

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

**CRIMINAL COMPLAINT**

v.

CASE NUMBER:

DONALD ANDERSON

**UNDER SEAL**

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief:

**COUNT ONE**

On or about March 21, 2007, at Park Forest, in the Northern District of Illinois, Eastern Division, DONALD ANDERSON, defendant herein:

knowingly possessed material, namely, a Western Digital WD hard drive, serial number WMACM1407115, that contained videos of child pornography as defined in Title 18, United States Code, Section 2256(8)(A), and such images having been produced using materials that have been mailed, shipped, and transported in interstate and foreign commerce, by any means;

in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

**COUNT TWO**

On or about January 27, 1997, at Park Forest, in the Northern District of Illinois, Eastern Division, DONALD ANDERSON, defendant herein:

used, persuaded, induced, enticed, and coerced a minor under the age of eighteen, namely, Female Minor B, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, specifically a video depicting defendant ANDERSON and Female Minor B engaged in sexually explicit conduct, which video was recorded on a TDK video cassette stamped "Made in Japan," and which visual depiction was produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce, by any means, including by computer;

in violation of Title 18, United States Code, Section 2251(a).

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

\_\_\_\_\_  
SHANNON MCDANIEL  
Special Agent, Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

September 15, 2009  
Date

at Chicago, Illinois  
City and State

JEFFREY COLE, U.S. Magistrate Judge  
Name & Title of Judicial Officer

\_\_\_\_\_  
Signature of Judicial Officer

STATE OF ILLINOIS     )  
  )  
COUNTY OF COOK        )

UNDER SEAL

**AFFIDAVIT IN SUPPORT OF SEARCH WARRANT**

Shannon K. McDaniel, Special Agent, Federal Bureau of Investigation, being duly sworn under oath, states as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been so employed for approximately 8 years. I am currently assigned to the Chicago Field Office Innocent Images National Initiative which targets individuals involved in the on-line sexual exploitation of children. Since joining the FBI, I have investigated violations of various federal laws, including computer crimes, and am currently investigating federal violations concerning child pornography and the sexual exploitation of children.

2. My experience as an FBI agent has included the investigation of cases involving the use of computers and the Internet to commit criminal violations by online child sexual exploitation, including the possession, distribution, receipt and manufacturing of child pornography. I have gained experience through the guidance of other FBI Agents and law enforcement officers, as well as everyday work related to conducting these types of investigations. I have received training and gained experience in interviewing and interrogation techniques, arrest procedures, search-warrant applications, the execution of searches and seizures, computer-evidence identification, and computer-evidence seizure and processing.

3. I am familiar with the information contained in this affidavit based upon the investigation I have personally conducted, my conversations with other law enforcement officers

involved in this investigation, and review of records obtained from an Internet service provider and other entities.

4. The information contained in this affidavit is not an exhaustive account of everything I know about this case. Rather, it contains only the facts that I believe are necessary to establish probable cause in support of a criminal complaint against DONALD ANDERSON for violation of Title 18, United States Code, Section 2252A(a)(5)(B) (knowingly possessing child pornography) and Title 18, United States Code, Section 2251(a) (production of child pornography).

## **FACTS SUPPORTING PROBABLE CAUSE**

### **Background of the Investigation**

5. On March 17, 2007, the Park Forest Police Department (hereinafter, "PFPD") received a telephone call from the Norridge Police Department (hereinafter, "NPD") concerning ANDERSON, a 42-year-old male residing in Park Forest, Illinois. According to NPD, Female Minor A, a 12-year-old female resident of Norridge, Illinois, had gone to visit ANDERSON.

6. On March 17, 2007, according to PFPD, Female Minor A's mother called a house where Female Minor A was supposed to be staying. When she was unable to reach her daughter there, Female Minor A's mother drove to that location and spoke with Female Minor A's girlfriend ("Individual A"). She then observed Individual A make a telephone call to a phone number which she recognized as belonging to a friend of hers, ANDERSON. ANDERSON was living at [REDACTED], Park Forest, Illinois 60466 ("the Residence"). As a result, Female Minor A's mother called NPD to report that her daughter was missing and she believed her daughter was at the Residence. NPD then contacted PFPD.

7. According to PFPD, upon receiving the call from NPD, PFPD responded to the Residence, and found no one home. PFPD later learned that during this time, ANDERSON drove

Female Minor A back to her residence in Norridge.

8. Upon her return home, NPD arranged for Female Minor A to have a forensic interview conducted by child victim specialists on March 19, 2007. During this interview, according to PFPD, Female Minor A stated that she met ANDERSON when he came to fix her mother's computer in their home. Sometime after meeting, Female Minor A and ANDERSON had sexual intercourse on multiple occasions.

9. After the completion of this interview, NPD contacted PFPD and relayed the information that Female Minor A stated during the interview that she engaged in sexual intercourse with ANDERSON. That same day, on March 19, 2007, PFPD provided ANDERSON with his Miranda rights. After waiving his Miranda rights, PFPD interviewed ANDERSON at the Residence, and ANDERSON admitted to engaging in sexual intercourse with Female Minor A. Following the interview, ANDERSON provided a written statement confessing to engaging in explicit sexual conduct with Female Minor A.

10. ANDERSON also gave PFPD consent to search his computer, and voluntarily provided buccal swabs of his DNA. Pursuant to this consent, PFPD seized a computer from the Residence, and a memory stick that was in the computer at its seizure. A preliminary search of the memory stick conducted shortly thereafter revealed sexually explicit digital photos of Female Minor A. When confronted with this information, ANDERSON admitted to taking the sexually explicit digital photos of Female Minor A.

11. On March 21, 2007, PFPD obtained a search warrant for the Residence and all computer media located therein. During this search, multiple computers and computer media were seized. During a preliminary search of some CDs seized during this search, law enforcement noted that a CD hand-labeled "Movies," with a volume number, contained saved copies of child

pornography video files. As law enforcement officers had seen many more similarly labeled CDs at the Residence which they had not seized, the officers obtained a second search warrant. On March 21, 2007, law enforcement executed the second search warrant.

### **Possession of Child Pornography**

12. Law enforcement officers conducted a forensic review of the computers seized at the Residence. A review of one of the computers revealed 200,000 images and over 3,000 movie files. I have reviewed these files. Of the images, over 11,700 are suspected child pornography, as defined by 18 U.S.C. §2256(8), because, for example, they depict children engaged in sexually explicit activity with adults, including oral and vaginal sex, and depict the lascivious exhibition of children's genitals.

13. During the course of the search warrants executed at the Residence, over 30 items were seized, including CDs, DVDs, VHS tapes and video cassette recorder tapes. I have reviewed each of these items. The CDs and DVDs accounted for in excess of 8,250 images and 450 videos of child pornography because, for example, they depict children engaged in sexually explicit activity with adults, including oral and vaginal sex, and depict the lascivious exhibition of children's genitals.

14. On June 5, 2007, copies of these images/movies were submitted to the National Center for Missing and Exploited Children (NCMEC) for comparison to the Child Victim Identification Program (CVIP), a database of known, identified victims of child sexual exploitation. On July 17, 2007, NCMEC provided a report documenting their finding that of the materials supplied to them, 697 images and 24 videos were found to be images/movies of known, identified child victims.

15. What follows is an example of some of the additional images and videos submitted to NCMEC for analysis:

Title	Duration (Approximate)	Description
devon-uncut-352	30 minutes	An adult male performs oral sex on a pre-pubescent male, and gives directions to the pre-pubescent male on where to face and position himself so that the adult male can capture him on video. At one point, the pre-pubescent male repeatedly shakes his head no, and finally says "I wanna stop." At the end of the video, the pre-pubescent male states that he isn't a kid anymore because he's "almost 9" years old.
Ohdaddy4	10 seconds	Clip opens with the title "Slamming my 6 year old" on the screen, then shows an adult male anally penetrating a pre-pubescent female with his penis.
Trio1-7	16 minutes	An adult male digitally penetrates the vagina of a toddler female; a pre-pubescent male masturbates; three pre-pubescent males masturbate each other and anally and orally penetrate each other with their penises.

16. In particular, one CD-Recordable ("CD-R"), Maxell CD-R47 disc labeled "movies," contained over 200 images and videos of suspected child pornography. For example, the Maxell CD-R47 disc contained a computer file titled, "tied7.mpg." The video lasts for approximately 46 seconds and depicts a pre-pubescent female with her wrists handcuffed together, and her legs tied opposite ends of a green stick is vaginally penetrated by an adult male with his finger; an adult male penetrates the anus of the same, bound pre-pubescent female with an inanimate object.

17. In addition to the CDs and DVDs, 9 additional computer items were seized during the searches, including a Western Digital WD1200 hard drive, serial number WMACM1407115,

which was contained in a Power Spec desktop computer. The hard drive is stamped “Product of Malaysia.” The computer items were submitted for forensic analysis by the Regional Computer Crimes Forensic Laboratory. During this forensic review, in excess of 13,000 additional images and 70 additional videos were marked as suspected child pornography because, for example, they depict children engaged in sexually explicit activity with adults, including oral and vaginal sex. and depict the lascivious exhibition of children's genitals.

18. Copies of these materials were also submitted to NCMEC as they became available, for comparison to the CVIP. To date, NCMEC has provided reports documenting their finding that of the materials supplied to them, 557 images and 8 videos were found to be images/movies of known, identified child victims.

19. What follows is an example of some of the images/videos discovered on Western Digital WD Harddrive that NCMEC found to match known, identified, child victims:

<b>Title/File Path</b>	<b>Series Name</b>	<b>Description</b>
Users\Don\pictures\babygrlcum.jpg	camille	A nude female infant is depicted with an adult male penis resting on her genitalia.
Users\Don\pictures\Im000088.jpg	IM	A prepubescent female is orally penetrated by the penis of an adult male.
Users\Don\pictures\Im000503.jpg	Jennette	A nude prepubescent female is depicted tied to a chair; there were 2 copies of this image in different folders on this computer.
Users\Don\pictures\Im000506.jpg	Jennette	A nude prepubescent female is depicted tied to a chair and being gagged by an adult male; there were 2 copies of this image

		in different folders on this computer.
Users\Don\pictures\Im000508.jpg	Jennette	A nude prepubescent female is depicted tied to a chair with her legs splayed and the focus of the image is on her genitals; there were 2 copies of this image in different folders on this computer.

### **Production of Child Pornography**

20. In addition to images of child pornography discovered on the CDs, DVDs, and computers seized from ANDERSON, I also discovered items showing that ANDERSON engaged in sexually explicit conduct with Female Minor B for the purpose of producing a visual depiction of such conduct, namely a video showing the sexual intercourse.

21. Among the computer media seized, law enforcement seized several Hi-8 video camera recorder cassettes. I reviewed the tapes. On one of the video-tapes (time stamped January 27, 1997; duration approximately 5 minutes; TDK cassette stamped "Made in Japan"), I discovered the following: ANDERSON and a pre-pubescent female ("Female Minor B"), approximately 8 years old, lie on a waterbed; ANDERSON disrobes Female Minor B from the waist down and appears to penetrate her vagina with his fingers. ANDERSON then removes his pants and arches his back as if penetrating the vagina of Female Minor B with his penis. Thereafter, ANDERSON penetrates Female Minor B's vagina with his tongue.

22. In July 2008, I interviewed Female Minor B, who is now 19 years old. Female Minor B viewed an image from the video, referenced above in paragraph 23, and identified herself as the female child depicted in it. Female Minor B stated that she believes she was

approximately 8 years old when this video was made. Female Minor B recalled ANDERSON penetrating her vagina with his tongue.

23. In July 2008, I also interviewed Female Minor B's mother, Individual A. Individual A stated that she and ANDERSON had been childhood friends. Individual A further stated that Female Minor B had been at ANDERSON's homes in Elk Grove Village and Park Forest during her childhood. Individual A reviewed an image taken from the video Female Minor B as the child depicted in the video. Individual A also identified the background of the image as ANDERSON's house in Elk Grove Village.

### **Conclusion**

23. Based on the above information, I submit that there is probable cause to believe that DONALD ANDERSON violated Title 18, United States Code, Section 2252A(a)(5)(B) (knowingly possessing child pornography) and Title 18, United States Code, Section 2251(a) (production of child pornography).

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Shannon K. McDaniel  
Special Agent  
Federal Bureau of Investigation

Sworn and subscribed before me on this 15<sup>th</sup> day of September, 2009.

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JEFFREY COLE  
UNITED STATES MAGISTRATE JUDGE