

COPY

Approved: Jacqueline C. Kelly
Jacqueline C. Kelly
Assistant United States Attorney

Before: HONORABLE LISA MARGARET SMITH
United States Magistrate Judge
Southern District of New York

17 mag 9345

-----	x	<u>SEALED COMPLAINT</u>
	:	
UNITED STATES OF AMERICA	:	Violations of 18 U.S.C.
	:	§§ 1591(a) and (b) (2) and
- v. -	:	1952(a) (3) and 2
	:	
JENNIFER COVIELLO,	:	COUNTY OF OFFENSE:
	:	PUTNAM
Defendant.	:	
	:	
-----	x	

SOUTHERN DISTRICT OF NEW YORK, ss.:

KARMA SMITH, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

(Sex Trafficking of a Minor)

1. In or about December 2017, in the Southern District of New York and elsewhere, JENNIFER COVIELLO, the defendant, willfully and knowingly, in and affecting interstate and foreign commerce, did recruit, entice, harbor, transport, provide, obtain, maintain, advertise, patronize, and solicit by any means a person, and did benefit, financially and by receiving anything of value, from participation in a venture which had engaged in any such act, knowing and in reckless disregard of the fact that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act, to wit, COVIELLO recruited, enticed, harbored, transported, provided, maintained, and advertised an individual who was less than 18 years old ("Victim-1"), who was then caused to engage in at least one commercial sex act that benefitted COVIELLO financially.

(Title 18, United States Code, Section 1591(a) and (b) (2), and 2.)

COUNT TWO

(Use of Interstate Commerce to Promote Unlawful Activity)

2. In or about December 2017, in the Southern District of New York and elsewhere, JENNIFER COVIELLO, the defendant, did use and cause to be used facilities in interstate and foreign commerce, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, and thereafter performed and attempted to perform an act to promote, manage, establish and carry on, and to facilitate the promotion, management, establishment, and carrying on of such activity, to wit, COVIELLO used a cellular phone and the Internet to promote, manage, and carry on a criminal business engaged in sex trafficking and prostitution, and promoting prostitution in violation of New York Penal Law §§ 230.00, 230.20, 230.25, 230.30, and 230.32.

(Title 18, United States Code, Section 1952(a)(3) and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

3. I have been a Special Agent with the FBI since 2002. I am currently assigned to the Westchester County Violent Crimes Task Force in the FBI's White Plains Resident Agency. Among other offenses, I have been assigned to investigate violations of criminal law relating to child exploitation. This affidavit is based upon my personal participation in the investigation of this matter, my conversations with other law enforcement agents and witnesses, my conversations with the victim, and my examination of reports and records. Because this affidavit is submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

The Investigation

4. Based on my personal involvement in this investigation, my conversations with other law enforcement officers, my review of photographic and electronic records and documents, my review of subpoena returns, my review of SMS text messages and emails from the cellphone of JENNIFER COVIELLO, the defendant, Internet advertisements posted by COVIELLO, my review of documents maintained by law enforcement, and my own

interviews of Victim-1, I have learned, among other things, the following.

a. From in or about 2015 through in or about 2017, Victim-1 lived intermittently with COVIELLO [REDACTED]. COVIELLO introduced Victim-1 to various illegal drugs, including cocaine and heroin, which they used together. When Victim-1 was not residing with COVIELLO, Victim-1 resided, at various times, with Victim-1's grandparents and a female acquaintance ("CC-1").

b. In or about late 2015, Victim-1 was introduced to the commercial sex trade by CC-1. Victim-1 began posting on a website ("Website-1"), advertising her availability for commercial sex services and meeting men to engage in paid sexual encounters. Victim-1 provided the money earned from these services to CC-1 during the time they resided together.

c. In or about March 2017, when Victim-1 was approximately sixteen to seventeen years-old, Victim-1 resumed living with COVIELLO in Montrose, New York. COVIELLO regularly used crack cocaine with Victim-1 and told Victim-1, in sum and substance, that Victim-1 needed to make money to pay for the drugs. Victim-1 resumed posting advertisements for paid sexual encounters. COVIELLO assisted Victim-1 by using an old phone belonging to Victim-1 to reach out to prospective customers and provide Victim-1's new phone number. Victim-1 gave the majority of the money she received from the commercial sex acts to COVIELLO.

d. In or about May 2017, COVIELLO was convicted of petit larceny and sentenced to eight months' imprisonment. During the time COVIELLO was imprisoned, a [REDACTED] court [REDACTED] proceeding resulted in the entry of an order of protection prohibiting COVIELLO from contact with Victim-1 (the "Order of Protection"). COVIELLO was released from prison on or about October 2, 2017.

The Defendant's December 2017 Arrest and Sex Trafficking Activity

5. On or about December 6, 2017, as part of this investigation, law enforcement agents served a subpoena on a motel located in Brewster, New York ("Motel-1"), seeking guest records relating to COVIELLO. When the agents arrived at Motel-1, the spouse of the motel's owner informed the agents that COVIELLO was currently staying at Motel-1 with an individual [REDACTED]. Law enforcement then observed COVIELLO in a room at Motel-1 with Victim-1. Law enforcement

also recovered a quantity of a substance that appeared to be heroin from the room. COVIELLO was placed under arrest by law enforcement officers from the Putnam County Sherriff's Office for violating the Order of Protection and criminal possession of a controlled substance. COVIELLO remains in custody pending the satisfaction of bail conditions.

6. On or about December 6, 2017, following the arrest of JENNIFER COVIELLO, the defendant, I interviewed COVIELLO and Victim-1 at the Putnam County Sheriff's Office with two other law enforcement agents. Before being interviewed, COVIELLO was advised of her *Miranda* rights and agreed to speak to me and the other law enforcement agents. COVIELLO also signed a consent form permitting the FBI to search her cellphone, which was seized at the time of her arrest. On or about December 8, 2017, I interviewed Victim-1 again in Patterson, New York. Based on my interviews and my review of the contents of COVIELLO's cellphone, I have learned the following.

a. On or about December 2, 2017, COVIELLO posted an advertisement to Website-1, stating in sum and substance: "Beautiful fun woman 8 4 5 looking to have 2 0 0 good time call 94 12 let's see try me out multiple woman also[.]" A photograph accompanied the posting. Based on my observations of COVIELLO, I believe that the individual in the photograph is COVIELLO.

b. That same day, COVIELLO received multiple responses to the posting, which were forwarded to the email account on COVIELLO's cellphone, "jenncoviello5@gmail.com." One of the responses was sent by an individual using the username "Johnny Twice." Excerpts of the messages exchanged by COVIELLO and Johnny Twice include the following:¹

[9:35:52 AM] Johnny Twice: You said on your ad also you had a friend to ply with
[9:36:35 AM] COVIELLO: Yes
[9:42:02 AM] Johnny Twice: Pic of her and rates
[10:01:21 AM] COVIELLO: [Photo Attachment-1]
[Photo Attachment-2]

c. On or about December 8, 2017, Victim-1 identified herself in Photo Attachment-1, which depicts Victim-1 without clothes on, although Victim-1's genitalia are not visible. Victim-1's face is not visible in the photograph.

¹ The communications discussed herein are excerpts only, and are not the full content of the communications.

d. On or about December 2, 2017, COVIELLO also exchanged SMS text messages with multiple prospective customers, including an individual identified in COVIELLO's cellphone as "Joe 300." Excerpts of the messages exchanged between COVIELLO and Joe 300 include the following:

[1:42:13 PM] COVIELLO: Hi remember me
[5:25:50 PM] Joe 300: Who's this
[5:26:55 PM] COVIELLO: Jennifer from [Motel-1]
[5:27:24 PM] Joe 300: Can u send pic
[5:27:32 PM] Joe 300: Where r u
[5:27:51 PM] COVIELLO: [Photo Attachment-3]
[Photo Attachment-4]
[5:28:00 PM] COVIELLO: [Motel-1]
[5:28:15 PM] Joe 300: How much
[5:28:29 PM] Joe 300: U [k]now what I want
[5:28:48 PM] COVIELLO: 250 same as last
[5:29:11 PM] Joe 300: How about 200
[5:29:21 PM] COVIELLO: Ok
[5:29:39 PM] Joe 300: Like 10 ok
[5:29:55 PM] COVIELLO: Yes
[5:30:07 PM] COVIELLO: Different room
[5:30:20 PM] Joe 300: Do you have a friend
[5:30:36 PM] COVIELLO: No
.
.
.
[9:47:51 PM] Joe 300: Do u have any other girls with u
[9:48:16 PM] COVIELLO: yes she is 19
[9:48:30 PM] COVIELLO: want her to?
[9:54:41 PM] Joe 300: Pic
[9:55:22 PM] COVIELLO: [Photo Attachment-1]
[Photo Attachment-5]
[Photo Attachment-6]
[Photo Attachment-7]
[10:03:51 PM] COVIELLO: What you think
[10:04:53 PM] Joe 300: Good. Any more girls more the
merry
[10:06:04 PM] COVIELLO: Now just as
[10:06:10 PM] COVIELLO: Us
...
[10:07:26 PM] Joe 300: Give me half hour or so. I want to
do both of u.
...
[10:08:19 PM] COVIELLO: Ok
[10:17:33 PM] Joe 300: Both bare
[10:17:52 PM] COVIELLO: Yes
[10:20:50 PM] COVIELLO: Where are you
[10:21:29 PM] Joe 300: Driving

[10:36:34 PM] COVIELLO: How far away we have to get ready
[10:54:07 PM] Joe 300: Almost here

e. On or about October 26, 2017, Victim-1 identified the individual depicted in Photo Attachment-3 as COVIELLO. On or about December 8, 2017, Victim-1 identified herself as the individual depicted in Photo Attachment-5, Photo Attachment-6, and Photo Attachment-7. All three photographs depict Victim-1 partially clothed. Victim-1's face is visible in Photo Attachment-6.

f. Call records from COVIELLO's cellphone show that on December 2, 2017, COVIELLO called Joe 300 at approximately 10:39:24 p.m., for approximately one minute, and at 10:56:45 p.m., for approximately 42 seconds.

g. Victim-1 identified "Joe 300" as a customer of COVIELLO's and described his appearance. Victim-1 confirmed that COVIELLO had sex with Joe 300 at Motel-1 and that COVIELLO directed Victim-1 to engage in oral sex with Joe 300. Victim-1 stated that she received \$150 dollars from the transaction.

h. On or about December 2, 2017, COVIELLO exchanged SMS text messages with additional individuals to arrange paid sexual encounters with both herself and Victim-1. For example, at approximately 6:27:58 PM, COVIELLO sent a text message to an individual using call number ending in 0164 attaching Photo Attachment-1, the same photograph she emailed to Johnny Twice and later identified by Victim-1. At approximately 6:28:06 PM, COVIELLO wrote, "That's the 19 year old[.]" At approximately 6:30:57 PM, COVIELLO wrote, "She is kinky I'm not as much[.]"

i. COVIELLO did not disclose in any of the Website-1 postings, emails, or messages that Victim-1 was under eighteen years-old even though COVIELLO knew Victim-1, [REDACTED] to be seventeen years-old.

7. During my interview of JENNIFER COVIELLO, the defendant, COVIELLO admitted, in sum and substance, that she had engaged in acts of prostitution in the past and had made postings on Website-1 advertising commercial sex services. COVIELLO denied, however, trafficking Victim-1.

8. During my interviews of Victim-1, Victim-1 confirmed that at the time JENNIFER COVIELLO, the defendant, was arrested, Victim-1 had been staying at Motel-1 with COVIELLO for approximately one week. Victim-1 stated, in sum and substance, the following:

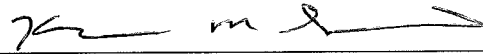
a. While staying at Motel-1, COVIELLO and Victim-1 used heroin together, which COVIELLO provided to Victim-1 when Victim-1 arrived. COVIELLO posted photographs of herself on Website-1 seeking customers to engage in acts of prostitution. After being contacted by prospective customers, COVIELLO then sent photographs of Victim-1 with some responses. Some of the paid encounters, which Victim-1 referred to as "calls," were just with COVIELLO and some were with both COVIELLO and Victim-1.

b. Approximately one to three male customers came to Motel-1 per day during the week COVIELLO and Victim-1 stayed at Motel-1. COVIELLO was present in the motel room while Victim-1 engaged in sexual acts with the male customers.

c. COVIELLO told customers that Victim-1 was nineteen and Victim-1 agreed to represent herself as nineteen years-old.

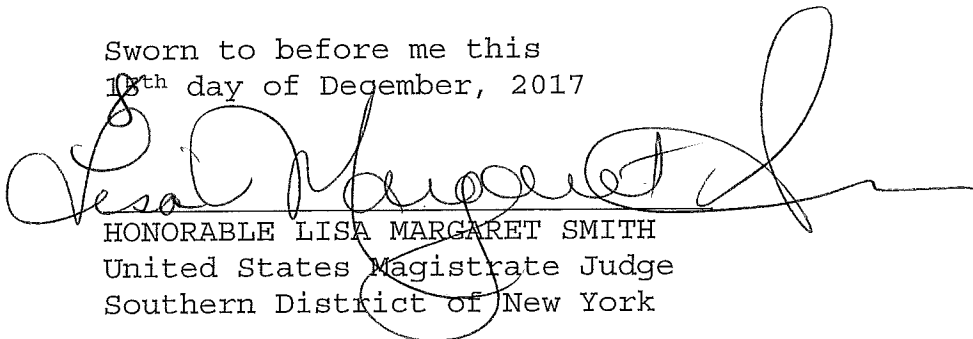
9. I have reviewed records from Motel-1 which show that COVIELLO arrived at Motel-1 on November 30, 2017. I also interviewed the owner of Motel-1 (the "Owner") who stated, in sum and substance, that a female individual [REDACTED] arrived at Motel-1 on or about December 2, 2017 - the date of the Website-1 postings, emails, and SMS text messages discussed above.

WHEREFORE, the deponent respectfully requests that JENNIFER COVIELLO, the defendant, be arrested, and be imprisoned or bailed, as the case may be.



KARMA SMITH
Special Agent
Federal Bureau of Investigation

Sworn to before me this
18th day of December, 2017



HONORABLE LISA MARGARET SMITH
United States Magistrate Judge
Southern District of New York