

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

vs.

CASE NUMBER: 6:12-mj-1156

CHRISTOPHER J. WATTS

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about March 5, 2012, in Orange County, in the Middle District of Florida, defendant did,

attempt to persuade, induce, and entice an individual who has not attained the age of 18 years to engage in sexual activity by using any means and facility of interstate commerce,

in violation of Title 18, United States Code, Section 2422(b). I further state that I am a Task Force Agent with Homeland Security Investigations, and that this Complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: Yes No

Michael Spadafora
Signature of Complainant
Michael Spadafora

Sworn to before me and subscribed in my presence,

March 30, 2012 at Orlando, Florida

Gregory J. Kelly
United States Magistrate Judge
Name & Title of Judicial Officer

I certify the foregoing to be a true and correct copy of the original.
Sherrill Loesch
Signature of Judicial Officer

SHERRILL LOESCH, Clerk
United States District Court
Middle District of Florida
By: *Kim Anderson*
Deputy Clerk

STATE OF FLORIDA

CASE NO. 6:12-mj- 1156

COUNTY OF ORANGE

AFFIDAVIT

I. Introduction

I, Michael R. Spadafora, after being duly sworn, depose and state:

1. I am a Task Force Agent with the United States Homeland Security Investigations, formerly the United States Customs Service. I am currently assigned to the Office of the Resident Agent in Charge, Cocoa Beach, Florida, which is responsible for conducting criminal investigations and enforcing laws that are under the investigative jurisdiction of the United States Immigration and Customs Enforcement in the counties of Brevard and Volusia, in the Middle District of Florida. I am a cross-designated law enforcement officer of the United States within the meaning of Section 1401(l) of Title 19, United States Code, and am empowered to investigate and make arrests for violations of U.S. criminal laws within the meaning of Section 2510(7) of Title 18 United States Code.

2. In November 2007, I was assigned as a Task Force Agent with United States Immigration and Customs Enforcement, Homeland Security Investigations (ICE/HSI). I am currently employed by the Brevard County Sheriff's Office and assigned to the Special Victims Unit to investigate Internet crimes against children. I have been a sworn law enforcement officer in the State of Florida since April 27, 1998.

3. As a Task Force Agent, my responsibilities include investigating possible criminal violations of U.S. Customs and related laws. I have received over 400 hours of specialized training in the investigations of sex crimes, child exploitation, child

pornography and computer crimes. I have been involved in investigations involving child pornography and online solicitation/enticement of a minor. I have participated in investigations of persons suspected of violating federal child pornography laws, including Title 18, United States Code, Sections 2252 and 2252A. I have also participated in investigations of persons suspected of violating federal laws pertaining to the enticement of minors, Title 18, United States Code, Section 2422(b). I have participated in various training courses for the investigation and enforcement of federal child pornography laws in which computers are used as the means for receiving, transmitting, and storing child pornography. Additionally, I have authored and participated in the execution of search warrants involving searches and seizures of computers, computer equipment, software and electronically stored information.

4. This affidavit is submitted in support of a criminal complaint affidavit against **CHRISTOPHER WATTS** for violations of Title 18, United States Code, Section 2422(b). As set forth in more detail below, I believe there is probable cause that **CHRISTOPHER WATTS** is involved in attempting to persuade, induce, and entice an individual who had not attained the age of 18 years to engage in sexual activity by using any means and facility of interstate commerce, in violation of Title 18, United States Code, Section 2422(b).

5. I make this affidavit from personal knowledge based on my participation in this investigation, information from other criminal investigators, law enforcement officers, and agency reports, as well other documents collected during the investigation. Because this affidavit is being submitted for the limited purpose of establishing probable

cause for the issuance of a criminal complaint, I have not set forth each and every fact learned during the course of this investigation.

6. Title 18, United States Code, Section 2422(b) prohibits a person from knowingly attempting to persuade, induce, and entice an individual who had not attained the age of 18 years to engage in sexual activity by using any means and facility of interstate commerce, that is, by cellular telephone and computer via the internet, in violation of Title 18, United States Code, Sections 2422(b).

II. Investigation

7. On March 5, 2012, the Brevard County Sheriff's Office (BCSO) and the Department of Homeland Security Investigations (HSI) initiated an investigation into a free public website. On the above-listed date, TFA Spadafora entered two of the chat rooms associated with this website, one called "incest" and the other "jailbait." While in these chat rooms, TFA Spadafora (hereinafter referred to as "the UC") entered the main chat conversation by typing "dad has daughter." After typing that phrase, the UC received a private message alert. When this occurs, a screen name¹ appears at the bottom of the chat room window.

8. During the period from March 5-29, 2012, there was communication between the UC and a person later identified as **CHRISTOPHER WATTS**. This communication included an internet website, Yahoo! Messenger,² electronic mail (e-mail), and telephone contact. **CHRISTOPHER WATTS** operated under pseudonyms of "**luvpervymoms**" in the chat room, "**up4funct38**" with Yahoo! Messenger, and John

¹ A screen name is a pseudonym adopted by an internet user for purposes of identifying that user when communicating with others over the internet.

² Instant messages are real-time communications with others over the Internet.

Smith with e-mail; he used the phone number (860) XXX-XXXX. The following are excerpts from those communications.

9. The previously mentioned message alert was an invitation to the UC for a private conversation with a person identified by user name, **"luvpervymoms."** **"luvpervymoms"** asked the UC "where in FL." **"luvpervymoms"** then stated "Gotta go to FL in a few weeks." The UC," replied "by [C]ocoa." **"luvpervymoms"** responded "so you share you[r] daughter" and asked the daughter's age. The UC informed **"luvpervymoms"** that he did share his daughter with a select group of friends and told **"luvpervymoms"** that his daughter was "14 years old." **"luvpervymoms"** stated, "nice well as I said I gotta go down there for a couple of days to find a new truck that hasn't been killed by road salt" and "love to get into some fun while there." The UC asked **"luvpervymoms"** if **"luvpervymoms"** was serious and that he was always looking for new friends. **"luvpervymoms"** advised he knew that Cocoa, Florida, was located near Orlando, Florida.

10. During the chat conversation, **"luvpervymoms"** asked the UC if he used Yahoo! and gave his Yahoo! screen name, **"up4funct38."** **"luvpervymoms"** requested the UC to add him to his messenger list so they could talk. The UC then provided his Yahoo! screen name and added **"luvpervymoms"** as requested. From this point forward, the conversation continued on Yahoo! messenger. Once added to Yahoo! messenger, **"luvpervymoms"** screen name became **"up4funct38"** while chatting on Yahoo! messenger.

11. **"up4funct38"** stated his name was Chris and that he was a 38 year old male. The UC informed **"up4funct38"** that he was neither bisexual nor gay.

“**up4funct38**” replied, “good neither here, straight as an arrow.” “**up4funct38**” then told the UC that he thought “most are or are pretending to be a couple or a dad with a younger girl.”

12. “**up4funct38**” asked to see photographs of the UC’s daughter. The UC sent a photograph using a photograph from an undercover profile. Upon receiving the photograph, “**up4funct38**” wrote “wow cute” and asked “so she like older guys huh?” “**up4funct38**” further wrote, “well I gotta tell ya, that is my major fantasy being with a younger girl for some fun.” “**up4funct38**” then gave the UC a description of himself: 38 years old, “5’ 11” tall, 200 pounds, brown hair, green eyes, and also “vasectomy safe.” The UC responded “she is 5’3” about 103 pounds and lol³ u see the rest.” When “**up4funct38**” asked the UC, “so do you usually join in or what,” the UC responded, “no not usually.”

13. During the conversation “**up4funct38**” asked, “ok so what do I need to do to have some fun with your daughter.” The UC told “**up4funct38**” first, “**up4funct38**” would have to say that he was not a “cop.” Second, “**up4funct38**” would have to explain the “kind of fun” he sought. Third, the UC informed “**up4funct38**” that the daughter was not into bondage or pain. Finally, the UC instructed “**up4funct38**” that they should meet in a public place, where “**up4funct38**” could then follow the UC to his residence.

14. “**up4funct38**” responded “yes not a cop. Not into pain or anything, just really love making a woman cum and enjoying her body. Love oral vaginal, anal if they’re into it lots of licking and sucking.” The UC asked if “**up4funct38**” could take pictures; “**up4funct38**” replied “sure I’d love some to remember the moment as well.”

³ Abbreviation for “laughing out loud.”

The UC told “**up4funct38**” to bring a computer and thumb drive; “**up4funct38**” replied, “ok.” “**up4funct38**” asked if the UC had any nudes of his daughter and the UC did not reply.

15. Afterwards, the topic of conversation changed to trucks and other vehicles. Later, the UC inquired about dates “**up4funct38**” expected to arrive in the Orlando area. “**up4funct38**” advised he was trying to make arrangements, but may be around March 23-25, 2012, for a couple of nights.

16. In order to remind the UC of the child’s age and determine whether “**up4funct38**” had previous contact with children, the UC asked if “**up4funct38**” had ever been with someone who was 14 years old. “**up4funct38**” replied “no that’s why it’s a big fantasy for me.” The UC told “**up4funct38**” “maybe not a good idea” and “might ruin you lol.” “**up4funct38**” advised “haha I’m willing to take the risk.” When inquiring about the daughter’s name, “**up4funct38**” also asked, “ok sweet so is she into it or does she just lay there.” The UC gave the name, Brooke, for the fictitious daughter and once again reminded “**up4funct38**” of the daughter’s age, “let me just say you’ll be surprised what a 14 year old can do.” “**up4funct38**” replied “ok good to hear I am not into it if the girl isn’t into it.”

17. “**up4funct38**” agreed to meet in a public place, adding “so you know I’m normal and sane.” “**up4funct38**” also wrote “I’d love for it to be more than just wham bam. I love to take my time and fuck all night.” The UC advised that he could stay at the UC’s home and “**up4funct38**” replied, “ok that sounds good.” “**up4funct38**” then asked for an additional photograph and the UC sent another undercover profile photograph and told “**up4funct38**,” he would only send “**up4funct38**” photographs that were safe.

Once receiving the photograph, “up4funct38” replied, nice. The UC told “up4funct38” he would only send “up4funct38” photographs that were safe. “up4funct38” asked the UC is there any place safe. The UC told “up4funct38” on a thumb drive and “lol make your own.” The UC explained if “up4funct38” made his own then he would have just as much to lose as the UC; “up4funct38” appeared to understand this logic. “up4funct38” then wrote “well if you let me take some while I’m there that would be fun.” The UC told “up4funct38” that would be fine as long as the daughter’s face was not in the picture.

18. “up4funct38” asked for the child’s breast size and whether she is shaven. The UC replied the child is shaved and wears a 32B in bra size. “up4funct38” also asked what type of things she liked sexually. The UC replied “anything but pain.” “up4funct38” inquired “anal.” When the UC replied “gentle,” “up4funct38” stated “ok I love licking a girls pussy to her ass and back.”

19. The UC asked “up4funct38” for a photograph of himself to show his daughter. “up4funct38” sent two photographs: one of a white male with a reddish-colored beard, wearing a blue flannel shirt, and the other photograph is a close up photograph of an erect white male’s penis by a computer keyboard. After sending the UC the two photographs, “up4funct38” advised he would be clean shaven by the time they meet, “unless Brooke likes the mountain man look.”

20. “up4funct38” wrote “I would also have to quickly voice verify before we met, make sure she is real and aware of what we’re planning to do. You can block the number, I don’t care.” “up4funct38” wrote that a lot of guys pretend. “up4funct38” stated he could give his cellular phone number and have her leave a voice mail. “up4funct38” provided telephone number (860) XXX-XXXX. The UC agreed to have

his daughter call. “**up4funct38**” told the UC to have the daughter be as graphic as she wanted, “or better yet call while you’re eating her pussy.”

21. The UC told “**up4funct38**” that he had to go back to work. In response to “**up4funct38**’s” inquiry for a visit on a weeknight or weekend night, the UC requested “a little notice so that he could have the daughter stay home from school.”

“**up4funct38**” stated “hell I can line up a truck sooner we would have more time to play that is if she can handle that much haha.” The UC ended the conversation and requested that “**up4funct38**” advise him later of the plan.

22. On March 6, 2012, in the early morning, the UC, with the assistance of Crime Scene Tech Jennifer Miller, conducted a controlled call to “**up4funct38**” at the number he provided during the earlier chat. During the audio recorded call, Crime Scene Tech Miller left a message on his voice mail. Crime Scene Tech Miller told “**up4funct38**” that she was getting ready for school and that her father told her to call him, she then said goodbye and the call ended.

23. On March 6, 2012, at approximately 0817 hours, the UC received a Yahoo! instant message from “**up4funct38**.” “**up4funct38**” started the conversation by saying “good morning, I got her call, but wasn’t near the phone.” “**up4funct38**” further advised “wow what a sexy voice she has;” and wrote “now I am excited about my trip to fl.” “**up4funct38**” inquired about how the relationship between the UC and his daughter began. The UC explained the relationship began when he got custody of Brooke while she was 11 years old.

24. “**up4funct38**” asked “has she ever met a guy like me-off the internet screened by you or mostly just friends of yours” [and] also, “how many guys has she

fucked if you don't mind me asking." The UC responded "five good friends."

"up4funct38" replied "well hopefully it'll soon be six."

25. While "up4funct38" tried to schedule his visit to Florida, he asked, "maybe a more important question is when is her period? Lol hate to come down when she's out of commission." The UC informed "up4funct38" that since his daughter was on her period now, it should work out.

26. "up4funct38" changed the topic of conversation and asked the UC about obtaining a temporary tag for a vehicle bought in Florida. The UC informed "up4funct38" that he did not know the process. "up4funct38" returned to the topic of Brooke and stated "so I'm glad she called, she has a very nice sounding voice, she moan like she talks? Lol."

27. "up4funct38" then told the UC he was a little nervous and stated he did not want to end up like Chris Hanson and attached a link to the story about Chris Hanson. The UC responded, "not to worry, because he is not Chris Hanson." The UC asked if "up4funct38" was nervous because they have the same first name. "up4funct38" said "*he was not Hanson*" and then asked the UC to have his daughter call him again.

28. "up4funct38" then wrote "def[initely] am serious about meeting though, it would be a dream come true for me for someone sexy like your daughter." The UC informed "up4funct38" "cool up to you no pressure from this end. Hell I can go back on mirthless incest, jailbait chat rooms and find another friend." "up4funct38" responded "true but I will def[initely] show just going to have to keep a look out for the cops haha."

The two then talked about meeting in a public place before going back to the UC's residence.

29. "up4funct38" asked if the UC's daughter had anything "sexy" to wear. The UC told "up4funct38" feel free to bring her something and "up4funct38" replied if he was there a couple of nights, on the second night he would pick her up something sexy. "up4funct38" also wanted to know the "freakiest" thing the UC's daughter ever did. The UC replied, "idk⁴ like play with herself in front of me." "up4funct38" asked if she ever had two men at one time, and the UC told him they talked about it, but it hasn't happened yet. "up4funct38" advised he didn't care either way "I just want to see that sexy girl naked." "up4funct38" advised it was a matter of arranging his schedule. "up4funct38" asked if the UC showed the photographs he sent to his daughter. The UC told "up4funct38" that he did and his daughter said she thought "up4funct38" was cute. "up4funct38" wanted the UC to ask his daughter if she wanted him to shave his beard. The conversation soon ended.

30. On March 7, 2012, at approximately 0827 hours, The UC received a Yahoo! instant message from "up4funct38: "got my date set so when you get a moment hit me up." At approximately 0947 hours, the UC replied "hey chris." "up4funct38" stated he had a cold and said better to be sick now than later in the month. "up4funct38" told the UC that he booked his flight and he was coming during the afternoon hours of March 28, 2012. "up4funct38" talked about buying a truck on Thursday and by the end of Friday he would have a temporary tag so he could drive back home Saturday or Sunday.

⁴ Abbreviation for "I don't know."

31. "up4funct38" wrote "I should be able to play Weds/Thurs and Fri of course no idea how much you guys want to do. I don't want to assume you want to play every minute I'm there." The UC again reminded "up4funct38," "lol I'm not going to play with you on any of those days, but the good news is my 14 year old baby girl will lol." "up4funct38" responded "haha well you know what I mean I don't want to scare her off wanting to fuck all of that time. Don't know if she would want that."

32. "up4funct38" told the UC that he gets in town at approximately 1730 hours and would meet around 1930 hours. "up4funct38" mentioned he would get a hotel room, and the UC told "up4funct38" "well we'll see." "up4funct38" then wrote "why can I stay with you, lol." The UC told "up4funct38" his daughter had a full-sized bed, which "up4funct38" replied, "big enough." "up4funct38" stated he wished the UC's daughter would call him again. The UC told "up4funct38" his daughter leaves for school early and is busy in the morning.

33. When the UC stated he had to go, "up4funct38" requested "one quickie before you go." "up4funct38" wrote "ok you don't have to do this but it would help assude (sic) my nerves, you know this whole thing[] is risky and all." "up4funct38" continued "any shot you could snap a G-pic⁵ of her holding a piece of paper that says hi chris on it so I know that this is real." "up4funct38" also wrote "doesn't have to be nude or anything just something dated so I know that those photos are real, there's a lot of bullshit on here as you could understand." The UC replied "sure no prob." "up4funct38" responded, "you be (sic) awesome and he had a lot to lose if this was a scam." "up4funct38" wrote "if it's real you got a lot to risk as well and I can assure you I am

⁵ G-pic is a G-rated picture versus an X-rated picture.

trustworthy.” **“up4funct38”** then requested that the UC say hello to his daughter and the conversation soon ended.

34. On March 9, 2012, the UC received an e-mail from a person called “John Smith.” The e-mail read, “sorry I haven’t gotten you a pic. Been hit up with a nasty cold, not looking my best. Tried to get you a couple of times on messenger but no response. My messenger has been acting odd. Hopefully things are still good for the 28th.” The UC responded to the e-mail, “sorry about your cold is this Chris looking for the truck[?]” On March 11, 2012, John Smith (**“up4funct38”**) replied, “Yeah that’s me I am recovering I can get you two (sic) a pic[ture] by mid week I’m sure.” The UC replied by e-mail, “sorry to hear that get well my friend and we’ll worry about the pic later, she already likes you.”

35. On March 19, 2012, **“up4funct38”** initiated a conversation by Yahoo! Instant messenger, “hey there.” Initially, **“up4funct38”** and the UC discussed Connecticut’s weather. The UC then asked if **“up4funct38”** was getting ready for his trip. **“up4funct38”** replied he would be looking for trucks later that week and was preparing to meet the UC and his daughter. When the UC informed **“up4funct38”** that his daughter was off for spring break during the scheduled visit, **“up4funct38”** inquired “what district does she go to, I can look it up.” The UC replied “lol I’d rather not say until we meet hope you understand just tryin to keep her safe.” **“up4funct38”** advised that he understood and inquired again about the picture he expected to receive. The UC informed **“up4funct38”** that he would try to take the picture tomorrow. **“up4funct38”** wrote, “you understand just gotta really make sure she is who I hope she is.” The UC

told **“up4funct38”** that he understood and would have his daughter hold a sign as he requested and **“up4funct38”** replied, “that’s all I need.”

36. The chat conversation turned to planning the evening of March 28, 2012. The UC asked if **“up4funct38”** was staying with them. **“up4funct38”** replied, “sure I can do that or at a local hotel, doesn’t matter-if we hit it off and she’s game I’d love to just stay there.” **“up4funct38”** then wrote, “of course your place is preferable-rather sleep with someone else in the bed.” The UC replied “lol cool you know it won’t be with me right.” **“up4funct38”** wrote, “haha I hope not haha;” “hell getting a chance to be with Brooke is fantasy enough. Getting to stay at your place and sleep with her and being able to play around the clock is just more than I can hope for.”

37. After the UC once again reminded **“up4funct38”** of Brooke’s age by saying “lol yeah she[’s] a good age 14 is not too young but old enough,” **“up4funct38”** followed with inquiries that were sexual and graphic in nature. **“up4funct38”** wrote, “of course I don’t know how much she craves sex, I mean I would love to just fuck as much as I could while down there.” The UC told **“up4funct38”** it would be no problem unless she gets sore. **“up4funct38”** responded, “well fucking isn’t all you can do right? Lol that’s why God invented oral.” When the UC sent a message indicating his laughter, **“up4funct38”** wrote, “and lube haha though at 14 she may not need that.” **“up4funct38”** then wanted to know “is she one who gets into it? Does she talk dirty or take initiative or is she passive.” The UC wrote it depends, but mostly all the above. **“up4funct38”** wrote “love it when a women knows what she wants and talks dirty” and “love watching a girl play with her tits or rub clit too. I love them uninhibited.” The UC told **“up4funct38”** “lol now im sure your not coming here for me lol.” **“up4funct38”**

responded “haha I hope that is ok” and “you’re not some guy trying to get some cock.” The UC told “**up4funct38**,” “hell no straight 8 here,” which “**up4funct38**” replied, “good good.” “**up4funct38**” then advised, “same here it’s all about the girl” and “I just love making the women cum as much as she can handle.” “**up4funct38**” reiterated, “she sounded super cute on the phone, wish I had been able to talk to her.” The UC told “**up4funct38**” he would have plenty of time for that. “**up4funct38**” advised he was getting a call from his mother. But, before he terminated the conversation, “**up4funct38**” wrote, “ttyl⁶ have Brooke call me if she wants some morning. I’ll keep the phone with me.”

38. On March 20, 2012, “**up4funct38**” initiated a Yahoo! instant message and advised he hoped to find a truck by Thursday and that would give him more time to play. “**up4funct38**” also inquired if Brooke had spring break. When “**up4funct38**” was told that she did, “**up4funct38**” replied “cool, hopefully she wasn’t planning to go anywhere lol.” “**up4funct38**” once again asked about the daughter’s photograph. The UC told him he would send one that same night. “**up4funct38**” responded, “ok good, then I’ll ship you one back with the date, etc so you know I’m real too.” The UC informed “**up4funct38**” that he believed “**up4funct38**” was real. “**up4funct38**” replied, “haha yeah us guys are always real.”

39. “**up4funct38**” wanted to engage the UC’s daughter by phone and let the UC know, “I was gonna say if she wanted to call me I am free for a bit. Still bummed I missed her.” The UC once again told “**up4funct38**” he would have plenty of time to talk to her. The UC then told “**up4funct38**” “I kinda get freaked when she talks to someone we hav[e]n’t met on the phone.” “**up4funct38**” advised “I hear you. Well I get in around

⁶ Abbreviation for “talk to you later.”

6p-630 so earliest I could get to you would probably be 8?" The UC then gave "up4funct38" directions from the airport to the Ruby Tuesday's located in Rockledge. "up4funct38" appeared to be searching a map for the location and stated "see[it's] easy even shows Ruby Tuesday."

40. "up4funct38" advised he could call the UC when he was getting on Interstate 95 from State Road 520. The UC told "up4funct38" if he wanted, the UC would also be in the photograph with Brooke. "up4funct38" responded, "that's fine sure, not like I'm gonna be hitting on you but sure haha." The UC informed "up4funct38" he was old but could handle himself. "up4funct38" replied, "haha honest not my thing I've done three sums [sic] before but it's always about the girl." "up4funct38" added, "this time it's really only about Brooke and whatever she wants." The UC once again reminded "up4funct38" of the child's age by saying "can you keep up with a 14 year old tho lol." "up4funct38" responded, "I'm sure going to try."

41. "up4funct38" asked if the UC and the daughter were active together and for the types of things she likes. The UC attempted to avoid the question by saying, "it depends on the person really." "up4funct38" continued the line of questioning by asking "well she must have things she really likes no matter." The UC wrote "control being controlled." "up4funct38" responded, "she like kissing?" The UC told "up4funct38," "doggie." "up4funct38" asked "does she have sensitive nipples," and the UC responded, "yes." "up4funct38" stated, "I'm very oral." The UC attempted to avoid sexual conversation by saying "lol feel like im ruining the surprise." "up4funct38" responded "no no preparation is good" and asked "[does] she like toys or her ass played with." "up4funct38" then advised "a lot of girls don't like their ass involved."

"up4funct38" asked, "she vocal or talker? Love a girl who likes to talk." The UC again reminded "up4funct38" of the daughter's age by saying "do you [know] any 14 year old who aren't talkers lol." "up4funct38" responded, "haha true."

42. The UC then asked what "up4funct38" liked to eat and advised he was a good cook. "up4funct38" stated "sounds like I'm set for a place to stay and then eat lol." The UC told "up4funct38" "if you want up to you, I'm not like twisting your arm or anything lol." "up4funct38" responded "you kidding all night access to a sexy girl like her, sign me up. I just don't want to tire her out." The UC advised "up4funct38" had to get back to work the conversation ended with "up4funct38" stating, "ok give Brooke a nice pat on the ass for me haha."

43. On March 21, 2012, the UC sent "up4funct38" an e-mail containing the photograph requested by "up4funct38." The e-mail read as follows, "Hey Chris here is a pic sorry so late." The photograph was taken of the UC and Crime Scene Tech Jennifer Miller, who was posing as the 14 year old daughter in the photograph.

44. On March 21, 2012, at approximately 1948 hours, the UC received an e-mail response to the photograph sent. "up4funct38" wrote,

Hey Mike (and Brooke) Thanks for the pic! She looks gorgeous
Such a cute smile Love the hearts on my sign) I was hoping that
you were on today but I didn't see you. I am on the road most of
the day tomorrow with client meetings and the like. Do you want
a pic of me or I think you said you don't need one. Up to you
you know I'm real. I'll be on messenger maybe tomorrow for a
bit then some of the day Friday. I'm sure we'll touch base before
Tuesday and then if we can exchange numbers I can give you a
buzz once I get into the airport and get my car etc. I may [sang]
(sic) a look at a truck near the airport before I head over but I
will def head over to your place. Probably getting there between
7-8 Brooke has the week off right. So at least she doesn't need
to go to bed early haha. Again thanks for the pic, calms my
nerves quite a bit. I believe you now! You know how it goes.

The UC did not respond to this e-mail.

45. On March 22, 2012, the UC received a Yahoo! instant message from “**up4funct38**” who started the conversation by saying “hey there” and advised he was waiting for a haircut. “**up4funct38**” thanked the UC for the photograph and asked if the UC received his e-mail. “**up4funct38**” wanted to know what the UC did for a living and the UC responded Space Center. “**up4funct38**” asked the UC if he had to work Thursday and Friday of the week he was arriving. The UC told “**up4funct38**” he would take Friday off; “**up4funct38**” replied, “what about thurs you ok me being there without you.” The UC asked, “your (sic) not an ax murder[er] are you;” and “**up4funct38**” replied, “lol no hell if brooke wanted to go with me looking at trucks she could.” The UC informed “**up4funct38**” that would be up to the two of them. “**up4funct38**” then commented on the photograph sent to him saying “she looked so cute in the pic.” At this point, “**up4funct38**” advised he had to get his hair cut and the conversation ended.

46. During the investigation, an Internet search was conducted on the telephone number (860) XXX-XXXX “**up4funct38**” previously provided by instant message. This search met with positive results. A web page for Precision Marketing contained the phone number (860) XXX-XXXX. A photograph for the president of Precision Marketing was also attached to the web page. The president’s name was **CHRIS WATTS**. The photograph of **CHRIS WATTS** appeared to be the same likeness of the photograph sent by “**up4funct38**” during previous chat conversations. See paragraph 19.

47. A summons was sent to Yahoo! for account information and IP log for the Yahoo! account of "**up4funct38**." Yahoo! responded to the summons and provided the following information: John Smith and an IP address of 71.234.30.95. A summons was sent to Comcast Communications for the subscriber information on the listed IP address. At this time Comcast Communication has not yet responded. A summons was also sent to T-Mobile from account information on the telephone number provided by "**up4funct38**" during this investigation. T-Mobile has not yet responded to the summons.

48. On March 28, 2012, Homeland Security Investigations (HSI) Agents in Connecticut observed **CHRISTOPHER WATTS** at the Bradley Airport. **CHRISTOPHER WATTS** was boarding Jet Blue Flight 333 to Orlando, Florida. The flight was delayed. The flight was originally scheduled to arrive in Orlando at approximately 1720 hours, however, it arrived at approximately 2100 hours. HSI Agents in Orlando observed **CHRISTOPHER WATTS** exiting the aircraft and going to Payless auto rentals. **CHRISTOPHER WATTS** rented a silver convertible Mustang. **CHRISTOPHER WATTS** exited Payless rental and appeared to be lost. This is based on the fact that he was observed looking at a road map while he was driving. **CHRISTOPHER WATTS** eventually stopped at a Howard Johnsons Motel in the area of SR 192 and Bronson Highway, Kissimmee, Florida, for the night.

49. On March 29, 2012, at approximately 1720 hours, the UC contacted **WATTS** using telephone number (860) XXX-XXXX. When **WATTS** answered, the UC asked "is this Chris?" **WATTS** responded, "yes, this is Chris." The UC identified

himself and stated, "just didn't hear from you and wanna make sure you're O.K.?"

WATTS said, "I'm fine, I gotta go" and ended the call.

50. On March 29, 2012, at approximately 2120 hours, Agents from the Brevard County Sheriff's Office, Agents from Immigration Customs Enforcement, and Police Deputies from Osceola County Sherriff's Office arrived at the Howard Johnson Hotel in Kissimmee, Florida. I, TFA Spadafora, knocked on door number 201. The person who opened the door was immediately identified as **CHRISTOPHER WATTS** based upon the photographs obtained from the investigation. When I introduced myself to him as "Mike Spadafora," **CHRISTOPHER WATTS** said, "yes, I figured out who you are and that's why I didn't follow through." I asked to enter his hotel room and he allowed us to enter. He sat on the foot of the bed close to the door and I sat in front of him in a chair. I thanked him for talking to us and, during an audio recorded interview, **CHRISTOPHER WATTS** stated in summary the following:

I met a person on the Motherless website in an incest chat room and transitioned to the Yahoo! Messenger using "up4funct38" screen name. He cancelled the account before he traveled to Orlando. In the past, he has had conversation with people on-line. He believes he has a good life, a family, a kid and didn't want to ruin it, so he decided to stop. He found Motherless website searching on line. His purpose for travel to Orlando was to find a truck and he obtained a signed title on the truck. The rest of his purpose was "this fantasy." He admitted to having sex chat conversations with others, but assumes most people are fake. He gets excited chatting on the website. He says he has a hyper-sexual problem. Then he read from a note he wrote prior to agents' arrival. Specifically,

"I am saddened by my behavior. I don't want to lose my wife & family. I try to be good but keep repeating old patterns. I ask God & the powers that be to have mercy on my soul and give me peace. I just want to do what's right and stop hurting myself & my family. I just want to buy a truck & go home. I may have broken the law but I have a track record of stopping and trying to do the right thing. I am finished with underage talk & photos for good. I can no longer put myself

thru this pain. I am most nervous and embarrassing myself & my family. Whatever may be done, must be done but please don't make it hard on my wife. I love her as much as my ego allows me to love anyone."

He said he has a pattern of starting and stopping sex chats. He admitted to masturbating to the images of young girls. He said, "this sounds terrible but I'm on the Board of Education in my town, again no interaction with children." He identified the picture of himself and his penis, which he sent on-line to the UC. He admitted that he asked the UC to show the picture of himself and his penis to the UC's daughter. He wrote another letter of apology, which follows:

"I am sorry for this incident and for not reporting it to the police. What I did was wrong and I know that what I did was wrong. As I went along in the chat I at first thought it was fake, but started to realize that it wasn't, or at least that it was probable once I saw the picture. I should have done something to stop your husband from doing such things. I accept the blame for what I did and wish that I could take back my actions and if any harm actually came to your daughter, I can never forgive myself.

I can only ask that something you can find it in your heart to forgive me for any wrong I have done." /signed/
Chris

51. The agents advised **WATTS** of his Miranda Rights using Brevard County Sheriff's Office Miranda Rights Advisement form. **WATTS** advised that he understood his rights and agreed to make a statement.

52. During the post-Miranda interview, **WATTS**, in essence, stated the following:

WATTS stated that he was bringing shame to the family. He downloaded and saved videos and images of children in sexual acts from websites on-line. After a couple of weeks, he deletes the images and any "back-ups." **WATTS** stated he shared those videos and images with other people on Yahoo! websites. The youngest child image he received was of a toddler; but toddlers are not his thing, so he deleted it immediately. He also would send videos and images of children in sexual acts to others in the Yahoo! chat rooms. Although he sees a psychologist, he has never raised his "compulsion" to the psychologist. He goes on the law enforcement websites searching for sting operations. He visited the

Brevard County Sherriff's Office website and identified the UC's picture as the interviewing agent, TFA Spadafora. He was glad that he had a picture of the UC, because when he saw TFA Spadafora on the Brevard County Sherriff's Office website that prevented him from following through with his plans to meet with the minor. He has a pattern of starting and stopping of viewing videos and images of children in sexual acts; he deletes the images from the computer and the "back-up" drive. He is upset with himself and feels the worst for his family, because he is stupid and does dumb things.

I concluded the post-Miranda interview at approximately 2300 hours on March 30, 2012.

53. HSI agents transported **CHRISTOPHER WATTS** to the Orange County Jail on March 29, 2012, approaching midnight. In a conversation with SA Joe Grey, **CHRISTOPHER WATTS** stated that he had a dual purpose for his trip to Orlando. He wanted to buy a truck and have sex with a little girl. After making plans to buy the truck, he was going to make arrangements to meet the father and daughter from his on-line chats.

III. Conclusion

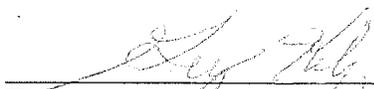
54. I believe there is probable cause that **CHRISTOPHER WATTS** did knowingly attempt to persuade, induce, and entice an individual who had not attained the age of 18 years to engage in sexual activity for which any person could be charged with a criminal offense under Florida law, namely, Lewd or Lascivious Battery, a violation of F.S. 800.04.

55. I also believe that there is probable cause that **CHRISTOPHER WATTS** did knowingly attempt to persuade, induce, and entice an individual who had not attained the age of 18 years to engage in sexual activity by using any means and facility

of interstate commerce, that is, by cellular telephone and computer via the internet, in violation of Title 18, United States Code, Sections 2422 (b).


Michael Spadafora, Task Force Agent
Homeland Security Investigations

Sworn to and subscribed before me
this 30th day of March, 2012.


The Honorable Gregory J. Kelly
United States Magistrate Judge