



Department of Justice

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District of Oregon

FOR IMMEDIATE RELEASE

MONDAY, SEP. 9, 2019

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FORMER PORTLAND RESIDENT SENTENCED TO 270 YEARS IN FEDERAL PRISON FOR SEXUALLY EXPLOITING CHILDREN WHILE BABYSITTING

PORTLAND, Ore.—After years of contentious litigation and attempts to obstruct justice, Andrew Franklin Kowalczyk, 44, formerly of Portland, was sentenced today to 270 years in federal prison followed by a life term of supervised release for the repeated sexual abuse, exploitation and torture of three young children.

On December 6, 2018, after a four-day trial and deliberating for just 20 minutes, a federal jury in Portland convicted Kowalczyk on nine counts of producing child pornography.

“Andrew Kowalczyk’s abuse and torture of his victims was unthinkable and will forever impact their lives,” said Billy J. Williams, U.S. Attorney for the District of Oregon. “Kowalczyk tried every conceivable tactic to delay prosecution and rob his young victims of the justice they deserve. Today his attempts to delay punishment for his horrific crimes have ended.”

“First and foremost, I commend the victims and their families for the strength they exuded while cooperating with a very difficult investigation,” said Brad Bench, Special Agent in Charge of HSI Seattle. “Individuals like Kowalczyk, who prey on those they are charged to care for, are extremely dangerous to our children and the community. HSI, along with our law enforcement partners, are committed to bringing these appalling crimes to an end.”

“One victim in this case asked Kowalczyk “why” he committed these horrible acts of violence. We can finally say to this now-young woman that Kowalczyk will never be able to hurt a child again. The bravery, resolve and strength this young woman demonstrated throughout this investigation is a big reason why,” said Renn Cannon, Special Agent in Charge of the FBI in Oregon.

According to court documents and information shared during trial, law enforcement first learned of Kowalczyk’s abuse in early 2008. On December 27, 2007, a Des Moines, Washington police officer stopped Kowalczyk for several traffic violations. Kowalczyk did not own the vehicle he was driving, did not have a driver’s license and gave the officer a false name. After

refusing the officer's request to step out of the vehicle, Kowalczyk fled, leading police on a high-speed chase that was later terminated for public safety reasons.

Kowalczyk was later located at the Northwest Motor Inn in Puyallup, Washington. A records check run on the alias used by Kowalczyk to book his hotel room returned an outstanding arrest warrant for failing to appear in an unlawful use of a weapon case in Washington County, Oregon. Kowalczyk was arrested early the next morning when attempting to leave the hotel in a cab. Officers seized Kowalczyk's personal belongings including several pieces of luggage and a backpack.

In January 2008, Puyallup police detectives sought and obtained a state warrant to search computer equipment, a digital camera and digital storage devices found in Kowalczyk's luggage. The search returned a tremendous amount of child pornography including a number of images and videos that appeared to be homemade. Numerous videos and images depicted an unidentified male sexually abusing two very young children. Metadata embedded in many of the digital images revealed that they were created using the same camera found in Kowalczyk's luggage.

Puyallup Police officers later published certain non-pornographic images of the victims and an adult woman found on Kowalczyk's devices in an attempt to identify the victims. An adult woman, later identified as the victims' mother, saw the images and contacted Puyallup Police. She confirmed she knew Kowalczyk and that he had regular access to her daughters in Portland. After reviewing some of the images seized, the victims' mother was able to identify locations where the images were taken.

The victims' mother told investigators she met Kowalczyk, a friend of her deceased brother, in 2003. In 2005, after the victims' mother and her children wound up in a domestic violence shelter, Kowalczyk offered to pay for them to stay in a motel. Between April and the beginning of June 2005, Kowalczyk arranged for the victims' mother and her children to stay with or adjacent to him in three different Portland motels. Kowalczyk and the victims' mother later rented separate apartments.

The victims' mother frequently left her children alone in Kowalczyk's care while she searched for work or housing. The victims' mother believed Kowalczyk treated the victims well, buying them clothing, diapers, shoes, and even a birthday cake for their second birthday and was unaware of the abuse that transpired. The cake—with the victims' names on it—appeared in some of the non-pornographic images found on Kowalczyk's devices.

Investigators were later able to track down the Portland motel rooms Kowalczyk rented for the family. Kowalczyk took photos of himself sexually abusing two of the minor victims at each location. He took sexually explicit photos of the third minor victim at his apartment in Southeast Portland. In March 2008, investigators conducted a federal search warrant of a storage locker Kowalczyk rented in Woodlawn, Washington. They found a sofa, a mirror and several shirts depicted in the pornographic images found on Kowalczyk's devices.

A federal grand jury charged Kowalczyk with a single count of sexual exploitation of children on February 2, 2008. A superseding indictment with eight additional counts of sexual exploitation of children was returned on March 21, 2012.

Since he was first indicted in February 2008, Kowalczyk sought the replacement of counsel more than a dozen times and filed extensive motions to suppress evidence, causing a decade-long delay in bringing the case to trial. Amidst his in-court attempts to delay, Kowalczyk also obstructed or attempted to obstruct justice from prison by asking his father to retrieve incriminating hard drives before they could be seized by law enforcement and soliciting the murder of an Assistant U.S. Attorney.

The case was investigated by Homeland Security Investigations (HSI), the FBI, the Portland Police Bureau, and the Puyallup and Des Moines, Washington Police Departments. It was prosecuted by Scott M. Kerin and Gary Y. Sussman, Assistant U.S. Attorneys for the District of Oregon.

This case was brought as part of Project Safe Childhood, a nationwide initiative launched in May 2006 by the Department of Justice to combat the growing epidemic of child sexual exploitation and abuse. Led by the U.S. Attorneys' Offices and the Criminal Division's Child Exploitation and Obscenity Section, Project Safe Childhood marshals federal, state, and local resources to locate, apprehend, and prosecute individuals who sexually exploit children, and to identify and rescue victims. For more information about Project Safe Childhood, please visit www.justice.gov/psc.

Anyone who has information about the physical or online exploitation of children are encouraged to call the FBI at (503) 224-4181 or submit a tip online at www.fbi.gov/tips.

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