



United States District Court
DISTRICT OF CONNECTICUT

Chambers of
Stefan R. Underhill
United States District Judge

915 Lafayette Boulevard
Bridgeport, Connecticut 06604
(203) 579-5714

October 16, 2022

Hon. Carlton W. Reeves
Chair
United States Sentencing Commission
Washington, D.C.

Re: Priorities for Amendment Cycle

Dear Chairman Reeves,

Congratulations to you and the other members of the Sentencing Commission. It is reassuring to have a functioning Commission once again after a long hiatus.

The recently-released set of Proposed Priorities for Amendment Cycle includes a number of important topics for the Commission's attention. I would like to encourage the Commission to focus on one that I consider particularly important: court-sponsored diversion and alternatives-to-incarceration programs.

The District of Connecticut established its Support Court program over 13 years ago. That program focuses on assisting persons with substance abuse histories or addictions who have been released from prison or who are facing criminal prosecution in the District. A District Judge (assisted by a prosecutor, defender, and treatment provider) in each of our three seats of court meets weekly with those participating in Support Court. We work to provide structure in the lives of our participants, focusing on substance abuse treatment, mental health treatment, employment, education, and training. Fundamentally, we try to determine the difficulties that have led to addiction and attempt to help the participants remedy them.

Successful completion of Support Court is not easy. The program takes a minimum of one year to complete. To graduate, a participant must have been drug-free for at least six months. Ours is a goals-oriented program. Typically, our graduates are employed, have reengaged with family, have put their past criminal histories behind them, and are looking forward to their future prospects.

Not surprisingly, our Judges take successful completion of Support Court into account at sentencing. Because there is no authority under the Sentencing Guidelines to do so, however, our graduates almost always receive non-Guidelines sentences. Anecdotally, most of them receive sentences of probation, almost regardless of what their Sentencing Guidelines range might be; our judges do not want to interrupt successful rehabilitation. The program often functions like an unofficial diversion program.

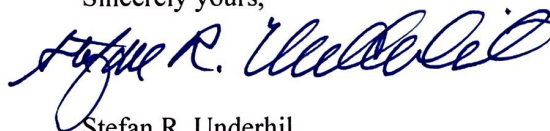
Support Court has been the subject of an academic study, which found it to be a success. It would be very helpful to us if similar programs were the subject of a Commission study. We want Support Court to be the best it

Hon. Carlton W. Reeves
Page 2

can be and our judges would benefit from guidance regarding how to evaluate participation/graduation at the time sentence is imposed.

Thank you for your consideration of these comments.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Stefan R. Underhil". The signature is written in a cursive style with a large, stylized initial 'S'.

Stefan R. Underhil