

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS

U.S. DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FILED

SEP 20 2008

By CHRIS R. JOHNSON, Clerk
Deputy Clerk

CRIMINAL COMPLAINT

CASE NUMBER: 4:08 MJ 4008

UNITED STATES OF AMERICA
V.
Bernie Hoffman aka
Tony Alamo

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 2006 through and including 2007 in Miller County, in the Western District of Arkansas defendant(s) did, knowingly transport an individual who has not attained the age of 18 years in interstate commerce with the intent that the individual engage in any sexual activity for which any person can be charged with a criminal offense, namely, Arkansas State Statute 5-14-127, sexual assault in the Fourth Degree,

in violation of Title Title 18 United States Code, Section(s) 2423 (a) I further state that I am a(n) FBI Special Agent and that this complaint is based on the following facts:

See attached Statement of Facts

Continued on the attached sheet and made a part hereof. Yes/

M. Randall Harris
M. Randall Harris, FBI Special Agent
Complainant

Sworn to before me, and subscribed in my presence

September 20, 2008 at
Date

Texarkana, Arkansas

City and State

Barry A. Bryant
United States Magistrate Judge

[Signature]
Signature of Judicial Officer

Name and Title of Judicial Officer

CALENDAR

UNITED STATES DISTRICT COURT at TEXARKANA, ARKANSAS

UNITED STATES OF AMERICA)	Crim. No. <u>4:08MJ4008</u>
)	1 Count
v.)	
)	18 U.S.C. § 2423(a)
BERNIE HOFFMAN,)	
also known as TONY ALAMO)	

PENALTY:

COUNT ONE

18 USC 2423(a) - Knowingly transporting an individual who has not attained the age of 18 years in interstate commerce with the intent that the individual engage in any sexual activity for which any person can be charged with a criminal offense, namely, Arkansas Code Annotated 5-14-127, Sexual Assault in the Fourth Degree.

The statutory punishment for a violation of Title 18 U.S.C. § 2423(a) committed **prior to July 27, 2006**, is not less than five years imprisonment nor more than 30 years imprisonment, a fine of up to \$250,000, or both. The term of supervised release for a violation of Title 18 U.S.C. § 2423(a) that occurred **prior to July 27, 2006**, is any term of years or life, pursuant to Title 18 U.S.C. §3583(k).

The statutory punishment for a violation of Title 18 U.S.C. § 2423(a) committed **on or after July 27, 2006**, is imprisonment for not less than ten years or for life, a fine of up to \$250,000, or both. The term of supervised release for a violation of Title 18 U.S.C. § 2423(a) that occurred **on or after July 27, 2006**, is any term of years not less than five, or life.

COST OF PROSECUTION:

28 U.S.C. § 1918(b)

SPECIAL ASSESSMENT:

18 U.S.C. § 3013 - \$100.00 - felony

STATEMENT OF FACTS

I, M. Randall Harris, upon being duly sworn, depose and say the following is true according to my knowledge and belief:

INTRODUCTION

I am a Special Agent with the Federal Bureau of Investigation (FBI) and have held that position for approximately nineteen (19) years. My duties and responsibilities include the investigation of possible criminal violations regarding individuals who transport a minor in interstate commerce for the purpose of engaging in any sexual activity with a person under the age of 18 years for which any person can be charged with a criminal offense, namely, Arkansas State Statute 5-14-127, sexual assault in the Fourth Degree, in violation of Title 18, United States Code (USC), Section 2423(a) (Transportation With Intent To Engage In Criminal Sexual Activity With A Minor). I am currently involved in such an investigation involving BERNIE HOFFMAN, also known as (aka) TONY ALAMO, whose principle residence is 100 Circle Drive, Fouke, Arkansas. This affidavit is in support of an arrest warrant for TONY ALAMO.

PROBABLE CAUSE

Based on my interview of a female juvenile victim who is presently 17 years of age, identified hereafter as JUVENILE #1, my interview of a second female juvenile victim who is presently 17 years of age, identified hereafter as JUVENILE #2, my interview of a third female juvenile victim who is presently 14 years of age, identified hereafter as JUVENILE #3, information provided to me by a confidential source (CS) who is in a position to provide reliable information as to activities occurring within ALAMO's residence, and; my own personal observations and experience, I know the following:

1. JUVENILE #1 told me that when she was only 8 years old, she was residing in ALAMO's residence in Fouke, Arkansas. JUVENILE #1 recalled that on a day in January, ALAMO called her into his bedroom, told her to lay on his bed and then ALAMO lay next to her. ALAMO began asking her various questions regarding whether she had a boyfriend or if she liked anyone. JUVENILE #1 stated that during this entire time ALAMO had placed his hands down the front of her pants and was "feeling around." JUVENILE #1 stated that for a period of time ALAMO would continue to call her into his bedroom and place his hands down her pants.

2. JUVENILE #1 told me that on May 17, 2000, when she was only about 9 years old, she and ALAMO exchanged wedding vows.

Following the exchange of vows, ALAMO began to fondle JUVENILE #1 over her clothes and then placed his hand down her pants and began to vaginally penetrate her with his fingers. ALAMO told her that he would not hurt her and that he was "trying to not make her a virgin any longer." JUVENILE #1 described the incident as painful. In the days and months following the exchange of vows, ALAMO would often call JUVENILE #1 into his bedroom where ALAMO would engage in what JUVENILE #1 described as foreplay. JUVENILE #1 stated that eventually, while she was still only 9 years old, ALAMO lay on top of her and placed his erect penis into her vagina. JUVENILE #1 stated that ALAMO ejaculated inside of her and subsequently told her to "clean herself up."

3. JUVENILE #2 told me that when she was only 11 years old, she was living in ALAMO's house in Fouke, Arkansas. ALAMO made the decision that JUVENILE #2 was to become his wife. ALAMO had told JUVENILE #2 that she was to move into his house with all of her belongings. JUVENILE #2 was only 11 years old on March 27, 2003, when she was "married" to ALAMO.

4. JUVENILE #2 told me that the next day, March 28, 2003, was the first time ALAMO had sexual contact with her by penetrating her with his finger. JUVENILE #2 described this as the first time she was "raped" by ALAMO. JUVENILE #2 stated that this type of sexual contact continued for several months. JUVENILE #2 stated she was either almost 12 years old or had just

turned 12 years old when ALAMO summoned her to his room and asked her if she wanted to have sex. JUVENILE #2 stated she shook her head to indicate to him that she did not. ALAMO made her have sex with him anyway. According to JUVENILE #2, ALAMO was forceful with her and demanded that she do it. JUVENILE #2 told me the sex she was referring to was sexual intercourse. JUVENILE #2 stated that ALAMO also had her perform oral sex on him.

5. JUVENILE #2 told me that in about January or February 2006, she was taken by ALAMO on a trip from Fouke, Arkansas, in the Western District of Arkansas, to California. JUVENILE #2 traveled with ALAMO on his "bus" from Arkansas to California. JUVENILE #2 stated that en route to California, ALAMO had sexual intercourse with her while on the bus. After arriving in California, ALAMO rented rooms at a motel located about an hour away from his "California compound." One night ALAMO called JUVENILE #2 into his room at the motel for "massage duty" and during that night, ALAMO had sexual intercourse with her. JUVENILE #2 was 14 years old when this interstate travel occurred.

6. JUVENILE #2 told me that about a year prior to my interview of her in May 2008, she was in California on another occasion with her parents and ALAMO was also there. During that time, ALAMO had sexual intercourse with her in a bungalow on ALAMO's California compound. JUVENILE #2 stated ALAMO thereafter brought her back to Arkansas from California with him on his bus.

After returning to the Western District of Arkansas, ALAMO had sexual intercourse with her. JUVENILE #2 was 15 years old when this occurred.

7. JUVENILE #3 told me that she was moved into ALAMO's house in Fouke, Arkansas prior to her 12th birthday. JUVENILE #3 stated that she had not yet turned 13 and believes that it was in about August 2007 that ALAMO had sexual contact with her. JUVENILE #3 stated that she was taking a shower in a bathroom adjacent to ALAMO's bathroom. At some point, JUVENILE #3 heard the bathroom door open and the bathroom light was turned off. Someone got into the shower with JUVENILE #3 and she realized that it was ALAMO. ALAMO placed his hand over her mouth and told JUVENILE #3, "It's me." JUVENILE #3 stated that ALAMO was naked and that she was scared and afraid to scream for fear of being beaten. ALAMO penetrated her vagina with his fingers and began rubbing her all over to include her breasts. ALAMO kept one hand over her mouth while rubbing her with his other hand. JUVENILE #3 stated that ALAMO tried to get her to place her hand on his penis. About that time, someone knocked on the bathroom door. ALAMO told JUVENILE #3, "Don't you dare tell anybody or I'll have someone take care of you." JUVENILE #3 thought she would be beaten if she told anyone and she did not tell anyone because she was scared and embarrassed. ALAMO later asked JUVENILE #3 if she had told anyone about what happened, and again threatened her if she did.

8. JUVENILE #3 told me that she knows JUVENILE #1 and that ALAMO had taken JUVENILE #1 as a wife when JUVENILE #1 was only 8 years old. JUVENILE #3 told me she knows JUVENILE #2 and stated that JUVENILE #2 was raped by ALAMO when JUVENILE #2 was a young girl.

9. CS told me that ALAMO presently has approximately eight young females under the age of 18 living in his house. CS told me that she has seen ALAMO go into his bedroom with these young girls, sometimes taking more than one girl at a time. CS told me she has heard ALAMO tell the young girls that he has candy bars in his bedroom. CS also told me that ALAMO has a Barbie doll collection in his room.

10. CS told me that she knows JUVENILE #3 and that it was CS's belief that ALAMO was "messing" with JUVENILE #3. CS believes that ALAMO is also "messing" with three other young girls who are living in his house. CS states that some of these young girls are wearing rings. CS has overheard conversations among the females in ALAMO's house indicating that if a girl has a ring, she has lost her virginity to ALAMO.

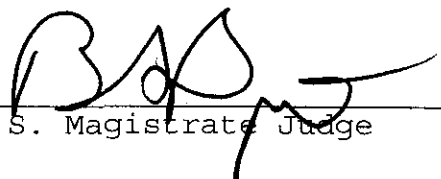
SUMMARY

In summary, based on the above I have probable cause to believe that BERNIE HOFFMAN, aka TONY ALAMO, knowingly transported a minor in interstate commerce for the purpose of engaging in any sexual activity with a person under the age of 18 years for which any person can be charged with a criminal offense, namely, Arkansas State Statute 5-14-127, Sexual Assault in the Fourth Degree, in violation of Title 18, United States Code Section 2423(a). It is therefore requested that an arrest warrant be issued for BERNIE HOFFMAN, aka TONY ALAMO.



M. Randall Harris
Special Agent, FBI

Sworn to and subscribed before me this 20th day of
September, 2008


U.S. Magistrate Judge