

Yevgenia Chudnovet Acquitted On Appeal For Posting Video Exposing Child Abuse

Yevgenia Chudnovet [was acquitted](#) on March 6, 2017 by a Russian appeals court of her November 2016 conviction of distributing child pornography. Chudnovet was prosecuted for posting a video online to alert authorities about a child abuse case.

In the summer of 2015 Chudnovet was a kindergarten teacher in Kataysk, Russia. Kataysk is a city of 14,000 people about 1,200 miles east of Moscow. The closest large city is Kurgan Oblast, more than 100 miles east.

That summer a boy found a mobile phone in a cafe in Kataysk. He gave it to his father, who discovered it had three videos of a child being abused at a local children's camp called The Red Eagles. One of the videos was a three second clip that showed the back of a male child with his underpants pulled down, and an object that resembled a pencil was being thrust into his anus. While that is happening a woman [is heard saying](#) to the child: "Look, the whole country is looking at you!"

Instead of taking the phone to the police, the father used a fake account to send the videos to the administrators of the open group "Typical Kataysk," on the Russian social network VKontakte. There was a public discussion of the videos, which anyone could see. ([VKontakte](#) is Europe and Russia's largest online social media and networking service, and it is beta testing an English language version - www.vk.com/club200.)

The administrators of "Typical Kataysk" knew Chudnovet, who moderated a closed group on VKontakte. They sent her a link to the videos. Chudnovet had a two-year-old



Yevgenia Chudnovet with her son before her prosecution (VKontakte.com)



Yevgenia Chudnovet on her social network "VKontakte" webpage before her prosecution (VKontakte.com)

video to contact the person. Members also began commenting about the videos.

About five hours after Chudnovet posted the videos, a representative of the children's camp contacted her and demanded their removal and all the discussion about them. The representative asserted she could be prosecuted for posting the videos. Chudnovet immediately deleted the video and the group discussion. However, someone made screenshots of the group webpage before the videos and discussion were deleted. Those screenshots would come back to haunt Chudnovet.

Chudnovet's posting of the videos for only a few hours worked. The police began investigating the videos and the The Red Eagles children's camp. The police identified, and interviewed the child. He told the police that a camp counselor and another camp employee regularly bullied him, he had a pencil put in his anus, and he was forced him to run naked in the camp's residential building after lights-out.

Police learned the counselor was twenty-three-year-old Tatyana Kursheva, and the other camp employee was Danil Bezborodov. It was Kursheva who made the video on her phone, and mocked the child as she thrust a pencil in his anus. It was also her phone the boy found in the cafe that contained the videos of what she and Bezborodov did.

Kursheva was charged with "Violent actions of sexual nature committed against a person under 14 years of age," and "Use of minors in producing pornographic materials." Bezborodov was charged with "Vio-

son. In an effort to draw police attention to the treatment of the unidentified child in the video, in August 2015 she re-posted the clips on her closed group, and encouraged any members who knew who initially posted the

lent actions of sexual nature committed against a person under 14 years of age." They were convicted of the charges after a trial in the Katai District Court. On June 29, 2016 Kursheva was sentenced to six years in prison, and Bezborodov was sentenced to three years in prison. (The child's mother sued Kursheva and Bezborodov, with the court ordering Kursheva to pay 100,000 rubles (about \$1,700) and Bezborodov to pay 50,000 rubles (about \$850))

Unbeknownst to Chudnovet, in February 2016 the police began investigating her for reposting the videos. She didn't learn about the investigation until June 2016, during the prosecution of Kursheva and Bezborodov. The screenshots taken in August 2015 of the VKontakte group webpages were key evidence in the charging of Chudnovet on July 21, 2016, with "Manufacturing and trafficking of materials or objects with pornographic images of minors" (Russian Criminal Code, Article 241.1, part 2).

She was visiting relatives in Yekaterinburg, about 90 miles west of Kataysk, when the charges were filed. A federal warrant was issued for her arrest and she was put on the federal Wanted List. She was arrested in Yekaterinburg and transported to Kataysk. After she was questioned, she was released on her own recognizance with instructions not to leave Kataysk pending her trial.

Chudnovet was assigned a public defender, who assured her it was a minor matter and she had nothing to worry about.

Her trial began in the Katai District Court on September 21, 2016. The prosecution's case was based on testimony about the video by members of the VKontakte groups, the screenshots taken during the few hours the videos were posted online, and an expert witness from Moscow. Her defense was she posted the videos to alert the authorities to violations of the child's rights, and they weren't pornographic because they didn't show the child's face or his genitals.



Yevgenia Chudnovet during her trial (znak.com)

There were continuances, so it wasn't until November 8, 2016 that the verdict was announced: Guilty.

The prosecution requested a five year sentence, but the judge sentenced Chudnovet to

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Yevgenia Chudnovet protesters outside courthouse

one year in prison (with a minimum of six months to be served before she could be released).

Chudnovet was divorced and had custody of her three-year-old son. The court ordered transfer of the guardianship rights of her son to the authorities during her incarceration, even though the child's father, aunt, and grandmother all offered to care for him. Faced with the vocal protests by Chudnovet's relatives, the judge modified his order and allowed the boy to stay with his father.

Her conviction was affirmed by the Kurgan Regional Court on December 22, 2016. Although the appeals court rejected her request to reduce her sentence to community service, it did reduce it to five months to be served in prison, because she had a three-year-old son.

She was ordered to serve her sentence at the women's penal colony number six, located in the town of Nizhny Tagil, about 175 miles northwest of Kataysk. While awaiting her transfer Chudnovet was sent to "the hole" for 15 days of punishment in solitary confinement because she covered her feet with a blanket without permission.

Chudnovet's case was publicized throughout Russia, and protests were held by her supporters.

Russia's Children's Rights Commissioner Anna Kuznetsova publicly denounced Chudnovet's prosecution, [telling reporters](#): "This is a person who helped the police solve this crime."

During an internationally televised news conference Russian President Vladimir Putin was asked about Chudnovet's case by Znak.com reporter Ekaterina Vinokurova. Putin promised to look into it.

On February 23, 2017 Chudnovet's appeal to Russia's Supreme Court was heard. Dep-

uty Prosecutor General Leonid Korzhinek admitted in his presentation to the Supreme Court there was no corpus delicti supporting she had committed a crime, and informed the Court that the government was withdrawing it's opposition to her appeal.

On February 28, 2017 the Supreme Court ordered the Kurgan Regional Court to review Chudnovet's case in light of the prosecution's admission the evidence it presented during her trial failed to prove a crime had been committed.

On March 6, 2017 the Kurgan Regional Court set-aside Chudnovet's conviction and ordered her acquittal on the basis the prosecution introduced insufficient evidence to prove her guilt. Her case was dismissed, and she was ordered to be immediately released after four months in custody.



Yevgenia Chudnovet being interviewed after her release from prison on March 6, 2017

After the court's ruling was announced, President Putin's spokesman Dmitry Peskov told reporters the President believed the court had acted appropriately.

Chudnovet is eligible for rehabilitation and damages from the Russian government for her ordeal.

An alternate spelling of Yevgenia Chudnovet is Evgeniya Chudnovet. An alternate spelling of Tatyana Kursheva is Tatiana Korchevo. An alternate spelling of Danil Bezborodov is Daniel Bezborodov.

Sources: "[The right to protection has been violated](#): Details of the case against the teacher, who was imprisoned in the colony for repost," www.znak.com, Nov. 15, 2016 (Translated with Google Translate.)

[Court releases preschool teacher](#) convicted for reposting video of child being abused: A brief synopsis of Yevgeniya Chudnevets's case, www.meduza.io/en/, March 6, 2017

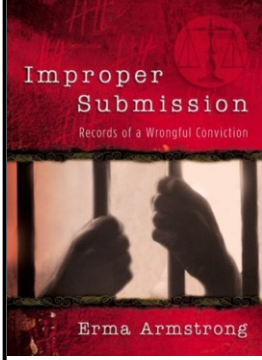
[Court releases kindergarten teacher](#) convicted for reposting child abuse video, TASS (Russian News Agency), March 6, 2017

[Russia's Supreme Court requests](#) that Chudnovet's case for reposting child abuse video be reviewed, www.meduza.io/en/, February 28, 2017

[Children's Ombudsman Defends Teacher](#) Jailed for Reposting Child Abuse Clip, *The Moscow Times*, November 29, 2016

[Russian Woman Jailed](#) For Reposting Child-Abuse Video Sent To 'The Hole', *Radio Free Europe*, January 16, 2017

[VKontakte](#) (VK) online social network



This is the story of Karlyn Eklof, a young woman delivered into the hands of a psychotic killer. She witnessed him commit a murder and she is currently serving two life sentences in Oregon for that crime. *Improper Submission* by Erma Armstrong documents:

- The way the killer's psychotic bragging was used by the prosecution against Karlyn.
- The way exculpatory and witness impeachment evidence was hidden from the defense.
- The way erroneous assertions by the prosecution were used by the media, judges reviewing the case, and even by her own lawyers to avoid looking at the record that reveals her innocence.

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