

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TOREY FRANKLIN,

Defendant.

INDICTMENT

_____ /

The Grand Jury charges:

COUNT 1

(Sex Trafficking of a Child)

Between on or about April 27, 2022 and August 4, 2022, in Kent County, in the Southern Division of the Western District of Michigan, and elsewhere, the defendant,

TOREY FRANKLIN,

knowingly recruited, enticed, harbored, transported, provided, and maintained Minor 1, knowingly and in reckless disregard of the fact that Minor 1 had not attained the age of 18 years, and having had a reasonable opportunity to observe Minor 1, that Minor 1 had not attained the age of 18 years, and would be caused to engage in one or more commercial sex acts.

18 U.S.C. § 1591(a), (b)(2), (c), (e)(3)

18 U.S.C. § 1594(a)

COUNT 2

(Sexual Exploitation of a Child)

Between on or about April 27, 2022 and August 4, 2022, in Kent County, in the Southern Division of the Western District of Michigan, and elsewhere, the defendant,

TOREY FRANKLIN,

knowingly employed, used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing one or more visual depictions of such conduct, and one or more of the visual depictions were produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce.

Specifically, the defendant employed, used, persuaded, induced, enticed, and coerced Minor 1, who was approximately 17 years old, to engage in sexually explicit conduct, including the lascivious exhibition of Minor 1's genitalia, and to create one or more photographs or videos of the sexually explicit conduct. The visual depictions of the sexually explicit conduct were produced using an Apple iPhone 13 which had been mailed, shipped, and transported in and affecting interstate and foreign commerce. The defendant had reason to know that the images would be transmitted using a means and facility of interstate commerce, specifically, a cellular communications network, and the images were actually transmitted using a means and facility of interstate commerce, specifically, a cellular communications network.

18 U.S.C. § 2251(a) and (e)

COUNT 3

(Receipt of Child Pornography)

Between on or about April 27, 2022 and August 4, 2022, in Kent County, in the Southern Division of the Western District of Michigan, the defendant,

TOREY FRANKLIN,

knowingly received child pornography using any means or facility of interstate and foreign commerce. Specifically, the defendant received one or more images of child pornography over a cellular communications network. Those images include, but are not limited to, files with the following identifying information:

- IMG_0237.jpeg;
- IMG_0236.jpeg;
- IMG_1110.jpg; and
- recorded-14123532418471.mp4.

18 U.S.C. § 2252A(a)(2)(A) and (b)(1)

18 U.S.C. § 2256(8)(A)

COUNT 4

(Distribution of Child Pornography)

Between on or about April 27, 2022 and August 4, 2022, in Kent County, in the Southern Division of the Western District of Michigan, the defendant,

TOREY FRANKLIN,

knowingly distributed child pornography using any means or facility of interstate and foreign commerce. Specifically, the defendant distributed one or more images of child pornography over a cellular communications network. Those images include, but are not limited to, files with the following identifying information:

- IMG_0237.jpeg; and
- IMG_0236.jpeg;

18 U.S.C. § 2252A(a)(2)(A) and (b)(1)

18 U.S.C. § 2256(8)(A)

FORFEITURE ALLEGATION
(Sex Trafficking of a Child)

The allegations contained in Count 1 of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. §§ 1594(d) and (e).

Pursuant to 18 U.S.C. §§ 1594(d) and (e), upon conviction of an offense in violation of 18 U.S.C. § 1591(a), as charged in Count 1 of this Indictment,

TOREY FRANKLIN

shall forfeit to the United States of America any interest in any property, real or personal, used or intended to be used to commit or to facilitate the commission of the offense, including, but not limited to, an Apple iPhone 11 smartphone.

18 U.S.C. § 1594(d), (e)

18 U.S.C. § 1591(a), (b)(2), (c), (e)(3)

FORFEITURE ALLEGATION
(Sexual Exploitation of a Child)
(Receipt and Distribution of Child Pornography)

The allegations contained in Counts 2 through 4 of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 2253.

Pursuant to 18 U.S.C. § 2253, upon conviction of an offense in violation of 18 U.S.C. §§ 2251 and/or 2252A, as charged in Counts 2 through 4,

TOREY FRANKLIN

shall forfeit to the United States of America any visual depiction described in 18 U.S.C. §§ 2251 or 2252A; any matter which contains any such visual depiction that was produced, transported, mailed, shipped, and received in violation of Title 18, United States Code, Chapter 110; any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses; and any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses or any property traceable to such property, including but not limited to, an Apple iPhone 11.

18 U.S.C. § 2253
18 U.S.C. § 2251
18 U.S.C. § 2252A
18 U.S.C. § 2256

A TRUE BILL

MARK A. TOTTEN
United States Attorney



AUSTIN J. HAKES
Assistant United States Attorney



GRAND JURY FOREPERSON