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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA

: Mag No. 15-7267

v.

: Hon. Cathy L. Waldor

MARSHALL M. COHEN

: **CRIMINAL COMPLAINT**

I, Keven M. Hendricks, 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 Police Officer in the State of New Jersey with the City of New Brunswick, assigned to the Federal Bureau of Investigation, Newark Division, as a Task Force Officer, and that this Complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Keven M. Hendricks, Task Force Officer  
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,  
On October 21, 2015, at Newark, New Jersey



HONORABLE CATHY L. WALDOR  
UNITED STATES MAGISTRATE JUDGE

**ATTACHMENT A**

On or about December 9, 2014, in Ocean County, in the District of New Jersey, and elsewhere, defendant

MARSHALL COHEN

did knowingly distribute child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that had been mailed, and using any means and facility of interstate and foreign commerce, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Sections 2252A(a)(2)(A), 2252A(b)(1) and Title 18, United States Code, Section 2.

## ATTACHMENT B

I, Keven M. Hendricks, am a Task Force Officer with the FBI. 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. From at least in or about December 2014 to in or about July 2015, defendant MARSHALL M. COHEN was a resident of Toms River, New Jersey. From in or about July 2015 to the present, MARSHALL M. COHEN was a resident of Hardyston, New Jersey.

### **The Investigation**

2. In or about December 2014, law enforcement officers in Maryland arrested an individual (the “Maryland Offender”) for, among other offenses, sexual exploitation of a minor, sexual abuse of a minor and possession of child pornography.

3. Law enforcement’s investigation of the Maryland Offender revealed, among other things, that he had produced child pornography depicting a two-year old female victim to whom the Maryland Offender is believed to have had access. The investigation further revealed that, in or about December 2014, the Maryland Offender disseminated child pornography images of his victim to other individuals via the Internet using an instant messaging application for mobile devices (the “Internet App”).

4. One of the persons with whom the Maryland Offender corresponded via the Internet App was an individual located in New Jersey who was using a certain Internet Protocol address (the “New Jersey IP address”) to access the Internet App. The investigation has revealed that the New Jersey IP address was registered to defendant COHEN at his Toms River, New Jersey residence.

5. On or about December 9, 2014, defendant COHEN and the Maryland Offender engaged in communications via the Internet App in which the defendant COHEN indicated his real age, that he resided in New Jersey, and that he had an interest in incest. At approximately 5:13 p.m., in response to a question from defendant COHEN about the Maryland Offender’s victim, the Maryland Offender wrote to defendant COHEN, “She is 2 . . . . Guys have been telling me to do mor[e] with her.”

6. In the same exchange via the Internet App on or about December 9, 2014, at approximately 5:23 p.m., defendant COHEN sent the Maryland Offender an image of child pornography that is described in detail below:

<b>Filename</b>	<b>Description</b>
Filename: 3818609d-f3c6-4c8c-aa56-d100420baf50	This image appears to depict a prepubescent female lying on her stomach with the camera angled facing her vaginal area and anus. The prepubescent female is naked and her face is not visible. The camera is focused on her vaginal area which appears to have semen throughout the area.

7. Later in the conversation, at approximately 5:28 p.m., the Maryland Offender sent defendant COHEN an image of child pornography depicting what appears to be a toddler-aged female child (“MINOR VICTIM 1”). The image is described in detail below:

<b>Filename</b>	<b>Description</b>
5225c65e-e833-4e66-a291-cce0004a0992	This image depicts what appears to be a toddler-age female child’s naked buttocks. The female’s head is not visible; the photo is angled down to show her naked body and naked buttocks.

8. At approximately 5:29 p.m., defendant COHEN wrote to the Maryland Offender via the Internet App, “Nice” and the Maryland Offender replied, “Cute lil butt.” Defendant COHEN then wrote, “Yes keep going . . . Who’s butt [?]” and the Maryland Offender replied: “My daughters.” Defendant COHEN responded, “She doesn’t look 2 do you have any other[?]”

9. Following this exchange, at approximately 5:31 p.m., defendant COHEN sent the Maryland Offender two images. This first was of a prepubescent female lifting up her shirt to reveal her chest and torso. The second image depicted what appeared to be a different prepubescent female in the bathtub with her naked chest visible and the lower part of her body obscured by bubbles.

10. After receiving the above two images, at approximately 5:32 p.m., the Maryland Offender replied to defendant COHEN, “Hot . . . Wish mine would let me see her naked when older.” Defendant COHEN replied, “You can see her now . . . Can I see more of her [?]”

11. At approximately 5:33 p.m., the Maryland Offender sent defendant COHEN an image depicting what appears to be MINOR VICTIM 1. The image is described in detail below:

<b>Filename</b>	<b>Description</b>
193431fb-6f56-4be9-b49f-48859ca20521	This image appears to depict a toddler-aged female child wearing purple underwear with a close-up of her clothed buttocks. She is kneeling on a blue couch or bed, and is wearing what appears to be a purple dress that is pulled up over her head; her head is not visible.

12. The Maryland Offender and defendant COHEN continued exchanging text messages via the Internet App and, at 5:34 p.m., the Maryland Offender sent an additional image to defendant COHEN of what appears to be MINOR VICTIM 1. The image is described in detail below:

<b>Filename</b>	<b>Description</b>
453a2daa-a9ea-444c-995d-771b626e3b81	This image appears to depict a toddler-aged female child lying on her back on a blue couch or bed wearing only purple underwear. The child's legs are spread and the image is focused on her vaginal area. A portion of her neck and head are visible.

13. At approximately 5:39 p.m., defendant COHEN sent the Maryland Offender an additional image of child pornography that is described in detail below:

<b>Filename</b>	<b>Description</b>
bd2236bc-c9e1-4c5d-9bb3-4dc874f18814	This image appears to depict a naked prepubescent female bent over on her knees. The camera is angled facing the vagina and anus, and the upper torso of the female is not completely visible. The female's head appears to be underneath a cushion. The female appears to be on a tweed material couch.

14. At approximately 5:54 p.m., the Maryland Offender sent an additional image to defendant COHEN of what appears to be MINOR VICTIM 1. The image is described in detail below:

<b>Filename</b>	<b>Description</b>
fa65f3cd-dd13-4a11-9c95-95fb68736197	This image appears to depict a prepubescent female closely focused on what appears to be the female's vagina.

15. On October 21, 2015, law enforcement officers executed a search warrant at the defendant's Hardyston, New Jersey residence. During and after the search of the residence, and after being advised of and waiving his Miranda rights, defendant COHEN admitted that he: (1) was the sole user and operator of the Internet App account used to communicate with the Maryland Offender; (2) engaged in the December 2014 Internet App conversation with the Maryland Offender described above; (3) sent to the Maryland Offender the images described in Paragraphs 6, 9, and 13 above; (4) received from the Maryland Offender the images described in Paragraphs 7, 11, 12, and 14 above; and (5) had received images of child pornography from other individuals on the Internet.

16. 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 Paragraphs 6, 7, and 13 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 the computer, that is, the images were downloaded from and transmitted via the Internet.