

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ORDER 03-15

(Procedures to Obtain a Pretrial Services Bail Report)

WHEREAS, the D.C. Bail Reform Act codified at D.C. Code §23-1303 requires the submission of pertinent information and recommendations by the D.C. Pretrial Services Agency (PSA) to assist the Court in setting bail;

WHEREAS, under the National Capital Revitalization and Self-Government Improvement Act of 1997, the D.C. Pretrial Services Agency (“PSA”) was established as an independent entity within the Court Services and Offender Supervision Agency in the Executive Branch of the Federal Government; and

WHEREAS, the Privacy Act, 5 U.S.C. §552a, restricts disclosure of certain private information by federal executive agencies, including for purposes of this order, limiting disclosure of PSA reports to anyone other than an attorney of record;

NOW, THEREFORE, it is hereby:

ORDERED, the following procedures shall be followed to ensure that pretrial services bail reports are distributed only to the appropriate defense attorneys at any time:

1. Anyone requesting a PSA report must provide PSA with proof that he or she is retained or assigned counsel for the defendant whose record is sought. Examples of proof are a praecipe or case assignment on the daily lock-up list;

2. The requestor may provide PSA with a release of information (i.e. consent to release) signed by the defendant. When necessary, PSA will confirm the defendant’s signature prior to release of information; and it is further

ORDERED, anyone knowingly or willingly requesting or obtaining under false

pretenses a copy of a pretrial services bail report may be subject to a contempt citation under D.C. Code §11-944 and a criminal charge under 5 U.S.C. §552a(i)(3).

SO ORDERED.

BY THE COURT

May 13, 2003

/s/

Rufus G. King, III
Chief Judge

Copies to:

All Judges and Magistrate Judges

Executive Officer

Clerk of the Court

Division Directors

Law Librarian

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Director, Public Defender Service

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U.S. Attorney