

Approved: Daniel M. Loss
Daniel M. Loss
Assistant United States Attorney

Before: HONORABLE DEBRA FREEMAN
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA	:	<u>COMPLAINT</u>
	:	Violations of 18 U.S.C.
-v.-	:	§§ 2422(b) and 2
	:	
JEFFREY WEBER,	:	COUNTY OF OFFENSE:
Defendant.	:	New York County
	:	

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SOUTHERN DISTRICT OF NEW YORK, ss.:

ANDREW SHORE, being duly sworn, deposes and says that he is a Detective with the New York City Police Department ("NYPD") and a Task Force Officer with the Department of Homeland Security, Homeland Security Investigations ("HSI"), and charges as follows:

COUNT ONE
(Attempted Enticement)

From at least on or about January 30, 2018 up to and including on or about February 14, 2018, in the Southern District of New York and elsewhere, JEFFREY WEBER, the defendant, willfully and knowingly did use a facility and means of interstate and foreign commerce, to persuade, induce, and entice, and coerce an individual who had not attained the age of 18 years to engage in a sexual activity for which a person can be charged with a criminal offense, and attempted to do so, to wit, WEBER, in communications over the internet, attempted to persuade, induce, and entice an undercover officer posing as a 13-year-old girl to meet the defendant for the purpose of engaging in sexual activities.

(Title 18, United States Code, Sections 2422(b) and 2.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

1. I am a Detective with the NYPD and Task Force Officer with HSI. I have been a police officer with the NYPD for approximately 16 years. I have participated in numerous investigations involving crimes against children, including the receipt, possession, and/or distribution of child pornography by electronic means, sexual exploitation, and enticement of minors. I have gained expertise in these areas through training and daily work related to conducting these types of investigations.

2. I have been personally involved in the investigation of this matter, including in an undercover capacity. This affidavit is based upon my communications with JEFFREY WEBER, the defendant, conversations with law enforcement officers and others, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. I am aware that Craig's List is an online classified advertisement service through which people can post free advertisements and solicitations, including personal advertisements targeted to a particular geographic region.

4. On or about January 30, 2018, as part of an undercover investigation, I placed an advertisement (the "Advertisement") on the Manhattan page of Craig's List in the "women seeking men" area of the Manhattan personals listings. The Advertisement was entitled "Looking for an Older Guy." The body of the advertisement stated in part, "I'm a younger girl looking for an older guy. Don't judge, that's kind of my thing Hit me up if interested."

5. On or about January 30, 2018, at approximately 5:39 p.m., a Craig's List user named "Jeffrey Weber" responded to the Advertisement using an anonymized email address. I reviewed the email, which stated in part, "I am an older, 59, white man who loves and prefers the company of a much younger woman like yourself If you are interested, email me at [a particular email account] (the 'Weber Account')."

6. On or about January 30, 2018, at approximately 8:30 p.m., I used a particular email account (the "UC Account") in an undercover capacity to send an email as "Rebecca Handley" to the Weber Account. The message stated, in part, "I'm Becca, short for Rebecca My friends think I'm weird cause I like older guys but I guess it's just my thing. I'm 4'11, about 85 lbs with a thin build. I will be 14 in a couple months. That seems to freak guys out so I understand if you don't want to talk anymore."

7. On or about January 30, 2018, at approximately 8:44 p.m., "Jeffrey Weber" sent an email response to "Rebecca Handley," which I reviewed. The message stated in part, "I can certainly understand how you being only 13 would weird a lot of guys out but I won't hold that against you. So, YES, I would love to continue to talk to you and get to know you better and lets see how things go between us."

8. On or about January 30, 2018, at approximately 8:52 p.m., "Jeffrey Weber" sent an email to the UC Account, which I reviewed. The email requested "a pic or 2, just so that I can attach a name to a face." I used the UC Account in an undercover capacity to reply with a photograph of a girl who appeared to be approximately 13 years old. Later that day, "Jeffrey Weber" sent an email to the UC Account, which I reviewed, stating, "You are very pretty and cute for an almost-14 year old."

9. On or about January 30, 2018 at approximately 9:14 p.m., "Jeffrey Weber" emailed a picture of himself to "Rebecca Handley," which I reviewed. The appearance of the man in that photograph matched that of JEFFREY WEBER, the defendant.

10. Based on my use of the UC Account in an undercover capacity, I know that, on or about January 31, 2018, "Jeffrey Weber" exchanged a series of emails with "Rebecca Handley." During the email exchange, it was discussed, in substance and in part, that "Rebecca Handley" was 13 years old and had not previously had sex. The messages from "Jeffrey Weber" included, among others, the following:

- a. At approximately 6:25 p.m., an email from the Weber Account stated in part, "I think I would love for you to buy some sexy panties that you could hopefully model for me sometime."

- b. At approximately 7:04 p.m., an email from the Weber Account stated in part, "I bet that I could make you EXTREMELY wet 'down there' if I ever stuck my hand, finger or mouth 'down there.'"
- c. At approximately 7:15 p.m., an email from the Weber Account stated in part, "I GUARANTEE that once I give you an orgasm, it will feel so good and so amazing to you that you will want me to give them to you more often."
- d. At approximately 7:23 p.m., an email from the Weber Account stated in part, "Since you ARE [a] virgin and you ARE a minor in terms of the laws of New York State, you KNOW that IF you and I ever did anything sexual, including having sex, that you could NEVER tell anyone or I would go to jail. And since you are a virgin, I would be EXTREMELY gentle with you as humanly possible. I would give you a full body erotic massage to help relax and prepare your body for the experience of having sex for the first time."
- e. At approximately 7:36 p.m., an email from the Weber Account stated in part, "In New York, in order for you to LEGALLY be able to agree (consent) to have sex you have to be 17. Since you are so young, your vagina will naturally be EXTREMELY tight. Since I AM very big 'down there' lol, yes, unfortunately it WILL hurt when I penetrate you and push it deeper inside of you."
- f. At approximately 7:50 p.m., an email from the Weber Account stated in part, "If, the time comes that you feel 100% comfortable enough with me to want to have sex with me BEFORE you turn 17, I would certainly not say 'no' to you."
- g. At approximately 8:02 p.m., an email from the Weber Account stated in part, "Of course, we would have to make the occasion of you losing your virginity very special. I don't know where we would do it just yet."

11. Based on my use of UC Account in an undercover capacity, I know that, on or about February 1, 2018, the user of the Weber Account identified himself as a teacher who does "home

tutoring for kids who have either been suspended, expelled, or out of a school due to a temporary illness or injury or an emotional issue." Based on my conversations with other law enforcement officials, I know that that description matches the job description of JEFFREY WEBER, the defendant.

12. Based on my use of the UC Account in an undercover capacity, I know that, on or about February 1, 2018, the user of the Weber Account sent a series of emails to "Rebecca Handley." The messages included the following, among others:

- a. At approximately 4:55 p.m., an email from the Weber Account stated in part, "I think that if we were to go to a hotel, we would have to be able to convince a check-in clerk at a hotel that I am your step-father and you are my step-daughter. We cannot let them believe that here is a dirty older man with a 13 year old minor he wants to have illegal sex with."
- b. At approximately 5:23 p.m., an email from the Weber Account stated in part, "As soon as I get you into a room, I am locking the door behind us Then, I will start slowly undressing you and worshipping your body with my hands and mouth as I do it."
- c. At approximately 5:59 p.m., an email from the Weber Account stated in part, "I agree 100% that your very first time having sex and losing your virginity SHOULD be with someone special I would be honored and privileged and I would LOVE to be your very first."
- d. At approximately 6:20 p.m., an email from the Weber Account stated in part, I am SURE this is something that I DEFINITELY want to do. I am aware of the risk involved but I want to do this with you."

13. On or about February 2, 2018, "Jeffrey Weber" sent an email to "Rebecca Handley," which I reviewed. The email identified a certain phone number ("Weber's Number") as his own. Using the UC Account, I replied by providing a phone number for "Rebecca Handley." ("Becca's Number").

14. Based on my use of Becca's Number in an undercover capacity, I know that between on or about February 2, 2018 and

on or about February 13, 2018, the user of Weber's Number exchanged a series of text messages with Becca's Number. During the text message exchange, the user of Weber's Number identified himself as "Jeff" and agreed to meet "Becca" at a certain diner in Manhattan (the "Diner") at 9:30 a.m. on the morning of Valentine's Day, February 14, 2018, and to then go to Becca's apartment for the purpose of having sex. During this text message exchange, "Jeff" stated that he would bring condoms and lubricant. "Jeff" also stated, among other things:

- a. "I plan on lubricating your vagina with your own pussy juice when I am licking you and getting your pussy excited. I think that will be enough lubrication. It will make penetrating your vagina with my dick easier to slide in."
- b. "You also MAY or MAY NOT bleed the first time. So we will need to put towels on your bed under your pussy when I penetrate you. If you DO bleed DO NOT PANIC, I will clean you up I will bring some towels with me in a bag. If you bleed on them, I will put them in a plastic bag and dispose of them."
- c. "I am honored to be your first. And it is EXTREMELY important for you to know THIS - Just because you are losing your virginity to me DOES NOT mean that you are losing my respect for you at all."
- d. "I am going to give you an oral examination. Lol. But not the kind you take in school, of course No paper, no pens, no pencils needed. Just my mouth and tongue all over your body Ear lobes, neck, breasts, stomach, thighs, pussy, ass I am going to FEAST on your body . . . Just think how hot and wet you will be before I even enter you with my dick . . . You are going to be dripping wet like a leaking faucet And THAT is when I will slowly enter your pussy. And gently stroke it in and out."
- e. "I have to confess that I get a HUGE erection when I think of being with you and being your very first."
- f. "I am bringing candles It's so much more romantic that way, especially for your very first time."
- g. "No more little girl after Wednesday. You will know EXACTLY how a woman feels when she orgasms. Don't be

nervous. It is extremely pleasurable You will be like, "God DAMN, is that what I have been missing? I want that ALL THE TIME."

h. "Of course I am going to be gentle, baby [I]f you say it hurts I will slow down You know I love you and would NEVER hurt you intentionally."

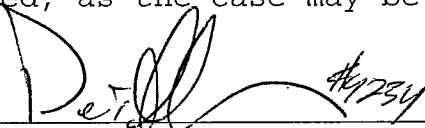
15. On or about February 2, 2018, "Jeff" sent a text message to Becca's Number, which I reviewed. The message contained a photograph of "Jeff" wearing a t-shirt that said, "MY GIRLFRIEND IS THE COOLEST Sweetest MOST GORGEOUS WOMAN I HAVE EVER SEEN SHE IS MY Best Friend AND MY LIFE." "Jeff" stated in a text message, "I had this shirt made up special for you today." The appearance of the man in the photograph matched the appearance of JEFFREY WEBER, the defendant.

16. On or about the morning February 14, 2018, other law enforcement officers and I were present at Diner. We observed JEFFREY WEBER, the defendant, approaching the Diner and arrested him. WEBER brought with him a bag containing, among other things, condoms, lubricant, towels, and candles. WEBER was wearing the same t-shirt as in the photograph that "Jeff" sent to "Becca" on or about February 2, 2018.

17. Following his arrest and after waiving his Miranda rights, JEFFREY WEBER, the defendant, was interviewed by law enforcement officers and made the following statements in substance and in part:


- a. WEBER stated that he used the Weber Account to send email messages to the UC Account.
- b. WEBER stated that he used the Weber Number to send text messages to Becca's Number.
- c. WEBER stated that he came to the Diner to meet "Becca" and that he planned to have sex with her.

WHEREFORE, deponent prays that the above-named defendant be imprisoned or bailed, as the case may be.



Det. Andrew Shore
Task Force Officer
Homeland Security Investigations

Sworn to before me this
14th day of February, 2018


Honorable Debra Freeman
United States Magistrate Judge