

STATEMENT OF FACTS

On February 5, 2024, a member of the FBI-MPD Child Exploitation and Human Trafficking Task Force (the “UC”) was working in an undercover capacity from an office located in the District of Columbia. In that capacity, the UC was monitoring a mobile dating application (“Application A”) for child exploitation activity. The UC maintains a profile on Application A that states: “No Limits Dad looking for Tabu¹ fun 🤩.”

The UC observed that a user named “Joe” had messaged him on January 31, 2024, stating: “yooo...I think we’re into the same stuff if ykwim 🤩🤩.” The UC asked if the user wanted to communicate elsewhere, and “Joe” provided a direct messaging application (“Application B”) username of @ijboljb.

On February 5, 2024, the UC contacted @ijboljb via Application B, and @ijboljb asked about the UC’s interests. The UC asked, “My normal interests or the other stuff.” @ijboljb advised, “both if u want. I’m into incest, age gaps, and size differences yk².” @ijboljb continued to state that he had “no limits” and that he had “just seen stuff online yk.” @ijboljb reported that he had seen “Matt vids³ and other vids of the sorts.” The UC stated that he had a ten-year-old son, and @ijboljb asked if the UC had abused his purported son.

The UC advised @ijboljb that he has been abusing his purported son since he was young. @ijboljb advised, “Hell yea start em young, teach em how to be a slut for their father.” The UC asked @ijboljb when he got into child pornography, and @ijboljb indicated, “about a year ago, saw some twisted stuff on this app kinda like tumblr, that began my obsession with incest and boys...sadly it got taken down due to all the cp⁴ on it. it was called newtumblr rip you will be missed 🙏🙏.”

The UC and @ijboljb continued to discuss the sexual abuse of the UC’s purported son throughout February 2024 and intermittently in March 2024. @ijboljb and the UC discussed meeting in person to abuse the child together. @ijboljb indicated during this conversation that he keeps videos that he had obtained from “people on twitter” on his laptop. The UC forwarded a

¹ “Tabu” is a variant of “taboo”; individual frequently misspell this and similar words to evade content filters on applications such as Application A. “Taboo” and “no limits” are phrases commonly used by individuals with illicit sexual proclivities, including incest, the sexual abuse and exploitation of minors, and child pornography.

² The initials “yk” stand for “you know.”

³ Your affiant knows “Matt Vids” to be a series of child pornography videos depicting the sexual abuse of a known toddler male victim in the State of Missouri by an adult male named Matt Estes.

⁴ The initials “cp” stand for “child pornography.”

photograph of his purported son⁵ to @ijboljb, and @ijboljb responded by stating, “yea ofc⁶ i got you...such a good smooth boy...wow what a good boy.”

On April 18, 2024, @ijboljb messaged the UC and stated, “i’m still down to keep chatting if you are ;).” The UC advised, “Sure but you haven’t sent me anything that makes me think I can trust you.” @ijboljb advised, “fair enough 😊😊” and “i’m just a guy with a new found attraction to little boys idk how else to explain it...i got a vid of me jerking off to cp if u want like idk.”

Later on April 18, 2024, at approximately 4:03 p.m., @ijboljb sent a video of an adult male exposing and masturbating his erect penis with a laptop on his legs. The video appears to have been taken from the point of view of the individual masturbating, and the bottom portion of the laptop’s screen appears to be broken. The UC observed that the laptop was playing a video of two completely nude boys, one appearing to be pubescent and the other prepubescent, in a bathroom. The prepubescent boy is grasping the pubescent boy’s erect penis with his hand.

@ijboljb stated after sending the video, “and this is my dick and my busted ass computer screen 🤔🤔...i can take more vids when i get home to confirm even more.” The UC indicated he was interested in whatever @ijboljb would send him.

Also on April 18, 2024, at approximately 5:32 p.m., @ijboljb sent another video depicting an adult male masturbating while watching child pornography on what appears to be the same laptop with the broken screen. The UC observed that the laptop was playing a video of an adult male anally penetrating a completely nude prepubescent boy.

On April 19, 2024, the UC and @ijboljb discussed meeting in person to sexually abuse the UC’s purported ten-year-old son. @ijboljb advised that he was interested, and the UC asked if Wednesday, April 24, 2024, at 2:00 p.m. would work. @ijboljb reported that would work and that he had an interview that morning “but otherwise I’m down.”

Also on April 19, 2024, a member of the FBI CEHTTF served an administrative subpoena to Application A requesting subscriber information associated with the “Joe” profile that initially contacted the UC.

On April 22, 2024, Application A responded to the administrative subpoena and provided a date of birth 05/04/2004, an email address jrbaer@att.net, a phone number, and GPS coordinates for a physical location that was captured on April 18, 2024. (Application A uses geolocation data to show users other nearby users.) A member of the FBI CEHTTF served administrative subpoenas for subscriber information for the email address and phone number. The responses to those subpoenas remain outstanding.

Also on April 22, 2024, a member of the FBI CEHTTF used commercial, law enforcement, and open-source databases to locate an individual named JOSEPH RUBEN BAER who maintains a Maryland Driver’s License. The Maryland Driver’s License lists BAER’s date of birth as

⁵ The photograph did not depict a real child.

⁶ The initials “ofc” are slang for “of course.”

05/04/2004, as well as an address on Eldrid Drive in Silver Spring, Maryland. BAER's date of birth is identical to that provided by "Joe" to Application A, and his name is consistent with the public display name ("Joe") and email address (jrbaer@att.net) provided to Application A.

The member obtained BAER's Maryland Driver's License photograph and compared it to the photographs provided by the user "Joe" on Application A (see below). The member determined that BAER and the user "Joe" on Application A appear to be the same person.



***JOSEPH RUBEN BAER's
Maryland Driver's License***

"Joe" Profile on Application A

A member of the FBI CEHTTF reviewed commercial databases, which link BAER to an additional address on Rockford Road, also in Silver Spring, Maryland. A review of online Maryland land and Montgomery County, Maryland, property tax records revealed that the Rockford Road property was owned jointly by David and Charlotte Baer beginning in 1998 and has been solely owned by David Baer since 2010, and that the Eldrid Drive property has been owned by Charlotte Baer since 2011.

A member of the FBI CEHTTF plotted the GPS coordinates provided by Application A. They resolve to a location approximately 142 feet south of BAER's Rockford Road address.

CONCLUSION

Based on the foregoing, your affiant respectfully submits that there is probable cause to believe that JOSEPH RUBEN BAER violated Title 18, United States Code, Section 2252(a)(2) (distribution of child pornography) on or about April 18, 2024.

Thomas J. Sullivan
Detective, D1-1232
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Respectfully submitted and attested to in accordance with the requirements of Fed. R. Crim. P. 4.1
via telephone on April 24, 2024.

The Honorable Robin M. Meriweather
United States Magistrate Judge