



U.S. Department of Justice

Joshua S. Levy
Acting United States Attorney
District of Massachusetts

Main Reception: (617) 748-3100

John Joseph Moakley United States Courthouse
1 Courthouse Way
Suite 9200
Boston, Massachusetts 02210

September 9, 2024

David Grimaldi
675 Massachusetts Avenue
9th Floor
Cambridge, MA 02139

Re: United States v. Jonathan Vaughan
Criminal No. 22-CR-10076-RGS

Dear Attorney Grimaldi:

The United States Attorney for the District of Massachusetts (the "U.S. Attorney") and your client, Jonathan Vaughan ("Defendant"), agree as follows, pursuant to Federal Rule of Criminal Procedure ("Rule") 11(c)(1)(C):

1. Change of Plea

At the earliest practicable date, but no later than September 19, 2024, Defendant will plead guilty to the following counts of the Indictment: Sex Trafficking by Force, Fraud or Coercion, in violation of 18 U.S.C. §§ 1591(a) and (b)(1) (Counts One, Two and Three), Transportation of an Individual for Purposes of Prostitution, in violation of 18 U.S.C. § 2421 (Counts Four and Five), and, Possession with Intent to Distribute Cocaine, in violation of 21 U.S.C. § 841(a)(1) (Count Six). Defendant admits that Defendant committed the crimes specified in these counts and is in fact guilty of each one.

Defendant also agrees to waive venue, to waive any applicable statute of limitations, and to waive any legal or procedural defects in the Indictment.

2. Penalties

Defendant faces the following mandatory minimum and maximum penalties:

- **Counts One, Two and Three:** incarceration for a mandatory minimum of fifteen years

and up to life, supervised release for a mandatory minimum of five years and up to life, a fine of up to \$250,000, a mandatory special assessment of \$100, a special assessment of \$5,000 pursuant to 18 U.S.C. §§ 3014(a) and 3013 (the “JVTA assessment”), restitution and forfeiture to the extent charged in the Indictment.

- **Counts Four and Five:** incarceration for up to ten years, supervised release for up to three years, a fine of up to \$250,000, a mandatory special assessment of \$100, a special assessment of \$5,000 pursuant to 18 U.S.C. §§ 3014(a) and 3013 (the “JVTA assessment”), restitution and forfeiture to the extent charged in the Indictment.
- **Count Six:** incarceration for up to twenty years, supervised release for a mandatory minimum of three years and up to life, a fine of up to \$1 million, a mandatory special assessment of \$100, restitution and forfeiture to the extent charged in the Indictment.

Defendant understands and acknowledges that as a consequence of Defendant’s conviction for the crimes to which Defendant is pleading guilty, Defendant will be required to register as a sex offender, and to keep that registration current, in the place where Defendant resides, where Defendant is employed, and where Defendant is a student, pursuant to the Sex Offender Registration and Notification Act, and the laws of the state of Defendant’s residence. Failure to do so may violate the terms of Defendant’s supervised release and subject Defendant to new criminal charges pursuant to 18 U.S.C. § 2250.

Defendant understands that, if Defendant is not a United States citizen by birth, pleading guilty may affect Defendant’s immigration status. Defendant agrees to plead guilty regardless of any potential immigration consequences, even if Defendant’s plea results in being automatically removed from the United States.

3. Rule 11(c)(1)(C) Plea

In accordance with Rule 11(c)(1)(C), if the Court accepts this Plea Agreement, the Court must include the agreed disposition in the judgment. If the Court rejects any part of this Plea Agreement, the U.S. Attorney may void the agreement and/or Defendant may withdraw from it. Defendant may not withdraw Defendant’s plea for any other reason.

Should the U.S. Attorney void the agreement and/or Defendant moves to withdraw Defendant’s guilty plea, Defendant agrees to waive any defenses based upon statute of limitations, the constitutional protection against pre-indictment delay, and the Speedy Trial Act for all charges that could have been brought as of the date of this Plea Agreement.

4. Sentencing Guidelines

Counts One Through Five:

The parties agree, based on the following calculations, that Defendant’s total “offense level” under the Guidelines as to Counts One through Five (the “trafficking group”) is 39:

- a) Defendant is responsible for three victims (Victims 3, 4 and 5) who performed commercial sex acts, each of which constitutes a separate group (hereinafter, "Group 1," "Group 2" and "Group 3") (USSG §§ 2G1.1(d)(1) and 3D1.2(a));
- b) Defendant's base offense level for Groups 1, 2 and 3 is 34, because the offense of conviction is 18 U.S.C. § 1591(b)(1) (USSG § 2G1.1(a)(1));
- c) Defendant's offense level is increased by 2 levels because the defendant knew or should have known that victims whom he targeted were vulnerable victims, at least one of which (Victim 4) was unusually vulnerable due to her substance use disorder (USSG § 3A1.1(b)(1)); and,
- d) Defendant's offense level is increased by 3 levels because of the presence of multiple (three) victims (USSG §§ 3D1.1 and 3D1.4);

Count Six:

The parties agree, based on the following calculations, that Defendant's total "offense level" under the Guidelines as to Count Six (the "possession group") is 12.

- e) Defendant's base offense level is 12 because he is responsible for less than 50 grams of cocaine (USSG § 2D1.1(c)(14));

Grouping Rules for the trafficking group and the possession group:

- f) The trafficking group (Counts One through Five) does not group with the possession group (Count Six) and because the offense level for possession group is nine or more levels less serious than the trafficking group, the applicable offense level is that of the trafficking group (USSG §§ 3D1.2, 3D1.3, 3D1.4);

Acceptance of Responsibility:

- g) Defendant's offense level is decreased by 3, because Defendant has accepted responsibility for Defendant's crimes (USSG § 3E1.1).

Adjusted Offense Level:

- h) Based on the above, the parties agree that Defendant's adjusted offense level is 36.

Defendant understands that the Court is not required to follow this calculation. Defendant also understands that the government will object to any reduction in Defendant's sentence based on acceptance of responsibility, and may be released from the parties' agreed-upon disposition in

Paragraph 5 if: (a) at sentencing, Defendant (directly or through counsel) indicates that Defendant does not fully accept responsibility for having engaged in the conduct underlying each of the elements of the crimes to which Defendant is pleading guilty; or (b) by the time of sentencing, Defendant has committed a new federal or state offense, or has in any way obstructed justice.

Nothing in this Plea Agreement affects the U.S. Attorney's obligation to provide the Court and the U.S. Probation Office with accurate and complete information regarding this case.

5. Agreed Disposition

The parties agree on the following sentence:

- a) incarceration for 180 months;
- b) a fine within the applicable guidelines range, unless the Court determines that Defendant is unable to pay;
- c) 60 months of supervised release;
- d) a mandatory special assessment of \$600, which Defendant must pay to the Clerk of the Court by the date of sentencing;
- e) a special assessment of \$5,000 under 18 U.S.C § 3104(a)(1), unless the Court determines Defendant is indigent;
- f) restitution that will be determined by the court at or following the date of sentencing; and
- g) forfeiture as set forth in Paragraph 7.

Defendant agrees that all criminal monetary penalties, including special assessment, restitution, forfeiture, and/or fine imposed shall be due and payable immediately, and further agrees that any Court-ordered repayment schedule does not preclude further enforcement or collection by the United States.

6. Waiver of Appellate Rights and Challenges to Conviction or Sentence

Defendant has the right to challenge Defendant's conviction and sentence on "direct appeal." This means that Defendant has the right to ask a higher court (the "appeals court") to look at what happened in this case and, if the appeals court finds that the trial court or the parties made certain mistakes, overturn Defendant's conviction or sentence. Also, in some instances, Defendant has the right to file a separate civil lawsuit claiming that serious mistakes were made in this case and that Defendant's conviction or sentence should be overturned.

Defendant understands that Defendant has these rights, but now agrees to give them up.

Specifically, Defendant agrees that:

- a) Defendant will not challenge Defendant's conviction on direct appeal or in any other proceeding, including in a separate civil lawsuit; and
- b) Defendant will not challenge Defendant's sentence, including any court orders related to forfeiture, restitution, fines or supervised release, on direct appeal or in any other proceeding, including in a separate civil lawsuit.

The U.S. Attorney agrees not to appeal the imposition of the sentence agreed to by the parties in paragraph 5.

Defendant understands that, by agreeing to the above, Defendant is agreeing that Defendant's conviction and sentence will be final when the Court issues a written judgment after the sentencing hearing in this case. That is, after the Court issues a written judgment, Defendant will lose the right to appeal or otherwise challenge Defendant's conviction and sentence regardless of whether Defendant later changes Defendant's mind or finds new information that would have led Defendant not to agree to give up these rights in the first place.

Defendant is agreeing to give up these rights in exchange for concessions the U.S. Attorney is making in this Agreement.

The parties agree that, despite giving up these rights, Defendant keeps the right to later claim that Defendant's lawyer rendered ineffective assistance of counsel, or that the prosecutor or a member of law enforcement involved in the case engaged in misconduct serious enough to entitle Defendant to have Defendant's conviction or sentence overturned.

7. Forfeiture

Defendant hereby waives and releases any claims Defendant may have to any vehicles, currency, or other personal property seized by the United States, or seized by any state or local law enforcement agency and turned over to the United States, during the investigation and prosecution of this case, and consents to the forfeiture of all such assets.

8. Civil Liability

This Plea Agreement does not affect any civil liability, including any tax liability, Defendant has incurred or may later incur due to Defendant's criminal conduct and guilty plea to the charges specified in Paragraph 1 of this Agreement.

9. Breach of Plea Agreement

Defendant understands that if Defendant breaches any provision of this Agreement, violates any condition of Defendant's pre-trial release or commits any crime following Defendant's execution of this Plea Agreement, Defendant cannot rely upon such conduct to

withdraw Defendant's guilty plea. Defendant's conduct, however, would give the U.S. Attorney the right to be released from the U.S. Attorney's commitments under this Agreement, to pursue any charges that were, or are to be, dismissed under this Agreement, and to use against Defendant any of Defendant's statements, and any information or materials Defendant provided to the government during investigation or prosecution of Defendant's case—even if the parties had entered any earlier written or oral agreements or understandings about this issue.

Defendant also understands that if Defendant breaches any provision of this Agreement or engages in any of the aforementioned conduct, Defendant thereby waives any defenses based on the statute of limitations, constitutional protections against pre-indictment delay, and the Speedy Trial Act, that Defendant otherwise may have had to any charges based on conduct occurring before the date of this Agreement.

10. Who is Bound by Plea Agreement

This Agreement is only between Defendant and the U.S. Attorney for the District of Massachusetts. It does not bind the Attorney General of the United States or any other federal, state, or local prosecuting authorities.

11. Modifications to Plea Agreement

This Agreement can be modified or supplemented only in a written memorandum signed by both parties, or through proceedings in open court.

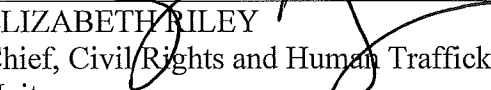
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If this letter accurately reflects the agreement between the U.S. Attorney and Defendant, please have Defendant sign the Acknowledgment of Plea Agreement below. Please also sign below as Witness. Return the original of this letter to Assistant U.S. Attorney Lindsey E. Weinstein.

Sincerely,

JOSHUA S. LEVY
Acting United States Attorney

By:


ELIZABETH RILEY
Chief, Civil Rights and Human Trafficking
Unit


LINDSEY E. WEINSTEIN
Assistant U.S. Attorney

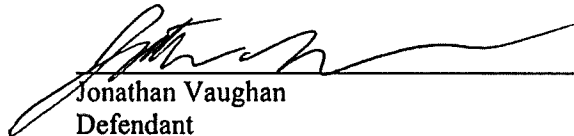
ACKNOWLEDGMENT OF PLEA AGREEMENT

I have read this letter and discussed it with my attorney. The letter accurately presents my agreement with the United States Attorney's Office for the District of Massachusetts. There are no unwritten agreements between me and the United States Attorney's Office, and no United States government official has made any unwritten promises or representations to me in connection with my guilty plea. I have received no prior offers to resolve this case.

I understand the crimes I am pleading guilty to, and the mandatory minimum and maximum penalties for those crimes. I have discussed the Sentencing Guidelines with my lawyer, and I understand the sentencing ranges that may apply.


I am satisfied with the legal representation my lawyer has given me, and we have had enough time to meet and discuss my case. We have discussed the charges against me, possible defenses I might have, the terms of this Agreement and whether I should go to trial.

I am entering into this Agreement freely and voluntarily and because I am in fact guilty of the offenses. I believe this Agreement is in my best interest.


Jonathan Vaughan
Defendant

Date: 9/12/2024

I certify that Jonathan Vaughan has read this Agreement that we have discussed what it means. I believe Jonathan Vaughan understands the Agreement and is entering into it freely, voluntarily, and knowingly. I also certify that the U.S. Attorney has not extended any other offers regarding a change of plea in this case.


David Grimaldi
Attorney for Defendant

Date: 09/12/2024