

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Newport News Division

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 4:16cr78
)	
CHARLES K. YOUNG)	
)	

STATEMENT OF FACTS

If the United States were to try this case, the evidence that would be proved beyond a reasonable doubt would be:

On August 15, 2016, Officer Michael Miller, with the James City County Police Department (hereafter JCCPD) received a phone call from the reporting person, J.Y., who advised his father, CHARLES K. YOUNG, was in possession of images that contained child pornography. J.Y. reported that his family had attempted to get help for YOUNG in the past, however it has not helped. J.Y. stated that YOUNG had recently become "friends" on the social media site Facebook, Inc. with juvenile boys who do not appear to live in the Unites States. J.Y. reviewed the Facebook, Inc. pages of the juvenile boys and found images of juvenile boys performing sexual acts on each other. In addition, J.Y. reported in June 2014, a family member accessed YOUNG's laptop computer and located a substantial amount of images that contained child pornography. Approximately one year ago, J.Y. observed a large amount of images containing child pornography

on a thumb drive belonging to YOUNG. J.Y. further described where in YOUNG's James City County home the electronics would be located.

On August 15, 2016, Investigator Jason Slodysko spoke with J.Y. over the phone. J.Y. reiterated the same information that was provided to Officer Miller.

Investigator Slodysko obtained state search warrants for the search of YOUNG's residence on Frances Berkeley, James City County, Virginia to seize electronic devices belonging to YOUNG and to search those devices. On August 18, 2016, Investigators with the JCCPD executed the search warrant on the home and recovered numerous electronic devices. Thereafter, the JCCPD requested assistance from Federal Bureau of Investigation (FBI) Special Agent Stacey Sullivan.

Agent Sullivan obtained three federal search warrants for Facebook, Inc., the electronic devices seized by the JCCPD and the defendant's phone.

On or about October 5, 2016, Department of Justice Forensic Examiner, R. E. Jones completed a forensic analysis on the electronic media seized from the defendant's residence. The defendant had a file sharing program located on his laptop computer. Located on the devices seized from the defendant's home was over 22,000 images of child pornography, as defined in Title 18, United States Code, § 2256 (2)(A)(B) and (8) and the United States Sentencing Commission Guidelines. The devices which contained child pornography were manufactured outside the Commonwealth of Virginia. The defendant's computer had access to the Internet which is an interconnected network of computers with which one communicates when on-line, and that network crosses state and national borders.

On November 16, 2016, FBI agents arrested the defendant on a federal arrest warrant at

Handwritten signature and initials, possibly "JAM" or similar, located in the bottom right corner of the page.

his home in James City County. Special Agent Stacey Sullivan advised the defendant of his *Miranda* rights and the defendant agreed to speak with law enforcement agents. He stated that in sum and substance, that he viewed child pornography via his Dropbox account but he deleted the images. Agent Sullivan asked about the nude images of juvenile boys on his Facebook account. YOUNG stated that he did not ask them for their images. When asked how long he had been looking at child pornography, he stated since about 2002-2003.

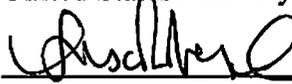
The defendant admits that he received the following image that depicts child pornography, as detailed in Count 1 of the Indictment. Specifically, the defendant admits that on or about July 27, 2014 in the Eastern District of Virginia, he knowingly received a movie entitled "VID-20140427-WA0004.mp4," that depicted two minor male children engaging in sexually explicit conduct, specifically, actual and simulated oral-genital sexual intercourse and lascivious exhibition of the genital or pubic area of minor male children. The defendant admits that the image had been mailed and shipped and transported in interstate and foreign commerce by any means, including by computer. The defendant further admits that the image, constitutes "child pornography" as defined in Title 18, United States Code, § 2256 (2)(A)(B) and (8).

These events occurred in the Eastern District of Virginia.

Respectfully submitted,

DANA J. BOENTE
United States Attorney

By:



Lisa R. McKeel
Assistant United States Attorney
VA Bar No. 28652
Fountain Plaza Three, Suite 300



721 Lakefront Commons
Newport News, Virginia 23606
(757) 591-4000

Handwritten initials

Handwritten signature

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, and the United States, I hereby stipulate that the above Statement of Facts is a partial summary of the evidence which is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

1100
CHARLES K. YOUNG

1/31/17
Date

I am CHARLES K. YOUNG's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Lisa A. Mallery (VSB41676) 1/31/17
Date
Timothy G. Clancy, Esq.
Counsel for defendant
CHARLES K. YOUNG

yes ok

AM