

# **Use and Effectiveness of Presentence Investigations in Oklahoma**

Oklahoma Criminal Justice Resource Center  
Oklahoma Statistical Analysis Center  
June 1998

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IN OKLAHOMA**

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# USE AND EFFECTIVENESS OF PRESENTENCE INVESTIGATIONS IN OKLAHOMA

## INTRODUCTION

The Presentence Investigation Report (PSI) provides the criminal courts with information that is necessary to determine the type and length of sentence an adjudicated criminal will receive (Petersilia 1998). The type of information that the PSI provides the court includes, but is not limited to, the criminal background of the offender, the seriousness of the instant offense, the offender's circumstance and sentencing options. The most important function of the PSI is to assist in the judge's decision between prison and parole for the offender (Petersilia 1998). The probation officer drafts the PSI and makes recommendations regarding an offender's suitability for supervised probation (Liberton et al. 1992).

According to Petersilia (1998), over 90 percent of all felony cases in the United States today are resolved through a negotiated plea; this is why the PSI is so critically important. While the PSI's intention is to aid a judge in the sentencing process, research has shown that there is a high correlation between the recommendations made in the PSI and the subsequent sentence the offender receives. Usually the judge's knowledge of the offender is limited to the information contained in the PSI (Petersilia 1998).

The research as to the amount of influence the PSI has on the sentences offenders receive in relationship to the recommendations made in the PSI is sparse. Citing her 1986 study done with Turner, Petersilia (1998) found that there were certain criteria that the judge seemed to consider of

higher value when making a determination of sentence. If the offender had two or more prior criminal convictions, was on probation or parole at the time of the offense, was a drug addict or used a weapon in commission of the offense, he/she was 80% more likely to receive a prison sentence rather than probation. Petersilia (1998) also determined that while 75% of the sentencing decisions in her study with Turner could be predicted, the other 25% could not be predicted.

Lanier and Miller (1995) pointed out that the presentence report has a high probability of being accepted by the sentencing court, but they concluded that the presentence report did not work to the offender's advantage as neither they nor their attorneys had knowledge of the presentence report's recommendations; the defendant could be "ambushed" at sentencing as the actual sentence may vary greatly from the expected sentence at the time of the plea agreement, due to the contents of the PSI.

Liberton et al. (1992) attempted to predict the success of the first time offender, if granted probation, based upon the PSI's recommendations. They defined success as completion of the probationary period violation-free. Based upon numerous variables such as age, marital status, alcohol and/or drug use and employment history/stability, they determined that the variables could be used as predictors of the success or failure of an offender granted probation.

Drass and Spencer (1987) attempted to determine the bias, if any, that a probation officer may incorporate into the PSI based upon deviant typologies. The variables of prior record, seriousness of offense, and positive attitude of the offender were directly related to the risk of probation reported by the probation officer. The authors determined that these variables, among a few others, were the central dimensions around which a biased portrait of deviance of the offender could be drawn by the

probation officer, thus affecting the recommendation made by the same. Rosecrance (1988) found that the variables of prior record and seriousness of the offense were so dominant in the determination of the probation officers' sentence recommendations that other variables had little effect on sentence recommendations. Rosecrance also indicated that, based upon said variables, the probation officer will "type" the offender into dispositional categories such as "deal case", straight probation case", etc. After the initial typing is made, the probation officer then begins to gather further information about the offender, but, in the end, probation recommendations emphasize the instant offense and prior record and de-emphasize the individual characteristics of the offender.

In light of these articles, this study will look at the application of and recommendations in presentence investigations in one large Oklahoma County. As indicated above, the research as to the PSI's actual use and the consequences of said use is limited and sparse. The studies by Rosecrance and Liberton et al. were significant in predictive variables and, if further research could substantiate their findings, guidelines could be implemented by the criminal courts to help in determining, at a glance, the probable success or failure of an offender placed on probation. The bias, if any, of the probation officers drafting the PSI's must also be considered, and it should be determined if there is a bias that is significant enough to have an offender unjustly sentenced to prison. In conclusion, there is a great need to investigate the presentence investigation reports role in the sentencing process of criminal offenders.

## **METHODOLOGY**

For this study, PSI's provided by Tulsa County from FY 1997 formed the material for

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analysis. The Community Sentencing Planning Council for Tulsa County, as part of its strategic planning, assembled a list of randomly selected offenders who had committed offenses which would qualify for “community sentences,” such as nighttime jail, intensive probation, etc., under new criminal justice reforms passed by the Oklahoma legislature in its 1997 session. The qualifying offenses were either property, DUI, low-level sex or drug crimes, or some low-level assaults. The offenders were either first or second-time offenders of higher level offenses or multiple offenders of low-level offenses. This group, then, constituted a population for which neither probation nor prison was a more or less automatic sentence and for which PSI’s were therefore presumably more influential in deciding between prison and probation in the absence of the proposed “community sentences.” This permitted a slightly different perspective of the use and effectiveness of PSI’s from the earlier literature and the possibility of new insight based solely on a set of offenders for whom the PSI may be most influential.

Officers from the Oklahoma Department of Corrections Division of Probation and Parole found and pulled the case files of the randomly selected offenders. They provided the PSI’s to the Oklahoma Criminal Justice Resource Center (OCJRC) for compilation of a data set for use in Tulsa’s community sentencing planning. The PSI’s were standard, with information on offender and offense, other convictions with the instant offense, prior juvenile and adult criminal record, personal and family history, treatment needs and histories, and educational and employment backgrounds. They also included the probation officer’s sentence recommendation and the sentencing judge. OCJRC staff combined the sentence recommendation with actual sentences for the offenders from the OCJRC sentencing data set for FY 1997. This resulted in 340 matches, which served as the data set for this

study. Findings are presented below.

### DATA ANALYSIS

From the Tulsa County data set, the characteristics of the offenders are as follows. (The complete coding sheet for the PSI's can be found in the Appendix.) Of the 340 offenders whose Presentence Investigation Reports were analyzed, 74.1% were male and 25.0% were female. In regards to race, 58.2% of the offenders were Caucasian, 31.2% were African-American, 4.4% were Native American, 3.5% were Hispanic, and, the race of 2.5% was not known. Of the offenses committed, 40.9% were drug offenses such as possession and distribution, 35.7% were non-violent offenses such as burglary and fraud, 10.9% were DUI, 6.5% were violent offenses such as forcible rape and assault, and finally, 6.2% were non-violent sex offenses such as indecent exposure.

Of the 340 offenders, 70.6% were convicted for only the controlling offense, 18.5% were convicted for the controlling offense plus one more felony, 6.5% were convicted for the controlling offenses plus two more felonies, 2.9% were convicted for the controlling offenses plus three more felonies, 0.9% were convicted for the controlling offense plus four more felonies, and finally, 0.6% were convicted for the controlling offenses plus five more felonies. The data indicated that 86.5% of the offenders were also convicted for an assaultive felony that was not the controlling offense, 10.9% were convicted of two such felonies and the remaining 2.7% were convicted of three or more. In regards to the non-assaultive felonies committed in this group, 10.3% were convicted for the controlling offense plus one additional non-assaultive felony, 65% were convicted for the controlling offense plus two additional non-assaultive felonies, 17.1% were convicted for the controlling offense plus three additional non-assaultive felonies, and, finally, 7.7% were convicted for the controlling

offense as well as four or more additional non-assaultive felonies.

In regards to the legal status of the offenders at the time of their instant offense, 9.4% were on probation for a previous felony conviction(s), 11.2% had outstanding warrants, 6.8% were on release with actions pending, 66.2% had no legal status, and finally, in 6.5% of the instances, the status was not known; 23.8% of the offenders had juvenile records and 76.2% did not have juvenile records.

During the instant offense, 12.6% did use a weapon other than a firearm, 86.2% did not use a weapon other than a firearm and in 1.2% of the instances, it was not known if the offender used a weapon. In regards to firearm use, 2.6% of the offenders did use one during the instant offense, 54.7% did not use a firearm and in the remaining 40%, the use of a firearm is unknown. In regards to the victims of the offenders' crimes, 0.9% were vulnerable (defined as 12 years of age or under, 65 years of age or over, or otherwise disabled or incapable of defending themselves), 58.5% were not vulnerable, and, in the remaining 40%, it was not known if the victim was vulnerable. Also, 0.3% of the offenders tortured or maimed their victims, 59.7% did not torture or maim their victims; in 38.2% of the instances, it was not known if the victims were tortured or maimed, and, in 1.8% of the instances, it was not applicable. Concerning the amounts involved in cases of money, drug and/or property crimes, 22.6% of the amounts were under \$2,500, 1.8% ranged from \$2500 to \$10,000, 0.6% ranged from \$10,001 to \$100,000. In 40.3% of the instances, the amount was not known, and, in 34.7% of the instances, theft amount as a variable was not applicable.

While committing their crimes, 89.1% of the offenders were using drugs, 77.4% were using alcohol, and 72.9% were using either or both. In regards to drug crimes, 3.5% were in possession

of a controlled dangerous substance (CDS) in the presence of a child under 18 years of age, and 0.3% used or solicited a child under the age of 18 years of age in the commission of the crime. Further, 32.4% of the offenders were not in possession of a CDS in the presence of a child under 18 years of age and 35% did not use or solicit a child under 18 years of age. In 38.5% of the instances, it was not ascertained if the offender was in possession of a CDS in the presence of such a child, and, in 39.1% of the instances, it was not known if the offender used or solicited such a child. Finally, in 25.6% of the instances, it was not applicable if the offender was in possession of a CDS in the presence of a child, and it was not applicable in regards to the offender using or soliciting the services of a child.

In further analysis of the victims of the crimes, the age of the victim was known in only 2.4% of the instances studied. The gender of the victim was not applicable in 67.6% of the instances, 19.1% were male victims and 13.2% were female victims; 25.9% of the victims were private citizens, 13.2% were businesses, 1.8% were government, 6.5% were police officers, and, in 52.6% of the instances, there was no identifiable victim. The relationship between the offender and the victim was not applicable in 67.1% of the instances, in 21.2% there was no relationship, in 10.3% of the instances the relationship was known in other categories such as friend, employer, etc. Finally, in 1.5% of the instances the relationship between the offender and the victim was other/unknown. In 28.5% of the instances, there was no physical injury to the victim, 2.4% of the victims suffered minor injury, 2.6% of the victims required medical attention, 1.5% were hospitalized, and 0.3% suffered minor injury. In 64.7% of the cases studied, physical injury to the victim was not applicable.

In regard to property, in 75% of the instances there was not any property damage; in 24.4%

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of the instances, there was property damage; and, in 0.6% of the cases, it was not known if there was property damage. In 4.7% of the instances, the total value of the stolen property was less than \$100; in 4.1% the value ranged from \$101 to \$249. In 10.2% of the instances, the value of the stolen property ranged from \$250 to \$49,999. Finally, in 17.4% of the instances, the value of the stolen property was unknown, and, in 63.5% of the instances, there was no stolen property. In regards to the total value of the property damage, in 1.5% of the instances the damage was less than \$100; in another 1.5% of the instances, the damage ranged from \$101 to \$249; in 0.6% of the instances, the damage ranged from \$2000 to \$2499; in 0.3% of the instances, the damage ranged from \$2500 to \$4999; and, in another 0.3%, the damage ranged from \$20,000 to \$49,999. Finally, in 16.2% of the instances, the damage was unknown and in 79.7% of the instances, there was no property damage.

In regard to the offenders, 60.6% were single, 12.4% were married, 1.8% were living with a paramour, 22.1% were divorced/separated, 1.5% were widowed and in 1.8% of the instances, the marital status of the offenders was unknown. Of the offenders, 48.8% did not have children, 21.2% had one child, 16.5% had two children, 7.1% had three children, 4.1% had four children, 2.1% had five children, and 0.3% had six children. Of the 61.8% of the offenders that had a spouse, 22.1% provided support and 39.7% did not, while the other 1.5% was unknown.

Of those offenders in school at the time of the offense, 1.5% were in high school, 0.6% were in vocational training, 0.6% were in community college, 0.6% were attending a university and 0.3% had educational experience. With regard to the offender's prior education, 58% did not complete high school, 25.6% completed high school, 16.2% completed some college and the status of the other 0.2% is unknown.

At the time of their offense, 43.8% of the offenders were unemployed, 27.6% were employed part-time, 25.6% were employed full-time, 1.8% were in school, and the status of 1.2% was either other or unknown. The total income of the offenders for the most recent year in the PSI ranged from 8.7% at \$0 to \$1000, 14.4% at \$1001 to \$5000, 14.1% at \$5001 to \$10,000, 17.7% at \$10,001 to \$20,000, 5.7% at \$20,001 to \$40,000, 1.2% in excess of \$40,000 and 38.2% of the offenders had unknown income.

### INDICATORS OF ASSOCIATION

In addition to the summary statistics presented, the data allowed analysis of measures of association between and among the variables. Of particular interest were the variables associated with judicial adherence to the probation officer's recommendation. The data were divided into two groups—those of offenders who received the recommended sentence and those who did not. The results are described below.

Using Cramer's V to measure the association of multiple variables with recommended sentences, the study found use of firearm in the commission of an offense with a value of .32, vulnerable victim with a value of .32, and educational level with a value of .25. These values indicate that each variable had a moderate association with recommended sentences. The same was true for actual sentences given, with use of firearm having a value of .40, vulnerable victim with a value of .38, and educational level at .25. However, one additional variable came into play with actual sentence received. The identity of the judge had a moderate association with a value of .23. Each of these variables described had a significance level of .05 or lower, with the exception of the

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judge's identity, which had a significance level of .16. Income of offender was also tested, and eta values indicated that 52% of the variance found among recommended sentence and 54% of the variance among actual sentences was explained by income. Income was also shown to explain the variance in determining whether a judge followed the recommended sentence or increased the severity of the sentences recommended. Approximately 53-56% of the variance found among the judges imposing the sentences could be explained by income.

As noted earlier, previous studies indicated the importance of prior criminal record in judicial decision-making on sentencing and on accepting probation officers' recommendations. The data from Tulsa County indicated mostly the same. The relationship of the number of prior adult sentences to prison and recommended sentence was significant at the .01 level and had an eta value of .262, or explained approximately 7% of the variance. The relationship with actual sentence was significant at the .05 level, with 5% of the variance explained. However, the relationship between prior adult sentences to prison and acceptance of the recommendations was not statistically significant and explained little of the variance.

Concerning other forms of prior records and sentences, the number of prior adult sentences to jail, not prison, was not statistically significant for recommended or actual sentences, although the eta value indicated 4% and 2% respectively of the variance were explained by the relationships. As with prison sentences, no relationship between jail sentence and acceptance of recommendations was found. Similarly, no statistical significance was indicated between the number of prior misdemeanor convictions and recommended or actual sentences, but 5% and 7% of the variance in each of the latter were explained. Although prior misdemeanor convictions shared no statistical significance

with acceptance of recommendations, their eta values indicated that they explained 6% of the variance.

Cramer's V tests, run on whether or not the offender had a prior juvenile record and the recommended and actual sentences, had values of .28 and .30 respectively, indicating a moderate association. Both were statistically significant at the .01 level. The association of the prior juvenile record with the acceptance of recommended sentences, however, was only .03 and statistically insignificant. Interestingly, the number of other convictions along with the instant conviction explained 4% of the variance between acceptance or rejection of the recommended sentence. As these additional convictions presumably indicate greater "seriousness", this finding would tend to support and extend Rosecrance's conclusion that "seriousness" of offense affected later outcomes.

Thus, while the data confirmed that prior criminal history was important to both probation officer recommendations and final judicial decision, it was not found to be as influential on judicial acceptance of the recommendations. With other variables promoted as influential in the literature, some, such as weapon use and education level, did demonstrate impact on judicial adherence to recommendations while others, such as criminal justice status at the time of the offense and drug use, did not. More investigation, therefore, is needed to determine the factors influencing judicial adherence to recommendations. The report then turns to responses and interpretations of the practitioners themselves.

## VIEWES OF PRACTITIONERS

Of the 63 probation officers in Tulsa County who performed and wrote the PSI's, seven who

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had done at least ten PSI's were chosen to interview by phone. Of those seven, five participated in this study by answering a four question survey. Of the five judges who sentenced the offenders in criminal court in Tulsa County in the period studied, two participated in this study by answering a five question survey. The compilation of the responses are as follows.

The five probation officers surveyed varied in their responses as to how often PSI's were used as an aid in sentencing. The answers ranged from some of the time to over 90% of the time. The overall consensus was that they are used more often than not. When asked what they would do to make the PSI a more effective instrument in aiding sentencing, two probation officers stated they would not change anything, while one stated he would simplify the PSI by implementing a checklist format. One probation officer indicated that he would eliminate the PSI in cases in which the offender had three prior felony convictions since the offender would not be eligible for probation in this instance. Finally, one probation officer indicated that he would make several changes, all of which would eliminate duplicate work between agencies as well as give the judge more information to aid him in his sentencing decision.

The first change would be to omit the social history portion of the PSI with the exception of significant trauma in the offender's past because the offender, prior to contact with the probation officer, had an evaluation of social history done by another state agency, which, in turn, would report significant social history to the probation officer. Second, this probation officer would omit the marital history portion of the report with the exception of offenders paying child support. Finally, this probation officer stated that the offender should submit to a drug and/or alcohol evaluation with a qualified professional *prior* to sentencing rather than after, in the instances where the offense was

a drug and/or alcohol offense and/or the offender was under the influence of said substances at the time of the offense. This would allow the judge to determine, based on the professional drug and/or alcohol evaluation, the probable success rate if the offender was granted probation.

When asked what factors they felt the judges looked for in accepting the sentencing recommendations of the PSI, all probation officers surveyed felt that the judges examined the prior record of the offender. Other common factors the probation officers felt that the judges examined were the past and current drug use of the offender, the level of cooperation the offender displayed during the investigation process, work history, family history, current work and/or school status, the treatment plan developed by the probation officer and the severity of the crime. Level of cooperation and treatment plan were the only variables not coded and considered in this study.

When asked what factors they felt would lead the judges to disregard the recommendations they made in the PSI, most of the probation officers stated that the judges followed the recommendations made in the PSI the majority of the time. Most of the probation officers did give reasons as to why the judge may not follow the recommendations they had made. These included new information or extenuating circumstances presented by the prosecution or defense at the time of sentencing, the determination of the judge as to whether or not the offender would follow any recommended treatment if probationed, the prior record of the offender, and the attitude of the offender. One probation officer indicated that judges sometimes ignored legal prohibitions on probation for certain offenders when they felt it necessary, through elimination of consideration of prior felony convictions.

The two judges surveyed both stated that the PSI is an extremely valuable and important tool

in sentencing as it is an easy reference, paints a picture of the offender, and provides a tremendous amount of information quickly and concisely. One judge had an interesting view of the PSI, stating that it was “a temporary probationary period between the crime and the sentencing.” Staying clean in the interim proved an important indicator of probationary success. The judges varied in their use of the PSI with one using it in every case unless it was a poor report to the other who used it 80% of the time.

When asked what factors provided in the PSI they consider when deciding to follow its recommendations, the judges varied in their responses with the exception of prior record/criminal history and the drug test results; both judges took these factors into consideration. One judge gave the recommendations of the probation officers weight due to their experience and in-depth contact with the offender while the other judge gave more consideration to the severity of the current offense and to the victim.

When asked what factors provided in the PSI they consider when deciding not to follow its recommendations, when they are for probation, both judges took into account the frequency of contacts the offender had previously had with the criminal court system and if the offender had committed any more offenses since the instant offense. Where they differed, one judge considered the family support system of the offender while the other did not. If the family support system was strong, then the recommendation for probation would be strongly considered; if it was weak, the judge would be likely to incarcerate the offender. When asked if they would make any changes to the PSI, one judge stated he would not change anything, while the other stated he would like to see more information regarding the resolution of past criminal contacts the offender may have had.

To summarize, while the probation officers did have several suggestions on how to change the PSI to make it more efficient in their view, overall, they seemed to be satisfied with the PSI and its process and their overall attitude was positive in regards to the PSI. The judges were very satisfied with the PSI and considered it an indispensable tool utilized in the sentencing process. The probation officers and judges seemed to be at a consensus with regard to the factors that led to the acceptance of the PSI by the judge. First and foremost, the prior record of the offender seemed to be the largest determining factor. Following prior record, the drug use of the offender, past and present, largely influenced the judges during sentencing. On the other hand, when attempting to consider why a judge would not follow the recommendations of the PSI, most of the probation officers could not offer a concrete reason. The judges' response as to why they wouldn't follow a PSI recommendation, while exact, were variables that would be difficult for probation officer to analyze on a case-by-case basis. As a result, these variables, such as new information, offender attitude, judicial subjectivity concerning the offender, and intervening criminal behavior, were not amenable to the data collection in this study and thus not found influential statistically on judicial adherence to probation officers' recommendations.

From the perspectives of the practitioners, then, the variables involved in the use and effectiveness of the PSI's tended to correspond with those found in the earlier studies, not those in this report. In particular, this report's discovery of only a modest association between prior record and judicial decisions and of a substantial association between income and those decisions does not match well and requires greater analysis.

## CONCLUSION

This study of PSI's in Tulsa County in FY 1997 examined a selected group of offenders convicted of offenses that would have qualified for "community sentencing" rather than prison or probation, that is, in the "shadow area" between "obvious" traditional punishments, in the criminal justice reforms passed by Oklahoma in 1997. It was in that "shadow area" that the factors most likely to influence judicial adherence or non-adherence to probation officer recommendations would be most highlighted in practice.

The variables most associated with the sentence recommended by the probation officer and with that given by the judges included use of a firearm in the commission of an offense, vulnerable victims, educational levels, and, in only the case of actual sentence, the identity of the judge. The study also found associations between recommended or actual sentences and prior adult sentences to prison or to jail and between recommended or actual sentences and prior misdemeanor and juvenile records. Most of these variables received qualitative confirmation in interviews with Tulsa County probation officers and judges.

On the other hand, factors influencing judicial adherence to the probation officers' recommendations were not demonstrated to be as numerous, statistically. Less or no variance was explained for the variables outlined above, although the number of other offenses than the instant conviction did explain a small portion of the variance.

Seeking explanations for the poor explanatory nature of the variables in the study concerning judicial adherence to the recommendations, this report used the interviews with the practitioners to explore qualitative factors possibly involved. The discussions revealed that influences, such as new

information, the offender's attitude, the judge's reaction to the offender, and intervening criminal behavior since the conviction, were all perceived to affect the judge's acceptance of the recommendations. The factors were not easily ascertained or statistically analyzed from the PSI's used as the basis for this study.

The literature on the use and effectiveness of presentence investigation reports in judicial sentencing has historically been minimal. While this study is limited in its scope and selection pool to Tulsa County and offenders qualifying for "community sentencing," it does point to new areas for attention in future, larger studies. It also indicates that, where it is utilized, such as in Tulsa County, practitioners do find presentence investigations useful and effective in determining proper sentences for offenders. Other jurisdictions, inside and outside Oklahoma, considering more extensive use of PSI's in their own decision-making, can take the findings of this report as a positive foundation on which to prepare and to understand that usage.

**APPENDIX**

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**TULSA COUNTY PRESENTENCE INFORMATION REPORT  
DATA COLLECTION INSTRUMENT**

Project ID Number \_\_\_\_\_

Coder ID \_\_\_\_\_

**I. Offender Identification**

DOC Number \_\_\_\_\_

Name (Last) \_\_\_\_\_ (First) \_\_\_\_\_ (MI) \_\_\_\_\_

DOB \_\_\_\_\_ (MM/DD/YY) Gender \_\_\_\_\_ (1=Male, 2=Female)

Race \_\_\_\_\_ (1=White, 2=Black, 3=Hispanic, 4= Native American, 5= other)

Residence \_\_\_\_\_ (1=Tulsa city, 2=Tulsa County, 3= neighboring county, 4= Oklahoma, 5=out of state)

**II. Conviction Offense(s)**

Sentencing Date \_\_\_\_\_ (MM/DD/YY) Judge \_\_\_\_\_

Offense Description (List most serious first)	Statute	Fel/ Misd	Schedule
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Total number of : Felony Convictions \_\_\_\_\_ Assaultive \_\_\_\_\_ Non-Assaultive \_\_\_\_\_  
 Misdemeanor Convictions (excluding traffic) \_\_\_\_\_ Traffic \_\_\_\_\_

Legal Status at time of Offense \_\_\_\_\_

- 1= No legal status
- 2= On Probation
- 3= On Parole
- 4= On release pending other charges
- 5= outstanding warrants
- 6= other

**III. Offense Behavior**

Was a Weapon involved in the Offense 1=Yes 2= No \_\_\_\_\_

If yes, type of weapon \_\_\_\_\_

1= handgun

6= motor vehicle

2= rifle

7= explosives

3= shotgun

8 = other \_\_\_\_\_

4= knife

5= blunt instrument

How was weapon used? \_\_\_\_\_

1= visible, used, injury resulted

2= visible, used, no injury resulted

3= displayed, not used

4= not visible, threatened

5= possessed

Did offense occur near a school? 1= yes 2= no \_\_\_\_\_

Was offender using drugs at the time of the offense? 1=yes 2=no 9=unk \_\_\_\_\_

Was offender using alcohol at the time of the offense? 1=yes 2=no 9 =unk \_\_\_\_\_

Was offender high or drunk at the time of the offense? 1=yes 2=no 9=unk \_\_\_\_\_

**IV. Victim Harm**

Description of Victim \_\_\_\_\_

1= private citizen

2= business

3= government

4= police officer

5= other \_\_\_\_\_

9 = no identifiable victim

Age of victim \_\_\_\_\_

1-93 actual age of victim

94 = unspecified juvenile age

95 = unspecified adult age

96 = unspecified senior citizen (over 65)

Gender of victim (1=male, 2= female) \_\_\_\_\_

Victim Offender relationship (primary victim) \_\_\_\_\_

- 1= stranger, no relationship
- 2= spouse
- 3= common law relationship
- 4= lover
- 5= ex-spouse
- 6 = child
- 7 = parent

- 8 = sibling
- 9 = other relative
- 10= friend
- 11= acquaintance
- 12 = employer
- 13 = employee
- 14 = neighbor

15= other \_\_\_\_\_

Physical Injury to victim \_\_\_\_\_

- 1= no physical injury
- 2 = minor injury, bruises, no treatment needed
- 3 = medical treatment needed, released
- 4 = serious injury, hospitalization
- 5 = death

Method of physical injury \_\_\_\_\_

- 1 = shot
- 2 = stabbed
- 3 = struck
- 4 = beat up
- 5 = run over
- 6 = other \_\_\_\_\_
- 9 = no physical injury

Did offense involve domestic violence 1= yes, 2= no \_\_\_\_\_

Did offense involve child abuse 1 = yes, 2=no \_\_\_\_\_

**V. Property Offenses**

Was there property damage or theft (other than fraud) involved in the offense?

\_\_\_\_\_ 1 yes 2= no

What was the total value of stolen property or cash? (indicate the actual amount, if known, or use the following codes)

\_\_\_\_\_ Actual (or) Coded \_\_\_\_\_

- |                     |                                 |
|---------------------|---------------------------------|
| 1= less than \$100  | 9= \$2500 to \$4999             |
| 2= \$101 to \$249   | 10= \$5000 to \$7499            |
| 3= \$250 to \$499   | 11= \$7500 to \$9999            |
| 4= \$500 to \$749   | 12= \$10000 to \$19999          |
| 5= \$750 to \$999   | 13= \$20000 to \$49999          |
| 6= \$1000 to \$1499 | 14= over \$50000                |
| 7= \$1500 to \$1999 | 99 = no stolen cash or property |
| 8= \$2000 to \$2499 |                                 |

What was the total value of property damage? (indicate the actual amount, if known, or use the above codes)

\_\_\_\_\_ Actual (or) Coded \_\_\_\_\_

Was fraud involved in the offense? 1= yes, 2= no

\_\_\_\_\_

If yes, did the fraud involve:

- welfare fraud \_\_\_\_\_
- obtaining credit \_\_\_\_\_
- bad checks \_\_\_\_\_
- credit cards \_\_\_\_\_

Who was the target of the fraud?

- |               |                |
|---------------|----------------|
| 1= government | 3= citizen     |
| 2= business   | 4= other _____ |

What was the amount of the fraud?

\_\_\_\_\_



**VIII. Alcohol and Drug Use**

Does offender have a history of drug use (not including alcohol)? \_\_\_\_\_

1= yes 2= no

Current drug use status \_\_\_\_\_

1= presently using drugs      2= not presently using drugs

Results of Urinalysis administered at time of PSI \_\_\_\_\_

1= no positive results  
2= positive result for at least one drug (list below)  
3= no test administered

Drugs for which positive results were found \_\_\_\_\_

1= marijuana    4= heroin      7= speed/ amphetamines  
2= crack        5= methamphetamine  
3= cocaine      6= barbiturates    8= other \_\_\_\_\_

*7= unknown*

Primary drug of choice \_\_\_\_\_

1= marijuana    4= heroin            7= speed/ amphetamines  
2= crack        5= methamphetamine  
3= cocaine      6= barbiturates    8= other \_\_\_\_\_

*7= unknown*

Degree of drug use \_\_\_\_\_

1= rare            2= moderate    3= heavy

Age at first drug use \_\_\_\_\_

Offender's degree of alcohol use \_\_\_\_\_

1= none    2= social drinker    3= frequent    4= heavy/alcoholic

Offender's prior participation in treatment

use following responses for all items in this section

- 1= yes, court ordered                      4= yes, unknown if court ordered or voluntary  
2= yes, voluntary                            5= never been in treatment  
3= yes, both 1 and 2

Drug Treatment

Residential drug treatment \_\_\_\_\_

Out-patient drug treatment \_\_\_\_\_

Methadone maintenance \_\_\_\_\_

NA or other support group \_\_\_\_\_

Alcohol Treatment

Residential alcohol treatment \_\_\_\_\_

Out- patient alcohol treatment \_\_\_\_\_

AA or other support group \_\_\_\_\_

**IX. Employment History**

Employment at the time of the offense \_\_\_\_\_

- 1= employed, full time                      4= in school  
2= employed, part time                      5 = in military  
3= unemployed                                6 = other \_\_\_\_\_

Principal type of employment \_\_\_\_\_

Weekly earnings \_\_\_\_\_

Total income for most recent year in PSI    (income)\_\_\_\_\_ (year)\_\_\_\_\_

Indication that employment is available after sentencing \_\_\_\_\_

- 1= yes, job available                      3= offender in school                      9 = no indication  
2= no job available                        4= offender in military

Length of present employment (in months ) 000= not employed \_\_\_\_\_

Degree of employment over the past five years \_\_\_\_\_

- 1= regular employment over the past five years
- 2= occasional employment over the past five years
- 3=not employed over the past five years

If unemployed, means of subsistence \_\_\_\_\_

- 1= no visible means of subsistence
- 2= welfare, other social assistance
- 3= unemployment compensation
- 4= relatives
- 5= pension/ retirement
- 6=disability
- 7 = other \_\_\_\_\_

## X. Prior Criminal Record

### Juvenile Offenses

Is there an indication of a juvenile record? 1=yes, 2=no \_\_\_\_\_

Number of Arrests for felony offenses \_\_\_\_\_

misdemeanor offenses \_\_\_\_\_

status offenses \_\_\_\_\_

Indication of commitment to state supervision \_\_\_\_\_

Indication of local probation supervision \_\_\_\_\_

Number of adjudications for

felony offenses \_\_\_\_\_ misdemeanor offenses \_\_\_\_\_ status offenses \_\_\_\_\_

violent \_\_\_\_\_

non-assaultive \_\_\_\_\_

drugs \_\_\_\_\_

weapons \_\_\_\_\_

**Adult Criminal Offenses**

Number of prior adult sentences to

Jail \_\_\_\_\_ Prison \_\_\_\_\_

**Adult Prior Felony Offenses**

**Schedule of Prior Felony Convictions**

A	_____	N-1	_____	S-1	_____
B	_____	N-2	_____	S-2	_____
C	_____	N-3	_____	S-3	_____
D1	_____	N-4	_____	S-4	_____
D2	_____	N-5	_____		
E	_____				
F	_____	I-1	_____		
G	_____	I-2	_____		
H	_____	I-3	_____		

**Adult Prior Misdemeanor Offenses**

Total prior misdemeanor convictions  
(including DUI but excluding all other traffic) \_\_\_\_\_

Number of convictions for property offenses \_\_\_\_\_

Number of convictions for crimes against persons \_\_\_\_\_

Number of convictions for drugs \_\_\_\_\_

Number of convictions for weapons offenses \_\_\_\_\_

Number of convictions for alcohol related offenses (including DUI) \_\_\_\_\_

