
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Mag No. 14-3193 (JBC)
v. :
ERIK VANDERBECK : CRIMINAL COMPLAINT

I, Ann M. Kolczynski, 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 Postal Inspector with the United States Postal Inspection Service, and that this Complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Ann M. Kolczynski, Postal Inspector
United States Postal Inspection Service

Sworn to before me and subscribed in my presence,

July 23, 2014 at Newark, New Jersey
Date City and State

Honorable James B. Clark, III
United States Magistrate Judge
Name and Title of Judicial Officer



Signature of Judicial Officer

ATTACHMENT A

Count I

Sexual Exploitation of Children

In or about July 2014, in Hudson County, in the District of New Jersey, and elsewhere, defendant

ERIK VANDERBECK

did knowingly employ, use, persuade, induce, entice, and coerce a minor female, "VICTIM 1," to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce,

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

Count II

Distribution of Child Pornography

On or about April 11, 2014, in Hudson County, in the District of New Jersey, and elsewhere, defendant

ERIK VANDERBECK

did knowingly distribute child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that had been mailed, and using any means and facility of interstate and foreign commerce, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and 2.

ATTACHMENT B

I, Ann M. Kolczynski, am a Postal Inspector with the United States Postal Inspection Service (“USPS”). 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.

Background

1. At all times relevant to this Complaint, defendant ERIK VANDERBECK (“VANDERBECK”) resided in Bayonne, New Jersey.

Sexual Exploitation of Children

2. From in or around June 2013 through June 2014, defendant VANDERBECK communicated via email, telephone, Skype and an online chat application with a minor female (“VICTIM 1”) who resides outside of New Jersey.

3. In or about June 2014, law enforcement officers interviewed VICTIM 1 who indicated that she met VANDERBECK through an online chat application when she was fifteen years old and told VANDERBECK her real age. VICTIM 1 stated that VANDERBECK said that he was 18 or 19 years old. At a later point in their correspondence, VANDERBECK admitted his actual age. VANDERBECK is 47 years old.

4. Over the course of their correspondence, VANDERBECK asked VICTIM 1 her address and to mail him her underwear. VANDERBECK also asked VICTIM 1 to send him photos of herself, including nude images, and she eventually did. After sending VANDERBECK nude images of herself via email, VANDERBECK pressured VICTIM 1 to send more nude images by threatening, among other things, to kidnap her and to post her nude images online. VANDERBECK wrote, in an email dated July 4, 2013, “[VICTIM 1 FIRST NAME] you have a job to finish don’t make me wait too long.” When VICTIM 1 refused to send more, VANDERBECK sent an email dated July 10, 2013, stating, “contact me by this Friday or they go online.” When VICTIM 1 still refused and threatened to contact the police, VANDERBECK replied via email, “the cops will never catch me.”

5. In an email dated July 11, 2013, VICTIM 1 asked VANDERBECK to stop contacting her. VANDERBECK sent an email dated July 11, 2013 that read, “really now ok fine ill just put those pics on the internet then byee.” Then, in an email dated July 20, 2013, VANDERBECK told VICTIM 1, “don’t forget the pics you promised me.”

6. VICTIM 1 stated that she produced nude images of herself out of fear of VANDERBECK. As one example, on or about August 8, 2013, VICTIM 1 sent VANDERBECK an email with the following two image attachments:

Filename	Description
WP_20130808_001.jpg	This image is a close up of the pubic area of a white female who appears to be standing. The female has dark brown pubic hair that has been shaved. The background behind the female's legs appears to be white with vertical markings.
WP_20130808_002.jpg	This image is a slightly blurred close up of the pubic area of a white female who appears to be standing. The female has dark brown pubic hair that has been shaved. The female's legs are slightly spread to expose the labia and a portion of the buttocks. The background behind the female's legs appears yellow.

7: Based upon my education, training and experience, and my discussions with other law enforcement officers, and to the best of my knowledge, the images described in paragraph 6 above were transported and transmitted in interstate commerce and were produced using materials that were mailed and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

Distribution of Child Pornography

8. From at least in or about November 2011 through in or about July 2014, VANDERBECK communicated via email, text message and an online chat application with another minor female ("VICTIM 2") who also resides outside of New Jersey. In or about June 2014, law enforcement officers interviewed VICTIM 2 who indicated that she met VANDERBECK in an online chat room in or around 2011 and that she corresponded with him for several years. VICTIM 2 stated that VANDERBECK originally indicated that he was a teenage boy. VANDERBECK sent VICTIM 2 images of a male penis and asked her to send nude images of herself to him, which she did.

9. On July 22, 2014, law enforcement officers executed a search warrant at VANDERBECK's residence in Bayonne, New Jersey (the "residence") where he resides alone. At the residence, law enforcement officers discovered computer equipment belonging to VANDERBECK containing multiple images of child pornography, as defined by Title 18, United States Code, Section 2256(8), and several pairs of female underwear.

10. During and after the search of the residence, and after being advised of his Miranda rights, VANDERBECK admitted to law enforcement officers, among other things, in

substance and in part, that: (1) he corresponded via email with VICTIM 1, whom he knew to be a minor, and received nude images from VICTIM 1, (2) he threatened to post VICTIM 1's nude images on the Internet if she would not agree to send him additional nude images, (3) he met VICTIM 2 online when she was 13 years old and corresponded via email with her for several years, while pretending to be a teenage boy, (4) he requested and received via email multiple nude images of VICTIM 2 and videos of VICTIM 2 engaging in sexually explicit conduct, (5) he asked VICTIM 2 to mail him her underwear and she did, (6) he regularly solicited nude images from individuals online whom he believed to be teenage females, often in the purported character of a teenage girl named "Megan," (7) on multiple occasions, in the character of "Megan," he distributed both clothed and nude images of VICTIM 2 claiming that they were pictures of himself.

11. For example, on or about April 11, 2014, VANDERBECK sent an email to an unidentified individual ("UNIDENTIFIED INDIVIDUAL A") attaching a clothed image of VICTIM 2 with the message, "me megan." Later on April 11, 2014, VANDERBECK sent an email to UNIDENTIFIED INDIVIDUAL A attaching 1) an image of a clothed female's chest area, and 2) an image of VICTIM 2's face and naked breasts with the message, "Hope these get your juices going."

12. Several minutes after sending the email described in paragraph 11, VANDERBECK sent another email to UNIDENTIFIED INDIVIDUAL A attaching two images of VICTIM 2, as described below:

Filename	Description
-100_2049.jpg	This image is what appears to be a nude white female from the neck down. The female's brown hair is in two braids and she is pictured in the reflection of a vertical mirror leaning against a beige brick wall. Behind the female are two beds, one with a blue mattress and one with a pink "Hello Kitty" comforter.
-100_1435.jpg	This image is what appears to be a minor white female with brown hair lying on her back on a bed with a blue mattress. The female is wearing thigh-high black stockings with a lace detail and touching her vaginal area with her fingers which feature blue nail polish. There are teal and rainbow pillows to the right of the female and a window in the background with horizontal blinds. The lower right hand of the image features a date stamp of 5/4/2010.

13. Based upon my education, training and experience, and my discussions with other law enforcement officers, and to the best of my knowledge, the images described in paragraph 12 above traveled in interstate commerce and were produced using materials that were mailed and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.