

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 186, Page 11, Section 558.043, Line 16,
2 by inserting after all of said section and line the following:
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4 "559.125. 1. The clerk of the court shall keep in a permanent file all applications for
5 probation or parole by the court, and shall keep in such manner as may be prescribed by the court
6 complete and full records of all presentence investigations requested, probations or paroles granted,
7 revoked or terminated and all discharges from probations or paroles. All court orders relating to any
8 presentence investigation requested and probation or parole granted under the provisions of this
9 chapter and sections 558.011 and 558.026 shall be kept in a like manner, and, if the defendant
10 subject to any such order is subject to an investigation or is under the supervision of the division of
11 probation and parole, a copy of the order shall be sent to the division of probation and parole. In
12 any county where a parole board ceases to exist, the clerk of the court shall preserve the records of
13 that parole board.

14 2. ~~[Information and data obtained by a probation or parole officer shall be privileged~~
15 ~~information and shall not be receivable in any court.]~~ Information and data obtained by a probation
16 or parole officer is privileged information not receivable in any court unless for lawful criminal
17 matters. Such information shall not be disclosed directly or indirectly to anyone other than the
18 members of a parole board and the judge entitled to receive reports, except the court, the division of
19 probation and parole, or the parole board may in its discretion permit the inspection of the report, or
20 parts of such report, by the defendant, or offender or his or her attorney, or other person having a
21 proper interest therein.

22 3. The provisions of subsection 2 of this section notwithstanding, the presentence
23 investigation report shall be made available to the state and all information and data obtained in
24 connection with preparation of the presentence investigation report may be made available to the
25 state at the discretion of the court upon a showing that the receipt of the information and data is in
26 the best interest of the state."; and
27

28 Further amend said bill by amending the title, enacting clause, and intersectional references
29 accordingly.

Action Taken _____ Date _____