

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Newport News Division

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 4:15CR95
	)	
DANIEL JOSEPH SALGAT	)	
	)	

**STATEMENT OF FACTS**

If the United States were to try this case, the evidence that would be proved beyond a reasonable doubt would be:

On July 10, 2015 at approximately 1:25 a.m., the mother of Jane Doe 2 called the Newport News Police Department to report that a man was outside of her home in Newport News requesting that her daughter come outside and perform oral sex on him. Officer Reynolds with the Newport News Police Department arrived on the scene. The mother of Jane Doe 2 told Officer Reynolds that Jane Doe 2 came to her scared about a conversation she had on Kik with an unknown subject. Jane Doe 2's mother looked through the Kik account and saw that the unknown subject told Jane Doe 2 that she lived nearby and had seen Jane Doe 2 through her window. The unknown subject told Jane Doe 2 that she was picked up by a male and had performed sex acts on him. The mother of Jane Doe 2 began chatting with the unknown subject and she reported that it was the male now chatting. The male claimed that he had picked up the unknown subject and had dropped her off after she performed oral sex on him and now he wanted Jane Doe 2 to do the same. The male wanted Jane Doe 2 to meet him outside and that is when she called the police. Officer Reynolds looked for the man, but did not find him.

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The mother of Jane Doe reported to Officer Reynolds that ten (10) year old Jane Doe 2 had reported to her that she had communicated on two social media applications, Kik and Instagram, for approximately one month with a person that was unknown to her, but someone she believed to be another juvenile female. The unknown subject used the identity, to include the name and images, of Jane Doe 1, a 14 year old female that previously resided in Newport News, Virginia. According to Jane Doe 2, during these communications, the unknown subject asked for images and videos of Jane Doe 2 performing sexual acts. This unknown subject also sent Jane Doe 2 images and videos of another female, which appeared to be under the age of 18 years old, performing sexual acts.

On July 13, 2015, the mother of Jane Doe 2 called the Newport News Police Department to report that the unknown subject was communicating with Jane Doe 2 again and requesting that she perform sexual acts for the unknown male that was previously communicating with her. The mother of Jane Doe 2 began messaging with the unknown subject who stated that if Jane Doe 2 did not perform the sexual acts, he would do things to her. During this messaging, the unknown subject asked Jane Doe 2 if she found the black underwear that was left for her outside of her home in the bushes by the driveway on the neighbors' side. The underwear was found in the place as described by the unknown subject and turned over to Officer Jenkins who placed it in property and evidence at the Newport News Police Department. The case was assigned to Federal Bureau of Investigation (FBI) Task Force Agent (TFA) Heather Call to investigate.

In July 2015, TFA Call met with a Circuit Court Judge in the City of Newport News Circuit Court and obtained state search warrants for Jane Doe 2's Kik Interactive, Inc. and Instagram, LLC accounts, as well as the unknown subject's Kik Interactive, Inc. and Instagram, LLC accounts. Upon review of the search warrant returns, TFA Call obtained additional state

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search warrants in August 2015, from a Circuit Court Judge in the City of Newport News Circuit Court for the account information associated with two Verizon Wireless IP addresses and one Cox Communications IP address. TFA Call was able to trace the accounts to the defendant DANIEL JOSEPH SALGAT.

TFA Call reviewed the City of Newport News school division records and found Jane Doe 1. On July 30, 2015, TFA Call spoke with the mother of Jane Doe 1. The mother advised that their family moved away from Newport News approximately six months ago to another state. According to her mother, Jane Doe 1 had not been back to Virginia. Furthermore, Jane Doe 1 was grounded from using electronic devices and did not have access to her phone or social media accounts. On August 21, 2015, the mother of Jane Doe 1 called TFA Call and provided additional information she obtained from a conversation with Jane Doe 1. Jane Doe 1 told her mother, despite the fact that she was grounded, that she had been using an iPod to communicate with people she believed to be three separate adult males on social media. The adult males requested Jane Doe 1 send images and videos of herself, which Jane Doe 1 did. Many of these images and videos were sexual in nature. The adult males began blackmailing Jane Doe 1 for additional pictures or they would tell her mother. The adult males then contacted her friends of her social media accounts using Jane Doe 1's images and videos.

On September 24, 2015, TFA Call and FBI Special Agent (SA) Stacey Sullivan interviewed Jane Doe 1. Jane Doe 1 advised she communicated on social media with whom she believed to be three separate adult males over the last few months, beginning in March 2015. Jane Doe 1 believes that each of the adult males hacked into her cell phone. At least one of the adult males instructed Jane Doe 1 to utilize the video chat internet application Skype, remove her clothes and masturbate while on Skype. At least one of the adult males provided the names of

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Jane Doe 1's parents and threatened to tell them if she did not comply. During the course of the conversations, Jane Doe 1 also used social media accounts on Kik, WeChat, and Instagram, as well as email, to send images and videos of her performing sexual activities as directed by the unknown subject. Jane Doe 1 advised agents her Instagram account was accessed by at least one of the adult males. During this time period, Jane Doe 1 logged on to her Instagram account and viewed conversations where the unknown subject(s) asked her friends for pictures and videos of them. Jane Doe 1 observed two of her friends had sent the unknown subject(s) photos and videos. Jane Doe 1 provided their information to agents which led TFA Call to find Jane Doe 3. Jane Doe 1 and her mother provided agents with her electronic devices for forensic examination.

On October 6, 2015, TFO Call and SA Sullivan interviewed Jane Doe 3. She stated she was contacted by an unknown subject on the internet application Kik sometime in June 2015 when she was 14 years old. Jane Doe 3 believed the unknown subject she was communicating with was a former friend, Jane Doe 1 that was reconnecting. The unknown subject asked Jane Doe 3 to send images and videos of her that were sexual in nature, which Jane Doe 3 did. During the conversations, Jane Doe 3 provided the unknown subject with her home address and plans were made to meet. When the unknown subject did not show up as planned, Jane Doe 3 called her former friend, Jane Doe 1, on the phone. Jane Doe 1 advised Jane Doe 3 that her social media accounts were taken over by an unknown subject and Jane Doe 1 had not been communicating with Jane Doe 3.

On November 5, 2015, a federal search warrant was executed at the Fort Eustis home of the defendant. Electronic items were seized from the home, including the defendant's cell phone. TFA Call and Department of Homeland Security (DHS) Agent Paul Wolpert asked the defendant if he would speak to the agents in his home and he agreed. Agent Wolpert advised the defendant of

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his *Miranda* rights and he waived his rights and signed a written waiver. The defendant admitted that he has the Internet in his home. He initially denied that he had Kik and Skype on his phone, however when Agent Wolpert showed him his phone and the applications, he admitted that he had the applications on his phone. SALGAT admitted that he was impersonating young girls in order for him to chat with other young girls and exchange pictures. He admitted that he located their accounts on Instagram and chatted with them while he was acting as someone else. The young girls would give him information and he would create an account with that information using their names. SALGAT also admitted that he had child pornography on his cell phone with the pictures and videos that the girls had sent him. SALGAT admitted that he had chatted with three or four underage girls, as the girls would tell him their age. SALGAT was specifically asked about going to Jane Doe 2's house and he denied that he did. TFA Call told SALGAT that they had records from Ft. Eustis that showed that on July 13, 2015, his card was scanned when he returned to Ft. Eustis. After being confronted with that fact, SALGAT admitted that he had gone to her house and left underwear for her in the bushes. SALGAT told the agents that he got the underwear from Jane Doe 4 when she left them for him at the lake on Ft. Eustis. He told the agents that he had them for about a week before he left them at Jane Doe 2's house. He further admitted that he would send sexual pictures and videos of the girls in exchange for other sexual pictures and videos of the girl's friends. Once he received them, he would use another account to message the friends to tell them he knows that they are sending out sexual pictures and videos. He admitted that he would threaten the girls by saying that he was going to send out their sexual videos. Specifically, SALGAT told the agents that he would send the initial videos by want to his account where he is posing as a girl. Then he would use his other user screen names either on Kik or Skype and instruct the girls to use certain items in a sexual manner in the videos. He admitted that Jane Doe

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I sent videos of her in the shower, masturbating, inserting a curling iron, and inserting a brush. He further admitted that he chatted with under 100 underage girls online. These girls believed that they were talking to someone their own age. He would provide them with one of their friend's names and say that person gave him her name. SALGAT said that he would talk to each girl for a short period of time, then move on to the next one. He would typically direct them to do sexual things on webcam. He told them to involve their pets sexually because they wanted to. He said one girl mentioned that she wanted to involve the animal, but then she did not want to do it. He said he talked her through it and forced her to perform sexual acts with her animal three times. He admitted that he would pressure the girls to do sexual things that they did not want to do and then he would leave them alone.

On or about December 14, 2015, an FBI Child Forensic Interviewer spoke with Jane Doe 4. Jane Doe 4 stated when she was 14 years old, she communicated on social media with an unknown subject whom she believed to be a 15 year old female. The unknown subject sent nude images to Jane Doe 4 and requested Jane Doe 4 send similar images back, copying each pose, which she did. The conversations started around the beginning of summer 2015 and ended in August 2015. In addition, Jane Doe 4 confirmed she left a pair of her underwear for the unknown subject to retrieve.

On or about August 4, 2015, the defendant SALGAT, while communicating with Jane Doe 1, did knowingly use, persuade, induce, entice and coerced Jane Doe 1 to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and for the purpose of transmitting a live visual depiction. Specifically, the defendant asked Jane Doe 1 to stream live over Skype and perform an act of bestiality. Jane Doe 1 did in fact perform the sexual act live on Skype, a means and facility of interstate commerce. (Count 1)

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On or about May 25, 2015, the defendant SALGAT, while communicating with Jane Doe 2, did knowingly use, persuade, induce, entice and coerced Jane Doe 2 to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct. Specifically, the defendant asked Jane Doe 2 to send him images of her engaging in lascivious exhibition of her genitals or pubic area. Jane Doe 2 did in fact send him such images over the Internet, a means and facility of interstate commerce. (Count 2)

On or about May 15, 2015, the defendant SALGAT, while communicating with Jane Doe 3, did knowingly use, persuade, induce, entice and coerced Jane Doe 3 to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct. Specifically, the defendant asked Jane Doe 3 to send him images of her engaging in lascivious exhibition of her genitals or pubic area. Jane Doe 3 did in fact send him such images over Instagram, a means and facility of interstate commerce. (Count 3)

On or about May 10, 2015, the defendant SALGAT while communicating with Jane Doe 4, did knowingly use, persuade, induce, entice and coerced Jane Doe 4 to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct. Specifically, the defendant asked Jane Doe 4 to send him a video of her engaging in lascivious exhibition of her genitals or pubic area. Jane Doe did in fact make such a video and send it to him over Instagram, a means and facility of interstate commerce. (Count 4)

The defendant admits that he used minors; Jane Doe 1, Jane Doe 2, Jane Doe 3 and Jane Doe 4, all under the age of 18 at the time of the offenses, to take part in sexually explicit conduct for the purpose of producing a visual depiction of such conduct. The defendant admits that such productions by Jane Doe 1, Jane Doe 2, Jane Doe 3 and Jane Doe 4 were transmitted over the Internet, a facility and means of interstate commerce. The visual depictions of Jane Doe 1, Jane

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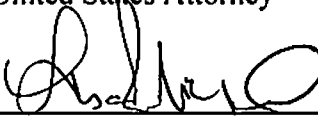
Doe 2, Jane Doe 3 and Jane Doe 4 depict that they were engaged in "sexually explicit conduct", as defined by Title 18 U.S.C. § 2256(2)(A)(i) and (8).

These events occurred in the Eastern District of Virginia and elsewhere.

Respectfully submitted,

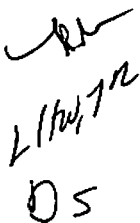
Dana J. Boente  
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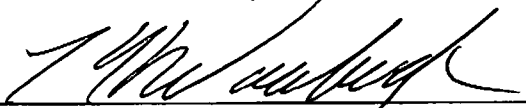
  
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After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, and the United States, I hereby stipulate that the above Statement of Facts is a partial summary of the evidence which is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

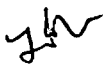
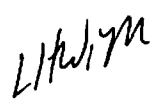
  
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DANIEL JOSEPH SALGAT

6-28-2016  
Date

I am DANIEL JOSEPH SALGAT's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

  
\_\_\_\_\_  
Lawrence H. Woodward, Jr., Esq.  
Counsel for defendant  
DANIEL JOSEPH SALGAT

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Date

  
  
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