled extensively throughout the United States presenting on gun and gang violence and homeland security issues. He also regularly collaborated with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Department of Homeland Security (DHS) and International Association of Chiefs of Police (IACP) to bring data-driven best practices to criminal justice professionals.

# PANEL 2

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**Andrea Hertzfeld- AUSA:** Andrea L. Hertzfeld is a Senior Assistant United States Attorney (“AUSA”) who has served for the past eight years at the United States Attorney's Office in the District of Columbia. Ms. Hertzfeld has, for the last four years, handled a specialized caseload prosecuting child exploitation crimes in federal court. Prior to assuming that role, Ms. Hertzfeld was a Senior AUSA in the Sex Offense Unit, where she investigated and tried serious sexual assault cases involving both adult and child victims in the Superior Court for the District of Columbia. She has also served for the past year as Senior Litigation Counsel. Ms. Hertzfeld was the 2016 recipient of the Attorney General’s Award for Distinguished Service for her role working with law enforcement to investigate and prosecute child exploitation crimes in the District of Columbia and across the nation. She has received the Federal Bureau of Investigation Service Award for the past three consecutive years for her extraordinary work prosecuting child predators, and she has been awarded several United States Attorney’s Awards for Special Achievement over the course of her tenure in the office. Prior to joining the U.S. Attorney’s Office, Ms. Hertzfeld spent six years in private practice litigating complex multi-district commercial disputes, with a focus on human rights and antitrust matters. Ms. Hertzfeld received her Bachelor of Arts degree in Economics and Sociology summa cum laude from Bowling Green State University, and her Juris Doctor degree from Harvard Law School.

**Emily Cashman Kirstein-THORN:** Emily Cashman Kirstein is the Senior Manager of Government Affairs at Thorn. Emily manages Thorn's policy portfolio and presence in Washington, DC - raising awareness about the issue of child sexual exploitation and furthering Thorn's mission of building technology to defend children from this abuse. She joined Thorn after seven years working for the United States Senate and on several political campaigns. She holds a bachelor's degree in History and Spanish from the College of the Holy Cross and a master's degree in International Relations from the Universidad Autónoma de Madrid.

**Peggy Klein -National Center for Missing and Exploited Children:** Peggy Klein has been litigation counsel for the National Center for Missing and Exploited Children (NCMEC) for 12 years. Prior to her work at NCMEC, she was an Assistant District Attorney in Milwaukee County for 6 years before working for the Illinois Attorney General for 2 years. Peggy received her J.D. Marquette University Law School.

**Aryan Kushan- Moderator, WCL Professor:** Aryan Kushan is an Associate Adjunct Professor of Law at American University Washington College of Law, where he teaches “Social Media & the Law.” The course focuses on the intersection of social media and the underlying technology with various areas of the law including the 1st & 4th Amendments, Cybersecurity, Ethics, and Intellectual Property. He has an academic interest in the sustainability of existing law when applied to established and emerging technology and social media.

# PANEL 2

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Thomas Sullivan- Detective for MPDC (Metropolitan Police Department of the District of Columbia):

Detective Thomas Sullivan has been a detective with the Metropolitan Police Department of The District of Columbia for five years. Detective Sullivan had previously been assigned to the MPD Physical and Sexual Abuse Unit which is responsible for investigating sex crimes and physical abuse of children in DC.

Detective Sullivan is now assigned to the MPD and Federal Bureau of Investigation's Child Exploitation Task Force, along with the Northern Virginia and District of Columbia Internet Crimes Against Children Task Force.

Alix Skelton- FBI Agent: Special Agent Alix Skelton is currently assigned to the Washington Field Office Child Exploitation and Human Trafficking Task Force. She has worked in this capacity for several years. Agent Skelton was recognized for her work and dedication to public service by U.S. Attorney General Loretta Lynch in 2016 for her work in investigating a New York State couple that had abducted and sexually abused two young girls.

# NOTES

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NOTES

**Thank you for coming!**



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