

THE U.S. PROBATION AND PRETRIAL SERVICES SYSTEM

WHAT IT IS

The U.S. Probation and Pretrial Services System is a part of the federal judiciary. The system's mission is to investigate and supervise defendants and offenders. U.S. probation and pretrial services officers provide these services. Their core responsibilities—investigation, report preparation, and supervision—are explained briefly below.

INVESTIGATION

Officers investigate defendants and offenders for the court by gathering and verifying information about them. Pretrial services officers investigate defendants who are charged with federal crimes and awaiting a court hearing. Probation officers investigate offenders who are convicted of crimes and awaiting sentencing, as well as those who are serving a term of supervision after release from prison.

REPORT PREPARATION

Officers prepare reports that the court relies on in making decisions. These are pretrial services reports that help the court decide whether to release or detain defendants while they are waiting for trial and presentence investigation reports that help the court impose fair sentences for offenders in accordance with federal sentencing guidelines and applicable federal law. Officers also prepare other reports for the court, including reports that address individuals' adjustment to supervision and their compliance with conditions of release.

SUPERVISION

Officers supervise defendants and offenders in the community and in doing so reduce the risk these persons pose to the public. Pretrial services officers supervise defendants released pending trial. Probation officers supervise offenders conditionally released on probation by the court or on parole or supervised release after they are released from prison.

Officers intervene with a variety of strategies aimed at maximizing defendant and offender success during

the period of supervision. These strategies include techniques both to control and to correct the behavior of persons under supervision to help ensure that these individuals comply with the conditions of release the court has set for them and remain law abiding. As part of risk control—and by order of the court—officers may direct defendants and offenders to services that help them stay on the right side of the law. These services include substance abuse or mental health treatment, medical care, training, or employment assistance. Treatment providers under contract to the U.S. courts provide many of these services. Social service resources provided by state programs also are used.

HISTORY

Congress laid the foundation for probation first. The Federal Probation Act of 1925 established a probation system in the U.S. courts and gave courts the power to appoint probation officers and to place defendants on probation. The Administrative Office of the U.S. Courts assumed responsibility for the probation system in 1940.

Pretrial services came along more than 50 years after probation as the means to reduce both crime committed by persons released to the community pending trial and unnecessary pretrial detention. The Pretrial Services Act of 1982 authorized implementation of pretrial services nationwide.

SOME FACTS AND FIGURES

— There are **94** U.S. district courts nationwide, which include the U.S. territories. U.S. probation and pretrial services offices are located in **93** of them. (Probation and pretrial services for the District of the Northern Mariana Islands are provided by the District of Guam.)

— **37** of the districts have both a probation and pretrial services office. In **55** of the districts, probation and pretrial services are combined in one office headed by a chief probation officer. In one district, the District of Columbia, only the probation office is part of the federal probation and pretrial services system.

– Within the districts, U.S. probation and pretrial services offices are established in more than **500** locations across the country.

– More than **8,100** officers and support employees (including automation, personnel, budget, procurement, and clerical employees) staff these locations and make up the system.

– Congress annually appropriates funds for the federal judiciary, and the system’s budget is part of that. This funding is used to pay employee salaries and support various programs for defendants and offenders—substance abuse testing and treatment, mental health treatment, and home confinement with electronic monitoring.

DISTRICT-TO-DISTRICT VARIATIONS

The system shares a mission and functions as a single entity in many ways, but some characteristics vary district to district. Here are some examples:

– **Number of officers.** The number of officers on board in each district depends on the district’s workload. Some districts have fewer than 10 probation and pretrial services officers. Others have more than 200. Just because a district is large geographically does not mean that it has more officers. For instance, the District of Alaska covers 568,000 square miles while the District of Rhode Island covers just 1,200 square miles. Both have about the same number of officers.

– **Workload.** Officer workload is not the same in every district. Sometimes efforts on the part of law enforcement—the Department of Justice—generate increases in arrests, for instance, for drug and immigration crimes. Such action can dramatically increase criminal filings in a given district and impact the workload of judges and officers alike.

Nationally, in fiscal year 2002, federal probation and pretrial services officers supervised almost 186,000 defendants and offenders and conducted more than 156,000 investigations. The chart on this page gives more national workload statistics.

– **Rural/urban differences.** Working as a probation or pretrial services officer in a big city is considerably different than doing that same job in a rural or sparsely populated area. Officers working in less populated areas sometimes must travel long distances to fulfill their supervision responsibilities. They may have access to fewer resources than their urban counterparts do, especially for substance abuse or mental health treatment and employment assistance. On the other hand, officers in metropolitan areas often must carry out their supervision duties in high-crime areas.

SYSTEM ADMINISTRATION

Unlike many federal agencies, the U.S. probation and pretrial services system is not centralized. Local administration is in the hands of chief probation officers and chief pretrial services officers, who are directly responsible to the courts they serve. These chiefs do their own hiring, manage their own budgets, and retain considerable autonomy to run their offices.

Two national entities oversee and support the system. The **Judicial Conference of the United States**, presided over by the Chief Justice, includes a group of committees that sets policy for the courts. The Judicial Conference’s Criminal Law Committee focuses expressly on probation and pretrial services issues.

The **Administrative Office of the U.S. Courts** carries out the Judicial Conference’s policies and provides the courts with a broad range of administrative, management, and program support. The Administrative Office’s Office of Probation and Pretrial Services reviews the work of probation and pretrial services offices, develops system policies, and supports system programs.

U.S. PROBATION & PRETRIAL SERVICES SYSTEM (as of 9-30-02)

Persons Under Supervision in the Community

Convicted Offenders	108,792
Pretrial Defendants	26,282
Total Supervised	135,074

Types of Supervision (post-sentence)

Number on Supervised Release	73,189
Number on Probation	31,272
Number on Parole	3,014

Special Conditions

Home Confinement/Electronic Monitoring

Convicted Offenders	2,623
Pretrial Defendants	1,933

Substance Abuse Treatment

Convicted Offenders	35,763
Pretrial Defendants	8,009

Mental Health Treatment

Convicted Offenders	12,339
Pretrial Defendants	2,222

Investigations Conducted

Presentence Investigations	63,256
Pretrial Services	91,314

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