

## Pre-Sentence Investigation Reports

The pre-sentence **investigation report**, commonly called the PSI **report** or just PSI, is a document prepared to assist judges in making decisions involving sentences in criminal cases in federal, state, and local jurisdictions. The **report**, normally prepared by probation officers, gives detailed information not only to the courts but also to others in the criminal justice system who work with offenders.

The first PSI **report** was probably prepared around 1841 by John Augustus, considered the father of probation in America, and although the informal document used at that time probably bears little resemblance to the formal ones of today, it marked the beginning of the current **report**. Pre-sentence **investigation reports** continued to be fairly informal documents that were prepared by various court staff until a standardized federal version was adopted in 1943. The PSI **reports** prepared in state and local jurisdictions are quite varied in style and content, according to the specific needs of the jurisdiction and the desires of the judges. The **report** can be in long or short format: the long version is normally reserved for offenders facing felony convictions, and the shorter version is more often used for misdemeanor offenses.

The PSI is normally prepared by personnel from the jurisdiction's probation office because the probation officer is considered to be an impartial observer, unlike the defense attorney, whose job it is to represent the offender, and the state attorney, whose function is to prosecute the defendant. Although PSI preparation is normally a duty performed by government probation officers, some private probation officers and firms now provide this function; this is a result of the general trend to privatize services that were previously reserved for governmental agents.

The PSI contains several types of data: current defendant data; circumstances of the offense (including aggravating or mitigating circumstances); current victim information; and type, amount, and recipient of restitution. The defendant's personal information often includes employment situation and history, educational level, social history, environmental and social support, substance abuse history, military history, current and past financial situation, codefendant information, and any other pertinent data about the accused that could be valuable in helping the judge arrive at an appropriate sentence. In many cases, the probation officer makes a recommendation to the judge regarding the type of sentencing, and often the probation officer confers with the prosecutor, and sometimes the defendant's attorney, prior to sentencing.

Earlier forms of the PSI, called offender-based **reports**, focused primarily on specific offender information such as criminal background, social history, details of the offense, family background, educational attainment, health, financial status, and rehabilitative potential. Later, because of sentencing guidelines that reflected a change to a more punitive ideology and determinate sentencing patterns, PSIs were shortened and modified to emphasize the offender's prior criminal history and other information that could assist judges in determining offender culpability; these have been termed offense-based **reports**.

Often the victim, if there is one, is contacted regarding victim



The pre-sentence **investigation report** is a document detailing the background and character of the person being sentenced and may contain

information, particularly if restitution might be ordered by the court, and often a victim's impact statement is included in the **report** or appended to it. Arrest and **investigation** documents are often obtained from the appropriate jurisdiction. The arresting or investigating officials are sometimes contacted as well for details of the case, especially if arrest and incident **reports** are incomplete or ambiguous concerning certain details. An in-depth records check of the offender's past criminal history is normally performed by the probation officer.

information on prior convictions, the defendant's work, marital, financial, and/or medical history, and recommendations to assist the judge in deciding a sentence involving criminal cases in federal, state, and local jurisdictions.  
(<http://Photos.com>)

The PSI is confidential and meant to be viewed only by people directly involved in the defendant's case. It is primarily for the sentencing judge, although the prosecutor and sometimes the defense attorney or defendant may view it if allowed by the court. In federal cases, all of the parties have access to the PSI, but in state and local jurisdictions the amount of access varies.

Federal PSI **reports** have five functions that normally are applicable to PSIs prepared in most state and local jurisdictions. First, the document is used primarily as a tool to assist judges in meting out an appropriate sentence for an offender. Second, the document provides probation staff with a detailed summary of probationer risks and needs, which in turn assists them in determining appropriate levels and types of supervision (such as field, home, office, and phone contacts) at appropriate intervals and assists in determining the appropriate adjunctive services (such as substance abuse treatment, mental health treatment, and vocational training) that will help the offender successfully complete the probated sentence. In addition, the process of PSI preparation establishes the relationship between the offender and the probation office staff. A third function of the PSI is to assist prisons and jails in determining an inmate's or detainee's potential as a candidate for parole or other form of early release. A fourth function is to provide to institutional and community corrections facilities information that can assist in the provision of placement into specific programs (such as programs that specialize in physical or mental disabilities, addictions, or elderly inmates). The last function of the PSI **report** is to give social science researchers, normally criminologists and sociologists, access to offender information that can be used to understand the offender's criminal behavior, sentencing patterns, correctional program evaluation, and potential challenges; such understanding promotes proposed solutions to correctional policy.

Although the exact impact of PSI **reports** on offender sentencing is unknown, it is probably significant. Judges' continued insistence on receiving the documents over such a long period of time in federal, state, and local jurisdictions indicates the extent and desirability of their use at the sentencing stage. The fact that PSIs are used as a foundational document for offender supervision, both in institutional and community corrections, illustrates the documents' importance to the criminal justice system. Currently, many states now use a post-sentence **investigation report** when an inmate is placed in a correctional system; this **report** is in many ways similar to the pre-sentence **report** but is used throughout the offender's incarceration.

—Leonard A. Steverson

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## Further Readings

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