



NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY
WESTERN DISTRICT OF MISSOURI

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FOR IMMEDIATE RELEASE

LEE'S SUMMIT MAN INDICTED FOR CHILD PORN, ATTEMPTING TO ENTICE A MINOR

KANSAS CITY, Mo. – Todd P. Graves, United States Attorney for the Western District of Missouri, announced today that a Lee's Summit man was indicted by a federal grand jury for attempting to entice a minor and for child pornography.

Bernard Craig Hibbard, 47, of Lee's Summit, Mo., was charged in a 12-count indictment returned under seal by a federal grand jury in Kansas City on Oct. 20, 2003. That indictment was unsealed and made public today upon **Hibbard's** arrest and initial court appearance. Graves added that a detention hearing and arraignment are scheduled for 10:30 a.m. Friday, Oct. 31, 2003.

Count One of the federal indictment alleges that, between Aug. 30 and Oct. 1, 2002, **Hibbard** attempted to entice a person under the age of 18 to engage in criminal sexual activity. Graves explained that federal law prohibits anyone from using a facility of interstate commerce to entice a minor to engage in sexual activity that would be considered unlawful. **Hibbard** is charged with using a computer to attempt to entice an individual from Ohio who was under the age of 13. That enticement would have constituted the criminal offense of first-degree felony rape or of unlawful sexual conduct with a minor under Ohio statutes, had it occurred as allegedly planned.

Counts Two through Ten of the federal indictment allege that, on nine separate occasions between Aug. 30, 2001 and Aug. 9, 2002, **Hibbard** transported, as e-mail attachments, visual depictions that involved the use of a minor engaging in sexually explicit conduct.

Count Eleven of the federal indictment alleges that **Hibbard** was in possession of films, videotapes, and other matter that contained child pornography on Nov. 26, 2002.

Count Twelve of the federal indictment is a forfeiture count, which would require

Hibbard to forfeit to the United States any matter containing child pornography as well as any property used to commit the offenses that are alleged in the indictment, including a computer processing unit, three computer hard drives, a digital camera, 43 computer floppy disks, and 14 CD-ROMs.

Graves cautioned that the charges contained in the indictment are simply accusations, and not evidence of guilt. Evidence supporting the charges must be presented to a federal trial jury, whose duty is to determine guilt or innocence.

The case is being prosecuted by Assistant U.S. Attorney Katharine Fincham. It was investigated by the Federal Bureau of Investigation.

This news release, as well as additional information about the office of the United States Attorney for the Western District of Missouri, is available on-line at

www.usdoj.gov/usao/mow