

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CRIMINAL DIVISION

DCTN: U14031906

Lockup No: 9

Case No:

COMPLAINT

District of Columbia ss:

Defendant's Name: Bernard Freundel 686097 14157212
 (First) (MI) (Last) (PDID) (CCNO)

Also Known As: _____
 (First) (Middle) (Last)

Address: _____

On or about June 2, 2014 the defendant installed and maintained an electronic device for the purpose of secretly and surreptitiously observing Female Complainant A who was using a bathroom or rest room or totally or partially undressed or changing clothes and the defendant electronically recorded, without the express and informed consent of Female Complainant A who was using a bathroom or rest room or totally or partially undressed or changing clothes. (In violation of Voyeurism, 22 D.C. Code Section 3531(b) and (c) 2001 ed.)

Sharon Marcus-K

Affiant's Name

Subscribed and sworn to before me this 15 day of October, 2014

(Judge) (Deputy Clerk)

WARRANT

To The United States Marshal or any other authorized federal officer or the Chief of Police of the District of Columbia:

WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for _____

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C. 3041 forthwith to answer said charge.

Issued _____

Judge - Superior Court of the District of Columbia

Title 16: Rule 105: Judge: _____

Sex:	DOB: _____	CCN: 14157212	PDID: 686097
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Papering Officer: G. Desilva	Badge No.: D21685
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OFFICER MUST EXECUTE RETURN

Officer's Name: _____	Date / Time: October 15, 2014 <i>10/15/2014</i>
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AUSA Signature: <i>Sharon Marcus-K</i>	Fel. I <input type="checkbox"/>	AFTC <input type="checkbox"/>	Fel. II <input type="checkbox"/>
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SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

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COMPLAINT

District of Columbia ss:

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 (First) (Middle) (Last)

Address: _____

On or about June 2, 2014 the defendant installed and maintained an electronic device for the purpose of secretly and surreptitiously observing Female Complainant B who was using a bathroom or rest room or totally or partially undressed or changing clothes and the defendant electronically recorded, without the express and informed consent of Female Complainant B who was using a bathroom or rest room or totally or partially undressed or changing clothes. (In violation of Voyeurism, 22 D.C. Code Section 3531(b) and (c) 2001 ed.)

On or about September 13, 2014 the defendant installed and maintained an electronic device for the purpose of secretly and surreptitiously observing Female Complainant C who was using a bathroom or rest room or totally or partially undressed or changing clothes and the defendant electronically recorded, without the express and informed consent of Female Complainant C who was using a bathroom or rest room or totally or partially undressed or changing clothes. (In violation of Voyeurism, 22 D.C. Code Section 3531(b) and (c) 2001 ed.)

Sharon M. Hill

Affiant's Name

Subscribed and sworn to before me this 15 day of October, 2014

 (Judge) (Deputy Clerk)

WARRANT

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WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for _____

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C. 3041 forthwith to answer said charge.

Issued _____ Judge - Superior Court of the District of Columbia

Title 16: Rule 105: Judge: _____

Sex:	DOB: _____	CCN: 14157212	PDID: 686097
Papering Officer: G. Desilva			Badge No.: D21685

OFFICER MUST EXECUTE RETURN

Officer's Name: <u>George Desilva</u>	Date / Time: <u>October 15, 2014</u>
AUSA Signature: <u>Sharon M. Hill</u>	Fel. I <input type="checkbox"/> AFTC <input type="checkbox"/> Fel. II <input type="checkbox"/>

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CRIMINAL DIVISION

DCTN: 014031906

Lockup No: 9

COMPLAINT

Case No: _____

District of Columbia ss:

Defendant's Name: Bernard Freundel 686097 14157212
(First) (MI) (Last) (PDID) (CCNO)

Also Known As:
(First) (Middle) (Last)

Address: [Redacted]

On or about September 13, 2014 the defendant installed and maintained an electronic device for the purpose of secretly and surreptitiously observing Female Complainant D who was using a bathroom or rest room or totally or partially undressed or changing clothes and the defendant electronically recorded, without the express and informed consent of Female Complainant D who was using a bathroom or rest room or totally or partially undressed or changing clothes. (In violation of Voyeurism, 22 D.C. Code Section 3531(b) and (c) 2001 ed.)

On or about September 13, 2014 the defendant installed and maintained an electronic device for the purpose of secretly and surreptitiously observing Female Complainant E who was using a bathroom or rest room or totally or partially undressed or changing clothes and the defendant electronically recorded, without the express and informed consent of Female Complainant E who was using a bathroom or rest room or totally or partially undressed or changing clothes. (In violation of Voyeurism, 22 D.C. Code Section 3531(b) and (c) 2001 ed.)

[Signature]

Affiant's Name

Subscribed and sworn to before me this 15 day of October, 2014

(Judge) (Deputy Clerk)

WARRANT

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WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C. 3041 forthwith to answer said charge.

Issued _____ Judge - Superior Court of the District of Columbia

Title 16: [] Rule 105: [] Judge: _____

Sex: _____ DOB: [Redacted] CCN: 14157212 PDID: 686097

Papering Officer: G. Desilva Badge No.: D21685

OFFICER MUST EXECUTE RETURN

Officer's Name: [Signature] Date / Time: October 15, 2014

AUSA Signature: [Signature] Fel. I [] AFTC [] Fel. II []

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

DCTN: 014031906

Lockup No: 9

Case No: _____

COMPLAINT

District of Columbia ss:

Defendant's Name: Bernard Freundel 686097 14157212
 (First) (MI) (Last) (PDID) (CCNO)

Also Known As: _____
 (First) (Middle) (Last)

Address: [REDACTED]

On or about September 13, 2014 the defendant installed and maintained an electronic device for the purpose of secretly and surreptitiously observing Female Complainant F who was using a bathroom or rest room or totally or partially undressed or changing clothes and the defendant electronically recorded, without the express and informed consent of Female Complainant F who was using a bathroom or rest room or totally or partially undressed or changing clothes. (In violation of Voyeurism, 22 D.C. Code Section 3531(b) and (c) 2001 ed.)

Co-Defendants:

Sharon Mink
Affiant's Name

Subscribed and sworn to before me this 15 day of October, 2014

 (Judge) (Deputy Clerk)

WARRANT

To The United States Marshal or any other authorized federal officer or the Chief of Police of the District of Columbia:

WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for _____

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C. 3041 forthwith to answer said charge.

Issued _____
 Judge - Superior Court of the District of Columbia

Title 16: Rule 105: Judge: _____

Sex:	DOB: [REDACTED]	CCN: 14157212	PDID: 686097
Papering Officer: G. Desilva			Badge No.: D21685

OFFICER MUST EXECUTE RETURN

Officer's Name: <u>George Desilva</u>	Date / Time: <u>October 15, 2014</u>
AUSA Signature: <u>Sharon Mink</u>	Fel. I <input type="checkbox"/> AFTC <input type="checkbox"/> Fel. II <input type="checkbox"/>

**DISTRICT OF COLUMBIA SUPERIOR COURT
OFFICE OF THE UNITED STATES ATTORNEY**

UNITED STATES

vs.

BERNARD FREUNDEL

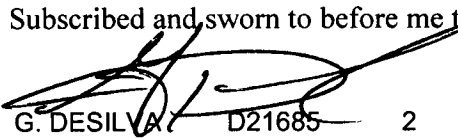
In the late evening of October 13, 2014, a Second District Metropolitan Police Department (MPD) Investigator applied for, and obtained, an emergency D.C. Superior Court search warrant to examine the contents of an audio and video recording device which had been disguised as a digital clock radio (hereinafter referred to as the "Recording Device"). MPD obtained the Recording Device from an individual who retrieved it on October 12, 2014, from the changing/showering area in the basement of the National Capital Mikvah ("the Mikvah") at 1308 28th Street, N.W., Washington, D.C., which changing/showering area is connected to a room with a Jewish ritual bath which is know as a mikvah. An individual associated with the Mikvah informed MPD that IT had previously seen the defendant Barry Freundel (DOB 12/16/51, PDID 686097) plugging in and operating what looked like the Recording Device in the changing/showering area of the Mikvah. At the time, the defendant was the rabbi at the Jewish congregation at 2801 N. Street, NW, Washington, D.C., which is affiliated with the Mikvah. IT did not know that the Recording Device was anything other than a digital clock radio and only learned of its recording capacity on October 12, 2014.

Your Affiant, along with a forensic computer examiner, viewed the audio and video contents of the Recording Device pursuant to the execution of the search warrant. Through open source databases and information obtained from an individual associated with the Mikvah, Your Affiant was able to identify the defendant as being the person depicted in the Recording Device setting up and manipulating the Recording Device which Recording Device surreptitiously and secretly captured at least six women totally or partially undressed and changing clothes without these women's knowledge and consent.

The defendant is seen on numerous occasions setting up and operating the Recording Device in the showering and changing area connected to the Mikvah. The defendant is seen positioning the Recording Device so that it faced the shower and, by so doing, the Recording Device was able to capture unsuspecting women totally or partially undressed or changing clothes without their knowledge and consent.

The events described above occurred in the District of Columbia.

Subscribed and sworn to before me this 15TH day of OCTOBER.


G. DESILVA / D21685 2

Officer

Badge

District

Deputy Clerk 

DISTRICT OF COLUMBIA SUPERIOR COURT
OFFICE OF THE UNITED STATES ATTORNEY

UNITED STATES

vs.

BERNARD FREUNDEL

Three videos on the Recording Device dated June 2, 2014, capture two women separately partially undressing or changing clothes in the changing/showering room. Neither woman appears to know that she is being recorded by the Recording Device.

Again on September 13, 2014 (which date is reflected on the video) the defendant is seen manipulating the Recording Device while pointing the camera directly toward his face. His voice is heard on the recording. The Defendant appears to be correcting the Recording Device's displayed time before positioning it on the counter facing the shower stall area. Four women captured in approximately six videos totally or partially undressed or changing clothes before taking a shower. Each is in the room individually. They are shown without clothing before entering the shower. The video captures them exiting the shower and drying off before getting dressed. Through my observations of the Recording Device it appears that these women do not know that the Recording Device is, in fact, recording them and that they are being recorded as they are undressing. There is no indication that the six women depicted changing and partially or totally naked consented to having their naked body photographed.

A file dated October 6, 2014, depicts the defendant again placing the camera in the changing room facing the shower room. Later that same date a video confirms information obtained from the individual associated with the Mikvah who recovered the camera from the changing/showering room. The date stamp at this instant was approximately six days prior to the actual date, thus the date on the video may not be accurate.

The events described above occurred in the District of Columbia.


Subscribed and sworn to before me this 15TH day of OCTOBER.


G. DESILVA D21685 2

Officer

Badge

District

Deputy Clerk 

**DISTRICT OF COLUMBIA SUPERIOR COURT
OFFICE OF THE UNITED STATES ATTORNEY**

UNITED STATES

vs.

BERNARD FREUNDEL

On October 14, 2014, a D.C. Superior Court Search Warrant was executed at the defendant's residence at 3026 O. Street, NW. At that time, the defendant was also arrested. Located at the defendant's residence, in his bedroom, was the manual for the Recording Device. Preliminary computer forensic examination of items seized from the defendant's residence demonstrates that the defendant does, in fact, back up the memory card contained in the Recording device to other storage media. Preliminary computer forensic examinations, and analysis of other items seized from the defendant's home, also reveal numerous media storage devices consistent with the one used in the Recording Device and other items with the surreptitious audio and video recording capacity.

Based on the aforementioned facts and circumstances Your Affiant believes that probable cause exists that the crime of Voyeurism has been committed by Barry Freundel against at least six female victims.

The events described above occurred in the District of Columbia.

Subscribed and sworn to before me this 15TH day of OCTOBER.


G. DESILVA D21685 2

Officer

Badge

District

Deputy Clerk 