

# Teens and the Law

What You Need to Know



DCI SA Dan Miller

# Who am I?

- ❖ LEO for 5 years
- ❖ 1 year in patrol with Sioux Falls Police Department
- ❖ 4 years with the DCI
  - ICAC Task Force
  - Digital Evidence Examiner
  - Certified Forensic Computer Examiner

# Overview

- Introduction
- ICAC Task Force overview
- National Stats
- SD Laws
- SD Statistics
- Trends, Anecdotal Observations, Question and Answer

# ICAC Task Force Program

What is it?

The ICAC Task Force Program is a national network of coordinated task forces, representing federal, state and local law enforcement, dedicated to investigating, prosecuting and developing effective responses to internet crimes against children. The program is federally administered by OJJDP (Office of Juvenile Justice and Delinquency Prevention).

# ICAC Task Force Program

- Program began in 1998 with 12 Task Forces
- Funded federally through the Providing Resources, Officers, and Technology to Eradicate Cyber Threats to Our Children Act (“the PROTECT Act”)
- Presently comprised of 61 Task Forces nationwide
- Over 5,400 federal, state and local law enforcement and prosecutorial agencies

# ICAC Task Force Program

## National Statistics

- 675,700+ members trained in various aspects of ICAC investigations
- 844,600+ complaints reviewed regarding child sexual victimization
- 89,400+ individuals arrested as a result of the complaints reviewed & investigated

What does a week look like?

These numbers are for the week of 3/15/26

—  
3/21/26

**Activity Related to NCMEC's Child Victim Identification Program**

<b>NCMEC'S CHILD VICTIM IDENTIFICATION PROGRAM</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date*</b>
Number of Cases through NCMEC's Child Recognition & Identification System (CRIS)*	33	1,399	99,058
Number of Images/Movies Reviewed during CRIS Exams	99,060	5,750,076	466,723,989
Number of Identified Child Victims Added to CRIS	44	963	36,591
<b>NCMEC'S ELECTRONIC FILE SUBMISSIONS</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date</b>
Number of Electronic File Submissions Received Through NCMEC's SHARE Tool	83	644	1,028

*\*Launched September 18, 2002*

**Activity Related to NCMEC's CyberTipline**

<b>SOURCE OF REPORTS</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date**</b>
Reports Made by the Public	4,111	48,005	2,851,175
Reports Made by Electronic Service Providers (ESPs)	1,396,674	6,568,985	226,760,226
<b>NUMBER OF ESPS REGISTERED TO REPORT TO THE CYBERTIPLINE</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date</b>
Registered ESPs (since 02/2001)	19	76	3510
<b>TYPE OF INCIDENT (As Selected by Reporting Person/Caller When Completing this Form)</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date</b>
Child Pornography	1,303,270	5,797,788	225,328,362
Child Sex Tourism	26	256	17,039
Child Sex Trafficking	2,042	21,654	311,085
Child Sexual Molestation (not in the family)	955	12,356	169,820
Misleading Domain Name (since 04/2002)	287	3,317	61,538
Misleading Words or Digital Images on the Internet (since 10/2002)	292	4,300	90,020
Online Enticement of Children for Sexual Acts	64,090	493,421	2,950,374
Unsolicited Obscene Material Sent to a Child (since 09/2002)	29,823	283,898	682,074
Submitted Without Incident Type	0	0	1089
<b>Total # of CyberTipline Reports Submitted</b>	<b>1,400,785</b>	<b>6,616,990</b>	<b>229,611,401</b>
<b>INTERNATIONAL REFERRALS</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date</b>
Referrals to CyberTipline by INHOPE Hotlines	1,931	18,393	1,310,279
<b>ESP NOTIFICATIONS</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date</b>
Notifications Sent to ESPs (since 06/1998)	1,941	17,661	911,834
<b>NCMEC'S TAKE IT DOWN</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date***</b>
Number of Reports Submitted through Take It Down	3,230	37,281	299,012
Number of Hashes Submitted through Take It Down	6,680	79,573	608,384

*\*\*Launched March 9, 1998*

*\*\*\*Launched December 28, 2002*

# South Dakota ICAC Task Force

South Dakota DCI

Sioux Falls PD

Minnehaha County S.O.

Rapid City PD

Pennington County S.O.

Watertown PD

Aberdeen PD

Yankton PD

Vermillion PD

Brookings PD and S.O.

Mitchell PD

Lake County S.O.

Lincoln County S.O.

Pierre PD

Yankton County S.O.

Meade County Sheriff's Office

Various Federal Partners (HSI, OSI, & BIA)

SWO Tribal LE

CRST Tribal LE

# FTE Staff

- 1 ICAC Commander
- 1 Intelligence Analyst
- 1 PT CyberTip Coordinator

## West River (Rapid City)

- 2 DCI Agents (Asst Commander)
- 2 RCPD Detectives
- 1 PCSO Detective
- 1 Computer Forensic Examiner

## East River (Sioux Falls)

- 3 DCI Agents (2 SF, 1 Watertown)
- 1 SFPD Detective
- 1 MCSO Detective

# ICAC Related Crimes

- Manufacturing, Possessing and Distribution of Child Pornography.
- Selling Child Pornography
- Rape
- Solicitation of a Minor
- Child Prostitution/Commercial Sex Act with a Minor
- Sexual Exploitation of a Minor
- Sexting
- Human Trafficking

# Definitions – SDCL 22-24A-35, 36, 37

- What is child pornography? (CP vs CSAM definitions and uses)
  - Any image or visual depiction of a minor engaged in prohibited sexual acts.
    - Minor is defined as under the age of 18.
    - Prohibited sexual acts are defined as actual or simulated sexual intercourse, sadism, masochism, sexual bestiality, incest, masturbation, or sadomasochistic abuse; actual or simulated exhibition of the genitals, the pubic or rectal area, or the bare feminine breasts, in a lewd or lascivious manner; actual physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party; defecation or urination for the purpose of creating sexual excitement in the viewer; or any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed. The term includes encouraging, aiding, abetting or enticing any person to commit any such acts as provided in this subdivision. The term does not include a mother's breast-feeding of her baby;
- Possession: first offense: 1 year in prison. Subsequent conviction: 5 years
- Distribution: first offense: 5 years in prison. Subsequent conviction: 10 years
- Manufacture: first offense: 10 years minimum sentence, subsequent conviction: 20 years minimum sentence

# Solicitation of a Minor

- **22-24A-5. Solicitation of a minor--Felony--Assessment.**
- A person is guilty of solicitation of a minor if the person eighteen years of age or older:
  - (1) Solicits a minor, or someone the person reasonably believes is a minor, to engage in a prohibited sexual act; or
  - (2) Knowingly compiles or transmits by means of a computer; or prints, publishes or reproduces by other computerized or any other electronic means; or buys, sells, receives, exchanges or disseminates, any notice, statement or advertisement of any minor's name, telephone number, place of residence, physical characteristics or other descriptive or identifying information for the purpose of soliciting a minor or someone the person reasonably believes is a minor to engage in a prohibited sexual act.
- The fact that an undercover operative or law enforcement officer was involved in the detection and investigation of an offense under this section does not constitute a defense to a prosecution under this section.
- Consent to performing a prohibited sexual act by a minor or a minor's parent, guardian, or custodian, or mistake as to the minor's age is not a defense to a charge of violating this section.
- A violation of this section is a Class 4 felony.

# What is a minor re: Solicitation

The age of consent in South Dakota is 16. If a 16-year-old wants to engage in sexual activity with anyone (to include an adult), it is implicit that they could communicate about such activities. Thus, it is NOT a crime for an adult to ASK a 16-year-old if they want to engage in sexual activity. (With several caveats for power imbalances).

This is why a minor for Solicitation is thus defined as 15 years of age or younger.

## 22-24A-4. Minor and solicit defined.

Terms used in § 22-24A-5 mean:

- (1) "Minor," a person fifteen years of age or younger; and
- (2) "Solicit," to seduce, lure, entice or persuade, or attempt to seduce, lure, entice or persuade a specific person by telephone, in person, by letter, by using a computer or any other electronic means.

Practically: 15 and under is not legal to engage in any sexual activity. 16 is legal with consent of another 16 and up person. Unsolicited sexual conversation becomes

# Juvenile Sexting

- **26-10-33. Juvenile sexting prohibited--Violation as misdemeanor.**
- No minor, as defined in subdivision 26-7A-1(21), may intentionally create, produce, distribute, present, transmit, post, exchange, disseminate, or possess, through any computer or digital media, any photograph or digitized image or any visual depiction of a minor in any condition of nudity, as defined in subdivision 22-24A-2(10), or involved in any prohibited sexual act, as defined in subdivision 22-24A-2(17). Any violation of this section constitutes the offense of juvenile sexting, which is a Class 1 misdemeanor.
- Defense: unsolicited material that is not distributed or shared, and deleted in a reasonable amount of time. Self-generated images that are not distributed. (However, not wise to keep these).

# Sexual Exploitation of a Minor

- **22-22-24.3. Sexual exploitation of a minor--Felonies--Assessment.**
- A person is guilty of sexual exploitation of a minor if the person causes or knowingly permits a minor to engage in an activity or the simulation of an activity that:
  - (1) Is harmful to minors;
  - (2) Involves nudity; or
  - (3) Is obscene.
- Consent to performing these proscribed acts by a minor or a minor's parent, guardian, or custodian, or mistake as to the minor's age is not a defense to a charge of violating this section.
- A violation of this section is a Class 6 felony. If a person is convicted of a second or subsequent violation of this section within fifteen years of the prior conviction, the violation a Class 5 felony.
- The court shall order an assessment pursuant to § 22-22-1.3 of any person convicted of violating this section.

## Disseminating material harmful to minors

- **22-24-28. Disseminating material harmful to minors as misdemeanor.**
- Any person who disseminates material harmful to minors is guilty of a Class 1 misdemeanor.
- Practically: Sending a child legal pornography, sending a child a “dick pic”.

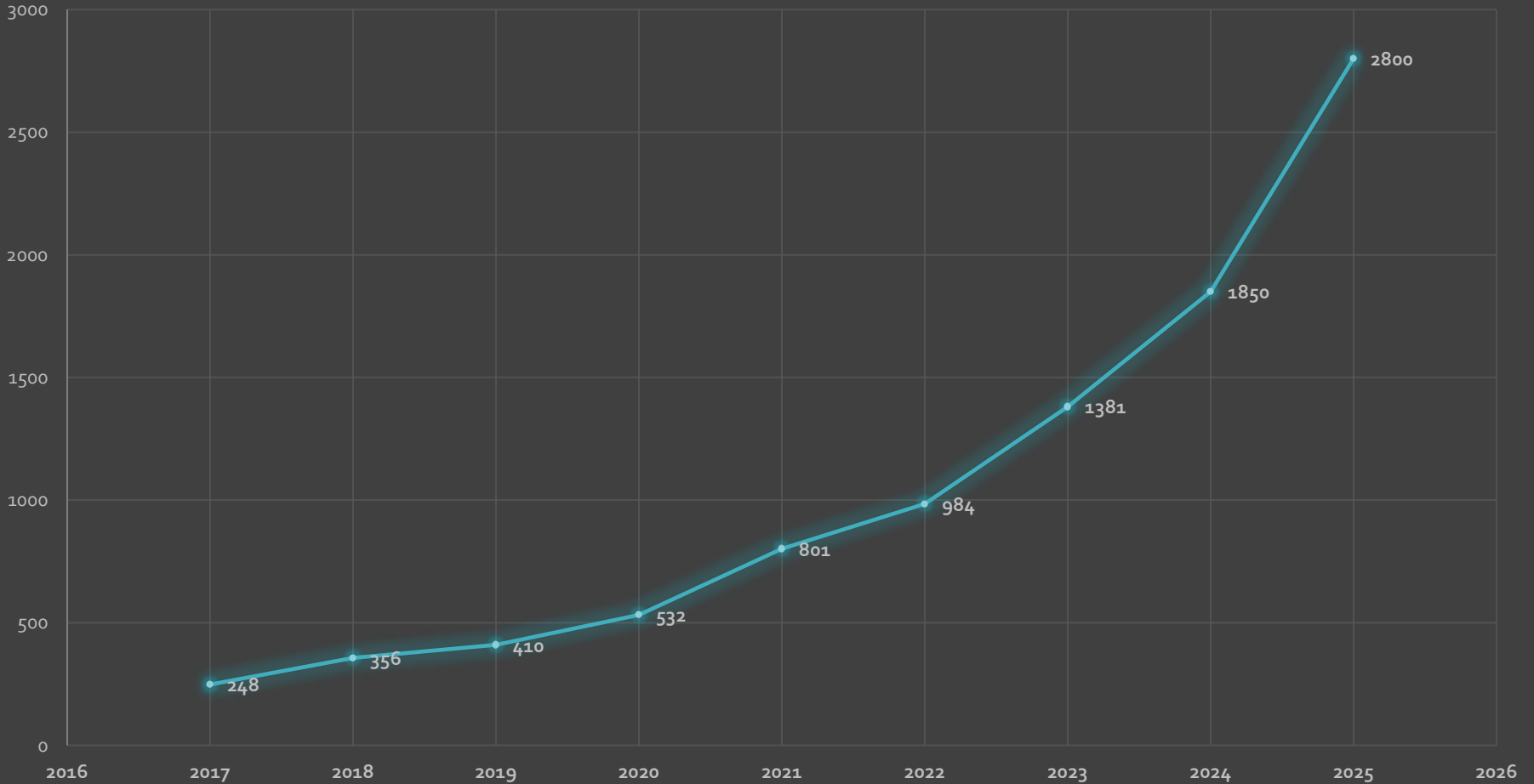
# Human Trafficking

- **22-49-1. Prohibited conduct generally.**
- No person may knowingly recruit, entice, harbor, transport, provide, receive, purchase, advertise, maintain, solicit, or obtain, by any means, another person knowing that force, fraud, or coercion will be used to cause the person to engage in a commercial sex act, forced labor, or involuntary servitude.
- No person may benefit financially, or by receiving anything of value, from participation in a venture that has engaged in acts set forth in this section, or knowingly or in reckless disregard of the fact that the venture has engaged in acts set forth in this section.
- Any violation of this section constitutes the crime of human trafficking.
- If the victim is under eighteen years of age, the crime of human trafficking need not involve force, fraud, or coercion.
- For purposes of this section and §§ 22-49-2 and 22-49-3, the term "coercion" may include:
  - (1) Threats of serious harm to or physical restraint against any person;
  - (2) The use of a plan, statement, or pattern of behavior, with the intent of causing a person to believe that failure to perform an act will result in serious harm to, or the use of physical force or violence against, the person, or will result in the restraint, isolation, confinement, or abduction of any person;
  - (3) Inducing a person to engage in a commercial sex act, forced labor, or involuntary servitude as payment toward, or in satisfaction of, a real or purported debt;
  - (4) The use of a person's physical or mental impairment, if that impairment has a substantial adverse effect on the person's cognitive or volitional function; or
  - (5) The abuse or threatened abuse of law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law is not designed, to exert pressure on another person to cause that person to take some action or refrain from taking some action.

# Statewide ICAC Statistics 2024

- 1,850 CyberTips received from NCMEC (34%)
- 900 investigations related to child sexual victimization
- 757 state and federal subpoenas issued
- 756 state and federal search warrants executed
- 92 newly identified child victims (images and/or videos)
- 2,112 digital forensic examinations related to ICAC investigations
- 92 Arrests
- 9 Arrests Involving Hands-On Offenders
- 9 Arrests Involving Registered Sex Offenders

# CyberTips by Year



# Forensic Exams

2019:

Total Exams – 1,437

Average per Exam: 113 GB

2020:

Total Exams – 1,947

Average per Exam: 110 GB

2021:

Total Exams – 1,205

Average per Exam: 191 GB

2022:

Total Exams – 1,218

Average per Exam: 173 GB

2023:

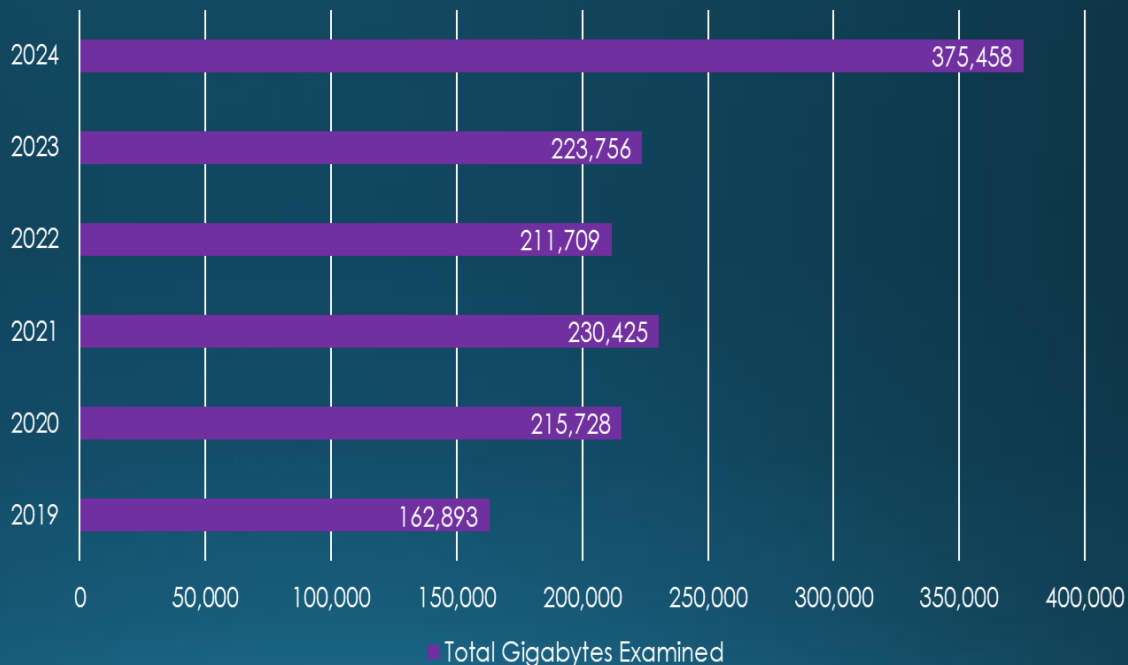
Total Exams – 1,284

Average per Case: 174 GB

2024: Total Exams – 2,112

Average per Exam 177.8 GB

## Total Gigabytes Examined



2025 (through September) = 316,340 GB

# NCMEC Stats Examples

What does a week look like?

These numbers are for the week of 3/15/26

—  
3/21/26

**Activity Related to NCMEC's Child Victim Identification Program**

<b>NCMEC'S CHILD VICTIM IDENTIFICATION PROGRAM</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date*</b>
Number of Cases through NCMEC's Child Recognition & Identification System (CRIS)*	33	1,399	99,058
Number of Images/Movies Reviewed during CRIS Exams	99,060	5,750,076	466,723,989
Number of Identified Child Victims Added to CRIS	44	963	36,591
<b>NCMEC'S ELECTRONIC FILE SUBMISSIONS</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date</b>
Number of Electronic File Submissions Received Through NCMEC's SHARE Tool	83	644	1,028

*\*Launched September 18, 2002*

**Activity Related to NCMEC's CyberTipline**

<b>SOURCE OF REPORTS</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date**</b>
Reports Made by the Public	4,111	48,005	2,851,175
Reports Made by Electronic Service Providers (ESPs)	1,396,674	6,568,985	226,760,226
<b>NUMBER OF ESPs REGISTERED TO REPORT TO THE CYBERTIPLINE</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date</b>
Registered ESPs (since 02/2001)	19	76	3510
<b>TYPE OF INCIDENT (As Selected by Reporting Person/Caller When Completing this Form)</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date</b>
Child Pornography	1,303,270	5,797,788	225,328,362
Child Sex Tourism	26	256	17,039
Child Sex Trafficking	2,042	21,654	311,085
Child Sexual Molestation (not in the family)	955	12,356	169,820
Misleading Domain Name (since 04/2002)	287	3,317	61,538
Misleading Words or Digital Images on the Internet (since 10/2002)	292	4,300	90,020
Online Enticement of Children for Sexual Acts	64,090	493,421	2,950,374
Unsolicited Obscene Material Sent to a Child (since 09/2002)	29,823	283,898	682,074
Submitted Without Incident Type	0	0	1089
<b>Total # of CyberTipline Reports Submitted</b>	<b>1,400,785</b>	<b>6,616,990</b>	<b>229,611,401</b>
<b>INTERNATIONAL REFERRALS</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date</b>
Referrals to CyberTipline by INHOPE Hotlines	1,931	18,393	1,310,279
<b>ESP NOTIFICATIONS</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date</b>
Notifications Sent to ESPs (since 06/1998)	1,941	17,661	911,834
<b>NCMEC'S TAKE IT DOWN</b>	<b>Weekly</b>	<b>2026 Year to Date</b>	<b>Program to Date***</b>
Number of Reports Submitted through Take It Down	3,230	37,281	299,012
Number of Hashes Submitted through Take It Down	6,680	79,573	608,384

*\*\*Launched March 9, 1998*

*\*\*\*Launched December 28, 2002*

# 2024 SD ICAC Stats

## Efficiency Stats

Cybertips Received

1850

Average Days to View

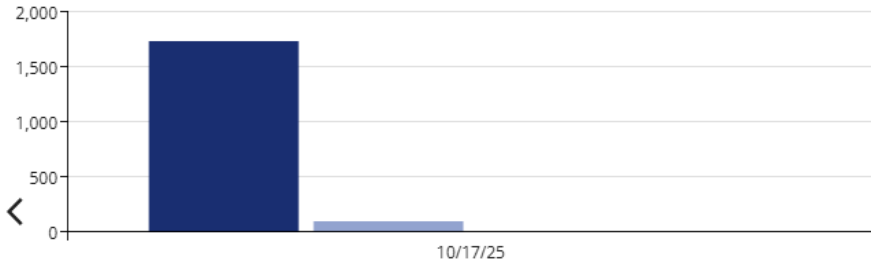
3.48

Average Hours to View

83.42

# Priority Level

## Priority



- E
- 3
- 2
- 1

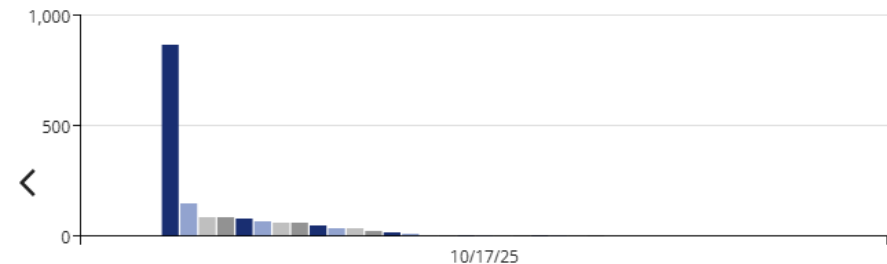
- 1743
- 103
- 3
- 1



# Priority Level Descriptions

- ❖ Priority 1 (Juan Thomas)
  - Child is likely being sexually abused as we speak or is in immediate danger
- ❖ Priority 2
  - Child will likely be victimized in the near future
- ❖ Priority 3
  - Level does not arise to a priority 1 or 2
  - Report made by a 3rd party (mother of a child)
- ❖ Priority E
  - Level does not arise to a priority 1 or 2
  - Reported by an Electronic Service Provider

# From What ESP's?

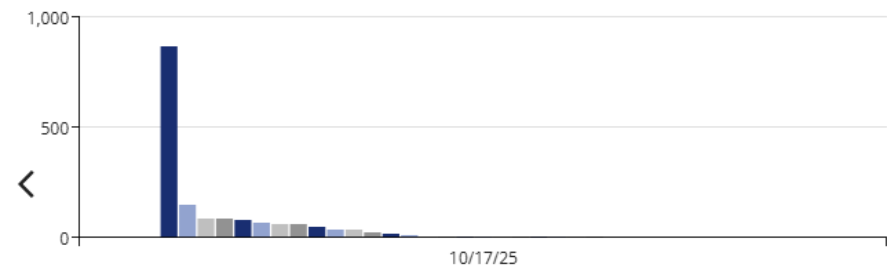


## ESP

- Snapchat 870
- Google 149
- Instagram, Inc. 89
- MediaLab/Kik 87
- Synchronoss Technologies, Inc 81
- Facebook 71
- Discord Inc. 64
- Pinterest Inc. 60
- TikTok Inc. 53
- X Corp 37

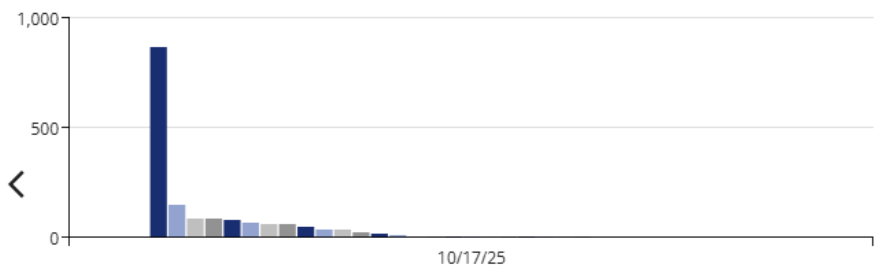


## ESP



<input checked="" type="checkbox"/>	Reddit, Inc.	35
<input checked="" type="checkbox"/>	Dropbox, Inc.	22
<input checked="" type="checkbox"/>	Microsoft - Online Operations	21
<input checked="" type="checkbox"/>	Quora	11
<input checked="" type="checkbox"/>	Grindr	9
<input checked="" type="checkbox"/>	WhatsApp Inc.	8
<input checked="" type="checkbox"/>	Sony Interactive Entertainment	8
<input checked="" type="checkbox"/>	MeetMe.com (fka myYearbook.com)	8
<input checked="" type="checkbox"/>	Nektun Limited	8
<input checked="" type="checkbox"/>	Imgur, LLC	8

← →

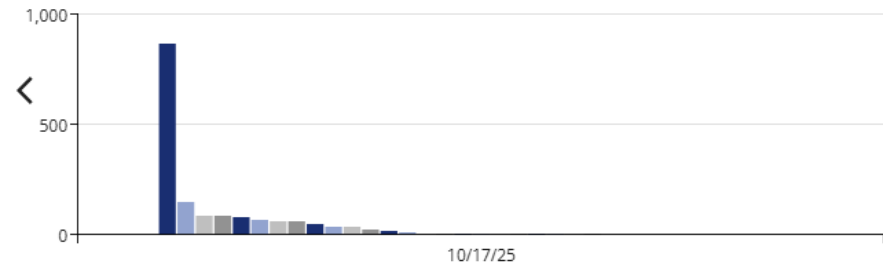


## ESP

- Microsoft - Xbox 7
- Roblox 7
- Amazon Photos 7
- Yahoo! Inc 4
- Block Inc. 3
- PayPal Inc. 2
- Globtech LLC 1
- Skout.com 1
- Tumblr 1
- Keywords Studios 1

← →

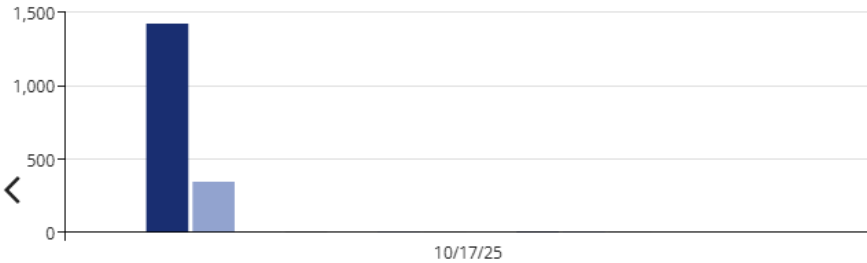
## ESP



- Tagged.com 1
- MeWe 1
- Twitch Interactive, Inc. 1
- Multi Media, LLC/Zmedianow, LLC/Chaturbate 1
- Imagebam/ Flixya Entertainment/ videobam 1

← →

# Incident Type

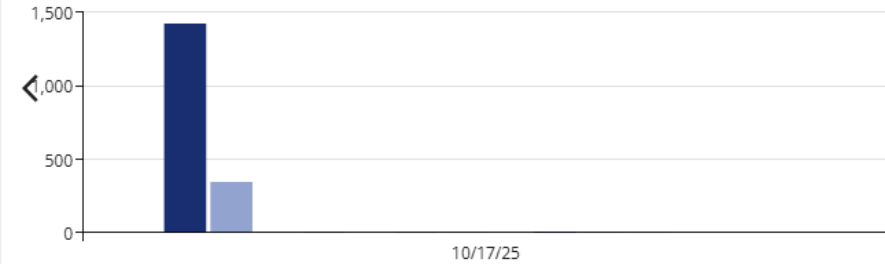


## Incident Type

- Child Pornography (possession, manufacture, and distribution) 1429
- Online Enticement of Children for Sexual Acts 348
- Unsolicited Obscene Material Sent to a Child 13
- Child Pornography (Production) 13
- Obscenity to Minors 11
- Unsolicited Obscene Material Sent to a Child 8
- Other Online Crime Against Children 6
- Child Sex Trafficking 6
- Misleading Words or Digital Images on the Internet 5
- Child Pornography (Receipt) 4



## Incident Type



Misleading Domain Name

3



Cyber Bullying / Harassment

2



Child Erotica

1



Child Sexual Molestation (not by family member)

1



# 2025 Stats - now at 2,024

## Efficiency Stats

Cybertips Received

1985

Average Days to View

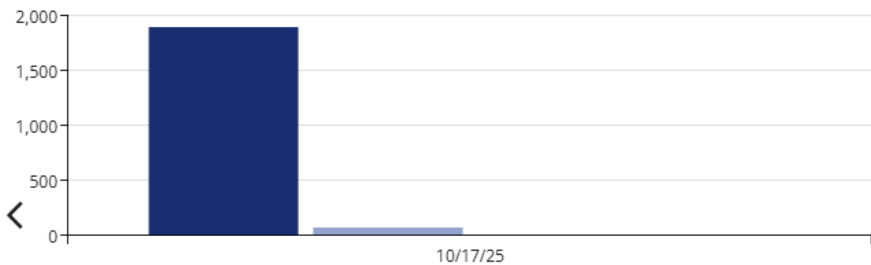
2.08

Average Hours to View

49.98

# Priority Level

## Priority



E

3

2

1

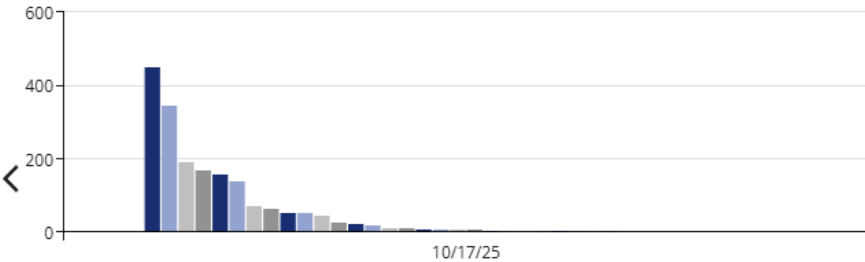
1899

81

3

2

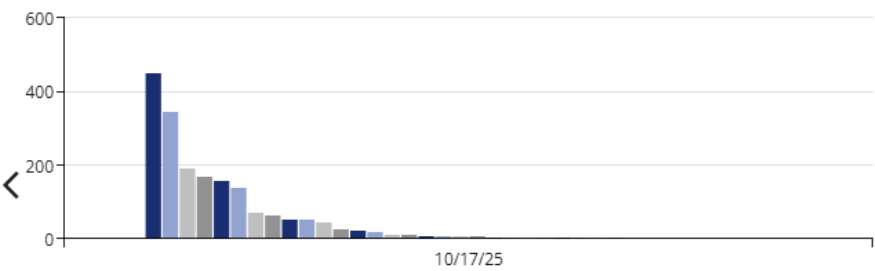
# Which electronic service providers do we see most often?



## ESP

<input checked="" type="checkbox"/>	Snapchat	451
<input checked="" type="checkbox"/>	Instagram, Inc.	344
<input checked="" type="checkbox"/>	TikTok Inc.	192
<input checked="" type="checkbox"/>	Facebook	168
<input checked="" type="checkbox"/>	Google	159
<input checked="" type="checkbox"/>	Discord Inc.	138
<input checked="" type="checkbox"/>	X Corp	71
<input checked="" type="checkbox"/>	Synchronoss Technologies, Inc	64
<input checked="" type="checkbox"/>	MediaLab/Kik	54
<input checked="" type="checkbox"/>	Reddit, Inc.	51

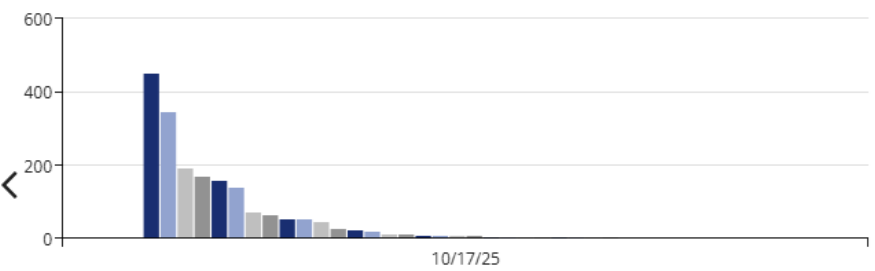
← →



## ESP

- Roblox 45
- Pinterest Inc. 28
- Block Inc. 23
- Microsoft - Online Operations 19
- Imgur, LLC 12
- Amazon Photos 10
- Dropbox, Inc. 9
- WhatsApp Inc. 8
- Sony Interactive Entertainment 7
- Quora 6

← →

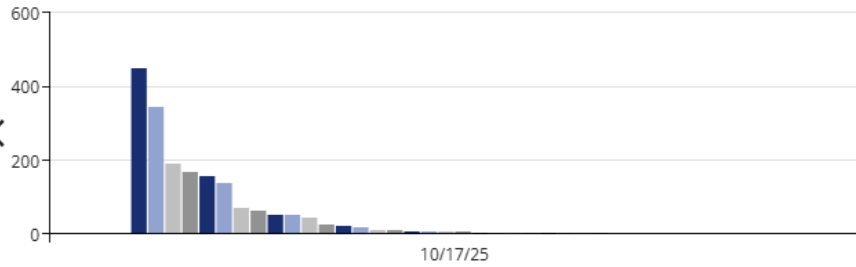


### ESP

- Tagged.com 5
- Microsoft - Xbox 4
- MeetMe.com (fka myYearbook.com) 4
- Spotify USA Inc. 4
- NTOC 4
- PayPal Inc. 3
- Grindr 2
- 4chan community support LLC 2
- Yubo 1
- Nektun Limited 1

← →

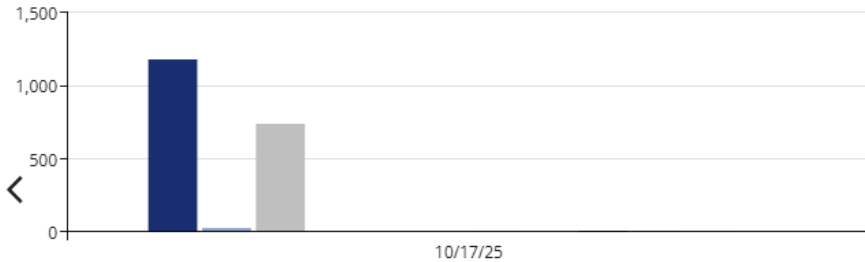
## ESP



- Canva 1
- Tumblr 1
- Airbnb, Inc. 1
- Aylo Freesites Ltd (dba Pornhub) 1
- Badoo 1
- Rec Room 1
- Patreon 1
- LIGHTNINGWARE INC. 1

← →

# Incident Type



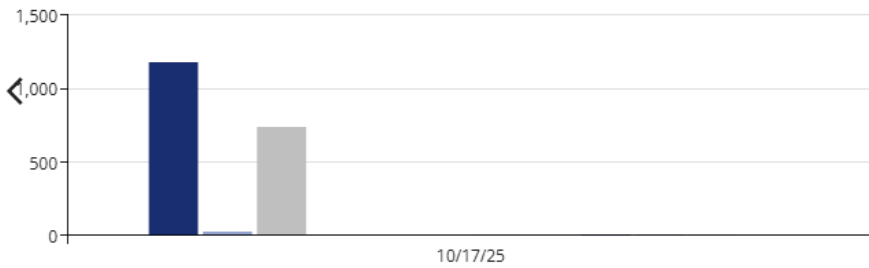
## Incident Type

- Child Pornography (possession, manufacture, and distribution) 1179
- Online Enticement of Children for Sexual Acts 745
- Unsolicited Obscene Material Sent to a Child 26
- Other Online Crime Against Children 9
- Child Sex Trafficking 6
- Child Pornography (Receipt) 5
- Misleading Words or Digital Images on the Internet 5
- Obscenity to Minors 3
- Misleading Domain Name 2
- Child Pornography (Production) 2

← →

As of 10/27 - CT's at 1214 / Enticement are 747

## Incident Type



Child Sex Tourism

2



Cyber Bullying / Harassment

1



# What we are seeing now

- ❖ Child Pornography CyberTips are still king
- ❖ Increase in online enticement
  - To include Sextortion (mainly non-financial)
  - Increase from 348 in 2024 to 745 in 2025 (so far)
- ❖ Still a large number of self-production
- ❖ Increasing requests for digital evidence examinations/portable cases
  - What crime doesn't have a digital evidence nexus?

# Challenges

- ❖ Significant increase in CyberTips (CP & enticement) and ICAC related investigations
  - Old days were P2P cases and “old” pictures and videos going around
  - Now, hundreds of thousands of new media files being produced that have not been identified and have not been put into a hash database
- ❖ Corresponding increase in digital evidence examinations
- ❖ Limited number of ICAC investigators and forensic examiners
  - Number of personnel investigating ICAC cases is not increasing
- ❖ Significant increases in data capacity and items of digital evidence
  - 15-30 items on average
  - Multiple TB's of data
- ❖ Significant increase in intricacy of the data in cell phones
- ❖ Encryption and Windows 11
- ❖ USB restricted mode (iPhone after 1 hour of being locked)
- ❖ Inactivity timers (72 hours) - Android and iPhone
- ❖ Rising cost of digital forensic tools
  - \$270,000 in 2025 for licenses and software/hardware

# What is the law enforcement response?

- ❖ Triage, triage, triage
- ❖ Attempt to increase FTE dedicated to ICAC
  - Funding to train and equip
- ❖ Increase our number of affiliates
- ❖ Focus on distribution and manufacture cases
  - To include P2P investigations
- ❖ Acquire the best tools we can
  
- ❖ Trends at school safety presentations

Questions?

SA Dan Miller

DCI Sioux Falls

ICAC Task Force

[daniel.miller@state.sd.us](mailto:daniel.miller@state.sd.us)