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**IN THE THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH**

<p>KELY JOHANA SUAREZ MOYA, an individual; and LUZ MIRIAM MOYA SOLANO,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>TIMOTHY BALLARD et al.</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">DECLARATION OF KELY JOHANA SUAREZ MOYA</p>
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I, Kely Johana Suarez Moya, declare as follows:

1. I am over the age of 18 and have personal knowledge of the facts stated herein.

2. I was born in a very small Colombian town called Fonseca-Guajira.
3. I was raised by a single mother, Luz Miriam Moya Solano, in a very humble neighborhood of La Esperanza, in the sector of Obrero in Cartagena, Colombia.
4. I saw the difficulties my mother faced due to poverty and lack of opportunities, so I went to the University to obtain a degree in social work in order to help people.
5. When I was 19 years old, my neighbors from the neighborhood, La Esperanza, Obrero section saw potential in me, and decided to enroll me in the Reign of Independence of Cartagena, this contest is neither national nor international. It is an internal contest that takes place in the city where it commemorates, as the name indicates, the independence of the city.
6. This was not a beauty contest, but rather a competition to be the named ambassador of one's neighborhood.
7. I did not win the contest. *See* Attachment A.
8. I was not even one of the five finalists. *Id.*
9. **I was never "Miss Cartagena."**
10. I have never started or operated a child-modeling agency.
11. I have never participated in the trafficking of children from Honduras or any other country to Columbia.
12. Prior to events occurring on October 11, 2014, I was not well-known to anyone in Cartagena, outside of my family and friends.
13. Prior to events occurring on October 11, 2014, I have never been a **"public figure."**
14. Prior to events occurring on October 11, 2014, I had never been involved in the trafficking of children or adults.

15. I am not nor ever have been a child trafficker.

16. On October 11, 2014, I was arrested by Colombian federal police (~~the~~ "CTI") as part of a "sting operation" with the assistance of Timothy Ballard and Operation Underground Railroad ("OUR")

17. Ballard and OUR refer to this operation as "Operation Triple Take" (~~the~~ "raid").

18. From my review of the testimony and evidence in my subsequent criminal proceedings, this is the history of what happened in setting up the raid.

19. In the fall of 2014, OUR and Ballard worked with the United States and Colombian governments to hold a pedophilia sting raid on the island of Baru just off the coast of Cartagena, Colombia.

20. As part of this raid, OUR and Ballard were acting as agents of the Colombian government and promised in writing not to entrap people in the raid. *See* Attachment B.

21. Ballard claims that a man nicknamed "El Fuego", using his vast knowledge of the sex-trafficking cartel and the child trafficking network of Colombia, put Ballard in touch with another man, "Eduardo," who was going to build a child brothel hotel on the island of Baru near Cartagena.

22. On October 7, 2014, a meeting was held between Ballard, El Fuego, and Eduardo where they agreed that Ballard would pay money for children provided at the pedophile party.

23. Ballard also gave Eduardo money to make arrangements for the party.

24. It was decided that a social media invitation would go out on Facebook inviting young people to the party.

25. I was not at this meeting and had no way of knowing that it was occurring.

26. Court records verify that I was not at this meeting. *See* Attachment C.

27. On October 9, 2014, Eduardo called a **CTI agent ("Elkin")** and told him that he could provide more children than previously agreed and he could lower the price of each child. *See* Attachment C.

28. A meeting was held that same day wherein Ballard, Elkin, and Eduardo were present, along with a recently turned 18-year-old young man by the name of Samuel David Olave Martinez ("Samuel"), Luis Miguel Mosquera Cuesta ("Luis") and a young woman by the name of Natalie Taborda Atencio ("Naty"). *See* Attachment C.

29. **Naty claimed that she could obtain about 15 children mainly from Cartagena's high schools**, guaranteeing that the oldest child would be 16 years old. *See* Attachment C.

30. Samuel said he could obtain 26 female children and 6 male children, given that he worked in a modeling school.

31. I knew Samuel through modeling because he was also a model.¹

32. I was not present at the October 8, 2014, meeting and had no way of knowing that it was occurring, nor did I have knowledge of the theme of the meeting or what was discussed.

33. Court records verify that I was not at this meeting. *See* Attachment C.

34. On October 10, 2014, Eduardo called Elkin and confirmed that he had accumulated commitments for 28 young girls and 3 boys under the age of 10 years old. *See* Attachment C.

35. He also confirmed that Samuel had accumulated 26 girls and 8 boys.

36. I was not mentioned during this phone call. *See* Attachment C.

¹ My modeling work was very limited—I have been an unidentified extra in a few music videos—and I made no significant income from it.

37. At some point before October 11, 2014, Samuel told me that a rich North American man **named "Pablo"** was coming to the party looking for a young-looking black girl, that could help her with her future projects.

38. At the time, I was twenty years old, but I looked much younger, so Samuel invited me to the party as one of the young girls he had committed to providing for Pablo.

39. Given my poverty, I decided to go to the party to try to meet Pablo, as it would give my mother and I a way out of our poverty if I met this rich North American.

40. I believed I would be paid to attend the party.

41. Samuel asked me **to come to a meeting at Eduardo's apartment**, wherein **Samuel's** cousin was present so that Tim Ballard could verify that Samuel and Eduardo had young girls ready for Paul Hutchinson ("Pablo").

42. **Samuel's** cousin and I were the only two "alleged" young girls at that meeting, again as *bate*, though Ballard claims on *The Abolitionists* that there were other children. *See* Attached Video Exhibits.

43. I also saw the party invitation on Facebook.

44. Another meeting was held between Ballard, Eduardo, Samuel, and me at a restaurant on the beach to make last-minute arrangements for the sex party.

45. I attended this meeting at the urging of Samuel to show that they had a well-groomed young woman to meet Pablo.

46. Prostitution is not illegal in Colombia.

47. Ballard began emphasizing that Pablo wanted to have anal sex with a young black girl.

48. At that point in time, I spoke up and asked that Pablo be delicate as I did not want to be violently raped by Pablo.

49. I was horribly scared and giggled, which I often do not because I find a situation funny, but because I am scared.

50. On October 11, 2014, I went alone to the dock to go to the Island.

51. I got on the small boat with other individuals, ages 13-30, who had also accepted the invitations to go to this party.

52. Some of these individuals even paid \$5 for the boat ride.

53. None of these individuals were ever kept in shipping containers.

54. In fact, court documents demonstrate that none of the individuals were ever trafficked or were sex slaves. *See Attachments D & E.*

55. All were either invited by social media or by invitation of Samuel (as in my case), Naty, or Fuego.

56. Court documents and interviews verify that I did not invite anyone to the party. *See Attachment D.*

57. Court documents demonstrate that one of the individuals who was at the raid, Pedro Florez Ramos, ("Pedro") age 17 years old, lived at home with his parents in Cartagena, Colombia, learned of the party on Facebook. *See Attachment E.*

58. Court documents show that Pedro was never previously trafficked² and had previously only had sexual relations with his boyfriend, who according to court documents, accompanied him on this trip to the island. *See Attachment F.*

² *See Declaration of Pedro Florez Ramos, attached hereto as Exhibit E.*

59. Before the party on October 11, 2014, Pedro did not know me, either privately or publicly, as a beauty queen from Cartagena.

60. At no time did I invite Pedro to the party or promise him money.

61. Before October 11, 2014, Pedro had never been sexually trafficked. *See Attachment E.*

62. Court documents demonstrate the ages of the individuals who voluntarily showed up for the promised party on the island of Baru.

a) 30 of them were adults between the ages of 18 to 30.

b) 16 of them were the age of 17.

c) 7 of them were the age of 16.

d) 2 of them were the age of 15.

e) 1 was the age of 14.

f) 1 was the age of 13. *See Attachment D.*

63. Court documents demonstrate that Naty did not show up for the boat trip to the island for the party, although **according to the prosecutor's reports she had attended meetings prior** to the party on the island. *See Attachment C.*

64. Upon arrival at the island, I saw Samuel sitting at a table with Ballard.

65. As I knew Samuel, I sat down at a table next to him.

66. Ballard pushed some money to Samuel, which immediately confused me.

67. The CTI immediately dropped in and arrested me and others.

68. The individuals that were brought to the island were very confused and traumatized by these events, as was I.

69. None of the individuals that were taken to the party had been previously trafficked, and none of the "clients" were actually pedophiles looking for sex.

70. During the arrest, I had been confused for "Naty", as I was not involved in planning the party, obtaining the young adults or children, and was not aware of the false pretense of the party until I was arrested.

71. At my trial, the investigator confused me for Naty.

72. None of the footage from the Abolitionists was provided by Ballard for presentation at my trial.

73. Ballard claims in interviews that he did not let the press know about the raid until 6 months to a year later. *See Attached Video Exhibits.*

74. However, within a few days I was being presented by Tim Ballard as Ms. Cartagena, the Beauty Pageant Queen who traded her fame to traffic children, by essentially mixing the life stories of Naty and Samuel into a fraudulent narrative about me. *Id.*

75. CBS News ran a full feature with footage of the raid and hero-making interview of Ballard only three business days after the raid. *Id.*

76. I was very scared and confused as to what had just happened to me.

77. My concerns were not unwarranted, as I spent the next 18 months in jail awaiting trial until I was finally released by habeas corpus petition.

78. CTI undercover agent Elkin, who was in charge of the raid, has since been convicted of corruption and abuse of public office for taking bribes, and he is a fugitive with a warrant out for his incarceration for 129 months.³

³ *See Attachment G.*

79. Following the raid, I became hated by the people of Cartagena. *See Attachment F* (hate from social media).

80. I received death threats and was spit at by people. *See Attachment F*.

81. My normal life was destroyed.

82. I decided that I would help others who had been wrongfully accused, so I went to law school and have recently graduated.

83. After some time (approximately 2016), people quit staring at and talking about me, and I was ready to put this horrible experience behind me.

84. In 2018, the SOF Defendants, Ballard and Hutchinson set out to make a docudrama movie about this raid whereby I was the chief villain of the movie as reflected in the script whereby my name is used for the lines of Giselle.

85. The woman actor who portrayed me looked remarkably like me. *See Attachment G*.

86. To this day, I have never been convicted of any crime.

87. Ballard came to Cartagena to testify against me in February 2023 which I believe was to make sure I was convicted before *The Sound of Freedom* was released.

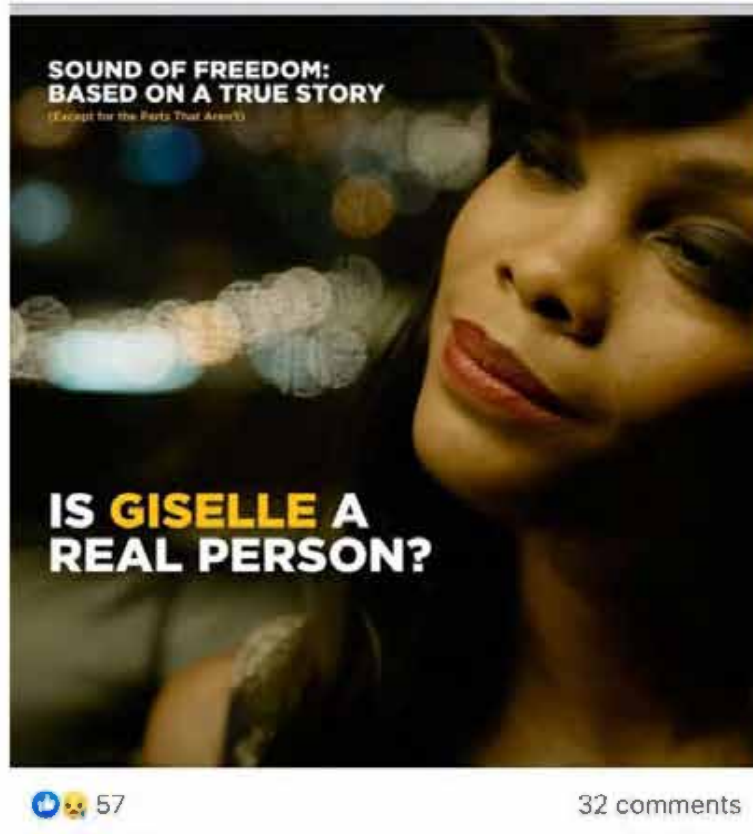
88. Angel Studios promoted the character of Giselle as being me, using my actual name, and placing the following information about me into the public arena:

Giselle

In the film's opening scene, a character named Giselle, inspired by Kelly Johana Suarez, a former beauty pageant queen and model known as "Miss Cartagena," deceives a young girl and her brother. Suarez exploited her reputation in a poverty-stricken neighborhood to recruit children for sex trafficking, betraying their trust by selling them into the trade.

89. As earlier stated, I was not a former beauty pageant queen nor was I Miss Cartagena.

90. OUR also labeled me as, "nothing short of a monster"





Operation Underground Railroad

Jul 18 · 🌐

...

"Giselle" is based on a real person: TRUE

At the start of the film, it shows a woman named "Giselle" recruiting a young girl and her brother for what the children's father believes is a modeling opportunity. The character of Giselle is loosely based on a woman named Kelly Johana Suarez, a former beauty pageant queen and professional model in her early twenties, known as "Miss Cartagena," who really did recruit and traffic children using her credentials in Colombia.

Suarez's reputation in her home of Obrero, a poor neighborhood in the South of Cartagena, made her an effective recruiter of young girls and boys for sex trafficking. Her trusted role as a leader in her impoverished community was gained through her former beauty pageant experience and social work studies.

Beneath the surface, Suarez was nothing short of a monster. She used her good standing and credibility to lure children away from their families with promises of making them successful models, but instead, she sold them into the booming sex trade.

We hope everyone can experience this powerful movie. Although none of the profits go to O.U.R., you can still make an impact. Visit our website, OURrescue.org to make a difference.

91. I never recruited or trafficked children (or adults) for sex (or for anything else).
92. I am not a former beauty pageant queen.
93. I have never been Miss Cartagena.
94. I have not been convicted of any crime and expect to be acquitted by October 14, 2024.
95. OUR has been attempting to raise money by claiming that I am a trafficker of children.

96. On Clip One of the Video Clips being presented to this Court, OUR employee Matt Osborne, in trying to raise money for OUR through *The Sound of Freedom*, states as follows:

- a. That I am a trafficker;
- b. That I am Miss Cartagena;
- c. That I am a beauty queen;
- d. That I am evil, diabolical and despicable.

97. I live with fear and terror after having been branded a child trafficker by Tim Ballard, Matt Osborne, Janet Russon, Katherine Ballard and the SOF Defendants.

98. On Clip Two of the Video Clips being presented to this Court, Tim Ballard, attempts bolster the veracity of *The Sound of Freedom*, a movie that he made money acts in and was introduced into the lives of many well-meaning potential donors, and Argentine movie goers, by declaring as follows:

- a. There were 54 survivors of the island raid;
- b. That Pedro Florez was a trafficked child that Ballard rescued;

99. None of the individuals taken to the island were trafficked. *See* Attachment D.

100. None of the individuals taken to the island were survivors. *See* Attachment D.

101. Pedro has admitted that he was never trafficked and was not a human trafficking survivor. *See* Attachment E.

102. After going through the completely unnecessary trauma of the raid, he was returned that evening to his parents. *See* Attachment H.

103. On Clip Three of the Video Clips being presented to this Court, Tim Ballard, in trying to promote the movie he has a financial interest in, *The Sound of Freedom*, states that I am real, very real, that I was Miss Cartagena and a very well known in public awareness in Cartagena.

104. As earlier stated, I was not Miss Cartagena and was an unknown figure except for my close friends in my neighborhood.

105. On Clip Four of the Video Clips being presented to this Court, Tim Ballard, in trying to promote the movie he has a financial interest in, *The Sound of Freedom*, states that women are the best recruiters to traffic children.

106. He further states that I am a very famous person, that I was Miss Cartagena and that I owned a modeling school where I was recruiting children from my alleged modeling school.

107. Ballard claims that I won the title of Miss Cartagena by saying I wanted to help the children of Colombia and it appeared that is what I was trying to do to recruit children for sexual slavery.

108. All these statements are untrue and are made with the woman who portrayed me in the movie sitting next to him.

109. On Clip Five of the Video Clips being presented to this Court, Tim Ballard, in trying to promote the movie he has a financial interest in, *The Sound of Freedom*, was asked if I was in prison.

110. Ballard responded untruthfully by saying that I was in prison and that he had testified at my trial 8 months earlier and that I am going to be in prison for 20 years or more.

111. ~~Apart from the 18 months I served in the horrible conditions of the women's prison~~ in Cartagena awaiting trial, I am not in prison nor am I going to be spending any additional time in prison since in Colombia a trial is advanced, within which criminal liability has not yet been declared against me.

112. On Clip Six of the Video Clips being presented to this Court, Tim Ballard, in trying to promote the movie he has a financial interest in, *The Sound of Freedom*, is asked what part of the movie *The Sound of Freedom* is real and what part is fiction.

113. Ballard answers by saying all the children are real, the pedophiles are real, and the protagonists are real.

114. I am not a pedophile.

115. None of the children were real trafficked children, except by Ballard who paid to bring them to the island.

116. On Clip Seven of the Video Clips being presented to this Court, Tim Ballard, in trying to promote the movie he has a financial interest in, *The Sound of Freedom*, on his very own podcast with Utah Attorney General Sean Reyes, says that he does not create demand by claiming that he looked at catalogs of children in Cartagena that verified the children going to the island were trafficked minors, that Ballard had proof before the island that these children had been abused multiple times before Ballard showed up to Cartagena.

117. None of the youths and young adults taken to the island for the raid had ever been trafficked before.

118. Tim Ballard created a demand for people like me to fake being a minor in hopes that I could get myself and my mother out of poverty.

119. The defendants through their writing, researching, promotion and distribution of *The Sound of Freedom* clearly have led the public to believe that I am a trafficker, a former beauty queen and Miss Cartagena, all of which is false.

120. There is nothing true about the substance of the Defendants' portrayal of me in *The Sound of Freedom* movie's claim that I am a child trafficker.

121. The promotional videos and web pages I have attached to this declaration included outright lies about me being a trafficker, which is not a minor inaccuracy.

122. The promotional videos and web pages I have attached to this declaration demonstrate that the defendants wanted the public to view my character not as a fiction or overly dramatized in *The Sound of Freedom*, rather the defendants wanted the public to believe I was truly a child trafficker as portrayed in the film.

123. I do not speak or read English; however, I am signing this declaration with the understanding and belief that it is a fair and accurate translation of the DECLARACIÓN DE KELY JOHANA SUAREZ MOYA, attached hereto as Attachment I.

124. I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

DATED this 6 day of June 2024.


Kely Johana Suarez Moya (Jun 6, 2024 13:23 CDT)

KELY JOHANA SUAREZ MOYA