

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRIS HARVEY SAYLER

Defendant.

CASE NO. *MJ19-5186*

COMPLAINT FOR VIOLATION

Title 18, U.S.C. Section 1029(a)(2)
(Access Device Fraud)

Title 18, U.S.C. Section 1028A(a)(1)
(Aggravated Identity Theft)

BEFORE the Honorable Theresa L. Fricke, United States Magistrate Judge, U.S.
Courthouse, Tacoma, Washington.

The undersigned complainant being duly sworn states:

COUNT 1

Access Device Fraud

From on or about September 1, 2018, and continuing through on or about August 31,
2019, within the Western District of Washington and elsewhere, CHRIS HARVEY
SAYLER knowingly and with intent to defraud used one or more unauthorized access
devices during a one-year period and by such conduct obtained something of value
aggregating \$1,000 or more during that period, to wit: CHRIS HARVEY SAYLER used a

1 debit card ending in 4445 to access a Bank of America checking account he opened using the
2 personally identifiable information of J.L.S., a real person, and conducted transactions within
3 the Western District of Washington, within a one-year period, with an aggregate total
4 exceeding \$1,000 in value.

5 All in violation of Title 18, U.S.C. Section 1029(a)(2) and 2.

6 **COUNT 2**

7 **Aggravated Identity Theft**

8 From on or about September 1, 2018, and continuing through on or about August 31,
9 2019, within the Western District of Washington and elsewhere, CHRIS HARVEY
10 SAYLER willfully and knowingly possessed and used, without lawful authority, a means of
11 identification of another person during and in relation to a felony listed in Title 18, U.S.C.
12 Section 1028A(c) to wit: CHRIS HARVEY SAYLER possessed and used a debit card to
13 access a Bank of America checking account belonging to J.L.S., a real person, during and in
14 relation to the offense of Access Device Fraud, as described in Count 1, and enumerated in
15 Title 18 U.S.C. Section 1028A(c)(4).

16 All in violation of Title 18 U.S.C., Section 1028A(a)(1) and 2.

17 **INTRODUCTION**

18 1. I am a Special Agent with the Social Security Administration, Office of the
19 Inspector General (“SSA-OIG”), assigned to the Seattle, Washington Field Office, and have
20 been so since 2014. I am a graduate of the Criminal Investigator Training Program and
21 Inspector General Investigator Training Program at the Federal Law Enforcement Training
22 Center and have received regular training in the enforcement of law of the United States,
23 including the preparation, presentation, and service of criminal complaints, arrest, and search
24 warrants. As a SSA-OIG Special Agent, my duties include investigating fraud, waste, and
25 abuse related to the Social Security Administration (“SSA”) and its programs. During my
26 tenure as a Special Agent, I have conducted numerous investigations of criminal activity
27 including identity theft, government benefit fraud, disability fraud, bank fraud, wire fraud,
28 and other fraud or financial crimes.

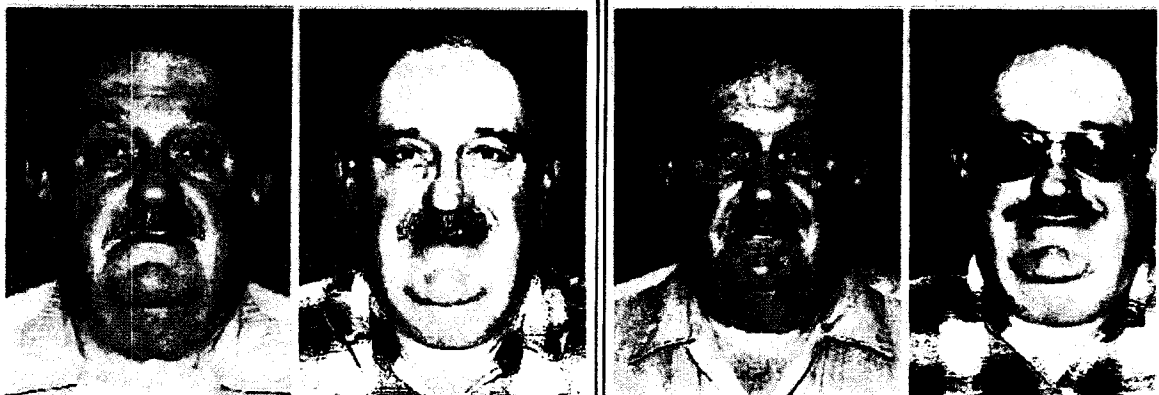
STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE

A. Washington State Department of Licensing Facial Recognition Alert

7. According to WA Department of Licensing (“DOL”) records, on May 9, 2013, an individual identifying himself as J.L.S. applied in-person at a DOL location for an identification card renewal and posed for a card photo. The photo was flagged by DOL’s automated facial recognition system because the individual appeared to be the same person in the WA driver license for SAYLER. Due to the facial recognition alert, the renewal for J.L.S.’s identification card was not processed and a letter was mailed to SAYLER at PO Box 2997, Vancouver, WA notifying him of the facial recognition flag and instructing him to return to his local DOL office with proof of his identity.

8. SAYLER did not visit a DOL office until approximately three years later, on April 12, 2016, when he entered a DOL office in Bremerton, WA. There, SAYLER explained to a DOL employee that the facial recognition alert occurred because he has a twin brother named J.L.S. born in 1951. The DOL employee pointed out that SAYLER and J.L.S. could not be twins because they were born four years apart and SAYLER responded that it is a rare situation, but it does occur. The DOL employee instructed him to return with more identity documentation to prove he was actually SAYLER.

9. According to DOL records, SAYLER returned to the office later that day and met with a second DOL employee who showed SAYLER four unlabeled photos of the most recent WA driver licenses/identification cards for J.L.S. and SAYLER.



A

B

C

D

1 10. According to DOL records, SAYLER identified Photo A and Photo C as
2 photos of himself. SAYER acknowledged Photo B and Photo D looked similar to him, but he
3 was not certain if he was the individual(s) pictured in Photo B and Photo D.

4 11. DOL records show Photo A was taken during the 2013 identification card
5 renewal attempt for J.L.S. that resulted in the facial recognition alert and Photo C is
6 SAYLER's driver license photo taken in 2011. Photo B is the photo taken for the J.L.S.
7 identification card issued in 2008 and Photo D is SAYLER's driver's license photo taken in
8 2006. Of note, SAYLER wore identical shirts for Photos A & C and Photos B & D when he
9 posed as J.L.S. and as himself.

10 12. After SAYLER provided DOL with appropriate identity documents, DOL
11 issued him a renewed license under his true identity and sent the J.L.S. identity issue to
12 DOL's License Integrity Unit for further investigation. Ultimately, the investigation was
13 referred by DOL to SSA-OIG in January 2019.

14 **B. Background of J.L.S. and SAYLER**

15 13. According to SSA records and family members, J.L.S. was born in 1951 to
16 parents L.S. and E.S., whose family consisted of three sons: SAYLER, J.L.S., and a third
17 brother ("CW-1"). SAYLER was born in 1947 and reportedly adopted as a toddler by the
18 family. SAYLER is not biologically related to J.L.S. or CW-1, however all three brothers
19 grew up together in Idaho. As adults, the brothers separated, with SAYLER residing in
20 Washington, CW-1 residing in Missouri, and J.L.S. residing in Kansas and Missouri during
21 the 1970s/1980s. From approximately 1988 to 2012, SAYLER lived in the Vancouver, WA
22 area before moving to Olalla, WA in approximately 2013.

23 14. According to SSA records and CW-1, J.L.S. was born with partial blindness
24 and began receiving Social Security disability benefits in 1977. During the 1970s and 1980s,
25 J.L.S. split his time between Missouri and Kansas before purchasing land in Fordland, MO in
26 1985. CW-1 stated J.L.S. reportedly made initial payments on the land with his Social
27 Security benefits and told family he intended to build a home and settle on the land.
28

1 **C. Missing Person Investigation of J.L.S.**

2 15. According to CW-1, J.L.S. left Missouri in the summer of 1988 and told family
3 members he was going to visit SAYLER, who was living in Vancouver, WA at the time, and
4 would then return to Missouri to settle on his newly purchased property.

5 16. After several months, family in Missouri had not heard from J.L.S. and
6 discovered that J.L.S.'s property in Fordland, MO had been put up for auction due to failure
7 to make payments. CW-1 filed a missing person report for J.L.S. in March 1989 with the
8 local Webster County, MO Sheriff's Office ("WCSO").

9 17. The WCSO 1989 missing person report indicates the investigation was referred
10 to the Clark County, WA Sheriff's Office ("CCSO") in 1989 due to J.L.S.'s last known
11 whereabouts in Vancouver, WA. No CCSO records related to the investigation still exist.
12 Attached to the WCSO 1989 missing person report were three handwritten letters dated
13 between June and September 1988 purportedly written by J.L.S.

14 **D. Investigators' Contact with CW-1 (brother to SAYLER and J.L.S.)**

15 18. In 2019, SSA-OIG investigators contacted CW-1, the youngest brother to
16 SAYLER and J.L.S., who stated none of his family have heard from J.L.S. since 1988 when
17 he left Missouri for Vancouver, WA to visit SAYLER. CW-1 stated J.L.S. left Missouri on
18 good terms with his family and said the lack of contact by J.L.S. since 1988 was out of
19 character for him, as J.L.S. would regularly call, write letters, and visit his parents and other
20 family members in Missouri. CW-1 stated that he and SAYLER have not spoken to each
21 other since approximately 1991.

22 19. CW-1 recalled a CCSO detective contacted him shortly after he filed the 1989
23 missing person report for J.L.S., and advised CW-1 they approached SAYLER and inquired
24 of J.L.S.'s whereabouts. As related by the detective to CW-1, SAYLER reportedly told
25 CCSO that J.L.S. arrived in Vancouver, WA and lived with SAYLER and his family before
26 moving into his own apartment in Vancouver, WA. SAYLER reportedly told CCSO
27 investigators that he and J.L.S. got into an argument one day and that J.L.S. disappeared and
28 left all of his belongings behind, which SAYLER sold. At some point, J.L.S. returned to

1 collect his belongings and SAYLER told him that it was all sold, so J.L.S. walked away and
2 SAYLER had not seen him since. CW-1 said that CCSO advised him that because SAYLER
3 was a family member, and had recently seen J.L.S., he was not considered a missing person
4 and the investigation would be closed.

5 20. CW-1 reviewed a 1998 WA identification card for J.L.S. and confirmed the
6 person pictured is actually SAYLER. CW-1 provided investigators multiple family photos of
7 J.L.S., including one of J.L.S. standing next to SAYLER in 1987, which show SAYLER and
8 J.L.S. are markedly different in height, body frame, hair color, and general appearance.

9 21. CW-1 reviewed the three handwritten letters included in the WCSO 1989
10 missing person report and confirmed the handwriting style and signature in the letters
11 belonged to J.L.S.

12 **E. Review of Washington State Department of Licensing Records**

13 22. I reviewed all available DOL records, which clearly show SAYLER is the
14 individual pictured in all four WA identification cards issued for J.L.S. since at least 1998
15 (oldest image available), and determined that SAYLER maintained cards under both J.L.S.
16 and his true identity from at least 1998 until the facial recognition alert in 2013.

17 23. In June 1988, DOL received an initial application from J.L.S. for a WA
18 identification card referencing an address of 8813 NE 99th St, Vancouver, WA. According to
19 the 1989 WCSO missing person report, this address belonged to SAYLER at the time. The
20 application lists J.L.S.'s height as 6'00", hazel eyes, and references that J.L.S. provided a
21 Missouri driver license and SSA disability paperwork as proof of identity. I have conducted
22 a visual comparison of the signature on the WA identification card application and the letters
23 purportedly written by J.L.S. in 1988 and found the signatures to be very similar in style.

24 24. In 1998, a WA identification card (#SAYLEJL490KD) was issued for J.L.S.
25 and references a PO Box 2997, Vancouver, WA. Commercial database checks show the PO
26 Box as associated with SAYLER from 1992 to 2011 and with J.L.S. in 1995.

27 25. The 1998 WA identification card is the earliest image available for all J.L.S.
28 WA identification cards. The individual pictured on the J.L.S. identification card is clearly

1 SAYLER and the height is now reflected as 5'08".

2 26. In 2003 and 2008, WA identification cards were renewed for J.L.S. referencing
3 an address of 266 North 65th Avenue, Ridgefield, WA, which was SAYLER's reported
4 residence during that time period, as described below. The same address was provided for
5 J.L.S. during the 2013 attempted renewal, which was denied due to the facial recognition
6 alert. The individual pictured in all of the WA identification cards for J.L.S. is SAYLER.

7 27. In 2019, the DOL License Integrity Unit conducted a 50-state search and found
8 no other identification cards or driver licenses currently issued for J.L.S. in the United States.

9 28. The first available card image for SAYLER, using his true identity, is a 1997
10 driver license in which SAYLER reported an address in Vancouver, WA. License renewals
11 were issued in 2001, 2006, and 2011 in which SAYLER reported the 266 North 65th Avenue,
12 Ridgefield, WA address (the same as J.L.S.'s address on the 2003 and 2008 identification
13 cards referenced above). In 2016, SAYLER obtained a renewal driver's license and reported
14 his present-day residence of 15820 Robin Pl SE, Olalla, WA ("OLALLA PREMISES"). On
15 all of these driver license cards, SAYLER reported his height as 5'08" and brown eyes.

16 **F. Check of Government, Law Enforcement, and Public Records Databases**

17 29. I have conducted extensive searches in state/federal government, law
18 enforcement, public record, and commercial databases to locate the current whereabouts of
19 J.L.S. During these checks, I noted an absence of basic records and information that I am
20 generally able to locate for an individual living in society. For example, I was unable to
21 locate any credit history, current state identification card, US passport issuance, property
22 ownership, reference on police reports and/or criminal record, or any medical records for
23 J.L.S. The only notations for J.L.S. appear to be SAYLER's use of J.L.S.'s identity since the
24 1980s/1990s as SAYLER moved around various residences in Washington State.

25 30. Centers for Medicare & Medicaid Services data since 2006 (oldest data
26 available) show zero Medicare claims, such as doctor visits, prescriptions, etc., submitted for
27 J.L.S., who has been historically insured through the Medicare program with his Social
28 Security disability benefits. Based on my training and experience, the lack of any medical

1 claims or medical history for an individual such as J.L.S., given his age and disability, is an
2 anomaly and, in some cases that I have personally investigated, an indicator the individual
3 may no longer be alive or not residing in the United States. A review of SSA's Death Master
4 File and other databases found no record that J.L.S. has been reported deceased and
5 Department of Homeland Security records show no indication of international travel.

6 **G. CW-1's Phone Call with SAYLER**

7 31. On September 10, 2019, CW-1 and SAYLER spoke to each other for the first time in
8 almost 30 years in a phone call that was monitored by law enforcement. During the call,
9 CW-1 inquired about J.L.S.'s whereabouts and SAYLER stated he had not seen or heard
10 from J.L.S. in over 15 years.

11 **H. Review of SSA, US Treasury, and Financial Records**

12 32. According to SSA records, J.L.S. received monthly Social Security disability
13 benefits due to his blindness from 1977 to May 2017. Beginning in May 2017, SSA
14 automatically converted J.L.S.'s disability to retirement benefits due to his age and monthly
15 payments continued via direct deposit in the amount of \$1,757 per month. Since J.L.S.'s
16 disappearance in 1988, SSA has disbursed approximately \$500,000 in disability and
17 retirement benefits intended for J.L.S.

18 33. When J.L.S. began receiving Social Security benefits in 1977, J.L.S. reported
19 to SSA an address in Fordland, MO. SSA records show only two address updates for J.L.S.
20 since that time, with the first occurring in May 1994 when his mailing address was changed
21 to PO Box 2997, Vancouver, WA. This is the same PO Box listed on the WA identification
22 card for J.L.S. in August 1998 in which SAYLER is the individual pictured. The second
23 update, made by phone, occurred on June 11, 2013, when his mailing address was changed
24 to the OLALLA PREMISES (also SAYLER's reported address after 2013).

25 34. According to US Treasury records, J.L.S.'s Social Security benefits were paid
26 by paper check from at least May 1998 (first image available) through December 2007, and
27 mailed to PO Box 2997, Vancouver, WA. I have reviewed images of these checks, which
28 were all reconciled and signed on the reverse as J.L.S. I noted a US Treasury check, dated

1 December 3, 1998, with a notation "*WID# SAYEJL490KD*" and "*08/26/1998*". This
2 corresponds with the WA identification card number and card issuance date for J.L.S. in
3 which SAYLER is the individual actually pictured. Other Treasury checks dated April 3,
4 2000, September 3, 2003, and April 3, 2006 also reference WA ID #SAYEJL490KD.
5 Further, several of the US Treasury checks indicate they were negotiated at Bank of America
6 ("BofA") into a savings account ending in 0362 ("the BofA Savings Account").

7 35. According to BofA records, the BofA Savings Account was opened in May
8 1993 using J.L.S.'s personal information and WA ID #SAYEJL490KD with an address of
9 PO Box 2997, Vancouver, WA. Based on the facts gathered to date and my visual
10 comparison of J.L.S.'s known signature with those appearing on documents picturing
11 SAYLER, it is suspected the BofA Savings Account was opened in May 1993 by SAYLER
12 using J.L.S.'s identity.

13 36. According to SSA records, beginning in January 2008 and continuing through
14 June 2013, SSA issued J.L.S.'s disability benefits via direct deposit into the BofA Savings
15 Account. In July 2013, J.L.S.'s direct deposit account information was changed to BofA
16 checking account ending in 1317 ("the BofA Checking Account"), which is where J.L.S.'s
17 benefits continue to be deposited in present day

18 37. According to BofA records, the BofA Checking Account was opened on June
19 10, 2013, using J.L.S.'s personal information at a BofA branch located in Gig Harbor, WA.
20 The account signature card shows a signature for J.L.S. and lists WA identification card
21 #SAYLEJL490K was used as proof of identity, in which DOL records show SAYLER was
22 the individual pictured at the time. At account opening, the OLALLA PREMISES was used
23 as the mailing address.

24 38. BoA records show the OLALLA PREMISES as the current mailing address for
25 J.L.S., the BofA Savings Account, and the BofA Checking Account. The only listed account
26 holder is J.L.S. From at least January 2018 and continuing through at least July 2019, one
27 debit card ending in 4445 has been issued to J.L.S. for the BofA checking account.

1 39. I have reviewed account activity for the BofA Savings Account and the BofA
 2 Checking Account covering the period of January 2013 through July 2019. The accounts
 3 showed regular debit card store point-of-sale (“POS”) purchases and ATM withdrawals
 4 occurring in the vicinity of the OLALLA PREMISES. BofA ATM footage was provided for
 5 cash withdrawals occurring from the BofA Checking Account on January 9, 2019 and June
 6 3, 2019 that showed SAYLER was the individual conducting the transactions.

7 40. Store surveillance footage from Costco and Fred Meyer showed SAYLER was
 8 the sole individual making POS purchases using J.L.S.’s debit card ending in 4445 occurring
 9 on March 21, 2019; May 30, 2019; June 12, 2019; and July 6, 2019. Further,
 10 member/rewards card numbers in the name of SAYLER for Fred Meyer and Costco were
 11 used during these purchases, along with the debit card in the name J.L.S.

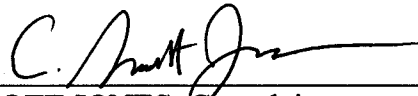
12 41. According to BofA and Costco records, within a one-year period, between
 13 January 9, 2019 and July 6, 2019, an access device—to wit, a debit card ending in 4445—
 14 was used to access J.L.S.’s BofA checking account within the Western District of
 15 Washington and transactions totaling over \$1,000:

Transaction Date	Type	Business	City, State	Amount
January 9, 2019	ATM Withdrawal	BofA	Port Orchard, WA	\$400.00
January 10, 2019	ATM Withdrawal	BofA	Gig Harbor, WA	\$100.00
January 13, 2019	POS Purchase	Costco	Gig Harbor, WA	\$166.26
February 1, 2019	ATM Withdrawal	BofA	Gig Harbor, WA	\$200.00
February 16, 2019	POS Purchase	Costco	Gig Harbor, WA	\$185.36
March 8, 2019	POS Purchase	Costco	Gig Harbor, WA	\$114.78
April 1, 2019	POS Purchase	Costco	Gig Harbor, WA	\$118.74
April 24, 2019	POS Purchase	Costco	Gig Harbor, WA	\$727.74
May 30, 2019	POS Purchase	Costco	Gig Harbor, WA	\$245.92
June 3, 2019	ATM Withdrawal	BofA	Battle Ground, WA	\$400.00
June 12, 2019	POS Purchase	Costco	Gig Harbor, WA	\$104.14
July 6, 2019	POS Purchase	Costco	Gig Harbor, WA	\$68.50
Total				\$2,831.44

1 42. SAYLER has also received Social Security survivor's and retirement benefits
2 under his true identity since 2007. SAYLER's own Social Security benefits are currently
3 direct deposited into a different BofA checking account ending in 0122 held in his true
4 identity.

5 43. SSA records show SAYLER and J.L.S. currently report the same OLALLA
6 PREMISES for a mailing address and identical phone number (360) 434-XXXX. Records
7 provided by AT&T show that phone number is registered to SAYLER at the OLALLA
8 PREMISES.

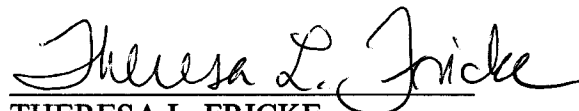
9 44. Based on the foregoing facts, I believe probable cause exists that CHRIS
10 HARVEY SAYLER committed felony violations of Access Device Fraud in violation of
11 Title 18 U.S.C. Section 1029(a)(2) and; Aggravated Identity Theft in violation of Title 18
12 U.S.C. Section 1028A(a)(1).

13
14 

15 SCOTT JONES, Complainant
16 Special Agent
17 Social Security Administration
18 Office of the Inspector General

19 Based on the Complaint and Affidavit sworn before me, and subscribed in my
20 presence, the Court hereby finds that there is probable cause to believe that the Defendant
21 committed the offenses set forth in the Complaint.

22 DATED this 24th day of September, 2019.

23
24
25 

26 THERESA L. FRICKE
27 United States Magistrate Judge
28