

PROBATION OFFICER INTERACTIVE ROUND TABLE

The Probation Officers Advisory Group (POAG), the U.S. Sentencing Commission (USSC) and the Probation and Pretrial Services Office (PPSO) want your feedback! In this session, officers will form small groups to discuss sentencing issues and recommended policy priorities for the USSC and PPSO. Officers will engage in three 20-minute discussion blocks seeking feedback on the USSC 2018 priorities; PPSO presentence policy; and presentence best practices.

Come prepared to share your voice and experiences in the field to help shape policy for our national system. A preview of the discussion blocks is detailed below.

Block 1: 2018 U.S. Sentencing Commission Priorities

In June 2018, the U.S. Sentencing Commission will be publishing their proposed priorities for the 2019 Sentencing Guideline amendment cycle. In July 2018, POAG will meet for its summer meeting and later submit a position paper responding to the proposed priorities. This is an opportunity to provide generalized feedback on both technical and policy level issues with the sentencing guidelines. We want to hear any and all ideas from the field on how the Sentencing Guidelines can be improved within a number of themes – Simplification, Emerging Trends, Alternatives to Incarceration.

(1) If you could place and stick of dynamite in any section of the sentencing guidelines, blow it up and start over, what guideline would you choose? What would you create?

(2) Simplification has been an ongoing goal of the U.S. Sentencing Commission. What areas of the guidelines need to be amended to facilitate simplicity and ease of application?

(3) Are there any guideline applications that you believe result in a guideline range that is either overly harsh or inadequate?

(4) What emerging trends do you see nationally or in your circuit/district that should be addressed by the sentencing guidelines?

(5) Do you feel the sentencing guidelines leverage alternatives to imprisonment effectively? Are there underutilized alternatives that could be expanded? What are the characteristics of defendants who should receive alternatives to imprisonment?

Block 2: Feedback to the Probation and Pretrial Service Office (PPSO)

In 2017, the Probation and Pretrial Services Office at the Administrative Office of the U.S. Courts contracted with a vendor to survey judges and probation officers across the country to gauge user satisfaction with the quality, content, and format of presentence reports. The surveys will be administered later this year. As part of the process, PPSO is interested in assessing whether there are tasks required by national policy that could be streamlined for officers, or that seem outdated; identifying sections of the presentence report that are the most important for sentencing courts and the other stakeholders involved in the post-conviction process, e.g., the parties, Bureau of Prisons, post-conviction supervision officers, researchers at the Sentencing Commission, or treatment providers; and generally evaluating whether national policies should be updated.

(1) What sections of the presentence report are most time consuming for you from a workload perspective? What are your suggestions for reducing the amount of time you spend on those sections without sacrificing the quality of your reports? Keeping in mind Rule 32 and statutory requirements, are there sections of the report that could be streamlined or removed?

(2) As most of us are aware, replacement efforts for PACTS and PSX as our national data application are underway, with input from various working groups of officers to identify technical requirements for a new product. Are there functions of either application that are particularly helpful or cumbersome?

(3) Are there specific tasks required by Monograph 107, (e.g., collecting a urinalysis, conducting a home visit) that your court does not require, or requires only for some cases? If so, what are those tasks and how do you know when they may be waived? If not, do you have suggestions for criteria that would help you assess when a task could be waived?

(4) How does your district respond to collateral requests for criminal history information?

(5) In addition to training provided by the Federal Probation and Pretrial Academy and the U.S. Sentencing Commission, what type of education or training do new officers receive in your district? Do you have suggestions for non-guideline training, e.g., focused on investigation procedures, interview techniques, or general writing skills?

Block 3: Best Practices – Leveraging Presentence Report for Re-Entry & Risk Assessment

The PCRA 2.0 has become a significant tool in community supervision/re-entry efforts in measuring a defendant's likelihood for general and violent recidivism. The presentence report has become an essential tool to evaluate static (criminal history) and dynamic risk factors (cognitions, social networks, substance abuse, employment/education). Presentence writers now have to conduct interviews cognizant of very specific data-points relevant to risk assessment and district re-entry initiatives (education/workforce development/treatment). We are interested how districts and PSR writers are modifying their practices to gather this information.

(1) Do you or your districts seek to incorporate PCRA 2.0 information into PSR work product? Does your district provide cross-training?

(2) What strategies are utilized in the presentence interview/investigation to obtain information regarding the following dynamic risk factors:

- Cognitions
- Social Networks
- Substance Abuse
- Employment/Education

(3) Do you or your districts construct criminal histories with PCRA 2.0 factors in mind – in particular regarding the Violence Assessment? What are your patterns of practice?

(4) How do you blend the PCRA 2.0 static/dynamic risk factors into your sentencing recommendations?

(5) Do you have any re-entry programs or local initiatives in your districts (pretrial or post-conviction) that factor into the presentence investigation?