

### STATEMENT OF OFFENSE

Leading up to May, 2015, District of Columbia Metropolitan Police Department Detective Timothy Palchak had been acting in an undercover capacity as part of a multi-jurisdictional FBI/MPD Child Exploitation Task Force, operating out of a satellite office in Washington, D.C. In that capacity, Detective Palchak ("UC") was monitoring social networking sites where users can chat in a public forum and in private with other users and which are known for seeking out pedophiles and for individuals posting images of child pornography on the public and private areas of the site.

On 5/14/2015 at approximately 7:45 am, the UC entered the predicated networking site posing as an adult with access to a minor female child. The UC posted the following in the public chat room area of the "older for younger room 1" saying, "Any other perv/taboo dads in the DC MD VA area? Pm me." The UC received a private message from an individual using the screen name "Nick Jones." This individual (hereinafter "the defendant") was later identified as Donald Aiken Essex of Alexandria, Virginia. The defendant, later learned to be 67-years-old, informed the UC in the chat exchange that he is the grandfather of three grandchildren: a 14-year-old boy, a 12-year-old girl and a 10-year-old girl. The defendant claimed to be sexually active with all three children. After brief conversation in the chatting forum, the defendant provided the UC his Yahoo Messenger screen name "'nickjones9226," at which time the UC and the defendant continued their communication on Yahoo Messenger.

On Yahoo Messenger, the defendant claimed that he was 65 years old and living in Alexandria, VA. The defendant immediately invited the UC to use the photo sharing feature of Yahoo Messenger. The defendant posted a picture of his own penis and the image used as the defendant's profile picture on the web forum in which he had met the UC. This image is of a pubescent boy lying on a couch naked with an erection. As the defendant continued to chat with the UC, the defendant posted three photos of his purported granddaughter, fully clothed, and indicated he was sexually active with her and the other grandchildren.

As the chat continued, the defendant told the UC that he has "fucked" his 12-year-old granddaughter, and that his 10-year-old granddaughter is "only sucking so far." The defendant also stated that he has "put the head in her pussy but that's all." The defendant continued that the 10-year-old granddaughter "wants to be like her big sister tho so it will happen soon." He also stated: "yessss she's a good cocksucker; I love to watch her suck her brother; And swallow his cum." The defendant later chatted that "my 10 giggles when she makes me hard."

As the chat continued, the defendant asked the UC if he has "any special pics of yorus [sic]?" The UC responded that he only shares with "dads that have" and the defendant asked, "Maybe just one?" The UC then asked if the defendant if he had "any young pics at all?" to which the defendant responded, "lots."

After that exchange, the defendant began sending in a separate screen approximately twelve images of child pornography. The images included approximately 10 images depicting prepubescent female children under ten years of age, with the youngest being approximately five years old. The images depicted the prepubescent children performing oral sex on adult males,

masturbating adult male penises with their hands, and one depicted an approximately 5-year-old female child with a penis in front of her face, which was covered in semen.

The defendant sent the photos as he continued to chat with the UC. In the chat the defendant then continued to discuss how he and the UC "have to be careful." The defendant stated that he is separated from his wife and that his grandkids know to "keep quiet" about the abuse. The defendant stated, "yes they know they can ruin everything if they say anything." When the UC remarked on the difficulty of finding people nearby who are also "into it," the defendant responded, "ohhhh pick me!!! lol." The UC replied, "lol, yesss for sure I trust you...." The defendant then responded, "that would be such fun."

The defendant then asked the UC, who purported to have a 9-year-old daughter with whom the UC was sexually active, when the UC would have his daughter. The UC responded that he had her that day, but the defendant stated, "not sure I can get there today....when do you have her next? The UC indicated that he would have his daughter the following day. The defendant responded, "so Friday am?" The UC said, "yes I can keep her home for allergies." The defendant informed the UC, "so I could come in the am" and then stated, "this will be fun!" The defendant also inquired regarding the UC's purported daughter, "do you think she will be ok with a stranger there?" The defendant responded affirmatively.

The defendant and the UC then exchanged telephone numbers, with the defendant providing a phone number for himself of 703-966-9205. The defendant informed the UC his name is "Don." The arrangement was made that the defendant would use Metro and would meet the UC in front of the UC's purported apartment building near the Verizon Center at 10 am the following day. The UC indicated he will keep his purported daughter home from school.

The UC asked the defendant "anything in particular you want to do with her?" and the defendant stated, "I just want to touch her, stroke her hair as she sucks me while you eat her." The defendant then asked the UC the following questions: "she's not cumming yet is she?" and "does her pussy get wet yet?" As the chat conversation concluded, the defendant wrote the UC, "go you've got me hard here." The defendant also proposed talking later in the afternoon to the UC and stated, "maybe I can talk to her." The defendant also stated that he would print out some child pornography images to bring with him to DC the following day.

During the course the chat, the UC sent the defendant two clothed photos of his purported 9-year-old daughter, a stock photo of his purported 9-year-old's buttocks, a picture of the UC holding a pair of little girl's underwear, and a photo of his purported daughter's chest.

At approximately 6:04 pm, the defendant sent the UC a text message to see if the UC would drive the purported child to the defendant's home or the defendant pick up the purported child and the UC from the Huntington Metro Station in Alexandria, Virginia rather than the defendant travel to the District of Columbia. The defendant stated the high rise he lives in is discreet and close to the Huntington Metro Station. The defendant provided directions to the UC: "Go to the LOWER kiss and ride. im [sic] driving a chevy cruze silver. Te xt [sic] me when you're getting close. Please tell [purported child's name] I'm looking forward to meeting

her.” And then, “Text me when you’re leaving Gallery place” followed by “Great..can’t [sic] wait to meet you too! Lol you two.”

At approximately 10:11 pm, the defendant sent the UC a text message: “John I need a rain check. Sorry but just found out my brother is in the hospital and I need to go tomorrow morning and find out whats going on. Let’s talk next week. Sorry.”

The images sent by the defendant to the UC depict as follows:

- Image titled “\_\_015\_\_PRIVAT” depicts a nude pubescent female sitting in front of a nude adult male. The child is depicted with the adult male’s erect penis in her mouth. The child looks toward the camera and the adult has his hand on the child’s back.
- Image titled “(193)” depicts a close up of the face of a prepubescent female child with an adult male’s erect penis being inserted into her mouth.
- Image titled “!12345644419” depicts a prepubescent female lying on her back with her bare chest fully exposed. An adult male’s erect penis is inserted into the child’s mouth while the hand of the adult is seen cradling the back of the child’s head.
- Image titled “! HC mixed0008(1)” depicts a prepubescent child lying on a floral pattern cloth. An adult male that appears to be nude straddles the child. The child has both hands wrapped around the adult male’s erect penis and a white substance that appears to be semen is on the child’s forehead, nose, and cheek.
- Image titled “- 15 suck a thk one” depicts a pubescent female child lying on her stomach, nude with the exception of black thigh high type stockings. The child holds the adult male’s erect penis with one hand while the penis is inserted into the child’s mouth.
- Image titled “- 2moona” depicts a prepubescent female child seated in front of a prostrate adult male with his pants pulled down and erect penis exposed. The child’s hands are wrapped around the erect penis.
- Image titled “- 01.0s” depicts a clothed prepubescent female child in front of an adult male. The angle of the image is pointed down and depicts the erect penis of the adult male with the child’s hands wrapped around the erect penis. The child looks up with her eyes closed.
- Image titled “-01 – Copy” depicts a close up image of a prepubescent female child licking the erect penis of an adult male.
- Image titled “- 11 very wwwwwwwwwwwwot” depicts a prepubescent child that appears nude. The child is standing in front of a nude male whose erect penis is close to the face of the child. Also depicted is a nude adult female on her knees next to the child.

- Image titled “- MMMSUK” depicts a prepubescent female child from the waist up. The child is not clothed in the image and is depicted with erect penis of an adult male inserted into the child’s mouth.
- Image titled “facialcum (2) Copy” depicts a prepubescent female child in front of a seated adult male. The adult male appears to be naked from the waist down and wearing a blue garment covering his torso. The image depicts the prepubescent female child with the adult male’s erect penis in her mouth.
- Image titled “abc-00003” depicts a clothed prepubescent female child. In the image, the erect penis of an adult male is exposed through the zipper fly of the adult’s clothing. The child is depicted holding adult’s erect penis with one hand.
- Image titled “20101002aaa phot2 (8) – Copy – Kopie – Copy” depicts a nude prepubescent female child seated in front of, and between the legs of, a naked adult male. In this image, the female child’s hand is wrapped around the erect penis of the adult. It appears that the other hand of the child is touching the scrotum of the adult male.

Agents with the Federal Bureau of Investigation (“FBI”) identified the defendant based on the phone number provided. Agents with FBI learned through investigation that the defendant is the chief umpire for Fort Hunt little league in Alexandria, VA, and therefore has significant access to minor children. FBI agents also examined Essex’s Facebook page and located a photograph of an approximately 10-year-old girl on the page. She is one of the clothed children whose photograph the defendant sent to the UC during the course of the chat on Yahoo Messenger.

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Detective Timothy Palchak  
Metropolitan Police Department

Sworn and subscribed to before me this 15th day of May, 2015.

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Honorable Alan Kay  
United States Magistrate Judge