

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term
Grand Jury Sworn in on May 11, 2023

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Clerk, U.S. District and
Bankruptcy Courts

UNITED STATES OF AMERICA	:	CRIMINAL NO.:
	:	
v.	:	
	:	VIOLATIONS:
VITEL'HOMME INNOCENT,	:	
	:	18 U.S.C. § 1203(a)
Defendant.	:	(Conspiracy to Commit Hostage Taking
	:	Resulting in Death)
	:	
	:	18 U.S.C. §§ 1203(a) & 2
	:	(Hostage Taking, and Aiding and
	:	Abetting)
	:	
	:	18 U.S.C. §§ 1203(a) & 2
	:	(Attempted Hostage Taking Resulting in
	:	Death, and Aiding and Abetting)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Conspiracy to Commit Hostage Taking Resulting in Death)

At all times material to this Indictment:

INTRODUCTION

Kraze Barye and Haiti Kidnappings

1. Kraze Barye was a Haitian gang and criminal organization that operated in and around the Ouest department of Haiti, to include Torcelle, Tabarre, and Delmas.
2. Kraze Barye conducted criminal activity to generate revenue, including car theft, extortion, and kidnapping for ransom. Kraze Barye used the revenue from this criminal activity to pay salaries to its members and also to pay for weapons and ammunition from the United States

and elsewhere.

3. Beginning in or around October 2022, Kraze Barye was engaged in armed kidnappings of U.S. nationals for ransom.

The Defendant

4. Defendant VITEL'HOMME INNOCENT was a Haitian national, last known to reside in Tabarre, Haiti.

5. VITEL'HOMME INNOCENT was a leader of the Kraze Barye gang and criminal organization, and other gangs and criminal organizations operating in and around the Ouest department of Haiti.

6. Beginning in or around October 2022, VITEL'HOMME INNOCENT agreed to work cooperatively with other gangs in the Ouest department of Haiti to participate in kidnappings for ransom and hostage takings.

JURISDICTION AND VENUE

7. All of the acts referred to in this Indictment were begun and committed in Haiti, which is outside the jurisdiction of any particular state or district, but the acts occurred within the extraterritorial jurisdiction of the United States, and pursuant to Title 18 of the United States Code, Section 3238, within the venue of the United States District Court for the District of Columbia.

THE CONSPIRACY

8. Beginning no later than on or about October 5, 2022, and continuing until at least on or about October 28, 2022, within Haiti, VITEL'HOMME INNOCENT, and others known and unknown to the Grand Jury, knowingly conspired and agreed to seize and detain and threaten to kill, injure, and continue to detain Jean Franklin and Marie Odette Franklin, both nationals of the United States, in order to compel a third party to pay ransom as an explicit and implicit condition

for the release of the U.S. nationals, resulting in the death of Marie Odette Franklin.

Overt Acts

9. In furtherance of the conspiracy and to effect its objects, VITEL'HOMME INNOCENT and his coconspirators committed or caused to be committed the following overt acts, among others:

- a. On or about October 5, 2022, VITEL'HOMME INNOCENT traveled to the area in Haiti where Jean Franklin lived and worked.
- b. On or about October 6, 2022, VITEL'HOMME INNOCENT traveled to the area in Haiti where Jean Franklin lived and worked.
- c. No later than on or about October 7, 2022, VITEL'HOMME INNOCENT ordered gang members to kidnap for ransom Jean Franklin and Marie Odette Franklin.
- d. On or about October 7, 2022, armed conspirators drove to the residence of Jean Franklin and Marie Odette Franklin.
- e. On or about October 7, 2022, armed conspirators demanded entry into the residence of Jean Franklin and Marie Odette Franklin.
- f. On or about October 7, 2022, armed conspirators forced entry into the residence of Jean Franklin and Marie Odette Franklin.
- g. On or about October 7, 2022, armed conspirators attempted to seize and detain Jean Franklin and Marie Odette Franklin.
- h. On or about October 7, 2022, armed conspirators shot and killed Marie Odette Franklin.
- i. On or about October 7, 2022, armed conspirators seized and detained Jean Franklin.
- j. On or about October 7, 2022, armed conspirators delivered Jean Franklin to

VITEL'HOMME INNOCENT.

- k. On or about October 7, 2022, VITEL'HOMME INNOCENT demanded a ransom payment in exchange for Jean Franklin's release.
- l. On or about October 7, 2022, armed conspirators drove Jean Franklin to an unknown location and held him in captivity.
- m. Between on or about October 7, 2022, and on or about October 28, 2022, conspirators held Jean Franklin at an unknown location in Haiti against his will.
- n. On or about October 7, 2022, conspirators demanded \$300,000 for the release of Jean Franklin.
- o. On or about October 9, 2022, conspirators demanded \$50,000 for the release of Jean Franklin.
- p. On October 12, 2022, conspirators demanded \$30,000 for the release of Jean Franklin.
- q. On or about October 14, 2022, VITEL'HOMME INNOCENT participated in ransom negotiations for the release of Jean Franklin.
- r. On or about October 14, 2022, conspirators agreed to a ransom payment of \$8,000 for the release of Jean Franklin.
- s. On or about October 16, 2022, VITEL'HOMME INNOCENT participated in ransom negotiations for the release of Jean Franklin.
- t. On or about October 16, 2022, conspirators demanded \$150,000 for the release of Jean Franklin.
- u. On or about October 17, 2022, conspirators demanded \$100,000 for the release of Jean Franklin.

- v. On or about October 20, 2022, conspirators agreed to a ransom payment of \$10,600 for the release of Jean Franklin.
- w. On or about October 20, 2022, conspirators accepted a ransom payment made on behalf of Jean Franklin's family for the release of Jean Franklin.
- x. On or about October 24, 2022, VITEL'HOMME INNOCENT participated in ransom negotiations for the release of Jean Franklin.
- y. On or about October 26, 2022, conspirators demanded additional money for the release of Jean Franklin.
- z. On or about October 28, 2022, VITEL'HOMME INNOCENT accepted additional money for the release of Jean Franklin.
- aa. On or about October 28, 2022, VITEL'HOMME INNOCENT released Jean Franklin from captivity.

(Conspiracy to Commit Hostage Taking Resulting in Death, in violation of Title 18, United States Code, Section 1203(a)).

COUNT TWO

(Hostage Taking)

10. The Grand Jury realleges and incorporates by reference as if fully stated herein Paragraphs 1 through 9 of this Indictment.

11. On or about October 7, 2022, through on or about October 28, 2022, within Haiti, defendant VITEL'HOMME INNOCENT, and others known and unknown to the Grand Jury, did seize and detain and threaten to kill, to injure, and to continue to detain Jean Franklin, a United States national, in order to compel a third person to pay ransom as an explicit and implicit condition for the release of Jean Franklin.

(Hostage Taking and Aiding and Abetting and Causing an Act to be Done, in violation of Title 18, United States Code, Sections 1203(a) and 2).

COUNT THREE

(Attempted Hostage Taking Resulting in Death)

12. The Grand Jury realleges and incorporates by reference as if fully stated herein Paragraphs 1 through 9 of this Indictment.

13. On or about October 7, 2022, within Haiti, defendant VITEL'HOMME INNOCENT, and others known and unknown to the Grand Jury, knowingly attempted to seize and detain and threaten to kill, to injure, and to continue to detain Marie Odette Franklin, a United States national, in order to compel a third person to pay ransom as an explicit and implicit condition for the release of the Marie Odette Franklin, resulting in the death of Marie Odette Franklin.

(Attempted Hostage Taking Resulting in Death, and Aiding and Abetting and Causing an Act to be Done, in violation of Title 18, United States Code, Sections 1203(a) and 2).

Notice of Special Findings

14. The allegations of Counts One and Three of this Indictment are hereby realleged as if fully set forth herein and incorporated by reference.

15. As to Counts One and Three of this Indictment:

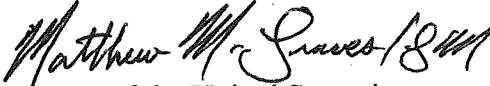
- a. Defendant VITEL'HOMME INNOCENT was not less than 18 years of age at the time of the offense (Title 18 United States Code, Section 3591(a));
- b. Defendant VITEL'HOMME INNOCENT intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and Marie Odette Franklin

died as a direct result of the act (Title 18, United States Code, Section 3591(a)(2)(D));

- c. Marie Odette Franklin's death, and injuries resulting in death, occurred during the commission and attempted commission of offenses under Section 1203 of Title 18 (hostage taking) (Title 18, United States Code, Section 3592(c)(1));
- d. Defendant VITEL'HOMME INNOCENT, in the commission of the offenses, knowingly created a grave risk of death to one or more persons in addition to the victim of the offense (Title 18, United States Code, Section 3592(c)(5));
- e. Defendant VITEL'HOMME INNOCENT committed the offenses as consideration for the receipt, or in the expectation of the receipt, of anything of pecuniary value (Title 18, United States Code, Section 3592(c)(8)); and
- f. Marie Odette Franklin was particularly vulnerable due to old age, youth, or infirmity (Title 18, United States Code, Section 3592(c)(11)).

A TRUE BILL

FOREPERSON


Attorney of the United States in
and for the District of Columbia