

EAG:MEL/MCM
F. #2021R00098

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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21-MJ-126

UNITED STATES OF AMERICA

COMPLAINT AND
AFFIDAVIT IN SUPPORT
OF ARREST WARRANT

- against -

TEODORO ROJAS LOPEZ,
also known as “Leonardo Martinez,”

(18 U.S.C. §§ 1952(a)(3)(A) and 3551 et
seq.)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

RACHEL GRAVES, being duly sworn, deposes and states that she is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

In or about and between December 2019 and August 2020, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant TEODORO ROJAS LOPEZ, also known as “Leonardo Martinez,” did knowingly and intentionally use one or more facilities in interstate commerce, to wit: one or more cellular telephones, with intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of unlawful activity, to wit: a business enterprise involving prostitution, in violation of the laws of the State of New York, and did thereafter perform and attempt to perform the promotion, management,

establishment, carrying on and facilitation of the promotion, management, establishment and carrying on of such unlawful activity.

(Title 18, United States Code, Section 1952(a)(3)(A) and 3551 et seq.)

The source of your deponent's information and the grounds for her belief are as follows:¹

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been for approximately five years. I am responsible for conducting and assisting in investigations into the activities of individuals and criminal groups responsible for transnational sex and human trafficking and related offenses. In that capacity, I have participated in investigations involving the debriefing of sex trafficking victims, review of telephone records and GPS data, review of money transfer records, surveillance, analysis of pen register information and various other techniques. As a result of my training and experience, I am familiar with the techniques and methods of operation used by individuals involved in criminal activity to conceal their activities from detection by law enforcement authorities.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. In addition, when I rely on statements made by others, such statements are set forth only in part and in substance unless otherwise indicated.

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

I. Background

3. Since approximately 2016, the FBI has been investigating the sex trafficking activities of a group of individuals located in Queens, New York. During the course of the investigation, agents identified a number of individuals, including the defendant TEODORO ROJAS LOPEZ, also known as “Leonardo Martinez,” who were serving as “drivers” and transporting women from Queens, New York to work in prostitution in Brewster, New York, among other places. In addition to transporting the women, the drivers, including ROJAS LOPEZ, acted as facilitators, utilizing cellular telephones to communicate with prospective clients and arrange the delivery of women to the clients’ locations.

4. On February 16, 2018, TEODORO ROJAS LOPEZ was arrested under the name “Leonardo Martinez” in Carmel, New York and charged with promoting prostitution in the third degree and criminal possession of a controlled substance in the seventh degree. At the time of his arrest, ROJAS LOPEZ was driving a vehicle with two female passengers in the backseat. He was advised of his Miranda right, indicated he understood those rights and then admitted to the police officers that he had driven the two women to twelve prostitution appointments that day. He subsequently pled guilty to criminal possession of a controlled substance in the seventh degree, and he was sentenced to 179 days in custody.

5. On or about August 28, 2020, I, along with other law enforcement agents, conducted a voluntary interview of TEODORO ROJAS LOPEZ at his residence in Queens, New York. After being advised of the identity of the law enforcement agents, ROJAS LOPEZ agreed to be interviewed. I conducted the interview with ROJAS LOPEZ

in Spanish and provided translation for the other law enforcement agents present. During the interview, ROJAS LOPEZ admitted to the following in part and in substance.

- a. ROJAS LOPEZ transported women for the purpose of prostitution in, among other places, Brewster, New York for approximately seven years. Specifically, ROJAS LOPEZ described his routine of picking up a woman, often in Queens, New York, and then driving her to various locations in Brewster, New York, where the woman engaged in prostitution.
- b. ROJAS LOPEZ used his cellular telephone to coordinate through text messages and WhatsApp messages with clients to provide details regarding the woman he was transporting, the cost of her services and to arrange the location to deliver the woman.
- c. At the time of his 2018 arrest, ROJAS LOPEZ was transporting the two women in his car for the purpose of prostitution, and, in 2019, after he had been released from jail, ROJAS LOPEZ began driving women for the purposes of engaging in prostitution again.
- d. ROJAS LOPEZ knew that many of the women that he drove were coerced or forced to work in prostitution.

II. Electronic Messages

6. During the interview, ROJAS LOPEZ provided law enforcement with his cellular telephone, an iPhone, and signed a written consent to search the cellular telephone. A review of the telephone revealed thousands of text messages and WhatsApp messages with prostitution clients between December 2019 and August 2020. According to ROJAS LOPEZ, all of the contacts in his phone that begin with the letter “B” are prostitution

clients in Brewster, New York. There are approximately 383 contacts in ROJAS LOPEZ's phone that begin with the letter "B." The following are a selection of text and WhatsApp messages found on ROJAS LOPEZ's iPhone:²

- a. On or about December 21, 2019, ROJAS LOPEZ exchanged a series of text messages with a contact saved in his phone as "B. Brewster Amigo." Specifically, at approximately 1:27 a.m., "B. Brewster Amigo" sent the message, "What's up cousin"³ and ROJAS LOPEZ responded, "Today I am here." At approximately 1:53 a.m., "B. Brewster Amigo" sent the message, "A Mexican white girl who came to the 1b young girl between 20 and 25, I want to make sure that she is beautiful." ROJAS LOPEZ responded, "I'll bring her cousin."
- b. On or about May 28, 2020, ROJAS LOPEZ received a text message from a contact named "M Watermelon Viejo," which said, "What's up how are you." ROJAS LOPEZ responded, "I am here working." That same day, "B. 114 Main" sent a text message, "Who are you bringing" and ROJAS LOPEZ responded, "A big ass very nice."
- c. On or about May 29, 2020, ROJAS LOPEZ received a text message from contact "B. 2626 Carmol Ave" asking, "What did you bring" and ROJAS LOPEZ responded, "A good girl."

² All of the text message conversations detailed herein occurred in the Spanish language; the draft translations are subject to revision.

³ "Cousin" is frequently used in the Spanish language with close acquaintances similarly to "brother" or "friend."

- d. On or about May 30, 2020, “B. 111 Main Bes” sent a text message to ROJAS LOPEZ that said, “Who brings” and ROJAS LOPEZ responded, “A Mexican with a big butt.” “B. 111 Main Bes” then wrote, “Where is she?” and then later wrote, “Send me her.”
- e. On or about June 1, 2020, “B 159 Main” sent a text message to ROJAS LOPEZ, which said, “Who’s in the load cousin from where” and ROJAS LOPEZ responded, “I’ll bring a good and pretty girl. From Costa Rica.”
- f. On or about June 10, 2020, “B. 111 Main Bes” sent a text message to ROJAS LOPEZ, which said, “Are you here cousin.” ROJAS LOPEZ responded, “In ten minutes” followed by “Yes or no.” In response, “B. 111 Main Bes” asked, “How much do you charge for two times” and ROJAS LOPEZ stated, “Its 100 for half hour.” “B. 111 Main Bes” then asked, “and 15 minutes.” ROJAS LOPEZ responded, “the same 40” and “B. 111 Main Bes” stated, “But can you tell the girl that two times.”
- g. On or about August 24, 2020, “B. 111 Main Bes” sent a text message to ROJAS LOPEZ, asking, “Who is the girl cousin?” ROJAS LOPEZ responded, “A mexican good vibes.” “B. 111 Main Bes” then asked if he had previously brought this girl, to which ROJAS LOPEZ responded, “Yes.” Shortly after, “Jackelin 98” sent a text message to ROJAS LOPEZ, stating, “I am already ready,” and ROJAS LOPEZ responded, “You are in front.” ROJAS LOPEZ then received a text message from “B. 59 Oak Street,” which stated, “What’s up?” ROJAS LOPEZ responded, “A Mexican Jackelin.”

That same day, ROJAS LOPEZ sent a text message to the contact saved as “B. Jonh Hermano Daniel,” which said, “Here outside. I bring the brunette.”

7. In context and based on my training and experience particularly in sex trafficking investigations, I know that these messages are consistent with the role that is played by a driver, as the driver is not simply responsible for driving but also is responsible for communicating with clients, including providing information regarding the woman that is available that evening, the price of services and making the arrangements for the delivery of the woman to the client’s location.

III. Physical Surveillance

8. As part of the investigation, law enforcement also conducted physical surveillance of TEODORO ROJAS LOPEZ. Between March 28, 2020 and May 22, 2020, law enforcement observed ROJAS LOPEZ in Brewster, New York with unidentified females in his vehicle on multiple occasions. Specifically, on March 28, 2020, ROJAS LOPEZ was observed at approximately 4:45 p.m. driving a 2006 Mazda van bearing Illinois registration BQ94855 (“2006 Mazda”) with an unknown female (“UF 1”) in the car. The car stopped outside of 143 East Main Street in Brewster, New York, and UF 1 entered the residence. At 5:01 p.m., ROJAS LOPEZ was observed in the 2006 Mazda in front of 56 Marvin Avenue, and, at 5:48 p.m., ROJAS LOPEZ was observed in the 2006 Mazda in front of 18 Oak Street in Brewster, New York. ROJAS LOPEZ has contacts in his phone saved as “B. 52 Marvin Arriba” and “B. 18 Oak St.”

9. On April 15, 2020 at approximately 6:05 p.m., ROJAS LOPEZ was observed driving in the 2006 Mazda with an unknown female (“UF 2”) in the area of Marvin Avenue in Brewster, New York. At approximately 6:06 p.m., ROJAS LOPEZ and UF 2

were observed in the 2006 Mazda parked outside of 60 Marvin Avenue in Brewster, New York. ROJAS LOPEZ has a contact saved in his phone as “B. 62 Marvin Clientes.” At approximately 6:56 p.m., ROJAS LOPEZ and UF 2 were observed in the 2006 Mazda parked outside parking in a driveway at 2635 Carmel Avenue in Brewster, New York.

ROJAS LOPEZ has a contact in his phone saved as “B. 2633 Carmol 2.” At approximately 7:10 p.m., ROJAS LOPEZ and UF 2 were observed in the 2006 Mazda parked in a parking lot at 876 East Main Street and then observed leaving the area.

10. On April 18, 2020, a license plate reader alert indicated that the 2006 Mazda was on the Hutchinson River Parkway at 2:49 p.m. near the Village of Scarsdale and heading north. At approximately 3:41 p.m., ROJAS LOPEZ was observed parked in the 2006 Mazda in front of 141 Main Street in Brewster, New York. At approximately 4:10 p.m., ROJAS LOPEZ was observed in the 2006 Mazda pulling into a driveway at 39 Oak Street. An unknown female (“UF 3”) walked to the vehicle from the direction of 35 Oak Street and entered the passenger seat of the vehicle. ROJAS LOPEZ was then observed returning to 141 Main Street, and, at approximately 4:15 p.m., UF 3 exited the vehicle and entered apartment 1B. At approximately 4:22 p.m., UF 3 was observed exiting the apartment and walking up one story to the top floor apartment. At approximately 4:25 p.m., UF 3 exited the apartment and returned to the 2006 Mazda.

11. On April 23, 2020 at approximately 3:20 p.m., ROJAS LOPEZ was observed driving in the 2006 Mazda with an unknown female (“UF 4”) on East Main Street in Brewster, New York. At approximately 3:29 p.m., ROJAS LOPEZ and UF 4 were observed in the 2006 Mazda parked outside of 18 Oak Street. As noted above, ROJAS LOPEZ has a contact in his phone “B. 18 Oak St.” At approximately 3:51 p.m., ROJAS

LOPEZ and UF 4 were observed in the 2006 Mazda parked outside of 111 East Main Street. At approximately 4:04 p.m., ROJAS LOPEZ was observed in the 2006 Mazda dropping UF 4 off at 151 East Main Street and then parking in the back lot. At approximately 4:12 p.m., ROJAS LOPEZ and UF 4 were observed in the 2006 Mazda parking at 143 East Main Street. UF 4 then entered apartment 1B at that location. At approximately 7:45 p.m., ROJAS LOPEZ sent a text message to “B. Brewster Amigo,” which stated, “I’m around.”

12. On May 12, 2020 at approximately 5:35 p.m., ROJAS LOPEZ was observed in the 2006 Mazda with an unknown female (“UF 5”) parked in a driveway at 92 Oak Street in Brewster, New York. At approximately 5:49 p.m., ROJAS LOPEZ and UF 5 were observed in the 2006 Mazda parked outside of 18 Oak Street. At approximately 5:59 p.m., ROJAS LOPEZ and UF 5 were observed in the 2006 Mazda parked outside of 2626 Carmel Avenue. At approximately 6:16 p.m., ROJAS LOPEZ and UF 5 were observed in the 2006 Mazda parked outside of 143 Main Street. UF 5 exited the vehicle and walked inside of the apartment. Approximately 14 minutes later, UF 5 left the apartment and returned to the vehicle. That same day, beginning at approximately 9:51 p.m., “B. Brewster Amigo” and ROJAS LOPEZ had the following exchange over text message:

B. Brewster Amigo:	What’s up
ROJAS LOPEZ:	I’m here working
B. Brewster Amigo:	Good and how are the girls
ROJAS LOPEZ:	A good girl
B. Brewster Amigo:	Good and what are you doing now
ROJAS LOPEZ:	A pretty little Mexican girl
B. Brewster Amigo:	What’s her name

ROJAS LOPEZ: Sofia
ROJAS LOPEZ I'll bring her
B. Brewster Amigo: Looks good
B. Brewster Amigo: Maybe after a while we'll call her
ROJAS LOPEZ: It's a good girl
ROJAS LOPEZ: Ready

Based on my training, experience and involvement in the investigation, I believe that "B. Brewster Amigo," who based on a review of ROJAS LOPEZ's iPhone appears to be a frequent customer of ROJAS LOPEZ, is asking ROJAS LOPEZ for information about the girl that he is driving that day, "Sofia," and ROJAS LOPEZ provides information to "B. Brewster Amigo" regarding the woman in order to encourage "B. Brewster Amigo" as a customer.

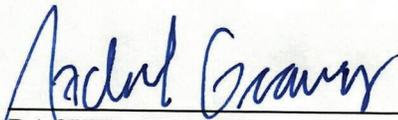
13. Less than three hours later, on May 13, 2020 beginning at approximately 12:31 a.m., ROJAS LOPEZ had the following exchange over WhatsApp with an account ending in the numbers 4673 ("4673 Account"):

4673 Account: Hello are you carrying a good one
ROJAS LOPEZ: yes cousin
4673 Account: whats her name
ROJAS LOPEZ: I sent it in the afternoon but I don't think you were there. Sofia
4673 Account: ok
4673 Account: I wasn't around
ROJAS LOPEZ: give me a chance for her to finish dinner and will pass by thank you

4673 Account: ok sounds good

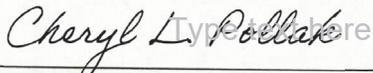
Based on my training, experience and involvement in the investigation, I believe that ROJAS LOPEZ is once again communicating with a client about the woman that he is driving that night, "Sofia," and her availability to be delivered to the client's residence.

WHEREFORE, your deponent respectfully requests an arrest warrant for the defendant TEODORO ROJAS LOPEZ, also known as "Leonardo Martinez," so that he may be dealt with according to law. I further request that the Court order that this application, including the affidavit and arrest warrant, be sealed until further order of the Court, except that it may be shared with the defendant and defense counsel following his arrest in connection with his initial presentment. Disclosure of this application and these orders would seriously jeopardize the ongoing investigation, as such a disclosure would give the targets of the investigation an opportunity to destroy evidence, harm or threaten victims or other witnesses, change patterns of behavior, notify confederates and flee from or evade prosecution.



RACHEL GRAVES
Special Agent, Federal Bureau of Investigation

Sworn to before me this
29 day of January, 2021



THE HONORABLE CHERYL L. POLLAK
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK