Our Mission

Selection of an appropriate sentence is one of the most important decisions to be made in the criminal justice system. The primary vehicle to assist the sentencing court in fulfilling this responsibility is the Presentence Investigation Report. The task of conducting presentence investigations is assigned to U.S. Probation Officers, an assignment requiring a professional presentence report of the highest quality.

As a component of the Federal Judiciary responsible for community corrections, the Federal Probation and Pretrial Services system is fundamentally committed to providing protection to the public and assisting in the fair administration of justice. As community corrections professionals, probation officers preparing presentence reports possess and use skills from various disciplines to investigate relevant facts about defendants; assess those facts in light of the purposes of sentencing; apply the appropriate guidelines, statutes, and rules to the available facts; and provide clear, concise, and objective reports that will assist the sentencing judges in determining appropriate sentences. Presentence reports are used by the Bureau of Prisons in making classification, designation and programming decisions, and assist the probation officer during supervision of the offender in the community.

The Probation Officer's role as the Court's independent investigator is critical, although the scope of any investigation may be modified by the Court. Officers should be open to receiving information from all parties, but should be cautious about adopting any party's interpretation outright. It is the probation officer's responsibility to prepare all sections of the presentence report, including the tentative advisory guideline range. Attorneys for opposing sides may aggressively contest the accuracy of facts contained in the presentence report or application of the guidelines to those facts.

The presentence report will follow the defendant through his or her contacts in the federal criminal justice system. Many decisions -- from the sentence imposed, to the type of prison -- are made based on information presented in the report. The report is designed to provide the Court with a complete and concise picture of the defendant.

The Sentencing Reform Act of 1984 radically changed the philosophical model for sentencing offenders in the Federal Courts. Congress relinquished an indeterminate model of sentencing and adopted a determinate model based upon national guidelines. Changes in the content and format of the presentence report were necessary to accommodate the new sentencing process. In January 2005, the Supreme Court ruled in *United States v. Booker*, 125 S.Ct. 738 (2005), that the mandatory nature of the sentencing guidelines subjected them to the jury trial requirements of the Sixth Amendment of the Constitution. The Court further held that since it was not Congress's intent to have sentencing facts decided by juries, the appropriate remedy was to strike those provisions of the Sentencing Reform Act of 1984 that made the sentencing guidelines mandatory. The result was a system in which the sentencing courts are required to consider the sentencing options recommended by the sentencing guidelines, but judges are free to impose any sentence authorized by Congress.