

*Joshua P. Fink*



The Honorable John W. Sedwick  
Chief Judge  
United States District Court  
222 W. 7<sup>th</sup> Avenue, # 32  
Anchorage, Alaska 99513-7591

Dear Judge Sedwick,

Former Representative Tom Anderson requested a letter of reference from me in preparation for his sentencing. I submit this letter as a private individual; however, I currently serve as the Director of the state Office of Public Advocacy and am a licensed attorney. I have also had the privilege of serving as a law clerk for the Alaska Supreme Court and the Second Judicial District, as well as a deputy magistrate for that district. On a personal level, Tom and I have been friends since our first year in Juneau as legislative aides in 1991, and we shared an apartment together that year. I have also spent time with his wife and family. In short, I have known Tom professionally and personally for approximately 16 years.

In recognition of the myriad factors you must consider in sentencing Tom, I offer a few thoughts and observations about him for the Court to consider in mitigation.

Tom is generally good natured, inherently thoughtful, and a kind man. He cares for those around him, and he has always treated friends, professional colleagues, and subordinates with dignity and respect. In my interactions with Tom, he has always been well intentioned and conducted himself in an above board manner. There has been no game playing or hidden agendas. Admittedly, I would say that one of Tom's faults was his desire to be liked by those around him, going out of his way to be accepted. Indeed, this character trait may be what led him to where he finds himself today. Nevertheless, I do not believe that Tom is a dishonest person, though possibly a person overly influenced by his desire to be liked by those around him. I do not mean to sugar-coat what he did – he violated the public trust and undermined our confidence in the legislative process. But a man should not be judged by his failings alone.

From a legislative perspective, Tom appeared to thrive in the legislative process. He has also always been helpful and a voice for the vulnerable population the Office of Public Advocacy serves. In 2004, I approached Tom and requested that he introduce legislation that would establish licensure for private professional guardians and conservators – a group that at the time was completely unregulated by the State. As I had seen significant abuse by guardians of their wards, I thought it important that the State require licensure and the attendant criminal background checks and insurance/bonding requirements. Tom agreed to help, and he sponsored

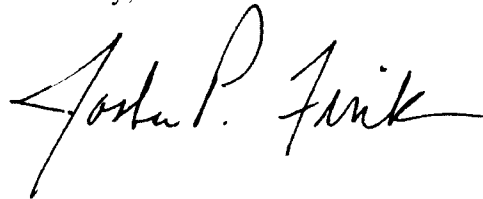
legislation he saw through to its final passage that year. Realizing that I had not anticipated a number of unintended consequences with the new legislation, I again approached Tom in 2006 to amend the law. Tom happily obliged, expressing sincere concern for the vulnerable population requiring guardians to manage their affairs.

Politically, I worked with Tom on a number of campaigns. Most notable to me was his work for my father, former Mayor Tom Fink, on his many campaigns. He seemed to genuinely enjoy interacting with staff, volunteers, and the public. He was always available to go the extra mile. It was during this time that I observed one of Tom's best attributes – his loyalty.

I also know Tom's family, his wonderful wife, and his kids. He is a loving family man, who cares deeply for them and their welfare. He is hands on with his children and a big part of their lives. In fact, it is probably his young children that cause the most concern for me with a long sentence. They need him, and it will cause them, and his wife, significant pain to not have him around to help raise them. I know that this is a very difficult time for Tom and his family.

To conclude, I hope that when you impose sentence you consider Tom in his entirety. That includes his many positive attributes and not just his failings. I know that he must be accountable for what he did and accept the punishment. But I would ask that the Court also consider his hard work as a public servant. Consider his devotion to his wife and children. Consider how he fought for vulnerable Alaskans. He has contributed to the community in many ways, and the Court should recognize this when it imposes his punishment.

Sincerely,

A handwritten signature in black ink that reads "Joshua P. Fink". The signature is written in a cursive style with a large, looped initial "J".