

ROBERT E. POYNTER

LAWYER

September 27, 2007

Honorable Judge John Sedwick
United States District Court
222 W. 7th Avenue
Anchorage, Alaska 99513

Re: Thomas Torgny Anderson Sentencing

Dear Judge Sedwick,

My wife, Beverly, is Tom's Aunt, and we have literally known Tom all of his life. Although Tom is a life-long resident of Alaska, we have visited with Tom on numerous times at the visiting center for the family in Cottonwood, MN where Tom's father, Tom Anderson, and all six of Tom's aunts and uncles grew up.

Cottonwood is a small farming community in southwestern Minnesota and personifies all that can be included in the notion of an *Americana*.

Tom also bears his grandfather's given name, Torgny, a name well respected in Cottonwood because of Torgny's life-long service to his community.

Both my wife and I are army veterans albeit a long time ago. Other family members are also armed forces veterans. All of us respect the rule of law and severed our country to protect that rule.

Personally, I have practiced law in Lafayette, Indiana since 1966 after graduation from Indiana University Law School in Bloomington, Indiana. I have served as a Deputy Prosecutor in the Lafayette area and, later, represented many criminal defendants. In other words I have worked both sides of the criminal law. However, my practice for many years has been limited to estate and financial planning

Tom, of course, is where he is today because of his conduct your jury found to violate federal law and the controlling facts are beyond argument now. But, the more difficult issue in any criminal case is what to do with the defendant *after* conviction. Resolution of that issue is one reason why we have judges.

Tom has a close-knit, extended family that was shaken and numbed by the conviction. The extended family has never had to deal with anything similar

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before and hopes never to do so again. For the family, the jury's verdict totally contradicts the Tom the family has known and belies his behavior in society and his service to society.

After all Tom's father, Tom Anderson, Sr. served Alaska for many years in the Alaskan State Police attaining the rank of Alaska Chief of Police before retiring. Tom's immediate family has been a productive and honorable family in Alaska. To emphasize the family's shock, Tom, Sr. undertook a significant financial responsibility to defend his son.

This brings me back to the question of what to do with Tom now. My thinking is what you might expect. I urge you to impose the lightest sentence possible preferably with no incarceration.

One can argue that incarceration sends a desirable message to others similarly situated as Tom, and, perhaps it does. But, I urge the Court to consider that Tom's conviction is ample warning in itself because Tom is now, and probably forever, denied entry in many professions and businesses.

Of course, I understand Tom should have thought of the consequences earlier. The family wants to believe that Tom did not understand his behavior to be criminal. Be that as it may, the jury's verdict stands and one must respect the jury's decision.

I am reminded of Dr. Earl Butz, Purdue University Professor Emeritus and former Agricultural Secretary. When Dr. Butz was convicted of intentionally underreporting his income by about \$100,000, the federal judge here sentenced him to thirty days at the minimum security jail in Chicago, Illinois. The conviction alone caused the most damage to an otherwise illustrious career.

Accordingly, I urge you to consider no incarceration for Tom, but, rather, a long suspended sentence accompanied by strict probation and community service. I see this result as fitting the situation. I understand that Tom's behavior was only the tip of the FBI investigation in Anchorage and that others were more deeply and reprehensibly involved than Tom.

I thank you for reading this letter and urge you to give it due consideration in your decision. I really believe you will never see Tom before you again or before any other judge where he has to explain his conduct.

Respectfully submitted

Robert E. Poynter