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**U.S. ANNOUNCES SENTENCING OF COLORADO MAN IN U.S. COURT
FOR ADVERTISING AND TRANSPORTING CHILD PORNOGRAPHY**

DAVID N. KELLEY, the United States Attorney for the Southern District of New York, announced that JAN ELIJAH ROGERS, a daycare worker, was sentenced today to a term of 20 years' imprisonment. The sentence, handed down by United States District Judge STEPHEN C. ROBINSON in White Plains, followed ROGERS' conviction after a bench trial in July 2004 on charges of publishing advertisements that offered to receive and exchange child pornography and transporting child pornography in interstate commerce.

ROGERS, a 27-year-old resident of Fort Collins, Colorado, was working at the University of Colorado Children's Center, a daycare facility located in Fort Collins, at the time of his arrest. As established by the proof at trial, ROGERS published his advertisements on the Internet in two chat rooms called "#0!!!!!!!!!!!!!!!!preteen 101" and "#0!!!!!!!!!!!!Preteen411." ROGERS' advertisements offered to trade child pornography by means of a "file server" or "F-serve." (A file server is a

mechanism by which computer users can exchange computer files with other users. It operates from a hard drive and allows the operator of the file server to share his computer files with users who access it, and for those users to add files to the file server.) ROGERS' advertisements offered an "fserver for fans of panty/diaper, swimsuit, and action pix (0-8 yrs)."

The evidence at trial also established that in March 2002 and June 2002, a detective from the Rockland County Sheriff's Office, acting in an undercover capacity, read ROGERS' advertisements and accessed ROGER's file server. Upon accessing the file server, the detective read the "rules" of the file server which, among other things, stated, "New Baby and TODDLER pictures get bonus credits up the wazoo. Redhead series get bonus credits! Remember, the higher the quality, the younger the girl (or boy), and the better the action, the more bonus credits you receive." When the file server granted access to the detective, the detective obtained a directory listing more than 100 files.

Many files carried names either suggesting, or explicitly stating, that they contained child pornography. On June 19 and June 20, 2002, the detective downloaded five images from the file server, all of which constituted child pornography.

According to the trial record and other Court documents, on June 20, 2002, federal agents executed a search warrant on ROGERS' residence in Fort Collins, Colorado. They

confiscated a computer which was found to contain over ten thousand images of child pornography, including images of child abuse portraying sadistic and masochistic conduct and other acts of violence against toddler-aged children. According to court records, ROGERS was also involved in creating child pornography. Confiscated from ROGERS' residence were two mini-cam videocassettes, which were found to contain footage of ROGERS fondling and engaging in other inappropriate contact with young children he was entrusted to care for. Also recovered from Rogers' computer were Internet chats in which Rogers described his efforts to have actual sexual contact with children, encouraged others in their efforts to victimize children, and spoke of his desire to find new sources of child pornography.

After his arrest in Fort Collins on June 21, 2002, ROGERS resided in a halfway house for several months as a condition of his bail. His bail was later revoked by a United States Magistrate Judge in Fort Collins after it was learned that immediately after his release from the halfway house he had returned to the daycare center where he was previously employed in violation of his bail conditions.

ROGERS was convicted of two counts charging him with advertising the child pornography and one count charging him with transporting child pornography in interstate commerce. Judge STEPHEN C. ROBINSON imposed a sentence of twenty years' imprisonment on Counts One and Two, the maximum term of imprisonment available on each of these counts, and fifteen

years' imprisonment on Count Three, the maximum term of imprisonment available under this count.

Judge ROBINSON found that the images distributed by the defendant included images of sadistic and masochistic conduct and found that the defendant had engaged in a pattern of activity involving the sexual abuse and exploitation of minors. In imposing sentence, Judge ROBINSON stated that JAN ELIJAH ROGERS "managed to insinuate himself in a community that from all appearances and accounts welcomed him with open arms and entrusted what most parents would consider the most important and valued item, if it can be described that way, in their life - their children - to his trust and care, and he abused that and abused that on more than one occasion and then videotaped his abusive conduct for his pleasure and for others."

The Court ordered that the terms of imprisonment would run concurrently. The Court also imposed a three year term of supervised release and a \$300 special assessment.

Following today's sentence on the federal charges, ROGERS will return to Fort Collins where he faces separate state child sex abuse charges.

Mr. KELLEY said that the prosecution was the product of an investigation by the United States Secret Service and the Rockland County Sheriff's Office and praised their efforts.

Assistant United States Attorneys MARCIA S. COHEN and PERRY CARBONE are in charge of the prosecution.

