

UNITED STATES DISTRICT COURT
for the
Northern District of California

FILED
Nov 30 2021
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

United States of America
v.
John Russell Bellhouse
Defendant(s)

Case No. 4:21-mj-71905-MAG

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 2020 and October 2020 in the county of Alameda County in the Northern District of California, the defendant(s) violated:

Code Section 18 U.S.C. § 2243(b) Offense Description Sexual Abuse of a Ward

This criminal complaint is based on these facts:

See attached affidavit of FBI Special Agent Katherine Barclay

Continued on the attached sheet.

Approved as to form /s/ Molly K. Priedeman
AUSA Molly K. Priedeman

/s/ Katherine Barclay
Complainant's signature

Katherine Barclay
Printed name and title

Sworn to before me by telephone.

Date: November 29, 2021

City and state: Oakland, California

Kandis Westmore
Judge's signature
Hon. Kandis A. Westmore, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Katherine Barclay, a Special Agent with the Federal Bureau of Investigation (FBI), having been duly sworn, hereby declare the following:

I. INTRODUCTION

A. Purpose of Affidavit

1. This Affidavit is made in support of a Criminal Complaint and Arrest Warrant for John Russell BELLHOUSE. This affidavit is made in support of a criminal complaint charging BELLHOUSE with Sexual Abuse of a Ward in violation of Title 18, United States Code § 2243(b).

B. Sources of Information

2. The statements made in this affidavit are based on my experience and training as a Special Agent with the FBI, information provided to me by other law enforcement officers and agents, evidence obtained via subpoenas, search warrants, and from the Federal Bureau of Prisons (“BOP”), which I believe to be reliable, as well as other sources. To the extent this Affidavit discusses statements made by witnesses and/or victims, I have also included examples of information developed independently during the investigation that corroborates many of their statements. The inmate victim and witnesses discussed in this Affidavit have been convicted of one or more felonies, including drug trafficking, fraud, and other offenses, and were each sentenced to custodial terms with BOP. Because 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 that BELLHOUSE violated Title 18, United States Code § 2243(b). Further, my understanding of the facts may evolve as the investigation continues.

C. Agent Background

3. I am a Special Agent (“SA”) with the FBI, and have been since August 2016. As an FBI Special Agent, I have investigated various federal crimes, including computer crimes, crimes involving fraud, public corruption, and civil rights. As a federal agent, I am authorized to investigate violations of the laws of the United States, and to execute warrants issued under the authority of the United States.

4. As part of my training, I have learned about a number of investigative techniques including, but not limited to, interviewing targets, subjects and other witnesses, reviewing financial records, reviewing electronic evidence including information from emails and social media websites, and conducting search warrants of electronic devices, residences, email accounts, and other locations. Through my training, experience, and my discussions with other experienced law enforcement officers and agents, I am familiar with the methods of operation used by correctional officers who attempt to engage or engage in sexual relationships with BOP inmates, and how correctional officers and others introduce contraband into federal prisons, and the types of authorized communication allowed by BOP inmates.

5. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Section 2516 of Title 18, United States Code. As a federal agent, I am authorized to investigate violations of laws of the United States and am a law enforcement officer with the authority to execute warrants issued under the authority of the United States.

D. Applicable Law

6. The elements of Sexual Abuse of a Ward relevant to this application for a

criminal complaint are: (1) the defendant knowingly engaged in a sexual act with a victim; (2) at the time the victim was in official detention at a federal facility; (3) the victim was under the custodial, supervisory, or disciplinary authority of the defendant, and (4) the defendant's actions took place within the special maritime and territorial jurisdiction of the United States or in a federal prison. *See* 18 U.S.C. § 2243(b).

7. The term "sexual act" means, among other things, contact between the mouth and the penis. 18 U.S.C. § 2246(2)(B).

II. STATEMENT OF PROBABLE CAUSE

A. Background on FCI Dublin and BELLHOUSE

8. The BOP Federal Correctional Institute Dublin (hereafter, "FCI Dublin") is an all-female low security federal correctional institution with an adjacent minimum-security satellite camp located in Dublin, California. This facility is located within the Northern District of California ("NDCA").

9. BELLHOUSE is the Safety Administrator at FCI Dublin prison and camp. As part of his duties, BELLHOUSE distributes cleaning supplies, updates facility equipment to code, and engages in pest abatement. He is also responsible for the recycling program at FCI Dublin. In or around March 2021, BELLHOUSE was placed on administrative leave due to the allegations in this case.

10. As a correctional officer, BELLHOUSE had disciplinary authority over inmates incarcerated at FCI Dublin, including the inmates that he directly supervised in his capacity as Safety Administrator. BELLHOUSE was required to conduct his work and supervise inmates in accordance with BOP policies and procedures. He was advised, as part of his training, that he could not maintain inappropriate relationships with inmates, which included becoming

emotionally, physically, sexually, or financially involved with inmates or former inmates. BELLHOUSE was further advised that he could not show favoritism or give preferential treatment to one inmate or group of inmates over another.

B. Initiation of the Investigation

11. On or about June 9, 2020, an inmate (hereafter Witness 1) at FCI Dublin reported that BELLHOUSE and another BOP employee were engaged in sexual relationships with several inmates. Witness 1 also reported to FCI Dublin that BELLHOUSE and the other man had provided contraband and money to multiple inmates and also allowed them to use their personal cell phones to call and text inmates' friends and family and use social media. These alleged activities violate BOP policies and constitute potential violations of federal law. As a result of this report and other information, the Department of Justice Office of the Inspector General ("DOJ OIG") began an investigation, which the FBI later joined.

C. BELLHOUSE Engaged in Sexual Contact with Victim 1

12. As detailed below, agents have developed evidence demonstrating that BELLHOUSE knowingly had sexual contact with at least one inmate while she was incarcerated at FCI Dublin and was under his custodial, supervisory, or disciplinary authority.

13. In the fall of 2021, agents interviewed Victim 1, a former FCI Dublin inmate. As detailed below, Victim 1 stated that she performed oral sex on BELLHOUSE on approximately two occasions.¹

¹ In her initial interview, Victim 1 denied engaging in sexual contact with BELLHOUSE. In her second interview, Victim 1 began crying and admitted that she wrote letters to BELLHOUSE but said she did not want to participate in the trial process. During her third interview, she disclosed the details of her relationship with BELLHOUSE. She also stated that she had withheld disclosing it previously because she was afraid of getting in trouble.
BARCLAY AFF. IN SUPPORT OF CRIMINAL COMPL.
[UNDER SEAL]

14. Victim 1 stated that BELLHOUSE started expressing a romantic interest in her by flirting with her, complimenting her, and calling her his girlfriend. BELLHOUSE also gave Victim 1 a pair of earrings and a necklace. Victim 1 described the earrings, and told investigators that she ultimately gave the earrings back to BELLHOUSE because one of the earrings was damaged. BELLHOUSE told Victim 1 that he loved her and that he would wait for her when she got out of prison. On at least one occasion, BELLHOUSE allowed Victim 1 to use his office phone.

15. Victim 1 also told agents that she and BELLHOUSE would kiss and hug each other when no one else was around. BELLHOUSE would touch Victim 1's breasts and her vagina in BELLHOUSE's office with the door closed.

16. Victim 1 stated that she performed oral sex on BELLHOUSE on approximately two occasions. The second incident occurred between approximately February 2020 and October 2020. The second incident occurred in the Safety Office.² Victim 1 told agents that on at least one occasion another inmate acted as a "lookout" for her and BELLHOUSE while they were engaged in sexual contact.³

17. Victim 1 also told agents that she wrote several notes to BELLHOUSE and, at his request, provided him photographs of herself.

18. On June 29, 2021, agents executed a search warrant on BELLHOUSE's hotel room, vehicle, and person. Agents seized numerous handwritten notes of romantic and sexual

² I understand the Safety Office to be a reference to the office shared by BOP staff and inmates on the prison side of the facility.

³ In my training and experience, I know that correctional officers who engage in sexual contact with inmates will sometimes ask another inmate to serve as a "lookout" to alert the inmate and correctional officer if anyone is approaching while they are engaged in sexual contact.

BARCLAY AFF. IN SUPPORT OF CRIMINAL COMPL.

[UNDER SEAL]

nature that appear to be written by inmates, as well as two photographs of Victim 1, and a driver's license belonging to another former FCI Dublin inmate. Victim 1 confirmed that several of the notes were written by her, and that the photographs were the same photographs she had given to BELLHOUSE.⁴ Investigators also seized earrings that matched the description of the earrings that Victim 1 told investigators BELLHOUSE gave her and she returned.

19. Investigators have reviewed surveillance footage from a camera located outside of BELLHOUSE's Safety Office at FCI Dublin camp.⁵ Although agents have not yet identified an instance in which Victim 1 went into BELLHOUSE's office alone at the prison, surveillance footage from the camp side of the facility on or about October 22, 2020, reveals that BELLHOUSE was alone in the Safety Office with a different unidentified inmate while another inmate appeared to linger outside the door. The inmate outside the door appeared to be actively looking around at her surroundings, and when another inmate walked by, she began to appear as if she was tidying up. In my training and experience, the actions of the inmate outside the door are consistent with the inmate acting as a "lookout" for BELLHOUSE and the inmate in the office. This is consistent with Victim 1's statements about her interactions with BELLHOUSE.

III. CONCLUSION AND REQUEST FOR SEALING

20. Based upon the above facts, as well as my training and experience, I submit that there is probable cause to believe that between approximately February 2020 and October 2020 in the Northern District of California, the Defendant, John BELLHOUSE, targeted Victim 1 and

⁴ Agents also seized several notes that are sexual and romantic in nature that appear to be from an inmate other than Victim 1, suggesting that BELLHOUSE may have engaged in inappropriate relationships and/or sexual contact with more than one inmate.

⁵ Victim 1 was incarcerated at the prison.
BARCLAY AFF. IN SUPPORT OF CRIMINAL COMPL.
[UNDER SEAL]

committed the following federal offense: Sexual Abuse of a Ward, in violation of Title 18 U.S.C. § 2243(b).

21. I further request that the Court order that all papers in support of this application, including this affidavit, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to the target or other subjects of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation, giving the target an opportunity to destroy or tamper with evidence, change patterns of behavior, notify confederates, and flee from prosecution.

Respectfully submitted,

/s/ Katherine Barclay
KATHERINE BARCLAY
Special Agent
U.S. Department of Justice
Federal Bureau of Investigation

Sworn to before me over the telephone and signed by me pursuant to Fed.R.Crim.P. 4.1 and 4(d) on this 29th day of November 2021.

Kandis Westmore
HONORABLE KANDIS A. WESTMORE
United States Magistrate Judge