

# Court & Community

An information series about U.S. Probation and Pretrial Services

## Probation Officers

In the 94 federal judicial districts nationwide, U.S. probation officers play an integral role in the administration of justice. Probation officers serve as the community corrections arm of the federal court system. They provide to the court two important services: investigation and supervision.

U.S. probation officers make an important contribution to the federal criminal justice process. Their mission is to investigate and supervise offenders whom the courts have conditionally released to the community on probation, parole, or supervised release.

By serving as the court's fact-finder, controlling the risk offenders may pose to public safety, and providing offenders with correctional treatment, officers help ensure that persons previously convicted of crime obey the law rather than commit further crime.

Officers' responsibilities require them to work not only with federal judges and other court professionals, but with U.S. attorneys, defense attorneys, Bureau of Prisons and U.S. Parole Commission officials, state and local law enforcement agents, treatment providers, and community leaders. Officers deliver services that benefit the court, the community, and the offender.

### Investigation

By order of the court, the officer conducts a presentence investigation, gathering and verifying important information about the offender and the offense. The officer gathers information in two ways: by conducting interviews and by reviewing documents.

The cornerstone of the investigation is the interview with the offender, during which the officer inquires about such things

as the offender's family, education, employment, finances, physical and mental health, and alcohol or drug abuse. The officer also conducts a home visit to assess the offender's living conditions, family relationships, and community ties and to detect alcohol or drugs in the home.

Besides interviewing the offender, the officer interviews other persons who can provide

pertinent information, including the defense counsel, the prosecutor, law enforcement agents, victims, the offender's family and associates, employers, school officials, doctors, and counselors.

The officer also reviews various records and reports, including court records, financial records, criminal history transcripts, birth/marriage/divorce records, school records, employment records, military service records, medical records, and counseling and treatment records. The officer verifies the information gathered, interprets and evaluates it, and presents it to the court in an organized, objective report called the presentence report.

### Report Preparation

The officer prepares a presentence report that contains information about the offense, the offender, the impact of the offense on the victim, and sentencing options under the federal sentencing guidelines. It also includes information about the offender's ability to pay fines and restitution.

The report's primary purpose is to provide information that enables the court to impose a fair sentence that satisfies the punishment, deterrence, and corrective goals of sentencing. The officer considers applicable statutes and the sentencing guidelines, applies them to the facts of the case, and comes up with a recommended sentence and a justification for it.

Because the presentence report is so crucial to the sentencing process, it must be accurate and

continued on page 2

must distinguish between verified and unverified information and between fact and opinion.

The presentence report not only helps the court choose an appropriate sentence, but provides important information that is useful to other agencies.

Information in the report helps the Bureau of Prisons choose the institution where the offender will serve the sentence, select prison programs to help the offender, and make the offender's release plans. The information also helps the U.S. Sentencing Commission monitor sentencing guidelines application and helps the U.S. probation officer assigned to supervise the offender assess the risk the offender poses and the offender's needs.

## Special Skills and Responsibilities

Some officers use special skills, work with particular caseloads, and take on specialized responsibilities to further investigation, supervision, and officer safety goals. Experience, on-the-job training, and training from outside sources prepare officers for specialist positions.

For example, drug and alcohol treatment specialists closely supervise drug- or alcohol-dependent offenders, require them to undergo drug testing, and arrange for appropriate treatment such as detoxification or counseling. Mental health treatment, home confinement, community service, sentencing guidelines, financial investigation, employment, and firearms are some other specialty areas.

## Conditions of Release

The officer recommends conditions of release in the presentence report. These are the conditions under which the court releases the offender to the community. Conditions address many areas of the offender's life—including personal, financial,

## Supervision

Officers supervise, or monitor, all offenders conditionally released to the community by the federal courts, the U.S. Parole Commission, and military authorities. Community supervision gives officers the means to carry out the court's sentence and to address public safety and offender rehabilitation goals.

Supervision begins with assessing the offender, identifying potential supervision problems, and making a supervision plan. The officer assesses the potential risk the offender poses, which affects the amount of personal contact the officer has with the offender.

The supervision plan addresses the offender's problems and how to resolve them. Problems are any circumstances that limit the offender's ability or desire to complete supervision successfully.

In supervising offenders, officers hold weighty public safety responsibilities. They use risk control techniques designed to detect and deter criminal behavior. Such techniques include verifying offenders' employment and income sources, monitoring their associates, restricting their travel, and requiring them to undergo correctional treatment.

and health issues—and help structure the offender's movement and behavior.

The court imposes two kinds of conditions: mandatory and discretionary. Mandatory conditions apply to all offenders. For example, they forbid the offender to commit another federal, state, or local crime; require the offender to report as directed to the probation officer; and prohibit the offender's use of alcohol or drugs.

Discretionary conditions give the officer the authority to administer additional sanctions and provide correctional

Correctional treatment is key to controlling the risk offenders may pose and to helping them change behavior that contributes to criminality. Correctional treatment encompasses many services, including drug or alcohol treatment, mental health treatment, educational or vocational training, medical care, and employment assistance. The officer's job is to locate and use community resources to address offender needs in these areas or to arrange for services.

Officers periodically evaluate offenders' responses to supervision and revise supervision plans as necessary. Officers keep informed of the conduct and condition of offenders throughout supervision; help them improve, consistent with the court's order; and keep records of supervision activities. If necessary, officers ask the court to modify the conditions to provide for home confinement, financial disclosure, or other conditions to reduce risk.

Offenders who do not comply with supervision conditions face sanctions ranging from reprimand to revocation proceedings. The most serious violations include violations for new criminal conduct, violations that compromise public safety, and absconding from supervision.

treatment to address specific risks the offender may present to himself or herself, others, and the community in general. For example, they may require the offender to serve a period of home confinement, undergo drug testing or treatment, or disclose financial information.

When supervision begins, the officer assigned to supervise the offender fully explains the conditions of release and the consequences of not complying with them. The offender receives a written statement that sets forth the conditions.

