

# Senate Study Bill 2156

## Bill Text

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1 1 Section 1. Section [901.4](#), Code 1997, is amended to read as  
1 2 follows:

1 3 901.4 PRESENTENCE INVESTIGATION REPORT CONFIDENTIAL .  
1 4 DISTRIBUTION.

1 5 The presentence investigation report is confidential and  
1 6 the court shall provide safeguards to ensure its  
1 7 confidentiality, including but not limited to sealing the  
1 8 report, which may be opened only by further court order. At  
1 9 least three days prior to the date set for sentencing, the  
1 10 court shall serve all of the presentence investigation report  
1 11 upon the defendant's attorney and the attorney for the state,  
1 12 and the report shall remain confidential except upon court  
1 13 order. However, the court may conceal the identity of the  
1 14 person who provided confidential information. The report of a  
1 15 medical examination or psychological or psychiatric evaluation  
1 16 shall be made available to the attorney for the state and to  
1 17 the defendant upon request. The reports are part of the  
1 18 record but shall be sealed and opened only on order of the  
1 19 court. If the defendant is committed to the custody of the  
1 20 Iowa department of corrections and is not a class "A" felon, a  
1 21 copy of the presentence investigation report shall be  
1 22 forwarded to the director with the order of commitment by the  
1 23 clerk of the district court and to the board of parole at the  
1 24 time of commitment. The presentence investigation report may  
1 25 also be released by the department of corrections or a  
1 26 judicial district department of correctional services pursuant  
1 27 to section 904.602 to another jurisdiction for the purpose of  
1 28 providing interstate probation and parole compact services or  
1 29 evaluations. The defendant or the defendant's attorney may  
1 30 file with the presentence investigation report, a denial or  
1 31 refutation of the allegations, or both, contained in the  
1 32 report. The denial or refutation shall be included in the  
1 33 report.

1 34 EXPLANATION

1 35 This bill amends Code section 901.4 to permit distribution  
2 1 of the presentence investigation report for purposes of  
2 2 providing interstate probation and parole compact services or  
2 3 evaluations.

2 4 LSB 4348SC 77

2 5 lh/jw/5