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MANHATTAN U.S. ATTORNEY AND FBI ASSISTANT DIRECTOR-IN-CHARGE ANNOUNCE ARREST OF BRONX MAN FOR POSSESSION AND DISTRIBUTION OF CHILD PORNOGRAPHY

Preet Bharara, the United States Attorney for the Southern District of New York, and Janice K. Fedarcyk, the Assistant Director-in-Charge of the New York Office of the Federal Bureau of Investigation ("FBI"), announced today the arrest of MICHAEL CRUZ on charges of possessing and distributing child pornography. CRUZ, 24, was arrested by FBI agents yesterday morning at the Bronx apartment he shares with his family. He was presented yesterday before United States Magistrate Judge Frank Maas.

Manhattan U.S. Attorney Preet Bharara stated: "As alleged, Michael Cruz viewed pornographic images of children appearing to be as young as two-years-old, and shared images of children appearing to be as young as four with others. Child pornography victimizes and exploits the most vulnerable and defenseless members of our society, and those who view it and distribute it re-victimize the children. Protecting innocent children is a top priority for this Office and we are committed to working with our law enforcement partners to ensure that child pornography viewers and distributors are brought to justice."

FBI Assistant Director-in-Charge Janice K. Fedarcyk stated: "The FBI places a high priority on policing the trafficking of child pornography, because it is anything but a victimless crime. The market for child pornography creates a demand for images and videos, and every one of those images or videos depicts a horrific crime, the exploitation and victimization of a child."

According to the criminal Complaint filed in Manhattan federal court:

In September 2011, an FBI agent working in an undercover capacity downloaded approximately 11 video files and 167 image files containing child pornography from an individual later determined to be CRUZ, who was using a publicly available file sharing program.

After tracing the downloaded child pornography to CRUZ's residence, FBI agents conducted a search yesterday and seized a computer. FBI agents subsequently reviewed some of

the material on the computer and determined that it contained multiple videos and images of children engaging in sexually explicit conduct.

After being read his Miranda rights, CRUZ told FBI agents that he had been viewing child pornography since 2004, and sharing it on the Internet since 2007, and that he believed the computer seized by the FBI contained about two gigabytes of child pornography. CRUZ also confessed to having had sexual contact with an 11-year-old boy in the past.

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CRUZ consented yesterday afternoon to being detained with leave to make a future bail application.

CRUZ is charged with one count of possessing child pornography (“Count One”) and one count of receiving and distributing child pornography (“Count Two”). Count One carries a maximum sentence of 10 years in prison and a maximum fine of \$250,000 or twice the gross gain or loss from the offense. Count Two carries a mandatory minimum sentence of five years in prison and a maximum sentence of 20 years in prison, and a maximum fine of \$250,000 or twice the gross gain or loss from the offense.

Mr. Bharara thanked the FBI for its work in this investigation, which he said is continuing.

This case is being handled by the Office's General Crimes Unit. Assistant United States Attorney Russell Capone is in charge of the prosecution.

The FBI encourages the public to report suspected child predators and any suspicious activity through their switchboard at (212) 384 -1000. It is staffed around the clock by investigators.

Suspected child sexual exploitation or missing children may be reported to the National Center for Missing and Exploited Children, an Operation Predator partner, at 1-800-843-5678 or <http://www.cybertipline.com>.

The charges contained in the Complaint are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

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