

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA

v.

Case No. 19-mj-13

PETER J. PEISER
CLERK US DIST COURT
WD OF WI

BRYAN ROGERS,

Defendant.

COMPLAINT FOR VIOLATION OF TITLE 18, UNITED STATES CODE,
SECTION 2251(a)

BEFORE United States Magistrate Judge
Stephen L. Crocker

United States District Court
120 North Henry Street
Madison, Wisconsin 53703


The undersigned complainant being duly sworn states:

Beginning on or about December 24, 2018, and continuing through on or about
January 13, 2019, in the Western District of Wisconsin and elsewhere, the defendant,

BRYAN ROGERS,

knowingly and intentionally persuaded, induced, and coerced a minor, KV #1, to
engage in sexually explicit conduct for the purpose of producing a visual depiction of
such conduct, and such visual depiction was transported in interstate commerce from
Tennessee to Wisconsin.

This complaint is based on the attached affidavit of James Pertzborn.


JAMES PERTZBORN, Special Agent
Wisconsin Division of Criminal Investigation

Sworn to before me this 4th day of February 4, 2019


HONORABLE STEPHEN L. CROCKER
United States Magistrate Judge

AFFIDAVIT

STATE OF WISCONSIN)
) ss.
DANE COUNTY)

I, James L. Pertzborn, having been duly sworn, depose and state as follows:

1. I am a Special Agent (SA) with the Wisconsin Department of Justice Division of Criminal Investigation (DCI). I have been a sworn law enforcement officer since November 1994 and have been a SA with the DCI since October of 2011. I am currently assigned to the FBI Joint Terrorism Task Force. I previously was assigned to the Narcotics group with Wisconsin Department of Justice, Division of Criminal Investigation and the Internet Crimes Against Children (ICAC) Task Force. I have investigated numerous sensitive crimes, including homicide, kidnapping, and sexual assaults and have participated in physical surveillance, debriefing of sources, and executing search and arrest warrants.

2. The information contained in this affidavit is based primarily on information I learned during the course of my investigation. I have also reviewed reports about the incident prepared by other law enforcement officers. As the reports were prepared by other law enforcement officers during the course of their official duties, I believe them to be reliable.

3. On Monday, January 14, 2019, law enforcement authorities in Monroe County, Tennessee, were notified that a 14 year-old girl, KV #1, was missing from her residence in Madisonville, Tennessee. Monroe County Law Enforcement Authorities entered KV #1 as a missing person with the National Crime Information Center. Her whereabouts were unknown until she was located at the defendant's residence in

Madison, Wisconsin, on January 31, 2019.

4. Based on information gathered during the course of the investigation, on January 31, 2019, at approximately 4:00 pm, FBI Special Agents responded to Bryan Rogers' residence and had contact with Rogers. Rogers stated he had been in contact with KV #1 via the online game Roblox. Rogers informed the agents that KV #1 was being sexually assaulted and that she had sent him a video of the abuse. Rogers stated that he had never met KV #1 in person and that he did not travel to Tennessee to pick her up. Rogers stated that KV #1 was not in his home.

5. At approximately 8:00 that evening, I responded to Bryan Rogers' residence. I knocked on the front door and was greeted by Anna Rodgers, Bryan Rogers' mother. I informed Anna Rogers that we were at the residence to do an exigent circumstances search for KV #1. Officers searched Bryan Rogers' living area in the basement and found KV #1 hiding in a closet.

6. Bryan Rogers was arrested and again interviewed by law enforcement agents. Rogers stated that he communicated with KV #1 on Roblox, Facebook, and an encrypted messenger application. KV #1 disclosed to him that she was being molested. She told Rogers she had never told anyone else but her mother, who didn't believe her. Rogers stated that he instructed KV #1 to get a video of the rape. He stated that she did get that video and emailed it to him. He saw the video and said it was blurry but that it was a video of "a full blown rape." Rogers stated he did not ever send the video to any law enforcement because he thought it would not stand up in court. He admitted to driving to Tennessee to pick up KV #1 and bringing her back to his residence in Wisconsin. He stated he avoided tollways and gas stations with surveillance, and

smashed KV #1's phone, so that he would not be traced. He stated that he communicated with KV #1 using a phone and that he said was currently located in his mother's vehicle.

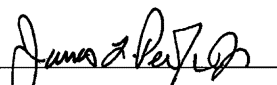
7. Pursuant to a search warrant, agents later found the phone and searched it. On it, they found chats between Rogers and KV #1. The chats started on December 24, 2018. KV #1's profile picture identifies her as the other participant in the chat with Rogers.

- Rogers: And I know you don't want to do it but I don't exactly want to see your dad rape you either. But we need clear video evidence
- KV #1: Bryan do u understand how hard that would be though
- Rogers: yes But understand that I can get in a hell of a lot of trouble for harboring you Unless you can prove what he did they will just release you back to him if we get caught
- KV #1: I understand bryan I guess As far as needing the evidence goes and u getting in trouble
- Rogers: ok
- KV #1: I just can't promise I'll get the evidence
- Rogers: Then I can't promise I can get you away from that I hate to say it but I can't risk getting in trouble for you. If you can get that video I can get you out of there but without it you will just wind up back with your dad and I'll be in trouble
- KV #1: I can't just stay here bryan I'm begging u plz
- Rogers: There is. Be in your room when he comes home and have the phone recording. That way when he comes for you it's already recording and you don't have to worry about anything. And I can't help you if we don't have foolproof leverage against your dad. He's been molesting you for 12 years, []. It that's not enough of a reason to get the video then idk what else to tell you
- KV #1: Bryan ur such a fucking asshole if u don't help me somehow I might as well kill my fucking self like I've ben planning to do I can't get the video I just can't
- Rogers: So I'm an asshole for not risking going to prison for someone I haven't even met?
- KV #1? IDFK ANYMORE!! But u can't just leave me here!

8. Officers searched of the defendant's computer and found the video that

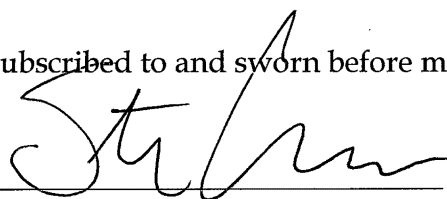
KV #1 made at Rogers' direction. The video, titled "Video (1).MOV" was downloaded into a folder for the user "kingt." The video was 7 minutes and 10 seconds long and was created on January 10, 2019. The video depicts an adult male appearing to be engaging in sexual intercourse with KV #1. KV #1 is seen removing her pants and laying back on a bed as the adult positions his nude lower body in front of her. The adult's nude buttocks can be seen thrusting back and forth in a rhythmic motion between KV #1's legs. At one point in the video, the adult stands up, repositions his body, and bends down to the floor. His erect penis is visible. KV #1 is observed repositioning her body onto the bed in the supine position. The adult climbs on the bed, positions his nude mid-section between KV #1's spread legs, and begins thrusting back and forth in a rhythmic motion.

Dated this 4th day of February 2019



James Pertzborn, Special Agent
Wisconsin Department of Justice - DCI

Subscribed to and sworn before me this 4th day of February.



Honorable Stephen L. Crocker
United States Magistrate Judge