



U.S. Department of Justice

Office of Information and Privacy

Telephone: (202) 514-3642

Washington, D.C. 20530

SEP 2 2005

Mr. J.D. Obenberger
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Attorneys and Counselors at Law
Suite 3700
Three First National Plaza
Chicago, Illinois 60602

Re: AG/04-R1223
AG/04-R1298
OLA/05-R0231
OLA/05-R0232
MAP:TSW:NDD:VW

Dear Mr. Obenberger:

This responds to your two requests; one dated August 11, 2004, and received in this Office on August 26, 2004, and the other dated September 3, 2004, and received in this Office September 16, 2004, for the "June 2004 report of the Attorney General to the House Judiciary Committee and or the Congress pursuant to The Protect Act, P.L. 108-21, Title V, Subtitle A, Section 511(b)." This response is being made on behalf of the Offices of the Attorney General and Legislative Affairs.

We have located the report you requested and have determined that it is appropriate for release without excision and a copy is enclosed. We apologize for the quality of certain pages; however, no better copies could be obtained. Please note that the report is dated April 30.

Inasmuch as this constitutes a full grant of the requested document, we are closing your files in this Office.

Sincerely,

Melanie Ann Pustay
Deputy Director

Enclosure

**Report to Congress Regarding the Department of Justice's
Use of Section 2257 of Title 18**

**Submitted to: United States Congress
Senate and House Committees on the Judiciary**

**Prepared by:
The Department of Justice**

April 30, 2004

I. Introduction

Section 511 of Public Law 108-21, the Prosecuting Remedies and Tools Against the Exploitation of Children Today ("PROTECT") Act of 2003 ("the Act"), requires the Attorney General to submit a report to Congress within one year after enactment of the Act detailing the number of times since 1993 that the Department of Justice has inspected records of any producer of materials regulated pursuant to section 2257 of title 18, United States Code, and section 75 of Title 28 of the Code of Federal Regulations. Section 511 also requires the Attorney General to indicate the number of violations prosecuted as a result of those inspections. In accordance with those requirements, the Department submits the following report.

II. Report Details

The Department of Justice has conducted no records inspections of producers of actual sexually explicit material pursuant to 18 U.S.C. § 2257 since 1993 and, therefore, has uncovered no section 2257 violations as a result of inspections during that time. The Department has, however, prosecuted five violations of section 2257 between 1993 and 2004 that were discovered by investigative means other than records inspections. A chart detailing those prosecutions follows.

DIST./ YEAR	DEFENDANT	CASE No.	INSPECTION?	SEARCH WARRANT?	DETAILS/RESULT
ND NY/ 2002	John Parisi	NYN00R0254	No	Yes	Parisi videotaped and photographed three minors, ages 14, 15, and 17, and posted the sexually-explicit images on a for-fee Web site. He was indicted on August 9, 2002 on numerous charges, including one count of violating 18 U.S.C. § 2257. On Sept. 3, 2003, Parisi pleaded guilty to several counts in the indictment. These counts included one count of producing child pornography, which carried a ten-year mandatory minimum prison sentence.
ND NY /2002	Melody Parisi	NYN00R0254	No	Yes	Parisi managed the business operations of a for-fee Web site, on which her husband had posted sexually-explicit images of minors. She was indicted on August 9, 2002 on several charges, including criminal conspiracy and one count of violating 18 U.S.C. § 2257. On Sept. 3, 2003, Parisi pleaded guilty to the one § 2257 count, and was later sentenced to fifteen months imprisonment.
ED TX /1998	Frank Pierce	97R2960	No	Yes	Pierce was indicted on April 23, 1998 on several charges, including four counts of Violating 18 U.S.C. § 2257. On June 21, 1999, Pierce pleaded guilty to one § 2257 count, and was later sentenced to twelve months imprisonment.
D ID/	Richard	96R0154	No	No	Solomonberg had taken sexually-explicit

<i>1997</i>	Sonnenberg				photographs of a minor, age 17. He eventually pleaded guilty to one count of violating 18 U.S.C. § 2257.
<i>ED TX/1993</i>	Charles Joseph Churan	92R0453	No	Yes (state warrant with FBI assistance)	Churan had taken photographs of minors in sexually suggestive poses. He faced a number of charges in related state and federal prosecutions, including violations of 18 U.S.C. § 2257. In the federal case, he eventually pleaded guilty to one § 2257 count.

Dist./ Year	Defendant	Case No.	Inspection?	Search Warrant?	Details/Result
ND NY/ 2002	John Parisi	NYN00R0254	No	Yes	Parisi videotaped and photographed three minors, ages 14, 15, and 17, and posted the sexually-explicit images on a for-fee Web site. He was indicted on August 9, 2002 on numerous charges, including one count of violating 18 U.S.C. § 2257. On Sept. 3, 2003, Parisi pleaded guilty to several counts in the indictment. These counts included one count of producing child pornography, which carried a ten-year mandatory minimum prison sentence.
ND NY/ 2002	Melody Parisi	NYN00R0254	No	Yes	Parisi managed the business operations of a for-fee Web site, on which her husband had posted sexually-explicit images of minors. She was indicted on August 9, 2002 on several charges, including criminal conspiracy and one count of violating 18 U.S.C. § 2257. On Sept. 3, 2003, Parisi pleaded guilty to the one § 2257 count, and was later sentenced to fifteen months' imprisonment.
ED TX/ 1998	Frank Pierce	97R2960	No	Yes	Pierce was indicted on April 23, 1998 on several charges, including four counts of violating 18 U.S.C. § 2257. On June 21, 1999, Pierce pleaded guilty to one § 2257 count,

					and was later sentenced to twelve months' imprisonment.
D ID/ 1997	Richard Sonnenberg	96R0154	No	No	Sonnenberg had taken sexually-explicit photographs of a minor, age 17. He eventually pleaded guilty to one count of violating 18 U.S.C. § 2257.
ED TX/ 1993	Charles Joseph Churan	92R0453	No	Yes (state warrant with FBI assistance)	Churan had taken photographs of minors in sexually-suggestive poses. He faced a number of charges in related state and federal prosecutions, including violations of 18 U.S.C. § 2257. In the federal case, he eventually pleaded guilty to one § 2257 count.