

FILED
At Albuquerque NM

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MATTHEW J. DYKMAN
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL BEEBE,
WILLIAM HATCH, and
JESSE SANFORD,

Defendants.

CRIMINAL NO. 10-3104

Count 1: 18 U.S.C. § 371: Conspiracy
to Commit Offense;

Count 2: 18 U.S.C. §§ 249 and 2:
Hate Crime; Aiding and Abetting.

INDICTMENT

The Grand Jury charges:

Introduction

At all times relevant to this indictment:

1. Defendants **Paul Beebe, William Hatch, and Jesse Sanford** were employees at a McDonald's Restaurant in Farmington, New Mexico.
2. V.K. was a young adult male of Navajo descent who lived on the Navajo Reservation in Navajo, New Mexico and who was born with a severe developmental disability.
3. As a result of his developmental disability, V.K. functioned at a diminished cognitive level.
4. After encountering V.K. at McDonald's, defendant **Paul Beebe** took V.K. to his nearby apartment in Farmington, New Mexico.

5. At the end of their shifts at McDonald's, defendants **William Hatch** and **Jesse Sanford** arrived at Defendant **Paul Beebe's** apartment and joined Defendant **Paul Beebe** and V.K.

6. Defendant **Paul Beebe** espoused white supremacist views and displayed various Nazi memorabilia and other items symbolizing "white pride" in his apartment, including but not limited to a large swastika flag mounted on a wall, a woven symbol called a "dream catcher" with a swastika hanging above his bed, and a baseball bat with a swastika painted on it.

7. Paragraphs 1 through 6 are hereby incorporated by reference into the counts set forth below.

Count 1

On or about April 29, or 30, 2010, in San Juan County, in the District of New Mexico, defendants **Paul Beebe, William Hatch,** and **Jesse Sanford** did knowingly and willfully conspire and agree with each other to commit an offense against the United States; that is, to willfully cause bodily injury to V.K., who is Native American, because of his actual and perceived race, color, and national origin, in violation of 18 U.S.C. § 249.

Manner, Means, and Object

It was part of the manner, means, and object of the conspiracy that while at defendant **Paul Beebe's** apartment, defendants **Paul Beebe, William Hatch,** and

Jesse Sanford branded V.K. with a swastika by heating a wire coat hanger on a stove, and defaced V.K.'s body with white supremacist and anti-Native American symbols.

Overt Acts

In furtherance of this conspiracy and to accomplish its objectives, defendants **Paul Beebe, William Hatch, and Jesse Sanford** committed the following overt acts, among others, on or about April 29, and April 30, 2010, within the District of New Mexico:

1. Defendants **Beebe, Hatch, and Sanford** used markers to draw on V.K. after V.K. fell asleep on defendant **Beebe's** couch.
2. After telling V.K. that they would draw "feathers" and "native pride" on his back, defendants **Beebe, Hatch, and Sanford** instead drew a pentagram labeled "666" and an ejaculating penis and testicles with the words "I love cock . . . mmm."
3. Defendant **Sanford** used his cellular phone to record the drawings on V.K.'s back while the defendants asked V.K. if he liked his "feather" and his "native pride." This video was labeled "My Artwork."
4. Defendants **Beebe, Hatch, and Sanford** shaved V.K.'s head, leaving the remaining hair in the shape of a swastika on the back of V.K.'s head.
5. Defendants **Beebe, Hatch, and Sanford** outlined the swastika in permanent marker and wrote "White Power" and "KKK" both within the lines of the swastika and on the back of V.K.'s neck.

6. Defendants **Beebe, Hatch, and Sanford** told V.K. that they would “brand” V.K.

7. Defendants **Beebe, Hatch, and Sanford** took advantage of V.K.’s cognitive disability to induce him to make a video in which he “asked” to be branded, doing so in an effort to make their racially-motivated assault of V.K. appear to be a consensual act. This video was labeled “The Agreement.”

8. Defendants **Beebe, Hatch, and Sanford** caused V.K. to sit in a chair in order to be branded.

9. Defendant **Beebe** used the kitchen stove to heat a wire hanger fashioned into the shape of a half swastika.

10. Defendants **Beebe, Hatch, and Sanford** twice placed the heated wire hanger on V.K.’s bare skin, causing the flesh to burn and scar, and thereby “branding” V.K. with a swastika.

11. Defendant **Sanford** used his cellular phone to record the swastika “brand” on V.K.’s arm. The video was labeled “The Results.”

All in violation of 18 U.S.C. § 371.

Count 2

On or about April 29, or April 30, 2010, in San Juan County, in the District of New Mexico, defendants **Paul Beebe, William Hatch, and Jesse Sanford**, while aiding and abetting each other, willfully caused bodily injury to V.K., who is Native American, because of V.K.’s actual and perceived race, color, and national origin. Specifically, the

