IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA	)	Criminal No. 1:12-CR-521
	)	
v.	)	Honorable Liam O'Grady
	)	
Chad Dixon,	)	Sentencing Hearing: August 23, 2013
	)	

POSITION OF THE UNITED STATES
WITH RESPECT TO SENTENCING

The United States of America, by and through undersigned counsel, in accord with Title 18, United States Code, Section 3553(a) and the United States Sentencing Commission, Guidelines Manual ("Guidelines") § 6A1.2 (Nov. 2008), respectfully submits this Position of the United States With Respect to Sentencing of defendant Chad Dixon ("Dixon" or "defendant").

Defendant Chad Dixon is before the Court for sentencing, having admitted to a career of criminal deceit. In exchange for $1,000 per day and more, Dixon trained individuals to "beat" polygraph examinations in order to conceal material lies. Dixon trained seven applicants for federal law enforcement positions on how to use polygraph countermeasures to defeat employment polygraph tests, knowing that in some cases they intended to conceal criminal activity that would disqualify them for the job. If potentially compromising federal law enforcement officers were not enough, Dixon trained convicted sex offenders how to beat polygraph examinations they were required to take as a condition of probation for crimes including indecent sexual contact with minors, transportation of child pornography, and sexual abuse of minors. Brazenly, Dixon trained members of the intelligence community, who took polygraph tests while seeking to obtain or retain security clearances, without regard for the threats

his actions and those persons potentially posed to national security. Between 70 and 100 individuals across the United States, who discovered Dixon through his sophisticated Internet site, received Dixon's one-on-one, confidential, and customized polygraph countermeasures training in order to conceal lies during polygraph examinations.

On December 17, 2012, Dixon entered a plea of guilty to a two-count criminal information charging him with Wire Fraud (Count 1) and Obstruction of an Agency Proceeding (Count 2), in violation of Title 18, United States Code, Sections 1343 and 2, and 1505 and 2, respectively. A term of imprisonment is a necessary sentence not only to provide just punishment for Dixon's offense, but also to promote respect for the law and to communicate effectively to this defendant and others that this conduct is unacceptable. Based on the relevant factors under Title 18, United States Code, Section 3553(a), the United States recommends a sentence of imprisonment at the lower end of the properly calculated advisory guidelines range.

OFFENSE CONDUCT

Dixon's conduct comprising the two offenses charged here is not merely teaching deceit – how to produce truthful polygraph charts even if one is "flat out lying" – as Dixon in his own words claimed. Properly understood his crimes encompass inviting total strangers into a scheme to defraud and obstruct, and joining in their criminal enterprises. Those fraudulent purposes include: Obtaining law enforcement jobs applicants were unqualified for, disregarding and frustrating court-ordered conditions of supervision for sex offenders released into the community, and getting (or keeping) a security clearance that provides access to the nation's secrets. Dixon trained his customers what to say and when to say it; and he told them what to admit and what to deny. In short, he trained them to lie convincingly.

Dixon trained individuals he knew would use the skills he taught. In addition to the seven unqualified applicants Dixon tried to help obtain federal law enforcement positions, the Court must consider the other individuals Dixon trained, particularly those in the Washington, D.C. metropolitan community:

- J.O. of Fairfax, Virginia, was a registered sex offender convicted of peeping. After failing to produce truthful polygraph charts during all but one of eight court-ordered polygraphs between October 2008 and March 2011, J.O. passed three in a row from late-June 2011 through June 2012. J.O. admitted being trained by Dixon in June 2011.

- J.B., formerly an English teacher at a middle school in Rockville, MD, was convicted of sexually abusing a 12-year-old boy over the course of two school years. In April of this year, J.B. had his parole revoked after he admitted receiving polygraph countermeasures training by Dixon in April 2011.

Dixon trained at least seven other sex offenders:

- J.K.W. of Quincy, Illinois, was a registered sex offender convicted in December 2010 for possessing child pornography. J.K.W. had his probation revoked and was fined $2,000 after he was found to have taken Dixon's polygraph countermeasures training in violation of his probation. The evidence showed that J.K.W. was trained in February 2011, prior to later passing polygraph exams in March 2011 and July 2011.

- A 46-year-old man from Aurora, TX, convicted of sexual assault of a minor;

- A 55 year-old man in New York, NY, convicted of sexual assault of a minor;

- A 42-year-old man from Seminole, TX, convicted of attempted sexual battery of a minor;

- A 39-year-old man from Carrolton, TX, convicted of indecent sexual contact with a child;

- A 39-year-old man in Raleigh, NC, convicted of sexual battery; and

- A 30-year-old man in Commerce City, CO, who failed to properly register as a sex offender.

- Dixon also trained three individuals under criminal investigation for sex-related offenses, including a 51-year-old man who later pleaded guilty to knowing transportation of child pornography.

Dixon not only trained persons under court-ordered supervision for deplorable sex-related offenses, including against children, but he also threatened our national security by training individuals seeking jobs guarding the borders and individuals with access to the nation's important secrets. *See* PSR ¶¶ 39-42, 91. Dixon admitted to training seven clients associated with four federal agencies. *See* PSR ¶ 90. Dixon trained two federal contractors, both holding Top Secret security clearances, one of which worked within the federal intelligence community. When Dixon trained these criminals, he never looked past the thousands of dollars they put in his hands to consider the numerous lives he potentially endangered.

Dixon's customers were not merely people nervous about taking a polygraph, and he knew it. Dixon used the Internet to entice people to manipulate polygraph examinations so that those individuals could commit contempt of court, conceal disqualifying information from federal law enforcement agencies, gain or retain custody of children, cheat on spouses, and avoid criminal liability. Indeed, the "Confidentiality" page of Dixon's website stated:

> We also understand the many different reasons why an individual has to take a polygraph exam. Some of these reasons may be: a judge ordered you to take it, a custody fight, maybe your (sic) trying to get your dream job, or criminal investigations, marital disputes and so on. Regardless of the issue, nobody will ever know that you have spoken to us in any way.

In order to attract clients, Dixon specifically included keywords and phrases on his website like "beat a polygraph" and "lying or not, truthful or not, you have the ability to produce a truthful chart." Dixon clearly understood the importance and consequences of these polygraph examinations and the nefarious reasons his customers might want to "beat" them, yet he knowingly trained clients in exchange for payments upwards of $1,000. Accordingly, the defendant's conduct was just as threatening to the safety and security of the nation's borders, the country's children, and state secrets as if he himself concealed the misconduct and lies.

As two undercover operations demonstrated, Dixon specifically inquired into his clients' criminal or otherwise disqualifying activities then knowingly trained them how to avoid detection. During the first undercover operation, the undercover agent told Dixon that she was a former jailer attempting to obtain a position with the U.S. Border Patrol, but had previously smuggled contraband into her jail on behalf of inmates. She also told Dixon that she used marijuana. Dixon told the agent:

> Polygraph examinations are simply interrogations. … Don't tell the polygrapher anything that isn't a matter of public record. Certainly don't admit to anything that could disqualify you from getting the job.

Contrary to any claim that he was "adamant" that customers not describe criminal activity to him, Dixon both asked about criminal activity and included specific sections in his training materials for use when training criminal suspects. In fact, during the first undercover operation Dixon specifically asked the agent to describe her "past criminal activity." He instructed another customer to "X-out" an entire page of his manual, which he explained only applied "if you're a criminal suspect."

If there was any doubt about who Dixon would train, it was erased with the second undercover operation in which Dixon trained someone he believed to be a known associate of a notorious drug cartel, which the President of the United States has designated as a significant Transnational Criminal Organization and foreign narcotics trafficker.[1] The second undercover agent explained to Dixon that in order to pass a federal polygraph test he had to conceal information that he had a brother who was a member of the Los Zetas drug cartel involved in "drugs, extortion, murder, [and] kidnappings." The undercover told Dixon that he routinely allowed his brother to use his American identification documents to illegally enter the United

[1] *See* Treasury Sanctions Financial Operatives Linked to Los Zetas, July 23, 2013, *available at* http://www.treasury.gov/press-center/press-releases/Pages/jl2018.aspx.

States and conduct criminal acts. The agent said that he had omitted this information from his security background investigation application and needed to conceal the existence of the brother in order to get a federal law enforcement position guarding the U.S. border.

The second undercover operation proved that Dixon was willing to train individuals who were actively involved in criminal activity. Rather than report the undercover agent to authorities, for aiding a dangerous criminal to cross into the United States to commit crimes, Dixon told the undercover, "[I]n regards to this polygraph exam, and really any oral exam that you take, I would probably reference him as a distant relative." Dixon said, "If they ask questions about him, if it does come up, just say, 'Look, I don't really know what he's into.'" Dixon told the undercover agent:

> I very seriously doubt that they would allow you the position if they knew the honesty (sic) regarding your brother. … You know, the very fact that he's in a cartel. You're going to be patrolling the same area where he's remotely located. You know what I mean? … ***I mean, you're talking about treason***. You're talking about up to 15 to 20 years in prison after you get this job, man. Have you thought about that? (emphasis added).

Dixon nevertheless taught the undercover agent how to produce a truthful chart during his law enforcement pre-employment polygraph while lying about the existence of his dangerous, cartel-member brother. At the end of the training, the agent told Dixon that his brother – the Los Zetas cartel member – had paid for his polygraph countermeasures training. Dixon responded, "So when you see your brother, tell him I said thanks." The evidence clearly establishes that Dixon willingly trained customers to beat polygraphs to conceal information that Dixon himself knew was dangerous, disqualifying, and criminal.

GUIDELINES CALCULATION

The United States submits that application of all appropriate enhancements under the Guidelines results in a total offense level of 16, a custody range of 21-27 months, and a fine range

of $5,000 to $50,000. The United States respectfully submits that the Guidelines appropriately account for each of the factors set forth in 18 U.S.C. § 3553(a) in this case and requests that this Court impose a sentence at the low end of that range.

The Guidelines Range Should Be Recalculated At 21-27 Months

As described below, the United States respectfully disagrees with the Probation Officer's determination that defendant Dixon not receive a two-level enhancement for Mass Marketing and another two-level enhancement for Sophisticated Means, pursuant to §§ 2B1.1(b)(2)(A)(ii) and 2B1.1(b)(10) of the Guidelines respectively, resulting in an offense level of 15 with respect to his Wire Fraud offense. Dixon also should receive a three-level enhancement for Substantial Interference with the Administration of Justice and another two-level enhancement for Extensive in Scope, Planning, or Preparation, pursuant to §§ 2J1.2(b)(2) and 2J1.2(b)(3)(C) of the Guidelines respectively, resulting in an offense level of 19 with respect to his Obstruction offense. Because the counts are closely related, they are counted in a single Group with no increase in total offense level. *See* Guidelines §§ 3D1.1(a)(1), (a)(2). Dixon's total offense level is thus 19 – the highest offense level of the counts in the group. *See* Guidelines § 3D1.3.

Accordingly, Dixon's properly calculated Guidelines level is 16 – after an acceptance of responsibility reduction of three levels – which results in a 21-27 months Guidelines range.

<u>Mass-Marketing</u>

A two-level increase in offense level is required for the defendant's wire fraud offense committed through mass-marketing. For purposes of this enhancement, mass-marketing means "a plan, program, promotion, or campaign that is conducted through solicitation by telephone, mail, the Internet, or other means to induce a large number of persons to (i) purchase goods or services . . . ." § 2B1.1, n.4(A).

In late-2007, Dixon began educating himself about polygraph machines and polygraph examinations. After seeing a television show about the weaknesses of polygraph and taking an online psychology class that discussed polygraphs, Dixon began investigating polygraphs online and discovered that there was a market for polygraph countermeasures instruction. In 2007, he began consuming all that he could on the Internet, including materials stolen from other polygraph countermeasures trainers and even manuals issued by the Department of Defense Polygraph Institute in order to learn the relevant jargon and techniques. At that time, Dixon hired a company to design and host his website, and, using the proprietary manual of another polygraph countermeasures trainer named Doug Williams, provided his first polygraph countermeasures training to one client in late-2007.[2]

Dixon's polygraph countermeasures business gained traction in late-2010, when he set up a new website – a "carbon copy" of Williams' website – and hired a company to help him market his training. Based on advice from this company, Dixon ensured keywords and phrases, such as "beat a polygraph," were included on the website. Thus, persons looking for polygraph countermeasures training would find his website when using Internet search engines like Google. Dixon also pirated another key phrase directly from Williams' website: "Lying or not, truthful or not, you have the ability to produce a truthful chart." From late-2010 until April 2012, after

[2] During his interview with Probation, which was preparing his Presentence Investigation Report, Dixon made several material misstatements, including statements about the timing and circumstances of establishing his polygraph countermeasures business. *See* PSR ¶ 96. During an April 20, 2012 defense proffer, Dixon stated that he began his polygraph countermeasures business in "late-2007" and provided the additional details reported herein.

investing $1,000 in his mass-marketing strategy, Dixon trained between 69 and 100 customers how to use polygraph countermeasures to produce truthful charts.[3]

In order to attract and retain customers across the United States for polygraph countermeasures training, Dixon falsely told them that he was an actual polygraph examiner trained at the DOD Polygraph Institute. He further lied to prospective customers by telling them that he worked with two other experienced polygraph examiners, both of whom were purported to be former or retired law enforcement polygraphers. Dixon lied to prospective customers by claiming to have taught polygraph countermeasures to "thousands" of clients. None of these claims were true.

Although the Probation Officer concluded that a marketing scheme that easily reached thousands of individuals through the Internet and led to approximately 100 completed transactions is insufficient to constitute mass marketing, the government respectfully disagrees. Through the website for his company, Polygraph Consultants of America ("PCA"), the defendant "advertised customized training session[s] in polygraph countermeasures that guaranteed a customer would pass any polygraph examination in the world." PSR ¶¶ 31-33. Dixon paid a marketing company to design his Internet website to attract customers, and he routinely traveled across the United States to provide his training. *Id.* ¶¶ 33, 44, 56, 69, 77. In approximately eighteen months, Dixon taught polygraph countermeasures to 69-100 customers; approximately 6 to 8 perfect strangers each month paid Dixon a minimum of $1,000 each to learn how to beat polygraph tests. A two-

[3] During his interview with Probation, Dixon falsely claimed that he started his business in 2010 after seeing an investigative report on television. PSR ¶ 96. But, during his April 2012 proffer, Dixon explained that he hired a company to build his website sometime between late-2007 and 2010.

Dixon also falsely told Probation that he contacted Doug Williams while establishing his polygraph countermeasures business. *Id.* Rather, during his April 2012 interview, Dixon denied ever speaking to Williams.

level increase is appropriate due to the defendant's use of mass-marketing to promote his fraudulent scheme.

Sophisticated Means

A two-level increase in offense level is required for the defendant's wire fraud offense involving sophisticated means. For purposes of this enhancement, sophisticated means is defined as "especially complex or intricate offense conduct pertaining to the execution or concealment of an offense." § 2B1.1, n.8(B). The purpose of the defendant's wire fraud scheme was, among other things, to "defraud the United States and obtain and maintain federal employment for [his] customers through materially false and fraudulent statements and representations." *Id.* ¶ 29. In order to execute this scheme, the defendant "solicited and learned information from his customers [regarding] the information his customers … intended to conceal," *id.*, developed customized polygraph countermeasures training for each individual customer, *id.*, and taught his customers "physical and mental countermeasures designed to defeat, disrupt, and obstruct polygraph examinations administered by [federal law enforcement agencies]," *id.* ¶ 35. Such polygraph examinations alone are sophisticated and complex procedures; defendant's instruction of customers regarding the use of both physical and mental countermeasures "to manipulate the natural outcome of polygraph examinations, conceal material information, and facilitate false statements his customers intended to make during polygraph examinations" is at least equally sophisticated and complex. *Id.*

The details describing Dixon's polygraph countermeasures training program demonstrate that his conduct was sophisticated and complex. The offense often required the defendant or his customers to travel between states, because the trainings had to occur in person. For example, Applicant A traveled by plane to Indianapolis, Applicant B traveled to Indianapolis, IN, from San

Diego, California, the defendant met "UC1" at a hotel in Arlington, Virginia, and the defendant met "UC2" at a hotel in Alexandria, Virginia, *See id.* ¶¶ 44, 56, 69, 77. The training sessions were approximately seven to eight hours in length. *See id.* ¶¶ 47, 81. And despite the lengthy, in-person, customized polygraph countermeasures training, Dixon provided his customers with additional training materials. *See, e.g., id.* ¶¶ 45, 58, 70, 79. The travel, the training, and the materials were all part of a complex and intricate scheme to help the defendant's customers "defeat" the efforts of federal law enforcement agencies, probation officers enforcing court-ordered post-conviction sex offender monitoring, and federal intelligence agencies conducting security clearance investigations. A two-level increase is appropriate due to defendant's use of sophisticated means.

Substantial Interference with the Administration of Justice

A three-level increase in offense level is required for the defendant's obstruction offense due to substantial interference with the administration of justice. § 2J1.2(b)(2).[4] For purposes of this section, a "substantial interference with the administration of justice" includes "the unnecessary expenditure of substantial governmental … resources." § 2J1.2, n.1. Here, for example, the use of polygraph countermeasures during Law Enforcement Pre-Employment Test ("LEPET") polygraph examinations conducted by U.S. Customs and Border Protection ("CBP") had just that result. Federal law mandates that all applicants for law enforcement positions with CBP submit to pre-employment polygraph examination. *See* PSR ¶ 23. Where countermeasures are not used during a CBP LEPET – whether the applicant proceeds in the application process or is disqualified as a result of the test – the results of the test are sent for a single review by CBP's

[4] Although Dixon was convicted of obstruction of an agency proceeding under 18 U.S.C. § 1505, the enhancements dictated for obstruction of justice apply to this offense. *See* Guidelines, Appx. A.

Quality Control ("QC") unit in the normal course of business. The process is relatively short, involving only two steps.

When countermeasures are used by an applicant during a CBP LEPET, several additional steps are required both to confirm the use of countermeasures and to investigate the reasons for their use. Where a CBP polygraph examiner suspects an applicant is using countermeasures during a LEPET, the CBP examiner will often run a second test to confirm that suspicion. Once convinced that the applicant is using countermeasures the examiner will forward the test results for *immediate* QC review. The QC reviewer receiving the test results will interrupt his or her work – reviewing other tests in the normal course of business – and turn immediately to the suspicious test. If the QC reviewer agrees that the test shows signs of countermeasures, a second QC reviewer will be asked to interrupt his or her work also, and to review the suspicious test results. If the second reviewer agrees that countermeasures were used during the test, the test results are classified as "No Opinion-Countermeasures," and the applicant is disqualified from further consideration. But the inquiry does not end there.

Once test results are thus determined to demonstrate the use of countermeasures by an applicant, the CBP examiner then interviews the applicant in an effort to confirm that the applicant used countermeasures, ascertain how and where the applicant learned the countermeasure techniques, and attempt to uncover whatever substantive conduct the applicant sought to conceal (*e.g.*, drug use, unreported foreign contacts, unreported criminal activity, etc.). Often, the CBP examiner will request that the applicant provide a written statement, which the CBP examiner will help the applicant draft and review. In any event, the use of countermeasures by any applicant significantly increase the number of steps and amount of time required to complete the LEPET testing process.

Here, the evidence indicates that Dixon provided countermeasures training to CBP applicants on at least seven occasions. *See id.* ¶ 91. At least two of those applicants confirmed using Dixon's polygraph countermeasures training during LEPET polygraph examinations. *See id.* 46, 51, 61. Both applicants were warned that use of polygraph countermeasures during the LEPET could result in termination of the polygraph examination and in disqualification of the applicant. *Id*. ¶¶ 50,61. Dixon knew the intent of both applicants to use his training during their CBP LEPET polygraph examinations, and that such actions could result in the applicants' disqualification from employment with CBP. *See id.* ¶¶ 46, 57, 59. Moreover, the defendant instructed both applicants to deny receiving any countermeasures training, if and when asked during their LEPET polygraph examinations. *See id.* ¶¶ 48, 59. It is possible, if not likely, that the other five CBP applicants trained by Dixon used his polygraph countermeasure techniques during their LEPET polygraph examinations as well.

For any single applicant that uses countermeasures during a CBP LEPET polygraph examination, an unnecessary expenditure of substantial time and resources is required by CBP. Here, it is clear that such an unnecessary expenditure was required on at least two occasions. However, there is reason to believe that a similarly unnecessary expenditure of resources occurs every time one of the defendant's clients uses polygraph countermeasures during polygraph examinations conducted by a federal department or agency. A substantial interference with the administration of justice occurred when any one CBP law enforcement applicant used the defendant's polygraph countermeasures during a LEPET polygraph examination, resulting in an unnecessary expenditure of substantial government resources. *See* § 2J1.2(b)(2). A three-level increase is thus appropriate, as the defendant has caused such interference on multiple occasions.

Extensive in Scope, Planning, or Preparation

A two-level increase in offense level is required for Dixon's obstruction offense because it was extensive in scope, planning, and preparation. § 2J1.2(b)(3)(C). While the commentary to the Guidelines does not specifically define the relevant terms, the facts of the present case more than support this enhancement. Dixon invested considerable time, effort, and money to create a website to attract customers seeking to conceal deception for a variety of nefarious reasons. He trained customers across the country to defeat federal law enforcement pre-employment polygraph tests conducted by a variety of federal agencies as well as polygraph examinations conducted as part of national security clearance investigations. Dixon extensively researched polygraph countermeasures not only to develop his training techniques but also to craft a training manual for use by his customers. In fact, Dixon's criminal scheme was developed over years of extensive preparation.

Moreover, Dixon spent hours training each of his 69-100 individual customers, learning the customers' specific issues and areas of concern, planning and preparing for the likely substantive contents of each customers' polygraph examination, and teaching each respective customer precisely what to say. Dixon and his individual customers – whether in Virginia, Hawaii, or any of a number of other states across the country – extensively planned and prepared for each respective polygraph examination. A two-level increase is appropriate to reflect the extensive scope, planning, and preparation required for Dixon to succeed his wire fraud scheme and for him to prepare his customers to succeed in their respective acts of obstruction.

The United States argues that the above enhancements are supported by both law and fact, and that the appropriate total offense level – after applying a three-level decrease for acceptance – should be 16, resulting in a Guidelines range of 21-27 months.

A SENTENCE OF IMPRISONMENT WOULD SERVE THE FACTORS SET FORTH IN § 3553(A)

After calculating the appropriate guidelines range, "the court must determine whether a sentence within that range . . . serves the factors set forth in §3553(a) and, if not, select a sentence [within statutory limits] that does serve those factors." *United States v. Moreland*, 437 F.3d 424, 432 (4th Cir. 2006). Section 3553(a) states that a sentencing court should consider the nature and circumstances of the offense and characteristics of the defendant. In addition, it states that the Court should take into account the need for the sentence "to reflect the seriousness of the offense, to promote respect for law, [] to provide just punishment for the offense[, and] to afford adequate deterrence to criminal conduct." 18 U.S.C. § 3553(a)(2)(A) & (B). The sentence also should be fashioned in light of the need to protect the public from further crimes of the defendant and to provide the defendant with needed correctional treatment. 18 U.S.C. § 3553(a)(2)(C) & (D).

The seriousness of Dixon's offense cannot be understated: Dixon adopted a mercenary-like attitude towards the nation's border security and the security of the nation's secrets. He also acted with callous disregard for the most vulnerable in society – our children. Dixon's conduct, then and now, does not reflect respect for the law but rather the opposite. Dixon's entire business model was designed to undermine the law, during security background investigations, security clearance evaluations, and court-ordered sex offender monitoring. Dixon's misconduct was purposeful, dangerous, and it requires punishment.

Only a sentence of imprisonment will make clear to Dixon that continued efforts to deceive will not enable him to avoid the consequences of his actions. This is not an individual for whom a felony conviction will sufficiently deter future offenses, let alone reflect the seriousness of the offense. Dixon, as evidenced by his offense conduct, is a master of deceit.

He has taught his trade to criminals, sex offenders, cheaters, and liars. A strong message is thus required not only to deter Dixon from continuing in his criminal career, but also to deter others who would seek to undermine the statutorily mandated federal pre-employment polygraph process, to circumvent the procedures for granting and maintaining Top Secret security clearances, or to undermine the orders of courts supervising convicted sex offenders. A strong message is necessary to protect our national borders, our national interests, and our nation's communities.

In approximately 18 months, from Illinois to Texas, North Carolina to California, and within the Eastern District of Virginia, Dixon's conduct has threatened the safety and security of 69 to 100 communities with total disregard for the consequences. Dixon potentially compromised the security of our borders by teaching federal law enforcement applicants to fabricate historical and biographical details in order to obtain positions for which they were not qualified. Dixon potentially compromised our national interests by teaching federal contractors how to manipulate the Top Secret security clearance evaluation process. And Dixon potentially compromised the public safety of communities in multiple jurisdictions by teaching registered sex offenders to successfully conceal violations of their conditions of probation. A sentence of imprisonment is therefore just, and it is necessary.

CONCLUSION

For the foregoing reasons, considering the criteria established in 18 U.S.C. § 3553(a), the United States respectfully requests that the Court impose a sentence imprisonment at the low end of the properly calculated advisory guidelines range.

Respectfully submitted,

Neil H. MacBride
United States Attorney

By: _____
Uzo E. Asonye
Assistant United States Attorney
Eastern District of Virginia
Counsel for the United States
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel.: (703) 299-3700
Fax: (703) 299-3981
uzo.asonye@usdoj.gov

Jack Smith
Chief

By: _____
Eric L. Gibson
Anthony J. Phillips
Trial Attorneys
Public Integrity Section
U.S. Department of Justice
1400 New York Ave., NW, 12th Floor
Washington, DC 20005
Tel.: (202)514-1412
Fax: (202) 514-3003
anthony.phillips@usdoj.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 15, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel for the defendant.

/s/

Uzo E. Asonye
Assistant United States Attorney
Eastern District of Virginia
Counsel for the United States
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel.: (703) 299-3700
Fax: (703) 299-3981
uzo.asonye@usdoj.gov