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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SEAN ANDERSON,

Defendant.

) No. 3:16-cr-00051-BR-12
)
) SUPPLEMENTAL MEMORANDUM
) IN SUPPORT OF MOTION FOR
) PRETRIAL RELEASE
)
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On April 28, 2016, Defendant Sean Anderson, through his attorney Matthew G. McHenry, filed a motion for release and supporting memorandum (Docket No. 489). This brief memorandum supplements that prior filing.

MEMORANDUM

This supplemental memorandum references a letter received from Iva and Rich Henderson, members of the community in Riggins, Idaho, where Mr. Anderson resides. The letter, attached, provides further support for the

notion that Mr. Anderson is neither a flight risk nor a danger to his community if he is released.

The Hendersons speak highly of Mr. Anderson, noting that they met him and his wife Sandy about a year earlier, when the Andersons “opened a sporting goods store in our local community of Riggins, Idaho.” The Hendersons have found both Sean and Sandy Anderson “to be very caring and honest people of great integrity.”

The Hendersons also speak to the peaceful nature of Mr. Anderson. She notes that according to the Andersons, the events at the Malheur refuge, at least before the death of Lavoy Finnicum, were “very friendly, peaceful and caring.” The Andersons “never saw or heard anyone threaten or intimidate anyone, in fact, people from the local area and all parts of the country were coming and going all the time.”

The Hendersons also spoke by phone to Mr. Anderson during his final days at the refuge, and they echo what Dr. Millkey discussed in his report. Mr. and Mrs. Anderson were feeling isolated and abandoned. They were truly afraid for their lives after hearing of Mr. Finnicum’s death. They reached out to their local sheriff, Doug Giddings, in Idaho, seeking assistance for a peaceful resolution. Their understanding was that though Giddings agreed to assist, his efforts were rebuffed by the FBI. This made

Mr. Anderson “even more afraid.” As Dr. Millkey notes, it is precisely this siege mentality that led to Mr. Anderson making videotaped statements about killing law enforcement officers. These statements must be considered in the context in which they were delivered, and not in isolation.

Regarding whether Mr. Anderson is a danger in his community, the Hendersons write “he is not a threat to anyone. No one here considers him a threat.” Regarding his risk of flight, the Hendersons write “He would not be a flight risk as he and Sandy have made this their home. Sandy has a full time job and we have enough work to keep Sean busy for several months. They are honest, hard working, law abiding people.”

The Court should release Mr. Anderson to the supervision of United States Pretrial Services, with the conditions set forth in the previously-filed memorandum.

Respectfully Submitted this 29th day of April, 2016:

/s/ Matthew G. McHenry
Matthew G. McHenry
Counsel for Sean Anderson

Letter from Iva and Rich Henderson

April 20, 2016

We are writing this in support of Sean Anderson. We met him and his wife, Sandy, about a year ago when they opened a sporting goods store in our local community of Riggins, Idaho. We have found them both to be very caring and honest people of great integrity.

After the demonstration in Burns, Ore. in support of Dwight and Steven Hammond, who had been wrongfully incarcerated, we heard that a group had gone out to the refuge to try and gather information from the local ranchers about the case. Sean and Sandy decided to go over and find out for themselves what was really going on, as it is difficult to get the whole truth from the media these days. I believe the original plan was to go over and back in one day. We don't think they realized how long of a drive it is from here. They ended up staying a couple of days. When they got back we met with them to find out what they had learned. They said everyone there was very friendly, peaceful and caring. They never saw or heard anyone threaten or intimidate anyone, in fact, people from the local area and all parts of the country were coming and going all the time. The Bundys and Mr. Finicum were meeting with local people and gathering a lot of info

and evidence that had not been presented in court on behalf of the Hammonds. The goal was to turn over all their findings to the proper authorities in hopes of getting these innocent men released from prison and back to their families and ranch.

Sean and Sandy went back over a couple more times, taking donations to help support the effort, staying a couple of days each time. They did not believe any laws were being broken as it says on the 'refugee' web-site that camping is allowed and the buildings and facilities were available to the public and could be used for meetings. We knew this to be true as we had lived at Burns, Oregon 26 years ago. So no one was apparently breaking the law as far as they knew.

The day Saboy was murdered, someone went out to the 'refuge' and told everyone there that the FBI had murdered Saboy and that they were coming for them next. Everyone was shocked and upset. They didn't know what to do, so they decided to put several of them guarding the perimeter until they could get more information and decide what to do.

Sean and Sandy were on guard duty without a radio for communication,

when they were inadvertently left behind, with a few others. They did not know the FBI had called and told everyone they could leave safely, if they left immediately. By the time they found out, most had left and road blocks had been set up. Those that were left behind, were then contacted and told they could leave one at a time, go through the check point then go home. That turned out to be a lie.

During the time they were there those last few days, Sean called us. He, Sandy, David and Jeff were afraid for their lives. He asked if we would call the sheriff here and see if he would call the FBI and see what he could do about getting them out safely. We contacted the sheriff, Doug Giddings, and he agreed to do every thing he could to help. He contacted the FBI and offered to go over ^{and} do every thing he could to bring them out, as they, Sean & Sandy, trusted him. The FBI refused to let him help in any way. Sean called us again and was even more afraid that the FBI just wanted to kill them as they did Lavoy, and Randy Weaver's family, and the innocent people at Waco, Texas. He said they just wanted to leave and go home.

We believe Sean should be allowed to come home as he is not a threat to anyone. No one here considers him a threat.

He would not be a flight risk as he and Sandy have made this their home. Sandy has a full time job and we have enough work to keep Sean busy for several months. They are honest, hard working, law abiding people.

In all sincerity and in the name of Yahweh,
our Creator.

Ira Henderson
Rich Henderson