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SACRAMENTO MAN CONVICTED OF SENDING ANTHRAX HOAX LETTERS

SACRAMENTO, Calif.—United States Attorney Lawrence G. Brown announced that a federal jury convicted MARC M. KEYSER, 66, of Sacramento, of five counts of sending anthrax hoax letters and mailing threatening communications following an eight-day trial before United States District Judge Frank C. Damrell Jr.

This case is the product of an investigation by the United States Postal Inspection Service and the Federal Bureau of Investigation.

According to Assistant United States Attorneys Benjamin B. Wagner and Jean M. Hobler, who are prosecuting the case, the evidence at trial established that in January 2007, KEYSER mailed a package to the Sacramento News & Review that contained a copy of a book about terrorism and national security that he had written on a CD, and a cylindrical aerosol canister labeled “Anthrax.” The mailing resulted in the evacuation of the building and a full law enforcement and HAZMAT response. An investigating FBI Special Agent interviewed Keyser at that time, informed him of the consequences of the mailing, and specifically admonished him that he risked prosecution under the hoax mailings statute if he sent any similar mailings in the future.

In late October 2008, however, KEYSER mailed over 100 packages that contained a CD with excerpts of a new book on terrorism that was labeled “Anthrax Shock and Awe Terror” and a small packet of sugar that had been relabeled with a biohazard symbol and the words “Anthrax sample.” The mailings were sent to various newspapers and other media companies, officials, and retail outlets nationwide, causing police, fire, and HAZMAT teams to respond to emergency calls in numerous states.

The counts on which KEYSER was convicted today relate to a mailing received by the office of Congressman George Radanovich in Modesto, California, and mailings received at McDonald’s and Starbucks restaurants in Sacramento. An employee of Congressman Radanovich’s office testified during the trial about how the office was closed for the day following receipt of KEYSER’s mailing, police, fire department and HAZMAT personnel responded to the scene, and two employees were transported to the hospital for medical screening.

KEYSER stated to investigating agents that he intended the mailings to be “provocative,” and that he hoped the controversy and “buzz” generated by news reports about the mailings would heighten awareness of anthrax vulnerability and spur sales of his book. The jury acquitted Keyser on eight other counts in the indictment.

“Only Mr. Keyser knew his mailings to be a hoax, not the victims who had the

misfortune to open his packages nor the public safety personnel deployed to investigate,” stated U.S. Attorney Brown.

Sentencing before Judge Damrell is scheduled for November 30, 2009 at 10 a.m. KEYSER faces up to five years in prison and a \$250,000 fine on each of the three hoax counts and on the two threatening communications. In addition, he will liable for the costs incurred by local emergency personnel and law enforcement in responding to those mailings. The actual sentence, however, will be determined at the discretion of the court after consideration of the Federal Sentencing Guidelines, which take into account a number of variables and any applicable statutory sentencing factors.

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