



March 15, 2004

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3/10/04

### Dr. Thomas Butler Sentenced to Two Years in Prison

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A former Texas Tech Professor has been sentenced for his role in a nationwide bio-terrorism scare. A Federal Judge sentenced Dr. Thomas Butler to two years in prison and a \$15,000 fine. The sentencing caps what started in January of last year, when Federal agents arrested Dr. Butler after he said a plague causing bacteria was missing.



In December of last year, a jury found Butler guilty on 47 of 69 Federal charges including theft, embezzlement, fraud and mail and wire fraud. In addition to the two year sentence and fine, Butler must also pay \$38,000 in restitution.

Butler will remain free on bond until he reports to Federal authorities on April 14th.

So what brought a possible 240 years in prison, and more than \$11 million in fines down to two years and \$15,000? It's called a Downward Departure, Judge Sam Cummings lowered several of the counts against Butler, partly due to appeals from family and friends.

Both the Prosecution and Defense had a chance to argue any objections they had to the jury's ruling. The Government pushed for high fines and prison time, while the Defense pleaded for probation only.

It was an emotional morning in the courtroom, about 100 people sat through this phase of the trial, the Defense read letters from friends and colleagues around the world praising Dr Butler's work, character and ethics and Defense Attorney Floyd Holder even got choked up while making his final plea.

**Pulse Poll**

Do you agree with the judge's 2-year sentence for Dr. Butler, or do you think the sentence should have been longer or shorter?

Agree with.

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Dr. Thomas Butler had no comment for our cameras as he left the George Mahon Federal Building on Wednesday. But just moments before, he pleaded to Judge Sam Cummings to not send him to prison.

"Well I was very pleased with the things the Judge said about our client. I wish he didn't have to send him to prison but I think he did a very fine thing in going down 12 levels on the export count and down an additional three on the fraud counts," said Floyd Holder, Butler's Defense Attorney.

"First of all, obviously Dr. Butler is disappointed. He wants to thank everybody that helped him. And I'm disappointed. I'm pleased that the Judge departed downward, I'm sorry he didn't go further," says Chuck Meadows, Defense Attorney.

On the flip side, the Government was pleased with the ruling. "We think it's fair and we think it sends the appropriate and strong message to the scientific community, that the Government is not going to tolerate a cavalier attitude of deadly agents moving in commerce. It also sends the message that we aren't going to tolerate financial shenanigans even by tenured medical professionals," said Bob Webster, U.S. Attorney.

"I think the message is very clear, the jury convicted the defendant on 47 felony convictions. He has now been appropriately punished, I think the traveling public that we were very concerned about can now feel like they are a lot safer than they were before, that they'll be flying Southwest Airlines, instead of bubonic airlines," said Dick Baker, U.S. Attorney.

Butler is supposed to report to Federal authorities on April 14th to serve his prison term. But there is a chance the ruling will be appealed, by either or both sides.

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