

The profile picture Mr. McKenzie viewed was that of an undercover female officer who was at least 22 years old.

The sting

Mr. McKenzie initiated the conversation with Samantha by messaging “What you up to beautiful??” and then a few minutes later, “Daddy here.” Ex. 3 at 1.¹ Samantha responded “Swoop me up. Do you like little girls,” to which Mr. McKenzie replied “Not really i just seen it says 18,” “If only you was 21!” and “I don’t know how you feel about that subject though you look 22!” *Id.* at 2. Shortly thereafter, Mr. McKenzie followed up with “You must have a daddy because you too beautiful not too.” *Id.* at 2. Mr. McKenzie inquired about why Samantha did not currently have a “daddy” and Samantha replied “I’m 13 daddy” and “Guys too afraid to step to me.” *Id.* Mr. McKenzie replied with a “dizzy face” emoji² showing a face with crossed-out eyes, 🤪,³ and asked

¹ With regard to exhibits containing the messaging between Mr. McKenzie and “Samantha,” we have left any spelling, grammar, or punctuation errors as found in the original. We intend no disrespect by doing so.

² *Full Emoji List, v11.0*, UNICODE, <http://www.unicode.org/emoji/charts-11.0/full-emoji-list.html> (last updated Dec. 19, 2018). “Unicode is the leading organization attempting to standardize emojis.” Eric Goldman, *Emojis and the Law*, 93 WASH. L. REV. 1227, 1232 (2018).

³ “A yellow face with X’s for eyes and a round, open mouth . . . [m]ay convey a heightened or hyperbolic sense of such feelings as shock, surprise, disbelief, awe, and amazement, as if staggered to the point of disorientation.” *Face with Crossed-Out Eyes*, EMOJIPEDIA, <https://emojipedia.org/dizzy-face/> (last visited April 18, 2022).

“13?” and “Oh no.” *Id.* at 2-3. Mr. McKenzie then stated that Samantha looked 22.

Samantha then sent three successive emojis—a “face blowing a kiss” 🍷,⁴ followed by

two “shushing face[s]” 🤫.⁵ *Id.* at 3. Mr. McKenzie replied with a “zipper mouth face”

emoji, 🗑️.⁶ *Id.* Mr. McKenzie then asked “Whats the oldest daddy you had?” and

Samantha replied that she “had a grandpa looking guy once.” *Id.*

The two continued to chat on Skout and then moved to text messaging on their phones. Samantha turned the discussion to “hustling.” Mr. McKenzie asked Samantha why she was involved in hustling. Samantha responded that her “mom is a bitch and really doesn’t care about me or my lil bro. i stay mostly with my gf and do what I need to.” Ex. 4 at 3. Mr. McKenzie then told Samantha she was too young and beautiful to be “doing what you do.” *Id.* The two then discussed Samantha’s previous boyfriends and

⁴“A yellow face winking with puckered lips blowing a kiss, depicted as a small, red heart . . . [m]ay represent a kiss goodbye or good night and convey feelings of love and affection more generally.” *Face Blowing a Kiss*, EMOJIPEDIA, <https://emojipedia.org/face-blowing-a-kiss/> (last visited April 18, 2022).

⁵“A yellow face placing an index finger over pursed lips, as if issuing *Shh!* or *Shush!* for silence . . . [m]ay convey silence, quiet, secrecy, and discreetness [and] also create a sense or buzz and anticipation.” *Shushing Face*, EMOJIPEDIA, <https://emojipedia.org/shushing-face/> (last visited April 18, 2022).

⁶“A yellow face with simple, open eyes and a closed zipper for a mouth . . . commonly conveys a secret that someone will keep [or will] be used to tell someone to stop talking.” *Zipper-Mouth Face*, EMOJIPEDIA, <https://emojipedia.org/zipper-mouth-face/> (last visited April 18, 2022).