

2014139201

STATE OF FLORIDA

vs.

IN THE CIRCUIT COURT OF THE
SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY,
FLORIDA

Mark George Pronovost
[REDACTED]

Florida Department of Law Enforcement
Complaint No.: OR-20-0137

2014-100644 CFDL

Hair: Brown Eyes: **Brown**
Height: **5'09"** Weight: Unknown
Date of Birth: [REDACTED]
Race: **White** Sex: **Male**
Social Security Number: [REDACTED]

Offense:
Possession of Child Pornography

ARREST WARRANT

IN THE NAME OF THE STATE OF FLORIDA TO ALL AND SINGULAR: THE
SHERIFFS OF THIS STATE AND ALL THEIR LAWFUL DEPUTIES; THE
COMMISSIONER OF THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT
OR HIS DULY AUTHORIZED SPECIAL AGENTS AND TASK FORCE AGENTS;
AND/OR ANY INVESTIGATOR OF THE SEVERAL STATES ATTORNEY'S
OFFICES:

An Affidavit for Arrest Warrant or sworn Complaint having this day been
presented to me as Committing Magistrate, wherein it is alleged that between
December of 2013 and March of 2014, in Volusia County, Florida, Mark George
Pronovost, in violation of Florida Statute 827.071(5)(a) did Commit two (2) counts
of the criminal offense of intentionally possessing child pornography,

AND this Court having found probable cause that said Mark George
Pronovost did commit two (2) counts of the criminal offense of intentionally



possessing child pornography, in Volusia County, Florida, contrary to FS 827.071(5)(a), based upon sworn Statement of Task Force Agent William Powell of the Florida Department of Law Enforcement, copies of which are attached hereto and made a part of this warrant.

NOW THEREFORE, you are hereby commanded to arrest instanter the said:

Mark George Pronovost
[REDACTED]

Hair: Brown Eyes: **Brown**
Height: **5'09"** Weight: Unknown
Date of Birth: [REDACTED]
Race: **White** Sex: **Male**
Social Security Number: [REDACTED]

pursuant to this Arrest Warrant on the two (2) counts of Sexual Performance by a Child, FS 827.071(5)(a), if he be found within your jurisdiction, and bring him before the proper court to be dealt with according to the law.

Mark George Pronovost, herein described and named, shall have bail set in the following amount(s):

1. Sexual Performance by a Child,
FS 827.071(5)(a) a third degree
felony
2. Sexual Performance by a Child,
FS 827.071(5)(a) a third degree
felony

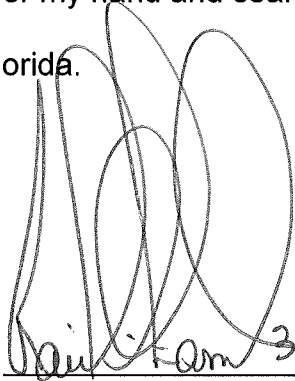
\$ NONE UNTIL FIRST APPEARANCE

\$ NONE UNTIL FIRST APPEARANCE

Total Bond: \$ NONE UNTIL FIRST APPEARANCE

[Signature]

Given under my hand and seal on the ____ day of March 2014, at Volusia
County, Florida.


Paul J. Form 3/18/2014 Z

CIRCUIT/COUNTY JUDGE OF THE SEVENTH JUDICIAL CIRCUIT

IN AND FOR VOLUSIA COUNTY, FLORIDA

Extradition: FCIC NATIONWIDE
NCIC NATIONWIDE

STATE OF FLORIDA

vs.

Mark George Pronovost
[REDACTED]

Hair: Brown Eyes: **Brown**
Height: **5'09"** Weight: Unknown
Date of Birth: [REDACTED]
Race: **White** Sex: **Male**
Social Security Number: [REDACTED]

IN THE CIRCUIT COURT OF THE
SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY,
FLORIDA

Florida Department of Law Enforcement
Complaint No.: OR-20-0137
2014-100644 CFDL
Offense:
Possession of Child Pornography
FSS: 827.071 (5)(a)

AFFIDAVIT FOR ARREST WARRANT

BEFORE ME, Raul A. Zambrano, a Judge of the Seventh Judicial Circuit in and for Volusia County, Florida, personally appeared Task Force Agent William Powell of the Florida Department of Law Enforcement Cybercrimes Task Force, Affiant herein, who first being duly sworn by me, deposes and requests that an arrest warrant be issued for:

Mark George Pronovost
[REDACTED]

Hair: Brown Eyes: **Brown**
Height: **5'09"** Weight: Unknown
Date of Birth: [REDACTED]
Race: **White** Sex: **Male**
Social Security Number: [REDACTED]

for multiple charges, to wit: Two (2) counts of: Possession of Child Pornography, contrary to Florida Statute 827.071 (5) (a).

Your Affiant states that the facts establishing probable cause for the issuance of a warrant are as follows:

Your Affiant, Task Force Agent William Powell, is a duly sworn and certified Law Enforcement Officer in the State of Florida and has been employed as a sworn Police Officer for the Oviedo Police Department since August of 2010. Your Affiant is a certified Law Enforcement Officer by the State of Florida and pursuant to Section 943.14(1)(2) Florida State Statute and Sections 11b-7, Florida Administrative Code relating to the



Standards and Training. Your Affiant attended Seminole State College Law Enforcement Academy for basic certification as an officer. During that time, the basics of criminal investigations were taught. Your Affiant has completed Florida Police standards required by the State of Florida. Your Affiant is currently assigned to the Criminal Investigation Section of the Oviedo Police Department and has completed numerous investigations, which have led to the arrest of subjects in crimes in general. Your Affiant has attended numerous FDLE approved courses to include Interviews and Interrogations and Advanced Report Writing. Your Affiant has also taken multiple college level classes in reference to Criminal Justice and holds a bachelor's degree from the University of Central Florida. Your Affiant has completed Basic Computer Forensics Examiner training provided by The International Association of Computer Investigative Specialists (IACIS). Your Affiant has an understanding of the Internet and has completed courses about investigating computer and Internet crime including training by the Internet Crimes Against Children taskforce (ICAC) covering investigation of the distribution of child pornography through the use of peer-to-peer computer networks. Your Affiant has been assigned as a Task Force Agent of the Florida Department of Law Enforcement Cyber-Crime Task Force since October 2013.

On February 6, 2014, your Affiant determined that a computer located in Volusia County, Florida was offering to share child pornography files on the Internet using peer-to-peer software. An individual using the Internet access point located at [REDACTED] installed software onto a computer that allows users to share digital files with one another while connected to the Gnutella network (file sharing over the Internet).

A handwritten signature in black ink, consisting of a series of loops and a long vertical stroke, located in the bottom right corner of the page.

At the time the investigation was initiated, the target computer was seen advertising all or part of at least fifty-four (54) files of known or suspected child pornography via the gnutella peer to peer network from December 18, 2013 through March 11, 2014. Peer to peer networks are simply collections of computers whose users have elected to install publicly available software that facilitates the trading of files from one computer to another. Peer to peer can be thought of as computer to computer. Gnutella is the protocol, or language, by which the computers communicate with each other. It is possible for any computer anywhere in the world with gnutella software and an Internet connection to connect to any other computer in the world with the matching criteria. Nearly all of the fifty-four (54) files had a title that indicated the contents of the file would depict the sexual exploitation of children. Five (5) examples are listed below:

- 1.
- 2.
- 3.
- 4.
- 5.

Affiant noted the following hash values available from this IP address:

██████████ to depict sexual exploitation and sexual battery of children:



Date & Time: December 18, 2013 6:04:48 PM GMT

HASH: [REDACTED]

File Name: [REDACTED]
[REDACTED]

Description: A video file approximately 01:38 in length, featuring a juvenile girl, approximately between the ages of 7 – 10 years of age. The video starts with her standing in front of the camera dressed. A male voice gives her commands and she turns around and begins undressing. She removes all of her clothing with the exception of black stockings. She kneels in front of the camera, unbuttons his pants, and removes his erect penis. She begins stroking his penis and puts the penis in her mouth. The child was clearly and obviously under the age of 18 based on his child sized arms, legs and torso, and lack of any visible pubic hair (on the youngest subject).

Date & Time: January 20, 2014 3:18:14 PM GMT

HASH: [REDACTED]

File Name: [REDACTED]
[REDACTED]

Description: This video is approximately 3:23 in length. It begins by showing a prepubescent girl without any underwear on her knees with an adult male standing beside her with no underwear on. The male's penis is erect and he is holding his middle finger over the girl's anus. As the video



starts the male rubs the girl's anus and then inserts the middle finger of his right hand into her anus. One of her hands appears between her legs and rubs her vagina for a couple of seconds. The video changes to showing the girl exposing her vagina and her anus while it appears she is lying on her back. At approximately :38 in the males penis enters the picture and starts touching her anus. At approximately 1:41 the male has inserted his penis into the girl's anus. At approximately 2:59 he removes his penis from her. There is a brief glimpse of the girl's upper body and she does not have developed breasts. She appears to be a girl under the age of 10, most likely closer to 7 or 8.

Your affiant personally viewed the above noted files and has verified the content of the files meets the definition of child pornography.

On February 6, 2014, a subpoena request was sent to the Office of Statewide Prosecution in reference to the Internet service provider, CenturyLink, who leases the IP address to its customers. Requested was the account holder and associated information for the IP address [REDACTED] from December 18, 2013 @ 0000 EST through February 5, 2014 @ 2359 EST.

On February 20, 2014 the following information was obtained in the subpoena response from CenturyLink:

Billing Name:
Billing Address:
Billing City:
Billing State:
Billing Zip:

Mark Pronovost



A handwritten signature in ink, located to the right of the redacted billing information.

Service Address:
Service City:
Service State:
Service Zip:



Service Establish Date: 07-21-2012
Status: Open

On March 13, 2014, your Affiant met with The Honorable Judge Zambrano who reviewed and signed the search warrant prepared in this case for [REDACTED]

The warrant was executed on March 18, 2014 November 26, 2013 by your Affiant along with members of the FDLE Cyber Crime Task Force and deputies from the Volusia County Sheriff's Office. At the time of the execution of the search warrant at [REDACTED]

[REDACTED] your Affiant checked for but did not detect any unsecure wireless networks from within the residence. Also present in the residence was Mark Pronovost and Pronovost's three juvenile children between (between the approximate ages of 1 and 4). Your Affiant advised Mark Pronovost that the search warrant is for a computer crime, but did not disclose to Mark that the specific computer crime being investigated is the possession of child pornography. Within 10 minutes of entering the residence, Mark Pronovost requested to put his 2 year old child to bed so he can speak with law enforcement. Once inside the master bedroom Mark Pronovost retrieved a black semi-automatic handgun, and while holding the handgun down at his side stated "You know who I am, you know I can't go to jail. I have no intention of hurting you guys. I'm not in the right state of mind. You know even an allegation like this can end my career." At this time officers immediately removed two of the three juvenile children; the third child was on the bed in the master bedroom, adjacent to Mark Pronovost. A few

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minutes later Mark Pronovost released the 2 year old child, who officers then evacuated from the residence. At the time of the writing of this warrant, Mark Pronovost has remained barricaded in the master bedroom of the residence, armed with a black semi-automatic handgun, and refusing to come out.

827.071(5)(a) – It is unlawful for any person to knowingly possess, control, or intentionally view a photograph, motion picture, exhibition, show, representation, image, data, computer depiction, or other presentation which, in whole or in part, he or she knows to include any sexual conduct by a child. The possession, control, or intentional viewing of each such photograph, motion picture, exhibition, show, image, data, computer depiction, representation, or presentation is a separate offense. If such photograph, motion picture, exhibition, show, representation, image, data, computer depiction, or other presentation includes sexual conduct by more than one child, then each such child in each such photograph, motion picture, exhibition, show, representation, image, data, computer depiction, or other presentation that is knowingly possessed, controlled, or intentionally viewed is a separate offense. A person who violates this subsection commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

All of the children depicted in the videos were clearly and obviously under the age of 18 based on one or more of the following criteria: their child-like facial features, child-sized arms, legs and torsos, their lack of breast development in the videos with girls, lack of any visible pubic hair, their small size and stature compared to furniture, surroundings or adults in the videos.



It is requested that **Mark George Pronovost**, identified hereinabove, be charged with 2 counts of possession of child pornography. These felonies were committed by **Mark George Pronovost** between December of 2013 and March of 2014, in Volusia County, Florida.

WHEREFORE, Based on the fact Mark George Pronovost did knowingly and intentionally possess over 2 images and videos which included, in whole or in part, sexual conduct by a child less than 18 years of age, and having demonstrated knowledge that the pictures and videos contained sexual conduct by a child less than 18 years of age by stating "You know who I am, you know I can't go to jail. I have no intention of hurting you guys. I'm not in the right state of mind. You know even an allegation like this can end my career.", your Affiant prays that a warrant be issued commanding the Commissioner of the Florida Department of Law Enforcement (FDLE) or any of his duly authorized Special Agents and Task Force Agents and all Sheriffs or any of their duly authorized deputies to arrest Mark George Pronovost for the above listed charges and bring him before the Court so that he may be dealt with according to law.


AFFIANT'S SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME THIS 18 DAY OF MARCH, 2014


JUDGE

☐ Affiant Personally Known

☒ Affiant Produced Identification

FDLE T103 Type of Identification