

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

United States of America

v.

Frederick M. Pohl, Jr.

Case No.

5:19-mj-1060PRL

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 March 11, 2019 - May 21, 2019 in the county of Lake in the
Middle District of Florida, the defendant(s) violated:

Code Section

Offense Description

Ct. 1 - 18 U.S.C. § 1470

Ct. 1 - Transfer of Obscene Materials to a Minor

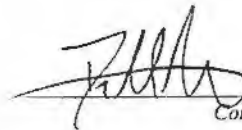
Ct. 2 - 18 U.S.C. § 2422

Ct. 2 - Attempting to Entice a Minor

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.



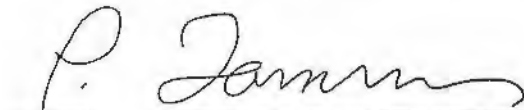
Complainant's signature

SA David M. Alley, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/21/2019



Judge's signature

City and state: Ocala, Florida

Philip R. Lammens, United States Magistrate Judge

Printed name and title

STATE OF FLORIDA

CASE NO. 5:19-mj-1060PRL

COUNTY OF MARION

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, David M. Alley, being duly sworn, declare and state as follows:

Agent Background

1. Your Affiant is a Special Agent (SA) employed with the Department of Homeland Security (DHS), Homeland Security Investigations (HSI) and have been so employed since March, 2007. Your Affiant is assigned to the Special Agent in Charge (SAC), Office of Investigations (OI) in Detroit, Michigan with offices located at 477 Michigan Ave, Suite 1850, Detroit, Michigan. I have successfully completed the Criminal Investigator Training Program and the Immigration and Customs Enforcement Special Agent Training Program at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. I have received a Bachelor's Degree in Criminal Justice from Michigan State University, as well as a Master's Degree in Criminal Justice from Michigan State University. I have successfully completed the Basic Computer Evidence Recovery Training (BCERT) at FLETC, Advanced Computer Evidence Recovery Training (ACERT) at the HSI Cyber Crimes Center and the Cyber Crime Center Mobile and Cellular Device Data Extraction course and possess an A+ certification. Your Affiant is a law

enforcement officer of the United States within the meaning of 19 U.S.C. § 1401(i), and am empowered to investigate and make arrests for violations of United States criminal laws within the meaning of 18 U.S.C. § 2510(7).

Authorization Sought

2. This affidavit is made in support of an application for a criminal complaint and arrest warrant for **Fredrick Michael POHL Jr.** for violations of 18 U.S.C. § 2242(b), which makes it a crime for any person to utilized the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States to knowingly persuade, induce, entice, or coerces any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or to attempt to do so; as well as 18 USC § 1470, which makes it a crime to use the mail or any facility or means of interstate of foreign commerce knowingly transfers obscene matter to another individual who has not attained the age of 16 years, knowing that such other individual has not attained the age of 16 years, or attempts to do so.

3. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information made available to me by other law enforcement professionals. These facts are provided for the sole purpose of establishing probable cause for the issuance of a criminal

complaint and arrest warrant; therefore, this affidavit does not necessarily contain all information uncovered during this investigation. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, 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 for an arrest warrant for **Fredrick Michael POHL Jr.**

mIRC

4. mIRC is an Internet Relay Chat (IRC) client for Windows, created in 1995. IRC clients are computer programs that users can install on their system or web-based applications running either locally in the browser or on a third party server. These clients communicate with chat servers to transfer messages to other clients. IRC Clients allow one-on-one communication via private messaging as well as chat and data transfer.

AOL Mail

5. AOL Mail (stylized as AOL Mail.) is a free web-based email service provided by AOL, a division of Verizon Communications.

Probable Cause

6. On or about March 11, 2019, an HSI employee acting in an undercover capacity (hereafter UCA) was chatting in chatrooms on mIRC.

The UCA was posing as the father with an 8-year-old daughter and using a name signifying that he was a father with a daughter.

7. UCA was contacted by a user with the username "**Mike**." The mIRC client provided "**Mike's**" IP address as "072-188-064-045". The following is a verbatim, non all-inclusive sample of the chats with "**Mike**":

Mike: How old is your daughter

UCA: 8

Mike: very nice

UCA: what r u into

Mike: i like young girls

Mike: you

UCA: same

UCA: how young

Mike: I would love someone as young as your daughters age

UCA: :)

UCA: good thing I like to watch

Mike: oh nice I would let someone watch

UCA: :)

Mike: :)

Mike: what would you do while you watched

UCA: what do u want me todo

Mike: reassure her that it would be ok

UCA: ok we do oral a lot so she'd be fine

Mike: oh nice

Mike: I bet she sucks good

.....

UCA: what all r u into

Mike: would love to have her do oral on me would definitely love
to fuck her

UCA: would love to watch

UCA: ud have to get the hotel room though

Mike: that's fine that could be arranged

.....

UCA: I'll give u my email address if ur serious

Mike: so it would be easy for you to get her out of the house

Mike: when would you want me to come to Detroit

UCA: ive met a couple guys here before and it went easy

UCA: when can u lol

Mike: lol

UCA: probably during her spring break easier to tell wife im
taking her somewhere for the day

Mike: what all happened when you met the guys from here

UCA: oral, I watched

Mike: when is her spring break

UCA: like the last week of March

Mike: for how long like a week

UCA: yea

Mike: nice

Mike: what does [CW¹] look like?

UCA: small, blonde, blue eyes

Mike: very nice

UCA: [UC email address provided] if ur serious

Mike: got it

Mike: I would do more then oral with her

UCA: how far? Ive never gone further than oral

Mike: I would probably want to fuck her

¹ To protect the integrity of the ongoing investigation, the UC's alleged daughter's name is not revealed here. The initials CW for cooperating witness are used to replace the actual name given by the UC to Pohl.

UCA: lol I should charge u for that

Mike: lol

UCA: be hot to watch though

Mike: yeah it would be

UCA: id consider it if u came all this way

Mike: nice

UCA: gotta bring condoms though

Mike: just imagine her moaning and crying

Mike: that's fine I can do that

UCA: :)

Mike: what would go through your mind if you heard her
moaning and crying

UCA: ok yeah i'd probably be ok with that if u came up here

8. On March 11, 2019, at approximately 3:47 PM, the UCA received an email at the UC email address provided from flaguy1997@aol.com (hereinafter Mike). The email stated, "Hi there, its Mike from irc." On March 12, 2019, UCA and Mike communicated via email and IRC chats. The following is a verbatim, non-all-inclusive sample of the email exchange:

Mike: I'm good. So you still want to plan this?

UCA: fuck yes lol

Mike: Nice lol. So tell me all that you would like to happen

UCA: both of u oral while I watch :) more than once hopefully

Mike: I'll d oral on her as much as she can take. I might let her gag
on me

UCA: would love to watch that :) when r u thinking

Mike: Very soon. What else would you like to see happen? :)

UCA: ur bringing condoms right

UCA: well? R u :)

Mike: Yes I am brining condoms :)

Mike: I am brining the condoms :)

UCA: I'd probably let u...if u asked nicely

Mike: Just imagine her moaning and crying :)

UCA: oh wow show me what hotel ur gonna get us

Mike: Let me have your zipcode so I can look for hotels in your
area. What do you think she would do when I go inside her?

UCA: [provides zip code] I cant imagine the look on her face

Mike: What do you imagine she will do when I go inside her...I
will start looking to see what hotels are in that area

9. On March 14, 2018, UCA had further conversations over IRC with "Mike" regarding his travel to Detroit to sexually assault an eight-year old female. The following is a verbatim, non-all-inclusive sample of the chats with "Mike":

Mike: Detroit is your major airport?

UCA: yeah

Mike: cool

UCA: where r u coming from? How longs the flight

Mike: I'm so hard just thinking about her

UCA: omg yea

Mike: I'm coming from Orlando

Mike: so maybe 2 hours

UCA: oh ok that's not bad

Mike: nope not at all

UCA: brining condoms right

Mike: yes

.....

UCA: I wanna hear more about what ur gonna do

Mike: mmm I would be more then happy to tell you

Mike: I'm going to eat her pussy and suck on her clit

UCA: yess plz

Mike: slowly tease her clit

UCA: :) :)

Mike: :)

10. In an email message on March 18, 2019, "Mike" requested to talk with the UC's daughter. "Mike" stated that "this is the youngest I have had". "Mike" asked the UC if there was any "any position that you want to see me fuck her?" and asked "do you want me to talk dirty to her on the computer?" UCA responded that "Mike" could be as dirty as he can and asked him "for positions how young was your youngest." "Mike" responded "I'm going to tell her that im going to fuck her pussy. I would love for her to ride me. The youngest I had was 15." "Mike" wrote that he would "love to try doggy on her." "Mike" further stated that he was "going to talk dirty to her while im fucking her" and "I'm going to tell her how good her pussy feels. Tell her to take my cock." "Mike" stated that he wanted the UC to sexually assault their daughter during the conversation by stating, "Maybe I can talk her into doing some stuff with you while its just the two of you at home" and "if I could talk her into letting you go inside her would you like that."

11. On March 21, 2019, the same UCA spoke with "Mike" on the mIRC chat application under the identity of the above-mentioned minor daughter. The following is a verbatim, non-inclusive sampling of the chats:

Mike: Did you like the emails I sent for you?

UCA: im [CW]

Mike: nice to meet you [CW] that's a pretty name

UCA: yes :)

UCA: thank you

.....

Mike: I cant wait to see you [CW]

Mike: your welcome

UCA: me too :)

Mike: :)

Mike: I wanna eat you out

UCA: dad told me what that means :)

Mike: you want me to do that to you :)

UCA: dad just said you have to be nice :)

Mike: thanks you are nice too :)

UCA: thank you

Mike: your welcome

Mike: yeah dad said we could chat

UCA: ok I like talking to you

Mike: I like talking to you too

UCA: thank you :)

Mike: I would love to eat you out :)

UCA: dad says I get to meet you soon

Mike: yes you do

.....

Mike: would love to run my hand up your dress

UCA: ok :)

Mike: while I kiss you

UCA: I like kissing

Mike: mmmm good I like kissing too

Mike: im going to put my tongue in your mouth

UCA: ok are you good kissing?

Mike: yes

UCA: ok :)

Mike: I want you to suck me

UCA: :) :) :) :) :)

Mike: are you good sucking

UCA: dad said to say yes and write :) :)

Mike: I can't wait to feel your lips around my cock :)

UCA: are you coming here soon

Mike: yes I am coming April 4th

UCA: oh ok I won't be in school dad said we'll go somewhere

Mike: yes we will

Mike: do you gag when you suck

UCA: dad just said to say yes :)

Mike: I want to finger you

UCA: like fingers inside me?

Mike: yes

Mike: while kissing you

UCA: ok :)

Mike: are you going to spread your legs nice and wide for me

UCA: dad said yes if you want :) :)

Mike: I want you too

UCA: ok :)

Mike: :)

Mike: I want to put my cock inside you

UCA: like your fingers?

Mike: yes

UCA: :) :) :D :D :D :D :)

Mike: you want that

UCA: dad said he does :) :)

Mike: I want that too :)

Mike: I'm going to suck on your clit

UCA: :D :) :) :

Mike: you can moan all you want

Mike: do you moan a lot

UCA: ok I like to yell and be loud and crazy

Mike: and that's ok do to that

UCA: Ok :) :) :)

Mike: I'm rubbing my cock a little

UCA: :D :) :) :

Mike: you like that I am rubbing?

UCA: dad just told me what u meant :)

Mike: you like that :)

Mike: do you have any questions for me [CW]

.....

Mike: I am going to use a vibrator on you you will like it

UCA: dad told me what that was and yes you can

Mike: that will make you moan

12. On March 22, 2018, UCA and "Mike" continued to talk over email using the UC email address and flaguy1997@aol.com (hereafter "Mike"). The following is a verbatim, non-inclusive sampling of the conversation:

Mike: Ask her if she is going to moan a lot when I slide my cock inside her. When I get home later tonight I will see if I can send her something for you

UCA: I'd love that if u did :)

Mike: Do you want me to show my cock to her? How later does she stay up on the weekends? Aer you ok with showing her porn? What did she wear to school?

UCA: yeah I show her porn ill show her anything you want :)

Mike: Are you ok with me sending her that? What did she wear to school? I have too go soon but I will email tonight or in between when I can. I know she will like what I send her. Any plans over the weekend?

.....

Mike: Hey I have something for [CW] so let me know if you want me to send it to you and when it would be good for you to show it to her

UCA: Sorry we have been slammed this whole weekend first chance to sneak on! Would love to show her anything you wanna send!

Mike: That's ok. I do have something to show her. I am attaching it for her. ;)

[This email contained a pictures of an adult male penis. A hand is gripping it and there appear to be sheets in the foreground of the picture]

Mike: Let me know if you got what I sent you

UCA: OMG wow :) yeah I just got it, sorry didn't write earlier. Wife is home sick. I'll show her tonight and let you know what she says :)

Mike: Nice I think she will like it :)

.....

Mike: Are you ok with me pulling on [CW] head as she sucks me? Did you mention to your wife that you want to bring [CW] to Florida eventually? What else would you be open too?

UCA: Yeah u can totally do that (not to hard! Lol ;) no I didn't say anything to my wife yet prolly will after we meet and everything goes good. Im so excited im pretty much down for anything as long as no one gets hurt

Mike: No one will get hurt. Would you fuck her after I did? Would you let her wear a skirt on Friday if she is able to stay home?

UCA: definitely would let her wear a skirt for u! if she liked it I prolly wouldn't be able to stop myself lol but not sure what u would want to see me do to her did u get the room for us yet?

Mike: I would love to see you fuck her. The room has been reserved. Will give you the room number when I get in town.

UCA: Ok :) cant wait to see u she cant either :p

Mike: I'm really looking forward to this. Like I said, she is going to be the youngest that I had.

.....

Mike: Show this to [CW]. :)

[This email contained a picture of an adult male penis being gripped by a hand]

13. On April 5, 2019, “Mike” wrote an email to the UCA using email address Flaguy1997@aol.com and claimed to have been injured in a car accident and could not make the trip to Michigan. In a follow-up email, “Mike” suggested “maybe we can change plans and you guys could come down here and see me.” The UCA and “Mike” then began to make plans for the UCA and his underage daughter to meet him at a hotel in Orlando, Florida.

14. On April 10, 2019, “Mike” wrote an email to the UCA using email address Flaguy1997@aol.com. “Mike” stated, “Hey here are some pictures for [CW] im really looking forward to seeing her. I kept my days off with work which are Fri/Sat. Let me know what she says :) [This email contained two image attachments, one of an adult male penis, one of a nude adult male].

15. On April 24, 2019, April 26, 2019, and May 6, 2019, “Mike” sent pictures of an adult male penis to the UCA and asked him to show them to his underage daughter. The UCA has remained in contact with “Mike” who continues to express a graphic sexual interest in the UCA’s underage daughter.

16. On March 20, 2019, your affiant served a summons on AOL, now Oath, Inc, for all subscriber information related to email address Flaguy1997@aol.com. On March 25, 2019, your affiant received a response

from AOL. AOL provided that the full name on the account was Fred P. AOL provided numerous IP logins for this email address, to include IP address "72.188.64.45". This IP address was used more than 900 times since June 10, 2018.

17. On March 21, 2019, your affiant served a summons on Charter Communications, Inc. for subscriber information for IP address "72.188.64.45". Charter information provided the following information in response to the summons:

Subscriber Name: FREDRICK POHL SR

Subscriber Address: 16430 NELSON PARK DR 104

CLERMONT FL

Phone number: (352) 988-5849

Account number 292941208

Original Lease Start: 6/10/18 12:58:36 PM

Lease End: 3/22/2019 3:54:48 AM

18. On or about April 3, 2019, your Affiant served a summons on a major amusement park for employment records related to Fredrick Michael POHL. On April 15, 2019, the employer responded to the summons. In addition to confirming that POHL is employed with them, POHL's W-2 forms

from 2016, 2017 and 2018 list 16430 Nelson Park Drive, Apt 104, Clermont, FL as his primary address.

19. A federal search warrant served on POHL's email address in April of 2019, flaguy1997@gmail.com revealed two images of an adult male, believed to be POHL, dressed in an employee outfit related to the aforementioned amusement park.

20. Record checks conducted with the National Crime Information Center reveal that POHL has the following criminal history:

- i. April 10, 2004: Fraud- insuff funds check. Sentenced to 6 months probation in June, 2004
- ii. December 30, 2004: Municipal Ordinance Violation (Misdemeanor) and Grand Theft (felony). Probation revoked October 27, 2006.

21. A review of Homeland Security Reports of Investigation reveal that POHL has previously been investigated by HSI for attempted exploitation of minor children. In October, 2007, a Detective with the Vancouver Police Department was conducting online chats in an undercover capacity, posing as a 13 year old Canadian female. The detective tells POHL that he had lied about coming to see "her" and POHL states that he is "so sorry about that."

POHL further stated "I keep thinking about going in ur bum." POHL attempted to transfer the following files to the Detective:

- i. 9_yr_old_suking.jpg
- ii. 12_yr_old_nude.jpg
- iii. 9yo_Preteen_Girl_Fucked_in_Ass_by_dad.jpg

22. On October 31, 2007, the Detective re-engaged POHL in the online chats via Yahoo Messenger. At this time, POHL transmitted seventeen (17) images and one (1) video file of suspected child pornography. The images listed in the report are:

- i. "9_yr_old_suking" - this image depicts a young, naked female kneeling in front of a naked adult male, performing fellatio on his erect penis;
- ii. "9yo_Preteen_Grl_Fucked_in_Ass_by_dad" - this image depicts a young, naked female kneeling face-down on a bed, with a naked male's penis poised by her anus;
- iii. "12_yr_old_nude" - this image depicts a young, naked female sitting on a beach-blanket, at a beach. Her pubic region and breasts are visible.

23. On May 20, 2019, a federal search warrant (5:19-cr-1059-PRL) was issued for POHL's residence at 16430 Nelson Park Dr, Apt 104, Clermont, FL.

24. On May 20, 2019, the UCA spoke with POHL regarding meeting at an Orlando, Florida area hotel for the purpose of POHL sexually assaulting

the UCA's minor daughter. The UCA stated that he would be staying at the Days Inn, located at 9301 S Orange Blossom Trail, Orlando. POHL agreed to meet the UCA on May 21, 2019, at this location.

25. On May 21, 2019, the UCA spoke with POHL who stated that he would arrive at the hotel between 10 and 11 am. POHL later stated to the UCA that he was going to stop for condoms and a bikini before arriving at the hotel. At approximately 9:04am, HSI Special Agents observed POHL depart the residence at 16430 Nelson Park Dr in a Grey Jeep Renegade.

26. At approximately 9:22am, HSI Special Agents observed POHL stop at a Walgreens. At this same time, POHL stated to the UCA "got some condoms, going to look for the bikini". At approximately 9:30am, HSI Special Agents observed POHL stop at a Walmart. POHL stated to the UCA that he could not find the bikini that he was looking for but that he found a "pretty pink dress with hearts on it" and that he was traveling towards to meet the UCA.

27. At approximately 11:00am POHL arrived at the Days Inn driving a the Grey Jeep Renegade. POHL immediately stated to agents that he was in possessions of condoms and a dress. Your affiant asked if POHL would be willing to be interviewed by HSI Agents and he said that he would.

28. Your affiant escorted POHL to his vehicle and informed him of his constitutional rights. POHL stated that he understood his rights as was willing to be interviewed. In a recorded statement, POHL made the following admissions:

- a. POHL admitted that was user "mike" on IRC and he met an individual on IRC using the name [UC name redacted]. POHL stated that this user had told him he had an eight year old daughter.
- b. POHL stated that he sent nude images to the UCA and stated "he (the UCA) said he wanted to show them to his daughter"
- c. POHL stated that he travelled to the Days Inn for the purpose of meeting the individual and his daughter. POHL stated that he did not know if he would have had vaginal sex with the daughter but that he would have performed oral sex on her and had her perform oral sex on him. POHL stated that he would have been tempted to perform vaginal sex with her but "would have backed out"
- d. POHL stated that he uses IRC daily, approximately three hours a day. POHL stated that he chats with those he believes to be adults regarding having sex with minor children and chats with

those he believes to be minor children about having sex with them. POHL stated that all of his chats on the IRC revolve around this subject.

- e. POHL stated that he has both sent and received links containing child pornography using IRC. POHL stated that the youngest image of child pornography he had masturbated to was eight year old. POHL directly stated "I know I masturbated to an eight year old". POHL estimated that the youngest child he had sent child pornography to was 9 or 10 years old. POHL stated that he did not save the child pornography on his computer
- f. POHL stated that he worked at an amusement park and that part of his duties are to secure patron's lap bars if they appear unsecure

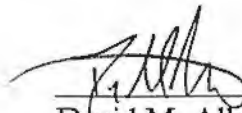
29. Your Affiant requested and received permission to search the vehicle driven by POHL and agents did recover a package of condoms and a pink dress as described herein.

Conclusion

30. Based on the above, Your Affiant respectfully submits that there is probable cause to believe that **Fredrick Michael POHL Jr.** for violations of Title 18, United States Code, Sections 1470 and § 2242(b).

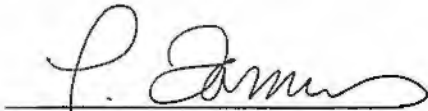
31. Wherefore by this affidavit and application, Affiant requests that the Court authorize the issuance of a criminal complaint and arrest warrant for **Fredrick Michael POHL Jr.**

Affiant further sayeth naught.



David M. Alley, Special Agent
U.S. Department of Homeland Security
Homeland Security Investigations

Sworn and subscribed to before
me this 21 day of May 2019.



Philip R. Lammens,
United States Magistrate Judge