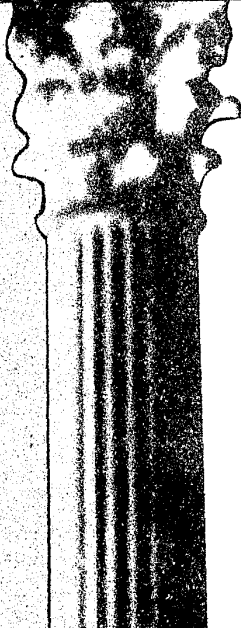


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PUBLICATION NO. 104



The Selective Presentence Investigation Report

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Division of Probation

ADMINISTRATIVE OFFICE OF
THE UNITED STATES COURTS

Supreme Court Building, Washington, D.C. 20544



Foreword

In February 1965 the Administrative Office of the United States Courts issued Publication 103, *The Presentence Investigation Report*. This document quickly became the standard of excellence in presentence investigation, not only in the U.S. District Courts, but also in state and local probation offices here and abroad.

Publication 104 supplements *The Presentence Investigation Report* and provides a flexible alternative to probation officers, the court, the institutions, and paroling authorities. In Federal courts presentence investigation standards have undergone an orderly course of development since 1943. The Selective Report is one further logical step in that development.

The Selective Presentence Investigation Report does not replace the Presentence Report, rather it gives the court a report suited to its needs when minimum essentials are all that is necessary to reach a decision. We encourage the use of Selective Reports wherever possible as one step to save valuable time in dictation, typing, and reading. In some cases the Selective Report will also effect saving in the investigative effort.

In attending to the needs of the courts the concerns of the Federal Bureau of Prisons and U.S. Board of Parole have not been neglected. This monograph has been developed in cooperation with representatives from both agencies. In any presentence investigation there must be no compromise in the effort to develop information necessary to understand the offender. The Selective Report is a shorter way to get to that understanding in certain cases.

ROWLAND F. KIRKS
*Director, Administrative Office of the
United States Courts*

February 1974

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Preface

In February 1965 the Probation Division of the Administrative Office issued Publication No. 103, *The Presentence Investigation Report*. This was a definitive standard to be followed in preparation of a presentence investigation report for the U.S. District Courts. The publication prescribes practice and technique for U.S. probation officers to use as a guide in investigating defendants and reporting their findings and recommendations to the courts.

Following publication the probation system subjected the new format to extensive trial. The Probation Division launched a series of training programs to familiarize officers with the new method.

In June 1967 the probation system took the final step in adopting the publication as the standard to be followed by all probation officers throughout the country. Memorandum No. 509, issued by the Chief of Probation, specified that presentence investigation reports must cover all areas identified by the first 14 marginal headings of the approved outline contained in Publication 103. In the ensuing years the probation system has developed an investigative capacity of high standards in the correctional field.

As experience with the new report developed, however, a new need emerged. Presentence investigation reports became longer. The continuing workload on U.S. district judges has forced them to ask for relief from whatever quarter available. The recognition has emerged that there are criminal cases in which the court may safely sentence the defendant without the information available in all 14 marginal headings of the presentence investigation report.

In August 1972 the Judicial Conference Committee on the Administration of the Probation System agreed that there was need for a format for a shorter presentence investigation report that would be acceptable not only to the courts but also to probation officers, the Bureau of Prisons, and Board of Parole.

To address the problem of what kind of shorter report should be available as standard, the Committee on the Administration of the Probation System authorized a committee to re-

ceive and review recommendations. The Committee on the Presentence Format held meetings on September 7, 1973, and January 4, 1974. The presentence investigation report has many users and all are represented on the committee. Representatives from the Bureau of Prisons, Board of Parole, Probation Division, and various field offices met and considered the changes contained in this report. This monograph was approved unanimously by the Committee on the Administration of the Probation System on January 25, 1974, and is recommended to all probation officers as a supplement to *The Presentence Investigation Report*. It should serve all probation officers as a guide in conducting presentence investigations and in writing reports.

The Committee on the Presentence Format is to be commended for its diligent review and recommendations. Their many thoughtful and helpful suggestions have proven invaluable. We should also like to single out the Federal Probation Officers Association for its continuing interest and concern. Their commitment to the professional development of the probation system is exemplified by their support here. The Association submitted an early draft which contributed significantly to the final product, extending even to the title, *Selective Presentence Investigation Report*.

Mr. Donald L. Chamlee, assistant chief of the Division of Probation, Administrative Office of the United States Courts, was the principal author of this monograph. In this he had the very able assistance of Frederick R. Pivarnik, assistant chief, Division of Probation, and Mrs. Millie A. Raby, secretary to the staff of the Committee. Our special thanks go to them for their arduous work.

EDWARD S. NORTHROP
*Chairman, Committee on the
Presentence Format*

ALBERT C. WOLLENBERG
*Chairman, Committee on the
Administration of the
Probation System*

February 1974

Presentence Investigation Report

Purpose of Presentence Investigation Report

The presentence investigation report is a basic working document in judicial and correctional administration. It performs five functions: (1) To aid the court in determining the appropriate sentence; (2) to aid the probation officer in his rehabilitative efforts during probation and parole supervision,¹ (3) to assist Bureau of Prisons institutions in their classification and treatment programs and also in their release planning, (4) to furnish the Board of Parole with information pertinent to its consideration of parole, and (5) to serve as a source of information for systematic research.

The objectives of the presentence report are to focus light on the character and personality of the defendant, to offer insight into his problems and needs, to help understand the world in which he lives, to learn about his relationships with people and to discover those salient factors that underlie his specific offense and his conduct in general and to suggest alternatives in the rehabilitation process.

Most authorities in the judicial and correctional fields assert that a presentence investigation should be made in every case. With the aid of a presentence report the court may decide to commit a defendant to an institution or may grant probation. The presentence report is an essential aid in the selection process.

The Presentence Investigation Report outline adopted by the Judicial Conference Committee on the Administration of the Probation System on February 11, 1965, consists of the following marginal headings and the respective subheadings:

OFFENSE
 Official version
 Statement of codefendants
 Statement of witnesses, complainants, and victims
DEFENDANT'S VERSION OF OFFENSE
PRIOR RECORD
FAMILY HISTORY
 Defendant
 Parents and siblings
MARITAL HISTORY
HOME AND NEIGHBORHOOD

¹ The Federal probation officer also supervises persons released from Federal correctional institutions and the U.S. Disciplinary Barracks.

EDUCATION
RELIGION
INTERESTS AND LEISURE-TIME ACTIVITIES
HEALTH
 Physical
 Mental and emotional
EMPLOYMENT
MILITARY SERVICE
FINANCIAL CONDITION
 Assets
 Financial obligations
EVALUATIVE SUMMARY
RECOMMENDATION

Interest in a shorter form of reporting results from the search for a more flexible alternative that will continue to meet the needs of all agencies. What is proposed here is to complement the present presentence report, not replace it. The new format is to be used where the issues are clear and disposition may be made on less comprehensive information. If the offense is aggravated or the issues complicated the comprehensive presentence format is to be used.

The Development of the Presentence Investigation

The proper administration of justice requires diligence and care in selecting appropriate sentences for convicted offenders. Appropriate sentences seek to assist offenders to become responsible, self-respecting persons while maintaining public confidence in the system and function of law.

The presentence investigation report makes a major contribution in the selection of appropriate sentences. In modern society the presentence investigation report is a formal substitute for the greater understanding of individual offenders which judges had through informal circumstances when the national population was distributed throughout smaller communities.

The development of presentence investigation reports has been influenced by the "case method" approach used in the search for the cause of criminal behavior. That approach assumes that if knowledge can be acquired of all the facts about an offender the cause of his criminality can be discovered and a course of corrections determined. Although the "case method" approach to criminality has not resulted in any integrated theory of crime or corrections, the method continues to have an influence in presentence investigation reporting. In some presentence investigation reports there is a tendency to provide exhaustive historical accounts of an offender's life, perhaps from anxiety that some

single pertinent factor, however insignificant it might appear at the time, might be excluded and lost to the future. To provide balance for any compulsiveness that has resulted from the "case method" influences, there is need for guidelines which encourage greater selectivity in report preparation.

A short precise report, fully read and considered is more effective and functional than a comprehensive report not considered or used. The effectiveness of a presentence investigation is directly related to the proficiency with which the findings are communicated, *and the extent to which the report is relied upon.*

Due to the nature of the judicial process it is not possible to develop reports with such precision as to eliminate the accumulation of information which will not be used. To do so would require the anticipation of judgments before they are made, and even if such were allowed by the judiciary, it would be a dangerous direction to take. Experience leads to the conclusion, however, that guidelines can be established that allow greater efficiency in the development of purposeful information and reduce the amount of information reported and not used.

The greater the consequences of a judgment, the more a court wants comprehensive understanding of all factors in arriving at a decision. For example, if an individual has committed a violent or potentially violent offense, any consideration for release on probation requires more comprehensive knowledge of the individual than for a situational first offender, who has committed a nonviolent offense. Guidelines should assure that comprehensive reports are available when needed, but that comprehensive reports be held to a minimum when such detail does not serve a real purpose.

Interest in the development of shorter presentence reports derives from two considerations: (1) The importance of expediting accountability if confidence in the administration of justice is to be maintained, and (2) significant increases in presentence demands upon the probation system. Expediting the processing of justice is perhaps the most urgent contemporary need to strengthen the effectiveness of the criminal law. In seeking solutions, however, care should be exercised to keep all aspects of the problem in perspective.

Time lapses between the commission of offenses and the identification of alleged offenders, and between the identification of alleged offenders and indictment and determination of guilt,

exceed the lapses between determination of guilt and actual sentencing. The time between determination of guilt and sentencing during which presentence investigations are conducted is probably the most standardized in the administration of justice. Delays in sentencing are frequently the result of matters not related to the investigation, such as the accommodation of counsel schedules and delays pending the trial of codefendants. The time between the finding of guilt and sentencing can also be skewed if calculations include the few defendants who disappear and remain in a fugitive status for lengthy periods of time.

United States probation offices have been very successful in attaining high standards in the completion of presentence investigation reports for district courts. Experience suggests that high quality professional reports contribute significantly to the confidence held by many in the processing of criminal justice in the United States district courts. United States attorneys, defense counsel, offenders, and members of offenders' families all have an opportunity to be aware of the quality of presentence reports made available to the United States district courts. Although the reports are rarely accessible to the press, members of the press are aware that United States district judges are well-informed about offenders and offenses prior to making judgments. If confidence in the administration of justice by the United States district courts is to be held by the general public, it is essential that the public know that court decisions are well-informed and well-considered. Probation is a valid and vital concept. In the absence of discriminating selection procedures, however, probation can easily become a mere form of leniency. For the sake of confidence it is essential that the public realize that discriminating selections are made in the use of probation.

If strengthening public confidence in the system of law is a primary goal in expediting the administration of justice, it is essential that quality not be sacrificed in the process. To sacrifice quality in presentence investigations in order to expedite the processes of justice would be much like "robbing Peter to pay Paul."

During the past few years United States probation offices across the country have experimented in the use of shortened presentence investigation reports. Generally "fill-in" forms and

"check-lists" have met with dissatisfaction from judges and probation officers alike. A variety of approaches to the problem have been made, however, and the recommendations which follow concerning the development of *Selective Presentence Investigation Reports* derive from experiences of probation offices across the country as well as an evaluation of the "short-form presentence report," by the Office of Probation for the Courts of New York City.

Several related professions have shown renewed interest in shorter style reports. In the field of psychological testing, for example, the traditional report was an elaborate recitation of the tests used, the responses, and conclusions that could be drawn. The current mode is to a much shorter report, one to three pages in length, reporting only the significant findings and giving a diagnostic opinion.

A shortened report saves time in dictating, typing, and reading. It is conceivable that there will also be a saving in the investigative effort. In dictating the report, the probation officer should include all information that the court "needs to know" and exclude what is "nice to know." The emphasis is on providing the essentials necessary to arrive at a sentencing decision or a decision regarding the ultimate release of the offender if he should be confined. Other considerations are secondary. A thorough investigation will be required although shortcuts will suggest themselves as it becomes certain that the selective format will suffice. It is in the dictation that the probation officer must delete extraneous material. Only the elemental facts are to be presented.

Recommendations for Selective Presentence Investigation Reports

(1) Terms such as "short-form," "abbreviated," "mini-form," or "limited," should be avoided in referring to any presentence investigation reports completed for United States district courts, United States magistrates, the Federal Bureau of Prisons, and the United States Board of Parole. It is not intended that the courts or the other units of the correctional system be provided with a report that is less than adequate, nor shall a selective report be regarded as a shortcut in the judicial process.

(2) These guidelines shall be adopted for the discriminating use of presentence investigation reports which are less comprehensive than those adhering to the format outlined in Publication No. 103, *The Presentence Investigation Report*.

(3) These less comprehensive reports shall be identified as *Selective Presentence Investigation Reports*.

Guidelines for the Use of Selective Presentence Investigation Reports

There are circumstances concerning Federal offenders under which selective presentence investigation reports, completed in accordance with discriminating criteria, will be adequate for all purposes for which the report is to be used. Following are guidelines for the use of *Selective Presentence Investigation Reports*.

Selection

Unless the court directs otherwise, the probation officer, following an initial interview with the offender, shall determine whether a comprehensive report or a selective report is to be completed in accordance with the following criteria.

Unless for good reason the probation officer determines otherwise, *Selective Presentence Investigation Reports* will be completed for the following categories:

(1) All misdemeanor defendants with less than three prior convictions, unless weapons or violence have been involved.

(2) Defendants in immigration law violations involving illegal entry or reentry, or transporting aliens.

(3) Miscellaneous Federal Regulatory Statutes: Agriculture and Conservation Acts, Fair Labor Standards Acts, Food and Drug Acts, Migratory Bird Laws, and Motor Carrier Act violations.

(4) Defendants involved in fraud occurring against lending and credit institutions, Veterans Administration, Railroad Retirement Act, and Social Security Act where the aggregate loss is less than \$1,000.

(5) Embezzlement of bank or postal funds, public moneys or property, lending credit, and insurance institutions, by officers of a carrier in interstate commerce and embezzlement by officers of labor organizations, or federally insured financial institutions when the aggregate loss is less than \$1,000.

(6) Income tax fraud including evasion and failure to file when the taxes evaded total less than \$1,000.

(7) Defendants involved in violations of Internal Revenue Liquor laws (except those of a highly commercial nature).

(8) Theft, including larceny and theft from post offices and federally insured banks; mail theft, theft of United States property, and thefts occurring on government reservations, etc., when the aggregate loss is less than \$1,000.

(9) Forgery, including postal forgery and forgery of obligations and securities of the United States when the total loss is less than \$1,000.

(10) Selective Service Act violations.

(11) Prison escape (walkaway only, or failure to return from furlough).

(12) In a limited number of other felony cases where recent classification material is available from institution, a selective presentence report may be sufficient.

Unless the probation officer determines that a selective report will be adequate, the comprehensive report will be completed for all defendants not described by the above categories, including:

(1) All felony offenders not listed above.

(2) All offenders revealing tendencies toward violence in current offense, prior record, or personal history.

(3) All offenders believed to be operating in connection with organized crime.

(4) All misdemeanor offenders having three or more prior convictions.

(5) Any offender believed likely to be committed for study to the Bureau of Prisons (18 U.S.C. 4208(b) or 5010(e), 4252, or 5034).

Format

The following categories of information will comprise the core, or essential factors to be included in a *Selective Presentence Investigation Report*.

FACE SHEET. To be identical with the face sheet used for the standard comprehensive report.

OFFENSE—OFFICIAL VERSION

DEFENDANT'S VERSION OF OFFENSE

PRIOR RECORD

PERSONAL HISTORY

EVALUATIVE SUMMARY

RECOMMENDATION

When it is pertinent to the selection of sentence or in the subsequent correctional process additional information will be included in the report under one or more of the following topical categories:

PERSONAL AND FAMILY HISTORY

Parents, brothers, sisters

HOME AND NEIGHBORHOOD

EDUCATION

RELIGION

INTERESTS AND LEISURE-TIME ACTIVITIES

HEALTH

Physical

Mental and emotional

EMPLOYMENT

MILITARY SERVICE

FINANCIAL CONDITION

Assets

Financial obligations

Information reported under the core and selected topical headings should be in a narrative form. Elemental facts are best expressed in short sentences. Long involved explanations

should be avoided, and whenever possible to do so with accuracy, information should be summarized rather than reported in detail. For example,

Employment.—The defendant has been employed steadily as a machinist, working for three different firms during the past 10 years. He has held his current job with Apex Machine Shop for 3½ years and now earns \$6.85 per hour. He is considered to be a reliable, honest employee.

The Selective Presentence Report is not to be interpreted as restrictive. If the investigation develops additional information the officer may include further categories of information or prepare a more lengthy report as outlined in Publication No. 103. For those offense categories included in the Selective Report Guidelines the probation officer shall commence with the assumption that a selective report will be prepared. A change to preparing a report as outlined in Publication No. 103 is made only as circumstances dictate during the investigation.

Probation Officer's Part in the Investigation

The guide for the conduct of a presentence investigation is contained in Publication 103, *The Presentence Investigation Report*. Publication 104 provides an alternative report format in appropriate instances. The fundamentals of careful investigation and verification are spelled out in Publication 103 and these are to be followed by all officers investigating defendants before the Federal courts. In this regard probation officers must pay scrupulous attention to standards for verification of information. Every effort must be made to check the accuracy of information which is likely to be damaging to the defendant or to bear on the welfare of the family and the safety of the community.

The recent trend toward disclosure of the presentence report to the defendant and both counsel acts as a healthy check on the accuracy of its contents. Disclosure does not, however, relieve the probation officer of the burden to check the facts carefully, sift available data, and reject information that will not stand tests of validity.

Outline, Contents, and Format of the Report

Face Sheet.—The current face sheet, Probation Form 2, will be used for all presentence reports. In addition to its normal use, for selective reports the face sheet may provide information in capsule form if doing so eliminates material from the body of the report. For example, there may be an additional typed entry: "Religion _____ (faith) _____ (attends)." The face sheet may contain reference to alcohol or drug involvement. The "Custody" category may inform as to whether bond was made, by whom, and the amount.

In general the face sheet will be filled out in accordance with the instructions of Publication 103. Information contained on the face sheet need not be repeated in the body of the report.

Offense: Official Version.—The official version of the offense may be obtained from the office of the U.S. attorney. The report should contain information on codefendants, if any, the relative culpability of the defendant, and whether the codefendant has been apprehended and the disposition made in his case.

In those instances in which an adequate concise report delineating the defendant's relative culpability is available from the investigating officer the "Official Version" may simply refer the reader to that report as an attachment. In that event details of the offense need not be provided in the text.

Defendant's Version of Offense.—A summary of the defendant's version of the offense should be provided. Whatever the defendant says about the offense and his part in it is necessary to understand him.

Prior Record.—The prior criminal record shall be provided in detail, except that multiple prior arrests of a minor nature may be summarized, e.g., "From 1968 to 1972 Mr. Jones was arrested a total of 10 times for drunkenness and minor traffic violations. The drunk arrests were resolved by referral to the county rehabilitation center, the traffic violations resulted in forfeitures of bail ranging from \$25 to \$50."

Although the FBI record has a fairly complete coverage of

arrests and convictions the probation officer shall clear with local identification bureaus, police departments, and sheriffs' offices in those communities where the defendant has resided. Where the FBI fingerprint record does not give the disposition of a case, the probation officer shall obtain the missing information from the law enforcement office which filed the print or the court in which the case was tried.

Personal History.—This topical heading is a composite of several headings used in the comprehensive report. The probation officer shall provide a history of the development and social relationships of the defendant. This section should include a reference to educational attainment, any drug or alcohol history, and employment stability. However, extraneous detail about the family is to be avoided. The officer shall bear in mind that detailed information about the family is more pertinent in understanding juvenile and youth offenders than it is in the case of the older offender. In many instances it is sufficient to provide a summary that informs the court that the family history has been explored and found to be unremarkable.

No presentence investigation is complete unless the spouse, if any, has been interviewed. The report shall carry the essential details of the marriage, date, number of children, and a synopsis of the relationship.

Evaluative Summary.—The opening paragraph of the evaluative summary gives a concise restatement of the pertinent highlights in the body of the report. The attitude of the defendant toward his offense is significant in determining whether he should be considered for probation. Writing the evaluative summary is the most demanding task in the preparation of the report. It is here that the probation officer focuses on those factors, social and personal, that result in this defendant's presence before the court and the special assistance that will be required in this person's situation.

Recommendation.—If it is recommended that the defendant be placed on probation, the proposed plans for residence, employment, education, and medical and psychiatric treatment, if relevant, should be given. The part to be played in the social adjustment of the defendant by the parental and immediate family, close friends, and other resources in the community should also be shown. If commitment is recommended, the probation officer shall indicate what special problems and needs should receive

the attention of the institutional staff. Where the judge asks for sentencing alternatives, they may be included.

Appendix

The selective presentence investigation report which appears on the following pages is presented to illustrate the outline, format, and style recommended in writing a selective presentence report. Names and dates in the report have been altered to protect the identity of the defendant.

PRESENTENCE REPORT

NAME John Jones
ADDRESS 1234 Astoria Blvd.
New York City
LEGAL RESIDENCE Same
AGE 33 DATE OF BIRTH 2-8-40
New York City
SEX Male RACE Caucasian
CITIZENSHIP U.S. (Birth)
EDUCATION 10th grade
MARITAL STATUS Married
DEPENDENTS Three
(wife and 2 children)
SOC. SEC. NO. 112-03-9559
FBI NO. 256 1126
DETAINERS OR CHARGES PENDING:
None
CODEFENDANTS (Disposition)
None

DATE January 4, 1974
DOCKET NO. 74-103
OFFENSE Theft of Mail by Postal
Employee (18 U.S.C.
Sec. 1709) 2 cts.
PENALTY Ct. 2 - 5 years and/or
\$2,000 fine
PLEA Guilty on 12-16-73 to Ct. 2
Ct. 1 pending
VERDICT
CUSTODY Released on own
recognizance. No time in
custody.
ASST. U.S. ATTY
Samuel Hayman
DEFENSE COUNSEL Thomas Lincoln
Federal Public
Defender
Drug/Alcohol Involvement:
Attributes offense to
need for drinking money

DISPOSITION

DATE

SENTENCING JUDGE

Offense: Official Version.—Official sources reveal that during the course of routine observations on December 4, 1973, within the Postal Office Center, Long Island, New York, postal inspectors observed the defendant paying particular attention to various packages. Since the defendant was seen to mishandle and tamper with several parcels, test parcels were prepared for his handling on December 5, 1973. The defendant was observed to mishandle one of the test parcels by tossing it to one side into a canvas tub. He then placed his jacket into the tub and leaned over the tub for a period of time. At this time the defendant left the area and went to the men's room. While he was gone the inspectors examined the mail tub and found that the test parcel had been rifled and that the contents, a watch, was missing.

The defendant returned to his work area and picked up his jacket. He then left the building. The defendant was stopped by the inspectors across the street from the post office. He was questioned about his activities and on his person he had the wristwatch from the test parcel. He was taken to the postal inspector's office where he admitted the offense.

Defendant's Version of Offense.—The defendant admits that he rifled the package in question and took the watch. He states that he intended to sell the watch at a later date. He admits that he has been drinking too much lately and needed extra cash for "drinking money." He exhibits remorse and is concerned about the possibility of incarceration and the effect it would have on his family.

PRIOR RECORD

<u>Date</u>	<u>Offense</u>	<u>Place</u>	<u>Disposition</u>
5-7-66 (age 26)	Possession of Policy Slips	Manhattan CR. CT. N.Y., N.Y.	\$25.00 Fine 7-11-62
3-21-72 (age 32)	Intoxication	Manhattan CR. CT. N.Y., N.Y.	4-17-72 Nolle

Personal History.—The defendant was born in New York City on February 8, 1940, the oldest of three children. He attended the public school, completed the 10th grade and left school to go to work. He was rated as an average student and was active in sports, especially basketball and baseball.

The defendant's father, John, died of a heart attack in 1968, at the age of 53 years. He had an elementary school education and worked as a construction laborer most of his life.

The defendant's mother, Mary Smith Jones, is 55 years of age and is employed as a seamstress. She had an elementary school education and married defendant's father when she was 20 years of age. Three sons were issue of the marriage. She presently resides in New York City, and is in good health.

Defendant's brother, Paul, age 32 years, completed 2½ years of high school. He is employed as a bus driver and resides with his wife and two children in New York City.

Defendant's brother, Lawrence, age 30 years, completed three semesters of college. He is employed as a New York City firefighter. He resides with his wife and one child in Dutch Point, Long Island.

The defendant after leaving high school worked as a delivery boy for a retail supermarket chain then served 2 years in the U.S. Army as an infantryman (ASN 123 456 78). He received an honorable discharge and attained the rank of corporal serving from 2-10-58 to 2-1-60. After service he held a number of jobs of the laboring type.

The defendant was employed as a truck driver for the City of New York when he married Ann Sweeny on 6-15-63. Two children were issue of this marriage, John, age 8, and Mary, age 6. The family has resided at the same address (which is a four-room apartment) since their marriage.

The defendant has been in good health all of his life but admits he has

been drinking to excess the past 18 months which has resulted in some domestic strife. The wife stated that she loves her husband and will stand by him. She is amenable to a referral for family counseling.

Defendant has worked for the Postal Service since 12-1-65 and re-signed on 12-5-73 as a result of his present arrest. His work ratings by his supervisors were always "excellent."

Evaluative Summary.—The defendant is a 33-year-old male who entered a plea of guilty to mail theft. While an employee of the U.S. Postal Service he rifled and stole a watch from a test package. He admitted that he planned on selling the watch to finance his drinking which has become a problem resulting in domestic strife.

Defendant is a married man with two children with no prior serious record. He completed 10 years of schooling, had an honorable military record, and has a good work history. He expresses remorse for his present offense and is concerned over the loss of his job and the shame to his family.

Recommendation.—It is respectfully recommended that the defendant be admitted to probation. If placed on probation the defendant expresses willingness to seek counseling for his domestic problems. He will require increased motivation if there is to be a significant change in his drinking pattern.

Respectfully submitted,

Donald M. Fredericks
U.S. Probation Officer

END