



NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY
WESTERN DISTRICT OF MISSOURI

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FOR IMMEDIATE RELEASE

Note: Audio comments from U.S. Attorney Todd P. Graves will be available on-line. Digital files in MP3 format will be available to download at the district's Web site at www.usdoj.gov/usao/mow.

INTERNET OPERATOR SENTENCED TO ALMOST 20 YEARS FOR 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 sentenced in federal court today for producing and transporting child pornography.

Gary Lee Smith, 37, of Jefferson, Georgia, was sentenced by U.S. District Judge Richard E. Dorr this morning to 19 years and seven months in federal prison without parole. The court also ordered **Smith** to pay \$20,800 in restitution to his victim. Graves noted that the court granted the government’s motion for an upward departure in sentencing **Smith** to a longer term than what is contained in the federal sentencing guidelines.

On April 23, 2003, **Smith** was convicted on all three counts of a federal indictment. **Smith** was found guilty 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. **Smith** traded one photograph on-line in exchange for additional sexually suggestive material.

“Some people still think of cyberspace as a vast untamed territory, like the Wild West,” Graves said. “Just as the federal marshals and local sheriffs brought law and order to the old West, we will enforce the law against child pornographers and other Internet outlaws. It is our highest priority.”

Smith operated several Web sites from offices in Chicago and Atlanta, Graves said. “He promised to help young girls launch their modeling careers,” Graves added, “but his ‘teen

modeling' Web sites were really just a foot in the door to child pornography.”

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.

The case was 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, the Cook County, Ill., Sheriff's Police Department and the United States Postal Inspection Service.

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