

Judge Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LUKE ELLIOTT SOMMER	15
	16
Petitioner,	17
	18
v.	19
	20
UNITED STATES OF AMERICA,	21
Respondent.	22
	23

NO. CR09-257JLR
NO. CR09-436JLR
NO. CR06-5528FDB

MOTION FOR REDUCTION IN SENTENCE UNDER 18 U.S.C. §3582(C)(1)(A)(I)

ORAL ARGUMENTS REQUESTED

Luke Elliott Sommer ("Sommer"), moving *pro se*, respectfully submits this motion to the Court requesting reduction in sentence under the First Step of 2018. Sommer is genuinely unsure whether or not this action is subject to the page limits specified under Local Court Rules CR 7(f) and CcR 12(b)(5). The issues driving Sommer's motion for reduction in sentence are complex. By way of example, several of the arguments are predicated on neuroscience studies that have emerged after the commission of his crimes and subsequent sentencing. As a result, a significant degree of background information is needed. In the event the Court finds that this motion is subject to the

1 Local Court Rules regarding page limits, Sommer requests that the Court grant him leave to submit
2 this motion at its current page count. Sommer understands that such requests are disfavored, and
3 will attempt to keep this and future pleadings as brief and to the point as possible while being
4 careful to cull redundant and unnecessary text from the documents. In the event the Court denies
5 leave to proceed with this overlength motion, Sommer requests appointment of counsel to assist in
6 preparing a motion that conforms to the expectations of the Court.

7 SUMMARY

8 In deciding Sommer's motion, this Court faces two issues:

9 **Sentencing Factors:** Sentence reduction under the First Step Act must be consistent with
10 applicable sentencing factors in 18 U.S.C. §3553(a), including the need for the sentence to reflect
11 the seriousness of the offense, avoid unwanted sentencing disparities, provide educational and
12 vocational opportunities, and protect society.

13 Nearly fifteen years ago, Sommer led a takeover bank robbery in Tacoma, Washington,
14 brandishing a pistol. No one was injured. After Sommer's bank robbery conviction, he assaulted
15 his codefendant and solicited the murder of his prosecutor, inarguably serious conduct. Sommer
16 plead guilty, receiving twenty years consecutive to his first sentence. As a result, Sommer's
17 sentence was extended to a 44-year term. While his conduct was extremely serious, his sentence
18 overstates his offense conduct, weighing in significantly longer than sentences awarded for more
19 serious crimes. Additionally, Sommer is no longer the same man he was at the commission of his
20 offense, and a sentence longer than twenty years is no longer necessary to protect the public.

21 Sommer has been denied programming opportunities repeatedly over the last fifteen years,
22 most recently when he applied for admission to the Federal Bureau of Prisons ("BOP") Residential
23 Drug Abuse Program ("RDAP"). Because there are limited spaces available for program

1 participation, inmates are prioritized based on their release date, with inmates expecting to release
2 sooner being given priority.

3 Finally, Sommer does not believe a sentence of less than twenty-years would adequately
4 reflect the serious nature of his conduct. That said, Sommer respectfully submits that a sentence
5 of longer than twenty-years overstates the seriousness of his conduct and does not take into
6 consideration the new science related to youth, trauma and brain development, changes to the
7 U.S.S.G., and Supreme Court precedent that emerged after his offense conduct and sentencing.

8 Reducing Sommer's sentence to twenty-years would permit him to take needed programming,
9 and ready himself for release. A twenty-year sentence would also adequately reflect the seriousness
10 of his offense and promote respect for the law and deter offenders from criminal activity.

11 **Extraordinary and compelling reasons for sentence reduction:** In order to reduce
12 Sommer's sentence, he must show that extraordinary and compelling reasons exist.

13 Sommer was a youthful offender at the time of both of his offenses. New science, unavailable
14 at the time of Sommer's offense, indictment, plea, and sentencing, shows that the average male
15 brain does not fully develop until twenty-five years old. In addition, Sommer's exposure to trauma
16 during his childhood and youth led to him developing Post Traumatic Stress Disorder ("PTSD"),
17 which also affects decision making portions of the brain.

18 The conditions of Sommer's confinement have been considerably different than anticipated
19 at sentencing, both as a result of the ongoing COVID-19 pandemic, but also because of his family
20 circumstances. When considered in the global context of Sommer's circumstance, these additional
21 factors weigh heavily in favor of his release.

22 Sommer's extraordinary rehabilitation also provides strong support for his release, decreasing
23 his likelihood of reoffending, or posing a danger to the community. His psychology records,

1 dozens of support letters, and progress report all document a complete change in Sommer's
2 outlook, behavior, and maturity as predicted by modern neuroscience.

3 When these elements are considered in their totality, it is clear that extraordinary and
4 compelling reasons exist to grant relief.

5 STATEMENT OF FACTS

6 When Sommer was approximately four years old, he was molested by a neighbor, the first
7 chapter in a long history of trauma he endured as a child and a young adult.

8 In the early nineties, Sommer attended Maple Springs Bible Camp, where he met Amanda
9 MacDonald, who would later become his wife. They started dating when Sommer was fifteen and
10 dated off and on for over a decade.

11 Sommer started drinking at the age of twelve and drank daily for several years, strongly
12 suggesting a lack of parental supervision and guidance. His Father, Luke Sommer Sr., was harsh,
13 emotionally, psychologically, and physically abusive, and Sommer hated and feared him growing
14 up.

15 Being homeschooled, Sommer had little opportunity to interact with other kids in any
16 structured social setting. On the few occasions when social opportunities were afforded, they were
17 with other homeschooled children, few of which were his own age. As a result, Sommer was
18 ostracized by the kids in his neighborhood that had more traditional experiences and was routinely
19 bullied.

20 After nearly twenty years of marriage, Sommer's parents separated. He was fifteen. Initially
21 he stayed with his mother. Unable to fully manage both her divorce and the raising of her five
22 children, she sent him to live with his maternal grandmother where he stayed for several months.
23 When Sommer was brought home by the Royal Canadian Mounted Police ("RCMP") after he was

1 found intoxicated on a freeway median he was sent to live with his uncle, his mother's brother. His
2 uncle worked long hours and had children of his own. As a result, he was unable to provide the
3 discipline and role modeling Sommer required.

4 Sommer drifted, living with friends and family off and on until receiving parental consent to
5 travel to the United States and join the U.S. Army.

6 Sommer's girlfriend at the time was pregnant with his son, Landon Sommer-Rose, and he
7 realized he needed to find a job that would allow him to support his family.

8 Because his father was an American Sommer automatically had U.S. citizenship, enabling him to
9 serve in the U.S. Military.

10 Sommer was determined to join, but lacking the formal education credentials required, he
11 printed a Home School Diploma and transcripts, which his recruiter had assured him would be
12 sufficient. On the day before his seventeenth birthday Sommer traveled with his mother and
13 maternal grandfather to Bellingham, Washington where they met his recruiter. The next day he
14 enlisted in the United States Army.

15 The recruiter's information turned out to be accurate; the Army accepted his diploma,
16 admitting Sommer into their ranks with less than five months of lifetime formal education.

17 Sommer was sent to basic training at Fort Benning, where he was selected as the "Keeper of
18 the Airborne Wings," an honor position awarded to the class's youngest member. While completing
19 the last qualification jump required by the school, his son was born, and Sommer was given leave
20 to spend time with him.

21 Sommer returned to Fort Benning where he completed the Ranger Indoctrination Program
22 and was assigned to 1st Platoon, Charlie Company, 2nd Battalion of the 75th Ranger Regiment.
23 He was not yet eighteen.

1 Once he arrived at his unit, Sommer continued to drink heavily; his barracks had a company
2 bar on the second floor and a platoon bar for 2nd Platoon on the third floor allowing young Rangers
3 to drink without risking legal exposure.

4 Two weeks after his eighteenth birthday, Sommer was deployed to the Green Zone in
5 Baghdad, Iraq, where his roommate Nathan Stahl was killed by an improvised explosive device.

6 A little over a year later Sommer was deployed to Afghanistan. Shortly thereafter Navy SEAL Petty
7 Officer Marcus Luttrell's recon team was ambushed, resulting in the death of three members of the
8 team.

9 The Quick Reaction Force ("QRF") functioned as a 911 force for allied forces in contact. At
10 the time the QRF was composed of aircrew from the 160th Special Operations Aviation Regiment
11 ("The Nightstalkers") and members of the Luttrell's SEAL unit. While responding to Luttrell's team's
12 pleas for help the QRF unit was shot down, resulting in the loss of life of everyone aboard the helicopter.

13 Sommer's Ranger platoon was deployed by land to recover the bodies of the SEALs and
14 Nightstalker personnel. For months Sommer had lived, eaten, and trained with both the
15 Nightstalkers and SEALs. This loss of friends and acquaintances, combined with his adverse
16 childhood experiences, resulted in Sommer developing severe Post Traumatic Stress Disorder
17 ("PTSD"), which Sommer still deals with today.

18 Upon returning to the United States, Sommer was sent to the United States Army Ranger
19 School, the U.S. Military's premier leadership training course. Sommer passed with flying colors,
20 being nominated for honor graduate after saving the life of a fellow student. Both his mother and
21 grandmother, with whom he was especially close, attended his Ranger School graduation.

22 Shortly after his return to his unit, two of his friends were killed in training accidents. Sommer
23 struggled with this; he became increasingly erratic and paranoid, displaying irrational behavior and

1 thought processes. Even so, the Army sent Sommer to Emergency Medical Technician training to
2 augment his platoon's medical capabilities at the squad level.

3 While this helped Sommer somewhat, his behavior was still alarming. After several bizarre
4 phone calls, his mother contacted his First Sergeant in her capacity as a parent and a Canadian
5 Forces officer. After speaking with her, Sommer was punished and instructed not to allow family
6 to insert themselves in the operations of his unit.

7 Less than three months after returning to base from Ranger School, and fewer than two after
8 turning twenty, Sommer invited several members of his unit and a couple of friends to participate
9 in a bank robbery; such wild schemes were increasingly normal for Sommer, but he'd never
10 actually seen them through.

11 This time, he did.

12 Shortly before the robbery, Sommer's grandmother slipped into a coma. Sommer
13 discovered this after receiving a phone call from his mother informing him she was going to die.

14 Numb, Sommer went through the motions the conspirators had discussed, preparing the
15 armor, weapons, and other equipment and ultimately leading them into the bank. As soon as the
16 robbery was completed, Sommer tied up his responsibilities with his unit, signed out for two weeks
17 leave, and then travelled to Canada to say goodbye to his grandmother.

18 She died that night.

19 In a daze, Sommer matter-of-factly told his mother he robbed the bank, then walked out of
20 the hospital. He spent the next several days intoxicated before being taken into custody by the
21 RCMP. Sommer was held in Canadian custody pending extradition. He was release to house arrest
22 where he absconded and was returned to close confinement pending his return to the United States.

1 Once he was returned to the United States, Sommer was sentenced by the honorable Franklin
2 D. Burgess to 288 months in prison. Distraught at the length of imprisonment he had received,
3 Sommer became increasingly nihilistic and bitter.

4 While at the Federal Detention Center at SEATAC, Sommer assaulted his codefendant
5 (Nathan Dunmall). They were moved to the Special Housing Unit. Neither Sommer, nor his
6 codefendant, required hospitalization. While in the Special Housing Unit Sommer solicited the
7 murder of his prosecutor, Michael Dion. When Sommer discovered he had been setup he
8 immediately plead to 240 months before this Court for both the assault and the solicitation to
9 commit a crime of violence charges, waiving the right to indictment on the charge of solicitation.

10 Bringing the same self-destructive mindset to prison that Sommer had been displaying leading
11 up to his convictions and sentencing, Sommer was easily influenced upon arrival in prison. He was
12 exposed to heroin, and quickly became an addict. He continued using in order to deal with his
13 anxiety, frustration, and hopelessness. He drank but transitioned away from alcohol as he began to
14 rely more and more on opiates as a coping mechanism.

15 Sommer had numerous disciplinary infractions during the first eleven years of his
16 incarceration. His infractions include fighting and assault with serious injury (both for his assault
17 on Nathan Dunall over thirteen years ago), and substance abuse.

18 In 2011, Sommer arrived at United States Penitentiary ("USP") McCreary, where he was
19 almost immediately assaulted. He didn't fight back and was returned to general population. Two
20 years later, he married Amanda MacDonald. They remain happily married. Because of his mental
21 health issues, Sommer was required to consult with the Psychology Services Department before
22 being allowed to marry.

1 Sommer's disciplinary history and mental health conditions were serious, but everything
2 started to change following the death of his nephew and treaty transfer denial in 2016. In 2013
3 Sommer had applied for a "treaty transfer" that would have allowed him to serve the remainder of
4 his sentence in Canada. In 2015, after waiting more than two years, he received final approval. He
5 was understandably excited, not only because such a transfer would have qualified him for near-
6 immediate release, but also because it would have allowed him to meet his terminally ill nephew.

7 Sommer's drug problem and failure to comply with mental health treatment derailed that
8 completely. After being moved to SEATAC from USP Terre Haute, Sommer learned that his
9 transfer had been canceled based largely on institutional conduct. The BOP transported Sommer
10 back to USP Terre Haute where Sommer learned of his nephew's death. Sommer went on a binge,
11 spending months getting high on a daily basis, before getting assaulted for a second time. He spent
12 thirty days in the Special Housing Unit before being shipped.

13 Sommer knew he needed to get sober, but drugs and alcohol had been such a substantial
14 coping mechanism for so long that he had no idea where to start.

15 Frustrated by the feeling of helplessness, Sommer doubled down on his behavior. During the
16 period of 2016-2018, Sommer spent well in excess of a thousand dollars a month, money that was
17 not his, putting enormous strain on his friends and family.

18 After numerous conversations with his wife, mother, and close friends, Sommer finally took
19 the steps needed to get help. Sommer enrolled in the Challenge program in 2019. Challenge is a
20 Cognitive Behavioral Therapy ("CBT") program that addresses addiction and mental health issues.
21 He had been previously denied Residential Drug Abuse Program placement because of the length
22 of his sentence but was referred to Challenge.

23 The program saved his life.

1 After seven months of intense struggle, Sommer managed to get sober. Still, he was expelled;
2 he had spent months unable to fully commit to treatment and his eleventh-hour sobriety wasn't
3 enough to convince the staff that he was worth keeping in the housing unit.

4 Sommer was sent to a general population housing unit. He took his sobriety with him and
5 spend the next several month finding employment in the Education department, taking custodial
6 maintenance courses, and volunteering in food service for the Passover meals.

7 In April 2020, Sommer's institution went into modified operations in response to the COVID-
8 19 pandemic that, as of late spring of 2022, have not been fully lifted. These restrictions impact
9 programming, recreation, and activities that he would reasonably have been expected to be able to
10 participate in by this Court at the time of sentencing.

11 Sommer is fully vaccinated and has taken the booster shot. He washes his hands frequently
12 and wears a mask properly. Despite the COVID-19 restrictions, Sommer enrolled in college
13 courses from Thompson Rivers University, to make the most of the time being spent in his cell.
14 He completed a math course (Calculus I) with an A grade.

15 With no end to the pandemic in sight, and after speaking with friends and family members,
16 Sommer decided to return to the Challenge program.

17 Sommer returned to the Challenge program in December of 2020, this time with over a year
18 of sobriety and a completely different attitude. Over the course of the next eighteen months,
19 Sommer earned the respect of staff and inmates, established himself as an asset to his community
20 and his own treatment, and became a role model for the other members of the Challenge housing
21 unit.

22 Sommer was hired in the prison's education department as a GED tutor, and during the
23 Passover holiday he volunteers in food service. While working in the food service department,

1 Sommer received outstanding evaluations stating that "[n]o supervision was required. [Sommer
2 was] [c]ompletely dependable in all things," and performed "[s]uperior work." In the comments,
3 the officer wrote that, "Inmate Sommer was a great addition to the detail during this time and was
4 very helpful."

5 In addition to demonstrating and practicing integrity in his off time, Sommer also helped
6 organize and maintain a donation library on this housing unit.

7 In peer-to-peer interaction, Sommer has welcomed new participants to the Challenge living
8 unit and helped familiarize them with the rules and expectations of the program. He also actively
9 demonstrates his responsibility as a good citizen by directly providing his peers with constructive
10 suggestions, or by holding them accountable through formal channels.

11 Sommer's family relationships also improved. He spends time with his son on the phone
12 assisting him with his homework and encouraging him to avoid making the same mistakes he had
13 when he was a young man.

14 Sommer is also working on completing his college education. He enrolled in a Bachelor of
15 Science program at California Coast University, with a declared major in psychology. He has
16 completed over 1,500 hours of educational, psychological, recreational, and vocational training
17 including a 150-hour Custodial Maintenance certification program, the 240-hour GED program,
18 more than 500 hours of Challenge programming, and a 150-hour Microsoft Office 2010 credential.
19 Above and beyond those larger programs, Sommer has also completed college classes and more
20 than twenty certificate programs. He has also taught re-entry classes including resume clinics. This
21 has allowed him to develop job skills that will assist him in re-entering society.

22 Sommer has also been hired as an Inmate Companion. Inmate Companions are tasked with
23 serving as the first line of defense for institutional suicide prevention. They monitor inmates on

1 suicide watch in observation cells in the Health Services department, ensuring that inmates do not
2 harm themselves, and inform staff in the event of an incident. Inmates hired for this position must
3 be, in the program coordinator's judgment, mature, reliable individuals who have credibility with
4 both staff and inmates. They must be able to protect the suicidal inmate's privacy from other
5 inmates while being accepted in the role by staff. Finally, they must be able to perform their duties
6 with minimal need for supervision.

7 Sommer was also asked to live with an inmate with serious mental health issues. After a
8 treatment team meeting with the acting Challenge program coordinator and two treatment
9 specialists, Sommer was assigned to live with the inmate. Sommer accepted the challenge. This
10 decision is just one example of his improvement in the areas of humility, caring, honesty, and
11 gratitude. His duties were to serve as a friend, mentor, emotional support, and role model for
12 maintaining the daily expectations of life in the Challenge program unit.

13 Shortly after being selected for that responsibility, Sommer was hired as a Psychology Peer,
14 one of only three inmates in his institution to be selected for this position. In this role, Sommer
15 works with inmates suffering from mental illness and helps them learn, practice, and use the coping
16 skills taught in the Challenge program.

17 In a letter to the participants of the Inmate Companion/Mental Health Companion programs,
18 former BOP director Charles Samuels informed the participants that these programs are ones of
19 which he is particularly proud, adding that he has great respect and appreciation for the work that
20 inmates like Sommer are doing to support their peers through their darkest moments. In closing,
21 the former director reminded the participants that their work has the power to save lives.

22 Sommer has a substantial amount of community support, evidenced by the dozens of letters
23 written on his behalf, many offering post-release support. Letters from inmates, credit Sommer

1 with providing needed guidance and role-modeling, assisting with their educational pursuits and,
2 in one instance, literally saving their life. The letters from his family show a significant degree of
3 support and deep respect for the changes Sommer has made over the course of the last three-plus
4 years. Staff has similarly positive things to say. The observations and comments of no fewer than
5 nine BOP staff members are contained in the exhibits, describing Sommer as a mentor, leader, role
6 model, and man of character and integrity. Perhaps the best testimony to Sommer's transformation
7 comes from Mercedes Carroll, a retired, 23-year veteran of the BOP who supervised Sommer for
8 several years. Carroll, a former member of the BOP's intelligence arm (SIS) had a nearly
9 omniscient view of Sommer's behavior, regularly monitoring his phone calls, email, letters, and
10 other communication in the course of her duties. In her letter to the Court, Carroll wrote that "I
11 have met many horrible, violent inmates while working for the BOP and was committed to seeing
12 they never saw the outside world again, but this case is surely the exception. [Sommer] earned my
13 compassion and respect. He fought all odds and maintained a positive attitude even knowing he
14 may never see his family again." Additionally, Carroll stated, "I stake my reputation, integrity, and
15 name on this young man. I believe he can and will make a difference in this world."

16 Supporting this transformation, Sommer's disciplinary record has similarly improved. He has
17 been violence-free since his last conviction before this Court, a period of over thirteen years, and
18 he has had no incident reports of any kind for more than three years. This is reflected in his custody
19 scoring. While Sommer is a HIGH/MAX inmate due to training he received as an Army Ranger,
20 he is now scored as a MEDIUM custody inmate for the first time since arriving in prison.

21 And finally, Sommer is addressing the trauma that defined most of his life by taking the
22 Seeking Safety/Resolve program, a PTSD program that used Cognitive Behavioral Therapy,
23 Cognitive Processing Therapy, and Dialectical Behavioral Therapy to help develop coping skills

1 without the use of drugs or alcohol. He has an extensive history of trauma, including witnessing
2 major acts of violence, childhood sexual abuse. He is currently in the second phase of the Resolve
3 program and "understands concepts and displays skills mastery." Seeking Safety/Resolve is
4 allowing him to explore the connection between his substance use disorder and past traumatic
5 events in his life. Sommer is no longer the rash young man he was. As predicted by modern
6 neuroscience, Sommer has matured and aged out of criminal behavior.

7 LEGAL STANDARDS

8 Under the First Step Act of 2018, defendants are no longer required to wait for the BOP to
9 file a motion for compassionate release on their behalf. Pub. L. No. 115391, 132 Stat. 5194, 5239,
10 §603(b) (Codified at 18 U.S.C. §3582(c)(1)(A)). Defendants may file their own motions after (1)
11 exhausting administrative remedies for the Bureau's failure to file on such a motion, or (2) "30
12 days from the receipt of such a request by the warden of the defendant's facility, whichever is
13 earlier." 18 U.S.C. §3582(c)(1)(A). Sommer satisfied this requirement by submitting a request to
14 the warden of his facility on 29JAN22, more than 30 days prior to the date of this filing. *Request*
15 *to Warden*, Ex. 1.

16 This Court may grant a motion for compassionate release if, "after considering the factors set
17 forth in section 3553(a) to the extent they are applicable," the Court finds that "extraordinary and
18 compelling reasons warrant such a reduction," and "such a reduction is consistent with applicable
19 policy statements issued by the Sentencing Commission." 18 U.S.C. §3582(c)(1)(A). The Ninth
20 Circuit has held that "the current version of U.S.S.G. §1B1.13 is not an 'applicable policy
21 statement[]' for 18 U.S.C. §3582(c)(1)(A) motions filed by a defendant." *United States v. Aruda*
22 993, F.3d 797, 2021 WL 1307884, at *4 (9th Cir. Apr. 8, 2021). The Ninth Circuit explained, "[t]he
23 Sentencing Commission's statements in U.S.S.G. §1B1.13 may inform a district court's discretion

1 for §3582(c)(1)(A) motions filed by a defendant, but they are not binding." Accordingly, the list
2 of examples of extraordinary and compelling reasons in §1B1.13 is not exclusive, freeing the Court
3 to consider any extraordinary and compelling reasons for release a defendant may raise.

4 As a result, the two issues before the Court are:

- 5 1. whether a sentence reduction is consistent with applicable sentencing factors, and
- 6 2. whether extraordinary and compelling reasons warrant such a reduction.

7 ARGUMENT

8 I. REDUCING SOMMER'S SENTENCE TO TWENTY YEARS IS CONSISTENT WITH
9 3553(A) SENTENCING FACTORS; ALLOWING SOMMER TO SERVE THE
10 REMAINDER OF HIS SENTENCE IS NOT.

11
12
13 Sommer has already served nearly fifteen years in prison for offense conduct committed at
14 age twenty and twenty-two. Incarceration beyond the requested twenty years would be greater than
15 necessary to achieve the purpose of punishment. 18 U.S.C. §3553(a).

16 Under 18 U.S.C. §3553(a)(2), a sentence should be sufficient, but not greater than necessary"
17 to:

- 18 • reflect the seriousness of the offense;
- 19 • promote respect for the law;
- 20 • provide just punishment for the offense;
- 21 • afford adequate deterrence to criminal conduct;
- 22 • protect the public from further crimes of the defendant; and
- 23 • provide the defendant with needed educational or vocational training, medical care, or other
24 correctional treatment in the most effective manner.

1 For Sommer, a sentence of twenty years satisfies each of these factors incarceration beyond
2 that would benefit no one.

3
4 I.A. Sommer's current sentence overstates the seriousness of his offense and could undermine,
5 rather than promote, respect for the law.

6 Rather than reflecting the seriousness of Sommer's conduct, his sentence considerably
7 overstates the severity of his crimes because it is decades longer than the median federal sentence
8 for more serious crimes. See *United States v. Jordan*, 2021 U.S. Dist. LEXIS 152673 (D. Nevada,
9 2021); *United States v. Redd*, 444 F. Supp. 3d 717, 723 (E.D. Va, 2020).

10 Sommer's was sentenced to 44 years in prison for his offense conduct. He understands his
11 crimes were serious, and he regrets the pain he has caused his victims. But in comparison to other
12 federal sentences, his sentence significantly overstates the seriousness of his offenses. For
13 example, his sentence is over twice the median federal sentence for murder (19 years) and is
14 roughly three times the median federal sentence for sexual abuse and kidnapping (15 and 14 years
15 respectively). See *2020 Annual Report and Sourcebook for Federal Sentencing Statistics*, United
16 States Sentencing Commission ("USSC")¹. Such an extreme and lengthy sentence, if unaltered,
17 could "promote not respect, but derision for the law" by suggesting that the law is "merely a means
18 to dispense harsh punishment without taking into account the real conduct and circumstances
19 involved." *Gall v. United States*, 552 U.S. 38, 54 (2007) (favorably quoting district court judge).
20 And Sommer's sentence is unquestionably harsh. His 528-month sentence is 58 months longer than

¹ <https://www.ussc.gov/sites/default/files/pdf/research-and-publications/annual-reports-and-sourcebooks/2020/2020-Annual-Report-and-Sourcebook.pdf>

1 the average life expectancy of the average federal inmate (470 months). See again *2020 Annual*
 2 *Report and Sourcebook for Federal Sentencing Statistics*, USSC².

3 The Supreme Court has repeatedly recognized that "[t]here is a difference between homicide
 4 and other serious violent offenses against the individual. *Kennedy*, 554 U.S., at 438, 128 S. Ct.
 5 2641, 2660, 171 L. Ed. 2d 525, 550. Serious nonhomicide crimes may be devastating in their harm
 6 . . . but 'in terms of moral depravity and of the injury to the person and to the public,' . . . they
 7 cannot be compared to murder in their 'severity and irrevocability.' *Id.*, at 438, 128 S. Ct. 2641,
 8 2660, 171 L. Ed. 2d 525, 550 (quoting *Coker*, 433 U.S., at 598 97 S. Ct. 2861, 53 L. Ed. 2d 982
 9 (plurality opinion)). This is because '[l]ife is over for the victim of the murderer,' but for the victim
 10 of even a very serious nonhomicide crime, 'life . . . is not over and normally is not beyond repair.'
 11 *Ibid.* (plurality opinion). Although an offense like robbery or rape is 'a serious crime deserving
 12 serious punishment,' *Enmund*, supra, at 797, 102 S. Ct. 3368, 73 L. Ed. 2d 1140, those crimes
 13 differ from homicide in a moral sense." *Graham v. Florida*, 560 U.S. 48 (2010).

14 There is no question that Sommer's crimes were serious, and that they demanded equally
 15 serious punishment. But as stated, his current sentence reflects appropriate punishment for crimes
 16 far more heinous than his. See *United States v. Fort*, 2021 U.S. Dist. LEXIS 82471 (N.D. Ca, 2021)
 17 (denying compassionate release to a defendant with a 496-month sentence for conduct that
 18 included the murder of two adults and an infant); *United States v. Banashley*, 2021 U.S. Dist.
 19 LEXIS 198284 (D. Arizona, 2021) (denying compassionate release where defendant serving a 504-
 20 month sentence had killed a federal officer, crushing his head with a rock); *United States v. Orr*,
 21 2021 U.S. Dist. LEXIS 224475 (W.D. North Carolina, 2021) (denying compassionate release

² <https://www.ussc.gov/sites/default/files/pdf/research-and-publications/annual-reports-and-sourcebooks/2020/2020-Annual-Report-and-Sourcebook.pdf>

1 where the defendant was serving a 552-month sentence for conduct that included execution-style
2 murders, robbery, and an attempted murder); *United States v. Slater*, 2020 U.S. Dist. LEXIS
3 136643 (E.D. California, 2020) (denying compassionate release to a defendant serving a 300-
4 month sentence for nine bank robberies and two 924(c) convictions whose criminal history
5 included first-degree murder and rape). All told, Sommer is serving 528 months, 32 months longer
6 than the defendant in *Fort*, and all without killing anyone.

7 Unfortunately, the sentencing Court had little ability to decrease the severity of the sentence
8 to better match the seriousness of Sommer's offense conduct. The 24 years Sommer received for
9 his bank robbery was the result of an 11(c)(1)(C) binding plea agreement that tied the Court's
10 hands. The best Judge Burgess could do was sentence Sommer to the bottom of the guideline range,
11 *which he did*, giving him 87 months for the conspiracy, bank robbery, and explosives possession
12 charges. The other 201 months was for his single count of 924(c). Similarly, this Court's discretion
13 was limited by Sommer's second 11(c)(1)(C) plea for his assault and solicitation to commit a crime
14 of violence charges. Fortunately, when ruling on Sommer's motion for Reduction in Sentence, this
15 Court is no longer so restrained.

16

17 I.B. A sentence of twenty years is more than sufficient to deter anyone familiar with Sommer's
18 case.

19 In the *United States v. Lopez*, 2020 U.S. Dist. LEXIS 200076 (D. Hawaii, 2020) the Court
20 was satisfied that imprisonment "for close to a quarter century" (24 years) would serve to deter
21 anyone from the heinous crimes Lopez was sentenced for (first-degree murder, aiding and abetting
22 first-degree murder, and multiple drug offenses). Sommer's conduct, while extremely
23 serious, falls well short of first-degree murder carried out in furtherance of a drug enterprise.

Sommer received proceeds from the robbery, but was taken into custody within days and, beyond being required to pay restitution, his liberty has been restricted ever since. His assault and solicitation to commit a crime of violence charges resulted in additional time, a significantly elevated custody level, and subjected him to eleven months in the Special Housing Unit, largely in solitary confinement. It is difficult to imagine anyone familiar with these circumstances would conclude that Sommer's behavior was worthy of emulating. If there is such a person, they would likely be undeterred by any sentence.

Further, "[i]t appears doubtful that a lengthy sentence has much of a deterrent effect on the public". According to the Justice Department, "[r]esearch shows clearly that the chance of being caught is a vastly more effective deterrent than even the most draconian punishment." *National Institute of Justice, Five Things About Deterrence*, (May 2016)³; see also *Valerie Wright, Deterrence in Criminal Justice: Evaluating Certainty Versus Severity of Punishment* 92018, *The Sentencing Project*, at 1 (Nov. 2010)⁴, ("research to date generally indicates increases in the certainty of punishment, as opposed to the severity of punishment, are more likely to produce deterrent benefits."). See *United States v. Jordan*, 2021 U.S. Dist. LEXIS 152674 (D. Nevada, 2021).

I.C. Neither the public nor Sommer would benefit from a sentence exceeding twenty years.

Continued incarceration beyond twenty years is not necessary to protect the public because Sommer is not the same person he was when he committed his crimes in his early twenties.

³ <https://nij.ojp.gov/topics/articles/five-things-about-deterrencev>

⁴ <https://www.sentencingproject.org/wp-content/uploads/2016/01/Deterrence-in-Criminal-Justice.pdf>

1 See *Bellamy v. United States*, 474 F. Supp. 3d 777 (E.D. Va, 2020) (reducing petitioner's sentence
 2 to time served in part because he "is clearly a different person . . . than he was at his involvement
 3 in these crimes at age 21"); *United States v. Jordan*, 2021 U.S. Dist. LEXIS 152673 (D. Nevada,
 4 2021) (granting compassionate release in part because "[the defendant] appears to be a much
 5 different person than when he committed [his] crimes").

6 At the time of his crimes Sommer was twenty and twenty-two years old, with an extensive
 7 history of trauma coupled with mental health issues stemming from his adverse childhood
 8 experiences and exposure to combat.

9 Sommer's age at the time of the offense conduct matters because the part of the brain utilized
 10 in impulse control, emotional reactions, executive function, and decision making (specifically the
 11 prefrontal cortex) is not fully developed in men until age twenty-five on average. See *Youthful
 12 Offenders in the Federal System* (2017)⁵, USSC.

13 Given their lower impulse control and less developed decision-making capabilities, younger
 14 defendants tend to be less culpable than older defendants, and less likely to respond to harsh
 15 punishments. Cf. *Miller v. Alabama*, 567 U.S. 471-72 (2012) (explaining that "transient rashness,
 16 proclivity for risk, and inability to assess consequences . . . lessened a child's 'moral culpability'
 17 and enhanced the prospect that, as the years go by and neurological development occurs, his
 18 'deficiencies will be reformed'"(quoting *Roper v. Simmons*, 543 U.S. 551, 570 (2005))). This
 19 reasoning is not limited to juveniles. See *United States v. Johnson*, 2021 U.S. Dist. LEXIS 209833
 20 (N.D. Ca, 2021). In 2010, the USSC amended the sentencing guidelines at 5H1.1 to say that age
 21 (including youth) may be grounds for a departure. Prior to this point, age had not been considered

⁵ <https://nicic.gov/youthful-offenders-federal-system-2017>

f
normally

relevant in determining whether or not a departure was warranted. *Id.* See also *United States v. Ramsay*, 538 F. Supp. 3d 423 (courts should consider adolescent cognition at sentencing, including "[a]dolescents' immaturity, their susceptibility to peer influence, and their dependence," and "cannot simply treat anyone over 18 as an 'adult' for sentencing purposes but must inquire whether the [defendant] is still in many respects an adolescent." (citing *Roper v. Simmons*, 543 U.S. 551, 570, 125 S. Ct. 1183, 161 L. Ed. 2d 1 (2005)))

Recent studies related to adverse childhood experiences have shown that children exposed to trauma have an elevated risk of engaging in serious, violent, and chronic offending. For example, in *Johnson* the Court pointed out that "[s]ince Miller, broader recognition of the importance of the Adverse Childhood Experiences study (ACES) has greatly affected our understanding of crime among young adults. Research into ACES has shown that greater traumatic experiences in childhood correspond with riskier behavior and a greater likelihood of involvement in the criminal legal system. Our own probation department now submits ACES evaluations in presentence reports (an evaluation missing from Johnson's presentence report). ACES has general applicability for adults, but particular salience for understanding youth behavior. See e.g., *ibid.* Bryanna Hahn Fox et. al., Trauma changes everything: Examining the relationship between adverse childhood experiences and serious, violent and chronic juvenile offenders, 46 CHILD ABUSE NEGL. 16373 (Aug. 2015). See also Merrick MT, et. al. *Prevalence of Adverse Childhood Experience From the 2011-2014 Behavioral Risk Factor Surveillance System in 23 States*. 172 *Jama Pediatr.* 103844 (2018). " See also *United States v. DeJesus*, 2022 U.S. Dist. LEXIS 71936 (S.D.N.Y., 2022) (granting compassionate release based in part on the defendant's youth, traumatic upbringing, and staff support)."

1 Sommer was physically, sexually, and emotionally abused as a child. He felt abandoned by
2 his family, ignored by his uncle and others at a point in his life where guidance was critically
3 needed and left to deal with bullying on his own. He was "home schooled" by his father but not
4 actually educated. Altogether, Sommer experienced seven of the nine recognized ACE factors.
5 See ACES (adopting the shorthand deployed by the Court in Johnson). Not only did this place
6 him in the tragically elite 3.7% of youth with six or more ACEs, it put him at a greater than 200%
7 probability of being involved in the criminal justice system. *Id.* Beyond the heightened risk of
8 criminal behavior, *ACEs* also significantly elevated Sommer's risk of health problems. ACE
9 exposure has been linked to chromosome damage, skeletal fractures, ischemic heart disease,
10 higher blood pressure, chronic lung disease, and early death. *Id.* These effects are exponential and
11 indicate a dose-response effect: adults with four or more ACEs have twice the risk of stroke as an
12 adult with three. *Id.* Sommer, as mentioned, has *seven* (emotional/physical/sexual abuse;
13 physical/emotional neglect; witnessing household violence; household mental illness). *Id.* If the
14 positive associations with criminality and poor health outcomes weren't enough, ACEs also
15 predict psychopathology. *Id.*

16 And Sommer's extensive history with trauma was not confined to his childhood. A month
17 after he turned eighteen Sommer was in Baghdad, Iraq with his Special Operations unit engaging
18 in active warfare where his roommate was killed. Less than eighteen months later, while in
19 Afghanistan, he lost many of his friends in Operation Redwing, one of the most brutal incidents in
20 recent Special Operations history. He has been physically assaulted in prison twice. In *Childhood*
21 *victimization and lifetime revictimization*, published in Child Abuse and Neglect 2008⁶, Widom

⁶ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2572709/>

1 CS, et al. found that all types of childhood trauma (sexual, physical, and neglect) elevate the risk
 2 of lifetime re-victimization. This has proven true in Sommer's case. Beyond the horrific abuse
 3 Sommer experienced he also developed post-traumatic stress disorder ("PTSD") from his
 4 childhood and military experiences.

5 PTSD is positively associated with hippocampal volume reduction and hypoactivation of the
 6 ventromedial prefrontal cortex ("vmPFC"). See *Smaller Hippocampal Volume in Posttraumatic*
 7 *Stress Disorder: A Multisite ENIGMA-PGC Study: Subcortical Volumetry Results From*
 8 *Posttraumatic Stress Disorder Consortia*, published in *Biol Psychiatry Journal*, 2018⁷; *Emotion*
 9 *and cognition interactions in PTSD: a review of neurocognitive and neuroimaging studies*, Hayes
 10 J, et al., *Frontiers in Integrative Neuroscience*, 2012⁸. This type of damage is relevant because
 11 together the hippocampus and vmPFC mediate the ability to make moral judgments. See
 12 *Hippocampal Damage Increases Deontological Responses during Moral Decision Making*,
 13 McCormick C, et al., *The Journal of Neuroscience*, November 30, 2016⁹. It is well established in
 14 the literature that "[a] classic hallmark of vmPFC damage is altered moral decision making." *Id.*
 15 See also Ciaramelli E, et al., *Selective deficit in personal moral judgment following damage to*
 16 *ventromedial prefrontal cortex*, *Social Cognitive Neuroscience*, 2007¹⁰; Ciaramelli E, et al., *It is*
 17 *the outcome that counts! Damage to the ventromedial prefrontal cortex disrupts the integration of*
 18 *outcome and belief information for moral judgment*, *Journal of the International*
 19 *Neuropsychological Society*, 2012¹¹; Koenigs M, et al., *Damage to the prefrontal cortex increases*

⁷ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5951719/>

⁸ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3466464/>

⁹ <https://www.semanticscholar.org/paper/Hippocampal-Damage-Increases-Deontological-during-McCormick-Rosenthal/528a03c797c33e051c3fd217729e49e16d7c5817>

¹⁰ <https://www.ncbi.nlm.nih.gov/search/journals/101288795/>

¹¹ <https://pubmed.ncbi.nlm.nih.gov/22929298/>

1 *utilitarian moral judgments*, Natural Library of Medicine, 2007¹². Damage to the hippocampus
2 results in reduced empathy, possibly due to a diminished ability to vividly construct another
3 person's situation. See Beadle JN, et al., *Empathy in hippocampal amnesia*, Front Psychology
4 Journal, 2013¹³.

5 In short, *for reasons outside of Sommer's control*, he had a statistically elevated risk of
6 becoming a criminal, experiencing serious health consequences, developing serious
7 psychopathology, enduring hopelessness, and requiring treatment for substance abuse disorders.

8 Unfortunately, statistics won. Sommer committed multiple felonies, caught Hepatitis-C as a
9 result of intravenous drug use related to severe opioid use disorder, developed PTSD and
10 personality disorders, and struggled with suicidal ideation and hopelessness. If this were the end
11 of his story, then Sommer (and anyone with similar experiences) would be best served in a
12 hospital or prison setting. But it's *not*, and he *isn't*.

13 For one thing, Sommer is no longer in his early-to-mid-twenties. As a result, his brain has had
14 the opportunity to complete its development. A good metric of this is Sommer's disciplinary
15 history. While incarcerated Sommer has had fourteen incident reports. Perhaps tellingly he
16 received nine in the first two-and-a-half years of his sentence, five over the course of the last nine
17 years, and in the last three-and-a-half years he has had none of any kind. This perfectly matches
18 the trajectory expected by our modern understanding of neuroscience: a gradual slowing—and
19 eventual stop—of antisocial behavior as the brain develops and neurological adulthood sets in.

20 Aside from a 44-year sentence, Sommer also emerged from his neurological adolescence with
21 a substance use disorder. To address this issue Sommer requested admission to the RDAP program.

¹² <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2244801/>

¹³ <https://pubmed.ncbi.nlm.nih.gov/23526601/>

1 He was denied because of the length of his sentence. Determined to find help, Sommer enrolled in
2 the Challenge program, a residential cognitive behavioral therapy ("CBT") program that addresses
3 mental health and drug abuse issues. Sommer found his sobriety, bought into the program and has
4 been praised by staff for the changes he has made and consequently described as an asset, role
5 model, and mentor. Sommer also enrolled in the Resolve program, a trauma treatment program
6 that uses CBT, cognitive processing therapy ("CPT"), and dialectical behavioral therapy ("DBT")
7 to address psychopathology associated with trauma, such as PTSD.

8 Sommer's experience with Challenge/Resolve is important for multiple reasons. Primarily, it
9 shows his proactive role in his own rehabilitation and treatment. Instead of simply attempting to
10 avoid institutional misconduct, Sommer recognized that his behavior was detrimental to his future
11 and his own wellbeing and looked for ways to understand and address it. And perhaps more
12 importantly, CPT has been shown as an effective way of treating PTSD. See Kaczurkin A, et al.,
13 *Cognitive-behavioral therapy for anxiety disorders: an update on the empirical evidence*,
14 *Dialogues in Clinical Neuroscience* (2015)¹⁴. Sommer also took Selective Serotonin Reuptake
15 Inhibitors ("SSRIs") for years. *Medical Records*, Ex 16. This is important because SSRIs increase
16 blood flow to areas of the brain affected by PTSD and promote neurogenesis (regrowth of neurons).
17 See Bremner J, *Traumatic Stress: effects on the brain*, *Dialogues Clin Neurosci*, 2006¹⁵. It was
18 found that taking SSRI medication caused a restoration of lost hippocampal volume physically
19 restoring damaged brain tissue. *Id.*

20 As a result, Sommer has addressed each of the elements that lead to his criminal misconduct.
21 By virtue of aging, his brain completed its development reducing his impulsivity and increasing

¹⁴ <https://pubmed.ncbi.nlm.nih.gov/26487814/>

¹⁵ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3181836/>

1 his appreciation for consequence. By taking SSRI medication, he restored blood flow to the
 2 impaired areas of his brain that impacted his ability to make moral judgments and display empathy.
 3 By taking evidence-based recidivism reduction classes in CBT, DBT, and CPT Sommer addressed
 4 his irrational thinking and trauma related psychopathology. In short, Sommer grew up. As a direct
 5 consequence his prosocial choices have led to years of continued sobriety and a better overall
 6 ability to function as a member of society.

7 Nothing highlights these changes more than the evaluations contained in his *Psychology*
 8 *Records* where he is described by the program coordinator as a role model for members of his
 9 community. J. Buie, his treatment specialist states that he is an asset to the community and his own
 10 treatment. He works as a suicide companion monitoring suicidal inmates held in medical
 11 observation cells, was recently hired as a psychology peer (one of only three inmates in the prison
 12 to hold this position) where he helps inmates struggling with serious mental health issues and has
 13 been assigned to live with an inmate with serious mental health issues. These are positions
 14 requiring significant trust and speak favorably to Sommer's growth and maturity.

15 Sommer's risk of recidivism is also measurably reduced by virtue of both his age at present
 16 and the degree of education he has earned since coming to the BOP. When Sommer entered BOP
 17 custody, he had no real education of any kind. Since, he has completed the GED and taken college
 18 and vocational classes, resulting in a 57% decline in his risk of reincarceration. See *2020 Effects*
 19 *of Aging on Recidivism Among Federal Offenders (2015)*, USSC¹⁶.

20 There is no question that at the time of his offense Sommer was a threat to the public. But
 21 most of Sommer's behavioral issues stemmed from his youth, trauma, and psychopathology. He

¹⁶ <https://www.ussc.gov/sites/default/files/pdf/research-and-publications/annual-reports-and-sourcebooks/2020/2020-Annual-Report-and-Sourcebook.pdf>

1 has aged and addressed the issues within his control. Consequently, Sommer is not the man he
2 was. He is respected by staff and inmates alike and has demonstrated the prosocial behavior
3 expected from inmates capable of successfully reintegrating into the community.

4 _____
5 I.D. Reducing Sommer's sentence to twenty years would afford Sommer access to the
6 educational, vocational, and other programming opportunities originally envisioned by the Court,
7 but rendered unavailable by the length of his current sentence.

8 Placement in institutional programs is largely determined by the length of an inmate's
9 sentence; many programs have limited capacity and priority is given to those preparing for
10 imminent release. As a result, Sommer was unable to enroll in GED classes, instead having to
11 study on his own with personally purchased materials until he could pass the pretests. At that point
12 he was enrolled in the GED program in order to challenge the official exams. This is not
13 uncommon. See *United States v. McDonel*, 2021 U.S. Dist. LEXIS 6401 (E.D. Michigan, 2021).
14 Similarly, he was unable to take the culinary arts program because vocational training slots are
15 awarded to people who will be able to use them in the near future. On rare occasions, opportunities
16 become available; Sommer has been able to take two vocational programs (Computer Applications
17 and Custodial Maintenance) over the course of the last fifteen years. These opportunities existed
18 because he was employed by the prison education department as a tutor, and part of that
19 responsibility is working with inmates enrolled in the various VT programs. This, again, highlights
20 Sommer's degree of initiative; if he was not actively pursuing his education and rehabilitation,
21 these opportunities would have been unavailable.

22 All of these restrictions would be lifted by a sentence reduction to twenty years. Sommer
23 would have three to five years left to serve, and during that time he would be able to complete any
24 or all of these programs. It would allow him time to complete his Bachelor of Science degree in

Psychology and begin his Master of Science program. He would be able to complete reentry training and programming that is restricted to people with less than four years remaining on their sentence. While Sommer would be eligible for these things in due time, leaving him to wait aimlessly while he has already demonstrated incredible self-directed rehabilitative efforts would be a waste of his young life. Sommer and Society would both benefit from a more appropriate use of his time in line with the Court's original intent.

II. SOMMER'S UNJUSTLY LENGTHY SENTENCE, HIS AGE AND MENTAL HEALTH AT THE TIME OF HIS OFFENSES, THE CONDITIONS OF HIS CONFINEMENT, FAMILY CIRCUMSTANCES, AND HIS EXTRAORDINARY REHABILITATION ARE ALL EXTRAORDINARY AND COMPELLING REASONS TO REDUCE HIS SENTENCE TO 20 YEARS.

II.A. The unjustly lengthy nature of Sommer's sentence combined with his age, history of trauma, and mental health at the time of his offense conduct are extraordinary and compelling reasons for reducing his sentence to twenty years.

Courts have found that "the injustice of a defendant's lengthy sentence" may be considered in deciding a motion for compassionate release under §3582. See *United States v. Brooker*, 976 F. 3d 228 (2nd Cir. 2020); *United States v. McCreary*, 2021 U.S. Dist. LEXIS 64243 (D. Arizona, 2021) (granting compassionate release after finding that defendant's sentence was "dramatically longer than necessary or fair") (quoting *United States v. McCoy*, 981 F. 3d 271 (4th Cir. 2020)).

In considering whether a sentence is unjustly lengthy, Courts have considered the First Step Act's overall purpose of reducing the overly punitive effects of the statutory schemes that govern sentencing when determining whether extraordinary and compelling circumstances exist. Cf. *United States v. Marks*, 455 F. Supp. 3d 17, 36 (W.D.N.Y., 2020) ("[t]he First Step Act is instructive, in as much as it evidences Congress's intent to mitigate the harsh and sometimes unjust

1 effects of sentencing laws"); *United States v. Brown*, 411 F. Supp. 3d 446, 448 (S.D. Iowa, 2019)
2 (pointing out that the purpose of the First Step Act was "to promote rehabilitation of prisoners and
3 unwind decades of mass incarceration." (citing Cong. Research. Serv., R45558, The First Step Act
4 of 2018: An Overview 1(2019))); see also Haynes, 456 F. Supp. 3d 496, 514 (considering
5 harshness of sentences imposed on similar and even more severe criminal conduct today).

6 Chief Justice Robert's concurring opinion in *Graham v. Florida*, 560 U.S. 48 (2010) validates
7 this latter approach. The Chief Justice stated (referring to Graham's sentence for a nonhomicide
8 crime) that "Graham's life without parole sentence was more severe than the average sentence
9 imposed on those convicted of murder or manslaughter, who typically receive under 25 years in
10 prison." He went further stating that "[a]s the Court explained in *Solem*, 463 U.S., at 291, 103 S.
11 Ct. 3001, 77 L. Ed. 2d 637, '[i]f more serious crimes are subject to the same penalty, or to less
12 serious penalties, that is some indication that the punishment may be excessive."

13 As previously discussed, *supra* (I.A.), Sommer's offense conduct was serious and deserving
14 of a serious sentence. Even so, his sentence overstates the severity of his conduct and when viewed
15 against similar sentences awarded for inarguably more serious crimes, this disparity, and the
16 injustice of his sentence in the face of his individual circumstances, becomes obvious.

17 Sommer's "relative youth at the time of his sentencing' particularly supports compassionate
18 release because his young age is coupled with an extremely long sentence.' *McCoy v. United*
19 *States*, No. 2:03-CR-197, 2020 U.S. Dist. LEXIS 93730, 2020 WL 2738225 at *5 (E.D. Va May.
20 26, 2020) (granting compassionate release to a defendant who was a teenager with no relevant
21 criminal history at the time of his offense and who had served over 17 years of his more than 35-
22 year sentence). See *United States v. Maumau*, No. 2:08CR00758-TC-11, 2020 U.S. Dist. LEXIS
23 28392, 2020 WL 806212 at*5,7 (D. Utah, 2020) (granting compassionate release based in part on

1 the young age of the defendant who was twenty when arrested and twenty-four when sentenced)." *United States v. Lopez*, 2020 U.S. Dist. LEXIS 200076 (D. Hawaii, 2020). See also *United States v. Bryant*, 2020 U.S. Dist. LEXIS 75681 (D. Maryland, 2020); *Owens v. United States*, 2020 U.S. Dist. LEXIS 237901 (E.D. Va, 2020); *United States v. McDonel*, 2021 U.S. Dist. LEXIS 6401 (E.D. Michigan, 2021).

6 This understanding is supported by the Court's analysis in *United States v. Millan*, 2020 U.S. Dist. LEXIS 59955 (S.D.N.Y. 2020), stating, "Indeed, the legislative history of 18 U.S.C. §3582(c)(1)(A) indicates that lawmakers thought that 'extraordinary and compelling reasons' for a sentencing reduction should not be limited to medical condition, age, and family circumstances. In particular, recognizing parole had historically played a key role in the federal criminal justice system, legislators explained how some defendants may warrant a sentence reduction (after service of some period of incarceration) based on any number of 'circumstances:' The [Senate Judiciary] Committee believes that there may be unusual cases in which an eventual reduction in the length of a term of imprisonment is justified by changed circumstances. These would include cases of severe illness, *cases in which other extraordinary and compelling circumstances justify a reduction of an unusually long sentence*, and some cases in which the sentencing guidelines for the offense of which the defendant was convicted have been later amended to provide a shorter term of imprisonment."

19 In Sommer's case, he is young, his sentence is unusually long for his crimes, and the sentencing guidelines have changed. In 2010, after Sommer was sentenced, the 5H1.1 departure guideline was altered to say that age (including youth) may be the basis for a departure. This change replaced previous guidance that said age was not normally relevant when considering granting a departure. See *United States v. Johnson*, 2021 U.S. Dist. LEXIS 209833 (N.D.

1 California, 2021). Additionally, as discussed below, Sommer was also suffering from a long
 2 history of trauma. Newly developed neuroscience shows that trauma impacts cognitive processes
 3 and is positively associated with psychopathology. *Id.* As a result of this new science, there is a
 4 high likelihood that Sommer would have qualified for a departure on the grounds of diminished
 5 capacity as well.

6 Sommer's extensive history of trauma is relevant because, as the Court pointed out in *United*
 7 *States v. Johnson*, 2021 U.S. Dist LEXIS 209833 (N.D. California, 2021) "greater traumatic
 8 experiences in childhood correspond with riskier behavior and a greater likelihood of involvement
 9 in the criminal justice system." Trauma also predicts psychopathology, hopelessness, and
 10 substance use. See *Childhood and Adult Trauma Experiences of Incarcerated Persons and Their*
 11 *Relationship to Adult Behavioral Health Problems and Treatment*, N. Wolff, J. Shi, (published in
 12 the International Journal of Environmental Research and Public Health, 2012)¹⁷.

13 And Sommer's list of childhood trauma is extensive. He was molested as a child, beaten,
 14 psychologically and emotionally abused, neglected, abandoned, and bullied. At seventeen years
 15 old, Sommer joined the army where he served as an Airborne Ranger. His platoon was involved
 16 in some of the most serious ground combat experienced in the war on terror. He served in both
 17 Iraq (2004) and Afghanistan (2005), all before turning twenty. And the trauma did not stop when
 18 he arrived in prison—since his sentencing Sommer has been assaulted twice.

19 Beyond simply being horrific to experience, there have been serious consequences to this
 20 lifelong history of abuse. As a direct result of Sommer's childhood and combat experience he
 21 developed PTSD, which as discussed supra (I.C.) impacts the regions of the brain associated with

¹⁷https://www.researchgate.net/publication/228106252_Childhood_and_Adult_Trauma_Experiences_of_Incarcerated_Persons_and_Their_Relationship_to_Adult_Behavioral_Health_Problems_and_Treatment

1 moral judgment. So, not only was Sommer dealing with the impulsive recklessness of youth, but
2 he was also dealing with hypoactivation of his vmPFC and volume reduction in his hippocampus,
3 altering his personality, impairing his ability to make moral decisions, and depressing his ability
4 to show empathy and, by extension, remorse. And these were wounds that were partially earned in
5 service to the United States of America. It was in this emotional and psychological nightmare
6 Sommer found himself when he made the decision to rob the bank. While Sommer is responsible
7 for his own actions, and understands that he is still culpable, that culpability is drastically reduced
8 on the grounds of age *alone*. When coupled with psychopathology that further impairs decision
9 making and moral judgment, there can be no question that Sommer's situation is extraordinary and
10 compelling. When viewed in the context of the choices he has made to seek treatment, and the
11 incredible rehabilitative success he has found, it is more compelling still.

12 _____
13 II.B.1 The conditions of confinement created by the ongoing COVID-19 pandemic are
14 significantly harsher than those envisioned at sentencing, providing an additional ground for
15 sentence reduction.

16 Courts have found that conditions created by the COVID-19 pandemic constitute
17 extraordinary and compelling reasons for relief under section 3582. For example, in *United States*
18 *v. Tucker*, 2021 U.S. Dist. LEXIS 158909 (S.D.N.Y., 2021) the Court found that "the time Mr.
19 Tucker has served in prison has been much more onerous than the Court contemplated when it
20 sentenced him. Accounting for the pandemic's impact on Mr. Tucker's conditions of confinement,
21 'the sentence [he] is now serving looks materially different from the sentence the court
22 envisioned.'" (quoting *United States v. Garcia*, 505 F. Supp. 3d 328, 332 (S.D.N.Y., 2020).)

1 Sommer's housing units have been repeatedly quarantined, resulting in severely restricted
2 access to outdoor recreation, educational and vocational classes, and other programming expected
3 by the Court. Beyond scheduled programming, communication has been similarly restricted.
4 Phone, email, and visitation access was also shut down to help prevent the spread of the virus.

5 Beyond quarantine, Sommer has spent over two years under COVID-19 restrictions which,
6 as of May 2022, have not been completely lifted. During this period the institution has
7 implemented a color system, with colors corresponding to different levels of restriction (GREEN
8 least restrictive, RED being most restrictive). The majority of this time has been spent in RED
9 phase, which restricts almost all programming and permits limited access to recreation. The various
10 programs Sommer enrolled in (a class on the protestant reformation through Religious Services
11 Department, his Resolve class for PTSD, classes for his Challenge cognitive behavior therapy
12 programming, et.) have been canceled, suspended, or restricted. At the time of this writing (May
13 2022), Sommer's institution was still in RED phase. See *Psychology Records*, Ex. 11;
14 *Miscellaneous*, Ex. 17.

15 Beyond the restrictions, "the fear of catching a once in-a-century deadly virus exacts a price
16 on a prisoner beyond that imposed by an ordinary day in prison." *United States v. McCrae*, 17 Cr.
17 643 (PAE), 2021 WL 142277. The COVID-19 virus has proven lethal against even people who are
18 fully vaccinated (like Sommer) and take all appropriate available precautions, creating a level
19 anxiety that was not anticipated by anyone, let alone this Court.

20

21 II.B.2. Sommer's extreme distance from home, cost of communication, lack of access to
22 visitation, and other family circumstances are extraordinary and compelling reasons supporting
23 this motion for sentence reduction.

1 Sommer is currently housed at the Federal Correctional Complex, United States Penitentiary
2 II in Coleman, Florida. He is literally the farthest possible distance he can be from his home while
3 remaining in the contiguous United States. Sommer's home in British Columbia, Canada is well
4 over 2,400 miles away. Congress, recognizing the importance of family visitation, recommended
5 that all inmates be housed within five hundred miles of their homes. See the First Step Act of 2018.
6 Because of Sommer's HIGH/MAX custody (which he has for training he received in the military
7 and not for institutional conduct), there are no appropriate facilities to his custody level within five
8 hundred miles of his home. This makes visitation extremely difficult. On the single instance his
9 mother was able to come visit, lockdowns and other institutional security measures permitted
10 visitation on only one of the three available days, despite her having spent well over a thousand
11 dollars to see her son. With the onset of COVID-19, not even that was possible; the Canadian
12 border was shut down and all visitation was canceled. In *United States v. Qadar*, 2021 U.S. Dist.
13 LEXIS 136980 (E.D.N.Y, 2021) the Court granted a compassionate release motion in part because
14 of family circumstances that included the petitioner's prolonged separation from family and lack
15 of access to visitation.

16 Like visitation, Sommer's communication is also hampered; phone calls to Canada cost \$5.25
17 for a fifteen-minute call, while inmates with local family are able to call for as little \$.90. Letters
18 are also more expensive. The average inmate is able to write home for a single first-class stamp.
19 Sommer's letters require three. As a result, he is able to send six letters to another inmate's twenty.
20 For the duration of the pandemic phone calls are free, however over the course of the last thirteen
21 years this disparity in cost has been a hardship borne by Sommer's family.

Sommer acknowledges that these conditions are the result of his breaking the law, but they are one more factor weighing in favor of relief.

II.C. Sommer's rehabilitation despite his excessively long sentence constitutes an "extraordinary and compelling" reason that, while unable to justify sentence reduction on its own, can be considered with other grounds.

The Merriam-Webster Dictionary of Law (3rd Print. 2018) defines (definition 2B) "rehabilitate" as follows: to restore (as a convicted criminal defendant) to a useful and constructive place in society through therapy, job training, and other counselling.

Sommer has been rehabilitated.

There is a plethora of evidence supporting this. As a start, Sommer is no longer in his early-to-mid-twenties. As discussed supra (I.C), Sommer has had a chance for full neurological development to occur.

Sommer has also addressed his psychopathology with both appropriate medication and therapy. He has taken SSRIs to increase blood flow to his brain and promote neurogenesis, restoring areas impacted by PTSD and exposure to explosive overpressure. *Id. Medical Records*, Ex 16. He has also participated in CBT, CPT, and DBT programming which has been shown effective in correcting irrational thinking and addressing PTSD. *Id.*

Sommer has pursued his education and developed long-term plans and goals for scenarios that include both early release or completion of his sentence as it stands. This not only shows long-term, goal-oriented planning that is often absent in impulsive, consequence-blind youth, it also measurably lowers his chances of recidivism. When Sommer completes his bachelor's degree, he will have a lower risk of reincarceration than a high school graduate in his sixties (7.4% v. 7.9%

1 respectively). See Effects of Aging on Recidivism Among Federal Offenders (2015), USSC. As it
2 stands now, Sommer's risk of reincarceration is already 57% lower than it was at the commission
3 of his crimes. To provide a general overview, Sommer is currently taking undergraduate classes
4 from two universities. He is enrolled in a Psychology program (BS) from California Coast
5 University while taking chemical, physical, and biological science classes from Thompson Rivers
6 University. This will ensure Sommer can meet the requirements for the MD/PhD program he is
7 interested in applying for in the event the Court rules favorably on this motion (Sommer has no
8 criminal record in Canada and is eligible for licensure as a physician upon graduation from a
9 qualifying undergraduate medical program). In the event the Court declines to grant Sommer's
10 motion or chooses to provide a smaller reduction than requested, Sommer intends to complete his
11 Master of Science in Psychology and work in the Challenge unit as a mentor while continuing to
12 work towards his goal of becoming a medical doctor. Sommer will be in his late fifties when he is
13 released from prison as his sentence stands, and while admission to medical school at that age is
14 unusual, it is not unheard of. Unheard of or not, this multipath analysis and goal-oriented plan for
15 his future reinforces his present level of maturity.

16 Sommer is respected by both staff and inmates and occupies positions of trust and
17 responsibility in the day-to-day operations of his institution. He serves as an inmate companion
18 monitoring suicidal inmates, a program former BOP Director Charles Samuels was particularly
19 proud of. He is employed as a GED tutor and spends his free time working one-on-one with students
20 who have been unable to register for formal classes on the basis of sentence length. In light of his
21 growing level of maturity, staff confirmed him as a member of the Conflict Resolution Committee
22 where he helps mediate disputes between inmates. Recently he was also given the position of
23 Psychology Peer, one of only three inmates in the institution to hold this position. He is responsible

1 for working with inmates suffering from serious mental health disorders and providing them with
2 accountability, support, and companionship. As a part of this assignment Sommer was assigned to
3 live with a mentally ill inmate.

4 Sommer accepted this position knowing it would be challenging and require both patience
5 and understanding. In these roles Sommer is seen by staff as an asset, mentor, and positive role
6 model. This level of trust by staff is extraordinary; even among the other Challenge program
7 participants this degree of confidence from staff is unusual, and there is no comparison at all with
8 inmates from general population. See *Psychology Records*, Ex. 11; *Program Review*, Ex. 12; *BOP*
9 *Program Statement* 5324.08 (Suicide Prevention Program)[#]; *Director's Letter*, Ex. 15.

10 All told, Sommer has completed in excess of 1,500 hours of programming including
11 vocational training classes, certificate programs, college classes, psychological therapy programs,
12 recreation classes, and religious services programs. He teaches the GED curriculum, facilitates
13 reentry classes, volunteers in food service during religious holidays, and tutors inmates who are
14 working through undergraduate programs of their own. Beyond the formal support Sommer
15 provides for his peers through these institutionally sponsored programs, Sommer also provides
16 substantial informal support to inmates, helping them deal with family problems and offering
17 emotional and spiritual support as needed. See *Program Review*, Ex. 12; *Community Support*
18 *Letters*, Ex. 10; *Inmate Support Letters*, Ex.9; *Miscellaneous*, Ex. 17.

19 These are significant accomplishments. However, the best evidence of his rehabilitation
20 remain the evaluations, comments, and letters from various staff members who have observed
21 Sommer over the years. Staff are in a unique position to evaluate inmate behavior; they have phone,
22 email/mail, and camera records along with their own personal observations to draw from. This
23 level of nearly omniscient supervision is heightened for the Psychology Services Department staff

1 whose offices are in Sommer's living unit. Beyond their advanced psychology training, these staff
2 members also have a combined 160+ hours of observation each and every week. Their comments
3 are telling. The Challenge Program coordinator, Dr. J. Babnew, wrote that "[Sommer]
4 demonstrates healthy attitudes on a daily basis and implements this within his interactions with his
5 peers in the community. He has been working on maintaining personal integrity by following the
6 rules even outside of the program hours and as such has become a role model to many members of
7 the Challenge community." J. Buie, the Skills Treatment Specialist assigned to Sommer wrote, "To
8 date, Sommer's willingness to utilize these self-reflective tools demonstrates his ability to interact
9 with others in a pro-social way that would be expected from a positive community citizen." He
10 went on to say, "Sommer has received positive praise from both the program community and the
11 treatment staff for his current level of enthusiasm, and understands that if he continues these
12 healthy practices to include the use of supportive allies, he will have a very high likelihood of
13 maintaining his sobriety even through difficult life events." Mr. Buie added that "[a]t the request
14 of treatment staff, Sommer assists as a mentor within Clinical Treatment Teams, and formulates
15 thorough and objective peer to peer treatment interventions as a result." Mr. Buie summarized
16 Sommer's program contributions, writing, "[o]verall, Sommer is an asset in both his own treatment
17 and to the community as a whole." Aside from these direct evaluations, Mr. Buie also noted
18 Sommer's extensive community involvement with starting and maintaining the unit's leisure
19 library, membership in the Conflict Resolution and Inspiration committees, and service as a
20 psychology peer, mentor, leader, role model, and friend to new and existing members of the
21 Challenge community. These comments speak to Sommer's profound changes, but most
22 importantly, explicitly address the fact that Sommer's behavior is consistent with what is expected
23 for successful community reentry.

1 Additionally, Dr. C. Brodehl (acting as the Challenge coordinator while Dr. Babnew was on
2 leave), J. Buie, and S. Irrizary (another member of the treatment staff) praised Sommer for "putting
3 recognizable effort into working through his personal roadblocks to treatment," highlighting his
4 "notable personal progress" in "having the courage to break outside of his comfort zone and to try
5 new and uncomfortable ways of making choices." Dr. Brodehl also assessed Sommer as having
6 demonstrated "skill mastery" as regards the CBT skills taught in phase one of the Resolve program.
7 See *Psychology Records*, Ex. 11.

8 Staff outside of the treatment environment also respect Sommer's character and work ethic.
9 J. Bryant, a shift supervisor in the Food Services Department gave him an outstanding overall work
10 evaluation for his volunteer work during the Passover holiday. Officers who supervised Sommer
11 on his living unit report that Sommer is respectful and a model inmate. Mr. Rogers, Sommer's
12 supervisor in the education department stated that Sommer is a "remarkable tutor," and a man of
13 "noble character." Finally, Mercedes Carroll, a former SIS technician who spent 23 years in the
14 BOP wrote that Sommer "freely offered to provide information to demonstrate his willingness to
15 maintain the security and order of the institution even though providing this information would
16 earn him nothing and to participate in this endeavor could cost him his safety and perhaps his life."
17 Courts have found that cooperation can be used as evidence of rehabilitation. See *United States v.*
18 *Rucker*, 2021 U.S. Dist. LEXIS 168693 (D. Kansas, 2021) (finding that "defendant's recent
19 cooperation with federal authorities on multiple occasions - undertaken despite the lack of any
20 promise from the government of support for reduced sentence and despite the risk of harm to his
21 reputation in prison among [] his fellow inmates - provides evidence of his rehabilitation"). Carroll
22 goes on to say that "I believe [Sommer] can and will make a difference in this world. I have met
23 many horrible, violent inmates while working for the BOP and was committed to seeing that they

1 never saw the outside world again, but [Sommer's] case is surely the exception." To drive the point
2 home, Carroll wrote, "I stake my reputation, integrity, and name on this young man." In *United*
3 *States v. Rodriguez*, 492 F. Supp. 3d. 306, 2020 S.D.N.Y. the Court found "these letters—written
4 by the unbiased people who have spent more time with [the defendant] than anyone else—to be
5 powerful evidence of his rehabilitation." See *Mercedes Carroll Letter*, Ex. 3; *Program Review*,
6 Ex. 12; *Bryant's Letter*, Ex. 6; *Roger's Memorandum*, Ex. 7; *Psychology Records*, Ex. 11.

7 His peers are similarly effusive in their praise. Jerimy Sneed credits Sommer with getting him
8 interested in obtaining a university level education even though he is serving multiple life sentences
9 for murder. In addition, he credits Sommer with literally saving his life when he collapsed and
10 injured his neck. Tashid Reed, in a particularly poignant example, states ". . . I'm only serving a
11 143 month sentence. I will add a few more years on my sentence if it took that for him to be free."
12 In all, more than a dozen inmates lent their support to Sommer's motion, further
13 validating the opinions of staff.

14 The community is no less supportive. Sommer has dozens of letters unrepentantly supporting
15 his efforts to reintegrate into society, and more than half of them come from members of his release
16 community including former senior law enforcement officers, commissioned military officers,
17 business owners, and teachers. Of these, most are members of his formal support network. See
18 *Community Support Letters*, Ex. 10; *Release Plan*, Ex. 13.

19 Sommer's disciplinary record and psychology evaluations show a clear trajectory leading
20 towards complete rehabilitation. In the first two-and-a-half years of his incarceration Sommer
21 earned nine incident reports. In the nine years following, he earned five, and in the last three-and-
22 a-half he has earned none of any kind. This follows the findings of modern neuroscience perfectly;
23 a sharp decrease and eventual stop of antisocial behavior walking hand-in-hand with increases in

1 responsibility and personal growth. In the *United States v. Lopez*, 2020 U.S. Dist. LEXIS 200076
2 (D. Hawaii, 2020) the Court found that "[a]lthough Lopez's crimes were serious and violent, those
3 crimes occurred more than two decades ago and "[n]othing in [his] prison disciplinary raises any
4 concern about him have a continued propensity for violence." (quoting *United States v. Claussen*,
5 2020 U.S. Dist. LEXIS 131070 (E.D. Pa, 2020)). Similarly, Sommer has had no incidents of
6 violence since his last appearance before this court, some thirteen years ago.

7 His psychology records indicate that Sommer has struggled with addiction, honesty, and a
8 history of trying to justify his actions, all stemming from childhood trauma. However, they also
9 show that as he was treated he began to make profound changes; he found his sobriety, embraced
10 honesty and personal disclosure, and took ownership for his actions. Sommer's letter shows deep
11 reflection on his behavior and remorse for his actions and paints a clear and candid picture of his
12 growth as a man. In every aspect of Sommer's life, he has attempted to identify and address his
13 blind spot issues, becoming a person that is highly respected by his community, inmate peers, and
14 BOP staff.

15 "[R]ightly or wrongly, this country's criminal justice system is premised on the idea that a
16 person can—and hopefully will—change after several years locked in prison." *United States v.*
17 *Lopez*, 2020 U.S. Dist. LEXIS 200076 (D. Hawaii, 2020) (quoting *United States v. Ledezma-*
18 *Rodriguez*, 2020 U.S. Dist. LEXIS 123539 (S.D. Iowa, 2020)). Sommer is clearly not the same
19 man he was and has taken every opportunity to change available to him. Additionally, while
20 rehabilitation on its own cannot be grounds for relief under §3582(C)(1)(A)(I), it can be considered
21 along with other issues. In light of the above, Sommer respectfully submits that he has been
22 rehabilitated.

23 RELIEF REQUESTED

1 Sommer respectfully requests a sentence reduction to twenty years (240 months), *and* that special
2 conditions of supervised release be ordered in this case.

3 Because Sommer has dual citizenship, his release will require careful planning. His entire
4 social support network is in Canada, and while Sommer lived in the United States as an adult he
5 did so while serving in the military and living in barracks billeting. Since he is barred from returning
6 to military installations and would be ineligible for housing there in any case, there is nowhere in
7 the United States that he has community ties or a social support network. In Canada, however, he
8 has a substantial network of family, friends, and invested community members as evidenced by the
9 exhaustive collection of letters before the Court. Even so, Sommer would require the consent of
10 the Court in order to return to Canada.

11 Sommer previously affirmed his oath of allegiance to the Canadian people and government
12 as a measure to bely concern on the part of the Treaty Transfer board (International Prisoner
13 Transfer Unit, Office of Enforcement Operations, Department of Justice) of his returning to the
14 United States post-transfer (had he been granted a Treaty Transfer). See *Sommer's Loss of*
15 *Nationality*, Ex. 14. This declaration of allegiance triggers forfeiture of Sommer's U.S. nationality
16 under 8 U.S.C. §1481 upon his return to Canada. This would function in effect like an order of
17 deportation: Sommer would leave the U.S. and no longer be able to legally return without the
18 consent of the United States Government. As mentioned in *United States v. Lopez*, 2020 U.S. Dist.
19 LEXIS 200076 (D. Hawaii), "to the extent there are lingering public safety concerns, these are
20 mooted by the fact Defendant would be deported following release." (quoting *Ledezma-Rodriguez*,
21 2020 U.S. Dist. LEXIS 123539, 2020 WL 3971517, at *8.)

22 As a result, Sommer requests his conditions of supervised release be structured to permit
23 him to obtain a passport and return to Canada to rejoin his family and integrate into his community.

1 Sommer recognizes the Court may feel a different period or incarceration or terms of
2 supervised release may be warranted by the facts at hand. For this reason, he asks for whatever
3 relief the Court feels appropriate in the light of his individual circumstances.

4 Sommer also acknowledges that the Court may find that reduction in sentence is not
5 appropriate *at this time*. While Sommer feels confident he has met the bar required of him by
6 §3582(C)(1)(A)(I), he recognizes that the Court will weigh his motion factoring in the
7 government's response and other relevant factors, and may conclude differently. For this reason,
8 Sommer requests that if the Court finds that circumstances do no warrant relief *at this time* that the
9 Court deny without prejudice so that Sommer can renew his motion, and these arguments, in the
10 future. See *Musa v. United States*, 502 F. Supp. 3d 803 (denying compassionate release without
11 prejudice so that the defendant could continue his recent trajectory of good behavior for future
12 consideration).

13 CONCLUSION

14 Sommer was just twenty years old when he committed his robbery, suffering from serious
15 mental health conditions that have persisted to this day. His over sentencing, exposure to deviant
16 peers, and placement in a high security facility served not to deter him from criminal conduct, but
17 instead contributed to him becoming a drug addict, adopting a nihilistic attitude, and building
18 irrational thinking habits that led him to more serious offense conduct.

19 Sommer was, and is, responsible for his own behavior, and he has taken responsibility at
20 every opportunity provided, but it is increasingly easy to see how this all came about when
21 viewed through the lens of modern neuroscience. The most perplexing question in this entire
22 affair was, "why?" and for years, there was little by way of answer. But now, with what we know
23 about neurological development in young men—and what is openly recognized by the Supreme

1 Court (through their decisions in *Miller v. Alabama*, 132 S. Ct. 2455 (2012) and *Graham v.*
2 *Florida*, 560 U.S. 48 (2010)) and the Sentencing Commission (through their changes to the
3 5H1.1 sentencing guideline and the Youthful Offenders in the Federal System study)—we can
4 see the progression of Sommer's thinking and behavior and recognize it as a result of his age,
5 environment, trauma, and general lack of good role modeling and community intervention. The
6 fact that Sommer has aged out of antisocial behavior, that he has pursued rehabilitation in the
7 face of a sentence measured in decades while serving time with peers sentenced to much shorter
8 sentences for more severe conduct, is in itself extraordinary. But coupled with the other factors
9 presented herein, his situation becomes all the more compelling.

10 Sommer is no longer a threat to his community, his case is extraordinary and compelling, and
11 the 3553(a) sentencing factors clearly weigh in his favor. Sommer respectfully submits that he has
12 met the bar required by section 3582, and begs the Court for relief.

13 Dated this 16th day of June, 2022.

14
15 Respectfully Submitted

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20 
21 LUKE E. SOMMER
22 Pro-se petitioner

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UNITED STATES POSTAL SERVICE

TRACKED INSURED

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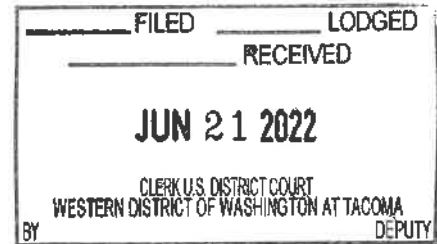
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Sommer, Luke Elliott 38474-086
United States Penitentiary #2
Federal Correctional Complex
P.O. BOX 1034
Coleman, FL 33521
USA

Clerk of the Court
1717 Pacific
Room 31
Tacoma.
98402,
WA
USA

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LUKE ELLIOTT SOMMER

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

NO. CR09-257JLR
NO. CR09-436JLR
NO. CR06-5528FDB
Judge Robart

BRIEF IN SUPPORT OF ORAL ARGUMENTS

Sommer respectfully requests oral arguments regarding his motion for compassionate release on the following grounds:

1) The issues in this case are complex. As a result, oral arguments would give all parties involved the opportunity to emphasize and clarify key elements of their arguments.

2) Many of Sommer's arguments are predicated on the fact he is not the same man that he was at the time of his offense conduct and sentencing. While it may be possible to make that determination through the record, oral arguments would provide the Court the opportunity to evaluate Sommer and directly compare his behavior, attitude, and level of maturity at present against the same at the time of his last appearance before the Court. For this reason alone, oral arguments would be beneficial in this case.

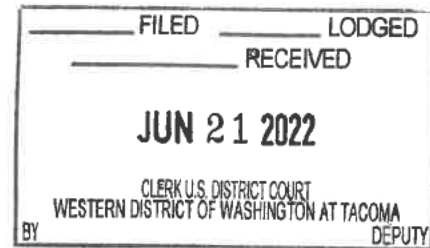
Dated this 16th day of June, 2022.

Respectfully Submitted


LUKE E. SOMMER

Pro-se petitioner

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA



LUKE ELLIOTT SOMMER

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Petitioner,

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v.

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UNITED STATES OF AMERICA,

14

Respondent.

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NO. CR09-257JLR

NO. CR09-436JLR

NO. CR06-5528FDB

Judge Robart

INDEX OF EXHIBITS FOR MOTION FOR REDUCTION IN SENTENCE

Exhibit No.	Exhibit
1.	Request to Warden
2.	Luke Sommer's Letter
3.	Mercedes Carroll's Letter
4.	Christel Davidsen's Letter
5.	Amanda Sommer's Letter
6.	Bryant's Letter
7.	Rogers' Memorandum
8.	Jesse Phillips' Letter
9.	Inmate Support Letters
10.	Community Support Letters
11.	Psychology Records
12.	Program Review
13.	Release Plan
14.	Sommer's Loss of Nationality
15.	Director's Letter
16.	Medical Records
17.	Miscellaneous

CERTIFICATE OF SERVICE

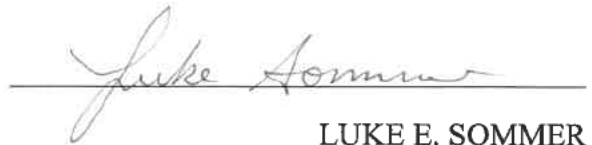
I certify that a true and correct copy of the foregoing (Motion for reduction in sentence under 18 U.S.C. §3582(C)(1)(A)(I), Brief in support of oral arguments, Index of exhibits for motion for reduction in sentence, and seventeen (17) attached exhibits) was served to the Clerk of the Court and the United States Attorney's office at the below listed addresses by depositing the same in the United States Postal Mail at the United States Penitentiary #2 in Coleman, Florida on this 16th day of June, 2022.

CLERK OF THE COURT

1717 Pacific Ave, Room 3100
Tacoma, Washington 98402

UNITED STATES ATTORNEY

1201 Pacific Avenue, Suite 700
Tacoma, Washington 98402



LUKE E. SOMMER

Pro-se petitioner

United States Penitentiary #2

P.O. BOX 1034

Coleman, FL 33521

Exhibit 1
Request to Warden

TRULINCS 38474086 - SOMMER, LUKE ELLIOTT - Unit: CLP-J-A

FROM: 38474086 SOMMER, LUKE ELLIOTT

TO: Warden PEN 2

SUBJECT: ***Request to Staff*** SOMMER, LUKE, Reg# 38474086, CLP-J-A

DATE: 01/29/2022 06:51 PM

To: Warden

Inmate Work Assignment: Inmate Companion

Sir,

I would like to request that the Federal Bureau of Prisons move my sentencing Court on my behalf for sentence reduction to 20 years of imprisonment (from 44) under section 3582(c)(1)(A) on the following grounds:

- Age and mental health at the time of offense conduct coupled with an extremely sentence;
- Conditions of confinement as a result of the COVID-19 pandemic and the impact on programming and recreation;
- Family circumstances created by my extreme distance from home, lack of access to visitation, and cost of communication;
- My extraordinary rehabilitation; and
- My exhaustive release planning.

I was twenty and twenty-two years old at the time of my offense conduct, and I was sentenced to 44 years in prison, well over twice the median sentence given for murder under federal law in the United States. I was suffering from Post Traumatic Stress Disorder at the time of the offense, and I was unable to benefit from more recent neurological studies that established that the average male does not have full brain development until age 25. I am more than 2,500 miles from my home in Canada, and aside from the sheer distance, lockdown measures and closed borders have prevented me from seeing my family. I am in the Challenge program (second phase), I am an inmate companion, and I have not had a violent incident in thirteen years. I also have three years of completely clear conduct. I am enrolled in a Bachelor of Science program at California Coast University with a declared major in Psychology. I plan on returning to Canada, at which point my U.S. citizenship will be revoked and I will no longer be a concern to the community here.

I have a considerable amount of support information related to each of these grounds, and I am more than willing to supply you with any data you may need. If, for whatever reason you are unable to respond favorably within thirty days, I will move the Court on my own behalf. Thank you for your time and consideration,

Sommer, Luke Elliott

Exhibit 2
Luke Sommer's Letter

Dear Judge Robart,

My name is Luke Elliott Sommer. A little over a decade ago I came before you to be sentenced for assault with a deadly weapon and solicitation to commit a crime of violence (the murder of AUSA Michael Dion). Not a day goes by where I don't think about that hearing, though likely not for the reasons you might think.

I remember you remarking that it was sad to see someone so young be so nihilistic. At the time, being completely honest, I had no idea what you were talking about. I had heard the word used in the past, but nihilism wasn't the kind of thing that showed up on my radar, and I was too self-absorbed and lost in my own self-induced drama and self-pity to give it any real thought.

But things change.

I *was* nihilistic. And childish. I had no context for anything I was thinking or feeling, and because the universe revolved around me, I was all too frequently willing to dump all the pain, anger, and frustration I felt at the world on everyone else. I thought that my life was over and in my mind that made it completely okay to take out my pain and loss on everyone around me.

It's painful, looking back. Not just because I can see the damage I caused and witness the ripples as they carry through the lives of everyone affected by what I have done . . . but also because everything that seemed so confusing and depressing at the time seems so clear now. Seeing that life is not over at forty has been an eye-opening experience.

It's also been incredibly depressing, because if I had been able to see that at the time and humble myself just a little, I likely wouldn't be in the situation I am now.

Still, life has consequences. I am writing you in part because I wanted to let you know the positive impact your comment had on my life, even if it took a while to settle in. For the first twelve years of my prison sentence . . . I don't even really know how to explain it. I guess it was a continuation of what had led me to prison in the first place. I was entitled, selfish, arrogant, and completely and utterly unwilling to even consider the fact I had been wrong. I used drugs, destroyed my liver, and treated my family and friends like dirt. I lied to them in order to get money, abused their trust, and lived in a way that would have made any nihilist proud.

And all of that? Is gross, gross understatement. It hurts, sitting here writing this and knowing just how much of my life I pissed away. Worse, the more I have moved outside of myself and begun to live with an others-centered attitude the more I have come to see exactly how much my behavior and conduct have hurt the people who have loved me unconditionally. In school I have been learning about adverse childhood experiences and how they affect kids later in life. Personally, I had a ton. But the one that stood out to me the most was one I never had to experience. Having an incarcerated family member was listed as the most significant marker of whether or not a person would end up a severe, chronic, or violent juvenile offender. By simply being in prison I made it exponentially more likely that my son and my siblings would have negative interactions with the criminal justice system.

And this has played out. My brother, Reagan, was arrested for armed robbery shortly after you sentenced me, and while he has since grown into a godly man with children of his own, he still carries the scars from the hurt I left in his life. My son had troubles in school, struggled with relationships, and at eighteen is still carrying the wounds I inflicted by being selfish.

There is a degree of agency in this I can't claim. We all make choices, my brother and son included, and I cannot take ownership of the choices they have made. But our conditions matter, and the conditions I left for my family were absolutely devastating.

The more I learned, the more I realized that I had to do something. The problem at the time was a full-blown addiction to heroin and suboxone standing between me and more rational thinking. I "couldn't" quit. I tried. For years. I have been through two tours in combat (including participating in Operation Redwing) and completed Ranger school, and I can tell you that getting sober was hands down the hardest thing I have ever done in my life. Ironically, like nearly everything I have done, even getting hooked on drugs was an act of sheer arrogance. I believed my strength of will would prevent me from getting addicted, and while it certainly helped me get clean a decade later, that strength of purpose was powerless in the face of depression and 25mg of heroin.

I still remember laying in my bunk thinking about your comment. I had learned about nihilism, and I was reflecting on what you had said. I knew that the way I was living was so completely in tune with your observations that it was scary. And honestly, I hated that you were right. I have always believed that we should be the hero in our own stories, but between robbing the bank and everything that followed there was no argument I could make to support that. I had walked off the path of heroism and strayed into being the villain. And the more time I spent in that territory the more I thrashed, like a drowning swimmer fighting his rescuer.

But I did get sober. It took years, and the intervention of four close friends, but it did happen. I was in the Challenge program, a residential psychology unit that teaches cognitive behavioral therapy tools for dealing with addiction and mental illness, and I got dragged into a room where I learned all the negative things about myself I hadn't been willing to face. Hearing it from real friends who cared about me and what happened in my life was sobering. And one of the things that stood out the most was their use of the word nihilism.

Everyone saw it but me. For whatever reason it remained a blind spot for nearly a dozen years. But with the help of friends who cared more about me than they cared about my feelings, I was able to address those issues and make huge changes. I have earned the trust of my family, staff, and other inmates, and I am seen as a mentor, role model, and leader in the prison by staff and inmates alike. And it feels good. But the biggest part of that change stems directly from my willingness to accept responsibility for what I have done and the desire to make amends.

For the last several years I have been trying to figure out how to address victim impact, and being completely honest, I have had little success. How do I go about it? I have far more than one victim so there is no single person or family I can contact. I don't know who was in the bank (with a few exceptions), whether there were children or elderly people . . . I just don't know. How do you reach out without invading someone's peace? There is no question that I traumatized

people, and how would it impact them for me to reach out now? It's a hard thing, and honestly, I don't have much by way of answer. And it kills me. I know I need to be careful, because as much as I want to express my remorse and show people I am sorry, I don't want to do this just to get the burden of guilt off my shoulders. Because that guilt is—full disclosure—not fun to live with. But trying to make amends, reaching out to people and intruding in the peace they have managed to find in the wake of my actions, in order to make myself feel better would be just more of the same . . . selfish. And that, that is what I don't want. So, I don't know what to do.

I have this recurring daydream about being in a credit union with my son. You'd think it would be a Bank of America all things being equal, but it isn't. It's this small credit union with green walls, and all of a sudden people come storming in with guns. I have gone over and over it in my mind, and every single time I play out this same thought; I look down at my son in my mind's eye (where he is forever three) and think, "it doesn't matter what I do, I can't stop the bullets." The first time I had that thought I had this moment where everything I had been pushing to the edge of my awareness came rushing in. Before that this was all an exercise in the abstract. I knew I was supposed to be remorseful, and I was, to a degree. I knew I had done wrong, and that I had hurt people. But knowing and understanding are two very different things. And before, I couldn't see how other people would feel in that situation.

And in that one second, I could.

I am sorry for what I did. I am sorry for the pain I know I caused, and for the pain I will never know about or have to deal with. I am not sure if there were children in the bank, or older people with heart conditions. I don't know if there is a young man or woman who still struggles with their lives because of the fear I put them through. I am not sure if Mr. Dion's family was terrified or if Nathan Dunmall wakes up in the middle of the night with his heart racing. I just don't know. And that's a horrible feeling. To have caused so much damage that you can't even calculate how far the impact of your actions has echoed.

Honestly? I can see why I avoided it for so long. All of this self-analysis . . . it *hurts*.

I am not stupid. Pretending to be would be dishonest. I know that this is part of the process, that I am supposed to feel this way, that a major part of a penal sentence is to prevent future misconduct, but an equally important part is to give a person the chance to reflect and feel remorse. But what I wasn't expecting was that I wouldn't be able to do anything about it, or that I wouldn't know what to do. There are a lot of classes in here, and I have taken nearly all of them. I'm enrolled in college, studying psychology, and yet none of that has prepared me for the realization that I have made mistakes for which there may be no fix. I have always been this unstoppable force of nature (with several extremely obvious exceptions), and I approached making mistakes with the same enthusiasm I did anything else. I was about doing what people thought was impossible (or sometimes simply inadvisable). So, discovering that there are somethings I can't repair through force of will has been sobering. It has forced me to be cautious, to consider the impact of the things I do on the people around me, and to weigh consequences.

And maybe that is part of the punishment, or simply another step along the path of growing up. I don't know. But I doubt I will find the answers unless I continue to look for them. But I

wanted to let you know that your comment, small as it was, made an impact on how I have approached the world and personal growth.

The other reason I wanted to write was to make my case for sentence reduction.

To be clear, I don't deserve it. There may be a compelling legal basis for mercy, and the conditions of my upbringing and subsequent life experience may be extraordinary, but in terms of "deserving" a sentence reduction . . . I don't think I ever can. I think, being honest, that there are some things that simply cannot be earned, they can only be *given*. And compassion and mercy fall into that category. That said, I believe with my whole heart that while we cannot deserve something, while we cannot be *entitled* to it, we can strive to be worthy of it.

And that is my goal—to be worthy.

It is hard to balance a desire to demonstrate how much reflection I have put into my behavior with a plea for mercy. It feels like I am saying, "I am sorry, but..." Finding a way to communicate remorse while also highlighting what I have done to prepare myself for release and to be worthy of mercy is a challenge. And honestly, the only way that I know how is to be brutally honest.

I was young, I was hurting, and I had no one to help me. That is the truth. I went through things no one should have to go through, and I turned around and put people through things no one should have to go through. I fell head first in the cycle of violence and then, perpetuated it.

I am not twenty. I am not twenty-two. I am thirty-five years old. I have become a leader and a role model for my community in prison and taken steps to help others stop the cycle of violence and hurt in their own lives. I have helped people work on their educations, promoted civic duty and good citizenship, taught reentry skills, and owned my own faults loudly. I have addressed the issues that brought me to prison and helped other men in here that were broken and bleeding find healing and begin the long work of repairing their lives.

I did not do it alone, and their success is not mine to claim, but I was there to provide help to the best of my ability and sometimes it has managed to pay off.

But one place I haven't been able to address the cycle is in my own life. And more than anything in the world I want the chance to stop the cycle in my own family and the community. My son is lazy. He doesn't want to go to university, and being completely honest he has begun to fall into behavior patterns (smoking weed jumps immediately to mind) that are going to result in nothing but hurt in his life and the lives of those who love him. He respects and misses me, which gives me a huge opportunity. But honestly, a lot of that love and respect is based on an illusion. At the end of the day, he doesn't *know* me. I am an idea to him, a voice on the end of the phone. The last time I saw him he was three or four years old. But there is something incredibly powerful about the idea of a father. And in this small role I know I can do lasting, permanent good. Not just for my son, but for the community. Because I have finally grown into the kind of man that can step into that role knowing exactly what is needed and required to be a positive influence for his personal growth. I can help stop the cycle that I got sucked up into when I was his age.

And I want to serve my community. Yes, I have personal goals and ambitions. My wife has stood by me loyally for nearly a decade and we want children. I want to be a doctor. I want to choose when and where I lay my head. There are a ton of things that either on my own or with my family I want to experience and accomplish. But most of them are things that I can accomplish while giving back to my community. In Canada I have no criminal record. This opens doors for me that many inmates can't even dream about. By way of example I qualify for licensing as a physician upon graduating from a qualifying undergraduate medical program. To further that goal, I am taking a psychology degree and biological, chemical, and physical science classes so that I can apply for admission to medical school when I get home, whenever that may be. But whether in a few years or when I am fifty-seven, this is the goal I am building towards; a chance to serve my community.

I know I can't fix the damage that I did. I can't. There isn't a magic button to reset the relationships I have destroyed, or repair the damage that I caused. All I can do is try and do better. I can do no more harm.

And honestly, from forty-thousand feet, that's not fair. There are a lot of people who will carry the wounds that I gave them, both physical and emotional, for the rest of their lives. And I can do nothing about it but apologize and regret. Even a life of service to my community is a pale apology at best. But it demands from me that I give back more than I took. It requires more than words. That for everything I did wrong, I do more to heal. And that is what I want to do. It is what I *am* doing. If nothing else is evident in my motion, that should be abundantly clear.

Whether I receive mercy now, or I am required to wait out my sentence as it stands, the course of my life is set. I owe a debt, and one way or the other, I will repay it.

I do not deserve mercy, but as long as I live I will try and be worthy of it.

Sommer, Luke
38474-086

Exhibit 3
Mercedes Carroll's Letter

Mercedes Carroll

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Merc100000@hotmail.com

December 1, 2021

To the Honorable Court

Your Honor Judge Robart,

This letter is written in regard to inmate Luke Elliott Sommer, Reg. No 38474-086, currently incarcerated at USP Coleman, Florida and his request for compassionate release.

I am a retired SIS Technician with the Federal Bureau of Prisons of 23 years, 15 of which were working inside a penitentiary. During my final years in that capacity, my time was spent interviewing inmates as well as conducting criminal investigations involving staff and inmates. I participated in numerous prosecutions of inmates and staff corruption cases. I am no stranger to the daily violence, prison culture, gangs, personal threats made toward me, and the rigors of working in a high security level correctional environment. I share this information so you know I don't take lightly my support to Elliott and his request for freedom.

Upon Elliott's arrival to USP McCreary, I conducted the initial interview. His struggle with Hepatitis was evident, as well as his depression and drug addiction. I was aware of his crime and previous actions before he arrived. I was deeply surprised to find a very articulate and remorseful young man. During the course of the interview, he freely admitted he was responsible for his actions, regretted the harm he inflicted on the victims and all the pain and worry he had caused his family. He freely offered to provide information to demonstrate his willingness to maintain the security and order of the institution even though providing this information would earn him nothing and to participate in this endeavor could cost him his safety and perhaps his life.

Elliott often came to me for counsel. He refused to participate in the white gangs, even though they made it very clear he was highly sought after due to his level of intelligence and advanced military training. This is no easy feat for an inmate to accomplish and almost impossible to do from inside a penitentiary. In all the years I dealt with Elliott, he never disrespected staff nor threatened them. I was never in fear of my safety when in Elliott's presence and believed whole heartedly he would protect staff should the need arise. He worked diligently in the Education Department to teach other inmates and help them succeed in obtaining their GED. He sought out medical staff to help him deal with health issues and post traumatic stress disorder from his time in the military. He worked hard with the psychology

staff to come to terms with the long sentence he received and the stressors of living in a correctional environment, as well as his past.

The picture I am trying to paint here is Elliott is the exception. He did what was asked of him. If Elliott had been sentenced under the "old law", he would have already been given parole and reunited with his family. I am not arguing he didn't deserve the sentence he received. What I am arguing for is mercy, compassion or forgiveness shown from someone whom it is within one's power to punish or harm, the very definition of mercy. Over the past several years, I have gotten to know Elliott's wife and family. They suffer greatly over all of this. The money they have spent to keep communication lines open has been astronomical. They have bought and paid for his incarceration twice over.

I understand and respect the Court's mission. I understand each case has implications politically, financially, and to maintain the public trust. But Elliott has done much to accept responsibility, to make a change. I stake my reputation, integrity, and name on this young man. I believe he can and will make a difference in this world. I have met many horrible, violent inmates while working for the BOP and was committed to seeing they never saw the outside world again, but this case is surely the exception. He earned my compassion and respect. He fought all odds and maintained a positive attitude even knowing he may never see his family again. While I realize Elliott forfeited his freedom, I believe in the justice system and the staff who work for it. That mercy and justice go hand in hand and will prevail.

Respectfully,

Mercedes Carroll, Retired SIS Technician

Exhibit 4
Christel Davidsen's Letter

In Support of Motion for Sentence Reduction

To whom it may concern, It has been 15 years since I lost my son, Luke "Elliott" Sommer. Not to death, which I anticipated because he was an Army Airborne Ranger who served on the front lines in Iraq and Afghanistan, but to a system that didn't have the time or the inclination to help a young man suffering from combat-induced Post Traumatic Stress Disorder (PTSD).

Elliott suffered a great deal of childhood trauma which he managed to hide with his intelligence and charisma. He was sexually abused at the age of four by a neighbour boy who was eleven years old. His father was controlling and manipulative and verbally and physically abusive. His father would punish him for the slightest offense but then not participate in teaching him anything by example. For example, his father would drive down a particular road with several hairpin turns and pretend to not make the turn until the last second or stop erratically while trying to yank my phone out of my hand because I was calling for help, which contributed to Elliott's fear of driving. (Even in the military they tried to get him to learn to drive to no avail). When Elliott got older and tried to stand up to his father's abuse things escalated to the point that he had to threaten his dad with a restraining order. He also grew up being told by his father "death before divorce", so when I left his father for the sake of the children's safety, it threw his world into total chaos, and we all felt there was a real threat to our lives.

Elliott was 17 when he joined the army (partially to escape life at home), was 18 when he fought in Iraq, 19 when he fought in Afghanistan and got his PTSD, and 20 when he committed his robbery. By the time most young men are entering college, he had already seen more death and destruction than any of us will ever imagine let alone witness. These kinds of traumatic experiences have been proven to deeply affect anyone's mind, but as an educator, I am reminded that young brains do not completely develop in their understanding of consequences until the age of 23-26, so the impact can be far more substantial.

While he lived with us on his house arrest in Canada, it was very apparent things were not right. Elliott was extremely manic, barely sleeping, spending hours figuring out how to make money so he could create his own sovereign country, buy an island to live on, or any other number of ridiculous ideas. He seemed to have no idea about the severity of trouble he was in. Later at his sentencing, I visited him with his son and my father the night before and he was overconfident and almost oblivious to what he was about to face. This next morning when he stepped into the courtroom, I almost cried. He had given himself a mohawk haircut. He had never had one before and I barely recognized him. It certainly wasn't in character: I knew something was very wrong with his thinking. Between the culmination of his childhood trauma and his PTSD he was in very rough shape mentally.

There were many factors that received little to no consideration when it came time to sentence him. His age, mental health, and status as a first-time offender were all relevant elements that were not taken into consideration when his sentence was calculated. And yet, all of these weigh heavily in determining whether he will re-offend. Once Elliott's PTSD was diagnosed and treated, all violent behaviour subsided, and he has remained without a violent incident for 13 years.

To add to my loss, Elliott has been assigned to high-security facilities because of his Survive, Evade, Resist, and Escape (SERE) training which limits where he can be housed. I live

on Vancouver Island, the most westerly part of Canada and Elliott is in Florida. Over three thousand miles separate us. Phone calls are more expensive out of the country, my Canadian dollar consistently is lower than the USD, so I spend approx. 30% more to buy already overly inflated food and toiletries items, books, and magazines. Even though congress has created legislation to encourage inmates to be within 500 miles of their families, there isn't a facility which comes even close to fulfilling this objective. In the past 14 years, I have visited my son for two days in Seattle and one day in California. Now because of COVID19, there are no visits at all. So, I have seen my son three days in all these years, his son who is now 18, hasn't seen him since he was 3 and his wife has seen him in Seattle and a few days in Kentucky.

I did my master's degree capstone project on how the education of prisoners impacts recidivism and while I was doing my research, the literature showed that inmates who are able to interact in more normal, healthy ways with their families are also better candidates for avoiding reoffending. And yet, this has not been made available for our family.

Because of my research and strongly held belief that education is paramount to setting up inmates for re-entry into society, I have spent my time and money trying to get Elliott an education. Paper courses are hard to find and very expensive. Canada does have a school here (Thompson Rivers University) which accommodates the incarcerated. He is enrolled in the Bachelor of Psychology program to facilitate his science interest. Besides this external education, Elliott is currently in the third and final phase of the Challenge Program, working particularly on Cognitive Behavioral Therapy (CBT) which studies have shown to reduce recidivism and provide the tools necessary to adequately deal with PTSD symptoms. He is also currently in the third and final of the Resolve program and participating in the Inmate Companion Program where he works with inmates to reduce suicide in the local institution. He is enrolled in, waitlisted for, or planning to take NRDP, Drug Ed, and Threshold. He has volunteered to paint murals for the BOP, helped in the education departments mentoring inmates in their GED studies, and has recently completed a fictional novel, of which a New York Best Seller editor spoke very highly. He has also been drafting bylaws for an inmate organization that will help inmates achieve their educational goals. He has mapped out a plan to provide science fairs, writing contests, and Pi day festivities to encourage interest in education and promote the Education Department. He is currently working on a proposal for a science annex that will allow inmates taking university-level courses to obtain access to graphing calculators, microscopes, and other tools needed for advanced education. He is also working on a second organization, the Inmate Re-entry Committee (IRC), the aim of which is to provide resume clinics and career counseling services that help prepare inmates for release.

While Elliott's crime was deserving of prison time, an important time for his development, (because if he can improve his thinking and ability to handle life and make positive decisions in an environment filled with violent offenders, he can handle the general population of society), it seemed disproportionate to the sentences of his co-defendants. Their sentence was half of what Elliott received and they weren't the ones suffering PTSD. I know one of the codefendants and I am happy that he is living a normal life again so I hope that my son will have the opportunity to show our community that he too has grown up and learned from his mistakes.

Elliott always had a heart to serve and help people. He saved his sister from drowning twice. He saved the life of a fellow Ranger Trainee at Ranger School even though originally his Ranger Instructor was yelling at him to leave the young man and continue his job, and it earned

him a spot among the four top ranger graduates. While in remand in Canada he asked me to help two young men who needed a second chance (one a violent offender) and they have indeed done well since then. Elliott is and has always been looking to help others.

Elliott spends vast amounts of time mentoring and helping others which are not typical behaviours for a convict. They usually are looking out for themselves or the groups they identify with and are not likely to help anyone who doesn't give them something back. My son is always asking me to help people by looking up information or sending books or helping inmates self-publish poetry or literature books. I spend 10-20 hours a week helping because I know it makes Elliott feel useful to help build others up. Over the years I have received dozens of letters telling me how much Elliott's true friendship has meant to them and how they do not believe he belongs in prison. They mention how he is kind and caring and willing to help them even though he gets nothing in return except the joy of serving others.

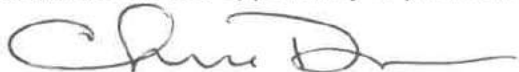
In order to give back to the community, Elliott is planning to write a children's book. Proceeds from sales, along with physical copies, will be donated to various children's hospitals throughout the United States and Canada. He is always trying to think of ways to help others and give purpose to his life. Of course, much of this is dependent on help from his family to facilitate these ideas. And while many inmates have little to no support, Elliott has a vast extended family, church community, and many friends who are willing to invest in his ideas and education, knowing he really does want to make a difference in this often difficult and bleak world. He also is liked and supported by many BOP staff members who have gone above and beyond to help him over the years.

One of the courses Elliott took in the prison was the Dave Ramsey financial course. It impacted his use and understanding of finances and since then he and his wife have been working on a plan to be debt-free. He is current with his court-ordered financial obligations, paying more than the minimum required, and working towards completely paying off the balance in the next thirty months. He is also planning to pay for his needs, and those of his wife, with the proceeds from his book sales (besides what he is doing for charity). Elliott has a plan for a down payment on a house and occupational directions which should provide for his family once he is back in society. This helps to remove any financial insecurity which often pushes released prisoners to look to illegal methods of making money. In Canada, there is much less stigma assigned to people for being a convict, and employment is much easier to find than in the United States.

Having Elliott back in Canada would give him all the advantages for reducing recidivism including being close to his loving (and now grounded) family and community, finding financially viable work, having access to post-graduate education, and opportunities to serve his community. I have worked with traumatized and addicted women, served on a foodbank board for 23 years, and taken into my house released convicts, addicts, and mentally ill people.

I have first-hand experience with these people, and I am good at recognizing when someone is healthy enough to emerge back into society and when they are in need of more therapy and retraining. While I couldn't always say I thought Elliott was ready, I am convinced that he has emerged from his youthful, impulsive thinking processes and has found the discipline and rational thought to help him live well in society. Stories of inmate success are unfortunately few and far between but those that have done the hard work should be given a

chance to be exemplars of the process of reformation. I would ask you to consider Elliott as a candidate for this opportunity to prove the system can work to make lives better.

A handwritten signature in black ink, appearing to read 'Christel Davidsen', with a long horizontal flourish extending to the right.

Christel Davidsen CD, BA, MAL
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Date: February 19, 2022

Exhibit 5
Amanda Sommer's Letter

To whom it may concern,

I am writing to you today in support of my husband, Luke Elliott Sommer, Reg# 38474-086, who is applying for Compassionate Release. He is currently incarcerated at USP Coleman II, which is about 2,473 miles away from where I am in Kelowna, B.C., our hometown.

Elliott and I first met here in the Okanagan Valley in 1995 at a local summer camp. Six years later, in 2001, we began our romantic relationship and it was off again/on again until 2007, when Elliott and I broke up (for what I thought was the last time) during his house arrest, after the bank robbery. 6 years after that, we married on October 25, 2013 at USP McCreary in Pineknott, Kentucky.

When I made the decision to marry Elliott, I knew that my unconventional choice would be confusing to some, and difficult for me. We agreed that it would be best for me to stay in Canada, and try for a transfer through the International Prisoner Treaty Transfer.

Elliott, his mother, and I worked hard to make sure he had a good application, and we were successful in 2015. We started making plans for the future, a future that I had consented to give up when I married Elliott. I knew that we wouldn't be able to live together, or have a traditional family. But his transfer to Canada changed that for us.

His sentence would equate to Canadian terms, which meant that he would be out of prison young enough that we would have the opportunity to do those things that we gave up.

But then Elliott called me with the news that his transfer had been rescinded. I immediately began calling lawyers, and drove down to Seattle to visit with him before they moved him back to Terre Haute. The first day that I saw him, his mother and I sat across from him, and he wouldn't look at me. It was extremely strange behavior, and both his mother and I were concerned.

Was he mad at me? Did he dislike the way I looked now? Did he see me as some sort of representation of everything he had just lost?

Looking back, I should have paid more attention to that. I should have trusted my instincts that something was genuinely wrong, but instead I accepted his excuse that he didn't want his mother to feel left out of the conversation.

What I didn't know at the time was that my husband wasn't actually making the necessary efforts to come home to me. While I was coming up with names for our future children, he was breaking the institution's rules.

My mother in law always said, "your urgency is not my emergency." And it was a

well repeated phrase when dealing with Elliott. Be it money or attention, his needs had to be met immediately. His compulsive behaviour was so ingrained that it was a hallmark of his personality. Almost every time he called he had a request for me. He needed money, he needed something researched, he needed someone emailed. And it was all necessary, it was always important, it had to take precedent over my life.

This behaviour coupled with his despair over his transfer being rescinded made it very hard for me to answer his calls some days. He was devastated himself, and he wasn't handling it well. He would be mean, erratic, and I did internally question his behavior but it wasn't something I felt I could voice to him. I wanted him to feel my support, not as though I was another adversary. Nothing I said or did was right, and life just kept piling on.

While we were in the process of fighting to have his transfer given back, Elliott's nephew passed away at 10 months old from Ohtahara syndrome. Had Elliott come home, he would have been able to meet him, but with the loss of the transfer he also lost out on that.

That was an incredibly heartbreaking consequence of his choices, and one I know he will always regret. There was a lot about that time that I know he regrets, but unfortunately none of it was enough to convince him to get sober.

Over the next couple of years he continued to abuse drugs to the point of spending more money than we had. There were times when he would call and wake me up at 5 in the morning because he needed me to go to western union to send him money. I was as worried about him as I was resentful of the situation. I didn't know how to help him, I just wanted him to stay alive. I gave up on the idea of him coming home, and just focused on what we had.

But then Elliott joined the Challenge program. The way he explained it to me, it was a therapy intensive unit that focused on sobriety. Initially I wanted to be happy about his choice, but I didn't have a lot of faith in it. It was just something that he was doing, it wasn't something I expected to see results from. But anything that focused him on sobriety was a good thing, so I was supportive.

I didn't expect anything, but everything changed.

The saddest part about it was that the change came just a little too late, and he was kicked out of the program. But he didn't let that stop him. He knew that he wanted to get his life back, and that didn't just mean coming home. He wanted to be the kind of man that deserved to come home. The kind of man who didn't ruin his amazing opportunities with the selfish behaviour of a drug addict. The kind of man who didn't blame everyone else for his mistakes.

I think that one of the tallest hurdles on the road to recovery is when you stop trying to convince people that you are the type of person you want to be, and when you

just start being that person. It's the tallest hurdle because it's one of the truest signs of rehabilitation. Especially for someone like Elliott, who has always thrived on the accolades of his achievements more than the achievements themselves.

The biggest indicator of this is the trust the staff now have in him. After being hired as a psychology peer, he was asked to home with an inmate who has mental health issues. This is a hefty responsibility to loft on anyone's shoulders, and not done lightly. The fact that he was sought out to do this by staff tells me more than words ever could.

He could easily say to me, "honey, I'm doing my best, I promise!" And I would have nothing but my faith in him as evidence to his recovery. Whereas the staff listen to his calls, read his emails and mail. They watch him day in and day out in this omniscient fashion, and they trust him. They believe he has changed, and that he is worthy of bearing such a great responsibility. Now it might be easy to discount my opinion because as his wife I'm clearly biased, but to have the correctional workers that so closely observe and work with him see that he is genuinely becoming that person he strives to be? That is an achievement worth more than a few of those accolades that he loves.

Although, irony being what it is, he no longer is participating to win a trophy. He's just trying to be the best version of himself. He wants to be the best man he can be.

Elliott once told me that a man should draw a circle around himself, and everyone inside of that circle are his to protect and love. This meant that the measure of a man was how many people were inside of his circle. And for a long time his circle was very small. Not because he didn't love me or his family, but because when you're an addict, your drug of choice takes up all the space around you. And when you love an addict, you get very used to being low on the priority list. Being outside his circle.

But Elliott got clean. He didn't get clean for me, or for his son. He didn't get clean because he was forced to. He chose to do it for himself, and when he did, he redrew his circle. And if you look at the amount of people he has touched and drawn into his circle in just the past couple of years of sobriety, you'll see that he is the sort of man who is immeasurable because his circle never stops growing.

He is putting in the effort, even when it's difficult. For example, a lot of inmates will use each other's phone minutes, even though this behaviour violates the rules. But it was common practice for most, and it seemed harmless enough. But Elliott chose to move over to the Challenge program, a place where he is monitored much more closely, making this illicit use of phone calls practically impossible. But what's more important than that is that he CHOSE to adhere to the rule because as harmless as it seemed, one disciplinary shot could keep all of those 2,473 miles between us. A few extra minutes on the phone wasn't worth that, and HE recognized that.

Such a small act, but it shows so much growth from the man who had his transfer

taken away.

And there are bigger, more obvious changes as well. One I'm particularly proud of is that he is now an Inmate Companion. In this role, he spends time with other inmates who are on suicide watch, keeping them company and preventing them from harming themselves. As someone who has personally battled with suicidal ideation, I know that sometimes one kind gesture or word can literally make the difference between life and death. And it makes me happy to know that Elliott is choosing to be there for people in that way. I believe it's perfect proof to prove what a compassionate, strong man he has become.

Every day he shows me through his actions that he wants to be the best version of himself and that he's willing to put the work in. Like how he proudly mops the floor as one of his inmate jobs. When questioned on this out of character career decision, he told me that he wanted to do something to remind himself that he wasn't too good for menial jobs. He wanted to find ways to humble himself.

And he's shown it in the big ways, like writing an entire novel in half hour segments—the allotted time for computer use in one sitting. That novel is currently being edited before we send out the manuscripts to prospective publishers.

He has nothing but time, and he is using that time to make himself better. Such as how he is now enrolled in a Bachelor of Science program at California Coast University, with a declared major in Psychology. This will allow him to use his talent and creativity to pay off his debts, and to help others through their mental anguish. That isn't the man he was 5 years ago, but it is the man he is today, and he is only getting better.

Compassionate Release would help heal our family and give him more opportunities to continue his rehabilitation surrounded by his support system. And because of this, I hope you will consider his motion favorably.

Thank you for your time and reflection on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Mandi Sommer".

Mandi Sommer
West Kelowna,
(250)-300-4739

Exhibit 6
Bryant's Letter

Subject: Mr. Sommer 38474-086 Program Review

To whom it may concern,

I am Correctional Worker at FCC Coleman. I have supervised Mr. Sommer in both a work environment and in a housing unit setting since late 2019.

I currently supervise a detail in Food Service where Mr. Sommer has assisted during Religious Ceremonial meals. Mr. Sommer's voluntary assistance was of great help during the time of his employment. Upon observing Mr. Sommer's attitude and integrity, I can say that he is a role model inmate that required little to no supervision to accomplish the tasks required of his position. Mr. Sommer showed great punctuality, drive and reliability during his tenure.

Furthermore, upon supervising Mr. Sommer in a housing unit setting, he has shown great leadership skills and accountability within the Challenge Program. Mr. Sommer has demonstrated maturity and seems to look towards the future during our conversations and in his actions. Although I was not aquatinted with Mr. Sommer during his struggles with addiction, I have observed him show true grit and determination through the book writing and publication process.

Thank you for your time and considerations,

Ofc. J. Bryant

J.C. Bryant

"Do the Right Thing for the Right Reason."
FCC Coleman Cook Foreman
U.S. Department of Justice
Federal Bureau of Prisons



Exhibit 7
Rogers Memorandum



U. S. Department of Justice
Federal Bureau of Prisons
Federal Correctional Complex USP II
846 North East 54th Terrace
Sumterville, FL 33521

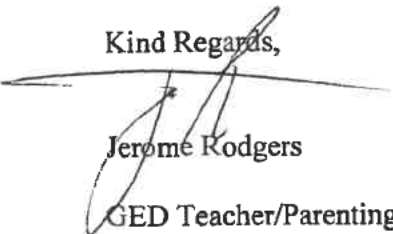
RE: Inmate Sommer Reg # 38474-086

Date: 03/24/2022

I have worked with Inmate Sommer Reg # 38474-086 for a total of several years'. Since, his employment in my class, Inmate Sommer has been a remarkable tutor. He has help his peers that have difficulties with various problems in different subjects. He has gained much respect from many of his peers and other tutors. Despite the obstacles during modified operations of the institution for Covid-19, Inmate Summer continues to show noble character while helping other inmate's practices and study for GED Test, while he is in his housing unit. Inmate Sommer is a great example to his peers in several ways. He manages his time wisely, works until the assignment is finished correctly, makes sure that he meets all deadlines as required, and is a great problem solver.

I may be contacted via-email at jlxrogers@bop.gov. Thank you in advance for your consideration and assistance in this regard.

Kind Regards,


Jerome Rodgers

GED Teacher/Parenting Coordinator/Firearms Instructor
Federal Correctional Complex Coleman, USP II
Phone (352) 689-7247
jlxrogers@bop.gov

Exhibit 8
Jesse Phillips' Letter

Jan 23, 2022

To whom it may concern,

I am writing this letter in support of Luke Elliott Sommer's compassionate release. I first met Luke, when I was too, incarcerated, in a pretrial center awaiting sentencing for a misdemeanor summary charge. I was suffering from addiction, I was homeless and stole clothing and other small items from local stores to support my addiction. I struggled with childhood trauma, a broken home, and was on the street at 17 years old with no support from my family. It was an awful time to exist. I would put myself on the waitlist to go to recovery/treatment centers while I was in jail, but none of my requests were ever met and I'd be released back to the street into the same cycle of addiction. The system was too overloaded.

On one of my visits, I met Luke. We talked a few times and within a short time, we became quite close. Sharing our stories and experiences daily. I considered him a friend. We came to lean on each other for support. Luke constantly gave me words of encouragement and positive uplifting support. He listened and did not judge me. It wasn't too common to have someone be so genuine and not want anything in return. The streets can be a very tough place, it's hard to let your guard down. With Luke, I could do that. I trusted him. I got released and got picked up again and when I would be admitted into the unit, emaciated from a few months on the street, Luke would bring me food and give me a hug. He would say he was happy that I was safe and alive.

At some point, he had reached out to his mother to see if she could help in any way, to get me out of the Vancouver area streets and help me find a place to live. Christel, Luke's mother, bailed me out, picked me up, and brought me back to the area in which they lived, in a snowstorm, 4 hours away. Literally, no one had ever gone out of their way for me like that. This belief in me, the utter and total confidence in me, gave me some measure of strength that allowed me to change. I was able to draw from this and to this day I will never forget what Luke and his family did for me. If Luke had not seen in me, what I could not see myself, I am not sure would be here today, writing this support letter.

I am now clean from drugs for 14 years. I finally went to a treatment center and lived there for 13 months. I did counseling for addiction and other traumas. I worked in the drug area of this city too, for 6 years as a front-line support worker for people with addiction. After 6 years I did get burnt out and needed to take a break from that draining work. I have now worked in the film industry in the Vancouver area for almost 7 years. I do set decoration and work with some big names in the industry. I own my home, I pay taxes, I volunteer, and I donate. Most of all, I

remember how Luke believed in me when I didn't believe in myself. Luke has always helped people and gone out of his way. He has not always had the good end of the bargain, he's been taken advantage of for trying to help people, yet, he continues to try.

I understand his convictions are of a very serious nature and I do not want to take minimize them, but I know, in my heart Luke has done all he can to change his life and make sure there is zero chance of recidivism. I believe Luke has earned compassionate release. I hope you consider this character reference and see the profound impact Luke has had on my life. For which I will owe him a debt I can never repay and am forever grateful.

Jesse Daniel Phillips
Port Alberni, BC
778-899-1113

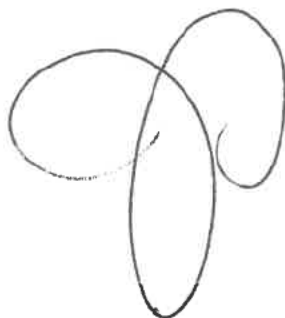
A handwritten signature consisting of three overlapping loops, resembling a stylized 'J' or a calligraphic flourish.

Exhibit 9
Inmate Support Letters

For Compassion Release consideration:

January 20, 2022

Your honor,

My name is Aaron Brown, Bureau of Prisons Register# 29102-009. I humbly and respectfully come before your most high court in the form of a letter in regards to inmate Luke Elliott Sommer's motion for a recommendation for compassionate release. First, I would like your court to know that I am a recovered addict. As of this date (January of 2022), I have been clean and sober for seven years. I can tell you that a person that struggles with addiction inside the Federal United States Penitentiary (USP) system has very little opportunity to gain any confidence in the system or themselves, to take the proactive step forward to begin to somehow get themselves on a path to getting sober. For me, getting sober wasn't easy, but when I did I put my best foot forward in try to help others get themselves sober and heading in a better direction. I met Mr. Sommer in 2018 when he first got to Coleman USP II.

We lived in the same unit and to be honest what I saw at first was a mess. But that was me on the outside looking in. When I began to talk to Mr. Sommer and got to know him I saw an amazing, caring, and humble man that was seriously struggling with the binds of addiction. But he just as seriously wanted change. He wanted to find that confidence in himself that would help push the drugs aside and deal with life on life's terms. Here you had this brilliant mind and big heart, and I knew if he could truly get himself some significant amount of sobriety under his belt this could be a complete game-changer for his future and his family's future.

Four years later Mr. Sommer has done unbelievable work on himself. I am now a mentor (In the Challenge Program), and I have seen firsthand the transformation Mr. Sommer has gone through. He actively participates in this program and shows sincere leadership qualities. Mr. Sommer has been sober for several years now and continues to keep his recovery fresh. He actively works with other addicts to help them find that serenity in sobriety that he has found. Mr. Sommer is a suicide watch companion and this is one of the most trusted jobs in the BOP because you are responsible for the watch of a person who has displayed suicidal tendencies or physically tried to harm themselves. Mr. Sommer also works in education as a tutor for GED and I have witnessed him help more than one person, not only while tutoring in education, but also taking his free time to work with individuals who needed a little extra help. Your honor, I will be returning to my community really soon, and if we had more leaders like Mr. Sommer in my community, who care enough to help others be better people and help them see that hard work pays off and recovery is possible with the right tools, then our communities would be far better off. Mr. Sommer is one of those people that you know, if, given the chance to go home, he will

do great things for himself and the people around him. Mr. Sommer owns his past and wants to use it as a strength instead of a weakness to show others that there is a better way in life than to act irrationally when you run into those uncomfortable moments when you feel like you only have one option. I believe Mr. Sommer will be a vital tool for his community, for his family, and for life in general.

I pray your most high court will give him that chance,

Aaron Brown

To Whom it may concern:

I am writing on behalf of Mr. Elliot Sommer to which I have known & become familiar with over the previous 3 years while participating here in the Challenge Program. We are community members together in this Residential Psychology Program modeled after Cognitive Behavioral Therapy that specializes in Rational thinking and learning to have more productive & pro-social thinking & behavior that will not only be more beneficial to our lives, but to those around us.

Over the course of his treatment I have witnessed a significant change of behavior for Mr. Sommer. My initial experience was that he suffered from substance abuse, mostly as an attempt to escape his present reality and the resentments of making the choices that have led him down his path to where he is today. This self-destructive habit would be followed by lies & manipulation to avoid accountability for his actions, or to progress in his own treatment.

However, after his initial attempt & experience of rehabilitation, it became apparent that a transformation had occurred, for not only did he attain his own sobriety, but he became proactive in his recovery as well as displayed a willingness to assist others with their own addiction so that they could enter treatment sincerely.

Mr. Sommer has demonstrated stark & raw honesty both privately and amongst the treatment community about his struggles, faults, & previous failures.

This level of participation has encouraged other community peers to open up and disclose about their own treatment

related issues, thereby enabling a catharsis leading towards personal therapeutic goals.

In this previous year, not only has Mr. Sommer been adamant and consistent in advancing his own level of treatment and rehabilitation, I have noticed a newfound dedication towards that of helping, guiding, and even serving others in various departments & areas where he could provide assistance or mentoring such as through higher education, legal consideration, treatment facilitation, mental health companion, & even personal support.

Mr. Sommer is working on becoming more pro-social through using his time, knowledge, & resources to not only improve himself, but those around him.

On a personal level, Mr. Sommer has become a reliable source of support for when I need help myself. I am a combat veteran suffering from PTSD & TBI, and a mentor with considerable responsibilities here in the Challenge Program. Whether I need assistance carrying out my tasks & obligations as a mentor & leader here in the program, or someone I can count on to help me through my own struggles & mental health concerns, Mr. Sommer is willing to provide unconditionally.

I have full confidence that whenever Mr. Sommer is finally granted release, he will not only be able to properly readjust to his new community, but also become a contributing member of society and have great potential to be a role model others will be able to look to, as we do in here.

Thank you for your consideration,
Brandon BAILE 

To whom it may concern,

When I first met Luke Sommer he was just getting clean from drugs and a short time later he came to live in my housing unit. From the moment we met Mr. Sommer and I had a strong friendship due in part from both of us having served in the United States Army. A short time later Mr. Sommer and I became cellmates, my third since coming into the Federal Bureau of Prisons (FBOP). Almost immediately Mr. Sommer became a driving force of positive change in my life. I was and had been a stagnant person. I simply existed and while I was neither happy nor content with my life I was doing nothing to change it. Mr. Sommer began to challenge me every day. Each time I responded with an "I can't," hoping he would drop whatever uncomfortable topic we were speaking on, he would persist by asking why. This caused significant change in my life. The first was I began to write. Ever since I was a child I wanted to be an author and while I flirted with my dream I never truly pursued it. Mr. Sommer's attitude of "don't talk about it, be about it," changed my thought of dreaming into a tangible goal and even now I am working on a second novel having already completed the first. Mr. Sommer's next act was his constant attempts to get me to join him in the residential modified therapeutic community (MTC) of the Challenge Program upon his own successful return. Confronting my personal problems and verbally admitting the guilt of my crimes was something I was neither ready for or had a desire to do. Despite this Mr. Sommer never accepted no for an answer. His desire to see me

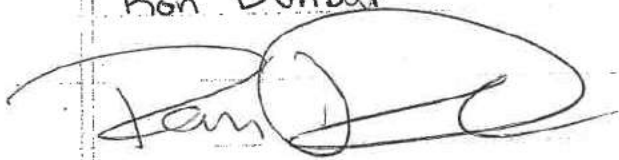
succeed and flourish as a person made him persistent enough I was eventually persuaded to "try" the Challenge Program.

It's changed my life.

Since coming to the program I have continued to write. I have picked up the shards of a failed College Degree to resume its pursuit despite being in prison. I have taken a renewed interest in my physical health and lost considerable weight. I have taken steps to begin pursuing my own release from prison so that I can once more be with my wife and children. I have become a Suicide Prevention Companion and was hand selected to be a Mental Health Companion by the Psychology Department at the Coleman II facility before the program has even been made official. Most importantly I have finally accepted responsibility for my crimes, the first real steps in moving forward. While some of this is the result of having come to the Challenge Program each thing mentioned, plus many others, are directly due to Mr. Sommers influence. He has helped me mentally, emotionally, and physically in ways no one person ever has with no ulterior motive other than because he genuinely cares. Nearly every day he tells me, "Ron, you are smart and capable of so much. Stop being lazy," and then he pushes me to overcome this very real roadblock in my life. Mr. Sommers influence has been like a positive force of nature. I can wholeheartedly say had we not met I would still be stagnant and wishing on the stars instead of achieving the life altering goals I have and continue to set for myself. While I cannot

Speak to the man Mr. Sommer once was I can speak about the man he now is. I say, with conviction, Mr. Sommer is an upstanding man who can only benefit society. I honestly believe that for him to remain in prison any longer than the term he has already served would be tantamount to a crime in itself.

Regards,
Ron Dunbar

A handwritten signature in black ink, appearing to read "Ron Dunbar", with a large, stylized circular flourish at the end.

2-19-22

I First MET Mr. Sommer in 2018 when HE came to the Challenge Program. His First attempt was a MISERABLE approach And Failure. Also A LEARNING EXPERIENCE in Humility. Mr. Sommer didn't give up on himself and came back, surprisingly, A DIFFERENT MAN. A MAN who was truly ready to progress pass his NEGATIVES in life. Not to Forget, but to work on A BETTER him. A positive responsible MEMBER OF Society. Mr. Sommer has truly become AN ASSET, not just to ME, but our community AS A whole. His influence has touched so many in A positive way. WE AS MENTORS in the Challenge Program HAVE RECENTLY BEEN tasked with helping and caring For guys who struggle with A multitude OF MENTAL HEALTH issues. HE patience and understanding alone has taught us so much. Mr. Sommer has been the ideal by example. A MAN who cares For those around him. Inspiring when building with others. I can't speak on who Mr. Sommer was BEFORE I MET him. I BELIEVE the MAN I know today can be great, because HE continuously works to be A good man. Not just For himself, but For us. For his kids, family and Society. Hopefully those beyond these walls will have An opportunity to BENEFIT from A positive responsible Mr. Sommer. Challenge Mentor, Son, Uncle and Father.

Thank you For your time and granting my words consideration

Mr. Michael McEloughlin
09023-007 ~~Mr~~

2-20-22

I, NATHAN PEREZ, AM WRITING TODAY ON BEHALF OF LUKE SOMMER REG. # 38474-086. I HAVE NOW KNOWN MR. SOMMER FOR APPROXIMATELY 4½ YEARS. OVER THE COURSE OF THESE FEW YEARS, I HAVE GOTTEN A CHANCE TO KNOW MR. SOMMER ON A PERSONAL LEVEL AND HAVE BEEN LUCKY ENOUGH TO WATCH HIM GROW INTO A VERY RESPECTABLE INDIVIDUAL. FROM MY OWN EXPERIENCE, I HAVE WATCHED MR. SOMMER, NOT ONLY MAINTAIN A HEALTHY LIFESTYLE BALANCE IN AN ENVIRONMENT THAT IS CHAOTIC & DEPRESSING, BUT ALSO GO ABOVE AND BEYOND TO REACH OUT TO OTHERS, TO HELP THEM BECOME BETTER VERSIONS OF THEMSELVES. TUTORING INMATES TO HELP THEM FURTHER THEIR EDUCATION, BECOMING A DEPENDABLE & TRUSTWORTHY ASSET TO STAFF, WORKING DILIGENTLY TO IMPROVE HIS OWN PHYSICAL & MENTAL WELL-BEING FROM BOTH EDUCATIONAL & RECREATIONAL ASPECTS, AND CREATING RELATIONSHIPS WITH OTHER MEMBERS OF THE COMMUNITY, THESE ARE BUT A FEW OF THE MANY ACCOMPLISHMENTS THAT MAKE UP MR. SOMMER'S CHARACTER. I COULD GO ON AND ON ABOUT ALL THE POSITIVE THINGS I HAVE WITNESSED MR. SOMMER DO OVER THE YEARS, BUT THAT ISN'T WHY I'M WRITING THIS. I WRITE THIS TODAY, TO SOLELY POINT OUT THE FACT THAT IF MR. SOMMER CAN DO ALL OF THESE THINGS, IN AN ENVIRONMENT THAT IS KNOWN STATISTICALLY TO CAUSE MOST

PEOPLE TO OPPRESS THEMSELVES AND MAKE THEM
WANT TO GIVE UP, THEN JUST IMAGINE WHAT
POTENTIAL HE WOULD HAVE, TO GIVE TO OUR
SOCIETY, IF JUST GIVEN ONE MORE CHANCE.
I, MR PEREZ AM ALSO A PRISONER, I'M NOT IN HERE
TO MAKE FRIENDS, I AM NOT TYPICALLY ONE TO
HAVE FAITH IN OTHERS OR TRUST THEM IN ANY
WAY, ESPECIALLY IN THIS KIND OF ENVIRONMENT,
AND I AM NOT A BETTING MAN. BUT IF THERE IS
ANYONE THAT I CAN SAY WILL NOT ONLY SUCCEED
IN SOCIETY BUT BECOME AN ASSET TO IT AS
WELL, IF ANYONE HERE DESERVES COMPASSIONATE
RELEASE AND A CHANCE AT A LIFE, I WOULD SAY
MR. SOMMER DOES.

RESPECTFULLY,

NATHAN PEREZ
x. *Nathan Perez* 2-20-22

I'm writing in regards of Mr Sommers
Send I know him in the Bop and Being in the
challenge program he has been A good role model
At being Smart I'm in the GED class and
I'm very much looking forward to getting my
GED and Mr Sommers is the teacher of
my class and Sense he has been the teacher
he have learn me the steps of what it really
takes to getting my GED He's patince with
his student and that shows me that ~~it~~ really
would be Beneficial for him if he was
A teacher in Society because he's that
Good At teching

Thank you
Mr Daniel Inman

Daniel Inman

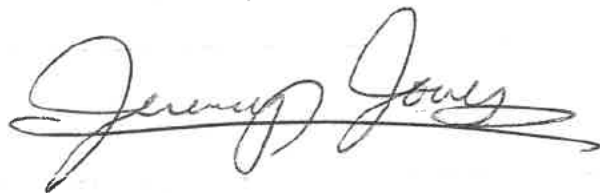
To Whom it may Concern

My name is Jeremy Jones #51545-074, I am an inmate here at Coleman USP#2. I am writing this letter in support of Mr. Cuke Sommer #38474-02 and his efforts to hopefully regain his freedom and become a positive, pro-social member of his community. I say this because during my almost 4 years of knowing Mr. Sommer and living with him he has consistently shown me no reason not to believe that he would ever be anything less than a very productive and pro-social member of society if he were afforded the opportunity to Re-integrate into society. He is very motivated when it comes to helping others. Currently he is assisting his cellmate who has Terminal Stage 4 Cancer and helping him through what could be his last few days and weeks of his life. He is actively involved in the Residential Program we are in which deals with Cognitive Behavioral skills and he has shown his ability to not only learn the tools needed to be successful in life but he displays a very positive and responsible Character and attitude that I know is genuine and his energy affects others around him as well and has proven to positively effect their lives as well. I

believe that, given the opportunity, he could be a prime example to our country of what real change looks like and that he is worthy of another chance at life. He is an Inmate Companion, G.E.D. Teacher/Tutor, Positive Role Model and an all around genuine person who is determined to do the right thing in any situation. I hope that one day soon he will be awarded this opportunity based on the person he is today and not the person he used to be. Thank you for your time and concern.

Sincerely,

Jeremy Jones #51545-074
USP Coleman 2
P.O. Box 1034
Coleman, FL 33521



To Whom it may concern,

My name is Daniel Brock. I am writing this letter about my friend Luke Elliott Sommer. I have known Mr. Sommer for several years now and, I am happy to be able to call someone like him a friend.

I have been in prison since 1994 when I was 18 years old. I have encountered many personalities and characters to call it mildly. Mr. Sommer is the first person I have met who is intelligent, teachable, remorseful, driven, strong, caring with desire to help others.

In the prison we are in it is easy to fall into the mindset of the common criminal convict. However, Mr. Sommer illustrates in all ways his desire to break free from this and be a member of society. I don't know a lot of things about the world in regards to being responsible as a citizen from experience, but what I do know about resumes, bank accounts, understanding business management, driver's license, insurance, taxes and other basic "common sense" day to day things, I have learned from Mr. Sommer. He truly has helped me be a better man with the ability, motivation and attitude to be successful if I am ever fortunate enough to be released. This is one of the remarkable things about Mr. Sommer, he doesn't just help people going home, he is able to give guys with life hope and the inspiration to be better men even if we spend the rest of our lives in prison so we are able to pass it on in the hopes of rehabilitating someone else.

I can't find all of the words to express the impact Mr. Sommer has had on my life, and continues to have

on a daily basis. I only hope my words are enough to help you understand that one event in his life was truly only one event and not the man he is. Thank you for your time. In closing, I believe Mr. Sommer is above and beyond this job here and truly a man deserving to prove his value to his community, family and friends.

Sincerely,

Daniel Brock
Daniel Brock

To those that this letter of
references my interest: My name
is Mr. Francisco A. Feliciano and I am
a prisoner here at Coleman Federal
Correctional Inst #2 and have been
here for eleven years. In that
time I have met many different
individuals, one of which is Mr.
Luke Sommer. To which this
letter is being written about.

When I first met Mr.
Sommer - to say the least - he
had an uncanny personality with
an ability to draw a person in.
Although he once would use that
gift to his own personal wants
and needs, I can now say that over
the years that I've witness Mr. Sommer
grow into an empathic, caring, under-
standing person, morally responsible
with his character when dealing
with life's issues. I can truly
say from my experiences with Mr.
Sommer that the man you see
today is a changed man.

One that will benefit society
ethically, morally and socially.
I have personally witness
his growth. And have the full trust
that Mr. Sommer will be a pro-
ductive citizen if given the
opportunity to receive his
freedom back.

Respectfully
Francisco A. Feliciano
FRANCISCO A. FELICIANO

January 30th 2022

Your Honor,

My name is Joshua Wofford and months ago I came to reside in the Challenge Program at pen #2 in Coleman Florida. Since coming to the program one of the very first people I met was Mr. Luke Sommer. My very first impression of Mr. Luke Sommer's was that he wasn't like me "someone who deserved to be in prison." I say that "not lightly" because as an ex drug addict and ex gang member most people in prison deserve to be incarcerated for their crimes and carry out their sentence to term. A lot of inmates should never even be let out to society to kill, destroy the community, and self destruct but they are. Prison for most makes them better criminals - what to do, to not get caught the next time. However for the few prisoners that learned their lesson, like Mr. Luke Sommer who is truly sincere and remorseful, seeked and seeks change at every opportunity by taking every class and program offered. Furthermore he goes to college, makes good grades. He achieves his goals just to set more challenging ones to obtain. That in itself is extraordinary. Mr. Luke Sommer is a guy who overcame and overcomes his obstacles. He no longer is a statistic in stagnated waters stuck in the judicial system, but would be a productive member of society.

given the Chance. Mr. Luke Sommer is a inmate truly reformed. Back to the beginning of this letter I was talking about his First impression he made on me, Well he was Kind and right out the gate he explained the Challenge program to me "which is a most Comprehensive intense drug and mental Residential treatment program. I was interested in going back to College, Mr. Sommer explained what I needed to do. He volunteered his free time to help me learn the Algebra/Trigonometry Curriculum. He let me borrow his College textbook as long as I applied myself and showed initiative in learning and making good grades. * Note Your Honor Mr. Luke Sommer goes above and beyond in everything he does. He helps not only me but anyone who needs and seeks help. He stays busy with programs, taking classes, going to college, working out, writing books, inmate companion, but no matter what he makes the time in a busy schedule, I don't know how, to help people like me he just met months earlier. Your Honor I want to utilize my time like Mr. Luke Sommer did in becoming transformed and reformed. A changed man, no longer a criminal but a productive member of Society. I want to help people like he has in the areas of drug treatment, mental health problems, Education, etc Mr. Luke Sommer is a good man with a big heart. He is very smart and he has learned from his past mistakes. He is a man of character now with

good morals and values and honestly someone I look up to as a role model. I hope to have the same transformation as him and the same effect he has on me and the community. I hope to be able to reach out and help people better their lives like he does now by not only sharing his story, and where he went wrong, but by applying the things he has learned. Mr. Luke Sommer don't just talk the talk but he walks the walk by applying the 8 positive attitudes: Humility, Honesty, Gratitude, Responsibility, Open mindedness, Willingness, Caring, objectivity... to name just a few. Your Honor Mr. Luke Sommer no matter where he is or what he does, He goes above and beyond in a positive way making positive impacts. No matter where he resides he will utilize his time in being conducive to promoting unity within the community. Your Honor I plead and pray you find it in your heart to give this man Mr. Luke Sommer a second chance. His wife needs him. His family needs him. The community needs more people like him. Thank You Your Honor for your time in reading this.

Respectfully Submitted;
x Joshua Wofford
Joshua Wofford #15223-062
USP Coleman 2
PO Box 1034
Coleman, Florida 33521-103434

I am Jeremy Sneed #05270-030 and I am confined in prison at USP Coleman 2. My cell mate for the past year and more, and a friend for even longer is Luke Sommer. I met Mr Sommer when he came to the Challenge Program in January of 2019. He became part of my core group and also became a true friend. At that time he was just beginning to work on overcoming his addiction and it was a difficult time for all of us, especially him. Yet, even while wrapped up in trying to work on himself he still found the time and caring to help me. While Mr Sommer was self destructive at that time, I was a person who was destructive to not only myself but others as well. Mr Sommers empathy allowed him to be the friend I needed when I thought I did not need, nor want, friends. While Mr Sommer was able to instinctively know what would help me, he had a hard time seeing what he needed for himself. As a result of this he didn't sober up until it was a bit too late and he left the Challenge Program. I do not say this was a sad thing to happen. Yes, I lost my friend for a while because Covid came and it put us on lockdown so I was not able to see him for well over a year. Several things happened during this time. He was able to

send messages to me from time to time and he seemed to know just the right words at the right time to make things just a bit better than before. I appreciated those messages. More importantly, when Mr Sommer went to the other unit, newly clean and sober, he was given a reality check. He was able to see all the addicts and miscreants and he saw what he was. That was what we call an "Ah ha" moment. This is when he committed himself fully to being the best version of himself that he could possibly be... then pushing a bit harder to improve that even more. Since we have been cell mates I have seen him continue to grow as a person. He has also helped teach me patience, acceptance and tolerance. Not only of others, but of myself as well. And that has greatly helped my progress in this program. Mr Sommer is a big part of ~~why~~ why I am now a graduate and a mentor in the Challenge Program. I am who I am today partly because of Mr Sommer. He has become a stable, reliable and influential member of the Challenge Program and as an upstanding person in general. Upstanding and productive in a prison society that frowns upon a person doing the right thing. Going against the flow of prison norms Mr Sommer has willingly chosen to

take the difficult path and be a respectable, rational, responsible and caring person. A person who chooses to do right even when it is difficult and doing wrong would be easier.

Mr Sommer has been there for me with words of encouragement and suggestions, and sometimes silence when that is appropriate during difficult times in my life. Relationship problems, medical problems and especially when my mother passed away recently.

Mr Sommer probably saved my life earlier this year. I had passed out, fell and hit my neck on a chair leg. My neck was twisted and bent at a bad angle and I was not breathing correctly. Mr Sommer's quick response ... hitting the emergency duress button and releasing the pressure on my neck allowing me to breathe again more than likely saved my life. I can not thank him enough or compose the words to express my gratitude for acting quickly and without hesitation.

Mr Sommer is not who he was before. None of us are once we have spent a few years in prison. Most of the time those changes are for the worse. Yet some change for the better, Mr Sommer being a good example. Once he realized and wanted to overcome his addiction he has put his all

into improving himself in a multitude of ways. And it doesn't stop with himself. He encourages and helps others to be the best possible versions of themselves.

I am a Lifer, multiple life sentences for murder. I have been in prison since 1996 and more than likely will never get out of prison. With that mindset I did not see the benefit of preparing for a potential life outside of prison. Yet Mr Sommer convinced me and I am currently in the process of getting things lined up to work towards a degree in Psychology. I would not have made this decision without Mr Sommer showing me how and why it was important.

Some people deserve to spend all or most of their lives in prison... me included. Yet Mr Sommer is not one of them. Mr Sommer is someone I have full confidence will make a positive addition to our neighborhood, community, or city.

Mr Sommer has something else a lot of us do not have. He ~~has a~~ ^{has a} loving family, a wonderful wife and an awesome mother. He has friends and tons of support... all who are positive influences and are stable relationships in his life.

In conclusion, I hope you grant Mr Sommer his wish to be able to have that

second chance to make a positive impact. I have been given many second chances and wasted and squandered them... Mr Sommer will not waste his chance. That is something I am positive about.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read 'J. Sneed'.

Jeremy Sneed

08270-030

WSP Coleman 2

My name is James Lockhart, inmate number 71181-018. I am located at USP Coleman Pen 2. I am in the Challenge Program and I have been programming along side Luke Sommer for just over a year now. While I can't speak about who Mr Sommer was before I met him, I know that since meeting him he has been an extremely positive influence in my life.

For a large portion of my life I have been very lazy. I was unmotivated to do anything that I thought was difficult or didn't have immediate payoffs. This caused many consequences for me including flunking out of college, poor work performance, and ultimately setting me down the path that led to my incarceration.

As I started to interact with Mr Sommer more, due to a reduction in our units COVID restrictions, he recognized the potential I have and what I could accomplish if I were to stop being so lazy. Mr Sommer set me down in a pseudo-intervention that helped me see, if I want to get out of prison and make it on the outside, that it was time to build new habits. He shared with me that he saw great potential being wasted in stagnation.

Mr. Sommer has helped me start down my new path by assisting me with coming up with clear and achievable goals. I am now working on my education, and Mr. Sommer was instrumental in getting me enrolled in college and helping me study the course material. I am also working to get my physical health in check by working out and eating better, this is made significantly better by the strong motivation and encouragement given by Mr. Sommer. He has helped me build new habits that are actively improving my life.

I have also seen Mr. Sommer as he interacts with other peers in the program. He is patient and finds ways to help and encourage others to reach their full potential.

Mr. Sommer has been a blessing in my life. He has helped me build new positive habits and set me down a path to a much better future. I don't know how long I will have the pleasure of interacting and working with Mr. Sommer, but I will be forever thankful for having met him and being able to call him my friend.

Sincerely,



James Lockhart 71181-018

I MOVED IN A CELL WITH SOMMER ABOUT
45 DAYS AGO. I HAVE TERMINAL CANCER AND
HAVE ABOUT 90 DAYS OR SO TOO LIVE, AND HE
HAS HELPED ME WITH SOME DAILY NEEDS &
AM SICK MOST DAYS. HE IS COMPASSIONATE
AND KIND. HE AGREED TO HELP TAKE CARE
OF ME WITH NO PAY OR NO REAL RECOGNITION
FOR HIS ACTIONS. HE HAD TO HELP TAKE
ME TOO MEDICAL WHEN I WAS VOMITTING BLOOD.
HE WAS ASKED BY DR KAZMERSKI TO TAKE ME
AS A ROOMMATE KNOWING WHAT I WAS
GETTING TOO. MR SOMMER HAS DEMONSTRATED HE
IS REHABILITATED AS HE WOULD NEVER HAVE
DONE THIS ACT OF KINDNESS IN HIS PAST.
HE SHOULD GET ANOTHER CHANCE AT LIFE.

RESPECTFULLY

MICHAEL F DISCH

03398-424

To Whom it may Concern,

I am writing this letter in support of Luke Elliot Sommer. I have known Mr. Sommer for close to 4 years now. I first met Elliot when he came to the Residential Challenge Program that I am a mentor in. At that time he was wanting to change himself but was still fighting with his addiction. Addiction is something many in here deal with, myself included although I have close to 24 years sober. I have been in prison for 27 years and have seen many who will say anything to be released, get a transfer, or to gain some other benefit. It is rare to find those that will admit their flaws and be willing to challenge their old beliefs. Elliot was and remains one of those who will. His addiction resulted in his removal from this program for over a year. While he had begun to work on himself before he left it was while he was living in a regular unit that he was able to find his sobriety. He continued to be in contact with those of us in the program for support but the hard work he did on his own, away from any healthy allies and in the environment where drugs and irrational actions are expected and accepted.

It was well over a year ago when Elliot returned to the program. While I had seen him learning to be less selfish and more caring of others

in his life the first time it has been during this last year plus that he has shown the drive and desire to become a better person. I will explain with several examples of this.

In his personal relationships with his wife, son, and family (Mother) he has been honest with them on how he had been abusing their relationships. He has worked to rebuild their trust in him and has been willing to reach out for help, advice, and support in this. He has become a support for his wife now and routinely offers her his thoughts for help in situations she finds herself in. As well as being able to show her he will be a positive love in her life and the life of their son. He has given his son advice on how to navigate life so as not to make any of the decisions that Elliot had made that were negative. Through thoughtful and well meaning conversations he gives his wife and son not only support in what they do but he gives that genuine caring that nurtures their relationships through patience, empathy, and understanding.

In here, the prison, he has been able to be a guide to many that want to become a part of society rather than apart from it. Through being patient with them, sharing insights, being willing to challenge their thoughts when they are out of line

with societal expectations (which is against the norm in this environment), and giving advice and feedback to others on a routine basis.

He is working now on his higher education as well as helping others with theirs. Help that often includes ensuring that others remain focused on improvement and doing the work. This is done by example and by offering his hand in aid. He is now working with other prisoners to help them attain their G.E.D.'s by working as a tutor in the Education Department here. In that role he often has found it necessary to ignore the prison code and be willing to ask those who would undermine others' studies through drug use or other actions to leave so those who want to learn will be able to. He communicates this in ways that are non-confrontational and is able to accomplish positive results.

He is willing to be held accountable for his actions now, not just past actions but those thoughts and actions he has today. This goes against all the usual thoughts in prison but is taught in this program. He not only accepted it as a new normal but has embraced it. This allows not him to grow and mature as a person but those around him.

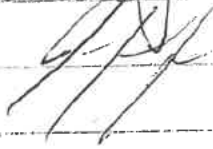
He has joined the Inmate Companion Program and while that is a quiet assignment it is one

with immense responsibilities. On watch the companions not only are vigilant in ensuring the inmate who is placed on suicide watch does not harm himself, but also offer to listen to the driving problems of those we watch. And we not only maintain confidentiality there but we are able to aid in keeping those who are feeling depressed or suicidal focused more on what they have positive. As to give positive alternatives to thoughts or actions. Elliot is well like and respected not only by those he works with but also those we watch.

Along the same lines he has volunteered through the Psychology department to live with another inmate that not only has mental health issues but also is in a life ending battle with cancer. In this he has shown not only patience and caring but beyond that a love for another human to ensure his time left is positive, peaceful, and safe. Few could or even would do that.

I could go on but the above give good examples of Elliot's growth and life. The past cannot be undone but it is my sincere opinion that giving Elliot Sommer an early return to society would be not only in his best interest but societies as well. He will continue to improve the ~~best~~ lives of all those around him. I believe he will now leave a lasting legacy of good and will not only be a

productive member of society but also a Husband,
a Father, and a Son that shows love and kindness
and allows those in his family to become the best for
them as well.

Sincerely


JAMES CARL MAASS

Reg# 25817-013

Federal Correctional Complex

USP Coleman #2

P.O. Box 1034

Coleman, Florida 33521

To, whoever This may Concern for MR. Sommers
 for me I Look at A intelligent guy with A Bright
 future. He Has Help me Threw G.E.D School
 Because I Wasn't Able To Achieve getting my
 Education When I Was free. But since I Been
 in The Challenge program MR. Sommers Not only
 is he helping me get my G.E.D, He's Helping
 me understand The Context of The work we
 Have A Core group Together in This program
 And we is on The Second phase Closer enough
 To graduating The program I Can say This dude
 Will make A great impact on people lives in
 A positive way I'm only serving A 143 month
 Sentence but I will add A few more years on
 my Sentence if it took That for Him To Be free.
 He made mistakes But Honestly The way I see it
 Dont none of His mistakes out weigh The Good
 He Has Done period He Deserve To Be free with
 His kid. He's kind, He's Humble, He's seeing clearer
 And Defently The Smartest man I Know, I Dont
 know if This will Do Anything. But only thing I
 Hope is for Him To Be free.

Tashied Reed

CR

I Curtis McKnight Jr # 41767-007 AM A 33 year
 old Washington D.C. native serving a 44 year
 sentence at USP Coleman 2, I have been incarcerated
 since I was 18 years old, at the time of my arrest
 I had a middle school level of education, it took
 me time and persistence, but I was able to
 obtain my GED in 2018, outside of that I still
 had struggles here in prison. November of 2020 during
 the Covid 19 pandemic I willingly signed up for the
 Challenge program, so before enrolling into this program
 I neither heard of, or saw Mr. Sommers, here on the compound
 one of my first introductions to Mr. Sommers was
 while I was conducting my last duties of my work
 detail which is to clean and disinfect the unit
 showers. he was tutoring Jr Delcarmen for his
 upcoming GED test. so while Mr Sommar was locked
 down in his cell due to Covid he kindly asked me
 to ask the unit CO can he come out for his hourly
 tutoring sessions, he was allowed out and went straight
 to his assignment without breaking any unit rules
 which is common amongst our small community,
 Mr. Sommers was laser focused on his task,
 which actually shocked me because the officer was
 no longer looking but he showed meaning, purpose
 and most importantly integrity. which can cause
 other Jr to envy or brown upon him. for me that
 was the first thing I recognized about him

He was different than most individuals in the penitentiary. Shortly after other 7m started telling me Mr. Sommers was a Army Ranger and how he has a book depicting his life. Everyone held him in high honor but from my perspective I saw more of the things being said, he showed a great deal of ~~generosity~~ ^{generosity} just to be helping people. 6 months later ~~we started~~ April 2021 we started our first group together and I was totally surprised at how well Mr. Sommers presented himself when he speaks to a large crowd, he displays genuine compassion in every word. His first step at helping me become a better person for myself was how he was able to teach me in just a short time period how to conduct myself when it comes to public speaking, this was all new to me and I became more afraid thinking he would view me as weak but it was totally opposite he became sort of a mentor by sitting me down and explaining im not alone because he struggles with being awkward when he is around others that dont look or act like him. So here we are im a black man from Washington DC and he is from Canada two different worlds but we are two men that share so much, we are both serving the exact same sentence 44 years, he went on to tell me about his family, the love he has for his son and the tremendous love and respect he has

for his wife, and how much he appreciates his room for showing him he isn't alone in this dark time of his life. So for a year and a half I've watch MR. Sommers grow into a person who has the ability not to just say things but show he understands where he went wrong in his younger life. He has excelled in our group from a person who once was a know it all to a person that just wants to help when he can, he understands boundaries, he demonstrates the utmost respect to all his peers while going above and beyond most in prison to get his priorities in line with his goals. He is truly a man on a mission. As a fellow inmate to MR. Sommer and being able to see his progress, maturation, rehabilitation, shows he can be a productive citizen in his community after his release, he is a man deserving of another chance, in his actions he speaks on true remorse about his past mistakes that ~~led~~ led him to prison. He never makes it about him, my just meeting MR Sommer at our time together will have a long lasting positive impact on how I continue my life in prison also after my release. I 100% appreciate for his help and how he keeps a positive attitude when misery is all around him. He is the epitome of a role model inmate.

Carlos M. Hunt
41767-007

To whom it may concern:

2-13-22

Hello, My name is Rene Torres. I am writing in Regards to, Mr. Luke Sommer. I am currently incarcerated and housed in the same unit as Mr. Sommer. Since I have come to know Mr. Sommer, he has been nothing but a good Role model towards me. He has always encouraged me towards my treatment. He is always willing to give a helping hand, whether its with tutoring people to help them recieve their G.E.D, helping people with College courses, and even helping people that just want to advance their learning.. He helps people with their treatment, and Recovery on a daily basis. From what I have seen with my own eyes, is that he will give a person that is in need, the best of what he has.. I have seen a growth, and a change, since I have lived with him here in the Challenge Program going on. He is a Positive Role Model, is a Humble person, does care for others, he does take his treatment serious, he is motivated, dedicated, persistent and focused in his day to day routine that I see. I learn from him everyday, and seeing how much of a determined person he is, motivates me and pushes me to also excel in my treatment, learning, Recovery and progress in life.. I do look up to Mr. Sommer and see him as a very positive asset to the community here in the Challenge Program, and I do consider Mr. Luke Sommer a mentor to myself and to others here in the Program. Thank you for your attention and time.

Sincerely,
Rene Torres

To Whom it may concern:

I am writing for Mr. Jake Sommers. I have know him for about 2 1/2 years He is really a good guy, He is Nice Very Respectful He is always willing to help people out with getting there G.E.d, or like if someone needs help in The Challenge Program or just anyone who needs help. He is Also help out The Guys Here who are care Level 3. for me You Never See People

Who are willing to help people
in prison like he does. Mr.
Juke Sommers has a great heart.
I am very glad I have met
Mr. Juke Sommers.

Sincerely,

Mr. Mark Anthony Hanks

MARK HANKS #19708-043

To whom it may concern,

I am writing this letter in regards to Mr Sommer. Currently we are in the challenge program, and I met Mr Sommer three years ago within the program. Since then Mr Sommer has shown that through the years he has done a lot of self introspection and has been working on himself. He is a community member that I myself look up to and have learned a lot from. I have seen a tremendous amount of growth in him, and I would say today Mr Sommer is a man of integrity. One who extends a helping hand to others whenever possible, and has shown a level of commitment to self improvement that is an example to everyone around him. There is no doubt in my mind that if given the chance to return to society, he would be a productive, positive member of that society. He continues to stay focused and committed to being a role model within this program, thank you very much.

Scott Taylor #13558-014

Exhibit 10
Community Support Letters

2022-03-02

To Whom It May Concern

Dear Sir or Madam,

Regarding SOMMER, LUKE ELLIOTT (38474086)

My name is John van Schaik (67). I am a retired police officer.

I am writing this letter in support of Luke Sommer's motion for Compassionate Leave. My wife and I have known Luke since 1990 when our families became close friends while residing in Kelowna, British Columbia, Canada. Our families socialized together frequently as our children were of similar ages. The youth we knew at that time is not the same person who the committed the offences he's been incarcerated for. I am not here to in anyway excuse his behavior or the crimes he's committed. As a retired police officer it was very difficult to understand how the young man that we knew orchestrated such crimes. The fact remains however that he did. I was transferred in 1998 and contact with the SOMMER family became infrequent due to the distance separating us. (approximately a 10 hour drive). We did however maintain contact and visit each other when summer vacations allowed.

My last contact with Luke was approximately 15 years ago. My wife and I have consistently prayed for Luke with the hope that he would submit to the Lordship of Jesus Christ and accept complete responsibility for his actions. Our prayer is that Luke would be genuinely remorseful and commit himself honest improvement of his character and life such that the transformation would be clearly visible to those observing him on a daily basis. We have maintained regular contact with Christel Davidsen nee Sommer, Luke's mother and have been kept abreast of Luke's struggles and changes while serving his sentence.

I know that there is a genuine group of people who are willing to support Luke in his transition into the community. Luke also asked if I would be willing to be his accountability partner. Unfortunately due to distance likely separating us in the respective communities in which we live, I do not believe that to be a realistic option. I have no problem if Luke wants to call me with any questions he may have to help him adjust in the community or on any personal matter if that is a possible option.

I pray this letter of support may be of some assistance to Luke and yourself in considering the motion at hand.

Respectfully,

John van Schaik

1044 Yellowbrick Rd, Parksville, BC V9P 2B3

To the Honourable Judge Robart,

February 22, 2022

I am Teresa Low. I currently work as a bookkeeper and tax specialist and have previously served in the Canadian Armed Forces CIC branch as Administration Officer, Training Officer (training Canadian youth), and the Commanding Officer (CO). I have known Luke Elliott Sommer for 21 years.

I first met him when he came to the Royal Canadian Air Cadet Squadron located in Summerland, British Columbia, Canada, in 2000. He was very excited to be involved in our cadet program as his family had limited resources and our program was free for all youth in Canada.

Upon his arrival, the CO at the time did something I have never seen before or since. He asked to have a home interview. He suspected there was something odd going on at home so he requested that two other officers and I join him to meet the family. After the visit we noted Sommer's father had an obvious, strong control over the family.

His mother, Christel Sommer, had a background in education and joined the squadron as a Civilian Instructor. I became good friends with her and soon discovered there were abuse problems at home, particularly verbal, mental, and emotional but also some physical abuse directed at the children (there were five at the time).

The CO, Clark Davidsen, and I were also good friends. As "Elliott" and his brother Jadon progressed through the cadet program they shared more and more with Captain Davidsen about the abuse at home so, consequently, he was compelled to tell Christel Sommer she needed to leave Luke Sommer (the father) with the children or he was obligated to alert social services. Christel chose to leave the marriage of 20 years at great peril to her life. She asked me to take the kids and hide them and not to tell her where they were. She went to a friend's house and as expected there was a lot of drama, including threats consistent with ones in the months before Christel left.

Elliott had heard all his life "death before divorce" from his father so when they separated it triggered him. He began to drink heavily and act erratically. Several other officers and I would help him by giving him rides home to his mother and would talk to him and try to help. He was very upset, especially with his dad.

After a while, Christel ended up getting married to my CO, Clark Davidsen, and after the marriage, I moved into their large house to be a live-in nanny with the six children and Angela (the mother of Elliott's son Landon). Elliott had gone off to the military so Angela lived with his mother and stepdad to receive support in raising Landon. She was 16 when Landon was born.

It was about this time, when Elliott was home on leave, that we discovered he had been sexually abused when he was four. It explained a lot about his behavior and shortly after this he came home from Afghanistan with obvious PTSD. His mother tried to get

help by calling from the Canadian Forces Base she was working at, to voice her concerns with his Staff Sergeant but he blew her off.

Seeing his mental health decline meant there was no surprise when Elliott arrived at the hospital in Kelowna, BC on August 8th, 2006, to say goodbye to his dying grandmother, where he declared he had robbed a bank. Elliott had always made grandiose scenarios in his mind about doing all sorts of weird and wonderful things but had never acted on them. When he announced this, none of us believed him and brushed it off as another Elliott story, until we saw the news that night.

While Elliott was a cadet, he was a capable, hard-working, member of the cadet team. While he was part of the Airborne Rangers he excelled in everything he did. But his trauma from an abusive father, childhood sexual abuse scars, and PTSD from combat, clearly affected his thinking. While with the co-defendants, Elliott was depressed that his favorite person, his grandmother, was dying; he finally fell apart and stepped over the line.

For years afterward he struggled with severe mental illness that was going untreated both while he was on house arrest and in pretrial centers. He finally got an assessment for his mental disorders but it came too late. He was already arrested and in the system.

I have kept in contact with Elliott while incarcerated and have watched as he went through a very dark period of hopelessness and recklessness. However, in the past few years, there has been a dramatic shift in his tone, conversation, and outlook on life. He has learned to accept his part in his imprisonment and discovered that even behind bars, he can find purpose and help others. He has taken many in-house courses which have helped him tremendously, he has written a novel and he is taking university courses.

His unusually long sentence didn't seem to coincide with his co-defendant, Tigr Robertson (who was also one of my cadets and only got ten years). Incarceration has not gone without some obvious benefit to his life but there have been huge sacrifices also. His mother, wife (whom I am also friends with) and his son have had almost no visits due to distance and cost. He has managed to keep his relationships with these people strong but it has cost a great deal financially and emotionally.

I believe given the chance to re-enter society, Elliott would have a huge community of support, as he always has had, through the small town of Peachland, where he was born and raised, and through the church community which he has been a part of. He has dozens of professional and mature community members who have signed petitions on his behalf and have verbally and in written form confirmed they believe he would do well to come back home. People have offered jobs, have bought him books, and contributed to his welfare in prison and I am convinced they will support him at home as well.

I personally, highly recommend Luke Elliott Sommer be granted a compassionate release so that he may have a chance to give back to his family, friends, and community who all love and miss him.

Respectfully,

Teressa Low
Princeton, BC
(250) 462-9054

To whom it may concern,

January 14, 2022

I am Landon Sommer-Rose, the son of Luke Elliott Sommer. I was three years old when my dad was sent to the USA to be imprisoned for robbing a federal bank in Tacoma, Washington. My dad had been an Airborne Army Ranger stationed in Tacoma. And when I was a baby my mom brought me there to see him and when he had leave, he would come home to Peachland to see me. Unfortunately, I don't remember much of that.

While he was in SEA/TAC remand, my grandma and grandpa, and great grandparents took me to Seattle to my dad's sentencing hearing. That was the last time I saw him. It has been too far and too expensive for me to go visit because he has always been in the eastern United States except for a brief stay in California.

We talk regularly, but because calls are only 15 minutes it is difficult to really talk about anything important or substantial. Dad does talk to me about my relationships and helps me with my homework and always encourages me to do my best in school. He also really wants me to go to university but he can only talk for so many minutes a month and he needs to talk to Mandi and grandma too so we don't get any significant time on the phone. I really would like to have a real relationship with him but that will only happen if he is sent back to Canada where I can visit him in person. I don't even know what he looks like without looking at one of the few pictures I have of him.

I am soon turning 18 and I'm looking forward to a productive, full life of my own and I really want my dad to have a productive life too. He is smart and funny and deserves a chance to live and be happy. While he didn't marry my mom, he did marry a woman who has always been nice to me and I think it would be great for him to be with his wife and have a family with her. From what I understand that is possible in Canada but not where he is now.

I know he needed to go to prison for scaring and hurting people, but I think he also needs a chance to show that he has grown up and is able to help people. I am the same age he was when he went into the Army and I can't imagine the things he went through at my age. He was 20 when he robbed the bank which is only a little over two years till I'm 20 and I am nowhere near ready to be an adult let alone an elite soldier forced to face the ugliness of war. I would hope that my entire life wouldn't be defined and confined to one mistake committed at such a young age especially after getting Post Traumatic Stress Disorder.

Please give him and me a chance to be father and son by sending him back to Canada.

Sincerely,

A handwritten signature in black ink that reads "Landon Sommer-Rose". The signature is written in a cursive, flowing style.

Landon Sommer-Rose

To whom it may concern,

March 1, 2022

I am Cadence Davidsen, the sister of Luke Elliott Sommer. I am six months older than Elliott's son Landon and we grew up together. While I am close to Landon, I am not with Elliott. Not because I don't want to be but because I was around four when he robbed the bank and even though he was at our house for around ten months on house arrest, I don't remember too much that went on except that I was scared my brother would leave.

And leave he did. I had so much drama happen when I was young with Elliott going to prison and my Nana dying and my other siblings struggling to cope that I tried to live in my own world. Elliott took up a lot of family energy and as a young child, it was hard to process. All I knew is I wanted my brother home; I wanted Landon to be able to live with him and Mandi and I wanted my life to be more normal again.

Phone calls and letters were few and far between. I didn't know what to write to him because we lived in totally different worlds. Except for a very few pictures that helped, I struggled to even know what he looked like.

As I grew older I realized we had some common interests. He was good at learning languages and I wanted to learn languages. I thought it would be fun and engaging to learn them together but because he was too far away and only allowed 300 minutes of phone time a month there was no way to accomplish this.

I am turning 19 this year and Elliott and I are both taking degrees in psychology. Clearly, we have similar interests. It would be so encouraging to have him back in Canada where we could share our learning experiences. Elliott was only a year older than I am now when he robbed the bank and has spent 15 years incarcerated. Over the years I have heard his phone calls to our mother. It is clear he has grown up and learned to see the world through other people's eyes. He deeply cares about people.

It would be amazing to have him home. I believe he will do well in society because he is smart and talented and has grown much wiser. I ask your honor to please grant his Compassionate Release motion so that I have the opportunity to get to know him better.

Respectfully,


Cadence Davidsen
Langley, BC

To whom it may concern

February 21, 2022

Regarding: Luke Elliott Sommer

For early release on compassionate grounds

My name is Jonathan Wiebe. Elliott is my second cousin and I have known him his entire life. Around 1991-93 I rented my cousin Christel's suite at their home in West Kelowna and so had almost daily interaction with the family. I am familiar with the heavy-handed, authoritarian ways of Luke, Elliott's father, which resulted in the eventual splitting of the family.

I have been working and housing troubled men for the past 15 years and over this time I have had two of Elliott's brother's come to live and work for me because they needed to get away from the trouble they faced at home. Both have gone on to live productively.

I was general manager and director of Cedar Lodge for 12 years until it closed 6 years ago when the administrator suddenly passed away and have helped multitudes of people as the Lodge hired and housed people dealing with trauma and addictions.

I have been in contact with Elliott while in prison and have talked with him through some dark and difficult times. The past few years have seen a decisive change in his attitude and emotional clarity and I feel strongly that he has the skills and maturity to live successfully in the outside world.

I am in full support of Elliott's release and am willing if it were ever necessary, to house and be part of his support community in whatever way can be helpful. I am also willing to assist with his wife and son, Landon if that means housing or whatever may be required to help this process through to release.

I am available for comment or input at
jwiebe59@gmail.com or by phone at 1-306-880-2220

Sincerely

Jonathan Wiebe

To whom it may concern,

February 13, 2022

My name is Angie Miessner and I am a health professional currently working as a foot care specialist in Armstrong BC, Canada. I am writing on behalf of Luke Elliott Sommer whom I have known for 17 years.

When I first met Elliott he was already in the US military serving in Iraq. I saw him on and off as he returned home on leave. I knew his son Landon well as he played with my children and he was born a day after my youngest daughter. To this day the two of them still text and call each other.

Elliott was an exceptional teenager. He had survived a difficult upbringing and joined the military very young. He did well at being a soldier and he was also very smart with technology. He had a charming personality and was liked by many.

His mom, Christel, who had become one of my best friends, voiced concerns about Elliott after he came back from Afghanistan. He wasn't himself. He was very depressed and kept saying he wanted out of the military. She tried to get him help but no one listened.

When I heard he had robbed a bank it was the day before Christel's mom died. It was a shock to everyone. The entire family not only had to deal with the loss of the family matriarch but was trying to understand what had happened to Elliott.

He was soon put on house arrest at Christel's house and it was there that I interacted with Elliott the most. He was very self-absorbed or narcissistic, unable to see anything except from his point of view. It seemed like he was overcompensating for something. He was highly confident, felt he was above the rules and yet obviously hurting. It was like watching a tornado that seemed unaware of the damage in its wake.

Once he went to the United States, he went through a depression that highly affected his mother as she was constantly concerned about his mental and physical health. And from her perspective, there seemed to be little anyone would do to help him. He spent long periods of time (months at a time) in solitary confinement which was particularly hard because there was no communication home. Both his mother and Elliott's son Landon were limited in their abilities to visit because it cost so much and took so much time. The one trip she did take to California, she was denied a chance to see him because she had picked up a second had jacket because it was snowing in California, which she hadn't planned for, and the jacket tested positive for drugs of some kind. She was hesitant to travel so far at such a price and be turned down again. Landon only saw him once in Seattle at his sentencing hearing when he was four or five.

Elliott has emerged from his depression and has become more like the person I first met, enthusiastic and excited about accomplishing things in life. There are so many people who have been part of his life both before and after his crime, and everyone I know believes he will do well if given a chance to return home to his family and friends. Please give him this chance.

Sincerely,

Angie Miessner
Armstrong BC
250-540-2188

February 22, 2022

Re: Luke Elliott Sommer's motion for Compassionate Release

To whom it may concern,

I am Luke's uncle, brother to his mother, and have known him all of his life. I have seen the challenges that he has had in his life growing up. Conflict with a domineering Father, abuse by neighbors, struggles with addictions to alcohol to ease the pain of life. I took Luke in after his father ejected him from the family home, a crushed and broken young man.

During my time with Luke, there were moments of clarity in the boy, a desire to take a positive track, live life, make something of himself. One day he took me for a walk, carrying a backpack with him we went to a nearby park, he said he had made a decision, he was going to live better and proceeded to remove 3 full bottles of whisky, which he then pour out over the fence into the ground. A seminal moment.

I watched him gain ground, then he decided to join the military and I hoped the discipline and hard work would continue to help him develop into the man he wanted to be.

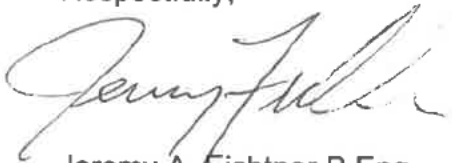
Sadly, that seemed to do the opposite, dragging him into dark times culminating in his return from overseas barely the young man I knew. I understand now the effects of that conflict in Afghanistan must have had on him. He was so young.

Over the past years, I have continued to correspond with Luke, by email and phone. Put some money towards books and education to try and help him get an education while he remains in an environment that is not conducive to personal development. To learn that he suffers from bi polar disorder and can now be treated is encouraging and if only he were to be in an environment where love and proper care could continue the healing of the unparalleled trauma experienced by this young man.

Luke has given into many poor choices, but I do not believe he is lost. With a community around him to love and encourage, with proper medical care, I believe he can be a productive community member, a loving father and husband, finding redemption and purpose.

I firmly believe he can thrive outside his current environment of incarceration if given the right resources which I believe he can have in his home community.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Jeremy Fichtner', with a stylized, flowing script.

Jeremy A. Fichtner B.Eng.
CEO Provision Data Systems Inc.
Kelowna, BC, Canada

To whom it may concern,

My name is Josh Huculiak and I am writing a letter of support to Luke Elliott Sommer. I have known Luke for most of my life as we grew up together in Peachland, Canada, and are close in age. We did homeschool classes together and would spend time together in church with our families.

After losing touch with Luke for many years, I've reconnected recently. I have pursued a career in professional film production and work a lot in the documentary space. I decided to try to connect with Luke in order to eventually be able to tell his story through film because of my unique relationship with him.

Over the last few years, Luke and I have been corresponding through email and more recently for short calls over the phone. During this time we've caught up and talked about everything from relationships to education to mental health. I have seen and heard about his struggle with PTSD and depression but how he talks about his journey through these shows so much maturity and purpose. I hear so much hope and healing in how he talks now about how he was then.

I know there are people who remain in Peachland and nearby who would be supportive if he were to be allowed to rejoin the community. I am proud to put forward my name in support of his motion for compassionate release. I sincerely hope to be able to see my friend at home, in person, soon.

Thank you for your time.

Josh Huculiak
Vancouver, BC

Re: Luke Elliott Sommer's motion for Compassionate Release

February 8, 2022

To whom it may concern,

My name is Robin Leboe. I am the Founder and CTO of Sessionwire Communications, Inc. based in Vancouver, BC, Canada.

I am Elliott's great uncle and as such I have known him since he was born.

Over the past 15 years, my wife Naomi and I have prayed for him, sent him books and subscriptions, and been in touch via post and email. I have been greatly encouraged by the letters I have received from Elliott. They show an arc of positive change and the obvious emergence of a bright, overcoming spirit.

I believe that Elliott's best days lie ahead of him. He has a warm, welcoming, and loving family who miss him tremendously and who are eager to support him in every way they can upon his release. I see great potential in Elliott. He is very intelligent, has an innate ability to teach himself, and has a terrific work ethic.

I believe that Elliott's release would be a blessing for all of the people who have loved him from a distance over these years and of course for Elliott who has already paid a hefty price in lost years and missed opportunities. I believe in Elliott. I believe in his ability to seek out and embrace positive personal change and I have witnessed his ability to grow as a person even in his current environment. I believe all of these things bode well for his future. I would wholeheartedly recommend that this promising young man be released. His presence will add so much to the lives of those who know and love him and I have no doubt that he will do amazing things with the rest of the time given to him.

Sincerely,

Robin Leboe - February 5th, 2022

Sessionwire Founder & CTO

To whom it may concern,

February 18, 2022

I am a long-time friend of Christel Davidsen, Luke Elliott Sommer's mother. I have known her since before Elliott was born. Her parents and mine were friends. I am a retired health care worker, who specialized in working with adults with severe physical handicaps. I worked with Christel's mother, a registered nurse, for several years. I was involved in Elliott's developmental years and was in the home often. When he went to the US Army, I was kept apprised about his life through both Christel and her mother.

As a child, Elliott had many expectations put upon him by his father as he was the firstborn of five. His dad could be harsh and manipulative. One day he threatened to leave Christel while I was visiting. He went into the garage started the car and then intentionally tried to hit Christel with the open car door when she followed after him. Luke was very charming when he wanted to be and people didn't always believe Christel or the kids when they complained about how he treated them.

Elliott was very bright and loved to learn. He had a gentle heart towards people and animals but he could often lose control and be difficult to manage. His mother wanted to get him help but his dad refused to let him go to counseling or see a psychiatrist.

After his parents split, Elliott seemed to fall apart. Christel's mother, (Nana to him), tried to help Elliott by letting him stay with her when he got in trouble because his dad would get angry when he wasn't behaving. She died the day after he robbed the bank. It was a very difficult time for him and his family.

When Elliott decided to join the military it seemed a good way for him to get away from his dad. Elliott thrived in the military while he was in training. He loved a challenge, however, after seeing frontline combat, he came home changed. While he was on house arrest at his mother's, I would visit the house and it was obvious that he was spiraling emotionally. He was on edge and restless. It was hard to watch him overcompensate his pain with self-centered, over-the-top confidence.

I have witnessed how hard Elliott's incarceration has been on his family. I went with Christel to visit Elliott in California. Our church had given her the money to fly down and I decided to keep her company. The first day she visited but it had snowed so she took a second-hand jacket the next day only to find out it had tested positive for drugs and she was refused any more visits. Christel is a very strong person but I saw her cry herself to sleep that night. Since then she hasn't had a visit except at the SeaTac remand center, because there is

too much risk in spending all the money when there are so many reasons she could get turned down for a visit.

Christel's family and the Peachland community have been very supportive of her and her family all these years. My family and I have given money for books, prayed, and supported Elliott through writing letters and providing documents for his applications for Treaty Transfers. I am convinced that Elliott is ready to come home and with the support of family and friends, he will be able to live a good and productive life. I highly recommend you consider his motion for Compassionate Release.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Carrie Johnson", is written over a light gray rectangular background.

Caroline (Carrie) Johnson
West Kelowna, BC
(250-212-9721)

To whom it may concern,

Date-February 25,2022

I, Judy Bedford of Peachland, BC Canada, am writing this letter in support of Luke Elliott Sommer's motion for Compassionate Release. I have served as the Executive Director (President) of the Peachland Food Bank for over 30 years and was owner/operator of the Peachland Pharmacy with my pharmacist husband, Wes Bedford. We are well known in our community and have been awarded *Citizens of The Year*, twice.

I have known Elliott since he was a toddler. We were in the same church together with Elliott's family. Wes had known Elliott's mother and parents and maternal grandparents for many years before Elliott was born.

Christel and I worked together on community projects and even got involved in looking after five abandoned neighbour children.

Wes and I have supported the family over many years. Luke and Christel had five children and Luke's income was not consistent as a realtor, so we helped them with food through the food bank and helped with Elliott's tuition to go to Kelowna Christian school.

Due to many factors, Elliott struggled in his teens, especially after his parents broke up, and it was obvious there were some mental /emotional issues he was trying to work through. He found some structure and consistency in his cadet program, so it was no surprise when Elliott joined the US Army at 17.

On trips home from the army, it became obvious that he had been through some traumatic events overseas. His mother had tried to get him help but it never transpired. By the time we attended Christel's mother's funeral, we and the entire town had learned about the bank robbery and while not surprised because of his mental state, we were saddened those things had gone so far. We also knew Tigr Robertson a co-conspirator, and his family, and we and many in the community grieved the consequences that these young men brought upon themselves.

It has been hard on his mother and son Landon and wife having Elliott so far away. They have only had a couple of visits in 15 years and having him back home would be ideal.

I believe in people reaping what they sow- to a point, and the consequence of imprisonment was necessary. I also believe in giving people a chance to remedy their mistakes and learn from them so that they can give back to society.

If Elliott were to be released, there is a community of people here that would continue to hold him accountable and encourage him. He is bright and capable and would have no problem finding work or contributing to the community. I therefore would recommend Luke Elliott Sommer be granted his motion for Compassionate Release.

Sincerely,

Judy Bedford
6490-Keyes Avenue, Peachland, B.C. V0H-1X8
250-767-3312 or 250-862-4597
judymbedford@gmail.com

To whom it may concern

February, 26, 2022

This letter is in regards to my grandson, Luke Elliott Sommer. When Elliott was born, my daughter Christel and son-in-law Luke lived in the suite in our house in Peachland, B.C. Right from Elliott's birth, his father had very unreasonable expectations. Christel wasn't allowed to let the baby cry so she spent hours holding her colic son so that Luke wouldn't hear him cry. She was exhausted and when I arrived home from work, work pass him to me to watch so she could take a nap.

Besides being unreasonable, Luke also had difficulty working. He was always more interested in being right than relational and so he burned a lot of bridges. He quit or was fired on several occasions. At one point, when Elliott was just a year old, moved his family to his parents' home in California. When my wife and I went to visit her there it was clear he was being very difficult to work with. When Christel finally managed to get him to move back to Peachland, ten days after their second son was born, I made him a real estate partner to help ensure the financial well-being of my daughter and grandkids. Luke often came to work late after being up all night. He made the kids homeschool but they weren't allowed to get up until 9:00 a.m. because he wanted to sleep in and be undisturbed.

At one point, Luke disapproved of something I did, broke our business ties, and then forbid Christel or the kids to see me for over ten years. I would send the kids gifts (there were four kids by now)and he would make Christel return them, which she found very difficult. After a while, the level of abuse to the grandkids and my daughter became apparent. At one point I had the secondborn come to live with me to get away from the chaos in the home. He never went back. And when Christel finally left Luke I supported her completely. His control and abuse had deeply wounded the kids, especially the three oldest ones.

It was no surprise that Elliott struggled, especially after his parents' divorce, (all the kids did), but he was the oldest and felt a level of responsibility. His behaviour was all over the place so when he wanted to escape home and go to the US Army, I thought it was a good idea. He would find discipline and belong with his brothers in arms.

He left with his girlfriend expecting his child, went to basic training, and then at the age of 18 was shipped to Iraq to serve as an elite Airborne Army Ranger. While he was very intelligent and competent he was not emotionally prepared for all that war would show him.

He came home from Afghanistan very depressed and not his usual gregarious self. While he didn't confide in me all the trauma of war he had been witness to, he did share it with his cousin who lives across the street from me.

The bank robbery, the outlandish overconfidence, and impulsive behaviour which occurred while he was on house arrest in Peachland was nothing more than a diversion from his pain. Help had never been given to him and so he tried to manage it himself with very damaging consequences. Once incarcerated in the US, he spent long periods of time in isolation, he was sick, and he lost his nephew to a rare and awful disease. He was far from home and his family and felt completely helpless.

Over the years in prison, I have sent him money for commissary and books. I have helped with phone money and spoken with him on the phone. If he were to be released he would have my full emotional support. I have no doubt he will be more than able to support himself and his wife as he has many skills and abilities and jobs for felons are still easy to come by in Canada. He has accomplished many good things while in prison, particularly the past few years and I am confident he will do well once he is free to do so. There are many people here to keep him accountable and to mentor and encourage him, both family and community members.

I ask the court to grant him a compassionate release. I am now in my 80s and would love to see and hug him before my days are over.

Respectfully,

Archie Fichtner
Peachland, BC
(250)-860-1520

To whom it may concern,

Luke Elliott Sommer is my oldest brother. He was arrested when I was 11 years old and it profoundly affected my life. Elliott had always been there for me. While we would fight, as brothers do, we always knew he would protect us and have our backs. I always wanted to be like him and for a while, I emulated him, even his post-war bad behavior.

Because our parents broke up when I was eight, and because my stepdad was very young and had no experience raising kids, Elliott was my male role model. Once he was taken to prison after his house arrest, I missed him a lot.

After some very bumpy teenage and early adulthood years, my life settled down and I am now married and have three boys of my own. I have worked at a shelter for homeless and addicted people and have had the opportunity to save many people's lives, some of the very people I used to party with. I understand addiction and trauma both personally and through my interactions with the people on the street and at the shelter. Many of my high school friends have died from drug and alcohol-related actions.

I feel fortunate to have emerged from trauma with minimal damage and I can say categorically that having a loving supportive family who never gave up on me and loved me (a lot of tough love included) unconditionally made all the difference to where I am today and not where many of my friends are. I say this because I absolutely believe that Elliott has done the work to get himself set up for success, despite the limited access to his family, and that being surrounded by healthy people who will continue to support him will also help him heal from all the scars of childhood, war and prison life.

I beseech the court to grant his motion for compassionate release and give him the chance to be with his family and experience a life of accomplishment and purpose.

Sincerely,

Reagan Sommer
Email : Ronskie82champs@gmail.com
Phone number : 250-801-4162

A handwritten signature in black ink, appearing to read 'Reagan', followed by a long horizontal line extending to the right.

February 28, 2022

To Whom it May Concern,

Firstly, thank you for taking the time to review the Application for Compassionate Release for Luke "Elliott" Sommer.

Secondly, we would like to introduce ourselves, tell you a little about our relationship with Elliott, and that we stand by him and fully support his return home.

Our names are Ronald and Terrie-Lynn Chmelyk and we have been together for 32 years. As parents, we have, and will always want, what is best for our children. For us that includes Elliott; he is our son-in-law, married to our daughter, Mandi Sommer.

We have known him since he was fifteen years old, when he and Mandi first started dating. At the time, as parents of a teenage girl, it was not easy to put our trust in any boy that might come to meet us. But right away, we could see so many great qualities in Elliott that we felt very comfortable with them together.

His compassion, maturity, and honesty were three attributes that stood out immediately. He already knew what he wanted to do in life; take care of his family, join the army and proudly give his service, as generations in his family before him had dedicated, and some have given, their lives to service and country. He was also looking at that venue as a long term bridge to pursue his interest in becoming a physician; he wanted to help people in the world as much as he wanted to serve in the army.

Over the years of his service, our visits with him were less frequent due to his tours overseas. When we did see him, his passion was still very apparent to us in regards to his continued want to help, in his capacity, his army, country, and people in different places in the world he travelled to.

But we could also see that he seemed different from the boy we first met; he had changed. Still enlisted and still young during these times, he couldn't, or wasn't able to, talk much about his tours overseas and the atrocities of war that he witnessed.

Later, after learning of his suffering from PTSD, that change in him made a lot of sense to us. In addition to these issues, with the extreme distances of locations of Elliott's imprisonment (with the exception of phone calls, letters, and emails) he has had very little access to family and friends; obviously this only adds more negative impact upon his health and well being.

Since his incarceration, several attempts have been made through the International Prisoner Treaty Transfer to get Elliott back home to Canada; all, so far, proving futile. While the years go by.

Reflecting on life in his long term situation, with so many around him that did not have some or any form of stability growing up, Elliott has told us that he is so very thankful and appreciative to have had as a child, good food, academic skills, and access to opportunities.

And, he has always been the type of person that has to help, in his capacity, those around him that are in need. So it was no surprise to us when we learned that while serving his time, he serves, in his capacity, in such compassionate forms of helping others as becoming a GE tutor, teaching soon-to-be-released prisoners how to read and write, is a psychology peer, as well as an inmate companion, sitting with people on suicide watch. He is holding true to the values he had when he was young.

With Elliott's compassionate release, here, home, he has the love and support of his wife, along with many family members, in re-adjusting to a civilian and non-penitentiary life. And, upon his return, his and Mandi's family circle, and ours, would be complete again. It is heartbreaking to see their true love not reach its potential, knowing that it is there, with a bond that has been solidified for the rest of their lives.

In conclusion, we ask that you please consider Elliott for compassionate release so that he may come home to his loving wife and to all those, us included, who love and support his return.

With our deepest hopes for Elliott's soonest release, we thank you again for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "R. Chyls". The signature is fluid and cursive, with a large, stylized "R" and a long, sweeping tail that extends to the right.

A handwritten signature in black ink, reading "LL Chmelyk". The letters are cursive and fluid, with the "LL" being particularly stylized.

Ronald and Terrie-Lynn Chmelyk

250-864-0121

PO Box 26050
West Kelowna, BC
Canada
V4T 2G3

Exhibit 11
Psychology Records

**Bureau of Prisons
Psychology Services
Challenge Program**

SENSITIVE BUT UNCLASSIFIED

Inmate Name: SOMMER, LUKE ELLIOTT		Reg #: 38474-086	
Date of Birth: [REDACTED] 1986	Sex: M	Race: WHITE	Facility: CLP
Open Date: 02/03/2021	Closed Date:	Status: Active	Discussed: Yes

PGI Title: Overall Progress

Status: Active **Last Updated:** 05/26/2022 **Last Provider:** Buie, J. MA/SkillsTreatment Specialist

Problem: My destructive lifestyle has damaged my relationships and has caused me to lose my freedom. My criminal behavior, substance use, and irrational thinking have resulted in many negative consequences for me. I continue to make unhealthy choices that negatively affect many areas of my life. My poor coping and decision-making skills are evidenced by numerous negative life consequences, 2 criminal convictions, and ultimately incarceration.

Goal: My goal is to learn the normal rules of society. I want to respect the law by not going outside of any of society's guidelines. I want my behavior to represent those of a good citizen and a responsible adult.

Interventions: Overall Activity: Inmate Sommer will follow all the rules and regulation of the program and of the institution. This activity is due throughout the duration of the program.

Overall Activity: Inmate Sommer will refrain from any behavior that is considered disruptive by staff. This activity is due throughout the duration of the program.

Overall Activity: Inmate Sommer will create and present a Challenge Seminar every 90 days or as per the Challinar schedule. On-going Assessment.

Overall Activity: Inmate Sommer will provide feedback and participate in Formal Peer to Peer Interventions when appropriate. This activity is due throughout the duration of the program.

Overall Activity: Inmate Sommer will use active listening skills to help him both understand and present oral presentations related to the word of the day at least once a month.

Overall Activity: Inmate Sommer agrees to actively participate in the treatment activities both inside and outside of the treatment unit. This activity is due throughout the duration of the program.

Overall Activity: Inmate Sommer will demonstrate motivation and responsibility by both willingly involving himself in community events and pro-social activities, and by reciting the program Philosophy Statement from memory every day in the Community Morning Meeting.

Progress Notes:

Understands concepts and demonstrates behavior(s) **Date:** 05/26/2022 **Provider:** Buie, J. MA/SkillsTreatment Specialist
indicative of treatment progress

Inmate Sommer continues to display a genuine interest in his own personal growth, which is evidenced by excellent attendance and participation in all assigned groups. He willingly involves himself in the Community Morning Meeting, Treatment Groups, and Community Activities, and openly accepts feedback from both staff and his fellow community peers. Sommer often provides his peers with feedback that is both caring and constructive, while continuing to improve his communication skills by being mindful of the recipient (knowing your audience). He has presented Word/Thoughts of the day at the CMM, and is currently working to develop his next Challinar topic. Lastly, through the Education Department, Sommer has begun taking college courses from an outside provider to expand his knowledge base and to further his personal growth beyond the Challenge Program and beyond his incarceration.

Understands concepts and demonstrates behavior(s) **Date:** 03/29/2022 **Provider:** Buie, J. MA/SkillsTreatment Specialist
indicative of treatment progress

Inmate Sommer displays a genuine interest in his own personal growth, which is evidenced by excellent attendance and participation in all assigned groups. He willingly involves himself in the Community Morning Meeting, Treatment Groups, and Community Activities, and is able to accept feedback from both staff and his fellow community peers with humility and open mindedness. Sommer regularly provides his peers with constructive feedback that is valid,

Inmate Name: SOMMER, LUKE ELLIOTT**Reg #:** 38474-086**Date of Birth:** [REDACTED] 1986**Sex:** M**Race:** WHITE**Facility:** CLP**Open Date:** 02/03/2021**Closed Date:****Status:** Active**Discussed:** Yes

relevant, and insightful, and has gained the ability to reframe or re-conceptualize his message in a way that the recipient can better understand. He has presented Word/Thoughts of the day to his community on such topics as 'My Comfort Zone' and 'Forgiveness', and is currently creating a Challenge Seminar on the topic of 'Gratitude'. Lastly, Sommer reports that a present goal he is working to achieve is a more rounded 'lifestyle balance', and understands that this is achieved by placing equal importance on physical health, emotional health, community involvement, supportive relationships, and by finding meaning and purpose in his life.

Understands concepts and demonstrates behavior(s) **Date:** 01/27/2022 **Provider:** Buie, J. MA/SkillsTreatment Specialist
indicative of treatment progress

Sommer maintains excellent attendance and participation in all assigned Treatment Groups and Activities. He recites the Community Philosophy every day and is open and receptive to feedback from others. In the Community Morning Meeting, Sommer contributes to the thought/word of the day, positive praise, and peer to peer intervention segments, while regularly providing relevant and insightful feedback. He approaches treatment related assignments and his commitments within the community in a seriously manner, which is reflected in his feedback responses and through the interactions with his peers. Overall, Sommer is an asset in both his own treatment, and to his community as a whole. Sommer recently presented his Challenge Seminar on the topic of Humility, and is currently developing his next Challinar focusing on his lifelong struggles with Gratitude and taking thing for granted.

Understands concepts and demonstrates behavior(s) **Date:** 11/30/2021 **Provider:** Babnew, J. PsyD, Tx Coordinator
indicative of treatment progress

Inmate SOMMER remains an active participant within Challenge. He routinely provides feedback to his peers during Community Morning Meeting and volunteers for activities such as Word or Thought of the Day, Positive Praise and participation in the Upbeat ritual. He has been working to apply the tools of the program to his daily behavior as evidenced by observed interactions and his ability to assist in holding his peers accountable both during the CMM and treatment groups (phase and process).

Understands concepts and demonstrates behavior(s) **Date:** 09/28/2021 **Provider:** Buie, J. MA/SkillsTreatment Specialist
indicative of treatment progress

Sommer maintains excellent attendance and participation in all assigned Treatment Groups and Activities. He recites the Community Philosophy every day and is open and receptive to feedback from others. In the Community Morning Meeting, Sommer contributes to the thought/word of the day, positive praise, and peer to peer intervention segments, while regularly providing relevant and insightful feedback. He approaches treatment related assignments and his commitments within the community in a seriously manner, which is reflected in his feedback responses and through the interactions with his peers. Overall, Sommer is an asset in both his own treatment, and to his community as a whole.

Understands concepts and demonstrates behavior(s) **Date:** 07/28/2021 **Provider:** Buie, J. MA/SkillsTreatment Specialist
indicative of treatment progress

In the Community Morning Meeting, Sommer has contributed to the thought/word of the day, positive praise, and feedback segments on numerous occasions, and regularly provides relevant and insightful feedback during peer to peer interventions. During feedback to others, he is also mindful to regulate his rate/tone/volume to better project a clear, direct, and constructive message. He is also learning to use empathy and compassion to delivery his message in a way which minimizes defensiveness and encourages receptiveness in others. Sommer is consistently active in all assigned Treatment Groups and Activities, maintains excellent attendance, and participates willingly and honestly. He recites the Community Philosophy every day and is open and receptive to feedback from others. Over this review period, Inmate Sommer has maintained clear institutional conduct and has not engaged in behaviors which are disruptive to the program. He also proactively formulates and presents insightful and meaningful Challenge Seminar as per the Challinar Schedule.

Understands concepts and demonstrates behavior(s) **Date:** 06/03/2021 **Provider:** Buie, J. MA/SkillsTreatment Specialist
indicative of treatment progress

Since his last Progress Note, the Challenge Program Participants have returned to their own unit and normal programming has resumed. Inmate Sommer has demonstrated flexibility and perseverance (humility, open-mindedness, willingness) by continuing to work towards his treatment goals while also adjusting to frequent institutional and program schedule changes. During this review period, Sommer assisted the program community in moving back to their program housing unit, and demonstrated caring, responsibility, and gratitude by assisting his fellow peers with moving property, cleaning cells and common areas, and organizing program equipment/material above and beyond the standard expectations. Overall, Sommer has outstanding attendance in Process groups and arrives in a timely manner with a willing attitude. He participates to the best of his ability and eagerly provides

Inmate Name: SOMMER, LUKE ELLIOTT		Reg #: 38474-086	
Date of Birth: [REDACTED] 986	Sex: M	Race: WHITE	Facility: CLP
Open Date: 02/03/2021	Closed Date:	Status: Active	Discussed: Yes

relevant and valuable input to both his groups and community when appropriate. In addition, Sommer has demonstrated responsibility and caring by presenting peer to peer intervention to hold fellow community members accountable for their poor choices, and demonstrates humility and open-mindedness by accepting interventions from others as well. He is currently working on developing his Challenge Seminar which he will present as per the Challinar schedule.

Displays conceptual understanding only

Date: 04/01/2021 **Provider:** Buie, J. MA/SkillsTreatment Specialist

Due to numerous institutional emergencies over this review period that resulted in frequent/extensive lockdown periods and modified operations resulting from the COVID-19 pandemic safety response protocols, Inmate Sommer has had limited program exposure and little time in treatment activities. Consequently, his progress review has no significant developments of note. He is currently a Phase One participant (Process Group Only) while awaiting the next Core Content Group to begin. To date, Sommer has outstanding attendance in Process groups and arrives in a timely manner with a willing attitude. He participates to the best of his ability and eagerly engages the group when appropriate.

PGI Title: Criminal Lifestyle

Status: Active

Last Updated: 05/26/2022

Last Provider: Buie, J. MA/SkillsTreatment Specialist

Problem: I have violated the law starting at age 20. Per the PSI document, Inmate Sommer has criminal convictions for such charges as Armed Bank Robbery, Brandishing a FA during Act of Violence, Possession of Destructive Device, Attempted Murder, and Soliciting a Crime of Violence. Inmate Sommer also has numerous Incident Reports while in BOP custody including violent/serious offenses. He is currently serving a 528 month sentence for Armed Bank Robbery and Attempted Murder.

Goal: My goal is to gain insight about the Criminal Thinking Errors in which I struggle. I will work to acquire new CBT Skills, including the Rational Thought Process, and apply them in my daily routine in order to make healthier choices and adapt to a pro-social lifestyle.

Interventions: Treatment Activity: Inmate Sommer will learn the 8 Criminal Thinking Error Filters and identify through journal entries which ones he has struggled with both in his past and presently. Discuss your findings with your CTS by the next review date.

Treatment Activity: Inmate Sommer will learn the elements and the process of the Rational Self Analysis Tool to include the cause and effect relationship between events in his life and his subsequent thoughts, feelings, behaviors, and resultant consequences (ABC's). He will also learn the Five Rules of Rational Thought. Discuss with your CTS by the next review date.

Treatment Activity: Inmate Sommer will learn the 8 Healthy Attitudes, their meanings, and how they will apply to his personal growth and positive change goals. Identify their opposite Unhealthy Attitudes, and write a reflective summary on which ones contributed to his poor choices and criminal lifestyle. Discuss your findings with your CTS by the next review date.

Treatment Activity: Inmate Sommer will share with his peers the times that he wants to engage in institutional misconduct and receive feedback to address these thoughts. Discuss your findings with your CTS by the next review date.

Treatment Activity: Inmate Sommer will discuss his feelings related to his prison incarceration for the crimes he committed. He will share these feelings with his peers in the group setting. Discuss your findings with your CTS by the next review date.

Treatment Activity: Inmate Sommer will explore his criminal and oppositional/defiant history during group and receive feedback from his peers to help correct his criminal thoughts. Discuss your findings with your CTS by the next review date.

Progress Notes:

Understands concepts and demonstrates behavior(s) indicative of treatment progress

Date: 05/26/2022 **Provider:** Buie, J. MA/SkillsTreatment Specialist

Sommer continues to practice the use of CBT concepts and tools such as RSA's and Attitude Checks. To further

Inmate Name: SOMMER, LUKE ELLIOTT**Reg #:** 38474-086**Date of Birth:** [REDACTED] 1986**Sex:** M**Race:** WHITE**Facility:** CLP**Open Date:** 02/03/2021**Closed Date:****Status:** Active**Discussed:** Yes

support these tools, Sommer utilizes his community peers to get a 'second opinion' or to 'gain an alternate perception' of event in his life. He continues to challenge extreme thinking such as absolutes, and to evaluate his expectations (if they are reasonable, objective, and fair) of others and his use of 'should thoughts'. Sommer continues to display objectivity and humility by first taking inventory of his strengths and weaknesses to include triggers, hot spots, and blind spots, and then taking genuine ownership of his choices and behaviors.

Understands concepts and demonstrates behavior(s) **Date:** 03/29/2022 **Provider:** Buie, J. MA/SKillsTreatment Specialist
indicative of treatment progress

Sommer continues the practice of rationally challenging his thoughts immediately after an activating event to lessen the intensity and duration he experiences negative thoughts and emotions. He shares real world experiences both with his CTS and within the treatment groups to demonstrate his use of CBT concepts and tools such as RSA's and Attitude Checks. Sommer has learned to journal about experiences, thoughts, and feelings, and to use this information to gain better introspection into both his self-view and world-view. Through consistent and frequent monitoring of his choices, he is working to replace habits such as using absolutes and shoulds (fairness, respect, and control) with flexible self-talk such as "life comes with difficulties" and "I have options and choices", which in turn reinforces positive attitudes such as Gratitude and Humility. To date, Sommer's willingness to utilize these self-reflective tools demonstrates his ability to interact with others in a pro-social way that would be expected from a positive community citizen.

Understands concepts and demonstrates behavior(s) **Date:** 01/27/2022 **Provider:** Buie, J. MA/SKillsTreatment Specialist
indicative of treatment progress

To help practice behaviors that are counter to Irrational Thinking Errors such as 'Entitlement', 'He-She-It Statements', and 'Rhetorical Questions', Sommer has regularly been observed by treatment staff assisting, coaching, and encouraging his fellow group members through the process of learning the CBT principles outlined in the Core Content Journals. Relative to his lifestyle prior to the Challenge Program, his behavior now demonstrates notable improvement in the areas of Humility, Caring, Honesty, and Gratitude. In recent months, while helping his wife work through her own addictions and major life struggles, Sommer has had to implement many of the tools and skills he has learned in the Challenge Program to include effective listening, constructive communication, unconditional positive regard, and patience. Furthermore, to help gain an objective perspective and to manage the difficult emotions he has experienced, Sommer regularly utilized his healthy support allies within the community as well as the skilled professional resources that were available to him. Most recently, in order to reciprocate the give and take relationship that is part of being a positive citizen of the Challenge Community, Sommer wanted to give back, thus volunteering to accept a cellmate who was new to the program and who was in need of an ally, mentor, and friend.

Understands concepts and demonstrates behavior(s) **Date:** 11/30/2021 **Provider:** Babnew, J. PsyD, Tx Coordinator
indicative of treatment progress

Inmate SOMMER demonstrates healthy attitudes on a daily basis and implements this within his interactions with his peers in the community. He has been working on maintaining personal integrity by following the rules even outside of program hours and as such has become a role model to many members of the Challenge community. He utilizes RSAs on a routine basis to continue to address his own criminal thinking and subsequently not engage in disruptive or rule-breaking behavior. He continues to share his use of these tools with community members and his own significant relationships outside of prison by encouraging healthy growth and implementation of active listening, communication and accountability. He utilizes self-disclosure with his healthy allies and the community at large in an effective, meaningful way.

Understands concepts and demonstrates behavior(s) **Date:** 09/28/2021 **Provider:** Buie, J. MA/SKillsTreatment Specialist
indicative of treatment progress

To help practice behaviors that are counter to Irrational Thinking Errors such as 'Entitlement', 'He-She-It Statements', and 'Rhetorical Questions', Sommer has regularly been observed by treatment staff assisting, coaching, and encouraging his fellow group members through the process of learning the CBT principles outlined in the Core Content Journals. Relative to his lifestyle prior to the Challenge Program, his behavior now demonstrates notable improvement in the areas of Humility, Caring, Honesty, and Gratitude. In recent months, while helping his wife work through her own addictions and major life struggles, Sommer has had to implement many of the tools and skills he has learned in the Challenge Program to include effective listening, constructive communication, unconditional positive regard, and patience. Furthermore, to help gain an objective perspective and to manage the difficult emotions he has experienced, Sommer regularly utilized his healthy support allies within the community as well as the skilled professional resources that were available to him.

Understands concepts and demonstrates behavior(s) **Date:** 07/28/2021 **Provider:** Buie, J. MA/SKillsTreatment

Inmate Name: SOMMER, LUKE ELLIOTT**Reg #:** 38474-086**Date of Birth:** [REDACTED] 1986**Sex:** M**Race:** WHITE**Facility:** CLP**Open Date:** 02/03/2021**Closed Date:****Status:** Active**Discussed:** Yes

indicative of treatment progress

Specialist

In both Core and Process Treatment Group, Sommer completes reflective assignments in a willing and earnest manner. He openly shares his thoughts and experiences within the group and enthusiastically engages in open discussions with his peers. He humbly provides feedback to others and is receptive to feedback from both the staff facilitators and his peers. He regularly self-discloses past personal experiences where he used mollification, entitlement, and cutoff to drive anti-social behaviors, and additionally relates current events in his life which validate both his continued struggles with, yet progress towards correcting, these irrational thinking errors.

Understands concepts and demonstrates behavior(s)

Date: 06/03/2021 **Provider:** Buie, J. MA/SkillsTreatment

indicative of treatment progress

Specialist

During this review period, Sommer has begun Phase One Core Groups in the Challenge Program. He engages with his fellow group members in a positive manner and displays enthusiasm when contributing content. He completes the Core Journals and other assignments in a timely manner and willingly shares his ideas, perceptions, and personal experiences for the benefit of the community. Sommer is learning the fundamental CBT concepts that support the curriculum of the Challenge Program, and is learning the process and mechanics of CBT tools such as Attitude Checks, RSAs, and the cause/effect nature of events, thoughts, feelings, behaviors, and outcomes.

Displays conceptual understanding only

Date: 04/01/2021 **Provider:** Buie, J. MA/SkillsTreatment

Specialist

Due to numerous institutional emergencies over this review period that resulted in frequent/extensive lockdown periods and modified operations resulting from the COVID-19 pandemic safety response protocols, Inmate Sommer has had limited program exposure and little time in treatment activities. He has been observed demonstrating the attitudes of open-mindedness and willingness, which have helped smooth his return and adjustment to the Challenge Program. Sommer has also expressed that he is eager to begin programming in full once the institutional schedule permits.

PGI Title: Substance Abuse**Status:** Active**Last Updated:** 05/26/2022**Last Provider:** Buie, J. MA/SkillsTreatment Specialist

Problem: I have used alcohol and/or drugs since age 25 and I have an extensive history of substance abuse. I have abused illicit substances to not only impress others or to fit in, but also as a tool to help me cope with my problems. This behavior has continued through my adult life and has contributed to the following destructive behaviors: acting out against others, breaking the rules and laws, and hurting my family and loved ones.

Goal: I will accept the fact that I have been dependent on drugs/alcohol and will actively participate in the recovery process. I will understand the damages that my prior substance abuse has done to the lives of both my family and myself. I will use the community to build a support system to aid in my sobriety.

Interventions: Treatment Activity: Apply the 8 Healthy Attitudes of Change to your daily life to help maintain a healthy lifestyle that is devoid of substance use. Identify through journal entries which attitudes you most frequently struggle with and which ones contributed most to your past substance abuse problems. Voluntarily complete at least 2 Attitude Checks which will be reviewed by your CTS by the next review date.

Treatment Activity: Seek out healthy relationships and rewarding activities which will both promote positive change and reinforce personal growth. Document through Reflective Journal entries how these objectives improved your mood and self-view (self-confidence; self-worth; self-esteem; self-respect) through increased senses of belonging, purpose, and accomplishment. Ongoing Assessment.

Treatment Activity: Complete a reflective journal entry describing how your drug use correlated with your poor choices and criminal behaviors. Specifically, explore the synergy in how your addictions fueled your criminal behaviors and inversely how your criminal behaviors fueled your addiction. Also, reflect on how your addictions replaced other values and priorities in your life that would have otherwise been pillars of a healthy lifestyle. In addition, try to identify specific negative feelings which drugs helped manage or mask. Discuss your findings with both your CTS and in the group setting by the next review date.

Treatment Activity: Explore the reasons behind your substance abuse. Particularly, disclose and discuss within the group setting the triggers, stumbling blocks, and cause/effect dynamics of any relapses that

Inmate Name: SOMMER, LUKE ELLIOTT**Reg #:** 38474-086**Date of Birth:** [REDACTED] 1986**Sex:** M**Race:** WHITE**Facility:** CLP**Open Date:** 02/03/2021**Closed Date:****Status:** Active**Discussed:** Yes

occurred after periods of sobriety or after receiving treatment. Be mindful to relate your past successes and setbacks with your current course of treatment to help understand and avoid similar pitfalls. Accept insightful feedback and support from both your peers and your community. Ongoing Assessment.

Treatment Activity: Inmate Sommer will explore the ways his substance use affected his relationships. He will discuss this topic with his peers and project how future relationships will be healthier without his use of illicit substances. Due by the next review date.

Progress Notes:

Understands concepts and demonstrates behavior(s) **Date:** 05/26/2022 **Provider:** Buie, J. MA/SkillsTreatment Specialist
indicative of treatment progress

Sommer takes pride in his continued sobriety, and has consistently demonstrated clear attitudes and behaviors which support this achievement and future success. In the group setting, Sommer has often reflected on his motives during his past substance use, and expresses shame and guilt in regards to the negative consequences his choices led to for not only himself, but also for his loved ones and his community. Sommer has acted in a mentor role within Clinical Treatment Teams, and formulates thorough and objective peer to peer treatment interventions as a result. He continues to contribute to the program community in a positive way, such as his involvement with Challenge Program Committees (Conflict Resolution and Inspiration Committees), and Facilitating Challenge Service/Topic Groups (Re-Entry, Feedback, Self-Defeating Behaviors).

Understands concepts and demonstrates behavior(s) **Date:** 03/29/2022 **Provider:** Buie, J. MA/SkillsTreatment Specialist
indicative of treatment progress

Inmate Sommer is learning to find accomplishment and fulfillment through helping others. He is often witnessed by the treatment staff greeting new members of the community to both inform them of program norms and to help them feel welcome. He also frequently helps coach, guide, and encourage other community members who are having difficulty in their own course of treatment. At the request of the treatment staff, Sommer assists as a mentor within Clinical Treatment Teams, and formulates thorough and objective peer to peer treatment interventions as a result. He maintains an active schedule in positive constructive activities such as various Challenge Program Committees (Conflict Resolution and Inspiration Committees), Facilitating Challenge Service/Topic Groups (Re-Entry, Feedback, Self-Defeating Behaviors), and program activity enrollment outside of the unit (such as taking paralegal and undergraduate college courses) through formal channels. Sommer demonstrates a clear understanding how his involvement in positive and constructive activities builds his self-esteem, self-worth, and self-confidence, which subsequently supports his sobriety through healthy self-affirming choices. Sommer has received positive praise from both the program community and the treatment staff for his current level of enthusiasm, and understands that if he continues these healthy practices to include the use of supportive allies, he will have a very high likelihood of maintaining his sobriety even through difficult life events.

Understands concepts and demonstrates behavior(s) **Date:** 01/27/2022 **Provider:** Buie, J. MA/SkillsTreatment Specialist
indicative of treatment progress

Sommer is learning that successes through healthy accomplishments can be an important part in bolstering his sobriety. Sommer was recently the subject of a Clinical Treatment Team (Phase up from phase one to phase two) to assess his knowledge and application of the CBT concepts thus far. Inmate Sommer has demonstrated the ability to apply the program philosophy and treatment principles from the Orientation phase. He now actively conducts Rational Self-Analysis to his everyday life and focuses on the eight attitudes of positive change. Inmate Sommer now has the ability to confront issues and resolve conflicts with minor assistance. These are the qualities that provide the grounds for advancement to phase two of treatment, and therefore was promoted based on merit. In addition, to help process the connection between his substance use and past traumatic events in his life, Sommer has enrolled in the Seeking Safety/Resolve Program and has been an active participant for entirety of this review period. Furthermore, to support improved self-worth through positive actions, Sommer was recently given the position of Psychology Peer, and will utilize his knowledge and desire to others, by supporting community peers who are struggling with behavioral, life skill, adjustment, and mental health issues.

Understands concepts and demonstrates behavior(s) **Date:** 11/30/2021 **Provider:** Babnew, J. PsyD, Tx Coordinator
indicative of treatment progress

Inmate SOMMER has continued to make progress in maintaining his sobriety and working toward his own recovery. He has continued actively utilizing RSA's and combating urges to use through this tool and through support from healthy allies within the community. He is actively participating in the Resolve Program and incorporating healthy

Inmate Name: SOMMER, LUKE ELLIOTT	Reg #: 38474-086
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Status: Active	Discussed: Yes

coping tools from that program as well.

Understands concepts and demonstrates behavior(s) indicative of treatment progress **Date:** 09/28/2021 **Provider:** Buie, J. MA/SkillsTreatment Specialist

Sommer is learning that successes through healthy accomplishments can be an important part in bolstering his sobriety. Sommer was recently the subject of a Clinical Treatment Team (Phase up from phase one to phase two) to assess his knowledge and application of the CBT concepts thus far. Inmate Sommer has demonstrated the ability to apply the program philosophy and treatment principles from the Orientation phase. He now actively conducts Rational Self-Analysis to his everyday life and focuses on the eight attitudes of positive change. Inmate Sommer now has the ability to confront issues and resolve conflicts with minor assistance. These are the qualities that provide the grounds for advancement to phase two of treatment, and therefore was promoted based on merit. In addition, to help process the connection between his substance use and past traumatic events in his life, Sommer has enrolled in the Seeking Safety/Resolve Program and has been an active participant for entirety of this review period.

Understands concepts and demonstrates behavior(s) indicative of treatment progress **Date:** 07/28/2021 **Provider:** Buie, J. MA/SkillsTreatment Specialist

Sommer is celebrating his 2 year anniversary in his sobriety, and will share this milestone with his peers in the Community Morning Meeting in the coming days. Additionally, Sommer is learning the benefit of healing through helping. His wife has recently struggled with relapses of her own, and Sommer has shared how helping her get through her addictions has benefited him by reinforcing not only the language and tools, but also the positive attitudes and mindset that support his own sobriety.

Understands concepts and demonstrates behavior(s) indicative of treatment progress **Date:** 06/03/2021 **Provider:** Buie, J. MA/SkillsTreatment Specialist

Inmate Sommer has been able to correlate his disproportionately elevated stress and anxiety as contributing factors to his substance abuse history. As previously noted, his habit of "overthinking things" is a significant factor in his experienced stress and anxiety, therefore also contributing to his substance use as an unhealthy coping strategy. Sommer also accepts that "overthinking" has often served as a conduit for him to peruse self-fulfilling prophecies through making his predetermined answer fit the problem instead of the other way around. He also understands that many irrational thinking filters contributed to this process and in many ways served his need to be "in control" of many or all of his life's experiences. Currently, Sommer is working to practice the attitude of "Humility" to help him surrender control of things he does not have power over, and to instead accept them as they are while refocusing his energy onto his own choices (thoughts-feelings-behaviors) as related to the event.

Displays conceptual understanding only **Date:** 04/01/2021 **Provider:** Buie, J. MA/SkillsTreatment Specialist

Due to numerous institutional emergencies over this review period that resulted in frequent/extensive lockdown periods and modified operations resulting from the COVID-19 pandemic safety response protocols, Inmate Sommer has had limited program exposure and little time in treatment activities. Inmate Sommer self-reports that he has a history of "overthinking things", so he has inversely been focusing on the Eight Healthy Attitudes and how they apply to his treatment goals. He is familiar with attitude checks and how they can help him avoid high risk thoughts and choices which can erode his sobriety. He is also working to identify and establish healthy relationships within the community which support his treatment goals. He uses both Relationship Check Worksheets as well as trusted positive allies to help evaluate his relationships and to make good judgements.

PGI Title: Social Skills Deficit

Status: Active **Last Updated:** 05/26/2022 **Last Provider:** Buie, J. MA/SkillsTreatment Specialist

Problem: I have had many failed relationships due to having poor boundaries, inadequate interpersonal skills, and by not being 'other centered'. I have maintained toxic relationships because I have insufficient relationship building skills. These problems have caused me to experience social awkwardness, frequent conflicts with others, seek social isolation, and to hurt/abandon/neglect those who have cared about me.

Goal: To obtain pro-social skills that will allow me to both build and maintain healthy relationships as well as reintegrate into society as a healthy citizen. I will learn and apply effective interpersonal skills that will be demonstrated by appropriate interactions with staff, community members, and the maintenance of health family ties.

Interventions: Treatment Activity: Practice an empathetic 'other centered' approach to relationships. Utilize Patience, Tolerance, and Caring as you rebuild your interpersonal and communication skills. Avoid the use of

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judgements, should statements, and expectations while working to accept that others have their own struggles as well as their own pace in their personal growth. Journal about your experiences and perceptions and discuss with both your group and your CTS by the next review.

Treatment Activity: When interacting with others, no matter the level of the relationship, be mindful to utilize the concept of 'Unconditional Positive Regard', and test your contributions with the question, "Are my actions emptying their bucket, or filling their bucket?" in regard to positivity (helping) or negativity (not helping). Journal about your experiences and perceptions and discuss with both your group and your CTS by the next review.

Treatment Activity: Explore your community by becoming more familiar with the various Service/Topic Groups and Community Committees. Join at least one of each, (one group & one committee) attend weekly meetings, and discuss your experiences with your CTS by the next review date.

Treatment Activity: Practice Open-Mindedness, Objectivity, and Humility by accepting other's points of view or perceptions related to your choices and behaviors. Avoid denial through rejection by accepting and processing Peer Feedback, Attitude Check Assignments, Conflict Resolution Committee conclusions, and Formal Peer to Peer Interventions.

Treatment Activity: Initiate conversations with 10 members of the community in which you do not currently interact with. Have follow up conversations with these same individuals at least 3 times per week in an effort to 'get to know them', allow them to 'get to know you', and to practice interpersonal effectiveness. Discuss your findings and experiences with your CTS by the next review.

Progress Notes:

Understands concepts and demonstrates behavior(s) **Date:** 05/26/2022 **Provider:** Buie, J. MA/SkillsTreatment Specialist
indicative of treatment progress

Sommer has both expressed in words, and demonstrated through his actions, that he takes genuine pride and ownership of the positive culture within the Challenge Program Community. Furthermore, he reflects on his own actions and how they impact others in either a positive or negative way. As a result, Sommer is learning to understand the push and pull social dynamics of a community, and is working to not only find his role and place in his surroundings, but to also to be 'other centered' while simultaneously maintaining awareness of his social limitations and personal boundaries. One example which validates this is his recent acknowledgement that his assigned cellmate, which he was mentoring as a companion, became too difficult of a task to manage which in turn evolved into a significant source of stress and anxiety. Sommer was able to utilize his peers for support and guidance while also proactively communicating with staff his own experience in the situation. In the group setting, Sommer often reflects on his interpersonal and social skills and how he can utilize CBT concepts such as Positive Attitudes, Rational Challenges, Exit Strategies, and Communication Skills to improve in these areas.

Understands concepts and demonstrates behavior(s) **Date:** 03/29/2022 **Provider:** Buie, J. MA/SkillsTreatment Specialist
indicative of treatment progress

Inmate Sommer often states that the Challenge Residential Treatment Program is the best thing that has ever happened to him. He reflects that the rational thinking tools and life skills he is learning has saved his life, and that he now has the knowledge to avoid a self-destructive lifestyle both inside and after prison. Sommer is working to improve his interpersonal skills in several ways to include utilizing assertive communication, improving his active listening skills, learning patience and tolerance for others, and by asking himself, "How can I help and not hinder?" Furthermore, Sommer is leaning to support his role as a positive ally with tools such as empathy and unconditional positive regard." Sommer acknowledges that his improved life skills have had a positive impact on his family as well, as he regularly shares the CBT information with both his wife and his mother by discussing real life instances when they have experienced better results through making objective and rational choices. Sommer finds humble gratification in that he can now be a positive role-model to his family and loved ones. He also finds satisfaction that he is playing a part in steering them towards a healthy lifestyle filled with healthy choices. Sommer is grateful that he has the opportunity to practice these skills within a program environment so that he can better positively serve his family, his community, and society as a whole upon release.

Understands concepts and demonstrates behavior(s) **Date:** 01/27/2022 **Provider:** Buie, J. MA/SkillsTreatment Specialist

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indicative of treatment progress

Specialist

Inmate Sommer has worked to be more other centered and to interact with others which were typically outside of his comfort zone. He has helped establish, and maintain, a community donation library with the Challenge Program Unit, and communicates/coordinates with a peer to complete these duties and tasks in a timely manner. He has been observed welcoming new participants to the community, and volunteers to both show them around the unit and familiarize them with unit rules and expectations. Sommer often volunteers to help with community events and activities, and has successfully avoided social isolation during times of stress or discomfort. Lastly, Sommer demonstrates his responsibility as a 'good community citizen' by directly providing his peers with constructive suggestions or holding them accountable through formal channels such as the intervention or conflict resolution procedures. Most recently, Sommer has reflected and journaled on Humility, and how his "blind spot" need for "being in the limelight" is counterproductive to his interpersonal relationships. As a result, Sommer has been more conscientious of his behaviors, and has been cautious to not be overbearing and to give other appropriate room, time, and space.

Understands concepts and demonstrates behavior(s) **Date:** 11/30/2021 **Provider:** Babnew, J. PsyD, Tx Coordinator
indicative of treatment progress

Inmate SOMMER has worked at building and maintaining healthy relationships within the Challenge community. He has been more interactive with individuals whom he would not normally engage in an effort to improve these skills. He has demonstrated humility and been willing to clarify communication with members of the community when asked. He continues to assist in maintaining a community donation library, greeting and welcoming new individuals within the community and volunteers with community activities and events. He has been active in working toward community accountability and assisting his peers with this task even through difficulty and feeling uncomfortable. He will benefit from continued work within these responsibilities and by reflecting on the benefits he has been from working toward becoming other centered. He has self-disclosed some benefits of this practice within personal relationships during feedback in front of the entire community and within treatment groups.

Understands concepts and demonstrates behavior(s) **Date:** 09/28/2021 **Provider:** Buie, J. MA/SkillsTreatment
indicative of treatment progress Specialist

Inmate Sommer has worked to be more other centered and to interact with others which were typically outside of his comfort zone. He has helped establish, and maintain, a community donation library with the Challenge Program Unit, and communicates/coordinates with a peer to complete these duties and tasks in a timely manner. He has been observed welcoming new participants to the community, and volunteers to both show them around the unit and familiarize them with unit rules and expectations. Sommer often volunteers to help with community events and activities, and has successfully avoided social isolation during times of stress or discomfort. Lastly, Sommer demonstrates his responsibility as a 'good community citizen' by directly providing his peers with constructive suggestions or holding them accountable through formal channels such as the intervention or conflict resolution procedures.

Understands concepts and demonstrates behavior(s) **Date:** 07/28/2021 **Provider:** Buie, J. MA/SkillsTreatment
indicative of treatment progress Specialist

Sommer continues to engage in pro-social activities and interactions with his fellow community peers. He regularly contributes to his community by working with his peers to resolve conflicts between others, and when appropriate, holds them accountable through peer to peer interventions (pull-ups) to help correct behaviors that are counter to program expectations. Sommer often volunteers to help with program needs such as community activities, supplies, or the organization/set-up of community events. By learning to take others sensitivities and triggers into account, and through taking into consideration how others perceive of him, Sommer has made significant progress in building healthy and meaningful relationships with many of his peers. Currently, Sommer is putting into practice the concept of 'Being other centered' while simultaneously balancing his own treatment needs with the goal of becoming a better citizen within his community.

Understands concepts and demonstrates behavior(s) **Date:** 06/03/2021 **Provider:** Buie, J. MA/SkillsTreatment
indicative of treatment progress Specialist

Sommer has genuinely applied himself to engage in more pro-social activities and interactions with his fellow community peers. He has been observed building relationships with new members of the community while also strengthening already established relationships in his life. These healthy communication and social skills have transcended into his personal life where consequently the relationship with his wife and son have also benefited. Sommer has also challenged himself to provide feedback to his peers, as well as to his family, that is not only insightful and constructive, but which also comes from a place of caring, concern and empathy. Additionally,

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Sommer has worked to successfully refined and tailor the content and delivery of the information he provides in such a way that decreases defensiveness while simultaneously increasing receptiveness and understanding.

Displays conceptual understanding only

Date: 04/01/2021 **Provider:** Buie, J. MA/SkillsTreatment Specialist

Due to numerous institutional emergencies over this review period that resulted in frequent/extensive lockdown periods and modified operations resulting from the COVID-19 pandemic safety response protocols, Inmate Sommer has had limited program exposure and little time in treatment activities. Inmate Sommer is learning to use his Challenge Community to benefit his goals. He seeks out interactions with others when the schedule permits, and is learning to maintain positive, supportive relationships to gain feedback. Sommer understands that adopting the attitude of humility is a key element which will play an essential role in his ability to accept feedback from others, to maintain good citizenship within the community, and to seek compromise when appropriate.

**Bureau of Prisons
Psychology Services
Resolve - Psychosocial Assessment/Evaluation**

Inmate Name: SOMMER, LUKE ELLIOTT	Sex: M	Facility: CLP	Reg #: 38474-086
Date of Birth: [REDACTED] 1986	Provider: Brodehl, C. PsyD		Unit Team: J-1 CHG
Date: 05/26/2021 08:11			

Identifying Information

Inmate SOMMER was interviewed per his request to determine the presence of a diagnosable trauma-related disorder for the purpose of participation in the RESOLVE Program. This determination was based on a number of sources including PDS-BEMR records, Pre-Sentence Investigation Report, assessment data (from PCL-5, GAD-7, BDI-2), and a clinical interview. Inmate SOMMER is a 34-year-old, Caucasian male. He is currently serving a 517 month sentence with 5 years of Supervised Release for Armed Bank Robbery and Assault with a Deadly Weapon.

Psychosocial History

Inmate SOMMER was born and raised in Peachland, British Columbia, Canada, by both his mother and father until their divorce when inmate SOMMER was approximately 14 years old. Inmate SOMMER described his upbringing as "troubled." He reported being raised, "in a fundamentally Christian home with a Bipolar father and a mother terrified of setting him off." According to inmate SOMMER, his father was emotionally abusive towards his mother, him and his siblings. He is the oldest of five siblings. Inmate SOMMER reports experiencing the following adverse experiences as a child: sexual abuse by a neighbor, emotional abuse, witnessing domestic violence, and having caregivers with mental health issues, specifically his father, aunt, and uncle.

At this point in his life, inmate SOMMER reports being married. He stated he has been married for 8 years and got married during his current incarceration. He has a 17-year-old son from a previous relationship who currently lives with inmate SOMMER's mother. He stated he has a close relationship with his son and speaks to him on a daily basis.

In regard to educational background, inmate SOMMER was home-schooled. He reported having only attended 3 months of public school. According to inmate SOMMER, he taught himself primarily. He reported earning his GED while incarcerated. He denied ever being diagnosed with a learning disorder. Inmate SOMMER is also certified as an EMT.

Following school, Inmate SOMMER enlisted in the United States Army. He has not held employment outside of the Army as an adult. His highest rank was that of Specialist. He served in Afghanistan and Iraq. He was never subjected to any court martial or non-judicial punishment. His decoration and awards include Expert Infantry Badge, Ranger Tab, Combat Infantry Badge, Basic Parachutist, Iraq Campaign Medal, Afghanistan Campaign Medal, Global War Terrorism Expedition Medal, Army Service Ribbon, and National Defense Service Ribbon. Inmate SOMMER has specialized training and skills as an assault infantryman, in escape and evasion, as a combat driver, sniper, and machine gunner, in close quarter combat, as a Ranger first responder, and advanced EMT courses. In 2007, the United States Army issued an arrest for inmate SOMMER as a military deserter.

Criminality

Inmate SOMMER is serving a 517 month sentence with 5 years of Supervised Release for Armed Bank Robbery and Assault with a Deadly Weapon. Prior convictions include:

Juvenile:
None

Adult:
Conspiracy to Commit Bank Robbery
Armed Bank Robbery
Brandishing a Firearm During and in Relation to a Crime of Violence
Possession of an Unregistered and Destructive Device

In regard to his behavior while incarcerated, inmate SOMMER reports that he has engaged in institutional misconduct and has received the following incident reports:

Inmate Name:	SOMMER, LUKE ELLIOTT			Reg #:	38474-086
Date of Birth:	1986	Sex:	M	Facility:	CLP
Date:	05/26/2021 08:11	Provider:	Brodehl, C. PsyD	Unit Team:	J-1 CHG

Possession of Drugs/Alcohol
 Use of Drugs/Alcohol
 Failing to Follow Safety Rules
 Phone Abuse x5
 Being Absent from Assignment
 Interfering with Security Devices
 Assaulting with Serious Injury
 Fighting with another Person
 Disruptive Conduct

Substance Abuse

Inmate SOMMER has a history of substance abuse. He began using alcohol at the age of 12 and used almost daily until the age of 14. According to inmate SOMMER, his substance abuse began after his current incarceration. He stated he was exposed to suboxone, K2, heroin, methamphetamine, and hallucinogens. He his drugs of choice as primarily opiates. He states he continued to use as drugs, "made me feel better, less anxious." He did not participate in substance abuse treatment while in the community. While in the BOP, inmate SOMMER participated in the Challenge program. Inmate SOMMER reports that he was exposed to substance use by older kids in his neighborhood as well as inmates.

Mental Health

Inmate SOMMER was diagnosed with Posttraumatic Stress Disorder while in Canadian custody pending extradition due to suffering from sleep disturbance, nightmares, anxiety, and paranoia following his return from Afghanistan. He reported being prescribed medications, however stated he was never offered nor did he seek out any counseling. Since he has been in the BOP, inmate SOMMER has been classified as both a Care Level 2-MH and a Care Level 1-MH at different times. As a Care Level 2-MH, he received monthly individual therapy to address his symptoms of PTSD. He was reduced to a Care Level 1-MH approximately one and a half years ago due to continued stability. Since that time, he has been actively participating in the Challenge program.

In regard to trauma history, inmate SOMMER reports that he has experienced anxiety and posttraumatic stress in response to emotional and sexual abuse, witnessing significant acts of violence while in the military, and being raped while serving in the military. The most recent examples of his symptoms include feeling anxious, not being able to stop or control worrying, worrying too much about different things, becoming easily annoyed and irritable, feeling restless, repeated, disturbing, and unwanted memories of the experience, avoiding memories, thoughts, or feelings of the experience, having strong physical reactions when something reminds him of the experience, having trouble remembering important parts of the experience, having strong negative beliefs about himself, hypervigilance, trouble sleeping, and having difficulty concentrating. He typically manages these symptoms working and programming.

In regards to psychological testing, inmate SOMMER completed the Generalized Anxiety Disorder 7-item (GAD-7) Scale, a self-administered assessment tool given to assess for symptoms of anxiety. A review of his scores indicates he falls within the moderate range of anxiety symptoms.

Inmate SOMMER also completed the Beck Depression Inventory 2 (BDI-2), a self-administered assessment tool given to assess symptoms of depression. A review of his scores indicates he falls within the moderate range of depressive symptoms.

Inmate SOMMER also completed the PTSD Checklist for DSM-5 (PCL-5), a self-administered assessment tool given to assess symptoms of Post-Traumatic Stress Disorder. A review of his scores indicates he falls within the highly probable range for suffering from PTSD.

Goals

Inmate SOMMER reported he wishes to participate in the program so he can learn how to better cope with the past traumas he has experienced gain knowledge about how to better help others who have experienced trauma.

Comments

Inmate SOMMER meets eligibility criteria for the non-residential RESOLVE program. Specifically, his diagnoses of Opioid Use Disorder, Severe, Posttraumatic Stress Disorder, and Other Personality Disorder with Antisocial and

Inmate Name:	SOMMER, LUKE ELLIOTT	Reg #:	38474-086
Date of Birth:	██████ 1986	Sex:	M
		Facility:	CLP
Date:	05/26/2021 08:11	Unit Team:	J-1 CHG
		Provider:	Brodehl, C. PsyD

Narcissistic traits appear related to his history of traumatic events. He was informed of the outcome of this assessment and SENTRY will be updated accordingly.

Diagnosis:

Opioid Use Disorder: Severe, F11.20*b - Current

Posttraumatic Stress Disorder, F43.10 - Current

Other Specified Personality Disorder, F60.89 - Current

Completed by Brodehl, C. PsyD on 06/03/2021 10:45

Bureau of Prisons
Psychology Services
Diagnostic and Care Level Formulation

SENSITIVE BUT UNCLASSIFIED

Inmate Name: SOMMER, LUKE ELLIOTT		Reg #: 38474-086
Date of Birth: [REDACTED] 1986	Sex: M	Facility: CLP
Date: 05/26/2021 08:10	Provider: Brodehl, C. PsyD	Unit Team: J-1 CHG

Relevant Historical Information

Inmate SOMMER was born and raised in Peachland, British Columbia, Canada, by both his mother and father until their divorce when inmate SOMMER was approximately 14 years old. Inmate SOMMER described his upbringing as "troubled." He reported being raised, "in a fundamentally Christian home with a Bipolar father and a mother terrified of setting him off." According to inmate SOMMER, his father was emotionally abusive towards his mother, him and his siblings. He is the oldest of five siblings. Inmate SOMMER reports experiencing the following adverse experiences as a child: sexual abuse by a neighbor, emotional abuse, witnessing domestic violence, and having caregivers with mental health issues, specifically his father, aunt, and uncle.

At this point in his life, inmate SOMMER reports being married. He stated he has been married for 8 years and got married during his current incarceration. He has a 17-year-old son from a previous relationship who currently lives with inmate SOMMER's mother. He stated he has a close relationship with his son and speaks to him on a daily basis.

In regard to educational background, inmate SOMMER was home-schooled. He reported having only attended 3 months of public school. According to inmate SOMMER, he taught himself primarily. He reported earning his GED while incarcerated. He denied ever being diagnosed with a learning disorder. Inmate SOMMER is also certified as an EMT.

Following school, Inmate SOMMER enlisted in the United States Army. He has not held employment outside of the Army as an adult. His highest rank was that of Specialist. He served in Afghanistan and Iraq. He was never subjected to any court martial or non-judicial punishment. His decoration and awards include Expert Infantry Badge, Ranger Tab, Combat Infantry Badge, Basic Parachutist, Iraq Campaign Medal, Afghanistan Campaign Medal, Global War Terrorism Expedition Medal, Army Service Ribbon, and National Defense Service Ribbon. Inmate SOMMER has specialized training and skills as an assault infantryman, in escape and evasion, as a combat driver, sniper, and machine gunner, in close quarter combat, as a Ranger first responder, and advanced EMT courses. In 2007, the United States Army issued an arrest for inmate SOMMER as a military deserter.

Inmate SOMMER has a history of substance abuse. He began using alcohol at the age of 12 and used almost daily until the age of 14. According to inmate SOMMER, his substance abuse began after his current incarceration. He stated he was exposed to suboxone, K2, heroin, methamphetamine, and hallucinogens. He his drugs of choice as primarily opiates. He states he continued to use as drugs, "made me feel better, less anxious." He did not participate in substance abuse treatment while in the community. While in the BOP, inmate SOMMER participated in the Challenge program. Inmate SOMMER reports that he was exposed to substance use by older kids in his neighborhood as well as inmates.

Inmate SOMMER was diagnosed with Posttraumatic Stress Disorder while in Canadian custody pending extradition due to suffering from sleep disturbance, nightmares, anxiety, and paranoia following his return from Afghanistan. He reported being prescribed medications, however stated he was never offered nor did he seek out any counseling. Since he has been in the BOP, inmate SOMMER has been classified as both a Care Level 2-MH and a Care Level 1-MH at different times. As a Care Level 2-MH, he received monthly individual therapy to address his symptoms of PTSD. He was reduced to a Care Level 1-MH approximately one and a half years ago due to continued stability. Since that time, he has been actively participating in the Challenge program.

In regard to trauma history, inmate SOMMER reports that he has experienced anxiety and posttraumatic stress in response to emotional and sexual abuse, witnessing significant acts of violence while in the military, and being raped while serving in the military. The most recent examples of his symptoms include feeling anxious, not being able to stop or control worrying, worrying too much about different things, becoming easily annoyed and irritable, feeling restless, repeated, disturbing, and unwanted memories of the experience, avoiding memories, thoughts, or feelings of the experience, having strong physical reactions when something reminds him of the experience, having trouble

Inmate Name: SOMMER, LUKE ELLIOTT

Reg #: 38474-086

Date of Birth: [REDACTED] 986

Sex: M

Facility: CLP

Unit Team: J-1 CHG

Date: 05/26/2021 08:10

Provider: Brodehl, C. PsyD

remembering important parts of the experience, having strong negative beliefs about himself, hypervigilance, trouble sleeping, and having difficulty concentrating. He typically manages these symptoms working and programming.

Presenting Problem/Symptom

Inmate SOMMER is currently reporting and presenting with symptoms of post traumatic stress. Specifically, he reports experiencing anxiety and posttraumatic stress in response to emotional and sexual abuse, witnessing significant acts of violence while in the military, and being raped while serving in the military. The most recent examples of his symptoms include feeling anxious, not being able to stop or control worrying, worrying too much about different things, becoming easily annoyed and irritable, feeling restless, repeated, disturbing, and unwanted memories of the experience, avoiding memories, thoughts, or feelings of the experience, having strong physical reactions when something reminds him of the experience, having trouble remembering important parts of the experience, having strong negative beliefs about himself, hypervigilance, trouble sleeping, and having difficulty concentrating.

According to inmate SOMMER, both his past substance abuse as well as his long history of engaging in criminal behavior were a direct result of his past trauma. He reported he began using drugs heavily to help cope with the abuse he suffered as well as the violence he witnessed. He also reported only beginning to engage in criminal activity following his return from Afghanistan. He has also identified that his excessive substance abuse was an attempt to "feel less anxious" and "avoid" thinking about these experiences.

Diagnostic Formulation

Inmate SOMMER currently meets criteria for Posttraumatic Stress Disorder as evidenced by his reports of experiencing anxiety and posttraumatic stress in response to emotional and sexual abuse, witnessing significant acts of violence while in the military, and being raped while serving in the military. The most recent examples of his symptoms include feeling anxious, not being able to stop or control worrying, worrying too much about different things, becoming easily annoyed and irritable, feeling restless, repeated, disturbing, and unwanted memories of the experience, avoiding memories, thoughts, or feelings of the experience, having strong physical reactions when something reminds him of the experience, having trouble remembering important parts of the experience, having strong negative beliefs about himself, hypervigilance, trouble sleeping, and having difficulty concentrating.

Inmate SOMMER also continues to meet criteria for Opioid Use Disorder, Severe and Other Personality Disorder with Antisocial and Narcissistic traits. The following was taken from a previous DCLF due to it's continued relevance:

"Although this writer believes that with additional information from his adolescent years, that the presence of Conduct Disorder since age 15 would potentially be confirmed, available information does not allow for this conclusion to be drawn at this time. As a result, a diagnosis of Antisocial Personality Disorder cannot be applied. What is clear, is that available information indicates that he has consistently demonstrated the overall criteria of a personality disorder. More specifically, I/M SOMMER has exhibited a long standing pattern of inner experience and behavior that deviates markedly from the expectation of his culture. His cognitions, affectivity, and interpersonal functioning, have been representative of such. This pattern has been pervasive and inflexible, has been stable and long-lasting, and the on-set can be traced back to at least early adulthood.

"Regarding symptoms of specific personality disorders, I/M SOMMER clearly demonstrates characteristics of both Antisocial Personality Disorder and Narcissistic Personality Disorder, without meeting full criteria for either diagnoses. He meets the following criteria of Antisocial Personality Disorder: failure to conform to social norms with respect to lawful behaviors, deceitfulness, irritability and aggressiveness, and a lack of remorse, as indicated by rationalizing having hurt others. In addition, he meets the following criteria for Narcissistic Personality Disorder: has a grandiose sense of self-importance, has a sense of entitlement, and is interpersonally exploitative. Regarding grandiosity, this is seen as a characteristic of Narcissistic Personality Disorder due to grandiosity being a long lasting and consistent trait. In contrast, grandiosity within Bipolar disorder is transient in nature and limited to periods of mania or hypomania. I/M SOMMER does not meet full criteria for either Antisocial Personality Disorder or Narcissistic Personality Disorder; however, he does meet criteria for having a personality disorder and traits of each diagnosis have had a significant impact on his functioning. As a result, a diagnosis of Other Specified Personality Disorder- with Antisocial and Narcissistic traits is being applied.

"I/M SOMMER also meets criteria for a diagnosis of Opioid Use Disorder- Severe. He reported a long standing problem

Inmate Name:	SOMMER, LUKE ELLIOTT	Sex:	M	Facility:	CLP	Reg #:	38474-086
Date of Birth:	██████1986	Provider:	Brodehl, C. PsyD			Unit Team:	J-1 CHG
Date:	05/26/2021 08:10						

with opioids to include previous use of intravenous heroin, and recent use of Suboxone. His abuse of opioids has caused significant difficulties regarding occupational and social functioning and is an important part of his diagnostic formulation."

Care Level Formulation

Despite symptoms noted above, inmate SOMMER will remain a Care 1-MH at this time. Because of the structured environment and availability of clinical resources, inmate SOMMER is capable of functioning adequately on the compound. He will be seen by psychology on an as needed basis or at his request.

Diagnosis:

Opioid Use Disorder: Severe, F11.20*b - Current

Posttraumatic Stress Disorder, F43.10 - Current

Other Specified Personality Disorder, F60.89 - Current

Completed by Brodehl, C. PsyD on 06/03/2021 10:42

**Bureau of Prisons
Psychology Services
Resolve Program**

SENSITIVE BUT UNCLASSIFIED

Inmate Name: SOMMER, LUKE ELLIOTT		Reg #: 38474-086	
Date of Birth: [REDACTED] 1986	Sex: M	Race: WHITE	Facility: CLP
Open Date: 06/28/2021	Closed Date:	Status: Active	Discussed: Yes

PGI Title: Phase II: Dialectical Behavior Therapy**Status:** Active **Last Updated:** 12/15/2021 **Last Provider:** Brodehl, C. PsyD

Problem: Mr. Sommer has a diagnosis of Other Specified Personality Disorder and Posttraumatic Stress Disorder however demonstrates some borderline traits to include instability in interpersonal relationships, some affective instability, and anger.

Goal: Decrease behaviors that threaten life, interfere with therapy, and decrease quality of life while increasing skills that replace ineffective coping behaviors

Interventions:

- Attend all scheduled group sessions & complete all assignments
- Demonstrate mindfulness
- Demonstrate distress tolerance and regulate emotions
- Practice interpersonal effectiveness
- Demonstrate self-management

Progress Notes:

Displays Conceptual Understanding Only

Date: 12/15/2021 **Provider:** Brodehl, C. PsyD

During the current review period, Mr. Sommer has continued participation in Phase II of the Resolve Program focusing on Dialectical Behavior Therapy. He has been consistent in his attendance and participation during group sessions and has completed all assignments displaying a great deal of effort and motivation. He has a strong understanding of the treatment material and has continued to demonstrate a willingness to reach out to his peers for help when needed and readily asks questions in order to gain a better understanding of how to implement the tools he is learning. He has also demonstrated a willingness to readily assist his peers and provide them with honest, beneficial feedback. During the past 60 day review, Mr. Sommer has increased his willingness to be emotionally vulnerable with his peers and has opened up about several recent struggles. He demonstrates a good understanding of mindfulness and has identified how being nonjudgmental can benefit him both in his relationships with others and his view of himself, however admitted that being onemindful is actually detrimental for him as he has a tendency to become over focused on doing one thing at a time and uses it as a way to escape. He is encouraged to continue practicing these mindfulness skills as he moves into distress tolerance, emotional regulation, and interpersonal effectiveness skills.

Displays Conceptual Understanding Only

Date: 10/18/2021 **Provider:** Brodehl, C. PsyD

During the current 60 day review period, Mr. Sommer has completed Phase I of the Resolve Program and has moved into Phase II focusing on Dialectical Behavior Therapy. Mr. Sommer continues to attend all groups and remains an active participant. During the past review period, Mr. Sommer has become more open in sharing his emotions as well as difficult situations he has been faced with. He has been open to reaching out to his peers for help and has been receptive to trying the feedback provided to him. He has also continued to be supportive of his peers and offer them assistance and support when needed. Mr. Sommer has demonstrated an understanding of mindfulness and has expressed a desire to begin incorporating this skill into his daily life. He is encouraged to continue utilizing mindfulness as the group moves into learning other DBT skills such as distress tolerance, emotional regulation, and interpersonal effectiveness.

PGI Title: Phase I: Seeking Safety**Status:** Complete **Last Updated:** 10/14/2021 **Last Provider:** Brodehl, C. PsyD

Problem: Mr. Sommer has a history of emotional and sexual abuse, and witnessing major acts of violence and being raped while in the military resulting in use of substances (opiates) and symptoms of PTSD (e.g., irritability, restlessness, repeated/disturbing/unwanted memories of the trauma, avoiding memories/ thoughts/feelings of the trauma, physical reactions when reminded of the trauma, poor memory of the trauma, strong negative beliefs about himself, hypervigilance, poor sleep, and poor concentration).

Goal:

- Understand the connection between PTSD and substance abuse
- Develop healthier coping strategies & maintain sobriety
- Resolve conflictual feelings leading to experiencing less anger and depression

Inmate Name: SOMMER, LUKE ELLIOTT		Reg #: 38474-086	
Date of Birth: [REDACTED] 1986	Sex: M	Race: WHITE	Facility: CLP
Open Date: 06/28/2021	Closed Date:	Status: Active	Discussed: Yes

- Gain an understanding of how childhood abandonment, and abuse led to current interpersonal distrust, anger, and depression.

- Interventions:**
- Attend all scheduled Seeking Safety sessions & complete all assignments
 - Identify and practice safe coping skills
 - Engage in healthy behaviors to improve mood including healthy eating, exercise, relaxation, and sleep hygiene
 - Practice assertive communication skills
 - Increase positive social support
 - Use grounding to detach from emotional pain
 - Identify how substance abuse has prevented healing
 - Practice asking for help
 - Identify red and green flags
 - Create a Safety Plan

Progress Notes:

Understands Concepts and Displays Skill Mastery **Date:** 10/14/2021 **Provider:** Brodehl, C. PsyD

Displays Conceptual Understanding Only **Date:** 08/23/2021 **Provider:** Brodehl, C. PsyD

Mr. Sommer has been participating in Phase I of the Resolve Program for the past 60 days. During this time, he has attended all groups and has been an active participant. He asks relevant questions, shares his experiences, and provides feedback to his peers. Mr. Sommer has demonstrated insight into how his substance abuse has negatively impacted his ability to work through his struggles. He understands he has utilized drugs as a means to cope and avoid addressing his feelings. Mr. Sommer has been successful at maintaining his sobriety and has worked to practice healthier coping skills when experiencing urges and cravings or uncomfortable emotions including grounding techniques, exercise, and reaching out to peers. Mr. Sommer has also shown a willingness to assist his peers in practicing these skills. He has identified positive supports within the institution and his family and is working on consistently reaching out to these individuals when he is struggling.

**Bureau of Prisons
Psychology Services
Challenge - Clinical Contact**

****SENSITIVE BUT UNCLASSIFIED****

Inmate Name: SOMMER, LUKE ELLIOTT		Reg #: 38474-086
Date of Birth: [REDACTED] 1986	Sex: M	Facility: CLP
Date: 08/25/2021 15:45	Provider: Buie, J. MA/SkillsTreatment	Unit Team: J-1 CHG

Comments

Clinical Treatment Team Notes
Phase-Up Review - Phase 1 to Phase 2
08/25/2021

Inmate Sommer, Luke #38474-086

On August 25, 2021 Inmate Sommer was the subject of a Clinical Treatment Team, and was considered for advancement to the next phase of treatment in the Challenge Residential Treatment Program. Challenge Treatment Specialist J. Holt, J. Buie, S. Irizarry, and Challenge Program Coordinator Dr. J. Babnew were present. Inmate Sommer has demonstrated the ability to apply the program philosophy and treatment principles from the Orientation phase. He now actively conducts Rational Self-Analysis to his everyday life and focuses on the eight attitudes of positive change. Inmate Sommer now has the ability to confront issues and resolve conflicts with minor assistance. These are the qualities that provide the grounds for advancement to phase two of treatment.

Completed by Buie, J. MA/SkillsTreatment Specialist on 08/26/2021 07:04

Reviewed by Babnew, J. PsyD, Tx Coordinator on 09/01/2021 09:27

**Bureau of Prisons
Psychology Services
Challenge - Clinical Contact**

Inmate Name: SOMMER, LUKE ELLIOTT	Sex: M	Facility: CLP	Reg #: 38474-086
Date of Birth: [REDACTED] 986	Provider: Buie, J. MA/SkillsTreatment		Unit Team: J-1 CHG
Date: 12/28/2021 11:17			

Comments

Clinical Treatment Team Meeting Notes
12/28/2021
Sommer, Luke #38474-086

Inmate Sommer was the subject of a Clinical Treatment Team Meeting (CTTM) with Challenge Treatment Specialist J. Buie and S. Irizarry; along with Acting Challenge Program Coordinator CLP Dr. C. Brodehl, to recognize the healthy attitudes and positive behaviors that he has consistently displayed. Inmate Sommer has been in Challenge Program Participant Status since 12/21/20, and was given positive praise by the Challenge Treatment Staff for putting recognizable effort into working through his personal roadblocks to treatment. Sommer has made notable personal progress and has challenged himself in the following ways: utilizing Attitude Checks and learning RSA's to help make healthy and rational choices and to challenge irrational thinking filters such as Shoulds (expectations), Absolutes, Have To-Need To-Must, and Always or Never (Black & White extreme/concrete thought patterns); avoiding self-defeating behaviors which could impede his treatment progress through applying CBT Skills; establishing new healthy relationships, avoiding toxic people-places-things, and setting appropriate boundaries with others; utilizing community as method for support, encouragement, and constructive feedback; applying the attitudes of willingness and open-mindedness towards program participation and his established treatment goals; acknowledgment for making an honest and genuine effort to successfully integrate into the program community; giving relevant and valuable contributions in both the Treatment Group and the Community Morning Meeting (CMM) settings; praised for having the courage to break outside of his comfort zone and to try new and uncomfortable ways of making choices; pushing through his hesitations, reservations, and fears related to learning the use of empathy, tolerance, and patience, with others.

During the TTM, Sommer was given the following feedback by the Treatment Team Staff: encouraged to keep practicing healthy and productive living skills; encouraged to maintain engagement in pro-social activities inside and outside of the Challenge Program Community; compare and contrast the roles of a mentor versus a teacher, and allowing others the time to practice/apply what they have learned instead of expecting immediate memorization; beware the differences between a motivator/encourager and a demander when dealing with others; allow others to find their own way and experience their own process as it applies to their life experiences, not yours (your solutions may not fit their problems); ask other what they need or want instead of telling them what to do; be mindful to continue the healthy habit of owning your own faults and weaknesses (humility, responsibility) so as to improve upon them, but not to dwell upon them with self-pity (self-defeating rumination); continue to find balance in work, programming, self-help, mentoring, family, responsibilities, and leisure; stay organized and focused, but also accept you cannot control everything in life (fairness-respect-control), and that imperfection is not failure, give yourself a break, reward and praise yourself when appropriate.

Completed by Buie, J. MA/SkillsTreatment Specialist on 01/12/2022 13:50

Reviewed by Brodehl, C. PsyD on 01/18/2022 08:40

PSYCHOLOGY SERVICES

USP COLEMAN II

SUICIDE WATCH COMPANION AGREEMENT

A psychologist has provided a thorough explanation of my duties in monitoring individuals placed on suicide watch. Any questions or uncertainties I had were answered completely to my satisfaction. I fully understand the serious responsibility I bear in helping to ensure the safety of the person being watched. This training covered the following points, which are clear to me:

- 1) My first duty is to help prevent the individual on suicide watch from harming himself. On my watch I must remain physically present and alert. If the person being watched acts in a way that seems self-harmful (e.g., making a noose, cutting himself, banging his head), I will immediately notify staff by use of the phone in the watch area. Because a person's life may be at stake, I realize that I may not leave the suicide watch area until I am replaced or the watch ends. If I am not relieved in a timely manner after four hours of a watch shift, I will let staff know to contact Psychology Services or the Operations Lieutenant so that the proper relieve can be attained. I agree never to serve a shift under the influence of a substance that might dull or alter my perception and responsiveness (e.g., alcohol, illicit drugs, excessive prescription medications).
- 2) I will perform my assigned watch and arrive on time. As soon as I become aware of an illness (verified by P.A.) that precludes working a watch, I will notify a psychologist or the Operations Lieutenant. There are no other acceptable reasons for missing an assigned watch without prior approval of a psychologist (e.g., have a visit, in the Special Housing Unit). Refusing to perform an assigned watch can result in my dismissal from the suicide watch companion program.
- 3) During my watch I will record observations about the individual (e.g., behavior, significant comments, emotional components) in a log book at a minimum of every 15 minutes throughout the shift. I have received training on the appropriate style and content of log book entries. Log entries shall be objective and concise, omitting any personal remarks.
- 4) I will respect the privacy and confidentiality of the individual on watch by revealing information and observations only to Psychology staff members, or other staff in the event of an emergency. I realize I am not to divulge any information concerning an individual on watch to another inmate and that doing so can result in dismissal from the program.

- 5) Casual conversations and active listening with the individual on watch are permitted. However, I understand that my role as a suicide watch companion is not as a therapist and does not represent a treatment relationship with the individual on watch.
- 6) Because of the seriousness of the job I am undertaking, I understand that the following acts threaten the orderly running of the institution and can merit an incident report: falling asleep during a shift; leaving the watch area during a suicide watch, performing a shift under the influence of alcohol or other drugs; introducing contraband into the suicide watch area (the inmate on watch is not to be given anything by the companion or vice versa); and breaking confidentiality. I understand that I must perform these duties as a suicide watch companion responsibly and ethically.
- 7) I understand that I will receive performance pay for my work in the suicide watch room, unless I am on FRP refused status. I also understand that my unit team will be notified periodically of my contributions to the work of the Inmate Companion Team.
- 8) I understand that I will receive periodic training, at least hours twice a year and at least 2 hours of training in the intermediate quarters of the year. I agree to attend training and to contact the Coordinator in advance of any anticipated absence from training. I understand that I will be debriefed after a watch I have been on is completed.

I commit myself to following the instructions pertaining to a watch, even if I do not agree with them. I may express my disagreement to the psychologist, but I must follow orders while on watch. I understand that there may be circumstances in which the psychologist cannot share the rationale behind decisions that are made based on confidential issues related to the inmate watch. I understand that I serve on the team at the discretion of the psychologist who coordinates the Suicide Prevention Program, and that I may be removed from the team at any time by the coordinator.

Inmate Companion Name (printed): _____

Inmate Companion Signature: _____

Inmate Register Number: _____

Date: _____

Psychologist Name: _____

13. **INMATE OBSERVERS - INMATE COMPANION PROGRAM**

a. **Selection of Inmate Observers.** Because of the very sensitive nature of such assignments, the selection of inmate observers requires considerable care. To provide round-the-clock observation of potentially suicidal inmates, a sufficient number of observers should be trained, and alternate candidates should

be available.

Observers will be selected based upon their ability to perform the specific task but also for their reputation within the institution. In the Program Coordinator's judgement, they must be mature, reliable individuals who have credibility with both staff and inmates. They must be able, in the Program Coordinator's judgement, to protect the suicidal inmate's privacy from other inmates, while being accepted in the role by staff. Finally, in the Program Coordinator's judgement, they must be able to perform their duties with minimal need for direct supervision.

In addition, any inmate who is selected as a companion **must not**:

- + Be in pre-trial status or a contractual boarder;
- + Have been found to have committed a 100-level prohibited act within the last three years; or
- + Be in FRP, GED, or Drug Ed Refuse status.

b. **Inmate Observer Shifts.** Observers ordinarily will work a four-hour shift. Except under unusual circumstances, observers will not work longer than one five-hour shift in any 24-hour period. Inmate observers will receive performance pay for time on watch.

c. **Training Inmate Observers.** Each observer will receive at

pro

From: ^!"SOMMER, ^!LUKE ELLIOTT"<38474086@inmatemessage.com>
To:
Date: 3/11/2022 11:35 AM
Subject: ***Request to Staff*** SOMMER, LUKE, Reg# 38474086, CLP-J-A

To: Dr. Brodehl
Inmate Work Assignment: Inmate Companion/tutor

ATTENTION

Please cut and paste the message indicator below into the subject line; only this indicator can be in the subject line.

13e41e49-0875-4626-a22f-683dcbddc24f

Your response must come from the departmental mail box. Responses from personal mailboxes WILL NOT be delivered to the inmate.

Inmate Message Below

Hey Dr. Brodehl,

So, here is the summary of what I was talking about when I saw you on the unit. I am working on a quantitative meta-analysis paper. The PhD program I am working towards requires applicants to have at least one peer-review publishing credit, and considering my limitations in here I am pretty much confined to literature review articles. I have the APA publication manual and the JARS for those kind of articles, and I sent off for the submission standards for four different subject matter appropriate journals so I can write to spec. I also purchased a book on statistics for the social sciences, so I am covering the math needed to run the actual numbers.

Hypothesis: Age at time of exposure to trauma is directly related to severity of psychopathology.

Basically I reasoned (am guessing) that if the brain regions impacted by PTSD are the same regions still under development in youth, then exposure to trauma prior to full neurological development and subsequent damage to those regions (hypoactivation of the ventromedial prefrontal cortex, volume reduction in the hippocampus, etc.) will likely impair development and result in more severe symptomology.

So there's the premise. I am currently creating a set of search terms I am going to use to have my wife/mother run down on psycINFO and other journal indexing services to find suitable abstracts for my research BUT I don't know what would be suitable exclusion/inclusion criteria or if there are discipline specific standards so . . . I am kind of stuck. I asked my mom to try and find a book that might address this, something I could use as a guide as I work through the paper, but she had limited success. I didn't know if you knew of anything that kind of walks through the process at all. Anyways, if you or Dr. K (I mentioned I was working on this to her in the past, but I haven't had a chance to ask her) know of something that would be great, and if not, well I appreciate your time. Thank you and sorry for any inconvenience.

Sommer

Suicide Companion – CLP Any time an inmate is placed on suicide watch with companions; this schedule is to be utilized. Watches will not always begin exactly when a companion's scheduled shift is to start. If a watch begins in the middle of a shift call that companion whose name is listed first in that specified time slot. Companions are aware they may NOT always work a complete 4-hour shift. **Companions are NOT to work more than 4 hours within a 24-hour period.** Utilize the first name in each allotted time period unless individual compensation is unavoidable due to illness or visitation.

SHIFT	Sun	Mon	Tue	Wed	Thur	Fri	Sat
0200 a.m. - 0600 a.m.	Johnson, Ralph 98132-020 K-2	Irizarry, Edwin 59395-066 K-2	Dowlin, James 54807-066 H-2	Dowlin, James 54807-066 H-2	Irizarry, Edwin 59395-066 K-2	Johnson, Ralph 98132-020 K-2	Irizarry, Edwin 59395-066 K-2
	Dowlin, James 54807-066 H-2	Rivera-Carasquillo 40641-069 K-2	Broadie, Terry 11099-007 K-2	Broadie, Terry 11099-007 K-2	Johnson, Ralph 98132-020 K-2	Rivera-Carasquillo 40641-069 K-2	McCullough, M. 09023-007 J-1
0600 a.m. - 1000 a.m.	Taylor, Scott 13558-014 J-1	Segers-Meier, E. 25762-017 L-1	Hucas, R. 76984-097 H-2	Hucas, R. 76984-097 H-2	Casillas, Javier 44249-177 K-1	Murchinson, E. 46006-424 L-1	Taylor, Scott 13558-014 J-1
	Jones, Jeremy 51545-074 J-2	Flucas, R. 76984-097 H-2	Segers-Meier, E. 25762-017 L-1	Casillas, Javier 44249-177 K-1	Murchinson, E. 46006-424 L-1	Flucas, R. 76984-097 H-2	Ernst, Myron 17472-171 L-2
1000 a.m. - 02:00 p.m.	Maass, James 25817-013 J-1	Murchinson, E. 46006-424 L-1	Phillips, Roy 67592-018 J-1	Mason, Troy 29057-047 L-1	Segers-Meier, E. 25762-017 L-1	Mason, Troy 29057-047 L-1	Maass, James 25817-013 J-1
	Phillips, Roy 67592-018 J-1	Mason, Troy 29057-047 L-1	Murchinson, E. 46006-424 L-1	Segers-Meier, E. 25762-017 L-1	Mason, Troy 29057-047 L-1	Casillas, Javier 44249-177 K-1	Drawdy, John 32763-171 J-1
2:00 p.m. - 6:00pm	Perez, Nathan 68566-018 J-1	Copp, Loren 45770-044 J-1	Copp, Loren 45770-044 J-1	Hanks, Mark 19708-043 J-1	Santivanez, Paul 91551-080 H-2	Torres, Rene 223296-479 J-1	Sommer, Luke 38474-086 J-1
	Sommer, Luke 38474-086 J-1	Perez, Nathan 68566-018 J-1	Feliciano, Franc 55255-018 J-1	Drawdy, John 32763-171 J-1	Hanks, Mark 19708-043 J-1	Copp, Loren 45770-044 J-1	Perez, Nathan 68566-018 J-1
06:00 p.m. - 10:00 p.m.	Lockhart, James 71181-018 J-1	Jordan, Joshua 70400-018 J-1	Taylor, Scott 13558-014 J-1	Jordan, Joshua 70400-018 J-1	Drawdy, John 32763-171 J-1	McKnight, Curtis 41767-007 J-1	Lockhart, James 71181-018 J-1
	Dunbar, Ron 95395-380 J-1	Aviles, Andrew 22455-014 H-1	Santivanez, Paul 91551-080 H-2	McKnight, Curtis 41767-007 J-1	Ortega, Rodolfo 16356-023 L-1	Jordan, Joshua 70400-018 J-1	Jordan, Joshua 70400-018 J-1
10:00pm- 1:59 am	Ernst, Myron 17472-171 L-2	Jones, Jeremy 51545-074 J-2	Rodriguez, Robert 34353-177 J-2	Robles, Julio 37612-177 J-1	Broadie, Terry 11099-007 K-2	Brown, Aaron 29102-009 J-1	Robles, Julio 37612-177 J-1
	Brown, Aaron 29102-009 J-1	Rodriguez, Robert 34353-177 J-2	Jones, Jeremy 51545-074 J-2	McCullough, M. 09023-007 J-1	Robles, Julio 37612-177 J-1	Daniel, Joe 29574-076 J-1	Brown, Aaron 29102-009 J-1

Instructions: This schedule will be effective 5/13/22 at midnight.

Please call both companions for shadowing/training purposes during highlighted shifts

Exhibit 12
Program Review

**Individualized Needs Plan - Program Review (Inmate Copy)**

SEQUENCE: 01469897

Dept. of Justice / Federal Bureau of Prisons

Team Date: 04-04-2022

Plan is for inmate: SOMMER, LUKE ELLIOTT 38474-086

Facility: CLP COLEMAN II USP
 Name: SOMMER, LUKE ELLIOTT
 Register No.: 38474-086
 Age: 35
 Date of Birth: [REDACTED] 1986

Proj. Rel. Date: 07-08-2045
 Proj. Rel. Mthd: GOOD CONDUCT TIME
 DNA Status: MCR01448 / 05-06-2011

Detainers

Detaining Agency	Remarks
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NO DETAINER

Current Work Assignments

Fac	Assignment	Description	Start
CLP	RECWEEKEND	WEEKEND WORKERS	12-22-2021

Current Education Information

Fac	Assignment	Description	Start
CLP	ESL HAS	ENGLISH PROFICIENT	04-29-2010
CLP	GED EARNED	GED EARNED IN BOP	01-26-2015

Education Courses

SubFac	Action	Description	Start	Stop
CLP		POST SECONDARY EDUCATION	03-09-2022	CURRENT
CLP CHG	C	BASKETBALL OFFICIATING CLASS	04-02-2021	04-16-2021
CLP CHG	C	ABDOMINALS CLASS	02-12-2021	03-17-2021
CLP	C	VT CUSTODIAL MAINTENANCE PM	01-16-2020	04-06-2020
CLP CHG	C	ART CLASS	06-30-2019	08-26-2019
SET CAD	C	AIDS AWARENESS RPP (C1)	09-29-2016	09-29-2016
THP	C	ACE KEYBOARDING CLASS	02-04-2016	03-08-2016
THP	C	VT COMPUTER APPS 7:30-9:00	02-04-2016	03-08-2016
HAZ	C	USP GED AM CLASS 3	11-17-2014	01-26-2015
MCR	C	CREATIVE DRAWING SUN6:30-8:30	10-01-2013	12-16-2013
MCR	C	BOOK CLUB	09-25-2013	10-30-2013
MCR	C	STOCK INVESTING THUR 6:45-8:00	09-06-2013	10-28-2013
MCR	C	CDL CLASS TUES 5:15-7:15 PM	06-24-2013	06-24-2013
MCR	C	EFFECTIVE COMM FRI 2:00 PM	06-21-2013	07-31-2013
MCR	C	ACE PERSONAL SUCCESS MON 6-8PM	06-21-2013	07-31-2013
MCR	C	2A BUSINESS EDUCATION	05-17-2013	06-20-2013
MCR	C	BEGINNING LEATHER M-F 5-7 PM	07-25-2012	08-30-2012
MCR	C	CREATIVE DRAWING SUN6:30-8:30	04-09-2012	06-18-2012
VIP	C	RPP USP ANGER MANAGEMENT (C6)	07-12-2010	09-09-2010
VIP	C	RPP USP CMC RPP OVERVIEW (C5)	05-26-2010	05-26-2010

Discipline History (Last 6 months)

Hearing Date	Prohibited Acts
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** NO INCIDENT REPORTS FOUND IN LAST 6 MONTHS **

Current Care Assignments

Assignment	Description	Start
CARE1	HEALTHY OR SIMPLE CHRONIC CARE	09-06-2016
CARE1-MH	CARE1-MENTAL HEALTH	10-24-2019

Current Medical Duty Status Assignments

Assignment	Description	Start
NO PAPER	NO PAPER MEDICAL RECORD	08-21-2017
REG DUTY	NO MEDICAL RESTR-REGULAR DUTY	02-23-2016
YES F/S	CLEARED FOR FOOD SERVICE	02-23-2016

Current Drug Assignments

Assignment	Description	Start
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**Individualized Needs Plan - Program Review (Inmate Copy)**

SEQUENCE: 01469897

Dept. of Justice / Federal Bureau of Prisons

Team Date: 04-04-2022

Plan is for inmate: SOMMER, LUKE ELLIOTT 38474-086

Assignment	Description	Start
DAP UNQUAL	RESIDENT DRUG TRMT UNQUALIFIED	03-09-2015
ED WAIT V	DRUG EDUCATION WAIT-VOLUNTEER	02-07-2022
NR WAIT	NRES DRUG TMT WAITING	01-26-2017

FRP Payment Plan**Most Recent Payment Plan****FRP Assignment: PART FINANC RESP-PARTICIPATES Start: 10-25-2017**Inmate Decision: **AGREED \$100.00** Frequency: **MONTHLY**Payments past 6 months: **\$19,381.00** Obligation Balance: **\$12,060.00****Financial Obligations**

No.	Type	Amount	Balance	Payable	Status
1	ASSMT	\$400.00	\$250.00	IMMEDIATE	EXPIRED
** NO ADJUSTMENTS MADE IN LAST 6 MONTHS **					
3	ASSMT	\$100.00	\$75.00	IMMEDIATE	EXPIRED
** NO ADJUSTMENTS MADE IN LAST 6 MONTHS **					
2	REST FV	\$19,216.00	\$0.00	IMMEDIATE	COMPLETEDZ
Adjustments: Date Added Faci Adjust Type Reason Amount					
10-13-2021 CLP PAYMENT PRIOR PYMT \$18,941.00					
4	REST FV	\$12,500.00	\$12,060.00	IMMEDIATE	AGREED
Adjustments: Date Added Faci Adjust Type Reason Amount					
03-11-2022 CLP PAYMENT INSIDE PMT \$100.00					
02-09-2022 CLP PAYMENT INSIDE PMT \$100.00					
01-11-2022 CLP PAYMENT INSIDE PMT \$100.00					
12-14-2021 CLP PAYMENT INSIDE PMT \$100.00					
11-09-2021 CLP PAYMENT INSIDE PMT \$40.00					

FRP DepositsTrust Fund Deposits - Past 6 months: **\$1,827.72** Payments commensurate ? **N**

New Payment Plan: New pymt plan due to incoming funds over the last 6 months.

Account Balance: **\$110.07**Pre-Release Balance: **\$0.00****Current FSA Assignments**

Assignment	Description	Start
FTC INELIG	FTC-INELIGIBLE-REVIEWED	07-14-2020
INELIG AUT	FTC-INELIGIBLE OFF CODE - AUTO	12-17-2019
N-ANGER N	NEED - ANGER/HOSTILITY NO	04-03-2022
N-ANTISO N	NEED - ANTISOCIAL PEERS NO	04-03-2022
N-COGNTV N	NEED - COGNITIONS NO	04-03-2022
N-DYSLEX N	NEED - DYSLEXIA NO	08-05-2020
N-EDUC N	NEED - EDUCATION NO	04-03-2022
N-FIN PV Y	NEED - FINANCE/POVERTY YES	04-03-2022
N-FM/PAR N	NEED - FAMILY/PARENTING NO	04-03-2022
N-M HLTH N	NEED - MENTAL HEALTH NO	04-03-2022
N-MEDICL N	NEED - MEDICAL NO	04-03-2022
N-RLF Y	NEED - REC/LEISURE/FITNESS YES	04-03-2022
N-SUB AB Y	NEED - SUBSTANCE ABUSE YES	04-03-2022
N-TRAUMA Y	NEED - TRAUMA YES	04-03-2022
N-WORK Y	NEED - WORK YES	04-03-2022
R-HI	HIGH RISK RECIDIVISM LEVEL	04-03-2022

Progress since last review

Previous goals met. Since his last review Sommer participated in the Challenge program and Resolve Phase 2. Inmate Sommer is enrolled in Post Secondary Education and maintained his job assignment as an Inmate Companion.

Inmate Sommer received several recommendations since his last team from various Institutional Staff regarding their overall interactions



Individualized Needs Plan - Program Review (Inmate Copy)

SEQUENCE: 01469897

Dept. of Justice / Federal Bureau of Prisons

Team Date: 04-04-2022

Plan is for inmate: SOMMER, LUKE ELLIOTT 38474-086

with inmate Sommer. Officers have noted they observed inmate Sommer with comprehensive abilities to carry out tasks, is respectful to other inmates and staff, and completes daily tasks without questions. Another Officer submitted a Letter of Recommendation regarding inmate Sommer volunteering in Food Service, with a good attitude and integrity. As a GED Tutor, his teacher stated inmate Sommer is a remarkable tutor, who helps his peers that have difficulties in different subjects. Inmate Sommer show noble character while helping others, meets deadlines as required, and is a great problem solver. These recommendations have been added to his Central File.

Next Program Review Goals

Actively participate in Challenge and Resolve, through packets and treatment provided by your CTS through next review.

Long Term Goals

Complete Challenge and Resolve by 06/2023, time extended due to COVID-19 program modifications.

RRC/HC Placement

Comments

Treaty Transfer: Eligible and interested.
 FRP Part. Inmate made last 3 FRP pymts.
 Account Balance: \$27.23 Pre-Release Balance: \$25.00
 FTC Eligibility: Ineligible Recidivism Risk: High

From: Trotter
To: Murtha, _____
Date: 2/20/2022 2:39 PM
Subject: inmate Sommer

I am writing this email in regards to inmate Sommer. I have observed Inmate Sommer over he last 3 months and his comprehensive ability to carry out tasks.

Thank you!!

Subject: inmate Sommer progress report

this is in regards to inmate Sommer , I have observed inmate Sommer for the last Quarter, inmate Sommer has shown to be respectful to other inmates and staff and is completes his daily duties with out question.

thank you..

 **Bever**

APINA PROGRAM MANAGER

SENIOR OFFICER

FCC Coleman U.S.P. II

mbever@bop.gov

846 NE 54th Terrace, P.O. Box 1024

Coleman, Florida 33521-1024

(352)689-7000

FSA Recidivism Risk Assessment (PATTERN 01.02.01)

Register Number: 38474-086, Last Name: SOMMER

U.S. DEPARTMENT OF JUSTICE**FEDERAL BUREAU OF PRISONS**

Register Number: 38474-086

Inmate Name

Last.....: SOMMER

First.....: LUKE

Middle.....: ELLIOTT

Suffix.....:

Gender.....: MALE

Risk Level Inmate....: R-HI

General Level.....: R-MED (43)

Violent Level.....: R-HI (31)

Security Level Inmate: MEDIUM

Security Level Faci...: HIGH

Responsible Facility.: CLP

Start Incarceration..: 12/12/2008

PATTERN Worksheet Summary

Item	- Value	- General Score	- Violent Score
Current Age	35	21	12
Walsh w/Conviction	FALSE	0	0
Violent Offense (PATTERN)	TRUE	5	5
Criminal History Points	5	16	8
History of Escapes	0	0	0
History of Violence	4	4	4
Education Score	HighSchoolDegreeOrGED	-4	-2
Drug Program Status	NoDAPCompletion	0	0
All Incident Reports (120 Months)	4	3	3
Serious Incident Reports (120 Months)	3	6	6
Time Since Last Incident Report	41	0	0
Time Since Last Serious Incident Report	41	0	0
FRP Refuse	FALSE	0	0
Programs Completed	6	-6	-3
Work Programs	2	-2	-2
	Total	43	31

CLPIW 606.00 * MALE CUSTODY CLASSIFICATION FORM * 04-03-2022
 PAGE 001 OF 001 11:51:05

(A) IDENTIFYING DATA

REG NO.: 38474-086 FORM DATE: 11-04-2021 ORG: DSC
 NAME: SOMMER, LUKE ELLIOTT

MGTV: GRTR SECU

PUB SFTY: GRT SVRTY, SENT LGTH MVED: 11-04-2022

(B) BASE SCORING

DETAINER: (0) NONE SEVERITY: (7) GREATEST
 MOS REL.: 284 CRIM HIST SCORE: (04) 5 POINTS
 ESCAPES.: (0) NONE VIOLENCE: (4) 10-15 YRS SERIOUS
 VOL SURR: (0) N/A AGE CATEGORY: (4) 25 THROUGH 35
 EDUC LEV: (0) VERFD HS DEGREE/GED DRUG/ALC ABUSE.: (1) <5 YEARS

(C) CUSTODY SCORING

TIME SERVED: (4) 26-75% PROG PARTICIPAT: (2) GOOD
 LIVING SKILLS: (1) AVERAGE TYPE DISCIP RPT: (0) GREATEST
 FREQ DISCIP RPT.: (3) NONE FAMILY/COMMUN.: (4) GOOD

--- LEVEL AND CUSTODY SUMMARY ---

BASE CUST	VARIANCE	SEC TOTAL	SCORED LEV	MGMT SEC LEVEL	CUSTODY	CONSIDER
+20	+14	+1	+21	MEDIUM	HIGH	MAX SAME

G0005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRED

BP-A0324
JUN 10U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS

WORK PERFORMANCE RATING - INMATE

Inmate's Name Sommer, L.	Register No. 38474-086	Unit J-1
Evaluation Period 2020	Work Assignment FS - PASSOVER	

Bonus Justification

Signature and Date of Dept. Head Approval

Route to Dept. Head for Review, Then to Unit Team

Instructions: Check the best statement in each area. Base your rating on the inmate's overall performance for the rating period--neither the inmate's best day nor worst day--as compared to what is expected of a satisfactory worker in the assignment.

A. QUALITY OF WORK

- ☐ 1. Unsatisfactory. Makes more errors than should for this level of training. Work must be redone.
- ☐ 2. Fair. Careless; makes mistakes and does not check work. Should do better work.
- ☐ 3. Satisfactory. Makes some mistakes but no more than expected at this level.
- ☐ 4. Good. Makes fewer mistakes than most inmates at this level of training. Does Journeyman level work.
- ☒ 5. Outstanding. Does superior work

B. QUANTITY OF WORK

- ☐ 1. Unsatisfactory. Lazy, wastes time, goofs off.
- ☐ 2. Fair. Does just enough to get by. Has to be prodded occasionally.
- ☐ 3. Satisfactory. Works steadily but does not push self.
- ☐ 4. Good. Willing Worker. Does a full day's work and wastes little time.
- ☒ 5. Outstanding. Drives self exceptionally hard all the time.

C. INITIATIVE

- ☐ 1. Unsatisfactory. Always waits to be told what to do. Needs help getting started.
- ☐ 2. Fair. Usually relies on others to say what needs to be done.
- ☐ 3. Satisfactory. Can adapt to changes in routine. Will start work without waiting to be told.
- ☐ 4. Good. Can plan own work well. Acts on own in most things. Doesn't wait to be told what to do.
- ☒ 5. Outstanding. Has good ideas on better ways of doing things.

D. INTEREST; EAGERNESS TO LEARN

- ☐ 1. Poor. Shows no interest in job. Regards job as a drag or waste of time.
- ☐ 2. Fair. Shows minimal interest but not very eager to learn.
- ☐ 3. Satisfactory. Shows average amount of interest. Wants to learn own job but does not put forth extra effort.
- ☐ 4. Good. Above-average interest in job. Asks questions about own work and related work. May do extra work to improve skills.
- ☒ 5. Outstanding. Eager to master job. Wants to know everything there is to know about it. May read up on own time or volunteer to do things that will improve knowledge.

E. ABILITY TO LEARN

- ☐ 1. Poor. Has very low aptitude and is very slow to learn. Even when given extra instruction unable to learn, no matter how hard trying.
- ☐ 2. Fair. Slow but if tries eventually will pick up the skills. Needs more instructions than most.
- ☐ 3. Average. No slower and no faster to learn than most inmates. Requires average amount of instruction.
- ☐ 4. Good. Learns rapidly. Good memory. Rarely makes the same mistake twice.
- ☒ 5. Outstanding. Very quick to learn. Excellent memory. Is learning much more rapidly than most inmates assigned here. Never makes the same mistake twice.

F. NEED FOR SUPERVISION; DEPENDABILITY; SAFETY; CARE OF EQUIPMENT

- ☐ 1. Needs constant supervision. If left unsupervised will foul up, get in trouble, or wander off. Undependable.
- ☐ 2. Needs closer supervision than most. Not very dependable.
- ☐ 3. Average. Can be relied on for certain things but must be supervised by others. Usually prompt and dependable.
- ☐ 4. Needs little supervision. Good record of dependability and promptness.
- ☒ 5. No supervision required. Completely dependable in all things.

Replaces BP-S324, OCT 94

G. RESPONSE TO SUPERVISION AND INSTRUCTION

- ☐ 1. Poor. Resentful and hostile. May argue with supervisor.
☐ 2. Fair. Resists or ignores suggestions.
☐ 3. Satisfactory. Generally does what is told without any fuss.
☐ 4. Good. No hostility or resentment. Tries to improve.
☒ 5. Outstanding. Makes a real effort to please the instructor. Does exactly as is told.

H. ABILITY TO WORK WITH OTHERS

- ☐ 1. Poor. Negativistic, hostile, annoying to others.
☐ 2. Fair. Doesn't make friends easily. Has some interpersonal difficulties.
☐ 3. Satisfactory. Gets along OK with most co-workers and is accepted by them.
☐ 4. Good. Friendly, congenial, helpful; others like to work with.
☒ 5. Outstanding. Gets along well with everyone. Very popular.

I. OVERALL JOB PROFICIENCY

Based on this inmate's overall performance during this work period, if this inmate was an employee of yours in the community would you:

- ☐ 1. Fire or lay off that individual?
☐ 2. Transfer the person to a less demanding job at a lower pay scale?
☒ 3. Continue to employ the person but without a raise or promotion this time?
☐ 4. Raise the person's pay but keep the person at the same job?
☐ 5. Promote the person to a more demanding job at a higher pay rate?

J. GRADES AND PAY

1. Performance Pay - Grade Class (Check one) ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ M.

2. Hours of Satisfactory work 40

3. Regular Pay 0

4. Bonus Recommended: ☐ yes; ☒ no

5. Total Pay 0

Supervisor's Signature <i>J. Bryant</i>	Date <u>-2020</u>
Inmate's Signature <i>Lu A</i>	Date <u>-2020</u>

Inmate _____ was requested to sign this rating, but refused, citing the following reason:

Staff Witness' Signature	Date
--------------------------	------

Inmate Sommer assisted with the Passover meal throughout the week. Inmate Sommer was not paid for his work due to volunteering for the detail. Inmate Sommer was a great addition to the detail during this time and was very helpful.

CLPHU	*	INMATE DISCIPLINE DATA	*	05-09-2022
PAGE 001	*	CHRONOLOGICAL DISCIPLINARY RECORD	*	13:44:40

REGISTER NO: 38474-086 NAME.: SOMMER, LUKE ELLIOTT
 FUNCTION...: PRT FORMAT: CHRONO LIMIT TO ____ MOS PRIOR TO 05-09-2022

 REPORT NUMBER/STATUS.: 3188299 - SANCTIONED INCIDENT DATE/TIME: 11-03-2018 1255
 DHO HEARING DATE/TIME: 11-08-2018 1058 DHO REPT DEL: 11-09-2018 0850
 FACL/CHAIRPERSON.....: CLP/W. WHITE
 REPORT REMARKS.....: I/M FOUND GUILTY OF POSSESSING DRUGS (SUBOXONE).

DENIES

113 POSSESSING DRUGS/ALCOHOL - FREQ: 1 ATI: DDC
 DIS GCT / 41 DAYS / CS
 COMP:010 LAW:P
 DS / 30 DAYS / CS
 FROM: 11-08-2018 THRU: 12-07-2018
 COMP: LAW:
 IMPOUND / 30 DAYS / CS
 FROM: 11-08-2018 THRU: 12-07-2018
 COMP: LAW: IMPOUND PERSONAL PROPERTY
 LP COMM / 120 DAYS / CS
 FROM: 11-08-2018 THRU: 03-07-2019
 COMP: LAW:
 LP VISIT / 1 YEARS / CS
 FROM: 11-08-2018 THRU: 11-07-2019
 COMP: LAW:

 REPORT NUMBER/STATUS.: 2940774 - SANCTIONED INCIDENT DATE/TIME: 12-26-2016 1230
 DHO HEARING DATE/TIME: 02-24-2017 1230 DHO REPT DEL: 04-03-2017 1000
 FACL/CHAIRPERSON.....: THP/J BRADLEY
 APPEAL CASE NUMBER(S): 899913
 REPORT REMARKS.....: I/M TESTED POSITIVE FOR NARCOTICS

I/M ADMITS TO COMMITTING THE PROHIBITED ACT

112 USE OF DRUGS/ALCOHOL - FREQ: 1 ATI: DDC
 DIS GCT / 41 DAYS / CS
 COMP:010 LAW:P
 LP PHONE / 90 DAYS / CS
 COMP: LAW:
 LP VISIT / 90 DAYS / CS
 COMP: LAW:

 REPORT NUMBER/STATUS.: 2877025 - SANCTIONED INCIDENT DATE/TIME: 07-26-2016 0300
 DHO HEARING DATE/TIME: 08-04-2016 1845
 FACL/CHAIRPERSON.....: THP/T. ROYER
 APPEAL CASE NUMBER(S): 879490
 REPORT REMARKS.....: INMATE ADMITS TO THE CHARGE. REPORT SUPPORTS CHARGE OF

POSSESSION OF PARAPHERNALIA. NO SUPPORTING DOCS FOR DRUG

113 POSSESSING DRUGS/ALCOHOL - FREQ: 1 ATI: DPC
 DIS GCT / 41 DAYS / CS
 COMP:010 LAW:P DISALLOW 41 DAYS GOOD CONDUCT TIME

G0002 MORE PAGES TO FOLLOW . . .

CLPHU	*	INMATE DISCIPLINE DATA	*	05-09-2022
PAGE 002	*	CHRONOLOGICAL DISCIPLINARY RECORD	*	13:44:40

REGISTER NO: 38474-086 NAME...: SOMMER, LUKE ELLIOTT
 FUNCTION...: PRT FORMAT: CHRONO LIMIT TO ____ MOS PRIOR TO 05-09-2022

DHO HEARING DATE/TIME: 08-04-2016 1845 REPORT 2877025 CONTINUED
 LP VISIT / 180 DAYS / CS
 COMP: LAW: 180 DAYS LOSS OF VISITING PRIVILEGES
 LP VISITRS / 180 DAYS / CS
 COMP: LAW: 180 DAYS IMMEDIATE FAMILY VISITS ONLY AFTER ABOVE
 SANCTION SATISFIED

 REPORT NUMBER/STATUS.: 2854806 - SANCTIONED INCIDENT DATE/TIME: 05-25-2016 0900
 UDC HEARING DATE/TIME: 06-01-2016 1445
 FACL/UDC/CHAIRPERSON.: THP/B/C/D. BEDFORD
 REPORT REMARKS.....: I/M TOOK RESPONSIBILITY FOR CLUTTER IN CELL AND ADMITS
 BEING COVERED WITH BLANKET IN BED AFTER 7:30

317 FAILING TO FOLLOW SAFETY REGS - FREQ: 1
 LP VISIT / 30 DAYS / CS
 COMP: LAW: TO PROMOTE BETTER INSTITUTIONAL BEHAVIOR

 REPORT NUMBER/STATUS.: 2274535 - SANCTIONED INCIDENT DATE/TIME: 02-29-2012 1953
 UDC HEARING DATE/TIME: 03-06-2012 1514
 FACL/UDC/CHAIRPERSON.: MCR/5B/WOOD
 REPORT REMARKS.....: NO COMMENT

397 PHONE ABUSE - NO CIRCUMVENTION - FREQ: 1
 LP PHONE / 90 DAYS / CS
 COMP: LAW: LP PHONE 90 DAYS

 REPORT NUMBER/STATUS.: 2071190 - SANCTIONED INCIDENT DATE/TIME: 09-26-2010 1712
 DHO HEARING DATE/TIME: 10-14-2010 0845
 FACL/CHAIRPERSON.....: VIP/J.ADDUCI
 REPORT REMARKS.....: FOUND GUILTY OF ALLOWING INMATE BRITTON #10595-054 USE
 HIS PAC NUMBER.

297 PHONE ABUSE-DISRUPT MONITORING - FREQ: 1
 DIS GCT / 27 DAYS / CS
 COMP:010 LAW:P
 LP PHONE / 3 MONTHS / CS
 COMP: LAW: LP PHONE 10-14-10/1-14-11.

 REPORT NUMBER/STATUS.: 2036937 - SANCTIONED INCIDENT DATE/TIME: 07-06-2010 0735
 UDC HEARING DATE/TIME: 07-07-2010 1405
 FACL/UDC/CHAIRPERSON.: VIP/2 B/L.FERGUSON
 REPORT REMARKS.....: INMATE HAD A FAIR ATTITUDE.

310 BEING ABSENT FROM ASSIGNMENT - FREQ: 1
 LP PHONE / 30 DAYS / CS
 COMP: LAW: LOSS OF PHONE PRIVILEGES FROM 07-15-2010 THRU
 08-13-10.

G0002 MORE PAGES TO FOLLOW . . .

CLPHU * INMATE DISCIPLINE DATA * 05-09-2022
PAGE 003 * CHRONOLOGICAL DISCIPLINARY RECORD * 13:44:40

REGISTER NO: 38474-086 NAME...: SOMMER, LUKE ELLIOTT
FUNCTION...: PRT FORMAT: CHRONO LIMIT TO ____ MOS PRIOR TO 05-09-2022

REPORT NUMBER/STATUS.: 2015420 - SANCTIONED INCIDENT DATE/TIME: 05-13-2010 1032
UDC HEARING DATE/TIME: 05-18-2010 1555
FACL/UDC/CHAIRPERSON.: VIP/2 B/BROUGHTON
REPORT REMARKS.....: INMATE HAD A FAIR ATTITUDE.

397 PHONE ABUSE - NO CIRCUMVENTION - FREQ: 1
LP OTHER / 30 DAYS / CC
COMP: LAW: LOSS OF EMAIL. 5/19/10 THRU 6/18/10
LP PHONE / 30 DAYS / CC
COMP: LAW: 5/19/10 THRU 6/18/10

REPORT NUMBER/STATUS.: 1978235 - SANCTIONED INCIDENT DATE/TIME: 02-11-2010 0945
DHO HEARING DATE/TIME: 03-24-2010 0843
FACL/CHAIRPERSON.....: SET/MCWILLIAMS
REPORT REMARKS.....: I WAS JUST MESSING AROUND.

208 INTERFERING WITH SECYR DEVICES - FREQ: 1
DIS GCT / 27 DAYS / CS
COMP:010 LAW:P DISALLOWED 27 DAYS GCT.
DS / 30 DAYS / CS
COMP: LAW: 30 DAYS DS.

REPORT NUMBER/STATUS.: 1825286 - SANCTIONED INCIDENT DATE/TIME: 01-23-2009 1507
DHO HEARING DATE/TIME: 03-19-2009 1024
FACL/CHAIRPERSON.....: SET/MCWILLIAMS
REPORT REMARKS.....: INMATE SAID YES I DID IT.

101 ASSAULTING WITH SERIOUS INJURY - FREQ: 1 ATI: IB2 RFP: A
DIS GCT / 41 DAYS / CS
COMP:000 LAW: DISALLOWED 41 DAYS OF GCT.
DS / 60 DAYS / CS
COMP: LAW: 60 DAYS DS.
LP COMM / 6 MONTHS / CS
COMP: LAW: 6 MONTHS LOSS OF COMMISSARY.

201 FIGHTING WITH ANOTHER PERSON - FREQ: 1
DIS GCT / 27 DAYS / CS
COMP:000 LAW: DISALLOWED 27 DAYS GCT.
DS / 30 DAYS / CS
COMP: LAW: 30 DAYS DS.

REPORT NUMBER/STATUS.: 1802387 - SANCTIONED INCIDENT DATE/TIME: 11-19-2008 1511
DHO HEARING DATE/TIME: 12-02-2008 0827
FACL/CHAIRPERSON.....: SET/MCWILLIAMS
REPORT REMARKS.....: INMATE DENIED THE CHARGE AND REFUSED TO LISTEN TO THIS
DHO.

G0002 MORE PAGES TO FOLLOW . . .

CLPHU * INMATE DISCIPLINE DATA * 05-09-2022
PAGE 004 OF 004 * CHRONOLOGICAL DISCIPLINARY RECORD * 13:44:40

REGISTER NO: 38474-086 NAME...: SOMMER, LUKE ELLIOTT
FUNCTION...: PRT FORMAT: CHRONO LIMIT TO ____ MOS PRIOR TO 05-09-2022

DHO HEARING DATE/TIME: 12-02-2008 0827 REPORT 1802387 CONTINUED

297 PHONE ABUSE-DISRUPT MONITORING - FREQ: 1
DS / 16 DAYS / CS
COMP: LAW: 16 DAYS DS.
LP COMM / 90 DAYS / CS
COMP: LAW: 90 DAYS REINSTATED FROM SUSPENDED SANCTIONS GIVEN
ON 9-23-08.
LP PHONE / 120 DAYS / CS
COMP: LAW: 120 DAYS LOSS OF PHONE.

REPORT NUMBER/STATUS.: 1772068 - SANCTIONED INCIDENT DATE/TIME: 08-27-2008 1230

DHO HEARING DATE/TIME: 09-23-2008 1130

FACL/CHAIRPERSON.....: SET/HOLLOWAY P

REPORT REMARKS.....: REDUCED 104 TO 399 MOST LIKE 317 HAD SHEETS WITH KNOTS
ON THE END IN CELL USED FOR PULL UPS

HEARING IS ALSO BASIS FOR EXECUTION OF LP PHONE SUSPENDED 07-22-2008 0914

399 DISRUPTIVE CONDUCT-MODERATE - FREQ: 1
LP COMM / 90 DAYS / CS
COMP: LAW: TO BEGIN IMMEDIATELY
LP COMM / 90 DAYS / CS / SUSPENDED 180 DAYS
COMP: LAW: SUSPENDED PENDING 180 CLEAR COUNDUCT

REPORT NUMBER/STATUS.: 1756174 - SANCTIONED INCIDENT DATE/TIME: 07-15-2008 1627

UDC HEARING DATE/TIME: 07-22-2008 0914

FACL/UDC/CHAIRPERSON.: SET/GA/DRINKARD

REPORT REMARKS.....: INMATE ADMITTED THAT HE ASKED HIS SISTER TO PLACE THE
CALL.

397 PHONE ABUSE - NO CIRCUMVENTION - FREQ: 1
LP PHONE / 15 DAYS / CS
COMP: LAW:
LP PHONE / 15 DAYS / CS / SUSPENDED 180 DAYS
EXECUTED BASED ON HEARING OF 09-23-2008 1130
COMP: LAW:

G0005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRED

Exhibit 13
Release Plan

Luke Elliott Sommer
38474-086

2022

Release Plan

To provide for the most successful reintegration back into society, preparedness is key. Outlined in the following document are the steps that I plan to take, the resources available to me, and the information for my support network.

Table of Contents

RELEASE PREPARATION PLAN	1
RESIDENCE	2
EMPLOYMENT	4
HOUSEHOLD FINANCES	5
MENTAL HEALTH	6
SUBSTANCE ABUSE RECOVERY MAINTENANCE	7
EDUCATION	8
SUPPORT NETWORK	9

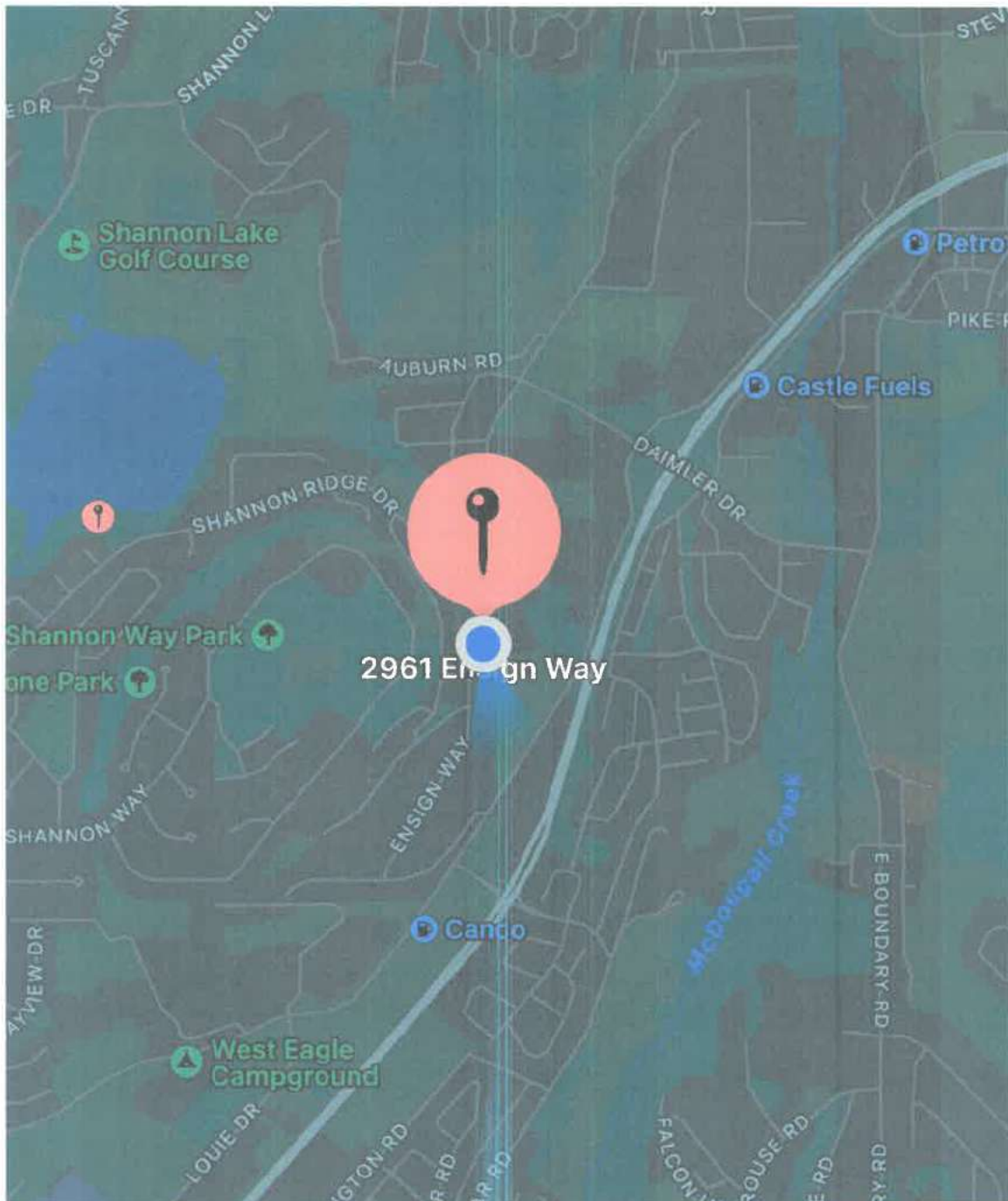
Release Preparation Plan

This plan covers my plans for release preparation and post-release community reintegration. Because I have three different reasonable paths to release (sentence expiry, treaty transfer, compassionate release/reduction in sentence), this plan addresses as many different elements as possible in order to ensure I have the best possible outcome and the strongest foundation for release into the community.

Upon my return to Canada I will lose my United States nationality under 8 U.S.C. SS1481.

Residence

Upon my return to Canada I will be staying with my wife, Amanda (Mandi) Sommer, at our suite at 2967B Ensign Road in West Kelowna, British Columbia. The location of the apartment is shown on the map below, along with a picture of the dwelling.





Employment

If accepted to MD/PHD program I will receive free tuition and a significant studentship award, as outlined in the Household Finances section, giving me the ability to focus on my studies.

In the event that I am accepted into medical school only, I have multiple part time employment opportunities to help contribute to the household finances.

If I am not able to attend either the MD/PHD or MD program, my Bachelors of Psychology will afford me a variety of opportunities that I will be able to explore while working towards completing a Master's Degree in Computer Science through the University of the People (please refer to Education on page 9 for more information about this program).

Household Finances

In addition to reducing the cost of medical school, the MD/PhD program also comes with a studentship award of \$27,000 CAN a year for (up to) six years. This in no way limits me from being able to apply for other scholarship or studentship grants or awards, so I will be actively applying for additional awards to cover household expenses and fund my PhD research.

I will also have passive income from the sale of my novel. While this income is currently zero, and is unlikely to be significant in the near future, I have completed 12 credit hours of business classes with the intent of using that knowledge to develop a comprehensive marketing plan that will allow me to launch my novel with a coherent strategy for taking advantage of Amazon's internal marketing engine.

In the event I am not selected to participate in the MD/PhD program, I will still be applying to Medical College (see Education section for the complete plan). This will free up time to work a part time job. With my extensive computer programming skills (C, Python, SQL, PHP etc.) and training and certification in custodial maintenance I will be able to capitalize on opportunities beyond the specific employment offers covered in this the Employment section of this plan.

Beyond my own income, my wife is currently employed with Growth Financial Corp. dba Working Ventures Insurance Solutions. She is a Level 2 Broker, working towards obtaining her CAIB designation. In her current position her net income is approximately \$36,000 CAN. Her job is union, and comes with medical and dental benefits, as well as matching RRSPs (Canadian version of a Roth IRA).

We currently have \$48,000 in debt. This includes my student loans for my Bachelor's degree, my financial obligation to the Court, my wife's car note, and various small bills. We have developed an 36-month plan to pay off all of our debt excluding the student loan. This plan is based on the Dave Ramsey Financial Peace University curriculum. Because I am actively enrolled in school I qualify for scholarships and I am applying for them in order to reduce my education debt. In the event I have not funded school through scholarships by the 18-month mark of our plan, I will be incorporating the education debt into our plan in order to recalculate our monthly payments in order to pay it off on the established schedule.

Mental Health

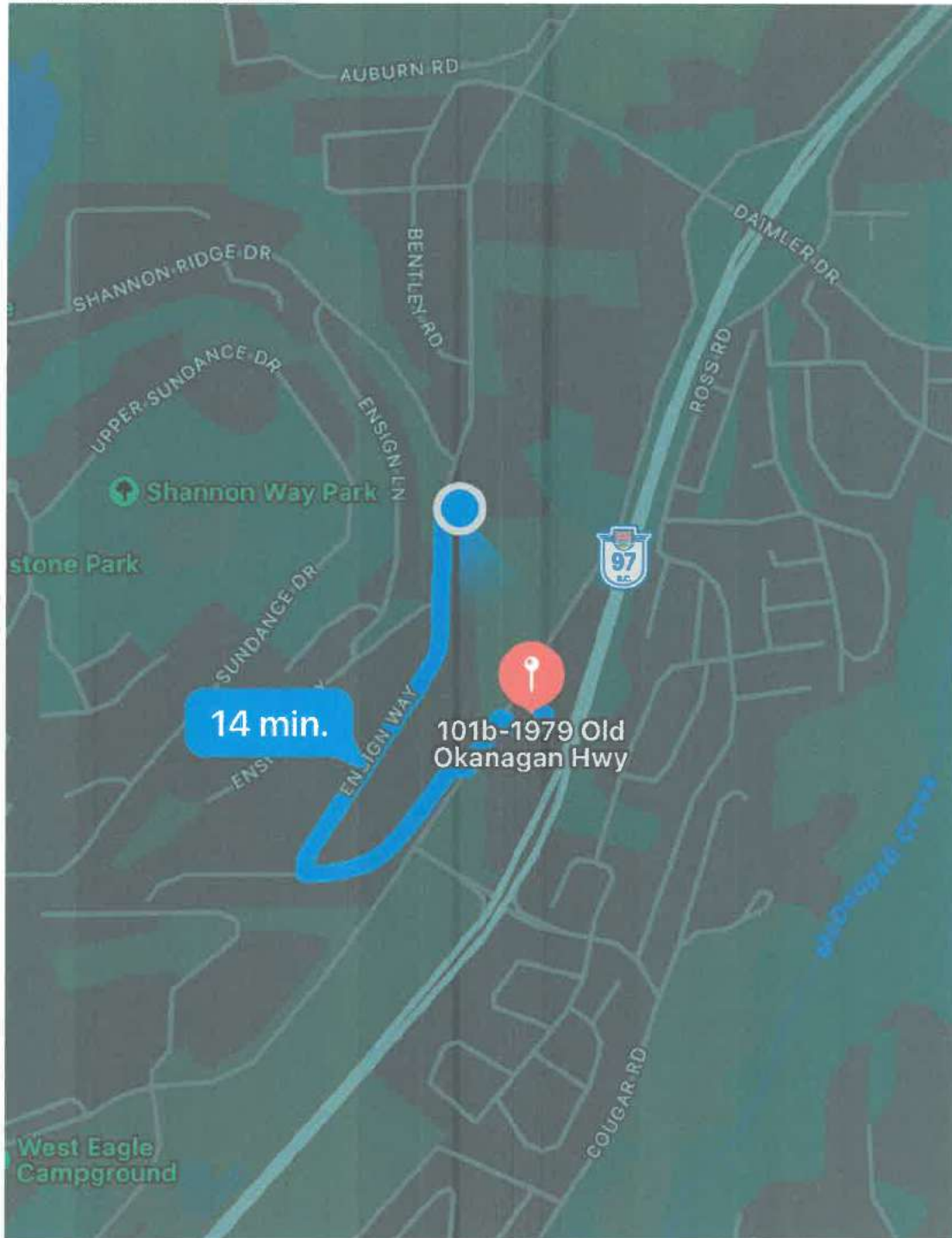
I will be seeing a mental health provider on a weekly basis. I will additionally be participating in group therapy and other programs as determined by my care provider and in compliance with any treatment plan we create. Lastly, my wife and I will be attending couple's counseling to ensure that we have the necessary skills to facilitate a smooth transition from living separately to living together.

As the two types of therapies may not be available by the same practitioner, choosing the right mental health professional for my individual needs as well as the needs of my marriage will be done based on the following factors:

- The list of covered providers obtained from my wife's health insurance company, Pacific Blue Cross
- Recommendations from our family doctors
- Recommendations from the Canadian Mental Health Association

Substance Abuse Recovery Maintenance

I will be attending weekly NA meetings at the Words of Wisdom Group, 101B 1979 Old Okanagan Hwy, Westbank, BC, V4T 1P7, indicated on the map in blue. This is 14 minute walk from home.



Education

I am currently enrolled in a Bachelor of Science program at California Coast University ("CCU" - calcoast.edu) with a declared major in psychology. I will be graduating at the beginning of 2023. At present I have straight As and a 4.0 overall GPA. I am also taking science courses through Thompson Rivers University ("TRU" - tru.ca) with the goal of completing all the medical school prerequisites (elementary chemistry I/II, introduction to biology I/II, calculus I/II, organic chemistry I/II, microbiology I/II, anatomy and physiology I/II, english I/II, biochemistry I/II). I have completed calculus I (earning an A) through TRU and I am currently enrolled in physics I having completed my first assignment with an A grade. Upon graduation from my Bachelor's degree program I will enroll in a Master's program in Psychology (also from CCU) with a tentative graduation date of early 2024.

If my motion for sentence reduction is denied, I will apply for admission to the Doctor of Education program at California Coast University with a focus in Educational Psychology.

If I am granted my sentence reduction motion I will be apply for the MD/PhD program at the University of British Columbia ("UBC"). Because I have no Canadian criminal record I am eligible for licensure as a physician in British Columbia. The program requires a first-class standing (defined by UBC as an A- average), a Medical College Admissions Test ("MCAT") score of 520 or higher, and three reference letters. Applicants who received an interview and were ultimately accepted into the program additionally had lab experience and peer-review publication and formal presentation credits. In order to prepare for this program I have taken a demanding workload to prepare myself for the programs requirements. Additionally I am preparing a paper for submission to a peer-review journal (in psychology). The paper is a quantitative meta-analysis and addresses the following null-hypothesis: time at exposure to trauma has no impact on the severity of subsequently developed psychopathology. Beyond this paper, I am also working on presentations that are being given to the Challenge Program Modified Therapeutic Community on Cognitive Emotive Dissonance and developing habits, Self-defeating behavior patterns, and The Long-Term Effects of Trauma.

In the event I am granted my sentence reduction but I am not accepted into the MD/PhD program I will apply directly to UBC medical school. If, for whatever reason, I am unable to gain admission to medical school, I will enroll in at the University of the People in their Computer Science program and work towards obtaining a Master's Degree in Computer Science. The University of the People is tuition free and their programs are offered via distance learning. Ultimately, I will work towards obtaining a dual-doctorate in both Psychology and Computer Science specializing in Artificial Intelligence.

Support Network



Name: Mandi Sommer

Phone Number: 250-300-4739

Occupation: Insurance Broker

Support Offered: Emotional, financial, spiritual, moral, community



Name: Christel Davidsen

Phone Number: 250-870-7446

Occupation: Teacher/Instructor

Support Offered: Financial, moral, educational, spiritual, community



Name: Mercedes Carroll

Phone Number: 270-378-0377

Occupation: Retired Special Investigative Technician

Support Offered: Financial, moral, educational, community

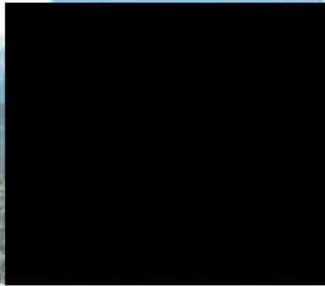


Name: Cadence Davidsen

Phone Number: 250-218-9583

Occupation: Barista/Student

Support Offered: Educational, community, moral



Name: L [REDACTED] S [REDACTED] R [REDACTED]
Phone Number: [REDACTED]
Occupation: Student
Support Offered: Moral, emotional, community



Name: Josh Huculiak
Phone Number: 604-202-9114
Occupation: Film Maker
Support Offered: Community, moral



Name: John Van Schaik
Phone Number: Available Upon Request
Occupation: Retired RCMP
Support Offered: Mentor, community, moral



Name: Jeremy Fichtner
Phone Number: 250-870-3337
Occupation: Provision Data CEO
Support Offered: Community, moral, education



Name: Teresa Low

Phone Number: 250-462-9054

Occupation: Bookkeeper

Support Offered: Educational, financial, moral, community



Name: Carrie Johnson

Phone Number: 250-212-9721

Occupation: Retired Healthcare worker

Support Offered: Community, moral



Name: Angie Meissner

Phone Number: 250-540-2188

Occupation: Owner/Operator Health Services

Support Offered: Community, moral



Name: Reagan Sommer

Phone Number: 250-801-4162

Occupation: Sub-contractor

Support Offered: Moral, job, community



Name: Jesse Phillips

Phone Number: 778-899-1113

Occupation: Film Industry

Support Offered: Community, educational, financial, moral



Name: Archie Fichtner

Phone Number: 250-863-1520

Occupation: Retired Realtor

Support Offered: Financial, community, moral, education



Name: Judy Bedford

Phone Number: 250-767-3312

Occupation: Executive Director, Peachland Foodbank

Support Offered: Community, employment, financial, moral



Name: Jonathan Wiebe

Phone Number: 306-880-2220

Occupation: Former Director of Cedar Lodge

Support Offered: Mentor, moral, employment, community, housing



Name: Robin Leboe

Email: robinseggproductions@gmail.com

Occupation: CEO Session Wire

Support Offered: Moral, educational, community, employment



Name: Ronald Chmelyk

Phone Number: 250-469-4049

Occupation: Owner, BeetleWood Industries

Support Offered: Emotional, moral, community



Name: Terrie-Lynn Chmelyk

Phone Number: 250-864-0121

Occupation: Owner, BeetleWood Industries

Support Offered: Emotional, moral, community



Name: Daylon Chmelyk

Phone Number: 604-362-7183

Occupation: Operations Manager

Support Offered: Emotionally, financially, employment



Name: Morgan MacDonald

Phone Number: 250-808-1958

Occupation: Owner/Operator, Exterior Siding Installation

Support Offered: Community, employment, financially



Name: Katherine Garvey

Phone Number: 250-650-4760

Occupation: National Business Advisor

Support Offered: Spiritual, moral, emotional, financial

Exhibit 14

Sommer's Loss of Nationality

Friday, Dec 28, 2018

PLEDGE OF ALLEGIANCE TO A FOREIGN POWER

I am a Canadian Citizen by birth and an American citizen by virtue of my father being an American citizen. However, I do not wish to retain my American citizenship. Under the law (in 8 U.S.C. §1481), I am able to renounce my American citizenship by pledging allegiance to a foreign power for the specific purpose of renouncing my American citizenship. As I am already a citizen of a foreign nation, the country to which I am already loyal (as I was born and raised there), this poses no hardship, nor does it materially change my circumstances in any way.

I, Luke Elliott Sommer (SSN 106921741), do solemnly swear that I am loyal to the land, people, and government of Canada. Thus allegiance is supreme above any other obligation or oath, and I do this for the purpose of renouncing my United States citizenship. I no longer wish to be an American citizen. I do, however, retain great respect for the constitution and the founding ideals of the United States.

Sworn and signed before witnesses:

Witness: Charles Sanford 6-15-2022 inmate

Name: _____ Date: _____ Position: _____

Signature: Charles Sanford

Signee:

Luke Elliott Sommer: Luke Sommer Date: 15 JUNE 22

Note: My mother could not locate the original signed copy so I simply had it re witnessed / signed. This hand written note is included in both copies (Clerk of Court / USA) of my motion.

Exhibit 15
Director's Letter



U.S. Department of Justice

Federal Bureau of Prisons

Office of the Director

Washington, DC 20534

Dear Suicide Watch and Mental Health Inmate Companions,

Of the many valuable inmate programs offered by the Bureau of Prisons, the Inmate Companion Program is one of which I am particularly proud. This program is an example of inmates helping inmates. Those of you who participate in this program are contributing to your community by providing support and hope to your peers.

At the same time you are assisting others, you are learning new skills that will support reentry to your communities and reunification with your families. These skills include listening to others, communicating clearly, putting another's needs before your own, and sticking with a job, even when it is challenging; these skills will pay dividends for the rest of your life.

I have great respect and appreciation for the work you do to prevent suicide and support your peers through their darkest moments. Your work, in collaboration with the professional mental health services provided by the Bureau, truly has the power to save lives.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles E. Samuels, Jr.".

Charles E. Samuels, Jr.
Director

A black and white photograph of several leaves, likely from a tree, showing detailed vein patterns and serrated edges. The leaves are positioned in the upper left and middle left sections of the cover.

Suicide Prevention

Training for Inmate Companions

A black and white photograph of several leaves, similar to the ones in the top section, showing detailed vein patterns and serrated edges. These leaves are positioned in the lower left and middle left sections of the cover.

Psychology Services Branch
Reentry Services Division
Federal Bureau of Prisons

Version 1.0

Exhibit 16
Medical Records

Bureau of Prisons - Rx Report

Complex: N/A

Begin Date: 01/01/2008

End Date: 05/19/2022

Item Name

Inmate

Age

RPH

Provider

Rx#

Ordered

Started

Expiration

Acetaminophen 325 MG Tab

SOMMER, LUKE 38474-086

35

CSS

Bennett-Baker, K.

73733-MCR

03/13/2012

03/15/2012

03/20/2012

Take two tablets by mouth three times daily as needed for 5 days

Albuterol Inhaler HFA (6.7 GM) 90mcg

SOMMER, LUKE 38474-086

35

JMM

Kirkland, C.

77112-SET

09/30/2016

09/30/2016

10/30/2016

shake well and inhale 2 puffs by mouth four times daily AS NEEDED for shortness of breath

Amitriptyline 50 MG Tab

SOMMER, LUKE 38474-086

35

SG/HD

Fernandez, Jesus

132527-VIX

01/26/2011

01/27/2011

02/23/2011

pill line **crush/empty** Take one tablet by mouth each evening

Amitriptyline 100 MG Tab

SOMMER, LUKE 38474-086

35

HDN

Fernandez, Jesus

130439-VIX

01/12/2011

01/12/2011

01/27/2011

pill line **crush/empty** Take one tablet by mouth at bedtime

Aripiprazole 15 MG Tab

SOMMER, LUKE 38474-086

35

JWM

Davis, Stephen

21669-SHE

04/22/2009

04/22/2009

05/20/2009

Take one tablet each morning

buPROPion HCl 100 MG Tab UD

SOMMER, LUKE 38474-086

35

PE

Ramirez, Richard

59307-MCR

06/13/2011

06/15/2011

06/17/2011

Take 2 tablets (200 mg) by mouth every morning ***pill line*** **crush/empty**—Take 1 tablet (100 mg) by mouth each night ***pill line*** **crush/empty**

SOMMER, LUKE 38474-086

35

PE

Ramirez, Richard

59498-MCR

06/17/2011

06/17/2011

12/14/2011

Take 2 tablets (200 mg) by mouth every morning ***pill line*** **crush/empty**—Take 1 tablet (100 mg) by mouth each night ***pill line*** **crush/empty**

buPROPion HCl 75 MG Tab

SOMMER, LUKE 38474-086

35

PE

Vazquez-Velazquez, Jorge

57813-MCR

05/11/2011

05/17/2011

06/15/2011

Take 2 tablets (150 mg) by mouth twice daily ***pill line*** **crush/empty**

buPROPion HCl XL 24 Hour 300 MG Tab

SOMMER, LUKE 38474-086

35

HDN

Fernandez, Jesus

126914-VIX

12/14/2010

12/14/2010

04/21/2011

pill line Take one tablet by mouth each day

SOMMER, LUKE 38474-086

35

KWO

Goforth, Thomas

175186-OKL

04/22/2011

04/22/2011

05/03/2011

Take one tablet by mouth each morning Do NOT crush ***pill line***

SOMMER, LUKE 38474-086

35

PGW

Gonzalez, Victor

107640-ATL

05/04/2011

05/04/2011

05/05/2011

Take one tablet by mouth each morning - ***pill line***

Bureau of Prisons - Rx Report

Complex: N/A

Begin Date: 01/01/2008

End Date: 05/19/2022

Item Name	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
buPROpion SR 12 Hour 100 MG Tab							
SOMMER, LUKE 38474-086	35	NTS	Pang, Marcus	42298-DUB	04/14/2010	04/15/2010	04/28/2010
pill line Take two tablets by mouth twice daily							
SOMMER, LUKE 38474-086	35	JAM/R	Fernandez, Jesus B	117460-VIX	09/27/2010	09/27/2010	12/14/2010
pill line Take two tablets (Total of 200 mg) by mouth twice daily							
buPROpion SR 12 Hour 150 MG Tab							
SOMMER, LUKE 38474-086	35	JWM	Davis, Stephen	22810-SHE	05/19/2009	05/20/2009	06/18/2009
Take one tablet each morning							
SOMMER, LUKE 38474-086	35	JWM	Dhaliwal, Jaspal	24079-SHE	06/16/2009	06/18/2009	06/26/2009
Take one tablet twice daily							
SOMMER, LUKE 38474-086	35	MPK	Dy, Maria	17417-SET	06/26/2009	06/26/2009	08/26/2009
Take one tablet by mouth two times a day ***pill line***							
SOMMER, LUKE 38474-086	35	MPK	Dy, Maria	18776-SET	08/26/2009	08/26/2009	09/22/2009
Take one tablet by mouth two times a day ***pill line***							
SOMMER, LUKE 38474-086	35	RMB	Davis, Stephen	28284-SHE	09/22/2009	09/23/2009	11/18/2009
Take one tablet twice daily							
SOMMER, LUKE 38474-086	35	MPK	Haven, Grant	23164-SET	02/17/2010	02/17/2010	03/10/2010
Take one tablet (150mg) by mouth each morning ***pill line***							
buPROpion SR 12 Hour 200 MG Tab							
SOMMER, LUKE 38474-086	35	MPK	Haven, Grant	23165-SET	02/17/2010	02/17/2010	03/10/2010
Take one tablet (200mg) by mouth at bedtime ***pill line***							
SOMMER, LUKE 38474-086	35	MPK	Haven, Grant	23811-SET	03/10/2010	03/10/2010	03/31/2010
Take one tablet (200mg) by mouth twice daily ***pill line***							
SOMMER, LUKE 38474-086	35	JWM	Dhaliwal, Jaspal	35356-SHE	03/31/2010	03/31/2010	04/13/2010
Take one tablet twice daily							
SOMMER, LUKE 38474-086	35	RXS/S	Fernandez, Jesus TT	97926-VIX	04/28/2010	04/29/2010	06/28/2010
pill line Take one tablet by mouth twice daily							
SOMMER, LUKE 38474-086	35	JC/HD	Querol, Caleb N	105529-VIX	06/28/2010	06/28/2010	09/17/2010
pill line Take one tablet by mouth twice daily							

Bureau of Prisons - Rx Report

Complex: N/A

Begin Date: 01/01/2008

End Date: 05/19/2022

Item Name	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
Inmate							
SOMMER, LUKE 38474-086	35	JC/HD N	Fernandez, Jesus	116512-VIX	09/16/2010	09/17/2010	09/27/2010
pill line Take one tablet by mouth twice daily							
busPIRone 15 MG TAB							
SOMMER, LUKE 38474-086	35	MPK	Lacist, Manuel	7658-SET	06/19/2008	06/20/2008	07/04/2008
Take one-half (1/2) tablet by mouth twice daily for 14 days (Then increase to 15mg BID) ***pill line***							
SOMMER, LUKE 38474-086	35	MPK	Lacist, Manuel	7659-SET	06/19/2008	07/04/2008	07/31/2008
Take one tablet by mouth twice daily ***pill line***							
Citalopram 20 MG Tab							
SOMMER, LUKE 38474-086	35	HDN	Fernandez, Jesus	137540-VIX	03/01/2011	03/01/2011	04/21/2011
Take one tablet by mouth each morning							
SOMMER, LUKE 38474-086	35	KWO	Goforth, Thomas	175187-OKL	04/22/2011	04/22/2011	05/03/2011
Take one tablet by mouth each morning **self carry**							
SOMMER, LUKE 38474-086	35	PGW	Gonzalez, Victor	107641-ATL	05/04/2011	05/04/2011	05/05/2011
Take one tablet by mouth each morning - **self carry**							
SOMMER, LUKE 38474-086	35	TLP/P E	Ramirez, Richard	57501-MCR	05/11/2011	05/11/2011	05/18/2011
Take one tablet by mouth each morning - **self carry**							
SOMMER, LUKE 38474-086	35	PE	Vazquez-Velazquez, Jorge	57922-MCR	05/17/2011	05/19/2011	06/02/2011
Take one tablet by mouth each morning - **self carry**							
SOMMER, LUKE 38474-086	35	TLP/P E	Ramirez, Richard	57829-MCR	05/17/2011	05/17/2011	05/23/2011
Take one tablet by mouth each day ***pill line***							
SOMMER, LUKE 38474-086	35	PE	Vazquez-Velazquez, Jorge	58674-MCR	06/02/2011	06/02/2011	06/15/2011
Take one tablet by mouth each morning - ***pill line***							
SOMMER, LUKE 38474-086	35	PE	Ramirez, Richard	59312-MCR	06/13/2011	06/15/2011	11/28/2011
Take one tablet by mouth each morning - ***pill line***							
SOMMER, LUKE 38474-086	35	ARD/J C	Vazquez-Velazquez, Jorge	67537-MCR	11/23/2011	11/28/2011	12/15/2011
Take one tablet by mouth each morning - ***pill line***							
SOMMER, LUKE 38474-086	35	JC	Vazquez-Velazquez, Jorge	68623-MCR	12/15/2011	12/15/2011	05/29/2012
Take one tablet by mouth each morning - ***pill line***							

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Complex: N/A

Begin Date: 01/01/2008

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Item Name	Immate	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
Clotrimazole Cream 1% 30 GM								
SOMMER, LUKE 38474-086	Apply sparingly to the affected areas twice daily.	35	MPK	Leaf, Stephen	13197-SET	01/23/2009	01/23/2009	02/06/2009
Divalproex 250 MG Tab UD [Delayed Release]								
SOMMER, LUKE 38474-086	Take one tablet by mouth twice daily ***pill line*** **Do Not Crush** -- to be taken along with 500 mg tablet = 750 mg	35	PE	Ramirez, Richard	59314-MCR	06/15/2011	06/15/2011	11/28/2011
SOMMER, LUKE 38474-086	Take one tablet by mouth twice daily ***pill line*** **Do Not Crush** -- to be taken along with 500 mg tablet = 750 mg	35	ARD/J	Vazquez-Velazquez, Jorge	67538-MCR	11/23/2011	11/28/2011	12/15/2011
SOMMER, LUKE 38474-086	Take one tablet by mouth twice daily ***pill line*** **Do Not Crush** -- to be taken along with 500 mg tablet = 750 mg	35	JC	Vazquez-Velazquez, Jorge	68624-MCR	12/15/2011	12/15/2011	01/24/2012
Divalproex 500 MG Tab [Delayed Release]								
SOMMER, LUKE 38474-086	Take one tablet by mouth twice daily ***pill line*** **Do Not Crush** -- to be taken along with 500 mg tablet = 750 mg	35	MPK	Aslam, M.	13800-SET	02/13/2009	02/13/2009	03/30/2009
SOMMER, LUKE 38474-086	Take one tablet by mouth each morning ***pill line*** -- Take two tablets by mouth at bedtime ***pill line***	35	JWM	Davis, Stephen	20853-SHE	03/28/2009	03/30/2009	03/31/2009
SOMMER, LUKE 38474-086	Take one tablet each morning	35	JWM	Dhaiwal, Jaspal	20854-SHE	03/30/2009	03/30/2009	03/31/2009
SOMMER, LUKE 38474-086	Take two tablets (1000 mg) each evening	35	JWM	Dhaiwal, Jaspal	20936-SHE	03/31/2009	03/31/2009	04/22/2009
SOMMER, LUKE 38474-086	Take two tablets (1000 mg) each evening	35	JWM	Davis, Stephen	20937-SHE	03/31/2009	03/31/2009	04/22/2009
SOMMER, LUKE 38474-086	Take one tablet each morning	35	JWM	Davis, Stephen	21667-SHE	04/22/2009	04/22/2009	05/20/2009
SOMMER, LUKE 38474-086	Take one tablet each morning	35	JWM	Davis, Stephen	21668-SHE	04/22/2009	04/22/2009	05/20/2009
SOMMER, LUKE 38474-086	Take two tablets (1000 mg) each evening	35	JWM	Davis, Stephen	22808-SHE	05/19/2009	05/20/2009	06/18/2009
SOMMER, LUKE 38474-086	Take two tablets (1000 mg) each evening	35	JWM	Davis, Stephen	22809-SHE	05/19/2009	05/20/2009	06/18/2009
SOMMER, LUKE 38474-086	Take one tablet each morning	35	JWM	Dhaiwal, Jaspal	24078-SHE	06/16/2009	06/18/2009	06/26/2009

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Begin Date: 01/01/2008

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Item Name	Age	RP#	Provider	Rx#	Ordered	Started	Expiration
Inmate							
Take two tablets (1000 mg) each evening	**PL**	(Non-Formulary approval expires: 02/11/2010)					
SOMMER, LUKE 38474-086	35	JWM	Dhaliwal, Jaspal	24077-SHE	06/16/2009	06/18/2009	06/26/2009
Take one tablet each morning	**PL**	(Non-Formulary approval expires: 02/11/2010)					
SOMMER, LUKE 38474-086	35	MPK	Hirano, Kendall	17416-SET	06/26/2009	06/26/2009	08/26/2009
Take one tablet by mouth each morning ***pill line***	---	Take two tablets by mouth at bedtime ***pill line***					
SOMMER, LUKE 38474-086	35	MPK	Dy, Maria	18777-SET	08/26/2009	08/26/2009	09/22/2009
Take one tablet by mouth each morning ***pill line***	---	Take two tablets by mouth at bedtime ***pill line***					
SOMMER, LUKE 38474-086	35	RMB	Massie, Jodi	28285-SHE	09/22/2009	09/23/2009	11/18/2009
Take two tablets (1000 mg) each evening	**PL**	(Non-Formulary approval expires: 02/11/2010)					
SOMMER, LUKE 38474-086	35	RMB	Keene, David	28365-SHE	09/24/2009	09/24/2009	11/18/2009
Take one tablet each morning (Non-Formulary approval expires: 02/11/2010)							
SOMMER, LUKE 38474-086	35	JWD/R	Davis, Stephen	30569-SHE	11/17/2009	11/18/2009	12/17/2009
MB							
Take one tablet each morning (Non-Formulary approval expires: 02/11/2010)							
SOMMER, LUKE 38474-086	35	RMB	Davis, Stephen	30571-SHE	11/17/2009	11/18/2009	12/17/2009
Take two tablets (1000 mg) each evening	**PL**	(Non-Formulary approval expires: 02/11/2010)					
SOMMER, LUKE 38474-086	35	MPK	Dy, Maria	21686-SET	12/17/2009	12/21/2009	01/20/2010
Take one tablet (500mg) by mouth each morning ***pill line***	---	(Non-Formulary approval expires: 02/11/2010)---					
SOMMER, LUKE 38474-086	35	MPK	Haven, Grant	23026-SET	01/20/2010	01/20/2010	03/31/2010
Take one tablet (500mg) by mouth each morning ***pill line***	---	(Non-Formulary approval expires: 02/11/2010)---					
SOMMER, LUKE 38474-086	35	MPK	Haven, Grant	22435-SET	01/20/2010	01/20/2010	02/11/2010
Take one tablet (500mg) by mouth each morning ***pill line***	---	(Non-Formulary approval expires: 02/11/2010)---					
SOMMER, LUKE 38474-086	35	JWM	Dhaliwal, Jaspal	35357-SHE	03/31/2010	03/31/2010	04/02/2010
Take one tablet each morning	**PL**	(Non-Formulary approval expires: 02/11/2011)					
SOMMER, LUKE 38474-086	35	JWM	Dhaliwal, Jaspal	35358-SHE	03/31/2010	03/31/2010	04/02/2010
Take two tablets (1000 mg) each evening	**PL**	(Non-Formulary approval expires: 02/11/2011)					
SOMMER, LUKE 38474-086	35	JWD/R	Dhaliwal, Jaspal	35470-SHE	04/02/2010	04/02/2010	04/13/2010
MB							
Take two tablets (1000 mg) each evening	**PL**	(Non-Formulary approval expires: 02/11/2011)					

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Item Name	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
Inmate							
SOMMER, LUKE 38474-086	35	RMB	Dhaliwal, Jaspal	354771-SHE	04/02/2010	04/02/2010	04/13/2010
Take one tablet each morning	**PL** (Non-Formulary approval expires: 02/11/2011)						
SOMMER, LUKE 38474-086	35	NTS	Pang, Marcus	42299-DUB	04/14/2010	04/15/2010	04/28/2010
pill line Take one tablet each morning—then Take two tablets (1000 mg) by mouth each evening . (Non-Formulary approval expires: 02/11/2011)							
SOMMER, LUKE 38474-086	35	JC/HD	Fernandez, Jesus	97928-VIX	04/28/2010	04/29/2010	06/28/2010
N							
pill line Take one tablet each morning—then Take two tablets (1000 mg) by mouth each evening . (Non-Formulary approval expires: 02/11/2011)							
SOMMER, LUKE 38474-086	35	JC/HD	Querol, Caleb	105531-VIX	06/28/2010	06/28/2010	09/17/2010
N							
pill line Take one tablet by mouth each morning then—***pill line*** Take two tablets (1000 mg) by mouth each evening . (Non-Formulary approval expires: 02/11/2011)							
SOMMER, LUKE 38474-086	35	JAM/R	Fernandez, Jesus	116511-VIX	09/16/2010	09/17/2010	12/14/2010
B							
pill line Take one tablet by mouth each morning and—***pill line*** Take two tablets (1000 mg) by mouth each evening **non-formulary approved** to 1/20/11							
SOMMER, LUKE 38474-086	35	RB	Fernandez, Jesus	126913-VIX	12/14/2010	12/14/2010	01/13/2011
pill line Take one tablet by mouth each morning and—***pill line*** Take two tablets (1000 mg) by mouth each evening **non-formulary approved** to 1/20/11							
SOMMER, LUKE 38474-086	35	RB	Fernandez, Jesus	130478-VIX	01/12/2011	01/13/2011	01/20/2011
pill line Take one tablet by mouth each morning and—***pill line*** Take two tablets (1000 mg) by mouth each evening **non-formulary approved** to 1/20/11							
SOMMER, LUKE 38474-086	35	JC/HD	Fernandez, Jesus	133228-VIX	01/24/2011	02/01/2011	04/21/2011
N							
pill line Take one tablet by mouth each morning and—***pill line*** Take two tablets (1000 mg) by mouth each evening **non-formulary approved** to 1/24/12							
SOMMER, LUKE 38474-086	35	RLH	GoForth, Thomas	175188-OKL	04/22/2011	04/22/2011	05/03/2011
Take one tablet by mouth each morning and—Take two tablets by mouth at bedtime *NF approved* ***pill line***							
SOMMER, LUKE 38474-086	35	PGW	Gonzalez, Victor	107643-ATL	05/04/2011	05/04/2011	05/05/2011
Take one tablet by mouth each morning and each evening - ***pill line*** is **non-formulary approved**							
Divalproex 500 MG Tab UD [Delayed Release]							
SOMMER, LUKE 38474-086	35	PE	McCullough, William	57576-MCR	05/11/2011	05/12/2011	05/19/2011
Take one tablet by mouth twice daily ***pill line*** **Do Not Crush**							
SOMMER, LUKE 38474-086	35	PE	Vazquez-Velazquez, Jorge	57923-MCR	05/17/2011	05/19/2011	06/15/2011

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Item Name	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
Inmate							
Take one tablet by mouth twice daily ***pill line*** **Do Not Crush**							
SOMMER, LUKE 38474-086	35	PE	Ramirez, Richard	59313-MCR	06/13/2011	06/15/2011	11/28/2011
Take one tablet by mouth twice daily -- **Do Not Crush** to be taken along with 250 mg tablet= 750 mg							
SOMMER, LUKE 38474-086	35	ARD/J	Vazquez-Velazquez, Jorge	67539-MCR	11/23/2011	11/28/2011	12/15/2011
Take one tablet by mouth twice daily -- **Do Not Crush** to be taken along with 250 mg tablet= 750 mg							
SOMMER, LUKE 38474-086	35	JC	Vazquez-Velazquez, Jorge	68625-MCR	12/15/2011	12/15/2011	01/24/2012
Take one tablet by mouth twice daily -- **Do Not Crush** to be taken along with 250 mg tablet= 750 mg							
SOMMER, LUKE 38474-086	35	JMM	Kirkland, C.	77113-SET	09/30/2016	09/30/2016	10/07/2016
Take one tablet (100 MG) by mouth twice daily until all taken for infection							
SOMMER, LUKE 38474-086	35	RHC	Venuto, Gary	905070-COX	11/15/2018	11/15/2018	05/14/2019
Take one tablet by mouth twice daily							
SOMMER, LUKE 38474-086	35	TAA/K	Venuto, Gary	959067-COX	09/11/2019	09/12/2019	03/10/2020
Take one tablet by mouth twice daily							
SOMMER, LUKE 38474-086	35	KWO	Petry, G.	372179-OKL	03/14/2014	03/14/2014	04/22/2014
Take one capsule by mouth at bedtime ***pill line***							
SOMMER, LUKE 38474-086	35	MDB/K	Mims, Gregory	205370-HAX	04/22/2014	04/24/2014	05/24/2014
Take one capsule by mouth at bedtime **self carry**							
SOMMER, LUKE 38474-086	35	AAE/E	Brouwer, Robert	209630-HAX	06/03/2014	06/04/2014	09/16/2014
Take one capsule by mouth at bedtime *Consent form on file *							
SOMMER, LUKE 38474-086	35	KJT/A	Wilson, Alicia	218999-HAX	09/16/2014	09/16/2014	02/09/2015
Take one capsule by mouth at bedtime *Consent form on file *							
SOMMER, LUKE 38474-086	35	THE	Manenti, John	120216-CAA	02/10/2015	02/10/2015	02/20/2015
Take one capsule by mouth at bedtime *Consent form on file *							
SOMMER, LUKE 38474-086	35	THE	Byadgi, Chethan	120671-CAA	02/19/2015	02/20/2015	08/25/2015

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Item Name	Inmate	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
Take one capsule by mouth at bedtime ***Consent form on file *								
SOMMER, LUKE 38474-086	35	THE	Mowatt, S.		128211-CAA	08/24/2015	08/25/2015	01/11/2016
Take one capsule by mouth at bedtime *Consent form on file *								
SOMMER, LUKE 38474-086	35	LMS/F	Petry, G. AP		511173-OKL	01/12/2016	01/12/2016	02/01/2016
Take one capsule by mouth at bedtime ***self carry***								
SOMMER, LUKE 38474-086	35	MLA/G	Wilson, William FR		357417-THX	02/01/2016	02/02/2016	02/09/2016
Take one capsule by mouth at bedtime ***self carry***								
SOMMER, LUKE 38474-086	35	GFR/M	Trueblood, Elizabeth LA		358389-THX	02/09/2016	02/09/2016	08/07/2016
Take one capsule by mouth at bedtime ***self carry***								
SOMMER, LUKE 38474-086	35	GFR/M	Wilson, William LA		379047-THX	08/06/2016	08/08/2016	08/22/2016
Take one capsule by mouth at bedtime ***self carry***								
SOMMER, LUKE 38474-086	35	LMS/K	Petry, G. WO		563095-OKL	08/23/2016	08/23/2016	09/06/2016
Take one capsule by mouth at bedtime ***self carry***								
SOMMER, LUKE 38474-086	35	JMM	Dy, Maria		76601-SET	09/06/2016	09/08/2016	09/19/2016
Take one capsule by mouth at bedtime ***self carry***								
SOMMER, LUKE 38474-086	35	JMM	Dy, Maria		76866-SET	09/16/2016	09/19/2016	09/29/2016
Take one capsule (10 MG) by mouth at bedtime *consent form on file *								
FLUoxetine HCl 10 MG Cap UD	35	CSS	Ornuha, Jude		108616-MCR	10/23/2013	10/24/2013	11/19/2013
Take one capsule by mouth each day ***pill line*** *Consent form on file * 10/24/2013								
SOMMER, LUKE 38474-086	35	CSS	Ornuha, Jude		110427-MCR	11/13/2013	11/19/2013	01/23/2014
Take one capsule by mouth each evening ***pill line*** *Consent form on file * 11/19/2013								
SOMMER, LUKE 38474-086	35	CSS	Ornuha, Jude		114519-MCR	01/17/2014	01/23/2014	03/13/2014
Take one capsule by mouth each evening ***pill line*** *Consent form on file * 11/19/2013								
Gabapentin 300 MG CAP	35	SG/HD	Fernandez, Jesus N		136720-VIX	02/23/2011	02/24/2011	04/21/2011
SOMMER, LUKE 38474-086	35	SG/HD	Fernandez, Jesus N		136720-VIX	02/23/2011	02/24/2011	04/21/2011

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Item Name	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
pill line **crush/empty** Take one capsule by mouth twice daily							
SOMMER, LUKE 38474-086	35	KWO	Goforth, Thomas	175189-OKL	04/22/2011	04/22/2011	05/03/2011
crush/empty Take one capsule by mouth twice daily ***pill line***							
SOMMER, LUKE 38474-086	35	PGW	Gonzalez, Victor	107642-ATL	05/04/2011	05/04/2011	05/05/2011
crush/empty Take one capsule by mouth twice daily - ***pill line***							
Gabapentin 300 MG CAP UD							
SOMMER, LUKE 38474-086	35	PE	Ramirez, Richard	57502-MCR	05/11/2011	05/11/2011	05/11/2011
Take one capsule by mouth twice daily ***pill line*** **crush/empty**							
SOMMER, LUKE 38474-086	35	PE	Ramirez, Richard	57578-MCR	05/11/2011	05/12/2011	05/23/2011
Take two capsules by mouth twice daily ***pill line*** **crush/empty**							
SOMMER, LUKE 38474-086	35	PE	Vazquez-Velazquez, Jorge	58045-MCR	05/17/2011	05/23/2011	11/19/2011
Take two capsules by mouth twice daily ***pill line*** **crush/empty**							
SOMMER, LUKE 38474-086	35	TLP/J	Vazquez-Velazquez, Jorge	67655-MCR	11/23/2011	11/29/2011	12/15/2011
Take two capsules by mouth twice daily ***pill line*** **crush/empty**							
SOMMER, LUKE 38474-086	35	JC	Vazquez-Velazquez, Jorge	68626-MCR	12/15/2011	12/15/2011	05/29/2012
Take two capsules by mouth twice daily ***pill line*** **crush/empty**							
SOMMER, LUKE 38474-086	35	CSS	Onuoha, Jude	105898-MCR	09/06/2013	09/09/2013	12/04/2013
Take one capsule by mouth each evening for 7 days ***pill line*** Take two capsules by mouth each evening ***pill line***							
SOMMER, LUKE 38474-086	35	CSS	Onuoha, Jude	111738-MCR	12/05/2013	12/09/2013	01/23/2014
Take three capsules by mouth twice daily ***pill line***							
Gabapentin 400 MG CAP							
SOMMER, LUKE 38474-086	35	KWO	Petry, G.	372180-OKL	03/14/2014	03/14/2014	04/22/2014
Take three capsules by mouth at bedtime ***pill line*** **crush/empty**							
Gabapentin 400 MG CAP UD							
SOMMER, LUKE 38474-086	35	CSS	Onuoha, Jude	114520-MCR	01/17/2014	01/23/2014	03/13/2014
Take three capsules by mouth at bedtime ***pill line*** **crush/empty**							
Gabapentin 600 MG Tab							
SOMMER, LUKE 38474-086	35	AAE/K	Mims, Gregory	207434-HAX	05/12/2014	05/13/2014	09/17/2014
Take two tablets (1200 mg) by mouth twice daily *Consent form on file **crush/empty** ***pill line***							
SOMMER, LUKE 38474-086	35	SMD/E	Fitzhugh, Howard	219109-HAX	09/16/2014	09/17/2014	12/23/2014

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Complex: N/A

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Item Name	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
Immate		BT					
Take two tablets (1200 mg) by mouth twice daily *Consent form on file **crush/empty***pill line****							
Gabapentin 800 MG TAB							
SOMMER, LUKE 38474-086	35	AAE	Mims, Gregory	205472-HAX	04/22/2014	04/22/2014	05/13/2014
Take one and one-half (1 and 1/2)tablets (1200mg) by mouth each evening ***pill line*** **crush/empty**							
Hydrocortisone Acetate SUPP 25 MG							
SOMMER, LUKE 38474-086	35	JWM	Keene, David	31541-SHE	12/12/2009	12/14/2009	12/17/2009
unwrap and insert one suppository rectally daily for 7 days							
Ibuprofen 800 MG Tab							
SOMMER, LUKE 38474-086	35	MPK	Lacist, Manuell	7657-SET	06/19/2008	06/20/2008	06/27/2008
Take one tablet by mouth up to three times daily with food as needed (Purchase from commissary when these are gone)							
SOMMER, LUKE 38474-086	35	MPK	Lacist, Manuell	8693-SET	07/29/2008	07/29/2008	08/05/2008
Take one tablet by mouth up to three times daily with food as needed (Purchase from commissary when these are gone)							
SOMMER, LUKE 38474-086	35	MPK	Lacist, Manuell	18252-SET	08/04/2009	08/04/2009	08/07/2009
Take one tablet by mouth up to three times daily with food as needed (Purchase from commissary when these are gone)							
SOMMER, LUKE 38474-086	35	MPK	Pedersen, Dean	22903-SET	02/07/2010	02/08/2010	02/15/2010
Take one tablet by mouth up to three times daily with food as needed (Purchase from commissary when these are gone)							
SOMMER, LUKE 38474-086	35	SG/RB	Fernandez, Jesus	98046-VIX	04/30/2010	05/29/2010	06/01/2010
Take one tablet by mouth three times daily as needed							
SOMMER, LUKE 38474-086	35	JAM/R	Esquetini, Jose B	121780-VIX	11/01/2010	11/01/2010	12/14/2010
Take one tablet by mouth three times daily							
SOMMER, LUKE 38474-086	35	SG/RB	Fernandez, Jesus	126904-VIX	12/14/2010	12/14/2010	02/12/2011
Take one tablet by mouth three times daily							
SOMMER, LUKE 38474-086	35	GFR	Cox, Roger	416156-THX	07/06/2017	07/06/2017	08/05/2017
Take one tablet (800 MG) by mouth three times a day							
Indomethacin 25 MG Cap							
SOMMER, LUKE 38474-086	35	PE	McCullough, William	57579-MCR	05/11/2011	05/12/2011	05/18/2011
Take one capsule by mouth twice daily							
SOMMER, LUKE 38474-086	35	TL/P/P	Ramirez, Richard E	57830-MCR	05/17/2011	05/17/2011	05/23/2011
Take one capsule by mouth twice daily ***pill line***							

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Item Name	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
Indomethacin 50 MG Cap							
SOMMER, LUKE 38474-086	35	PE	Vazquez-Velazquez, Jorge	57924-MCR	05/17/2011	05/19/2011	06/02/2011
Take one capsule by mouth twice daily							
SOMMER, LUKE 38474-086	35	PE	Vazquez-Velazquez, Jorge	58675-MCR	06/02/2011	06/02/2011	07/18/2011
Take one capsule by mouth twice daily - ***pill line***							
Ketorolac Tromethamine Inj soln 30 MG/ML, 1 ML							
SOMMER, LUKE 38474-086	35	SG/RB	Fernandez, Jesus	101969-VIX	05/29/2010	05/29/2010	05/29/2010
pill line Inject 60mg Intra-Muscularly (2ml), left gluteal, one time for 1 day							
lamotrigin 25 MG TAB							
SOMMER, LUKE 38474-086	35	JMM	Dy, Maria	77071-SET	09/28/2016	09/29/2016	10/31/2016
Take one tablet (25 MG) by mouth at bedtime for 14 days then---Take one tablet (25 MG) by mouth twice daily for 14 days then---Take two tablets (50 MG) by mouth twice daily for 14 days then ***pill line***cdnsent form on file *							
lamotrigin 100 MG Tab							
SOMMER, LUKE 38474-086	35	JMM	Dy, Maria	77070-SET	09/29/2016	11/10/2016	10/31/2016
Take one tablet (100 MG) by mouth twice daily ***pill line***consent form on file *							
SOMMER, LUKE 38474-086	35	GFR/S	Wilson, William	388674-THX	10/31/2016	11/02/2016	11/04/2016
JG							
Take one tablet (100 MG) by mouth twice daily ***pill line***							
SOMMER, LUKE 38474-086	35	GFR/S	Lukens, David	388846-THX	11/03/2016	11/04/2016	03/04/2017
JG							
Take one tablet (100 MG) by mouth twice daily ***pill line***							
SOMMER, LUKE 38474-086	35	GFR	Muscattell, Genevieve	402738-THX	03/10/2017	03/10/2017	07/06/2017
Take one tablet (100 MG) by mouth at noon ***pill line***---Take one tablet (100 MG) by mouth each evening ***pill line***							
SOMMER, LUKE 38474-086	35	GFR	Cox, Roger	416165-THX	07/06/2017	07/06/2017	08/14/2017
Take one tablet (100 MG) by mouth at noon ***pill line***---Take one tablet (100 MG) by mouth each evening ***pill line***							
SOMMER, LUKE 38474-086	35	LMS/B	Petry, G.	649559-OKL	08/15/2017	08/15/2017	08/17/2017
DH							
Take one tablet (100 MG) by mouth at noon and---Take one tablet (100 MG) by mouth at bedtime							
SOMMER, LUKE 38474-086	35	PMM	Rosario, Norbert	578758-LEX	08/17/2017	08/18/2017	08/31/2017
Take one tablet (100 MG) by mouth each day at at noon and---Take one tablet (100 MG) by mouth every night at bedtime -- intake							
SOMMER, LUKE 38474-086	35	PMM	Rosario, Norbert	580742-LEX	08/30/2017	08/31/2017	10/19/2017
Take one tablet (100 MG) by mouth each day at at noon and---Take one tablet (100 MG) by mouth every night at bedtime							

Bureau of Prisons - Rx Report

Complex: N/A

Begin Date: 01/01/2008

End Date: 05/19/2022

Item Name	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
Inmate							
SOMMER, LUKE 38474-086	35	DLB/B	Petry, G.	664321-OKL	10/20/2017	10/20/2017	10/24/2017
Take one tablet (100 MG) by mouth at noon each day and—Take one tablet (100 MG) by mouth every night at bedtime							
SOMMER, LUKE 38474-086	35	RPS/A	Tidwell, Mark	824000-COX	10/24/2017	10/25/2017	10/25/2017
Take one tablet (100 MG) by mouth each afternoon and...—Take one tablet (100 MG) by mouth every night at bedtime *consent form on file * - ***pill line***							
SOMMER, LUKE 38474-086	35	RPS/M	Tidwell, Mark	824127-COX	10/25/2017	10/25/2017	10/31/2017
Take one tablet (100 MG) by mouth two times a day *consent form on file * ***pill line*** crush/empty***							
SOMMER, LUKE 38474-086	35	ACL	Tidwell, Mark	825259-COX	10/30/2017	10/31/2017	04/29/2018
Take one tablet (100 MG) by mouth two times a day *consent form on file * - ***pill line*** crush/empty***							
SOMMER, LUKE 38474-086	35	JTM/A	Venuto, Gary	863366-COX	05/02/2018	05/03/2018	09/07/2018
Take one tablet (100 MG) by mouth two times a day *consent form on file * ***crush/empty***							
SOMMER, LUKE 38474-086	35	KMC/J	Venuto, Gary	890207-COX	09/07/2018	09/07/2018	10/31/2018
Take one tablet (100 MG) by mouth two times a day *consent form on file * ***crush/empty***							
SOMMER, LUKE 38474-086	35	JTM	Tidwell, Mark	901767-COX	10/31/2018	10/31/2018	01/14/2019
Take one tablet (100 MG) by mouth two times a day *consent form on file * ***crush/empty***							
Mirtazapine 15 MG Tab UD	35	PE	Ramirez, Richard	59448-MCR	06/13/2011	06/17/2011	11/29/2011
Take one tablet by mouth at bedtime ***pill line*** crush/empty**							
SOMMER, LUKE 38474-086	35	TL/P/J	Vazquez-Velazquez, Jorge	67656-MCR	11/23/2011	11/29/2011	12/15/2011
Take one tablet by mouth at bedtime ***pill line*** crush/empty**							
SOMMER, LUKE 38474-086	35	JC	Vazquez-Velazquez, Jorge	68627-MCR	12/15/2011	12/15/2011	05/29/2012
Take one tablet by mouth at bedtime ***pill line*** crush/empty**							
OLANzapine 5 MG Tab UD	35	CSS	Onucha, Jude	107633-MCR	10/04/2013	10/08/2013	10/24/2013
Take one tablet by mouth qhs ***pill line*** Consent form on file * 10/07/2013							
Prazosin Cap 1 MG	35	CSS	Bennett-Baker, K.	108347-MCR	10/18/2013	10/21/2013	01/22/2014

Bureau of Prisons - Rx Report

Complex: N/A

Begin Date: 01/01/2008

End Date: 05/19/2022

Item Name

Inmate

Age

RPH

Provider

Rx#

Ordered

Started

Expiration

Take one capsule by mouth at bedtime ***pill line***non-formulary approved** 09/19/2014

SOMMER, LUKE 38474-086

35

CSS

Onucha, Jude

114521-MCR 01/17/2014 01/23/2014 03/13/2014

Take one capsule by mouth at bedtime ***pill line***non-formulary approved** 09/19/2014

SOMMER, LUKE 38474-086

35

KWO

Petry, G.

372181-OKL 03/14/2014 03/14/2014 04/22/2014

Take one capsule by mouth at bedtime **non-formulary approved** ***pill line***

SOMMER, LUKE 38474-086

35

MDB/K

Mims, Gregory

205374-HAX 04/22/2014 04/24/2014 09/17/2014

ML

Take one capsule by mouth at bedtime

SOMMER, LUKE 38474-086

35

EBT

Fitzhugh, Howard

219110-HAX 09/16/2014 09/17/2014 02/09/2015

Take one capsule by mouth at bedtime

SOMMER, LUKE 38474-086

35

THE

Manenti, John

120217-CAA 02/10/2015 02/10/2015 02/20/2015

Take one capsule by mouth at bedtime

SOMMER, LUKE 38474-086

35

THE

Byadgi, Chethan

120672-CAA 02/19/2015 02/20/2015 08/19/2015

Take one capsule by mouth at bedtime

SOMMER, LUKE 38474-086

35

JMM

Dy, Maria

76867-SET 09/16/2016 09/19/2016 09/29/2016

Take one capsule (1 MG) by mouth at bedtime ***pill line***

SOMMER, LUKE 38474-086

35

JMM

Dy, Maria

77072-SET 09/28/2016 09/29/2016 10/31/2016

Take three capsules (3 MG) by mouth at bedtime ***pill line***

SOMMER, LUKE 38474-086

35

GFR/S

Wilson, William

388426-THX 10/31/2016 11/01/2016 11/04/2016

JG

Take three capsules (3 MG) by mouth each evening ***pill line***

SOMMER, LUKE 38474-086

35

GFR/S

Lukens, David

388848-THX 11/03/2016 11/04/2016 03/04/2017

JG

Take three capsules (3 MG) by mouth each evening ***pill line***

SOMMER, LUKE 38474-086

35

GFR

Muscatell, Genevieve

402737-THX 03/10/2017 03/10/2017 07/06/2017

Take three capsules (3 MG) by mouth each evening ***pill line***

SOMMER, LUKE 38474-086

35

GFR

Cox, Roger

416157-THX 07/06/2017 07/06/2017 08/14/2017

Take three capsules (3 MG) by mouth each evening ***pill line***

SOMMER, LUKE 38474-086

35

LMS/B

Petry, G.

649560-OKL 08/15/2017 08/15/2017 08/17/2017

DH

Take three capsules (3 MG) by mouth at bedtime

SOMMER, LUKE 38474-086

35

PMM

Rosario, Norbert

578759-LEX 08/17/2017 08/18/2017 08/31/2017

Bureau of Prisons - Rx Report

Complex: N/A

Begin Date: 01/01/2008

End Date: 05/19/2022

Item Name	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
Immate	35						
Take three capsules (3 MG) by mouth every night at bedtime - intake							
SOMMER, LUKE 38474-086	35	PMM	Rosario, Norbert	580744-LEX	08/30/2017	08/31/2017	10/19/2017
Take three capsules (3 MG) by mouth every night at bedtime							
SOMMER, LUKE 38474-086	35	DLB/B	Petry, G.	664324-OKL	10/20/2017	10/20/2017	10/24/2017
Take three capsules (3 MG) by mouth every night at bedtime							
SOMMER, LUKE 38474-086	35	RPS/A	Tidwell, Mark	824001-COX	10/24/2017	10/25/2017	10/31/2017
Take three capsules (3 MG) by mouth every night at bedtime ***pill line***							
SOMMER, LUKE 38474-086	35	ACL	Tidwell, Mark	825261-COX	10/30/2017	10/31/2017	09/07/2018
Take three capsules (3 MG) by mouth every night at bedtime - ***pill line***							
SOMMER, LUKE 38474-086	35	KMC/S	Venuto, Gary	890209-COX	09/07/2018	09/07/2018	10/31/2018
Take three capsules (3 MG) by mouth every night at bedtime - ***pill line***							
SOMMER, LUKE 38474-086	35	JTM	Tidwell, Mark	901768-COX	10/31/2018	10/31/2018	01/14/2019
Take three capsules (3 MG) by mouth every night at bedtime - ***pill line***							
SOMMER, LUKE 38474-086	35	MPK	Lacist, Manuel	23093-SET	02/12/2010	02/16/2010	02/23/2010
Take one tablet by mouth two times a day as needed for heartburn (Must buy antacids from commissary when these are gone per BOP policy)							
Sertraline HCl 100 MG Tab							
SOMMER, LUKE 38474-086	35	JAM/R	Fernandez, Jesus	121584-VIX	10/28/2010	10/29/2010	12/14/2010
Take one tablet by mouth each morning **self carry**							
SOMMER, LUKE 38474-086	35	SG/RB	Fernandez, Jesus	126906-VIX	12/14/2010	12/14/2010	02/23/2011
Take one tablet by mouth each morning **self carry**							
Sofosbuvir/Velpatasvir (Epclusa) 400-100 MG Tab							
SOMMER, LUKE 38474-086	35	MDF	Venuto, Gary	914781-COX	01/14/2019	01/14/2019	03/07/2019
Take one tablet by mouth each day for 56 days **non-formulary approved until: 05/03/19							
SOMMER, LUKE 38474-086	35	MDF	Venuto, Gary	924521-COX	03/07/2019	03/08/2019	05/01/2019
Take one tablet by mouth each day for 56 days **non-formulary approved until: 05/03/19							
Sulfamethoxazole/Trimeth 800mg /160mg tab							
SOMMER, LUKE 38474-086	35	MPK	Lacist, Manuel	18253-SET	08/04/2009	08/04/2009	08/14/2009

Bureau of Prisons - Rx Report

Complex: N/A

Begin Date: 01/01/2008

End Date: 05/19/2022

Item Name	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
Inmate							
Take one tablet by mouth two times a day til all taken for infection (Take with a glassful of water) Quantity o.k. for SHU)							
SOMMER, LUKE 38474-086	35	CMW	Billiter, W.	582074-LEX	09/07/2017	09/08/2017	09/15/2017
Take one tablet by mouth twice daily for 7 days , Take with a glassful of water							
Tamsulosin HCl 0.4 MG Cap							
SOMMER, LUKE 38474-086	35	ACL	Tidwell, Mark	825262-COX	10/30/2017	10/31/2017	04/29/2018
Take one capsule (0.4 MG) by mouth every night at bedtime							
SOMMER, LUKE 38474-086	35	JTM/A	Venuto, Gary	863367-COX	05/02/2018	05/03/2018	09/07/2018
CL							
Take one capsule (0.4 MG) by mouth every night at bedtime							
SOMMER, LUKE 38474-086	35	KMC/S	Venuto, Gary	890210-COX	09/07/2018	09/07/2018	10/31/2018
RB							
Take one capsule (0.4 MG) by mouth every night at bedtime							
SOMMER, LUKE 38474-086	35	JTM	Tidwell, Mark	901769-COX	10/31/2018	10/31/2018	09/12/2019
Take two capsules (0.8 MG) by mouth at bedtime ***note increased dose***							
Triamcinolone 0.1%, 15 GM Cream							
SOMMER, LUKE 38474-086	35	ACL	Tidwell, Mark	825263-COX	10/30/2017	10/31/2017	04/29/2018
Apply a small amount topically to the affected area(s) as directed							
SOMMER, LUKE 38474-086	35	JTM/A	Venuto, Gary	863368-COX	05/02/2018	05/03/2018	09/07/2018
CL							
Apply a small amount topically to the affected area(s) as directed							
SOMMER, LUKE 38474-086	35	KMC/S	Venuto, Gary	890211-COX	09/07/2018	09/07/2018	03/06/2019
RB							
Apply a small amount topically to the affected area(s) as directed							
Valproic Acid 250 MG Cap							
SOMMER, LUKE 38474-086	35	MPK	Haven, Grant	8734-SET	07/30/2008	07/31/2008	08/07/2008
Take one capsule by mouth two times a day for 7 days ***pill line***							
SOMMER, LUKE 38474-086	35	MPK	Haven, Grant	8735-SET	07/30/2008	08/07/2008	12/17/2008
Take two capsules by mouth twice daily ***pill line***							
SOMMER, LUKE 38474-086	35	MPK	Dy, Maria	12411-SET	12/17/2008	12/17/2008	02/11/2009
Take two capsules by mouth each morning ***pill line***---Take three capsules by mouth each evening ***pill line***							
SOMMER, LUKE 38474-086	35	MPK	Haven, Grant	13733-SET	02/11/2009	02/11/2009	02/13/2009
Take three capsules by mouth twice daily ***pill line***							

Bureau of Prisons - Rx Report

Complex: N/A

Begin Date: 01/01/2008

End Date: 05/19/2022

Item Name	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
SOMMER, LUKE 38474-086	35	CSS	Onuoha, Jude	105899-MCR	09/06/2013	09/09/2013	12/26/2013
Take two capsules by mouth twice daily for 7 days***pill line***Take three capsules by mouth twice daily ***pill line*** *Consent form on file * 09/09/2013							
SOMMER, LUKE 38474-086	35	CSS	Onuoha, Jude	107524-MCR	10/04/2013	10/07/2013	01/23/2014
Take three capsules by mouth twice daily *Consent form on file * 10/07/2013							
SOMMER, LUKE 38474-086	35	CSS	Onuoha, Jude	114522-MCR	01/17/2014	01/23/2014	03/13/2014
Take three capsules by mouth twice daily *Consent form on file * 10/07/2013							
SOMMER, LUKE 38474-086	35	KWO	Petry, G.	372182-OKL	03/14/2014	03/14/2014	04/22/2014
Take three capsules by mouth twice daily ***pill line***							
SOMMER, LUKE 38474-086	35	MDB/K	Minns, Gregory	205373-HAX	04/22/2014	04/24/2014	05/24/2014
Take three capsules by mouth twice daily ***pill line***							
SOMMER, LUKE 38474-086	35	KJT/E	Bushman, Matthew	208931-HAX	05/27/2014	05/27/2014	09/17/2014
Take three capsules by mouth twice daily ***pill line*** *Consent form on file *							
SOMMER, LUKE 38474-086	35	SMD/E	Fitzhugh, Howard	219108-HAX	09/16/2014	09/17/2014	12/23/2014
Take three capsules by mouth twice daily ***pill line*** *Consent form on file *							
SOMMER, LUKE 38474-086	35	YYY	Mowatt, S.	128236-CAA	08/24/2015	08/25/2015	10/26/2015
Take three capsules by mouth twice daily ***pill line*** *Consent form on file *							
SOMMER, LUKE 38474-086	35	THE	Mowatt, S.	130807-CAA	10/26/2015	10/26/2015	01/11/2016
Take three capsules (750 MG) by mouth each evening ***pill line*** *Consent form on file *							
SOMMER, LUKE 38474-086	35	LMS/F	Petry, G.	511175-OKL	01/12/2016	01/12/2016	02/01/2016
Take three capsules (750 MG) by mouth at bedtime ***pill line***							
SOMMER, LUKE 38474-086	35	MLA/S	Wilson, William	357419-THX	02/01/2016	02/02/2016	02/09/2016
Take three capsules (750 MG) by mouth each evening ***pill line***							
SOMMER, LUKE 38474-086	35	GFR/M	Trueblood, Elizabeth	358393-THX	02/09/2016	02/09/2016	08/07/2016
Take three capsules (750 MG) by mouth each evening ***pill line***							
SOMMER, LUKE 38474-086	35	GFR/M	Wilson, William	379048-THX	08/06/2016	08/08/2016	08/22/2016

Bureau of Prisons - Rx Report

Complex: N/A

Begin Date: 01/01/2008

End Date: 05/19/2022

Item Name	Age	RPH	Provider	Rx#	Ordered	Started	Expiration
SOMMER, LUKE 38474-086	35	LMS/K	Petry, G.	563096-OKL	08/23/2016	08/23/2016	09/06/2016
Take three capsules (750 MG) by mouth at bedtime		WO					
SOMMER, LUKE 38474-086	35	JMM	Dy, Maria	76602-SET	09/06/2016	09/08/2016	09/19/2016
Take three capsules (750 MG) by mouth at bedtime ***pill line***DOUBLE CHECK MOUTH**							
SOMMER, LUKE 38474-086	35	JMM	Dy, Maria	76868-SET	09/16/2016	09/19/2016	09/29/2016
Take three capsules (750 MG) by mouth at bedtime ***pill line***DOUBLE CHECK MOUTH**							
Valproic Acid 250 MG Cap UD							
SOMMER, LUKE 38474-086	35	CSS	Vazquez-Velazquez, Jorge	78454-MCR	05/24/2012	05/29/2012	08/27/2012
Take one tablet by mouth at bedtime for 7 days---Take one capsule by mouth two times a day							
SOMMER, LUKE 38474-086	35	CSS	Ramirez, Richard	83259-MCR	08/13/2012	08/20/2012	10/16/2012
Take one capsule by mouth two times a day ***pill line***							
Venlafaxine ER 24 Hour 37.5 MG Tab	35	MPK	Haven, Grant	22438-SET	01/20/2010	02/03/2010	02/10/2010
Take one tablet by mouth each morning for 7 days then discontinue ***pill line***							
Venlafaxine ER 24 Hour 75 MG Tab	35	MPK	Haven, Grant	22437-SET	01/20/2010	01/27/2010	02/03/2010
Take one tablet by mouth each morning for 7 days ***pill line***							
Venlafaxine ER 24 Hour 150 MG Tab	35	JWM	Davis, Stephen	30937-SHE	11/30/2009	11/30/2009	12/17/2009
Take one tablet twice daily							
SOMMER, LUKE 38474-086	35	MPK	Dy, Maria	21685-SET	12/17/2009	12/21/2009	01/20/2010
Take one tablet (150mg) by mouth twice daily ***pill line***							
SOMMER, LUKE 38474-086	35	MPK	Haven, Grant	22436-SET	01/20/2010	01/20/2010	01/27/2010
Take one tablet (150mg) by mouth each morning for 7 days ***pill line***							
Venlafaxine ER/XR 24 Hour Cap 150 MG	35	RMB	Davis, Stephen	30572-SHE	11/17/2009	11/18/2009	11/30/2009
Take one capsule twice daily							
Lactated Ringer's Injection 1000 ML Inj							
SOMMER, LUKE 38474-086	35	LCJ	Ramirez, Richard	73554-MCR	03/13/2012	03/13/2012	03/13/2012
2 liters Intravenously one time x 1 day(s) Pill Line Only -- 2 large-bore IVs established by EMT-P for fluid challenge.							

Report Parameters

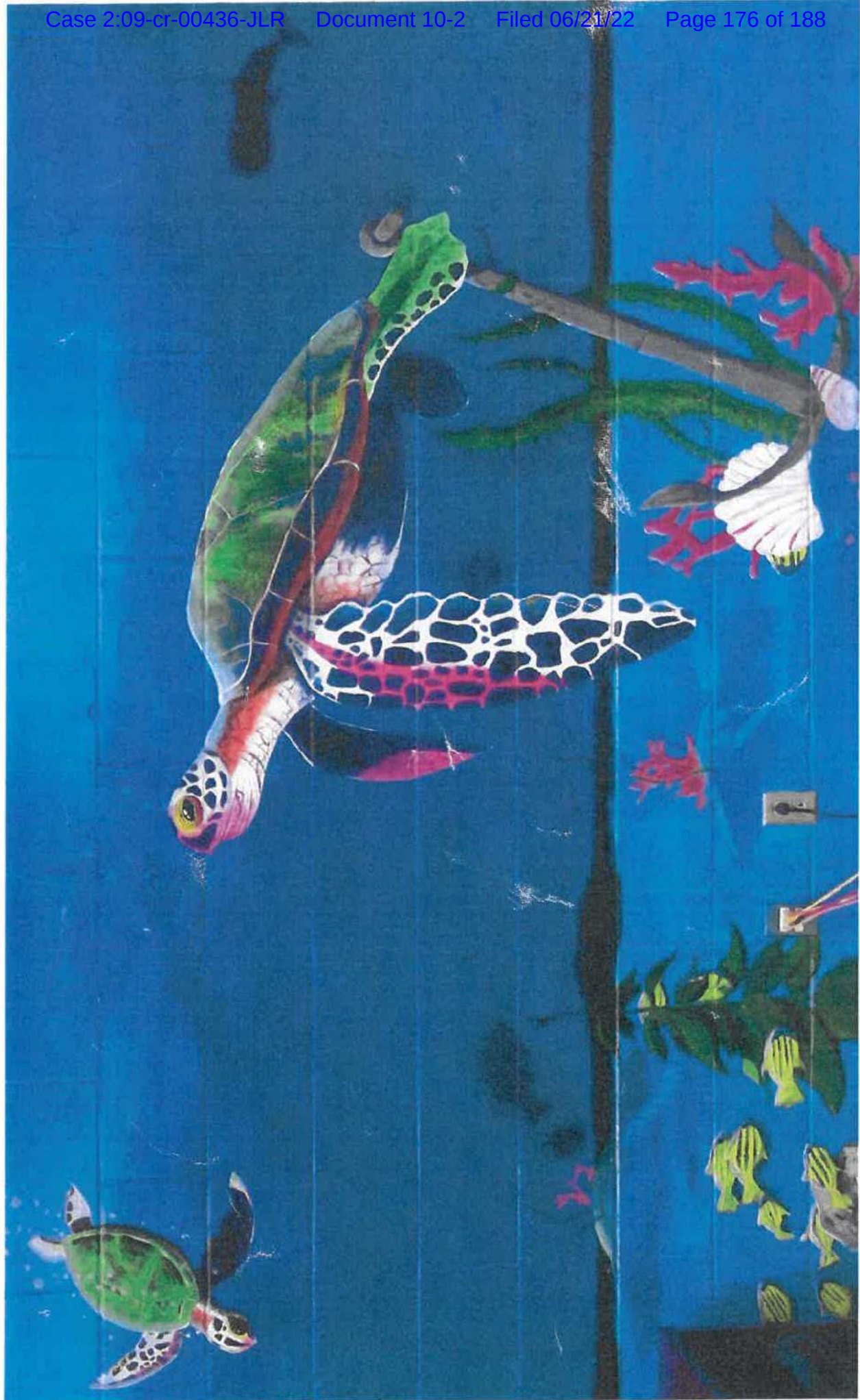
Report Header:	N/A
Type Option:	written
Begin Date:	01/01/2008
End Date:	05/19/2022
Complex:	N/A
Facility:	N/A
Pill Line Group:	N/A
Housing units:	
Offender Number:	38474-086
Include Type:	include - OR
Group:	N/A
Drug Group List:	
IV Only:	No
Health Problem List:	
Provider List:	
Admin Method:	N/A
Active Inmates Only:	false
Include Cart Fills:	false
Include Refills:	false
Include SIG:	true
Emergent Fills:	false
MOUD:	false
Sort By List:	'Item Name'
Page Break:	false

Total Prescriptions:

212

Exhibit 17

Miscellaneous





TRULINCS 38474086 - SOMMER, LUKE ELLIOTT - Unit: CLP-J-A

FROM: 38474086

TO: Psychology Services PEN 2

SUBJECT: ***Request to Staff*** SOMMER, LUKE, Reg# 38474086, CLP-J-A

DATE: 04/10/2022 09:22:47 AM

To: Dr. Kazmerski

Inmate Work Assignment: Tutor/Companion

Hey Dr. Kazmerski,

After spending the weekend thinking it over, I would like to move. I have discovered a couple more things that lead me to believe that he is toxic to not just me but to the community in general, and I think it would be best if I moved. I will leave the details to you and the treatment staff, but that is what I would like if you can make it happen. Additionally, if possible, I wouldn't mind getting a little input into the "where" I go, but again, your call. I am still open to taking a MH3 celly. Thank you,

Sommer

TRULINCS 38474086 - SOMMER, LUKE ELLIOTT - Unit: CLP-J-A

FROM: 38474086

TO: Warden PEN 2

SUBJECT: ***Request to Staff*** SOMMER, LUKE, Reg# 38474086, CLP-J-A

DATE: 04/16/2022 08:44:42 AM

To: USP 2 Warden

Inmate Work Assignment: Tutor/Inmate Companion

Sir,

I recently submitted an application for permission to found an inmate organization under the Inmate Organization program statement. I turned in the appropriate documentation as required by the program statement to the IDO at mainline and Ms. Wills was there at the time. I have not yet received any response or update, and while I know this process may take some time, I was hoping for some confirmation that the documentation made it to your office for review. If not please let me know so that I can resubmit it. In brief, the purpose of the organization is to provide Post Secondary Education tutoring and other services outside of the Education department mandate, and to expand opportunities for education compound wide and increase inmate community service at the institution.

Thank you for your time,

Sommer, Luke E

TRULINCS 38474086 - SOMMER, LUKE ELLIOTT - Unit: CLP-J-A

FROM: 38474086

TO: Education

SUBJECT: ***Request to Staff*** SOMMER, LUKE, Reg# 38474086, CLP-J-A

DATE: 03/30/2022 12:19:49 PM

To: Ms. Wills

Inmate Work Assignment: Tutor/Inmate Companion

Good afternoon Ms. Wills!

Just so you know, the application I was presenting to the AW was for an Inmate organization related to education specifically beyond the scope of the Education Department's mandate. Examples of what I am talking about include offering tutoring for college level classes, purchasing equipment for general inmate use such as prison-safe microscopes and sealed slides (for life science classes), and other, similar resources. None of these items are addressed or funded under the education program statement. As a result, a collection of us looked at the program statement for inmate organizations.

Founding an inmate organization permits the organization to submit requests for funds from the inmate trust fund for activities such as outside speakers, holding science fairs, sponsoring writing contests, etc. As a result, even if the education department had some way to assist with this, we would still want to organize in order to get access to funding above and beyond what the education department has allotted. As a result, and because it didn't even occur to me to run it by you since we needed to organize IN ANY CASE in order to get funding, I had not thought to come speak to you about it, because I knew from reading that your hands would be largely tied in helping us without us first taking these steps. That said I just wanted to drop you a line and let you know I wasn't trying to jump over your head or bypass you, and I apologize if it felt like that in any way--I had to file for permission to found an organization regardless. In any case, I just wanted to correct the oversight of not mentioning it. Thank you for your time!

Sommer, Luke E

TRULINCS 38474086 - SOMMER, LUKE ELLIOTT - Unit: CLP-J-A

FROM: 38474086

TO: Psychology Services PEN 2

SUBJECT: ***Request to Staff*** SOMMER, LUKE, Reg# 38474086, CLP-J-A

DATE: 04/05/2022 05:07:51 PM

To: Dr. Kazmerski

Inmate Work Assignment: Tutor/Companion/Peer

Tomorrow at 2:30 is fine, I will wrap up everything I have to do in order to be down there. Thank you
-----Psychology Services PEN 2 on 4/5/2022 1:47 PM wrote:

>

Hey Sommer,

Always appreciate the reminders around these parts. As it happens, I have them printed and sitting on my desk to give to you. To avoid any distractions/chaos, I think it may be easier for me to put you on call-out to give these to you and to talk about your cellie situation. I put you on call out for tomorrow at 2:30, but whatever time works for your schedule in education we can work around.

>>> ~^!"SOMMER, ~^!LUKE ELLIOTT" <38474086@inmatemessage.com> 4/4/2022 11:17 AM >>>

To: Dr. Kazmerski

Inmate Work Assignment: Tutor/Companion/Peer

Hey Dr. Kazmerski!

Quick note, I was wondering if you could remember to print a couple of copies of the mural when you get an opportunity? Also, I have been trying to figure out how best to deal with my cellie's attention seeking behavior without enabling, but I am struggling, to be honest. I have also been put in several high risk situations because of his behavior. I have spoken with Buie and I am doing my best with the situation, but I am not sure how productive the current situation is. When you have a moment (like, a legitimately free moment), I could use some input. In any case, thank you for your time.

Sommer

TRULINCS 38474086 - SOMMER, LUKE ELLIOTT - Unit: CLP-J-A

FROM: Religious Services
TO: 38474086 SOMMER, LUKE ELLIOTT
SUBJECT: RE:***Inmate to Staff Message***
DATE: 01/31/2022 02:47 PM

The book is only for group study. Hopefully we can resume soon.

>>> ~^!"SOMMER, ~^!LUKE ELLIOTT" <38474086@inmatemessage.com> 1/30/2022 7:37 PM >>>
To: Chaplain Reins
Inmate Work Assignment: Ed Tutor

Sir,

Is it possible for me to sign out a copy of that book? I don't mind giving you a BP-199 against its value, but I would like to continue going over the material on the unit while we wait for programming to start up again. If this is a possibility, could you let me know? Thank you!

Sommer
-----Religious Services on 1/23/2022 7:32 PM wrote:

>

Yes, unfortunately the class is on hold. Hopefully we can resume sooner than later.

>>> ~^!"SOMMER, ~^!LUKE ELLIOTT" <38474086@inmatemessage.com> 1/21/2022 9:19 AM >>>
To: Chaplain Reins
Inmate Work Assignment: Ed Tutor

I assume that our class is on hold (The Reformation Study Group) due to COVID. If you restart the class, please let me know! I am very interested in continuing. Thank you!

Sommer

Sample Worksheet for Tracking Your Academic Activities

This worksheet was developed to help you track your time. You are not required to turn it in.

Upon completion of this course, you will be asked to complete a survey. The last question on the survey will ask you the number of hours it took to complete the course. Course credit is based on the Carnegie Unit - a prescribed method of measuring educational attainment. For each 3 unit semester course, students will complete a variety of academic activities including:

45 hours of Academic Engagement and 90 hours of Academic Preparation = 135 hours in total.

	Time to Complete Unit 1	Time to Complete Unit 2	Time to Complete Unit 3	Time to Complete Unit 4	Time to Complete Final	Total Time Spent
Academic Engagement Activities						
Lesson Review Exercises						
Key Term Review Exercises						
Study Guide Review						
Student Resources						
Review Grading Rubric						
Case Studies/Critical Analysis						
Writing Assignments						
Complete Unit Examinations						
Course Academic Online Discussions						
Student/Instructor Interactions						
Total Academic Engagement required for a 3 unit course = 45 hours					Total =	
Academic Preparation Activities						
Pre-Test						
Reading Assignments						
Review Case Studies/Critical Analysis						
Key Term Review Exercises						
Study for Examinations						
Suggested Outside Readings						
Web Research						
Review Writing Assignments						
Review Completed Examinations						
Review Grading Rubric						
Reading Websites						
Study Lesson Review Exercises						
Total Academic Preparation required for a 3 unit course = 90 hours					Total =	
Total hours: Academic Engagement and Academic Preparation related to this course.					Grand Total	
Other Activities/Comments - (Please note all time for additional course related activities):						

CHALLENGE PROGRAM
USP-2 COLEMAN

This certificate is awarded to:

Elliott Sommer

On October 26, 2021

in recognition for his facilitation of the
Pre-Release/Re-Entry Group
Sponsored by Challenge Completes.

“We Challenge Ourselves to Change!”


Challenge Treatment Staff
Bureau of Prison
USP-2 Coleman

CHALLENGE PROGRAM
USP-2 COLEMAN

This certificate is awarded to:

Luke Sommer

On January 21, 2022

in recognition for his Participation and Completion of the
Financial Peace Program
Sponsored by Challenge Completes.

“We Challenge Ourselves to Change!”


Challenge Treatment Staff
Bureau of Prison
USP-2 Coleman

Certificate of Completion

Presented to:

LUKE SOMMER

For Completion of the Resolve/Trauma Program's

TRAUMATIC STRESS & RESILIENCE

WORKSHOP

Coleman USP II

May 20, 2021


Dr. C. Brodehl

Resolve Program Coordinator

California Coast University

Certificate of

ACHIEVEMENT

Presented to

Luke Sommer

for exhibiting superior academic commitment while completing the course in

BUSINESS COMMUNICATIONS

May 03, 2022

Thomas M. Neal

President

Government of the District of Columbia
Office of the State Superintendent of Education

This certifies that

LUKE SOMMER

having satisfactorily completed the Tests of General Educational Development with scores comparable to those of high school graduates, is hereby awarded this

High School Equivalency Credential

and is entitled to all the Rights and Privileges appertaining thereto.

In witness whereof our names are hereto affixed, this the

19th Day of November, 2014



Jesús Aguirre
State Superintendent of Education



Antoinette S. Mitchell, Ph.D.
Assistant Superintendent
Postsecondary and Career Education



Philip L. Premdas
GED Administrator

District of Columbia
Office of the State
Superintendent of Education



Government of the
District of Columbia
Vincent C. Gray, Mayor

