

**UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

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**UNITED STATES**

**v.**

**Technical Sergeant FREDERICK L. WILLIAMS  
United States Air Force**

**ACM 36100**

**8 June 2006**

Sentence adjudged 13 July 2004 by GCM convened at Yokota Air Base, Japan. Military Judge: Dawn R. Eflein.

Approved sentence: Bad-conduct discharge, confinement for 2 years and 6 months, forfeiture of all pay and allowances, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Nikki A. Hall, Lieutenant Colonel Mark R. Strickland, and Major John N. Page III.

Appellate Counsel for the United States: Colonel Gary F. Spencer, Lieutenant Colonel Robert V. Combs, Major Jeffrey A. Ferguson, and Captain Kimani R. Eason.

Before

STONE, SMITH, and MATHEWS  
Appellate Military Judges

PER CURIAM:

The appellant contends the military judge erred in not suppressing his statements to Air Force Office of Special Investigations (AFOSI) investigators because the statements lacked the corroboration required by Military Rule of Evidence 304(g). We disagree.

The appellant was convicted, contrary to his pleas, of committing indecent acts upon his daughter. The oral and written statements he made to AFOSI were the primary evidence used against him at trial. The statements included incriminating admissions. His written statement in particular amounted to a confession because, in it, the appellant acknowledged his guilt. *See* Mil. R. Evid. 304(c)(1). The AFOSI interview lasted “a very short period of time,” according to the testimony of Special Agent (SA) James

Smith. SA Smith described the appellant as cooperative and not hesitant or reluctant to talk with the agents. He agreed to make a written statement after less than 30 minutes of questioning, and it took about another 30 minutes for the appellant to execute his statement.

The appellant's written statement consisted of one handwritten narrative page. His account of what happened with his daughter over a two to three year period was very detailed. The appellant also explained that his wife caught him in the victim's room with his pants down, a discovery that prompted her to "put the lock on the door." SA Smith testified that the appellant told him there had been a "family discussion and as a result they put up a lock and clasp on her bedroom door to prevent further acts from occurring." SA Jennifer Grant testified that she participated in a search of the appellant's quarters and found that a sliding lock had been installed "by someone – it wasn't a professionally installed lock" on the inside of the victim's bedroom door. SA Grant testified that she did not see any other locks like that in the rest of the house, and she provided the foundation for the admission of two photographs of the deadbolt-style lock.

The military judge also admitted statements the appellant made to his wife while they were at the AFOSI office, statements overheard by the agents. He told her he was "in big trouble now" and that he was "not going to lie to [AF]OSI."

The trial defense counsel moved to suppress the appellant's confession and statements for lack of corroboration. The military judge disagreed and made detailed findings of fact and conclusions of law. We review a military judge's ruling on a motion to suppress for an abuse of discretion. *United States v. Ayala*, 43 M.J. 296, 298 (C.A.A.F. 1995). In doing so, we review the military judge's factfinding under the clearly-erroneous standard and conclusions of law under the de novo standard. *Id.*

Corroborating evidence "need raise only an inference of the truth of the essential facts admitted." Mil. R. Evid. 304(g)(1); *United States v. Cottrill*, 45 M.J. 485, 489 (C.A.A.F. 1997). The quantum of evidence necessary to raise that inference of truth has been described as "slight," and "very slight." *United States v. Yeoman*, 25 M.J. 1, 4 (C.M.A. 1987); *United States v. Melvin*, 26 M.J. 145, 146 (C.M.A. 1988).

The evidence supports the military judge's findings of fact. The existence of the sliding lock on the inside of the victim's bedroom door was strong corroboration of the appellant's confession. The appellant's nontestimonial acts – his demeanor during the AFOSI interview – provide further corroboration. *See United States v. Baldwin*, 54 M.J. 551, 556 (A.F. Ct. Crim. App. 2000) (voluntary confession as one of the "objective and tangible manifestations of the feelings of guilt and remorse the accused wrote about in his confession"), *aff'd*, 54 M.J. 464 (C.A.A.F. 2001). We find the military judge did not abuse her discretion in admitting the appellant's statements and confession.

The approved findings and sentence are correct in law and fact, and no error prejudicial to the substantial rights of the appellant occurred. Article 66(c), UCMJ, 10 U.S.C. § 866(c); *United States v. Reed*, 54 M.J. 37, 41 (C.A.A.F. 2000). Accordingly, the approved findings and sentence are

AFFIRMED.

OFFICIAL

THOMAS T. CRADDOCK, SSgt, USAF  
Court Administrator