

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

IN THE MATTER OF:

Misc. No. 08-MC-04-21

**PRETRIAL SERVICE REPORT
OF CRIMINAL HISTORY INFORMATION
FOR CRIMINAL DEFENDANTS**

**AMENDED
ORDER ADOPTING PROCEDURE TO PROVIDE COUNSEL WITH A COPY
OF THE PRETRIAL SERVICE REPORT CRIMINAL HISTORY INFORMATION**

The following procedure is hereby adopted by the United States District Court for the District of New Mexico to provide government and defense counsel with a copy of each defendant's criminal history information, which they may retain when they leave court.

Such disclosure of the defendant's criminal history information does not implicate any confidential source, nor is it likely to harm any person. Moreover, such disclosure does not interfere with the objective of confidentiality of pretrial services information, which is primarily to promote a candid and truthful relationship between the defendant and the probation officer in order to obtain the most complete and accurate information possible for the judicial officer.

The purpose of disclosing defendant's criminal history report is to assist in plea negotiations in an efficient manner which will serve the goal of judicial economy and the mandate of speedy trials.

Therefore, the United States Probation and Pretrial Office shall prepare a report for the Detention Hearing that will allow for the disclosure and retention of the criminal history section to both the government and defense counsel. The report shall contain the following:

- The defendant's name;

- A recitation of the defendant's known criminal history information as provided in the Pretrial Service Report;
- Known aliases used by the defendants;
- The defendant's date of birth; and
- Any law enforcement identifying numbers associated with the defendant (e.g., FBI Number, State Identification, or Alien Number).

This document will not contain any of the other personal or identifying information listed in the Pretrial Report. A copy of the full Pretrial Report will continue to be provided to both counsel for in-court review only. Counsel will be permitted to retain their respective copy of this additional document, and may annotate it with other information disclosed in the full Pretrial Report.

IT IS HEREBY ORDERED the United States Probation and Pretrial Officers be allowed to release defendant's criminal history report to assigned government and defense counsel.

Dated this 19th day of May, 2008

FOR THE COURT:



HONORABLE MARTHA VÁZQUEZ
Chief United States District Judge