

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

JOHN C. VASTIS,
also known as "Pete"

CASE NUMBER:
UNDER SEAL

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

COUNT ONE

On or about January 18, 2014, at Lakemoor, in the Northern District of Illinois, Eastern Division, the defendant(s) violated:

Code Section

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

Offense Description

did knowingly use, persuade, induce, and entice a minor, namely, Minor A, to engage in sexually explicit conduct, namely, lascivious exhibition of Minor A's genitals, for the purpose of producing a visual depiction of such conduct, which visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in interstate and foreign commerce and which visual depiction was transported or transmitted using any means or facility of interstate or foreign commerce

COUNT TWO

On or about March 3, 2014, at Lakemoor, in the Northern District of Illinois, Eastern Division, the defendant(s) violated:

Code Section

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

Offense Description

did knowingly use, persuade, induce, and entice a minor, namely, Minor A, to engage in sexually explicit conduct, namely, lascivious exhibition of Minor A's genitals, for the purpose of producing a visual depiction of such conduct, which visual

depiction was produced and transmitted using materials that had been mailed, shipped, and transported in interstate and foreign commerce and which visual depiction was transported or transmitted using any means or facility of interstate or foreign commerce

COUNT THREE

On or about July 13, 2014, at Lakemoor, in the Northern District of Illinois, Eastern Division, the defendant(s) violated:

Code Section

Title 18, United States Code,
Sections 2252A(a)(2)

Offense Description

knowingly received, and attempted to receive, material, namely, a video recording entitled "Movie on 7-13-14 at 1.32 AM.mov," which contained images of child pornography as defined in Title 18, United States Code, Section 2256(8)(A), such images having been mailed, shipped, and transported in interstate and foreign commerce by any means, including by computer

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

MICHAEL A. SCHUSTER
Special Agent, Homeland Security Investigations
(HSI)

Sworn to before me and signed in my presence.

Date: August 27, 2014

Judge's signature

City and state: Chicago, Illinois

JEFFREY COLE, U.S. Magistrate Judge
Printed name and Title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

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AFFIDAVIT

I, MICHAEL A. SCHUSTER, being duly sworn, state as follows:

1. I am a Special Agent with Homeland Security Investigations. I have been so employed since approximately 2006. My current responsibilities include the investigation of fraud cases. In addition, I have received training in child exploitation and child pornography investigations.

2. This affidavit is submitted in support of a criminal complaint alleging that JOHN C. VASTIS, also known as "Pete," has violated Title 18, United States Code, Sections 2251(a) and 2252A(a)(2). The statements in this affidavit are based in part on my personal knowledge, as well as information I have received from other law enforcement personnel and from persons with knowledge regarding relevant facts. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging VASTIS with sexual exploitation of a child and receipt of child pornography, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

FACTS SUPPORTING PROBABLE CAUSE TO ARREST

A. Background and Information Concerning “Minor A”

3. On or about August 15, 2014, HSI Chicago Special Agents, Task Force Officers, and officers from a local police department executed a State of Illinois search warrant at the residence of an individual (“Minor A”) who was suspected of possessing and distributing child pornography in violation of Illinois law. During the execution of the state warrant, agents conducted a consensual interview of Minor A, who admitted to distributing and receiving images of child pornography through Skype. Based on Minor A’s admissions and a visual examination of Minor A’s Illinois driver’s license, agents have determined that Minor A is currently 17 years old.

4. During the August 15 interview, Minor A admitted that, beginning in September 2013 when Minor A was 16 years old, Minor A began communicating via Skype and text messages with an adult subject he identified as “PETE.” As discussed below, agents have since identified “PETE” as defendant VASTIS, who, as explained below, lives at a residence (the “Lakemoor residence”) located in Lakemoor, Illinois, a municipality within the Northern District of Illinois. During the August 15 interview, Minor A provided agents with a telephone number for “PETE”; the number was stored in Minor A’s cell phone under the heading “PETE (Skype).” Also during the August 15 interview, Minor A claimed to have sent images and videos of child pornography, including images of Minor A, to “PETE” via Skype.

B. Online Chats Between Minor A and “PETE”/VASTIS and VASTIS’s Receipt of Child Pornography via the Internet

5. During the week of August 18, 2014, agents analyzed data obtained pursuant to the execution of the state warrant from Minor A’s computer and cell phone. Agents recovered over 3,200 lines of chat messages between Minor A and “PETE” from Minor A’s computer. Excerpts of these chat messages are reproduced below.¹ For example, on September 4, 2013, at or around 22:25, the following chat occurred between Minor A and “PETE”/VASTIS:

Minor A: “hey”
PETE: "saw ur addy on [a website]" [According to Minor A, he first encountered “PETE” during an online visit to a website. Based on information obtained from other sources, agents believe that the relevant website has since been deactivated]
PETE: "how's it going?"
Minor A: "good, u?"
PETE: "good....what's up?"
Minor A: "not much"
Minor A: "trade?"
PETE: "I'm very new to this...trade what?"
Minor A: "vids and pics"
PETE: "I don't have anything like that...lke I said, very new to this"
Minor A: "of course, I understand"
PETE: "what kinds of ids and pics do u mean?"
PETE: "vids"
PETE: "still there??"
Minor A: "yea"
Minor A: "ummm"

¹ Certain portions containing expletives and other salacious material have been omitted from the excerpted chat conversations reproduced below. The location of such omitted material is marked by brackets.

Minor A: "you're from gg right?"
PETE: "not a registered member...just look at what anyone can see if they go onto the site"
Minor A: "oh ok"
Minor A: "well, if you ever get registered"
Minor A: "you'll find out what I mean very fast"
PETE: "I'm nervous to do that...is it a monitored site?"
Minor A: "idk"
PETE: "are u really 16?"
Minor A: "yea, but most people think I'm a cop"
PETE: "I will admit it crossed my mind...ur into older guys?"
PETE: "?"
Minor A: "yes"
Minor A: "very much so"
PETE: "I'm 50"
Minor A: "nice"
PETE: "do u ever meet up for real or just like to chat and play online?"
Minor A: "haven't done either actually, I'm setting something up soon though"
PETE: "do you like chubby bear type guys?"
Minor A: "to an extent"
PETE: "im 5'8", 245 broad chest n shoulders, nice legs n rear, big bellied bear"
Minor A: "nicee"
Minor A: "I like"
Minor A: "can I see a pick?"
PETE: "can u go on cam here for a quick few seconds so I know ur not a cop?"
Minor A: "lol dude even if I was a cop I wouldn't bust you for anything, you're not doing anything wrong"
PETE: "true"
PETE: "[email address omitted] contact me there and we can exchange pics"

6. On December 22, 2013, at or around 17:37, the following chat occurred

between Minor A and "PETE"/VASTIS:

PETE: "when do u turn 17?"

Minor A: "march"

PETE: "cool."

PETE: "maybe we could meet sometime. Maybe find a halfway point

Minor A: "absolutely"

Minor A: "can I see a picture of you?"

PETE: "how do you send it through here?"

Minor A: "push the + button next to the video call button in the top right"

Minor A: "then press send files"

PETE: "Screen shot 2013-12-22 at 5.40.57 PM.png" [Agents were unable to recover the file from Minor A's computer]

Minor A: "mmm hot"

PETE: "glad u like it"

PETE: "I'd love to meet you sometime but I will admit I'm nervous that you might be a cop or something. If I could see u on cam I'd feel less apprehensive about it"

Minor A: "tell me what you want to see me doing in a photo and I'll send you a pic of me doing it and that way I can prove im not a cop"

PETE: "good idea"

PETE: "send me a pic of you giving me the finger. Lol"

Minor A: "lol if u say so"

Minor A: "photo on 12-22-13 at 5.46 PM.jpg" [The image depicts Minor A holding up his middle finger]

PETE: "ok cool, I feel better about it now, thnx"

Minor A: "no problem"

PETE: "so do you think you'd really be up for meeting sometime?"

Minor A: "hell yes"

7. On December 22, 2013, at or around 17:54, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "is [Minor A] your real name?"
Minor A: "no"
Minor A: "is your real name pete Thomas?"
PETE: "no"
Minor A: "lol"
PETE: "haha, u can't be too careful, right?"
PETE: "so e"
PETE: "here's the deal"
PETE: "I would like to maintain a consistent conversation with you but for obvious reasons I'm nervous about it. Will u make it appoint to check Skype more frequently so we can talk?"
Minor A: "I will especially over the break since theres no school"
PETE: "cool. Once I feel more comfortable, we can switch to texting....but id be careful of the things I say in text"
PETE: "and id want you to be as well"
Minor A: "of course"
Minor A: "deleting messages"
Minor A: "only contacting as we need to"
PETE: "once ur 17, theres no problem. 17 is legal age of consent in Illinois"

8. On January 3, 2014, at or around 22:27, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "send me a new pic. This time with no shirt on and sucking on your finger"
Minor A: "Photo on 1-3-14 at 10.27 PM.jpg" [The image depicts Minor A, nude from the waist up, placing a finger in his mouth]
PETE: "damn, ur def real..at least I know that much...sure would love to meet u for real"

9. On January 3, 2014, at or around 22:47, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "I got another pic request.....one finger on ur nipple, face and chest in shot"

Minor A: "Photo on 1-3-14 at 10.47 PM #2.jpg" [The image depicts Minor A, nude from the waist up, touching his nipple]

PETE: "damn, so hot"

Minor A: "haha thanks"

Minor A: "sorry if I look bad in some of these, I've been sick all day lol"

PETE: "u look awesome"

PETE: "hold on , gonna send u something"

PETE: "Screen shot 2014-01-03 at 10.49.59 PM.png" [Agents were unable to recover the file from Minor A's computer]

Minor A: "you're so hot"

PETE: "thnx bud, u 2"

PETE: "have I sent u a face pic yet?"

Minor A: "no"

PETE: "probably best to wait a while, the risk is so much worse for me than for u"

10. On January 3, 2014, at or around 23:05, the following chat occurred between Minor A and "PETE"/VASTIS:

Minor A: "do you have a video of yourself common [sic]?"

PETE: "no, do u?"

Minor A: "yes"

Minor A: "Movie on 12-12-13 at 12.46 AM.mov" [The video, which is approximately one minute and six seconds in length, depicts Minor A in the nude while masturbating. Minor A then appears to ejaculate on his own face]

PETE: "oh really? Planning on sending it to me?"

PETE: "oh my [] god...that was smoking hot...ok, I completely trust you now"
PETE: "I HAVE to meet you SOON!!!"
Minor A: "<ss type='kiss'>.*</ss>"
Minor A: "I cant wait to see you"
PETE: "when did u film that?"
Minor A: "last month"

11. On January 3, 2014, at or around 23:32, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "thnx for the vid, super hot"
Minor A: "haha no problem"
Minor A: "I have others just like that"
PETE: "u do?"
Minor A: "oh yes"
Minor A: "like 5 or 6 more"
PETE: "send me at least 1 more right now...make me wait for the rest"
Minor A: "Movie on 11-30-13 at 3.45 AM.mov" [this video, approximately 47 seconds in length, depicts Minor A masturbating]
PETE: "[] HOT!!! Nit u sexy boy"

12. On January 18, 2014, at or around 20:55, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "what r u wearing?"
Minor A: "everything haha, 2 shirts, pants, boxers, socks lol"
PETE: "why u covering up that hot body?"
Minor A: "haha I guess I'm just waiting for someone to help me take it all off <ss type='wink'>.*</ss>"
PETE: "text me a pic fully dressed..to start with...or send it thru here"

Minor A: "photo on 1-18-14 at 9.00 PM.jpg" [The image depicts Minor A sitting on a chair]

PETE: "so cute"

PETE: "are u alone or are people?"

Minor A: "I can go into my room if I need to lol, I'm just watching tv"

Minor A: "but my parents are right upstairs"

PETE: "yeah, you'll need to...cuz each pic is gonna require one less piece of clothing at a time"

Minor A: "oh my god you really know how to get me goin <ss type="wink">:*</ss>"

PETE: "yeah, I like to take my time"

PETE: "I'm playful"

13. On January 18, 2014, at or around 21:13, the following chat occurred between Minor A and "PETE"/VASTIS:

Minor A: "Photo on 1-18-14 at 9.12 PM.jpg" [The image depicts Minor A lying down on a bed, lifting up his shirt, exposing his stomach]

PETE: "nice...I like the way u take orders"

Minor A: "I am yours to control <ss type="smile">:*</ss>"

Minor A: "I like being dominated haha"

PETE: "so did u just leave the skype page ope while u were gone?"

Minor A: "yea, but it was in my room, nobody goes in my room"

PETE: "u do understand how extremely careful u need to be, right?"

14. On January 18, 2014, at or around 21:25, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "tell me the truth...are u really 15 and ur waiting for your birthday for ur license?"

Minor A: "no dude, I'm 16 []"

PETE: "ok,,its fine...I would've kept talking if if u were...lol, no worries"

15. On January 18, 2014, at or around 21:49, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "ready for another pic handsome?"
Minor A: "yes <ss type="smile">:*</ss>"
PETE: "same as the last one but lose the red shorts and leave the underwear on"
Minor A: "those are my underwear lol"
PETE: "oh I thought that was a pair of shorts over another pair...hmmmm..ok, lose em<ss type="wink">)</ss>"
Minor A: "its about time <ss type="wink">)</ss>"
Minor A: "Photo on 1-18-14 at 9.52 PM.jpg" [The image depicts Minor A, laying down on a bed, nude, with his penis erect]
PETE: "holy []...you are amazing...all boy from the waist up, all man from the waist down...so [] hot!"
PETE: "and I love the look in your eyes in that last one...like you're saying, 'come get me daddy' "

16. On January 18, 2014, at or around 21:56, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "I need a pic of you lying on your tummy so I can see that sweet [buttocks]"
Minor A: "Photo on 1-18-14 at 9.57 PM.jpg" [the image depicts Minor A, laying down on his stomach, nude, with his buttocks exposed as the focal point of the image]
PETE: "damn, it isPERFECT"

17. On January 18, 2014, at or around 22:03, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "when do u turn 17 again?"
Minor A: "march [xx]th"
PETE: "u think we should wait?"

Minor A: "nope"
PETE: "<ss type="smile">:)</ss>"
Minor A: "lets have a taste of the forbidden fruit"
Minor A: "while its still forbidden <ss type="wink">);</ss>"
PETE: "I love that answer babe"
PETE: "and I agree"

18. On January 20, 2014, at or around 21:00, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "so...I gtg soon... ready for another pic?"
Minor A: "aww"
Minor A: "but sure"
PETE: "another sign...this one says 'just for daddy' and you gotta hold it so it's blocking your [buttocks] ... ur on your knees facing away from the camera but the pic shows your back including your back head, back, and [buttocks]"
Minor A: "haha hold on, this'll take a while"
Minor A: "shirt on or off?"
PETE: "off of course"
Minor A: "haha <ss type="wink">);</ss>"
Minor A: "underwear too?"
PETE: "NO!"
Minor A: "haha ok"
Minor A: "gimme a sec"
PETE: "k"
Minor A: "Photo on 1-20-14 at 9.06 PM.jpg" [This image depicts Minor A, standing with his back to the camera, wearing boxers, holding up a sign with "just for daddy" written on it]
Minor A: "hope that was good enough haha"
PETE: "I like it...but the underwear was supposed to be off"
PETE: "do another one"
Minor A: "ok hold on"

Minor A: "Photo on 1-20-14 at 9.07 PM.jpg" [this image depicts Minor A, standing with his back to the camera, nude, with his buttocks showing, holding the sign, "just for daddy." The focal point of the image is the sign and Minor A's buttocks.]

PETE: "mmm mmmm mmmmm...so nice baby!"

PETE: "you gotta remember me to shred that sign now"

19. On March 3, 2014, at or around 20:36, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "what u got on?"

Minor A: "naked, but I can dress up if you want me to"

PETE: "bi"

PETE: "typo"

PETE: "I was gonna say birthday suit sounds nice"

Minor A: "so no clothes on?"

PETE: "wrap a towel around ur waist...like u just got out of the shower"

Minor A: "Photo on 3-3-14 at 8.38 PM.jpg" [The image depicts Minor A, lying down on a bed, with nothing covering his upper body. A towel is draped over his lower half]

PETE: "damn, I have missed that!!!!"

Minor A: "<ss type='kiss'>.*</ss>"

PETE: "[] so tempting...before the 30th"

Minor A: "I know"

PETE: "yeah... I just wish there was some way you could assure me that I'd never pay the price for it"

Minor A: "we could try my way and if anything seems weird, we can just stop"

PETE: "u delete everything on here, right?"

Minor A: "yes sir"

PETE: "and never ever anything incriminating said thru texts"

Minor A: "yep"

20. On March 3, 2014, at or around 20:47, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "wrap that towel around your neck now, hanging on your chest"
Minor A: "[expletive term for penis omitted] in the pic?"
PETE: "yeah"
Minor A: "Photo on 3-3-14 at 8.48 pm.jpg" [this image depicts Minor A, lying down on a bed, with a towel draped over his shoulders. In the image, Minor A's penis is exposed]
PETE: "nice boy! You take orders so nicely"

21. On March 12, 2014, at or around 19:51, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "are we still considering the 21st to the 24th?"
Minor A: "yep, sounds like the best deal"
Minor A: "now, instead of me walking for like an hour to the hotel, why don't you just pick me up a few blocks away from my house in a remote location"
Minor A: "then we can spend some real time together"
PETE: "idk, makes me uncomfortable to be honest"
Minor A: "pleaseeeeeee"
PETE: "honestly, idk. Have to give it some thought. Even tho we've been talking and u have sent specific pics, I still have this fear that ur an undercover cop or something like that"
Minor A: "what can I do to convince you otherwise?"
PETE: "I don't know. If I knew ur real name maybe...or saw a school id with ur name blacked out if u want"
Minor A: "alright, but my hair's different than it is now, I probably don't even look that similar, but I can try to find it"
Minor A: "gimme a moment"
PETE: "k"

Minor A: "meanwhile, think of some nice positions I can model for you <ss type="smile">:)</ss>"

PETE: "standing with only a button shirt on...unbuttoned almost all the way down but not completely"

Minor A: "photo on 3-12-14 at 8.58 PM.jpg" [This image depicts Minor A holding his school ID, which shows Minor A's name and school]

Minor A: "photo on 3-12-14 at 8.58 PM #3.jpg" [This image depicts Minor A's school ID].

PETE: "so your name is [Minor A's name]"

Minor A: "yes sir"

PETE: "I got to tell you, I really appreciate you sending that, I def. believe ur for real now"

Minor A: "haha yay <ss type="smile">:)</ss>"

PETE: "and I want you to know that I won't in any way abuse that information, I promise

Minor A: "I trust you"

Minor A: "it sounds weird to say, but I definitely trust you"

PETE: "I need to know that no matter what, you would never ever tell another living soul about this between us...no matter how u feel about it down the live as u get older"

Minor A: "Photo on 3-12-14 at 9.04 PM.jpg" [this image depicts Minor A, wearing a black shirt, holding his exposed penis]

Minor A: "absolutely"

Minor A: "I won't tell anyone"

22. On March 12, 2014, at or around 20:31, the following chat occurred between Minor A and "PETE"/VASTIS:

Minor A: "Movie on 5-20-13 at 6.45 PM.mov" [The video, which is approximately one minute and five seconds long, depicts Minor A inserting a pepper into his anus]

PETE: "wow, u just recorded that right now???"

Minor A: "nope just had that on my computer lol"

PETE: "haha, ok... u r so naughty. I love it that the world sees u as this clan cut nice kid...If they only knew what I know"

PETE: "clean*"

23. On April 5, 2014, at or around 23:36, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "take of picture of yourself in them...tugging the waistband down just a tiny bit"

Minor A: "my [colloquial term for penis] is hanging out bc they're so tight"

PETE: "haha, ok"

Minor A: "Photo on 4-6-14 at 12.36 AM. jpg" [The image depicts Minor A, nude from the waist up, lying down on a bed. The head of Minor A's penis is visible coming out of Minor A's underwear]

PETE: "I can't believe ur really 17...I swear u look like ur 14 or so"

24. On April 5, 2014, at or around 23:59 and continuing into early morning April 6, 2014, the following chat occurred between Minor A and "PETE"/VASTIS:

Minor A: "any more poses daddy?"

PETE: "surprise me this time"

Minor A: "Photo on 4-6-14 at 1.01AM.jpg" [The image depicts Minor A, spreading his buttocks and exposing his anus, which is the focal point of the image]

PETE: "wow!!!"

Minor A: "<ss type="smile">:)</ss>"

PETE: "I mean... WOW WOW WOW!!!"

25. On April 6, 2014, at or around 00:12, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "can't wait...send me another surprise"

Minor A: "Photo on 4-6-14 at 1.12 AM #3.jpg" [The image depicts Minor A, nude, from the side and bending over. Minor A's genitals and buttocks are not visible]

Minor A: "Photo on 4-6-14 at 1.12 AM #2.jpg" [The image depicts Minor A, nude, from the side and bending over. Minor A's genitals and buttocks are not visible]

Minor A: "Photo on 4-6-14 at 1.12 AM.jpg" [The image depicts Minor A, nude, from the side and bending over. Minor A's erect penis is visible]

PETE: "wow, so hot, are u a gymnast"

26. On April 20, at or around 21:53, the following chat occurred between Minor A and "PETE"/VASTIS:

Minor A: "if I sent you a video that may or may not be legal, would you mind? Its technically child pornography []

Minor A: "15.wmv" [Agents were unable to recover the file from Minor A's computer]

Minor A: "you can delete it right after if you want"

PETE: "I feel really nervous to even open it. I hear all sorts of stories about guys getting in huge trouble for that kind of thing"

Minor A: "just delete it right after"

Minor A: "its hot"

PETE: "describe it to me first, what's the approx age?"

Minor A: [Following agents' analysis of the data and conversion into spreadsheet format, the numbers provided by Minor A during this chat were converted to a date format of "9/11/14"; agents believe, however, that Minor A told "PETE" that the child depicted in the video described by Minor A was 9-11 years old]

PETE: "where did u find something like that?"

Minor A: "I traded with someone for it"

PETE: "what do u give in return? Where do u guys find stuff like this?"

Minor A: "idk"

Minor A: "I just do favors for him"

Minor A: "like sending my nudes lol"

PETE: "damn I'm so tempted"

Minor A: "lol just do it"

Minor A: "and delete it right after it"

PETE: "hold on"

PETE: "says it may be an application downloaded form [sic] [internet. Asking if I'm sure about opening it."

Minor A: "yea, that's the app that runs the movie"

PETE: "ur certain I can't get in trouble for this if I delete it right away? Can't be traced back"

Minor A: "lol no"

PETE: "says it can't be opened"

Minor A: "oh ok, well then don't worry about it"

PETE: "why do u suppose I can't open it?"

Minor A: "idk, id have to look more into it"

Minor A: "I can show you a screenshot if you want"

PETE: "yeah"

Minor A: "Screen Shot 2014-4-20 at 11.00.47 PM.png" [Agents were unable to recover the file from Minor A's computer]

PETE: "[] hot"

Minor A: "told you"

PETE: "I think younger than u said tho"

Minor A: "really?"

Minor A: "any more pics you want from me? Anything at all"

PETE: "wish I could see the movie now"

Minor A: "Screen Shot 2014-4-20 at 11.03.39 PM.png" [Agents were unable to recover the file from Minor A's computer]

Minor A: "man [****]ing 9 year old boy"

Minor A: "cute"

Minor A: []

PETE: "same film or different one?"

Minor A: "different"

PETE: "try sending that film"

Minor A: "video4.wmv" [Agents were unable to recover the file from Minor A's computer]

PETE: "nope, same message"

Minor A: "sorry, maybe ill show you one day"

Minor A: "I have a lot of videos"
PETE: "take a screen shot of that last one that shows the boy"
Minor A: "it doesn't show him"
Minor A: "they like to protect the kids"
PETE: "I see"
PETE: "ok, last oil from u...sitting on your knees, back to the camera, underwear off, turn ur face and smile at the camera"
PETE: "pic"
Minor A: "but I want to do more than that"
Minor A: "something sexy"
Minor A: "anything"
Minor A: "something extreme"
PETE: "surprise me then"
Minor A: "Photo on 4-20-14 at 11.10 PM.jpg" [The image depicts Minor A bending over with his anus exposed. A foreign object has been inserted into Minor A's rectum]
PETE: "haha, feel good son?"
Minor A: "better than good, dad"
PETE: "I think u need my [expletive term for penis] in there instead"

27. On April 20, 2014, at or around 22:27, the following chat occurred between Minor A and "PETE"/VASTIS:

Minor A: "one more pic before I go?"
PETE: "yeah, surprise me"
PETE: "and assure me once again that u completely delete these conversations"
Minor A: "Photo on 4-20-14 at 11.28 PM.jpg" [The image depicts Minor A, bending over and facing away from the camera. Minor A is spreading his buttocks and exposing his anus]
Minor A: "yea of cousse"
Minor A: "course"
PETE: "great pic"

PETE: "and yeah, bring the laptop, we gonna have an interesting time...nit, talk again soon"

28. On April 23, 2014, at or around 21:26, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "so u have lots of that kind of stuff? Aren't u worried you'll be caught with it?"

Minor A: "I'm careful"

Minor A: "but yes I have a lot of it lol"

PETE: "no danger in me receiving screenshots like us sent, right?"

Minor A: "not if you delete it"

PETE: "yeah I did"

Minor A: "ok, you're fine"

PETE: "u should surprise me with another one"

Minor A: "Screen Shot 2014-4-23 at 10.29.45 PM.png" [Agents were unable to recover the file from Minor A's computer]

PETE: "cool... how old do u suppose that one is?"

Minor A: "not sure, could be 9, could be 11"

Minor A: "can't really tell"

PETE: "hard to believe that stuff really happens"

29. On April 23, 2014, at or around 21:52, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "back to cam, [buttocks] showing, head turned toward the cam, blow daddy a kiss"

Minor A: "Photo on 4-23-14 at 10.52 PM.jpg" [The image depicts Minor A, bending over and away from the camera, looking back towards the camera. He is making a motion like blowing a kiss. The top half of his buttocks are visible]

PETE: "[] YES!!!! NICE!!!"

30. On May 15, 2014, at or around 17:32, the following chat occurred between Minor A and "PETE"/VASTIS:

Minor A: "what do you do?"
PETE: "I thought u knew"
Minor A: "nope"
PETE: "am I talking to the right person? Lol"
Minor A: "lol yes"
Minor A: "idk maybe you told me, I probably forgot"
PETE: "teach"
Minor A: "really? What do you teach?"
PETE: "wait a sec... send me a quick pic, I want to make sure no one is on your computer"
Minor A: "omg fine"
Minor A: "Photo on 4-20-14 at 11.28 PM.jpg" [The image depicts Minor A bending over and facing away from the camera. Minor A is spreading his buttocks, exposing his anus]
Minor A: "you've never told me what you teach"
Minor A: "you said it was private"
PETE: "I teach 5th and 6th grade"
Minor A: "6th grade what?"
Minor A: "what class"
PETE: "public speaking"

31. On May 15, 2014, at or around 18:26, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "got any new interesting pics to send my way?"
Minor A: "of me?"
PETE: "well yeah, but I mean from your hobby"
Minor A: "oh ok"
Minor A: "gimme a sec"

Minor A: "_FO9ZC0X2.jpg" [Agents were unable to recover the file from Minor A's computer]

PETE: "nice"

32. On May 15, 2014, at or around 18:44, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "now, flex one arm while ur other hand is on ur [penis]"

Minor A: "Photo on 5-15-14 at 7.44 PM.jpg" [The image depicts Minor A, curling his left arm, while his right hand holds his erect penis]

PETE: "awesome"

PETE: "[buttocks] shot, don't spread cheeks tho"

Minor A: "Photo on 5-15-14 at 7.47 PM.jpg" [The image depicts Minor A, bending over and away from the camera, exposing his buttocks and testicles]

PETE: "nice"

33. On June 19, 2014, at or around 13:19, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "did your reading get u all horned up?"

Minor A: "hell yea it did"

PETE: "yeah me too... I soooo need a boy right now"

Minor A: "I just need someone to dominate me rn"

PETE: "year, that's exactly what I'm in the mood to do"

34. On July 12, 2014, at or around 22:19, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "next pic... standing... underwear off... let me see my boy's sweet [buttocks]"

Minor A: "Photo on 7-12-14 at 11.20 PM.jpg" [The image depicts Minor A, standing and facing away from the camera, nude from the legs up. His buttocks are exposed]

PETE: "nice, again now but with your arms and hands down to your side"
Minor A: "Photo on 7/12/14 at 11.22 PM.jpg" [The image also depicts Minor A, standing and facing away from the camera, nude from the legs up. Minor A's buttocks are exposed]
PETE: "very very nice"
PETE: "are u feeling good about this boy?"
Minor A: "hell yes daddy"
PETE: "show me, turn around and let me see for myself"
Minor A: "Photo on 7-12-14 at 11.25 PM.jpg" [The image depicts Minor A, standing at a 90 degree angle to the camera, nude from the legs up, holding his erect penis]
PETE: "HOT!!!! Damn"
PETE: "ur getting hotter all the time son"

35. On July 13, 2014, at or around 00:07, the following chat occurred between Minor A and "PETE"/VASTIS:

[graphic discussion of Minor A masturbating omitted]
Minor A: "Movie on 7-13-14 at 1.32 AM.mov" [The video, which is approximately one minute and fifty-two seconds in length, depicts Minor A masturbating]
PETE: "don't leave, wait till I view it"
PETE: "HOLY []!!!!"
PETE: "are u here?"
Minor A: "I told you"
PETE: "SO [] HOT. Yeah, I [] trust u kid... u deliver!"

36. On July 13, 2014, at or around 21:05, the following chat occurred between Minor A and "PETE"/VASTIS:

Minor A: "I got some pics you might like <ss type="wink">)</ss>"
Minor A: "I traded people for some kiddie porn lol"
PETE: "Send thru here like u did a while back"

Minor A: "042424k7ifz6wqq2ap62re.jpg" [Agents were unable to recover the file from Minor A's computer]

PETE: "jesus, what the hell? How old do u think he is?"

[]

37. On July 13, 2014, at or around 21:12, the following chat occurred between Minor A and "PETE"/VASTIS:

PETE: "had an interesting cam session today"

Minor A: "really?"

Minor A: "tell me about it"

PETE: "13"

Minor A: "mmm"

Minor A: "what did you make him do?"

PETE: "didn't have to...he volunteered it all"

PETE: "just basically watched him [masturbate]"

Minor A: "what did he do?"

PETE: "did you take screenshots?"

PETE: "no"

PETE: "never even occurred to me, sorry"

Minor A: "aww <ss type="sad">:(</ss>"

PETE: "had a similar one a few weeks ago, used mic with that one...said 15 but think he was younger...hottest moo I ever played on cam with"

C. Identification of "PETE" as Defendant VASTIS

38. Based on my training and experience, and the experience of others with whom I have consulted, I understand that an internet protocol address is unique to a particular computer or residence during an online session. The IP address provides a unique locator, making it possible for data to be transferred

between computers. Each time an individual accesses the Internet, the computer from which that individual initiates access is assigned an IP address. A central authority provides each Internet Service Provider with a limited block of IP addresses for use by that ISP's customers or subscribers. Many ISPs employ dynamic IP addressing; in other words, they allocate an unused IP address each time a customer or subscriber accesses the Internet. The ISP logs the date, time, and duration of the Internet session for each IP address and can identify from these records the user of that IP address for a particular session.

39. Typically, home users of the internet are assigned an IP address from a pool of IP addresses for the duration of a session. In the case of dial-up modems, a user's IP address is released when the user's computer disconnects from the telephone service, and that IP address is available for others to use. In the case of cable modems or DSL service, an IP address is commonly held by a user for a longer period of time, from days to months, until the provider chooses to change it. Some services use static addressing, where an IP address is permanently assigned to a specific computer and is difficult to change

40. On or about August 25, 2014, pursuant to an administrative subpoena, an ISP disclosed IP addresses pertaining to the Skype-based chat logs summarized above that occurred on or about April 6, 2014; May 18, 2014; June 17, 2014; July 13, 2014; July 14, 2014, July 17, 2014, and August 14, 2014. According to the information provided by the ISP, all of the IP addresses associated with the

relevant chat logs were assigned to the ISP account of Subject A, an individual who, as described below, resides at the Lakemoor residence along with VASTIS.

41. Based upon agents' searches of public databases, Subject A appears to be the spouse of VASTIS and resides at the Lakemoor residence. In addition, based upon those same searches of public databases, agents have determined that VASTIS's date of birth is consistent with the age provided by "PETE" during the chats excerpted above. In addition, a review by agents of VASTIS's Illinois Driver's License information and photograph revealed that VASTIS appears to be a white male who has brown hair, brown eyes, is 5' 9" tall, weighs approximately 235 lbs., and resides at the Lakemoor residence. These biographical measurements are consistent with the physical self-description provided by "PETE" during one of the chats listed above that occurred on September 4, 2013.

42. A search of open sources on the internet also revealed that VASTIS is a teacher at Meridian Middle School in Buffalo Grove, Illinois, which is consistent with "PETE"'s reference in paragraph 30 to teaching fifth and sixth graders.

43. After reviewing the photograph associated with VASTIS's Illinois Driver's License, an HSI Computer Forensic agent searched the images on Minor A's telephone pursuant to the state warrant. During that search, the agent located at least two different photographs of VASTIS, both of which depict VASTIS in the nude, apparently lying down, with his penis exposed. Those images were received by Minor A's telephone on or about July 30, 2014. Both the HSI Computer Forensic

Agent and another agent have compared these images with VASTIS's Illinois Driver's License photograph and have concluded that the images depict VASTIS.

44. In addition, during surveillance on August 26 and 27, 2014, HSI agents and Task Force officers compared VASTIS's Illinois Driver's License photograph to the appearance of a person seen entering and exiting the Lakemoor residence and have concluded that the person entering and exiting was VASTIS.

45. Also on August 25, 2014, at approximately 17:50 hours, an HSI Chicago Task Force officer performed surveillance of the Lakemoor residence. Located in the driveway of the residence was a maroon Honda Civic bearing an Illinois license plate registered in the name of VASTIS at the Lakemoor residence.

46. Based on the foregoing information, in combination with the information "PETE" provided about himself in the chat logs summarized above, I respectfully submit that VASTIS and "PETE" are the same individual who resides at the Lakemoor residence.

D. Information Concerning Minor A's Computer

47. Agents have examined the computer that Minor A used to communicate with VASTIS via Skype. Based on that examination, agents determined that the computer is an Apple "Macintosh Pro" Model A1278 that, according to a label affixed to the computer, was made in China.

CONCLUSION

48. Based on the foregoing, I respectfully submit that probable cause exists to believe that VASTIS has violated Title 18, United States Code, Sections

2251(a) and 2252A(a)(2), in that VASTIS (a) used, persuaded, induced, and enticed a minor under the age of eighteen with the intent that the minor engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, which visual depictions were produced and transmitted using materials that had been mailed, shipped, and transported in interstate and foreign commerce and which visual depictions were transported or transmitted using any means or facility of interstate or foreign commerce; and (b) knowingly received, and attempted to receive, material that contained images of child pornography, such images having been mailed, shipped, and transported in interstate and foreign commerce by any means, including by computer.

FURTHER AFFIANT SAYETH NOT.

MICHAEL A. SCHUSTER
Special Agent
Homeland Security Investigations

SUBSCRIBED AND SWORN to before me on August 27, 2014.

JEFFREY COLE
United States Magistrate Judge