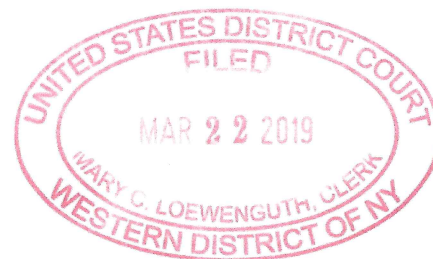


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



IN RE: *United States v. Boles*

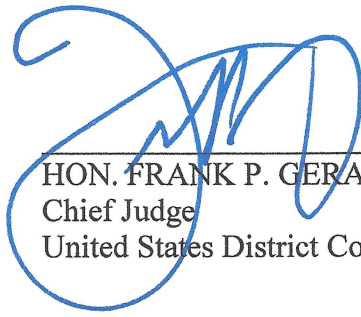
AMENDED STANDING ORDER

In *United States v. Boles*, 914 F.3d 95 (2d Cir. 2019), the Second Circuit held that the standard “risk” condition of supervised release is vague and affords too much discretion to the probation officer. The United States District Court for the Western District of New York currently uses a standard condition (number 12) that is worded identically. In light of the *Boles* decision, the United States District Court for the Western District of New York will amend the Judgment and Commitment order in all criminal cases in which a term of probation or supervised release is imposed by removing the standard “risk” condition and replacing it with the following language:

If the court determines in consultation with your probation officer that, based on your criminal record, personal history and characteristics, and the nature and circumstances of your offense, you pose a risk of committing further crimes against another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.

IT IS SO ORDERED.

Dated: March 22, 2019
Rochester, New York



HON. FRANK P. GERACI, JR.
Chief Judge
United States District Court