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Appendix 1:

NN#5 Safety Plan - Mission

Appendix 1

☐ Criminal Investigation Division ☒ Investigative Assistance Division ☐ Other

September 7 through
Date 12, 2016 Time 1300 Case No. multiple

Briefing Location BRIEF IS September 8, 2016 at 1300 hours – WSP HQ – GA Building 210 11th Ave SW
Suite 402, Olympia – Park in Columbia Street Garage on top level.

Raid/Warrant Location -

Contact Number for the Residence - n/a

Location Description 1923 Brittany Lane SW, Tumwater WA 98512 Apartments 2211 and 1921
(See plan for photos)

(Should include description, address, maps, photos, etc.)

Location Verified By Detective Sergeant Carlos Rodriguez

Case Detective Detective's Garden and Querubin Supervisor Sergeant Carlos Rodriguez

PTT # 360-972- Cell 360-972-4119 PTT# 360-972- Cell 4107(Rodriguez)

Agency Assisted - Case Officer -

Warrant No. - Reviewed By -

(Warrant should be reviewed by case officer and supervisor; attach copy if available)

DECONFLICTION

☒ Through HIDTA, ICAC, NCMEC, FBI, HSI, USPIS, Thurston County SO, Olympia PD, Lacey PD, and Tumwater PD.

NOTIFICATION (if applicable)

- ☒ Local LEA
- ☒ District/Division Command
- ☒ District Communications

TYPE OF OPERATION

- | | | | |
|--|--|---|---|
| <input checked="" type="checkbox"/> Search Warrant | <input type="checkbox"/> Warrant Service | <input type="checkbox"/> Buy/Walk | <input type="checkbox"/> Clandestine Drug Lab |
| <input checked="" type="checkbox"/> Surveillance | <input type="checkbox"/> Knock and Talk | <input checked="" type="checkbox"/> Reverse Sting | |
| <input type="checkbox"/> Money Flash | <input checked="" type="checkbox"/> Buy/Bust | <input checked="" type="checkbox"/> Other | |

Supervisor Sergeant Carlos Rodriguez Date 08/24/2016

Lieutenant Notification (Name) Lt. Mike Eggleston Date/Time 08/24/2016

SUSPECT INFORMATION (see attached photo if available)

Name Will be disseminated as the intel comes in.

DOB -

MISSION

MECTF is placing CL ads, answering CL ads, and chatting with individuals that want to perpetrate commercial and non-commercial sex crimes against children. The Online UC operation will focus on suspects that have history with sexually abusing children, have stated they sexually exploit children, and recovering children that are being sexually exploited.

Timeline:

- September 6, 2016 take possession of residence – Tech set up
- September 7, 2016 – set up – HTC/MECTF/Tech/Arrest walk through. Ads will go live. Also schedule meetings with targets that have already been identified from prior missions. Complete the final Safety Plan with pictures
- September 8 through 11, 2016 – Arrests
- September 12, 2016 - break down

Primary Crimes investigated:

- RCW 9A.44.073 - Rape of a child in the first degree - attempt
- RCW 9.68A.100 – Commercial sexual abuse of a minor
- RCW 9.68A.070 – Possession of depictions of minor engaged in sexually explicit conduct
- RCW 9.68A.050 – Dealing in depictions of minor engaged in sexually explicit conduct
- RCW 9.68A.090 – Communication with a minor for immoral purposes

Appendix 2:

Example Websites where stings are run

Appendix 2

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF THURSTON

STATE OF WASHINGTON,)
)
 Plaintiff,)
) NO. 19-1-00354-34
 vs.)
)
 QUENTIN MARCELL PARKER,)
)
 Defendant.)

EXCERPT OF VERBATIM REPORT OF PROCEEDINGS
Testimony of Kristl Pohl

BE IT REMEMBERED that on September 23, 2019,
the above-entitled and numbered cause came on for
suppression hearing before the HONORABLE JAMES J. DIXON,
judge of Thurston County Superior Court, Olympia,
Washington.

Cheri L. Davidson
Official Court Reporter
Thurston County Superior Court
Olympia, Washington 98502
(360)786-5570
davidsc@co.thurston.wa.us

1 who?

2 A. It shows their user name which is the same user name
3 that they have on the profile. You can click on
4 their picture with the name and it will bring up the
5 profile.

6 Q. Okay. And with regards to the Net Nanny operation
7 that was done back in mid-February of this year, you
8 mentioned the Skout app that you used and then also
9 text messaging. What other modes of communication
10 were used?

11 A. I believe email was used, and then various different
12 applications were used as well.

13 Do you want me to name some of those?

14 Q. Yes, please.

15 MR. KARLSVIK: Your Honor, I object. Is she
16 talking about this case or in general? The answer is
17 -- the question is vague to me.

18 THE COURT: It's not vague to me. My
19 understanding of the question was what types of
20 communications were used generally on these cases.
21 Is that the question, Ms. Zhou?

22 MS. ZHOU: Yes, Your Honor.

23 THE COURT: You can answer that question.

24 A. Grindr, Scruff, Grizzly, Plenty of Fish, OkCupid.

25 THE COURT REPORTER: Excuse me. What was that

1 last one?

2 THE WITNESS: Plenty of Fish.

3 THE COURT: You said something cupid?

4 THE WITNESS: Oh, OkCupid.

5 A. There's Book of Matches. I know there's others that
6 I'm forgetting off the top of my head.

7 Q. Okay. You mentioned emails were used. When you say
8 emails, are you referring to the -- let me back up
9 for a moment.

10 How do emails work?

11 A. So in general, in the operations -- actually, going
12 back to the previous question, one of the ones I
13 forgot was Double List, and that's most likely where
14 emails would have been used.

15 But how emails work is you have an email address
16 of one person and you put their email address in your
17 email, whatever you use, whether it be Outlook or
18 Gmail or Yahoo, put their email address and type a
19 message, put in the subject, and you send.

20 Q. Okay. And then with regards to Mr. Parker's case,
21 was the Skout app and then also text messaging the
22 two main modes of communication that was used?

23 A. Yes.

24 MS. ZHOU: No further questions at this time.

25 THE COURT: Thank you.

Appendix 3:

Detective Tipped off Suspects

Appendix 3

Thanks for trying out Immersive Reader. Share your feedback with us.  



Detective tipped off suspects about child sex sting operation, Florida sheriff says

Florida

By Irene Wright
July 28, 2023 2:43 PM

-
-
-
- -
 -
 -
 -

ORDER REPRINT →

A Central Florida detective is accused of warning suspected child predators that they were targets of an undercover sting operation, the sheriff's office said.

Investigators began looking into the detective, assigned to the Crimes Against Children Unit, in April while the team was preparing for a sting operation to catch online predators, according to a news release from the Seminole County Sheriff's Office.

The undercover operation involved detectives posing as children online and messaging potential child predators.

Detectives made arrangements with the targets to meet up for sex, WESH reported, but then some targets suddenly stopped responding and didn't show up to the in-person meets.

Investigators went through team members' phones and traced messages warning the targets of the sting back to the detective's phone, WESH reported.

The detective sent messages to the targets saying, "She is fake dude, stay away," and "I'm trying to help you out, delete and go away," the outlet reported citing the sheriff's office.

The sheriff's office said the detective "covertly used technology to warn suspects intending to travel to meet minors for sex that they were involved in an undercover operation, allowing them to avoid arrest, and potentially putting other detectives in harm's way."

Only one of the five targets still showed up to the undercover meet, two others were caught later, and two have not been caught after receiving the detective's warning, WESH reported.

The sheriff's office did not release what may have prompted the detective to warn the suspects.

The detective, who joined the sheriff's office in 2010 and the child crimes unit in 2015, was suspended on April 21 as the investigation started, the sheriff's office said.

"You were responsible for protecting the most vulnerable members of our society, our children, and the actions you are alleged to have committed instead aided those who would seek to victimize children by allowing them to avoid arrest and prosecution," Sheriff Dennis Lemma said in the release.

On July 27, the detective was charged with 15 felony counts, including unlawful use of a two-way communication device, disclosure or use of confidential criminal justice information and unlawful use of a computer, network, or electronic device resulting in the interruption or impairment of governmental operation.

He was booked and placed on a \$65,000 bond, then given a GPS monitoring device, the sheriff's office said.

Lemma said the sheriff's office was in the process of terminating the detective's employment.

On July 28, the detective pleaded not guilty on all counts, WKMG reported.

The Seminole County Sheriff's Office is headquartered in Sanford, about 20 miles northeast of Orlando.

Appendix 4:

Joshua Leonard Probable Cause

Appendix 4

BRITTANY BROWN

FILED

AUG 25 2022

KIMBERLY A. ALLEN
GRANT COUNTY CLERK

SUPERIOR COURT OF WASHINGTON FOR GRANT COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

JOSHUA KENNETH LEONARD,

D.O.B.: 09/28/1977

OIN: 22-014318, 22GS10166, and 22ML13095

SID: WA28252371

TCN/PCN: WA1300000104463656

Defendant.

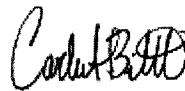
No. **22-1-00393-13**

MOTION AND CERTIFICATE FOR
ARREST AND DETENTION

I. MOTION

The Prosecuting Attorney moves for authority to arrest and detain the above-named defendant, based on the following certificate.

Dated: August 25, 2022



Carlee A. Bittle, WSBA #52079
Deputy Prosecuting Attorney

II. CERTIFICATE

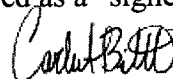
Under penalty of perjury under the laws of the State of Washington the undersigned certifies: I believe probable cause exists to detain the above-named defendant on a charge(s) of:

COUNT 1: Rape of a Child in the Second Degree, RCW 9A.44.076
- Attempt, RCW 9A.28.020 (Class A Felony)

COUNT 2: Communication with Minor for Immoral Purposes (Electronic Communication),
9.68A.090(2) (Class C Felony)

based upon a report filed with our office by Detective Jake Klein, a law enforcement officer employed by the Washington State Patrol-Moses Lake, a copy of which is attached hereto and incorporated herein. The type written officers signature would be considered as a "signed" document.

Dated: August 25, 2022



Carlee A. Bittle, WSBA #52079
Deputy Prosecuting Attorney

Investigative Services Bureau Investigative Report



CASE TITLE PC Statement	OFFICER(S) Jake Klein	CASE NO. 22-014318
RCW TITLE See Narrative	RCW CODE See Narrative	OTHER CASE NO. 22GS10166 / 22ML13095

SYNOPSIS

Defendant: LEONARD, Joshua K. DOB: 09/28/1977

Charges: 9A.44.076 Rape of a Child Second Degree – RCW 9A.28.020 Criminal Attempt; and RCW 9A.88.100 Communication with a Minor for Immoral Purposes; RCW 69.50.406 Distribution of a Control Substance to Persons Under Age Eighteen – RCW 9.94A.835 With Sexual Motivation

In August of 2022, the Washington State Patrol's (WSP) Missing Exploited Children Task Force (MECTF), in partnership with several local and federal partners, conducted an online undercover (UC) operation in Grant County, Washington. On August 23, 2022, UC Det. Klein started chatting on a popular social media website called Skout as a 12-year-old minor female. The profile showed the age of 32 years old, and the name displayed was Crystal. UC Det. Klein was acting in an online undercover capacity as a 12-year-old female minor child.

DETAILS OF REPORT

On August 23, 2022, around 1230 hours, I received a direct message from a profile named "Deepimpact" that read, *"What's up Crystal how are you doing today"*. For the full chats, see the Skout chats. They were brief and I told him to text my UC phone number (509-713-1805) with his username, so I knew it was him.

"Deepimpact" was later identified through law enforcement databases and open source intelligence as LEONARD, Joshua K. DOB 08/28/1977. A check through records showed LEONARD as a registered level 1 sex offender.

At approximately 1251 hours, I received a text message from the phone number 509-367-1804 that read, *"Hey it's Josh you just gave me your number my screen name is Deep Impact 509"*. Below is a record of the messages between me in the UC capacity of a 12-year-old minor female and LEONARD. The chats labeled "Incoming" are from LEONARD and the chats labeled "Outgoing" are from me in the UC capacity of a 12-year-old female:

2022/08/23	12:51:33 PM PDT	509-367-1804	SMS	Incoming	Hey it's Josh you just gave me your number my screen name is Deep Impact 509
2022/08/23	12:52:54 PM PDT	509-367-1804	SMS	Outgoing	Heyyyy! 🤔
2022/08/23	12:53:25 PM PDT	509-367-1804	SMS	Incoming	Hey what's up
2022/08/23	12:53:46 PM PDT	509-367-1804	SMS	Incoming	So tell me a bit more about yourself and what you're looking for please
2022/08/23	12:56:20 PM PDT	509-367-1804	SMS	Incoming	Like for instance what's your name

Investigative Services Bureau Investigative Report



2022/08/23	01:00:04 PM PDT	509-367-1804	SMS	Incoming	??
2022/08/23	01:01:57 PM PDT	509-367-1804	SMS	Outgoing	Sry lol i was doin chores. My name is crystal :)
2022/08/23	01:02:17 PM PDT	509-367-1804	SMS	Incoming	Chores?
2022/08/23	01:02:25 PM PDT	509-367-1804	SMS	Incoming	At 32 years old?
2022/08/23	01:02:32 PM PDT	509-367-1804	SMS	Incoming	Hi Crystal I'm Josh
2022/08/23	01:04:24 PM PDT	509-367-1804	SMS	Outgoing	Lol no im a bit younger than that 🙄
2022/08/23	01:04:51 PM PDT	509-367-1804	SMS	Incoming	Okay..
2022/08/23	01:06:03 PM PDT	509-367-1804	SMS	Outgoing	is that a problem?
2022/08/23	01:06:37 PM PDT	509-367-1804	SMS	Incoming	No
2022/08/23	01:07:07 PM PDT	509-367-1804	SMS	Incoming	But just so I'm aware.. I normally wouldn't ask this of a woman but exactly how much younger
2022/08/23	01:08:15 PM PDT	509-367-1804	SMS	Incoming	I mean not that I care cuz I'll be friends with just about anybody
2022/08/23	01:08:30 PM PDT	509-367-1804	SMS	Incoming	But I'm curious because of the way you put that
2022/08/23	01:20:09 PM PDT	509-367-1804	SMS	Outgoing	wym ull b freidns with my1
2022/08/23	01:24:15 PM PDT	509-367-1804	SMS	Incoming	Meaning friendship is not something that is dependent upon age
2022/08/23	01:24:34 PM PDT	509-367-1804	SMS	Incoming	But age does limit the way friendships are maintained
2022/08/23	01:24:47 PM PDT	509-367-1804	SMS	Incoming	So I'll be friends with absolutely anyone
2022/08/23	01:25:39 PM PDT	509-367-1804	SMS	Outgoing	that makes sense lol
2022/08/23	01:28:02 PM PDT	509-367-1804	SMS	Incoming	Good
2022/08/23	01:28:51 PM PDT	509-367-1804	SMS	Incoming	So you still didn't answer my question though
2022/08/23	01:29:24 PM PDT	509-367-1804	SMS	Outgoing	wut question
2022/08/23	01:29:39 PM PDT	509-367-1804	SMS	Incoming	Since you say you're not 32 what is your actual age
2022/08/23	01:34:21 PM PDT	509-367-1804	SMS	Outgoing	Do u really wanna know?

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2022/08/23	01:36:35 PM PDT	509-367-1804	SMS	Incoming	Well it might be a good piece of information to have considering that my intention is to actually meet people off of here this way I know what my limitations are
2022/08/23	01:36:46 PM PDT	509-367-1804	SMS	Incoming	Or would you rather tell me that in person
2022/08/23	01:37:15 PM PDT	509-367-1804	SMS	Incoming	Can you send me some pictures of you please
2022/08/23	01:43:00 PM PDT	509-367-1804	SMS	Incoming	?
2022/08/23	01:44:04 PM PDT	509-367-1804	SMS	Outgoing	well im 12 if that helps lol
2022/08/23	01:45:30 PM PDT	509-367-1804	SMS	Incoming	Oh wow
2022/08/23	01:46:11 PM PDT	509-367-1804	SMS	Outgoing	Ya i dont wanna lie lol
2022/08/23	01:46:13 PM PDT	509-367-1804	SMS	Incoming	That strikes me as kind of odd what are the chances that in a 24-hour period a 12 year old and a 13 year old put older ages on MeetMe or Scout and end up hitting me up out of the same city
2022/08/23	01:46:31 PM PDT	509-367-1804	SMS	Incoming	I mean it's cool we can be friends
2022/08/23	01:46:42 PM PDT	509-367-1804	SMS	Outgoing	wym?
2022/08/23	01:47:05 PM PDT	509-367-1804	SMS	Incoming	But thank you for letting me know that because I'm not trying to go to jail by saying or doing anything inappropriate
2022/08/23	01:47:40 PM PDT	509-367-1804	SMS	Outgoing	I don want u 2 go 2 jail :(
2022/08/23	01:47:55 PM PDT	509-367-1804	SMS	Incoming	Me neither
2022/08/23	01:48:19 PM PDT	509-367-1804	SMS	Incoming	So yesterday I'm online and this girl gets at me her profile says she's 23 she tells me later on that she's 13
2022/08/23	01:48:32 PM PDT	509-367-1804	SMS	Incoming	I told her the same thing I told you we could be friends
2022/08/23	01:49:54 PM PDT	509-367-1804	SMS	Incoming	I mean I'm pretty sure it would be the same with you with your age being what it is that your parents probably would not be cool with you being friends with me if they knew
2022/08/23	01:52:33 PM PDT	509-367-1804	SMS	Outgoing	Thats weird

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2022/08/23	01:53:02 PM PDT	509-367-1804	SMS	Incoming	I agree it's strangely coincidental
2022/08/23	01:53:33 PM PDT	509-367-1804	SMS	Incoming	It's almost got me convinced that there's some kind of Sting operation with the police online and they think they're going to get me to say something fucked up that would get me put in jail or something and I'm not that stupid
2022/08/23	01:53:54 PM PDT	509-367-1804	SMS	Outgoing	lol i live with my aunt my parenst are drug addicts
2022/08/23	01:54:16 PM PDT	509-367-1804	SMS	Incoming	Oh I'm sorry to hear that
2022/08/23	01:54:30 PM PDT	509-367-1804	SMS	Outgoing	Dude u r being so weird idk wut ur talking about
2022/08/23	01:54:37 PM PDT	509-367-1804	SMS	Outgoing	u dont have 2 talk 2 me if u dont want 2
2022/08/23	01:54:58 PM PDT	509-367-1804	SMS	Incoming	I mean I smoke weed but no it's not that for some reason I feel like you're actually real but the other conversation I was having was what I was describing
2022/08/23	01:55:18 PM PDT	509-367-1804	SMS	Incoming	You can feel free to send me pictures and talk and get to know me or whatever you want it's cool
2022/08/23	01:56:35 PM PDT	509-367-1804	SMS	Incoming	And it's not that I'm being weird I'm being careful
2022/08/23	02:04:34 PM PDT	509-367-1804	SMS	Outgoing	do u think i woukd get u in trouble? :(
2022/08/23	02:07:25 PM PDT	509-367-1804	SMS	Incoming	Well I would hope not
2022/08/23	02:07:54 PM PDT	509-367-1804	SMS	Incoming	If for no other reason I haven't done anything wrong
2022/08/23	02:08:40 PM PDT	509-367-1804	SMS	Outgoing	idk wut u would even do wrong lol im not bein forced 2 do nyting 😊
2022/08/23	02:08:55 PM PDT	509-367-1804	SMS	Incoming	That's true
2022/08/23	02:09:22 PM PDT	509-367-1804	SMS	Incoming	So I have no idea what you look like other than that really grainy picture on your profile
2022/08/23	02:20:37 PM PDT	509-367-1804	SMS	Outgoing	lol that pic isnt grainy 😊
2022/08/23	02:42:58 PM PDT	509-367-1804	SMS	Incoming	I'm sorry it looks brainy to me
2022/08/23	02:43:00 PM PDT	509-367-1804	SMS	Incoming	You know what I mean

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2022/08/23	02:43:31 PM PDT	509-367-1804	SMS	Outgoing	brainy?
2022/08/23	02:43:51 PM PDT	509-367-1804	SMS	Incoming	It also looks like the picture was taken from a distance
2022/08/23	02:43:57 PM PDT	509-367-1804	SMS	Incoming	Grainy
2022/08/23	02:44:28 PM PDT	509-367-1804	SMS	Incoming	No worries I mean if you're not comfortable with sending pictures of yourself then I understand
2022/08/23	02:47:32 PM PDT	509-367-1804	SMS	Outgoing	oooh that makes sense
2022/08/23	02:47:39 PM PDT	509-367-1804	SMS	Outgoing	well y do u want more pics lol
2022/08/23	02:55:59 PM PDT	509-367-1804	SMS	Incoming	Yeah I know
2022/08/23	02:57:16 PM PDT	509-367-1804	SMS	Incoming	So that I can actually see what the person I'm talking to looks like
2022/08/23	02:58:05 PM PDT	509-367-1804	MMS	Outgoing	
2022/08/23	03:01:56 PM PDT	509-367-1804	SMS	Incoming	Okay thank you
2022/08/23	03:02:33 PM PDT	509-367-1804	SMS	Outgoing	u send 1 now :)
2022/08/23	03:05:04 PM PDT	509-367-1804	MMS	Incoming	
2022/08/23	03:05:44 PM PDT	509-367-1804	SMS	Outgoing	u look cute 😊
2022/08/23	03:06:10 PM PDT	509-367-1804	SMS	Incoming	Thank you
2022/08/23	03:06:16 PM PDT	509-367-1804	SMS	Incoming	That's nice of you
2022/08/23	03:07:22 PM PDT	509-367-1804	SMS	Outgoing	Yw
2022/08/23	03:08:47 PM PDT	509-367-1804	SMS	Incoming	Well you are just going to be a heartbreaker aren't you? I just took a look at the picture you sent me
2022/08/23	03:11:54 PM PDT	509-367-1804	SMS	Outgoing	Maybe 😊
2022/08/23	03:12:28 PM PDT	509-367-1804	SMS	Incoming	Lol.....maybe she says
2022/08/23	03:15:20 PM PDT	509-367-1804	SMS	Outgoing	hehe
2022/08/23	03:17:44 PM PDT	509-367-1804	SMS	Incoming	So your aunt just lets you be friends with whoever you want?
2022/08/23	03:17:52 PM PDT	509-367-1804	SMS	Incoming	I just want to make sure I'm not going to get you in trouble too
2022/08/23	03:19:51 PM PDT	509-367-1804	SMS	Outgoing	Ya she does lol

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2022/08/23	03:20:41 PM PDT	509-367-1804	SMS	Outgoing	u wont get me in trouble i dont say shit lol
2022/08/23	03:34:25 PM PDT	509-367-1804	SMS	Incoming	Okay
2022/08/23	03:37:15 PM PDT	509-367-1804	SMS	Incoming	Well tell me more about yourself
2022/08/23	03:37:32 PM PDT	509-367-1804	SMS	Outgoing	wy wanna know
2022/08/23	03:38:54 PM PDT	509-367-1804	SMS	Incoming	Well start with the basic stuff I guess
2022/08/23	03:40:09 PM PDT	509-367-1804	SMS	Outgoing	like wut lol
2022/08/23	03:40:56 PM PDT	509-367-1804	SMS	Incoming	Like height hair color eye color favorite food favorite music favorite color favorite animal
2022/08/23	03:41:30 PM PDT	509-367-1804	SMS	Incoming	When is your birthday? What is your original hometown?
2022/08/23	03:41:40 PM PDT	509-367-1804	SMS	Incoming	What do you like to do in your free time?
2022/08/23	03:42:19 PM PDT	509-367-1804	SMS	Outgoing	y do u want 2 know all this stuff lol
2022/08/23	03:42:54 PM PDT	509-367-1804	SMS	Incoming	Well how else are we supposed to get to know each other
2022/08/23	03:44:57 PM PDT	509-367-1804	SMS	Outgoing	Y u wanna get 2 know me
2022/08/23	03:47:45 PM PDT	509-367-1804	SMS	Incoming	Well I figured that's what we were doing to begin with
2022/08/23	03:48:34 PM PDT	509-367-1804	SMS	Incoming	That's usually what people who are trying to be friends with each other do
2022/08/23	03:48:59 PM PDT	509-367-1804	SMS	Outgoing	well im 12 i never really done stuff like this b4 lol
2022/08/23	03:55:57 PM PDT	509-367-1804	SMS	Incoming	Ok....
2022/08/23	03:56:16 PM PDT	509-367-1804	SMS	Incoming	I understand....take your time
2022/08/23	03:58:20 PM PDT	509-367-1804	SMS	Outgoing	ok
2022/08/23	06:18:00 PM PDT	509-367-1804	SMS	Incoming	What you doing
2022/08/23	06:18:36 PM PDT	509-367-1804	SMS	Outgoing	lookin for sun1 to have fun with
2022/08/23	06:19:18 PM PDT	509-367-1804	SMS	Incoming	Okay.. what did you have in mind
2022/08/23	06:22:32 PM PDT	509-367-1804	SMS	Outgoing	Things....lol
2022/08/23	06:23:33 PM PDT	509-367-1804	SMS	Incoming	Uh huh....how does that work?

Investigative Services Bureau Investigative Report



2022/08/23	06:24:30 PM PDT	509-367-1804	SMS	Incoming	I'm just curious how you would be able to get out of the house to go have fun with people
2022/08/23	06:26:03 PM PDT	509-367-1804	SMS	Incoming	I'm almost through here in Sunnyside I'm about to head back to Moses here in a little bit
2022/08/23	06:27:28 PM PDT	509-367-1804	SMS	Incoming	Okay I guess I asked something a little too personal
2022/08/23	06:28:19 PM PDT	509-367-1804	SMS	Outgoing	Im home alone when my aunt goes to work lol
2022/08/23	06:28:31 PM PDT	509-367-1804	SMS	Outgoing	its not 2 personal :)
2022/08/23	06:28:53 PM PDT	509-367-1804	SMS	Incoming	Oh so you're alone during the day
2022/08/23	06:28:59 PM PDT	509-367-1804	SMS	Incoming	I see
2022/08/23	06:32:13 PM PDT	509-367-1804	SMS	Outgoing	at night usually
2022/08/23	06:33:27 PM PDT	509-367-1804	SMS	Incoming	Oh okay
2022/08/23	06:34:50 PM PDT	509-367-1804	SMS	Outgoing	Ya haha
2022/08/23	06:35:47 PM PDT	509-367-1804	SMS	Incoming	Yeah I'm just waiting on a buddy to meet up with me to pay me some money that he owes me and then I'm headed back to Moses
2022/08/23	06:37:30 PM PDT	509-367-1804	SMS	Outgoing	That is cool :)
2022/08/23	06:37:36 PM PDT	509-367-1804	SMS	Outgoing	whatcha doin after that
2022/08/23	06:37:51 PM PDT	509-367-1804	SMS	Incoming	Well once I get to Moses I pretty much have no plans
2022/08/23	06:48:00 PM PDT	509-367-1804	SMS	Outgoing	Wut did u want 2 do?
2022/08/23	06:48:26 PM PDT	509-367-1804	SMS	Incoming	Not sure yet give me a second I'm about to put gas in my car
2022/08/23	07:01:42 PM PDT	509-367-1804	SMS	Incoming	Any suggestions?
2022/08/23	07:03:14 PM PDT	509-367-1804	SMS	Outgoing	wut sounds fun? :)
2022/08/23	07:03:14 PM PDT	509-367-1804	SMS	Incoming	?
2022/08/23	07:03:47 PM PDT	509-367-1804	SMS	Outgoing	u said any suggestions?? lol
2022/08/23	07:03:55 PM PDT	509-367-1804	SMS	Incoming	Maybe going to go see a movie or something I don't know I'm the type of guy that just goes with the flow

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2022/08/23	07:04:23 PM PDT	509-367-1804	SMS	Incoming	Well this is Moses Lake we're talking about the only fun things to do out there are either going to the movies or just driving around or going to the sand dunes
2022/08/23	07:04:38 PM PDT	509-367-1804	SMS	Incoming	Unless you can think of anything that's fun that I haven't
2022/08/23	07:06:15 PM PDT	509-367-1804	SMS	Outgoing	idk i look for fun 2 lol
2022/08/23	07:06:53 PM PDT	509-367-1804	SMS	Incoming	Well I was also thinking about maybe going to Wendy's and getting a Frosty
2022/08/23	07:07:01 PM PDT	509-367-1804	SMS	Incoming	I don't know
2022/08/23	07:07:07 PM PDT	509-367-1804	SMS	Incoming	What part of Moses Lake are you in
2022/08/23	07:07:18 PM PDT	509-367-1804	SMS	Outgoing	That sounds dumb lol
2022/08/23	07:07:38 PM PDT	509-367-1804	SMS	Incoming	Why does a frosty sound dumb lol
2022/08/23	07:07:47 PM PDT	509-367-1804	SMS	Incoming	Chocolate soft serve ice cream is awesome
2022/08/23	07:08:35 PM PDT	509-367-1804	SMS	Outgoing	i dint like wendys lol i prefer taco bell
2022/08/23	07:10:10 PM PDT	509-367-1804	SMS	Incoming	Oh I like Taco Bell too
2022/08/23	07:10:22 PM PDT	509-367-1804	SMS	Incoming	But there's just something about a Wendy's Frosty it's better than a chocolate shake from anywhere else
2022/08/23	07:14:43 PM PDT	509-367-1804	SMS	Outgoing	i guess ice cream is good
2022/08/23	07:15:51 PM PDT	509-367-1804	SMS	Incoming	Yes it most certainly is
2022/08/23	07:22:51 PM PDT	509-367-1804	SMS	Incoming	Yeah I'm about to head back to Moses Lake now
2022/08/23	07:26:51 PM PDT	509-367-1804	SMS	Outgoing	Cool! Did u figure out wut ur gonna do
2022/08/23	07:27:18 PM PDT	509-367-1804	SMS	Incoming	I don't know I guess it depends on what side of town I'm going to end up on
2022/08/23	07:27:50 PM PDT	509-367-1804	SMS	Incoming	I mean I know Moses Lake pretty well but I haven't quite explored everything that the city has to offer
2022/08/23	07:28:07 PM PDT	509-367-1804	SMS	Incoming	All I know is I try to avoid Broadway Avenue as much as possible

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2022/08/23	07:29:58 PM PDT	509-367-1804	SMS	Incoming	See I don't normally live in Moses Lake I'm just there a lot my cousin has a place out there.. I normally live up near Canada and I work in Spokane Valley so because I have to commute so far I usually keep a bed in the back of my truck so that I can camp out
2022/08/23	07:30:34 PM PDT	509-367-1804	SMS	Incoming	Potholes State Park sounds like a plan to go camp out maybe have a campfire.. now if I decide to do that all I got to do is find someone to go camping with me
2022/08/23	07:30:58 PM PDT	509-367-1804	SMS	Incoming	You know what thank you for making me think ahead I'm going to send some text to a few friends of mine
2022/08/23	07:31:13 PM PDT	509-367-1804	SMS	Incoming	By the way you can call me if you want as long as I've got signal I'll pick up
2022/08/23	07:38:46 PM PDT	509-367-1804	SMS	Outgoing	thats nice of u
2022/08/23	07:40:48 PM PDT	509-367-1804	SMS	Incoming	What are you doing tonight
2022/08/23	07:41:30 PM PDT	509-367-1804	SMS	Incoming	Usually when I'm in Moses I'm over by the fairgrounds that's where my cousin lives and then I have another one that lives in Ephrata
2022/08/23	07:42:16 PM PDT	509-367-1804	SMS	Outgoing	Lookin for fun
2022/08/23	07:42:39 PM PDT	509-367-1804	SMS	Incoming	Well who knows if you're out and about maybe we might cross paths
2022/08/23	07:42:58 PM PDT	509-367-1804	SMS	Incoming	Just saying
2022/08/23	07:43:12 PM PDT	509-367-1804	SMS	Outgoing	im tryin 2 have fun at my house lol
2022/08/23	07:43:29 PM PDT	509-367-1804	SMS	Incoming	Well for one I don't know where that is
2022/08/23	07:43:52 PM PDT	509-367-1804	SMS	Outgoing	moses lake
2022/08/23	07:45:05 PM PDT	509-367-1804	SMS	Incoming	Yeah I know that silly
2022/08/23	07:45:08 PM PDT	509-367-1804	SMS	Incoming	Give me a little bit I'm in the hills right now

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2022/08/23	07:50:05 PM PDT	509-367-1804	SMS	Incoming	Yeah I know that you're in Moses Lake
2022/08/23	07:50:45 PM PDT	509-367-1804	SMS	Outgoing	Well r u saying u want 2 hangout?
2022/08/23	07:50:50 PM PDT	509-367-1804	SMS	Outgoing	im confused dude
2022/08/23	07:51:17 PM PDT	509-367-1804	SMS	Incoming	I mean that's up to you
2022/08/23	07:52:10 PM PDT	509-367-1804	SMS	Incoming	I mean if you want to hang out and get some Taco Bell that's cool with me
2022/08/23	07:53:01 PM PDT	509-367-1804	SMS	Outgoing	sorry dude not into just hangin lol
2022/08/23	07:53:27 PM PDT	509-367-1804	SMS	Incoming	Give me a call for a second please
2022/08/23	07:53:54 PM PDT	509-367-1804	SMS	Incoming	I'm not saying that we can't have fun
2022/08/23	07:53:59 PM PDT	509-367-1804	SMS	Outgoing	I cant rn im finishin up chores, when im done i can
2022/08/23	07:54:15 PM PDT	509-367-1804	SMS	Incoming	Okay
2022/08/23	08:30:17 PM PDT	509-367-1804	SMS	Outgoing	Sry just got done call me
2022/08/23	08:55:18 PM PDT	509-367-1804	SMS	Outgoing	u gonna cal???
2022/08/23	09:14:57 PM PDT	509-367-1804	Call	Incoming	
2022/08/23	09:20:34 PM PDT	509-367-1804	SMS	Outgoing	I feel like ur messing with me. If u dont wanna come out and say wut u wanna do then just leave me alone
2022/08/23	09:25:28 PM PDT	509-367-1804	SMS	Incoming	Ok.....
2022/08/23	09:29:07 PM PDT	509-367-1804	SMS	Outgoing	Ya this is just w8stin my time sry
2022/08/23	09:29:44 PM PDT	509-367-1804	SMS	Incoming	Yeah I figured you would get scared when I asked about that
2022/08/23	09:30:04 PM PDT	509-367-1804	SMS	Outgoing	im not scared lol
2022/08/23	09:30:38 PM PDT	509-367-1804	SMS	Outgoing	im just not into only smokin nd talkin 🚬
2022/08/23	09:32:24 PM PDT	509-367-1804	SMS	Incoming	Your Voice Sounds older than you are
2022/08/23	09:33:34 PM PDT	509-367-1804	SMS	Incoming	Are you going to say anything
2022/08/23	09:33:49 PM PDT	509-367-1804	SMS	Outgoing	thx i guess lol
2022/08/23	09:34:06 PM PDT	509-367-1804	SMS	Outgoing	idk wut 2 say, im 12 and idk wut u want from me

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2022/08/23	09:34:12 PM PDT	509-367-1804	SMS	Incoming	Because half of me thinks that you might actually be genuine the other half of me thinks that this might be a police sting
2022/08/23	09:34:27 PM PDT	509-367-1804	SMS	Incoming	So prove me right or prove me wrong either way it's all good
2022/08/23	09:34:51 PM PDT	509-367-1804	SMS	Incoming	Didn't you say you're aunt works as a CNA?
2022/08/23	09:35:11 PM PDT	509-367-1804	SMS	Outgoing	I am real nd this isnt a sting lol
2022/08/23	09:35:16 PM PDT	509-367-1804	SMS	Incoming	I'm asking cuz I looked up the pay scale for that job and it's pretty high paying
2022/08/23	09:35:24 PM PDT	509-367-1804	SMS	Outgoing	no i didnt tell u wut my aunt does idk wtf a cna is
2022/08/23	09:41:50 PM PDT	509-367-1804	SMS	Incoming	So you're not going to say anything right?
2022/08/23	09:42:04 PM PDT	509-367-1804	SMS	Incoming	Okay that's cool
2022/08/23	09:42:27 PM PDT	509-367-1804	SMS	Outgoing	No dude I dont say shit like i said lol its no1's business wut i do
2022/08/23	09:43:08 PM PDT	509-367-1804	MMS	Incoming	
2022/08/23	09:43:10 PM PDT	509-367-1804	SMS	Incoming	I kept a copy
2022/08/23	09:43:50 PM PDT	509-367-1804	SMS	Outgoing	lol y 😊
2022/08/23	09:47:50 PM PDT	509-367-1804	SMS	Incoming	I mean I'm honestly kind of worried about you and afraid that you might get the wrong kind of person at your house
2022/08/23	09:48:09 PM PDT	509-367-1804	SMS	Incoming	A big part of me says I should do the responsible thing and go down to Samaritan Hospital
2022/08/23	09:48:22 PM PDT	509-367-1804	SMS	Incoming	That's where she works right?
2022/08/23	09:48:59 PM PDT	509-367-1804	SMS	Outgoing	where who works?

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2022/08/23	09:49:27 PM PDT	509-367-1804	SMS	Incoming	I mean you could get some guy come over to your house that you think is going to be just fun to hang out with but might be thinking something else and he ends up doing something real stupid like raping you because you fucked around and tease the wrong guy I worry that that's the kind of thing that can happen to you cuz I'm pretty sure I'm not the only one you're talking to
2022/08/23	09:50:21 PM PDT	509-367-1804	SMS	Outgoing	bro
2022/08/23	09:50:25 PM PDT	509-367-1804	SMS	Outgoing	chill
2022/08/23	09:50:34 PM PDT	509-367-1804	SMS	Outgoing	i know how 2 protect myself lol
2022/08/23	09:59:41 PM PDT	509-367-1804	SMS	Incoming	Okay so I think that's what I need to do because I'm really scared for you
2022/08/23	10:00:58 PM PDT	509-367-1804	SMS	Incoming	Not to mention either this is a Moses Lake Police Department / Grant County Sheriff's Office sting or this is just one big game and My worry is is that you're going to play this game with the wrong person who's not going to advise you properly
2022/08/23	10:01:01 PM PDT	509-367-1804	SMS	Outgoing	Bro u can go 2 whatever hospital u want my aunt doesnt work at any 😊
2022/08/23	10:01:44 PM PDT	509-367-1804	SMS	Outgoing	brooooooooo
2022/08/23	10:02:12 PM PDT	509-367-1804	SMS	Incoming	You kept trying to get me to say something about what kind of fun and just little things that you said lead me to believe that either this is a law enforcement sting or you don't know what you're doing
2022/08/23	10:02:57 PM PDT	509-367-1804	SMS	Outgoing	i aint law enforcement
2022/08/23	10:03:04 PM PDT	509-367-1804	SMS	Outgoing	im fukin 12
2022/08/23	10:03:20 PM PDT	509-367-1804	SMS	Outgoing	either move the fuk on or get righjt

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2022/08/23	10:10:18 PM PDT	509-367-1804	SMS	Incoming	So are you going to say anything or do I need to just go ahead and do that
2022/08/23	10:15:54 PM PDT	509-367-1804	SMS	Outgoing	bro wut do u wanna do?
2022/08/23	10:16:02 PM PDT	509-367-1804	SMS	Outgoing	be upfront about it or fuck off and leave
2022/08/23	10:16:14 PM PDT	509-367-1804	SMS	Outgoing	acting like lil boys my age lol 😏
2022/08/23	10:17:16 PM PDT	509-367-1804	SMS	Incoming	Okay I guess that's what I'll do then your silence tells me that's what you want
2022/08/23	10:18:18 PM PDT	509-367-1804	SMS	Outgoing	u just not gettin my msgs or wut
2022/08/23	10:29:19 PM PDT	509-367-1804	Call	Incoming	
2022/08/23	10:29:50 PM PDT	509-367-1804	SMS	Incoming	Okay then
2022/08/23	10:30:42 PM PDT	509-367-1804	MMS	Incoming	
2022/08/23	10:30:44 PM PDT	509-367-1804	SMS	Outgoing	wut
2022/08/23	10:31:23 PM PDT	509-367-1804	MMS	Incoming	
2022/08/23	10:31:50 PM PDT	509-367-1804	SMS	Incoming	So okay we're going to do this my way instead
2022/08/23	10:32:04 PM PDT	509-367-1804	SMS	Outgoing	go for it buddy!
2022/08/23	10:32:27 PM PDT	509-367-1804	SMS	Incoming	My suggestion is is that you talk to me before I go in here
2022/08/23	10:33:05 PM PDT	509-367-1804	SMS	Incoming	I'm serious I told you that if you want me to speak freely and upfront then I don't do that on the phone
2022/08/23	10:33:26 PM PDT	509-367-1804	SMS	Incoming	Because you can never tell what the context of what someone is saying through text
2022/08/23	10:33:44 PM PDT	509-367-1804	SMS	Incoming	But it's cool because I'm going to make sure that you're going to be safe
2022/08/23	10:35:09 PM PDT	509-367-1804	SMS	Outgoing	r u gettin my txts?

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2022/08/23	10:37:49 PM PDT	509-367-1804	SMS	Incoming	So the hospital told me to go to the police or the nursing home because all of their CNAs are busy at the moment so that's what I'm going to do I'm going to go to the nursing home first and then I'm going to go to the police department just to make sure that you're safe
2022/08/23	10:38:02 PM PDT	509-367-1804	SMS	Incoming	Unless you want to tell me where you're at and I can just come make a check on you in person
2022/08/23	10:41:11 PM PDT	509-367-1804	Call	Incoming	
2022/08/23	10:41:43 PM PDT	509-367-1804	SMS	Incoming	I'm just going to give them your phone number and let them take it from here since you don't want to talk
2022/08/23	10:43:41 PM PDT	509-367-1804	SMS	Outgoing	i dont think ur gettin my texts lol
2022/08/23	10:52:37 PM PDT	509-367-1804	SMS	Incoming	Okay so they are going to take it from here you have a good night hopefully you don't get in too much trouble
2022/08/23	10:55:06 PM PDT	509-367-1804	SMS	Incoming	Oh and tomorrow I'm going to fax the copy of your picture to every single Medical facility in this County Spokane and Chelan counties to make sure that your on is able to keep you safe
2022/08/23	10:55:12 PM PDT	509-367-1804	SMS	Incoming	Aunt
2022/08/23	10:55:43 PM PDT	509-367-1804	SMS	Incoming	See if you had met me face to face I'd have been able to advise you myself but you decided to tell me to fuck off so now it has to be like this
2022/08/23	10:56:43 PM PDT	509-367-1804	SMS	Incoming	Have yourself a good night Crystal or Alice or whatever it is
2022/08/23	10:57:43 PM PDT	509-367-1804	SMS	Outgoing	hello???
2022/08/23	11:19:45 PM PDT	509-367-1804	SMS	Outgoing	Idk if ur gettin my msgs or not
2022/08/24	11:37:05 AM PDT	509-367-1804	SMS	Outgoing	Dude u r crazy

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2022/08/24	11:46:03 AM PDT	509-367-1804	SMS	Incoming	No I'm not crazy I'm actually completely of my right mind what's crazy is a 12-year-old going online posing as if they're 32 and trying to get grown men to commit to doing something against the law either verbally or through text
2022/08/24	11:46:22 AM PDT	509-367-1804	SMS	Incoming	That's not something that happens everyday
2022/08/24	11:46:30 AM PDT	509-367-1804	SMS	Incoming	At least not in my experience
2022/08/24	11:47:10 AM PDT	509-367-1804	SMS	Outgoing	well then dont talk 2 me lol idgaf
2022/08/24	11:49:04 AM PDT	509-367-1804	SMS	Incoming	No I said I'd be your friend but to be fair you can't go around in trapping guys like that
2022/08/24	11:49:25 AM PDT	509-367-1804	SMS	Incoming	No I don't know if you know what I'm talking about but yeah you can get people in trouble
2022/08/24	11:49:28 AM PDT	509-367-1804	SMS	Outgoing	im not trappin ny1 bro
2022/08/24	11:51:37 AM PDT	509-367-1804	SMS	Incoming	than you cant get mad when somebody's protecting themselves legally
2022/08/24	11:51:40 AM PDT	509-367-1804	SMS	Incoming	I mean think about it what were you asking me to say last night?
2022/08/24	11:52:20 AM PDT	509-367-1804	SMS	Outgoing	bro wut do u want? u just seem like a creepy dude
2022/08/24	11:52:36 AM PDT	509-367-1804	SMS	Outgoing	u wanna like video chat or sumthing??? will that msake u happy??
2022/08/24	11:57:22 AM PDT	509-367-1804	SMS	Incoming	No I was not asking for that
2022/08/24	11:57:55 AM PDT	509-367-1804	SMS	Incoming	Look all I'm saying is that not all guys are going to be a gentleman like I'm trying to be and I just don't want you to end up making a poor choice you know what I mean
2022/08/24	11:58:07 AM PDT	509-367-1804	SMS	Incoming	Because bad shit does happen in this world
2022/08/24	11:58:40 AM PDT	509-367-1804	SMS	Incoming	And I'm also saying know your audience.. and understand that the law monitors everything
2022/08/24	11:59:49 AM PDT	509-367-1804	SMS	Outgoing	so wut do u want out of this? i am sp confused

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2022/08/24	12:00:07 PM PDT	509-367-1804	SMS	Incoming	I mean I'm sorry if I'm paranoid
2022/08/24	12:00:21 PM PDT	509-367-1804	SMS	Incoming	I've had a couple of my homeboys go to prison over things that were said over a phone
2022/08/24	12:00:54 PM PDT	509-367-1804	SMS	Outgoing	Dude i dont say shit but like if u dont want 2 talk 2 me then u dont have 2
2022/08/24	12:01:28 PM PDT	509-367-1804	SMS	Incoming	Yeah I get that you're telling me that you don't say anything
2022/08/24	12:02:19 PM PDT	509-367-1804	SMS	Incoming	But what I'm trying to tell you is that there are I guess what the government calls Watch Dogs that basically troll all the dating sites and they look for people to bust
2022/08/24	12:02:33 PM PDT	509-367-1804	SMS	Incoming	And I know this for a fact because my cousin used to work for the FBI
2022/08/24	12:02:59 PM PDT	509-367-1804	SMS	Outgoing	is that what u think i am?
2022/08/24	12:04:56 PM PDT	509-367-1804	SMS	Incoming	Considering that we've only spoken on the phone and I havent met or seen you in person, I would hope not but idk
2022/08/24	12:05:59 PM PDT	509-367-1804	SMS	Incoming	And considering that I've gone to jail for bad checks and I know how bad jail sucks that's a lot of why I'm guarded
2022/08/24	12:06:05 PM PDT	509-367-1804	SMS	Incoming	I hope you could understand
2022/08/24	12:06:33 PM PDT	509-367-1804	SMS	Incoming	Because I imagine prison sucks a lot worse than jail
2022/08/24	12:07:49 PM PDT	509-367-1804	SMS	Incoming	I mean seriously not trying to offend you but also I'm just a very careful person with everything that I say and do
2022/08/24	12:09:35 PM PDT	509-367-1804	SMS	Outgoing	So u wanna video chat or nah? idk wut else 2 do
2022/08/24	12:14:12 PM PDT	509-367-1804	SMS	Incoming	Gimme a minute....my sister called me
2022/08/24	12:17:07 PM PDT	509-367-1804	SMS	Incoming	I don't know how we're going to video chat
2022/08/24	12:17:32 PM PDT	509-367-1804	SMS	Incoming	But okay walk me through it I guess
2022/08/24	12:18:03 PM PDT	509-367-1804	SMS	Incoming	I got my sister off the phone

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2022/08/24	12:21:40 PM PDT	509-367-1804	SMS	Outgoing	do u know wut google duo is?
2022/08/24	12:22:02 PM PDT	509-367-1804	SMS	Incoming	Yeah I also have Snapchat
2022/08/24	12:22:32 PM PDT	509-367-1804	SMS	Outgoing	When would u wanna do it? google duo is best
2022/08/24	12:23:09 PM PDT	509-367-1804	SMS	Incoming	Yeah I just pulled up my Google Duo
2022/08/24	12:24:12 PM PDT	509-367-1804	SMS	Incoming	Whenever you want I guess
2022/08/24	12:25:48 PM PDT	509-367-1804	SMS	Outgoing	just google duo my phone number
2022/08/24	12:25:53 PM PDT	509-367-1804	SMS	Outgoing	u can do it now
2022/08/24	12:32:23 PM PDT	509-367-1804	SMS	Incoming	Sorry it's just T-Mobile service let me get to a better signal
2022/08/24	12:33:08 PM PDT	509-367-1804	SMS	Incoming	I had to run out to Okanogan County real quick to help my aunt out
2022/08/24	12:33:29 PM PDT	509-367-1804	SMS	Incoming	But come to find out she already had all the help she need so I might end up coming back to Moses Lake
2022/08/24	12:34:54 PM PDT	509-367-1804	SMS	Outgoing	Ok but i dont wanna just waioost my time dude
2022/08/24	12:36:04 PM PDT	509-367-1804	SMS	Incoming	All right I'm going to go ahead and try this Duo thing again
2022/08/24	12:43:58 PM PDT	509-367-1804	SMS	Outgoing	im wasiting my time with u
2022/08/24	12:44:23 PM PDT	509-367-1804	SMS	Incoming	No you are not
2022/08/24	12:45:02 PM PDT	509-367-1804	SMS	Outgoing	then wtf r u lookin 4 with me? u just keep bein all weird
2022/08/24	12:47:30 PM PDT	509-367-1804	SMS	Incoming	I'm pretty sure the same thing that you are
2022/08/24	12:48:03 PM PDT	509-367-1804	SMS	Incoming	I'm headed back to Moses now
2022/08/24	12:49:39 PM PDT	509-367-1804	SMS	Outgoing	Wut is that?
2022/08/24	12:50:06 PM PDT	509-367-1804	SMS	Outgoing	how big r u?
2022/08/24	12:50:26 PM PDT	509-367-1804	SMS	Incoming	5 ft 11
2022/08/24	12:51:38 PM PDT	509-367-1804	SMS	Incoming	What exactly are you asking
2022/08/24	12:52:21 PM PDT	509-367-1804	SMS	Incoming	Just so that I don't misunderstand you
2022/08/24	12:52:59 PM PDT	509-367-1804	SMS	Outgoing	obv this isnt 4 u if u dont
2022/08/24	12:53:01 PM PDT	509-367-1804	SMS	Outgoing	bye

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2022/08/24	12:53:34 PM PDT	509-367-1804	SMS	Incoming	Do me a favor call me on Duo real quick please
2022/08/24	12:53:56 PM PDT	509-367-1804	SMS	Incoming	Or give me a second and I'll call you
2022/08/24	12:57:23 PM PDT	509-367-1804	SMS	Outgoing	ya call me
2022/08/24	01:14:11 PM PDT	509-367-1804	SMS	Outgoing	So do u feel better now or wut? idk wut else 2 do lol
2022/08/24	01:51:43 PM PDT	509-367-1804	SMS	Incoming	I'm sorry if I haven't answered yet but I'm in the mountains and I don't have signal this should send whenever I do have signal again though
2022/08/24	01:53:04 PM PDT	509-367-1804	SMS	Incoming	Yeah I feel better and I'm glad that you can now see that I'm not some creepy ass lame fucker
2022/08/24	02:05:33 PM PDT	509-367-1804	SMS	Outgoing	I am
2022/08/24	02:05:38 PM PDT	509-367-1804	SMS	Outgoing	do u have condoms?
2022/08/24	02:07:21 PM PDT	509-367-1804	SMS	Incoming	Well those are kind of essential to have if a guy is going to be responsible and clean so absolutely I always have them
2022/08/24	02:08:32 PM PDT	509-367-1804	SMS	Outgoing	cool make sure u bring them lol
2022/08/24	02:09:44 PM PDT	509-367-1804	SMS	Incoming	I just got to Grand Coulee Dam
2022/08/24	02:10:03 PM PDT	509-367-1804	SMS	Incoming	This is one hell of a beautiful drive
2022/08/24	02:13:59 PM PDT	509-367-1804	SMS	Outgoing	where r u goin
2022/08/24	02:15:55 PM PDT	509-367-1804	SMS	Incoming	Moses Lake Grand Coulee Dam is on the way
2022/08/24	02:17:48 PM PDT	509-367-1804	SMS	Outgoing	cool
2022/08/24	02:18:03 PM PDT	509-367-1804	SMS	Outgoing	so did u wanna come over or what? im confused
2022/08/24	02:18:25 PM PDT	509-367-1804	SMS	Incoming	Well yeah I figured that's what we had planned
2022/08/24	02:18:43 PM PDT	509-367-1804	SMS	Outgoing	u never said u were comin lol
2022/08/24	02:19:09 PM PDT	509-367-1804	SMS	Incoming	Oh my bad
2022/08/24	02:19:27 PM PDT	509-367-1804	SMS	Incoming	I might lose signal again for a little bit but I'm on the way to Moses Lake
2022/08/24	02:19:40 PM PDT	509-367-1804	SMS	Outgoing	ok

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2022/08/24	02:19:41 PM PDT	509-367-1804	SMS	Incoming	I figure I'm about an hour maybe an hour and a half away
2022/08/24	02:19:53 PM PDT	509-367-1804	SMS	Outgoing	ur pretty big... im scared it will hurt
2022/08/24	02:20:46 PM PDT	509-367-1804	SMS	Incoming	Well that's where experience comes into play
2022/08/24	02:21:14 PM PDT	509-367-1804	SMS	Incoming	And no not big like you might think
2022/08/24	02:21:40 PM PDT	509-367-1804	SMS	Outgoing	wym
2022/08/24	02:22:05 PM PDT	509-367-1804	SMS	Incoming	Give me a bit and I'm going to do I'll call you again
2022/08/24	02:22:43 PM PDT	509-367-1804	SMS	Incoming	I need to concentrate for a little bit this road is really curvy and I need both hands
2022/08/24	02:23:05 PM PDT	509-367-1804	SMS	Outgoing	i cant talk on the phone rn my aunt is home, just txt
2022/08/24	02:32:54 PM PDT	509-367-1804	SMS	Incoming	Okay we'll give me a minute because I'm on a pretty dangerous stretch of road
2022/08/24	02:35:16 PM PDT	509-367-1804	MMS	Incoming	
2022/08/24	02:35:43 PM PDT	509-367-1804	SMS	Outgoing	pretty
2022/08/24	04:17:51 PM PDT	509-367-1804	SMS	Incoming	3 minutes till church
2022/08/24	04:18:28 PM PDT	509-367-1804	SMS	Outgoing	R we gonna fuck or not? im gettin confused
2022/08/24	04:20:03 PM PDT	509-367-1804	SMS	Incoming	No need to be confused
2022/08/24	04:20:14 PM PDT	509-367-1804	SMS	Incoming	You don't remember what we talked about when I called you
2022/08/24	04:20:27 PM PDT	509-367-1804	SMS	Incoming	I mean come on go back to our conversation
2022/08/24	04:20:35 PM PDT	509-367-1804	SMS	Incoming	You should already know what time it is
2022/08/24	04:20:55 PM PDT	509-367-1804	SMS	Incoming	Did your aunt go to work
2022/08/24	04:21:04 PM PDT	509-367-1804	SMS	Outgoing	All u said was how big u r nd that u r clean
2022/08/24	04:21:19 PM PDT	509-367-1804	SMS	Incoming	Can I call you on Duo
2022/08/24	04:21:46 PM PDT	509-367-1804	SMS	Incoming	Or can you call me
2022/08/24	04:22:11 PM PDT	509-367-1804	SMS	Outgoing	Hold on rq my aunt is around ill let u know when u can call me
2022/08/24	04:22:18 PM PDT	509-367-1804	SMS	Outgoing	just a sec

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2022/08/24	04:22:21 PM PDT	509-367-1804	SMS	Incoming	Okay
2022/08/24	04:24:28 PM PDT	509-367-1804	SMS	Outgoing	ok call me
2022/08/24	04:26:04 PM PDT	509-367-1804	SMS	Incoming	I tried no answer though
2022/08/24	04:26:46 PM PDT	509-367-1804	SMS	Outgoing	I didnt hear it ring call again
2022/08/24	04:34:55 PM PDT	509-367-1804	SMS	Outgoing	So when do u wanna come over?
2022/08/24	04:35:08 PM PDT	509-367-1804	SMS	Incoming	You tell me
2022/08/24	04:35:25 PM PDT	509-367-1804	SMS	Incoming	I'm going to go to the car wash and clean out the passenger side floorboard
2022/08/24	04:35:36 PM PDT	509-367-1804	SMS	Incoming	You find somewhere nearby where you're at and we can go there and meet up
2022/08/24	04:36:04 PM PDT	509-367-1804	SMS	Incoming	It would be less strange than having me come over and somebody seeing a strange car there you know what I mean
2022/08/24	04:36:11 PM PDT	509-367-1804	SMS	Incoming	I mean does that make sense?
2022/08/24	04:36:57 PM PDT	509-367-1804	SMS	Incoming	I mean if you give me some sort of general area I can go that way
2022/08/24	04:37:12 PM PDT	509-367-1804	SMS	Outgoing	Ya well nobody pays attention to my house lol
2022/08/24	04:37:36 PM PDT	509-367-1804	SMS	Incoming	Well let me know when you pull that up on maps
2022/08/24	04:37:46 PM PDT	509-367-1804	SMS	Incoming	Or you could just send an address and I can look it up on maps myself
2022/08/24	04:39:42 PM PDT	509-367-1804	SMS	Incoming	I mean like what stores are nearby
2022/08/24	04:39:50 PM PDT	509-367-1804	SMS	Incoming	Or a park or something like that
2022/08/24	04:41:01 PM PDT	509-367-1804	SMS	Outgoing	Theres a store close to my house
2022/08/24	04:41:18 PM PDT	509-367-1804	SMS	Outgoing	its a [REDACTED] in moses
2022/08/24	04:41:18 PM PDT	509-367-1804	SMS	Incoming	What store
2022/08/24	04:41:31 PM PDT	509-367-1804	SMS	Outgoing	meet there? just lmk when ur there lol
2022/08/24	04:41:35 PM PDT	509-367-1804	SMS	Incoming	Yeah I think I know where that's at
2022/08/24	04:42:09 PM PDT	509-367-1804	SMS	Outgoing	Ok cool

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2022/08/24	04:42:59 PM PDT	509-367-1804	SMS	Incoming	I think it's actually close to where I'm going anyways LOL
2022/08/24	04:43:52 PM PDT	509-367-1804	SMS	Incoming	Okay call me when you get there
2022/08/24	04:44:00 PM PDT	509-367-1804	SMS	Outgoing	lol 😊
2022/08/24	04:44:19 PM PDT	509-367-1804	SMS	Outgoing	No lol im not walkin until ur there, lmk when u get there
2022/08/24	04:44:35 PM PDT	509-367-1804	SMS	Incoming	I'm like five blocks away from there now
2022/08/24	04:45:33 PM PDT	509-367-1804	SMS	Outgoing	Cool lmk when ur there 🌍
2022/08/24	04:46:39 PM PDT	509-367-1804	SMS	Incoming	Yeah I'm here
2022/08/24	04:50:09 PM PDT	509-367-1804	SMS	Incoming	Where are you
2022/08/24	04:50:28 PM PDT	509-367-1804	SMS	Outgoing	My aunts been gone and its hot af outside, can u just come here instead?
2022/08/24	04:51:13 PM PDT	509-367-1804	SMS	Incoming	?
2022/08/24	04:51:29 PM PDT	509-367-1804	SMS	Outgoing	like to my house lol
2022/08/24	04:51:47 PM PDT	509-367-1804	SMS	Incoming	I don't know where that's at
2022/08/24	04:52:10 PM PDT	509-367-1804	SMS	Outgoing	Lol ill give u my addy 😊
2022/08/24	04:52:20 PM PDT	509-367-1804	SMS	Incoming	I would need an address
2022/08/24	04:52:44 PM PDT	509-367-1804	SMS	Outgoing	[REDACTED]
2022/08/24	04:59:13 PM PDT	509-367-1804	SMS	Incoming	Hey do me a favor stand outside so that I know which one it is
2022/08/24	04:59:36 PM PDT	509-367-1804	SMS	Outgoing	ok how close r u?
2022/08/24	04:59:49 PM PDT	509-367-1804	SMS	Incoming	Not far
2022/08/24	05:00:04 PM PDT	509-367-1804	SMS	Outgoing	cool
2022/08/24	05:08:28 PM PDT	509-367-1804	SMS	Outgoing	test

Investigative Services Bureau Investigative Report



Throughout the conversation, LEONARD was well aware that I was 12 years old and even told me multiple times that there were creepy people online that I needed to be careful of. He stated we wanted the same thing and alluded to being with the UC 12-year-old female physically. During the course of the chats, LEONARD had multiple Google Duo calls with a UC officer. Google Duo is a video chatting platform. In one of the video chats, LEONARD told the UC 12-year-old female that he was going to bring her weed and spoke with her about cannabis. He said his penis was 7.5 inches long and wide. The UC said she did not want any diseases and LEONARD said he was clean. LEONARD said he was heading towards Moses Lake.

In the chats after that call, I asked LEONARD if he had condoms. He said of course he did, any man who is being careful and safe needed to have condoms. I asked if he was bringing them and he did not respond to that, instead started talking about his drive. I said I was scared it would hurt and he said that's where experience comes into play. I told him "R we gonna fuck or not? im getting confused" to which he replied that there was no need to be confused, think back on our conversation and I would know "what time it is" which I interpreted through our conversation and training and experience in working child exploitation cases to mean yes. He then asked to call again and conducted one last Google Duo phone call.

In the phone call, Leonard told the UC 12-year-old female, *"The answer to your last question is yes."* The UC asked if they were going to have sex and he shook his head yes. He then put his pinky up to the camera and pinky promised the UC 12-year-old that he would have sex with her.

He followed the UC's instructions to a pre-determined meet location in Moses Lake, WA. Once there, he agreed to go to the UC's residence to engage in sex acts there. Once at the residence, the UC officer stepped out on the front porch and spoke with LEONARD while he was seated in his vehicle. He then exited the vehicle and entered the UC residence. He was placed into custody without incident. It was clear that he went to the UC residence with the intention to engage in sex acts with who he thought to be a 12-year-old female minor.

A search incident to arrest revealed a cell phone on his persons along with a THC vape pen. I sent a test text to the cell phone, and it made a noise as if it had received a message but had no display. He was read his Constitutional Rights and agreed to be interviewed.

LEONARD had called the Moses Lake Police Department to report my profile online, saying he either thought it was a police sting or there was a real 12-year-old. I believe that this was in order to try to see if there was a UC operation going on to vet the UC 12-year-old. Once he was told there was no UC operation, he was more talkative in messages.

Prior to his arrest, it was discovered I had chatted with LEONARD in November of 2019 at a separate UC operation in Yakima, WA. In that operation, I was in the UC persona of a mother who was looking to have her 13 and 11-year-old daughters exploited. In those chats, LEONARD was on SKOUT under the name Jay. The pictures on his Skout account were of him. He used the phone number 509-676-6730 to communicate with me there. He said he had taken virginities before and will go slow and be gentle and patient with the 13 and 11-year-old minor children. He also said foreplay is very important. He then said it felt like a setup and he didn't want to go to prison.

LEONARD reported me to the police that operation as well in order to try to vet me and continued talking after he made the report. He eventually agreed to meet to engage in sex acts with the children but did not show up that time.

I declare under penalty of perjury under the law of Washington that the foregoing is true and correct.

Investigative Services Bureau
Investigative Report



OFFICER'S SIGNATURE <i>/s/ Jake Klein</i>	PRINTED NAME Jake Klein	LOCATION SIGNED Moses Lake, WA	DATE 08/24/2022
SUPERVISOR'S SIGNATURE <i>/s/ Jason Greer</i>	PRINTED NAME Jason Greer	LOCATION SIGNED Grant County	DATE 08/24/2022

Appendix 5:

Operational Cost Documents

Appendix 5

operation. The existence of the donation fund leads me to believe the legislature expected money to get donated and it would be spent on MECTF-related work.

Please let me know when a good time for all of us to meet might be.

Thank you

Captain Roger Wilbur
Washington State Patrol
Investigative Assistance Division
360-704-2391

From: Eggleston, Mike (WSP)
Sent: Tuesday, November 24, 2015 11:52 AM
To: Wilbur, Roger (WSP)
Subject: FW: MECTF donations in need of an Unanticipated Receipts packet to OFM.

Captain,

It is anticipated that Operation Underground Railroad (OUR), will be submitting a donation of \$30,000 for operation Net Nanny 2. Net Nanny 1 was conducted in late August and concluded in early September with a focus on targeting sexual predators seeking sex with children in the Kitsap County area. During that operation, OUR donated nearly \$20,000 which was used to rent two apartments, fund overtime for the 15+ detectives assigned to the six-day operation. The results of which netted nine sexual predator arrests.

Net Nanny 2 will focus on those that traffic in the exploitation of minors in the Tacoma area. The donation of \$30,000 will be used specifically to cover all overtime costs associated with the operation including the collection and extraction of the digital forensics, court overtime, and lodging resources needed for the operation. As with Net Nanny 2, the specific details are will remain confidential until the conclusion.

OUR- <https://ourrescue.org/> is an internationally based non-profit child advocacy group that has provided resources for operations throughout world combatting child exploitation and trafficking. Because the WSP MECTF unit is directed by RCW to solicit donations to support our mission of protecting exploited children, OUR has reached out to support our mission.

Thank you,

Lieutenant Michael Eggleston
Washington State Patrol, Investigative Assistance Division
Special Investigations Section, SWAT Commander
(360) 790-5960 mobile
(360) 704-2422 desk

"Service with Humility"

From: Wilbur, Roger (WSP)
To: [Drake, Randy \(WSP\)](#)
Cc: [Eggleston, Mike \(WSP\)](#)
Subject: RE: Net Nanny 2 roll-up
Date: Monday, December 21, 2015 4:32:11 PM

Yes sir, will look for a date in the future to get a meeting set up.

Thanks Chief,

Captain Roger Wilbur
Washington State Patrol
Investigative Assistance Division
360-704-2391

From: Drake, Randy (WSP)
Sent: Monday, December 21, 2015 4:31 PM
To: Wilbur, Roger (WSP)
Cc: Eggleston, Mike (WSP)
Subject: RE: Net Nanny 2 roll-up

Hi Roger,

Great work by MECTF! Thanks for sharing this info with me. I will be sure to pass it along to Chief Batiste. Once Carlos and the crew recover from all the follow-up that I'm sure is to come, I'd love to sit with all of you and talk about the future of this excellent initiative.

Wow!

Randy

From: Wilbur, Roger (WSP)
Sent: Monday, December 21, 2015 4:09 PM
To: Drake, Randy (WSP)
Cc: Eggleston, Mike (WSP)
Subject: Net Nanny 2 roll-up

Chief,

I've attached a brief synopsis of the arrests made during the Net Nanny 2 operation. In total, 10 physical arrests were made during the operational period (Tues, Dec 15 – Fri, Dec 18). Another convicted sex offender who corresponded during the operation should result in an additional arrest. In total, 11 arrests should result from Net Nanny 2 compared to the 9 arrests that were made during Net Nanny 1. This operation was a resounding success and I'm very proud of the MECTF coordination and execution of this operation.

Operation Underground Railroad (OUR) donated \$30k to fund Net Nanny 2. Not all \$30k was needed. Funds were used to; rent the house, purchase needed equipment for the operation

(printer), and fund hours of operation. OUR also provided food for all participants throughout the week. In the end, each suspect is facing Class A felony charges (multiple counts on some suspects) and the plea bargains start at 10 years in prison. Compared to other criminal cases that can take a year or longer, may result in a few years in prison, costs hundreds of man hours, and still only result in a single arrest, this is a significant return on investment. Mathematically, in only cost \$2500 per arrest during this operation! Considering the high level of potential offense, this is a meager investment that pays huge dividends.

We are already discussing future Net Nanny operations and planning for a minimum of 4 Net Nanny operations during 2016 around the state. Please let me know if you have any questions.

Resp,

Captain Roger Wilbur
Washington State Patrol
Investigative Assistance Division
360-704-2391

CFO Tevya on this email so that she will know the best way to send the \$10,000 from O.U.R. either through the donation link or wire method. We look forward to a very successful Net Nanny 5 operation, and hope that our donation will help you to remove child predators from the streets and rescue exploited children.

With best regards,

Matt

Matt Osborne

Senior Vice President for Rescue and Rehabilitation

Operation Underground Railroad

www.OURrescue.org<<http://www.OURrescue.org>><<http://www.OURrescue.org>>

[<http://dev.ourrescue.org/images/email-logo.png>]<<https://www.ourrescue.org/>>

On Mon, Jun 20, 2016 at 12:02 PM, Rodriguez, Carlos (WSP)

<Carlos.Rodriguez@wsp.wa.gov<mailto:Carlos.Rodriguez@wsp.wa.gov><mailto:Carlos.Rodriguez@wsp.wa.gov<mailto:Carlos.Rodriguez@wsp.wa.gov>>> wrote:

Matt,

Here is the link for the donation. It's streamlined a bit now. If this doesn't work then the wire method works, I just need a heads up so my office knows it's coming.

Detective Sergeant Carlos Rodriguez

Missing and Exploited Children Task Force

[\(360\)-972-4107](tel:%28360%29-972-4107)<tel:%28360%29-972-4107><tel:%28360%29-972-4107>

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Matt Osborne

Sent: Saturday, June 18, 2016 1:45 PM

To: Rodriguez, Carlos (WSP)

Cc: Tim Ballard; Jerry Gowen; Sylvia Ui'lani Matayoshi; Eggleston, Mike (WSP)

Subject: Re: O.U.R. support to Net Nanny 5

Hi Carlos (and Lt. Eggleston),

Greetings from O.U.R. We hope that you are able to find a bit of rest and downtime this weekend. We also hope that you will have a very successful Net Nanny 5 operation, and would like to do as much as we can to support you under our current budget constraints. We apologize that the timing of the NN5 operation comes at the same time we are heavily investing in a series of sting operations in Sutter County, California, during which we will be bringing in national media (CBS) to provide coverage.

I have run the numbers with our CFO, and we are able to offer a total of \$10,000 for NN5. Would you be able to put this funding to good use? After the hopefully successful completion of the operation and when WSP chooses to go public with the results, we would be very interested in any joint media appearances or availability that your PIO is able to work out.

If you are good with this, please let us know the best way to get you the funds early next week so that you can begin to

Kleis, Robin (WSP)

From: Rodriguez, Carlos (WSP)
Sent: Thursday, November 19, 2015 1:59 PM
To: Sylvia Ui'lani Matayoshi
Subject: Net-Nanny 2

Sylvia,

I want to thank you for O.U.R.'s continued support of MECTF and helping us fight Child Exploitation. As you already know the next operation is nearing and I wanted to update you on a few things and also request another donation for our next operation.

First off I wanted to tell you one of our suspects committed suicide several weeks ago. IT is still under investigation by Lewis County and I am not at liberty to discuss the details of that case. I can tell you that even though our suspect is deceased in that case, we are still following up on other matters in that case in order to identify potential victims. Currently we are doing our best to identify children that our suspects had access to.

Net-Nanny 2:

You still have our donation letter, which discussing how we use our donations. This donation would be used to conduct a similar operation in Pierce County. Without our last donation our operation would not have been such a success. There is no way we could have been able to run the operation for such a long time and get the results that we did. For this next operation we are going to run for 4 to 5 days straight. We will have a similar focus with this operation. We will be focusing on suspects that are selling **Code 3(a)**, offering to **Code 3(a)**, and soliciting to have sex with children. We will also follow up on leads to identify children that are being used to manufacture child pornography.

I have also reached out to Parella Lewis from Q13's Washington's Most Wanted. She wants to cover the operation as well as speak with someone from OUR. She has worked with us in the past and does great job. **Please send me the contact I need for your media section to set up time with Ms. Lewis.**

The donation we received from OUR on the last operation was used for overtime hours during the operation. The donation did not cover all of the overtime costs. We also didn't plan for the additional overtime we would incur from all of the digital media we collected and the additional search warrants we had to write. We wrote 31 search warrants for the first Net-Nanny case. That is on top of our normal case load.

We spent \$17,500 of the last donation on overtime during the operation for 9 detectives, the remainder of the \$20,000 was spent on housing and undercover phones. To date we have spent 136 hours on the digital media alone. In overtime hours that would be equivalent to just over \$9,000

I am requesting an additional \$10,000 for a total of \$30,000 for the next operation. This amount should be sufficient to cover the overtime during and after the operation. This will also help us to process the digital media, search warrants, and any other tasks necessary to get the cases completed and to the prosecutor in a more timely manner. This will help us with our current caseload as well as planning our next Operation.

Carlos

Detective Sergeant Carlos Rodriguez

Elwanger, Patricia (WSP)

From: Rodriguez, Carlos (WSP)
Sent: Tuesday, February 02, 2016 10:08 PM
To: 'Sylvia Ui'lani Matayoshi'
Cc: Eggleston, Mike (WSP); Wilbur, Roger (WSP); Garden, John (WSP)
Subject: Net-Nanny 3 -
Attachments: NN3 synopsis.doc; MECTF and OUR.docx

Sylvia,

I have attached two documents. One is a document on the Net-Nanny operations to date and what we have started/implemented with the donation you provided to MECTF (MECTF and OUR). The second document is a synopsis of the next operation (NN3 synopsis). I included the table below in the attachment:

Here is an estimate of hours we anticipate dedicating to the mission during the 4 days we are in the trap house:

Description	# of personnel	Regular hours	Estimated cost	Overtime Hours	Estimated cost
Law Enforcement personnel	24	1050	\$73,500	327 hours	\$24,852
Support Staff	2	80	\$2,400	20 hours	\$700
Prosecutors	3	96	-	-	-
Services	2	TBD	-	-	-
TOTALS:	31	1226 hours	\$75,900	347 hours	\$25,552

Other Costs

Description	costs	
Housing	\$2500-\$5000 dependent on the operation	
Supplies, small equipment (phones, minutes, etc.)	Approx \$500	

I used WSP wages for the costs listed above. **Unfortunately for WSP, our wages are significantly lower than other agencies in Washington State. That means the amounts listed above are much lower than the actual cost to run the mission since all participants are not WSP.** Even so, you can see we invest **over \$100,000 in that 4 day period.** These amounts do not include the hours spent before or after we are live at the trap house. We spend several weeks after we shut the operation down on follow-up, forensics, additional search warrants, etc.

The support you give us is used on the other costs and to support the WSP employees. This is the best way to make the donation last for a longer time since our wages are the lowest.

Detective Sergeant Carlos Rodriguez
Missing and Exploited Children Task Force

Appendix 6:

Brandon C. Pamon Appeal Opinion

Appendix 6

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

BRANDON CHRISTOPHER PAMON,

Appellant.

No. 83468-1-I

DIVISION ONE

UNPUBLISHED OPINION

CHUN, J. — The State charged Brandon Pamón with attempted rape of a child in the second degree, attempted promotion of commercial sexual abuse of a minor, and communicating with a minor for immoral purposes. After a bench trial, the trial court found Pamón guilty as charged. It imposed an exceptional downward sentence. Pamón appeals, contending that his defense counsel was ineffective for failing to raise an entrapment defense and, in the alternative, that the court's findings do not support its determination that he took a substantial step toward the commission of attempted promotion of commercial sexual abuse of a minor. For the reasons below, we affirm.

I. BACKGROUND

A. Facts

In August 2018, Pamón received a Facebook “friend request” from a profile with the name Samantha “Sam” Collins. Undercover Washington State Patrol (WSP) Sergeant Carlos Rodriguez managed Sam’s profile. Rodriguez used photos of WSP Trooper Jennifer Wilcox as photos of the fictitious Sam.

Some photos were edited with filters that made Wilcox appear younger. At the time, Rodriguez worked for the WSP Missing and Exploited Children's Task Force (MECTF), which conducts undercover operations—called “Net Nanny” operations—to identify sexual predators. Rodriguez testified that they targeted Pamon because, according to an FBI agent, Pamon had become Facebook friends with young girls.

Pamon accepted the friend request and messaged Sam, saying that he wanted to get to know her and that she was “hella gorgeous.” Sam asked for Pamon's age, and he said that he was 20 years old; after Sam expressed disappointment that he could not buy alcohol, he responded with his correct age of 28. During their text exchange, he suggested that he “come and pick [her] up” and Sam told him she was 13 years old. Pamon responded by trying to video chat with Sam, which attempt Sam ignored. Pamon continued to try to video chat with Sam throughout their text exchanges. He told Sam he “want[ed]” her and that she was “hella sexy.” A few days later, he asked Sam for a nude photograph and Sam sent him a photograph of Wilcox clothed. He told her he wanted to “f*** the s*** out” of her and mentioned sexual acts. During an exchange in which Sam alluded to her age by saying she thought her breasts would grow, Pamon responded, “How old are you and don't lie to me.” She said, “I already told u. 13” to which he replied, “I know when I'm going to see you.” Sam also mentioned that she “hustle[s] up in fed way sumtimes.”

Communication between the two temporarily ceased in September and about three weeks later, in October, Sam initiated communication. During the

exchange, Pamon said, “You know what I want to do to you” to which she replied, “make paper lol” and “fr lmk.” He responded, “Ya and I want to fuck you Hella bad.” Throughout their exchanges, Sam alluded to sex work by calling Pamon “daddy,” mentioning moving between multiple towns, and talking about “hustling” and “paper.”

In December, Wilcox, pretending to be Sam, and Pamon spoke on the phone. During the call, Pamon suggested that he could “sell” Sam and make “good money.” The two planned a meeting for December and Sam asked him to bring condoms. The meeting did not occur but the two continued to communicate. In later messages, Pamon asked Sam whether she was “ready to walk” and whether she would do “the track” for him—referencing the solicitation of sex customers on the street.

In January 2019, Pamon travelled by bus to meet Sam in Tacoma. While Pamon was travelling, Sam asked him, “u still wanna f*** me or just wanna make money or both?” and Pamon responded, “I want both.” Sam gave him an address, and when Pamon arrived at the house, law enforcement arrested him. He was carrying a condom and the phone used to communicate with Sam.

B. Procedural History

The State charged Pamon with attempted rape of a child in the second degree, attempted promotion of commercial sexual abuse of a minor, and communication with a minor for immoral purposes. His case proceeded to a bench trial.

During Rodriguez's testimony, defense counsel moved to have the State disclose exculpatory evidence in the form of Sam's Facebook account. The State responded that defense counsel did not interview Rodriguez and did not request Sam's account before trial despite knowing the case involved Facebook. The State then pointed out that Pamon had not asserted the affirmative defense of entrapment. Defense counsel later moved to amend Pamon's defense to include entrapment, which motion the State opposed as untimely. The court requested briefing on the issue. After the parties rested, the court suggested they could address entrapment in their closing and the State objected. Defense counsel agreed to waive the entrapment defense, noting that he was "sufficiently pleased" with the way things turned out.

During trial, defense counsel contended that Pamon did not believe Sam's stated age and thus did not have the requisite intent for the three charged crimes. Defense counsel argued that Pamon's repeated attempts to video chat with Sam were attempts to verify her age. The defense emphasized Pamon's comment to Sam telling her not to lie to him about her age. The defense noted that the unedited photos of Sam on her Facebook profile appeared to be of a person older than 13 years of age and that some of her language and behavior was unusual for a 13-year-old. The defense contended that Pamon planned to see Sam in person to verify her age when he was arrested.

The trial court found Pamon guilty as charged.

During sentencing, the court noted that the degree to which law enforcement targeted Pamon here was unusual compared to typical MECTF "Net

Nanny” operations. The court found by a preponderance of the evidence three mitigating factors justifying an exceptional downward sentence. The first mitigating factor was that law enforcement, as the “complaining witness,” was “to a significant degree, an initiator, willing participant, aggressor, or provoker of the incident.” The second mitigating factor was that “the Defendant, with no apparent predisposition to do so was induced by others to participate in the crime” and the court found there was no evidence Pamon had been “friending young girls” on Facebook. And the third mitigating factor was that “the Defendant’s capacity to appreciate the wrongfulness of his conduct, or to conform his conduct to the requirements of the law, was significantly impaired.” The court found that Pamon “has a compromised intellect” and that Sam “initiated discussions of commercial sexual exploitation.” The court sentenced Pamon to an indeterminate sentence of 96 months to life in prison.¹

The court entered the final judgment and sentence on March 27, 2020. Pamon appeals.

II. ANALYSIS

A. Ineffective Assistance of Counsel (IAC)²

Pamon says that his defense counsel provided ineffective assistance by failing to prepare, raise, and present an entrapment defense when the evidence

¹ Based on his criminal history, Pamon had an offender score of 9+, which led to a standard sentence range of 157.5–210 months to life in prison.

² The State contends that we must dismiss this appeal as untimely under RAP 5.2(a) because Pamon appealed his case more than 30 days after the entry of the final judgment and sentence. See State v. Molnar, 198 Wn.2d 500, 508, 497 P.3d 858 (2021) (“Generally speaking, a person seeking to challenge their conviction or sentence has 30 days in which to initiate a direct appeal.”). But a Division Two Commissioner

justified such a defense. The State contends that defense counsel pursued the most viable defense and that Pamon cannot establish prejudice. We conclude defense counsel did not perform deficiently.

We review de novo IAC claims. State v. Feely, 192 Wn. App. 751, 768, 368 P.3d 514 (2016). The Sixth Amendment to the United States Constitution and article I, section 22 of the Washington Constitution guarantee the right to effective assistance of counsel. State v. Vazquez, 198 Wn.2d 239, 247, 494 P.3d 424 (2021). “Courts indulge a strong presumption that the counsel is effective.” Id.

“To demonstrate ineffective assistance of counsel, a defendant must make two showings: (1) defense counsel’s representation was deficient, i.e., it fell below an objective standard of reasonableness based on consideration of all the circumstances; and (2) defense counsel’s deficient representation prejudiced the defendant, i.e., there is a reasonable probability that, except for counsel’s unprofessional errors, the result of the proceeding would have been different.”

Id. at 247–48 (quoting State v. McFarland, 127 Wn.2d 322, 334–35, 899 P.2d 1251 (1995)). The defendant bears the burden of establishing that defense counsel’s performance was deficient by showing “the absence of legitimate strategic or tactical reasons supporting the challenged conduct by counsel.” Id. at 248 (quoting McFarland, 127 Wn.2d at 336). “[W]e are highly deferential to the performance of counsel.” State v. Crawford, 159 Wn.2d 86, 98, 147 P.3d 1288 (2006). “A reasonable probability is a probability sufficient to undermine

addressed the issue and found grounds to extend the deadline for filing the notice of appeal and accepted it as timely. RAP 18.8 permits this, and we decline to dismiss the appeal on this basis.

confidence in the outcome.” Vazquez, 198 Wn.2d at 248 (quoting Strickland v. Washington, 466 U.S. 668, 694, 104 S. Ct. 2052, 80 L. Ed. 2d 674 (1984)).

RCW 9A.16.070 defines the entrapment defense as such:

- (1) In any prosecution for a crime, it is a defense that:
 - (a) The criminal design originated in the mind of law enforcement officials, or any person acting under their direction, and
 - (b) The actor was lured or induced to commit a crime which the actor had not otherwise intended to commit.
- (2) The defense of entrapment is not established by a showing only that law enforcement officials merely afforded the actor an opportunity to commit a crime.

The use of a “normal amount of persuasion” by law enforcement does not suffice for the defense. State v. Trujillo, 75 Wn. App. 913, 918, 883 P.2d 329 (1994).

The State can use a variety of evidence to prove intent, such as ready compliance with an illegal request, demonstrated eagerness to commit the crime, and substantial effort in investigating and arranging an illegal transaction. State v. Pleasant, 38 Wn. App. 78, 81, 684 P.2d 761 (1984); State v. Enriquez, 45 Wn. App. 580, 586, 725 P.2d 1384 (1986); Trujillo, 75 Wn. App. at 919. “[M]ere reluctance” to violate the law does not suffice to establish a lack of intent to commit the crime. Trujillo, 75 Wn. App. at 918. A defendant must prove entrapment by a preponderance of the evidence. State v. Lively, 130 Wn.2d 1, 13, 921 P.2d 1035 (1996).

Declining to present a defense that is unlikely to succeed³ is a legitimate

³ The State discusses this argument as a reason why Pamon fails to establish prejudice rather than a reason why defense counsel was not deficient. While we see how it relates to both elements of the IAC standard, we feel it is best addressed here. See State v. Classen, 4 Wn. App. 2d 520, 539, 422 P.3d 489 (2018) (holding that defense counsel was not deficient for not presenting a voluntary intoxication defense where one was unsupported by the evidence).

strategic choice.⁴ See Vazquez, 198 Wn.2d at 248 (noting that counsel is deficient if the record lacks a legitimate strategic reason for counsel’s conduct). And the entrapment defense was unlikely to succeed in this case. The second question in the entrapment analysis is whether Pamon lacked the intent to commit the charged crimes, and it appears he did not. Sam did target Pamon by sending him a friend request, unlike typical MECTF operations that involve putting out an ad for sexual encounters. But his eager and willing response to the opportunity to have sex with a 13-year-old, strongly suggests intent as to the rape charge. After Sam told him she was 13 years old, he made multiple sexual comments, including saying she was “hella sexy,” saying that he “want[ed]” her, saying that he wanted to “f*** the s*** out of” her, and asking her for nude photographs. See State v. Pouncy, No. 54670-1-II, slip op. at 19 (Wash. Ct. App. Nov. 30, 2021) (unpublished), <https://www.courts.wa.gov/opinions/pdf/D2%2054670-1-II%20Unpublished%20Opinion.pdf> (“there is no evidence that

⁴ Pamon says that the State mischaracterizes his counsel’s decision not to raise the entrapment defense as a strategic choice, and that the lack of an entrapment defense was instead the “inescapable result” of defense counsel’s failure to adequately investigate evidence before trial. Pamon contends that, had defense counsel performed an adequate investigation, counsel would have discovered the evidence Pamon contends supports an entrapment defense before trial, rather than during trial, allowing counsel to timely raise the defense. But this argument focuses on the subjective reason behind counsel’s decision not to raise an entrapment defense. Pamon cites no authority saying that the subjective reason behind defense counsel’s challenged behavior matters for our analysis. Instead, we review counsel’s decision not to raise entrapment based on an “objective standard of reasonableness.” Vazquez, 198 Wn.2d at 247–48 (quoting McFarland, 127 Wn.2d at 334–35). If Pamon contends that his defense counsel’s failure to investigate was objectively unreasonable, he fails to show such a failure prejudiced him, because we conclude that the evidence defense counsel eventually discovered during trial is unlikely to support a viable entrapment defense. See Vazquez, 198 Wn.2d at 247–48. So even if defense counsel had discovered the evidence before trial, it was unlikely to have affected the outcome.

law enforcement officers induced Pouncy to respond to the ‘Alexis’ profile or continue communicating with ‘Alexis’ after he learned she was only 13 years old”).⁵ These facts also support intent as to the communication with a minor charge. And Pamon travelled to meet Sam and arrived with a condom. See State v. Carson, No. 36057-1-III, slip op. at 9–10 (Wash. Ct. App. Oct. 2, 2018) (unpublished), https://www.courts.wa.gov/opinions/pdf/360571_unp.pdf.⁶ (holding that the defendant was not entitled to an entrapment defense where he travelled to meet the child and “showed his persistence by following the mother’s directions to first drive to a gas station before the mother would provide the home address” and arrived with condoms). Pamon emphasizes that after a three-week period of no communication, Sam, not Pamon, was the one to reach back out. But he showed no reluctance to continue communicating with her and make plans to see her.

As for the attempted promotion charge, Pamon contends that his lack of response to Sam’s initial comments about “hustl[ing]” shows a lack of intent to commit the crime. But after Sam raised the topic multiple times, he engaged and told her he could “sell” her and “make good money” and asked her whether she would do “the track” and was “ready to walk.” See Pleasant, 38 Wn. App. at 81 (noting the “defendant’s extensive knowledge of the customs and usages of the drug trade” in assessing predisposition); Enriquez, 45 Wn. App. at 586 (holding that the defendant “failed as a matter of law to make out a defense of

⁵ See GR 14.1(c) (“Washington appellate courts should not, unless necessary for a reasoned decision, cite or discuss unpublished opinions in their opinions.”).

⁶ See GR 14.1(c).

entrapment” where he eventually agreed to sell narcotics after an “informant repeatedly” suggested that he do so). Moreover, “mere reluctance” to violate the law does not suffice to conclude that Pamon lacked criminal intent. See Trujillo, 75 Wn. App. at 918. Because the entrapment defense was unlikely to succeed, Pamon’s defense counsel was not deficient in failing to prepare, raise, and present it.⁷

The State’s main argument on why defense counsel’s performance was not deficient is that his defense theory—that Pamon lacked intent because he did not believe Sam’s stated age—conflicted with the entrapment defense. Thus, the State concludes, it was a legitimate strategic choice to assert the defense it did instead of entrapment. But Pamon points out that this reasoning was rejected in State v. Arbogast, in which the court said that, while the entrapment defense conflicts with a defense that denies criminal conduct, it does not conflict with a defense that denies criminal intent. 15 Wn. App. 2d 851, 870, 478 P.3d 115 (2020), review granted, 197 Wn.2d 1007, 484 P.3d 1262 (2021).⁸

⁷ On appeal, the parties dispute Pamon’s burden of proof to show the elements of entrapment. The State contends it is preponderance of the evidence and Pamon contends that he need only show prima facie evidence. In so arguing, the parties cite authorities that address the burden of proof in the context of assessing whether a court erred by refusing to give a jury instruction on entrapment. But the question here is whether such a defense was likely to succeed, not whether the court erred by refusing to give jury instructions. To prevail on an entrapment defense, Pamon bears the burden of proving it by a preponderance of the evidence. See Lively, 130 Wn.2d at 13.

⁸ But see State v. Forler, No. 79079-0-I, slip op. at 13 (Wash. Ct. App. June 10, 2019) (unpublished), <https://www.courts.wa.gov/opinions/pdf/790790.pdf> (holding that the defense theory that the defendant lacked the requisite mens rea for attempted rape of a child and attempted commercial abuse of a child conflicted with an entrapment defense and that defense counsel was not deficient for choosing to pursue that defense theory instead of an entrapment defense); see GR 14.1(c).

Finally, Pamón contends that the fact that the trial court found by a preponderance of the evidence the mitigating factors that (1) law enforcement was “to a significant degree, an initiator, willing participant, aggressor, or provoker of the incident” and (2) “the Defendant, with no apparent predisposition to do so was induced by others to participate in the crime,” shows that the evidence supports the entrapment defense. But he cites no authority suggesting that we can look to a court’s findings on mitigating sentencing factors when assessing the viability of an affirmative defense. To the contrary, it appears we should not consider the court’s mitigating factor findings in assessing this issue. Cf. Lively, 130 Wn.2d at 16 (in the context of entrapment, stating, “This court will not conclude, however, that mitigating factors used to justify an exceptional sentence may be considered in evaluating whether there was sufficient evidence to submit an issue to a jury”); see also State v. Jeannotte, 133 Wn.2d 847, 852, 947 P.2d 1192 (1997) (referring to the lack of apparent predisposition mitigating factor as “failed entrapment”). Before closing, the court suggested such a defense may not be viable after reviewing entrapment case law saying, “And candidly, I think at this point there are some difficult issues, legal issues, that may obviate the need for oral argument about entrapment or not.” And its comments at sentencing and its sentence of 96 months to life suggest a belief in Pamón’s guilt.

Because we conclude defense counsel’s performance was not deficient, we decline to reverse Pamón’s convictions on IAC grounds.

B. Substantial Step

Pamon says the trial court's findings of fact do not support its determination that he took a substantial step toward committing the crime of attempted promotion of commercial sexual abuse of a minor. The State responds that substantial evidence supports the findings because Pamon asked Sam about "walk[ing]" for him, referenced "the track," and travelled to meet her. Pamon says that the court's "finding" that he took a substantial step is not a finding but a conclusion of law and that his sole contention is that the court's findings do not support it.⁹ We conclude that the court's findings support a determination that Pamon took a substantial step toward committing the crime of attempted promotion of commercial sexual abuse of a minor.

Following a bench trial, we limit our review to "whether substantial evidence supports the trial court's findings and whether the findings support its

⁹ Pamon assigns error to the portion of finding of fact 10 discussing the "substantial step" requirement and says the court mislabeled it. Pamon cites Department of Labor & Industries v. Lyons Enterprises, Inc., to argue that we should treat the finding as a conclusion and review it accordingly. 186 Wn. App. 518, 529–30, 347 P.3d 464 (2015), aff'd, 185 Wn.2d 721, 374 P.3d 1097 (2016) ("[I]f a conclusion of law is labeled as a finding of fact, then it will be treated as a conclusion of law and reviewed de novo."). But Washington courts have long held that whether conduct constitutes a substantial step is a question of fact. See, e.g., State v. Workman, 90 Wn.2d 443, 449, 584 P.2d 382 (1978) ("The question of what constitutes a 'substantial step' under the particular facts of the case is clearly for the trier of fact."); State v. Billups, 62 Wn. App. 122, 126, 813 P.2d 149 (1991) ("Whether conduct constitutes a 'substantial step' toward the commission of a crime is a question of fact."); State v. Wilson, 158 Wn. App. 305, 317, 242 P.3d 19 (2010) ("Whether conduct constitutes a substantial step is a question of fact."). Even if a determination that Pamon took a substantial step toward the commission of the crime is a conclusion of law, as reflected below, the court's findings support such a conclusion.

conclusions of law.” In re Dependency of Schermer, 161 Wn.2d 927, 940, 169 P.3d 452 (2007).

“A person is guilty of an attempt to commit a crime if, with intent to commit a specific crime, he or she does any act which is a substantial step toward the commission of that crime.” RCW 9A.28.020(1). “Attempt consists of two elements: (1) intent, and (2) a substantial step.” State v. Wilson, 1 Wn. App. 2d 73, 83, 404 P.3d 76 (2017). “The intent required is the intent to accomplish the criminal result of the base crime.” State v. Johnson, 173 Wn.2d 895, 899, 270 P.3d 591 (2012). “We look to the definition of the base crime for the requisite criminal result.” Id. “A substantial step is an act that is ‘strongly corroborative’ of the actor’s criminal purpose.” Id. (quoting State v. Luther, 157 Wn.2d 63, 78, 134 P.3d 205 (2006)). “Mere preparation to commit a crime is not an attempt.” Wilson, 1 Wn. App. 2d at 83. “But ‘[a]ny slight act done in furtherance of a crime constitutes an attempt if it clearly shows the design of the individual to commit the crime.’” Id. (alteration in original) (quoting State v. Price, 103 Wn. App. 845, 852, 14 P.3d 841 (2000)).

“A person is guilty of promoting commercial sexual abuse of a minor if he or she knowingly advances commercial sexual abuse or a sexually explicit act of a minor or profits from a minor engaged in sexual conduct or a sexually explicit act.” RCW 9.68A.101(1). A person “advances commercial sexual abuse of a minor” when they engage in any conduct “designed to institute, aid, cause, assist, or facilitate an act or enterprise of commercial sexual abuse of a minor.” RCW 9.68A.101(3)(a).

After trial, the court found that Sam and Pamon “discussed Sam working as a prostitute for [Pamon].” The court found that Pamon told Sam on the phone “I can sell you, make me some good money” and that it was “clear from the context of the telephone conversations that [Pamon] and Sam were talking about having sex together and Sam having sex with others to make [Pamon] money.” It also said, “Based on the hundreds of text messages, and the telephone calls, the court finds the overall context of the communication is that Sam would both engage in acts of sexual intercourse with [Pamon] and earn money for [Pamon] by engaging in acts of commercial sexual acts or prostitution.” Finally, it found that Pamon travelled to an address Sam provided while communicating with Sam “about sexual matters” and was arrested with a condom. The court determined that Pamon was guilty of attempted promotion of commercial sexual abuse of a minor because Pamon, with the intent to commit the base crime, took a substantial step toward commission of the crime.

Pamon distinguishes his case from two Washington cases about attempted promotion of commercial sexual abuse of a minor. In Johnson, the defendant asked undercover officers posing as minors if they wanted to work for him as a “ho,” explained what a “ho” does, told them what type of customer to seek, and instructed them to give earnings to him. 173 Wn.2d at 900. Johnson also tried to arrange training by “one of his experienced girls.” Id. The court held that “a rational trier-of-fact could conclude beyond a reasonable doubt that Johnson intended to both advance and profit from the sexual exploitation of two

women who claimed to be 17 years old and that he took a substantial step in that direction.” Id.

Pamon says that, unlike in Johnson, he did not make any particular plan with Sam for how, when, or where she should perform sex work or how much she should charge. He contends without such actions, simply discussing the idea with Sam and travelling to her location did not constitute a substantial step. But Johnson does not purport to establish a floor for what actions constitute a substantial step toward the commission of attempted promotion of commercial sexual abuse of a minor.¹⁰ The court’s findings support its determination that Pamon took such a substantial step. That he travelled to meet with Sam, taken in the context that he and Sam repeatedly “discussed Sam working as a prostitute”—making comments such as “I can sell you, make me some good money”—is “strongly corroborative” of his criminal intent. Johnson, 173 Wn.2d at 899; see also Wilson, 1 Wn. App. 2d at 85 (considering the “context of the relationship and the circumstances” in assessing a substantial step for an attempt crime).

We affirm.

Chen, J.

WE CONCUR:

Burns, J.

Mann, C.J.

¹⁰ The other case Pamon cites, State v. Smith, is an unpublished case with facts like those in Johnson, which similarly does not recognize a floor for what can be considered a substantial step. No. 67957-4-I (Wash. Ct. App. Mar. 11, 2013) (unpublished), <https://www.courts.wa.gov/opinions/pdf/678574.pdf>; see GR 14.1(c).

Appendix 7:

Craigslist Casual Encounters ad for NN#5

0683-16-CID 016-17191

CL seattle >
olympia >
personals >
casual encounters

Posted 2016-09-09 1:18am

Family Play Time!?!? - w4m

Mommy/daughter, Daddy/ daughter, Daddy/son, Mommy/son...you get the drift. If you know what I'm talking about hit me up we'll chat more about what I have to offer you.

reply by email:

r3ktd-
5773271264@pers.craigslist.org



• do NOT contact me with unsolicited services or offers

Appendix 8:

Sgt. Rodriguez Testimony on Harsh Sentences

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF THURSTON

STATE OF WASHINGTON,)
)
Plaintiff,)
)
vs.) No. 19-1-00354-34
)
QUENTIN MARCELL PARKER,)
)
Defendant.)

TESTIMONY OF DETECTIVE CRYSTAL POHL
AND SERGEANT CARLOS RODRIGUEZ

January 6, 2020

Olympia, Washington

Pages 1 through 100

Taken Before:

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1 BE IT REMEMBERED that on Monday,
 2 January 6, 2020, at 2000 Lakeridge Drive Southwest,
 3 Olympia, Washington, at 9:32 a.m., before THE HONORABLE
 4 JAMES DIXON, the following proceedings were had, to wit:

5 <<<<<< >>>>>>

6
 7
 8 THE COURT: Ms. Zhou, does the State
 9 have another witness?

10 MS. ZHOU: Yes, Your Honor. The State
 11 would like to recall Crystal Pohl.

12 THE COURT: Good morning.

13 DETECTIVE POHL: Good morning.

14 THE COURT: If you would be kind
 15 enough, please, to stop right about there and raise your
 16 right hand.

17 CRYSTAL POHL, having been first duly sworn,
 18 testified as follows:

19 THE COURT: Welcome again. Please
 20 have a seat in the witness chair.

21 Ms. Zhou, you may inquire.

22 DIRECT EXAMINATION

23 BY MS. ZHOU:

24 Q Good morning. Please state your name and spell your last
 25 name for the record.

1 EXAMINATION INDEX

2 EXAMINATION OF:	PAGE NO.
3 Detective Crystal Pohl	
4 Direct by Ms. Zhou	4
5 Voir Dire by Mr. Karlsvik	11
6 Direct Continuing by Ms. Zhou	13
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8 Redirect by Ms. Zhou	26
9 Recross by Mr. Karlsvik	29
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17 EXHIBIT INDEX

18 EXHIBIT NO.	DESCRIPTION	PAGE NO.
19 State's Exhibit No. 1	Admitted.	10
20 State's Exhibit No. 2	Admitted.	12
21 State's Exhibit No. 3	Admitted.	12

1 A Crystal Pohl, P-o-h-l.

2 Q And how are you employed?

3 A A detective with the Washington State Patrol.

4 Q Okay. In what unit?

5 A I'm assigned to the high-tech crime unit.

6 Q Okay. What are some of your responsibilities as part of
 7 the high-tech crime unit?

8 A You investigate cases, do computer or digital forensics,
 9 and assist with all types of investigations, including
 10 undercover investigations that involve child.

11 Q Okay. And, Detective Pohl, how long have you been
 12 employed with the Washington State Patrol?

13 A Twenty-three years.

14 Q Okay. And in February of 2019, did you participate in
 15 the Net Nanny Operation No. 15 that was in Thurston
 16 County, Washington?

17 A I did.

18 Q Okay. And during that operation, were you in contact
 19 with someone by the name of Quentin Parker?

20 A Yes.

21 Q Okay. And in what capacity did you come into contact
 22 with Mr. Parker?

23 A I was the undercover mother during -- mother and daughter
 24 during the texting part of the communication.

25 Q Okay. When you say "texting," you mean through

1 MS. ZHOU: Okay. No further
2 questions.
3 THE COURT: Thank you, Ms. Zhou.
4 Mr. Karlsvik, cross-examination?
5 CROSS-EXAMINATION
6 BY MR. KARLSVIK:
7 Q You've been with the State Patrol since '96; is that
8 right?
9 A Actually, since '93 when I was in clerical position and
10 then in '95 I went to the State Patrol Academy.
11 Q You finished up and started -- after the academy, you
12 finished up sometime in '96?
13 A Yes, sir.
14 Q When did you become a member of MECTF?
15 A It was in 2012.
16 Q Okay. Because I thought I heard you mention earlier that
17 you'd been doing the Net Nanny operation since 2011. Did
18 I miss --
19 A 2015.
20 Q Okay.
21 A If I said 2011, that was incorrect.
22 Q Maybe I heard that wrong. Okay. So when you started
23 with the State Patrol in the MECTF in 2012, it was
24 another three years before you started doing Net Nanny;
25 right?

1 A It was in August of 2015.
2 Q Okay. So most of the cases that you did were
3 peer-to-peer cases; is that right?
4 A No. There were peer-to-peer cases. They were cases
5 similar to the premise of Net Nanny, but it was for real.
6 Someone, maybe a parent, saw someone communicating with
7 their child.
8 We'd assume that child's identity, continue to talk
9 to the person. And sex trafficking type of operations,
10 we all do those as well.
11 Q Okay. Would you say that the majority of your cases were
12 the peer-to-peer type, I think in your words, interview
13 where an actual rape had occurred, that kind of thing?
14 A Well, peer-to-peer -- yes. Peer-to-peer is the rape of a
15 child. It doesn't mean that we're -- well, could be rape
16 of a child.
17 Doesn't mean that we're investigating the person
18 conducting the rape because oftentimes you don't know
19 where that activity occurred or who the people are.
20 So it would be you're investigating the people who
21 are trading those images or possessing them.
22 Q From 2012 when you started MECTF until 2015 to the first
23 Net Nannies, how many children did you rescue while you
24 were working with MECTF?
25 A So when I started at MECTF, I know that there were -- it

1 wasn't -- it wasn't a lot. We didn't rescue a lot of
2 kids.
3 Q Okay. Would the number four ring a bell?
4 A That could be -- that could be the number. I know it was
5 a small amount. Rescued more once we started the
6 proactive operations.
7 Q Okay. And that was done -- you had attended some sort of
8 training and you'd learned about these sting operations
9 at the training I think you called it -- where did I put
10 that? -- Fox Valley? Is that where you learned about
11 that or did I --
12 A No. It was Shared Hope.
13 Q Shared Hope. Okay.
14 A Yes, sir.
15 Q And where did that training take place?
16 A That was in Washington, D.C.
17 Q In 2015?
18 A It was -- it may have been 2015. It could have been
19 2014, maybe even end of 2013, because that conference was
20 the end of -- it was generally in October, November in
21 D.C. at the time, and I'm not sure the first year that we
22 went.
23 Q Were you the head of MECTF at that time when you went?
24 A Yes, I was.
25 Q Okay. And you were sergeant?

1 A Yes, sir.
2 Q But detective sergeant could be a detective? Is that how
3 you --
4 A So when you're assigned to a task force that -- where you
5 do detective work or investigative work, you get the
6 title detective, so I was detective sergeant.
7 Q Okay. Can a trooper become a detective?
8 A Yes. All detectives are troopers in the State Patrol.
9 Q Okay. What I was referring -- maybe I should be clearer.
10 You went through the hierarchy of the State Patrol
11 with Ms. Zhou. You went from bottom up, from cadet to
12 trooper, sergeant to lieutenant.
13 So can any of those be detectives?
14 A Detectives and sergeants.
15 Q Detectives and sergeants?
16 A Excuse me. Troopers and sergeants.
17 Q Okay. Thank you. So -- all right. You had a lieutenant
18 that was overseeing -- overseeing but not assigned to
19 MECTF. Who was that?
20 A Well, I had in the beginning it was Lieutenant -- who is
21 now captain, but at the time it was Lieutenant Ron Mead,
22 and then he was promoted, and then it was Lieutenant Mike
23 Eggleston. He went on to another section. He is now
24 retired.
25 Then it was Lieutenant James Mjor. He promoted to

1 that progressed, it mainly went to, what I was told,
2 training and equipment.
3 Q Who pays your paycheck now?
4 A Washington State Patrol.
5 Q What about the FBI?
6 A They don't pay my paycheck anymore.
7 Q Do they pay you overtime?
8 A The -- so the State Patrol has an agreement with the FBI
9 to reimburse overtime when I was actively in MECTF as
10 part of the Child Exploitation Task Force with the FBI.
11 They reimbursed the State Patrol for some of that money.
12 But I didn't get that directly. That's something my
13 budget and fiscal office handles.
14 Q Okay. Thank you.
15 You mentioned that your undercover persona details
16 with children -- fictitious children age 13 and younger;
17 right?
18 A Yes.
19 Q Okay. Now, isn't that just the age, 13 and under, where
20 you can -- if your operation goes as you planned, that
21 you can get someone on a first or second degree attempted
22 rape of a child versus a third degree?
23 MS. ZHOU: Objection. Relevance.
24 THE COURT: Overruled.
25 A That -- you can do that. But that isn't the only reason

1 why we pick those ages.
2 Q (By Mr. Karlsvik) Okay. Let me ask you this a little
3 more clearly.
4 Was the reason you picked that age to heighten the
5 amount of potential penalty if someone gets caught in
6 this sting?
7 A Like I said, the reason why we pick that -- there are
8 multiple reasons.
9 Q Is that one reason?
10 A One reason is, we have limited resources, so we do want
11 to focus on the more egregious crimes, which is the AROC
12 1 and AROC 2.
13 Q Thank you.
14 You talked about a safety plan provided to the
15 lieutenant, but you also talked about buy-in meetings
16 with the particular law enforcement agencies. Do you
17 recall talking --
18 A Yes, sir.
19 Q So on Net Nanny 15, you did not do a buy-in meeting with
20 the local law enforcement; is that right?
21 A Correct.
22 Q And that's because you had done a previous Net Nanny
23 operation?
24 A Correct. I just called the contacts I had, and they all
25 wanted to do another op, so we did.

1 Q Would -- the buy-in meeting, if you had one, would that
2 include what you've referred to as the profile and not
3 the ad, as I've been talking about?
4 A No.
5 Q Who would have oversight, if anybody, on this profile you
6 put together?
7 A Well, when you work in an undercover capacity, you have
8 to go through certain training. The training that --
9 well, you don't have to if you do it incorrectly [sic],
10 but we do it per ICAC standards.
11 So we -- everyone who puts together those profiles
12 has gone through training provided by them to communicate
13 in an undercover capacity online.
14 So that's where you learn how to put together those
15 profiles based on your experiences and the training. So
16 that's who -- that's how those are put together, and then
17 you have to abide by those guidelines as long as -- as
18 well as your own agency's.
19 Q So in Net Nanny 15, who, if anybody, okayed the profile
20 that you used?
21 A I did.
22 Q Okay. No one above you?
23 A No.
24 Q Did you discuss that profile with Detective Pohl?
25 A It's a profile that I've used for many operations, so I'm

1 sure at some time or another probably used the same or
2 similar profile.
3 Q Isn't it true that in other operations you've added the
4 notations "no role-play"?
5 A When I placed ads, yes.
6 Q Okay. You didn't do that in this case?
7 A I did not put that in my About Me section.
8 Q Okay. Thank you.
9 So you talked about in Mr. Parker's case here your
10 training on the Skout application; right?
11 A I talked about my experience. I have not received any
12 formal training on Skout.
13 Q You received informal training, though, didn't you, from
14 a suspect?
15 A Oh, yes.
16 Q When was that?
17 A Oh, that would have been in -- 2015 was when I first
18 learned about Skout.
19 Q And it was -- and that's the only training that you've
20 had other than just learn by doing?
21 A Yes, sir.
22 Q So you've been using Skout -- as of the date of this
23 operation, you'd been using Skout for, what, multiple
24 years?
25 A No. So when I first learned about it with reference to

Appendix 9:

Net Nanny Charges

Net Nanny – Crimes

- **RAPE CHILD 1 RCW 9A.44.073**
 - Sexual Intercourse
 - Child under age 12
 - Defendant 24+ months older
- **RAPE CHILD 2 RCW 9A.44.076**
 - Sexual Intercourse
 - Child age 12 to age 13, 364
 - Defendant 36+ months older
- **RAPE CHILD 3 RCW 9A.44.079**
 - Sexual Intercourse
 - Child age 14 to age 15, 364
 - Defendant 48+ months older

Net Nanny – Crimes

CRIMINAL ATTEMPT RCW 9A.28.020

Intent to commit specific crime
Substantial step toward commission

“Conduct that strongly indicates a criminal purpose
and that is more than mere preparation”

If conduct constitutes an attempt to commit a crime, it
is no defense that the completed crime was factually or
legally impossible



Net Nanny – Crimes

COMMERCIAL SEXUAL ABUSE OF A MINOR RCW 9.68A.100

1. Give anything of value
To a Minor (Under Age 18) or a third person
As compensation for Sexual Conduct (Intercourse or Contact)
with the minor
2. Provide or agree to provide anything of value
To a Minor or a third person
Pursuant to an understanding that in return the minor will
engage in sexual conduct
3. Solicit, Offer, or Request to engage in sexual conduct
With a Minor
In return for anything of value

Appendix 10:

ICAC Operational and Investigative Standards

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Internet Crimes Against Children Task Force Program

OPERATIONAL AND INVESTIGATIVE STANDARDS

ICAC Task Force Program Operational and Investigative Standards
FOR ICAC PURPOSES ONLY
Revised: October 1, 2018

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Definitions of Terms

Applicability of Terms

Although some of the definitions below may be generally applicable to law enforcement, they are intended for use in the interpretation of these *Standards*. As such, where any term defined below is capitalized in these *Standards*, the *Standards* are referring to that term as defined below. By contrast, where any term defined below is not capitalized in these *Standards*, the *Standards* are referring to that term as it is used generally in the field of law enforcement. Additionally, the capitalized terms have been italicized to ease their recognition.

“**Affiliate**” or **Affiliate Agency**” is an agency that is working with a *Lead Agency* as part of a regional or state ICAC *Task Force*. An *Affiliate* has agreed in writing to adhere to these *Standards*.

“**Authorized Personnel**” are *Members* who themselves lack powers of arrest but have been authorized by their respective agency to participate in *Investigations* and are being supervised by *Sworn Personnel*.

“**Commander**” is the *Member* of a *Lead Agency* who has been designated by that *Lead Agency* and recognized by *OJJDP* as the leader of the corresponding *Task Force*.

“**CEOS**” is the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice.

“**Contraband Image**” is a visual depiction in any form (including printed/digital or video) of child sexual exploitation as defined by federal and/or state statute.

“**Crime**” is any offense (or group thereof) that involves (or involve) the exploitation/victimization of children facilitated by technology.

“**CVIP**” is the Child Victim Identification Project operated by NCMEC.

“**CyberTipline**” is a reporting mechanism operated by NCMEC that allows for the reporting of suspected *Crimes*.

“**Deconfliction**” is a process whereby *Members* are able to submit *Investigative* information to each other and/or to ICAC-related databases in order to determine whether other *Members* or other law enforcement agencies have information concerning the same targets or *Crimes*.

“**DOJ**” is the United States Department of Justice.

“**Employee**” is a sworn or compensated individual, or any individual working under the direction and control of a law enforcement agency.

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“**Equipment**” is any article, device or resource, including but not limited to computers, phones, online accounts and internet services which are purchased or obtained for use in ICAC-related matters.

“**ICAC Program**” is the Internet Crimes Against Children Task Force Program, a national program composed of state and regional *Task Forces* administered by *OJJDP*.

“**Investigation**” is an investigation into a *Crime*. Likewise, “*Investigate*” “*Investigating*” and “*Investigative*” are used within the same context.

“**Investigative Persona**” – any identity established or created by an *Employee* to aid an *Investigation*.

“**Investigator**” is a *Member* who is a part of the *Sworn Personnel* of a *Task Force*.

“**Lead**” or “**Lead Agency**” is the law enforcement agency that receives the ICAC grant and is designated by *OJJDP* to act as the *Lead Agency* for the corresponding *Task Force*.

“**Member**” is a *Lead* or *Affiliate Agency’s Employee* who is either *Sworn Personnel* or *Authorized Personnel* and who has been designated to work on ICAC-related matters for his/her respective agency and *Task Force*.

“**National Initiative**” is any proposal that relies on the cooperation and resources of a significant number of *Task Forces* and, accordingly, has been approved by *OJJDP*.

“**NCMEC**” is the National Center for Missing and Exploited Children.

“**OJJDP**” is the Office of Juvenile Justice and Delinquency Prevention within the *DOJ*.

“**Supervisor**” is a *Member* who has been designated by his/her respective agency to supervise *Investigations* and other ICAC-related matters.

“**Standards**” are all of the provisions of these, the ICAC Operational and Investigative Standards.

“**Sworn Personnel**” are *Members* with powers of arrest.

“**Task Force**” is the *Lead Agency* and their *Affiliate(s)* (combined) as designated by *OJJDP* for a particular state or region.

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1. Purpose of the ICAC Standards

These *Standards* are established by *OJJDP* to guide the administration and operation of the *ICAC Program* and its *Members* when working on ICAC-related *Investigations* and matters.

Members should make every reasonable effort to comply with these *Standards*. However, since many aspects of *Investigations* are dynamic and because laws vary widely between jurisdictions, it is difficult to anticipate every circumstance that might present itself. Thus, reasonable deviations from these *Standards* may occur depending upon various factors (e.g., emergency situations; timing constraints; accessibility constraints; resource constraints; technology constraints; perceived conflicts between the *Standards* and statutes, decisional law, and court orders; etcetera).

Commanders may supplement, but not contradict, these *Standards* in the written agreements they establish with their *Affiliates* to promote the effective operation of their *Task Forces*. Should questions regarding the interpretation of these *Standards* arise or conflicts occur between these *Standards* and agency policies or law, the *Commander* faced with the issue shall seek the guidance of an *OJJDP* Program Manager. However, nothing in these *Standards* is meant to interfere with a *Commander's* or *Supervisor's* lawful tactical decision-making.

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2. ICAC National Program

2.1 Mission of the ICAC Program

The Internet Crimes Against Children (ICAC) Task Force Program helps state and local law enforcement agencies develop an effective response to technology-facilitated child sexual exploitation and internet crimes against children. This support encompasses forensic and *Investigative* components, training and technical assistance, victim services, prevention and community education.

2.2 ICAC Background

The Internet Crimes Against Children (ICAC) Task Force Program was developed in 1998 in response to the increasing number of children and teenagers using the internet and other technology, the proliferation of child sexual abuse images available electronically, and the heightened online activity by predators seeking unsupervised contact with potential underage victims.

The *ICAC Program* is a national network of 61 coordinated task forces representing more than 4,500 federal, state, and local law enforcement and prosecutorial agencies. These agencies are engaged in both proactive and reactive investigations, forensic examinations, and criminal prosecutions. By helping state and local agencies develop effective, sustainable responses to online child victimization – including responses to child sexual abuse images (*Contraband Images*), the *ICAC Program* has increased law enforcement's capacity to combat technology-facilitated crimes against children at every level.

Because arrests alone cannot resolve the problem of technology-facilitated child sexual exploitation, the *ICAC Program* is also dedicated to training law enforcement personnel, prosecutors and other professionals working in the ICAC field, as well as educating parents, youth, and the community about the potential dangers of online activity including online child victimization.

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3. Oversight of the ICAC Program

3.1 The oversight of the *ICAC Program* and the administration of ICAC grants are the responsibility of *OJJDP*. The oversight of each *Task Force* falls to its *Commander*. The oversight of each agency, both *Lead* and *Affiliate*, falls to its designated *Supervisor*.

3.2 *Commanders* shall ensure there are supervisory systems and protocols in place that provide for observation, documentation, and review of ICAC activity. Said systems shall comply with the principles of quality case management and shall ensure that ICAC activities comply with agency policies and these *Standards*.

3.3 *Commanders* shall ensure that each *Member* in his/her *Lead Agency* and each *Supervisor* of an *Affiliate Agency* receives a copy of the *Standards*.

3.3.1 *Supervisors* shall have the discretion to provide *Members* with only the sections of the *Standards* applicable to their job functions.

3.4 *Commanders* shall submit all proposed *National Initiatives* to *OJJDP* prior to the start of the project.

3.4.1 *OJJDP* may suggest amendments to the original proposal following consultation with the presenting *Commander* and, as appropriate, other federal, state, and local entities.

3.5 *Supervisors* shall inform their *Members* about departmental employee assistance programs and *Task Force* resources available to them.

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4. Selection and Retention of Task Force Members

4.1 When practicable during the selection process of *Members*, *Commanders* and *Supervisors* shall evaluate prospective candidates for work histories that indicate prior *Investigative* experience, courtroom testimony skills, technical knowledge and ability, an ability to prudently handle sensitive information, a genuine interest in the protection of children, and an understanding of the effects that *Members* may experience when exposed to *Contraband Images*.

4.2 *Commanders* and *Supervisors* shall acknowledge the potential effects of *Investigations* of and exposure to *Contraband Images* and recognize that the viewing of *Contraband Images* should be restricted. When practicable, the following techniques may help mitigate some of the potential negative effects of this work may aid with the retention of *Members*:

- **Work flexibility** - *Commanders* and *Supervisors* are encouraged to allow flexibility for *Investigators* and others who are exposed to *Contraband Images* (e.g., frequent breaks, having an open-door policy, etc.).
- **Exposure to *Contraband Images*** - *Commanders* and *Supervisors* are encouraged to implement best practices which minimize the exposure to *Contraband Images* by *Members*.
- **Mental Health Providers (MHP)** - In compliance with their agency guidelines, *Commanders* and *Supervisors* are encouraged to work with MHP to make recommendations for care of *Members* and to provide education and training designed to minimize the impact of exposure to *Contraband Images*.
- **Impact of *Contraband Images*** - *Commanders* and *Supervisors* are encouraged to share or pursue best practices for minimization of the impact of *Contraband Images* and to promote attendance at trainings regarding methods used to minimize said impact.

4.3 *Commanders* and *Supervisors* shall recognize that ICAC *Investigations* typically focus on child sex offenders who have committed serious state or federal crimes and due to this life-changing event, the impact on these offenders can result in a violent response to authorities.¹

¹ FBI's Investigation Behavioral Analysis Unit's Operational Safety Considerations While Investigating Child Sex Offenders, A Handbook for Law Enforcement, Volume 1, March 2012.

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5. Training

Ensuring that personnel are well-trained in conducting effective *Investigations* in a manner consistent with applicable laws is integral to the *ICAC Program*.

5.1 All national training curricula supported by *ICAC Program* resources shall be conducted consistent with the *Standards* and shall be approved by *OJJDP*.

5.2 Commanders shall ensure that nominees to attend any *ICAC Program*-sponsored national in-person training event are current *Members*.

5.3 Individual *Task Forces* may develop and deliver *Task Force* specific training. This training shall comply with the *Standards* and shall be approved by the *Commander*. All costs to develop and deliver the training shall be the responsibility of the *Task Force* or *Affiliate* providing the training.

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6. Case Management

6.1 *Commanders and Supervisors* are responsible for determining *Investigative* priorities and selecting cases for *Investigation* in their respective agencies. Those determinations shall include an assessment of victim risk, jurisdiction, known offender behavioral characteristics, and the likelihood of securing the information necessary to pursue each *Investigation*.

6.2 Conventional boundaries often are meaningless in today's digital world where the usual constraints of time, place, and distance lose their relevance. These factors increase the possibility of *Lead* and/or *Affiliate Agencies* targeting other law enforcement personnel, *Investigating* the same target, or inadvertently disrupting an ongoing *Investigation*. To foster effective case coordination, collaboration, and communication, each *Member* shall make every effort to *Deconflict* all active *Investigations*.

6.3 *Lead* and *Affiliate Agencies* shall be subject to their respective agency's incident reporting procedures and case supervision systems. At a minimum, a unique identifier shall be assigned to each case.

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7. Task Force Reporting Requirements to OJJDP

7.1 The reports described below do not replace the semi-annual progress report required by the Office of Justice Programs' Financial Guide.

7.2 *Commanders* shall compile and submit a Task Force Monthly Performance Measures Report to the *OJJDP*-designated location before the end of the following calendar month.

7.2.1 *Affiliates* shall report their activity to their respective *Commander* by the 10th of each month using the ICAC Monthly Performance Measures Report.

7.3 *Commanders* shall compile and submit an annual report which details each of their *Affiliates*. This annual report shall be submitted within 30 days of the end of the calendar year. The report shall be submitted in a method determined by *OJJDP* and shall include the following information:

7.3.1 The name of each *Affiliate Agency*.

7.3.2 The staffing level of each *Affiliate Agency* including the number of *Investigators*, prosecutors, education specialists, and forensic specialists dedicated to *Investigating* and prosecuting *Crime*.

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8. Investigations

8.1 *Investigations* shall be conducted in a manner consistent with applicable laws and the ICAC *Standards*.

8.2 Only *Sworn Personnel* shall conduct *Investigations*.

8.2.1 *Authorized Personnel* acting under the direction and supervision of *Sworn Personnel* may participate in *Investigations*.

8.2.2 *Members* shall not approve, condone, encourage, or promote cyber-vigilantism by private citizens. As such, *Members* shall not use unauthorized private citizens to proactively seek out *Investigative* targets.

8.2.3 The above section (8.2.2) shall not preclude the use of information related to a *Crime* provided by victims or public citizens who discover evidence (e.g., CyberTip reports, mandated reports from professionals, computer repair shop complaints, parental complaints, et cetera). Nor does it preclude the use of authorized over-hears or other similar *Investigative* methods designed to further an *Investigation*.

8.3 *Investigations* shall be documented. Any departures from this provision due to unusual or exigent circumstances shall be documented in the relevant case file and reviewed by the *Supervisor*.

8.3.1 The access, retention, storage, security, and disposal of *Investigative* or case information shall be consistent with the subject agency's policies and federal and state law regarding same.

8.4 *Members* shall not electronically upload, transmit, or forward any *Contraband Images*.

8.4.1 **Exception to Section 8.4.** Section 8.4 shall not prohibit the transfer of evidence between *Investigators* as provided for by sections 8.9 and 8.10 of these *Standards* nor does it prohibit the submission of *Contraband Images* to CVIP as provided for by section 10.1 of these *Standards*.

8.5 *Members* shall not use any visual depiction of any type (including a manipulated or electronically generated visual depiction) of any person, purported person, or body part of a person or purported person, with the sole exception that a *Member* may use a visual depiction as a representation of an *Investigative Person*/person/purported person when the following **four** requirements are met:

- (1) The visual depiction is of an actual person;
- (2) That person is an *Employee*;

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(3) The *Employee* has given his or her written consent for the visual depiction to be used; and

(4) The *Employee* was at least 18 years old at the time when the *Employee* gave consent for such use. The visual depiction may be of the *Employee* that was produced when the *Employee* was under the age of 18. The visual depiction may also be modified to suit *Investigative* needs (*i.e.*, it may be an altered or age-regressed visual depiction of the *Employee*).

8.5.1 **Exception to Section 8.5.** Section 8.5 does not prohibit a federal or federally-approved *Member* (*e.g.*, an FBI/HSI agent, or an FBI/HSI Task Force Officer) from using a visual depiction that does not meet the four requirements of Section 8.5, so long as the visual depiction is one that has been authorized for use by the FBI or HSI in accordance with that respective federal agency's guidelines and the visual depiction is being used pursuant to those guidelines.

8.6 Absent prosecutorial input to the contrary, during online dialogue, *Investigators* shall allow the *Investigative* target to set the tone, pace, and subject matter of the online conversation.

8.6.1 Section (8.6) shall not be construed to prohibit *Investigators* from performing any of the following activities when initiating or conducting an *Investigation*: (a) posting information including visual depictions (image or video/printed or digital) to establish an online presence, (b) placing or posting advertisements, or (c) sending messages.

8.6.2 *Members* shall familiarize themselves with relevant state and federal law, including but not limited to those regarding the defense of entrapment, and shall confer with prosecutors, as needed.

8.6.3 Prior to conducting any large-scale (multi-target) operations, *Members* shall notify the *Commander* and shall consult relevant prosecutors about the operation.

8.7 The examination of digital storage devices shall be performed consistent with the subject agency's protocol.

8.8 *Contraband Images* shall be maintained pursuant to the subject agency's policy.

8.8.1 Absent a court order specifically ordering otherwise, evidence containing *Contraband Images* shall not be released to any defendant or representative thereof.

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8.9 Absent exigent circumstances, all *Members'* case referrals between *Task Forces* shall include:

- Notification to and acceptance by the *Commander(s)* of both *Task Forces* that are involved in the referral;
- A secure (i.e., digitally-protected) copy of the case file;
- An official *Investigative* report or affidavit containing case details; and,
- Documentation, preferably the original, of all legal process conducted and all compliance with same, especially those documents related to the issue of jurisdiction and identification of suspect(s).

8.10 Law enforcement transfers of evidence containing *Contraband Images* shall be done in a secure manner.

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9. Work Environment and Equipment

9.1 *Investigations* shall be conducted in an approved work environment, using approved *Equipment*, as designated by a *Commander* or *Supervisor*.

9.2 *Commanders* and *Supervisors* are encouraged to provide a work environment that provides for discreet and sensitive *Investigations* while simultaneously minimizing chances of inadvertent or unnecessary exposure to *Contraband Images*.

9.3 *ICAC Equipment* shall be reserved for the exclusive use of its *Members*, and shall be used in accordance with these *Standards* and with their respective agency's policies.

9.4 When practicable, *Equipment* which may be used in undercover aspects of an *Investigation* shall be purchased covertly.

9.5 No personally-owned equipment, accounts or networks shall be used in *Investigations*.

9.6 Software shall be properly acquired and licensed.

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10. Victim Identification

10.1 Identifying child victims of *Crime* is a critical element of the *ICAC Program*. *DOJ* and *OJJDP* require the *Lead* and *Affiliate Agencies* to submit *Contraband Images* to CVIP as a means to improve child victim identification. Absent exigent circumstances, *Contraband Images* shall be sent to CVIP pursuant to NCMEC's standards regarding same. In addition, *Lead* and *Affiliate Agencies* are encouraged to collaborate with NCMEC in their effort to identify children depicted in *Contraband Images*.

10.2 Absent exigent circumstances, victim-identifying information shall be protected from public disclosure pursuant to the protections set forth in federal and state law.

10.3 *Lead* and *Affiliate Agencies* shall adhere to local, state, and federal laws, as well as their agency's policies regarding mandated reporting, victim notification, and victim assistance.

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11. Public Awareness and Community Outreach

11.1 Public awareness activities and community outreach are a critical component of the *ICAC Program*. *Lead* and *Affiliate Agencies* shall foster awareness and shall provide practical relevant guidance to children, parents, educators, and others concerned with child safety.

11.1.1 Social media can be used to promote educational awareness as long as it is consistent with all agency policy and these *Standards*.

11.2 Presentations to school personnel, parents, and community groups are excellent ways to promote awareness. These presentations shall not include any visual depiction of a victim unless the victim has consented to its use and the victim is currently at least 18 years of age. No *Contraband Image* shall be used in these presentations nor shall a presenter discuss confidential *Investigative* tools and techniques.

11.3 No individual affiliated with *ICAC Program* may speak on behalf of the national *ICAC Program* without the express written consent of *OJJDP*. While making public presentations, *Members* may indicate a preference for a product or service, but, when done, shall avoid an implicit endorsement and shall include alternatives in the presentation.

11.4 Materials and presentations shall be consistent with the *ICAC Program's* mission and background, as enumerated in Section 2 of these *Standards*.

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12. Media Relations and Media Releases

12.1 Media releases relating to prosecutions, *Crime* alerts, or other matters concerning ICAC operations shall not include information regarding confidential *Investigative* techniques, and shall be coordinated, when applicable, with the law enforcement agencies involved with the subject *Investigations*, in a manner consistent with sound information management and sound media relations practices.

12.2 *Commanders* and *Supervisors* may speak to members of the media about their own agency's ICAC-related activities per the terms of their agency's policy on such media relations. No individual affiliated with *ICAC Program* may speak on behalf of the national *ICAC Program* without the express written consent of *OJJDP*.

12.3 *Commanders* shall inform their *OJJDP* Program Manager if approached by national media outlets about the national *ICAC Program* (as opposed to media seeking information from a particular *Task Force* about its local activities) so that a coordinated national response can be prepared by *OJJDP*.

12.4 Information provided by *Task Forces* to the media shall be consistent with *ICAC Program's* mission and background, as described in Section 2 of these *Standards*.

End of ICAC Standards