

Colorado Probation Research in Brief

Coordination at the Front-End of Sentencing: The Judiciary, Probation, and the Pre-Sentence Report

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Summary/Conclusions

In 2008, the Stanford Criminal Justice Center convened California Probation Chiefs, representatives from the Administrative Office of the Courts, and judges to discuss the front-end of sentencing, focusing on the pre-sentence report (PSR) process and information distribution. A survey was distributed before the actual meeting, and its results were used in the discussions. In addition, three other states provided information on their PSR processes. The working group explored possible improvements to the front-end of sentencing, with discussion of PSR best practices. The working group also noted barriers or obstacles to improving their current process.

Limitations of Information

The authors note that “the survey was not statistically valid” but the responses contributed to the discussions. In addition, it is unclear what the purpose of PSR’s is in California, as this question was left unanswered. Without knowing its purpose, it is difficult to recommend best practices. Some practices may or may not be essential depending on the agreed upon utility of these reports.

Caveat: The information presented here is intended to summarize and inform readers of research and information relevant to probation work. It can provide a framework for carrying out the business of probation as well as suggestions for practical application of the material. While it may, in some instances, lead to further exploration and result in *future* decisions, it is *not* intended to prescribe policy and is not necessarily conclusive in its findings. Some of its limitations are described above.

PSI Best Practices

This article reports the activities of several criminal justice personnel in California, and their efforts to improve the front-end of sentencing. The working group participants completed a survey, discussed the state of the pre-sentence report (PSR) process, explored the processes in three other states, shared the potential barriers to change, and made recommendations to move forward.

Currently, California experiences several issues with the pre-sentence process. First, there are significant challenges to accurate and timely information gathering, when completing a PSR. Second, although statute mandates the contents of PSR’s, much like Colorado, each county decides how to format that information. Unlike Colorado, the PSR process does not integrate a valid risk/need assessment.

Some of the survey highlights include:

- PSR quality is dependant on the accuracy of the information in it
- Standardizing content does not translate into standardized format, which creates information sharing problems
- PSR’s should use a valid assessment to introduce evidence-based practices
- PSR’s should incorporate evidence-based principles
- Resources and budgets should prioritize allocations for EBP’s

The working group heard from speakers representing Virginia, Pennsylvania, and Arizona. Each state highlighted strengths of their PSR process. Virginia’s PSR’s are standardized in content and format; Pennsylvania relies on

the PSR as an information sharing device; and Arizona’s PSR’s have been integrated in their case management system.

The survey results, as well as the information gained from other states, assisted the working group in developing best practices and improvements for the pre-sentence process in California. Some of these ideas appear below.

Practical Applications

- ✓ Improve information sharing by collaborating with local system partners, such as law enforcement, human services, and treatment providers, to develop structured protocol to request and receive records in an efficient and timely manner.
- ✓ Incorporate the results of assessment tools into the PSR. Remember that the high risk offender should receive more intensive services, while low risk offenders should need limited interventions.
- ✓ PSR’s should include conclusions or recommendations which address the offenders’ criminogenic need areas, while giving priority to the “Big Four.”
- ✓ Consider relating all recommendations for additional conditions to a criminogenic need area.
- ✓ Ensure that PSR recommendations are made for programs that are evidence-based or show compelling research results.
- ✓ Review Strength-based PSI example at: <http://judicialnet/prob/ResearchinBriefs/Strentghbased%20PSI.pdf>.