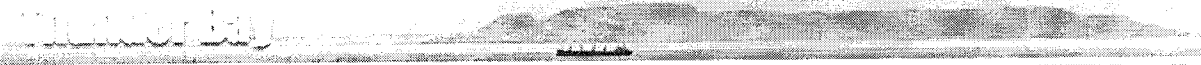


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Weighing the Balance: child porn, police and public safety

The story of two men caught up in an investigation into the sexual exploitation of children on the internet raises troubling questions about whether or not authorities should publicly release the identities of those who are charged.

*Kellie Hudson
CBC News*

Police forces across the country fight a tireless battle against child pornography. In one year alone, Toronto police seized millions of images of children being sexually exploited.

While Canadian law enforcement agencies make a dent in the trade of images of children being violated, their efforts can also take a heavy toll on the people under scrutiny.

In one recent example, Toronto police held a news conference as part of Operation Snowball, a Canada-wide investigation into child pornography on the internet. At the April 16, 2003 conference, they announced the arrest of five men accused of using their credit cards to buy child porn. A warrant had been issued for the arrest of a sixth suspect.

The names and ages of all the suspects were released to the media, who turned out in droves for the announcement.

For one of the men named that day, the arrest and public naming and shaming sent him into a tailspin. Although the charges against him were eventually withdrawn, he never recovered from the stigma of being associated with such a despicable crime.

He lost his job, his friends, his reputation – and eventually his will to live.

But for another man identified at the same media event, a father of three named John, the public arrest and jail term proved to be a wake-up call. His arrest and subsequent jail sentence led him to seek help for a lifelong addiction to pornography.

The stories of these two men show the often opposing forces at work in law enforcement: on the one hand is the desire that most people have to get rid of child pornography – the makers, the abusers and the voyeurs.

And on the other is the fundamental principle of our legal system: the need and the right to be considered innocent until proven guilty.

[NEXT > A brother's tragic tale](#)

[^ Top Of Page](#)

Story Navigation:

- Main
- A brother's tragic tale
- Wake-up call for a sex addict

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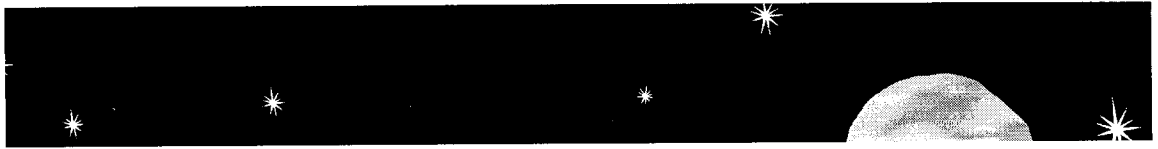
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Thunder Bay

2



Gary, Bob and James LeCraw (L-R)

Weighing the Balance: a brother's tragic tale

[Naming and Shaming](#) > **A brother's tragic tale**

Bob LeCraw gazes at [a photo](#) he's pulled from a stack of papers on his dining room table.

He and his brothers James and Gary are standing, grinning broadly in front of an older woman - their mother - who's seated.

"He was on top of the world," Bob says of his younger brother James at the time. "He had a great job. Everything was going well for him."

Jim, Jamie or Jim-Bob as some called him, was always the live wire. The youngest of the three brothers, he was very funny, very outgoing.

But on April 16, 2003, Toronto police named James LeCraw as one of six men charged as a result of Operation Snowball, a Canada-wide investigation into child pornography on the internet. James was charged with using his credit card to download child pornography.

After further investigation, the charges against him were eventually withdrawn, as they were against two other men named that day. A fourth man named was never even charged.

James's family believes the charges against him were withdrawn because he was completely innocent. But for James it was too late. He never recovered from the stigma of being associated with child porn.

In debt and depressed, 51-year-old James LeCraw killed himself on July 19, 2004.

His family holds the police accountable for his suicide. They considered filing a lawsuit, but decided against it because of the cost to the family - both emotionally and financially.

[NEXT > Public naming, public safety](#)

Story Navigation:

- Main
- [A brother's tragic tale](#)
- [Public naming, public safety](#)
- [On top of the world](#)
- [Waging war on child porn](#)
- [Charges gone, so are the jobs](#)
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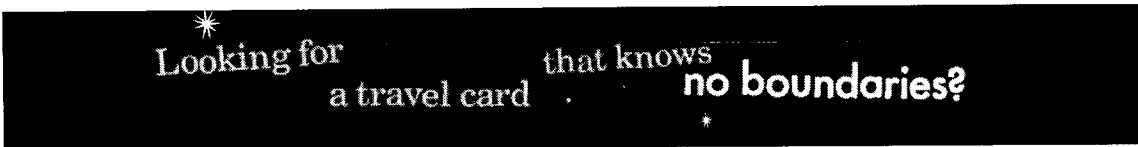
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[^ Top Of Page](#)

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3



Weighing the Balance: a brother's tragic tale

Gary, Bob and James LeCraw (L-R)

Story Navigation:

- Main
- A brother's tragic tale
- Public naming, public safety
- On top of the world
- Waging war on child porn
- Charges gone, so are the jobs
- Farewell to the family
- Wake-up call for a sex addict

Naming and Shaming > [A brother's tragic tale](#) > **Public naming, public safety**

For police, the policy of publicly naming suspects in child pornography cases boils down to a matter of public safety.

For police, the policy of publicly naming suspects in child pornography cases boils down to a matter of public safety.

At the press conference where he announced the names of the six suspects, Chief Julian Fantino placed a sign in front of the podium. It read "It's All About the Kids."



Julian Fantino

During the conference, he called for more government funding and tougher legislation, and then, with his words, he painted a picture of the accused men for the gathered throng of media.

"These Project Snowball arrests involve offenders from all walks of life, who live in every corner of the city," he says. "They only have one thing in common, and that is the criminal approach to their relationship with children."

"It's a perverse situation that obviously in many, many different ways, victimizes children."

For Bob LeCraw, Fantino's approach at the press conference amounted to "grandstanding."

"To use that kind of language in an organized press conference and name the people is... he's tried and found them guilty before he even knows any facts at all," says LeCraw. "I know the police do a lot of good work; this isn't good work. They had nothing [and] they ruined more than my brother's life - they ruined others."

[NEXT > On top of the world](#)

[^ Top Of Page](#)

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- [Child porn FAQ](#)
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4



Gary, Bob and James LeCraw (L-R)

Weighing the Balance: a brother's tragic tale

Story Navigation:

- Main
- A brother's tragic tale
- Public naming, public safety
- On top of the world
- Waging war on child porn
- Charges gone, so are the jobs
- Farewell to the family
- Wake-up call for a sex addict

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[Naming and Shaming](#) > [A brother's tragic tale](#) > [On top of the world](#)

James had a degree in environmental studies, but his true love was business. He worked for a couple of financial institutions, and did some consulting work-even helping Bob LeCraw set up his own business.

In 2000, he landed his dream job as executive director at Computers for Schools Ontario, a not-for-profit organization that collects, repairs and refurbishes old computers, and then donates them to schools and libraries.

The staff there loved him, and so did the board of directors. Less than two weeks before his arrest, James received a glowing performance evaluation, and the board increased his annual bonus to show appreciation.



James LeCraw

Propelled into a tailspin

After his arrest and the publicity, however, James LeCraw went into freefall: The effects were immediate, and devastating.

He was suspended with pay from his job, then, a few months later, let go with a severance package.

People talked. Friends, some of them lifelong, disappeared.

Bob LeCraw says it was very hard on his younger brother. "For somebody that worked so hard to get to where he was going... it was just devastating," he says. "He didn't know what to do at first. He was just shattered."

But James and his family remained optimistic, never giving up hope that the charges would be dropped.

Bob says his brother admitted to using his credit card to buy legal, adult pornography - one of those one-month trial things. And as his niece Christa says, James was no monk. He was a single, adult male.

James was embarrassed about buying porn, but his family says he had no idea there was a connection to child porn until he was arrested.

[NEXT > Waging war against child porn](#)

[^ Top Of Page](#)

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5



Gary, Bob and James LeCraw (L-R)

Weighing the Balance: a brother's tragic tale

Story Navigation:

- Main
- A brother's tragic tale
- Public naming, public safety
- On top of the world
- Waging war on child porn
- Charges gone, so are the jobs
- Farewell to the family
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Naming and Shaming > [A brother's tragic tale](#) > [Waging war against child porn](#)

Det. Sgt. Paul Gillespie sits in his office in police headquarters in downtown Toronto and talks about what he does for a living as the guy in charge of the force's child exploitation unit.



Det. Sgt. Paul Gillespie

He pulls up a video on his computer, one of four he says his unit seized in the previous two weeks.

"This is simply typical," he says. "Some have sound; some don't. This one we just got is very disturbing to the guys."

The images on the screen are difficult to look at and listen to. A man is raping a young child in a bathtub.

"Sometimes you see children just screaming, obviously very upset and disturbed," says Gillespie. "As often, though, we'll see children ... They go into almost like a trance. I find that more disturbing - that a child having this happen would not be screaming, just accepting."

Last year alone, the Toronto police seized millions of images of child pornography - not all of them as bad as Gillespie's example.

But it is illegal in Canada to distribute a picture of someone under the age of 18 involved in any sexual activity.

Gillespie knows there is a broad range of images out there, ranging from torture to mere posing. But to him, child pornography is child pornography and it's a crime.

"These are crime scene photos," says Gillespie. "They are memorializations of the worst, most horrific moment in somebody's life, and people are going to trade around forever and take pleasure in."

"I don't know of anything could be more despicable."

That's why he has no qualms about naming people arrested for possession or distribution.

"Every time someone looks at one of these pictures, the child is revictimized," he says. "When I hear things in court like "Oh my guy ... he was just collecting. He's just looking at this stuff, he's not the problem."

"Well, you know - yeah, he is the problem. These aren't hockey cards - these are children being tortured."

A sudden reversal

On Sept. 23, 2003, about five months after James LeCraw was arrested, all charges against him were withdrawn.

No reasons were read into the record during his brief court appearance, but a spokesperson from the Ontario Attorney General's office said the prosecution was "discontinued on the basis of new evidentiary considerations" that affected the strength of the Crown's case.

So in the eyes of the law, James is innocent.

But there was no media conference to trumpet the news on that day - just a quick up-and-down appearance in a downtown courtroom.

James called his brother to let him know the news. "It was fantastic," remembers Bob LeCraw. "We got together a few days later, to have a beer, talk it over. He was still pretty upset. [But] now he was looking forward."

James then set out to get his old job back, armed with a letter from his lawyer.

"In criminal law, there is no greater exoneration than the withdrawal of a charge," reads the letter, addressed to John May, chair of the board for Computers for Schools. "In fact, the withdrawal of a charge is an even greater vindication than an acquittal. [It] is tantamount to the charge never having been laid."



But James's former employer wouldn't even consider taking him back unless he agreed to a separate investigation.

"We told him we felt we had to do an investigation to find out whether there is any truth in the claims that the police had made," says Mays. "We felt as a board that we had both a right to know whether those allegations were true and an obligation to our various stakeholders to ascertain whether they were true."

[NEXT > Charges gone, so are the jobs](#)

[^ Top Of Page](#)

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Gary, Bob and James LeCraw (L-R)

Weighing the Balance: a brother's tragic tale

- Story Navigation:**
- Main
 - A brother's tragic tale
 - Public naming, public safety
 - On top of the world
 - Waging war on child porn
 - Charges gone, so are the jobs
 - Farewell to the family
 - Wake-up call for a sex addict



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Naming and Shaming > [A brother's tragic tale](#) > **Charges gone, so are the jobs**

Bob LeCraw says his brother refused to participate in any investigation, maintaining that he was innocent.

Plus, James thought he'd find another job, very soon.

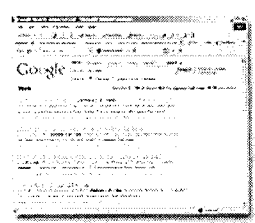
In fact, Bob says his brother was in the running, down to the final three, for some pretty high-level positions.

But the job offers never came, which Bob LeCraw says is partly because his brother was denied a reference from Computers for Schools.

May, as chair of the board wrote the letter to James telling him this fact. But he says he agreed privately to be a personal reference for James, even though he was never called.

Bob LeCraw, who says he was unaware of any arrangement between May and James, points to a second reason why he thinks the job offers never came through for his brother: the public naming and shaming at the news conference.

"All the major media were there. It made headlines in major papers," says Bob. "All you had to do was a search for James LeCraw and it would come up on the internet, that these charges were laid. All people see is that in the headline, they never see anything else."



The fact the charges were dropped is not available on the internet. That bit of news just didn't make it anywhere.

A defiant, suffering man tries to clear his name

Toronto police's Paul Gillespie won't talk much about James LeCraw. But he does say that police are very aware of the sensitivity of the issue of child pornography and the potential effects on the accused as well as the victims.

"If we lay charges we are quite satisfied that we have enough to do so and leave it up to the courts to decide on the disposition," he says

James LeCraw was defiant to the end, fighting to clear his name.

About a month before he died, he gave a media interview in which he declared his innocence, and called for changes to police policy on naming suspects.

His family knew James was suffering, but they had no idea how much.

Christa LeCraw says she noticed the change in her uncle right away.

"At family gatherings, he'd have everyone in stitches including my Nana, who's trying to

look all pretty for pictures, she's got tears down face, laughing so hard," says Christa.

But the last time Christa saw James was after his arrest, at a Mother's Day lunch with the family. He seemed withdrawn. "He really didn't have it in him," she says. "I'd never seen him without life in his eyes like that."

[NEXT > Farewell to the Family](#)


[^ Top Of Page](#)

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7



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- Story Navigation:**
- Main
 - A brother's tragic tale
 - Public naming, public safety
 - On top of the world
 - Waging war on child porn
 - Charges gone, so are the jobs
 - Farewell to the family
 - Wake-up call for a sex addict

Naming and Shaming > [A brother's tragic tale](#) > **Farewell to the family**

It was obvious that James was angry and frustrated. He wrote an e-mail to his brothers after learning he wasn't going to get his job back.

"To be honest, I'm melting down with the inability to handle the anger, betrayal and frustration," he wrote. "So I guess there is no real innocence, just unproven guilt."

Two months after that Mother's Day lunch, James wrote two more notes - one to tell his mom that he loved her and to reassure her that this had nothing to do with her.



The second note, more detailed, was addressed to Gary and Bob, his older brothers.

"You may want to seriously consider a wrongful death suit, or whatever it would be called against the police and Fantino," wrote James. "You know the complaint: Their reckless irresponsible media release destroyed my life. They should be held responsible for compensation. Also they should have to change their and all police department media ways so that others don't get caught up in this crap."

On July 19, 2004, James drove to a country road, about 10 kilometres from his brother's home in Newmarket, north of Toronto. He put a charcoal barbecue on the seat beside him and lit it. James died of carbon monoxide poisoning from the fumes.

Lessons from a tragic tale

James's suicide is a tragedy for everyone - for James, Bob, and the rest of the LeCraw family.

Even Det. Sgt. Paul Gillespie expresses sympathy for a man he never knew. But he also says the police do what they have to do.

"Looking at this problem from all levels, I believe the way we do business in this area is the right way to do business," he says.

Bob LeCraw doesn't accept that. He wants change. He is adamant that what happened to his brother should never happen to anyone else, especially the public naming and shaming.



"The charges were dropped completely," he says. "How do you erase that from everything, from everybody's memory, from all the internet sites?"

Bob says the police should change their policy about holding news conferences and naming suspects. He's

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written a letter to the Toronto Police Services Board, asking for changes to be made.

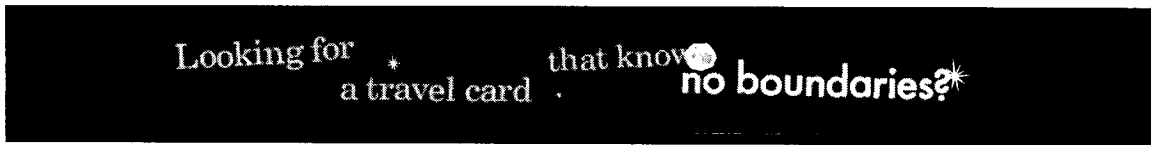
"They can't try to convict people in their own department," he says. "James was a good man. He didn't deserve this. It was devastating to everybody. And obviously, totally devastating to him."

[NEXT > Wake-up call for a sex addict](#)

[^ Top Of Page](#)

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Weighing the Balance: wake-up call for a sex addict

[Naming and Shaming](#) > [Wake-up call for a sex addict](#)

On a dreary Sunday night in late October, the three kids are hungry, tired and wound-up.

Their dad picks up the guitar to distract them before Sunday dinner. The kids dance and sing along, as the smell of homemade stew and baking bread wafts through the living room.

Though it looks like a picture-perfect setting, things are not quite what they seem. This is not your typical family and the father, whom we'll call John, is not your typical father.

John is a sex addict, and almost two years ago, his penchant for child pornography landed him in jail.

On April 16, 2003, John's name, along with those of five other men, was released to the media by Toronto police at a news conference. Five of the six men had been arrested as a result of the Operation Snowball, the biggest Canadian investigation into child pornography on the internet. A warrant had been issued for the arrest of the sixth.

John was one of the men accused of using their credit cards to buy child porn. He pleaded guilty to the charge and spent five months in jail.

Being named by police had a devastating impact on one of the other men, James LeCraw, but for John, the experience had a different result. He says the arrest, and his guilty plea, saved his marriage and turned his life around.

[NEXT > A secret obsession](#)

Story Navigation:

- Main
- A brother's tragic tale
- Wake-up call for a sex addict
- A secret obsession
- A mother's nightmare
- A life in transition

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8

NOT ABOUT
JAMES
LECRAW

[^ Top Of Page](#)

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Weighing the Balance: wake-up call for a sex addict

[Naming and Shaming](#) > [Wake-up call for a sex addict](#) > **A secret obsession**

John was about 19 years old when he realized he was obsessed with pornography. But he kept it a secret, eventually getting married and having a family.

Despite the demands of parenthood and work, he still managed to indulge his obsession on the internet.

At first he only went online late at night. Before long, he was spending as much as eight hours a day on the internet, looking for pictures and videos of women. Not just adults, but post-pubescent girls - some as young as 13 years old.

Over time, John's obsession began to take over his life. He racked up thousands of dollars on his credit card to pay for downloaded images.

He turned down invitations to go out with friends because it cut into his computer time. He also started missing deadlines at work.

At one point, John's wife found a picture of a young girl on his computer, performing fellatio on an unidentified man. She was horrified - although she knew her husband looked at porn, she had no idea it had become an addiction.

It seemed at times as if nothing could keep him away from the computer.

"I would think about the pornography in my mind," says John. "I could run a slide show. Specifically at nighttime, when everyone else was asleep, once that slide show started going, I felt I had to go and get more. I had to get more pornography."

NEXT > [A mother's nightmare](#)

Story Navigation:

- Main
- A brother's tragic tale**
- Wake-up call for a sex addict
- A secret obsession
- A mother's nightmare**
- A life in transition

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9

NOT ABOUT JAMES LECRAW

[^ Top Of Page](#)

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Weighing the Balance: wake-up call for a sex addict

[Naming and Shaming](#) > [Wake-up call for a sex addict](#) > [A mother's nightmare](#)

In April 2003, it all came crashing down. John's wife awoke to find her husband in handcuffs and police searching their home.

The police took everything – computers, phone and credit card records, CDs, videotapes, even his passport.

The Children's Aid Society was called in to investigate, and her husband, the father of her three children, was ordered out of the home.

"In one fell swoop the entire family was torn apart," she says. The authorities began their investigation, interviewing her and her children to find out what had happened and if any of the children were being abused.

"It was a very horrible process," she says. "I can truly say, it was probably the worst time of my life."

Children's Aid eventually concluded that John had not abused his children. During his five months in jail, he read bedtime stories through the phone to his kids. His two-year-old daughter used to hug and kiss the telephone goodnight, while his eldest son remembers Daddy going to jail, and then coming back.

"I felt really glad he came home," says the seven-year-old. "And I didn't want him out of my sight for a little while."

[NEXT > A life in transition](#)

Story Navigation:

Main

[A brother's tragic tale](#)

[Wake-up call for a sex addict](#)

[A secret obsession](#)

[A mother's nightmare](#)

[A life in transition](#)

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10

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[^ Top Of Page](#)

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Weighing the Balance: wake-up call for a sex addict

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In the wake of his conviction, John says he's worked hard to change his life, entering into therapy and attending Sexaholics Anonymous.

John's wife has also attended counselling – to learn how to forgive and trust again. But it hasn't been easy – they have been ostracized by former friends and even family members, and the children have had to change schools.

Both John and his wife know there is no cure – like alcoholism or drug dependency, this will be a lifelong struggle for him.

"I'd love to be able to say it's all behind me now," says John, but he recognizes that it's not.

"I still have a compulsion towards pornography," he adds. "I know I'm still going to have it tomorrow."

His wife admits she worries about their future and his addiction, and that, more than once, she's thought of leaving.

But something holds her back. "The moments that really make me smile are when I watch him with our children, because he's a wonderful father," she says. "I think my children are very lucky to have him.

"And I know that one day, when my own bitterness has finally subsided, I will truly appreciate this man as my husband as well. Because I think he's a good man."


-| END |-

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11

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[^ Top Of Page](#)