

DOUGLAS S. CHIN                      6465  
Attorney General  
State of Hawaii

ALBERT COOK                            7268  
Deputy Attorney General  
Department of the Attorney General,  
State of Hawaii  
333 Queen Street, Second Floor  
Honolulu, Hawaii 96813  
Telephone: (808) 586-1160  
Facsimile: (808) 586-1375  
Email: [criminal.justice@hawaii.gov](mailto:criminal.justice@hawaii.gov)

**Electronically Filed  
THIRD CIRCUIT  
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Attorneys for the State of Hawaii

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

STATE OF HAWAII,	)	CASE NO. _____
	)	
vs.	)	<u>COUNT 1:</u>
	)	PROMOTING CHILD ABUSE IN THE
ALBERT REGINALD CARVALHO, JR.	)	SECOND DEGREE
	)	(§ 707-751(1)(e), H.R.S.)
Defendant.	)	(AG RPT. NO. 15-4015)
	)	
	)	<u>COUNT 2:</u>
	)	PROMOTING CHILD ABUSE IN THE
	)	SECOND DEGREE
	)	(§ 707-751(1)(e), H.R.S.)
	)	(AG RPT. NO. 15-4015-1)
	)	
	)	INDICTMENT
	)	
	)	(Hilo)
_____	)	

INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1: On or about the 18<sup>th</sup> day of February, 2016, in the County of Hawaii, State of Hawaii, ALBERT REGINALD CARVALHO, JR, knowing or having reason to know its

character and content, did possess thirty or more images and/or videos of any form of child pornography, and the content of at least one image and/or video contained a minor who is younger than the age of twelve, and/or sadomasochistic abuse of a minor, and/or bestiality involving a minor, to wit, digital media files stored on a Samsung Galaxy cell phone Model SMS820L serial number IM99005849900767, thereby committing the offense of Promoting Child Abuse in the Second Degree in violation of Section 707-751(1)(e) of the Hawaii Revised Statutes.

If convicted of this offense or any included felony offense, ALBERT REGINALD CARVALHO, JR, may be subject to sentencing in accordance with Section 706-661 and Section 706-662(4)(a) of the Hawaii Revised Statutes where he is a multiple offender in that he is being sentenced for two or more felonies or is already under sentence of imprisonment for any felony, and an extended term of imprisonment is necessary for the protection of the public.

COUNT 2: On or about the 18<sup>th</sup> day of February, 2016, in the County of Hawaii, State of Hawaii, ALBERT REGINALD CARVALHO, JR, knowing or having reason to know its character and content, did possess thirty or more images of any form of child pornography, and the content of at least one image contained a minor who is younger than the age of twelve, and/or sadomasochistic abuse of a minor, and/or bestiality involving a minor, to wit, digital media files stored on a HP 2000 Notebook Laptop computer serial number 5CG3455H45, thereby committing the offense of Promoting Child Abuse in the Second Degree in violation of Section 707-751(1)(e) of the Hawaii Revised Statutes.

If convicted of this offense or any included felony offense, ALBERT REGINALD CARVALHO, JR, may be subject to sentencing in accordance with Section 706-661 and Section 706-662(4)(a) of the Hawaii Revised Statutes where he is a multiple offender in that he is being

sentenced for two or more felonies or is already under sentence of imprisonment for any felony, and an extended term of imprisonment is necessary for the protection of the public.

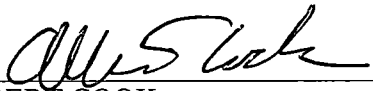
"Child pornography" means any pornographic visual representation, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexual conduct, if:

- (a) The pornographic production of such visual representation involves the use of a minor engaging in sexual conduct; or
- (b) The pornographic visual representation has been created, adapted, or modified to appear that an identifiable minor is engaging in sexual conduct.

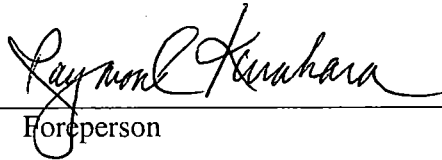
"Sodomasochistic abuse" means flagellation or torture by or upon a person as an act of sexual stimulation or gratification.

"Sexual conduct" means actual or simulated sexual intercourse, including genital-genital contact, oral-genital contact, anal-genital contact, or oral-anal contact, whether between persons of the same or opposite sex, masturbation, bestiality, sexual penetration, deviate sexual intercourse, sodomasochistic abuse, or lascivious exhibition of the genital or pubic area of a minor.

DATED: Hilo, Hawaii, December 20, 2017.



ALBERT COOK  
Deputy Attorney General  
State of Hawaii



Forperson