

Ex-agent pleads guilty in child porn case

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Body

A former Drug Enforcement Administration agent based in McAllen pleaded guilty Thursday to a federal charge of accessing child pornography. James Patrick Burke, 39, who lives in Massachusetts, told U.S. District Judge Alfred Bennett in Houston that he wanted to forgo his right to a jury trial, even though a growing number of defendants are challenging the evidence gathered through an FBI sting on a so-called "dark website." A Pearland physician also charged in the case asked a judge Wednesday to allow him to withdraw his guilty plea in the Operation Pacifier case.

Burke, who served nearly 20 years in the military, told the judge he suffers from post-traumatic stress disorder. He remains free on bond pending his sentencing, which the judge agreed to postpone until Oct. 20 so he can qualify for military retirement benefits. Burke admitted downloading and viewing child pornography on the internet but said he would use forensic wiping software to delete the images. The federal agent and the physician were arrested as part of a nationwide sting dubbed Operation Pacifier, in which agents seized control of a server for a dark website called Playpen. Visitors to the site were able to download and share child pornography. Federal agents kept the site running at an FBI facility in Virginia for about two weeks while they traced links to people who visited the site. Dark websites such as Playpen operate on Tor, or The Onion Router, a software that encrypts identifying information for visitors and the hosts. A federal judge in Massachusetts ruled that federal agents did not have authority to go beyond Virginia in tracing users to the site, raising questions about whether the evidence could be used in Texas and other states. The physician, Dennis P.M. Hughes, worked as a pediatric oncologist at M.D. Anderson Cancer Center until his arrest on the federal charges. gabrielle.banks@chron.com

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Amy Strickling

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