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031-96

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Mr. Michael Courlander
U.S. Sentencing Commission
Washington, D.C.

Dear Mr. Courlander:

I am writing this letter to express my support of badly needed reforms to the federal sentencing guidelines as they apply to money laundering. I am familiar with the present draconian guidelines because my husband and the father of our two children (ages 7 & 12) is currently serving the 51st month of a 121-month prison sentence for money laundering. He is a non-violent, first-time offender.

To briefly state the background of the case -- In September of 1991 my husband, Tim Woiner, former president of L.U. Kustom, Inc. (a wholesale jewelry business in Pittsburgh) was convicted of money laundering and sentenced to 121 months in prison under 18 U.S.C. Section 1957. The statute states, as interpreted to me by various legal professionals, that an individual may be found guilty if he engages in a monetary transaction in excess of \$10,000 that the government believes was generated by unlawful activity. The most disturbing part of this statute is that it states the government need not prove the individual had any knowledge that the money was generated by unlawful activity.

My husband attempted on numerous occasions to establish the legitimacy of the New York jeweler with whom he was dealing. He was a legitimate businessman who was convicted based upon mere association with an alleged money launderer. The government, by their own admission, had no direct evidence that my husband knew of any illegal activity, it was strictly a circumstantial case. (The government conducted over 700 hours of surveillance prior to arresting my husband, and could not use one second of it in trial because it contained nothing incriminating.)

I cannot believe it was the intention of the lawmakers in 1986 to author legislation that would be used to snare unwary businessmen, but that is exactly what has happened in this case.

In addition, it has come to our attention that the New York jeweler the government contends was the initiator of this illegal activity has never even been sentenced as he continues to testify against others all over the United States. Interestingly enough, he was never brought by the government to testify against my husband, and, in fact, made a statement to the government (provided to us prior to trial as exculpatory evidence) that my husband and his co-defendant had no knowledge of any illegality.

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