



# NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY  
WESTERN DISTRICT OF MISSOURI

**TODD P. GRAVES**

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**FOR IMMEDIATE RELEASE**

*Note: Audio comments from U.S. Attorney Todd P. Graves, excerpted from today's press conference in Nevada, Mo., will be available on-line Thursday morning.*

*Digital files in MP3 format will be available to download at the district's Web site at [www.usdoj.gov/usao/mow](http://www.usdoj.gov/usao/mow).*

## **INTERNET OPERATOR CONVICTED OF CHILD PORNOGRAPHY**

**SPRINGFIELD, Mo.** – Todd P. Graves, United States Attorney for the Western District of Missouri, announced that a Georgia man who operated “teen modeling” sites on the Internet was convicted in federal court today of producing and transporting child pornography.

**Gary Lee Smith**, 36, of Jefferson, Georgia, was convicted in a bench trial before U.S. District Judge Richard E. Dorr. **Smith**, who waived his right to a jury at trial, was found guilty of a three-count indictment returned by a federal grand jury on March 29, 2002.

“Smith operated so-called ‘teen modeling’ sites on the Internet, which were really just a foot in the door to child pornography,” Graves said.

Smith was found guilty today of taking sexually explicit photographs of a 12-year-old girl in a Nevada, Mo., hotel room in February 2001. Some of those photos were posted on the Internet and offered for sale. One photograph he sent over the Internet in exchange for additional sexually suggestive material.

“The Internet has become a valuable tool for education, research and communication,” Graves said. “But as this case illustrates, the Internet can also be misused by those who prey upon our children.

“Smith operated several Web sites from offices in Chicago and Atlanta. He promised to help young girls launch their modeling career, but those dreams turned into nightmares when

Smith exploited his victims for perverse profit.

“On a more positive note,” Graves added, “this case also illustrates the value of citizens taking the initiative to get involved when they see evidence of children being victimized. Employees of the Nevada hotel witnessed a photo session at the hotel pool that they considered offensive, and immediately contacted the Vernon County Division of Family Services. Those DFS officials have been extremely helpful in our investigation. Additionally, a Kansas City, Mo., modeling agency blew the whistle when some sexually suggestive photographs of the victim taken by Smith were submitted to Ben Bahmani of American Artist’s Agency. Mr. Bahmani warned that no reputable photographer would suggest using such explicit photos to break into a modeling career, and he quickly alerted the Federal Bureau of Investigation.”

Count One of the federal indictment charges that, on or about February 17, 2001, in Vernon County, Missouri, **Smith** employed and enticed a minor to engage in sexually explicit conduct, for the purpose of producing visual depictions of such conduct, knowing and having reason to know that they would be transported in interstate and foreign commerce or mailed. The indictment alleges that the visual depictions had actually been transported in interstate and foreign commerce or mailed.

Count Two of the federal indictment charges that, between February 17, 2001 and February 19, 2001, in Vernon County and elsewhere, **Smith** knowingly transported in interstate and foreign commerce visual depictions of sexually explicit conduct, the production of which involved the use of a minor engaging in sexually explicit conduct.

Count Three of the federal indictment charges that, between February 17, 2001 and May 10, 2001, in Vernon County and elsewhere, **Smith** knowingly reproduced visual depictions of sexually explicit conduct, the production of which involved the use of a minor engaging in sexually explicit conduct, for distribution in interstate and foreign commerce and through the mails.

**Smith** has been held in federal custody since his arrest on April 18, 2002, after the court ruled in favor of the government’s motion for detention. Federal prosecutors argued that **Smith** should be held without bond because the indictment charges him with offenses that are considered crimes of violence. Federal prosecutors also cited a serious risk **Smith** would flee, and a serious risk that **Smith**, if released, would attempt to obstruct justice or to harm individuals.

As a result of today’s conviction, **Smith** will be subject to a sentence of not less than 10 years in federal prison without parole, up to 90 years in federal prison without parole, plus a fine up to \$750,000. The sentence will be determined according to the United States Sentencing Guidelines. A sentencing hearing will be scheduled after the completion of a presentence investigation by the U.S. Probation Office.

“Preventing the exploitation of children, and prosecuting those who use the Internet to prey upon them, is the highest local priority of our office. Last fall we announced the creation of

a new Computer Crimes and Child Exploitation Unit. This is one of only 13 districts in the nation to receive federal funding for a team of prosecutors who aggressively target computer crimes, especially child pornography.”

The case is being prosecuted by Assistant U.S. Attorneys Katharine Fincham and Douglas C. Bunch. The case was investigated by the Federal Bureau of Investigation, the Vernon County Sheriff’s Department and the United States Postal Inspection Service.

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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](http://www.usdoj.gov/usao/mow)