

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY**

In re : **STANDING ORDER**

Disposition of Passports/Travel Documents Surrendered as a Condition of Pretrial Release :

STANDING ORDER REGARDING THE DISPOSITION OF PASSPORTS/TRAVEL DOCUMENTS SURRENDERED AS A CONDITION OF PRETRIAL RELEASE

Whereas, the authority to impose upon a defendant the surrender of travel documents as a condition of pretrial release is governed by 18 U.S.C. Section 3142(c)(1)(B)(iv); and

Whereas, the disposition of surrendered passports is governed by the *Guide to Judiciary Policy, Volume 8, Part C, Chapter 5 and Appendix 5A*;

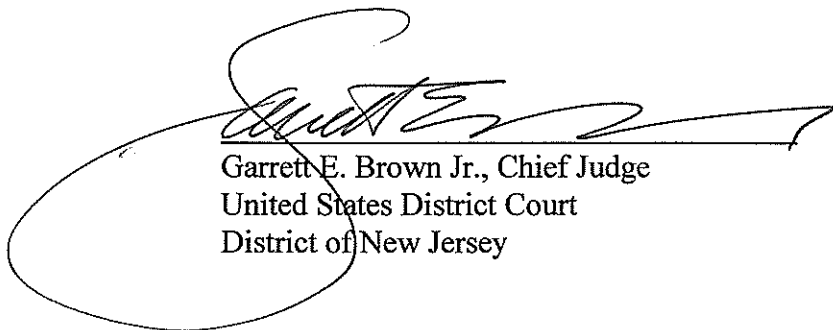
It is on this 25th day of JANUARY, 2011 that the following Standing Order shall be adopted by this Court as set forth below:

Whereas a defendant previously surrendered a passport and/or travel documents to Pretrial Services as a condition of pretrial release, absent any Order to the contrary, it is hereby Ordered that said passports and/or documents be disposed of by Pretrial Services as follows:

(1) Passports and travel documents will be returned to all defendants whose case was disposed of via dismissal and acquittal.

(2) *For U.S. citizens*, passports and travel documents will be returned to defendants upon imposition of a non-custodial sentence. In the event a custodial sentence of 366 days or less is imposed, passports and travel documents will be transferred to the U.S. Probation Department to be returned to the defendant upon release. In the event a custodial sentence of 367 days or more is imposed, U.S. passports will be transferred to the Department of State, and foreign passports will be transferred to the U.S. Probation Department to be returned to the defendant upon release.

(3) *For non-U.S. citizens*, passports and travel documents will be transferred to Immigration and Customs Enforcement (ICE) upon conviction.



Garrett E. Brown Jr., Chief Judge
United States District Court
District of New Jersey