

00051 DLJ PSG

UNITED STATES DISTRICT COURT

SEALED BY ORDER
OF THE COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

E-filing
FILED

JAN 29 2014

THE UNITED STATES OF AMERICA

vs.

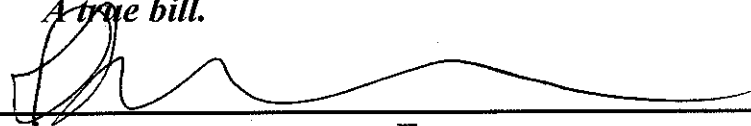
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**JUSTIN EVERETT CRUTCHFIELD, and
DEMONTAE TERELL TOLIVER,**

INDICTMENT

*SEE ATTACHMENT

A true bill.



Foreperson

Filed in open court this 29th day of January

A.D. 2014

Paul S. [unclear]

UNITED STATES MAGISTRATE JUDGE

Bail. \$ No bail arrest warrants
to each defendant.

NO. [unclear]
DISTRICT COURT
CRIMINAL JUSTICE DIVISION
1 cfe

ATTACHMENT TO INDICTMENT COVER SHEET

U.S.

v.

**JUSTIN EVERETT CRUTCHFIELD, and
DEMONTAE TERELL TOLIVER,**

COUNTS ONE & TWO: Title 18, United States Code, Section 1591(a)(1) and (2) - Sex trafficking of children by force, fraud, or coercion (Class A Felony)

COUNTS THREE & FOUR: Title 18, United States Code, Section 2251(a) and (e) -- Sexual Exploitation of Children (Class B Felony)

SEALED BY ORDER OF THE COURT

E-filing

1 MELINDA HAAG (CABN 132612)
United States Attorney

FILED

JAN 29 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 JUSTIN EVERETT CRUTCHFIELD,
16 DEMONTAE TERELL TOLIVER,
17 Defendants.

CR 14 00051
DLJ
PSG

VIOLATIONS: 18 U.S.C. §§ 1591(a) and 1594(a),
Sex Trafficking of Children; 18 U.S.C. §§ 2251(a)
and (e) – Sexual Exploitation of Children

INDICTMENT

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At all times relevant to this Indictment:

1. Defendant JUSTIN EVERETT CRUTCHFIELD was a resident of San Jose, California, and was born in 1986.
2. Defendant DEMONTAE TERELL TOLIVER was a resident of San Jose, California, and was born in 1990.
3. The minor female "E.O." was a resident of Los Gatos, California, and born in 1996.

1 4. The minor female, "L.G.," was a resident of Los Gatos, California, and born in 1998.

2

3 COUNT ONE: (18 U.S.C. §§ 1591(a)(1) and (2), 1594(a) – Sex Trafficking of Children)

4 Between on or about June 16, 2013, and on or about June 22, 2013, within the Northern District
5 of California, defendants JUSTIN EVERETT CRUTCHFIELD and DEMONTAE TERELL TOLIVER,
6 in and affecting interstate commerce, knowingly did recruit, entice, harbor, transport, provide, and
7 obtain by any means a minor female, that is "E.O.," knowing that force, fraud, or coercion would be
8 used to cause "E.O." to engage in commercial sex acts, knowing that "E.O." had not attained the age of
9 18 years and would be caused to engage in commercial sex acts, and did benefit financially and by
10 receiving anything of value from participation in a venture engaged in such acts, in violation of Title 18,
11 United States Code, Sections 1591(a)(1) and (2) and 1594(a);

12

13

14 COUNT TWO: (18 U.S.C. §§ 1591(a)(1) and (2), 1594(a) – Sex Trafficking of Children)

15 Between on or about June 16, 2013, and on or about June 22, 2013, within the Northern District
16 of California, defendants JUSTIN EVERETT CRUTCHFIELD and DEMONTAE TERELL TOLIVER,
17 in and affecting interstate commerce, knowingly did recruit, entice, harbor, transport, provide, and
18 obtain by any means a minor female, that is "L.G.," knowing that force, fraud, or coercion would be
19 used to cause "L.G." to engage in commercial sex acts, and knowing that "L.G." had not attained the age
20 of 18 years and would be caused to engage in commercial sex acts, and did benefit financially and by
21 receiving anything of value from participation in a venture engaged in such acts, in violation of Title 18,
22 United States Code, Sections 1591(a)(1) and (2) and 1594(a).

23

24

25 COUNT THREE: (18 U.S.C. §§ 2251 (a) and (e) – Sexual Exploitation of Children)

26 On or about June 18, 2013, within the Northern District of California, defendants JUSTIN
27 EVERETT CRUTCHFIELD and DEMONTAE TERELL TOLIVER, did employ, use, persuade, induce,
28 entice, or coerce "E.O.," a minor, to engage in sexually explicit conduct, or conspired to do so, for the

1 purpose of producing a visual depiction of such conduct, using materials that had been previously
2 mailed, shipped, or transported in or affecting interstate commerce, in violation of Title 18, United
3 States Code Section 2251 (a) and (e).

4
5
6 COUNT FOUR: (18 U.S.C. §§ 2251 (a) and (e) – Sexual Exploitation of Children)

7 On or about June 18, 2013, within the Northern District of California, defendants JUSTIN
8 EVERETT CRUTCHFIELD and DEMONTAE TERELL TOLIVER, did employ, use, persuade, induce,
9 entice, or coerce “L.G.,” a minor, to engage in sexually explicit conduct, or conspired to do so, for the
10 purpose of producing a visual depiction of such conduct, using materials that had been previously
11 mailed, shipped, or transported in or affecting interstate commerce, in violation of Title 18, United
12 States Code Section 2251 (a) and (e).

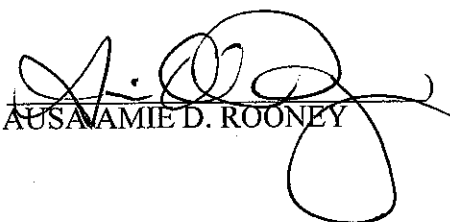
13
14 DATED: 1/29/14

15 A TRUE BILL

16 
17 Foreperson

18
19 MELINDA HAAG
20 United States Attorney

21 
22 JEFFREY NEDROW
23 Assistant United States Attorney
24 Chief, San Jose Branch

25 (Approved as to form: 
26 AUSA M. D. ROONEY

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

*SEE ATTACHMENT

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

*SEE ATTACHMENT

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

S/A Ann Trombetta-F.B.I

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCP 20, 21 or 40. Show District

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

MELINDA HAAG

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

AMIE D. ROONEY

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

FILED

DEFENDANT - U.S.

JAN 29 2014

JUSTIN EVERETT CRUTCHFIELD

DISTRICT COURT NUMBER

RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

CR 14 00051 DLJ

DEFENDANT

PSG

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
2) Is a Fugitive
3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
5) On another conviction
6) Awaiting trial on other charges } Fed'l State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT Bail Amount: NO BAIL

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

11

ATTACHMENT TO PENALTY SHEET
U.S.
v.
JUSTIN EVERETT CRUTCHFIELD, and
DEMONTAE TERELL TOLIVER,

COUNTS ONE & TWO: Title 18, United States Code, Section 1591(a)(1) and (2) - Sex trafficking of children by force, fraud, or coercion (Class A Felony)

Maximum Sentence: Life
Mandatory Minimum: 15 years
Maximum Fine: \$250,000
Special Assessment: \$100
Maximum Supervised Release: 5 years

COUNTS THREE & FOUR: Title 18, United States Code, Section 2251(a) and (e) -- Sexual Exploitation of Children (Class B Felony)

Maximum Sentence: 30 years
Mandatory Minimum Sentence: 15 years
Maximum Fine: \$250,000
Special Assessment: \$100
Maximum Supervised Release: 5 years

Δ 1

AO 257 (Rev. 6/78)

SEALED BY ORDER OF THE COURT

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

FILED

OFFENSE CHARGED

*SEE ATTACHMENT

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY:

*SEE ATTACHMENT

DEFENDANT - U.S.

JAN 29 2014

DEMONTAE TERELL TOLIVER

RICHARD W. WIEKING
DISTRICT COURT NUMBER U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CR 14 00051 DLJ

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

S/A Ann Trombetta-F.B.I

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCP 20, 21 or 40. Show District

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

DEFENDANT IS NOT IN CUSTODY

PSG

1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges

2) Is a Fugitive

3) Is on Bail or Release from (show District)

IS IN CUSTODY

4) On this charge

5) On another conviction

6) Awaiting trial on other charges

} Fed'l State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

} If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

Name and Office of Person Furnishing Information on THIS FORM

MELINDA HAAG

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

AMIE D. ROONEY

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS*

WARRANT Bail Amount: NO BAIL

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

Handwritten initials/signature

ATTACHMENT TO PENALTY SHEET

U.S.

v.

JUSTIN EVERETT CRUTCHFIELD, and
DEMONTAE TERELL TOLIVER,

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Maximum Fine: \$250,000
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Maximum Supervised Release: 5 years

COUNTS THREE & FOUR: Title 18, United States Code, Section 2251(a) and (e) -- Sexual Exploitation of Children (Class B Felony)

Maximum Sentence: 30 years
Mandatory Minimum Sentence: 15 years
Maximum Fine: \$250,000
Special Assessment: \$100
Maximum Supervised Release: 5 years

Δ2)

United States District Court
Northern District of California

FILED

JAN 29 2014

E-filing

SEALED BY ORDER
OF THE COURT

CRIMINAL COVER SHEET

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

Case Name:

USA v. JUSTIN EVERETT CRUTCHFIELD, et al.

CR14 Case Number: 00051 DLJ
PSG

Total Number of Defendants:

1 2-7 8 or more

Is This Case Under Seal?

Yes No

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes No

Venue (Per Crim. L.R. 18-1):

SF OAK SJ EUR MON

Is any defendant charged with a death-penalty-eligible crime?

Yes No

Assigned AUSA (Lead Attorney):

AMIE D. ROONEY

Is this a RICO Act gang case?

Yes No

Date Submitted:

JANUARY 28, 2014

Comments:

[Empty text box for comments]

Save Print Clear Form