AFM:NJM/MND
F. #2025R00463

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- against -

ARTURO HERNANDEZ,

Defendant.

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COMPLAINT AND AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR AN ARREST WARRANT

(47 U.S.C. § 223(h); 18 U.S.C. §§ 2, 3551 et seq.)

Case No. 26 MJ 97

EASTERN DISTRICT OF NEW YORK, SS:

Christopher Powell, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

On or about and between May 2025 and May 2026, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ARTURO HERNANDEZ, in interstate or foreign commerce, did use one or more interactive computer services to knowingly and intentionally publish one or more digital forgeries of identifiable individuals, to wit: Victim 1, Victim 2, Victim 3, Victim 4, Victim 5, Victim 6, and Victim 7 (collectively, the "Victims"), the identities of whom are known to the affiant, where such digital forgeries depicted material that was not voluntarily exposed by the Victims in a public or commercial setting, nor a matter of public concern; and the publication of such digital forgeries was (a) without the consent of the Victims and (b) caused, or intended to cause, harm to the Victims, including psychological, financial, and reputational harm.

(Title 47, United States Code, Section 223(h)(3)(A); Title 18, United States Code, Sections 2 and 3551 et seq.)

The source of your deponent's information and the grounds for his belief are as follows:[1]

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been since 2021. I am responsible for conducting and assisting in investigations into the activities of individuals and criminal groups responsible for cybercrime, financial crime, and money laundering. I have investigated and otherwise participated in numerous matters during the course of which I have conducted physical surveillance, interviewed witnesses, executed court-authorized search warrants, and used other investigative techniques to secure relevant information. I am familiar with the facts and circumstances set forth below from my participation in the investigation; from my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

Background on Artificial Intelligence Models as Applied to Pornographic Images

2. An artificial intelligence ("AI") model is software, electronic files, or a tool that has been developed using machine learning to undertake a specific task or range of tasks. Each model is trained using large datasets to specialize in its assigned task. AI models capable of creating photorealistic images or videos, including images or videos depicting real people, have rapidly advanced in recent years. For example, individuals can use AI models to create "deepfakes," in which an AI model digitally alters the image of a real person, making it

[1] Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

appear as though that individual said or did something that they did not actually say or do. Individuals can also generate entirely new photorealistic images or videos of an identifiable individual using text-based prompts.

3. During the investigation, I have seen that individuals are using AI tools to generate realistic-looking pornographic materials, including materials that depict real-world people. Some, but not all, of the people whose images appear in the AI-generated pornographic material are public figures. Based upon a review of publicly available websites, I assess that individuals have been publishing and/or selling AI-generated images and videos depicting real world people (i) naked, or in various stages of undress, and/or (ii) engaging in sexually explicit conduct.

Background on the Take it Down Act

4. The Tools to Address Known Exploitation by Immobilizing Technological Deepfakes On Websites and Networks Act, also known as the "Take It Down Act," Pub. L. 119-12, was enacted into law in May 2025. The Take It Down Act was intended, *inter alia*, to combat (i) so-called "revenge porn," or pornography posted of an intimate partner contrary to the partner's wishes, and (ii) nonconsensual digital forgeries, or materials created to simulate a real person that either are not genuine images of the person, or depict the person in contexts that are computer-generated or altered. *See generally* Darlene Superville, *Trump Signs Take It Down Act, Bill Combating Nonconsensual Deepfakes and Revenge Porn*, Associated Press, May 19, 2025, available at https://www.pbs.org/newshour/politics/watch-live-trump-signs-take-it-down-act-bill-combating-nonconsensual-deepfakes-and-revenge-porn (last accessed May 11, 2026).

5. The Take It Down Act includes a number of prohibitions regarding the intentional disclosure of nonconsensual intimate visual depictions. *See generally* 47 U.S.C.

§ 223(h). It includes prohibitions on nonconsensual posting of real images under certain circumstances not relevant here. *See, e.g.*, 47 U.S.C. § 223(h)(2). It also includes, as relevant here, prohibitions regarding digital forgeries:

a. First, it prohibits use of an interactive computer service to knowingly publish a digital forgery of an identifiable adult if (i) it is published without the adult's consent; (ii) it is not voluntarily exposed by the adult in a public or commercial setting; (iii) it is not a matter of public concern; and (iv) if it is intended to cause harm or actually causes harm, including psychological, financial, or reputational harm. 47 U.S.C. § 223(h)(3)(A).

b. Second, it prohibits publication of digital forgeries involving children with intent to abuse or humiliate the minor, or to "arouse or gratify the sexual desire of any person." 47 U.S.C. § 223(h)(3)(B).

c. A digital forgery is defined to include "any intimate visual depiction of an identifiable individual created through the use of software, machine learning, artificial intelligence, or any other computer-generated or technological means, including by adapting, modifying, manipulating, or altering an authentic visual depiction, that, when viewed as a whole by a reasonable person, is indistinguishable from an authentic visual depiction of the individual." 47 U.S.C. § 223(h)(1)(B).

6. Congress's legislative findings in connection with the Take It Down Act emphasized that publishing AI-generated intimate images "harms the real people depicted, including psychological harm such as humiliation, public shaming, and depression, as well as physical harm such as self-harm and suicide." H.R. Rep. No. 119-82, at 2-3 (2025). The findings further note that online circulation of such images magnifies that harm. *Id.*

The Defendant's Publication of AI Pornographic Material

7. On or about March 6, 2026, law enforcement officials visited an image- and video-sharing internet platform designed for creators to upload and share adult and explicit content (the "Porn Website"). Upon visiting the Porn Website, law enforcement officers identified an account [redacted] publishing explicit, AI-generated content. As described in further detail below, there is probable cause to believe that this account was used by Hernandez, and it is hereafter referred to as "Hernandez Account 1."

8. On or before March 6, 2026, Hernandez Account 1 had published 90 albums on the Porn Website. Sixty-four albums had been uploaded by the user of Hernandez Account 1, and 26 albums had been re-posted from other Porn Website profiles. As further discussed below, at least 20 of the albums uploaded by Hernandez Account 1 contained explicit, AI-generated content of identifiable female individuals, including politicians, actresses, and musicians. In addition to publishing explicit AI-generated material of public figures, Hernandez Account 1 has published multiple albums containing AI-generated sexually explicit photographs and videos purporting to depict real people who are not public figures. As of March 6, 2026, the profile page for Hernandez Account 1 reflected that the content published on Hernandez Account 1 had been viewed approximately 290,900 times.

9. As noted above, there is probable cause to believe that Hernandez Account 1 was used by the defendant ARTURO HERNANDEZ. First, during the investigation, I observed that Hernandez Account 1 was associated with a second account on the Porn Website [redacted] As set forth below, there is probable cause to believe that the second account was also controlled by Hernandez; it is referred to herein as "Hernandez Account 2." As of March 6, 2026, Hernandez Account 2 had re-posted the 64 albums that

Hernandez Account 1 had uploaded and published, including the albums containing AI-generated sexually explicit material of private individuals. As of April 17, 2026, however, Hernandez Account 2 was no longer available on the Porn Website. Law enforcement officials identified [redacted] associated with Hernandez Account 2. Specifically, I reviewed [redacted] where the [redacted] directed individuals to Hernandez Account 2 on the Porn Website. Further, records from PayPal confirmed that HERNANDEZ was the subscriber for a PayPal account with the name [redacted] which matches Hernandez Account 2.

10. Although [redacted] has since been suspended, law enforcement authorities also identified [redacted] account with the identical and distinctive username [redacted] that directed users to Hernandez Account 2. Records [redacted] revealed that [redacted] was associated with the email address [redacted]@gmail.com, and [redacted] primarily logged in [redacted] from an IP address of 146.86.189.54. Open-source IP address tools revealed that the IP address 146.86.189.54 geolocates to Anderson, Texas, where I know HERNANDEZ attended high school. Records from Apple confirmed that the Apple ID [redacted] is registered to HERNANDEZ. Records from Apple also confirm that HERNANDEZ has logged into his iCloud using the 146.86.189.54 IP address. Records [redacted] confirmed that the email [redacted] was used to sign up for [redacted] - which is the same name as Hernandez Account 2. Records from Google confirm that the Gmail address [redacted]@gmail.com is registered to a "Ryan Hernandez." Based on my review of records from defendant's social media

accounts, including subscriber records from Snapchat, I understand that "Ryan" is a name that has been used by HERNANDEZ.

11. Further, and as noted above, Hernandez Account 1 includes AI-generated pornographic material depicting non-public individuals. For example, Hernandez Account 1 has published albums with titles identifying the content as depicting his friend with her relative and other friends; a religious mother and daughter; his classmates; and graduating girls. These albums contain still, non-explicit images of identifiable individuals, which morph into AI-generated depictions of the individuals in various stages of undress and/or engaging in sexually explicit conduct. There is further probable cause that Hernandez Account 1 belongs to HERNANDEZ because law enforcement authorities have identified several of the non-famous victims depicted in Hernandez Account 1, all of whom are connected to HERNANDEZ. For example, one album purporting to depict graduating students—which was published only on Hernandez Account 1—contains yearbook-style portraits of girls wearing their high school graduation cap and gowns, which morph into videos depicting the likenesses of the same girls engaging in sexually explicit conduct, either naked or with portions of their high school graduation gowns removed so their breasts are exposed. Law enforcement officials have confirmed that the non-explicit yearbook-style graduation portraits depict identifiable individuals [redacted]

12. Law enforcement officials identified an additional victim depicted in another Hernandez Account 1 album because the non-explicit photograph of her in the album had been previously posted on her Instagram account. [redacted] This victim is followed on Instagram by an individual with the username [redacted]

[redacted]e. The display name for the Instagram account [redacted] is "Arturo Hernandez." Instagram records confirm that the subscriber of the account [redacted] is HERNANDEZ. Records from HERNANDEZ's Instagram account, which were obtained from a judicially authorized search warrant, also revealed that the photograph of this victim that is published on Account 1 was saved in HERNANDEZ's Instagram account.

13. On or about April 17, 2026, from a location in Brooklyn, New York, law enforcement officials again reviewed and captured the content of Hernandez Account 1. Between February 19, 2026, and April 17, 2026, HERNANDEZ had published an additional 26 albums to Hernandez Account 1, which predominantly or entirely contained AI-generated explicit content of female victims. In total, by April 17, 2026, HERNANDEZ was publishing approximately 116 albums on Hernandez Account 1. Eighty-three albums were uploaded by Hernandez Account 1 and 33 were re-posted by users of other profiles on the Porn Website. The albums contained AI pornographic material of at least 50 different female victims. I know at least one of the victims whose likeness is depicted in the intimate visual depictions published by Hernandez Account 1 resides in the Eastern District of New York. The Hernandez Account 1 profile page reflected that the Hernandez Account 1 content had been viewed approximately 962,400 times.

14. The 83 albums uploaded and published on Hernandez Account 1 included AI-generated videos and/or photographs appearing to depict the nine Victims described below. The identities of Victims 1 through 9 are known to the affiant. I believe that the videos appearing to depict each of the nine Victims, described in further detail below, were generated using AI, in part because the titles of albums containing these materials, and/or the hashtags

displayed underneath the videos, reflect that the materials are AI-generated. Further, underneath the profile page for Hernandez Account 1, HERNANDEZ posted that "[redacted]" Throughout my review of Hernandez Account 1, there is no indication that HERNANDEZ published any of the AI-generated explicit content with the consent of any of the individuals depicted in the AI-generated explicit conduct.

Victim 1

15. Since May 19, 2025, HERNANDEZ has published at least 36 AI-generated videos and/or photographs appearing to depict Victim 1 on the Porn Website. Victim 1 is an entertainment figure. The AI-generated material of Victim 1 published on Hernandez Account 1 depicts Victim 1 either engaging in sexually explicit conduct, or in various stages of undress. There is probable cause to believe that the digital forgeries depict Victim 1 because the titles of the albums contain Victim 1's name.

16. For example, one album is titled in part "[Victim 1] AI Porn Comp." In that album, there are approximately three AI-generated photographs depicting Victim 1 completely naked and five AI-generated photographs depicting Victim 1 with her breasts exposed. The album also contains four AI-generated videos depicting Victim 1 performing oral sex on a man and three AI-generated videos depicting Victim 1 engaged in sexual intercourse with a man. The photographs and videos in this album have been viewed approximately 24,100 times. Similar AI-generated pornographic content of Victim 1 was posted in an additional album on Hernandez Account 1, which was viewed over 23,000 times. The hashtags

underneath the album include, in part, "[Victim 1] . . .#Nude #[redacted] #rough sex #Facials."

Victim 2

17. Since May 19, 2025, HERNANDEZ has published approximately three AI-generated videos containing Victim 2 on Hernandez Account 1. Victim 2 is an entertainment figure. There is probable cause to believe that the digital forgeries depict Victim 2 because Victim 2's name is included in the hashtags underneath the album. Two videos published on Hernandez Account 1 depict Victim 2 having sexual intercourse with a man. A third video depicts Victim 2 performing oral sex on a man. The materials of Victim 2 published on Hernandez Account 1 have been viewed approximately 8,700 times and have been re-posted in other locations on the Porn Website 12 times.

Victim 3 and Victim 4

18. Since May 19, 2025, HERNANDEZ has published at least one AI-generated video each of Victim 3 and Victim 4 on the Porn Website depicting Victim 3 and Victim 4 engaging in sexually explicit conduct. Victim 3 and Victim 4 are both entertainment figures. The videos purporting to depict Victim 3 and Victim 4 are included in an album titled "[Descriptions of types of victims] *BJ Sound*." The album contains 21 videos comprising of different female public figures, including Victim 3 and Victim 4, performing oral sex, each with audio purporting to be the victims making sexual noises. Similar to the other albums on Hernandez Account 1, the album includes a still image photograph of the victim, which morphs into an AI-generated depiction of the victim engaging in sexually explicit conduct. There is probable cause to believe that the digital forgeries appear to depict Victim 3 and Victim 4 because the non-explicit still images of Victim 3 and Victim 4 contained in the album are

photographs from public events that Victim 3 and Victim 4 attended and were identified. The videos posted in this album, including the videos of Victim 3 and Victim 4, have been viewed over 70,200 times.

Victim 5

19. Since May 19, 2025, HERNANDEZ has published at least seven AI-generated videos of Victim 5 on the Porn Website appearing to depict Victim 5 engaging in sexually explicit conduct. Victim 5 is an entertainment figure. There is probable cause to believe that the digital forgeries depict Victim 5 because Victim 5's name is included in the name of the album, which is "[Victim 5] comp," or compilation. The videos include AI-generated depictions of Victim 5 performing oral sex and engaging in sexual intercourse. The hashtags for the album include "[Victim 5] #BBC #Riding #Blow Job #Deep Throat." The material depicting Victim 5 in this album has been viewed over 6,900 times.

Victim 6 and Victim 7

20. Since May 19, 2025, HERNANDEZ has published at least five AI-generated videos on the Porn Website appearing to depict Victim 6 engaging in sexually explicit conduct, and at least two such videos appearing to depict Victim 7. Victim 6 and Victim 7 are political figures. There is probable cause to believe that the digital forgeries appearing to depict those victims in fact reflect them because, in addition to being readily identifiable in the videos, their names are included in the hashtags underneath the album. Moreover, two videos appearing to depict Victim 7 capture her likeness in a distinctive jacket which Victim 7 wore in several widely available, non-pornographic images depicting Victim 7. The videos depicting Victim 6

and Victim 7 are included in an album containing AI-generated videos of multiple female political figures engaged in sexually explicit conduct.

21. One video appearing to depict Victim 6 shows her likeness performing oral sex on a man. One video appearing to depict Victim 7 shows her likeness engaging in sexual acts with two men. The hashtags for the album include "#[Victim 6] #Double Blowjob [redacted] #Political Women #[redacted] #Cum #Rough Fuck." The material in this album, which includes material depicting Victim 6 and Victim 7, has been viewed nearly 50,000 times.

Victim 8

22. Since May 19, 2025, HERNANDEZ has published at least two AI-generated videos on the Porn Website depicting Victim 8 engaging in sexually explicit conduct. Victim 8 is not a public figure. The album title on Hernandez Account 1, which includes 51 images and videos, references that the album depicts "Mothers" engaging in sexually explicit conduct, and includes multiple different victims. Similar to other albums on Hernandez Account 1, the album includes non-explicit still images of the victims, which are followed by, or morph into AI-generated videos depicting the victims engaging in sexual conduct. There is probable cause to believe that the digital forgeries depict Victim 8 because the non-explicit still images of Victim 8 published on Hernandez Account 1 were posted on Victim 8's social media accounts, where she is identified by name. One of the AI-generated videos published of Victim 8 on Hernandez Account 1 purports to depict Victim 8 performing oral sex on a man. Another video purports to depict Victim 8 engaging in sexual intercourse with two men. The videos posted in this album, including the videos of Victim 8, have been viewed over 36,600 times.

These AI-generated sexually explicit videos of Victim 8 were also posted to a second album on Hernandez Account 1, which has been viewed over 10,000 times.

Victim 9

23. Since May 19, 2025, HERNANDEZ has published at least three AI-generated videos on the Porn Website depicting Victim 9 engaging in sexually explicit conduct. Victim 9 is not a public figure. The album title on Hernandez Account 1, which includes 60 videos, references that the album depicts "graduates" engaging in sexually explicit conduct, and includes multiple different victims. Similar to other albums on Hernandez Account 1, the album includes non-explicit still images of the victims, which morph into AI-generated videos depicting the victims engaging in sexual conduct. There is probable cause to believe that the digital forgeries depict Victim 9 because the non-explicit still images of Victim 9 published on Hernandez Account 1 are connected to public photographs of Victim 9 where she is identified by name. One of the AI-generated videos published of Victim 9 on Hernandez Account 1 purports to depict Victim 9 having sexual intercourse with a man in her graduation gown. Another video depicts Victim 9 performing oral sex on two men. This album, which was uploaded to Hernandez Account 1 after March 6, 2026, has been viewed over 1,600 times.

Harm Caused by Publication of AI Pornographic Material

24. Based on my conversations with multiple victims who have had AI-generated pornographic material purporting to depict them published by HERNANDEZ on Hernandez Account 1 and/or their representatives, and conversations with other victims who have had AI-generated pornographic material purporting to depict them published on the Porn Website, my review of the Congressional legislative findings in connection with the Take It Down Act, and my review of the digital forgeries that HERNANDEZ published, I believe that

publication of non-consensual digital forgeries appearing to depict identifiable individuals in intimate settings generally causes harm to those depicted. For example, women whose likenesses are contained in such forgeries have described, among others, the following harms:

a. The loss of dignity inherent in the idea that someone else can manipulate their images, and cause them to appear to engage in degrading behavior, for the profit or pleasure of the manipulator;

b. Psychological, emotional, and reputational harms attendant to knowing that materials depicting oneself engaged in sexual activities are widespread, such that the person depicted has no assurance that the people with whom she is interacting have not viewed the degrading images;

c. Psychological, emotional, and reputational harms associated with the concern that the family of the person depicted might encounter the offending material, and uncertainty regarding how to explain that material to relatives, particularly young relatives;

d. For victims whose depictions are premised on images created when they were minors, psychological and emotional harm associated with the idea that images depicting their sexual abuse as a child are circulating for the profit of others;

e. Reputational and financial harms including potential lost business opportunities and/or diminished asking price for business opportunities, associated with the shift in the public perception of an individual apparently depicted in widely available and highly explicit sexual content;

f. Financial harms attendant to the loss of potential business should the individual depicted choose to capitalize on her sexuality herself, either through pornography or through a non-pornographic but sexualized presentation in another medium, which might

prove less lucrative if materials apparently depicting the individual in substantially more sexualized media is readily available; and

g. Financial harms attendant to hiring a private company to identify and locate digital forgeries containing intimate visual depictions and to engage with service providers to remove it from the internet.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant ARTURO HERNANDEZ, so that he may be dealt with according to law.

It is further requested that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant except that the undersigned will distribute copies of this charging document and any resulting arrest warrant to other law enforcement authorities as necessary to effectuate the defendant's arrest. Based on my training and experience, I have learned that criminals actively search for criminal affidavits and arrest warrants via the internet. Therefore, premature disclosure of the contents of this affidavit and related documents will seriously jeopardize the

investigation, including by giving the defendant an opportunity to flee, destroy or tamper with evidence, intimidate witnesses or change patterns of behavior.

[redacted]

Christopher Powell
Special Agent, Federal Bureau of Investigation

Sworn to before me this
15th day of May, 2026 by telephone

Clay H. Kaminsky

THE HONORABLE CLAY H. KAMINSKY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK