



# Department of Justice

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## **RECIDIVIST SEX OFFENDER INDICTED ON CHILD EXPLOITATION CHARGES IN MONTANA**

WASHINGTON – A federal grand jury has indicted a Montana man on three counts of exploiting and attempting to exploit a minor, Assistant Attorney General Alice S. Fisher of the Criminal Division and Timothy J. Fuhrman, Special Agent in Charge of the Salt Lake City Division of the FBI, announced today.

Ferlin Killsnight, 47, formerly of Lame Deer, Montana, was named in the three count indictment returned by a federal grand jury in Billings, Montana on September 20, 2006, but sealed until his arraignment before the Honorable Richard W. Anderson of the District of Montana.

The indictment alleges that on or about Oct. 8, 2005, through on or about Dec. 7, 2005, KILLSNIGHT knowingly transported a minor and traveled in interstate commerce – including the states of Montana, Wyoming, Idaho and Washington – for the purpose of engaging in illicit sexual activity. The indictment also alleges that he attempted to employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of that conduct.

If convicted of all three charges, KILLSNIGHT faces a mandatory minimum sentence of 15 years in prison, a fine of up to \$250,000, and a term of supervised release for up to the remainder of his life. KILLSNIGHT entered a plea of Not Guilty to all three charges during his initial appearance.

If KILLSNIGHT is convicted of any one of the three charges, the United States will argue for application of the federal recidivist statute, 18 U.S.C. §3559(e), which applies to repeat sex offenders of children. That statute mandates a life sentence for any person who is convicted of a federal sex offense in which the victim is a minor where the offender has a prior sex conviction involving a minor victim. KILLSNIGHT has three qualifying prior convictions: a 1982 conviction for third-degree rape in King County, Washington, for forcibly raping a 15 year-old boy; a 1985 conviction for sexual assault in Monmouth County, New Jersey, for raping a 12 year-old boy as the boy was sleeping; and a 1993 conviction for custodial interference in Cascade County, Montana, for transporting a minor from Elizabeth, New Jersey to Montana and attempting to molest him along the way. After serving a 12-year sentence for that crime (and for three federal sexual assault charges stemming from his molestation and rape of three other minor boys), KILLSNIGHT was released from federal prison on September 13, 2005 – less than two months before he met the victim in this current prosecution.

The case against KILLSNIGHT is being investigated by the Billings Field Office of the FBI and prosecuted by Trial Attorney Jill Trumbull-Harris of the Child Exploitation and Obscenity Section of the Criminal Division of the U.S. Department of Justice.

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