

Supporters urge leniency in sentencing of Boehm

LETTERS: City assemblyman among citizens backing owner of hardware chain.

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An Anchorage assemblyman, a former state prosecutor and the head of the state liquor board are among those who have written letters backing a local businessman who is arguing for a lenient sentence on drug and child sex trafficking charges, according to documents made public Saturday.

The sentencing hearing of Josef Boehm, president of the Alaska Industrial Hardware chain, ran all of last week and is expected to conclude this week, perhaps as soon as Monday.

The prosecution is asking U.S. District Judge John Sedwick to give Boehm, 61, the maximum sentence of 11 years, according to its sentencing report, which was made public along with the letters. The defense is asking for "substantially less" than five years. Boehm has been held in jail without bail since his arrest in December 2003.

"Boehm is an old man who has few years left to him," the defense wrote the judge in its pitch.

The letters, which were filed under seal until Sedwick ordered them made public, for the most part support a main point the defense has hammered at during Boehm's long sentencing hearing: that their client was so messed up on crack in the months before his arrest he could not have been an organizer in the ring at his home that involved more than a dozen teenagers between the ages of 13 and 19.

A lesser role in the activities, which participants claimed often involved Boehm swapping drugs for sex with the girls, could mean less jail time for Boehm.

Anchorage Assemblyman Dan Coffey, a lawyer, told the judge he had represented Boehm four times over the last decade on commercial transactions. "I have seen Joe before, during and after his addiction."

In 2001, when Boehm was in the grip of his crack addiction, he got involved in a business deal with a person of "low repute," Coffey said, which was out of nature for him. He also could not focus on the deal ahead. "He was difficult to contact," Coffey wrote. "He missed meetings. He didn't return phone calls."

That sort of behavior only recently started to disappear, as Boehm has cleaned up, Coffey wrote.

"Look at those who are now blaming Joe for all the bad things that happened to them," he told the judge in the letter. "If you do, I doubt you will find that any of them have made any contributions to our community. Joe has. He built a company which employs hundreds. These people who now point fingers at Joe, have never built anything. They are vultures who saw Joe's addiction as a way to get to his wealth and they were all over him with their drugs and the other inducements."

Coffey did not return calls to his home and office. A relative said he was out of town boating.

The prosecution pointed out in its sentencing memorandum that one of the reasons the judge should believe the witnesses against Boehm in the case -- many of them crack addicts themselves -- is because "they did not solely blame Boehm for their victimization." They put ample blame on the other people arrested along with him: Bambi Tyree, 24, and two men in their 40s who often frequented Boehm's home, Allen Bolling and Leslie Williams. All three have reached plea deals with prosecutors but have yet to be sentenced.

"One witness (perhaps naively) even described Boehm as having a 'good heart,' " assistant U.S. attorneys Frank Russo and James Goeke wrote the judge.

Former state prosecutor Timothy Petumenos, who also represented Boehm on civil matters, wrote the judge about Boehm's mental impairment due to crack.

"Just prior to his arrest, there was sufficient concern over his well being that a number of his friends and associates were beginning to plan an intervention ...," Petumenos wrote. "It is perhaps somewhat tragic that this intervention did not occur at a much earlier time, since much of the damage to Mr. Boehm and others could have been avoided had some courage been exercised. ..."

Petumenos wrote that before he knew about Boehm's crack addiction, he thought Boehm might be mentally ill because of his odd behavior. He said he was considering whether a guardian was necessary when Boehm was arrested and his defense team took over his mental evaluation.

Mike Gordon, chairman of the Alaska Alcoholic Beverage Control Board, told the judge in his letter that he had known Boehm since the two were in high school in Anchorage and had marveled as his friend built AIH into a multimillion-dollar enterprise.

"Then he got involved with drugs and his life began to fall apart," Gordon wrote. "From my vantage point, as the owner of Chilkoot Charlie's, I have witnessed a lot of lives ruined by drugs, especially cocaine."

"... Cocaine alters your perspective of life, entraps you with an other-wordly group of users, and turns all of your priorities upside down," Gordon wrote. "It distorts, alters, confuses and addicts you. You either figure out the party is over or your life goes down the drain. Unfortunately, Joe never figured out when the party was over, perhaps in part because of his success. He had no financial constraints."

Without cocaine and alcohol abuse, "Joe is a good guy," Gordon wrote. He deserves to be punished, he said, but not to spend the rest of his life in jail. At 61, "it wouldn't take too long a sentence to make him a 'lifer,'" Gordon wrote.

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