



# CITY OF DECATUR ILLINOIS

#1 GARY K. ANDERSON PLAZA

DECATUR, ILLINOIS 62523-1196

September 4, 2007

Mr. Scott Reeder  
Bureau Chief  
Small Newspaper Group  
Press Room Capitol Building  
Springfield, IL 62706

Re: Freedom of Information Request

Dear Mr. Reeder:

You are hereby notified that your second request regarding Decatur Police Report No. 05-1554 is denied and the reasons for such denial are as follows:

Said records are exempt from disclosure under the following:

5 ILCS 140/7 (1) (b): information that, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.

(i) files and personal information maintained with respect to clients, patients, residents, students or other individuals receiving social, medical, educational, vocational, financial supervisory or custodial care or services directly or indirectly from federal agencies or public bodies.

5 ILCS 140/7 (1) (c): Records compiled by any public body for administrative enforcement proceedings and any law enforcement or correctional agency for law enforcement or correctional agency for law enforcement purposes or for internal matters of a public body, but only to the extent that disclosure would:

(i) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency;

Scott Reeder  
Page Two  
September 4, 2007

(v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct;

5 ILCS 140/7 1 (d) Criminal history record information maintained by State or local criminal justice agencies; and

5 ILCS 140/7 (1) (f): Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated.

We hope the redacted information we previously provided you will be helpful. The tapes you specifically requested are in evidence. However, the redacted reports show the information you are interested in.

You are hereby further notified that you have the right to appeal this decision to the City Manager, who will make a decision either to affirm the denial of disclosure or to allow disclosure within seven (7) working days after you file a notice of appeal. Such notice of appeal should be filed within fourteen (14) days of your receipt of this letter.

Sincerely,



James A. Anderson  
Chief of Police

(pm)

JAA:pm

## FOLLOW UP INVESTIGATION REPORT

Case Heading Albaugh

**Date of this Report** 01-11-2005

Arrested Larry T. Albaugh, M/W, age 53, DOB: 08-08-1951

On this date at approximately 14:00 hours, myself,

[REDACTED], went to the Monticello High School located at #1 Sages Drive, in an effort to serve a Search Warrant of the computer system located at that premises. The purpose of this Search Warrant was an ongoing investigation into Indecent Solicitation of a Child. The suspect in this case was a Larry T. Albaugh, who is using the screen name of [REDACTED]

The investigation began when  
from an Internet chat room

a/k/a Larry Albaugh, instant messaged

While speaking with [REDACTED] communications became of a sexual nature. Communications with [REDACTED]  
[REDACTED] "I was told that [REDACTED]"  
[REDACTED] "I was told to say that [REDACTED]"  
[REDACTED] As communications progressed [REDACTED], they became of  
a more and more sexual nature as time went on. [REDACTED]

██████████. A phone call was made to

Signed Ronald A. Borowczyk #473 ck

Investigating Officer

# JUVENILE

Page 1 of 4  
Records

FOLLOW UP INVESTIGATION REPORT

Case Heading Albaugh

Date of this Report 01-11-2005

Arrested Larry T. Albaugh, M/W, age 53, DOB: 08-08-1951

[REDACTED] at the number he provided for us. The number that [REDACTED] provided for us was to the Monticello School System. The extension that was provided by [REDACTED] upon checking, checks to the Teacher's Lounge located at the Monticello High School. [REDACTED] The [REDACTED] the conversation [REDACTED] could be described as a phone sex call. [REDACTED], recited to her things he wished to do with her. [REDACTED] also advised that when they met, they could have sexual intercourse in a car. [REDACTED] also wanted other forms of sexual gratification from [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] enabled a web cam in which he put his facial image on. Along with putting his facial image on during the first instance of video transmission to [REDACTED] identified as Larry T. Albaugh, stood up in front of the web cam, lowered his pants and grabbed his penis through his underwear. On the second occasion of video transmission [REDACTED] Larry Albaugh stood up after exposing his face, pulled down his pants to also remove his underwear and began to fondle his penis.

[REDACTED]

JUVENILE  
Page 2 of 4  
Records

Signed Ronald A. Borowczyk #473 ck

Investigating Officer



## FOLLOW UP INVESTIGATION REPORT

Case Heading AlbaughDate of this Report 01-11-2005Arrested Larry T. Albaugh, M/W, age 53, DOB: 08-08-1951

[REDACTED]

On 01-11-2005, Decatur Police Officers along with Department of Homeland Security Immigrations and Customs Enforcement Agent Mike Mitchell executed a Warrant at Monticello High School and took into custody without incident Larry T. Albaugh. [REDACTED]

[REDACTED]

Albaugh went on to explain that he knew he was speaking with a 15 year old girl, he knew it was of a sexual nature, he admitted to driving over to Decatur, Illinois on Friday, January 7th, 2005. Albaugh advised that he drove over in his green pickup truck. [REDACTED] Albaugh advised that he knew the conversations that he was having with [REDACTED] were improper and possibly illegal. [REDACTED]

[REDACTED]

JUVENILE

Page 3 of 4  
RecordsSigned Ronald A. Borowczyk #473 ck

Investigating Officer



## FOLLOW UP INVESTIGATION REPORT

Case Heading AlbaughDate of this Report 01-11-2005Arrested Larry T. Albaugh, M/W, age 53, DOB: 08-08-1951

[REDACTED]

The computer and web camera were seized from Monticello High School and tagged as evidence in reference to this case. Albaugh was booked into the Macon County Jail on the outstanding Warrant of Indecent Solicitation of a Child. At this time, this case can be considered closed with the arrest of Larry T. Albaugh for the offense of Indecent Solicitation of a Child.

JUVENILE

Signed Ronald A. Borowczyk #473 ck

Investigating Officer



CT NO. DR05-1554

## FOLLOW UP INVESTIGATION REPORT

Case Heading Albaugh

Date of this Report 01-18-05

Arrested \_\_\_\_\_

[REDACTED]  
[REDACTED]  
It should also be noted that on the 10th of January 2005 while getting a search warrant for #1 Sages Drive Monticello IL, the Monticello High School. [REDACTED]  
[REDACTED]

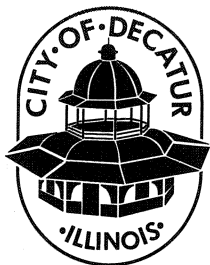
[REDACTED] was shown a picture of the suspect while he was on his web cam and in the image was the IP address that checked to the Monticello School District. [REDACTED]  
[REDACTED]  
[REDACTED]

JUVENILE

Signed Ronald A. Borowczyk #473

Investigating Officer





# CITY OF DECATUR ILLINOIS

#1 GARY K. ANDERSON PLAZA

DECATUR, ILLINOIS 62523-1196  
217-424-2801

August 20, 2007

Mr. Scott Reeder  
Small Newspaper Group  
Press Room  
Capitol Building  
Springfield, IL 62706

Re: Decatur Police Report #DR05-1554  
Larry T. Albaugh

Dear Mr. Reeder:

I received your letter of appeal dated August 14, 2007, requesting a copy of the above police report. I agree with the original denial under the signature of Police Chief James Anderson but, in an effort to assist you, I am enclosing redacted portions of the report.

Please be advised that under Section 11 of the Freedom of Information Act you have a right to appeal my decision to the Circuit Court for the Sixth Judicial Circuit in Macon County.

Sincerely,

Steve Garman  
City Manager

SG:lms

cc: Police Chief James Anderson  
Wendy L. Morthland, Corporation Counsel



# DECATUR POLICE DEPARTMENT PRELIMINARY OFFENSE REPORT

1 CONTRIBUTING FACTORS ALCOHOL <input type="checkbox"/> DRUGS <input type="checkbox"/> HATE <input type="checkbox"/> GANG <input type="checkbox"/> SATANIC <input type="checkbox"/> TRAF ACCIDENT <input type="checkbox"/>		2 REPORT <b>DROS-1554</b>	
3 CLASSIFICATION <b>INDECENT SOLICITATION of a Child</b>		4 OCCURRED DATE <b>9/1/04</b> TO DATE <b>1/11/05</b>	
6 UCR CODE <b>1565</b> 7 LOCATION OF OFFENSE <b>333 S FRANKLIN ST</b>		8 TYPE OF PREMISE <b>LEC</b>	
9 PHOTOS BY: <b>BOROWCZYK</b>		10 CRIME SCENE BY: <b>BOROWCZYK</b>	
11 SECURITY SURVEY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		5 REPORTED DATE <b>1/11/05</b> TIME <b>1510</b> DAY <b>TUE</b>	

12 VICTIM/COMPLAINANT		13 NAME	
14 RACE		15 SEX	
16 AGE/DOB		17 EMPLOYER	
18 HOURS		19 ADDRESS	
20 HOME PHONE		21 NATURE OF INJURIES	
22 NAME		23 RACE	
24 SEX		25 AGE/DOB	
26 EMPLOYER		27 ADDRESS	
28 HOME PHONE		29 BUS. PHONE	
30 NATURE OF INJURIES		31 ADDRESS	
32 RACE		33 SEX	
34 AGE/DOB		35 EMPLOYER	
36 HOME PHONE		37 BUS. PHONE	
38 NATURE OF INJURIES		39 ADDRESS	

S - STOLEN    R - RECOVERED    L - LOST    D - DAMAGED    X - SEIZED    B - BURNED									
22 TAG #	23 QTY.	24 MAKE	25 PROPERTY DESCRIPTION	26 MODEL	27 SERIAL #	28	29	30	31
C129336	1	VEO	Web-Cam		333VB3SX021837	X			
C129337	1	EP	Computer Tower				X		

30 ARRESTED / SUSPECT <input type="checkbox"/> NOT SEEN									
31 #		32 NAME/ALIAS		33 RACE		34 SEX		35 AGE/DOB	
36 HT		37 WT.		38 HAIR		39 EYES		40 WEAPON	
41 ADDRESS		42 CHARGES		43 FF #		44 DISPOSITION		45 PERSONS WANTED	
46 CLOTHING DESCRIPTION		47 RACE		48 SEX		49 AGE/DOB		50 HT	
51 WT.		52 HAIR		53 EYES		54 WEAPON		55 PERSONS WANTED	
56 ADDRESS		57 PH #		58 CHARGES		59 FF #		60 DISPOSITION	
61 CLOTHING DESCRIPTION		62 RACE		63 SEX		64 AGE/DOB		65 HT	
66 WT.		67 HAIR		68 EYES		69 WEAPON		70 PERSONS WANTED	
71 ADDRESS		72 PH #		73 CHARGES		74 FF #		75 DISPOSITION	
76 CLOTHING DESCRIPTION		77 RACE		78 SEX		79 AGE/DOB		80 HT	
81 WT.		82 HAIR		83 EYES		84 WEAPON		85 PERSONS WANTED	
86 ADDRESS		87 PH #		88 CHARGES		89 FF #		90 DISPOSITION	

46 VEHICLE <input checked="" type="checkbox"/> NOT SEEN									
49 COLOR		50 YR		51 MAKE		52 MODEL		53 LIC #	
54 ST		55 VIN		56 OWNER (REG)		57 ADDRESS		58 OWNER (VIN)	
59 ADDRESS		60 MISC. DESCRIPTION		61 VALUE		62 LEADS #		63 CONNECTING CASE(S)	
64 COLOR		65 YR		66 MAKE		67 MODEL		68 LIC #	
69 ST		70 VIN		71 OWNER (REG)		72 ADDRESS		73 OWNER (VIN)	
74 ADDRESS		75 MISC. DESCRIPTION		76 VALUE		77 LEADS #		78 COMMAND APPROVAL	

JUVENILE

REPORTING OFFICER: Ronald Borowczyk

BADGE #: 473

NO PROSECUTION DESIRED  
 COMMAND APPROVAL: Sgt + Bunting 501

IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT OF ILLINOIS  
MACON COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS,

-vs-

NO. 05-CF-44

JAN 26 2005

LARRY T. ALBAUGH  
D.O.B. 08/08/51

Statutes violated: Ch. 720 ILCS  
Section: 5/11-6(a)  
Illinois Compiled Statutes  
a Class 3 crime.

**ADDITIONAL INFORMATION**  
(Count II )

NOW COME the People of the State of Illinois by the State's Attorney of Macon County and inform this court that on or about September 2, 2004 in the County of Macon, Illinois, the above-named defendant(s) did commit the offense of INDECENT SOLICITATION OF A CHILD, in that the said defendant, a person of 17 years of age and upwards, with the intent that the offense of aggravated criminal sexual abuse be committed, knowingly solicited a person he believed to be a child under the age of 17 years, to perform an act of sexual penetration.

/s/ Jack W. Ahola  
STATE'S ATTORNEY OF MACON COUNTY, ILLINOIS

By, /s/ Elizabeth Dobson  
first being duly sworn, who states on oath  
the above matters to be true.

Subscribed and sworn to before me on 01/18/05

SEAL

/s/ Tara Fleming  
NOTARY PUBLIC

I hereby waive the right to a preliminary hearing in this cause.

\_\_\_\_\_  
Defendant Defendant

I hereby waive the right to trial by jury in this cause.

\_\_\_\_\_  
Defendant Defendant

Date: \_\_\_\_\_ Bond fixed at \$ \_\_\_\_\_

\_\_\_\_\_  
JUDGE

ED/tlf

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
MACON COUNTY, ILLINOIS

DEC 16 2005

**KATHY A. HOTT  
CIRCUIT CLERK**

THE PEOPLE OF THE STATE OF ILLINOIS,  
Plaintiff,

-vs-

LARRY T. ALBAUGH,

Defendant.

No. 2005-CF-44

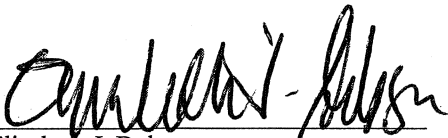
**FORFEITURE ORDER**

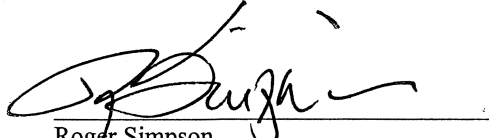
This cause, being called for Disposition Hearing on the 16th day of December, 2005, before the Honorable Theodore Paine. The People appeared by Assistant State's Attorney Elizabeth Dobson. The defendant appeared personally and by counsel, Roger Simpson.

By agreement of the parties and as a condition of the negotiated disposition, the item of evidence listed below shall be forfeited to the Decatur Police department.

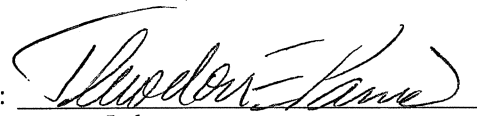
A 1996 Chevrolet S-14 pick-up truck bearing VIN 1GCCS1442T8141166.

*on or before April 1, 2006*

  
Elizabeth J. Dobson  
Assistant State's Attorney

  
Roger Simpson  
Counsel for defendant

DATE: 12-16-05

ENTER:   
Judge

CIRCUIT COURT OF ILLINOIS  
SIXTH JUDICIAL CIRCUIT  
MACON COUNTY

THE PEOPLE OF THE  
STATE OF ILLINOIS  
VS.

**FILED**

OFFENSE(S)

INDECENT SOLICITATION  
OF A CHILD  
(CLASS 3 FELONY)

DEC 16 2005

KATHY A. HOTT  
CIRCUIT CLERK

LARRY T. ALBAUGH

CASE NO.

2005-CF-44

**CERTIFICATE OF CONDITIONS**

Now on the 16<sup>th</sup> day of December, 2005, it is hereby ordered that the Defendant be sentenced to:

☒ Probation

☐ First Offender Cannabis Probation (720 ILCS 550/10)

☐ First Offender Controlled Substance Probation (720 ILCS 570/410)

☐ Conditional Discharge

☐ Court Supervision

for a period of 24 months, commencing this date, subject to the following conditions:

Defendant, upon committing a non-criminal violation of this Certificate of Conditions, is subject to the Administrative Sanctions Program.

Appear on \_\_\_\_\_ at \_\_\_\_\_ in Courtroom \_\_\_\_\_ for the purpose of reviewing compliance with this Certificate of Conditions.

Pay monies as follows to the Macon County Circuit Clerk's Office:

☒ probation services fee of \$25.00 per month; however, after having determined the inability of the person sentenced to pay the fee, the Court assesses \$ \_\_\_\_\_ per month.

☐ restitution \$ \_\_\_\_\_

☐ fine \$ \_\_\_\_\_

☒ court costs as per statute

☐ work release fee \$ \_\_\_\_\_

☐ street-value fine \$ \_\_\_\_\_

☐ mandatory assessment \$ \_\_\_\_\_

☐ laboratory fee \$ \_\_\_\_\_

☐ incarceration credit \$ \_\_\_\_\_

☒ DNA fee \$200

TO BE PAID: IN FULL ON OR BEFORE \_\_\_\_\_ / AT A MONTHLY RATE OF \$ \_\_\_\_\_ OR  
IN EQUAL MONTHLY INSTALLMENTS OVER THE PERIOD OF PROBATION COMMENCING \_\_\_\_\_  
AND A LIKE SUM ON THE \_\_\_\_\_ DAY OF EACH MONTH THEREAFTER.

1. Not violate any criminal statute of any jurisdiction.
2. Report to or appear before any person or agency and attend and participate in any counseling, treatment or educational programs as directed by the Court and the Probation Office, including, but not limited to, assessment and treatment through the Macon County Day Reporting Center.
3. Refrain from possessing a firearm or other dangerous weapon.
4. Refrain from leaving the State without the consent of the Probation Office, unless in circumstances of an emergency nature where prior consent by the Probation Office is not possible.

7. Submit the Probation Officer to visit your home or elsewhere to the extent necessary as determined by the Probation Office and further, submit to searches of your person, residence, automobile and/or effects at any time such requests are made by the Probation Officer and consent to the use of anything seized as evidence in a court proceeding.

6. Notify the Probation Office within 72 hours of any change in address or employment status.
7. Refrain from using cannabis and controlled substances and submit to random bodily fluid and/or breath testing as directed by the Probation Office; reimbursement to the Macon County Probation and Court Services Department for the cost of said testing payable through the Circuit Clerk of Macon County.

**Compliance is further ordered for the following additional conditions:**

- ☐ 8. Work or pursue a course of study or vocational training as directed by the Probation Office.
- ☐ 9. Perform \_\_\_\_\_ hours of Public Service Work as directed by the Probation Office.
- ☐ 10. Serve a period of incarceration of \_\_\_\_\_ days in the Macon County Jail,  
☐ with credit for \_\_\_\_\_ days heretofore served. ☐ Work Release ordered.
- ☐ 11. Serve a period of home confinement with approved monitoring device for \_\_\_\_\_ days or until \_\_\_\_\_  
Pay reimbursement to Macon County Circuit Clerk's Office for cost of said monitoring at a rate of \$ \_\_\_\_\_ per day.
- ☐ 12. Have no contact directly or indirectly with \_\_\_\_\_ and/or  
not go upon or around a property located at \_\_\_\_\_.
- ☒ 13. Undergo an evaluation for: Complete:  
☐ Substance Abuse Treatment ☐ D.U.I. Education  
☒ Sex Offender Treatment ☐ D.U.I. Treatment  
☐ Mental Health Treatment ☐ Victim Impact Panel  
☐ Other \_\_\_\_\_ ☐ T.A.S.C. Inc. Program  
as directed by the Probation Office, court-ordered program and/or treatment program, comply with all rules and recommendations and sign any release of information form necessary to monitor compliance.
- ☐ 14. Undergo medical testing for sexually transmittable disease pursuant to 730 ILCS 5/5-5-3(g).
- ☐ 15. Refrain from using alcohol.
- ☐ 16. Cooperate with the Department of Children and Family Services
- ☒ 17. Other: FORFEITURE OF VEHICLE AS SET FORTH IN ORDER.

A violation of any of the above rules or conditions will subject you to (1) Administrative Sanction **OR** (2) further court action, which could result in: (a) extension of your sentence; (b) modification of the rules and conditions; (c) the imposing of additional conditions; (d) being held in contempt of court with imposition of sanction; or (e) revocation and sentencing on the charge(s) of which you were found guilty.

Date 12-16-05 ENTER [Signature] Judge

I hereby certify that I have read and received a copy of the above Order, understand same and agree to fully follow and comply with each and every condition thereof.

Date 12-16-05 SIGNED Larry T. Albright Defendant

**REPORT IMMEDIATELY OR UPON RELEASE FROM CUSTODY TO THE MACON COUNTY PROBATION AND COURT SERVICES DEPARTMENT LOCATED AT 141 S. MAIN STREET, DECATUR, ILLINOIS.**

72924

JAN 11 2005

MACON COUNTY SHERIFF  
BY

THE PEOPLE OF THE STATE  
OF ILLINOIS

CASE NUMBER 05 CF 44

VS.

)  
) Bail set at: \$ 25,000.00  
) -----  
10% \$ 2,500.00

LARRY T ALBAUGH

**FILED**

JAN 13 2005

**KATHY A. HOTT  
CIRCUIT CLERK**

) Return Date: Any M-F : A.M.  
) (When Court is in Session)  
) COURTROOM #: 1

ADDRESS: UNKNOWN

D.O.B 08 08 51

SEX: M RACE: W HEIGHT 5 '5 " WEIGHT: 150 EYES: GRN HAIR: BLD

SOCIAL SECURITY:

DR. LIC: A412 5385 1225

Geographical Limit

WARRANT OF ARREST

To the Sheriff of any county in the state of Illinois: You are command to

TAKE CUSTODY of: LARRY T ALBAUGH

him/her before the Honorable Judge JAMES CORYELL

Courtroom No. 1 253 E. WOOD ST. DECATUR, IL. TO ANSWER UNTO A CERTAIN

Charge of: WARRANT REQUEST FOR THE CHARGE OF INDECENT SOLICITATION OF A CHILD

**WARRANT DISPOSITION  
LEADS & CRIMES**

QUASHED BY: \_\_\_\_\_

CANCELLED BY: \_\_\_\_\_

TIME: 1553 DATE: 1-11-05

Witness: JAN 11, 2005

CIRCUIT JUDGE  
LB  
(Seal of Court)

MACON CO. SHERIFF WARRANT FEES

0 miles at a rate of

\$1.00 per mile: 0

Service Fee: \$8.00

Return Fee: \$5.00

6,300

STATE OF ILLINOIS \  
COUNTY OF MACON /

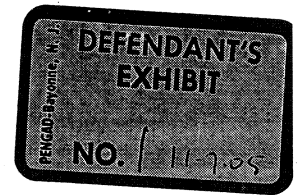
I, JERRY DAWSON, Sheriff of Macon County  
have duly served this attachment/copies by  
arresting the within named subject, as I  
am therein commanded

Date: 1/11/04 2004

3:17 PM

Deputy RD Atkins  
original

STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE 6th JUDICIAL CIRCUIT  
MACON COUNTY



**COMPLAINT FOR SEARCH WARRANT**

Detective Ronald A. Borowczyk #473, complainant now appears before the undersigned judge of the Circuit Court of said County and requests the issuance of a search warrant to search (the person of and) #1 Sages Drive Monticello Illinois 61856 for any and all Computer hard drive(s), CD ROM's, DVD Roms, diskettes, back up tapes; printed material, zip disks, any computer media storage devices, video tapes, photographs, records of finances directly related to indecent solicitation of a child, under the direction of Jim Hays technical contact for the Monticello School District, Monticello Illinois, and seize the following instruments, articles and things which have been used in the commission of, or which constitute evidence of, the offense of indecent solicitation of a child.

Complainant says that he has probable cause to believe, based upon the following facts, that the above listed things are to be seized are now located upon the (person and) premises set forth above:

Detective Ronald A. Borowczyk #473 has been employed by the Decatur Police Department since September 24, 1992. Detective Borowczyk has been assigned to the investigations division since 1998. Detective Borowczyk's first investigative assignment was with the Street Crimes Curfew unit, which dealt with dealing with young offenders and other juvenile crime. During that assignment I was also tasked with assisting the Street Crimes unit in plainclothes investigations, to include prostitution stings and gambling operations as well as conducting surveillance of felony suspects.

Detective Borowczyk has been assigned to the Juvenile Investigations unit starting in April of 2000. Detective Borowczyk has done investigations into several different aspects of juvenile crime to include children as suspects and victims. Detective Borowczyk completed training classes titled Protecting Children Online, and Protecting Children Online part 2. These classes include standardized training conducted by the Office of Juvenile Justice and Delinquency Prevention. These courses have a nationally recognized curriculum in the uses of computers, its peripherals and other electronic media in the victimization of children.

As a result of this training and investigative experience, Detective Borowczyk has learned that the vast majority of individuals who possess and /or disseminate child pornography treat the child pornography and related materials as a valuable commodity or collection and retain these materials in a secure but readily available location for extensive periods of time. This has shown to be true in computer and non-computer related investigations. In computer related child pornography cases, the child pornography collections and materials are easier to secure and store while still having them readily available. Also, the collections tend to be in much larger amounts in computer related cases. Through training and experience it has been shown that in computer related cases where images of child pornography was found, not only was the collection larger but it was retained for a much longer period of time. In some instances, the images remained on the suspects computer for several years. In general it has been it has been found that in computer related cases, many of the images are from six to eighteen (18) months old.

In September of 2004 Detective Borowczyk of the Decatur Police Departments Juvenile Investigations unit began to act in an undercover capacity in the investigations of online or internet exploitation of children. During this investigations Detective Borowczyk used a software program called Yahoo Instant Messenger to communicate with subjects on the internet. During one of these communications a subject identified as bluejacket445 began to speak with Detective Borowczk, who set up an online identity named missyini13. The identity set up was named Melissa Stints a fifteen year old female subject who was a MacArthur student that had divorced parents and was currently residing with her mother, in Decatur Illinois.

While speaking with bluejacket445 Detective Borowczyk posing as missyini13 was able to get an IP address of 209.175.178.246 that bluejacket445 was communicating from. Detective Borowczyk then used SamSpade.org to determine that the IP address was controlled by Illinois Century Network located in Springfield Ill. A subpoena was issued Illinois Century Network and ICN stated that the IP number belonged to the Monticello School District located in Monticello Illinois.

An IP address is a unique numeric identifier assigned to each computer/access point on the Internet, in order to allow the millions of computers to communicate with each other and transfer information. Some IP addresses, such as those of most cable Internet connections, are static and a specific residential or business will always have the same IP address as long as they maintain and pay for the Internet access account.



Others IP addresses, such as those of telephone dial up accounts and some cable Internet connections, are dynamic and are changed every time a user starts their Internet browser (ie: Internet Explorer or America Online) and it connects through their telephone service or the computer / cable modem is turned off and back on.

As bluejacket445 and missyini13(Detective Borowczyk) communicated via the Yahoo Instant Messenger between September 2004 and January of 2005, the communications were of a sexual nature. On several occasions after bluejacket445 was advised via the instant messenger that missyini13 was only a fifteen year old female subject, he advised that he wished to meet and engage in sexual intercourse with missyini13. Bluejacket445 advised on several different occasions to missyini13 that he needed to be careful because meeting and engaging in sexual intercourse was illegal.

On December 16, 2004 Detective Ronald Borowczyk and Detective L. Janette Carlton under the provisions of an overheard made a phone call to bluejacket445 at the following number (217) 762-8511 extension 1521. Bluejacket445 advised that missyini13 should call him Thomas. The phone number that "Thomas" AKA bluejacket445 had used to call was the number to the Monticello School District. The specific extension checks to the teachers lounge in the high school.

Communication continued via the computer and the internet using the Yahoo Instant Messenger, between bluejacket445 and missyini13. The entire time the communication between bluejacket445 and missyini13 took place bluejacket445 was consistently reminded and he acknowledged that missyini13 was only a fifteen year old female subject.

The context of the communications between bluejacket445 and missyini13 were of what bluejacket445 wished to do to missyini13 in sexual context to include penile vaginal penetration. Bluejacket445 also advised that he wished to insert his fingers into missyini13 vaginal area as well. Bluejacket445 also advised that he wished for missyini13 to perform oral sex on bluejacket445. During the telephone conversation with bluejacket445(Thomas) described to Detective Carlton posing as missyini13 that he was going to be engaged in various sexual activities with her. Bluejacket445 continued to describe to missyini13 that he wished to travel to Decatur Illinois to engage in illegal sexual activity. Bluejacket445 described during his telephone conversation that a car could be used to perform the sexual act between himself and missyini13 whom he believed to be a 15 year old female subject.

During the course of the investigation into bluejacket445 he was communicating with missyini13 and he activated a device called a web-cam which enables its users to transmit video data to another user. Bluejacket445 was transmitting video to missyini13 in which he showed his face. This enabled Detective Borowczyk to get a possible identity of bluejacket445. During the course of the video transmission bluejacket445 again advised that he was interested in traveling to Decatur IL., to engage in sexual activity with missyini13. During the course of these communications bluejacket445 continued to state that he was aware that traveling to engage in sexual activity with missyini13 was against the law but that he wanted to meet and have sex with what he believed to be a 15 year old girl.

On another occasion while communicating with bluejacket445 who had been identified by Piatt County Deputy Dave Hunt as Larry T Albaugh M/W 08-08-1951, a teacher at the Monticello High School, bluejacket445 after communicating his intentions to become sexually engaged with missyini13 activated his web-cam again showing his face and the standing up removed his pants exposing his penis and began to masturbate. There are two separate occasions this act.

On 01-07-05 missyini13 received a message from bluejacket445 AKA Larry Albaugh advising that he was going to be coming to Decatur and to walk up and down the block on the street of missyini13's residence. Natalie C. Reda U.S. Postal Inspector and a member of Child Exploitation Strike Force assisted Detective Borowczyk in posing as missyini13 by wearing a dark colored coat, dark colored hat, and dark colored pants. Bluejacket445 directed missyini13 to be out around 415 PM. Bluejacket445 followed that up with a message stating that he did not know if it would be safe for him to say hello to missyini13.

At 527 PM 01-07-05 bluejacket445 returned another instant message to missyini13 stating "hey", and that he had traveled to Decatur IL, and drove up and down Decatur St., all the way to Oakland Ave. where the Woods Apt complex exists. Bluejacket445 went to advise that he did observe the subject set out as the missyini13 subject, but stated that she looked 21, and that he described what she was wearing to include a hat coat and dark colored pants. Bluejacket445 was prompted to return to Decatur to pick up missyini13 but he advised that he could not.

These communications again came from the IP address of 209.175.178.246 which belongs to the Monticello School District. The context of most of the communications between bluejacket445 and missyini13 are of a



Computer software is digital information, that can be interpreted by a computer and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical, or digital form. It commonly includes programs to run operating systems, applications like word processing, graphics, or spreadsheet programs), utilities, compilers, interpreters, and communications programs. Software also would include programs designed for business uses.

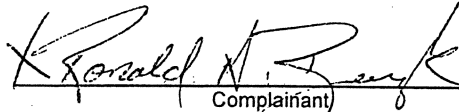
Based upon Detective Borowczyk's knowledge, training, and experience, and the experience of other law enforcement personnel, Detective Borowczyk knows that in order to completely and accurately retrieve data maintained in computer hardware or on computer software, all computer equipment, peripherals, related instructions in the form of manuals and notes, as well as software utilized to operate such a computer, must be seized and subsequently processed by a qualified computer specialist in an appropriate setting such as an office or laboratory. This is true because of the following:

Computer storage devices, including magnetic and optical media, can store the equivalent of thousands of pages of information. Especially when the user wants to conceal criminal evidence, he often stores it in random order with deceptive file names. This requires searching authorities to examine all stored data to determine whether it is included in the warrant. This sorting process can take weeks or months, depending on the volume of data stored, and it would be impractical to attempt this kind of data search on site.

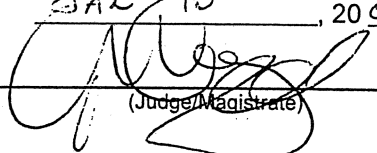
Searching computer systems for criminal evidence is a highly technical process requiring expert skill and properly controlled environment. The wide variety of computer hardware and software available requires even computer experts to specialize in some systems and applications, so it is difficult to know before a search which expert should analyze the system and its data. Since computer evidence is extremely vulnerable to tampering or destruction (both from external sources or from destructive code embedded in the system as a "booby trap"); the controlled environment of a laboratory is essential to its complete analysis.

When a file is deleted from a computer, the data itself is not deleted from the designated magnetic or optical drive. Rather, the entry for that document or image is deleted from a type of index contained on the disk known as the file allocation table. The data itself remains in the same location on the disk. As such, a forensic computer examiner can recover data which a suspect believes has been "deleted." This data can remain on the suspect drive until such time as the data is deleted using special software or said data is overwritten by new data. A trained forensic examiner can also recover files after a suspect has reformatted the hard disk drive by the use of specialized software.

The above occurred in Decatur, Macon County, Illinois.

  
Complainant

Signed and sworn to before me on  
JAN 10, 2004

  
(Judge/Magistrate)