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Man pleads guilty 2nd time to sex trafficking after 'racial misconduct' by a prosecutor

By Cameron Probert, *Tri-City Herald*

A Tri-Cities gang leader is facing 15 years in prison after pleaded guilty again to sex trafficking women in Pasco.

This time the proposed sentence for Lance Horntvedt is 10 years shorter than the one he started serving for the crime before a Washington appeals court found "race-based prosecutorial misconduct" in his case.

Last year, the Washington State Court of Appeals ruled that the 6-foot-8 former professional fighter could take back his previous guilty plea.

At the time, Horntvedt, who is Black, argued that his plea was not voluntary because he was told that a jury who heard the case would likely be mostly White even if the trial was moved to another county.

This time, Horntvedt pleaded guilty recently in Franklin County Superior Court to three counts of first-degree of promoting prostitution in exchange for a recommendation for a shorter sentence.

A sentencing hearing has not been set. At the time, a judge could order a different length of time.

Horntvedt, who was a gang leader in 2018, had a lengthy criminal history dating back more than 20 years. His previous convictions include burglary, assaulting police officers and attempting to elude officers, according to court documents.



Horntvedt is facing a possible 15-year sentence for promoting prostitution.

Sex trafficking

Investigators first learned that Horntvedt was involved in prostitution in 2017 after a 22-year-old woman was arrested in a sex trafficking sting at a Pasco hotel.

She told investigators she became a sex worker to support herself and her drug habit.

Horntvedt, who was described in court documents as the leader of the Gangster Disciples gang, gave the woman small amounts of heroin. He then created an ad for her and told her how much to charge for sex acts.

He continued to run this business even after being arrested in Walla Walla on unrelated charges. Recorded jail calls showed "he was upset with her for not working enough and that her ads were not adequate," Deputy Prosecutor Maureen Astley wrote. "He gave her clear instructions on how to post ads and even provided his login credentials."

He expected her to make \$500 to \$1,000 a day and got angry at her when she wasn't trafficking herself.

Franklin County prosecutors said they later learned about three more trafficked women as part of an investigation started by the Utah Attorney General's Office.

In one case, a 19-year-old said she was brought from Utah to Washington and forced to provide sexual services. When she tried to flee, Horntvedt took her iPad, cellphone and clothing. She eventually was able to contact her parents who sent her a bus ticket to return home.

Another woman told investigators she was trafficked in Idaho, Arizona, Utah and possibly Oregon and Colorado along with Washington, according to court documents.

Racial misconduct

After Horntvedt was arrested, he faced multiple charges of sex trafficking, attempted sex trafficking and promoting prostitution. Prosecutors planned to ask for a 66-year sentence if he was convicted at a trial.

Prosecutors offered a 25-year deal if he pleaded guilty. Horntvedt, his attorney, the deputy prosecutor and two corrections deputies met in March 2021 to talk about the agreement, according to an appeals court ruling. Horntvedt was the only Black person in the meeting.

As the deputy prosecutor was trying to convince Horntvedt to take the agreement, she said two of the five judges that could hear the case are women, which might make it difficult for him.

She also explained the jury was picked using state licensing and voting records.

"So the jury that you get will not necessarily be a jury of your peers, but it'll be a jury a jury of our peers, be a lot of white folks," the deputy prosecutor is quoted as saying in the appeals court decision. "And I'm not saying that ... to scare your. That's reality. He have very few jurors of color that show up or ... respond to our jury summons. That's just the way it is in Franklin County. ... But I just want you to know that, and I'm telling you that strait away so you're clear on that."

His defense attorney appeared to echo that, saying that a judge is not likely to move the case past Walla Walla or Yakima counties, which aren't necessarily more diverse.

As Horntvedt was leaving the meeting, he noted that it was "some real racist s--t right there."

The deputy prosecutor later clarified that she didn't intend to say that it would be impossible to have a fair trial.

Plea and appeal

Horntvedt agreed to plead guilty in April 2021, and told the judge at the time that he hadn't been intimidated into making the plea.

Then, at his sentencing hearing, Horntvedt asked to withdraw his plea based on a recording of the meeting.

A judge found the prosecutor's statements "improper," but that Horntvedt's plea was "knowing, voluntary and intelligent."

The appeals court disagreed, with a majority of the judges finding that Horntvedt had shown a "manifest injustice impaired the voluntariness of his guilty plea."

They suggested that the prosecutor appeared to think the plea agreement was in Horntvedt's best interest and wanted to express the risks he faced if the case went to trial.

But the judges found that the prosecutor used the fear of racial bias to secure a guilty plea.

He was allowed to withdraw his plea and had a different attorney assigned. He followed through with taking back the guilty plea.