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INFORMATION FOR THE COURT:

AN ANALYSIS OF THE ADULT PRESENTENCE REPORT

by

K. Donald MacDonald

B.A., SIMON FRASER UNIVERSITY 1978

THESIS SUBMITTED IN PARTIAL FULFILLMENT OF

THE REQUIREMENTS FOR THE DEGREE OF

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in the Department

of

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Information for the Court: An Analysis of the Adult Presentence Report

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ABSTRACT

The purpose of this study is to examine the informational content of the adult presentence report, and to identify whatever factors may influence its content. The data consist of 326 adult presentence reports completed by 14 probation officers in two regionally distinct probation offices in the Province of British Columbia. Eleven probation officers were interviewed and given questionnaires soliciting information regarding presentence report construction and their personal characteristics. The 326 adult presentence reports were content analyzed for type, recurrence, and sources of information, as well as for factual and interpretative content. Findings indicate that the adult presentence report is predominantly a fact-bearing instrument containing mostly general information about the offender's background. Information likely to provide more insight into the offender's individuality is infrequently mentioned. The adult presentence report contains, on average, 9 different types of information and mentions, on average, 3 sources of information including the offender. Interview and questionnaire data indicate that the content of the presentence report is subject to various influences, in particular court expectations, probation office administrative procedure, and the idiosyncrasies of the investigating officer.
ACKNOWLEDGEMENTS

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I. INTRODUCTION

This study is designed to examine the informational content of the adult presentence report. The presentence report has been hailed as "...the most important tool in sentencing..." (Rubin 1973: 97). It emerged as an outgrowth of efforts to "individualize sentencing" of the criminal offender. The assumption being that the document's informational content, relating to the offender's character, background, and interpersonal relationships, and the recommendations that follow, will assist the court in selecting the most appropriate penal measure, one that is best suited to the needs of the offender (Perry 1974; Hogarth 1971; Treger 1971; Kohut 1966; Murrah 1963). Recommendations made by probation officers, ranging from community supervision to incarceration, have been found to be influential in the sentencing of adult offenders in criminal courts (Boyd 1978; Cohn 1976; Mangrum 1975; Ford 1972; Gibson 1973; Norris 1969; Jarvis 1965). Yet, the recommendation is but one feature of the presentence report's substance, as the probation officer provides the court with other information about the offender. Researchers' preoccupation with the role of the presentence report in the sentencing process has probably distracted them from examining information other than the final recommendation contained in the presentence report.
A review of the literature reveals that few studies have examined the informational content of the presentence report. Three of the more laudible efforts, carried out in England (Perry 1974) and the United States (Cohn 1969; 1970a), found the informational content of the presentence report to be of low quality and of limited value for sentencing purposes. In Canada, similar research, other than an inconclusive study carried out by Gabor and Jayewardene (1978), has not been undertaken.

PURPOSE OF THE STUDY

This study was undertaken to seek answers to a number of empirically unanswered questions about the informational content of the adult presentence report. By "informational content" is meant the types of information, the recurrence of information, the sources of information, and the presentation of information in the adult presentence report. It is hoped that an analysis of the content of a large number of presentence reports, coupled with interviews with some probation officers concerning factors which may influence the informational content, will yield data that will help in answering all or some of the following questions:

- How and from whom do probation officers gather their information? How do they select information to include in the report? How do they judge the relevance and the pertinence of various types of information to the role the report is supposed
to play in sentencing?

- Do probation officers hold a priori assumptions about the relevance of certain types of information or the reliability of certain sources? Do these a priori assumptions, if they exist, influence the sources of information the probation officer will contact and the type of information he will include in the report? How do probation officers go about verifying information for the presentence report?

- What differences and what similarities are there in presentence reports prepared by different probation officers in different probation offices? Is there some standard information to be found in every presentence report and if so, what? Could research discover certain denominators common to all presentence reports regardless of who prepared them and where they were prepared?

- What role does the offender himself or his family play in the preparation of the report? How often do probation officers request information from the police and how often do they rely on this information? What weight do probation officers place on professional opinion such as the opinion of psychiatrists? To what extent do probation officers rely on information contained in previous presentence reports prepared on the same offender, if such reports do exist?

- What influence does the organizational structure of probation have on the style and content of the presentence
report? What role do supervisors play regarding the report? Do they have a say as to the "how" and to the "what" to put in the report? Are there written guidelines for the preparation of presentence reports? How much discretion do probation officers enjoy in the preparation of the report and how much latitude do they command in judging what to include in and what to exclude from the report?

- Do probation officers share common perceptions concerning their role, about probation itself, about the importance of the presentence report and the role it plays in sentencing? How do "identical", "similar", or "divergent" conceptions influence the content of the presentence report?

- How secure do probation officers feel in making judgements about the offender's past and future? Do they feel confident enough to make a diagnosis and a prognosis in each case or most of the cases? Do probation officers invariably see their role as providing the court with a specific recommendation as to the proper disposition in every case they handle?

- Are the informational needs of the courts well articulated and adequately communicated to probation officers? How good and how open are the channels of communication between courts and probation? Is there a back-and-forth exchange of information between the court and the probation officer during the preparation of the presentence report?
To what extent are the contents of the presentence report determined or influenced by the needs of the court as articulated by the judge or as perceived by the probation officer?

To these questions and others the present study addresses itself.
II. THE PRESENTENCE REPORT: A LITERATURE REVIEW

A. THE PRESENTENCE REPORT: A MEANS OF COMMUNICATION BETWEEN THE COURTS AND PROBATION

While the criminal justice system may lack many of the characteristics of a "true" system, it is nevertheless an interactive, interdependent system governed by complex communicative procedures (Cohn 1976; Deutsch 1966). For instance, on the basis of their observation of the criminal court process, Eisenstein and Jacob (1977: 294) concluded that:

Outcomes of the felony disposition process are not the result of singular efforts by judges, prosecutors and defence counsel. Outcomes result from interactions among court members and others. They do not only interact with each other but also become dependent on one another. They work in a context established by police, legislatures, appellate courts, correction agencies, the media, and the general political process of the city...

Wallace (1974) notes that in large workgroups the lines of communication are complex and this may contribute to formalized practices. Similarly, McCormack (1969: 54) observes that a dual communication system exists in organizations:

Organization communication systems have two aspects: the formal system and the informal system. The formal system normally follows the lines of authority as outlined by the organization draft. Organization policies and orders are generally transmitted through this system. The
informal system consists of social relationships which may have the power to determine whether the authority transmitted through the formal system will be accepted.

The dependency of one organizational component on another can be defined in terms of communication (Deutsch 1966). For example, in the criminal justice system rehabilitation may be regarded as an organizational policy, but it is individuals at the lower echelons of the system, utilizing informal communication networks, who actually determine the viability of the policy (Page 1944). Policy implementation in the criminal justice system, as well as policy conceptualization, appear dependent on a "...complex pattern of communications and relationships in a group of human beings" (Simon 1976).

In a similar fashion, the presentence investigative process depends upon a series of communications. The probation officer relies on the court to initiate the process. The court, in turn, relies on the probation officer's investigative and communicative skills to conclude the process. Cohn (1969: 8) conceptualized the presentence report as the "...connecting link,..." between probation and the courts, while Coffey (1974: 240) stated that:

...probation regardless of organizational structure is strongly interrelated to the courts and the court process....

To this end, the presentence report may be regarded as a policy oriented communicative mechanism binding agency personnel responsible for making recommendations about the criminal
offender, prison classification, and parole (Sheridan and Konrad 1976; Cohn 1976; Administrative Office of the United States Courts 1970); the prime function of the presentence report, however, is to assist the court in determining the most appropriate disposition for a specific offender (Wallace 1974; Perry 1974; Keller 1972).

B. The ROLE OF THE PRESENTENCE REPORT IN SENTENCING

Determining the appropriate disposition for the criminal offender is one of the most complex decisions facing the criminal court judge (Vancouver Sun 1980; Leon 1979; Administrative Office of the United States Courts 1978; Sharp 1959). Part of the judge's difficulty in choosing a particular disposition stems from the lack of adequate information on the offender. The complexity of the decision has led some to suggest that sentencing be relegated to sentencing boards, since they are in a better position to obtain more adequate information about the criminal and are better qualified to assess this information (Levin 1949; Keller 1972).

However, most students of the criminal justice process do not favor removing sentencing from judges and giving it to sentencing boards to handle. They rather feel that the sentencing process can be vastly improved through more meaningful information about the offender and the sentencing alternatives that may be available (Walker 1971; Kaufman 1970).
Jaffary 1963). Wilkins (1975: 74-75), on the other hand, remains skeptical. He argues that:

Decision makers who believe that they can consider all the relevant information are deceiving themselves. Decision makers who believe that they need more information in order to make better decisions are clearly incorrect.

In Wilkin's opinion, also shared by Millar (1956), decision makers can only competently assess six to nine different types of information in the decision-making process (Wilkins 1973).

When the emphasis was on punishment all the judge needed to know were the circumstances surrounding the offence and the offender's prior criminality. As the emphasis shifted from punishment to rehabilitation, the need for additional and varied information became obvious (Hogarth 1967a). The shift of emphasis is evident in the report of the Ouimet Committee (1967) which proclaims protection of society and rehabilitation of offenders as the major aims of sentencing. How the offender is to be assessed for sentencing purposes remains, however, unclear (Hogarth 1970; Comment 1968; Ohlin and Remington 1958).

In British Columbia, a third objective has been recently proposed. This third goal is "restoration"

...of the relationship between the offender and the offended....The concept of restoration requires that, on carrying out the sentence, Corrections focuses on the conflict caused by the offence rather than on the

It is worth noting that in 1978 the B.C. Corrections Branch published a document entitled the Goals, Strategies and Beliefs [Corrections Br.] in which the emphasis on restoration was diminished if not totally repudiated.
offender as an individual. The same tools may be used but the focus is different. For example, if an offender is placed on probation for punishment the focus is to impose some sanctions to teach him a lesson. If he is placed on probation for rehabilitation the focus is to help the offender, as a person, develop a better life. If he is placed on probation for restoration the focus is to conciliate between the offender and the offended (Sheridan and Konrad 1976: 251)

It becomes therefore incumbent on the probation officer each time he makes a recommendation to suggest to the judge the sentencing goal he considers most appropriate. In doing so, the probation officer often attempts, as Hood and Sparks (1957: 157) have suggested, to "second guess" the judge's sentencing philosophy. Rather than clarifying existing goals, restoration introduces a new philosophy to the dispositional process. Since the relative importance of each of the three goals has never been specified, both probation officers and judges are left to decide which goal --rehabilitation, protection of society, restoration--ought to be paramount in the sentencing of a particular offender. This, in turn, may lead the probation officer to collect and emphasize different types of information during the presentence report inquiry (Parizeau and Szabo 1978; Hogarth 1970).
C. THE PRESENTENCE REPORT: A TOOL FOR INDIVIDUALIZATION OF PENAL MEASURES

In what cases do judges usually require a presentence report? Some authors indicate that the offender's social class or prestige may be an important factor in determining whether or not a presentence report will be requested by the judge (Vedder and Kay 1963). While Hogarth (1970) and Jarvis (1965) suggest that the presentence investigation is more likely to be requested for the "unusual" or "atypical" offender. Paragraph 662(1) of the Canadian Criminal Code implies that a presentence inquiry is to be requested any time a judge feels the need for assistance in determining the most appropriate disposition. Sharp (1959) reports that judges feel more information is needed for sentencing when an offender is suffering from special problems, such as addiction or mental incompetence. By requesting the presentence investigation, the court can utilize the "social evidence" contained in the report to obtain a better understanding of the offence, the offender and his particular

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In Canada, the presentence report is described under Section 662(1) of the Canadian Criminal Code which states:

Where an accused, other than a corporation, pleads guilty to or is found guilty of an offence, a probation officer shall, if required to do so by a court, prepare and file with the court a report in writing relating to the accused for the purpose of assisting the court in imposing sentence or in determining whether the accused should be discharged pursuant to section 662.1.

(Martin's Annual Criminal Code 1980)
needs (Kohut 1966: 18). Murrah (1963) suggests that the information contained in the presentence report, when considered in conjunction with the legal evidence, enhances the wisdom of the judge and contributes to a more appropriate disposition. The presentence report may provide information as to whether or not the offender is the type of individual capable of committing the offence in the normal course of events.

The duty to supply the court with relevant information about the offender is regarded by probation officers as one of the most important aspects of probation work (Sheridan and Konrad 1976; Fitzgerald 1963; Glaser 1969). It should be made clear, however, that the information contained in the presentence report is generally determined not by the real needs of the court but by what the probation officer feels the court needs in order to make "...a proper and thorough disposition" (Kohut 1966: 18). Much of this information is obtained through the probation officer/offender interview (Gronewold 1958). The offender interview not only provides the informational base for the presentence report but may also be instrumental in determining the probation officer's recommendation (Bartoo 1963). Sheridan and Konrad (1976) indicate that the offender interview requires considerable skill on the part of the

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See Littrell (1975) for a similar observation with regard to police and crown counsel decision-making and whether or not to charge an accused. See also Emerson (1969) for the use of social information about the offender in Juvenile Court.
Interviewing skills, according to Mangrum (1975), are developed through on-the-job training, practice, and experience. Training is believed to be paramount as it provides the novice probation officer with an opportunity to develop the skills necessary for offender interviewing. As Wildeman (1969: 76) notes, the offender interview is unique in that the probation officer:

...makes judgements and decisions regarding the behavior of one whom he has already been told is an officially defined deviant.

Similarly, Peskin (1971: 38) points out that information conveyed to a probation officer prior to the interview may create a "halo" effect:

...through which the observer views all the characteristics--assets and liabilities--of another person....

A high degree of objectivity is required if the probation officer is to avoid a priori judgements. As it is not unusual for the probation officer to consult available documents prior to the offender interview, labels such as "dangerous" or "mentally ill" may influence his judgement of other offender-related factors (O'Leary 1976; Grove and Kerr 1951).

In addition to the difficulty of maintaining objectivity, the interview can be problematic in other ways. If the offender is of limited mental capacity, or if the probation officer and the offender are unable to establish a rapport, misinformation may ensue (Monger 1972; Manson 1969). Wright (1979) reports that
offenders may give differing information about their socio-biographical and criminal background to different interviewers, while Norris (1969) indicates that information pertaining to their employment and marital status is likely to be inaccurate. The probability of misinformation is further enhanced by what Redfield (1965) labels as the "manipulative process" of the interview, in which each actor attempts to influence the behavior of the other. Redfield's theory finds support in the work of Holland and Boik (1978), who found that offenders realize the value of displaying pro-social vs anti-social mannerisms in the interview situation. Moreover, Perry (1974) feels that the limited ability of some probation officers to communicate in an effective manner restricts the usefulness of the interview as an informational device.

Despite the shortcomings of the offender interview as a vehicle for obtaining the required information, it does provide a valuable opportunity for the probation officer to examine available documentation in the presence of the offender. Offender-related documents including police, parole, and prior presentence reports can be checked during the interview to ascertain the truthfulness of the information they contain. In addition, the offender interview provides the probation officer with an opportunity to determine other potential sources of information that may be contacted including the offender's relatives and spouse, the police and other professionals such as
social workers, doctors, military and educational authorities (Perry 1974; Gronewold 1958). From these and other collateral sources of information, the probation officer can verify and obtain additional information about the offender.

D. CONTENT OF THE PRESENTENCE REPORT

As noted above, the information compiled by probation officers is the information they regard as the most pertinent to the disposition process (Perry 1974; Kohut 1966; Bromage and Nelson 1967; Outerbridge 1962). But how much information is needed? The answer to this question is rather problematic. An abundance of information about the offender is believed by some to enhance the relevance of the presentence report. At the same time, a presentence report containing too much information may not be read by the judge (Keve 1960).

Proponents of the presentence investigation procedure in the United States, together with their counterparts in British Columbia, do not seem to appreciate fully the complexity of the task the probation officer faces when constructing the presentence report. They seem to entertain unrealistic expectations as to what the presentence report can and should

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4 In the United States efforts have been made to resolve this problem, the most notable is that by Carter and Gitchoff (1970). But as recently as 1974 the Probation Division of the Administrative Office was still recommending a shortened version of the presentence report (Administrative Office of the U.S. Courts 1974).
contain. For instance, the Administrative Office of the United States Courts (1970: 69) suggests that the presentence report should:

...illuminate the character, personality of the offender, to conceptualize his problems and needs and understand his world and relationships with people and to discover the salient factors that underlie his specific offense and conduct in general.

This perspective seems to place more emphasis on the offender's present situation than on his/her future prospects.

In British Columbia, there are no formal standards for the construction of the presentence report or for its content other than those communicated through intra-departmental memos (Ekstedt 1979; Angus 1979). However, it is suggested by Sheridan and Konrad (1976: 278), two senior administrators in the British Columbia Corrections Branch, that a presentence report:

...should identify both the offender's strengths and weaknesses in his normal environment so that constructive behavior can be supported and criminal behavior modified. Background information explaining present behavior is essential, but an indepth personal history is seldom relevant.

This recommendation suggests, contrary to the view posited by the Administrative Office of the U.S. Courts, that the focus of the evaluation should be on the offender's future. Both strategies, however, imply that the probation officer has to compile and consider a broad range of information when constructing the presentence report.

Advocates of the presentence report also insist that the
information gathered be "comprehensive", relevant, and verified (Sheridan and Konrad 1976; Rubin 1973; Newman 1970; Administrative Office of the United States Courts 1970; Meeker 1967). In addition, they recommend that the sources of information be identified in the body of the document (Administrative Office of the United States Courts 1978; Mangrum 1975; Parker 1964; Fitzgerald 1963). Needless to say, the presentence report also has to be accurate and objective, composed with the reader in mind and should be written with "clarity and brevity" (Menning, Wilkinson and Clarke 1976; Administrative Office of the United States Courts 1970; Leyton 1968; Keve 1960). According to some authors, the presentence report should culminate in an evaluation and a recommendation "...based on an assessment of the offender's background, present circumstances and needs" (Treger 1971: 320-322).

Ideally, a presentence report should contain information of a socio-biographical nature about the past history, as well as the present circumstances, of the offender (Treger 1965). Furthermore, the presentence report should contain information on the offender's psychological state, his future expectations and rehabilitative potential (Rubin 1973; Newman 1970; Meeker 1967). But most important, the probation officer must interpret the facts, and not merely present them (Perry 1974; Keve 1970).

Several investigators, including the President's Commission on Law Enforcement and Administration of Justice (1967: 144),
express the view that presentence reports are of "...uneven quality and usefulness". Blumberg (1967) and White (1971) point out that presentence reports lack objectivity and validity and that hearsay information contained in them may lead the magistrate to place limited value on their substance. In Canada, Hogarth (1971; 1970) feels that presentence reports lead to a lack of consistency in sentencing, harsher penalties, and that, as a communicative device, the presentence report is not viable unless specific guidelines exist for its use. Hogarth (1971) argues that magistrates need time to assess the report and to consult with the author of the document for explication of its content. Most importantly, however, Hogarth (1971) contends that the magistrate must personally believe in the concept of individualization of justice. Hogarth (1971, 1970) also recommends, as do other authors, that research on the reliability of the presentence report and its validity as an evaluative tool be undertaken (Daunton-Fear 1975; White 1972).

E. PRIOR RESEARCH ON THE PRESENTENCE REPORT

Despite the abundance of criminological literature, there appears to be a paucity of research focusing on the informational content of the presentence report. Much of the research done centers either on the factors influencing the recommendation or on the impact the recommendation has on the judicial process. Notable exceptions, however, are studies by
Perry (1974) and Cohn (1970a; 1969), and to a lesser extent those by Norris (1969) and Gabor and Jayewardene (1978). These five studies focus more or less on the informational content of the presentence report.

In an American study, Cohn (1969) made a content analysis of 300 juvenile presentence reports, isolating and categorizing fifty-six items. Cohn (1969) found that information relating to the offender's legal and family situation is the most commonly recorded information. He also observed that probation officers constructed the presentence report to fit the recommendation. That is, if the probation officer intended to make a recommendation for incarceration, positive information relating to the offender's capacity to function in his/her natural environment would likely be omitted.

Cohn (1969) noticed that the amount of information included in the presentence report is related to the level of confidence the probation officer has in the court: the more confident he is that the court will follow his recommendation, the less information he includes in the presentence document. Cohn also noted that the frequency of certain types of information being recorded is directly related to the frequency of occurrence of the phenomenon in question. For example, if the offender has had a large number of contacts with a particular social agency such as the welfare department, Cohn found this information will
likely be recorded. The latter finding, however, may be simply the outcome of using specific interview sheets or model reports which indicate the type of information to be gathered. The use of specific forms or models does not mean that all recorded information will, in fact, be later included in the presentence report.

In a subsequent study of 200 presentence reports completed for the Bronx Children's Court, Cohn (1970a) found that objective types of information are more likely to be recorded than subjective ones. Thus information relating to the offender's sex, age, offence, role in the offence, and number of prior convictions is often recorded, while more subjective data relating to the offender's family relationships, personality, school conduct, and peer relationships are infrequently recorded. Although subjective information was less frequently recorded than objective information, it appeared to be more influential in shaping the probation officer's recommendation. Utilizing statistical analysis, Cohn found the objective data recorded by the probation officer to be of little value in

\[5^{\text{Cohn (1969: 101)}}\] observed that:

The reporting rate reflects the frequency of the occurrence of the phenomena: a high reporting rate a relatively high presence, a low reporting rate relative absence of the phenomena like contact with special services, availability of psychiatric examinations, and psychiatric treatment.

\[6^{\text{Cohn (1969: 99)}}\] points out that probation officers do not have complete freedom in selecting information as pre-formed reports may indicate what information is to be gathered.

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determining his recommendation, while subjective impressions about the young offender's personality and family history were of considerable influence. Cohn (1970a) concluded that probation officers record objective data because it is easier to collect and present than are their subjective impressions about the offender.

In another American study, Norris (1969), focused primarily on decision-making by probation officers. He too, like Cohn (1970a), found that the officer's subjective impressions about the offender were influential in shaping his recommendation. These impressions were, in fact, more significant in determining the officer's recommendation than were the objective socio-biographical data about the offender, particularly in misdemeanor cases.

In a British study, Perry (1974) analyzed the content of 270 social inquiry reports submitted to a single court. He examined three elements of the social inquiry: the investigation, the report content, and the relationship of recommendation to sentence. Perry (1974) found the social inquiry report to be basically a factual document. In addition, he discovered that 50.0% or more of social inquiry reports did not contain information relating to the offender's socio-biographical background. On the other hand, information relating to the offender's education and employment history was usually mentioned. In contrast, fewer than 51.0% of social
inquiry reports contained information relating to the offender's offence and prior criminal history. Perry (1974) concluded that the overall value of the adult social inquiry report in Britain, as a vehicle for communicating information to the court, is low.

In a Canadian study, Gabor and Jayewardene (1978) were unable to reach any definite conclusion about the content of the presentence report and the impact its variability may have on judicial decision-making. The authors suggest, however, that:

...linguistics and communicative style contained in a presentence report are probably critical factors in terms of the ultimate value of the report.

The shortcomings of presentence reports, reported by various researchers, Daunton-Fear (1975), White (1972), and Hogarth (1971, 1970) among others, does not seem to prevent the courts from following the probation officer's recommendation in a large percentage of cases (Boyd 1978; Cohn 1976; Gibson 1973; Ford 1972; Jarvis 1965). Even more surprising are the research findings indicating that those placed on probation, following a probation officer's recommendation to that effect, do relatively well when judged by their rate of recidivism (Cockerill 1975; Ontario Probation Officer's Association 1967).7

Cockerill (1975) defined recidivists as: 
...those probationers who either re-offended while on probation or during the [one year] follow-up period.

The Ontario study (1967) defined recidivists as:

Those probationers who were terminated before their original period of supervision ended because of another
Be this as it may, the recommendation is only one part of the presentence report's substance. The report contains a variety of other information and examination of this information appears pertinent and warranted. The present study is an attempt to determine the nature and type of information usually contained in the adult presentence report.

SUMMARY

The presentence report is the final product of a series of formally required and less formally derived communications by which members of the criminal justice system, the offender, "significant others", the victim, and other members of the community can assume a role in the dispositional process. A presentence investigation may be requested to individualize the sentencing of the offender in cases which appear "atypical" or "unusual", and to assist the judge in determining the most appropriate sentencing alternative. But the presentence report is not merely a sentencing tool, it is usually a prelude to rehabilitation and treatment and is often used later on by other components of the criminal justice system. Subsequent to sentencing, prison classification officers and parole officers often use the information contained in the presentence report to (cont'd) offence or other violation of their recognizance, and those who completed their original term but committed a further indictable offence during the three year follow-up period.
make decisions or recommendations about the offender. The review of literature reveals that the information contained in the presentence report is gathered by a probation officer mainly from an indepth interview with the offender. The document itself may or may not conclude with a recommendation intended for the sentencing judge. The review of literature also indicates that the recommendation contained in the presentence report plays an influential role in judicial decision-making. It is essential, therefore, that such recommendation be supported by the type of information likely to be of the greatest assistance to the sentencing judge in determining the most appropriate disposition. The present literature review suggests that the information probation officers communicate to the judge about the offender is considerable and varied. Some authors question the reliability of the information contained in the presentence report and research conducted in the U.S., Britain, and Canada shows that particular types of information are infrequently or inconsistently mentioned. Due to the importance of the presentence report in the criminal justice process, and in view of the previously demonstrated inconsistency of its content, it appears that another look at it is warranted.
III. METHODOLOGY AND DESIGN

In this chapter the hypotheses underlying the study are presented together with the research design, and the methodology. The chapter also contains information about the setting of the study and the data.

A. HYPOTHESES UNDERLYING THE STUDY

Although no explicit hypotheses were articulated at the outset of the research, the study was conceived and carried out to test a set of implicit hypotheses. These implicit hypotheses were largely inspired by the review of the literature. The following are some of the hypotheses the study set out to test:

1. The presentence report is mainly a narrative document containing more statements relating to events than assessments of the offender's present and future behavior.
2. Socio-biographical information is easier to compile and safer to present than psychological information. Presentence reports are likely therefore to contain more of the former than the latter.
3. The content of the presentence report is subject to various influences, particularly the influence of legal, organizational, and individual factors.
4. The presentence report is the main communication device between probation officers and the courts.

5. The lack of communication between the courts and probation officers is likely to result in the presentence report catering to the needs of the court as perceived by the probation officer. If this is true, it is likely that the information communicated to the judge will not satisfy the actual informational needs of the court.

6. Information contained in the presentence report is very selective. As a result, large variations in reports prepared by different probation officers and in different probation offices are likely to be found.

7. The content of the presentence report reflects not only the particular style of the probation officer but also the style of the supervisor.

8. Despite their variability, presentence reports will contain standard types of information regardless of where they were prepared and who prepared them. The standard types of information are likely to keep recurring in each presentence report.

9. Individual probation officers are likely to have their own preferences as to the sources of information they use and the types of information they include in their presentence reports. Still they share common beliefs about the relative reliability of the different sources and about the need to
include specific types of information in the report.

10. In selecting their sources of information for the presentence report probation officers proceed on the basis of a priori assumptions pertaining to the reliability of those sources.

11. The offender is the major source of information for the presentence report.

12. In preparing presentence reports, probation officers make a series of subjective judgements as to the relevance of various types of information, and subsequent judgements as to what to include in and what to exclude from the report.

13. The common background, training, experience, and orientation of the probation officers, and the existence of some unwritten guidelines for the presentence report are likely to result in a set of denominators common to all reports.

14. Different probation officers are likely to have varying perceptions of their role and the role of the presentence report in the dispositional process.

15. Varying perceptions of the probation officer's role and of the role of the presentence report are likely to have a major impact not only on whether a recommendation is made, but also on the nature of the recommendation when one is made.
B. SETTING OF THE STUDY

The British Columbia Corrections Branch is composed of six regional districts. Each regional district comprises a number of decentralized offices providing services of supervision, counselling, and presentence investigation (Annual Report 1977). This study was conducted in two regionally distinct adult probation offices, hereafter referred to as Office 1 and Office 2.

Office 1, which is located in a large urban area of high population density, is staffed by five adult probation officers, one supervisor, and two stenographers. Office 2, on the other hand, is located in a smaller urban area of less population density and is staffed by four adult probation officers, one supervisor, and two stenographers. Both probation offices carry out presentence investigations for the Provincial, the County, and the Supreme courts of British Columbia.

C. DATA AND METHODOLOGY OF THE STUDY

The two probation offices that participated in this study were selected by regional headquarters of the B.C. Corrections Branch on the basis of accessibility, comparability in staffing, population served, and the degree of expected cooperation of the office supervisor and the staff. The data for this study consists of 196 adult presentence reports completed by six probation officers in Office 1 and 130 adult presentence reports.
completed by eight probation officers in Office 2 between January 1, 1979 and December 31, 1979. These were all the presentence reports available in the two offices at the time the study was undertaken. This time period was considered appropriate for three reasons:

1. A twelve month period provides a large enough number of reports from both offices.
2. Presentence reports completed in 1979 were likely to be readily available and not yet disposed of.
3. Authors of the presentence reports were likely to be still working in the same offices and thus accessible for interview. However, three of the eight officers who authored the reports in Office 2 had been transferred and were therefore unavailable for interviewing.

Content Analysis

The present study uses a combination of survey data and content analysis in an attempt to find answers to the research questions. Despite the well known limitations and shortcomings of content analysis, it was judged to be the most appropriate methodological approach for a study aimed mainly at determining the nature and the type of information usually contained in the presentence report. Content analysis is considered ideal for

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Only reports that were readily accessible were examined. Excluded were 3 reports completed in Office 1 and 4 reports completed in Office 2, as they had either been sent to remote areas or out of the Province.
large quantities of informational data and provides a means for replication (Carney 1972; Marsden 1965). Content analysis has also been utilized frequently and successfully by a number of researchers including Gabor and Jayewardene (1978), Perry (1974), Kort (1973), Cohn (1970a; 1969), Carter (1966), and Wilkins and Chandler (1965).

Content analysis, as Berelson (1954) points out, is a scientific method for describing various facets of communication content in summary fashion. Berelson (1954: 489) defines content analysis as: "...a research technique for the objective, systematic, and quantitative description of the manifest content of communication." Marsden (1965: 298) divides content analysis:

...into three broad procedure families called models: the classical, the pragmatic, and the nonquantitative....The aim of...the classical model [is] to achieve objective (i.e. reliable) and systematic results...this could best, or perhaps only, be done through the use of quantitative methods....Quantification is...[therefore,] an essential part of [the classical model] of content analysis.

As an alternative to the classical model Marsden offers what he calls the pragmatic model. This model focuses on the pragmatic aspects of the communication rather than restricting itself (as does the classical model) to the semantic and syntactic aspects. Marsden (1965: 299) states:

While, in the classical model, units are coded in categories descriptive of the content itself, in the pragmatic model, units are coded to categories descriptive of some condition of the communicator or of the relationship between him and his communication. In the classical model, once units are coded, the analyst
may make further inferences about the internal state of the communicator, and these inferences are the point at issue, subject to validation only by other procedures. In the pragmatic model, this kind of inference is made initially, at the time of coding, and is the basis of the coding.

The pragmatic model is not a purely qualitative one. As Marsden (1965: 209) points out: "...many pragmatic model systems measure intensity in terms of the frequency of occurrence in accord with Berelson's assumption of the value of quantification."

As to the nonquantitative model, he feels it lacks methodological homogeneity which characterizes both the classical and pragmatic models (Marsden 1965). Needless to say that the three models are not mutually exclusive, as in each the researcher makes a frequency count of some defined analytic category. In fact, "... much qualitative analysis is quasi-quantitative..." (see Berelson 1954: 512). The prime difference between them is in the degree of objectivity and in the assumptions that underly each technique. For example, the non-quantitative/qualitative is considered the least objective of the three procedures, but it allows a more indepth analysis of the communication and is more suitable for complex themes than quantitative analysis. Berelson (1954: 512) states that:

...qualitative analysis is relatively less concerned with content as such than with the content as a "reflection" of "deeper" phenomena...[it] employs less formalized categorizations than quantitative analysis ....[and it] utilizes more complex themes than quantitative analysis.
The classical/quantitative approach of content analysis is considered the most objective of the three procedures. It consists of identifying analytic categories of content and making a count of their occurrence or omission. The quantification:

does not necessarily demand the assignment of numerical values to the analytic categories. Sometimes it takes the form of quantitative words like "more" or "always" or "increases" or "often". (Berelson 1954: 489)

While the pragmatic is less objective than the classical, objectivity is obtained through a priori coding of analytic categories that the researcher hopes to find. The pre-coding of categories reduces the bias which is thought to occur, consciously or unconsciously, in the collection of data by content analysis (Mitchell 1967). Yet it avoids the rigidity of the pure classical/quantitative method, as there is an assumption that there is a relationship between the communicator and his communication. The recognition of the relationship by the researcher allows him/her to structure definitional coding in such a manner so that jargon unique to the communicator's field, as well as to the intent of the communication itself, will be included.

The method of content analysis utilized in this study is the pragmatic. The relationship between the probation officer (the communicator) and the presentence report (the communication) has been noted above in the literature review, as
has been the function of the presentence report. In this study, the definitions utilized for coding were formulated with this relationship and the intent of the presentence report in mind.

Presentence Report Data

The 326 documents were content analyzed for four main categories of presentence report content. These four categories were selected on the basis of the literature review and a preliminary examination of 15 adult presentence reports.

The first category consists of the type of information the adult presentence report contains. The types of information gathered were largely influenced by the review of the literature, in particular by the studies of Perry (1974) and Cohn (1969), as well as the preliminary examination of the presentence documents. Types of information were retained on the basis of their potential relevance to the informational needs of the judge. It should be noted, however, that the following list of information types is not exhaustive. For example, information regarding the offender's education was not coded as a separate type. The content of each presentence report was thus analyzed for the following types of information:

a. present offence (Perry 1974; Cohn 1969),
b. family history (Perry 1974; Cohn 1969),
c. prior criminal history (Perry 1974; Cohn 1969),
d. marital history (Perry 1974),
e. future expectations (Perry 1974),

f. personality (Perry 1974; Cohn 1969),

g. attitude (Perry 1974; Cohn 1969),

h. employment history (Perry 1974; Cohn 1969),

i. leisure activities (Perry 1974),

j. peer relationships (Cohn 1969),

k. special problems (Perry 1974),

l. physical health (Perry 1974; Cohn 1969),

m. religion (Perry 1974; Cohn 1969),

n. financial situation (Perry 1974; Cohn 1969),

o. mental health (Cohn 1969),

p. prior punishments (Perry 1974),

q. treatment plan (Perry 1974), and

r. a recommendation (Perry 1974; Cohn 1969).

All items were nominally measured (see Appendix C for operational definitions). Each type of information was examined for occurrence, or non-occurrence.

Once the various types of information presentence reports contain were examined, the next step was to try to measure the recurrence or reiteration of certain types. The idea was to find out how often certain types of information are mentioned in the same report. The types selected for this second category were those shown by Curry (1975/76), Perry (1974), Cohn (1970a), Cohn (1969), Carter (1967), Lohman, Wohl and Carter (1966), and Wilkins and Chandler (1965) to be of primary importance to
criminal justice decision-making. The types selected for the second category are:

a. present offence,
b. family history,
c. prior criminal history,
d. marital history,
e. future expectations,
f. personality,
g. attitude,
h. employment history.

Each type of information was frequency counted phrase by phrase. If one item was mentioned in relation to a different item in the same phrase, both items received a count of one (See examples in Appendix C).

The third category contains the various sources of information. These were also selected on the basis of the literature review. The sources of information retained are:

a. victim (Sheridan and Konrad 1976),
b. offender (Perry 1974; Gronewold 1958),
c. spouse (Perry 1974; Gronewold 1958),
d. parent/guardian (Perry 1974),
e. sibling (Perry 1974),
f. relative/neighbour/friend (Perry 1974),
g. police (Perry 1974; Gronewold 1958),
h. professionals -- social workers, doctors, psychologists,
psychiatrists (Perry 1974; Gronewold 1958),
i. previous presentence report (Perry 1974),
j. employer (Perry 1974), and
k. "other"—schools, Unemployment Insurance Commission, politicians, clergy, out of province probation officers, children of the offender, Salvation Army, Bail Supervision, Immigration, Veterans' Affairs, correctional officers, landlords, group home parents, Credit Unions, military records, and Indian Band Counsellors. "Other" was not cumulative.

Sources were nominally measured by noting whether or not they had been mentioned. Each source was counted only once. Thus if three different employers were contacted, one notation was made in the employer column, but three notations were placed under the heading "total number of sources." In each instance, total number of sources included the offender as a source of information (See Appendix C for operational definitions).

The fourth and last category includes the manner in which the information gathered was presented in the adult presentence report. Statements contained in each adult presentence report were classified as factual, factual/interpretative, interpretative, relevant asides, and other. The definition of each of these statements is given below:

1. Factual statements: these are statements susceptible to verification as well as statements presenting information in
a purely factual manner about specific events in the offender's life. For instance, if it was stated that
"...the offender was fired because of abstenteeism"
or
"...subject immigrated to Canada, the only member of the family to have done so."
or
"One member of the family committed suicide."
this was considered a factual statement because it could be verified. Other examples of factual statements are those attributed to the offender such as he/she states, feels, describes, sees, and so on. For instance:
"He states it made him irritable and depressed."

2. **Factual/Interpretative statements**: are those statements or phrases containing factual information coupled with the probation officer's own interpretation. Also classified under this category was any information about the offender given by any source of information other than the offender himself. Examples:

"Although, the subject expressed remorse for the offence, this officer doubts the subject is genuinely remorseful"

"On a number of occasions 'X' was referred for psychiatric assistance but beyond reporting there appeared no commitment to change."
"After leaving home at age 'X' the individual led a very transient lifestyle, travelling and working."

In each of these examples the probation officer has offered his/her interpretation of information that is susceptible to verification.

3. **Interpretative statements**: these refer to statements of opinion made independently by the probation officer that are not in conjunction with any factual statements as defined above. Examples:

   "His remorse and humiliation are felt to be legitimate."
   "Though he is considered personable and likeable he strives continually for approval or acceptance, so much so that his quest for these goals leads to outright manipulation and wrong-doing which indicates a definite personality quirk."

In these two examples the statements made are subjective and made independently of a previously mentioned fact or set of facts.

4. **Relevant asides**: are statements which may be potentially important but do not appear to be directly germane to the purpose of the presentence report. Example:

   "The mother has been described as a domineering person who was concerned with her own problems and inconsistent in her discipline."

This statement, while possibly important, detracts attention
from the offender as the focus of the presentence report.

5. "Other": includes any statement not fitting the above categorization.

All statements were frequency counted both in the substantive part of the reports, as well as in the part dealing with the evaluation. "Other" was dropped from the analysis due to a number of empty cells, "relevant asides" contained in the evaluation were also dropped for similar reasons.

This final category also includes a count of the different types of information and the various sources of information mentioned in the reports, as well as the number of pages excluding the face sheet. In each case, the mean was calculated for total types of information, total sources of information, and number of pages in the report by dividing the added frequency of the item examined by the total number of reports (i.e. 326).

Survey Data

In an attempt to obtain a greater understanding of the informational content of the adult presentence report eleven persons, nine probation officers and two supervisors, were interviewed. The interviews were structured to ensure that all probation officers are asked the same array of questions (Maccoby and Maccoby 1954; Merton and Kendall 1946). The questions focused on the officers' perceptions of probation, in
general, and on the presentence report procedure in particular (See Appendix A for interview schedule). In addition to the interview, questionnaires were submitted to these same probation officers and supervisors soliciting information regarding presentence report construction. However, only nine out of eleven questionnaires were returned. This may have been due to the sensitivity of the information requested (see Appendix B for a copy of the questionnaire).
IV. INFORMATION FOR THE COURT

Before considering the various findings of this inquiry, it may be instructive to provide the reader with a general outline of the presentence investigation as conducted by the probation officers interviewed. As mentioned in the literature review, individual probation officers appear to exercise considerable discretion in conducting the presentence inquiry. Investigation techniques and procedures are therefore bound to vary from officer to officer.

Once a probation officer is assigned a presentence investigation, he requests any information about the offender that may be available including prior presentence reports, present court charges, as well as the police report on the incident if it has not been forwarded. These documents provide information on the offender's socio-biographical and criminal background, together with information about the present offence. Any information received is checked to determine the nature of the offender's involvement with the criminal justice system and to decide if an indepth investigation is needed. For example, if information on the offender's family history is available in a prior presentence report, the probation officer may go over this information with the offender during an interview to validate particular items. Usually, if the information is deemed correct,
the probation officer is likely to forego the contacting of additional sources.

The offender interview may be conducted before or after the probation officer has consulted the documents. This usually depends on the time available to complete the report, the swiftness with which the offender responds to the interview request, and the particular style of the probation officer. Frequently only one interview is held. But if discrepancies are found between offender-derived information and information derived from some other source, additional interviews may be necessary. Still, some probation officers systematically conduct a second interview as a part of their normal investigative procedure.

Information obtained from the offender during the interview is verified by contacting a wide variety of sources including the Canadian Police Information Center (CPIC), educational authorities, past and present employers, spouse, parents, physicians, social workers, plus any other informants whose names the offender may have provided to the probation officer. In each instance, however, collateral sources of information are contacted only when the probation officer feels it is necessary and appropriate. The use of discretion is essential because the offender's predicament may be further jeopardized if particular sources of information (such as his employer) became aware that he is being investigated.
Once the investigation has been completed the probation officer writes the presentence report. In some cases, the report is written after the probation officer has decided on a recommendation.

The presentence report consists of a face sheet which lists the offender's name, address and socio-biographical data including the offender's age, sex, marital status, employment status, race and citizenship. The face sheet is followed by one or more pages containing detailed information regarding the offender's present offence, prior criminality, family, employment, marital history, personality, attitude, future expectations, religion, self-image, peer relationships, leisure activities, physical and mental health. Collateral sources of information may or may not be identified. The style of the presentence report varies from the factual to the interpretative and it may or may not contain a recommendation. Upon completion of the report it is given to the stenographer for typing and then relayed to the court at the earliest possible convenience, generally 24 to 48 hours prior to sentencing.
A. TYPES OF INFORMATION AND FREQUENCY OF THEIR MENTION

1. A Comparative Analysis

Table 1 presents a comparison of findings on presentence report content. Included in Table 1 are Perry's (1974) findings on the content of the social inquiry report in England, Cohn's (1969) findings on the content of the youthful offender report in the United States, and findings from the present inquiry. Due to the differences in definitions and in coding, a statistical analysis of variance between the three studies was not undertaken.

As may be seen from Table 1, certain types of information such as "family history" and "employment" are mentioned with almost the same frequency in the three studies. Other types of information, on the other hand, are mentioned with varying degrees of frequency. One major difference between the two North American studies and the British one pertains to "present offence." This type of information was found in 89.6% of the presentence reports examined and in 99% of the reports analyzed by Cohn (1969). It is totally absent in British presentence
### TABLE 1

Types of Information and the Frequency of their Mention
In the Adult Presentence Report

<table>
<thead>
<tr>
<th>Types of Information</th>
<th>Present Study Canada-Adult N=326</th>
<th>Perry (1974) Britain-Adult N=200</th>
<th>Cohn (1969a) USA-Young Offender N=300</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family History</td>
<td>96.0</td>
<td>94.0</td>
<td>100.0</td>
</tr>
<tr>
<td>Employment</td>
<td>92.0</td>
<td>97.5</td>
<td>97.0(^1)</td>
</tr>
<tr>
<td>Prior Criminality</td>
<td>90.7</td>
<td>16.3(^3)</td>
<td>93.0</td>
</tr>
<tr>
<td>Present Offence</td>
<td>89.6</td>
<td>0.0(^4)</td>
<td>99.0</td>
</tr>
<tr>
<td>Finances</td>
<td>84.6</td>
<td>47.5</td>
<td>93.0(^5)</td>
</tr>
<tr>
<td>Recommendations</td>
<td>74.5</td>
<td>80.6</td>
<td>99.0</td>
</tr>
<tr>
<td>Marital History</td>
<td>50.0</td>
<td>38.8</td>
<td>0.0(^6)</td>
</tr>
<tr>
<td>Leisure Activities</td>
<td>47.5</td>
<td>30.5</td>
<td>22.0(^7)</td>
</tr>
<tr>
<td>Physical Health</td>
<td>44.0</td>
<td>22.5</td>
<td>28.0(^8)</td>
</tr>
<tr>
<td>Mental Health</td>
<td>40.4</td>
<td>0.0</td>
<td>13.0(^9)</td>
</tr>
<tr>
<td>Treatment Plan</td>
<td>40.4</td>
<td>15.8</td>
<td>0.0</td>
</tr>
<tr>
<td>Peer Relationships</td>
<td>37.0</td>
<td>0.0</td>
<td>30.0</td>
</tr>
<tr>
<td>Prior Punishments</td>
<td>36.8</td>
<td>33.9</td>
<td>0.0</td>
</tr>
<tr>
<td>Special Problems</td>
<td>27.5</td>
<td>27.0</td>
<td>0.0</td>
</tr>
<tr>
<td>Attitude</td>
<td>18.1</td>
<td>36.2</td>
<td>87.0</td>
</tr>
<tr>
<td>Future Expectations</td>
<td>15.3</td>
<td>17.5</td>
<td>0.0</td>
</tr>
<tr>
<td>Self-Image</td>
<td>11.1</td>
<td>12.5</td>
<td>0.0</td>
</tr>
<tr>
<td>Personality</td>
<td>7.1</td>
<td>6.0</td>
<td>65.0</td>
</tr>
<tr>
<td>Religion</td>
<td>4.3</td>
<td>3.0</td>
<td>96.0</td>
</tr>
</tbody>
</table>

1 Coded as Education/Work
2 Coded as Job Stability
3 It is not clear in Perry's study whether prior criminality refers to the offender's criminal record or to the probation officer's own beliefs about the offender's prior criminal involvement.
This type of information is not required by British Law.

Coded as Economic Level.

Since Cohn's study was of juvenile presentence reports he looked at the marital stability of the offender's parents. He found this type of information to be recorded in 86.0 percent of the reports he examined.

Coded as Hobby and Sport.

Coded as Physical Improvement.

Coded as Treatment in a Psychiatric Setting.
reports, probably as a result of the requirements of British law.\(^1\) The offender's "prior criminality" appeared in 90.7% of the present reports, in 93.0% of the reports in Cohn's (1969) study, but only in 16.6% of the social inquiry reports in Perry's study. It also seems that information about the offender's finances is regarded as more pertinent for disposition purposes in North America than in Britain. Information about the offender's "finances" was recorded in 93.0% of the reports in Cohn's study, in 84.6% of reports in the present study, and in 47.5% of the reports examined by Perry.

Probation officers in British Columbia seem to give more weight to the offender's physical and mental health than their British or American counterparts. Information on "physical health" was included in 44.0% of the reports examined compared to 28.0% in Cohn's study and 22.5% in Perry's study. "Mental health" was mentioned in 40.4% of the B.C. reports, 13.0% of the American reports, and not at all in the British reports. Furthermore, information about the offender's leisure activities, peer relationships, prior punishments, special problems, and the existence of a treatment plan is more likely to be found in presentence reports completed in British Columbia than in British or American reports. "Leisure activities" are

\(^{1}\)Perry (1974: 35) commenting on social inquiry reports prepared in England notes: "...there is no universally accepted format for a report....they do not follow a 'stereotyped form'...."
mentioned more frequently in the examined reports (47.5%) than in Perry's (30.5%), or Cohn's (22.0%). Information pertaining to "peer relationships" while totally absent in British presentence reports, is mentioned in 37.0% of B.C. reports and in 30.0% of the reports examined by Cohn (1969). The situation is somewhat different with regard to "prior punishments": totally absent in Cohn's reports, occurring in 33.9% of Perry's reports and in 36.8% of the present reports. This is probably due to the fact that Cohn's study was based on youthful offender presentence reports. It is well known that information on prior punishments of juveniles is difficult to locate because of the absence of a formal criminal record. Information on "special problems" appeared in B.C. and British reports with almost identical frequency (27.5% and 27% respectively). This type of information was not coded as such by Cohn. Presentence reports analyzed by Cohn (1969) contained no information relating to a "treatment plan," those by Perry (1974) contained such information in only 15.8% of the cases, while 40.4% of the presentence reports being examined did contain this particular type of information. Cohn (1969) does not seem to have used a separate coding for treatment plan or special problems. The same may be the case with the offender's "self-image" mentioned in 11.1% of B.C. reports, in 12.5% of the British reports, and not at all in the American reports. Similarly, "future expectations" appeared in 15.3% of the B.C. reports, in 17.5% of the British
reports, but were absent in Cohn's reports. "Religion," on the other hand, is mentioned much more frequently in Cohn's reports (95.0%) than in the present reports (4.3%) or Perry's (3.0%), and so is "marital history" with a frequency of 86.0%, 50.0%, and 38.8% respectively. It should be noted, however, that rather than recording the marital history of the offender himself, Cohn examined the marital stability of the offender's parents. This is understandable since youthful offenders are, for the most part, unmarried.

American probation officers also seem to place a much heavier emphasis on attitude and personality than their British or Canadian counterparts. "Attitude" was mentioned in 87.0% of Cohn's reports compared to 36.2% of Perry's reports and only in 18.1% of the reports examined. The difference is even more pronounced with regard to "personality" appearing in 65.0% of Cohn's reports and in less than ten percent of both Canadian (7.1%) and British reports (6.0%). Needless to say, the offender's attitude and personality are likely to be considered more relevant when the offender is a juvenile than when he is an adult. Hardly any of Cohn's reports were devoid of a recommendation. Perry found a "recommendation" in over four-fifths of all the reports he examined. In the present study, slightly less than three-quarters of the presentence reports contained a recommendation. Why are British Columbia's probation officers more reluctant to make a recommendation than
their British or American counterparts? It may be, as suggested by Hogarth (1971) that probation officers in Canada are not permitted by law to make recommendations. However, such an interpretation of Canadian law is not supported by the findings of the present study. Probation officers in this study not only made recommendations in three-quarters of the cases but went further in 40.0% of them to suggest some sort of treatment plan.2

2. Ranking Information Types By Frequency of Their Mention

As may be seen from Table 1, the various types of information can be classified into four categories according to the frequency of their appearance in the presentence reports examined:

a. Information most frequently mentioned: this is information appearing in more than 75% of all documents examined. Five types of information fall within this category: family history (96.0%), employment (92.6%), prior criminality (90.7%), present offence (89.6%), and finances (84.6%).

2 It is worth noting that in the new Service Delivery Standards, issued by the B.C. Corrections Branch (1981), it is specifically stated that: Under the evaluation section, specific recommendations should be avoided. A range of options that are appropriate to the known circumstances of the offender and the offence may be listed, along with program length. Previous responses to correctional programs should be discussed.
b. **Information frequently mentioned**: this is information mentioned in at least half but in no more than 75% of all reports studied. This category contains only two types of information: recommendation (74.5%) and marital history (50.0%).

c. **Information not frequently mentioned**: this is information found in more than a quarter but in less than half of all reports examined. Seven types of information can be classified under this category: leisure activities (47.5%), physical health (44.0%), mental health (40.4%), treatment plan (40.4%), peer relationships (37.0%), prior punishments (36.8%), and special problems (27.5%).

d. **Information least frequently mentioned**: this is information mentioned in less than 25% of all reports examined. Five types of information appeared with such low frequency. These are attitude (18.1%), future expectations (15.3%), self-image (11.1%), personality (7.1%), and religion (4.3%).

It is worth noting that more than four-fifths of the reports examined did not contain information about the offender's self-image, religion, future expectations, attitude and personality. The relative infrequency of these types of information means that the court is left to make its own assumptions about the offender. This imposes a serious handicap
on the court's ability to individualize sentencing. As Hogarth (1970: 193) puts it:

...within the framework of limited resources and limited knowledge the courts cannot individualize, nor should they be encouraged to think they can.

The infrequent mention of what may be termed "individual" types of information such as the offender's attitude, self-image, future expectations, and/or personality also casts doubt on the assessment made of the offender by the probation officer. One can easily argue that these "individual" types of information are the ones that really contribute to an individualization of sentencing based upon the offender's particular needs.

B. TYPES OF INFORMATION SELECTED AS NECESSARY FOR SENTENCING

Probation officers who filled the questionnaire were asked to select, from an array of twenty, the seven types of information they felt a completed presentence report should contain. When doing so probation officers were also asked to rank the selected types of information by their relevance and importance. (see a copy of the questionnaire in Appendix B). The answers to this question are presented in tabulated form in Table 2. The offender's prior criminality, attitude, special problems, prior punishments, employment, family history, and mental health are the types of information judged most necessary for the presentence report. As can be seen in Table 2, there is fair agreement among probation officers in their choice of the
TABLE 2

Types of Information Selected and Ranked by Probation Officers as Being Most Relevant for the Content of the Presentence Report

<table>
<thead>
<tr>
<th>Types of Information</th>
<th>Probation Officers</th>
<th>Total Score</th>
<th>Frequency of Mention %</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4 5 6 7 8 9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prior Criminality</td>
<td>3 2 1 4 5 2 1 2 7</td>
<td>27</td>
<td>90.7</td>
</tr>
<tr>
<td>Attitude</td>
<td>7 1 8 1 1 4 2 4 2</td>
<td>30</td>
<td>18.1</td>
</tr>
<tr>
<td>Special Problems</td>
<td>4 4 4 3 2 6 4 1 8</td>
<td>36</td>
<td>27.5</td>
</tr>
<tr>
<td>Prior Punishments</td>
<td>6 3 2 8 6 3 3 3 8</td>
<td>42</td>
<td>36.8</td>
</tr>
<tr>
<td>Employment</td>
<td>2 5 3 5 4 5 5 8 6</td>
<td>43</td>
<td>92.6</td>
</tr>
<tr>
<td>Family History</td>
<td>1 8 8 2 7 8 7 7 3</td>
<td>51</td>
<td>96.0</td>
</tr>
<tr>
<td>Mental Health</td>
<td>5 8 5 8 3 8 8 8 5</td>
<td>58</td>
<td>40.4</td>
</tr>
<tr>
<td>Present Offence</td>
<td>8 6 8 6 8 8 8 8 1</td>
<td>61</td>
<td>89.6</td>
</tr>
<tr>
<td>Personality</td>
<td>8 8 8 7 8 1 8 6 8</td>
<td>62</td>
<td>7.1</td>
</tr>
<tr>
<td>Self-Image</td>
<td>8 8 8 8 8 8 8 5 4</td>
<td>65</td>
<td>11.1</td>
</tr>
<tr>
<td>Finances</td>
<td>8 8 8 8 8 7 6 8 8</td>
<td>69</td>
<td>84.6</td>
</tr>
<tr>
<td>Peer Relationships</td>
<td>8 8 6 8 8 8 8 8 8</td>
<td>70</td>
<td>37.0</td>
</tr>
<tr>
<td>Leisure Activities</td>
<td>8 8 7 8 8 8 8 8 8</td>
<td>71</td>
<td>47.5</td>
</tr>
<tr>
<td>Treatment Plan</td>
<td>7 8 8 8 8 8 8 8 8</td>
<td>71</td>
<td>40.4</td>
</tr>
</tbody>
</table>

1. The remaining six items were not selected by probation officers. These include religion, future expectations, transiency, physical health, neighbourhood environment, and statement by the victim.

2. Two probation officers did not complete the questionnaire.

3. Coding: 1 = Most Important 7 = Least Important 8 = Not Important

4. The differences between the first seven items and the second seven items is not statistically significant.
first seven items they feel a presentence report should contain. There is not a statistically significant difference between the two groups of information. Still there is some variability among individual probation officers in the ranking of the various items of information by their relevance. Probation officers, however, were quick to point out that selecting and ranking various types of information in abstract terms is by no means an easy task. One probation officer stressed that the informational content of the presentence report depends:

...upon the offence and the offender....it is difficult to say...what is important for one is not necessarily important for another....

Nevertheless, there are reasons to believe that some probation officers consistently relay particular types of information to the court. For instance, when writing the presentence report a probation officer might systematically refer to a particular characteristic of the offender, such as physical health, irrespective of whether or not it is perceived as problematic. Such references are often related to the probation officer's style and may consist of phrases such as: "The offender enjoys

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The first seven types of information were placed under a separate heading and nominally coded as to whether or not they had been selected by individual probation officers. This was considered one item of information with a varying frequency of occurrence. A similar procedure was carried out with the latter seven items which was then considered as a second item of information with a varying frequency of occurrence. Chi square analysis was then undertaken and findings indicated that there was not a statistically significant difference between these two items of information.
good physical and mental health" or "The offender indicates no physical or mental health ailments." Other probation officers may not mention these types of information except when they are believed to be problematic, or when they are perceived by the investigating officer as being particularly relevant to the dispositional process. For example, if the probation officer has reason to believe that the court will order the offender to do community service, he may be more inclined to include information about the offender's health.

Table 2 shows that while the offender's prior criminality was judged the type of information most relevant to the content of the presentence report, information relating to the offender's present offence was considered most important by only one officer and ranked eighth among all items considered. Probation officers know that the court is dealing with the present offence and may feel, therefore, that information pertaining to it need not be included in the presentence report. This is, however, inconsistent with the fact that 90% of the reports analyzed in this study contained information on the present offence. It may also be noted that the low importance given this item appears contrary to the findings of prior research revealing that the severity of the offence committed by the offender is an important factor in judicial and probational decision-making (see Hogarth 1971; Emerson 1969; Wilkins and Chandler 1965). This variance may simply be due to differences
in the questions asked. The present study, while concerned with decision-making, did not examine the criteria used by probation officers in formulating their recommendations. It focused rather on the types of information contained in the presentence report. For this reason, the severity of the offence was not regarded as important as it has been in other research which focused on the probation officer's recommendation.

Table 2 indicates that the offender's attitude was selected as the second most important type of information for disposition purposes. Yet, as may be seen from the last column in Table 2, information relating to the offender's attitude, as it was observed and noted by the probation officer, was among the least frequently mentioned and appeared in less than 20% of the reports examined. It is difficult to explain why this is so, since during the interviews nine out of eleven probation officers stated that "offender's attitude" is an important piece of information which should be communicated to the sentencing judge. For instance, one probation officer stated: "There should be remorse, a willingness to address the problem." Likewise, another probation officer observed:

Sure, attitude makes a difference....If one cannot or does not show inclination to be corrected why make a recommendation for community disposition.

It is hard to reconcile these views with the relative infrequency with which this particular type of information is actually being mentioned in adult presentence reports. Since
attitude was not defined in the questionnaire, it may have been viewed differently by the probation officers. It is also likely that their definitions of attitude were not identical or similar to that used by the researcher when collecting the data from the presentence reports. It should be remembered, however, that although direct reference to the offender's attitude is not frequently made, the whole report may be constructed and written in a way which presents, to the sentencing judge, either a positive or a negative image of the offender. Indeed, one probation officer candidly admitted that a presentence report may be slanted to provide either a positive or a negative image depending upon the impression the officer acquires during the interview. Since we considered the offender's attitude only when a report contained a statement in direct reference to it, it is difficult to ascertain the validity of this contention.

C. THE RECURRENCE OF INFORMATION IN THE PRESENTENCE REPORT

Table 3 shows the recurrence of certain types of information in the adult presentence report. The type of information most likely to appear again and again is the offender's family history. Information relating to the offender's prior criminality, employment, and marital history also recurs frequently. On the other hand, information relating to the offender's attitude, personality, and future expectations if mentioned once, is not likely to reappear. Findings in Table
### TABLE 3

The Recurrence of Certain Types of Information in the Adult Presentence Report. N=326

<table>
<thead>
<tr>
<th>Types of Information</th>
<th>Recurrence of Information Mean</th>
<th>Frequency of Mention %</th>
<th>Importance of Information Ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family History</td>
<td>11.8</td>
<td>96.0</td>
<td>6</td>
</tr>
<tr>
<td>Employment</td>
<td>7.7</td>
<td>92.6</td>
<td>5</td>
</tr>
<tr>
<td>Prior Criminality</td>
<td>6.5</td>
<td>90.7</td>
<td>1</td>
</tr>
<tr>
<td>Present Offence</td>
<td>5.3</td>
<td>89.6</td>
<td>8</td>
</tr>
<tr>
<td>Marital History</td>
<td>4.8</td>
<td>50.0</td>
<td>-2</td>
</tr>
<tr>
<td>Future Expectations</td>
<td>0.7</td>
<td>15.3</td>
<td>-3</td>
</tr>
<tr>
<td>Attitude</td>
<td>0.7</td>
<td>18.1</td>
<td>2</td>
</tr>
<tr>
<td>Personality</td>
<td>0.4</td>
<td>7.1</td>
<td>9</td>
</tr>
</tbody>
</table>

1. Mean refers to the average number of times a particular type of information recurs in the presentence report. The mean is calculated by dividing the total frequency of occurrence of a particular type of information by the total number of reports examined (i.e. 326).

2. This particular type of information was not included in the questionnaire given to probation officers.

3. This type of information was not selected by any probation officer as relevant to the disposition process.
3 tend to confirm both the earlier findings and what the literature review suggested, namely that the adult presentence report usually contains considerable information about the offender's general background, while containing only limited reference to personality-related items. This is rather surprising since for predictive purposes (and the probation officer's recommendation is in essence an exercise in prediction) information relating to the offender's attitude, future expectations, self-image, and personality certainly seems more relevant than information about the offender's general background. For this reason, the reiteration of information of the former type is likely to be particularly instructive in the task of sentencing and in the development of meaningful rehabilitation or treatment programs tailored to the offender's individual needs. At present, the overabundance of general information about the offender's background coupled with a dearth of specific information about his personality and other related items suggests that the value of the presentence report as a sentencing tool may be greatly reduced.

D. FACTORS CONTRIBUTING TO THE VARYING FREQUENCY OF INFORMATION

As observed in the preceding Tables, some types of information are mentioned less frequently than others in the presentence reports. The likelihood that certain types of information will or will not be included in the presentence
report is determined by several factors. By comparing data obtained through content analysis with data derived from both the interviews and the questionnaire, it was possible to identify a number of factors which seem to influence the probation officer in the selection of types of information for inclusion in the adult presentence report. These factors are presented in the following sections.

1. Court-Related Factors

The level of the court, the views and expectations of the judge, and the rights of the offender figure prominently among the factors cited by the probation officers interviewed as influencing the content of the presentence report.

a. The Offender's Right to Disclosure

Some authors contend that information may be withheld from the presentence document because of the offender's right to disclosure (see Sheridan and Konrad 1976). This contention receives some support from the present research. It was mentioned during the interviews that some probation officers view the offender's right to disclosure as a factor restricting the type of information that may be included in the document. Indeed, one probation officer candidly admitted that information may be withheld from the presentence report if it is felt that the offender intends to challenge the
document's substantive content. Furthermore, some probation officers pointed out that particular bits or sources of information may be withheld from the presentence report when it is felt that the offender's reaction to them will be negative. Probation officers' apprehensions about the offender's right to disclosure and his possible reaction to particular types of information may result in them ignoring or including only limited information on the offender's attitude, self-image, personality, and future expectations. Nevertheless, as one probation officer stated, when vital information is intentionally withheld from the document, Crown and defence counsel will likely be notified.

b. Judges' Views and Expectations.

Some probation officers feel that in many instances judges request presentence investigations unnecessarily. Such attitude may lead the probation officer to provide the court with a less comprehensive report than when the need for the presentence investigation is perceived as essential and vital. In particular, some probation officers feel there is no need for presentence investigations for first-time offenders, or impaired drivers. In fact, some point out that particular judges may not be interested in the content of the presentence
report as such, but simply want to ensure that the offender's appeal of sentence will be unjustified, or unsuccessful. It may be, as suggested by some authors, that the social prestige, the "unusual", or "atypical" aspects of the offender are behind the judge's request of a presentence investigation in those cases (see Hogarth 1971; Jarvis 1965; Vedder and Kay 1963). Other probation officers feel, and this has been observed by researchers in related studies, that some judges simply request the presentence investigation to confirm the initial impressions they got of the offender during the trial period (See Littrell 1975; Emerson 1969; Kohut 1966). One probation officer even suggested that some judges request the presentence investigation to avoid sentencing the offender in the emotionally charged atmosphere of the trial. Needless to say, the uncertainty that prevails in the probation service about the rationale for the presentence report is likely to have a strong impact on the content of the document and the information included in it. Probation officers may include fewer types, or a bare minimum, of information about the offender, such as employment history, prior criminality, and present offence when they perceive the presentence investigation as unwarranted.

c. The Level of the Court.
The level of the court requesting the presentence investigation is another factor that seems to influence the report's content. As reported by Perry (1974), courts of higher jurisdiction are perceived by some probation officers as being more reliant on the presentence report than courts of lower jurisdiction. In one of our interviews, one probation officer stated that:

County court judges are more likely to follow your recommendation to the letter while provincial court judges may paraphrase.

Probation officers may also perceive courts of different levels as having different informational needs and this may, in turn, result in more comprehensive reports being prepared for courts of higher jurisdiction than for courts of lower jurisdiction or vice-versa.
d. **Lack of Communication Between the Probation Officer and the Judge**

It is in the selection of information, regardless of the court that requested it, that probation officers appear to face their greatest dilemma. Probation officers are uncertain about the types of information the judge actually considers in the process of deciding which particular disposition to give. Indeed, several probation officers feel that the judge is primarily interested in information relating to the prior criminality of the offender. Other probation officers point out that the type of information the judge considers important largely depends on why he requested the investigation. For example, one probation officer stated:

*...he [the judge] may only be interested in the criminal record....other judges may be only interested in employment or indicators of residence stability or if something can be done about a drug problem....*

Even when the judge requests a presentence report for specific reasons, probation officers appear to be left in a vacuum with respect to the judge's informational concerns. By their own admission, even when a judge does request that specific information be included in the presentence report, this request is seldom communicated.
to them. There may be some advantages in not knowing exactly what information each judge prefers. One probation officer argued that if the probation officer knew precisely in each case what type of information the judge is interested in, the presentence investigation could be more limited in its scope than at present. This particular officer felt that probation officers are likely to focus only on the requested information simply to fulfill their obligation to the court. As a result, potentially relevant information may be omitted.

Nevertheless, almost every probation officer interviewed expressed a keen interest in knowing the types of information the judge considers when sentencing. Probation officers are convinced that knowledge of the courts' informational needs will not only make the presentence investigation easier, but will also ensure that the information provided is of the greatest relevance to the dispositional process. At present, as Kohut (1966) observed, probation officers only convey the types of information they feel will be of the greatest relevance to the dispositional process. This, as mentioned earlier, may lead to probation officers attempting to "second guess" the sentencing philosophy of the presiding judge (see Hood and Sparks 1970). As one probation officer remarked:
It is helpful to know your judge, then you can put forth the information you know he considers. The apparent lack of meaningful communication between the courts and probation can lead to inconsistency in the reports and to the inclusion of non-essential information in them. And presentence reports containing unnecessary or irrelevant information may, in turn, influence the court's decision, particularly in those cases where probation officers have not made specific recommendations.

2. Probation Related Factors

Until now, the discussion of the factors influencing the frequency of types of information in the presentence report has been confined to the court and its process. Among other factors influencing the content of the document are those related to the probation service itself. Interview data indicate that both the administrative procedures of the probation office and the investigative techniques of the individual probation officer may have considerable impact on the content of the adult presentence report.

a. Administrative Procedures

That administrative procedure can be a factor influencing the content of the presentence report is highlighted in the remarks of one senior administrator we interviewed. He said:
Essentially, the last place people get anything consistent is at the training course level, and that changes from one training course to the next depending on who the trainers are. So they [probation officers] find out what the local way of doing things happens to be and start doing things that way.... Standards vary on an office basis between supervisors; supervisors set the standards or can set the standards.

The influence of office supervisors on the manner in which adult presentence reports are constructed is quite evident. For instance, one office supervisor expected all presentence documents to contain the following information:

I want complete background of the parents and siblings. I want to know what happened to the offender since he left home: his living environment, how did they respond to school, employment--can be important but may not; alcohol and drug use; mental and physical health; attitudes toward the offence--can be very important in terms of particular offences--are they remorseful, criminal history is an indicator of attitude ... evaluation is the important thing.... The body of the report should be factual as possible and as few opinions of the probation officer as possible. The evaluation, on the other hand, should be an assessment of the body and the probation officer's evaluation of the content and his opinions.

Different supervisors usually have different conceptions of the probation process and this may be a cause of difficulty for the practicing probation officer. For instance, one probation officer related:

We are not told by our superiors what way to look at probation so we have all these probation officers looking at probation in somewhat
different fashions. It cause problems when people [probation officers] switch supervisors...when they move to one area from another they go from someone who is totally one way to someone else who is totally the other...who re-educates them to their [the supervisor's] way of looking at things.

The influence of the supervisor on a probation officers' investigative procedures could be considerable, particularly since nine out of eleven probation officers interviewed indicated that presentence report-writing is one measure of job performance. Six out of eleven probation officers considered the construction of the presentence report as being more important than other related duties such as case supervision. Although the percentage of officers who feel this duty to be of the utmost importance is slightly less than that found by Glaser (1967), all probation officers interviewed with one exception felt that presentence report writing is important or very important. It seems therefore that administrative procedures within the probation office exercise a considerable influence on presentence investigative techniques and consequently on the informational content of the adult presentence report.

b. Probation Officers' Investigative Techniques

The content of the adult presentence report appears to be also influenced by the investigative techniques of each individual probation officer. Perry (1974) observed
that probation officers utilize different investigative techniques in the compilation of offender related information. This observation finds support in the present study where probation officers showed some variations in the manner in which they constructed their presentence reports. It was found, for instance, that some probation officers prefer to examine all relevant documentation before conducting the offender interview, while others prefer to wait until the interview is over.

One probation officer outlined his investigative technique as follows:

I should have the booking sheet, criminal record [local], police report and CPIC. Having all this information...prepares me for an interview....the continued investigation is based on the police report, the criminal record, and the interview....If I want to speak to doctors, etc. I get a release permission from the offender during the interview.

In contrast, another probation officer explained how he conducted the preliminary presentence inquiry:

I often have the interview before I see other information unless it is something out of the ordinary [long record, dangerous offence], or if I have been forewarned by [peers] and I tell them [the offender] that. I never read previous files on the offender, in fact, I often write my own report and then check my report with their's to see the amount of correspondency in information....

Probation officers feel differently about the amount of offender contact that is needed before writing the
presentence report. Six out of ten probation officers declared that more than one interview is necessary if discrepancies are found between information derived from the offender and information obtained from other sources. As one probation officer put it:

"I might only see him once, depending on the discrepancies in information; if there are discrepancies I might have him back two or three times.

Another probation officer added: 'The second interview is usually held to check for discrepancies in information.'

Some probation officers find it helpful to conduct one interview in the probation office and one in the offender's home. For some probation officers the home interview is considered an important element of the presentence investigation. Indeed, one probation officer suggested that it is important for the probation officer to conduct the interview in the home of the offender where he is likely to be more relaxed. Likewise, another probation officer hinted that the home interview permits the probation officer to gain a deeper understanding of the offender and his/her particular situation. This view is not unanimously shared. Some probation officers feel that assessment can be positively or negatively

The eleventh officer was excluded because background noise occurring during the interview drowned his/her taped response.
influenced by perceptions of the offender in his natural environment. For example, one probation officer disclosed that:

...home interviews are a rarity because of safety factors, availability of time, and by seeing each offender in your territory everyone colors the same. But, if you go to their home, subconsciously you may display your biases on how other people keep house.

This is substantiated by another probation officer who stated:

...the home interview does not serve any useful purpose. What has being dirty have to do with the matter at hand.

A third probation officer observed that:

...once you get an idea of what the geographic areas are of the area you are working in, it is not that necessary to go down to interview the offender in his or her natural environment.

Whether investigative techniques are dictated by prevailing administrative procedures or are shaped by the individual idiosyncrasies of the investigating probation officer, they are likely to have an influence on the types of information mentioned in the adult presentence report.

c. Probation Officers' Perceptions of Probation

The informational content of the adult presentence report may also be influenced by the perceptions each officer has of probation itself. Interview data revealed considerable variability among probation officers in
their views on probation. Indeed, as suggested by Mangrum (1975), some probation officers view probation as a technique of social control. As one probation officer put it:

...probation without supervision is to provide a form of control. If the offender "screws up" he can be held accountable, while the goal of probation with conditions is to have the offender to adhere to those conditions.

This is corroborated by yet another probation officer who stated:

...the goal of probation is to insure the offender maintains an agreeable lifestyle and not be a danger to the community.

A third probation officer observed that the goal of probation is to "...assist them [the offenders] in not being repeaters." While a fourth probation officer suggested that probation is a procedure whereby the offender is helped to help himself. These divergent views are suggestive of the existence of a certain ambivalence among probation officers vis-a-vis probation itself and vis-a-vis their role as probation officers. There is no doubt that this ambivalence does influence probation officers in the selection of information to include in the adult presentence report.
Recapitulation

The types of information contained in the presentence reports may be classified according to the frequency of their mention into four categories: information most frequently mentioned; information frequently mentioned; information not frequently mentioned; and information least frequently mentioned. The types of information most frequently mentioned are mostly of an objective nature, while the types least frequently mentioned, with the exception of religion, tend to be those of a subjective nature. It seems that probation officers are more comfortable in communicating specific events than in relating their own opinions of the offence and the offender. A certain discrepancy was observed between the types of information most frequently mentioned in the reports and the types of information ranked as important by probation officers who completed the questionnaire. This is particularly true of information concerning the offender's attitude, special problems, and mental health. These types of information were highly ranked by probation officers but were not frequently mentioned in the reports. The reasons for this discrepancy were not ascertained in the present study. Interview data revealed that the informational content of the presentence report is influenced by a large number of factors. These factors are either court-related or probation-related. There are, however, standard types of information such as family history, employment
history, prior criminality, and present offence that most presentence reports contain. The types of information that seem to be readily influenced by court-related and probation-related factors are those types requiring the probation officer to make a personal judgement or to express a subjective opinion.

E. SOURCES OF INFORMATION IN THE ADULT PRESENTENCE REPORT

Table 4 shows the sources of information most frequently mentioned in the adult presentence report. These findings are concordant with those of Perry (1974) and Gronewold (1958), who found the offender to be the main source of information for the presentence report. The only other collateral source of information mentioned in the adult presentence report more than 50% of the time is "other" which encompasses educational authorities, Unemployment Insurance Commission, political personages, military, drug and alcohol counsellors, clerics, Bail Supervision, parole records, Correctional officers, Salvation Army, Immigration, out of province probation officers, Veterans' Affairs, children of the offender, landlords, group home parents, and Indian Band counsellors. The sheer number of sources classified under the category "other" may account for this high percentage.

In general, probation officers seem to resort to a wide variety of sources when collecting information and mention, on average, a minimum of two sources of information other than the
offender. Whether this is an adequate number given the importance of the document is a question the answer to which is beyond the scope of the present study.

It is obvious on examination of Table 4, that sources such as victims, police, parents/guardians, and relatives/neighbours/friends are not as frequently mentioned in the adult presentence report as might have been expected. There are, no doubt, several explanations for the relatively infrequent use or inclusion of various collateral sources of information in a presentence document. The following are only some of the possible explanations:

1. a collateral source may have been contacted, but no mention is made in the presentence report at the informant's request. The informant may not want, for various reasons, to be identified, particularly if he/she has reason to fear the offender's reaction or retaliation,

2. collateral sources of information are rarely contacted and therefore rarely mentioned in the adult presentence report, and

3. the probation officer may regard a particular source of information as biased or unreliable, and when writing the report he may therefore ignore the source and the information he/she gave.
TABLE 4
Sources of Information in the Adult Presentence Report
N=326

<table>
<thead>
<tr>
<th>Sources of Information</th>
<th>Frequency of Mention %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offender</td>
<td>98.2</td>
</tr>
<tr>
<td>Other</td>
<td>53.4</td>
</tr>
<tr>
<td>Spouse(^2)</td>
<td>44.6</td>
</tr>
<tr>
<td>Employer</td>
<td>40.8</td>
</tr>
<tr>
<td>Parent/Guardian</td>
<td>34.0</td>
</tr>
<tr>
<td>Professionals</td>
<td>32.5</td>
</tr>
<tr>
<td>Police</td>
<td>15.3</td>
</tr>
<tr>
<td>Relative/Neighbour/Friend</td>
<td>12.0</td>
</tr>
<tr>
<td>Victim</td>
<td>4.3</td>
</tr>
</tbody>
</table>

\(^1\)If the same source was mentioned more than once in the same report it was counted only once (see p.36)

\(^2\)Residence and marital status controlled for.
As one probation officer succinctly pointed out:

... weight can only be given to information that applies. Many sources give considerable information that is of little relevance...

Probation officers do not accept information given to them at face value. They attempt to check the validity of the information. As can be expected, data from the present study show that different types of information are subject to various levels of validation checks. Some types of information are not at all verified, while others are carefully scrutinized. The types of information most likely to be checked are those relating to the offender's employment, family history, education, prior convictions, and any other information pertaining to official agency contact. On the other hand, information relating to other items such as the offender's leisure activities, and/or religion is not, as might be expected, verified. Verification of information may be carried out through personal interview or by phone, but it appears to depend largely on the time available, the distances involved, and above all on the probation officer who is conducting the investigation.

Offenders

Table 4 reveals, in line with other research, that offenders are the most consistently mentioned source of information in the adult presentence report (see Perry 1974;
Gronewold 1958). Probation officers are unanimous in regarding the offender interview as an effective means of collecting information. But, as found by Holland and Boik (1978) and indicated by Redfield (1965), the offender interview is often subject to manipulative maneuvers on the part of both individuals. The offender's efforts to manipulate the interview are well illustrated in the following statement made by one of the probation officers interviewed:

The offender is into getting the presentence report completed. They are out to please...if you ask the right questions you will get the right information whether it is negative or positive.

Because the offender obviously has a stake in the outcome of the interview, the accuracy of some of the information he/she provides may be questionable. One probation officer interviewed observed that information obtained from offenders regarding their employment history is sometimes unreliable.

Spouse

The offender's spouse ranks as the third most frequently mentioned source of information with 44.6%. This percentage refers only to those cases where the offender was actually living with the spouse. According to the probation officers interviewed, if the offender reports he/she is married, the spouse is contacted whenever possible. This should have resulted in a higher frequency than the one observed. The reason why, in more than half the cases, the offender's spouse was not
mentioned as a source of information may have to do with the offender's sensitivities. Some offenders are particularly sensitive to the idea of the probation officer contacting their spouse and may be quite upset if and when this is done.

Employers

Offenders' past or present employers were mentioned as a collateral source of information in 40.8% of cases. One probably would have expected a more frequent use of this source in view of the particular importance employment has for a community-based disposition. However, some offenders may not be employed at the time of the interview, and the probation officer may feel that initiating contact with a distant or a past employer is of limited value. In addition, some offenders may not have a work history at all. There are, of course, other reasons why probation officers fail to, or are unwilling to contact employers. Some probation officers stated that they hesitate to contact the offender's current employer for fear of jeopardizing the offender's occupational future. It is also possible in many cases to obtain the same information from other sources or by means other than a direct, open contact with the employer. If, for instance, the information is considered essential the probation officer could probably obtain it surreptitiously, by posing as a member of a private agency such as a loan officer of a bank.
Parents/Guardians

The offender's parents/guardians were mentioned as collateral sources of information in 34% of the reports examined. Probation officers indicated that this particular source of information is usually biased. Often the information they give is slanted in favor of the offender, but it also may be biased against him/her. As one probation officer stated:

...if the kid has given them trouble they may be biased, if they have chosen not to exercise their parental authority they expect you to assume it.

Whether or not a parent/guardian will be contacted for information or verification of information appears to depend on the age of the offender. The younger the offender the more likely the parent/guardian will be contacted. This is to be expected since a young offender is likely to have a parent/guardian who is available to provide the relevant information. Nevertheless, if an offender makes a request to the probation officer not to contact his parent/guardian, this request is normally granted. Whether the request will be granted or not depends on the seriousness of the offence, and the type of information requiring verification. If the investigating officer believes the information is essential to the investigation, he is likely to proceed with the verification regardless of the offender's request. In some cases, rather than contacting the parents/guardians against the offender's wish, he
may try to get the information from other family members.

Professionals

Professionals including physicians, psychologists, psychiatrists, and social workers were mentioned as sources of information in 32.5% of the documents examined. Most professionals are considered reliable sources of information but interview data indicate that information given by social workers is regarded with varying degrees of scepticism. The credibility of information gathered from social workers appears to depend on the familiarity of the probation officer with the worker, the extent of the offender's contact with the agency employing the social worker, and the manner in which the social worker communicates the information. One probation officer stated, for example, that social workers are "...reliable, but tell very little as they are hung up on confidentiality." Another probation officer mentioned that:

"...if you do get any information it tends to be protective of their client, particularly, if the client is young.

This observation was qualified by another probation officer who remarked:

"...social workers are usually pretty honest, but it depends on the social worker as some take a political view of the law. You have to ask the right questions.

Interview data indicate that a relationship exists between the frequency of an offender's agency contact and the weight the
probation officer gives the information provided by representatives of that agency. One probation officer pointed out:

The Ministry of Human Resources representatives are fairly useful, depending upon the extent of client involvement. For example, if the offender is simply on social assistance I will not likely place a lot of importance on the information given. On the other hand, if the offender has an extensive history of foster home involvement and there are a number of different workers involved I will give the information more credibility. It usually is on an individual basis. You get to know who you can rely on and who you can't.

This observation is confirmed by another probation officer who stated:

...each agency has individuals who are reliable and who are not. You get an idea if he is in a hurry and makes generalizations such as: "He is an idiot" [in reference to the offender] as compared to one who takes time and shows concern.

Police

The mention of the police as a source of information (15.3%) is particularly low. One would have expected the police to be mentioned more frequently given police officers' knowledge of the offence, and possible knowledge of the offender as well. There are, at least, two possible explanations for the infrequent mention of the police as a source of information. First, probation officers may be reluctant for various reasons to identify the police as a source of information in their reports. Second, they may be reluctant to have recourse to the police in view of the long-standing antagonism and mistrust
between corrections personnel and the police. Despite the evident reluctance of probation officers to initiate contact with the police, they generally regard the police as a reliable source of information. They are aware, of course, that the information obtained could be biased, particularly if a police officer has been dealing with an offender on a continuing basis and perceives him/her as a problem.

Relatives/Neighbours/Friends

As can be seen from Table 4, the offender's relatives/neighbours/friends were mentioned as collateral sources of information in 12.0% of the documents. The names of these individuals are usually provided by the offender, and as a result probation officers may feel that these informants will be biased. Moreover, some probation officers indicated that it is up to the offender to have their neighbours/friends, or any others they wish to speak on their behalf, contact the probation officer. Even when they are so informed by the offender, many of these sources may be reluctant to initiate contact with the probation officer due to the nature of the inquiry. This possibly explains why these sources are so infrequently mentioned in the adult presentence report.
Victims

Victims were mentioned as source of information in only 4.3% of the reports examined. This is all too surprising when one thinks that restoration is being actively proposed by the B.C. Corrections Branch as one of the major goals in sentencing (see Sheridan and Konrad 1976). The reason why probation officers virtually ignore the victim as a source of information may lie in the following statement made by one probation officer. He said:

...any information from the victim would be shaded, they're angry....they would be biased...

Another probation officer stated that victims are rarely contacted not only because they are likely to be biased in their assessment of the offender, but also because they are likely to be resentful and vindictive. There are other reasons why victims may not be contacted and ultimately mentioned in the presentence report. One probation officer suggested victim input is less probable in large urban areas where a good number of offenders are drug addicts who prey upon large department stores. Our data indicate that most victims contacted by probation officers were, in fact, large business establishments, who were often asked about the extent or type of loss, particularly in those cases where the offence was theft committed by an employee.
Documents

Statistical data were not gathered on this source of information, but interview data suggest that documents such as prior presentence reports are considered reliable sources and are often used to validate particular types of information, even though some of the information they contain may be dated. Pieces of information contained in a prior document can be re-confirmed during the offender interview. Nevertheless, the probation officer will have to prepare a new presentence report. In the new report information is updated, discrepancies are corrected, and if there is a noticeable change in the offender's attitude, this is likely to be mentioned. The reliability of information contained in a previous presentence report appears to be judged by the degree of familiarity the investigating officer has with the author of the document. One probation officer indicated that the weight given to any opinion expressed in an available probation document (particularly running records) by another officer depends on the investigator's familiarity with the author of the document. The more respect the investigating officer has for the author, the more weight will be given to the opinions of that author.

Other documents, such as psychiatric reports, are also considered reliable. One probation officer stated that a high value is usually placed on any information contained in a psychiatric report. If the psychiatrist makes a specific
recommendation with respect to the offender, this recommendation will not be questioned and will be relayed to the court without modification. Although the profession of psychiatry and the opinions of psychiatrists seem to be held in high esteem by probation officers, the weight given to a psychiatric report will naturally depend on who is the psychiatrist. As one probation officer put it: "...the recommendation made by him may have lots of effect on my recommendation." Why psychiatric reports are given that much weight by probation officers is difficult to ascertain. Obviously probation officers feel that psychiatrists usually have a better understanding of the offender's problems than they do. This explanation has some empirical support. Researchers report that the acknowledged "expert" in a decision-making work group is usually not questioned as to any opinion he/she renders (see Eisenstein and Jacob 1977; Lerner 1976; Emerson 1969; Smith and Blumberg 1967; March 1957).

Recapitulation

The examination of sources of information mentioned in the presentence reports indicates that probation officers are quite discriminating in their attitude vis-a-vis different sources and in their assessment of the reliability of information derived from these sources. They hold a sceptical attitude vis-a-vis less authoritative sources of information such as the victim,
the offender's relatives, neighbours, and friends. These individuals are usually seen as unreliable, or biased, and are frequently disregarded as collateral sources of information. On the other hand, individuals who command some authority over the offender, with the exception of the police, seem to be more frequently called upon as collateral sources of information. Probation officers seem to believe that the more authoritative the source, the more reliable is the information obtained from that source. This attitude is open to criticism. Individuals in positions of authority are not immune to personal prejudices, and often vary in their ability to provide an objective view of the offender, or to recommend an unbiased course of action.

F. PRESENTATION OF INFORMATION IN THE ADULT PRESENTENCE REPORT

Table 5 shows that the average length of the presentence report is 2.7 pages, excluding the face sheet. It contains, on average, nine different types of information. Such a figure is concordant with decision-making theorists' claim that a decision-maker can only assess simultaneously six to nine different items of information when making a decision (see Wilkins 1970; Millar 1956). The average number of sources mentioned in the adult presentence report is three, including the offender. The information contained in the report, as found by Perry (1974), is mostly factual. Considering the document as a whole, it contains, on average, six times as many factual
TABLE 5

Presentation of Information in the
Adult Presentence Report
N-326

<table>
<thead>
<tr>
<th>Type of Statement</th>
<th>Number of Statements Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Substantive Part of the Report:</strong></td>
<td></td>
</tr>
<tr>
<td>Factual Statements</td>
<td>27.2</td>
</tr>
<tr>
<td>Factual/Interpretative Statements</td>
<td>7.2</td>
</tr>
<tr>
<td>Interpretative Statements</td>
<td>1.8</td>
</tr>
<tr>
<td>Relevant Asides</td>
<td>0.6</td>
</tr>
<tr>
<td><strong>Evaluative Part of the Report:</strong></td>
<td></td>
</tr>
<tr>
<td>Interpretative Statements</td>
<td>3.0</td>
</tr>
<tr>
<td>Factual Statements</td>
<td>2.9</td>
</tr>
<tr>
<td>Factual/Interpretative Statements</td>
<td>2.8</td>
</tr>
<tr>
<td><strong>Average Frequency:</strong></td>
<td></td>
</tr>
<tr>
<td>All Types of Information</td>
<td>8.9</td>
</tr>
<tr>
<td>All Sources of Information</td>
<td>3.7</td>
</tr>
<tr>
<td>Length of Report (pages)</td>
<td>2.7</td>
</tr>
</tbody>
</table>

1The mean is calculated by dividing the frequency of occurrence of each type of statement in all presentence reports by the total number of reports examined (i.e., 326).
statements as interpretative ones. Even if factual/interpretative statements are added to the interpretative ones, the report will, on average, contain over two times as many factual phrases. The substantive part of the document contains 20 times as many factual statements as interpretative ones, and approximately four times as many factual statements as factual/interpretative ones. The evaluation part contains a more evenly distributed number of factual, interpretative, and factual/interpretative statements. In fact, the statements contained in this part of the report are more likely to be of an interpretative than a factual nature. Glen Angus (1980), Standards Committee, B.C. Corrections Branch, stated in an interview that probation officers put very little effort into interpreting the offender's personal circumstances. Whether the 4 or 5 wholly interpretative statements, an adult presentence report on average contains, are sufficient or not is hard to say. However, given the demonstrated importance of the document to the task of sentencing one would have expected a lot more.

One reason why the adult presentence report is basically a fact-bearing document is probably the defendant's right to disclosure of information. Some probation officers interviewed claimed not to be threatened by the offender's right to disclosure. And the reason why they do not feel threatened is precisely that the presentence report contains mostly factual
statements. One probation officer flatly stated that the offender's right to disclosure is not an issue in the construction of the adult presentence report since:

...the report was factual so whether they [the offenders] liked it did not make any difference.

Similarly, another probation officer stated:

I do not put anything in them [the presentence reports] that I cannot reveal to the offender. I stick just to the facts.

There is no doubt that a presentence report containing essentially factual statements and verified information could be more easily defended in the event it is legally challenged. Factual statements can be substantiated, while personal opinions and judgements made by the probation officer may be difficult to sustain, and therefore more susceptible to challenge in court. Furthermore, unsubstantiated information contained in the document, if and when disclosed to the offender, could damage future offender/officer relationships such as supervision.

Probation officers attempt to keep the presentence report within a reasonable length when writing it. Several probation officers felt that the judge may not read the presentence report if he considers it too long. Consequently, probation officers are anxious to construct and write the report in a manner that
ensures that the judge will actually read it. One probation officer stated:

He has to [read all my report]; I don't sum up the report....there is no way they can read my evaluation and make a decision....I don't give a recommendation and I don't give the information that is in the body of the report.

Probation officers' concern over the length of the document does not seem justified since, as mentioned above, the adult presentence report consists, on average, of only 2.7 pages, excluding the face sheet. Even a three page report may be viewed as too short, given the considerable body of information a probation officer needs to include in it.
CONCLUSION

The adult presentence report is an important communicative device and an important sentencing tool. The information it contains is necessarily what the probation officer feels is most relevant to the dispositional process. A review of the literature reveals that previous research on the presentence report has focused almost exclusively on the probation officer's recommendation. Only scant attention has been paid to the presentence report's informational content. A research design was developed for an exploratory study, using data obtained from two adult probation offices in the Lower Mainland of British Columbia, that focused on the content of the adult presentence report. Examined were 326 adult presentence reports for the type, recurrence, and sources of information, as well as for factual and interpretative content.

Rubin (1973: 97) states:

If the report were merely a collection of relevant and significant data the officer preparing it would not need professional social training. But it [my emphasis] is the most important tool in sentencing, the connection of facts, therefore, must be such that it becomes a concise diagnostic and prognostic analysis of the defendant.
FINDINGS

The examination of these presentence reports demonstrates that the information they contain is largely socio-biographical, intended to provide the court with a profile of the offender and his background. The bulk of the document is devoted to statements about the offender's family history, employment, marital history, present offence and prior criminality. Obviously, this information is easier to compile, less problematic, does not engage the responsibility of the probation officer, and does not open him to challenge. Probation officers, therefore, may feel more secure presenting this type of information to the court than they feel with other types. It is not surprising, then, that other types of information, often regarded as important and relevant to a correct diagnosis and prognosis, are often missing. Information pertaining to the offender's peer relationships, leisure activities, self-image, personality, and attitude appears much less frequently in the adult presentence report. These findings are largely concordant with existing research on probation, notably with the studies of Perry (1974) and Cohn (1970a; 1969).

The most recurring type of information in the adult presentence report is the offender's family history. Other background items such as employment, marital, and prior criminal history have also a tendency to recur. On the other hand, information relating to the offender's attitude, personality,
and future expectations is either absent, or if mentioned does not recur with the same frequency.

The adult presentence report is based extensively on offender-derived information, but does on average contain at least two additional sources of information. Probation officers seem to prefer, as sources of information, individuals who command some authority over the offender, over those who are on an equal footing and those who are more familiar with him on a day-to-day basis.

The adult presentence report contains, on average, nine separate types of information and consists, on average, of 2.7 pages, excluding the face sheet. It contains mostly factual statements with little interpretation. The limited number of interpretative statements means that the court is not likely to benefit fully from the probation officer's insight and wisdom gained from his long experience in dealing with offenders.

Interview and questionnaire data suggest there are a number of court-related and probation-related factors that influence the content of the document. The perceived needs or expectations of the court and the offender's right to disclosure figure prominently among these factors. Administrative procedures of the probation office also play a role in shaping and molding the content of the adult presentence report, as do the idiosyncrasies and the specific investigative techniques of each individual probation officer.
The weight of each source of influence on the informational content of the document was not measured. However, it does seem that probation officers consciously or unconsciously take them into consideration when constructing the report. The variability in the informational content of the adult presentence report can influence the sentencing of offenders in several ways. First, any recommendation made ought to be dictated by, or derived from, the document's informational content. Since, the informational content of the adult presentence report is influenced by factors such as the level of court, the judge's views and expectations, probation officers' perceptions of probation, administrative procedures, and variations in investigative techniques, it is very likely that recommendations made by probation officers are subject to similar influences. In other words, probation officers' recommendations are likely to be influenced by considerations other than the offence or the offender. Secondly, not all adult presentence reports contain a recommendation. In such cases the judge choosing a disposition will have to rely almost entirely upon the document's informational content. This not only leads to a disposition based on incomplete and/or selective information, but also means that the judge is left to make his own assumptions about the offender. Thirdly, when a recommendation for probation is made by the probation officer with no attached requirements the judge may still see fit to impose certain conditions when meting out
his sentence. In such cases, the informational content of the adult presentence report may be influential in the imposition of such conditions. Since the informational content of the report is influenced by considerations other than the offence and the offender, the result may be an increasing disparity in sentencing.

LIMITATIONS

The weaknesses inherent in the data, in the interview and questionnaire methods, in content analysis, necessarily limit the validity and the generalizability of the findings. For instance, content analysis while a viable tool for gathering information is considered a very subjective approach to data collection (See Mitchell 1967). Judgements made on the basis of pre-defined criteria, on a statement by statement basis, are susceptible to error. Reliability checks during coding were made of the factual, the factual/interpretative, and the interpretative statements. While there is some correspondence, there are also discrepancies, and such discrepancies could have affected the reported findings (See Appendix D for reliability checks). It would have been better had independent observers coded several presentence reports to ensure that a fair degree of concordance in coding existed between the observers and the researcher. Unfortunately, this was not possible. Some assurances or consolation can be derived from the fact that the
findings of the present study are largely concordant with those of Perry (1974) and Cohn (1969).

Another methodological weakness is the inflexibility of coding based on an a priori selection of variables. Even though 15 adult presentence reports were examined prior to coding, once the coding was done, it was not possible to change it without redacting the research. A good example is that of "educational information" which was frequently encountered in the presentence report. Yet, because of a priori coding not including this particular information as a separate type, it became necessary to classify it under the offender's family and prior criminal history. And when educational authorities were mentioned as collateral sources of information a notation was made under "other". As more presentence reports were examined, and the researcher became aware of the prominence of this type of information, recoding was practically an impossibility. The inclusion of this type of information under the offender's family and prior criminal history, and the inclusion of educational authorities under other sources of information may have distorted our evaluation of the importance of these items.

Despite the limitations of the study, a certain number of conclusions do emerge. The presentence report seems to contain mostly general information about the offender's background. Information relating to his personal make-up is very limited. This would seem to provide the judge with an inadequate base of
information to make his decision. The role of the probation
officer is to provide the judge with a comprehensive document
containing all necessary information so that the judge is not
forced to make assumptions about the offender. This is not to
suggest that all information pertaining to an offender should or
could be included in the presentence document. Rather there
ought to be a consistent set of relevant information that is
systematically contained in the adult presentence report. What
this set of information should be is beyond the scope of this
study, but it could be determined on the basis of available and
future research. If the presentence report is to serve its
purpose adequately, as an important sentencing tool, it ought to
contain not only general information about the offender's
background, but also a greater amount of "personal" information
about the offender. It is not only how the offender has been
that is relevant, but also how he is now and how he is likely to
become. How does he see himself? What are his hopes and
expectations? What are his plans and aspirations? And so on.

SUGGESTIONS

The reported findings of this study logically lead to a
number of suggestions:

1. communications between the courts and the probation service
in British Columbia should be improved so that probation
officers may become better informed about the court's
specific informational needs,

2. formal guidelines for investigative techniques and presentence report construction should be developed. They should be flexible enough to leave the probation officer a reasonable amount of discretion and clear enough to ensure a fair degree of consistency in the presentence report's informational content.

3. a clear concept of probation and its goals needs to be developed and communicated to probation officers throughout the province.

These suggestions, if followed, will not eradicate all the inconsistencies in the document's informational content but they would, at least, provide parameters for the presentence investigative procedure. Such parameters are necessary if the adult presentence report is not to be a perfunctory undertaking resulting in a potpourri of information. The presentence report is a dynamic, useful device and should be acknowledged as an indispensable instrument in an individualized system of justice.

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6 In British Columbia, formal guidelines for investigation and presentence report construction have been developed and are, at the time of this writing, being implemented.
This interview schedule while indicating a structured format was focused in approach. Questions were not necessarily asked sequentially but were pursued in the context of the interview. All questions were asked.

1. How are new files assigned in this office? (Senior Probation Officer only)

2. Are all presentence reports reviewed by yourself? (Senior Probation Officer only)

3. How often are staff meetings held?

4. Are meetings held to discuss presentence investigations and the final report?
5. Do you discuss, informally, an investigation or report with your peers? With your senior officer?

6. Of your various duties as a probation officer which do you consider the most important? Why?

7. Do you consider presentence report writing as: (1) very important (2) important (3) not important.

8. What are the sequence of events in your investigative procedure upon assignment of a new case file?

9. How many interviews do you normally have with an offender?

10. What items of information do you consider most important when constructing your presentence report?

11. What do you feel the judge considers as the most important items of information in the presentence report for sentencing purposes?

12. Who do you consider the most reliable as sources of information when constructing your report?
13. What items of offender given information do you normally verify?

14. Do you ever discuss the contents of your report with the judge prior to sentencing?

15. Where do you obtain most of your information for the construction of your report?

16. Do judge's request reports with particular emphasis? Could you please give me an example?

17. Have other individuals attempted to pressure you to deliver a particular recommendation?

18. Do you feel your investigation and report may be inhibited by the requirement of defendant disclosure?

19. How much time do you feel you need to complete the average report?

20. How confident are you in your recommendation: (1) never (2) almost never (3) sometimes (4) frequently (5) always.
21. In the course of events when do you usually make your
decision as to recommendation?

22. Do you expect your recommendation to be followed: (1) yes
(2) no. Why?

23. What do you see as the minimum standard in content of the
presentence report?

24. What offence do you personally find the most difficult to
deal with?

25. Does the offender's attitude make a difference in the
determination of your final recommendation?

26. In your estimation what is the rationale for the presentence
report?

27. What do you see as the goal of probation?

28. Do you obtain a great deal of job satisfaction from your
role as a probation officer?
APPENDIX B

QUESTIONNAIRE

Please place a check mark in the appropriate slot for each question.

1. Sex:  
   - Male  
   - Female

2. Age:  
   - 21-25  
   - 26-30  
   - 31-35  
   - 36-40  
   - 41-45  
   - 46-50  
   - 51-55  
   - 56-60  
   - 60-65

3. Religion:  
   - Protestant  
   - Catholic  
   - Other (Please specify)
4. Marital status
   ____ Single    ____ Married
   ____ Separated  ____ Divorced
   ____ Widowed

5. General political orientation
   ____ Social Credit  ____ Liberal
   ____ Conservative  ____ New Democratic
   ____ Other

6. Education level
   ____ One year of college/university
   ____ More than one year but did not graduate
   ____ College/university graduate
   ____ Master's degree
   ____ Other (Please specify)
7. Type of degree
   ___ Social Work    ___ Criminology
   ___ Sociology    ___ Psychology
   ___ Other (Please specify) ___

8. How long have you been a probation officer in the Province of British Columbia? _____ years.
9. How long have you been a adult probation officer? _____ years.
10. Have you ever been a juvenile probation officer? ___ Yes ___ No.
    If so, for how long? _____ years.
11. Have you worked in other areas of the criminal justice system prior to becoming a probation officer? ___ Yes ___ No.
12. Have you worked in other fields not related to the criminal justice system prior to becoming a probation officer? ___ Yes ___ No.
13. Assuming a background of minimal criminal history and a conviction for a minor offence do you prefer to work with an offender who is: ___ under 25 ___ 26-35 ___ 36-45 ___ 46-55 ___ over 55.
14. Below are listed a number of subject items, pertaining to offenders, that are commonly found in presentence reports. Please select any seven items that you feel are important and should be included in a completed presentence report. Please
rank these selected items in descending order of importance by number.

1. present offence 2. personality
3. attitude 4. family history
5. religion 6. effects of previous punishments
7. leisure activities 8. future expectations
9. employment 10. transiency
11. prior criminal history 12. treatment plan
13. peer relationships 14. financial situation
15. self-image 16. special problems (alcohol, drugs)
17. mental health 18. statement by victim
19. physical health 20. neighbourhood environment

A completed presentence report should contain information regarding the offender's
15. Below are listed a number of offender categories. Please select the one, assuming no prior criminal record, you would prefer to have under case supervision. Please select the number of the offender category _____. If some other please specify _____.

1. rapist (violent) 2. shoplifter
3. prostitute 4. drug addict (addiction)
5. check writer (fraudulent) 6. assault (common)
7. rapist (statutory) 8. drug trafficker
9. breaking and entering offender 10. concealed weapons offender
11. child molestor 12. arsonist

16. Please select from the above offender categories the one you would least prefer to have under case supervision _____. If some other please specify _____.

___ Other (Please specify)
PRESENTENCE REPORT CONTENT

It should be noted that an assumption was made when the following definitions were developed. It was assumed that the sentencing judge had no prior information about the offender other than that contained in the presentence report. The most extreme parameters utilized in classifying information are indicated by the examples included with the definitions.

The Type of Information

Mention of present offence: counted phrase by phrase. A count was made each instance a phrase contained a contextual reference to the offender's offence. Example:

"...incarceration at this time would prove detrimental..."

"The subject has been held in custody since..."

A mention of the present offence? Yes=1 No=2.

Mention of family history: counted phrase by phrase. A count was made each instance a phrase contained a contextual reference to the offender's family. Also included information relating to the
offender's education if it was indicated in the report that the information referred to the offender when he was under age 16 and residing in a nuclear residence. A mention of the family history? Yes=1, No=2. Example:

"The parents feel also that if they do not support the subject at this time he may fall backward into a negative pattern of behavior."

Mention of prior criminality: counted phrase by phrase. A count was made each instance a phrase contained a contextual reference to the offender's official or un-official prior criminality. Excluded were factors which would not be subject to criminal law intervention such as homosexuality, venereal disease, promiscuity. Included school behavior which teachers considered anti-social that was stated as a problem and resulted in official sanction. A mention of the offender's prior criminality? Yes=1, No=2. Examples:

"During that period he was involved in many police investigations but charges were eventually withdrawn"

...admits to smoking marijuana occassionally...

Mention of future expectations: counted phrase by phrase. A count was made each instance a phrase contained a contextual reference to the offender's future expectations. Indicators were such words as hopes, plans, aspires. A mention of future expectations? Yes=1, No=2. Examples:

"He expects he will receive a period of incarceration..."
"He is hoping to find employment..."

"The offender indicates a likely position with 'X' in the near future."

Mention of offender's personality: counted phrase by phrase. A count was made each instance a phrase contained a contextual reference to the offender's personality. This was restricted to probation officer made statements only and did not include statements made about the offender's personality by collateral sources. A mention of the offender's personality? Yes=1, No=2.

Examples:

"He does not appear phony or manipulative..."

"He impressed this officer as a sincere, reliable individual"

"...subject appeared upset and unhappy..."

Mention of the offender's attitude: counted phrase by phrase. A count was made each instance a phrase contained a contextual reference about the offender's attitude as observed and noted by the probation officer. A mention of offender's attitude: Yes=1, No=2.

Examples:

"The subject expressed remorse toward his involvement in the offence before the court."

"Though he is somewhat glib about his involvement in the offences, it is felt he is remorseful..."

"...appears to consider the consequence of his conviction lightly"
Mention of offender's employment: counted phrase by phrase. A count was made each instance a phrase contained a contextual reference about the offender's employment. This pertained to past, as well as present employment. A mention of the offender's employment? Yes=1, No=2.

Mention of offender's marital history: counted phrase by phrase. A count was made each instance a phrase contained a contextual reference to the offender's marital history including common-law marriages and children from prior relationships. This was not family history as it pertained only to conjugal relationships. A mention of the offender's marital history? Yes=1, No=2.

Examples:

"The offender has never been married..."  

Mention of leisure activities: counted by report. Must have been specifically indicated as a leisure pasttime. "The offender has considerable time on his hands." was not be considered a leisure reference nor was drinking, spending money, or resting. Yes=1, No=2. Example:

"...leisure activities include attending football games."  

Mention of peer relationships: counted by report. A count was made if the offender's peer relationships were mentioned in any context in the report. Yes=1, No=2. Example:

"...known associates are..."  

Mention of special problems: counted by report. A count was made if the offender was identified as having special problems.
Special problems were restricted to alcohol, drug, and gambling problems. Did not include family problems, marital problems, etc. There must have been a direct identification of the item as being a problem for the offender. Special Problems? Yes=1, No=2.

Example:

"Alcohol has played a major role in making the offender what he is today."

Mention of physical health: counted by report. A count was made if the offender's physical health was mentioned in any context in the report. Yes=1, No=2. Example:

"...injured his hand in the course of employment."

"...enjoys good physical health..."

Mention of the offender's religion: counted by report. A count was made if the offender's religion was mentioned in any context in the report. Yes=1, No=2.

Mention of the offender's self-image: counted by report. A count was made if the offender's self-image was mentioned in any context in the report. Must have been stated as how the offender saw himself. Yes=1, No=2. Examples:

"...describes himself as a compulsive 'binge drinker' "

"...describes himself as a loner...

"...stated he is not an alcoholic..."

Mention of finances: counted by report. A notation was made only in reference to legitimate income. If the offender was gainfully employed at the time of the interview and this was mentioned,
this was considered a financial statement. Yes=1, No=2.

"...is presently collecting unemployment insurance."

Mention of mental health: counted by report. A count was made if the offender's mental health was mentioned in the report. Yes=1, No=2. Example:

"...he has a history of learning problems..."

Mention of home environment: counted by report. Dropped from analysis. Example:

"...the residence is small."

Mention of a treatment plan: counted by report. A count was made if a treatment plan had been formulated in the presentence report. A treatment plan was considered analogous to a specific recommendation. For example, a recommendation for probation with attached conditions was considered specific. Similarly, a recommendation for an offender to be confined in a special unit other than a provincial jail or federal penitentiary was considered a specific recommendation. Excluded were statements which simply recommended probation or incarceration. Yes=1, No=2. Example:

"It is felt that supervision may serve to monitor and direct the subject in his future activities."

Mention of prior punishments: counted by report. A count was made if there were any contextual reference about the offender's prior official punishments. Yes=1, No=2. Example:

"...the subject was bound by an unsupervised probation
Recommendation: counted by report and as indicated in the evaluation. Coded as: Absolute discharge/suspended sentence with probation=1; Fine=2; Probation and probation with conditions (includes community supervision)=3; Probation with imprisonment=4; Imprisonment with probation=5; Imprisonment=6; No recommendation=7; Other=8; Fine and probation=9. Dichotomously coded as: absolute discharge/suspended sentence/suspended sentence with probation/fine/fine and probation/probation and probation with conditions=1; Probation with imprisonment/imprisonment with probation/imprisonment =2.

The Source of Information

Sources: as mentioned in the communicative content of the presentence report. A nominal level of measurement was utilized in regard to each source. Was a mention made of the: Victim: Yes=1, No=2; Spouse: Yes=1, No=2; Parent/Guardian: Yes=1, No=2; Relative/neighbor/friend: Yes=1, No=2; Police (did not include the police information): Yes=1, No=2;
Professionals (physicians/psychologists/psychiatrists/social workers): Yes=1, No=2;
Previous Presentence report: Yes=1, No=2;
Employer: Yes=1, No=2;
Other (school, Unemployment Insurance Commission, out of province probation officers, political personage, children of offender, Salvation Army, Bail supervision, Immigration, Veteran's Affairs, parole records, Correctional officers, landlords, group home parents, military records, Credit unions, Indian Band counsellors): Yes=1, No=2.
Total number of sources: sum of all sources mentioned in the communicative content of the presentence report. Interval level of measurement.
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*F=facts; I=Interpretations; I/F=Interpretative/facts.

R/A=Relevant Asides.

Files for reliability checks were selected at random in the morning and the afternoon of each recording day. The first date of each set of data indicates the date data were collected, while the second date shows when the reliability check occurred.
BIBLIOGRAPHY


Annual Report. 1977 Corrections Branch, Ministry of the Attorney General, Victoria, B.C.


British Columbia Corrections Branch. 1978 Goals, Strategies and Beliefs [Corrections Br.]. Ministry of the Attorney General, Victoria B.C.


Carter, Robert M. 1966 "It is Respectfully Recommended...." Federal Probation 30: 38-42.


Dailey, C.A. 1952 "The Effects of Premature Conclusions upon the Acquisition of Understanding of a Person." Journal of Psychology 33: 133-152.


Davies, Martin. 1969 Probationers in Their Social Environment. Home Office Research Studies #2: H.M.S.O.


Glueck, S. 1951 "Pre-Sentence Examination of Offenders in Aid of Choosing a Method of Treatment." Journal of Criminal Law, Criminology, and Police Science 41: 717-731.


Jaffary, Stuart K. 1963 *Sentencing of Adults in Canada.* University of Toronto Press.


Keve, P. 1960 *The Probation Officer Investigates.* Minneapolis: University of Minnesota Press.


Leon, Jeff. 1979 "Sentencing the Drug Offender." A Colloquium at Simon Fraser University. Nov. 22.


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135


McLaughlin, Ted J., Lawrence P. Blum, and David M. Robinson. 1964 *Communication*. Columbus Ohio: Charles E. Merrill Books Inc.


Ontario Probation Officer's Association. 1967 An Examination of the Results of Adult Probation. The Quantitative and Qualitative Committee.

Overton, Alice. 1965 "Establish the Relationship." Crime and Delinquency 2 (3): 229-238.


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