

Functions and Powers Relating to Pretrial Services

Title 18 U.S.C. § 3142(c) provides that if a judicial officer determines that release on personal recognizance or an unsecured appearance bond will not reasonably assure the appearance of the defendant or safety of the community, the court may release the defendant subject to the least restrictive further conditions or combination of conditions the judicial officer determines will reasonably assure appearance and safety. One of these conditions is pretrial services supervision. Officers have a responsibility to both recommend *when* a supervision condition is appropriate and, if imposed, to carry out this and any other conditions of release set by the court.

Title 18 U.S.C. § 3154 sets forth the following functions related to pretrial services supervision.

- Collect, verify, and report to the judicial officer, prior to the pretrial release hearing, information pertaining to the pretrial release of each individual charged with an offense, including information relating to any danger that the release of such person may pose to any other person or the community, and, where appropriate, include a recommendation as to whether such individual should be released or detained and, if release is recommended, recommend appropriate conditions of release; except that a district court may direct that information not be collected, verified, or reported under this paragraph on individuals charged with Class A misdemeanors as defined in section 3559(a)(6) of this title.
- Review and modify the reports and recommendations specified in paragraph (1) of this section for persons seeking release pursuant to section 3145 of this chapter (pertaining to the review and appeal of a release or detention order).
- Supervise persons released into its custody under this chapter.
- Operate or contract for the operation of appropriate facilities for the custody or care of persons released under this chapter including residential halfway houses, addict and alcoholic treatment centers, and counseling services.
- Inform the court and the United States attorney of all apparent violations of pretrial release conditions, arrests of persons released to the custody of providers of pretrial services or under the supervision of providers of pretrial services, and any danger that any such person may come to pose to any other person or the community, and recommend appropriate modifications of release conditions.
- Serve as coordinator for other local agencies which serve or are eligible to serve as custodians under this chapter and advise the court as to the eligibility, availability, and capacity of such agencies.
- Assist persons released under this chapter in securing any necessary employment, medical, legal, or social services.
- Develop and implement a system to monitor and evaluate bail activities, provide information to judicial officers on the results of bail decisions, and prepare periodic reports to assist in the improvement of the bail process.