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Teacher escapes prosecution after viewing 'child erotica'

But four-decade teaching career ends after scandal

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By Adam Sacasa and Brett Clarkson, Sun Sentinel
8:45 p.m. EDT, March 19, 2013

DELRAY BEACH – A longtime **Delray Beach** church school teacher "requested immediate retirement" after being confronted with allegations that he used a school computer to peruse websites featuring young girls posing provocatively in underwear and bathing suits.

Although Timothy Riggs' bosses at Trinity Lutheran School told him his behavior was unacceptable, **Delray Beach** police said what he did was not a crime.

That's because there is a legal difference between what constitutes child pornography and what doesn't, experts say.

The 65-year-old Riggs had been looking at so-called "child erotica" on Jan. 30, which falls short of criminal activity because it technically isn't child pornography and shows no nudity or sexual activity, detectives found.

Riggs, who taught fifth grade, viewed websites with titles like "100nonudes," "new-little-girls," "legalmodels," and "candydoll1," the police report said.

Two of the computers he used at the school contained adult material and child erotica, "which is not illegal," police said.

Marc Shiner, a West Palm Beach defense attorney, said even though he believes the sites are morally inappropriate, it would be difficult to legislate against pictures of children in which there is no explicit sexual content.

"How many parents take pictures of their kids in the bathtub?" Shiner said. "A good amount of parents would be sex offenders if this was illegal."

Dennis Nicewander, a prosecutor with the **Broward County** Sex Crimes/Child Abuse Unit, said the definition of child pornography involves photos or videos of children with some form of sexual contact or a lewd exhibition.

"A naked child posed seductively is child erotica. If she has her legs spread so that the genitals become the focus of the images, it is child porn," Nicewander said.

He adds some forms of art and child modeling websites fall into the erotica category but that these photos can fall into a gray area.

"I suppose in some cases people may differ as to how inappropriate the sexual overtones are in a given image," Nicewander said.

According to a **Delray Beach** police incident/investigation report, police were called to the school at 400 N. Swinton Ave. on Jan. 31.

A teacher told a **Delray Beach** detective that she

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returned to her classroom the night before to pick something up.

She said she found Riggs sitting at a student computer station, looking at what appeared to be pictures of girls in their underwear. She said he claimed to be downloading games.

The next morning, the female teacher checked the computer's history and discovered a website featuring

"several children ranging from 8-15 years age in bathing suits in provocative positions," the report said. When Riggs arrived at the school, he was escorted off the property.

"Our main concern in this issue is the well being of the kids," Trinity Lutheran Church Pastor Vincent Putnam said Tuesday.

Riggs, who was a former principal at the school, won the Outstanding Lutheran Educator Award for the Florida-Georgia region in 1993.

He was profiled in the Sun Sentinel in 1994 for the award and in 1996 when he was both a principal and teacher at the school.

In 2008, the school celebrated its 60th anniversary. It was also Riggs' 40th year at the school.

In a letter sent out to the church community on March 12, Putnam said Riggs "requested immediate retirement upon being confronted with the allegations," abruptly ending a 45-year career at the school.

A **Delray Beach** police detective who investigated wrote in his March 7 report that the case was deemed "unfounded" for any child pornography. Riggs faced no charges.

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man of intermittent sorrow at 10:06 PM March 20, 2013

wtf? it "technically" wasn't a crime? it wasn't a crime in any way, shape or fashion. god damned idiots

mollyblixtegelind at 7:30 PM March 20, 2013

what Joan explained I didnt know that any body can profit \$6664 in one month on the computer. did you read this website jump30.com

quickcomment at 1:10 PM March 20, 2013

you all sick minded...everything is a crime, everything is illegal , dont run, don't dive, dont splash, dont talk loud...say thank you honey !! that's why these frustrated youngsters loading themselves with guns and killing bundle of people all the time. No childhood , no freedom to be themselves. Grow up America !

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