

MARTHA ROBY  
2ND DISTRICT, ALABAMA

COMMITTEE:  
APPROPRIATIONS

CANNON HOUSE OFFICE BUILDING  
ROOM 442  
WASHINGTON, DC  
PHONE: (202) 225-2901

# Congress of the United States

House of Representatives

Washington, DC 20515-0102

September 24, 2015

Lieutenant General Mark Nowland  
Commander, 12th Air Force  
United States Air Force  
2915 S. 12th AF Drive, Suite 228  
Davis-Monthan Air Force Base, Arizona 85707

Dear General Nowland:

I write regarding the matter of USAF Major Clarence Anderson who was convicted under the Uniform Code of Military Justice on 22 April 2015 and is now incarcerated at Naval Consolidated Brig Miramar.

Beatrice Anderson is Major Anderson's mother, a resident of Ozark, Alabama, and my constituent.

Mrs. Anderson strongly maintains her son's innocence, and appeared in person at my office in Washington to discuss her son's conviction and subsequent incarceration. My understanding, based on conversations with Mrs. Anderson and documents that she has provided, is that at a court martial convened on April 22, 2015 and Major Anderson was found guilty of sexual assault and a number of other related charges. My further understanding is that, under established procedure at the time of the alleged criminal acts, Major Anderson is afforded the opportunity to have his case reviewed by you, as the Convening Authority, and could later appeal his conviction to both the Air Force's Court of Criminal Appeals and the Court of Appeals for the Armed Forces.

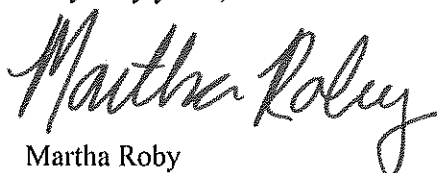
According to Mrs. Anderson, new evidence has come to light in the intervening period of time that could cast serious doubt on the veracity of testimony made during the trial. Further, according to Mrs. Anderson, she has physical evidence of witness tampering and has submitted that evidence to the defendant's counsel.

As you know, my responsibility is to represent my constituents, and one form of that representation is to serve as a conduit of information between citizens and their government. I have no personal knowledge of the merits of this matter, nor is it my intent to influence your decision making in any way. However, in the course of representing my constituent, I ask that you please:

1. Make note of my Congressional office's interest in this matter, and as appropriate provide this letter to all interested parties,
2. Consider the totality of all evidence now available, as presented by legal counsel, and use your best judgment when weighing the relative merits of that evidence in the full pursuit of justice,
3. Use appropriate channels to keep my office informed about the progress of this case, as consistent with all applicable laws and regulations and as deemed appropriate by you.

Thank you for your distinguished service to our country, and thank you in advance for your time and consideration of this matter.

Very truly yours,



Martha Roby  
Member of Congress



DEPARTMENT OF THE AIR FORCE

WASHINGTON, D.C. 20330-1000

OFFICE OF THE SECRETARY

October 23, 2015

SAF/LL  
1160 Air Force Pentagon  
Washington, DC 20330

The Honorable Martha Roby  
United States Representative  
422 Cannon House Office Building  
Washington, D.C. 20515

Dear Representative Roby:

Thank you for your letter to Lieutenant General Mark Nowland, Commander, 12th Air Force, regarding Major Clarence Anderson. Lt Gen Nowland's staff directed your letter to the Secretary of the Air Force Office of Legislative Liaison for consideration and appropriate response.

At the present time, Major Anderson's conviction and sentence are not yet final. Lieutenant General Nowland, the convening authority for Major Anderson's case, was made aware of a \$10,000 payment to a witness who testified at a pre-trial hearing. Based on this post-trial information, Lieutenant General Nowland decided to delay signing the final action against Major Anderson and order a post-trial hearing as requested by Major Anderson's defense counsel. This hearing will take testimony and evidence to determine if this post-trial information impacted the validity of the court martial results. The military judge also may rule on any motions the defense counsel submits.

Once the post-trial hearing is concluded, the record of trial from the hearing will be provided to Major Anderson. After receiving this information, Major Anderson will be given an opportunity to submit additional matters in clemency for Lieutenant General Nowland to consider before taking action on the findings and sentence.

We encourage Major Anderson to continue engaging with his defense counsel to seek redress for any perceived legal deficiencies in his case.

We trust this information is helpful.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas W. Bergeson".

THOMAS W. BERGESON  
Major General, USAF  
Director, Legislative Liaison