

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

UNITED STATES OF AMERICA

PLAINTIFF

v.

CRIMINAL NO. 3:14-CR-00044

CHRISTOPHER HISLE

DEFENDANT

PLEA AGREEMENT

Pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure, the United States of America, by David J. Hale, United States Attorney for the Western District of Kentucky, and defendant, Christopher Hisle, and his attorney, Bradley Fox, have agreed upon the following:

1. Defendant acknowledges that he has been charged in the Indictment in this case with violations of Title 18, United States Code, Sections 2421, 2422(a), 1591(a), 1591(b)(1), and 1594(a). Defendant further acknowledges that the Indictment in this case seeks forfeiture of any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of the offenses and any property, real or personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of the offenses, pursuant to Title 18, United States Code, Sections 1594(d)(1), 1594(d)(2), and 2428, by reason of the offenses charged in Counts One through Four of the Indictment.

2. Defendant has read the charges against him contained in the Indictment, and those charges have been fully explained to him by his attorney. Defendant fully understands the nature and elements of the crimes with which he has been charged.

3. Defendant will enter a voluntary plea of guilty to Counts One through Four in this case. Defendant will plead guilty because he is in fact guilty of the charges. The parties agree to the following factual basis for this plea:

The defendant, Christopher Hisle, recruited an adult woman known as K.B. to perform commercial sex acts. At the defendant's direction, K.B. provided all of the proceeds from her commercial sex acts to the defendant. The defendant created escort advertisements for K.B. and directed her to post the advertisements on internet webpages, such as Backpage.com. K.B. lived in the defendant's residence at 908 Lexington Avenue in Cincinnati, Ohio. On or about April 5, 2014, the defendant, Christopher Hisle, drove K.B. from Cincinnati, Ohio, to Louisville, Kentucky, in Jefferson County, Kentucky, in the Western District of Kentucky, for purposes of prostitution. K.B. did, in fact, prostitute at the defendant's direction, at the Red Roof Inn hotel located at 9330 Blairwood Road in Louisville, Kentucky.

In November 2012, the defendant recruited an adult woman known as A.V. to perform commercial sex acts. At the defendant's direction, A.V. provided all of the proceeds from her commercial sex acts to the defendant. The defendant created escort advertisements for A.V. and directed another woman, K.B., to post A.V.'s advertisements on internet webpages, such as Backpage.com. A.V. lived in the defendant's residence at 908 Lexington Avenue in Cincinnati, Ohio. In or around and between December 2012 and January 2013, the defendant directed A.V. to travel from Cincinnati, Ohio, to Louisville, Kentucky, in Jefferson County, Kentucky, in the Western District of Kentucky, for the purposes of prostitution. A.V. did, in fact, prostitute at the defendant's direction, at the Red Roof Inn hotel located at 9330 Blairwood Road in Louisville, Kentucky.

Employing a combination of force, threats of force, fraud, and coercion, the defendant caused A.V. to prostitute. On at least one occasion, the evidence would show defendant physically assaulted A.V. by striking her in the face when A.V. threatened to leave the defendant. A.V. was present when another woman, P.T., escaped from the 908 Lexington Avenue house, and then watched the defendant later bring her back. All of the doors and windows at the house at 908 Lexington Avenue were boarded up and locked. Only the front door was capable of opening. Only the defendant had a key to the front door, which had locks on both the inside and outside. The defendant locked A.V. and other women in the house.

In or around October 2012, the defendant recruited A.H., an adult woman, to perform commercial sex acts. At the defendant's direction, A.H. provided all of the proceeds from her commercial sex acts to the defendant. The defendant created escort advertisements for A.H. and directed another woman, K.B., to post A.H.'s advertisements on internet webpages, such as Backpage.com. A.H. lived in the defendant's residence at 908 Lexington Avenue in Cincinnati, Ohio. In or

around and between December 2012 and January 2013, the defendant directed A.H. to travel from Cincinnati, Ohio, to Louisville, Kentucky, in Jefferson County, Kentucky, in the Western District of Kentucky, for the purposes of prostitution. A.H. did, in fact, prostitute at the defendant's direction, in Louisville, Kentucky.

The defendant assaulted other women, including K.B. and A.V., in the presence of A.H.

4. Defendant understands that the charges to which he will plead guilty carry a combined minimum term of imprisonment of fifteen years, a combined maximum term of imprisonment of life, a combined maximum fine of \$1,000,000, and supervised release of at least five years and up to any number of years, including life, which the Court may specify.

Defendant understands that an additional term of imprisonment may be ordered if the terms of the supervised release are violated, as explained in 18 U.S.C. § 3583. Defendant understands that as a result of the charges to which he will plead guilty he may be ordered to forfeit any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of the offenses and any property, real or personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of the offenses, pursuant to Title 18, United States Code, Sections 1594(d)(1), 1594(d)(2), and 2428, by reason of the offenses charged in Counts One through Four of the Indictment.

5. Defendant understands that pursuant to Title 18, United States Code, Sections 3583(d) and 4042(c), the Court must order as an explicit condition of supervised release that defendant register as a sex offender in compliance with the requirements of the Sex Offender Registration and Notification Act. Defendant also understands that he will be subject to federal and state sex offender registration requirements independent of supervised release, that those requirements may apply throughout his life, and that he may be subject to state and federal prosecution for failing to comply with applicable sex offender registration laws. Defendant

understands that no one, including his attorney or the Court, can predict to a certainty the effect of his conviction on his duties to comply with current or future sex offender registration laws. Defendant nevertheless affirms that he wants to plead guilty regardless of any sex offender registration consequences that his guilty plea may entail.

6. Defendant understands that if a term of imprisonment of more than one year is imposed, the Sentencing Guidelines require a term of supervised release and that he will then be subject to certain conditions of release. §§5D1.1, 5D1.2, 5D1.3.

7. Defendant understands that by pleading guilty, he surrenders certain rights set forth below. Defendant's attorney has explained those rights to him and the consequences of his waiver of those rights, including the following:

A. If defendant persists in a plea of not guilty to the charges against him, he has the right to a public and speedy trial. The trial could either be a jury trial or a trial by the judge sitting without a jury. If there is a jury trial, the jury would have to agree unanimously before it could return a verdict of either guilty or not guilty. The jury would be instructed that defendant is presumed innocent and that it could not convict him unless, after hearing all the evidence, it was persuaded of defendant's guilt beyond a reasonable doubt.

B. At a trial, whether by a jury or a judge, the United States would be required to present its witnesses and other evidence against defendant. Defendant would be able to confront those government witnesses and his attorney would be able to cross-examine them. In turn, defendant could present witnesses and other evidence in his own behalf. If the witnesses for defendant would not appear

voluntarily, he could require their attendance through the subpoena power of the Court.

C. At a trial, defendant would have a privilege against self-incrimination and he could decline to testify, without any inference of guilt being drawn from his refusal to testify. If defendant desired to do so, he could testify in his own behalf.

8. Defendant understands that the United States Attorney's Office has an obligation to fully apprise the District Court and the United States Probation Office of all facts pertinent to the sentencing process, and to respond to all legal or factual inquiries that might arise either before, during, or after sentencing. Defendant admits all acts and essential elements of the indictment counts to which he pleads guilty.

9. The Defendant understands and agrees that the Mandatory Victim Restitution Act, 18 U.S.C. §3663A, applies and that the Court is required to order the Defendant to make restitution to the victim of his crimes. The Defendant further understands and agrees that an order of restitution is mandatory pursuant to 18 U.S.C. § 1593. There is no agreement as to the amount of restitution. Defendant agrees that the amount of restitution ordered by the Court shall be determined in accordance with 18 U.S.C. § 1593. Defendant agrees that the restitution to be ordered by the Court will reflect Defendant's total offense conduct, and is not limited to the counts of conviction. Defendant agrees that this will include restitution for the following individuals, identified by their initials: A.V., N.C., A.H., Ke.B., M.C., A.S., E.J., B.D., J.L., A.T., P.T., and N.T.

Defendant agrees that any payment schedule imposed by the Court is without prejudice to the United States to take all actions available to it to collect the full amount of the restitution at

any time. Restitution payments shall be made payable to the U.S. District Court Clerk at Gene Snyder Courthouse, 601 W. Broadway, Louisville, KY 40202.

Defendant agrees that not later than 45 days from entry of the Plea Agreement, Defendant shall provide to the United States, under penalty of perjury, a financial disclosure form listing all Defendant's assets/financial interests. Defendant authorizes the United States to run credit bureau reports prior to sentencing, and Defendant will sign releases authorizing the United States to obtain Defendant's financial records. Defendant understands that these assets and financial interests include all assets and financial interests in which Defendant has an interest, direct or indirect, whether held in Defendant's own name or in the name of another, in any property, real or personal. Defendant shall also identify all assets valued at more than \$5,000 which have been transferred to third parties since the date of the first offense, including the location of the assets and the identity of the third parties. Defendant agrees that the United States may share the contents of the reports and financial disclosures with the Court and U.S. Probation.

Defendant agrees to submit to a deposition in aid of collection at times and places that the United States directs. If the Defendant has a financial advisor or accountant, Defendant agrees, at his expense, to make them available to aid the United States in determining Defendant's net worth. Defendant authorizes the United States to file *Notice of lis pendens* prior to judgment on any real property Defendant owns either individually or jointly. Defendant agrees to his name and debt being added to the Treasury Offset Program.

Upon execution of the Plea Agreement, Defendant agrees not to transfer, sell, or secrete any of Defendant's property, real or personal, held jointly, individually or by nominee/third party, valued at \$5,000 or more without first advising the United States not less than 10 days before the proposed sale or transfer. Defendant agrees that failure to comply with any of the

provisions of this paragraph constitutes a material breach of the Plea Agreement and Defendant agrees that the United States is relieved of its obligations under this Agreement, but the Defendant may not withdraw his guilty plea because of his breach.

10. Defendant acknowledges liability for the special assessment mandated by 18 U.S.C. § 3013 and will pay the assessment in the amount \$400 to the United States District Court Clerk's Office by the date of sentencing.

11. At the time of sentencing, the United States and defendant will

-agree that a sentence of 15 years is the appropriate disposition of this case.

-agree that a reduction of 3 levels below the otherwise applicable Guideline for “acceptance of responsibility” as provided by §3E1.1(a) and (b) is appropriate, provided the defendant does not engage in future conduct which violates a condition of bond, constitutes obstruction of justice, or otherwise demonstrates a lack of acceptance of responsibility. Should such conduct occur and the United States, therefore, opposes the reduction for acceptance, this plea agreement remains binding and the defendant will not be allowed to withdraw his plea.

-agree that the FBI and/or USMS may sell by private sale the following: One Silver “Rolex” watch; One Croton blue-faced silver/gold colored watch; One eight-link bracelet containing eight clear stones; and One gold-colored ring containing nine clear stones. The proceeds from this sale will be turned over to the USDC Clerk to be applied towards restitution. The United States does not have to seek judicial authority to sell the above items.

-agree that the FBI shall turn over the \$522.55 US Currency to the USDC Clerk to be applied to restitution.

12. Both parties have independently reviewed the Sentencing Guidelines applicable in this case. The Criminal History of defendant shall be determined upon completion of the presentence investigation, pursuant to Fed. R. Crim. P. 32(c). Both parties reserve the right to

object to the USSG §4A1.1 calculation of defendant's criminal history. The parties agree to not seek a departure from the Criminal History Category pursuant to §4A1.3.

13. Defendant is aware of his right to appeal his conviction and that 18 U.S.C. § 3742 affords a defendant the right to appeal the sentence imposed. Unless based on claims of ineffective assistance of counsel or prosecutorial misconduct, the Defendant knowingly and voluntarily waives the right (a) to directly appeal his conviction and the resulting sentence pursuant to Fed. R. App. P. 4(b) and 18 U.S.C. § 3742, and (b) to contest or collaterally attack his conviction and the resulting sentence under 28 U.S.C. § 2255 or otherwise.

14. The United States will not further criminally prosecute the defendant in the Western District of Kentucky for the specific conduct described in the factual basis as it applies to the individuals listed as receiving restitution in Paragraph 9 that occurred prior to the date of this Agreement.

15. The United States Attorney's Office for the Western District of Kentucky represents that it has contacted the United States Attorney's Office for the Southern District of Ohio, and that jurisdiction has agreed to abide by the terms of this agreement.

16. Nothing in this Agreement shall protect defendant in any way from prosecution for any offense committed after the date of this Agreement, including perjury, false declaration, or false statement, in violation of 18 U.S.C. §§ 1621, 1623, or 1001, or obstruction of justice, in violation of 18 U.S.C. §§ 1503, 1505, or 1510, should defendant commit any of those offenses.

17. Defendant agrees not to pursue or initiate any civil claims or suits against the United States of America, its agencies or employees, whether or not presently known to defendant, arising out of the investigation or prosecution of the offenses covered by this Agreement.

18. The defendant hereby waives all rights, whether asserted directly or by a representative, to request or receive from any department or agency of the United States any records pertaining to the investigation or prosecution of this case, including without limitation any records that may be sought under the Freedom of Information Act, 5 U.S.C. § 552, or the Privacy Act of 1974, 5 U.S.C. § 552a.

19. Defendant agrees to interpose no objection to the United States transferring evidence or providing information concerning defendant and this offense, to other state and federal agencies or other organizations, including, but not limited to the Internal Revenue Service, other law enforcement agencies, and any licensing and regulatory bodies, or to the entry of an order under Fed. R. Crim. P. 6(e) authorizing transfer to the Examination Division of the Internal Revenue Service of defendant's documents, or documents of third persons, in possession of the Grand Jury, the United States Attorney, or the Criminal Investigation Division of the Internal Revenue Service.

20. If the Court refuses to accept this agreement and impose sentence in accordance with its terms, this Agreement will become null and void and neither party shall be bound thereto, and defendant will be allowed to withdraw the plea of guilty.

21. Defendant agrees that the disposition provided for within this Agreement is fair, taking into account all aggravating and mitigating factors. Defendant states that he has informed the United States Attorney's Office and the Probation Officer, either directly or through his attorney, of all mitigating factors.

22. This document and the supplemental plea agreement state the complete and only Plea Agreements between the United States Attorney for the Western District of Kentucky and defendant in this case, and are binding only on the parties to this Agreement, supersedes all prior

understandings, if any, whether written or oral, and cannot be modified other than in writing that are signed by all parties or on the record in Court. No other promises or inducements have been or will be made to defendant in connection with this case, nor have any predictions or threats been made in connection with this plea.

AGREED:

DAVID J. HALE
United States Attorney

VANITA GUPTA
Acting Assistant Attorney General
Civil Rights Division

By:

Amanda E. Gregory
Assistant United States Attorney

Date

William E. Nolan
Trial Attorney

Date

I have read this Agreement and carefully reviewed every part of it with my attorney. I fully understand it and I voluntarily agree to it.

Christopher Hisle
Defendant

Date

I am the defendant's counsel. I have carefully reviewed every part of this Agreement with the defendant. To my knowledge my client's decision to enter into this Agreement is an informed and voluntary one.

Bradley Fox
Counsel for Defendant

Date

DJH:AEG