

UNITED STATES DISTRICT COURT

for the

District of New Jersey

ORIGINAL FILED

APR 29 2017

WILLIAM T. WALSH, CLERK

United States of America

v.

KEITH M. CLACK

Case No.

17-5542 (KMW)

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 _____ in the county of _____ Atlantic _____ in the
 _____ District of _____ New Jersey _____, the defendant(s) violated:

Code Section

18 USC 2252A(a)(2)(A); (b)(1); 2

Offense Description

KEITH M. CLACK did knowingly receive more than 3 images of child pornography, as defined in Title 18, United States Code, Section 2256(8), which had been saved to his cellular telephone, each of which had been 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) and (b)(1) and Section 2.

This criminal complaint is based on these facts:

SEE ATTACHMENT B.

☐ Continued on the attached sheet.

Complainant's signature

Special Agent Daniel A. Garrabrant, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/29/2017

City and state: Camden, New Jersey


Judge's signature

Honorable Karen M. Williams, U.S.M.J.

Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

BY: /s/ *Diana Vondra Carrig*
DIANA VONDRA CARRIG
Assistant United States Attorney

DATE: June 29, 2017

ATTACHMENT A

From on or about May 6, 2017 to on or about May 20, 2017, in Atlantic County, in the District of New Jersey, and elsewhere, defendant

KEITH M. CLACK

did knowingly receive more than 3 images of child pornography, as defined in Title 18, United States Code, Section 2256(8), which had been saved to his cellular telephone, each of which had been 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) and (b)(1) and Section 2.

ATTACHMENT B

1. I, Daniel A. Garrabrant, am a Special Agent with Federal Bureau of Investigation (“FBI”) within the United States Department of Justice. I have personally participated in this investigation and am aware of the facts contained herein based upon my own investigation as well as information provided to me by other law enforcement officers. Since this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not necessarily included each and every fact known to the Government concerning this investigation.

2. From or about May 6, 2017 at 2241 hours to on or about May 7, 2017 at 0400 hours, undercover law enforcement officers conducted undercover “Peer-to-Peer” (“P2P”)¹ sessions (the “May 2017 Sessions”) using a version of BitTorrent, the publicly available P2P software application program. BitTorrent allows users to connect to and share, search and download content on the BitTorrent Network. The version of the BitTorrent client program used by law enforcement is specifically set for single-source downloads and has an embedded mechanism that allows law enforcement to determine the IP address through which target computers access the Internet.
3. During the May 2017 Sessions, undercover law enforcement officers observed a computer user (the “Computer”) sharing multiple files suspected of containing child pornography on the BitTorrent Network. Law enforcement determined that the Computer was configured to allow any BitTorrent client computer to browse and download from the Computer’s designated shared folder. During the May 2017 Sessions,

¹ P2P is a method of communication available to internet users through the use of special software. The software is designed to allow users to trade digital files through a worldwide network that is formed linking computers together.

undercover law enforcement officers established a direct connection to the Computer.

The Computer shared several files that had a hash value that law enforcement has

identified as containing visual depictions of children engaged in sexual acts with

adults. These files were shared during the May 2017 Sessions by the Computer using IP

Addresses 24.0.135.56 ("the Target IP Addresses"). During the May 2017 Sessions, law

enforcement downloaded 3550 images files containing child pornography and child

erotica from the Computer, which was using the Target IP Addresses. The image files

included multiple visual depictions of pre-pubescent children to include what appeared to

be infants and toddlers engaged in sexual acts with adults and/or alone as set forth below.

4. I have reviewed the image files that law enforcement downloaded from the Target IP Addresses during the May 2017 Sessions, and I have determined that they contain child pornography. The following is a representative sample of the files I reviewed:

FOLDER NAME	DESCRIPTION
<u>Folder Name:</u> Cum Babbies (28 Files)	This folder contains 26 images of infants and toddlers. In several of these images an adult male is attempting to insert his penis into the children's vagina or mouth. In several of the images the children appear to have ejaculate on their bodies to include their faces. In at least one image the infant appears to be crying. Law enforcement downloaded this video file during the May 2017 sessions.
<u>Folder Name:</u> 2008 pics Megan (14 files)	This folder contains 13 files of images. The 13 image files are of a white prepubescent female. In several of these images an adult male is attempting to insert his penis into the child's vagina, anus or mouth. In several images the focus is on the girl's vagina and anus. The girl's legs are spread exposing her genitalia.

FOLDER NAME	DESCRIPTION
	Law enforcement downloaded this image file during the May 2017 sessions.
<u>Folder Name:</u> Another nice series (Fucked by daddy) (15 files)	<p>This folder contains 15 images of a Caucasian prepubescent female. In several of the images an adult male wearing a striped shirt and shorts undresses himself and the white female. The male then exposes his erect penis and appears to try to insert it into the nude prepubescent female.</p> <p>Law enforcement downloaded these image files during the May 2017 sessions.</p>
<u>Folder Name:</u> Hussyfan Pt Pics – Fuckable Girl Folder (27 files)	<p>This folder contains 27 images of what appears to depict a prepubescent Caucasian female lying on her back in a purple shirt and purple sock with her diaper removed. The child's legs are spread and her vagina is exposed. In several images what appears to be an adult hand with a ring on the left ring finger is being used to spread the prepubescent female's vaginal area apart. In at least one image the adult appears to insert a finger into the girls vagina.</p> <p>Law enforcement downloaded these image files during the May 2017 sessions.</p>
<u>Folder Name:</u> dd (17 files)	<p>This folder contains 17 images of what appears to depict a prepubescent Caucasian female. In several images what appear to be green and blue plaid pajamas are pulled down revealing the child's anus and vagina. In several images the prepubescent child is on her knees with her buttocks in the air and an adult male is attempting to insert his penis into her vagina. In several images the adult male appears to have ejaculated on the child's buttocks.</p> <p>Law enforcement downloaded these image files during the May 2017 sessions.</p>
<u>Folder Name:</u> Set 19 hc (65 files)	<p>This folder contains 65 files of which approximately 15 are corrupted and will not display. The remaining images appear to depict a prepubescent Asian female. During the series of images the child is initially wearing pink stockings, black high heels, and a black and white patterned dress. The child undresses exposing pink panties and lingerie. As the child</p>

FOLDER NAME	DESCRIPTION
	<p>continues to disrobe she is observed performing oral sex on an adult male and then several images show the adult male penetrating the female's anus and/or vagina with his penis. An image also appears to show the prepubescent Asian female after the male has ejaculated in her vagina.</p> <p>Law enforcement downloaded these image files during the May 2017 sessions.</p>

5. At the times of the downloads listed above, the Target IP Addresses were controlled by Comcast Communications ("Comcast"). On May 9, 2017, law enforcement issued administrative subpoenas to Comcast for information concerning the location of the computer using the Target IP Addresses. Specifically, law enforcement requested the identity and address of the Target IP Addresses' subscriber for specific times on May 6, 2017 at 2241 hours to May 7, 2017 at 0400 hours. On or about May 10, 2017, Comcast provided documents to law enforcement in response to the May 9, 2017 subpoena, which indicated that, during the times of the May 2017 sessions (downloads), the Target IP Address was assigned to a Comcast account subscribed to by "Keith Clack" located at the 3531 Pacific Avenue, Apartment 7, Atlantic City, New Jersey. The phone number associated with this account was 609-992-5189. The documents also confirmed that Comcast High Speed Internet Plan was started October 26, 2016 and remained active as of May 10, 2017.
6. On or about May 26, 2017, law enforcement conducted a query of the New Jersey Motor Vehicle Services database which shows that defendant KEITH M. CLACK was issued a New Jersey operator's license. CLACK'S date of birth is listed as May 30, 1976. His

address on file with the New Jersey Motor Vehicle Services is listed as 3531 Pacific Avenue, Apartment 7, Atlantic City, New Jersey.

- a. On May 26, 2017 a check of New Jersey criminal history records revealed that defendant KEITH M. CLACK, born XXXXXXXX, 1976 was arrested February 9, 1999 for multiple offenses including sexual assault on a victim less than 13 years of age; aggravated sexual assault and endangering the welfare of a minor. A review of the investigative file in this matter indicates that CLACK sexually assaulted a female family member multiple times while the girl that was approximately six years of age. CLACK admitted to these offenses when interviewed.
7. Records indicate that on September 2, 1999, defendant KEITH M. CLACK was found or plead guilty to aggravated sexual assault and was sentenced to 12 years of incarceration in Atlantic County Superior Court, Mays Landing, New Jersey.
8. Records appear to indicate that defendant KEITH M. CLACK was released from custody on September 6, 2006. CLACK is listed as a registered sex offender in the state of New Jersey, Agency Case NJSID-222455C; NIC/x502504500, with a non-expiring registry requirement. Images of the CLACK in the criminal history file match the New Jersey Department of Motor vehicle file.
9. On June 1, 2017 in response to an administrative subpoena to AT&T for cellular telephone 609-992-5189 law enforcement noted the following. This device status is listed as active with an activation date of November 7, 2016. The device has an IMEI: 354887084364482 and an IMSI: 310150922841004. The device profile report shows that the cellular telephone appears to be a Cricket prepaid device. The billing account number

is 470278237. A review of records indicates that the bill for the device was paid in cash, however on January 6, 2017 the \$110.00 bill was paid by a credit card issued in the name, “Keith Clack.”

10. On June 20, 2017 law enforcement executed a search warrant² at defendant KEITH M. CLACK’S residence at 3531 Pacific Avenue, Apartment 7, Atlantic City, New Jersey. Defendant KEITH M. CLACK lived there with his wife and their two minor children, ages 5 and 6. Law enforcement officers seized various forms of electronic and digital media from the premises pursuant to the search warrant, including but not limited to a LG, model K373 cellular telephone, Galaxy tablet, model SM-T550, multiple Ipads and at least one computer.

11. On June 20, 2017, defendant KEITH M. CLACK participated in a non-custodial interview.³ CLACK admitted to downloading and viewing child pornography, including the below described and named files:

- a. **Set 19 hc** – page 1- these images depict a prepubescent Asian female in a garter belt and nylons.
- b. **Set 19 hc** – page 2- these images depict a prepubescent Asian female in a garter belt and nylons. In one image the child is performing oral sex on what appears to be in an adult male. In two of the images the child appears to be have the adult’s penis in her vaginal area.
- c. **Another nice series (Fucked by daddy)** – in this set of images an adult male removes his clothing and the clothing of the female child that appears to be a toddler. The male appears to be rubbing his penis against the child.
- d. **Diapergabbie** – In this series of images a white female toddler is observed in a diaper, pink shirt and in several pictures has a pacifier in her mouth.

² United States Magistrate Judge Joel Schneider issued the Search Warrant on or about June 13, 2017.

³ CLACK’S statements are repeated herein in substance and in part, and not verbatim.

- e. **!!!NEW Thigh_High 3yo private** - These series of images show a young white female dressed in a yellow dress, pink hat, sunglasses and thigh length stockings. In several images the female is sitting with her legs spread. There are also 4 photos of a young white female in a blue dress and long sleeve white turtle neck.
- f. **G06-** these images depict a prepubescent Asian female nude except for black thigh high nylons in several images the child is performing oral sex on what appears to be in an adult male. There were 14 images on this page, three or more were pornographic.
- g. **Grace_set_01_to_31** - these images depict a prepubescent Asian female nude except for black high heels in several images. The child is exposing her vaginal area and performing oral sex on what appears to be an adult male. There were 6 images on this page, three or more were pornographic.
- h. **Fuckable Girl – Hussyfan Pt Pics – Fuckable Girl Folder** - these image are of a white prepubescent female that in one image appears to have been wearing a diaper. The child is wearing a blue long sleeve top, and is lying on a black and white zebra print blanket. The child's vagina is being exposed by an adult male in several of the images with his finger penetrating the child's vagina in at least one image. Of the 12 images on this page all were pornographic.
- i. **Cum Babbies** – This sheet contained twelve images of female infants nude. CLACK looked closely at all the images and clearly recalled image **117767045587**, in this image and male penis is between the legs of a female infant with what appears to be ejaculate on the child's abdomen.

12. Defendant KEITH M. CLACK acknowledged that he went on UTorrent to find the images that he was receiving. He found U-Torrent on bing.com. He ran across software on UTorrent that he had to download, a zip un-locker to unlock zip files to unlock the images so he could view them.

13. Defendant KEITH M. CLACK admitted that he had been downloading child pornography to view. He advised that he would view the pornography to masturbate and then delete the image within a day or two. CLACK advised that he was looking at

animated child pornography and then stumbled across the actual child pornography he had been viewing. CLACK advised he gets the pornography, releases (ejaculates) and deletes.

14. Your affiant has found numerous web searches and websites on both defendant KEITH M. CLACK'S cellular phone and tablet linked to animated child pornography as he described.

15. Your affiant has conducted an initial forensic review of defendant KEITH M. CLACK'S cellular telephone – an LG model K373 and Samsung Galaxy Tablet model SM-T550. A preliminary review revealed the following:

- a. The galaxy tablet had three or more images of nude minor females that had not been deleted. These images may be described as child erotica.
- b. It appeared that the Galaxy Tablet search history for May 6th was cleared, but the “rar and zip filer opener” was accessed on May 7, 2017 at 4:31:33 a.m. (UTC-4).
- c. On June 20, 2017 the Web History URL shows that the LG K373 cell phone searched the word: “Toddler Pussy.” In bing, images of toddlers are linked to this URL.
- d. On June 20, 2017 between approximately 9:57 a.m. and 10:08 a.m the following URL was accessed-

<http://www.bing.com/images/search?q=Lolibes+Daughter+VK+RU+Ls&FORM=RESTAB>.
- e. This URL links to a page with images of pre-pubescent girls with at least one image of a girl sitting with her legs spread showing her vaginal area. This site appears to have links and shows images of child pornography.

16. Defendant KEITH M. CLACK admitted to using his cellular phone, tablets and home computer to download and view child pornography.

17. Law enforcement officers have identified over 100 images of child pornography that defendant KEITH M. CLACK downloaded during the May 2017 Sessions. As of the date of this Affidavit, law enforcement officers have additionally identified numerous computer searches for terms such as: “toddler pussy” on CLACK’S tablet and cellular phone.

18. Based upon my education, training, and experience, and my discussions with other law enforcement officers, the images described above in paragraphs 12a through 12i, were shipped and transported in and affecting interstate or foreign, including by computer, because defendant KEITH M. CLACK received these images on the an LG model K373 and/or Samsung Galaxy Tablet model SM-T550, and/or Apple Ipad Mine and/or his Toshiba Satellite Laptop Computer by accessing them over the Internet, which is an instrumentality and channel of interstate and foreign commerce.

19. It is requested that this complaint and accompanying Affidavit be sealed until further order of the Court. These materials discuss an ongoing criminal investigation. The public disclosure of this complaint and accompanying Affidavit could result in the flight of the defendant, who is currently not in custody, or otherwise jeopardize the investigation if the defendant becomes aware of the existence of these materials prior to the effectuation of his arrest.