

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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| UNITED STATES OF AMERICA | : | DATE FILED: |
| v. | : | CRIMINAL NO. 11- |
| JOHN CHARLES WARE | : | VIOLATIONS: |
| | | 18 U.S.C. § 2423(a) (travel with intent to engage in illegal sexual activity - 3 counts) |
| | | 18 U.S.C. § 2423 (e) (attempted travel with intent to engage in illegal sexual activity - 2 counts) |
| | | 18 U.S.C. § 2251 (production of child pornography - 1 count) |
| | | 18 U.S.C. 2252(a)(4) (possession of child pornography - 1 count) |
| | | Notice of Forfeiture |

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

INTRODUCTION

1. Defendant JOHN CHARLES WARE is a resident of Pennsylvania and a citizen of the United States. During the period of this indictment, defendant WARE was between 41 and 47 years old. Defendant WARE has a sexual interest in boys between the ages of 12 and 16.

2. The victims, hereinafter known as Minor #1, Minor #2, Minor #3, and Minor #4, known to the Grand Jury, are all boys who were between the ages of 13 and 16 during the offenses charged in the indictment, and were all invited on international trips for their 13th birthdays with defendant JOHN CHARLES WARE.

2. Defendant JOHN CHARLES WARE exhibited a pattern of grooming minors in order to ultimately have sexual contact with each of them, including: encouraging the boys to swim naked

in his pool, being naked in front of the boys, giving the boys massages, and attempting to normalize sexual activity between him and his victims.

3. When Minor #1 turned 13, defendant JOHN CHARLES WARE took him on a trip to Iceland where WARE sexually abused Minor #1.

4. When Minor #2 turned 13, defendant JOHN CHARLES WARE took him on a trip to Italy where defendant WARE sexually abused Minor #2.

5. When Minor #3 and Minor #4 turned 13 within a month of each other, defendant JOHN CHARLES WARE invited each of them on a trip to the Bahamas in order to sexually abuse both boys.

6. On or about July 3, 2005 through on or about July 14, 2005, in the Eastern District of Pennsylvania and elsewhere, defendant

JOHN CHARLES WARE

did knowingly transport an individual who had not attained the age of 18 years, Minor #1, in interstate and foreign commerce, from Pennsylvania to Iceland, with the intent that such individual engage in sexual activity for which any person can be charged with a criminal offense.

All in violation of Title 18, United States Code, Section 2423(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 of Count One of this indictment are incorporated here.
2. In or about December 2005, in the Eastern District of Pennsylvania and elsewhere,
defendant

JOHN CHARLES WARE

did knowingly transport an individual, who had not attained the age of 18 years, Minor #1, in interstate commerce, from Pennsylvania to Maryland, with the intent that such individual engage in sexual activity for which any person can be charged with a criminal offense.

All in violation of Title 18, United States Code, Section 2423(a).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 of Count One of this indictment are incorporated here.
2. On or about November 17, 2007 through on or about November 27, 2007, in the Eastern District of Pennsylvania and elsewhere, defendant

JOHN CHARLES WARE

did knowingly transport an individual, who had not attained the age of 18 years, Minor #2, in interstate and foreign commerce, from Pennsylvania to Italy, with the intent that such individual engage in sexual activity for which any person can be charged with a criminal offense.

All in violation of Title 18, United States Code, Section 2423(a).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 of Count One of this indictment are incorporated here.
2. In June of 2010, Minor #3 turned 13-years-old.
3. In July of 2010, Minor #4 turned 13-years-old.

In the Summer of 2010:

4. Defendant JOHN CHARLES WARE, started planning Minor #3's 13th birthday trip.
5. Minor #3 communicated to defendant JOHN CHARLES WARE, Minor #3 wanted to go to the Bahamas.
6. Defendant JOHN CHARLES WARE communicated with Minor #3's mother, N.S. about his intention to take Minor #3 to the more secluded areas of the Bahamas.
7. Defendant JOHN CHARLES WARE requested Minor #4 join him and Minor #3 on the Bahamas trip.
8. Prior to July 13, 2010, defendant JOHN CHARLES WARE repeatedly communicated with Minor #4's father, D.S. requesting permission to take Minor #4 to the Bahamas.
9. On or about July 13, 2010, defendant JOHN CHARLES WARE met with Minor #4's parents, D.S. and M.S., at their residence, and once again requested permission to take Minor #4 to the Bahamas stating "you can trust me."
10. On or about July 13, 2010, while Minor #3 and Minor #4 were at defendant JOHN CHARLES WARE's residence located at 926 Saginaw Road, Oxford, Pennsylvania spending the evening, defendant WARE encouraged both Minor #3 and Minor #4 to swim naked in his pool, as defendant WARE did.

11. On or about July 14, 2010, defendant JOHN CHARLES WARE, entered a shower occupied by Minor #4, while Minor #4 was washing himself, and proceeded to tell Minor #4 that he, defendant WARE, needed to teach Minor #4 to wash himself properly and then using his hand, defendant WARE washed Minor #4's body including his genital area.

12. After defendant JOHN CHARLES WARE “washed” Minor #4's genitals, he encouraged Minor #3 to enter the shower and proceeded to tell Minor #3 that he, defendant WARE, also needed to teach Minor #3 to wash himself properly and then using his hand, defendant WARE washed Minor #3' body including his genital area.

13. In or about July 2010, in the Eastern District of Pennsylvania and elsewhere, defendant

JOHN CHARLES WARE

did knowingly attempt to transport an individual, who had not attained the age of 18 years, Minor #3, in interstate and foreign commerce, from Pennsylvania to the Bahamas, with the intent that such individual engage in sexual activity for which any person can be charged with a criminal offense.

All in violation of Title 18, United States Code, Section 2423(a).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 of Count One and paragraphs 1 through 12 of Count Four of this indictment are incorporated here.

2. In or about July 2010, in the Eastern District of Pennsylvania and elsewhere, defendant

JOHN CHARLES WARE

did knowingly attempt to transport an individual, who had not attained the age of 18 years, Minor #4, in interstate and foreign commerce, from Pennsylvania to the Bahamas, with the intent that such individual engage in sexual activity for which any person can be charged with a criminal offense.

All in violation of Title 18, United States Code, Section 2423(a).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 23, 2008, in the Eastern District of Pennsylvania, defendant

JOHN CHARLES WARE

did employ, use, persuade, induce, entice, and coerce a minor, Minor #1, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped, and transported in interstate commerce.

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

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 22, 2010, in Chester County, in the Eastern District of Pennsylvania,
defendant

JOHN CHARLES WARE

knowingly possessed computer hard drives which contained visual depictions that had been produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce. The production of these visual depictions involved the use of minors engaging in sexually explicit conduct and the visual depictions were of minors engaging in sexually explicit conduct.

In violation of Title 18, United States Code, Section 2252(a)(4)(B).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 2423(a), as set forth in this indictment, defendant

JOHN CHARLES WARE

shall forfeit to the United States of America any property, real or personal, used or intended to be used to commit or to facilitate a commission of such offense, including, but not limited to:

Real property known as 926 Saginaw Road, Oxford, Pennsylvania, 19363.

All pursuant to Title 18, United States Code, Section 2428.

2. As a result of the violations of Title 18, United States Code, Section 2251 and 2252, set forth in this indictment, defendant

JOHN CHARLES WARE

shall forfeit to the United States of America any property, real or personal, used or intended to be used to commit or to promote the commission of such offense, including, but not limited to:

(a) real property known as 926 Saginaw Road, Oxford, Pennsylvania 19363, and

(b) I MAC G-5 computer, model number A1047, EMC# 1969

All pursuant to Title 18, United States Code, Section 2253.

A TRUE BILL:

FOREPERSON

ZANE DAVID MEMEGER
United States Attorney