

Modification Hearing Letter – May 28, 2025

Good morning your Honor. When our family and the defendant sat before the court for sentencing on January 17th, there was no doubt in our minds or the minds of the hundreds of customers and community members that were consciously deceived at Emily's Produce that the defendant would be a model inmate. We had no doubt that she would abide by the rules of incarceration, and we had no doubt that she would remain committed to seeking the most convenient path that would suit her.

But today, just 4 months into a year-long sentence, we feel compelled to speak and respectfully oppose any consideration to deviate from what was thoughtfully suggested by your Honor on her original day of sentencing.

During the original sentencing, we listened attentively and paid particular attention to the court's dialog related to future modifications. We noted the thoughtful remarks related to the three prongs of sentencing considerations, and we sincerely appreciated that no future modifications would be considered outside of the 6–9-month timeframe. We do not believe that the essential objectives of rehabilitation, deterrence, and punishment can be met through any early release or special treatment as the thefts committed by the defendant were not momentary lapses of judgement. The crimes that the defendant committed were calculated and prolonged acts carried out over the course of a decade and marked by clear malice and betrayal of trust. As we appear today, at the four-month mark, we feel that any consideration beyond what was discussed with the defendant and her victims during the previous hearing is in direct contradiction with sentencing considerations, and it undermines the one and only time that we've felt some type of accountability for this ordeal.

While we value that some type of restitution was paid as part of the plea agreement, we are reminded every day that it was only a fraction of the actual losses we sustained over 11 years of deceit. While the defendant continues to sustain gainful employment and pay her creditors back for their generous contributions, we are reminded daily that her reduced payment to our business, made only as a condition of securing a lesser sentence, cannot and does not restore the financial, emotional, and reputational damage caused to our business and our family.

Your Honor, today, we feel strongly that granting special exceptions now would not only weaken the intended impact of the sentence, but also signal to other offenders that intentional, sustained wrongdoing can be met with swift forgiveness. It would further diminish the closure and justice that victims of such crimes deserve.

We respectfully ask the court to deny this request and uphold the sentencing structure originally imposed—one that acknowledged the severity of the offense and the enduring harm it caused.