



3. At all times relevant to this Order, the Respondent was employed as a licensed graduate social worker at a substance abuse treatment center located in Baltimore ("Employer A") and a counseling center located in Glen Burnie ("Employer B").

#### **Complaint**

4. On or about August 21, 2014, the Board received a report (the "Complaint") from a Baltimore County Police Department detective (the "Complainant") that the Respondent had been arrested and charged with felony crimes related to the possession and distribution of child pornography.

5. Based on the Complaint, the Board began an investigation of the Respondent.

#### **Investigation**

6. In furtherance of its investigation, the Board obtained records from the Respondent's employers. An examination of the Respondent's appointment log from Employer B revealed that the Respondent had counseled two female clients ("Client A" and "Client B"), aged 14 and 12. No complaints were found regarding the Respondent's contact with Clients A and B.

7. In addition, the Board obtained detailed police records regarding the seizure of child pornography from the Respondent's home, as well as the Respondent's arrest and criminal charges.

#### **Images and Video**

8. On or about July 9, 2014, a detective (the "Detective") of the Baltimore County Police Department's Crimes Against Children Unit was conducting an online

investigation on the BitTorrent file-sharing network<sup>2</sup> for offenders sharing child pornography. The Detective directed his investigation to an IP address associated with files identified with child pornography (the "IP Address").

9. The Detective was able to directly access the computer at the IP Address and download two files from it.

10. The first file ("Image A") depicts a prepubescent female child, approximately 6-9 years old, in a standing pose. The child's undeveloped breasts are exposed and her right hand is pushing down her shorts and touching her partially exposed vagina. The female child is "posed in a manner that sexually exploits her genitals and makes them the focal point of the image."

11. The second file (Image B") depicts a prepubescent female child, approximately 6-9 years old, in a sitting pose. The child's undeveloped breasts are exposed and her right hand is pushing aside her shorts and touching her partially exposed vagina. The female child is "posed in a manner that sexually exploits her genitals and makes them the focal point of the image."

12. On or about July 25, 2014, the Detective again directly connected to the computer at the IP Address. This time, he was able to download a video file ("Video A") from it.

13. Video A depicts a nude prepubescent female child, approximately 9-11 years old. She appears to be inside a tent with the camera operator, an adult male. The child is shown lying on her stomach while the camera operator fondles and digitally penetrates her vagina.

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<sup>2</sup> BitTorrent is a protocol supporting the practice of peer-to-peer file sharing that is used to distribute large amounts of data over the Internet.

14. The police records indicate that Image A, Image B, and Video A are child pornography.

15. Once the Detective determined that the IP Address was assigned to a national Internet Service Provider ("the ISP"), a grand jury subpoena was issued to the ISP requesting the subscriber name and address for the IP Address at the times Image A, Image B, and Video A had been downloaded.

16. In response to the subpoena, the ISP revealed that at the time the files were downloaded, the IP Address was assigned to the Respondent's home address in the name of the Respondent's wife.

17. Based on the information, the Detective obtained a search and seizure warrant for the Respondent's home address.

18. On or about August 21, 2014, police officers of the Crimes Against Children Unit served and executed the warrant at the Respondent's home address.

19. During the execution of the warrant, the Respondent agreed to waive his Miranda rights and speak with the police officers. During a recorded interview, the Respondent admitted that he searches for and downloads child pornography from the internet. He advised that he saved his collection of child pornography to his tablet computer with a portable SD memory card, and to a desktop computer.

20. The Respondent stated that he has used BitTorrent file sharing software through the ISP for approximately four years, and that during that time he has not disabled the file sharing function that would prevent other users from accessing his collection of child pornography.

21. The Respondent further stated that he has been involved with child pornography for approximately 14 years, and that his sexual preference is for young

girls aged 10-12. He admitted using search terms such as "young" and "pre-teen," which he defined as 12 years old or younger. He described how his activities had evolved from simply looking at young girls to having an "obsession" with hardcore child pornography.

22. The Respondent denied he had had sexual contact with any children, including family members or clients. However, he admitted that he masturbates to child pornography and has met prostitutes for erotic massage and oral sex.

23. The police seized a tablet computer, a desktop computer, and numerous discs and media located in the Respondent's private bedroom. Forensic evaluation of these computers revealed that the tablet computer used BitTorrent file sharing software with files containing child pornography. Child pornography files were also found on the desktop computer.

24. The police investigation would not have been possible but for the Respondent's distribution of child pornography to the Detective.

25. On or about August 21, 2014, the Respondent was placed under arrest and charged with three felony crimes:

- (a) Knowingly distributing child pornography;
- (b) Knowingly possessing with the intent to distribute child pornography;
- and
- (c) Knowingly possessing child pornography.

26. The Board's investigation in this matter is ongoing.

#### **CONCLUSIONS OF LAW**

Based on the foregoing investigative findings, the Board concludes as a matter of law that the public health, safety, or welfare imperatively requires the immediate

suspension of the Respondent's license to practice graduate social work in Maryland, pursuant to Md. Code Ann., State Gov't § 10-226(c)(2) (2009 Repl. Vol. & 2013 Supp.).

**ORDER**

Based on the foregoing Investigative Findings and Conclusions of Law, it is, by a majority of the Board considering this matter:

**ORDERED** that pursuant to the authority vested in the Board by Md. State Gov't Code Ann. § 10-226(c)(2), the Respondent's license to practice graduate social work in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and it is further

**ORDERED** that the Respondent has the opportunity to appear before the Board to show cause why the suspension should not be continued at a postdeprivation show cause hearing. The show cause hearing has been scheduled for October 3, 2014 at 10:30 am at the Board's offices at 4201 Patterson Ave, Baltimore, Maryland 21215. If the Respondent does not attend either in person or through counsel, the Board may nevertheless hear and determine the matter. The Respondent may request an evidentiary hearing on the merits of this matter. The request must be in writing and be made **WITHIN TEN (10) DAYS** of service of this Order. If no such written request is made, the suspension will continue indefinitely. The written request should be made to: Stanley E. Weinstein, Ph.D., LCSW-C, Executive Director, Maryland State Board of Social Work Examiners, 4201 Patterson Ave, Baltimore, Maryland 21215, with copies mailed to: Christopher Anderson, Staff Attorney, and Michael Kao, Assistant Attorney General, Health Occupations Prosecution and Litigation Division, Office of the Attorney General, 300 West Preston Street, Suite 201, Baltimore, Maryland 21201; and Ari Elbaum, Assistant Attorney General, Office of the

