

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

United States of America
v.
WILLIAM EARL BARRETT

Case No.
5:18-mj-1022PRL

Defendant(s)

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 July 29, 2017 and March 27, 2018 in the county of Lake in the Middle District of Florida, the defendant(s) violated:

Code Section 18 U.S.C. §§ 2252A(a)(2) and 2252A(a)(5)(B).
Offense Description Possession and distribution of child pornography.

This criminal complaint is based on these facts:

Continued on the attached sheet.

Handwritten signature of Kevin Kaufman

Complainant's signature

Kevin Kaufman, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 3-30-2018

Handwritten signature of Thomas B. Smith

Judge's signature

City and state: Orlando, Florida

THOMAS B. SMITH, U.S. Magistrate Judge

Printed name and title

STATE OF FLORIDA

CASE NO. 5:18-mj-1022PRL

COUNTY OF ORANGE

AFFIDAVIT

I, Kevin Kaufman, being duly sworn, do hereby depose and state as follows:

1. I am currently in my fourteenth year of employment as a Special Agent with the Federal Bureau of Investigation (FBI). I am currently assigned to the FBI Crimes Against Children/Innocent Images Unit. I have investigated and assisted in the investigation of matters involving the possession, receipt, distribution, and production of child pornography, and the solicitation and extortion of children to produce sexually explicit images of themselves. I have also investigated and assisted in the investigation of matters involving the online enticement and coercion of children to engage in sexual activity. I have gained experience through training and everyday work relating to conducting these types of investigations. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media, including computer media. Moreover, I am a Special Agent who is engaged in enforcing the criminal laws, including 18 U.S.C. §§ 2251 and 2252A.

2. This affidavit is submitted in support of a criminal complaint against WILLIAM EARL BARRETT for violations of 18 U.S.C. §§ 2252A(a)(2) and 2252A(a)(5)(B). As set forth in more detail below, I believe there is probable cause that on or about July 29, 2017, in Lake County, Florida, BARRETT distributed child pornography, that is, a visual depiction of a minor engaging in sexually explicit conduct, which had been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate and foreign commerce by any means, including by computer, in violation of 18 U.S.C. § 2252A(a)(2). In addition, there is probable cause that on or about March 27, 2018, in Lake County, Florida, BARRETT possessed child pornography, that is, a visual depiction of a minor engaging in sexually explicit conduct, which had been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate and foreign commerce by any means, including by computer, in violation of 18 U.S.C. § 2252A(a)(5)(B).

3. I make this affidavit from personal knowledge, based on my participation in this investigation; information from other criminal investigators; information from other law enforcement officers, specifically, SA Jenelle Bringuel of the FBI; information from agency reports; and a review of documents provided to me by these witnesses and law enforcement officers. 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.

STATUTORY AUTHORITY

4. Sections 2252A(a)(2) and 2252A(a)(5)(B) of Title 18, United States Code, prohibit a person from knowingly distributing or possessing any material that contains an image of child pornography, as defined in 18 U.S.C. § 2256(8), that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

DETAILS OF THE INVESTIGATION

5. On March 22, 2018, the FBI Tampa Division/Orlando Resident Agency received a lead from SA Bringuel of the FBI Albany Division in connection with her investigation of MICHAEL RUSHMER, who had been sexually exploiting two children, identified as child victim 1 (CV1) and child victim 2 (CV2). During the course of her investigation, SA Bringuel has met with and interviewed CV1 and CV2. SA Bringuel has also become familiar with the interior of RUSHMER's home, where he victimized CV1 and CV2.

6. SA Bringuel's lead referenced WILLIAM EARL BARRETT, who resides in Clermont, Florida, and works at a theme park in Orlando, Florida. During the course of SA Bringuel's investigation, she discovered that BARRETT had sent child pornography to RUSHMER in New York.

7. Based on the information received, on March 27, 2018, FBI SA Rodney Hyre, FBI Task Force Agent (TFA) Steven McElyea, and I interviewed BARRETT at his place of employment.

8. During the recorded interview, BARRETT admitted that he possessed an external hard drive at his residence in Clermont, Florida, and that the hard drive contained various videos and images that depicted children being spanked on their bare bottoms, but he denied that these constituted child pornography. BARRETT said he used his computer to access those images and videos and saved them to the external hard drive. Barrett also admitted that he had sent RUSHMER these images via the internet.

9. BARRETT provided written consent for the FBI to search his iPhone 6 Plus (which he had on his person) and the external hard drive, which was located at his residence in Clermont, Florida. SA Hyre and TFA McElyea contacted BARRETT'S mother at BARRETT'S residence and recovered the external hard drive from the home.

10. On March 29, 2018, I reviewed some of the images on the external hard drive taken from BARRETT'S residence. During my initial review, I located several images and videos of child pornography. Most of the videos and images located on the external hard drive were encrypted and were forensically unencrypted with BARRETT's assistance.

11. During my initial review of the external hard drive, I located a file entitled "8.11.17(1).zip." Inside the file were 24 images of CV1 and CV2 and an audio file. The images I observed depicted CV1 and CV2 clothed and in various stages of undress. Several images were close-up pictures of the crotches and buttocks of CV1 and CV2. In addition, there was an image of CV1 standing naked, exposing his penis. Through video conferencing, I showed the aforementioned images to SA Bringuel, who confirmed that the images depicted CV1 and CV2, and that they were taken by RUSHMER at his residence located in Johnson City, New York.

12. Through video conferencing, SA Bringuel also showed me the image that BARRETT had distributed to RUSHMER through an internet chat application on or about July 29, 2017, at approximately 9:57 p.m. The image depicted an adolescent male who was approximately eight years old. The adolescent male was dressed only in a Discovery jacket, with no pants on, exposing his penis. I located the same image on BARRETT'S external hard drive. The image title was "D4FogiWRn_4482579_23896786.jpg," and it was created on the external hard drive on November 12, 2016.

13. I reviewed the geolocation artifacts on BARRETT'S cellular telephone, which showed that BARRETT'S cellular telephone was located in Lake Buena Vista, Florida, on July 29, 2017, at approximately 8:00 a.m. In addition, SA Hyre contacted BARRETT'S place of employment and

confirmed that BARRETT was working July 30, 2017. Moreover, a review of text messages found in BARRETT'S telephone showed a notification from Chase Bank regarding a transaction using his debit card at a convenience store located in Lake Buena Vista, Florida, on July 31, 2017.

14. BARRETT'S text messaging records also showed that BARRETT exchanged numerous text messages with CV2 since at least December 25, 2017—and as of March 26, 2018, BARRETT was still texting CV2.

15. Below are descriptions of an image and four videos that were on the external hard drive seized from BARRETT's home:

(a) **VIDEO TITLE:** _QQ_20160325185135.mp4

CREATION DATE: June 30, 2017

DESCRIPTION: This video is approximately two minutes long. It depicts a female child who is approximately seven or eight years old. The female child is standing in front of a camera and pulls her pants down. The female child then bends over in front of the camera, exposing her anus and vagina. The female proceeds to spank herself with a wooden back scratcher.

(b) **VIDEO TITLE:** Cute Ass For Spanking.MP4

CREATION DATE: February 11, 2018

DESCRIPTION: This video is approximately 29 seconds long. It depicts a female child who is approximately three or four years old, on a bed. The child is with an adult male who is speaking an unknown foreign language. The child's pants are pulled down, exposing her anus and vagina. The adult male begins spanking the female child with an unknown plastic object. The adult male hands the child the unknown plastic object, and she begins to spank herself in front of the camera while exposing her anus and vagina.

(c) **VIDEO TITLE:** 009.mp4

CREATION DATE: February 11, 2018

DESCRIPTION: This video is approximately 40 seconds long. It depicts a female child who is approximately 10 to 12 years old. The child is standing in front of a video camera and is nude from the waist down. The child bends over in front of the camera, exposing her anus and vagina. The child has a plastic clamp attached to her vagina and is observed whipping herself with an unknown object.

(d) **VIDEO TITLE:** Child-3.mp4

CREATION DATE: February 11, 2018

DESCRIPTION: This video is approximately 10 minutes and 36 seconds long. It depicts two prepubescent males who are approximately 10 to 12 years old. The males are in front of a camera in a forest-like setting. They are naked from the waist down, and they take turns tying each other up and urinating on each other. Toward the end of the video, both prepubescent males lay on the ground, naked from the waist down, and are whipped by another male.

(e) **IMAGE:** 11.jpeg

CREATION DATE: February 11, 2018

DESCRIPTION: An image of a female child who is approximately eight or nine years old. The child is naked and is sitting on a chair, which is positioned in the street. The child's feet are positioned on the chair, exposing the female child's vagina. An adult male is standing over the child with a whip. A caption on the picture states, "It's going to be a naked, public, outdoor whipping for the naughty slave girl; how embarrassing!"

16. The aforementioned videos and image are very similar in nature to the other numerous images and videos I located on BARRETT'S external hard drive. I have viewed these videos and images and believe, based on my training and experience, that all of the images contain child pornography, as defined in 18 U.S.C. § 2256.

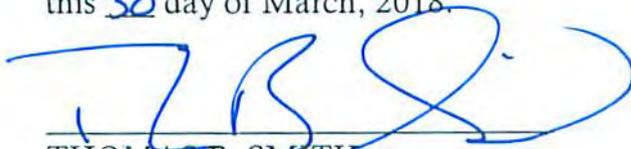
17. Based on the above, there is probable cause to believe that on or about July 29, 2017, in Lake County, Florida, BARRETT distributed child pornography, that is, a visual depiction of a minor engaging in sexually explicit conduct, which had been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate and foreign commerce by any means, including by computer, in violation of 18 U.S.C. § 2252A(a)(2). In addition, there is probable cause to believe that on or about March 27, 2018, in Lake County, Florida, in the Middle District of Florida, WILLIAM EARL BARRETT knowingly possessed child pornography, that is, visual depictions of a minor engaging in sexually explicit conduct, which had been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate and foreign

commerce by any means, including by computer, in violation of 18 U.S.C.
§ 2252A(a)(5)(B).



Kevin Kaufman
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me
this 30 day of March, 2018.



THOMAS B. SMITH
United States Magistrate Judge