

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of the Northern Mariana Islands

United States of America  
v.

ANNETTE NAKATSUKASA BASA

Defendant(s)

Case No. CR 13-00007

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 May 1, 2013 to July 16, 2013 in the county of Saipan in the District of Northern Mariana Islands, the defendant(s) violated:

Code Section	Offense Description
18 U.S.C. § 1591(a)(1)	Count One: Sex Trafficking 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.

*[Signature]*  
Complainant's signature

Haejun Park, Special Agent  
Printed name and title

Sworn to before me and signed in my presence.

Date: 8/14/2013

*[Signature]*  
Judge's signature

City and state: Saipan, NM I

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

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

1  
2  
3 UNITED STATES OF AMERICA,

CASE NO.

4 Plaintiff,

5 vs.

**AFFIDAVIT IN SUPPORT OF  
CRIMINAL COMPLAINT**

6 ANNETTE NAKATSUKASA BASA,

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 Annette Nakatsukasa BASA (BASA), that is, to  
14 establish probable cause that BASA committed a violation of 18 U.S.C. § 1591(a)(1),  
15 Sex Trafficking of Children.
- 16 2. The Elements of Sex Trafficking of Children, in violation of Title 18, United States  
17 Code, Section 1591(a)(1), are:
  - 18 1. The defendant knowingly recruited, enticed, harbored, transported, provided,  
19 obtained or maintained a person;
  - 20 2. That person was less than 18 years old;
  - 21 3. The defendant knew or was in reckless disregard of the fact that that person was  
22 less than 18 years old;
  - 23 4. The defendant knew or was in reckless disregard of the fact that person would be  
24 caused to engage in commercial sex acts; and
  5. The defendant's actions were in or affecting interstate or foreign commerce.
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

1 Mariana Islands. During my years as a special agent, I investigated crimes, such as  
2 narcotics trafficking, terrorism, kidnapping, financial and/or fraud related crime, as  
3 well as crimes involving the sexual exploitation of children. I have further  
participated in the execution of one hundred (100) search and arrest warrants.

- 4 4. All of the statements and information contained in this affidavit are based upon my  
5 direct participation in this investigation, my review of investigative reports prepared  
6 by other law enforcement officers, my conversations with law enforcement officers  
7 having personal knowledge of the pertinent facts, and my review of official  
8 documents and records maintained by local and federal agencies. All of the  
9 statements and information contained in this affidavit are true and correct to the best  
of my knowledge, information, and belief.
- 10 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.

#### 11 **SUMMARY OF INVESTIGATION**

- 12 6. This investigation began on July 16, 2013, when the Commonwealth of the Northern  
13 Mariana Islands (CNMI) Department of Public Safety (DPS) received an anonymous  
14 tip through their "Crimestoppers" tip line concerning the sexual abuse of a minor.  
15 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 Richard  
Sullivan BENAVENTE (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).
- 16 7. Further investigation revealed that BASA introduced and directed X. and another  
17 specific named individual, a fifteen year-old minor female (referred to here as Y.,  
18 date of birth: XX/XX/1997), to engage in sex acts with BENAVENTE and other men  
in exchange for methamphetamine and/or cash.
- 19 8. On July 19, 2013, BENAVENTE waived his constitutional rights in writing and  
20 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:
- 21 (a) BENAVENTE has known BASA for ten (10) years. BENAVENTE began  
22 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."
- 23 (b) On or about June 23, 2013, BASA called and text messaged BENAVENTE,  
24 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

1 were eighteen (18) and nineteen (19) years-old. BENAVENTE agreed and gave  
2 BASA an amount of methamphetamine and then took the two minors to a “shack” on  
3 top of his apartment, located on Saipan, within the District of the Northern Mariana  
4 Islands.

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

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

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

18 10. The CNMI DPS interviewed X. on July 18, 2013, and the FBI interviewed X. on July  
19 23, 2013. In those interviews, X. stated, among other things:

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

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

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

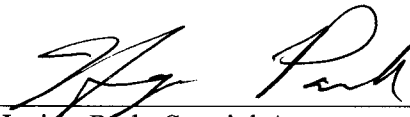
3 (b) BASA introduced Y. and X. to BENAVENTE at BASA's residence. On that  
4 occasion, all of them smoked methamphetamine before BENAVENTE drove Y. and  
5 X. to his "shack." Once inside, BENAVENTE provided methamphetamine to both  
6 minors and engaged in sexual conduct with them.

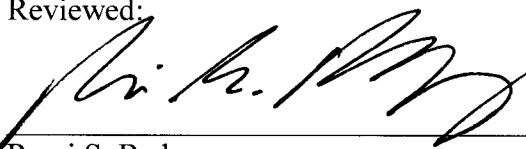
7 (c) On another occasion, BENAVENTE picked-up Y. and X. at BASA's residence  
8 and drove them to a hotel on Saipan, where all three smoked methamphetamine.  
9 BENAVENTE engaged in sex acts with both minors. On that occasion,  
10 BENAVENTE brought a camera and a tripod and told Y. to film him engaging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

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

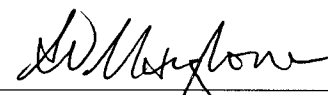
17 **CONCLUSION**

18 13. Based on the foregoing information, I believe there is probable cause that BASA  
19 committed the criminal offense of Sex Trafficking of Children, in violation of 18  
20 U.S.C. § 1591(a)(1), as charged in the criminal complaint.

21   
22 \_\_\_\_\_  
23 Haejun Park, Special Agent  
24 Federal Bureau of Investigation

Reviewed:  
  
\_\_\_\_\_  
Rami S. Badawy  
Assistant United States Attorney

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

  
\_\_\_\_\_  
Honorable Ramona V. Manglona  
District Court Judge