

Child Pornography Through a Computer Virus? - Roberts Law Group

Can child porn really find its way to your computer without your knowledge? While police and prosecutors are skeptical, alleged pedophiles often claim that a computer virus deposited illegal pictures or video on their hard drives.

A recent Associated Press investigation, however, has revealed a number of instances where computer viruses have, in fact, been designed to place pornographic images of children on the computers of innocent victims. For those affected, proving their innocence costs thousands of dollars – sometimes hundreds of thousands.

According to designers of computer security software, approximately 20 million computers worldwide are infected with viruses that could give someone else complete control. Pedophiles can take advantage of these hacked computers to store and access child porn remotely, protecting themselves in case of an investigation. Hackers can also take control of a computer's internet access, forcing the computer to surf to sites containing [child pornography](#) without the owner's knowledge.

In 2007, a former Massachusetts workers' compensation investigator was charged with possession of child pornography when his employer found child porn on the hard drive of his state-issued computer. An inspection later revealed that the computer was badly infected; it had been programmed to visit over 2000 child porn sites per hour, all without his knowledge.

After almost a year, the case against him was dropped, but not before he lost his job and his friends. He even had his car vandalized and experienced death threats.

While law enforcement officials admit that a virus can sometimes place child porn on a computer, the ubiquity of the excuse leads them to question it in every instance. The director of the Cyberlaw Clinic at Harvard's Berkman Center for Internet & Society compares it to the "dog ate my homework" excuse used by schoolchildren everywhere. The problem, he says, is that sometimes the dog really did eat the homework.

What can you do to protect yourself? Keeping your computer's firewall or antivirus program up to date will help, as will refraining from opening email attachments from unknown sources. Also, if you believe that you have been charged wrongly for possession of child pornography, contact an experienced criminal defense attorney immediately.

State v. B.S.: Not Guilty Verdict in First Degree Murder Case..

In this case, our client was charged with First Degree Murder in connection with a "drive-by" shooting that occurred in Charlotte, NC. The State's evidence included GPS ankle monitoring data linking our client was at the scene of the crime and evidence that our client confessed to an inmate while in jail. Nonetheless, we convinced a jury to unanimously find our client Not Guilty. He was released from

jail the same day.

State v. S.G.: First Degree Murder Charge Dismissed.

Our client was charged with First Degree for the shooting death related to alleged breaking and entering. The State's evidence included a co-defendant alleging that our client was the shooter. After conducting a thorough investigation with the use of a private investigator, we persuaded the State to dismiss entirely the case against our client.

State v. B.D.: First Degree Murder Charged Dismissed.

After conducting an investigation and communicating with the prosecutor about the facts and circumstances indicating that our client acted in self-defense, the case was dismissed and deemed a justifiable homicide.

State v. I.R.: Reduction from First Degree Murder to Involuntary Manslaughter and Concealment of Death..

Our client was charged with the First Degree Murder of a young lady by drug overdose. After investigating the decedent's background and hiring a preeminent expert toxicologist to fight the State's theory of death, we were able to negotiate this case down from Life in prison to 5 years in prison, with credit for time served.

State v. J.G.: .

Our client was charged with First Degree Murder related to a "drug deal gone bad." After engaging the services of a private investigator and noting issues with the State's case, we were able to negotiate a plea for our client that avoided a Life sentence and required him to serve only 12 years.