

Presentence Investigation and Report

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Policy # 901.01

Chapter: Presentence

Policy

Presentence investigation reports must be completed by a probation officer upon order of the court.

Procedures

Following receipt of a court order, a presentence investigation report will be completed.

A. Intake.

1. The Probation Officer III shall:
 - a. Assign the case to a probation officer in accordance with Policy and Procedure 902.01, Case Assignment;
 - b. Complete the Intake/Change of Status form; and
 - c. Create a case record in accordance with Policy and Procedure 603.01, Probation/Parole Case Record Management or, if a case record already exists, obtain the existing record.

B. Investigation.

1. ~~The~~ probation officer shall investigate, interview and collect documentation for presentence reports in accordance with procedures set forth in the Probation/Parole Community Corrections Training Manual.
2. The probation officer's recommendation need not be consistent with the parties' plea agreement, if one exists.
3. If the court ordered filing date cannot be met, an extension must be requested as follows:
 - a. The probation officer shall request an extension from the Probation Officer III; and
 - b. If approved by the Probation Officer III, the probation officer shall submit a request for an extension to the sentencing judge with notice to the prosecuting attorney and defense attorney.

C. Administrative Review.

1. Presentence reports must be reviewed for quality and signed by the Probation Officer III prior to filing with the court.
2. The Chief Probation Officers shall contact the presiding judge in their region, at least annually, to discuss the department's presentence reports for timeliness and quality of information.

D. Distribution.**1. Required distribution.**

- a. Before sentencing, the assigned probation officer shall provide the original presentence report to the court and one copy each to the prosecutor and defense attorney. The probation officer may not make further distribution of the presentence report prior to sentencing without first obtaining permission from the court.
- b. In cases where the defendant is sentenced to imprisonment exceeding ninety (90) additional days, within five (5) working days following sentencing, the assigned probation officer shall ensure delivery of the probation case record to the institution housing the offender in accordance with Policy and Procedure 602.01, Prisoner Case Record Management, and 603.01, Probation/Parole Case Record Management.

2. Discretionary distribution.

Following sentencing, unless the court orders otherwise, Department staff may distribute all or part of the presentence report to agencies having charge of the offender's rehabilitation as necessary to implement or oversee the rehabilitation.

December 12, 1998
Date

Margaret M. Pugh
Margaret M. Pugh, Commissioner
Department of Corrections

Authority: AS 44.28.030
AS 33.05.050
AS 33.30.021

Forms applicable to this policy:

20-901.01 (A) Presentence Report
20-901.01 (B) Updated Presentence Report