

J#0525311 21CF-6845

#3504

Rough Arrest Only ☐

ADMINISTRATION		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		1 Juvenile N	
OBTS Number		Agency ORI Number FL0500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06-21-250047	
Charge Type: Check as many as apply.		<input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Weapon Seized/Type 1. Yes 2. No 2		Multiple Clearance Indicator 03	
Location of Arrest (Including Name of Business) 1169 Quay Lake Cir Apt. 104 West Palm Beach, FL 33411				Location of Offense (Business Name, Address) 1169 Quay Lake Cir Apt. 104 West Palm Beach, FL 33411			
Date of Arrest 08/18/2021		Time of Arrest 0800		Booking Date		Booking Time	
Name (Last, First, Middle) Derby, Johnathan Levi		Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White B - Black O - Oriental/Asian W		Sex M		Date of Birth 05/02/1986		Height 5'8"	
Weight 200		Eye Color Brown		Hair Color Bald		Complexion Fair	
Build Med		Marital Status Single		Religion Christian		Indication of: Alcohol Influence <input type="checkbox"/> N <input checked="" type="checkbox"/> Y Drug Influence <input type="checkbox"/> N <input checked="" type="checkbox"/> Y	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Residence Type 1. City 3. Florida 2. County 4. Out of State 2		Address Source DL	
Local Address (Street, Apt. Number) 1169 Quay Lake Cir Apt. 104				(City) West Palm Beach		(State) FL	
Permanent Address (Street, Apt. Number) Same as local				(City) West Palm Beach		(State) FL	
Business Address (Street, Apt. Number)				(City) West Palm Beach		(State) FL	
D/L Number, State D610-432-86-162-0		Soc. Sec. Number		INS Number		Place of Birth Westfield, NY	
Citizenship U.S.		Co-Defendant Name (Last, First, Middle)		Race		Sex	
Date of Birth		1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/>		2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/>			
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/>		2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/>					
Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other <input type="checkbox"/>		Name (Last)		(First)		(Middle)	
Address (Street, Apt. Number)		(City)		(State)		(Zip)	
Notified by: (Name)		Date		Time		Juvenile Disposition 1. Handled/Processed within Dept. and Released 2. TOT HRS/CYF 3. Incarcerated	
Released To: (Name)		Relationship		FCIC/NCIC		Date	
Time		The above address was provided by defendant and/or defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office informed of any change of address: <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No. (Reason)		School Attended		Grade	
Recovery Information 0. N/A 1. Voluntary 2. Located Not Returned 3. Hospitalized 4. HRS Custody 5. Law Enforcement Custody 6. Returned to Parent 7. Deceased 8. Other		Drug Activity S. Sell R. Smuggle K. Dispense/ M. Manufacture Z. Other N. N/A B. Buy D. Deliver Distribute Produce/ Cultivate P. Possess T. Traffic E. Use		Drug Type N. N/A A. Amphetamine B. Barbituate C. Cocaine M. Marijuana O. Opium/Deriv. H. Hallucinogen P. Paraphernalia S. Synthetic U. Unknown Z. Other			
Charge Description Possession of Sexual Performance by a Child		Counts 3		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number 827.071(5)	
Drug Activity N		Drug Type N		Amount/Unit		Offense # 21-250047	
Warrant/Capias Number		Bond		Violation of ORD #			
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Warrant/Capias Number		Bond		Violation of ORD #			
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Warrant/Capias Number		Bond		Violation of ORD #			
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number	
Drug Activity N		Drug Type N		Amount/Unit		Offense #	
Warrant/Capias Number		Bond		Violation of ORD #			
Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address)		Court Date and Time		Month Day Year Time A.M. P.M.	
Instruction No. 2 You need not appear in Court but must Comply with instructions on reverse side.							
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.							
Signature of Defendant (or Juvenile and Parent/Custodian)				Date Signed			
HOLD for other Agency Name:		Signature of Arresting Officer x Malory Wildove		Name Verification (Printed by Arrestee) (PRINT)			
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other		Name of Arresting Officer (Print) Detective Malory Wildove		I.D. # #20525		AUG 18 2021	
Intake Deputy [Signature]		Pouch #		Transporting Officer D. C. LUSSTER		I.D. # 812	
Agency PBSO		Witness here is subject signed with an "X"		AUG 19 2021		1 OF 1	

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1 Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias		1		Juvenile		N	
Agency ORI Number FLO 5 0 0 0 0			Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE			Agency Report Number 06 -21-250047					
Charge Type: <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance			Charge Type: <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other			Special Notes:					
Defendant's Name (Last, First, Middle) Derby, Johnathan Levi						Race W		Sex M		Date of Birth 05/02/1986	
Charge Description Possession of Sexual Performance by a Child						Charge Description					
Charge Description						Charge Description					
Victim's Name (Last, First, Middle) STATE						Race		Sex		Date of Birth	
Victim's Local Address (Street, Apt. Number) (City) (State) (Zip)						Phone		Address Source			
Victim's Business Address (Name, Street) (City) (State) (Zip)						Phone		Occupation			
The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law. The Person taken into custody:											
<input type="checkbox"/> committed the below acts in my presence <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts											
<input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.											
On the 18th day of August, 2021 at 8:00 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest).											

NARRATIVE:

I am part of a National Task Force known as the South Florida Internet Crimes Against Children (ICAC). This task force investigates internet crimes against children, child exploitation, and related cases.

On 06/09/2021, I received National Center of Missing and Exploited Children (NCMEC) Cyber Tip Report #91783555 from the Broward County Sheriff's Office (BSO) South Florida ICAC task force. The Cybertip was reported by the chat application KIK in reference to one of their users who uploaded (3) files that depicted the sexual abuse of a child to another user via KIK. KIK provided the below information:

Incident Type: Child Pornography (possession, manufacture, and distribution)

NCMEC Incident Type is based on NCMEC's review of the information or uploaded files in this report OR a "Hash Match" of one or more uploaded files

Incident Time: 05-30-2021 18:29:56 UTC

Description of Incident Time: Timestamp when user was reported to Kik

Chat Service/IM Client: Kik Messenger

Chat Logs: Video/Image file(s) uploaded/shared with another user or group of

Users:

Suspect:

Email Address: johnny.derby86@yahoo.com

Screen/User Name: natsari86

ESP User ID: natsari86_w28

IP Address: 174.48.33.25 (Login)

05-07-2021 14:42:40 UTC

Number of uploaded files: 3

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AUG 19 2021

NARRATIVE CONTINUATION

Filename: c6e2a65a-1c04-499f-8f87-fa67d395112e.mp4

MD5: e104d0f1b0ceb9e78fcddac3f72921c4

Did Reporting ESP view entire contents of uploaded file? Yes

Did Reporting ESP view the EXIF of uploaded file? (Information Not Provided by Company)

Were entire contents of uploaded file publicly available? (Information Not Provided by Company)

Additional Information: File was sent from this user to another user via private chat message

Type Value Event Date/Time

IP Address 174.48.33.25 Upload 04-16-2021 08:57:55 UTC

On the same date, I reviewed the video file. The video is approximately 33 seconds in length and depicts a white female child who is fully clothed. She has a shirt covering the top of her head to part of her face. The child is kneeling between an adult male's legs. The male's bare erect penis is exposed. The adult male is instructing the child to perform oral sex on him and she complies. The female appears to be 5-6 years of age. The male's face is not exposed.

Filename: dfd6bc9c-7e29-4007-8a2b-a33494d852db.mp4

MD5: 60bb9eac89f7192f18f645961dc38e5d

Did Reporting ESP view entire contents of uploaded file? Yes

Did Reporting ESP view the EXIF of uploaded file? (Information Not Provided by Company)

Were entire contents of uploaded file publicly available? (Information Not Provided by Company)

Additional Information: File was sent from this user to another user via private chat message

Type Value Event Date/Time

IP Address 174.48.33.25 Upload 04-16-2021 08:58:07 UTC

On the same date I reviewed the video file. The file depicts a nude white female straddling a nude adult male on top of a bed. The child is facing away from the male. The two are engaged in sexual intercourse. The male is controlling the child's movements with his hands. The child is blindfolded. The child appears to be 6 – 7 years of age.

Filename: 7a0aa730-32be-4581-9907-c1d2528be0f7.mp4

MD5: 05a9578a725da3d698ad2b180b897435

Did Reporting ESP view entire contents of uploaded file? Yes

Did Reporting ESP view the EXIF of uploaded file? (Information Not Provided by Company)

Were entire contents of uploaded file publicly available? (Information Not Provided by Company)

IP Address 174.48.33.25 Upload 04-16-2021 08:57:44 UTC

On the same date, I reviewed the video file. The video is approximately 22 seconds in length. The video depicts a nude white female laying on her back with her knees pulled to her chest. The child's face, chest and vagina are fully exposed. An adult white male is thrusting his erect penis in and out of the female's vagina and anus. The child appears to be approximately 5 to 7 years of age.

KIK provided the users information and IP logs. This information was generated by KIK on 05/30/2021. KIK provided the following information from the suspect's account:

First Name: Nate

Last Name: Sari

Email: johnny.derby86@yahoo.com

Username: Natsari86

On 06/09/2021, a subpoena was served to Comcast Internet Services to produce subscriber records pertaining to the following IP Address: 174.48.33.25 assigned on 04-16-2021 at 08:57:44 UTC hours and 08:58:07 UTC hours. The suspect used this IP address to upload the files of child pornography.

NARRATIVE CONTINUATION

On 07/14/2021, I received subpoena results from Comcast Internet Services. The results indicated the subscriber of IP Address: 174.48.33.25 assigned on 04-16-2021 at 08:57:44 UTC hours and 08:58:07 UTC hours to be: Johnathan Derby with service address 1169 Quaye Lake Circle, Apt. 104, West Palm Beach, FL 33411.

The Comcast IP address was utilized by the suspect to upload the child pornography. The subscriber's name matches the email address that is listed on the suspect's KIK account.

On 07/16/2021, I verified through the Palm Beach County Clerk of Court system that Derby received a traffic citation. The address listed on the ticket for Derby matches the address Comcast Internet services provided, 1169 Quaye Lake Cir Apt. 104, West Palm Beach, FL 33411. On 07/13/2021, Derby was also mailed a hearing notice in reference to the ticket to the same address listed on the ticket. This confirms the suspect is currently residing at 1169 Quaye Lake Cir, Apt. 104 in West Palm Beach.

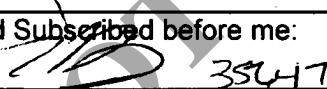
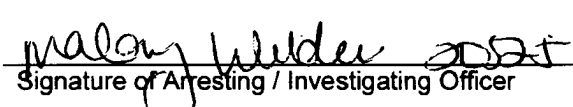
On 08/17/2021, I obtained a residential search warrant from Honorable Judge James Nutt for the residence. On 08/18/2021, members of the PBSO TAC team and Cyber Crimes Unit met at 0600 hours to review the pending execution of the search warrant. PBSO's TAC team executed the search warrant shortly after.

Detective Borrows and I made contact with Johnathan Derby outside of his residence located at 1169 Quaye Lake Cir, Apt 104, West Palm Beach he agreed to speak with us in my unmarked PBSO vehicle. Post Miranda, Derby admitted that he had KIK and provided the same account information listed in the Cybertip report. He admitted he uploaded the videos that depicted the sexual abuse of children within his KIK account and transmitted it to another user in a chat to get the other user to "indict themselves." He stated he has a pornography addiction but denies being sexually interested in children. Derby admitted he obtained the child pornography from other users who sent links to him to access pornography. Derby stated he stores all of his pornography in the Mega app sorted in several files. I showed Derby sanitized screen shots of the videos he uploaded through KIK, he acknowledged he uploaded the video of the child performing oral sex on the adult male in a child pornography chat group on KIK, but he cannot remember uploading the other two video.

Derby stated he is aware that possessing and transmitting child pornography is illegal. Forensic Detective conducted an on scene preview of Derby's cell phone. Within the Mega application on his cell phone a file labeled "Sort" was located, in this file 3 videos that depicted the sexual abuse of female children ages 5 to 10 were observed.

Derby's iPhone was seized as well as other devices and will later be forensically examined by Forensic Detectives.

Based on my investigation, the suspect did knowingly possess (3) or more images of sexual performance by a child in violation of Florida State Statute 827.071(5).

Sworn and Subscribed before me:	
 Signature Notary Public / Clerk of Court / Officer	 Signature of Arresting / Investigating Officer
DETECTIVE EMMA BORROWS # 35647 Name of Notary Public / Clerk of Court / Officer	DETECTIVE MALORY WILDOVE #20525 Name of Officer (Please Print)
08/18/2021 Date	08/18/2021 Date



**PALM BEACH COUNTY
SHERIFF'S OFFICE**
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2021020522

Date: 8/19/2021

Specialist Name/ID: M. Tooks #8557

SCANNED
AUG 19 2021