

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS  
SPRINGFIELD DIVISION

In re: DISCLOSURE OF SENTENCING  
RECOMMENDATIONS

Standing Order No. S-13- 24

STANDING ORDER

RICHARD MILLS, U.S. District Judge:

The Court concludes that, as a general rule, the disclosure of a probation officer's confidential sentencing recommendation is not appropriate, notwithstanding the recommendation made by the Court of Appeals in *United States v. Peterson*, No. 12-2484, — F.3d —, 2013 WL 1235627 (7th Cir. Mar. 28, 2013). *See United States v. Laughlin*, No. 12-cr-30081, — F. Supp. 2d — (C.D. Ill. April 23, 2013).

As detailed in *Laughlin*, there are a number of important concerns which weigh against the disclosure of the probation officer's recommendation. *See id.* The primary concern is that in this Division of the Court it is not unusual for the officer making the recommendation to end up supervising the offender at a later date. Given the size, structure, and practice of the probation office in this Division, the undersigned concludes that the disclosure of the probation

officer's recommendation would likely negatively influence the ability of the probation office to adequately supervise offenders upon their release from the Bureau of Prisons. *See* Fed. R. Crim. P. 32, Advisory Committee Note (1974) (“Any recommendation as to sentence should not be disclosed as it may impair the effectiveness of the probation officer if the defendant is under supervision on probation or parole.”).

Therefore, in all criminal cases before the undersigned, the probation officer's recommendation, and his or her rationale for the recommendation, will remain confidential, unless the Court orders otherwise.

IT IS SO ORDERED.

ENTER: April 23, 2013

FOR THE COURT:

*/s/ Richard Mills*

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Richard Mills  
United States District Judge