

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
GENERAL ORDER 19-0035**

The full Court met in executive session on Thursday, October 31, 2019 and approved a technical amendment to Local Criminal Rule 46.4 Confidentiality of Pretrial Services Information and Reports.

The Court's Rules Committee considered the rule at its meeting on Thursday, October 10, 2019. It recommended that the full Court adopt the proposed technical amendment to Local Criminal Rule 46.4.

The full Court considered the recommendation of the Rules Committee at its meeting on Thursday, October 31, 2019 and agreed to modify Local Criminal Rule 46.4. Therefore,

By direction of the full Court, which met in executive session on Thursday, October 31, 2019,

IT IS HEREBY ORDERED that Local Criminal Rule 46.4 Confidentiality of Pretrial Services Information and Reports be technically amended as attached (additions shown thus, deletions shown ~~thus~~).

ENTER:

FOR THE COURT



Chief Judge

Dated at Chicago, Illinois this 6th day of November, 2019

LCrR46.4. Confidentiality of Pretrial Services Information and Reports

(a) General. The information obtained in the course of performing pretrial services functions in relation to ~~an particular~~ accused shall be used only for the purposes of release determination and shall otherwise be confidential. Each pretrial services report shall be made available to the attorney for the accused and the attorney for the Government in connection with a pretrial release or detention hearing, a pretrial release revocation proceeding, or any judicial proceeding to modify the conditions of release. The pretrial services report should not be disclosed to other parties by the attorney for the defendant or the attorney for the Government. Any copies of the pretrial services report so disclosed shall be returned to the pretrial services officer at the conclusion of the hearing.

(b) Prohibition of Disclosure.

(1) Unless authorized by the regulations as established by the Director of the Administrative Office, or ordered by the judicial officer for good cause shown, a pretrial services officer shall not disclose pretrial services information. This prohibition on unauthorized disclosure applies whether such disclosure is sought through the direct testimony of the pretrial services officer or by means of a subpoena, subpoena duces tecum, or other form of judicial process.

(2) Notwithstanding any other provision of this Rule, a court order issuing an arrest warrant for a violation of pretrial release conditions shall suffice as the Court's authorization for the pretrial services officer to provide the United States Marshal with the violation report and any associated records on which the violation report is based. This information may be used by the Marshal solely for the purpose of executing the arrest warrant and shall not be further disseminated without a court order.

(c) Definition. The term "pretrial services information" shall include any information, whether recorded or not, that is obtained or developed by a pretrial services officer in the course of performing a pretrial services investigation, preparing the pretrial services report, performing any post-release or post-detention investigation, or supervising a defendant released pursuant to [chapter 207 of Title 18](#), United States Code. The term does not include any information appearing in the public records of the court.

(d) Minimization. Any disclosure of pretrial services information permitted under the provisions of ~~this Rule~~ ~~ese regulations~~ ~~or ordered by the judicial officer~~ shall be limited to the minimum information necessary to carry out the purpose of the disclosure.

Amended November 6, 2019