



January 2, 2010

Mr. Roger Goodell,
Executive Vice President and Chief Operating Officer
National Football League
280 Park Ave.
New York, NY 10017

Continuing objection to the use of Pete Townshend (former UK registered Sex Offender) of the WHO for the Super Bowl XLIV Half-Time Performance - Open Letter 3

Dear Mr. Goodell,

I refer to the letter sent to us by Joe Browne on December 17. It is inaccurate in many of its points; I want to correct these. The following are facts, not opinion, wishes nor are they speculation. They are researchable from their original sources.

1. Pete Townshend was arrested on suspicion of possession of child pornography.
2. His computers, when examined, did not contain any detectable child pornography images and he was not charged with possession.
3. He admitted guilt to a crime. The crime of accessing and paying for child pornography images. He was thus given a 'caution' from the British police and a trial was avoided. (U.S. equivalent of a guilty plea without adjudication)

4. A Scotland Yard statement stressed that access and payment for child abuse images was an offence. *London Times May 8, 2003*
5. As a result of his plea he was put on the *British Violent and Sex Offenders Registry (ViSOR)* for five years.
6. He remained on *ViSOR* from 2003 to 2008.
7. He had his DNA recorded; he had to check in regularly with the police and inform them of his movements.
8. Breaking conditions of a caution results in the original offense being prosecuted in a British court. With this in mind he withdrew a graphic teen sex essay from his blog in 2006 following complaints. *He told the Daily Mail: "I've taken down my story. I want to make it clear that I respect the requirements of the sex offenders register without condition."*
[London Times June 22, 2006](#)
[\[http://entertainment.timesonline.co.uk/tol/arts_and_entertainment/article677882.ece\]](http://entertainment.timesonline.co.uk/tol/arts_and_entertainment/article677882.ece)
9. The conditions of a 'caution' are as follows
 Source: <http://www.homeoffice.gov.uk/police/powers/cautioning/index.html>
 - the offender admits they committed the crime.
 - the offender agrees to be given a caution – if the offender does not agree to receive a caution then they may be charged instead.
 - ...you must comply with certain conditions to receive the caution and to avoid prosecution for the offence you've committed.

To summarize: Townshend pleaded guilty to accessing and viewing child pornography online, paying for access with his credit card. He was listed as a Sex Offender as a result for five years. This is the person you intend to use as entertainment for the Super Bowl – a sex offender.

Please; think that through for a moment.

Let me now address a quote from your own Brian McCarthy and I quote from the UK's Telegraph January 1, 2010, [<http://www.telegraph.co.uk/news/newstoppers/celebritynews/6922560/NFL-should-cancel-The-Who-at-Super-Bowl-group-says.html>]

'Brian McCarthy, an NFL spokesman, told The Associated Press on Friday that Townshend and The Who will perform in the halftime show at LandShark Stadium in Miami.

"UK police cleared him since he was doing research for a project on child abuse," Mr McCarthy said.'

I'm sure that sex offenders everywhere will be delighted to hear that the British Police will give them a pass – as reported by the NFL - when caught accessing images of child rape by using the 'I was doing research for a project' excuse.

'Research' is, according to the FBI, one of the prime excuses used by child pornography viewers when caught (see note #16 attached – FBI Child Molesters – *Child Molesters*). Research is never an excuse and I'm surprised to see the NFL seek to justify Townshend's behavior in such a way.

Regarding Townshend's charitable work - many celebrities have histories of charitable work across the spectrum from Bill Gates to Bernie Madoff. Charitable works are no buffer or excuse for breaking the law.

Let me leave this by asking. How do you think that the American public, who were upset with Janet Jackson's boob on a previous Super Bowl, are going to react? How are they going to react to the news that the NFL, despite ample warnings and access to full disclosure, is going to present them with sex offender as a means of entertainment? How will your sponsors respond?

Our business is the protection of children from abuse in all its forms. We do this locally and worldwide. There is no room for tolerance or excuses for any crimes that involve the most innocent among us – our children. You and the NFL must realize that you too have this duty and not reward a known, recorded, sex offender with a Super Bowl show. In denying him a venue you will be demonstrating to the abused children of the world that you will not tolerate this behavior from anyone. That is a position befitting of the great institution that is the National Football League.

For clarification and reference I enclose the facts of the Townshend child porn case with verifiable sources and resources which can also be accessed online here:

http://www.abusewatch.net/CAN_Townshend_media_facts.php

Sincerely yours,

EVIN M DALY

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Delivered by email and U.S. Mail

Copies to: Phil Guarascio, Lead Executive-Marketing and Sales,
 Jeff Pash, Executive Vice President, Chief Administrative Officer, Counsel
 Steve Bornstein, Executive Vice President-Media and President and CEO of NFL Network
 Joe Browne, Executive Vice President of Communications and Public Affairs

CBS: Leslie Moonves, President and Chief Executive Officer, CBS Corporation
 Peter Dunn, President, CBS Television Stations
 [Sent through **Investor Relations email** - 51 W. 52nd Street, New York, NY 10019]

Bridgestone:
 Mr. Mark K. Emkes, Bridgestone Americas Inc.
 Shoshi Arakawa, Chairman of the Board, CEO and President

Media: General release

Child AbuseWatch Townshend file: http://www.abusewatch.net/CAN_NFL_Townshend.php

FACTS OF THE TOWNSHEND CHILD PORN CASE DERIVED FROM THE BRITISH MEDIA**[References and sources listed at bottom of document]**

In a statement issued by his solicitor, Townshend said at the time, "I accept that I was wrong to access this site, and that by doing so, I broke the law, and I have accepted the caution that the police have given me." [London Times 2003](#)

1. Jan 13, 2003 Townshend arrested by British police in child porn investigation.
2. His credit card usage to access a child porn site was traced to him through Operation Ore the British counterpart of the US Operation Avalanche.
3. When confronted by the British police, he admitted to using his credit card to access a child pornography website.
4. Townshend claimed he was researching a book which has never been written.
5. He admitted guilt to a crime. He was thus given a 'caution' from the British police and avoided a trial. (U.S. equivalent of a guilty plea with adjudication withheld – see note 1 on a 'caution' below under *Reference*).
6. His admission to using his credit card to access a child porn website and that he had viewed child pornography images was the central component of his guilty plea.
7. A Scotland Yard statement stressed that access and payment for child abuse images was an offence. *London Times May 8, 2003*
8. He had access to his attorneys. He avoided further charges as the police did not detect any images of child rape on his 14 computers.
9. Townshend was never cleared of his offence and remained on the Sex Offender registry for the full five years 2003 – 2008.
10. Townshend had to give a DNA sample, check in with the British police regularly and inform them of his movements during his Sex Offender registration.

11. The *London Times*, in an article published on May 8, 2003, stated that Townshend will also have a lifelong criminal record for the caution.
12. On June 22, 2006 the *London Times* reported that Townshend had withdrawn an 'ill-advised' teen sex story from his blog which depicted graphic teen sex. *He told the Daily Mail: 'I've taken down my story. I want to make it clear that I respect the requirements of the sex offenders register without condition.'* Breaking conditions of a caution results in the original offense being prosecuted in a British court.
13. Confusion was introduced into the Townshend case by British investigative journalist Duncan Campbell in an article he wrote for the [UK's Guardian Newspaper](#) (041907) where he stated "(Operation) Ore has dragged big names into the spotlight - such as the musicians Pete Townshend, the Who guitarist, and Robert del Naja of Massive Attack, both falsely accused of accessing child pornography."

Campbell said this even though he knew that Townshend had admitted to breaking the law and had accepted the consequences. Why Campbell said what he said remains a matter of conjecture. Del Naja was cleared. Townshend wasn't.

14. Campbell's arguments against Operation Ore, initially well received, were cast under a shadow when the computer expert he used, Jim Bates of Computer Investigations, was convicted in March 2008 of falsifying his qualifications and given a six-month suspended prison sentence. As a self proclaimed pioneer of forensic computer analysis, Bates had until his conviction been used widely by police and prosecutors. He is no longer used as an expert witness by prosecutors.
15. The US *Smoking Gun* carries an 8-page article on Townshend from 2003 (see link below). A notable quote on the Smoking Gun reads as follows:

Townshend's paper, which he once posted on his official web site, also notes that the "pathway to 'free' pedophilic imagery is--as it were--laid out like a free line of cocaine at a decadent cocktail party: only the strong willed or terminally uncurious can resist." In the January 2002 porn treatise, Townshend notes that since 1997 he has been working on "some kind of document" relating to Internet porn, but that he feared being arrested by police who were on a "witch hunt" to catch anyone who visited illicit web pages: "Those vigilantes who research these pathways open themselves up to internet 'snoops.'"

16. The FBI's manual for law enforcement when dealing with Child Molesters – *Child Molesters: a behavioral analysis* (available free at the link below) - the following excerpt is of relevance when dealing with those caught accessing child pornography - titles and page numbers referenced:

“Concerned Civilians” (P93 - 94)

Many individuals who report information to the authorities about deviant sexual activity they have discovered on the Internet must invent clever excuses for how and why they came upon such material. They often start out pursuing their own sexual/deviant interests, but then decide to report to law enforcement either because it went too far, they are afraid authorities might have monitored them, or they need to rationalize their perversions as having some higher purpose or value. Rather than honestly admitting their own deviant interests, they make up elaborate explanations to justify finding the material. Some claim to be journalists; researchers; or outraged, concerned members of society trying to protect a child or help law enforcement.

One especially sensitive area for investigators is the preferential sex offender who presents himself as a concerned civilian reporting what he inadvertently “discovered” in cyberspace or requesting to work with law enforcement to search for child pornography and protect children. Other than the obvious benefit of legal justification for their past or future activity, most do this as part of their need to rationalize their behavior as worthwhile and gain access to children. When these offenders are caught, instead of recognizing this activity as part of their preferential pattern of behavior, the courts sometimes give them leniency because of their “good deeds.”

Reference and Sources

1. What is a caution?

In the US it is a guilty plea with adjudication withheld

According to the British Home Office - (See conditional caution)

Police can only issue a simple caution if:

- there's evidence an offender is guilty
- the offender is 18 years of age or over

- the offender admits they committed the crime
- the offender agrees to be given a caution – if the offender does not agree to receive a caution then they may be charged instead

There are no rigid rules about the particular situations in which cautions should be used – this is at the discretion of senior police officers.

Source: <http://www.homeoffice.gov.uk/police/powers/cautioning/index.html>

2. **Pete Townshend put on sex offenders register:** Guardian UK 050803

<http://www.guardian.co.uk/uk/2003/may/08/arts.ukcrime>

3. **Pete Townshend on sex register over child porn:** London Times 050803

<http://www.timesonline.co.uk/tol/news/uk/article881976.ece>

4. **Smoking Gun Townshend archive** (8 pages) 2003

<http://www.thesmokinggun.com/archive/petetownshend1.html?link=eaf>

5. **My suicide thoughts over porn – Townshend:** Guardian UK 122803

<http://www.guardian.co.uk/uk/2003/dec/28/arts.childprotection>

6. **Townshend withdraws 'ill-advised' teen sex story:** London Times 062206

http://entertainment.timesonline.co.uk/tol/arts_and_entertainment/article677882.ece

7. **Operation Ore flawed by fraud:** Guardian UK – Duncan Campbell 041907

<http://www.guardian.co.uk/technology/2007/apr/19/hitechcrime.money>

8. **UK's top computer forensics expert escapes jail:** 041008

<http://www.v3.co.uk/vnunet/news/2214044/uk-top-computer-forensics>

9. **Child Molesters: a behavioral analysis** – National Center for Missing and Exploited Children (free - available in the mail or for immediate download)

http://www.missingkids.com/missingkids/servlet/ResourceServlet?LanguageCountry=en_US&PageId=469