

**METROPOLITAN BUREAU of INVESTIGATION
NINTH JUDICIAL CIRCUIT of FLORIDA**

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Mr. Jim Buckmaster
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LAW ENFORCEMENT

Dear Mr. Buckmaster,

I am in receipt of your response to my concerns regarding the *Erotic Services* section of Craigslist via a letter from Mr. Edward Wes of the Perkins Coie law firm dated November 28, 2007. I truly appreciate our continuing dialogue and your stated willingness to examine the recommendations and facts that I am bringing to your attention as the CEO and person responsible for the Craigslist *Erotic Services* section.

To reiterate, I understand that millions of people worldwide properly and legally utilize and enjoy the services of Craigslist. Still, however, action should be taken to prohibit those engaged in prostitution from freely advertising their illegal services and furthering their criminal endeavors in a category created by Craigslist titled *Erotic Services*. It has been my experience that virtually every prostitute that the Metropolitan Bureau of Investigation (MBI) has arrested recently had a current advertisement in the *Erotic Services* section of Craigslist. It is evident that advertisements placed in the *Erotic Services* section of Craigslist are Aiding and Abetting Prostitution and as a result, are communications that involve interstate and foreign commerce to promote prostitution.

Mr. Wes provided great detail describing the community moderating procedures built into Craigslist. I have viewed your "flagging" system that is designed to enable the online community of users to "flag" any advertisements that are objectionable, illegal, or that otherwise violate Craigslist's terms of use. The flagging system is not effective in preventing Craigslist from Aiding and Abetting Prostitution. I have noticed multiple instances in which an advertiser's posting taunts "flaggers" in new postings. For instance, in posting ID: 513233630, the advertiser writes, "*While you're flagging me I just hit my auto repost.*" The new postings often contain the same pornographic or objectionable photographs or content that caused the original posting to be "flagged". These re-posts seem to occur almost immediately.



In addition, agents of the Metropolitan Bureau of Investigation identified several postings which contained females shown masturbating, performing oral sex or exposing their genitals. These postings were "flagged" as "prohibited" by several law enforcement officers from computers containing different I.P. addresses, yet these postings were not removed. To compound the problem, some of these advertisers have multiple postings with the same content. Therefore, should one posting be successfully removed, the other postings remain. I have attached some examples from the Craigslist *Erotic Services* section to demonstrate that "creating a category," which becomes a primary source to connect prostitutes to customers, is the root of a problem that cannot be solved with notices, flagging, and removals.

Mr. Wes's letter also stated that Craigslist believes the measures it currently takes to minimize the misuse of the site for illegal activity are as good or better than those provided by other publications such as newspapers, alternative weekly publications, etc., that profit from *Erotic Services* type advertisements. I would disagree with that statement, as I have not observed any such advertisements in any of these other publications that depict the graphic nudity and pornography as shown in the postings of Craigslist's *Erotic Services* section. Such advertising is made possible by the fact that a person may post anonymously, free of charge, as many times as that person likes on Craigslist. Those other publications charge a fee (sometimes substantial) for the advertisement, usually require an initial face to face meeting where identity is divulged, and because they charge a fee, "flagging" or removal of an illicit advertisement is a deterrent towards inappropriate content. Those advertisements are also placed amongst the mainstream public, and the vulgarity depicted in some of the advertisements in Craigslist's *Erotic Services* section would not be tolerated.

I do appreciate Craigslist's desire to provide free and instantaneous self-posting mechanisms for users to communicate amongst themselves, but that should not be done by creating a category that promotes criminal activity to the detriment of society. This freedom to self post should not supersede the rights of sex trafficking victims being exploited through some of the advertisements in the *Erotic Services* section, the decency of citizens, to include minors, who for one reason or another, come across some of the content in the *Erotic Services* section, or the interests of the public to discourage prostitution.

Again, the Metropolitan Bureau of Investigation has yet to arrange an undercover meeting with an advertiser from Craigslist's *Erotic Services* section, which did not result in prostitution charges or some other criminal violation. Mr. Wes's letter stated that Craigslist is committed to cooperating with law enforcement. I would suggest that you sample the opinions from law enforcement agencies around the country. Those who we have spoken to, at various seminars and training sessions around the country, share my sentiments and concerns regarding the lifeblood that the Craigslist *Erotic Services* section provides to the prostitution industry, as well as the secondary ill effects that prostitution causes in communities.

Mr. Wes's letter stated that the *Erotic Services* section was created as a result of users of the vast many other sections of Craigslist complaining about the *Erotic Services* advertisements being dispersed throughout the Craigslist site. Essentially, what Craigslist has done was make it easier for prostitution customers to go to one site to connect with a prostitute. If the *Erotic Services* section was abolished, and these postings were dispersed throughout Craigslist, it would be harder for these prostitution service advertisers to connect with their clients. Also, such explicit postings would most likely be so much in the minority in any of the themed sections that they might post to, and would be easily "flagged" and removed by the legitimate users, if the "flagging" system were to work.

I would also suggest that posters who have been flagged and removed for violating the Craigslist Terms of Use regarding objectionable postings have their accounts deactivated, the offending e-mail and I.P address blocked as per Craigslist's Termination of Service section of the Terms for Use. My experience from witnessing many arrests of prostitutes posting on Craigslist is that the advertisement is generally placed from the same laptop continuously. Blocking the I.P. address of the offending computer would severely hinder the violator's access to free advertisements for illegal services.

Having brought these new facts to your attention it is hoped we can amicably resolve this nationwide problem of the Craigslist *Erotic Services* section promoting prostitution. Craigslist's desire to be an internet service that morally and legally operates to the benefit of the law abiding public will hopefully provide a solution to this category that is promoting criminal activity.

Sincerely,



Commander Paul Zambouros
Orange County Sheriff's Office
Metropolitan Bureau of Investigation
Vice/Organized Crime Section

PZ/cc

Cc: Mr. Edward Wes
Mr. Kirk Kirkconnell
Ms. Meg Whitman