

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of New Jersey

United States of America

v.

MATTHEW KNAPP

Case No.

23-mj-17000 (SAK)

Defendant(s)

CRIMINAL COMPLAINT

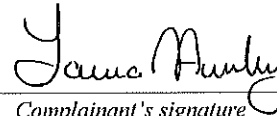
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 10, 2022 in the county of Camden in the
District of New Jersey, the defendant(s) violated:*Code Section**Description of Offenses*18 U.S.C. Sections 2252A(a)(5)(B)
and (b)(2)

Possession of child pornography

This criminal complaint is based on these facts:

See Attachment B

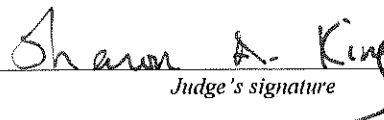
☒ Continued on the attached sheet.

Complainant's signature

Special Agent Laura Hurley, HSI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

telephone (specify reliable electronic means).Date: 02/21/2023

Judge's signature

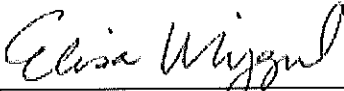
City and state: District of New Jersey

Hon. Sharon A. King, U.S. Magistrate Judge

Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

BY: 

ELISA T. WIYGUL
Assistant United States Attorney

Date: February 21, 2023

ATTACHMENT A

COUNT ONE

(Possession of Child Pornography)

On or about May 10, 2022, in Camden County, in the District of New Jersey and elsewhere, the defendant,

MATTHEW KNAPP,

did knowingly possess, and attempt to possess, material that contained at least three images of child pornography, as defined in Title 18, United States Code, Section 2256(8), involving a prepubescent minor and a minor who had not attained 12 years of age, which images had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and which were produced using materials that had been mailed, shipped, and transported in and affecting interstate or foreign commerce by any means, including by computer.

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

ATTACHMENT B – AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Laura Hurley, being fully sworn, depose and state as follows:

Introduction

1. I have been employed as a Special Agent of the U.S. Department of Homeland Security, Homeland Security Investigations (“HSI”), since December 2018, and am currently assigned to the HSI Cherry Hill Office located in Mount Laurel, New Jersey. Before that time, I served as a Detective with the New Jersey Division of Criminal Justice where I was assigned to the New Jersey Internet Crimes Against Children Task Force. Prior to that position, I was an Analyst with the National Center for Missing and Exploited Children (NCMEC) assigned to the Child Victim Identification Program (CVIP).

2. I have received specialized training in the investigation of offenses involving child pornography (as defined in 18 U.S.C. § 2256) and child exploitation, and have, as part of my daily duties, investigated criminal violations relating to child exploitation and child pornography, including violations pertaining to the sexual exploitation of children, illegally possessing, receiving, distributing, producing, and/or transporting child pornography, and the online enticement of minors.

3. This Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of an arrest warrant and criminal complaint charging defendant MATTHEW KNAPP (“KNAPP”) with possession of child pornography, in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and (b)(2). Because this Affidavit is submitted for that limited purpose, I have not included each and every fact known to law enforcement concerning this investigation.

4. The information contained in this Affidavit is based upon my personal knowledge and observation, my training and experience, conversations with other law enforcement officers,

and the review of documents and records. Statements of others are set forth in substance and in part. The events described in this Affidavit occurred on or about the dates provided herein.

5. At all times relevant to this Complaint, KNAPP resided in or around Lindenwold, New Jersey.

6. In or around February 2022, law enforcement agents from HSI conducted an online investigation on the BitTorrent network. The BitTorrent network is a publicly available online peer-to-peer (“P2P”) file-sharing network that is linked to a worldwide network of computers. The investigation concerned the possible distribution, receipt, and/or possession of child sexual abuse material.

7. To access the BitTorrent network, a user must first download P2P software (“BitTorrent Software”), which is widely available for free on the Internet from numerous different companies and application designers. BitTorrent Software allows the user to place files into a designated “shared” folder on his or her hard drive, from which other BitTorrent users can then download those files directly to the “shared” folders of their own computers. The user may also search, select, and directly download into his or her “shared” folder files from the “shared” folders of other BitTorrent users. In general, computers and other electronic devices that access the Internet do so through a unique Internet Protocol (“IP”) address assigned by an Internet Service Provider (“ISP”), which typically keeps records of the accounts associated with each assigned IP address.

8. On February 18, 2022, law enforcement officers used investigative BitTorrent file-sharing software to access the BitTorrent Network and downloaded multiple files containing images and videos depicting child pornography from a device or devices assigned a particular IP address (the “Subject IP Address”). The Subject IP Address was the sole source of each

download, and each file was downloaded directly from the device assigned to the Subject IP Address.

9. Law enforcement's investigation revealed that, at the relevant time, the Subject IP Address was assigned to an ISP account registered to KNAPP at KNAPP's residence in Lindenwold, New Jersey (the "Residence"). The investigation has revealed (and KNAPP later confirmed after being *Mirandized*) that KNAPP and his older female relative (the "Relative") are the only residents of the Residence.

10. The investigation revealed that KNAPP had been previously convicted of aggravated indecent assault of a person less than 16 years of age, in violation of Pa. Crim. Code Title 18, § 3125(a)(8). As a result of that prior conviction, KNAPP was and is a registered sex offender in New Jersey. KNAPP's last known address in his sex offender registration was the Residence, and the last known telephone number in the sex offender registration was one of the telephone numbers on the ISP account described above. Additional records also tied KNAPP to the Residence.

11. Based on the investigation, law enforcement officers obtained a federal search warrant for the Residence, which law enforcement executed on May 10, 2022. While executing the search of the Residence, law enforcement officers seized and then searched, among other things, a total of five devices that contained depictions of child exploitation: a desktop computer (the "Computer"), three external hard drives (the "Hard Drives," and, individually, each a "Hard Drive"), and an external flash drive (the "Flash Drive"). The depictions of child exploitation included videos depicting vaginal and anal penetration of pre-pubescent children.

12. During the search, law enforcement officers interviewed KNAPP. Prior to the interview, KNAPP was advised of his *Miranda* rights, which he voluntarily waived. KNAPP provided a statement to law enforcement officers.

13. The Computer, Hard Drives, and Flash Drive were all located in KNAPP's bedroom, based on a statement KNAPP made after being *Mirandized*, other indicia such as clothing and shoes, as well as the fact that a different bedroom in the Residence appeared to belong to the Relative, based on the items found in that other bedroom.

14. The Computer was located on the floor under a desk in KNAPP's bedroom. Photographs of KNAPP were located under the "MK" user account on the Computer. I believe "MK" refers to KNAPP's initials.

15. A search of the Computer by law enforcement officers revealed that it contained approximately 295 images depicting child pornography, which appeared to be in unallocated space on the Computer. The Computer also had approximately one video depicting a compilation of child exploitation material located in the folder "Downloads," within the "MK" user account.

16. Also located on the Computer was the specific version of BitTorrent Software that had been used by the device or devices from which law enforcement officers downloaded child exploitation materials from the Subject IP Address on February 18, 2022.

17. Additionally, a forensic analysis of the Computer revealed that installed on it was a program designed to delete files and other operating system artifacts from the memory of computers. The analysis also revealed that the Hard Drives and the Flash Drive had all been previously connected to the Computer.

18. One of the hard drives ("Hard Drive 1"), which was located on top of the Computer, contained approximately nine images and 16 videos depicting child exploitation

material. Of the total 25 child exploitation files located on Hard Drive 1, at least nine were files that law enforcement agents had previously downloaded from the Subject IP Address on February 18, 2022.

19. The Flash Drive was located inside a wire mesh organizer on the desk in KNAPP's bedroom. The Flash Drive contained approximately 33 videos depicting child exploitation material, including approximately eight videos located in a subfolder labeled "preteen" within a folder labeled "web video collection" and approximately seven videos located in a subfolder labeled "preteen HQ" within a folder labeled "web video collection."

20. The following are descriptions of three of the files that were found on Hard Drive 1 and were also previously downloaded by law enforcement from the Subject IP Address on or about February 18, 2022:

[Redacted] File Name	Description
[redacted]1.webm	This video file is approximately 14 minutes and 14 seconds long and depicts two prepubescent female children referred to as Child 1 and Child 2, respectively. At approximately 00:16, Child 1 bends over backwards on a bed and exposes her vagina to the camera. At approximately 01:30, Child 1 bends over backwards and exposes her vagina to the camera. Simultaneously, Child 2 dances behind her wearing only a nightgown that has been pulled up, and also exposes her vagina to the camera. At approximately 05:56, Child 2 manually stimulates her vagina with her hand. Child 2 then turns around and spreads her buttocks with both hands, exposing her anus and genitalia to the camera.
[redacted](1).webm	This video file is approximately 22 minutes and 28 seconds long and depicts a prepubescent female child. At approximately 10:08, the child is seen completely nude seated on the floor with her legs spread exposing her genitalia to the camera. The child then manually stimulates her vagina with her hand for approximately two minutes. At approximately 16:50, the child is again seen nude seated on the floor with her legs spread. The child then manually stimulates her vagina with her hand.

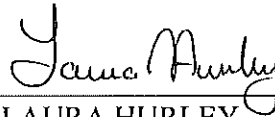
Redacted File Name	Description
[redacted].webm	This video file is approximately 26 minutes and 49 seconds long and depicts a prepubescent female child. At approximately 04:06, the child is seen naked seated on a bathtub with her legs spread. At approximately 10:33, the child is seen nude lying on her back on a blanket with her legs spread, exposing her genitalia to the camera. The child then spreads and manually stimulates her vagina with her hands. At approximately 18:45, the child appears to vaginally penetrate herself with a pencil. The child has no visible pubic hair.

21. After being advised of his *Miranda* rights, KNAPP stated, in substance and in part, that he was familiar with BitTorrent. KNAPP also admitted that he had seen pornography of underage individuals, but claimed he had not intended to do so.

22. Based on my knowledge of BitTorrent, my education, training and experience, and my discussions with other law enforcement officers, and to the best of my knowledge and belief, the videos described above were transported and transmitted in interstate commerce and were transported and transmitted using any means and facility of interstate and foreign commerce, including by computer.

23. In addition, based upon my education, training and experience, and my discussions with other law enforcement officers, and to the best of my knowledge and belief, the videos described above were produced using materials that were mailed, shipped, and transported in or affecting interstate or foreign commerce by any means, including by computer.

Respectfully submitted,

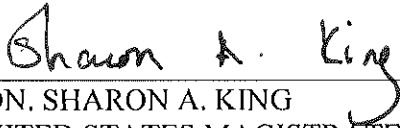


LAURA HURLEY

Special Agent

Homeland Security Investigations

Attested to by telephone pursuant to Fed. R. Crim. P. 4.1(b)(2)(A) on February 21, 2023,
in the District of New Jersey.



HON. SHARON A. KING

UNITED STATES MAGISTRATE JUDGE