

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 330

Amending Criminal Rule
32(c)(2) by Authorizing
the Sentencing Court to
Make All or Portions of
a Pre-sentence Report
Confidential.

IT IS ORDERED:

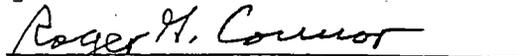
Rule 32(c)(2), Rules of Criminal Procedure, is amended to
read:

(2) Report. The report of the pre-sentence investigation shall contain any prior criminal conviction including a finding of delinquency of the defendant and such information about his characteristics, his financial condition, and the circumstances affecting his behavior as may be helpful in imposing sentence or in granting probation or in the correctional treatment of the defendant, and such other information as may be required by the court. No record of arrest or other police contacts shall be included in the report. The report shall be made available to the state's attorney and to the defendant's attorney in all cases and to the defendant unless the court enters on the record findings of reasons why the report would prove detrimental to the rehabilitation of the defendant or safety of the public. Unless otherwise ordered, further disclosure of the report shall be limited to the reviewing court on appeal and to the agencies having charge of the defendant's rehabilitation.

DATED: September 14, 1978

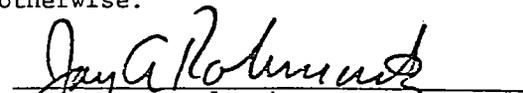
EFFECTIVE DATE: January 1, 1979

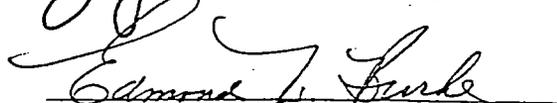

Chief Justice


Justice


Justice

We disagree with the amendment to this rule. In our view the pre-sentence report should be a public record unless for good cause shown the court orders otherwise.


Justice


Justice