

Confidentiality of Pretrial Services Information

Pretrial Services is legally bound to limiting the release of information obtained during the course of our investigation and supervision processes. General confidentiality regulations, which are outlined at section 3153(c)(1) of title 18, United States Code, provides as follows: “Except as provided in paragraph (2) of this subsection, information obtained in the course of performing pretrial services functions in relation to a particular accused shall be used only for the purposes of bail 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.” That section further provides that the regulations are to provide exceptions to the confidentiality of such information to allow access –

“(A) by qualified persons for purposes of research related to the administration of criminal justice;

(B) by persons under contract under section 3154(4) of this title;

(C) by United States Probation Officers for the purpose of compiling presentencereports;

(D) insofar as such information is a pretrial diversion report, to the attorney for the accused and the attorney for the Government; and

(E) in certain limited cases to law enforcement agencies for law enforcement purposes.”

If you have any questions regarding confidentiality, please speak with your attorney and/or consult your assigned Pretrial Services Officer.