
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Cathy L. Waldor, U.S.M.J.
 :
 v. : Mag. No. 21-9067
 :
 STEVEN BROOKS : **CRIMINAL COMPLAINT**

I, Elizabeth White, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.

Elizabeth White

Elizabeth White, Special Agent
Federal Bureau of Investigation

Special Agent White attested to this Complaint by telephone pursuant to F.R.C.P. 4.1(b)(2)(A).

February 16, 2021
Date

Essex County, New Jersey
County and State

Honorable Cathy L. Waldor
United States Magistrate Judge
Name and Title of Judicial Officer

Cathy L. Waldor

Signature of Judicial Officer

ATTACHMENT A

COUNT ONE

(Production of Child Pornography)

In or around October 2019, in the District of New Jersey, and elsewhere,
the defendant,

STEVEN BROOKS,

did knowingly use, persuade, induce, entice, or coerce any minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using a means and facility of interstate and foreign commerce, namely by computer.

In violation of Title 18, United States Code, Sections 2251(a) and (e) and Title 18, United States Code, Section 2.

COUNT TWO
(Possession of Child Pornography)

In or around January 2021, in the District of New Jersey, and elsewhere,
the defendant,

STEVEN BROOKS,

did knowingly possess material that contained at least three images of child pornography, as defined in Title 18, United States Code, Section 2256(8), which images had been mailed, shipped, and transported using any means or facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that were produced using materials that had been mailed, and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and
2.

COUNT THREE
(Mailing Child Pornography)

In or around January 2021, in the District of New Jersey, and elsewhere,
the defendant,

STEVEN BROOKS,

did knowingly mail, and transport, and ship, using any means and facility and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, any child pornography, as defined in Title 18, United States Code, Section 2256(8).

In violation of Title 18, United States Code, Sections 2252A(a)(1) and 2.

ATTACHMENT B

I, Elizabeth White, am a Special Agent with the Federal Bureau of Investigation (“FBI”). I am fully familiar with the facts set forth herein based on my own investigation, my discussions with other law enforcement officers, and my review of reports, documents, and other items of evidence. Where statements of others are related herein, they are related in substance and in part. Because this Affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

Investigation

1. In or around January 2021, law enforcement was notified about possible child pornography on an External Hard Drive belonging to Steven Brooks (“BROOKS”). Specifically, on or about January 28, 2021, law enforcement met with employees of Company-1, which is located in California, regarding an External Hard Drive (“BROOKS’s External Hard Drive”) that BROOKS had mailed earlier that month from New Jersey to Company-1 to repair a mechanical issue.

2. Previously, on or about January 20, 2021, BROOKS sent an email to an employee (“Employee-1”) from Company-1 where BROOKS wrote to Employee-1, in substance and in part, that BROOKS has sensitive and private information on BROOKS’s External Hard Drive that BROOKS was concerned about people at Company-1 having access to in the context of learning about Company-1’s privacy policies, demonstrating knowledge of contraband on BROOKS’s External Hard Drive.

3. During the data recovery process of BROOKS’s External Hard Drive, a Data Recovery Engineer who works at Company-1 (“Employee-2”) opened a folder and saw numerous thumbnail images which Employee-2 believed to be child pornography. After viewing these images, Employee-2 discontinued the recovery process and contacted the FBI.

4. In or around January 28, 2021, law enforcement reviewed a relatively small quantity of media files on BROOKS’s External Hard Drive to confirm the presence of child pornography on BROOKS’s External Hard Drive. This discovery led law enforcement to believe that BROOKS’s External Hard Drive contained files which depict child exploitation. Thereafter, pursuant to a judicially authorized search warrant, law enforcement conducted an extensive search of BROOKS’s External Hard Drive.

5. The investigation has further revealed that BROOKS is utilizing a fake online persona (“Fake Online Persona-1”) on a social media account (“Social Media Account-1”) to solicit nude photos and videos from teenage victims. In the Fake Online Persona-1 folder on BROOKS’s External Hard Drive, law enforcement observed photographs of a young person in different folders that were labelled by subject, including “Bathing Suits,” “Nude,” “Partying,” and “Skin Pictures.” A folder labeled “Clips” contains video files that depict a person engaging in oral sex, a person masturbating, and picture files of a naked person masturbating on a bed. As outlined below, BROOKS used these images and videos to fully develop Fake Online Persona-1.

Minor Victim-1

6. One of the sub-folders within the above-referenced “Personal” folder is titled with the first name of a male who, based on information in law enforcement’s possession, law enforcement believes was under the age of eighteen (“Minor Victim-1”) at the time the images and cell phone recording described below were made. Within the folder associated with Minor Victim-1 are multiple image files and multiple movie files. One of the movie files depicts what appears to be a cell phone recording from Social Media Account-1 that appears to have been recorded in or around October 2019. The video shows that Social Media Account-1 communicated with a username corresponding to Minor Victim-1’s social media account on the same social media platform. In the conversation, Social Media Account-1 sent Minor Victim-1 a video of a person masturbating (this video is also contained within the Fake Online Persona-1 folder found elsewhere on BROOKS’s External Hard Drive). Thereafter, Social Media Account-1 typed “Cum for me daddy.” Minor Victim-1 then sent a video to Social Media Account-1 that depicts Minor Victim-1 masturbating; Minor Victim-1’s penis and part of his face are visible in the video.

Minor Victim-2

7. One of the sub-folders within the above-referenced “Personal” folder is titled with the first and last name of a male who, based on information in law enforcement’s possession, law enforcement believes was under the age of eighteen (“Minor Victim-2”) at the time the photos referenced below were taken. There are 37 images within the folder, all of which law enforcement believes depict Minor Victim-2. Three of the images show Minor Victim-2 standing in a bathroom taking a “selfie,” or photograph of himself, in the mirror. In the images, Minor Victim-2 is wearing a black t-shirt and no pants. Minor Victim-2’s face and penis are visible in at least three images. In two of the three images, Minor Victim-2 is holding his penis up with his hand to make his penis more visible to the images’ recipient.

Minor Victim-3 and Minor Victim-4

8. One of the sub-folders within the above-referenced “Personal” folder is titled with the first name and the first letter of the last name of a male who, based on information in law enforcement’s possession, law enforcement believes was under the age of eighteen (“Minor Victim-3”) at the time that the images and videos referenced below were taken. There are several images of Minor Victim-3 within that folder, including at least three unique pictures of Minor Victim-3 standing in a bathroom taking a “selfie” in the mirror. In each image, Minor Victim-3 is naked, with his face and penis visible. The folder also contains at least three videos in which Minor Victim-3 was masturbating where Minor Victim-3’s face and penis were visible.

9. The folder also contains a recording where Minor Victim-3 was in a room with a female who, based on information in law enforcement’s possession, law enforcement believes was under the age of eighteen (“Minor Victim-4”) at the time that the recording was made. In portions of the video, Minor Victim-3 and Minor Victim-4 were naked, wearing only socks, and engaged in sexual intercourse on a bed. The video is approximately 34 minutes and 54 seconds long.

10. Based upon my education, training and experience, and my discussions with other law enforcement officers, I have probable cause to believe that the videos and images described above were transported and transmitted in interstate commerce because they were transmitted or received by BROOKS via an Internet-based application, at which time they were stored on servers located outside the District of New Jersey.