

**From:** "[REDACTED]" <[REDACTED]>

**To:** "[REDACTED]" <[REDACTED]>, "[REDACTED]" <[REDACTED]>

**Subject:** possible guidelines calculation

**Date:** Fri, 06 Mar 2020 19:39:08 +0000

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As discussed. And note that the reduction for role (I have it as -3) makes a significant difference; with it, range is 41-51 versus 57-71 without. But obviously I think [REDACTED] was very significantly less culpable than Epstein. Please let me know if anybody thinks I have any of this wrong??

**A. Offense Level**

1. The November 1, 2006, edition of the Guidelines Manual applies to the offense charged in Count One of the Information.

2. Pursuant to U.S.S.G. § 2J1.2(c), because the offense involved obstructing the investigation or prosecution of a criminal offense, the base offense level is determined by referencing U.S.S.G. § 2X3.1.

3. Pursuant to U.S.S.G. § 2X3.1, the base offense level is 6 levels lower than the offense level for the underlying offense, but not more than level 30 except in circumstances not here applicable.

a. Pursuant to U.S.S.G. § 2G1.3(a), because the underlying offense constituted sex trafficking of minors, the base offense level is 24.

b. Pursuant to U.S.S.G. § 2G1.3(b)(4), because the offense involved the commission of a sex act or sexual contact, the base offense level is increased by 2 levels.

c. Pursuant to U.S.S.G. §§ 2G1.3(d)(1) and 3D1.4, because the offense involved more than five minor victims, the grouping analysis includes more than five units, and the base offense level is increased by 5 levels.

d. In accordance with the above, the applicable base offense level for the underlying offense is 31.

4. Pursuant to U.S.S.G. § 2X3.1(a)(1), because the base offense level is 6 levels lower than the offense level for the underlying offense, the base offense level is 25.

5. Pursuant to U.S.S.G. § 3B1.2, because the defendant was a minor participant in the criminal activity, the base offense level is reduced by 3 levels.

6. Assuming the defendant clearly demonstrates acceptance of responsibility, to the satisfaction of the Government, through her allocution and subsequent conduct prior to the imposition of sentence, a two-level reduction will be warranted, pursuant to U.S.S.G. § 3E1.1(a). Furthermore, assuming the defendant has accepted responsibility as described in the previous sentence, the Government will move at sentencing for an additional one-level reduction, pursuant to U.S.S.G. § 3E1.1(b), because the defendant gave timely notice of her intention to enter a plea of guilty, thereby permitting the Government to avoid preparing for trial and permitting the Court to allocate its resources efficiently.

In accordance with the above, the applicable Guidelines offense level is 22.

**B. Criminal History Category**

Based upon the information now available to this Office (including representations by the defense), the defendant has zero criminal history points.

In accordance with the above, the defendant's Criminal History Category is I.

**C. Sentencing Range**

Based upon the calculations set forth above, the defendant's stipulated Guidelines range is 41 to 51 months' imprisonment (the "Stipulated Guidelines Range").

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