

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR ISSUANCE OF
CRIMINAL COMPLAINT AND ARREST WARRANT**

Your affiant, Special Agent Lisa Carroll, being duly sworn and deposed, states as follows:

INTRODUCTION

1. I am a Special Agent of the Naval Criminal Investigative Service (NCIS) since 2017, as well as a Task Force Officer assigned to Homeland Security Investigations (HSI), Norfolk, Virginia since 2019. As a HSI Task Force Officer, I have been delegated the full range of law enforcement duties of a Customs Officer pursuant to 19 U.S.C. § 1401. I graduated from the NCIS Special Agent Basic Training Program and Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia, where I received training in areas including civilian criminal law, the Uniform Code of Military Justice (UCMJ), interviews and interrogations, crime scene processing, defensive tactics, and various investigative techniques. I have since specialized in child exploitation, particularly in internet crimes against children, such as online solicitation of children and child pornography. I am a member of the Internet Crimes Against Children (ICAC) Task Force as well as a Task Force Officer with HSI. As part of my daily duties as a NCIS agent, I investigate criminal violations relating to child exploitation and child pornography, including violations pertaining to the illegal production, distribution, receipt, and possession of child pornography in violation of 18 U.S.C. §§ 2251, 2252 and 2252A, violations pertaining to coercion and enticement as defined by 18 U.S.C. § 2422, and violations pertaining to the transfer of obscene material to minors as defined by 18 U.S.C. § 1470. Prior to my employment with NCIS, I was an Adult Protective Investigator with Florida's Department of Children and Families and have additional training and experience in sexual abuse and exploitation among children, disabled adults, and the elderly.

2. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

3. This affidavit is being made in support of a criminal complaint and application for an arrest warrant for **Christopher Paul HETHERINGTON** who is suspected of violations of 18 U.S.C. §§ 2251(a) (attempted production of child pornography) and 2422(b) (attempted coercion and enticement of a minor), offenses which occurred in the Eastern District of Virginia and elsewhere. This affidavit is based upon information that I have gained from my investigation, my training and experience, as well as information gained from conversations with other law enforcement officers. Since this affidavit is being submitted for the limited purpose of securing a complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that **Christopher Paul HETHERINGTON** violated 18 U.S.C. §§ 2251(a) (attempted production of child pornography) and 2422(b) (attempted coercion and enticement of a minor).

BACKGROUND OF THE INVESTIGATIVE TEAM

4. This ongoing investigation is being conducted by NCIS. The respective agents and investigators assigned to this investigation are hereinafter referred to as "the investigative team."

PERTINENT FEDERAL CRIMINAL STATUTES

5. 18 U.S.C. § 2251(a) provides, in relevant part, any person who employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in or affecting interstate or foreign commerce, or in any Territory or Possession of the United States, with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed, if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed, or attempts to do so, shall be punished.

6. 18 U.S.C. § 2422(b) states whoever, using any facility or means of interstate or foreign commerce knowingly persuades, induces, entices, or coerces any individual who has not attained the age of 18 years, to engage in...any sexual activity for which any person can be charged with a criminal offense, namely Va. Code. § 18.2-370(A)(3), or attempts to do so, shall be punished.

7. Virginia Code Section 18.2-370(A)(3) prohibits any person 18 years of age or over, who, with lascivious intent, knowingly and intentionally proposes that any such child feel or fondle his own sexual or genital parts or the sexual or genital parts of such person or propose that such person feel or fondle the sexual or genital parts of any such child.

FACTS AND CIRCUMSTANCES

8. On October 26, 2022 and October 27, 2022, NCIS, with participation from Norfolk Police Department (NPD) and HSI, conducted an undercover online child exploitation operation targeting individuals engaged in sexual online enticement of minors.

9. On October 26, 2022, in an undercover capacity, I posted on Whisper, which is a social networking app, and stated, "I hate hw [crying face emoji]." On this day, Whisper user "General_Cold" contacted me and asked, "What is it on? Need help?"

10. Whisper necessarily requires the use of the Internet.

11. On October 26, 2022, "General_Cold" asked what school I did. I advised I did regular school and was in 9th grade. "General_Cold" asked me if I had Snapchat or Wickr. I advised I had Snapchat. "General_Cold" provided his Snapchat username as "sw0daddy."

12. On October 26, 2022, I added "sw0daddy" as a friend on myy undercover Snapchat account. Snapchat user "sw0daddy" has a display name of "Chris H." Snapchat user "sw0daddy" accepted my add. Communications between "sw0daddy" and me continued exclusively on Snapchat, which also requires the use of the Internet.

13. On October 26, 2022, I messaged "sw0daddy" and asked "hi is this general cold from whisper." "sw0daddy" replied "Yes." Shortly after, I advised I was 14 years old.

14. On October 27, 2022, "sw0daddy" asked for a picture of me. I sent a "Snap," also known as a live, real-time image taken within the Snapchat application, depicting my face. "sw0daddy" asked, "Can you take a pic of you flipping me off"... "With middle finger on nose." I provided the requested picture and stated "lol kk"... "thats wierd." "sw0daddy" replied, "Making sure you're not a cop." I asked "sw0daddy" if he was a cop. "sw0daddy" stated "No" then asked, "No other games or law enforcement affiliated?"

15. On October 28, 2022, "sw0daddy" asked "Do you want friends or more than friends," and I replied, "idk lol whatev [see-no-evil-monkey emoji]." I advised, "i mean i like havent rilly had alot of more then friends lol." "sw0daddy" asked, "Which ones have you had?" I responded "like more then friends?? just 1." "sw0daddy" asked, "Like what did you two do together." I replied, "o like hung out at the movies and stuff and kissed like a couple times." "sw0daddy" asked, "Nothing more," to which I replied, "no [see-no-evil monkey emoji, sulking face emoji]." "sw0daddy" responded with "Did you want more" and I replied, "idk i mean i woulda tried more stuff my friend did everything with her bf b4." "sw0daddy" asked, "Oh? Like" and I said, "like all the way." "sw0daddy" asked who my friend went "all the way with" and I advised it was with her older boyfriend in his 30s. "sw0daddy" asked, "Did you want someone that old?" I replied, "idk maybe? i mean guys my age r dumb lol."

16. On November 2, 2022, "sw0daddy" asked, "Can you call" and I replied that I could not because I was at my tutors.

17. On November 5, 2022, "sw0daddy" asked if he could call me, which I advised I might be able to later.

18. On November 5, 2022, "sw0daddy" asked, "Can you sneak away for a bit" and I advised it would be hard to this weekend and asked what he had in mind. "sw0daddy" asked me what I wanted to do. I told "sw0daddy" to give me ideas and I would say yes or no. "sw0daddy" stated "Maybe have you ride someone not a horse." I advised I never had done it before and asked "what if i sux at it lol." "sw0daddy" replied, "I promise you won't." I asked, "how do u promise that" and "sw0daddy" stated, "I have a feeling you'll be great. Plus can ask me how to please too. Tell you what I like best." I asked, "what do u like best lol" and "sw0daddy" replied, "You not a cop right, Like can you show me your I'd? Id*" I advised I did not have one and "sw0daddy" stated, "I'm nervous making sure if I meet you I don't get into trouble." I asked, "u would wanna meet me?" and "sw0daddy" replied, "I would." I asked, "what would u wanna do cuz like i said i hadn't done much." "sw0daddy" replied, "Open your mind to all the fun you may have heard from your friends with their bf." I stated, "well i like havent even seen what u look like yet u kno.." and "sw0daddy" replied, "I know. Once you get id or prove me age. Just shy."

19. On November 5, 2022, "sw0daddy" asked, "What do you think of when maybe having a naughty thought?" I asked "sw0daddy" what he meant and "sw0daddy" stated, "Ever touch yourself?" I advised, "yea but i think i do it wrong [two crying face emojis]." "sw0daddy" stated, "No you won't." and then "I'll show you"... "Tell you and guide you." I asked "sw0daddy" how he would do that and "sw0daddy" replied, "Explain how you do it. Tell you do

this with your body.” I explained that sometimes it hurt when I “stick a finger in” and “sw0daddy” responded, “That’s okay”... “Body developing. Sometimes hurts when a virgin waiting for hymen to tear.”

20. On November 8, 2022, “sw0daddy” stated, “Something tells me you’re naughty. Can I call you?”

21. On November 29, 2022, I told “sw0daddy” I was cold. “sw0daddy” stated “Same. Would love to warm you up.” I asked, “oo yea how u gonna do that lol.” “sw0daddy” replied, “Snuggle and more.”

22. On November 29, 2022, “sw0daddy” asked “Can I call?” I advised I could not and asked if “sw0daddy” could ever talk during the day.

23. On November 30, 2022, “sw0daddy” and I made arrangements to talk via Snapchat audio. I called “sw0daddy” at approximately 11:01 am. “sw0daddy” advised he was at work and asked me what I liked to do for fun. “sw0daddy” asked if I was legitimately at my tutors. “sw0daddy” stated I had a very beautiful voice. “sw0daddy” continued to talk for approximately 2.5 minutes until I advised I could not talk much longer and that we could talk another time.

24. On December 11, 2022, “sw0daddy” asked for pictures of me in my bra and underwear. I advised I usually do not do pictures “like that.” “sw0daddy” responded, “I know but could for me. You make me feel special and I want to make you happy like your friends are. Maybe have fun like they did with their bfs.” I asked, “u would rilly wanna do that with me?” and “sw0daddy” stated “Yes. Is that ok.” I stated, “yea but my friends done like alot of stuff like what would u wanna do and yea its kk.” “sw0daddy” replied, “All of that stuff. What has she done” and I responded, “like lit evrything lol.” “sw0daddy” stated, “Tell me”... “In detail”... “And from”... “That what you want.” I stated, “lol well idk if i would do everything like her but if u tell me what [sic] u wanna do ill tell u if i would try it.” “sw0daddy” asked, “You’re not a cop, right”... “Sorry if I keep asking” ... “No set up or sting operation”

25. On December 11, 2022, after I advised I was not a cop, “sw0daddy” asked, “You are how old” and I replied, “i told u 14 lol hbu.” “sw0daddy” responded, “Older.” “sw0daddy” asked if he could call me, which I agreed to after I advised I had to charge my phone for a few minutes.

26. On December 11, 2022, I called “sw0daddy” via Snapchat audio. After talking about the Harry Potter books for a short time, I asked “sw0daddy” “so like when you said you wanted to like meet and do stuff, like what did you want to do?” “sw0daddy” initially stated he wanted to hang out, get a bite to eat, and have some fun together. I stated, “like you said, like all the stuff that my friend did with her boyfriend, like, you’d really wanna do that with me?” “sw0daddy” replied affirmatively. I advised I would be nervous but I would try it. “sw0daddy” advised it’s okay to feel nervous and something to the effect of we did not have to do anything I was not comfortable doing. “sw0daddy” asked what “brought” me to Whisper. I advised my friend said it would be a cool place to meet people. “sw0daddy” asked if I was looking to meet older people and I advised, “whoever.” I asked if “sw0daddy” had to work every weekend. “sw0daddy” advised he did not have to work every weekend, only about two weekends a month, then asked something to the effect of if I was looking for a time to meet up. I advised, “I don’t know...” and proceeded to explain that my dad works on helicopters and jets and sometimes goes different

places for work and that I could advise him next time my dad leaves out of town. "sw0daddy" responded something to the effect of "that would be nice. I'd be nervous, but that would be nice." "sw0daddy" confirmed with me that there would be no "surprises." I asked what are some of the things "sw0daddy" would want to do to start out with. "sw0daddy" stated, "definitely kissing" and advised he wanted to kiss on the lips, neck, and "other parts" of my body. "sw0daddy" stated he could get more explicit if I wanted to. I mentioned that "sw0daddy" said he wanted to kiss on "other places" and asked him what other places. "sw0daddy" stated my "pussy" and then later my "asshole." I reminded "sw0daddy" that he wanted to do things that my friend had done with her boyfriend, and that I had previously told him my friend had gone "all the way" with her boyfriend. I expressed concern to "sw0daddy" that I was worried about getting pregnant. "sw0daddy" stated, "I would wear a condom." "sw0daddy" advised he assumed I was not on birth control. I asked "sw0daddy" if we could stop if it hurt and "sw0daddy" advised yes and that we did not have to do it at all if I did not want to. I advised I was okay trying it as long as we could stop if it hurt.

27. Subsequently, "sw0daddy" requested to "fuck" my "ass." I asked if that would hurt and "sw0daddy" advised he would be gentle and use "a lot of lube." "sw0daddy" stated, "I would like for you to give me a blow job as well." I asked "sw0daddy" if he cared that I had braces. "sw0daddy" advised that it turned him on "even more." I asked "sw0daddy" what he would want to try first and he advised "eating" me out and me "blowing" him. "sw0daddy" asked if I was touching myself. I said no but asked if I should. "sw0daddy" replied yes. I asked, "are you?" and "sw0daddy" advised he was. I told "sw0daddy" that my dad was calling for me and that I had to go.

28. On December 11, 2022, after the Snapchat audio call, "sw0daddy" requested I call him back. "sw0daddy" stated "And you should see how turned on you are. How wet you are around your pussy." "sw0daddy" asked, "Can you show me" and I replied, "sho u it?" "sw0daddy" stated "Yes" and I asked, "like my pussy? Lol." "sw0daddy" stated "Yes." I replied "[see-no-evil monkey emoji] lol idk" and "sw0daddy" stated "Please."

29. On December 15, 2022, I told "sw0daddy" that I was at my tudors. "sw0daddy" asked if I would be there with him. I replied "lol yea def." "sw0daddy" asked what I would rather do with him and I told him the "stuff" he said on the phone sounded interesting and fun. "sw0daddy" replied, "I want to do that badly. When are you free?" I later advised "sw0daddy" that my dad was leaving for a work trip soon and that I would ask my dad what days he would be gone. I asked if "sw0daddy" would skip work and he advised, "Yes." "sw0daddy" asked when my dad would come back and I told him my dad usually leaves for a day or two and asked why. "sw0daddy" responded "Curious how long I have to see you." I then told "sw0daddy" my dad would go on Wednesday (December 21, 2022), and "sw0daddy" replied "Okay."

30. During my communications with "sw0daddy," I suspected he might be a Surface Warfare Officer for the following reasons:

- a. As a former Surface Warfare Officer (SWO) in the U.S. Navy, I know that "SWO" is short for Surface Warfare Officer.
- b. "sw0daddy" frequently advised he was at work at various times of the day, evening, and throughout the week, including weekends. In my experience as a

former SWO, I know that SWOs often work long hours and have to stand duty on the ship during various days of the week including the weekends.

- c. In one conversation, “sw0daddy” advised he was wearing “coveralls,” which I know to be a common uniform for SWOs and other U.S. Navy service members that work on ships.

31. On November 17, 2022, HSI served an administrative summons to Snapchat for subscriber information for the account sw0daddy. Snapchat provided subscriber information as well as an IP log for IP addresses associated with log in and log out times for the account. One of the IP addresses was logged as Verizon IP address 68.131.246.42 on December 10, 2021 at 18:44:10 UTC.

32. On November 29, 2022, HSI served an administrative summons to Verizon for subscriber information associated with Verizon IP address 68.131.246.42 on December 10, 2021 at 18:44:10 UTC. Verizon returned the summons with the following pertinent subscriber information:

Search Value: IP Address: 68.131.246.42
Start Time: 2021-09-01 22:57:32Z
Stop Time: 2021-12-11 00:57:06Z
Duration: 100d 1h 59m 34s
Account Creation Date: 09/01/2021
Vision Customer Id: 356742635
Vision Account Id: 0001
Customer Name: Christopher Hetherington
Account Address: [redacted]
Daytime Telephone [redacted]
Service VV – [redacted]
Email Address: [redacted]
Description: VZ FiOS Consumer Internet Plan/ Status #: Active
Primary UserID: vzrpjyust6bl
UserName: [redacted]

33. On December 14, 2022, database searches revealed Christopher Paul Hetherington is a SWO, specifically a Lieutenant Commander (Select) currently stationed on the USS ROSS (DDG-71), as the Weapons Officer, homeported in the Eastern District of Virginia.

34. On December 15, 2022, another database check of Hetherington revealed an associated phone number. On this day, an Undercover Agent (UCA) called this phone number. The phone rang and ultimately went to voicemail, which stated “hi you’ve reached the cellphone of LT Christopher Hetherington...” I recognized the voice of the individual leaving the voicemail as the same individual as Snapchat user “sw0daddy” during our Snapchat audio calls.

35. On December 15, 2022, database checks were conducted which revealed Hetherington’s current address.

36. On December 17, 2022, I observed a red sedan style vehicle bearing Virginia tags parked in the driveway of the residence. Database checks revealed the vehicle is registered to Christopher Paul Hetherington at the residence's address.

CONCLUSION

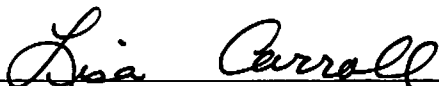
37. Based on the information contained herein, I submit that there is probable cause to believe that:

38. Count One: From on or about October 26, 2022 through on or about December 16, 2022, Christopher Paul HETHERINGTON, attempted to employ, use, persuade, induce, entice, or coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, and HETHERINGTON knew or had reason to know that such visual depiction would be transported or transmitted using a means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, that the visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if such visual depiction had actually been transported or transmitted using a means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed, in violation of 18 U.S.C. § 2251; and

39. Count Two: From on or about October 26, 2022 through on or about December 16, 2022, Christopher Paul HETHERINGTON, using a facility or means of interstate or foreign commerce, knowingly persuaded, induced, enticed, or coerced an individual who has not attained the age of 18 years, to engage in sexual activity for which a person can be charged with a criminal offense, namely Va. Code. § 18.2-370(A)(3), or attempted to do so, in violation of 18 U.S.C. § 2422(b).

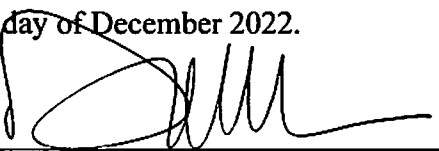
40. Accordingly, I request that a complaint and arrest warrant be issued charging Christopher Paul HETHERINGTON with such offenses.

FURTHER YOUR AFFIANT SAYETH NOT.



Lisa Carroll, Special Agent
U.S. Naval Criminal Investigative Service

Sworn and subscribed to before me on this 19th day of December 2022.



United States Magistrate Judge
Norfolk, Virginia
Douglas E. Miller
United States Magistrate Judge