

1 The supervised release issues that we were facing a couple
2 of months ago in Judge Hernandez's courtroom were technical
3 violations of release, and I think everybody will acknowledge
4 that Mr. Sullivan, in his social interactions, can be
5 difficult.

6 THE COURT: So this is not about detaining someone
7 because they are awkward socially. It's not about that,
8 whether they're rude or they don't greet someone when greeted.

9 First, I don't view the supervised release violations that
10 were the subject of the hearings before Judge Hernandez last
11 month as technical, because, ultimately, at least in part, they
12 involve a refusal to follow directives, either in a court order
13 or by the probation officer. And Judge Hernandez specifically
14 so found that three of those four violations, in fact, had
15 occurred, and one of those was failing to follow the directives
16 of the probation officer. That was exactly one of the points
17 that you argued against in your motion or your response to the
18 government's motion for revocation on various grounds,
19 including due process, and Judge Hernandez disagreed.

20 It's not a technical violation when someone disobeys a
21 court order or the probation officer's directives. That's not
22 technical. That's a real violation.

23 Second, I don't know the circumstances under which in 2004
24 he was convicted in Multnomah County for assault of a public
25 safety officer when he was at Portland State, in 2005 when he