


Approved: 
SAM ADELSBERG / JAMIE BAGLIEBTER
Assistant United States Attorneys

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

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: COMPLAINT 18mj10891
UNITED STATES OF AMERICA :
:
: Violation of
- v. - : 18 U.S.C.
: §§ 1201 & 2
ARON ROSNER, a/k/a "AARON :
ROSNER, " : COUNTY OF OFFENSE:
: SULLIVAN COUNTY
Defendant. :
:
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SOUTHERN DISTRICT OF NEW YORK, ss.:

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

COUNT ONE
(Kidnapping)

1. From on or about December 8, 2018 through on or about December 24, 2018, in the Southern District of New York and elsewhere, ARON ROSNER, a/k/a "Aaron Rosner," the defendant, together with others known and unknown, unlawfully seized, confined, inveigled, decoyed, kidnaped, abducted and carried away and held for ransom and reward and otherwise, a person when the person was willfully transported in interstate and foreign commerce, and the defendants traveled in interstate or foreign commerce and used the mail or any means, facility, or instrumentality of interstate or foreign commerce in committing or in furtherance of the commission of the offense, to wit, ARON ROSNER participated in a scheme to kidnap two victims in Woodridge, New York and unlawfully transport the victims to Mexico.

(Title 18, United States Code, Sections 1201(a)(1) and 2.)

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

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI"). I have been a law enforcement officer for approximately 14 years, and a Special Agent at the FBI for approximately one year. I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with law enforcement agents, witnesses and others, as well as my examination of reports and records. Because this affidavit is being 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.

OVERVIEW

2. On or about December 8, 2018, two children, ages 12 and 14, (the "Victims") were kidnapped from a residence in the Village of Woodridge, Sullivan County, New York (the "Residence"), where they were staying with their mother (the "Mother"). Approximately six weeks earlier, the Mother had fled from an organization in Guatemala called Lev Tahor.

3. Based on my review of publicly available information, I have learned that Lev Tahor is a group comprised of ultra-Orthodox Jews mostly living in Guatemala. I have further reviewed news reports indicating that children in Lev Tahor are often subject to physical, sexual and emotional abuse.

4. I have learned from other investigators who have spoken with the Mother, that the Mother was previously a voluntary member of Lev Tahor and that her father was its founder and former leader. According to the Mother, the new leader of Lev Tahor is more extreme than her father had been, and, as a result, she fled from the group. The Mother indicated that it was not safe to keep her children there. Prior to her escape, the Mother spoke out against the growing extremism within Lev Tahor.

5. Based on my participation in this investigation, I have learned that two of the co-conspirators, "CC-1" and "CC-2," are leaders of Lev Tahor. ARON ROSNER, a/k/a "Aaron

Rosner," the defendant, is the brother of CC-2 and the uncle of another co-conspirator "CC-3." ROSNER, CC-1, CC-2, CC-3 and others worked together to kidnap the Victims from Woodridge, New York in an effort to bring them back to the Lev Tahor community in Guatemala. The kidnapping required individuals in several different locations including Guatemala, Mexico and New York to communicate about the plan before its execution. Upon its execution, the individuals, now with the Victims, travelled throughout the United States and into Mexico using a number of different routes. Among other things, ROSNER, who resides in Brooklyn, New York and did not travel to Mexico, assisted by providing financial support to the other co-conspirators and coordinating communication between the co-conspirators throughout their travels.

THE KIDNAPPING

6. Based on my conversations with an Investigator with the Bureau of Criminal Investigation, New York State Police ("Investigator-1"), I have learned, in substance and in part, the following:

a. Investigator-1 reviewed court documents from Kings County Family Court indicating that on or about November 14, 2018, sole custody of the Victims—one of whom is 14 years old ("Victim-1") and the other is 12 years old ("Victim-2")—had been awarded to the Mother. In addition, Investigator-1 reviewed an Ex Parte Order of Protection dated November 14, 2018 issued in Kings County Family Court directing that the Victims' biological father (the "Father") have no contact with the Victims. Finally, on or about December 13, 2018, Investigator-1 reviewed a video taken on or about November 14, 2018 showing the Father being served with the Order of Protection and the paperwork indicating that the Mother was granted full custody of the Victims.

b. On or about December 8, 2018, Investigator-1 conducted an interview of the Mother, who reported that she and the Victims, as well as her other children, recently fled from Lev Tahor. The Mother further reported that two of her children, the Victims, were taken from the Residence in the early morning of December 8, 2018 and that they have been missing since.

c. Investigator-1 has reviewed video surveillance footage captured by cameras affixed to the Residence and informed me that the footage demonstrates that on or about December 8, 2018, at approximately 2:56 a.m., the Victims left the

Residence, walked a short distance, and then entered into an unknown vehicle, which was stopped on the shoulder of the road.

7. Based on my discussions with Investigator-2, who reviewed rental records from a rental car company (the "Rental Car Company") in Brooklyn, New York, I have learned, in substance and in part, that the Rental Car Company rented a gray Nissan Rogue to a co-conspirator, "CC-4," from December 5, 2018 through December 9, 2018. Investigator-2 then spoke with a representative of the Rental Car Company and learned, in substance and in part, that a tag with the words "2 piece jacket set" and a bar code was found in the rented Nissan Rogue. The writing on the tag indicated that it was connected to a purchase at a retail store ("Retailer-1").

8. Based on my review of a purchase receipt (the "Receipt") from Retailer-1, located in Secaucus, New Jersey, I have learned, in substance and in part, the following:

a. The tag located inside the rented Nissan Rogue is from a jacket that was purchased on December 6, 2018 at approximately 9:37 a.m. at Retailer-1.

b. Further, the jacket was purchased along with 29 other items of clothing.

9. Based on my review of images provided by Retailer-1 showing each of the items purchased on the Receipt, I have learned, in substance and in part, that the Receipt revealed that the following items were purchased: (i) a grey and white hat with a red brim and a Superman logo on it (the "Superman Hat"); (ii) a gray jacket with red and black sleeves (the "Gray Jacket"); and (iii) a yellow/tan hat with faux fur lining (the "Lined Hat").

10. Based on my review of surveillance footage from Retailer-1 and Retailer-1's parking lot, I have learned, in substance and in part, the following:

a. Two individuals made this purchase of clothing items at Retailer-1. Both individuals were wearing traditional Hasidic clothing, including black hats, black suits and black overcoats.

b. After comparing the footage to photographs of known co-conspirators, I believe that the individuals are CC-3 and another known co-conspirator, "CC-5."

c. After the two individuals completed their purchase, they entered a gray van (the "Gray Van") and then drove out of the parking lot. The surveillance footage also clearly depicts damage to the back bumper and side quarter panel.

11. I have reviewed surveillance footage from an airport outside Scranton, Pennsylvania (the "Airport Footage"). The Airport Footage captured a man, a young girl and a young boy going through airport security. Based on my review of the Airport Footage, I have learned, in substance and in part, that the young boy was wearing the Superman Hat and the Gray Jacket, and the man was wearing the Lined Hat.

12. Based on my experience and discussions with other law enforcement officers who have been involved in investigations of Lev Tahor, I know that individuals in Lev Tahor are generally not permitted to wear the type of clothing that was purchased at Retailer-1 or that was depicted in the Airport Footage. As a result, I believe that the clothing purchased by two of the co-conspirators at Retailer-1 using the Gray Van on December 6, 2018—two days before the kidnapping—was purchased so that the Victims could wear the clothing during the kidnapping and be less likely to be identified by law enforcement.

13. I have reviewed surveillance footage from a hotel in Mexico City from December 10, 2018 through December 14, 2018, in which the 12-year old Victim can be seen with several of the co-conspirators, including the brother of CC-5, "CC-6."

14. Based on my review of an email account for CC-6, I have learned, in substance and in part, that the following money transfers were sent from ARON ROSNER, a/k/a "Aaron Rosner," the defendant, to CC-6, through Google Pay during general timeframe of the December 8, 2018 kidnapping:

- a. \$250 on or about December 7, 2018.
- b. \$620 on or about December 7, 2018.
- c. \$700 on or about December 8, 2018.
- d. \$900 on or about December 9, 2018.
- e. \$200 on or about December 9, 2018.
- f. \$300 on or about December 19, 2018.

g. \$580 on or about December 20, 2018.

15. On or about December 23, 2018, ARON ROSNER, a/k/a "Aaron Rosner," the defendant, was observed by New York State Troopers (the "Troopers") driving a vehicle that matched the Gray Van, including the same damage to the back bumper and side quarter panel. The Troopers stopped the Gray Van, which was driven by ROSNER. ROSNER was subsequently arrested based on probable cause for his participation in the scheme to kidnap the Victims. When arrested, ROSNER refused to confirm his name with law enforcement.

16. Also on or about December 23, 2018, the Honorable Lisa Margaret Smith, United States Magistrate Judge for the Southern District of New York issued a search warrant for four cellular telephones that were found in the possession of ARON ROSNER, a/k/a "Aaron Rosner," the defendant, at the time of his arrest.

17. I have spoken with a Task Force Officer with the Federal Bureau of Investigation ("TFO-1") who is a Yiddish speaker and reviewed messages on the phones seized from ARON ROSNER, a/k/a "Aaron Rosner," the defendant.¹ After speaking with TFO-1 about his review, I have learned, in substance and in part, the following:

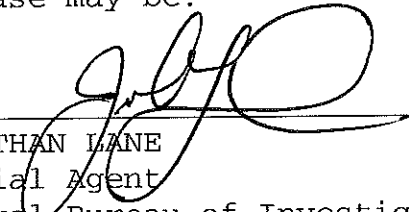
a. ROSNER organized conference calls with several co-conspirators over the course of the kidnapping. ROSNER participated in conversations with co-conspirators about hotels in Mexico as well as purchases of flights, bus tickets, credit cards and food.

b. On or about December 21, 2018, ROSNER participated in a discussion about whether individuals were cooperating with the FBI.

c. Also on or about December 21, 2018, ROSNER participated in a discussion about obtaining passports after having overstayed in Mexico by putting money into the passport before handing it over to the person at customs and asking them to backdate it for you.

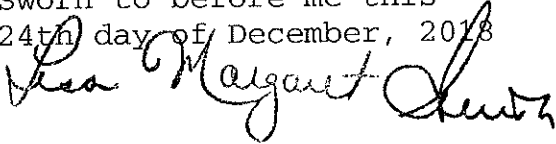
¹The Yiddish content on Aron Rosner's devices has not yet been formally translated.

WHEREFORE, deponent respectfully requests that ARON ROSNER, a/k/a "Aaron Rosner," the defendant, be arrested and imprisoned or bailed, as the case may be.



JONATHAN LANE
Special Agent
Federal Bureau of Investigation

Sworn to before me this
24th day of December, 2018



THE HONORABLE LISA MARGARET SMITH
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK