

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

UNITED STATES OF AMERICA,
Plaintiff,

v.

LUIS GONZALEZ,
Defendant.

No. 3:17-cr-00062 (JAM)

**ORDER REGARDING DEFENDANT’S COMPETENCY
EVALUATION AND TREATMENT**

On June 13, 2017, defendant Luis Gonzalez was charged in a superseding indictment with possession with intent to distribute heroin and conspiracy to possess with the intent to distribute heroin in violation of 21 U.S.C. § 841(a)(1) & (b)(1)(C). Doc. #216. Counsel for defendant arranged for defendant to be evaluated by the Law and Psychiatry group at Yale Medical School to determine the defendant’s competency to stand trial. This evaluation was performed at the Court’s expense. Dr. Karsten Heil was appointed by the Law and Psychiatry group to conduct the evaluation, and he issued an evaluation report dated November 15, 2017.

On February 7, 2018, the Court held a competency hearing pursuant to 18 U.S.C. § 4241(c). The Court admitted Dr. Heil’s evaluation report as a sealed exhibit. Based on the evaluation report and the statements of counsel at the hearing, the Court made a finding that defendant “is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.” 18 U.S.C. § 4241(d).

IT IS HEREBY ORDERED, pursuant to 18 U.S.C. § 4241(d), that defendant be committed to the custody of the Attorney General to receive necessary and appropriate treatment

for his mental illness, and for the Bureau of Prisons to determine whether there is a substantial probability that in the foreseeable future defendant will attain the capacity to permit the proceedings to go forward for an initial period of time not to exceed four months, unless defendant is restored to competency at an earlier date.

IT IS FURTHER ORDERED that to assist the Bureau of Prisons in this process, a copy of the written report of Dr. Heil be provided to the director of the facility in which defendant will receive treatment and evaluation.

IT IS FURTHER ORDERED, upon application of defendant, through counsel, to preserve and protect his rights to due process and against self-incrimination, that: No statement, testimony, or other evidence made or provided by defendant during or as a result of any court-ordered competency evaluation or treatment, no testimony or report of any psychiatrist or other expert based on such statement, testimony or evidence, and no other fruits of such statement, testimony or evidence shall be admitted into evidence or otherwise used against defendant in any criminal proceeding except on an issue respecting competency, or if defendant raises his mental status as a defense, or if defendant offers testimony inconsistent with statements made in the course of the competency process.

The Court recommends to the Bureau of Prisons that defendant be designated to Federal Medical Center Butner.

It is so ordered.

Dated at New Haven this 7th day of February 2018.

/s/ Jeffrey Alker Meyer

Jeffrey Alker Meyer
United States District Judge