

ROBERT M. SMALL



February 5, 2013

SENT VIA FACSIMILE (202) 224-3479

Honorable Patrick J. Leahy
United States Senator
Chairman, Senate Judiciary Committee
437 Russell Senate Building
Washington, DC 20510

Re: B. Todd Jones,
Nominee for Director, Bureau of Alcohol, Tobacco, Firearms and
Explosives

Dear Senator Leahy:

Having read the letter to you from Mr. Donald Oswald that was printed in our local newspapers, I feel the need to provide you information about Mr. Jones from someone who has known him far longer than one year.

Before being appointed to the State Court Bench in February 2006, I was an Assistant United States Attorney (AUSA) in the District of Minnesota for twenty-five years. I was proud to have worked under six United States Attorneys during my tenure. I worked in both the Criminal and Civil Divisions within the office and in supervisory and non-supervisory positions.

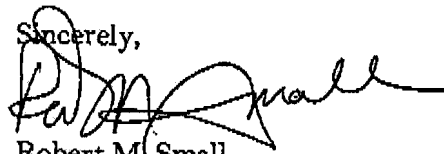
I was Mr. Jones' First Assistant United States Attorney from 1998 to January 2001. I had the opportunity to observe Mr. Jones' leadership abilities first hand and on a daily basis. He demonstrated a fair minded approach to every matter that crossed his desk and he had an incredible focus on assuring that justice was done in each and every situation. When he became the United States Attorney in 1998, he was aware of some tensions that existed between federal and local prosecution and law enforcement agencies about prosecution priorities. He had a clear vision of what needed to be done to maximize federal, state, and local cooperation and make the best of a situation in which resources were limited. He spent significant time and energy to accomplish this goal.

It was my experience that when prosecution priorities were established by the Department of Justice, it was not unusual for the federal and local law enforcement agencies to voice some level of disagreement with the Department's priorities. However, to Mr. Jones, it mattered not in which jurisdiction criminals were prosecuted, only that they were prosecuted in the most efficient manner. Indeed, the two cases cited by Mr. Oswald were prosecuted by very capable prosecutors in the Hennepin county Attorney's Office and resulted in convictions and substantial sentences. This allowed more resources in the United States Attorney's Office to be allocated to significant and complex economic crime prosecutions and other cases higher on the priority list.

My first hand assessment of Mr. Jones' leadership skills and abilities would be consistent with that of Ralph Boelter, the special agent in charge of the FBI's Minneapolis office from 2007 through 2011, who is quoted in the local media as saying that he didn't experience anything like the behavior Mr. Oswald described. He said when he had an issue, Jones was "attentive to it, he was sensitive to it and he responded to it."

Please take this into consideration as you and your committee explore the potential confirmation of an outstanding public servant, B. Todd Jones.

Sincerely,

A handwritten signature in black ink, appearing to read "R. M. Small", with a stylized flourish at the end.

Robert M. Small