

ATTACHMENT A

On or about August 13, 2018, in Hunterdon County, in the District of New Jersey and elsewhere, the defendant

MARK MILLER

did knowingly distribute child pornography, as defined in Title 18, United States Code, Section 2256(8), 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, Section 2252A(a)(2)(A) and 2252A(b)(1) and Title 18, United States Code, Section 2.

ATTACHMENT B

I, Jennifer Miller, am a Special Agent with the Department of Homeland Security, Homeland Security Investigations. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and evidence. Where statements of others are related herein, they are related in substance and part. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. 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 Mark Miller ("MILLER") was a resident of Bloomsbury, New Jersey.

2. Application A is a mobile application designed for chatting or messaging. To use this application, a user downloads the application to a mobile phone or other mobile device via a service such as Google Play Store, Apple iTunes, or another similar provider. Once downloaded and installed, the user is prompted to create an account and username. The user also has a display name, which is what other users see when transmitting messages back and forth. Once the user has created an account, the user is able to locate others via a search feature, and the two parties can then send each other messages, images and videos.

3. Application A users are also able to create chat groups with a limited number of individuals to communicate in a group setting and exchange images and videos. These groups are administered by the group creator who has the authority to remove and ban other users from the created group. Once the group is created, Application A users have the option of sharing a link to the group that includes all of their contacts or any other user. These groups are frequently created with a "hashtag" that is easily identifiable or searchable by keyword in Application A.

The Investigation

4. Through an undercover investigation, law enforcement has identified several unique Application A users who have shared at least one image or video of child pornography directly through Application A or who had distributed child pornography in one of the Application A chat groups, as well as numerous Application A users who had posted a message about, or commented on, child pornography images or videos, or who had expressed a sexual interest in children.

5. The investigation revealed that in or around August 2018, an Application A user with the username "johndoe"¹ was a member of Chat Group 1 on Application A.

6. During the course of the undercover operation, the undercover agent observed user johndoe posting videos and photographs depicting child pornography to Chat Group 1 and also commenting on photos and videos of child pornography that were shared to Chat Group 1 by other group members.

7. At various times set forth more specifically below, the undercover agent observed user johndoe post the following files containing child pornography in Chat Group 1:

- a. On 08/12/2018, John Doe posted a picture of a prepubescent Caucasian female approximately 6-10 years old wearing a purple blindfold bound with purple restraints on her neck, wrists and ankles with a purple object inserted into her anus.
- b. On 08/13/2018, John Doe posted approximately 22 pictures of a prepubescent Caucasian female approximately 6-10 years old, appearing to be the same female from the above paragraph in various poses and stages of undress, some with restraints.
- c. On 08/18/2018, John Doe posted a video of a naked prepubescent female, approximately 4-9 years old engaging in oral sex acts with an adult male.

8. The investigation has revealed that the IP addresses user johndoe used to post these materials are associated with defendant MILLER.

9. On or about March 13, 2019, law enforcement executed a lawfully obtained search warrant at MILLER's residence in Bloomsbury, New Jersey (the "Residence"). At the Residence, law enforcement discovered a cellphone belonging to MILLER.

10. A preliminary forensic review of the cellphone seized from MILLER revealed images that MILLER attempted to delete from the cellphone. Among those were numerous images depicting child pornography, as defined by Title 18, United States Code, Section 2256(8).

11. Based upon my education, training and experience, and my discussions with other law enforcement officers, and to the best of my knowledge, the files described in paragraphs 7 and 10 above traveled in interstate commerce.

¹ The actual username has been anonymized to protect the integrity of an ongoing investigation.