

Attachment 'A'

The following Affidavit is submitted to the Court to document the probable cause in support of a request for the issuance of an Arrest Warrant for GUERRA, David Alexander DOB: 10/26/1999, SSN: [REDACTED] DATE FILED: August 30, 2019

This offense is fully documented in Colorado Springs Police Department Offense Report 19-31466 detailing the offense(s) of:

- §18-7-402, Soliciting for child prostitution - FOUR COUNTS, Class Three Felony (F 3);
- §18-7-404, Keeping a place of child prostitution – THREE COUNTS, Class Three Felony (F 3);
- §18-7-405.5 Inducement of child prostitution – THREE COUNTS, Class Three Felony (F 3);
- § 18-7-406 Patronizing a prostituted child – THREE COUNTS, Class Three Felony (F 3);
- § 18-6-701 Contributing to the delinquency of a minor – THREE COUNTS, Class Four Felony (F 4)
- §18-7-405.5 Inducement of child prostitution – ATTEMPT, Class Four Felony (F 4);
- § 18-7-406 Patronizing a prostituted child – ATTEMPT, Class Three Felony (F 4);

With the victim(s) identified as:

1. DOB: 12/04/2001 Age (17) Race: White Sex: Female
2. DOB: 05/05/2002; Age (17) Race: White; Gender: Female

On Monday, August 26, 2019, I Detective Reid, 3175, currently assigned to the Colorado Springs Police Department Metro Vice, Narcotics and Intelligence Division (Human Trafficking Unit) was notified by School Resource Officer [REDACTED] about 17 year old [REDACTED] DOB 12/04/2002 who disclosed that she had met an adult male who offered her \$9000 in exchange for sexual intercourse. [REDACTED] was picked up by this male three times, had sexual intercourse with him in his black Mercedes Benz three times but never received any payment as it was agreed upon.

The male had sent a video clip of his bank account to [REDACTED] which made her sincerely believe that the male would come through with the agreement to pay for \$9000 for sexual intercourse.

Upon contact with [REDACTED] on Monday, August 26, 2019 at 1415 hrs, she informed me, during a victim centered interview, that she received the first message on her Snapchat account on August 10, 2019. The individual who initiated the conversation used the Snapchat handle of "devalynyackie". In this first message, "devalynyackie" messaged "Hey I saw you on tinder and thought u were cute".

During the investigation, "devalynyackie" was later identified as David Alexander Guerra, DOB 10/26/1999.

For the next ten days, [REDACTED] did not respond to "devalynyackie" repeatedly messaging her "hey". On Tuesday, August 20, 2019 "devalynyackie" messaged [REDACTED] "Hey Wanna make \$9,00 9,000" to which [REDACTED] replied "Lmao how". "devalynyackie" replied "Hooking up" and sent a video of a computer screen which displayed a Wells Fargo Bank Account summary.

Visible in this video of the bank account summary is the following suffixes along with amounts:

Checking \$ 369,546

Army \$ 75,238

Secured Card \$ 123,981

In the upper right hand corner of the screen, I was able to see the greeting "Welcome, David your last sign on was March 19, 2019 at 5:06 PM PDT"

inquired "And you're just gonna give me \$9,000 to hook up?" to which "devalynyackie" replied "Yeah" and "Give me as much head and pussy as I need" and "For a day". requested a picture of "devalynyackie" and "devalynyackie" sent the following image to



Upon questioning, informed me that these two pictures depicted the male who knew as David and who she was conversing with on Snapchat as "devalynyackie". In addition, she confirmed that this was the individual who picked her up in his black Mercedes and she engaged in sexual intercourse with the expectancy of getting paid.

As the conversation on Snapchat continued, voiced that she was "sketched out" but "devalynyackie" informed her "I got hella money". Further, the male informed that they could use paypal as "Paypal has a 65,000\$ limit". He also told "Well I pay weekly love" and "Like you basically pussy on call".

told "devalynyackie" that she resided with her mom, and therefore, they could not meet at her house. "devalynyackie" informed her "Lol my benz got lots of space".

"devalynyackie" also informed, via Snapchat messenger the same day, that "depending on how much u do for me u get paid more" and he explained "So I used to have a sugar baby" and "she basically did whatever I asked no matter what m And I paid her 8,000 a week". As reacted surprised, he let her know "Well I mean I'm paying for pussy head and whatever else I want So it's not just pics and shit it's only fair since ur giving ur body to me".

"devalynyackie" asked "What days u want pay every Friday?" or "Monday?" to which replied "Friday?".

Further, the conversation showed that "devalynyackie" told that if she wanted to keep this job, there would be "No fucking nobody else" and that she had to check in with "devalynyackie" before she made plans with her friends in case "devalynyackie" wanted to "use" her that day.

"devalynyackie" also texted [redacted] "Lemme see ur tits I wanna see if u have boobs" to which [redacted] obliged and sent a photo of her exposed breasts to "devalynyackie" via Snapchat. [redacted] confirmed, in a follow-up interview that this picture was of her breasts and she had taken this photograph. Next, "devalynyackie" requested a "booty" picture which followed up with a short video clip of herself, in a prone position on a bed, her buttocks exposed while "twerking".

Following this video clip, "devalynyackie" told [redacted] that he would pick her up "today at 7" which was August 20, 2019. The conversation continued throughout the day and [redacted] sent more explicit pictures of her breasts and buttocks to "devalynyackie" upon his request. At one point, "devalynyackie" asks for [redacted] address which she provided.

After she provided her address and "devalynyackie" told her to wear spandex or leggings to their first meeting, "devalynyackie" inquired "Lol How old are u?" to which [redacted] replied

"I turn 18 in 3 months" and "devalynyackie" sent this emoticon:



and "Mmmm U gonna swallow my cum"

[redacted] told me that she indeed met with "devalynyackie" that evening and she learned that his name was "David" he was in the Army and drove a black Mercedes Benz. She informed that he was in his early 20s and had acne scars on the right side of his face. Upon review of the text message, I saw that "devalynyackie" did tell her he was "10 mins away" and "3 mins".

[redacted] informed me that David picked her up in front of her residence and transported her to a park nearby her house [redacted] in the City of Colorado Springs, County of El Paso, and State of Colorado). At the park, they engaged in sexual intercourse on the back seat of David's Mercedes Benz. [redacted] remembered that she had oral and vaginal intercourse with David in his car. After the sexual intercourse, [redacted] drove to the Sonic Restaurant, located at [redacted] where they purchased food.

That night, August 20, 2019, David sent her a message on Snapchat "Need ur head again lol". He then requested she "just send sexy pics u got" and "And vids" and [redacted] obliged by sending him 4 pictures of her buttocks, dressed in thong-style underwear.

The Snapchat conversation continues on Wednesday, August 21, 2019 where David initiated the conversation and asked "Hey we fucking today when I'm off work". [redacted] however, was busy with school and family obligations and David asked "Should I hit someone else up?" and "I need to nutttt". [redacted] eventually replies that she was home and he could pick her up. David

suggests that she had 30 seconds to send a booty picture and inquired "U got any friends who would wanna make money too I want another sugar baby Like u and someone else I'll pay more this Friday If u do I'll give you commission for every girl u bring me". [redacted] replied "Well I have a friend that said she'll suck your dick for \$50 cash" but David informed her that he wanted "weekly bitches".

[redacted] provided a picture of her friend, [redacted], DOB 05/05/2002 to David and he replied "I'm down" and "I want both of y'all sucking it today". Further, David informed [redacted] "I'll send her 1K With your money For tomorrow If that's what she's Okay with U know I never carry cash" and

replied "Yeah she's down". David also requested "I'm paying u todo what I want But her It's up to her And can I see if she got booty and tits?" sent a picture of upper body, as she was dressed in a red bra. David followed up with "A better tit pic?" and sent a photograph of exposed breasts to David.

and David agreed that would send David the account information for bank account and she provided her account and routing number to David. and David agreed to meet that evening and she again sent him her address of where he picked her up. told me that she was picked up by David, in his black Mercedes Benz, around 1900 hrs. They travelled toward the area of Peyton, Colorado and traveled south of Highway 24. She recalled that they stopped in an area which appeared to be a residential neighborhood and again, engaged in vaginal and oral intercourse.

On Thursday, August 22, 2019, David initiated the conversation again and stated "Sorry if my dick game ain't that good" to which replied "Nah don't even lol I told you that it was When is that money coming through". In the next messages David expressed frustration that the money had not come out of his account and he informed he would call the bank. He informed that he had given the wrong account number and "it got rejected" and asked "Oh okay so you resent it" which David confirmed "Better be".

On Friday, August 23, 2019, initiated the conversation and asked David if he had sent the money. He explained he had not but would as soon as he was home. He requested however that she provide him with oral sex before she goes to her friend house. He told her "Im coming to fuck" and indicated "rn" (right now). When was surprised, David told her "Fuck this is what I pay for For u to just suck and fuck when I need" and replied "But I haven't even gotten paid". David then agreed to "okay I'll send it again rn cause that was my fault".

David informed that "Btw I sent it but since my bank was closed it might send Sunday". When told her she was worried about not getting paid, he told her "Deals off then?" but informed him that she was still willing to continue.

This conversation led to the third and last sexual encounter on Friday, August 23, 2019. David told he was on his way and she told him she was at address, in the City of Colorado Springs, County of El Paso, State of Colorado. had difficulties leaving house and David told her to tell the family "Wel just be like your mom said u have to go home or something Come on" and "Be like ur mom needs u And you'll be back". As explained to David she did not want to disrespect the family, he suggested "Just don't mention anything about anything" and when asked "Wym (What do you mean)" he messaged "Like \$\$".


remembered that David picked her up nearby a park by house that evening around 1900 hrs or 2000 hrs. She recalled that the two had sexual intercourse, vaginally and orally, behind a nearby Safeway grocery store in his Mercedes Benz vehicle.

On Sunday, August 25, 2019, David requested oral sex from but she told him she had not been paid. He told her "But I need a quickie I need to be at work at 5:30 Get ready I'm coming Hello If u don't answer I'm cancelling the money". He also messaged "Well if u want me to not then u sucking

it Rn Or I swear I'll cancel it Last chance" and he begins a countdown 10, 9, 8, 7... and upon reaching zero, he stated "Okay I'm cancelling it" to which _____ replied "and I'll report you". David replied "Lmao I told you I sent it". Later in the conversation, _____ said "I'm 17 years opus and you're technically still in the army so it's illegal cause I'm not 18".

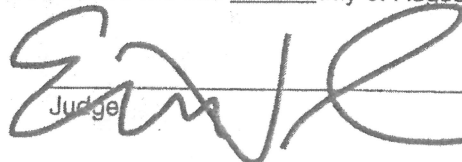
During the messages exchanged on the first day, August 20, 2019, David provided _____ with his phone number _____. A search through a law enforcement database yielded that the phone number listed to David Guerra, DOB 10/26/1999 with an address at _____ on Fort Carson. This information was obtained during a Domestic Violence investigation, dated July 28, 2019 (reference CSPD case report 19-27304). I was able to retrieve photographs which were taken of David Guerra during this incident and compared these photographs to the Driver License picture of David Guerra's Driver license picture. The person on the Driver License picture matches the person listed with phone number _____ in the law enforcement database. In addition, I met with _____ on August 29, 2019 and, with the assistance of Detective T. Love, 5111, showed _____ a photo lineup. Without hesitation, _____ identified David Guerra from the photo lineup. This is the same person identified by me as David Alexander Guerra, DOB 10/26/1999; SSN: _____ Hispanic Male, 5'6 tall, and 172 lbs.

I would respectfully request that probable cause be found that GUERRA, David Alexander DOB: 10/26/1999; did within the City of Colorado Springs, County of El Paso and State of Colorado, commit in violation of the Colorado Revised Statutes 1973 as amended, the offense(s) of §18-7-402, Soliciting for child prostitution - FOUR COUNTS, Class Three Felony (F 3); §18-7-404, Keeping a place of child prostitution - THREE COUNTS, Class Three Felony (F 3); §18-7-405.5 Inducement of child prostitution - THREE COUNTS, Class Three Felony (F 3); § 18-7-406 Patronizing a prostituted child - THREE COUNTS, Class Three Felony (F 3); § 18-6-701 Contributing to the delinquency of a minor - THREE COUNTS, Class Four Felony (F 4); §18-7-405.5 Inducement of child prostitution - ATTEMPT, Class Four Felony (F 4); § 18-7-406 Patronizing a prostituted child - ATTEMPT, Class Three Felony (F 4).


3175
Applicant: E. REID 3175

Colorado Springs Police Department
Position: Detective

Sworn and subscribed before me this 30th day of August, 2019


Judge