

16 CF 10310

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- 16-250089					
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 2 1. Yes 2. No		Multiple Clearance Indicator 02	
Location of Arrest (Including Name of Business)											
Date of Arrest		Time of Arrest		Booking Date		Booking Time		Jail Date		Jail Time	
Location of Vehicle											
Name (Last, First, Middle) RODRIGUEZ, DANIEL ANDRES											
Alias (Name, DOB, Soc. Sec. #, Etc.) RODRIGUEZ, RODRIGUES											
Race W - White B - Black		Sex M		Date of Birth 08/30/1986		Height 5'06		Weight 180		Eye Color BRWN	
I - American Indian O - Oriental/Asian		W						Hair Color BLK		Complexion MED	
Build MED											
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)											
Marital Status S											
Religion UNK											
Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unk. Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unk.											
Local Address (Street, Apt. Number) (City) (State) (Zip) 18976 ADAGIO DRIVE, BOCA RATON, FL 33498						Phone ()		Residence Type 1. City 3. Florida 2. County 4. Out of State 2			
Permanent Address (Street, Apt. Number) (City) (State) (Zip) 18976 ADAGIO DRIVE, BOCA RATON, FL 33498						Phone ()		Address Source DL/VERBAL			
Business Address (Street, Apt. Number) (City) (State) (Zip)						Phone ()		Occupation STUDENT			
D/L Number, State R362-161-86-310-0				Soc. Sec. Number		INS Number		Place of Birth COLOMBIA		Citizenship US	
CO-DEF											
Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth	
										<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor	
Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth	
										<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor	
JUVENILE											
<input type="checkbox"/> Parent Name (Last) (First) (Middle) Residence Phone <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other											
Address (Street, Apt. Number) (City) (State) (Zip) Business Phone											
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											
CODE											
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 Drug Type B. Barbituate H. Hallucinogen P. Paraphernalia/ U. Unknown N. N/A B. Buy D. Deliver Distribute Produce/ Cultivate N. N/A C. Cocaine M. Marijuana Equipment Z. Other P. Possess T. Traffic E. Use A. Amphetamine E. Heroin O. Opium/Deriv. S. Synthetic											
CHARGE											
Charge Description Possession of the Sexual Performance of a Child						Counts 1		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number FSS 827.071(5)	
Drug Activity N						Drug Type N		Amount/Unit		Violation of ORD #	
Offense # 16-250089						Warrant/Capias Number		Bond			
CHARGE											
Charge Description Transmission of Pornography by Electronic Device						Counts 1		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number FSS 847.0437(2)	
Drug Activity N						Drug Type N		Amount/Unit		Violation of ORD #	
Offense # 16-250089						Warrant/Capias Number		Bond			
CHARGE											
Charge Description						Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number	
Drug Activity						Drug Type		Amount/Unit		Violation of ORD #	
Offense #						Warrant/Capias Number		Bond			
CHARGE											
Charge Description						Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number	
Drug Activity						Drug Type		Amount/Unit		Violation of ORD #	
Offense #						Warrant/Capias Number		Bond			
NOTICE TO APPEAR											
<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court <input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instructions on reverse side.						Location (Court, Room Number, Address) Court Date and Time Month Day Year Time A.M. P.M.					
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											
ADMIN.											
HOLD for other Agency Name: <input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other.						Signature of Arresting Officer X Name of Arresting Officer (Print) DETECTIVE DEBI PHILLIPS Intake Deputy I.D. # Pouch #					
I.D. #						I.D. # Agency					
Witness here is subject signed with an "X".						PAGE 1 of 1					

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1	N
Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06 -16-250089	
Charge Type: <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance Check as many: <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other as apply.				Special Notes:	
Defendant's Name (Last, First, Middle) RODRIGUEZ, DANIEL ANDRES aka RODRIGUEZ				Race W	Sex M
Date of Birth 08301986					
Charge Description Possession of the Sexual Performance of a Child			Charge Description Transmission of Pornography by Electronic Device		
Charge Description			Charge Description		
Victim's Name (Last, First, Middle) STATE OF FLORIDA				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 13 TH day of October, 2016 at 1600 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest).					

NARRATIVE: On 8/24/16, I was assigned to further investigate a CyberTip reported to the National Center of Missing and Exploited Children (NCMEC). The CyberTip was initially assigned to the San Diego Internet Crimes Against Children Task Force, but then reassigned to this detective based on the jurisdiction in which the suspect resided.

On 8/24/16, Investigator Burleson of the San Diego Internet Crimes Against Children Task Force express-mailed this detective a copy of his offense report and forensic evidence collected on the CyberTip thus far. Investigator Burleson reported the following:

On 8/8/16, Investigator Burleson met with complainant [REDACTED] [REDACTED] is employed as a "model" with [REDACTED], in which members can access the site and pay money to view models in various stages of undress, nude and/or performing sexual acts. The encounters are designed to be video based with live chat enable. [REDACTED] has members follow her and she and the member often leave the [REDACTED] website and chat on Skype.com via audio/video. In the beginning of July 2016, a member screenname of "ITSTHEBIGGEST" (later identified as Daniel Rodriguez) became one of [REDACTED] followers. After initially speaking on [REDACTED] they went to Skype to continue the conversation. When communicating with Rodriguez, [REDACTED] always had both audio and video available while Rodriguez only had audio available. Rodriguez said he was 31 years old and resided in Las Vegas. During the initial conversation Rodriguez asked [REDACTED] if she was into "taboo" things, specifically "kids". When [REDACTED] stated no, the conversation continued about other things. Several days later Rodriguez messaged [REDACTED] on Skype. Rodriguez talked about his sexual interest in children and told [REDACTED] he has sexually molested [REDACTED] several times; and had once drugged her food to make her sleep and then allowed a friend to molest her. Rodriguez also streamed approximately 8-9 videos for [REDACTED] which she described as videos of young girls (ranging from infants to approximately 8 years of age) engaged in sexual activity with adult males. The acts included insertion of tampons and sex-toys into the child's vagina, oral copulation, and

NARRATIVE CONTINUATION

intercourse. While Rodriguez told [REDACTED] he did have videos of [REDACTED] but he did not share them with her.

After the conversation [REDACTED] contacted the San Diego Police Department to report the incident. [REDACTED] was told that without the video, or proof of the video nothing could be done. On 7/19/16, Rodriguez contacted [REDACTED] via Skype and asked if she would be interested in engaging in sexual activity with children if they ever met. He again showed [REDACTED] pornographic videos involving the sexual conduct of young girls. During such time [REDACTED] discretely used her cell phone to take screen shots of the pornographic videos and of Rodriguez's profile page on Skype. [REDACTED] then reported her contact with Rodriguez to the National Center of Missing and Exploited Children. [REDACTED] advised Rodriguez used the Skype screenname of "rodriq1", and Skype profile name as Danny Rodriguez, with a contact number of (561) 926-4256. [REDACTED] gave written consent to download her cellphone and several pornographic images (as described by [REDACTED]) were located to include adult males having sexual intercourse with very young children/infants. [REDACTED] also capture short segments of her written conversations with Rodriguez in regards to molesting children. Investigator Burleson conducted an internet search for the phone number of (561) 926-4256. Results returned to Daniel Rodriguez – DOB 8/30/1986, residing at 18976 Adagio Drive, Boca Raton, Florida 33498.


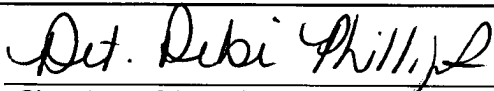
On 9/14/16, this detective conducted a Knock and Talk at the residence of 18976 Adagio Drive, Boca Raton, FL 33498. Contact was made with Daniel Rodriguez who agreed to speak further with this detective. When questioned on his use of social media Rodriguez admitted to using [REDACTED] "every couple of days" to engage in fantasy role playing. Rodriguez stated, "I do do a fantasy that is a little extreme, but it's sort of a fantasy and not based on something real." When asked if the person he spoke to might think it was real, he stated "yes". When asked if he recognized the [REDACTED] screenname "ITSTHEBIGGEST", he stated yes and that he uses it "once in a while." When asked what he has said to others on [REDACTED] in regards to [REDACTED] he stated "oh I don't have nieces". When asked if he had made some type of fantasy up using a niece he stated, "Ya, ya I make up fantasies... It was just kind of a role play kinda thing... talking about extreme stuff, but I don't have nieces so it's not based on anything real." Rodriguez then requested to speak with counsel prior to continuing to answer questions.

On 9/21/16, a search warrant was executed at 18976 Adagio Drive, Boca Raton, FL 33498. Present at the home at the time of entry was Daniel Rodriguez, Jackelin Rodriguez, Edgar Rodriguez and Anna Lopez. A search was conducted in the home and 4 items were taken into evidence to include 1 silver iPhone, 1 silver MacBook Pro, 1 Hero 4 GoPro, and 1 silver flash drive. All 4 devices were removed from a bedroom belonging to Daniel Rodriguez. In speaking with Daniel directly he was advised of the PBSO process of taking devices into evidence. Daniel asked this detective to explain the investigation and what evidence existed at this time. Daniel was reminded that he had invoked his rights to speak further with this detective on 9/14/16, and therefore the case could not be discussed further. Daniel provided this detective with the password (ahope4change) for his computer, stating "you are not going to find anything on it". Daniel further advised he is the sole user of his cellphone and computer and that his parents had nothing to do with the investigation. Prior to clearing the scene Daniel signed a property receipt for the 4 items seized and was provided with a copy.

A forensic examination of the 4 items seized was then conducted by Detective Pete McGovern (ID #7733) in the PBSO Digital Forensic Lab. Evidence of Daniel Rodriguez possessing and transmitting videos involving the sexual conduct of a child were located on the MacBook Pro and flash drive.

NARRATIVE CONTINUATION

Based on my investigation Daniel Rodriguez did knowingly possess and transmit videos containing the sexual conduct of a child violating FSS 827.071(5) - Possession of the Sexual Performance of a Child and FSS 847.0137(2) - Transmission of Pornography by Electronic Device

Sworn and Subscribed before me: 	
Signature Notary Public / Clerk of Court / Officer	Signature of Arresting / Investigating Officer
DETECTIVE PETER MCGOVERN #7733	DETECTIVE DEBI PHILLIPS #5373
Name of Notary Public / Clerk of Court / Officer	Name of Officer (Please Print)
10/19/16	10/19/16
Date	Date

NOT A CERTIFIED COPY