

# **Jury Convicts East St. Louis Man of Producing Child Pornography, Attempting to Tamper With Victim's Testimony**

by Chris Rhodes, Reporter  
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**EAST ST. LOUIS** – This afternoon, a federal jury in East St. Louis, Illinois, returned a guilty verdict against Avery Smartt, Jr. The 43-year-old East St. Louis native was convicted of producing child pornography and attempting to tamper with the victim's testimony before trial. The charges were contained in a two-count superseding indictment filed in August 2020. The original indictment against Smartt – charging only production of child pornography – had been returned two years earlier.

Evidence at trial showed that Smartt engaged in a months-long sexual relationship with a 15-year-old girl, beginning in September 2016. Smartt was a truck driver, and during the course of their relationship, he took the underage girl with him on out-of-state trips, including a long drive from Illinois to California. In court, the victim testified that it was on those trips that Smartt took sexually explicit photographs of her. FBI agents seized Smartt's cell phone and discovered numerous sexually explicit images of the victim. The trial also featured DNA evidence showing that Smartt had fathered a child with the girl.

While he was in the Clinton County jail awaiting trial, Smartt sent letters to friends and family members asking them to contact the victim and encourage her to change her testimony. These letters formed the basis for the tampering charge.

Sentencing has been scheduled for February 3, 2021, in front of Chief United States District Judge Nancy J. Rosenstengel. Smartt faces 15-30 years in prison for producing child pornography. He also could receive as much as 20 years in prison for attempting to tamper with the victim's testimony.

Due to the ongoing pandemic, a number of safety precautions were implemented during the trial, including social distancing, newly-installed plexiglass barriers, and a variety of sanitizing procedures. Spectators watched the trial via closed-circuit television in an adjacent courtroom.

The investigation was conducted by the FBI, the Illinois State Police Metro-East Crime Laboratory, the Alton Police Department, and the East St. Louis Police Department. The case was prosecuted by Assistant United States Attorneys Laura V. Reppert and Christopher R. Hoell.