

Legislation and Court Decisions that Shaped the System

1950s

1950 Youth Corrections Act requires special supervision progress reports on young offenders.

1951 Supreme Court declares in *Stack v. Boyle* that "bail must be set after a factual review of each defendant's circumstances and may not be excessive."

1960s

1964-1965 Civil Rights Bill is passed. Criminal Justice Act and Prisoner Rehabilitation Act involve probation officers in verifying home furlough plans, evaluating work release proposals, and cooperating with Bureau of Prisons in community programs.

1966 Bail Reform Act and Narcotic Addict Rehabilitation Act are passed. Latter makes probation officers primary supervision resource for treatment. Supreme Court protects rights of police suspects in *Miranda v. Arizona*.

1967 Thurgood Marshall becomes first African American Supreme Court Justice.

1969 In *Bandy v. U.S.*, Supreme Court affirms that "pretrial detention due solely to the indigency of the defendant, is a clear denial of the 14th Amendment."

1970s

1974 Speedy Trial Act gives pretrial services officers authority to perform services connected to bond supervision and other pretrial referrals.

1978 Contract Services for Drug-Dependent Offenders Act transfers contract authority from Attorney General to federal probation system.

1979 Federal Rules of Criminal Procedure 32.1 is promulgated to incorporate due process rights of probationers facing revocation, as established by Supreme Court in *Morrissey v. Brewer* and *Gagnon v. Scarpelli*.

1980s

1982 Victim Witness and Protection Act authorizes courts to impose restitution as a sentence. Pretrial Services Act authorizes expansion of pretrial services to every district court.

1984 Comprehensive Crime Control Act brings sweeping changes. Sentencing Reform Act eliminates parole, requires courts to follow sentencing guidelines set by new United States Sentencing Commission, amends Rule 32, and ends Rule 35 provision permitting sentence reductions and appeals. Bail Reform Act permits courts to detain dangerous defendants. Fine Enforcement Act raises maximum fines, provides new collection and enforcement mechanisms. *Minnesota v. Murphy* holds that *Miranda* warnings are not required for questioning probationers about possible new offenses.

1986-1988 Anti-Drug Abuse Acts of 1986 and 1988 federalize certain drug crimes and establish mandatory minimum sentences for drug convictions. In *United States v. Gotti* (1986), Second Circuit upholds detention based on danger to specific witnesses. In *United States v. Salerno* (1986), Supreme Court upholds constitutionality of Bail Reform Act. *Griffin v. Wisconsin* (1987) holds that a probation officer can search a probationer without a warrant if authorized by state regulations controlling search conduct.

1989 *Mistretta v. United States* upholds constitutionality of 1984 Sentencing Reform Act.

1990s

1990 Federal Employees Pay Comparability Act of 1990 raises mandatory retirement age to 57 for all officers covered under law enforcement retirement provisions. Law Enforcement Pay Reform Act allows geographic pay differentials.

1996 Mandatory Victim Restitution Act requires full restitution for victims' losses in most non-drug cases. Federal Courts Improvement Act authorizes probation and pretrial officers to carry firearms with court approval and following AO regulations.

2000

Key Events in Probation and Pretrial Services History

<p>JUNE 30, 1952 There are 29,367 people under federal supervision.</p>	<p>JANUARY 1, 1955 Federal Probation Association is established.</p>	<p>1960 First Sentencing Council is held to address the issue of sentencing disparity.</p>	<p>1965 There are 522 probation officers supervising 39,332 offenders. Average caseload is 75.</p>	<p>1967 The Federal Judicial Center is established by Public Law 90-219.</p>	<p>1977 Judicial Conference Committee on the Administration of the Probation System approves developing a Probation Information Management System (PIMS).</p>	<p>1979 Chiefs Management Council holds its first meeting. AO seeks statutory authority to expand pretrial services.</p>	<p>1978 Judicial Conference adopts the Code of Conduct for probation and pretrial services officers. AO releases <i>Guide to Judiciary Policy and Procedures</i>. Chiefs Management Council holds its first meeting. Retirement is mandatory at age 55/20 years of service.</p>	<p>1981 At the request of the Judicial Conference's budget committee, the probation system reevaluates its staffing formula.</p>	<p>1987 AO is allowed to contract for alcohol dependency services. Sentencing Reform Act changes are reflected in Publication 107, a guide for presentence reports. Budget decentralization begins October 1. The system's first firearms instructors are trained. GAO report <i>Sentencing Guidelines: Potential Impact on the Federal Criminal Justice System</i>, reflects the belief that guidelines would flood prisons and strain workloads.</p>	<p>1956 Federal Probation Association employs counsel to prepare a strong case to continue their hazardous occupation provision.</p>	<p>JULY 1959 First Sentencing Institute is held in Boulder, Colorado.</p>	<p>1963 Judicial Conference Committee on the Administration of the Probation System is formed. Monograph 103, Presentence Investigation Report, is published.</p>	<p>1966 Probation Committee resolves to oppose transferring the probation system to the Justice Department. A Federal Rules of Criminal Procedure amendment allows courts to disclose presentence reports to defendants. Probation clerk Marie Curtis is murdered at work in Fairmont, West Virginia.</p>	<p>1973 340 new probation officer positions are approved.</p>	<p>1974 There are 1,148 probation officers supervising 59,534 offenders and investigating 77,146 cases. Average caseload is 52. Federal Rules of Criminal Procedure 32(c) requires a presentence report unless the court specifies otherwise, as well as disclosure to defendant/defense counsel on request.</p>	<p>1976 <i>News & Views</i> debuts.</p>	<p>1980 In March the chiefs get their first upgrade since 1961. Risk Prediction Scale (RPS 80) is adopted.</p>	<p>1985 There are 1,779 probation officers and 91 pretrial services officers. In April a GAO report finds that presentence evaluations could be made more useful to judges. Judicial Conference extends its firearm policy to pretrial officers.</p>	<p>1989 The first offenders to undergo supervised release are received.</p>	<p>1950 Gross National Product equals \$284 million.</p> <p>1951 Mickey Mantle leads New York Yankees to win World Series. First color television broadcast hits the airwaves with Ed Sullivan.</p> <p>1953 Eisenhower becomes thirty-fourth president. Experiment with mice links cancer to tobacco tar.</p> <p>1955 Ray Kroc opens first McDonald's in Des Plaines, Ill. Polio vaccine is introduced. Sugar Ray Robinson wins world middleweight boxing title. Disneyland opens in Anaheim, California.</p> <p>1956 Elvis Presley tops charts with "Heartbreak Hotel."</p> <p>1957 USSR launches Sputniks I and II. Dr. Seuss publishes <i>The Cat in the Hat</i>.</p> <p>1958 Krushchev becomes premier of USSR. NASA is established.</p> <p>1959 Alaska and Hawaii become forty-ninth and fiftieth states. Mattel introduces Barbie. The microchip is invented.</p>	<p>1960 Kennedy defeats Nixon. Hitchcock's "Psycho" is released.</p> <p>1961 Freedom Riders attempt to overturn segregation in Alabama. Kennedy forms Peace Corps.</p> <p>1962 John Glenn orbits Earth. Jack Nicklaus wins U.S. Open at age 22.</p> <p>1963 Martin Luther King Jr. tells nation, "I have a dream." Beatles hit no. 1 with "I Want to Hold Your Hand." President Kennedy is assassinated in Dallas.</p> <p>1964 Surgeon General's report links smoking and cancer. King leads Civil Rights march in Selma. Cassius Clay is heavyweight champ. President Johnson signs Medicare Act.</p> <p>1965 U.S. troops are deployed in Vietnam. Miniskirt raises eyebrows.</p> <p>1966 National Organization for Women is formed. "Star Trek" airs on NBC.</p> <p>1967 In South Africa, Christiaan Barnard performs first heart transplant.</p> <p>1968 Martin Luther King Jr. is assassinated in Memphis, Robert F. Kennedy in Los Angeles. Japan is second strongest economic power after U.S.</p> <p>1969 Nixon becomes president. Woodstock rocks the Catskills. On the moon, Neil Armstrong takes "one small step for man."</p>	<p>1970 Four protesters are killed at Kent State University. Runners compete in first New York Marathon. Environmental Protection Agency is created.</p> <p>1972 Dow Jones tops 1,000 points for first time in history. Watergate scandal breaks. Nike Inc. is founded.</p> <p>1973 Global energy crisis emerges.</p> <p>1974 Nixon resigns. Primitive word processors arrive in offices. Dow Jones hits low of 570.01. OPEC jacks up oil prices.</p> <p>1975 Last American troops leave Vietnam; to date, 56,000 Americans and 1.3 million Vietnamese have died. Paul Allen and Bill Gates start Microsoft Computer Software Co.</p> <p>1976 Carter is elected president. Bluejeans are hot. Apple Computer is founded. Fax machines are becoming commonplace.</p> <p>1977 Elvis dies. "Star Wars" is released.</p> <p>1978 Jim Jones leads mass suicide in Guyana. VW Beetle bows out.</p> <p>1979 Sony introduces Walkman. Nuclear accident occurs at Three Mile Island, Pa. Lines at filling stations continue to grow.</p>	<p>1980 Reagan is elected president. Electronic monitoring technology for supervising home confinement and curfews emerges.</p> <p>1981 Prince Charles marries Lady Diana Spencer.</p> <p>1984 Reagan is re-elected.</p> <p>1985 Gorbachev becomes general secretary of USSR's communist party. John Gotti is suspected of masterminding murder of Paul Castellano to gain control of Gambino crime family.</p> <p>1986 Space shuttle Challenger explodes after lift-off. National debt exceeds \$2 trillion. Nintendo electronic games delight young and old.</p> <p>1987 Gorbachev and Reagan sign INF Treaty to reduce their countries' nuclear stockpiles.</p> <p>1988 George Bush is elected president. U.S. indicts Panamanian dictator Manuel Noriega for bribery. Dustin Hoffman receives Best Actor award for "Rain Man."</p> <p>1989 U.S. invades Panama. Savings and loan crisis jars economy. Exxon Valdez runs aground in Alaska, spilling 10 million gallons of oil.</p>	<p>1990 Nelson Mandela is freed from prison. Germany is reunified. The junk bond empire collapses.</p> <p>1991 Bush sends troops to Persian Gulf in Operation Desert Storm.</p> <p>1992 Space shuttle Endeavor lifts off. World Wide Web snares first home surfers.</p> <p>1993 Clinton becomes forty-second president. Yasser Arafat and Yitzhak Rabin sign Middle East Peace Accord. Explosion rocks World Trade Center. Beanie Babies are born.</p> <p>1995 A bomb kills 168 at Oklahoma City's Alfred P. Murrah Federal Building. Cal Ripkin plays game 2,131, besting Lou Gehrig's 55-year consecutive game record.</p> <p>1998 U.S. House of Representatives approves two of four articles of impeachment against President Clinton. Mark McGuire smashes Roger Maris's 37-year-old record with home run 62. "Titanic" smashes all box office records.</p> <p>1999 NATO launches air strikes against former Yugoslavia. On December 31, U.S. turns Panama Canal over to Panama.</p>	<p>1987 Chiefs Advisory Council and the Judicial Conference approve a mission statement for the system. Judicial Conference authorizes distribution of <i>Model Search and Seizure Guidelines</i>.</p>	<p>1989 The first offenders to undergo supervised release are received.</p>	<p>1990 Judicial Conference urges Congress to reconsider mandatory sentencing. AO delegates substance abuse and mental health treatment contracting to districts. Committee on Judicial Improvements approves trial cellular phone use by officers in four districts.</p>	<p>1992 <i>Judicial Officer's Reference on Alternatives to Detention</i> (Monograph 110) is published. Federal Judicial Center launches Leadership Development Program for Probation and Pretrial Services Officers.</p>	<p>1993 Chiefs Advisory Council and the Judicial Conference approve a mission statement for the system. Judicial Conference authorizes distribution of <i>Model Search and Seizure Guidelines</i>.</p>	<p>1999 Monographs 112, <i>The Pretrial Services and Investigation Report</i>, and 113, <i>Federal Home Confinement Program</i>, are distributed.</p>
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On December 31, U.S. turns Panama Canal over to Panama.</p>	<p>1996 Judicial Conference approves a new long-range plan for the federal courts. FCSD tests the sweat patch for drug detection. Over 47,000 offenders, or 52% of the national caseload, are on supervised release.</p>	<p>1997 Judicial Conference decides officers do not need state clearance to carry firearms. FJC develops the Risk Prediction Index (RPI). Committee on Automation and Technology approves PACTS development.</p>	<p>1999 Monographs 112, <i>The Pretrial Services and Investigation Report</i>, and 113, <i>Federal Home Confinement Program</i>, are distributed.</p>
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Mission, Beliefs, and Vision of the Federal Probation and Pretrial Services System

Mission

As the 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.

Beliefs

We believe

- in the right of all persons to be treated with dignity and fairness
- in our role of ensuring that the court is provided information vital to making appropriate pretrial release decisions and imposing just and fair sentences
- in the protection of the public as the most vital aspect of community supervision and in proper supervision as the best means to control and reduce risk
- in the ability of people to change and in our responsibility to provide persons under supervision with opportunities for treatment
- in individual commitment to a shared vision as the best way to achieve our mission

Vision

The Federal Probation and Pretrial Services System strives to exemplify the highest ideals and standards in community corrections.

The Federal Judicial Center

Hon. Fern M. Smith, Director

Court Education Division

Emily Z. Huebner
Director

David R. Leathery
Chief

Probation and Pretrial Programs Branch

One Hundred Years of Federal Probation and Pretrial Services

The further backward you look the further forward you can see.

—Winston Churchill

Federal Judicial Center
2000

Introduction

The work of federal probation and pretrial services originates with the Constitution, which established the U.S. Supreme Court and an independent judiciary. The following paraphrases from the Bill of Rights form the basis of the system's role.

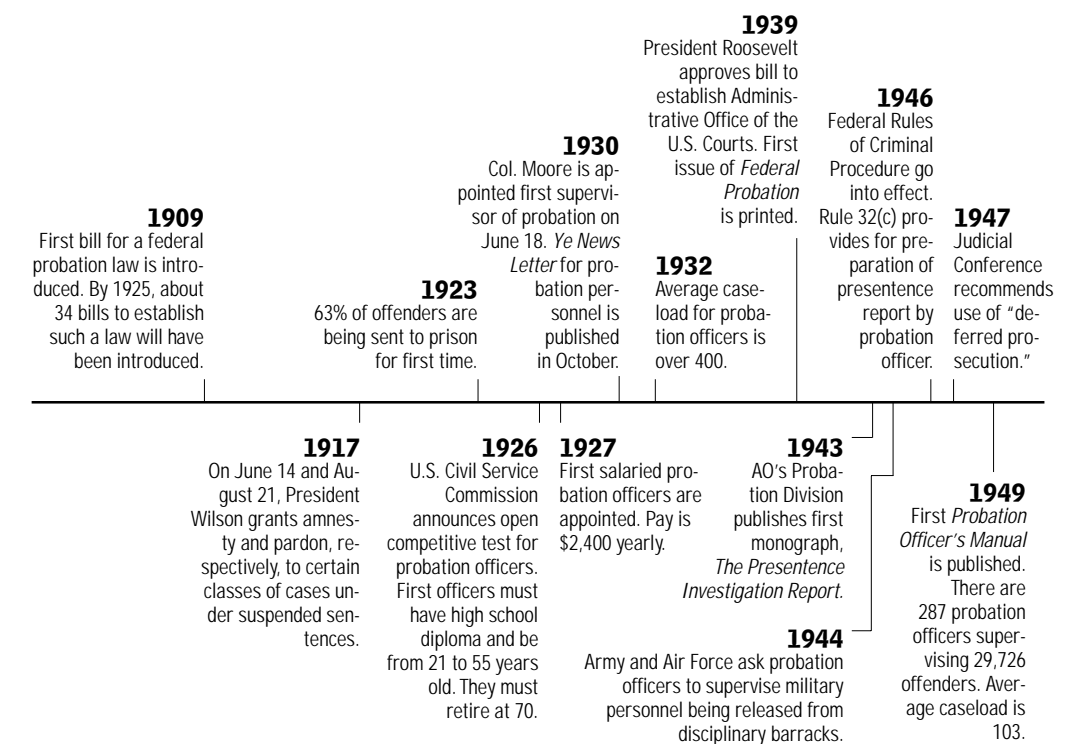
- 1st Amendment: The people have the right to petition the government for redress of grievances.
 5th Amendment: No one can be tried twice for the same offense or be deprived of life, liberty, or property without due legal process.
 6th Amendment: All people have the right to a speedy public trial by an impartial jury.
 8th Amendment: Bail and fines cannot be excessive. Punishment cannot be cruel and unusual.

1900–1949

Legislation and Court Decisions that Shaped the System

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| 1916 Chief Justice Edward D. White states that district courts have no power to suspend sentences indefinitely. | 1930 President Hoover signs an act removing appointment of probation officers from civil services. |
| 1919 Volstead Act creates difficulties in obtaining support for a probation law. | 1940 General supervision of probation services comes under Administrative Office of the U.S. Courts. |
| 1925 Congress passes first federal probation act, enabling district courts to suspend sentences and to require defendants to serve probation terms. | |

Key Events in Probation and Pretrial Services History



Historical Reference Points

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| 1903 Wright brothers take off in Kitty Hawk, N.C. | chancellor of Germany. Prohibition ends. |
| 1908 Ford Motor Co. rolls out Model T. | 1934 Shirley Temple lifts spirits in "Bright Eyes." Duke Ellington records "Sophisticated Lady." |
| 1912 Titanic sinks. | 1936 Duke of Windsor abdicates. Jesse Owens wins four gold medals at Berlin Olympics. |
| 1914 Archduke Ferdinand is assassinated, setting off World War I. | 1937 Amelia Earhart disappears over Pacific. Zeppelin Hindenburg crashes in Lakehurst, N.J. |
| 1917 U.S. enters Great War. Pickford is America's Sweetheart. | 1939 Blitzkrieg invades Poland; England and France declare war on Germany. "Gone with the Wind" is big box office. Early television flicker in New York. |
| 1919 18th amendment prohibits alcoholic beverages. | 1941 Japanese bomb Pearl Harbor; U.S. declares war. |
| 1918 Germany and Allies sign Armistice; World War I ends. | 1942 Bergman and Bogart smolder in "Casablanca." |
| 1920 Radio is touted as newest form of home entertainment. | 1944 Bobby-soxers sob for Sinatra. |
| 1925 Charleston craze sweeps nation. | 1945 Germany surrenders to Allies. U.S. drops atomic bomb on Hiroshima and Nagasaki; Japan surrenders. Roosevelt dies. Truman becomes president. |
| 1927 Al Jolson croons in "The Jazz Singer." Lindbergh flies from New York to Paris. | 1946 First baby boomers are born. |
| 1928 Mickey Mouse appears in "Steamboat Willie." | 1947 Levittown, N.Y., welcomes home buyers. |
| 1929 Hoover becomes president. Stock market crashes. | |
| 1930 Drought in Plains states feeds economic depression. Empire State Building rises over Manhattan. | |
| 1933 Franklin Delano Roosevelt is inaugurated. Hitler becomes | |