

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE**

UNITED STATES OF AMERICA

PLAINTIFF

v.

CRIMINAL NOS. 3:22-CR-00047-BJB & 3:22-CR-00048-BJB
Filed Electronically

BRYAN ANDREW WILSON

DEFENDANT

SENTENCING MEMORANDUM

Pursuant to paragraph 11 of the defendant’s Plea Agreement, the United States will recommend a sentence at the lowest end of the applicable Sentencing Guideline range.

I. Facts

A. Violating Civil Rights Under the Color of Law

This case involves a more than year-long conspiracy among Louisville Metro Police Department (“LMPD”) Detectives Bryan Wilson, Curt Flynn, and others to violate the civil rights of individuals in Louisville, Kentucky. From at least August 2018 through September 2019, Wilson, Flynn, and others, while working in the LMPD Ninth Mobile Division, conspired together to assault and attempt to assault civilian John Does and Jane Does by engaging in a conspiracy to throw drinks, including the containers, at unwitting civilians throughout the area in which the Ninth Division operated. (3:22-CR-00047, DN 29, ¶¶ 8-11).

Wilson, Flynn, and others, while on duty, dressed in clothing identifying them as LMPD officers, and driving unmarked LMPD vehicles, would obtain large beverages and then drive through the geographic area of the Ninth Mobile Division identifying civilian targets on the sidewalk or near the street. (*Id.*, ¶ 9). At various points, after identifying a target, Wilson or Flynn would announce on the police radio words to the effect of, “someone was thirsty” or

“thirsty fam.” (Id.). Wilson, Flynn, or another driver of the unmarked vehicle would slow down, drive closer to the curb, and Wilson or Flynn would throw the beverage, including the container and/or its contents, at the civilian target. (Id.). The driver of the unmarked LMPD vehicle, whether it was Wilson, Flynn, or another LMPD officer, would then accelerate the car and flee the scene. (Id.).

On many occasions, civilians were hit with beverages Wilson or Flynn threw. (Id., ¶ 10). On at least one occasion, a civilian John Doe was knocked to the ground from the impact of being hit with the beverage and its container. (Id.). At times, Wilson and Flynn recorded and instructed others to record their actions using their cell phones. (Id.). These recordings were sometimes made from inside the car where the beverage was thrown, and sometimes from an LMPD car following closely behind Wilson’s or Flynn’s car. (Id.). Wilson and Flynn subsequently displayed these recordings to other members of the Ninth Mobile Division, both by displaying them to other LMPD officers in person and by sending them to others via text message. (Id.). These recordings, which do not capture the entirety of the conspiracy, highlight that the conduct Wilson, Flynn, and others engaged in, acting under color of law, was deliberative and malicious, and it shocks the conscience. (Id., ¶ 11).

B. Cyber Stalking

In a completely separate and unrelated crime, in the fall of 2020 Bryan Wilson began conspiring with others to stalk and extort young women online. Wilson used his law enforcement access to Accurint to obtain information about potential hacking victims. Wilson then shared that information with a hacker who hacked into womens’ private Snapchat accounts, seeking to obtain sexually explicit photographs and videos.¹ If sexually explicit photographs and videos were obtained, Wilson texted his victims and extorted them, threatening to publish the

¹ Wilson claims that the actual hacking was performed by another person. (Id., ¶¶ 29-30).

photographs and videos to their family, friends, and co-workers unless they provided him with additional sexually explicit photographs and videos. (Id., ¶¶ 12-34).²

For example, Wilson had the following text exchange with one of his victims:

Wilson: I'm curious which picture you'd prefer me to use as the focal point of a collage im making . . . (pictures were attached)

Victim: Who is this?

. . .

Wilson: You cool with me posting em? Im telling you, everyone will LOVE them!

Victim: How did you get these

. . .

Wilson: . . . I had planned to send your pictures to your parents, brother, grandparents, sisters, friends, facebook, pornhub, employer, etc but I would gladly keep all of this between you and I (and tell you who sent them to me) if you promise to leave me out of the drama and show me a few more pics that way we can both benefit . . .

(Id., ¶ 26).

Wilson posted his victims' sexually explicit photographs and videos online, and bragged about his exploits. (Id., ¶ 15). He also provided others with his Kik contact information so they could identify additional potential victims for him to hack, and when the hack was successful Wilson would share the stolen photographs and videos with them. (Id., ¶ 34).

Wilson caused his victims untold psychological trauma, not only by extorting them and publishing their explicit photographs and videos online, but also by demeaning and insulting them during his text exchanges, calling them sluts, (Id., ¶ 22), whores (Id., ¶ 24), and bitches (Id.,

² Six victims are listed in the Information, but the Federal Bureau of Investigation determined that Wilson was involved in hacking twenty-five (25) online accounts, and directly contacted eight women.

¶ 27). On at least one occasion Wilson actually sent sexually explicit photographs and videos to his victims' employer, which almost resulted in her termination. (Id., ¶ 25).

II. Sentencing Recommendation

In paragraph 11 of the Plea Agreement, the United States agreed to recommend a sentence at the lowest end of the applicable Sentencing Guideline range. The United States will honor that commitment, and believes that a sentence of imprisonment at the lowest end of the applicable Sentencing Guideline range will satisfy the sentencing factors in 18 U.S.C. § 3553(a).

Respectfully submitted,

MICHAEL A. BENNETT
United States Attorney

David Weiser

David Weiser
Stephanie Zimdahl
Assistant U.S. Attorneys
U.S. Attorney's Office
717 W. Broadway
Louisville, KY 40202
PH: (502) 625-7068
Email: david.weiser@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on or about October 11, 2022, the attached Motion was filed electronically with the court's ECF system.

David Weiser

Assistant U.S. Attorney