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“RECIDIVOUS PEDOPHILE” SENTENCED TO SERVE 150 MONTHS IN PRISON

BALTIMORE, Maryland - United States Attorney for the District of Maryland Rod J. Rosenstein announces that Brett M. Gold, 35, of Fredericksburg, Virginia, was sentenced today by U.S. District Court Judge William M. Nickerson to serve 150 months in prison followed by 5 years of supervised release for traveling in interstate commerce for the purpose of engaging in a sexual act with a minor.

“Convicted child sex offenders are cruising internet chat rooms, trying to engage more children in discussions with the ultimate goal of enticing them to meet and have sex,” said United States Attorney Rod J. Rosenstein. “This is the most dangerous type of incorrigible sexual predator, and I am grateful to the FBI and our prosecutors for their proactive efforts to stop convicted pedophiles before they abuse more children.”

Gold was originally sentenced on April 16, 2004, to serve 150 months in prison. The government appealed the original sentence because the court departed downward from the guideline range of 168-210 months. The United States Court of Appeals for the Fourth Circuit called the defendant a “recidivous pedophile.” <http://pacer.ca4.uscourts.gov/opinion.pdf/044310.U.pdf> The defendant had been convicted in Virginia at age 28 of carnal knowledge of a minor after “having sex with a thirteen-year old girl whom he had met and pursued during internet chat sessions,” and he was still on probation when he traveled from Virginia to Maryland to meet another thirteen year old girl for sex pursuant to an FBI sting operation. The Fourth Circuit concluded that there was no basis for a departure from the sentencing guidelines. The appellate court therefore reversed the sentence and remanded the case for re-sentencing within the applicable guideline range. However, the United States Supreme Court subsequently decided United States v. Booker, which made the federal sentencing guidelines advisory. Relying upon its new authority under Booker, the Court again imposed a sentence below the sentencing guideline range.

According to the statement of facts presented to the court as part of his guilty plea, between January 14, 2002 and March 13, 2002, Gold engaged in numerous explicit sexual conversations over

the Internet with an undercover FBI agent posing as a 13 year-old girl. During these conversations, Gold requested that the 13 year-old send photographs to his post office box address. Gold also instructed the girl not to put a return address on the envelope. During the conversations, Gold made several requests to meet so that they could have sex. Gold also sent her several pictures displaying his genitalia. During several of the communications, Gold asked the girl if she was with the FBI or the police. Gold then traveled to Maryland to meet the girl for sex.

According to the court record, Gold is a convicted sex offender who has been registered with the Criminal Record Exchange in Richmond, Virginia since May 2000. The registry has an expiration date of May 18, 2010.

United States Attorney Rosenstein commended the Federal Bureau of Investigation for its investigative work, and thanked Assistant United States Attorney Stephanie A. Gallagher, who prosecuted the case.