

UNITED STATES DISTRICT COURT
for the
Western District of Missouri

United States of America
v.
Jason Dewayne Beshears
[DOB: 10-30-1981]
Case No. 11-2249JCE-01
Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 9, 2011 in the county of Jasper in the
Western District of Missouri, the defendant(s) violated:

Code Section
18 U.S.C. s. 2251(a)

Offense Description
in that JASON DEWAYNE BESHEARS, the defendant, did employ, use,
persuade, induce, entice, and coerce a minor to engage in sexually explicit
conduct for the purpose of producing a visual depiction of such conduct,
which visual depiction was intended to be transported in interstate
commerce, was produced using materials that had been mailed, shipped,
and transported in interstate commerce, and was transported in interstate
commerce.

This criminal complaint is based on these facts:

See the attached affidavit of Charles Root, Task Force Officer, Federal Bureau of Investigation.

[X] Continued on the attached sheet.

/s/ Charles Root
Complainant's signature

Charles Root, TFO-FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: 08/16/2011

/s/ James C. England
Judge's signature

City and state: Springfield, Missouri

James C. England, United State Magistrate Judge
Printed name and title

**UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF MISSOURI**

Affidavit

I, Charles Root, being first duly sworn, do hereby depose and state that:

1. I am a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI), assigned to the office of the Joplin Field Office of the FBI, Joplin, Missouri. As part of the Affiant's daily duties as an FBI TFO, the Affiant investigates criminal violations of federal law relating to child exploitation including violations pertaining to the illegal production, receipt, and possession of child pornography (18 U.S.C. §§ 2251(a), 2252(a)(2), and 2252(a)(4)(B)) and other federal statutes involving child exploitation. The Affiant has received training in the area of child exploitation and child pornography investigations, enticement, inducement of minors and has had the opportunity to observe and review numerous examples of child pornography in all forms of media, including computer media. The Affiant has been employed for approximately 17 years as a sworn law enforcement officer and the last 6 ½ years has been employed with the Joplin, Missouri Police Department. The Affiant is also assigned to the Southwest Missouri Cyber Crimes Task Force.
2. The statements contained in this affidavit are based on information the Affiant learned through personal knowledge, investigative reports from other Investigators familiar with this investigation, and conversations with Investigators familiar with this investigation and who are formally trained and experienced in conducting investigations involving child exploitation. This affidavit is written in support of a criminal complaint charging Jason Dewayne Beshears [DOB: 10-30-1981] (hereinafter referred to as "defendant") with production of child pornography under Title 18, United States Code, Section 2251(a).
3. On 08/09/11 at approximately 2200 hours, the Joplin Police Department was dispatched to 1002 S. Connecticut Ave. Apartment #8, Joplin, Missouri which is in the Western District of Missouri. Upon arrival, Officers were informed by Larry Beshears that he went looking for his daughter inside the apartment in which he shares with his brother, the defendant. Larry Beshears daughter, identified as MB, is a four year old female. Larry Beshears approached the defendant's bedroom which had the door shut. He reported hearing noises inside the room, so he opened the door to find the defendant taking pictures of MB. Larry Beshears reported taking MB out of the defendant's bedroom and taking her to his own bedroom before returning to confront the defendant. When Larry Beshears returned to the defendant's bedroom, the defendant was gone. Larry Beshears was suspicious of the defendant because of

accusations of inappropriate contact between the defendant and MB approximately a year prior.

4. On 08/09/11 Detective Chad Comer with the Joplin Police Department, responded to the scene and spoke with Larry Beshears until being advised by Patrol that they had located the defendant approximately a block away attempting to leave in a taxi. Detective Comer contacted the defendant and asked him if he would be willing to be interviewed at the Joplin Police Department. The defendant agreed. Detective Comer transported the defendant to the Police Department where he was advised of his rights under *Miranda*. Detective Comer asked for written permission to search the defendant's cell phone and laptop computer, which the defendant granted. During an interview the defendant freely admitted to rubbing MB's vagina with his fingers and penis but stated if they penetrated her, it was by accident and he was sorry. The admitted to capturing this activity on video approximately a week prior but said he didn't think his camera was on this time. The defendant stated during the interview that there is no help for him. The defendant was arrested and taken to the Joplin City Jail.
5. On 08/12/11, Detective Comer applied for and received a search warrant for the defendant's seized digital media. The media was described as a HP laptop computer, Gateway laptop computer, iPhone cell phone, Panasonic digital camera. None of these devices were manufactured within the State of Missouri and therefore had been transported in interstate commerce prior to their use by the defendant.
6. On 08/15/11, I performed a forensic preview of the HP laptop computer and Gateway laptop computer. While examining the Gateway laptop computer, numerous images of child erotica was located as well as a large quantity of video files of various forms of sexual abuse being conducted on MB by the defendant. The abuse included digital penetration, penis to vagina insertion and oral sex begin performed on MB by the defendant. While performing the forensic preview I observed the dates of the videos of the sexual abuse of MB being downloaded to the defendant's Gateway laptop computer starting in March 2010 and continuing through August 9, 2011.
7. On 08/15/11, Detective Larry Roller of the Joplin Police Department conducted an initial examination of the defendant's Panasonic digital camera. The examination revealed in excess of 20 still images of MB lying on her back with her vagina exposed with an adult male's erect penis inserted inside her vagina. The examination also revealed three video files of MB laying on her back with an adult male inserting a cylindrical object into the child's vagina and the suspect asks MB if she likes it. The last of the three videos depict the defendant digitally penetrating MB's vagina with his finger and his erect penis to the point of ejaculation in MB's vagina and on her clothing. During this video, MB's father, Larry Beshears is heard entering the bedroom and confronting the defendant who is seen rapidly attempting to pull his

pants up. The video ends at this point. Each of the 20 images and three videos described above were dated August 9, 2011.

____/s/ Charles Root_____

Charles Root
Task Force Officer
FBI

Sworn and subscribed to before me this 16th day of August, 2011

____/s/ James C. England_____

JAMES C. ENGLAND
UNITED STATES MAGISTRATE JUDGE