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Department of Justice

U.S. Attorney's Office

Western District of New York

FOR IMMEDIATE RELEASE

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Federal Grand Jury Indicts Batavia Man Found With Thousands Of Images And Videos Of Child Pornography

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BUFFALO, N.Y. - U.S. Attorney James P. Kennedy, Jr. announced today that a federal grand jury has returned an indictment charging Matthew Barber, 52, of Batavia, NY, with receipt and possession of child pornography. The charges carry a mandatory minimum penalty of 15 years in prison and a maximum of 40 years.

Assistant U.S. Attorney Aaron J. Mango, who is handling the case, stated that according to the indictment and a previously filed complaint, in April 2007, the defendant was sentenced to serve 74 months in federal prison and five years supervised release after being convicted of possession of child pornography. On July 5, 2017, the defendant's term of supervised release was revoked after he was unsuccessfully discharged from a sex offender treatment program. Barber was re-sentenced to six months in federal prison followed by five years of supervised release. The defendant was also under the supervision of the New York State Division of Parole for a prior sex offense conviction.

On May 20, 2020, New York State Parole notified United States Probation that Barber was terminated from his employment after a company representative observed him insert flash drives into a workplace computer, which he was not authorized to access. As a condition of his parole, the defendant was to notify New York State Parole if he was terminated from his employment. That same day, United States Probation and New York State Parole searched Barber's residence and seized a cellular phone and a flash drive. A search of the flash drive recovered over 1,100 images and over 40 videos of child pornography. Several hundred images and over 200 videos of child pornography were also found on the cellular telephone.

The defendant was arraigned before U.S. Magistrate Judge Jeremiah J. McCarthy and detained.

The indictment is the result of an investigation by the Federal Bureau of Investigation, under the direction of Special Agent-in-Charge Stephen Belongia; the Cheektowaga Police Department, under the direction of Chief Michael Sliwinski; and the Batavia Police Department, under the direction of Chief Shawn Heubusch.

The fact that a defendant has been charged with a crime is merely an accusation and the defendant is presumed innocent until and unless proven guilty.

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Topic(s):

Project Safe Childhood

Component(s):

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