



U.S. Department of Justice

**Ronald C. Machen Jr.**  
*United States Attorney for the  
District of Columbia*

*Judiciary Center  
555 Fourth St. N.W.  
Washington, D.C. 20530*

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## PRESS RELEASE

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**For Information Contact:**

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### **Albert Haynesworth Enters Plea of Nolo Contendere In Incident at Northwest Washington Lounge - Deferred Sentencing Agreement Sets Conditions Covering Next 18 Months -**

WASHINGTON - Albert Haynesworth III, 30, entered a plea of nolo contendere today to a misdemeanor charge of assault in an incident that took place earlier this year involving a server at a Northwest Washington lounge, U.S. Attorney Ronald C. Machen Jr. announced.

The plea includes a deferred sentencing agreement that calls for Haynesworth to perform 160 hours of community service, undergo counseling as directed, and meet other conditions over the next 18 months. If he complies with all of the conditions of the agreement, the government will not oppose a defense motion to withdraw the plea and will move to dismiss the case.

Haynesworth appeared today in the Superior Court of the District of Columbia and entered the plea before the Honorable Senior Judge Geoffrey M. Alprin. The defendant, a professional football player from Knoxville, Tenn., pled nolo contendere to the charge of simple assault.

Under the deferred sentencing agreement, Haynesworth must perform the 160 hours of community service and undergo psycho-social and alcohol abuse assessments. He also must obey all laws and court orders over the next 18 months; refrain from engaging in any assaultive, threatening, harassing or stalking behavior against anyone, including the complaining witness, and stay away from the complaining witness.

If the defendant does not comply with the conditions, the government will oppose his withdrawal of the plea and will ask the Court to immediately proceed with sentencing.

Under a nolo contendere plea, the defendant agrees that the government could prove its case beyond a reasonable doubt. However, the defendant does not contest the facts of the case.

According to a factual proffer of evidence submitted by the government at today's hearing, in the early-morning hours of February 13, 2011, Haynesworth sat with a private party of 15 to

20 people in a cordoned-off section of the P.O.V. Lounge on the rooftop terrace of The W Hotel. The complaining witness was the server assigned to the group.

At approximately 2 a.m., as the server was clearing dishes from nearby tables, Haynesworth pulled out a credit card and indicated that he was ready to pay the check. The server, who was wearing a dress that did not have pockets, and had both hands full of plates, told him that she would quickly put the dishes down. But the defendant insisted that she take his credit card immediately, tapping her on the arm with his card and telling her “No, I want you to take it now.”

When she looked down at her full hands, to demonstrate that she had no way of taking the credit card, Haynesworth slid the card down the front of her dress, inserting it between her bra and skin. He then moved his hand toward her left breast, eventually touching her nipple with the backs of his fingers, moving his fingers in a circular fashion around it. He knew, or should have known, that she had not consented to his touching of her breast in this manner.

“This resolution requires Mr. Haynesworth to atone for his crime while at the same time honoring the victim’s wishes and allowing her to move on with her life,” said U.S. Attorney Machen. “She will not be forced to relive this upsetting experience again in a court proceeding or to endure the harsh glare of the media spotlight. For his crime, Mr. Haynesworth will be required to make amends to the community and to address some of the issues that led to this incident. This prosecution makes clear that in the District of Columbia, it is never acceptable to touch anyone without consent – no matter who you are.”

In announcing the plea, U.S. Attorney Machen commended the efforts of those who investigated the case from the Metropolitan Police Department (MPD), including Sgt. Anthony Mable and Detectives Yvette Maupin, Wandella Fields and Alexander MacBean.

He also praised those who handled the matter for the U.S. Attorney’s Office, including Assistant U.S. Attorneys Heide L. Herrmann, Sharon Donovan and Mark O’Brien of the Sex Offense and Domestic Violence Section.

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