



Agudath
Israel
of America
אגודת ישראל באמריקה

BY FAX AND OVERNIGHT MAIL

April 14, 2010

Honorable Lanny A. Breuer
Assistant Attorney General
Criminal Division
U.S. Department of Justice
Robert F. Kennedy Building
950 Pennsylvania Avenue
Washington DC 20530

Re: Sholom Rubashkin

Dear Mr. Breuer:

I am writing as the executive vice president of a national organization representing tens of thousands of Jewish Americans, to express my deep concern about the forthcoming sentencing of Sholom Rubashkin – specifically, the extremely lengthy sentence the U.S. Attorney for the Northern District of Iowa has recommended he receive.

It is not our habit to ask high-ranking Justice Department officials to take personal interest in cases involving individual criminal defendants. Over the last few weeks, however – and especially since the U.S. Attorney's office submitted its sentencing memorandum recommending an exceedingly harsh sentence – we at Agudath Israel of America have been inundated with phone calls and e-mails from our constituents about the Rubashkin case. Accordingly, I feel it important to relay to you the depth of community concern regarding the severity of Mr. Rubashkin's impending sentence.

Let me make clear that neither I nor our constituents in any way condone any wrongdoing by Mr. Rubashkin. Nor do we suggest that his offenses go unpunished. We fully support the fair and equitable application of the criminal justice system to whatever crimes he may have committed.

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We are troubled, however, by what appears to be a lack of fairness and equitability in the prosecution of this case. We have learned from attorneys familiar with the entire case of the extraordinary measures the federal government has employed in its investigation, prosecution and treatment of Mr. Rubashkin – measures that smack of overzealousness, undue harshness, even vindictiveness. The government's handling of the Rubashkin case appears to us, from these detailed accounts, to be entirely inconsistent with the way other cases involving similar charges have been handled.

Most alarming is the incredibly lengthy prison sentence that has been recommended, which may well keep Mr. Rubashkin in jail for the rest of his life. The disparity between such a harsh punishment and that meted out to other first-time non-violent white-collar criminals would be so stark as to shock the conscience. Further, when one factors in the apparently undisputed fact that Mr. Rubashkin did not gain personally from his actions, as well as the heartrending personal circumstances of the Rubashkin family, the prospect of his spending so many years in federal prison – perhaps the rest of his life – is simply unfathomable.

Respectfully, but urgently, I plead with you to take a personal interest in the Rubashkin case. Specifically, I would ask you to take the time to meet with Mr. Rubashkin's lawyers to discuss this matter face to face, and then to take appropriate steps to seek a more equitable punishment for Mr. Rubashkin's crimes – one that takes into account the compelling personal circumstances of this particular defendant and is commensurate with sentences imposed on others who have committed similar offenses.

One final note, of a more personal nature: Although I was not acquainted with Mr. Rubashkin before his trial and incarceration, I did visit him in prison a number of months ago. I must convey my impression that he is a man who, whatever crimes he stands guilty of, is not a criminal. The thought that his family may have to, in effect, say goodbye to him forever is a wrenching one. Please do consider meeting with his attorneys.

Thank you for your kind consideration of, and personal attention to, my heartfelt request.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. ...". The signature is fluid and cursive, written in a professional style.

Executive Vice President
Agudath Israel of America