

Workload Credit- Presentence Investigations

A Weighted Approach

Steve Skinner
Chief U.S. Probation Officer
Oklahoma Western

Guideline Presentence Reports

Introduction

- At its June 2016 meeting, the Committee on Judicial Resources (JRC) adopted a recommendation from the steering group (Chief USPO's) to modify the current probation staffing formula for guideline presentence reports (PSR).
- The current formula, approved by the Judicial Conference in September 2015, provides a standard allocation that applies to all probation offices: 2.66 full-time equivalent (FTE) positions for each district, plus 38.85 staff hours for each PSR.
- The JRC, Criminal Law Committee (CLC) and the Chief's Advisory Group (CAG) requested a weighted formula factor for PSR's based on characteristics of the crimes and clients across the individual districts.

Guideline Presentence Reports

Weighting Factors

- AO staff and the steering group concluded that data indicated a positive relationship between PSR workload and four individual factors:
 - Nature of the offenses of conviction. Staff used the basic outline of the United States Sentencing Commission Guidelines Manual as a starting point.
 - The occurrence of a trial. The added work resulting from a trial added approximately ten hours to the time required for a PSR.
 - The number of counts of conviction.
 - The number of criminal history events in a defendant's background.

Offenses and Workload Credit

• Part A- Violence	56.94
• Part B- Economics	44.27
• Part D- Drugs	39.71
• Part E- Racketeering	41.54
• Part G- Sex Acts	48.49
• Part K- Explosives/Guns	44.93
• Part L- Immigration	32.77
• Part S- Money Laundering	37.06
• Part T- Taxes	46.04
• Part X- Conspiracy or Solicitation	40.80
• All Other Parts	41.88
• Missing Data	32.77



Trial, Counts of Conviction and Criminal History

- Trial 10.36
- 2 Counts 1.51
- 3 or More Counts 7.76
- 1 to 4 Criminal History Events .79
- 5 to 10 Criminal History Events 3.17
- 11 to 20 Criminal History Events 7.90
- 21 or more Criminal History Events 14.88

•

•

Weighted Presentence Reports- Add it up!

Example of Maximum Workload Credit

• Violent Offense	56.94
• 3 counts	7.76
• Trial	10.36
• 21 Criminal History Events	14.88
<hr/>	
Total Hours	89.94

Weighted Presentence Reports- Add it up!

Example of Least Workload Credit

• Immigration Offense	32.77
• 1 Count	0
• No Trial	0
• 1 to 3 Criminal History Events	.79
<hr/>	
Total Hours	33.56

Questions?