

4:19mj142

SEP 11 2019

AFFIDAVIT IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT

I, Heather Call, being first duly sworn state:

1. Your affiant, Heather Call, employed with the Newport News Police Department (NNPD) since June, 2004, and more specifically with the Special Victims Unit since July, 2011. This assignment has afforded me the opportunity to investigate and/or arrest and prosecute numerous individuals for crimes relating to the neglect and abuse of children in violation of the Virginia (VA) State Code. I have previously been involved in criminal investigations concerning violations of federal laws. Those investigations included, but are not limited to, child exploitation and child pornography. Since joining the NNPD your affiant has attended specialized training courses in child/adolescent interviewing, human trafficking, identifying and seizing electronic evidence, and computer forensic, recovery, and social site investigations.

2. I am currently assigned as a Master Police Detective with the Newport News Police Department, Criminal Investigations Division, Special Victims Unit, as well as a Task Force Officer (TFO) assigned to the Federal Bureau of Investigation, Norfolk Division Child Exploitation Task Force. I have participated in investigations involving sexual assaults, persons who collect and distribute child pornography, and distribution of materials relating to the sexual exploitation of children. I have received training from the FBI in the areas of sexual assaults and child exploitation, and I have reviewed images and videos of child pornography in a wide variety of media forms, including computer media. I have also discussed and reviewed these materials with other law enforcement officers.

3. I was deputized as a Special Deputy United States Marshal on June 16, 2014. As a

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Special Deputy United States Marshal, your Affiant is authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

4. This affidavit supports an application for a criminal complaint charging JUSTIN TRAVIS TAYLOR with Production of Child Pornography, in violation of Title 18, United States Code, Section 2251(a). Title 18, United States Code, Section 2251(a) states that any person who employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in or affecting interstate or foreign commerce...with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct shall be punished if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce.

FACTS AND CIRCUMSTANCES

5. This affidavit is based upon information that I have gained from my investigation, my training and experience, as well as information gained from conversations with other law enforcement officers. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that JUSTIN TRAVIS TAYLOR has committed a violation of Title 18, United States Code, Section 2251(a).

STATUTORY AUTHORITY

6. This investigation concerns an alleged violation of Title 18 United States Code, Section

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2251(a) regarding certain activities relating to material involving the sexual exploitation of minors.

Title 18, United States Code, Section 2251(a) states in pertinent part:

Any person who employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in or affecting interstate or foreign commerce...with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct shall be punished if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce.

The terms "child pornography" and "sexually explicit conduct" are defined in Title 18, United States Code, Sections 2256(8) and (2). The term "child pornography" is defined as "any visual depiction.....of sexually explicit conduct." The term "sexually explicit conduct" means actual or simulated:

sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex; bestiality; masturbation; sadistic or masochistic abuse; or lascivious exhibition of the genitals or pubic area of any person.

7. The term "computer," as used herein, is defined pursuant to Title 18, United States Code, Section 1030(e)(1), as "an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device."

FACTS AND CIRCIMSTANCES

8. On February 13, 2019, the mother of Jane Doe 1 reported to the National Center for Missing and Exploited Children (NCMEC) that her 14-year-old daughter was communicating online with an adult male, while residing in Aberdeen, Washington. The mother, R.R., advised Jane Doe 1 sent the adult male nude images and videos. Jane Doe 1 told the adult male that they cannot continue to communicate, so the adult male threatened to commit suicide. The mother, R.R., provided the following information about the offender to NCMEC: cellphone number [REDACTED] [REDACTED] 25 years old, and had Snapchat and Instagram names of Justin Travis. NCMEC checked the phone number in Neustar and found it possibly returned to Justin TAYLOR. Neustar is a database that is regulated for investigative purposes. The users of Neustar include law enforcement and private agencies. NCMEC also checked the phone number in TLO, which is a law enforcement database, and found it possibly returned to Justin Travis TAYLOR, 24 years old, date of birth of [REDACTED], email address of [REDACTED], and address of [REDACTED] [REDACTED] Newport News, Virginia, 23606. NCMEC generated Cybertipline Report 46652060 and forwarded this report to the Southern Virginia Internet Crimes Against Children (SOVA ICAC) Task Force.

9. In March 2019, your affiant received NCMEC Cybertipline Report 46652060 from the SOVA ICAC Task Force for investigation.

10. On March 14, 2019, your affiant conducted a check with the Virginia Department of Motor Vehicles (DMV) for Justin Travis TAYLOR. This check returned Justin Travis TAYLOR with an address of [REDACTED], Newport News, Virginia, 23606.

The check also showed a 2015 grey Dodge four door sedan registered to Justin Travis TAYLOR and Dana Leigh TAYLOR, [REDACTED] Newport News, Virginia, 23606.

11. On March 25, 2019, Jane Doe 1 was interviewed by FBI Forensic Interviewer Erin Lehto, in Washington State. Jane Doe 1 said she was currently 14-years-old. She began talking to Justin TAYLOR in May 2018, when she was in the 8th grade, and stopped talking to him approximately one month later. In October 2018, Jane Doe 1 resumed talking with TAYLOR. TAYLOR initially told her he was 15-years-old, but later told her he was 24-years-old. TAYLOR knew her age, which was 13 at the time they began communicating, because she told him, and what grade she was in. They communicated through social media applications such as Snapchat and Instagram, as well as by text messages and email messages. TAYLOR asked Jane Doe 1 to send pictures of herself naked. If she said she did not want to do it, TAYLOR said he would kill himself. Jane Doe 1 advised she took nude images of herself through the social media sites, including Instagram, and sent them to TAYLOR. TAYLOR asked Jane Doe 1 to send videos of herself masturbating, which she did. TAYLOR sent Jane Doe 1 videos of himself masturbating. Jane Doe 1 stated TAYLOR's Instagram name was JUSTINTRAVISTAYLOR. Jane Doe 1 provided consent to search her Instagram account and gave her login information.

12. On March 26, 2019, your affiant reviewed Jane Doe 1's Instagram account and did not locate any direct messages in the account.

13. On March 25, 2019, Jane Doe 1's mother, R.R., provided three cell phones to SA David Schultz, FBI Seattle Division, which were used by Jane Doe 1 to communicate with TAYLOR. She also gave written consent to search the phones. These three cell phones were

shipped to FBI Norfolk Division and provided to Forensic Computer Analyst (FCA) James Bass for examination. FCA Bass conducted data extractions on the three cell phones.

14. Your affiant reviewed the data extractions, which are highlighted below:

a. Samsung cell phone

1. The cell phone number [REDACTED] was located in the Contacts section.
2. Text messages were located in the SMS section between the phone number [REDACTED] and Jane Doe 1 that were exchanged on January 12, 2019. During these text messages, Jane Doe 1 calls the person she is messaging Justin. The person at [REDACTED] tells Jane Doe 1 he hopes she has a nice life and he was ending his because of her.

b. Samsung Galaxy 4

1. Justin TAYLOR was listed in the Contacts section with the email address [REDACTED].
2. In the Images section, your affiant located a screenshot from February 4, 2019, of a chat conversation with the user name JUSTINTRAVISTAYLOR listed at the top.

15. On June 7, 2019, your affiant obtained a federal search warrant, 4:19sw84, for the Facebook owned Instagram account with the user name JUSTINTRAVIS TAYLOR from the Honorable United States Magistrate Judge Robert Krask. Your affiant executed the search warrant on the same date, by uploading it to Facebook's Law Enforcement Portal.

16. On July 14, 2019, your affiant received an email from Facebook advising the requested records were available for review. Upon review of these records, your affiant did not observe messages between TAYLOR and Jane Doe 1, possibly meaning the messages were deleted by TAYLOR.

17. On August 12, 2019, your affiant obtained a federal search warrant, 4:19sw98, for the Facebook owned Instagram account for Jane Doe 1 from the Honorable United States Magistrate Judge Robert Krask. Your affiant executed the search warrant on August 13, 2019, by uploading it to Facebook's Law Enforcement Portal.

18. On August 13, 2019, your affiant received an email from Facebook advising the requested records were available for review. Upon review of these records, your affiant observed messages between TAYLOR and Jane Doe 1. The conversations begins on December 13, 2018 at 03:43:47 UTC (December 12, 2018 at 10:43:47PM EST). A sampling of the messages are as follows:

- a. On December 13, 2018 at 03:44:27 UTC (December 12, 2018 at 10:44:27PM EST), TAYLOR: "I'm serious just fucking show me your pussy or I'm dead. Last chance."
- b. TAYLOR: "shut up and come ride my cock"
- c. TAYLOR: "Mmmm. I wanna tie you to the bed and force my cock inside your slutty pussy"
- d. TAYLOR: Fill your pussy up with my cum and make you suck my cock until I cum in your mouth like the dirty little slut you are"

- e. TAYLOR: "Show daddy you fucking your pussy with your hair rush" followed by "Brush"
- f. TAYLOR: "Will you still send me nudes?"
- g. TAYLOR sent a video of a male's penis masturbating and ejaculating, which your affiant viewed.
- h. On December 13, 2018 at 22:23:31 UTC (December 13, 2018 at 5:23:31PM EST), TAYLOR: "I wanna see you naked"
- i. On December 13, 2018 at 22:31:20 UTC (December 13, 2018 at 5:31:20PM EST), TAYLOR: "Show me your pussy"

CONCLUSION

19. Based upon the facts set forth above, I submit that probable cause exists to believe JUSTIN TRAVIS TAYLOR has violated Title 18, United States Code, Section 2251(a), which prohibits any person who employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in or affecting interstate or foreign commerce...with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct shall be punished if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce.

FURTHER YOUR AFFIANT SAYETH NOT.



Heather Call

Special Deputy United States Marshal
FBI Child Exploitation Task Force
Federal Bureau of Investigation

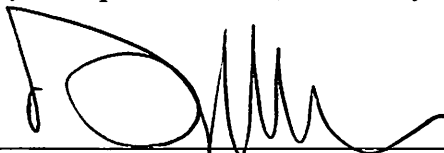
This affidavit has been reviewed for legal sufficiency by Assistant United States Attorney Lisa R. McKeel.

Reviewed:



Lisa R. McKeel
Assistant United States Attorney

Subscribed and sworn to before me this ^{11th} day of September 2019, in the City of Norfolk, Virginia.



UNITED STATES MAGISTRATE JUDGE

Douglas E. Miller
United States Magistrate Judge