

STATE OF INDIANA

EXECUTIVE DEPARTMENT INDIANAPOLIS

23-01

EXECUTIVE ORDER _____

FOR: GRANT OF CLEMENCY FOR TOMMY ALSMAN

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, Tommy Alsmann was convicted in 2019 in Posey Superior Court for the crime of Dealing in Methamphetamine and was sentenced to 10 years imprisonment. He is currently 41 years old and has been incarcerated for 3 years, 6 months;

WHEREAS, Indiana Department of Corrections through the relevant Warden, and with the concurrence of the Commissioner and Chief Medical Officer, have petitioned for a grant of clemency on behalf of Tommy Alsmann;

WHEREAS, Alsmann currently is diagnosed with an inoperable stage 4 brain tumor for which he has received significant medical treatment to no avail. With further attempts being considered futile, he is now considered to be in terminal condition with only weeks or a few months remaining to live;

WHEREAS, Petitioner Alsmann will require palliative and hospice care the remainder of his life and it is not probable that his medical condition will improve;

WHEREAS, the Indiana Parole Board, after careful investigation, review and examination of the facts with respect to Tommy Alsmann in this matter, has unanimously recommended the Governor issue a commutation of sentence to him; and

WHEREAS, pursuant to Article 5, Section 17 of the Constitution of the State of Indiana, the Governor is empowered to grant three (3) types of clemency:

- pardons – allowing a person to be absolved of guilt for a crime;
- commutations – reducing a penalty for a particular criminal offense without affecting the conviction; and
- reprieves – postponing or suspending of the imposition of a sentence or a portion of a sentence.

NOW, THEREFORE, I, Eric J. Holcomb, Governor of the State of Indiana, by virtue of the authority vested in me by the Indiana Constitution and the laws of our State, do hereby order that the original sentence be commuted by suspending the remainder of the executed portion of the sentence, conditioned on the following:

1. Upon release from incarceration, Tommy Alsmann shall be subject to a term of two-years parole.
2. Following the approval of appropriate placement for hospice care by the Department of Correction, Tommy Alsmann shall be released on parole according to statute, rules, and procedures established by the Indiana Parole Board and the Department of Correction's Parole Services Division.

3. In the improbable event Alsman's condition improves to the extent he becomes ambulatory, the original sentencing and commitment order of the trial court shall be reinstated, and Alsman shall be returned to the custody of the Department of Correction to complete the balance of such term.



IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 27th day of February 2023.

Eric Holcomb

Eric J. Holcomb
Governor of Indiana

ATTEST: *Diego Morales*
Diego Morales
Secretary of State