

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

UNITED STATES OF AMERICA

v.

CASE NO. 3:17cr42/MCR

WILLIAM CHARLES HUFF JR.
_____ /

FACTUAL BASIS FOR GUILTY PLEA

This statement of facts is submitted on behalf of the undersigned parties. All parties agree that if the above-captioned case were to go to trial, the government could produce competent, substantial evidence of the following facts to prove the defendant is guilty of the offense charged in the Indictment to which the defendant is pleading guilty. The parties further agree that not all of the facts known from or related to this investigation are contained in this brief summary.

STATEMENT OF FACTS

On or about October 30, 2016, the defendant began text messaging A.A., a 13 year old girl who lives in central Florida. At the time, the defendant was an active duty United States Navy sailor stationed in Pensacola, Florida. The defendant knew A.A. and her parents from a church

they all attended while living in Indiana. The defendant was active in the church music and ground maintenance. A.A.'s parents allowed the defendant to maintain contact with her through text messages. On or about November 27, 2016, the defendant text messaged A.A and A.A.'s parents discovered the content of the text messages. These messages included the defendant expressing how attractive he found A.A., and the defendant "checking out" A.A., with a particular attraction to the jeans he had seen her wearing and the way she pulled them up. The defendant at one point told A.A. her "everything is freaking sexy." He asked A.A. if she would like to watch movies and cuddle and even offered to give her a massage. After reviewing the messages, A.A.'s parents told her to stop communicating with the defendant. In addition, the defendant found out A.A.'s parents read the messages and sent A.A.'s mother the following text message:

I understand if you will never forgive me for the rest of my days. Please know that I am deeply remorseful for having let me (sic) demons spill into your family's lives. You and your family have been my friends and have supported me through thick and thin and I am greatly disappointed that I have hurt all of you. I understand that words cannot undo the hurt I have caused. It may be of little consequence, but know that I will do anything it takes to make up for the wrong I have caused. This was never supposed to happen. I am so sorry.

Thereafter, A.A.'s parents contacted the Highlands County Sheriff's Office (HCSO). HCSO called the defendant and warned him against any further contact with A.A. HCSO forward the investigation to the United States Navy.

In December 2016, the Naval Criminal Investigative Service (NCIS) received the police report from HCSO. NCIS met with A.A. and her parents. A.A.'s parents gave NCIS permission to assume the identity of A.A. and take custody and control of her cellular telephone.

On or about February 20, 2017, a NCIS special agent (UC) assumed A.A.'s identity and in an undercover capacity sent the following text message to the defendant, "Hey will. It's [A.A.] I hope ur not mad at me." The defendant acknowledged he was told by the police and A.A.'s parents to have no further contact with her. Thereafter, the defendant and UC continued to sporadically text message. On or about March 4, 2017, the defendant began complimenting A.A. on her looks. The defendant said he thought of her often which was mostly positive, but also in a "physical"

way, which he confirmed meant “sex.” The defendant instructed the UC to delete her text messages to avoid A.A.’s parents find out. The UC indicated A.A. would be going to Destin, Florida, for spring break with a friend and her friend’s family.

On or about March 7, 2017, the defendant told A.A. he had an idea for them to communicate more openly and safely. He then set up a Google email account under the user name “Musak Baker” with an email address of musicbaker97@gmail.com. The defendant gave the UC the account password and instructed her to communicate with him in the “draft” folder. He said they can delete the messages as they were read, so the messages could not be forwarded or saved. The UC captured the communications with the defendant through computer screenshots.

Between on or about March 8, 2017, and March 11, 2017, using the Google account, the defendant told the UC his sexual desires for A.A. He said he wanted to perform oral sex on A.A. and have A.A. perform oral sex on him. The UC said she did not know how to perform oral sex, and the defendant said “[b]y wrapping your lips around him.¹ Like a popsicle. Lol

¹ “Him” was the defendant’s nickname for his penis.

without the biting!” He said he would kiss up to her chest while slowly spreading her legs with his hips and kiss her neck up to her ear. He would look into her eyes to make sure she was okay and lean in and softly kiss her while starting to rub “him” just outside of her, up and down slowly and softly teasing going inside of her. The defendant said he would push a little with his hips as he started to enter A.A. slowly knowing it was going to hurt a little because she was a virgin. The defendant would make sure she was okay and if she wanted to keep going. If yes, he would slowly ease inside of A.A., kissing her, holding her while “trying to transfer as much love and care to you as possible.” The defendant said if it hurt too much they could stop and cuddle or he could please her in other ways first, then cuddle. The defendant told her he was not just about sex, he was about “making love” and said he would bring the condoms. The defendant asked the UC if she were “wet” and said he hoped he could make her “cum or orgasm.” The UC asked him what it felt like to “cum” knowing it would be different for her being a girl. The defendant said she would feel all kinds of tingles going on down there. He told the UC if it made her moan, to moan and not to try resisting it. The defendant said he was pretty vocal when he had an orgasm. He said “[a]nd I do cum a lot. So. Depending on where we are when I finish

this could be interesting, lol.” The defendant said she would literally feel his penis swell up and throb inside of her adding to the intensity. The UC said she was 13 years old and liked how the defendant did not treat her like a kid. The defendant offered to get his own hotel room in the same hotel he believed A.A. would be staying. On March 11, 2017, the defendant told the UC he had reserved a hotel room for March 12, 2017.

On or about March 12, 2017, the defendant drove from his residence aboard Naval Air Station Pensacola to Destin, Florida. Agents observed the defendant check into the hotel. After checking into the hotel, the defendant text messaged the UC to ask where he should pick her up. The UC gave the defendant the address. Thereafter, the defendant arrived at the designated meet location and the Okaloosa County Sheriff’s Office arrested him. Following the defendant’s arrest, he gave NCIS consent to search his hotel room, barracks room, and computer. In his hotel room, agents found lubrication gels and sexual stimulants, unopened condoms, and a sexual device.

During the search of his barrack’s room on board Naval Air Station Pensacola, agents seized his computer and thumb drives, and condoms with the same serial number as the condoms found in the hotel room.

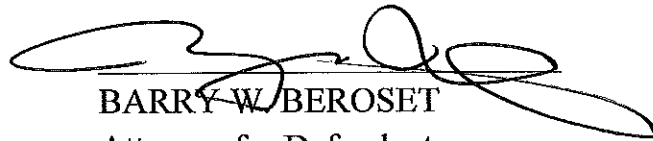
The defendant's use of Google email and cellular text messages was a facility or means of interstate commerce. The defendant, a 31 year old, engaging in sexual activity with a 13 year old is a violation of Florida Law. Florida Statutes, section 800.04(4) and (5).

ELEMENTS

Count One - ECCA Pattern Jury Instruction 92.3

- First:* the defendant knowingly intended to persuade, induce, entice, or coerce [individual named in the indictment] to engage in [sexual activity], as charged used a facility or means of interstate commerce;
- Second:* the defendant used [the Internet] [a cellular telephone] [describe other facility of interstate or foreign commerce as alleged in indictment] to do so;
- Third:* at the time, the Defendant believed that [individual named in the indictment] was less than 18 years old;
- Fourth:* if the sexual activity had occurred, one or more of the individual(s) engaging in sexual activity could have been charged with a criminal offense under the law of [identify the state or specify the United States]; and

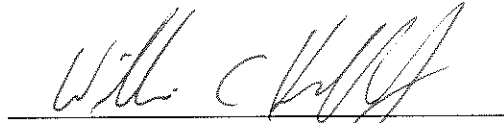
Fifth: the defendant took a substantial step towards committing the offense.



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Oct 6, 2017

Date



WILLIAM CHARLES HUFF JR.
Defendant

6 OCT 2017

Date

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Date