

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

United States of America)

v.)

KENNEDY HARRIS, JR.)

Case No.)

6:16-mj- 1159)

Defendant(s)

un-SEALED

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 beginning on at least January 22, 2016 and continuing until February 10, 2016 in the county of Brevard in the Middle District of Florida, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 1591

Sex trafficking of children

This criminal complaint is based on these facts:

See attached Affidavit

☒ Continued on the attached sheet.

 Complainant's signature

Matthew Oliver, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: March 22, 2016

 Judge's signature
City and state: Orlando, FL

DAVID A. BAKER, U.S. Magistrate Judge

STATE OF FLORIDA
COUNTY OF ORANGE

CASE NO.: 6:16-mj 1159

FILED
3/23/16
Date

AFFIDAVIT

I, Matthew Oliver, Special Agent (SA) of the Federal Bureau of Investigation (FBI), Tampa Field Office, Orlando Resident Agency, being duly sworn, do hereby depose and state the following:

Introduction

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed for approximately six years. I am an investigative and law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), and am empowered by law to conduct investigations and make arrests for violations of federal criminal laws. I am currently assigned to the Tampa Field Office, Orlando Resident Agency, for which I participate in criminal investigations, including human trafficking and crimes against children. I have received training in, participated in, and conducted investigations of violations of various federal laws, including human trafficking in violation of Title 18, United States Code, Section 1591.

2. This affidavit is submitted based on my personal knowledge derived from (a) information that I have learned from discussions with other FBI Special Agents, FBI Task Force Officers (TFOs), and other sworn law enforcement officers, (b) my participation in this investigation, (c) the review of reports of interviews and

evidence recovery conducted in this investigation, (d) review of video of an interview conducted in this investigation, and (e) review of photographs of evidence recovered in this investigation.

3. 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 that I have learned during this investigation. Rather, I have set forth only those facts I believe are necessary to establish probable cause that violations of federal law have been committed. Unless otherwise noted, all statements of other persons described in this affidavit are set forth in substance and in part, rather than verbatim.

4. I have learned the following information in my official capacity, by first hand observations, and by receiving information from federal and local law enforcement. I submit this affidavit in support of a criminal complaint charging that, on or about January 22, 2016, through on or about February 10, 2016, in Brevard County Florida, in the Middle District of Florida, and elsewhere, KENNEDY HARRIS, JR. (HARRIS) committed violations of 18 U.S.C. § 1591, Sex Trafficking of Children.

Probable Cause

A. Identification of the S.W. and HARRIS

5. In the morning on February 10, 2016, the Cocoa Police Department (CPD) received information from a confidential informant (CI) that a female, who appeared to the CI to be a juvenile, was located in a hotel room with two adult males at 900 Friday Road, Cocoa, Florida.

6. CPD thereafter made contact with the female located at 900 Friday Road and identified her as S.W., a 16-year-old girl, who was reported as a runaway from Port St. John, Florida. S.W. stated to CPD that one of the adult males was “pimping” her out and that he told her not to tell anyone her real age. S.W. was then transported to the Child Advocacy Center in Melbourne, Florida, for a child forensic interview, which was conducted that same day. Based on my observation of S.W.’s appearance and mannerisms during that interview, she appears to me to look younger than her age.

7. HARRIS, a 22-year-old male, was one of the two adult males located with S.W. at 900 Friday Road on February 10, 2016. He was arrested at that time on state charges for a probation violation and four different drug offenses.

B. Forensic Interview of S.W.

8. During the forensic interview of S.W. on February 10, 2016, S.W. stated that, after she ran away from her adoptive mother’s home in Port St. John, Florida, approximately two weeks before being found by CPD, she ran into HARRIS with whom she was previously acquainted. HARRIS knew S.W. had run away and was looking for her. HARRIS told S.W. that he would hide her out. HARRIS promised to take her off the streets, to keep her safe, and to clothe and feed her. While with HARRIS, S.W. met HARRIS’s friend from South Florida, X.B., who was visiting and staying with HARRIS.

9. S.W. also stated that she knows HARRIS to be a drug dealer and that he sells crack, pills and Xanax. S.W. admitted to smoking crack in the past and has

been to drug rehabilitation. On February 10, 2016, S.W. tested positive for cocaine after her recovery and placement in a residential facility.

10. S.W. stated that, after S.W. ran into HARRIS, he brought her to two apartments in the Clearlake Village on Clearlake Road in Cocoa, Florida. S.W. described the two apartments: (1) that of HARRIS's mother, R.R., later identified as Unit 122; and (2) that belonging to HARRIS, later identified as Unit 123, which is adjacent to Unit 122.

11. S.W. explained that, during the two weeks before her recovery by the CPD on February 10, 2016, HARRIS took sexually suggestive and nude photographs of her with his phone in several locations, but predominantly in R.R.'s apartment. HARRIS uploaded some of these photographs of S.W. to Backpage.com, a website that advertises adult services.

12. S.W. recounted that she had sex with approximately four to five male customers per day in bedrooms at the two units in Clearlake Village Apartments and in other locations in Brevard County over the course of the two weeks prior to being found by the CPD. S.W. stated that the male customers each paid her approximately \$150 for sex acts. S.W. then gave all of the cash to HARRIS.

13. S.W. also explained that HARRIS transported S.W. on February 9, 2016, to the Radisson Inn hotel at 8701 Astronaut Blvd., Cape Canaveral, Florida, to meet with a male customer, who had responded to a Backpage.com posting. S.W. met with the male customer in room 307 at the Radisson Inn. The male customer gave \$150 to S.W. and then proceeded to have sexual intercourse with her. S.W.

thereafter left the hotel room and met HARRIS, who was waiting for her in a car outside of the hotel. Harris then took S.W. to 900 Friday Road, where she was found by the CPD.

C. Events at Clearlake Village Unit 123 on January 24, 2016

14. According to a CPD report dated January 24, 2016, and based on my review of a 911 recording that corresponds with the report, there was an incident at Clearlake Village apartment 123, in which a third party, C.O., called 911 to report that a 16-year-old female runaway, identified only by first name, S., was being put up on Backpage against her will by HARRIS. C.O. stated on the 911 call that the girl wanted to leave, and C.O. was attempting to help her leave when HARRIS pulled her back and told her she had to stay. CPD responded to the apartment on January 24, 2016, and made contact with HARRIS and X.B. HARRIS and X.B. denied that there were any other individuals inside. CPD searched the residence and found S.W. in the cabinet under the bathroom sink. S.W. was uncooperative and threatened the officers. S.W. was then arrested for assault on a law enforcement officer.

D. The Radisson Inn

15. During her forensic interview on February 10, 2016, S.W. described in detail a bag and its contents that she left behind in Radisson Inn room 307 on February 9, 2016. The Brevard County Sheriff's Office went to the Radisson Inn on February 10, 2016, and learned that the customer had checked out of room 307. The housekeeping staff had already cleaned room 307, but found the bag and

turned it over to the police. The bag and its contents matched the description given by S.W.

16. The Radisson Inn hotel provided information for the guest in room 307 to the Brevard County Sheriff's Office. A photographic line up including this guest was shown to S.W., and she identified the guest as the customer who paid for sex with her at the Radisson Inn in the late hours of February 9, 2016, possibly into the early hours of February 10, 2016.

17. Based on my training and experience, I know that the Radisson Inn hotel is a business that engages in, and affects, interstate or foreign commerce.

E. Backpage.com and Eroticismshots.com

18. I conducted an internet search of Backpage.com and Eroticismshots.com and have reviewed evidence received directly from Backpage.com. Backpage.com revealed postings made beginning on or about January 22, 2016, and continuing to on or about February 8, 2016, with sexually suggestive photographs of S.W., advertisements for S.W.'s services, and contact phone numbers. S.W.'s photographs were listed on at least 11 different postings on Backpage.com and 10 different postings on Eroticismshots.com. The various postings advertised S.W. by at least 9 different aliases and offered adult services in the Cocoa area utilizing at least 4 different contact phone numbers. S.W. was listed on the postings as being a variety of ages, ranging from 19 to 22 years of age. Based on my training and experience, I know that activity conducted on and through these websites is conducted in, and affects, interstate or foreign commerce.

F. Review of HARRIS's Cell Phone

19. HARRIS's cell phone was seized upon his arrest on February 10, 2016, and was searched pursuant to a state search warrant. The phone number to the cell phone corresponds with one of the phone numbers listed on the Backpage.com advertisements for S.W. The search of HARRIS's cell phone revealed numerous photographs of S.W. in sexually suggestive poses, and she was scantily clad or partially nude. The photos of S.W. found on HARRIS's cell phone were some of the same photos found on the Backpage.com and Eroticismshots.com postings advertising S.W.

20. HARRIS's cell phone also included numerous text messages from customers inquiring about sex and prices. The location that was given on the customers was 1514 Clearlake Road, Cocoa. The address book in HARRIS's cell phone listed S.W.'s phone number under the name "My \$\$\$."

G. Execution of the Search Warrant and Interviews Conducted at Clearlake Village, Unit 122

21. A search warrant executed at the apartment of R.R., Clearlake Village Unit 122, led to the recovery of several items of clothing that match in appearance to the clothing worn by S.W. in the photographs on Backpage.com. K.R.H., HARRIS's sister and the daughter of R.R., admitted to dressing S.W. up in K.R.H.'s clothing and in the clothing of another sister of HARRIS at HARRIS's request to make S.W. look pretty.

22. The search of Unit 122, along with statements of R.R. and K.R.H., confirmed that most of the photographs of S.W. were taken in Unit 122. The

furniture, layout, and flooring in Unit 122 matched the background in these photographs. K.R.H. witnessed HARRIS taking several of the Backpage.com photographs of S.W. in R.R.'s apartment.

23. According to K.R.H., she was told the photographs taken of S.W. were to be used to upload pictures of S.W. onto Backpage.com to advertise S.W. for prostitution. K.R.H. thought that, based on S.W.'s appearance when she first saw her, she believed S.W.'s age to be approximately 13 years old. K.R.H. asked S.W. how old she was, and S.W. told her she was 18 years old. K.R.H. later learned from a Facebook posting that S.W. was a 16-year-old runaway. After that time, HARRIS continued to pimp S.W. to men.

24. K.R.H. confirmed that she had served as a lookout while S.W. met with customers in Unit 123 to make sure nothing bad happened. K.R.H. estimated the number of male customers that met with S.W. was approximately four to five per day.

25. K.R.H. admitted that HARRIS used her phone and phone number for the Backpage.com postings and borrowed her phone during that time period for this purpose. K.R.H.'s phone number is also found on some of the Backpage.com advertisements for S.W.'s services. According to K.R.H., after HARRIS got a new cell phone in early February 2016, he returned K.R.H.'s phone to her, and she continued to receive calls and text messages from customers inquiring about sex with S.W.

H. Interview of A.R.

26. An interview of A.R. was conducted on March 16, 2016. A.R. was the leasee of Clearlake Village Unit 123 in January and early February 2016 and was an associate of HARRIS and his family. A.R. explained that she allowed HARRIS and his family to hang out there when she was home. A.R. later discovered that, when she was out of town, HARRIS and his associates entered and used her apartment without her permission. A.R. said that HARRIS, X.B., two of HARRIS's sisters, and another unidentified white female utilized her apartment, Unit 123, to pimp S.W. to male customers paying for sex.

27. A.R. also stated that HARRIS asked A.R. for advice on how to use websites, such as Backpage.com, to advertise girls online for prostitution. A.R. witnessed HARRIS take a photograph of S.W. to be uploaded to Backpage.com in her apartment. A.R. also witnessed HARRIS, X.B, S.W. and the unidentified female utilizing cell phones to communicate with customers interested in paying for sex with S.W. According to A.R., HARRIS and X.B. claimed S.W. was making them a lot of money because she looked so young. A.R. witnessed S.W. being paid by HARRIS in rocks of crack after meeting with a male customer. S.W. then immediately went to go smoke the crack HARRIS gave her.

28. A.R. also stated that HARRIS, X.B., and HARRIS's sisters knew that S.W. was a minor; that HARRIS was feeding S.W.'s drug addiction; that HARRIS was keeping the money he made from her engaging in sex acts; and that HARRIS was keeping S.W. fed and clothed. A.R. also stated that S.W. complained to her

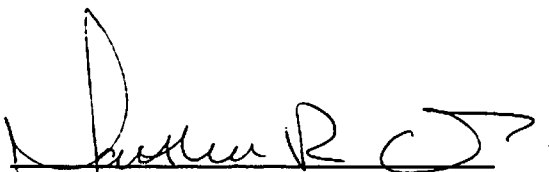
that S.W. feared she had a female infection and was pregnant. A.R. shared these issues with HARRIS, who did not care for S.W.'s health. A.R. stated that HARRIS only cared about the money S.W. was making him.

CONCLUSION

29. Based on the foregoing facts, I believe there is probable cause to believe that HARRIS has violated 18 U.S.C. § 1591, Sex Trafficking of Children.

30. I respectfully request that this Court issue an order sealing, until further order of this Court, all papers submitted in support of this Application, including the Complaint, Affidavit, and Arrest Warrant. Sealing is necessary because disclosure of the existence of these documents prior to the arrest of the defendant could hinder or impede arrest efforts.

This concludes my affidavit.



Matthew Oliver
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me
this 23rd day of March 2016



The Honorable David A. Baker
United States Magistrate Judge