


Approved: 
Ben Arad
Assistant United States Attorney

Before: THE HONORABLE ANDREW E. KRAUSE
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA : COMPLAINT

- v. - : Violation of
18 U.S.C. § 2251(a)

ANTHONY MITCHELL, :
Defendant. : COUNTY OF OFFENSE:
ROCKLAND

- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

ERICA C. BUONOCORE, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation and charges as follows:

COUNT ONE

1. From on or about August 12, 2022 up to and including on or about September 25, 2022, in the Southern District of New York and elsewhere, ANTHONY MITCHELL, the defendant, knowingly employed, used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in or affecting interstate and foreign commerce and mailed, and the visual depiction would be produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means including by computer, to wit, MITCHELL, while incarcerated in Rockland County, New York, communicated with a fourteen-year-old minor ("Victim-1") by text messages and directed Victim-1 to take and transmit sexually explicit photographs and videos of Victim-1 to MITCHELL.

(Title 18, United States Code, Section 2251(a).)

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

2. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been since 2011. During my tenure as a Special Agent, I have conducted and participated in numerous investigations of criminal activity involving crimes against children, including the receipt, possession, and/or distribution of child pornography by electronic means, sexual exploitation, and enticement of minors. I have gained expertise in these areas through training and daily work related to conducting these types of investigation.

3. I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with law enforcement officers and others and 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.

4. Based on my participation in this investigation, I know the following:

a. ANTHONY MITCHELL, the defendant, who is twenty-three years old, has been incarcerated at the Rockland County Jail (the "Jail") since on or about July 22, 2022. MITCHELL is awaiting trial for, among other offenses, Murder in the Second Degree, Attempted Murder in the Second Degree, and Criminal Possession of a Weapon in the Second Degree, in violation of New York Penal Law Sections 125.25(1), 110/125.25(1), and 265.03(1)(b) and (3), respectively.

b. Inmates at the Jail are permitted to exchange certain forms of digital communication, such as text- and photo-messages, with persons outside the Jail, transmitted through Securus Technologies ("Securus Messages"), a messaging platform used by inmates at the Jail.

5. My review of Securus Messages sent from the Securus account of ANTHONY MITCHELL, the defendant, reveals that, on

numerous occasions from between on or about August 12, 2022 up to and including on or about December 8, 2022, MITCHELL communicated with a minor ("Victim-1") when Victim-1 was fourteen years old. During many of these communications, MITCHELL engaged in sexually explicit conversations with Victim-1 and requested that Victim-1 take sexually explicit photographs and videos of herself and transmit them to him, which she did. I have reviewed, among others, the following communications between MITCHELL and Victim-1:

- a. On or about August 12, 2022, MITCHELL sent Victim-1 a Securus Message in which he wrote, "send me yk the lit pics\ vids like before, dont send all together, send separate not all in one message .we got personal tablets in our cell all day everyday turn me up mamas muah muah.... the pics of ur older cousin dike lol dont put face ju hurd be tactical." (Errors and ellipses in original.) Based on my training and experience, it is clear to me that those words are intended to direct Victim-1 to send sexually explicit photos and videos of herself to MITCHELL and avoid displaying her face.
- b. Later on the same day, Victim-1 protested via Securus Message, "i don't wanna send shii like dat on here."
- c. On or about August 14, 2022, MITCHELL told Victim-1, via Securus Massage, "pics will lighten my mood . . . y should i possibly have to say more then once u should just do . but lik i said i aint finna stress do u."
- d. Later on the same day, in response to MITCHELL's request for "pics" Victim-1 wrote, "I'm gonna send 1 vid" and sent to MITCHELL a video depicting a female believed to be Victim-1 dancing naked in a sexually explicit manner by twerking with her buttocks and genitals bare, periodically spreading one buttock so that her genitals are especially visible ("Video-1").
- e. On or about September 24, 2022, MITCHELL wrote to Victim-1, "send 2 more ass pics not together go to the bathroom duhhh lol respectfully, nd the light brighter in there anyways. been horny for lik a week straight but didnt beat off cause u was

playtimin then u finally sent that super blurry nd rushed smh."

f. On or about September 25, 2022, Victim-1 sent to MITCHELL a photo depicting an extreme closeup of the genitals of a female believed to be Victim-1 ("Photo-1").

6. On or about February 24, 2023, Victim-1 participated in a forensic interview (the "Forensic Interview"), which I observed by live video feed. During the interview, Victim-1 advised, among other things:

a. Victim-1 is now fifteen years old.

b. On numerous occasions when Victim-1 was fourteen years old, ANTHONY MITCHELL, the defendant, contacted Victim-1 by Securus Message and demanded that she take and send to him sexually explicit photos and videos of herself.

c. Victim-1 took Video-1 and Photo-1 in response to such demands from MITCHELL.

d. Victim-1 is the person depicted in Video-1 and Photo-1.

WHEREFORE, deponent respectfully requests that ANTHONY MITCHELL, the defendant, be imprisoned or bailed, as the case may be.

ERICA C. BUONOCORE
SPECIAL AGENT
Federal Bureau of Investigation

Sworn to before me this
___ day of March, 2023

THE HONORABLE ANDREW E. KRAUSE
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK