
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Mag No. 15-7225
v. :
FELIX RESTITULLO : **CRIMINAL COMPLAINT**

I, Bradley J. Benwell, 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 Special Agent with the United States Department of Homeland Security, and that this Complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Bradley J. Benwell, Special Agent
U.S. Department of Homeland Security
Homeland Security Investigations

Sworn to before me and subscribed in my presence,

July 23, 2015
Date

at Newark, New Jersey
City and State

Honorable Cathy L. Waldor
United States Magistrate Judge
Name and Title of Judicial Officer



Signature of Judicial Officer

ATTACHMENT A

Count I
Sexual Exploitation of Children

From on or about January 1, 2012 through on or about March 13, 2014, in Hudson County, in the District of New Jersey, and elsewhere, defendant

FELIX RESTITULLO

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, Section 2251(a) and Section 2.

Count II
Possession of Child Pornography

On or about March 13, 2014, in Hudson County, in the District of New Jersey, and elsewhere, defendant

FELIX RESTITULLO

did knowingly possess material that contained at least three images of child pornography, as defined in Title 18, United States Code, Section 2256(8), which images had been mailed, shipped, and transported using any means or facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that were produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Section 2252A(a)(5)(B) and Section 2.

ATTACHMENT B

I, Bradley J. Benwell, am a Special Agent with the U.S. Department of Homeland Security ("HSI"). 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 FELIX RESTITULLO ("RESTITULLO") resided in Jersey City, New Jersey. RESTITULLO was previously convicted in Hudson County Superior Court of possession of child pornography.

2. At all times relevant to this Complaint, RESTITULLO resided with his mother, who acted as caregiver to minor children, including a minor child who is a member of RESTITULLO's family ("VICTIM 1").

Sexual Exploitation of VICTIM 1

3. On or about March 13, 2014, as a result of an ongoing investigation into the sexual abuse of minor children, law enforcement officers conducted an interview with VICTIM 1. During the interview, VICTIM 1 told law enforcement officers that RESTITULLO had engaged in sexual acts with VICTIM 1 on prior occasions. VICTIM 1 also told law enforcement officers that RESTITULLO had taken photos of VICTIM 1 with a silver camera.

4. On or about March 13, 2014, RESTITULLO was arrested by the Hudson County Prosecutor's Office for, among other things, aggravated sexual assault and endangering the welfare of VICTIM 1. Subsequent to that arrest, law enforcement lawfully obtained from RESTITULLO's bedroom multiple computers and electronic storage media belonging to RESTITULLO (the "Electronic Media").

5. Law enforcement officers conducted an examination of the Electronic Media and recovered approximately 13 images of child pornography, as defined by Title 18, United States Code, Section 2256(8), that appear to be images of VICTIM 1 (the "Production Images"). The Production Images are described as follows:

File Name	Description
ede.jpg	The image depicts a prepubescent female. The female is standing, and is wearing a reddish/pink "Minnie Mouse" shirt and pink, black and white pajama pants. The pants are pulled down to above her knees. Her genitalia are exposed towards the camera.
rgr.jpg	The image depicts a prepubescent female on her knees, bent over at the waist. She is wearing pink, black and white pajama pants, which are pulled down above her knees. Her genitalia are exposed towards the camera.
Pict0004.jpg	The image depicts a clothed prepubescent female sitting down on what appears to be a yellow/gold sheet or blanket. She is wearing a purple shirt and grey pants with white and purple images on them. The child has an adult penis in her mouth and is looking up toward the camera.
Pict0005.jpg	The image depicts a prepubescent female on her knees, bent over at the waist. She is wearing pink, black and white pajama pants, which are pulled down above her knees. Her genitalia are exposed towards the camera.
Pict0006.jpg	The image depicts a prepubescent female lying on her back on what appears to be an off-white colored quilt or blanket. She is wearing a reddish/pink "Minnie Mouse" shirt and pink, black and white pajama pants. The pants are pulled down to above her ankles. Her genitalia are exposed towards the camera.
Pict0007.jpg	The image depicts a prepubescent female lying on her back on what appears to be an off-white colored quilt or blanket. She is wearing a reddish/pink "Minnie Mouse" shirt and pink, black and white pajama pants. The pants are pulled down to above her ankles. Her genitalia are exposed towards the camera. The child's face is visible, and her eyes are closed.
Pict0008.jpg	The image depicts a prepubescent female lying on her back on what appears to be an off-white colored quilt or blanket. Her genitalia are exposed towards the camera.
Pict0009.jpg	The image depicts a prepubescent female lying on her back on what appears to be an off-white colored quilt or blanket. She is wearing pink, black and white pajama pants. The pants are pulled down to around her knees. Her genitalia are exposed towards the camera, and there is a white liquid substance on

	her abdominal region above her vaginal area.
Pict0010.jpg	The image depicts a prepubescent female lying on her back on what appears to be an off-white colored quilt or blanket. Her pink, black and white pajama pants are visible at the bottom of the image. Her genitalia are exposed towards the camera, and there is a white liquid substance on her abdominal region, her leg, and just above her vaginal area.
Pict0011.jpg	The image depicts a prepubescent female lying on her back on what appears to be an off-white colored quilt or blanket. Her pink, black and white pajama pants are pulled down to her ankles. Her genitalia are exposed towards the camera, and there is a white liquid substance on her abdominal region, her leg, and just above her vaginal area. The child's face is visible, and she is looking towards the camera.
llict0027.jpg	The image depicts a prepubescent female. She is barefoot, and standing on a grey, white and black colored floor. She is wearing a white shirt and light blue pants. An adult male is holding his penis with his left hand and the prepubescent female has his penis in her mouth. The child is looking up towards the camera with her eyes closed.
llict0028.jpg	The image depicts a prepubescent female. She is barefoot, and standing on a grey, white and black colored floor. She is wearing a white shirt and light blue pants. An adult male is holding his penis with his left hand and the prepubescent female has his penis in her mouth. The child is looking up towards the camera.
llict0029.jpg	The image depicts a prepubescent female. She is wearing a white shirt and light blue pants. The female's genitalia are exposed towards the camera. The fingers of an adult hand are holding up the child's shirt, while the thumb of the adult hand is holding down the waistband of the child's pants.

6. Also seized during the lawful search of RESTITULLO's residence on or about March 13, 2014 was a silver Minolta camera, Model DiIMAGE S404. The camera was recovered from a container in RESTITULLO's bedroom closet. According to a forensic examination of the Electronic Media, each of the Production Images was created using a Minolta camera with Model DiIMAGE S404, the same brand and model recovered from RESTITULLO's bedroom closet.

7. The investigation has also revealed that, in addition to the Production Images, the Electronic Media contained more than 1,500 images and more than 200 videos of child pornography, including images of

prepubescent children being sexually abused, and material that portrays sadistic or masochistic conduct or other depictions of violence.

8. 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 7 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.