

Lightning Justice!

On 14 December 2012, at a General Court Martial, Specialist Dana P. Blouin, Headquarters and Headquarters Battery, 3rd Battalion, 7th Field Artillery Regiment, 3d Brigade Combat Team, was found guilty of wrongfully possessing child pornography. A Military Judge sentenced him to be reduced to the grade of E-1, to be confined for 6 months, and to be discharged from the service with a Bad Conduct Discharge.

Specialist Blouin admitted to downloading images of child pornography onto a portable electronic device between April 2011 and July 2011 while deployed to Afghanistan. The majority of the images included young girls ranging from approximately six years of age to fourteen years of age who were either nude or in sexually suggestive poses not appropriate for their ages. The images were discovered after one of Specialist Blouin's fellow Soldiers picked up the device which was left unattended in a common area of Specialist Blouin's shared living quarters. Upon reviewing the images on the device, the Soldier immediately informed his chain of command who in-turn immediately notified the Criminal Investigation Division.

It is important to note that "child pornography" is defined under the Uniform Code of Military Justice as either an "obscene visual depiction of a minor" or a "visual depiction of an actual minor" engaging in sexually explicit conduct. "Sexually explicit conduct" can include any "lascivious exhibition of the genitals or pubic area." Thus, this definition does not require that the child actually be engaged in sexual acts, nor does it require the child be either nude or partially unclothed. Rather, an image of a child can be "lascivious" if its focus is on the child's genitals or pubic area.

Child pornography offenses should be reported immediately to curtail the further exploitation of children and to preserve evidence of an accused's crimes. Immediate reporting of these offenses is essential in the fight against the internet child pornography market, which thrives on the sexual exploitation of innocent children. Moreover, prompt reporting ensures that an accurate forensic analysis can be completed on electronic media suspected of containing child pornography, aiding in the successful prosecution of offenders.