

Apr 14 2021

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

UNITED STATES DISTRICT COURT
for the
Northern District of California

United States of America)

v.)

Jace WONG)

Case No. 3-21-mj-70616 MAG)

Defendant(s)

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 4/13/2021 in the county of San Francisco in the
Northern District of California, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. §§ 2252(a)(4)(B) & (B)(2)
– Possession of Child Pornography

Max penalties: Imprisonment 10 years or 20 years (if materials involve a
prepubescent minor or a minor who had not attained 12 years of age);
\$250,000 max fine; SR: any term of years not less than 5, up to life;
assessment of not more than \$17,000, annually adjusted; \$100 special
assessment; restitution.

This criminal complaint is based on these facts:

Please see the attached affidavit of FBI Special Agent Benjamin Burnheimer

Approved as to form /s Joseph Tartakovsky
AUSA Joseph Tartakovsky

Continued on the attached sheet.

/s/ Benjamin Burnheimer

Complainant's signature

Benjamin Burnheimer, FBI Special Agent

Printed name and title

By telephone

Sworn to before me and ~~signed in my presence.~~

Date: April 14, 2021

City and state: San Francisco, California



Judge's signature

Jacqueline Scott Corley, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR CRIMINAL COMPLAINT

I, Benjamin I. Burnheimer, Special Agent with the Federal Bureau of Investigation (“FBI”), being duly sworn, state:

INTRODUCTION

1. I make this affidavit in support of an application under Rule 4 of the Federal Rules of Criminal Procedure for a Complaint and warrant authorizing the arrest of **JACE WONG** for possession of child pornography, in violation of 18 U.S.C. § 2252(a)(4)(B) (“Target Offense”). The FBI arrested WONG at approximately 5:00 p.m., on April 13, 2021, on the basis of probable cause.

SOURCES OF INFORMATION

2. This affidavit is submitted for the limited purpose of securing a criminal complaint and arrest warrant. I have not included every fact known to me concerning this investigation. Instead, I have set forth only the facts necessary to establish probable cause that the violation of the federal law identified above has occurred. I base my statements in this affidavit on my training and experience, personal knowledge of the facts and circumstances obtained through my participation in this investigation, information provided by other agents, law enforcement officers, and witnesses, and information provided by records and databases. This affidavit reflects my current understanding of facts but my understanding may change as the investigation proceeds.

AFFIANT BACKGROUND

3. I am a Special Agent with the Federal Bureau of Investigation (FBI). I have been so employed since approximately September 2015. I am currently assigned to the San Francisco Field Office, Oakland Resident Agency, to a squad that investigates sexual exploitation of minors, including such exploitation via the Internet and computers. Since joining the FBI, I have investigated, among other things, federal criminal violations related to child pornography and the sexual exploitation of minors. I have received training in the areas of child pornography, child exploitation, and human trafficking, and have had the opportunity to observe and review numerous examples of child pornography (including as defined in 18 U.S.C. § 2256) in multiple

forms of media, including computer media and cellular and smartphone devices. I have participated in the execution of numerous federal search warrants conducted by the FBI and in the seizure of computer systems and other types of digital evidence.

4. In addition, I am certified as a Digital Evidence Extraction Technician (“DEXT”) within the FBI. As a DEXT, I am trained and authorized to conduct forensic examinations of digital evidence. This work includes the preservation and analysis of various forms of digital media, including cellular devices, smartphones, and computers. Since approximately April 2019, I have preserved and examined numerous items of digital evidence, many of which were related to investigations involving crimes against children.

5. I am an investigator and law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7). I am empowered by law to conduct investigations, to execute search warrants, and to make arrests for offenses of federal law.

APPLICABLE STATUTES

6. Pursuant to 18 U.S.C. § 2252(a)(4)(B), it is unlawful for any person to knowingly possess or access with intent to view any material that contains any visual depiction of a minor engaging in sexually explicit conduct that has been mailed, or shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, or that was produced using materials that have been mailed or shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

FACTS SUPPORTING PROBABLE CAUSE

7. As part of a law-enforcement operation on the social media application Kik, an officer acting in an undercover capacity (“UC”) obtained access to private groups on Kik.

8. Kik is a social media application typically installed on smartphones. Kik allows users to communicate with other users either individually or as part of groups. Users can send and receive chat messages, photos, videos, and other content. Users can also participate in private groups that can only be joined by invitation, link, or a group code. Users create

usernames that uniquely identify the user on the Kik application.

**WONG sends videos of prepubescent children
to a private Kik group dedicated to sharing child pornography**

9. On or about April 9, 2021, Kik user “anontransboi”, subsequently identified as defendant Jace WONG (as detailed below), was observed by an undercover officer in a private Kik chat group named “Younger love [heart emoji] [heart emoji].” The UC observed the group’s activity and determined that the group was being used to share child sexual abuse material.

10. On or about April 9, 2021, WONG sent to the group a 14-second long video depicting a prepubescent female, estimated to be approximately 4 to 6 years old, in a bathroom. In the video, the prepubescent female faces the camera. Her vagina is exposed. The prepubescent female pulls up a pair of light blue panties and appears to spot the individual filming her. The bathroom has white and black tiles and the toilets are separated by beige dividers.

11. On or about April 9, 2021, WONG sent to the group an approximately 12-second long video depicting a prepubescent female, estimated to be approximately 4 to 6 years old, standing in a bathroom. The prepubescent female’s vagina is exposed and she appears to be wiping herself. The prepubescent female is wearing pink pants pulled down to her ankles and a light purple and blue shirt. The individual recording the prepubescent female appears to be recording through a pane of glass. The bathroom has white and black tiles and the toilets are separated by beige dividers.

12. On or about April 9, 2021, WONG sent to the group two images depicting a prepubescent female, estimated to be approximately 4 to 6 years old, standing in front of a toilet with her vagina exposed. The prepubescent female is wearing black pants that are pulled down to her ankles and a light purple long-sleeved shirt. Visible in the image are white floor tiles and beige dividers.

13. On or about April 9, 2021, WONG sent a 12-second long video depicting a prepubescent female, estimated to be approximately 4 to 6 years old, standing in a bathroom. The prepubescent female’s vagina is exposed as she pulls up white underwear. The

prepubescent female is wearing what appear to be blue pants and a white long-sleeve shirt. The bathroom has white and black tiles and the toilets are separated by beige dividers.

14. On or about April 11, 2021, WONG communicated on Kik with a law enforcement officer acting in an undercover capacity (“UC”). The following conversation occurred and is reproduced below from the communications visible on the UC’s phone. Some chat language that does not relate to the Target Offense has been omitted.

UC: Hey
UC: We both in younger lover
WONG: Hi
WONG: Is that your kid in your pic?
UC: Yes
UC: R those ur vids ur sending?
WONG: yea
WONG: The ones in the bathroom at least
UC: That’s hot
UC: Asl? [smiling blush emoji]
UC: Sry just woke up

15. On or about April 13, 2021, WONG continued communicating with UC. The following conversation occurred and is reproduced below from the communications visible on the UC’s phone. Some chat language that does not relate to the Target Offense has been omitted.

WONG: Are you looking to trade content?
UC: How u get those vids?
WONG: I took them
WONG: have any vids of your daughter?
WONG: Old or current
UC: I’m impressed
UC: I’m setting up some spycams
UC: We started at 7 but never thot to film it back then
WONG: You could always play with her in her sleep
UC: I’ll take suggestions since ur the expert [laughing emoji] [laughing emoji]
WONG: Lol almost got caught last time
UC: Lol where is that at?
WONG: No new vids or pics from today tho. Gotta be more cautious now
WONG: [shhh emoji] [winking tongue out emoji]
UC: Hahaha ya good call babe
UC: U must not b from USA I never seen bathroom like that before lol

WONG: Lol

WONG: Where u from?

UC: Wisconsin

UC: Hbu

WONG: OR

WONG: Not a public bathroom

WONG: A kids bathroom

UC: Let me guess... ymca?

WONG: No, but similar in a sense

WONG: Would love to grope one of the girls through their clothes, then slip my hand under and play with their little slit, then slip my finger inside and taste my fingers

16. WONG then sent an approximately 36-second long video, in which a prepubescent female, estimated to be approximately 4 to 6 years old, is seen in a bathroom. The prepubescent female has her pants pulled down to her ankles and can be seen grabbing for toilet paper. Her vagina is exposed in the video. The prepubescent female then wipes her vagina. The floor of the bathroom in the video has white tiles and beige dividers between the toilets. The conversation continued:

WONG: 3 of the girls have such delectable little mounds

UC: Aight last guess then I give up lol at a school?

WONG: [winking tongue out emoji] [shhh emoji]

WONG: You have any other kids?

UC: No just one

WONG: Would love to do spy cams with my future kids one day

17. I am prepared to present the video clips and images described above to the Court for its review.

WONG is identified as a current employee of a San Francisco daycare center

18. During private Kik chats observed by a law enforcement officer, WONG indicated that his Reddit profile was “yo_hoemie”. A review of WONG’s Reddit posts led investigators to conclude that WONG worked at a preschool facility (which WONG named).

19. Reddit is a website and platform for social news aggregation and discussion.

20. On April 13, 2021, at around 1:30 p.m., I conducted a search of a law enforcement database that indicated that WONG had previously applied to a daycare center for

employment.

21. According to Kik records requested by law enforcement for WONG's Kik account ("anontransboi") and obtained on April 12, 2021, IP address 69.215.150.[redacted] was used to log in to WONG's Kik account multiple times between April 2, 2021 and April 12, 2021.

22. According to AT&T records obtained on April 12, 2021, IP address 69.215.150.[redacted] was subscribed to Jace WONG with an internet service address of [redacted] Beaumont Avenue, San Francisco, California. The telephone number on the AT&T account was 925-899-[redacted].

23. On April 13, 2021, around 2 p.m., I obtained Verizon records showing that telephone number 925-899-[redacted] was subscribed to [redacted] WONG (believed to be the father of Jace WONG) with a service address of [redacted], Pleasanton, California. Jace WONG was listed as an alternate contact for the Verizon account.

24. Around 2:10 p.m., Verizon, in response to a law enforcement request, provided the current GPS coordinates for the device associated with 925-899-[redacted] as of 2:01 p.m. Verizon advised that the coordinates would be accurate within 653 meters.

25. Shortly after 2:10 p.m., using an open-source map, I identified child-care facilities located near the GPS coordinates given to me by Verizon. I discovered that a daycare center was located within approximately 151 feet of the provided GPS coordinates. The name of that daycare facility has the same name as the facility mentioned by WONG in a Reddit conversation.

26. Beginning around 2:45 p.m., the FBI began surveillance of that daycare facility. This revealed WONG inside the building in the presence of children. WONG's identity was confirmed in part using an image from his California driver's license.

27. Around 4:30 p.m., FBI agents observed WONG depart the facility and enter a transit bus. Based on the direction of travel, it was believed that WONG was returning to his residence. Agents observed WONG exit the bus and arrested WONG without incident.

28. Soon thereafter, WONG was transported to the FBI San Francisco Field Office, where he would be interviewed by agents of the FBI.

29. Around 5:10 p.m., I traveled to the daycare facility. The on-site daycare facility manager voluntarily allowed me to access the daycare space. I located the bathroom used by the children. I observed the bathroom to be an approximately 6' x 12' room, with white and black tiles and beige dividers, identical to the bathroom depicted in the videos and images sent by WONG. On one wall, there was a large viewing window. Based on my review of the videos sent by WONG, and the bathroom I observed at the daycare center, I believe that the videos were produced at the daycare facility.

WONG confirms his identity and conduct in an interview with FBI agents

30. Beginning around 6:30 p.m., WONG gave a recorded interview with agents. During that interview, he confirmed his Kik profile. He stated that, within Kik groups and chats, he sent and received multiple sexually explicit videos involving minor victims. WONG also said that he possessed another online storage account, through which he sent links containing sexually explicit videos and images of minors.

31. WONG said that he recorded at least three videos of children from within the daycare facility. WONG was shown photos of the children believed to be currently attending the daycare facility. He identified three children depicted in the videos.

32. WONG also indicated that he had previously worked in other daycare facilities, including one in Livermore. Law enforcement is working to identify what facilities those may have been.

33. During the interview, WONG accessed his smartphone and showed agents a hidden album containing media files that he saved.

34. The hidden album contained approximately 428 media files, many of which contained videos and images of minors engaged in sexually explicit conduct.

35. WONG stated that he received many of these videos from others on the internet.

36. Also located in this album were the videos that WONG said that he recorded at the daycare facility.

37. WONG provided agents with written consent to continue searching his phone.

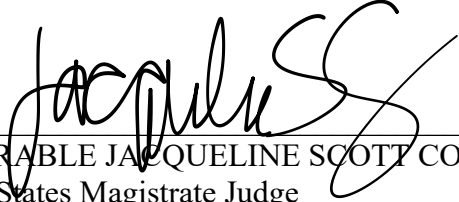
Further review of the media contained in the hidden album revealed (among other files) an approximately 8-minute-long video in which a prepubescent female is seen fully nude with an older adult male. The prepubescent female is seen lying on a bed. The adult male is then seen penetrating her vagina using multiple fingers. In another part of the video, the minor female is seen performing oral sex on the adult male. The adult male subsequently penetrates the minor female's vagina with his penis.

CONCLUSION

38. On the basis of the information summarized above, there is probable cause to believe that on or about April 13, 2021, in the Northern District of California, WONG committed the crime of possession of child pornography in violation of 18 U.S.C. § 2252(a)(4)(B).

/s/ Benjamin Burnheimer
FBI Special Agent

Sworn to before me over the telephone and signed by me pursuant to Fed. R. Crim. P. 4.1 and 4(d) on this 14th day of April 2021.



HONORABLE JACQUELINE SCOTT CORLEY
United States Magistrate Judge