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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA : Mag. No. 12-3705  
 :  
 v. : Hon. Mark Falk  
 :  
 RICHARD GENAO : CRIMINAL COMPLAINT

I, Brian Salamone, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation and that this Complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.

  
\_\_\_\_\_  
Brian Salamone, Special Agent  
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,  
on October 19, 2012, at Newark, New Jersey

  
\_\_\_\_\_  
HONORABLE MARK FALK  
UNITED STATES MAGISTRATE JUDGE

## **ATTACHMENT A**

In or about 2010, in Hudson County, in the District of New Jersey, and elsewhere,  
defendant

**RICHARD GENAO**

did knowingly employ, use, persuade, induce, entice and coerce a minor, "Child Victim #1", who was then less than eighteen years old, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and such visual depiction has actually been transported using any means and facility of interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 2251(a) and 2.

## ATTACHMENT B

I, Brian Salamone, am a Special Agent with the Federal Bureau of Investigations. I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Because this affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not included each and every fact known to the government concerning this matter. Where statements of others are set forth herein, these statements are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. At some point prior to 2010 until approximately fall 2011, RICHARD GENAO and his partner, Edgar Rodriguez, lived in Bayonne, New Jersey. At the time, they lived near Child Victim #1 ("CV #1"), a developmentally disabled boy born in 1995.

2. At some time prior to the summer of 2010, GENAO and Rodriguez became friendly with CV #1 and his mother. On occasion, GENAO and Rodriguez invited CV #1 to spend the weekend at their residence.

3. On several occasions before, during, and after the summer of 2010, GENAO and Rodriguez videotaped and/or photographed themselves sexually abusing CV #1 using a Canon PowerShot A520 digital camera (the "Canon PowerShot"). These visual depictions include:

- a. A video of Rodriguez performing oral sex on CV #1. GENAO, who is filming the abuse, can be heard off-screen. Towards the end of the video, GENAO ejaculates on CV #1's groin while holding the camera.
- b. A video of a fully nude CV #1 taking a shower. GENAO can be heard off-screen asking the boy to expose his genitals to the camera. At one point in the video, GENAO comments that the camera is fogging up, then flips around the camera to wipe off the lens and records his own face.
- c. Multiple photographs of Rodriguez and CV #1 engaged in what appears to be anal sex.

4. In or around fall 2011, GENAO and Rodriguez moved from Bayonne, New Jersey to Buffalo, New York. Among the possessions that they brought to Buffalo were the Canon PowerShot and two memory cards that contained digital files of the recorded abuse.

5. Rodriguez died on August 31, 2012. After his death, GENAO lived briefly with a member of Rodriguez's family in Buffalo before moving back to New Jersey.

6. Shortly after GENAO returned to New Jersey, Rodriguez's family member discovered that GENAO had left behind the Canon PowerShot and the two memory cards. Rodriguez's family member discovered that these items contained visual depictions of child pornography. The family member reported the discovery to local police, who in turn notified the Federal Bureau of Investigation.

7. On or about October 18, 2012, law enforcement interviewed Child Victim #1, who stated in sum and substance and in part that the sexual abuse described above did in fact occur and was recorded by GENAO.

8. Based upon my education, training and experience, and my discussions with other law enforcement officers, the images and videos described in this complaint have actually been transported in interstate commerce and were produced using materials that were mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, based upon, among other things, the make and model of the digital camera used to record the visual depictions.