

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

OCT 19 2005

**MATTHEW J. DYKMAN**  
CLERK

IN THE MATTER OF:

PRETRIAL SERVICE REPORT  
OF CRIMINAL HISTORY INFORMATION  
FOR CRIMINAL DEFENDANTS

Misc. No. 05-110

**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.

**Policy Discussion**

The criminal history provided in the Pretrial Service Report is essential to facilitate intelligent plea negotiations and early pretrial disposition of cases. It provides reasonably accurate criminal history information necessary for defense counsel to initially advise defendants of possible sentencing consequences. A copy of the criminal history from the Pretrial Service Report will ensure that counsel leave the court with a full and accurate copy of a defendant's criminal history as it is known at that time, and it will permit counsel to better focus on court proceedings.

**Standard Procedure**

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

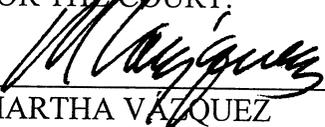
to both the government and defense counsel. The report shall contain the following:

- 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 defendant;
- 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 Services Report. A copy of the full Pretrial Service 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 Services Report.

Dated: October 19, 2005

FOR THE COURT:

  
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MARTHA VAZQUEZ  
Chief United States District Judge