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ation facility, as defined in this section, to commit, cause or facilitate the commission or attempt thereof, any crime, which constitutes a felony under C.S., namely, possession of images depicting sexual abuse of children as defined

			POLICE CRIMINAL COMPLAIN
Docket Number.	Date Filed: U 11119	OTN/LiveScan Number X 251427-1	Complaint/Incident Number 56-2556 Last:
Defendant Name:	First: DAVID	Middle:	SHIELDS
		· · · and that the defend	ant be required to answer the charges I have

- 2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have
- 3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.
- 4. This complaint consists of the preceding page(s) numbered 1 through ___.
- 5. I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently that non-confidential

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.

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Docket Number:	Date Filed:	OTN/LiveScan Number メンタークリング	Complaint/Incident Number 56-2556
Defendant Name:	First: DAVID	Middle:	Last: SHIELDS

AFFIDAVIT of PROBABLE CAUSE

Your Affiant, Special Agent Robert L. Deeter is assigned to the Pennsylvania Office of Attorney General's Child Predator Unit. SA Deeter is also assigned to the Internet Crimes Against Children (ICAC) Task Force which is comprised of Federal, State, and Local Law Enforcement. The task force is responsible for conducting undercover online investigations, responding to complaints regarding children sexually exploited via the Internet, conducting community education programs and monitoring of the Internet for the bartering in child pornography. SA Deeter has been investigating Internet Crimes against Children since January of 2018. Before being employed as a Special Agent with the Pennsylvania Office of Attorney General, SA Deeter was employed as a law Enforcement Officer with the Lancaster City Bureau of Police from January of 1991 through January of 2018. SA Deeter has attended multiple training courses that focused on Internet Crimes Against Children, including computer-based offenses. Parts of your Affiant's duties include investigating violations of state law, such as the online exploitation of children. In particular, violations of Title 18, Section 6312, that criminalizes the possession, receipt, and transmission of child pornography. Your Affiant has gained experience conducting such investigations through training seminars, classes and consistent work assignments.

Computer/Internet and Pornography Definitions

The following are definitions and terms related to computers, the Internet and this investigation:

Internet Protocol (IP) Number:

IP Numbers are a unique set of numbers or letters consisting of 4 parts separated by dots, e.g., 165.113.245.2 in IPv4 format, or up to 8 parts, separated by colons in IPv6 format. This is used to identify devices on the Internet/Network. Every machine that is on the Internet has a unique IP number which can be used to track the location of a device. IP numbers are globally unique numeric identifiers that computers use to identify hosts and networks connected to the Internet.

American Registry of Internet Numbers (ARIN):

ARIN is a nonprofit organization that manages the IP Number resources throughout the Internet for North America, a portion of the Caribbean and sub-equatorial Africa. This free resource is used to determine the Internet Service Provider (ISP) for a specific IP number. Other registry organizations are responsible for registering and maintaining domain names, which are commonly, used unique identifiers that are translated into numeric addresses (IP numbers). IP numbers are globally unique, numeric identifiers that computers use to identify hosts and networks connected to the Internet. A free public database lookup is available from their website located at http://www.arin.net. This database can be searched to determine who an I.P. address is assigned. This is usually a large business or an Internet Service Provider (ISP).

Child Pornography:

"Child Pornography" - any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of 18 engaged in a prohibited sexual act or in the simulation of such act.

Prohibited Sexual Act:

Prohibited sexual act (as used in section 6312 of the PA Crimes Code) - sexual intercourse, masturbation, sachism, masochism, bestiality, fellatio, cunnilingus, lewd exhibition of the genitals or nudity if such nudity is depicted for the purpose of sexual stimulation or gratification of any person who might view that depiction.

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POLICE CRIMINAL COMPLAIN

Docket Number:	Date Filed:	/LiveScan Number 127-	Complaint/Incident Number 56-2556
Defendant Name:	First: DAVID	Middle:	Last: SHIELDS

BingImage

Bing Image Search helps users search the internet for images. Results include thumbnails, full image URLs, publishing website info, and image metadata.

Probable Cause and Investigation Background

In February 2019, Your Affiant received CyberTip 45856447. According to Cybertip 45856447, Microsoft Online Operations; Microsoft BingImage, reported that one (1) sexually explicit image was viewed and/or uploaded to BingImage that may or may not have been sent. According to Microsoft, the file 069b989e-98f8-4e12-9862-7cc263d89844.jpg was uploaded on 20 January 2019 at 19:29:10 UTC using Microsoft BingImage. Microsoft captured the I.P. which was used to upload the aforementioned file as being 72.9.27.159.

Microsoft confirmed that the One (1) file in question and its entire contents were reviewed by staff at Microsoft. Microsoft also ranked the content of the one (1) image(s) uploaded. Microsoft utilizes an Image Categorization by ESP, "A" for [Prepubescent Minor] and "B" for [Pubescent Minor]. Additionally, it narrows the image content with a one (1) or a two (2). One (1) indicates a "Sex Act", whereas two (2), indicates a "Lascivious Exhibition." This image was ranked as being A2.

1. File Name: 069b989e-98f8-4e12-9862-7cc263d89844.jpg

Description: This color image that depicts a nude prepubescent female posed on a beach exposing her vagina and breast area.

Your Affiant viewed the above list of file(s) and confirmed that the file(s) appears to depict children, under the age of eighteen (18) years old engaged in sexual acts and/or pose, and is believed to be child pornography in violation of Pennsylvania Crimes Code Section 6312 - Sexual Abuse of Children.

A check of publicly available records located online by an organization known as the American Registry of Internet Numbers (ARIN), determined that the Suspect I.P. address 72.9.27.159 was assigned to a company known as Atlantic Broadband.

Your Affiant completed an Administrative subpoena #02220 for Atlantic Broadband for subscriber information pertaining to the IP address utilized [72.9.27.159] on 20 January 2019 at 19:29:10 UTC. The Administrative subpoena was reviewed by Deputy Attorney General, DAG Dave DRUMHELLER. I then sent Atlantic Broadband subpoena # 02220 via email to subpoenas@atlanticbb.com as per their individual instructions.

A response from Atlantic Broadband Subpoena # 02220 was received regarding IP Address 72.9.27.159 on 20 January 2019 at 19:29:10 UTC. Atlantic Broadband subpoena #02220 indicated in their response that "Fay SHIELDS" is the account holder and subscriber assigned the IP address in question when the aforementioned activity occurred. Furthermore, Atlantic Broadband provided the following service addresses for Fay SHIELDS of 180 Stone NATTHEW C. CHARLET OF HER NAG OUNTY 2024 Church Rd., Berwick, PA 18603.



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> Subscriber Information 2441 Atlantic Broadband

IP Address:

72.9.27.159 on 01/20/2019 19:29:10 (UTC)

Account Number:

8282100030055289

Subscriber Name:

Fay Shields

Service & Billing Address:

180 Stone Church Rd., Berwick, PA 18603-6506

Account Activation Date:

04/11/2006

Account Deactivation Date: Account is still active

Associated Email Addresses: N/A

Your Affiant contacted United States Postal Inspector Michael Corricelli to conduct an address check on 180 Stone Church Rd., Berwick, PA 18603, Columbia County.

An intelligence analyst with the Pennsylvania Office of Attorney General conducted a query within the Pennsylvania Justice Network (JNET) portal to determine whether the Pennsylvania Department of Transportation (Penn DOT) had any driver demographic information pertaining to the aforementioned individual(s) living at 180 Stone Church Rd., Berwick, Pa 18603, Columbia County. JNET is a secure database in which access is limited and restricted to individuals or entities with appropriate law enforcement or social service credentials. Penn DOT had driver demographic information for all individuals. According to the Penn DOT search of 180 Stone Church Rd., Berwick, Pa 18603, Columbia County, it was determined that Fay SHIELDS (DOB:25 July 1948) and David SHIELDS (DOB: 26 November 1953) all are listed as residing at the 180 Stone Church Rd., Berwick, Pa 18603, Columbia County address.

In addition, Inspector Corricelli responded to my request with the following information. According to the Postal Office, Fay SHIELDS and David SHIELDS are the only two individuals who receive mail at 180 Stone Church Rd., Berwick, PA 18603, Luzerne County.

On 11 April 2019, Your Affiant obtained a Search Warrant for 180 Stone Church Rd., Berwick, Pa 18603, (Luzerne County). Agents from the Pennsylvania Office of Attorney General executed a search warrant at 180 Stone Church Rd., Berwick, Pa 18603, (Luzerne County).

At approximately 0648 HRS, agents knocked on the front door of 180 Stone Church Rd., Berwick, Pa 18603, (Luzerne County) and announced the presence of police with a search warrant. After the announcement of police with a search warrant the only subjects in the residence were Fay Shields and David SHIELDS. David Shields appeared at the door and opened the door. Both David SHIELDS and Fay Shields exited the front door of the residence. At this time, Agents of the Attorney General's Office and members of the Salem Township Police Department entered the residence. No other individuals were present at the residence.

Your Affiant informed David SHIELDS (herein referred to as David) that the Pennsylvania Office of Attorney General had a search warrant for the residence. David indicated that he lives at the residence full time with his wife Fay and no other subject were inside or lived at that residence, 180 Stone Church Rd., Berwick, Paris 603,



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Defendant Name:	First: DAVID	Middle:	Last: SHIELDS

Your Affiant and Special Agent Casey Hassinger met with David SHIELDS and asked him if he'd be willing to speak with Agents regarding the reason for the search warrant David indicated the he would. Special Agent Casey Hassinger and Your Affiant escorted David SHIELDS to a rear bedroom and David was asked to have a seat on the bed to be comfortable. Your Affiant informed David that the reason for the interview was relating to a computer related crime for possession of Child Pornography. Your Affiant informed David that he believed that he knew the reason also. David was asked for his consent to audio record the interview. David declined and would not allow the audio recording of the interview.

At approximately 0700 hrs., your Affiant advised David SHIELDS of his Miranda rights, which he understood. David indicated that he can read and write the English language proficiently. David reviewed a paper copy of the Miranda rights, which he read and agreed to speak with Agents without an attorney present and then signed the form. David provided the following information. He has lived at the residence since 2004 and is currently retired from teaching after 33 years. David has internet service to the residence through Metro Cast which is now referred to as Atlantic Broadband. He does not have a wireless router in the residence and only has an Apple Desktop computer. The Desktop does not have a password or any profile names. David stated that he is the main user of the computer. The computer was purchased new from Best Buy approximately five years ago.

Your Affiant asked David if he had viewed child pornography to which he replied "I guess certainly it would not be Fay." David stated that he has looked at pornography but did not know that it was illegal. David stated that he goes to pornography sites such "Xhamster" and did not recall what search terms he used. Your Affiant asked David if he looked or viewed Child Pornography and what Child pornography meant to him. David stated to him it was little kids engaged in sex activity. David stated that he did not think the pictures he was looking at were inappropriate because most were pictures of children that were not completely nude. David stated that he would become sexually aroused and would masturbate to the pictures. Your Affiant asked if he would view pics and videos. David stated that he only looked at pictures of the Children but did view videos of adult pornography.

David stated that he would search some keywords as "Tween" or "Jail bait" but did not recall others that he may have used. David stated that he looks at all kinds of pornography several times per week but only child pornography maybe once per month. David stated that he did not believe the images to be illegal because the children were partially clothed, usually wearing bikini bottom. David described some of the subjects in the images as having developed breasts and some without. David stated that the last time he viewed child pornography was a few weeks ago but did view normal adult pornography as recent as yesterday (10 April 2019).

Special Agents David Middendorf, Computer Forensics Unit, assisted on scene with previews of the electronic storage devices located within the home. In a preview of David's desktop computer and a loose hard drive from a computer tower that was found together in the office room (letter "C") on the floor, approximately fifty images of child pornography (twenty-four of which depicted indecent contact on minors) were located. It is important to note that the images and videos located on the devices represent only a minor sampling of the apparent child pornography actually found on the items.

All electronic items were transported to the Computer Forensics Unit's secured evidence room until a complete forensic analysis of the items can be completed.

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Based on the information listed above, your Affiant requests an arrest warrant be issued for David SHIELDS.

I, ROBERT L. DEETER, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAT NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

	5. A. Ment Later
	(Signature of Affiant) ACCI (Signature of Affiant)
Sworn to me and subscribed before me this	Magisterial District Judge
Date	HEW C.
My commission expires first Monday of January,	MY COMMINING TOPHIS EIABOT AND LUZERNE COUNTY VOGE