

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ORIGINAL FILED

MAY 30 2012

PATTY SHWARTZ
U.S. MAG. JUDGE

UNITED STATES OF AMERICA :
 :
 v. : Hon. Patty Shwartz
 :
 : Mag. No. 12-3072
 RICHARD DABROWSKI :
 :
 : **CRIMINAL COMPLAINT**

I, Blaise Piazza, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about April 17, 2011, in Union County, in the District of New Jersey, and elsewhere, defendant RICHARD DABROWSKI:

did knowingly distribute child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that has been mailed, and using any means and facility of interstate and foreign commerce, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer,

in violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and 2252A(b)(1), as well as Title 18, United States Code, Section 2.

I further state that I am a Special Agent with the Department of Homeland Security, and that this complaint is based on the following facts:

SEE ATTACHMENT A

continued on the attached page and made a part hereof.

Blaise Piazza, Special Agent
United States Department of Homeland Security
Homeland Security Investigations

Sworn to before me and subscribed in my presence,
May 30, 2012 at Newark, New Jersey



HONORABLE PATTY SHWARTZ
UNITED STATES MAGISTRATE JUDGE

Signature of Judicial Officer

ATTACHMENT A

I, Blaise Piazza, am a Special Agent with the Department of Homeland Security, Homeland Security Investigations (“HSI”). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with law enforcement officers and others, and my review of reports, documents, and items of evidence. Where the statements of others are related herein, they are related in substance and part. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation.

1. On or about April 17, 2011, an ICE special agent working in an undercover capacity accessed a publicly available peer-to-peer file sharing (“P2P”) network on the Internet and subsequently determined that an individual using an Internet Protocol Address (“IP Address”) registered to a RICHARD DABROWSKI at an address located in Linden, Union County, New Jersey, had video and image files depicting child pornography—as defined in Title 18, United States Code, Section 2256(8)(A)—in his shared directories on the P2P network. By designating these child pornography files as shared files, DABROWSKI had made the files available for downloading by his community of friends on the P2P network, thereby distributing the files to other P2P network users. It was pursuant to this file sharing that DABROWSKI distributed child pornography to law enforcement agents, as described in greater detail below.

2. On or about April 17th, 2011, an ICE special agent working in an undercover capacity downloaded child pornography videos and child pornography images from an individual using an IP Address registered to DABROWSKI. Three of the files downloaded by law enforcement agents from the individual had filenames and descriptions as follows:

FILENAME	DESCRIPTION
\$378.jpg	The image depicts an adult male, lying naked with legs apart and an erect penis. A prepubescent male is fondling the erect penis and appears to have semen on his face.

FILENAME	DESCRIPTION
06yoboy sits on dad'shardcock 001.mpg.	This video depicts a prepubescent naked male straddling a man's erect penis and attempting to insert the erect adult male penis into his anus.
!1 (father and son).mpg	This video depicts a prepubescent male lying on a bed manipulating his penis into an erection. Later in the video the prepubescent male performs fellatio on an adult male.

3. On or about December 17, 2011, law enforcement officers executed a search warrant at DABROWSKI's home in Linden, Union County, New Jersey. During the search, law enforcement officers seized two computer laptops and four thumb drives containing child pornography.

4. On or about December 17, 2011 law enforcement officers interviewed DABROWSKI. During the course of the interview DABROWSKI stated that he considered child pornography to be any pornography of a person under eighteen years of age and that he knew it was illegal to possess and distribute child pornography. DABROWSKI provided his screen name information, which matched the screen name of the individual who downloaded and distributed child pornography on the peer to peer program to the undercover agent on or about April 17, 2011. DABROWSKI stated that he distributed and received child pornography to and from a list of contacts on his peer to peer file sharing program.

5. Based upon my training and experience, the admissions made by DABROWSKI, and to the best of my knowledge and belief, the images described in paragraph 2, above, were downloaded from the Internet.