

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, supervision, and correctional treatment services—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.

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.

SUPERVISION

Officers supervise, or monitor the activities of, 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.

CORRECTIONAL TREATMENT SERVICES

By order of the court, officers 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 such services.

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 in the District of Guam.)

⌘ **39** of the districts have both a probation and pretrial services office. In **53** 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.

⌘ About **7,500** 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. A good illustration of this is the current state of affairs in the southwest border states-- Arizona, California, New Mexico, and Texas. In the past several years, increased law enforcement efforts have resulted in an enormous increase in drug and immigration arrests there. The five federal judicial districts in this part of the country handle over 25 percent of all federal criminal filings in the United States—a situation that has had dramatic impact on the workload of judges and officers alike. The chart on this page gives 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 these 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 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, is 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 Federal Corrections and Supervision Division reviews the work of probation and pretrial services offices, develops system policies, and supports system programs.

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 (Fiscal Year 2000)

Persons Under Supervision in the Community

Convicted Offenders	100,395
Pretrial Defendants	26,849
Total Supervised	127,244

Types of Supervision (post-sentence)

Number on Supervised Release	63,793
Number on Probation	23,251
Number on Parole	2,972

Special Conditions

Home Confinement/Electronic Monitoring

Convicted Offenders	5,720
Pretrial Defendants	3,165

Substance Abuse Treatment

Convicted Offenders	29,544
Pretrial Defendants	6,792

Mental Health Treatment

Convicted Offenders	9,565
Pretrial Defendants	1,623

Investigations Conducted

Presentence Investigations	63,666
Pretrial Services	87,513

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Federal Corrections and Supervision Division
 Administrative Office of the U.S. Courts
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The U.S. District Court for the Northern District of Illinois, the U.S. Pretrial Services Office, the U.S. Attorney's Office, and the Federal Defender Program have joined together to form the Northern District of Illinois' Sentencing Options that Achieve Results (SOAR) program. The SOAR program is committed to providing an alternative to incarceration to federal pretrial defendants through a combination of treatment, sanction alternatives, and incentives to effectively address adverse behavior.