

*The Democratic County Executive Committee
of Philadelphia*

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April 14, 2019

The Honorable Jan E. DuBois
United States District Judge
United States District Courthouse
601 Market Street
Philadelphia, PA 19106

Your Honor:

Please accept this letter as a request for leniency in the sentencing of Ken Smukler. As you will see, Mr. Smukler has spent the last decade working selflessly to make our city and region a better place to live. He has done so not in search of fame or fortune but quietly behind the scenes to support the efforts of others, most notably me.

I met Kenny decades ago when he worked for Mayor Wilson Goode and I was newly elected Democratic Party Chair. We started collaborating on projects shortly after I lost the 2007 mayoral primary. Kenny would travel with me once a week back and forth to my congressional office in DC. During this time together, Kenny would develop projects for me with the goal of using my leadership positions in the local Democratic Party and Congress to make Philadelphia better.

I have received much praise over the past decade for projects that Kenny created and worked tirelessly behind the scenes to see through to successful conclusion. The following are a list of these projects and what I know first hand to be Kenny's role in them.

On Christmas Eve Day 2008, I got a call from the head of the Mummers telling me that the city was threatening to cancel the Mummers Parade a week away unless the Mummers came up with \$200,000 for the previous year's parade costs. I called Kenny who was away on a family vacation. Kenny and I worked out a gameplan in which we would raise the money and alert the press that I was going to save the parade. We raised the money and saved the parade.

In 2009, the city was threatening to shut down the Odunde Festival - the nation's oldest annual African-centric festival - over its failure to have its vendors register 48-hours prior to the festival. As such a requirement would require these vendors to travel to and stay in Philadelphia days before the parade, what the city was asking Odunde vendors to do would have led them to pull out of the festival and killed this one-of-a-kind festival.

Odunde's leadership reached out to me and I asked Kenny to meet with city officials and see if he could find a workaround solution. After multiple meetings and conference calls with Odunde and city officials, Kenny found an agreeable solution and the Odunde Festival was saved.

The outgrowth of these efforts was Kenny's idea to create the Greater Philadelphia Traditions Fund - a non-profit that has raised over a million dollars over the last decade dedicated to supporting Philadelphia's ethnic parades and festivals.

In 2008, Kenny came up with the idea to host the presidential primary debate between Barack Obama and Hillary Clinton at the National Constitution Center. The idea came to him on our ride back to Philadelphia from my DC office. Kenny got on the phone with his friends at NBC and I started working the phones with the presidential campaigns. Weeks later, the national press descended on Philadelphia for the debate showcasing the National Constitution Center and our city.

In 2009, the Nutter administration announced that the city would not be hosting the Dad Vail Regatta - one of the premier collegiate regattas in the country - and that it was moving to the Cooper River in Rumson New Jersey. Kenny immediately put together a plan of action to stop the move. He asked me convene a meeting with the mayor to stall for time. He worked with the premier collegiate crew teams around the country telling them not to commit to Rumson for at least two weeks.

He sent one of his assistants to the Rumson City Council meeting where it became clear that Rumson did not have nearly the infrastructure required to host a regatta of this size. Kenny then went to the press and blew up Rumson as an alternative site for the Regatta. Within weeks the city and Dad Vail Committee announced that the regatta would stay in Philadelphia, which it has ever since.

In 2010, Kenny was the first to raise the idea that Philadelphia should host the Democratic National Convention. At his request, I convened a meeting with Mayor Nutter and Comcast's David L. Cohen to discuss a city bid for the 2012 convention. Ultimately, Mayor Nutter decided against such a bid but committed to a bid in 2016.

In 2010, a national study was released showing that my congressional district was the second hungriest district in the nation. This was in large part due to the hunger desert in the City of Chester - a community that for years prior to the study had no supermarket within its city limits.

I asked Kenny to focus his efforts in this area and he immediately reached out to Philabundance - a leader in food distribution for the neediest communities across our region. Working with the City of Chester and state and private funding sources, Kenny and I raised \$4 million and delivered Fair and Square - the first-of-its-kind hybrid supermarket/pantry - breaking ground in 2012 and opening in 2014.

In 2011, Kenny and I got involved with the annual Toy Run. The motorcycle parade that delivered toys to children at CHOP around Christmas was in jeopardy as CHOP officials feared the congestion it caused around its emergency room. Kenny worked with the Toy Run

leadership, CHOP and Drexel University administrators, and the city officials to re-route the parade to allow a smaller motorcade to drop toys at CHOP while the larger motorcade dropped the bulk of its toys at a Drexel University parking lot.

In 2012, Kenny worked with these stakeholders and the Phillies to re-route the Toy Run to the Phillies parking lot. In 2013, Kenny worked with Sugar House casino to provide sponsorship for the Toy Run.

In 2013, the city threatened to pull its support from the International Cycling Championship - a cycling race held annually since 1985 featuring a climb up the Manayunk Wall. Kenny came to me believing that we could save the race. He convened stakeholders including City Council members, bike coalition members, and the Manayunk Business Association to save the race. He identified a new management and sponsorship team, helped redesign the course, and presented city officials with a completely new race with sufficient funding to save it.

In 2014, Kenny again renewed our efforts to bid for the Democratic National Convention. He convened two meetings of stakeholders to identify the political, financial, and community support for the bid. When Mayor Nutter dragged his feet, it was Kenny who drafted the council resolution expressing its unanimous support of the bid. It was Kenny who identified the initial leadership team for the bid. It was Kenny who identified the consulting team that wrote the winning bid. It was Kenny's idea to name Ed Rendell chair of the committee. In short, without Kenny Smukler's efforts beginning as far back as 2010 - 6 years before the convention came to Philadelphia - I'm not sure we would have had this convention.

In 2017, Kenny got a call from Larry Needle, head of the Philadelphia Sports Congress, who was having difficulty in the negotiations between the city and the National Football League over bringing the NFL Draft to the Benjamin Franklin Parkway. It was Kenny working at my side who forged the final agreement between the city, our labor unions and the NFL that brought the NFL Draft Week to the city.

Finally in 2017 when it became known that the negotiations between the city and Conrail were breaking down over the clean up of what had become known as the "Heroin Hellscape" - a needle park alongside the Conrail tracks in Kensington - Kenny asked me to call the parties into a face-to-face meeting. Within days the parties came to agreement and within weeks, the Hellscape was cleaned up.

And while taking on all of these projects, he was building technologies that helped literally millions of American citizens exceeds their right to vote. I know of these national voting rights efforts firsthand as well. As Chair of the Congressional Committee on House Administration, I and my committee were responsible for the oversight of federal elections. In 2012, I called upon Kenny to testify on Capitol Hill about the findings of his national voter hotline following the presidential election that year.

I never paid Kenny Smukler to do any of this work. He never asked for a dime for his efforts. Yet his efforts were directly responsible for bringing literally millions of dollars into our city. His efforts have helped alleviate the pain of living in a food desert, cleaned up a neighborhood riddled by the heroin epidemic, and saved the identity of our city played out each year in our ethnic parades and festivals.

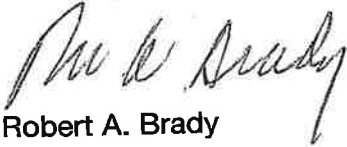
Kenny never asked for public notice of his efforts, he never sought the spotlight for his role in any of these efforts. He did it out of our friendship for one another and as his way of giving back to the city that both of us love.

I have written many letters like this for friends of mine who have found themselves in the circumstances Kenny now finds himself in. Some have been elected officials, some private citizens. None of them have shown the selflessness in helping others as Kenny has. Few have had the positive impact on our community that Kenny has delivered.

I ask that you take all of Mr. Smukler's contributions into account at sentencing.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rob A. Brady".

Robert A. Brady
Chairman