

# Free article review about the history of the pre-sentence investigation report

[Law](#), [Criminal Justice](#)



Arguably one of the most important documents in the entirety of the criminal justice system, the Presentencing Investigation Report (PSI) remains a vital source of information that guides judges who have to pass sentences. It has been in use since the 1920s. As a legal term, PSI report is a purposeful investigation into the history of a convict before a sentence is passed to establish if there are grounds that could extenuate, so that the judge has the discretion to vary the sentence.

The evolution of the PSI has led to the development of at least three approaches. These shall inform the ensuing discussion. Offender-Based Report, traditionally, after the pioneering campaigns by John Augustus, the report was to provide background information about the offender in a bid to promote individualized sentence. The report had to contain a summary of the offence, offender's role, the criminal past, social history, mental health and future prospects. These parameters would then be used by the probation officer to recommend a sentence.

Offence-Based Report, when the determinate sentencing ideology caught up, PSI had to be transformed. The focus was to develop a predetermined range of fixed sentences based on certain guidelines. The PSI report that followed is concerned with the offender's culpability and past records with the following key elements the offence, the defendant's criminal history, sentencing options, offender's characteristics, fines and restitutions, and sentencing recommendations. This presumptive sentence approach confined the judge to a narrow range of statutorily mandated options.

Defense-Based Report, following concerns that Probation Officer's reports were biased against the defendants, Dr. Thomas Gitchoff pioneered a new

approach by introducing privately commissioned PSI. These were aimed at providing an analysis of the offenders' background and motivations in excess of what the typical PSI reports offered. Later in the 1980s, Jerome Miller demonstrated the possible impact of this strategy when his recommendations led to the removal of 400 youths from Camp Hill Prison.

## **Conclusion**

While the on-going trend in sentencing remains offense-based, the use of Defense-Based PSI reports to mitigate perceived harshness is fast catching up. This means that the PSI will remain an integral element of the American Criminal justice system. The information that PSI report can avail to the judge is invaluable in the all-important decision of sentencing. Moreover, vital information can be availed to determine the conditions of sentence, classifications and release decisions. From the 1920s, there have been numerous changes in PSI report's content and emphasis, nevertheless this report remains an integral part of the due process in the criminal justice system.

## **References**

Center of Juvenile and Criminal Justice . (2011). The History of Pre-Sentence Investigation Report . Washington D. C. : Center of Juvenile and Criminal Justice . Retrieved from [http://www.cjcj.org/uploads/cjcj/documents/the\\_history.pdf](http://www.cjcj.org/uploads/cjcj/documents/the_history.pdf)