

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

IN RE:  
INMATE/DEFENDANT TRANSCRIPT  
REQUESTS

\*

\*

MISC. NO. 00-308

\*\*\*\*\*

**STANDING ORDER 2013-03**

The Court has received several reports of federal inmates being coerced by other federal inmates into providing a transcript from their guilty plea hearing or sentencing hearing in order to demonstrate they were not cooperating with the government's investigation or in the prosecution of other defendants. In order to protect the safety of all federal inmates regardless of their cooperation with the government, as well as the integrity of any ongoing investigations or related prosecutions, it is the policy of the Court that every guilty plea and sentencing transcript contain a reference to a confidential bench conference at which the cooperation or lack thereof is discussed, thereby making it impossible to determine from the unsealed portion of the transcript whether there was, or was not, cooperation. Accordingly, it is hereby

ORDERED that, regardless of whether a presiding judge explicitly seals the portion of the hearing discussing the plea supplement or whether the defendant is cooperating, should a transcript be prepared by either (1) a current or former court reporter of this Court or (2) an employee of a commercial transcription service contracted by this Court to prepare an official transcript, the court reporter or transcriber shall prepare two versions of the transcript, the full official transcript and a second that will note the following redaction in place of a transcription of the portion of the hearing discussing the plea supplement or whether the defendant is cooperating:

**Conference at the bench.**

**(It is the policy of this court that every guilty plea and sentencing proceeding include a bench conference concerning whether the defendant is or is not cooperating.)**

Unless otherwise directed by the presiding judge, this notation will appear in every transcript, regardless of whether the defendant is cooperating, immediately before the judge accepts the defendant's guilty plea or imposes sentence; the full official transcript shall be filed under seal, while the redacted version shall be accessible to the public; and it is further

ORDERED that, regardless of whether a presiding judge explicitly seals the portion of the hearing discussing the plea supplement or whether the defendant is cooperating, should an official audio recording be prepared by any deputy clerk of this Court, the deputy clerk shall redact from any copy of that recording the portion discussing either the plea supplement or whether the defendant is cooperating ; and it is further


ORDERED that, upon request for a transcript of a guilty plea hearing or a sentencing hearing by a federal Bureau of Prisons inmate or an agent of the federal inmate other than a request by the inmate's counsel for purposes of litigation, the Clerk's Office and court reporters shall only send the redacted version of the requested transcript to the Warden of the requesting inmate's correctional institution. The Warden shall then provide the inmate reasonable access to review and to inspect the requested transcript. This provision shall apply unless otherwise ordered by the presiding judge in the inmate's case; and it is further

ORDERED that, unless otherwise ordered by the presiding judge, detained or incarcerated persons whether or not housed in the Bureau of Prisons, may not possess but may view transcripts from either a guilty plea hearing or a sentencing hearing only in the immediate presence of a judge, prosecuting counsel, defense counsel, a U.S. Probation Officer, and/or the

Warden, other custodian (or their designated employee) of a detention or correctional facility in which the person is then housed; and it is further

ORDERED that this Order is effective immediately.

Date Feb 15, 2013

  
Deborah K. Chasanow, Chief Judge  
United States District Court