

WAIVER FOR PRE-PLEA PROBATION INVESTIGATION AND REPORT

We, the undersigned, do hereby permit the _____ Probation Department to proceed with the probation investigation of _____ (defendant) and submit a report to the Court.

We agree that in the event of a subsequent trial of this defendant, no personnel of the probation department will be called to testify regarding any statement made by the defendant to the probation department or regarding any information acquired in the investigation or contained in the Pre-Plea Report. Information obtained by the probation department may not be used in a subsequent trial. However, this does not bar admittance of defense or prosecutorial investigation materials which may be included in the probation report.

Access to the probation investigation and report shall be limited to persons authorized by law or court order.

The scope of the investigation and report shall conform to Section 390.30 of the Criminal Procedure Law and Part 350 of the New York State Division of Probation and Correctional Alternatives' Rules and Regulations governing investigations and reports.

_____, New York _____
Defendant

_____ *Date* _____
Attorney for Defendant

District Attorney

Judge