
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

IN THE MATTER OF DISTRICT OF UTAH U.S. PROBATION AND PRETRIAL SERVICE OFFICE ABILITY TO DISSEMINATE LAW ENFORCEMENT REPORTS	GENERAL ORDER (AMENDED) 22-016
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The efficient resolution of release or detention hearings in the process of pretrial, probation, and supervised release violation matters depends significantly on the ability of the prosecution, defense counsel, and the Court to understand the nature of the violation allegations. When the violation petition alleges the defendant committed a new criminal offense, an available law enforcement report is an invaluable source of information. It is common practice for the prosecution and defense counsel to request copies of those reports to thoroughly prepare for the hearing. Release and detention determinations should be made without unnecessary delay to avoid detaining a defendant longer than needed and disrupting housing, employment, treatment, and relationships.

The quick and efficient production of a law enforcement report, when a violation petition alleges a new crime, to the prosecution and defense counsel assists the Court in making informed determinations at a detention hearing. Information within the report will aid counsel in reaching agreement and advocating their positions, and aid the Court in making its findings and orders at the hearing. Good cause exists to authorize the

release of relevant law enforcement reports in the possession of the U.S. Probation and Pretrial Services Office for the District of Utah to the prosecution and defense counsel.

IT IS HEREBY ORDERED that:

1. U.S. Probation and Pretrial Services Office for the District of Utah, whenever practicable before or at the Initial Appearance hearing on a pretrial, probation or supervised release violation petition, must disseminate any law enforcements reports in its file, related to violation allegations, to the prosecution and defense counsel.

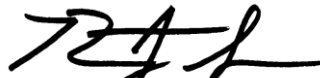
2. This dissemination may be accomplished electronically, via email, or by providing hard copies.

3. The prosecution and defense counsel must not, without a Court order, disseminate copies of the law enforcement report to others except for staff assigned to the case.

4. Within 7 days after resolution of the petition, all report copies must be destroyed.

SO ORDERED this 31st day of August, 2022.

BY THE COURT:



ROBERT J. SHELBY
CHIEF UNITED STATES DISTRICT JUDGE