

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of the Northern Mariana Islands

United States of America  
v.

RICHARD SULLIVAN BENAVENTE

Defendant(s)

Case No. CR 13-00008

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 23, 2013 and July 10, 2013 in the county of Saipan in the District of Northern Mariana Islands, the defendant(s) violated:

Code Section 18 U.S.C. § 2251(a) Offense Description Count One: Sexual Exploitation of Children

FILED Clerk District Court

AUG 14 2013

for the Northern Mariana Islands By (Deputy Clerk)

This criminal complaint is based on these facts:  
See attached Affidavit in Support of a Criminal Complaint.

Continued on the attached sheet.

Haejun Park Complainant's signature

Haejun Park, Special Agent Printed name and title

Sworn to before me and signed in my presence.

Date: Aug. 14, 2013

Hon. Ramona V. Manglona Judge's signature

City and state: Saipan, N.M.I.

Hon. Ramona V. Manglona, Chief Judge Printed name and title

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS**

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3 UNITED STATES OF AMERICA,  
4 Plaintiff,

CASE NO.

5 vs.

**AFFIDAVIT IN SUPPORT OF  
CRIMINAL COMPLAINT**

6 RICHARD SULLIVAN BENAVENTE,  
7 Defendant.

8  
9 **INTRODUCTION**

10 I, Haejun Park, a Special Agent with the Federal Bureau of Investigation (FBI), being  
11 duly sworn and under oath, hereby depose and state as follows:

- 12 1. I make this affidavit pursuant to Rules 4(a) and 5(b) of the Federal Rules of Criminal  
13 Procedure to support the arrest of Richard Sullivan BENAVENTE (BENAVENTE),  
14 that is to establish probable cause that BENAVENTE committed a violation of 18  
15 U.S.C. § 2251(a), Sexual Exploitation of Children.
- 16 2. The elements of Sexual Exploitation of Children, in violation of Title 18 United  
17 States Code, Section 2251(a), are:
  - 18 1. The victim was under the age of 18 years;
  - 19 2. The defendant employed, used, persuaded, or coerced the victim to take part in  
20 sexually explicit conduct for the purpose of producing a visual depiction of such  
21 conduct; and
  - 22 3. The visual depiction was produced using materials that had been mailed, shipped,  
23 or transported across state lines or in foreign commerce.
- 24 3. I have been employed with the Federal Bureau of Investigation for twenty-three (23)  
years, and thirteen (13) years as a special agent. I am currently assigned to  
investigate federal criminal matters in and around the Commonwealth of the Northern  
Mariana Islands. During my years as a special agent, I investigated crimes such as  
narcotics trafficking, terrorism, kidnapping, financial and/or fraud related crime, as  
well as crimes involving the sexual exploitation of children. I have further  
participated in the execution of one hundred (100) search and arrest warrants.

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4. All of the statements and information contained in this affidavit are based upon my direct participation in this investigation, my review of investigative reports prepared by other law enforcement officers, my conversations with law enforcement officers having personal knowledge of the pertinent facts, and my review of official documents and records maintained by local and federal agencies. All of the statements and information contained in this affidavit are true and correct to the best of my knowledge, information, and belief.
  5. Since this affidavit is being submitted for a limited purpose, I have not included each and every fact that I have learned during the course of my investigation.

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**SUMMARY OF INVESTIGATION**

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6. This investigation began on July 16, 2013, when the Commonwealth of the Northern Mariana Islands (CNMI) Department of Public Safety (DPS) received an anonymous tip through their "Crimestoppers" tip line concerning the sexual abuse of a minor. The concerned citizen also emailed a video file that depicted an adult male engaging in sexual conduct with a minor victim. The adult male was later identified as BENAVENTE (Date of Birth: 5/28/1970), a forty-three (43) year-old CNMI firefighter. The minor was identified as a specific named individual (referred to here as X.), a fifteen year-old female (Date of Birth: XX/XX/1997).
  7. Further investigation revealed that Annette Nakatsukasa BASA (BASA) introduced and directed X. and another specific named individual, a fifteen year-old minor female (referred to here as Y., date of birth: XX/XX/1997), to engage in sex acts with BENAVENTE and other men in exchange for methamphetamine and/or cash.
  8. On July 19, 2013, BENAVENTE waived his constitutional rights in writing and agreed to speak with DPS officers. On August 1, 2013, BENAVENTE again waived his rights and agreed to speak with me. BENAVENTE told me, among other things:
    - (a) BENAVENTE has known BASA for ten (10) years. BENAVENTE began having sex with girls that were introduced to him by BASA, five years ago. BENAVENTE paid BASA with drugs or money in exchange for sex with the girls. BENAVENTE referred to BASA as the Chamorro "Mamasang."
    - (b) On or about June 23, 2013, BASA called and text messaged BENAVENTE, offering him two young girls, whom she identified as "Jessica" (X.) and "Rachel" (Y.), in exchange for drugs and money. BASA told BENAVENTE that the two girls were eighteen (18) and nineteen (19) years-old. BENAVENTE agreed and gave BASA an amount of methamphetamine and then took the two minors to a "shack" on top of his apartment, located on Saipan, within the District of the Northern Mariana Islands.

1 (c) Inside the “shack,” BENAVENTE engaged in oral sexual conduct with both  
2 minors. During the incident, X. used BENAVENTE’s cellular phone to video record  
3 BENAVENTE engaging in oral sexual conduct with Y. BENAVENTE also used his  
4 cellular phone to film both minors performing sex acts on each other.

5 (d) In early July 2013, BENAVENTE engaged in sexual conduct with both minors at  
6 a hotel on Saipan. During that incident, BENAVENTE brought a digital camera and  
7 a tripod to film himself engaging in sex acts with the two minors. When the camera’s  
8 battery ran out of power, Y.’s cellular phone was used to continue recording  
9 BENAVENTE engaging in sexual conduct with X.

10 9. I viewed three separate video files recovered by the CNMI DPS. The first two video  
11 files show X. and another minor female engaging in oral sex with an adult male. The  
12 third video file shows BENAVENTE engaging in sexual conduct with X. The video  
13 recordings appear to have been created using a cellular phone.

14 10. The CNMI DPS interviewed X. on July 18, 2013, and the FBI interviewed X. on July  
15 23, 2013. In those interviews, X. stated, among other things:

16 (a) On March 12, 2013, X. ran away from her father’s house, eventually going to stay  
17 with Y. In April 2013, X. and Y. left Y.’s parents’ house, staying with several people  
18 before they were introduced to BASA by another minor female in May 2013. Shortly  
19 thereafter, X. and Y. moved in with BASA at her home in Afetnas.

20 (b) At some point in May 2013, BASA began directing X. and Y. to have sex with  
21 adult males. BASA would arrange the meetings using her phone or in person. The  
22 men would give BASA money or methamphetamine in exchange for sex acts with X.  
23 and Y. X. identified several adult males with whom she engaged in sex acts at the  
24 direction of BASA.

(c) X. and Y. engaged in sex acts with BENAVENTE on two (2) occasions. The first  
time occurred in June 2013 in a “shack” on top of his apartment on Saipan. The  
second time occurred in a hotel, also on Saipan, on or around July 10, 2013.  
BENAVENTE used a digital camera to film himself engaging in sexual conduct with  
X. until the camera’s battery died. Y.’s cellular phone was then used to continue  
recording BENAVENTE engaging in sexual conduct with X.

11. The CNMI DPS interviewed Y. on July 18, 2013, and the FBI interviewed Y. on July  
24, 2013. In those interviews, Y. told the investigators, among other things:

(a) Y. and X. were introduced to BASA by a minor female. Y. and X. moved in with  
BASA shortly thereafter.

(b) BASA introduced Y. and X. to BENAVENTE at BASA’s residence. On that  
occasion, all of them smoked methamphetamine before BENAVENTE drove Y. and

1 X. to his "shack." Once inside, BENAVENTE provided methamphetamine to both  
2 minors and engaged in sexual conduct with them.

3 (c) On another occasion, BENAVENTE picked-up Y. and X. at BASA's residence  
4 and drove them to a hotel on Saipan, where all three smoked methamphetamine.  
5 BENAVENTE engaged in sex acts with both minors. On that occasion,  
6 BENAVENTE brought a camera and a tripod and told Y. to film him engaging in sex  
7 acts with X. When the camera's battery ran low, Y.'s cellular phone was used to  
8 continue recording BENAVENTE and X. engaging in sex acts. BENAVENTE paid  
9 BASA an unknown amount of money for this encounter.

10 12. From my review of the videos depicting X. and Y. and accompanying audio, along  
11 with my interviews of both minors, from their appearance and demeanor, it is clearly  
12 apparent that both minors are less than eighteen years-old.

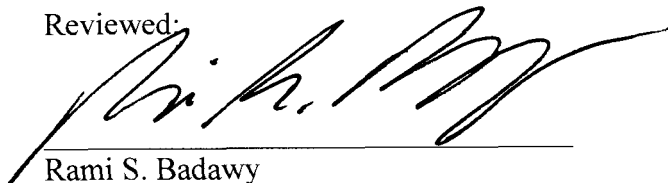
13 **CONCLUSION**

14 13. Based on the foregoing information, I believe there is probable cause that  
15 BENAVENTE committed the criminal offense of Sexual Exploitation of Children, in  
16 violation of 18 U.S.C. § 2251(a), as charged in the criminal complaint.

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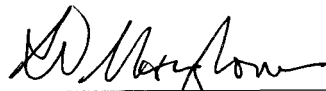
18 Haejun Park, Special Agent  
19 Federal Bureau of Investigation

20 Reviewed:

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22 Rami S. Badawy  
23 Assistant United States Attorney

24 Subscribed and sworn to before me this 14<sup>th</sup> day of August, 2013.



Honorable Ramona V. Manglona  
District Court Judge