

COPY

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

United States of America
v.

MATTHEW BRYAN CANIFF

Defendant(s)

Case No.

3:16-mj-1100-JRK

CRIMINAL COMPLAINT

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

On or about the date(s) of March 31, 2016, to April 1, 2016 in the county of St. Johns in the Middle District of Florida, the defendant(s) violated:

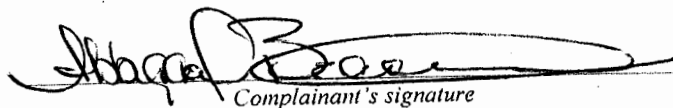
Code Section
18 U.S.C. § 2422(b)

Offense Description
Attempted online enticement of a minor for illegal sexual activity.

This criminal complaint is based on these facts:

See attached Affidavit.

Continued on the attached sheet.


Complainant's signature

Abbigail Beccaccio, Special Agent, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: 4/12/16

City and state: Jacksonville, Florida


Judge's signature
JAMES R. KLINDT, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

I, Abbigail Beccaccio, being duly sworn, state as follows:

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed since May 2012. I am currently assigned to the Jacksonville, Florida Division of the FBI where I conduct a variety of investigations in the area of violent crimes. Prior to this assignment, I was employed as Forensics and Technology Unit Supervisor with the Orlando Police Department for approximately 8 years. I have a Bachelor's degree in Molecular Biology & Microbiology. I have received law enforcement training from the FBI Academy at Quantico, Virginia. A substantial portion of my duties are dedicated to investigating cases involving crimes against children under the auspices of the FBI's "Innocent Images" National Initiative. Since becoming a Special Agent, I have worked with experienced Special Agents who also investigate child exploitation offenses. In the performance of my duties, I have investigated and assisted in the investigation of matters involving the advertisement for, possession, collection, production, receipt, and/or transportation of images of child pornography and the solicitation and extortion of children to produce sexually explicit images of themselves. I have been involved in searches of residences pertaining to the advertisement for, possession, collection, production, and/or transportation of child pornography through either the execution of search warrants or through the subject providing written consent to permit a search to be conducted.

2. I have investigated and assisted in the investigation of criminal matters involving the sexual exploitation of children that constituted violations of Title 18, United

States Code, Sections 2251, 2252, 2252A, 2422, and 2423, as well as Florida state statutes that criminalize sexual activity with minors and other methods of child sexual exploitation. In connection with such investigations, I have served as case agent, have been the affiant for several search warrants and conducted interviews of defendants and witnesses, and have served as an undercover agent in online child exploitation cases. Specifically, during the course of my official duties, I have assumed the persona of a minor child and engaged in online conversations and telephone conversations with adult individuals who expressed interest in engaging in illegal sexual activity with minor children. I am a member of a local child pornography task force comprised of the FBI, U.S. Homeland Security Investigations, the Florida Department of Law Enforcement, the Jacksonville Sheriff's Office, the St. Johns County Sheriff's Office, and the Clay County Sheriff's Office, among other agencies. These agencies routinely share information involving the characteristics of child sex offenders as well as investigative techniques and leads. As a federal agent, I am authorized to investigate and assist in the prosecution of violations of laws of the United States, and to execute search warrants and arrest warrants issued by federal and state courts.

3. The statements contained in this affidavit are based on my personal knowledge as well as on information provided to me by other law enforcement officers. This affidavit is being submitted for the limited purpose of establishing probable cause for the filing of a criminal complaint, and 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 that MATTHEW BRYAN CANIFF has committed a violation



of Title 18, United States Code, Sections 2422(b), that is, the attempted online enticement of a person whom he believed to be a minor child to engage in illegal sexual activity.

4. This affidavit is made in support of a criminal complaint against MATTHEW BRYAN CANIFF, charging that from on or about March 31, 2016 through on or about April 1, 2016, in St. Johns County, in the Middle District of Florida and elsewhere, MATTHEW BRYAN CANIFF, using a facility of interstate commerce, that is, by cellular telephone and computer via the internet, did knowingly and willfully attempt to persuade, induce, entice, and coerce a person whom defendant believed had not reached the age of 18 years, to engage in sexual activity for which a person can be charged with a criminal offense under the laws of the state of Florida, that is, the crime of lewd or lascivious battery upon a person less than 16 years of age, in violation of Sections 800.04(4)(a) and 800.04(4)(b), Florida Statutes, all in violation of Title 18, United States Code, Section 2422(b).

5. From March 31, 2016, to April 3, 2016, I, together with other law enforcement officers, participated in a regional operation designed to identify and target adult individuals who were seeking to make contact with and engage in sexual activity with minors. While working online in an undercover capacity, I created an online post using a particular chat application. This online application allows for individuals to meet online, engage in conversation, and exchange photos. I posted a photo that depicts a young female (shown fully clothed) that had been previously prepared for use in this type of investigation that was captioned, "Spring Break! And I'm BORED!!!!!!" This female is

actually an adult FBI employee. My undercover persona was designed to be that of a 13 year old female child (the "child").

6. On March 31, 2016, at 3:39 P.M., an unknown subject initiated contact with the "child" via the chat function of the online application. The subject, using the online name "iamthebass," typed "Let's do something then ;)". During the course of the ensuing chat conversation with the "child," the individual using the name "iamthebass" identified himself as "Matthew." As set herein below, this individual was subsequently identified as MATTHEW BRYAN CANIFF, a 32-year old pharmacy technician and a resident of Gainesville, Florida. The "child" provided CANIFF with a first name for the "child" that was predetermined for this type of investigation. When asked if he could drive, CANIFF responded, "Yes I can!," and the "child" replied, "Sweet!! I'm not old enough too." Shortly thereafter, CANIFF provided the telephone number 352-XXX-XXXX for the purpose of exchanging text messages with the "child," and the "child" provided CANIFF with a telephone number which had been prepared for this type of investigation. Shortly thereafter, the online conversation between CANIFF and the "child" moved from the chat application to text messaging. I, in the persona as the "child" exchanged all text messages with CANIFF over the internet using a particular computer program designed for use by law enforcement. Based on my training and experience, I know that cellular telephones and the internet are facilities of interstate commerce.

7. Also on March 31, 2016, at 3:53:00 P.M., the "child" received a text message from CANIFF using the telephone number 352-XXX-XXXX that read, "Is this [undercover persona name]?" The "child" responded, "HIYA" and "Matt?" At 3:54:32



P.M., CANIFF responded, "Hi!!!!!!". At 3:55:33 P.M., the "child typed, "soooooo I'm [undercover persona name]...I'm 13 and I'm on SPRING BREAK!!!!!!!" At 3:57:12 P.M., the "child" typed, "soo lik how old r u?", and CANIFF responded, "I'm older than you... Lol obviously But.. How old would you say is too old to hang out with?" and "I don't think you're too young lol."

8. At my request, during the online text messaging between CANIFF and the "child" on March 31, 2016, FBI Support Operations Specialist (SOS) Karen Ryndak conducted open source queries to identify the subscriber for telephone number 352-XXX-XXXX. After doing so, SOS Ryndak advised me that telephone number 352-XXX-XXXX resolved to MATTHEW CANIFF at a particular address in Gainesville, Florida. SOS Ryndak also conducted a query of the State of Florida Driver and Vehicle Information Database (DAVID) for MATTHEW CANIFF. SOS Ryndak further identified MATTHEW BRYAN CANIFF at the same address in Gainesville, Florida, with a date of birth in June 1983, and having a particular verifiable Social Security Number.

9. Also on March 31, 2016, at 4:06:42 P.M., CANIFF typed "Can I tell you something naughty?" CANIFF continued, typing "I have been soo turned on all day... Like a raging Hardon. If I seem pushy... I'm sorry. I'll try to tone it down." At 4:08:47 P.M., CANIFF explained that the term "Hardon" meant "Erect pen is". At 4:51:57 P.M., CANIFF typed, "So? Do you get turned on like that?" The "child" responded, "So.....u just want me to talk dirty to you?? i told u I'm 13.....so i don't know a lot of stuff."



10. Also on March 31, at 4:56:19 P.M., CANIFF typed, "Since I'm a little older.. Do you wanna ask me anything?" At 4:58:24 P.M., CANIFF typed, "I'm old enough to drive, I know what I like in women (you?), and I can drink". The "child" responded, "i told u i'm 13?? and IDK. so what do you lik in women?" At 4:59:30 P.M., CANIFF typed, "The only one of us the could get in trouble would be me". At 5:02:58 P.M., CANIFF typed, "You wouldn't [get in trouble]... There's really no risk to you. Are you by yourself?" The "child" responded, "ya. my dad went on some stupid work trip. that's why I'm soooooooo bored!!!" Then, CANIFF typed, "I would like to talk dirty to you... But only if you start... When is he back?" The "child" responded, "i think he gets back on Monday maybe Sunday?? why?". CANIFF then typed, "You're by yourself for several days? You must be really mature :)".

11. CANIFF and the "child" continued the text message conversation, during which CANIFF asked the "child" what "she" was wearing, told the "child" that he was touching his "hardon," and sent the "child" a photo of his penis. On March 31, 2016, at 6:04:00 P.M., CANIFF typed, "Can I see a sexy pic of you?" The two discussed ordering pizza for dinner. When asked what he wanted to see, CANIFF typed, "Lol... Anything you want to share... Be sexicreative..." The two discussed the fact that the "child" lived in St. Augustine and CANIFF lived in Gainesville. At 7:06:47 P.M., CANIFF typed "It's far... but not to far for pizza and a chance to see some boobies lol" At 7:10:56 P.M., CANIFF typed, "Mmhmm would you let me touch and kiss and run all over you with all of me?" At 7:16:27 P.M., CANIFF typed, "I want you to play with my hardon". At 7:18:31 P.M., CANIFF typed, "Have you ever had a dick inside you?" At 7:27:31 P.M., CANIFF

typed, "If you want me to have sex with you... I'll do everything... You just have to enjoy it". At 8:47:04 P.M., CANIFF typed, "Well... I don't want a fantasy... Just you..."

12. CANIFF asked the "child" to send a picture, and the "child" sent a non-pornographic photo of a female. On March 31, 2016, at 8:57:27 P.M., CANIFF typed, "Oh wow... You're pretty!" He added, "But you don't look 13 to me lol".

Beginning at 9:06:07 P.M., the following text conversation is exchanged between CANIFF and the "child":

CANIFF: It means that I wanna make you moan from touching you... Quiver from caressing you... And scream from fucking you

"Child": oooooooooo thats exciting!!!!

CANIFF: If I tell you I'm gonna fuck your pussy, will you show it to me?

"Child": maybe lol

CANIFF: I'm gonna fuck your little pussy

"Child": oh really????????????

CANIFF: Mmhmm.... All that dick filling your little pussy

"Child": REALLY. OMG

CANIFF: Fucking you slowly at first... Till your Pussy gets wetter and wetter, and I fuck you faster and faster and you cum on my dick And then I keep fucking and fucking and you keep cumming and cumming until I explode in your pussy

"Child": OMG!!!!!! NO WAY!!!!!! WAIT ur just faking me out online!!!

CANIFF: Does that sound good?
I wanna cum do that to you

"Child": REALLY???? is it gonna hurt?????

CANIFF: Nope.. Cause before I do that... I'm gonna eat that pussy I'll you cum and rub your pussy hole so it's ready for my dick

13. Also on March 31, 2016, at 9:39 P.M., CANIFF sent two more pictures of an adult male penis to the "child" and continued to send text messages describing explicit sexual acts. After the "child" received the penis photos, CANIFF typed, "I wanna fuck your little pussy with it, and fill it with cum."

14. Also on March 31, 2016, at 10:11:31 P.M., CANIFF typed, "I'm in Gainesville, and I don't have your address..." At 10:33:16 P.M., CANIFF typed, "Should I be driving to St. Augustine". At 10:42:47 P.M., CANIFF typed, "And you're not a cop, right?". The "child" responded, "Thanks a lot. Like 13 year old are cops! Douche". CANIFF then typed, "You could be pretending to be 13". The "child" responded, "ok lik why would i do that??" CANIFF then typed, "I know you're not... Just say that you're not working with law enforcement". The "child" responded, "FINE ! IM NOT A FREAKIN COP!!!!!" and "FINE. IM NOT whatever you said LAW ENFORMENT!!!" CANIFF then responded, "(;) thanks ... I'm sorry I made you mad".

12. Also on March 31, 2016, CANIFF and the "child" discussed CANIFF traveling to St. Johns County to meet the "child." At 10:51:14 P.M., the "child" provided a meeting location, away from "her" residence, to CANIFF. At 11:43:32 P.M., CANIFF typed to the "child" that his car broke down and that he was waiting on a tow truck. He sent photos to the "child" to verify his transportation problem. At 11:52:20 P.M., CANIFF typed, "How bad do you want this dick?"

13. On April 1, 2016, at 12:10:09 A.M., CANIFF typed, "The tow guy saw the problem and I'm on my way now". At 12:11:44 P.M., CANIFF typed, "is you're pussy

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tingling with anticipation?" After having discussed meeting the "child" at a particular location to which the "child" would ride "her" bike, at 12:13:50 P.M., CANIFF typed, "Are we gonna make it to you house?" At 12:48:22 A.M., the "child" asked if CANIFF is bringing "her" anything. At 12:50:13 A.M., CANIFF responded, "I haven't had time to stop.... I use Xanax... I'll share of you want... It's like a couple of shots.."

14. Also on April 1, 2016, the "child" advised CANIFF in substance that she was unable to ride "her" bike to the meeting location due to a mechanical problem. At 1:09:42 A.M., the "child" provided to CANIFF as "her" residence the address of a location where law enforcement officers were staged and waiting as part of this investigation. At 1:16:42 A.M., CANIFF typed, "So... Would you meet me at your door naked ;)". At 1:21:57 A.M., CANIFF typed "Are you naked??"

15. On April 1, 2016, at approximately 1:35 A.M., CANIFF arrived at the predetermined location in his vehicle and was taken into custody by St. Johns County Sheriff's officers. A search incident to his arrest revealed that he possessed a knife and several pills.

16. Based on my training and experience, I know that the sexual acts that CANIFF discussed engaging in with the 13 year old "child" would have constituted criminal acts in violation of Florida law, specifically the crime(s) of lewd or lascivious battery upon a person less than 16 years of age, in violation of Sections 800.04(4)(a) and 800.04(4)(b), Florida Statutes.

17. After being advised of his constitutional rights, CANIFF acknowledged his rights and agreed to speak with investigators. This interview was video and audio


recorded, and I have reviewed this recording. During this interview, CANIFF stated, among other things, "Clearly, I thought that there was someone here that was, um, interested in having sex." Subsequently, CANIFF stated that he was engaged in "role playing" with a person who had told him that "she" was 13 years old. CANIFF stated in substance that the terms of use of the chat application that he used to communicate with the "child" required that a user be at least 18 years old. CANIFF acknowledged that he used his cellular telephone to communicate with the "child," and that he sent "pictures of body parts" to the "child." CANIFF also admitted that he brought Zanax pills to the meeting location, and that he had found these pills in the garbage at his workplace, a pharmacy in Gainesville, Florida.

18. Based on my training and experience, I am familiar with the terms of use of the particular chat application that I used to communicate initially with CANIFF in this investigation, and I have reviewed these terms in preparing this affidavit. The terms of use state, in substance, among other things, and in pertinent part, that a user "must be at least 13 years of age" to use the application, and if a user is "between 13 and 18 years of age," the user may use the application under the supervision of a parent or legal guardian.

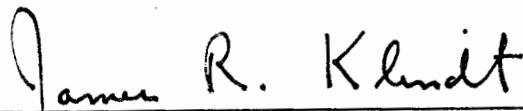
19. Based upon the foregoing facts, I have probable cause to believe that from on or about March 31, 2016 through on or about April 1, 2016, in St. Johns County, in the Middle District of Florida, and elsewhere, defendant, MATTHEW BRYAN CANIFF, using a facility of interstate commerce, that is, by cellular telephone and computer via the internet, did knowingly and willfully attempt to persuade, induce, entice, and coerce a person whom



defendant believed had not reached the age of 18 years, to engage in sexual activity for which a person can be charged with a criminal offense under the laws of the state of Florida, that is, the crime of lewd or lascivious battery upon a person less than 16 years of age, in violation of Sections 800.04(4)(a) and 800.04(4)(b), Florida Statutes.


ABBIGAIL BECCACCIO, Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this
12th day of April, 2016, at Jacksonville, Florida.



JAMES R. KLINDT
United States Magistrate Judge