

TM:FJN
F. #2018R01903

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FILED UNDER SEAL

UNITED STATES OF AMERICA

COMPLAINT

- against -

(T. 18 U.S.C. §§ 2251(a) and 2423(a))

BILLY HARMON DUNN, JR.,

18-M-1133

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

MATTHEW D. DERAGON, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

In or about September 2018, within the Eastern District of New York and elsewhere, the defendant BILLY HARMON DUNN, JR. did knowingly and intentionally transport a person, who had not attained the age of 18 years, in interstate commerce, to wit: from Brooklyn, New York to Kosse, Texas, with the intent that said individual engage in sexual activity for which BILLY HARMON DUNN, JR. could be charged with a criminal offense, to wit: Sexual Assault, in violation of Texas Penal Code 22.011(a)(2) and 22.011(c)(1).

(Title 18, United States Code, Section 2423(a))

In or about between August 2018 and September 2018, within the Eastern District of New York and elsewhere, the defendant BILLY HARMON DUNN, JR. did

knowingly and intentionally employ, use, persuade, induce, entice and coerce a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, which visual depictions were produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce.

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

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI"). I have been employed as a Special Agent since 2014, and I am currently assigned to the FBI's Violent Crimes Against Children squad, which investigates violations relating to child exploitation and child pornography, including violations pertaining to the production, possession, distribution and receipt of child pornography, as well as the transportation of minors and interstate travel to engage in illicit sexual conduct. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. In September 2018, the FBI, in conjunction with the New York City Police Department ("NYPD") and the King's County District Attorney's Office, began investigating a report that a 15-year-old female whose identity is known to me ("Jane Doe") was missing from her home in Brooklyn, New York. Jane Doe's mother reported that Jane

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

Doe was missing and also reported the discovery that, prior to going missing, Jane Doe had been using a sex-related adult website (the “Adult Website”) to communicate with other persons.

3. A review of Jane Doe’s Adult Website account pursuant to a search warrant revealed that Jane Doe had been corresponding with a user named “daddydrill1982.” The user of the “daddydrill1982” account identified himself as “Billy” from Texas and described himself as “retired Army, disabled vet and I travel in my motorhome with my little dog . . . I am slightly older than my page says, but still not over your limit and I can literally FUCK all night . . .” The user of the “daddydrill1982” account also sent Jane Doe a photograph of the user’s military identification. The military identification card was issued to Billy Harmon Dunn, Jr. (“DUNN”), a 48-year-old resident of Texas. In context, and based on my training, experience and knowledge of the investigation, the evidence shows that the user of the “daddydrill1982” account is DUNN.

4. A further review of Jane Doe’s account revealed that, on or about August 16, 2018, DUNN contacted Jane Doe and stated, “you need to show me them titties and seriously consider living with me, as my daughter that I FUCK day and night.” Over the following weeks, DUNN and Jane Doe discussed DUNN driving to New York to pick up Jane Doe and bring her to Texas or DUNN paying for Jane Doe’s bus ticket to Texas.

5. However, prior to making travel arrangements, DUNN told Jane Doe that there were many “fake profiles” on the Adult Website. Therefore, he wanted photographs of Jane Doe to prove she was real. DUNN stated, “if things go good on a webcam or cell or both, I can get you a bus ticket.” DUNN then stated, “go to your mirror, smile for daddy and lift your shirt . . . I showed u my cock and face in the same pic . . . I

wanna see your titties and face together . . . I don't care how old u really are . . . 16 is legal here.”² Jane Doe then told DUNN that she was 16 years old. Based on my training and experience, these messages establish that DUNN wanted Jane Doe to share sexually explicit images of herself with him via a computer, cellular telephone, or both, prior to making travel arrangements.

6. Later on or about August 16, 2018, DUNN wrote to Jane Doe, “since u already showed me your titties, Im pretty sure this is not a scam or anything . . . do one more thing for me . . . hold up four fingers with your right hand . . . after we trust each other, u can gimme a name to send the money to and u can have a cell by tomorrow.”³ Later that day, DUNN told Jane Doe that he had sent her money to buy a cellular telephone with a camera.

7. On or about August 17, 2018, DUNN asked Jane Doe whether she “like[d] the idea of getting fucked on camera, while a bunch of guys watch . . . people can watch all they want, but that is daddys fuckin pussy.” DUNN further stated that he wanted Jane Doe to “look in the camera and say ‘this is my daddy and he FUCKS me so damn good . . . my daddy OWNS this lil pussy’ . . . we will be doing camshows . . . and making videos.”

² The Texas Penal Code, in fact, proscribes sexual contact with a child, “regardless of whether the person knows the age of the child at the time of the offense,” defining “child” as a person younger than 17 years of age. Texas Penal Code, Sections 22.011(a)(2) and 22.011(c)(1).

³ A search of Jane Doe’s laptop computer, which was conducted with the consent of Jane Doe’s mother, revealed a photograph of Jane Doe’s face where she is holding up four fingers on one hand. The search also revealed a photograph of DUNN’s military identification card. Both of the images were also found on DUNN’s laptop computer. The timestamp on the images indicates that they were created at approximately the same time that DUNN and Jane Doe discussed the images.

In context, and based on my training and experience, there is probable cause to conclude that DUNN wanted to film himself having sex with Jane Doe and to broadcast images of their sexual activity via the Internet.

8. On or about August 19, 2018, DUNN contacted Jane Doe and stated, “when we are together . . . the main picture Im posting on my page is me behind you, with my hands covering your naked titties and u smiling . . . I might put my cock inside u for that pic, but at least I’ll press it against your ass . . . the caption will be ‘my baby girl.’”⁴

9. Also, on or about August 19, 2018, DUNN requested that Jane Doe send him additional photographs of herself. Specifically, DUNN asked, “areu you gonna send those pics tonight?? . . . on your back smiling and doggystyle or flat on your belly . . .” DUNN further wrote, “the sooner the better on them pics . . . I wanna see you laying down smiling, with your pretty legs wide open saying ‘daddys baby girl’ . . . and some good ass shots from a distance . . . I love the close up u sent, but I wanna see you doggy and laying flat.”⁵

10. On or about August 20, 2018, DUNN told Jane Doe that if she came to live with him, “daddy and daughter will mostly be home playing and making videos or doing

⁴ A consensual search of Jane Doe’s laptop computer revealed a photograph of a female’s bare chest. Behind the female appears to be a male figure, whose hands are reaching around the female and cupping her breasts. This image was also found on DUNN’s laptop computer.

⁵ A consensual search of Jane Doe’s laptop computer revealed a photograph of Jane Doe, fully nude, lying on a bed touching her vagina. A second photograph of Jane Doe, fully nude, on her knees with buttocks and vagina exposed to the camera, was also found on her laptop computer. Both of these images were also found on DUNN’s laptop computer. The timestamp on both photographs indicates that they were taken on August 19, 2018, at or about the time that DUNN and Jane Doe discussed the images.

camshows.” Based on my training and experience, and in context, DUNN’s intention was to tell told Jane Doe that if she came to live with him, they would be engaging in sexual activity that would be video recorded and broadcast over the Internet.

11. Over the following days, DUNN and Jane Doe continued to engage in sexually explicit conversations and to make plans to meet in person. On or about August 23, 2018, DUNN told Jane Doe, “I accidentally bought you an adult [bus] ticket . . . I have to call the Brooklyn station to make sure u CAN ride alone plus I’ll probably have to pay more for your ticket . . . now it seems you need a form called . . . unaccompanied child form . . . signed by your legal guardian to ride alone . . . it needs their name, cell and signature, plus MY name at destination since Im the one picking you up . . . if u cant get your mom or dad to sign it, this aint gonna happen till your birthday . . . or at least another few weeks till I can cum pick u up there . . . u are STILL a minor as far as greyhound is concerned . . . Im sorry I got confused when I bought the ticket . . . I thought 16 could travel unaccompanied.”

12. After DUNN learned that Jane Doe could not travel via bus without parental consent, he made plans to rent a car and drive from Texas to New York to pick her up. On or about August 27, 2018, DUNN wrote to Jane Doe, “when I pull up to your house, u need to be ready to go sweetie . . . we got a long drive ahead of us . . . write a note to your parents, saying you are choosing to live with your boyfriend and u will be SAFE and loved . . . at least you can say u made the effort to let them know . . . Im gonna stay in the car with my dog and let u put your bags in . . . we will both get out later and hug . . . and ONLY if you want to, when u get in the car . . . you can show daddy those lovely titties or maybe that pretty lil pussy . . . but only if u want to . . . for now, Im not gonna make any demands . . . later on, as we know each other better, I’ll be more dominate as u like.”

13. On or about August 28, 2018, DUNN wrote to Jane Doe that after he picked her up, “we are gonna take a pic together, on the way home . . . Im gonna try to find WIFI and post that pic to my page . . . if that’s ok with you . . . make it a couples page asap . . . we will find a quiet place to take your shirt off and daddy will cover your boobs with my hands and we both smile . . . this is ‘daddy’s baby girl’!! . . . I love cuddling with you and yes FUCKING your brains out.”

14. On or about August 29, 2018, DUNN wrote further to Jane Doe about picking her up in Brooklyn, New York. DUNN stated, “we cant make out right then and there, because I’ll be blocking traffic . . . lol . . . so bear with me . . . gimme a kiss and we hit the road . . . make yourself comfortable and meet my dog, till I get us on the interstate . . . once we head south on the turnpike, we have time to do some things . . . like I said, you get as ‘comfortable’ as u want . . . lay your seat back and show daddy anything u wanna show me . . . the first rest area I find, we will stop, get out and properly hug and kiss . . . after it gets dark and traffic calms down, itll be easier to fuck the shit outta you . . . anytime we fuck in public, u just keep an eye out for people while I please that lil pussy.”

15. On or about August 30, 2018, DUNN wrote to Jane Doe, “FIVE days I hit the road . . . bout 7 days till we r together . . . loooooong drive . . . we will prolly fuck bout 400 times before we get home . . . hahahahahahahahaha . . . and definitely make love to my baby girl too.”

16. On or about September 1, 2018, DUNN wrote to Jane Doe, “well, we are like three days till I hit the road . . . change your damn profile status and make sure u are packed and ready to go on the 6th by 430 . . . let daddy take care of you baby girl . . .”

17. On or about September 3, 2018, DUNN wrote to Jane Doe, “we will make a few videos, on our way home, then post them on your page . . . give these guys something to watch, between our camshows . . . damn Im gonna love fuckin your brains out baby girl . . . and Im glad u DO like anal, cuz I wann fuck that ass so damn bad.” DUNN then appeared to reference a video of Jane Doe that he had seen, stating, “I saw your titties again and cant wait to suck them . . . love them nipples . . . don’t wear a bra, when u get in the car.”

18. On or about September 4, 2018, DUNN wrote to Jane Doe, “are u able to post videos and pic, while we drive?? . . . I wanna get at least a pic of us together, posted on your page first . . . there will be some naughty videos along the way too, if u want to post them too. I like the fact that you are enjoying camming so much, but don’t get carried away . . . lol . . . some of those guys take it seriously and will hunt u down . . . u and me will be camming soon baby girl and I will be ordering you around the bed a LOT . . . Im very dominate in bed with my fuckin pussy.” DUNN further wrote, “theres wifi at all restaurants nowadays . . . I can post them if u cant.” Based on my training and experience, with these statements, DUNN communicated to Jane Doe that, after he picked her up, he wanted to engage in sexual activity with her, video record it, and post it on the Internet.

19. On or about September 5, 2018, DUNN wrote to Jane Doe, “how do u feel knowing u get fucked tomorrow night?” DUNN further stated that he would arrive at Jane Doe’s home, “roughly 230 to 3 unless I see more accidents . . . I’m n Pennsylvania.”

20. On or about September 6, 2018, DUNN picked Jane Doe up near her home in Brooklyn, New York. Later that day, Jane Doe’s mother reported Jane Doe missing to the NYPD.

21. The NYPD, in conjunction with the King's County District Attorney's Office, then began searching for Jane Doe. As part of the investigation, law enforcement obtained information from the Adult Website regarding Jane Doe's account. That information revealed that Jane Doe's account had been logged into approximately 10 times between September 6, 2018 – the day Jane Doe was reported missing – and September 13, 2018. Moreover, login information obtained from an Internet service provider indicated that the most recent login had been on or about September 13, 2018, from Camp Kosse RV Park in Kosse, Texas.

22. On or about September 14, 2018, Jane Doe emailed her mother that she wanted to come home but could not. According to login information obtained from an Internet service provider, this email was also traced back to Camp Kosse RV Park in Kosse, Texas.

23. Based upon this information, the NYPD contacted the Limestone County (Texas) Sheriff's Department, which has law enforcement jurisdiction over Kosse, Texas. On or about September 15, 2018, Limestone County Sheriff's Department officers and the Kosse Police Department responded to the Camp Kosse RV Park and began canvassing the area for Jane Doe. As law enforcement officers arrived at Lot 60, DUNN left a trailer home parked in Lot 60 (the "Trailer"). DUNN told law enforcement officers that Jane Doe was inside the Trailer. DUNN then opened the door to the Trailer and told Jane Doe to come outside.

24. After being advised of his Miranda rights, DUNN told law enforcement officers that he had met Jane Doe on an adult website and that he had rented a car and driven to Brooklyn, New York, to pick her up. DUNN also told law enforcement officers that he


believed Jane Doe was 16 years old. Texas law enforcement officers placed DUNN under arrest for trafficking of persons pursuant to Texas Penal Code 25.03 and interference with child custody pursuant to Texas Penal Code 25.03. Texas law enforcement officers then searched the Trailer pursuant to a search warrant and recovered multiple electronic devices belonging to DUNN and Jane Doe. The search of the Trailer corroborated DUNN and Jane Doe's statements that Jane Doe had been staying in the Trailer with DUNN.

25. On or about October 16, 2018, the Honorable Cheryl L. Pollak, United States Magistrate Judge for the Eastern District of New York signed a search warrant authorizing the FBI to search electronic devices belonging to DUNN that had been seized from the Trailer. A search of those devices revealed images of Jane Doe engaged in sexually explicit conduct at DUNN's direction, as described herein.

WHEREFORE, your deponent respectfully requests that the defendant BILLY HARMON DUNN, JR., be dealt with according to law.


MATTHEW B. DERAGON
Special Agent, Federal Bureau of Investigation

Sworn to before me this
20th day of November, 2018


THE HONORABLE PEGGY KUO
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK