

**SURVEY OF MISSOURI CRIMINAL TRIAL JUDGES, PROSECUTORS, AND
CRIMINAL DEFENSE ATTORNEYS CONCERNING PERCEPTIONS OF THE
SENTENCING ASSESSMENT REPORT PROCESS**

TECHNICAL REPORT – SURVEY DATA

FULL REPORT

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Karl R. Kunkel, Ph.D.

Department of Sociology, Anthropology and Criminology
Center for Social Science and Public Policy Research
Missouri State University

Kerry J. Nelson, M.S.

Missouri Department of Corrections
Division of Probation and Parole

Julianna Cameron, B.S.

Department of Sociology, Anthropology and Criminology
Missouri State University



Description of Sample:

This survey invited judges, prosecutors, and criminal defense attorneys (both private counsel and public defenders) from the state of Missouri to respond to questions concerning the Sentencing Assessment Report (SAR). Questions focused on the structure, process, usefulness, and areas for improvement. The survey includes a total of 485 respondents, all claiming current and regular involvement with felony criminal trials. The following tables provide a general description of the sample:

	Number of Respondents	Percent of Total Respondents
Judges	104	21.4
Prosecutors	62	12.8
Defense Attorneys	319	65.8
Public Defender	233	48.0
Private Counsel	80	16.5
(Did not self-identify type)	6	1.2

For each group, the following demographic information was voluntary. These results reflect those choosing to answer these questions.

Age-

	Number Responding	Age Range	Mean Age	Median Age
Judges	88	34 – 68	55 years 8 months	56 years
Prosecutors	57	28 – 61	47 years 8 months	48 years
Defense Attorneys	299	26 – 76	42 years 2 months	40 years

Years in Current Position-

	Number Responding	Range (years)	Mean	Median
Judges	96	0 – 49	10.74	9.5
Prosecutors	58	1 – 29	12.76	10.5
Defense Attorneys	312	0 - 43	11.64	8

Gender-

	Number Responding	Male	Female
Judges	97	87 (89.7%)	10 (10.3%)
Prosecutors	62	49 (79%)	13 (21%)
Defense Attorneys	313	203 (64.9%)	110 (35.1%)

Prior Prosecutor or Criminal Defense Attorney-

	Number Responding	Prior Prosecutor	Range (years)	Mean	Median	Prior Defense Attorney	Range (years)	Mean	Median
Judges	99	50 (50.5%)	1 – 28	7.58	5.0	70 (70.7%)	0 – 36	12.4	12.0
Prosecutors	62	N/A	N/A	N/A	N/A	18 (29%)	1 – 28	6.58	5
Defense Attorneys	315	273 (86.7%)	1 – 27	4.93	4.0	N/A	N/A	N/A	N/A

Region in Missouri-

	Judges	Prosecutors	Defense Attorneys
Number Responding	100	60	309
Kansas City Area	12 (12%)	2 (3.3%)	62 (20.1%)
St. Louis Area	23 (23%)	3 (5%)	70 (22.7%)
Northwest Missouri	8 (8%)	8 (13.3%)	14 (4.5%)
Northeast Missouri	5 (5%)	6 (10.0%)	7 (2.3%)
North Central Missouri	3 (3%)	2 (3.3%)	3 (1.0%)
Central Missouri	9 (9%)	9 (15%)	43 (13.9%)
West Central Missouri	4 (4%)	6 (10.0%)	8 (2.6%)
East Central Missouri	8 (8%)	3 (5.0%)	7 (2.3%)
Southwest Missouri	16 (16%)	12 (20.0%)	54 (17.5%)
South Central Missouri	5 (5%)	3 (5.0%)	8 (2.6%)
Southeast Missouri	7 (7%)	6 (10.0%)	33 (10.7%)

Population Area-

	Judges	Prosecutors	Defense Attorneys
Number Responding	102	62	310
Urban	32 (31.4%)	1 (1.6%)	112 (36.1%)
Suburban	14 (13.7%)	4 (6.5%)	47 (15.2%)
Rural/ Small Town	49 (48.0%)	56 (90.3%)	141 (45.5%)
Mixed Population Area	6 (6%)	1 (1.5%)	10 (3.2 %)
Other	1 (1%)	0 (0%)	0 (0%)

Political Affiliation-

	Prosecutors	Defense Attorneys
Number Responding	58	297
Democrat	28 (48.3%)	145 (48.8%)
Republican	25 (43.1%)	52 (17.5%)
Independent	2 (3.4%)	85 (28.6%)
Libertarian	1 (1.7%)	5 (1.7%)
Other	2 (3.4%)	10 (3.4%)

“Other” responses provided (optional and unedited):

Prosecutors-

- ✓ It’s not about a party

Defense Attorneys-

- ✓ conservative
- ✓ conservative
- ✓ conservative
- ✓ not a member of any party
- ✓ no political affiliation
- ✓ progressive
- ✓ green party
- ✓ I vote for the person

Survey Data:

Results for survey items appear below in the order the questions were asked on the survey instrument. The following tables contain aggregated results for the quantitative survey items. Lists of unedited comments submitted in response to open-ended questions also are provided. This presentation represents raw data from the survey without analysis (beyond frequencies, percentages, and mean scores for each group) or commentary by the research team.

Approximately how many Sentencing Assessment Reports do you review on a monthly basis?

	Range	Mean	Median
Judges	0 – 150	9.85	5
Prosecutors	0 – 106	7.56	3
Defense Attorneys	4 – 92	3.77	3

In what percent of cases do you actively use the Sentencing Assessment Report when deciding a sentence disposition? (Judges only)

	Range	Mean	Median
Judges	0 – 100	65.6%	90%

For which of the following types of crime do you generally request a Sentencing Assessment Report (check each applicable response)? (Judges Only)

Violent offenses – 74%

Sex Offenses with Child Victim – 74%

Child Abuse Offenses – 71.2%

Sex Offenses with Adult Victim – 69.2%

Drug Offenses – 47.1%

DWI Offenses – 46.2%

Non-Violent Offenses – 31.7%

Plea Agreements – 24%

No Plea Agreement Involved – 9%

Open Plea Involved – 7.7%

All Felonies – 4.8%

Other – 13.5%

“Other” responses provided (optional and unedited):

- ✓ when lawyers want one
- ✓ generally all cases
- ✓ whenever requested
- ✓ defd has criminal history
- ✓ jury verdict of guilty
- ✓ when requested by defendant
- ✓ when requested by a defendant
- ✓ when a cap is agreed to
- ✓ when priors are mentioned
- ✓ cases disposed of by trial
- ✓ all A, B, and C felonies
- ✓ some A and B felonies
- ✓ child support

How often do you agree with the recommended presumptive sentence?

	Judges	Prosecutors	Defense Attorneys
Most of the Time	30 (28.8%)	2 (3.2%)	127 (39.8%)
Some of the Time	59 (56.7%)	14 (22.6%)	159 (49.8%)
Seldom	14 (13.5%)	37 (59.7%)	29 (9.1%)
Never	1 (1%)	9 (14.5%)	4 (1.3%)

If you frequently disagree with the recommended sentence in the Sentencing Assessment Report, what are your typical reasons for disagreeing?

Judges choosing to provide comments (optional and unedited):

- ✓ No common sense used. It is just a fill-in-the-blanks form.
- ✓ The recommended sentences have seemed to me to be very lenient. When I ask the folks who put them together what's up, their answer is that they just put the data into the computer, and the sentence gets spit out. We could do this in court with a spreadsheet, maybe put some actual thought into the document, and be done much quicker than the present turnaround.
- ✓ Very often they recommend a lighter sentence than even the plea agreement. They are not in line with prevailing community standards.
- ✓ NO SUPPORT FOR THE NUMBERS

- ✓ I believe the assessment is too lenient. It seems the risk factors are not seriously considered. In my circuit people tend to comply with the law and if they have a long history of non-compliance, then they are not good candidates for probation. At judicial college we were told that addicts have different brain chemistry and yet we do not even attempt to dry them out before sending them up for treatment programs. I find that the treatment programs do not have much success with young offenders and now I understand why this might be the case. It just seems the SAR does not come up with any creative ways to help.
- ✓ The presumptive sentence rarely indicates my opinion.
- ✓ They seem slanted --I get tired of 3d and 4th time offenders receiving a presumptive sentence of probation . It doesn't matter to me how The Commission or P.&P. define recidivist --A person who has been convicted before and gets convicted again is a repeat offender. Maybe that would be a better word...
- ✓ They are often too lenient and don't take enough factor into account. You can't pidgeon hole it.
- ✓ The recommended sentence is either too lenient or we do not have the ability to do the program recommended.
- ✓ Usually it is not reasonable when one takes into account the prior offenses and nature of the offense committed. I am shocked that the committee considers certain offenses to be non-recidivist offenses. I can have a Defendant facing sentencing for his 6th DWI and that is considered a non-recid offense. Ridiculous.
- ✓ In cases where the prosecutor has dismissed certain charges or reduced the charge the SAR often does not reflect what the senence should be. Furthe the reports have taken away from the discretion of the probation officer. In the past the officer could look at the totality of circumstances in making a recommendation.
- ✓ Under the presumptive sentences, a person can pick up 2-4 felony convictions before actual prison time is recommended.
- ✓ I do things the way I have always done them and have never consulted the guidelines. Most of my guilty pleas ar with a plea bargain. The PAs and PDs in my Circuit never want to try anything and plea bargaib everything so an SAR is seldom used. It makes little difference what sentence you give someone anymore, With DOC and the 120 day statutes everyone is released at someone elses discretion.
- ✓ Dishonest rhetoric to make the defendant seem less predatory than he truly is and thereby rationalize a lenient sentence which is moronic.

Prosecutors choosing to provide comments (optional and unedited):

- ✓ Because sometimes the SAR recommends probation and the agreement between the defendant and prosecutor's office is jail/prison
- ✓ Does not accurately reflect the severity of crimes considering victim and community impact. Too willing to recommend community structured sentencing or probation alternatives.
- ✓ not long enough or they do not factor in the particular circumstances of the case
- ✓ The recommendations seem to have very little to do with the type of crime, the present offense or the defendant. Sexual offenses and violent offenses appear to have the same or better chance of a probation recommendation as other offenses.
- ✓ Inadequate sentence, especially w/ sex crimes and violent offenses.
- ✓ The recommended sentence is ususally more lenient than our recommendation. For example, we recently had a class C felony charge of tampering with a motor vehicle where the defendant

was a prior and persistent offender because of multiple felony convictions, thereby enhancing his range of punishment to up to 15 years in prison. The SAR report only recommended three years. Especially on violent crimes, the recommended sentence is often quite low

- ✓ We do not have a truth in sentencing. A 3 year term is 90 days to 6 months, or a 15 year term may be extremely short. If what the defendant received was the actual sentence, then I would go along with it. Also, there are many times that the presumptive sentence is extremely low for what a defendant would actually do. For example, I had a C felony DWI last week that the presumptive was 3 years on. Granted, my office reduced the DWI down to a C from a B and this was the 3rd C DWI, but the presumptive should have been 7, not 3. I have many other examples, but I would like to see the guideline sentences taken off of the form
- ✓ The recommended or presumptive sentences are much too short or recommend probation when that is not appropriate for the Defendant
- ✓ Sentences in presumptive category are often more lenient than community expectations
- ✓ I think that each case is different, and that no equation can take into account these issues. In addition, many Judges have standard dispositions. Quite honestly, I rarely look at the recommended sentence
- ✓ it is generally too lenient
- ✓ In most cases they are too low. this is usually because they recommendation fails to take in to consideration that the plea offense has been reduced or is only one of many charged offenses. Further, the average disposition reflected by the SAR includes other jurisdictions, especially urban ones, that do not ever sentence defendants to incarceration on a first or second conviction
- ✓ More often than not the recommended sentence is calculated incorrectly by the P and P officer
The recommended sentences are almost always too low
- ✓ the guiding light of the SAR seems to be to keep the prison population down and is severely skewed towards the big city perspective
- ✓ The recommendation from the SAR is substantially less than the recommendation from our office
- ✓ Recommendation is too light
- ✓ The recommendations seldom take into consideration the seriousness of the crime. The Defendant receives bonus points for age, lack of recidivism, etc. Even though a person is a prior and persistent offender the amount of sentence recommendation does not allow the Defendant to be sentenced to the maximum sentence
- ✓ way too lenient on their recommendations. Probation Officers agree the recommendations are too low but state they have no individual input and this is what the SAR states and what they HAVE to recommend to the Court because it is what the SAR says
- ✓ I find the recommendations sometimes arbitrary, and that there is often wide variance between types of offenses. Mitigating factors are often not included
- ✓ Too low; not comparable with what a jury would do (jury would be much higher); not clear that the sentence recommendation if a term is with that sentence EXECUTED not PROBATION
- ✓ Suggested punishment seems inappropriate for the crime, in light of past sentencing recommendations and judgments. Most are not severe enough
- ✓ Important factors are often ignored. As an example which occurred in an SAR I saw only last week, the fact that the defendant had been terminated from Drug Court for numerous violations was not factored in. Thus, the SAR's recommendation was the same as if the defendant had never unsuccessfully attempted Drug Court

- ✓ sentences are unrealistically low. recommend probation almost always. sometimes recommended sentence is less than min. per statute. Also does not take into account multiple counts
- ✓ Sentence recommended is Too lenient
- ✓ Context of the report is usually out of sync with the specific circumstances of the case, defendant's history, level of victimization
- ✓ No matter how serious the crime, a first time offender is almost never given even the minimum prison sentence
- ✓ The recommended sentence is often less than the minimum on the charge. The recommended sentence most often fits my concept of what would happen in a major metro area, and bears no resemblance to either my personal or the public perception of an appropriate sentence
- ✓ The SAR does nothing but serve the interests of the weak jurists, politicians, and criminals. I suggest before any SAR supporter is allowed to articulate why the SAR is good, they must agree to house a probation candidate in their home for 90 days. If they won't do it, they should go home and be replaced by someone who is not a sheep so decisions for the rest of us won't be made while they cry wolf or are crying Wolf. I tried to answer this earlier completely, but the survey stopped. So, this product is like the SAR, it does not work
- ✓ Doesn't take into account all the circumstances.
- ✓ I don't believe the SAR puts enough emphasis/weight on the defendant's priors.
- ✓ Many times, our recommendations for sentences are higher than in the SAR. Sometimes that may be because a charge was amended down from a more serious charge, or other charges were dismissed as part of the plea agreement.
- ✓ The recommendations far too often recommend either probation in a case where penal incarceration is appropriate or recommends a term of incarceration that is insufficient for the nature of the offense
- ✓ Recommendations are too lenient!
- ✓ They are generally ridiculously low. In my experience the SAR's recs, for repeat offenders, are most often probation and when not probation are very low numbers. They are not even in the same category of what my community would do or want under the circumstances. Most recently an SAR came back on a repeat offender and had to be corrected 2 times because his prior/persistent status was not being taken into account correctly. The difference from the first one being 6, 8 and 10 years to the correct one being 20, 25 and 30 years. Wow, what a difference when done correctly. Please understand almost all 1st time offenders receive probation but it becomes unrealistic when someone is a repeat offender (3, 4, 5 times or more) and the SAR still says probation. At least the old PSI's, although not perfect, gave you more background and just an opinion of whether someone was a candidate for probation. Now the new SAR's want to tell us how many years and in most cases the number of years in the aggravated section is grossly low and out of proportion
- ✓ Your little scoring system is nothing short of a joke. No one falls into the high risk area. I have prosecuted individuals who have been convicted twice of capital murder and were serving a death sentence who scored in the low risk range. I have had several individuals who were convicted of crimes where the minimum sentence allowed under the law was much higher than both the presumptive and aggravated sentence on the SAR. It is so useless that in my office we never request one.
- ✓ ends to favor the Defendant and not justice for the crime..Seem to avoid sending the defendant to prison. Too lenient. Tries to use a formula for the sentence instead of focusing on the individual defendant and his/her crimes

- ✓ The SAR is really less helpful than the old Pre-Sentence Investigation Reports, and assigning points for assigning scores is problematic. It often fails to weight the factors appropriately, in my opinion. Serious crimes are trivialized
- ✓ They often times do not take into account the actual facts of the case and only take into account the crime and prior history of the defendant.
- ✓ The recommendation is too lenient.
- ✓ The presumptive/recommended sentences are almost always much too low.
- ✓ For serious crimes, the presumptive sentence recommendation is nearly always shockingly low. For example, in most child sex crimes where the defendant has no criminal history, the recommended sentence is the statutory minimum. Simply stated, the recommended sentences are so absurdly low that they lose any credibility whatsoever. The legislature and the public would be appalled at many of these recommendations.
- ✓ Recommended sentence is too lenient and doesn't account for particulars of the offense
- ✓ Recommended sentence is typically lighter than my recommendation and ultimate outcome.
- ✓ Not adequate for the crime, i.e., too soft.

Defense Attorneys choosing to provide comments (optional and unedited):

- ✓ It's too harsh
- ✓ I should note that I handle only capital cases. It is rare that our cases involve the use of SARs. On the few occasions where a client has pled to a parolable sentence and a SAR has been requested, I felt the recommended sentence was too high.
- ✓ I waive sentencing assessments and a judge has never asked for one. It seems though for others the when a judge will order a sar, the recommendation that comes back is higher than the deal worked out.
- ✓ Too harsh for the circumstances of the particular client.
- ✓ too harsh
- ✓ Typically the SAR recommendation is an extension of the PA's office and the author excerpts the most sensational and damning facts from the police report regardless of whether those facts are in dispute, does not contact defense counsel for the other side, hence the reporter and report are not unbiased and independent.
- ✓ The evaluator concerns themselves with mainly the priors and the current charge. There appears to me a huge emphasis on the charge (as charged) other than what really happened. For example, someone can be charged with Assault 2nd and ACA but if it happened with a bow and arrow and the Defendant was severely drunk when it happened, is that really the same as someone who stabs someone? No, but I frequently find that there is no subjective view of the charge and the circumstances surrounding it.
- ✓ the type of sentences I generally deal with, (life in prison w/o parole or death) SARs are very seldom used
- ✓ Anything mechanical assessment which interferes with judicial discretion is antithetical to the defense goal in most cases. The SARs are not, however, as one-sided as the Federal Sentencing Guidelines.
- ✓ Recommended sentences are too harsh.
- ✓ Typically they are too high, too harsh.
- ✓ Many of the sentences I view are not harsh enough for the crimes that the clients have actually committed.

- ✓ Almost seems intentionally biased against the Defendant in terms of sentence ranges. Lack of investigation concerning risk assessment numbers. I find the risk assessment tends to be inaccurate when a full understanding of the Defendant's answers are known.
- ✓ They consider unrelated crimes in their recommendation for the current crime.
- ✓ The recommended sentence often seems too harsh. Sometimes I agree if the defendant has a very bad record and has committed an offense against another person. However, the recommended sentence when it is a crime that involves drugs and the client has a long record is usually too harsh.
- ✓ I disagree with any prison time recommendation for felony possession of a controlled substance. And generally I believe that many other crimes do not warrant prison time. I have a general belief that prison should be used only for selective incapacitation of people that intentionally hurt others or attempt to due so.
- ✓ The SAR's usually fail to consider mitigating facts and circumstances, or these mitigators are downplayed. Also, SAR's sometimes contain innacurate information, which I find is usually to the detriment of my client, instead of being to my client's benefit.
- ✓ I would prefer a greater emphasis on age and a greater emphasis on the harshness of the defendant's life prior to committing the crime.
- ✓ More deserve an SIS (Suspended Imposition of Sentence) than are being recommended for
- ✓ Typically does not match average disposition in the area I practice.
- ✓ To date I have only reviewed one SAR, so it is difficult for me to respond.
- ✓ I am new and have not reviewed many as of yet but the ones I have are usually more stringent than I believe necessary.
- ✓ A formula can never take into account all the variances in each individual defendant, crime and situation.

Generally for all offenders, the sentence recommendations in the Sentence Assessment Report are

	Judges	Prosecutors	Defense Attorneys
1 = Too Lenient	8 (7.7%)	24 (38.7%)	1 (.3%)
2	11 (10.6%)	18 (29%)	0 (0%)
3	27 (26%)	13 (21%)	2 (.6%)
4	23 (22.1%)	3 (4.8%)	22 (7.0%)
5= About Right	31 (29.8%)	2 (3.2%)	112 (35.4%)
6	3 (2.9%)	1 (1.6%)	70 (21.9%)
7	1 (1%)	1 (1.6%)	66 (9.7%)
8	0 (0%)	0 (0%)	31 (9.8%)
9= Too Strict	0 (0%)	0 (0%)	12 (3.8%)
MEAN SCORE	3.68	2.16	5.88

Sentence recommendations in the Sentencing Assessment Report for VIOLENT offenders generally are

	Judges	Prosecutors	Defense Attorneys
1 = Too Lenient	10 (9.6%)	18 (29%)	1 (0.3%)
2	17 (16.3%)	16 (25.8%)	2 (0.6%)
3	20 (19.2%)	14 (22.6%)	10 (3.1%)
4	26 (25%)	6 (9.7%)	15 (4.7%)
5= About Right	24 (23.1%)	7 (11.3%)	119 (37.3%)
6	5 (4.8%)	0 (0%)	71 (22.3%)
7	2 (1.9%)	1 (1.6%)	53 (16.6%)
8	0 (0%)	0 (0%)	22 (6.9%)
9= Too Strict	0 (0%)	0 (0%)	19 (6%)
MEAN SCORE	3.58	2.55	5.88

Sentence recommendations in the Sentencing Assessment Report for SEX OFFENDERS with an ADULT victim generally are

	Judges	Prosecutors	Defense Attorneys
1 = Too Lenient	13 (12.5%)	15 (24.2%)	0 (0%)
2	15 (14.4%)	15 (24.2%)	2 (0.6%)
3	13 (12.5%)	16 (25.8%)	4 (1.3%)
4	24 (23.1%)	5 (8.1%)	10 (3.1%)
5= About Right	27 (26%)	8 (12.9%)	88 (27.6%)
6	5 (4.8%)	1 (1.6%)	69 (21.6%)
7	7 (6.7%)	1 (1.6%)	55 (17.2%)
8	0 (0%)	0 (0%)	33 (10.3%)
9= Too Strict	0 (0%)	1 (1.6%)	37 (11.6%)
MEAN SCORE	3.77	2.82	6.35

Sentence recommendations in the Sentencing Assessment Report for SEX OFFENDERS with a CHILD victim generally are

	Judges	Prosecutors	Defense Attorneys
1 = Too Lenient	16 (15.4%)	26 (41.9%)	3 (0.9%)
2	21 (20.2%)	14 (22.6%)	6 (1.9%)
3	16 (15.4%)	11 (17.7%)	10 (3.1%)
4	21 (20.2%)	5 (8.1%)	19 (6%)
5= About Right	22 (21.2%)	4 (6.5%)	108 (33.9%)
6	5 (4.8%)	0 (0%)	51 (16%)
7	2 (1.9%)	2 (3.2%)	47 (14.7%)
8	1 (1%)	0 (0%)	29 (9.1%)
9= Too Strict	0 (0%)	0 (0%)	32 (10%)
MEAN SCORE	3.38	2.27	5.95

Sentence recommendations in the Sentencing Assessment Report for CHILD ABUSE offenders generally are

	Judges	Prosecutors	Defense Attorneys
1 = Too Lenient	11 (10.6%)	16 (25.8%)	1 (0.3%)
2	15 (14.4%)	16 (25.8%)	1 (0.3%)
3	19 (18.3%)	14 (22.6%)	6 (1.9%)
4	21 (20.2%)	6 (9.7%)	18 (5.6%)
5= About Right	31 (29.8%)	8 (12.9%)	104 (32.6%)
6	5 (4.8%)	1 (1.6%)	70 (21.9%)
7	1 (1%)	1 (1.6%)	57 (17.9%)
8	0 (0%)	0 (0%)	19 (6%)
9= Too Strict	1 (1%)	0 (0%)	21 (6.6%)
MEAN SCORE	3.68	2.69	5.97

Sentence recommendations in the Sentencing Assessment Report for NON-VIOLENT criminal offenders generally are

	Judges	Prosecutors	Defense Attorneys
1 = Too Lenient	6 (5.8%)	18 (29%)	0 (0%)
2	8 (7.7%)	2 (3.2%)	0 (0%)
3	11 (10.6%)	14 (22.6%)	1 (0.3%)
4	16 (15.4%)	10 (16.1%)	4 (1.3%)
5= About Right	52 (50%)	15 (24.2%)	102 (32%)
6	7 (6.7%)	0 (0%)	53 (16.6%)
7	2 (1.9%)	2 (3.2%)	61 (19.1%)
8	2 (1.9%)	0 (0%)	56 (17.6%)
9= Too Strict	0 (0%)	1 (1.6%)	40 (12.5%)
MEAN SCORE	4.34	3.26	6.57

Sentence recommendations in the Sentencing Assessment Report for DRUG offenders generally are

	Judges	Prosecutors	Defense Attorneys
1 = Too Lenient	5 (4.8%)	17 (27.4%)	0 (0%)
2	4 (3.8%)	8 (12.9%)	0 (0%)
3	8 (7.7%)	10 (16.1%)	0 (0%)
4	19 (18.3%)	6 (9.7%)	7 (2.2)
5= About Right	50 (48.1%)	15 (24.2%)	80 (25.1%)
6	11 (10.6%)	3 (4.8%)	52 (16.3%)
7	5 (4.8%)	1 (1.6%)	59 (18.5%)
8	1 (1%)	1 (1.6%)	55 (17.2%)
9= Too Strict	1 (1%)	1 (1.6%)	63 (19.7)
MEAN SCORE	4.63	3.29	6.84

Sentence recommendations in the Sentencing Assessment Report for DWI offenders generally are

	Judges	Prosecutors	Defense Attorneys
1 = Too Lenient	6 (5.8%)	12 (19.4%)	1 (0.3%)
2	6 (5.8%)	9 (14.5%)	2 (0.6%)
3	12 (11.5%)	15 (24.2%)	8 (2.5%)
4	22 (21.2%)	13 (21%)	12 (3.8%)
5= About Right	49 (47.1%)	10 (16.1%)	94 (29.5%)
6	8 (7.7%)	2 (3.2%)	63 (19.7%)
7	1 (1%)	0 (0%)	68 (21.3%)
8	0 (0%)	1 (1.6%)	26 (8.2%)
9= Too Strict	0 (0%)	0 (0%)	32 (10%)
MEAN SCORE	4.25	3.18	6.20

What changes to the structure of the Sentencing Assessment Report might increase your use (the value) of the SAR?

Judges choosing to provide comments (optional and unedited):

- ✓ This entire study is irrelevant. If the Dept. of Corrections can decide the length (percentage of the sentence given by the Court) the offender has to complete, what is the point of any of it. Have the Court make the guilt finding and then let the DOC do the rest. They do anyway. For effective sentencing the offender should do 100% of what the Court sentences him/her to.
- ✓ I don't know that the structure should change but giving Judges a general explanation of the various screening tools used and their strength and weakness would be helpful.
- ✓ na
- ✓ Make sure underlying assumptions are accurate and appropriate. For example, reports says defendant is unemployed when in fact, he was employed up to the date of the trial.
- ✓ N/A
- ✓ nothing
- ✓ Having a realistic answer on the SAR, instead of something that comes back lenient every time, without fail.
- ✓ There are problems with the way the report utilizes prior convictions or multiple counts of conviction in assessing an appropriate sentence.
- ✓ More statistical information on the likelihood of repeat offense. Also, what rehabilitative programs are available.
- ✓ I have no problems with the structure of the sar
- ✓ By far, my biggest complaint is the way prior offenses are valued. That is, as long as an offender pleads or disposes of his cases at the same time, those dispositions are considered as one. In other words, a person can rape, rob, pillage and kill different unrelated people at unrelated times on different dates and as long as he wraps them all up at the same time, the SARs only consider that as one event. This can result with a presumptive sentence being less severe for a truly bad prior offender than for someone unlucky or dumb enough to space his less serious

offenses. This can result in absurd conclusions which reduces the credibility of what I believe is the lofty goal of SARs.

- ✓ The only real problem is the huge amount of time they take. It seems that we should prioritize our cases better. Not every case needs a sentence assessment report.
- ✓ There is no personal input in the report regarding the defendant. The SAR has become so automated that there is nothing regarding the person that a judge can look to as an exception to standard sentencing practices. The language in every SAR is identical, no individual thought is put into these. It is unfortunate that we have eliminated the human factor in these should be social workers. Every defendant is different and the SAR has homogenized them into one category, criminals.
- ✓ none
- ✓ The excess verbiage usually lifted from police reports is largely unnecessary and diminishes the usefulness of the report. However, I nearly always use a SAR when sentencing a defendant who has pleaded guilty without a plea agreement and when sentencing a defendant after trial, so there's not much needed to increase my use of the SAR.
- ✓ need to take into account how many charges the defendant is pleading guilty to or found guilty of, not just the most serious charge. I have had reports where the recommended sentence for a defendant pleading guilty to 1 count of assault is the same as a defendant pleading guilty to several assaults and robberies. And the category of community structured sentence is unclear - how is that different than probation with conditions? The terms used in the SAR should be the same as the authorized dispositions under the statutes.
- ✓ Information showing how they arrived at the numbers in regard to years or months recommended.
- ✓ For the last two years at Judicial College we were told that we can predict who will offend in the future by looking at 8 traits. Two of those are not on the SAR. We are not told what the offender does in his/her spare time (leisure activities) and we are not told much about peers. It would be nice if we could have more information about these things if we are told that they are important.
- ✓ none
- ✓ Quit playing games with the use of the phrase recidivism related offense. It detracts from the integrity of the rest of the report.
- ✓ I do not have an opinion at this time.
- ✓ I would use the reports more if they took less time to prepare. I would also like something with more weight and with more insight than the SACA score to give me a clearer sense of the role substance abuse is playing in the defendant's life. I would like more information about what each individual defendant's risk score tells me about that particular person. I would like more in-depth information about the defendant's proposed home plan.
- ✓ A narrative explanation of the ultimate conclusion of the SAR.
- ✓ The more personal and background information available the better. The more victim information available the better.
- ✓ If they paid attention to a defendant's status-- ie. prior, or prior and persistent-- often receive back recommendations that I do not even have jurisdiction to impose based on status-- makes whole thing useless.
- ✓ It would be helpful to have the opinions of any former probation officers who have supervised the offenders before. The probation officers often times have a very good feel for whether an offender can complete probation or not and I value their opinion.
- ✓ none

- ✓ none
- ✓ more details about the defendant's history
- ✓ No comment
- ✓ none
- ✓ I use SAR's in all cases except where there is already an agreed sentence by the state, the Defendant and the Court. A change in format would not affect that usage.
- ✓ Take into account the factual circumstances of the crime. Don't send reports suggesting probation when under the law, probation is not an option.
- ✓ none
- ✓ Can not think of any changes.
- ✓ I am pleased
- ✓ More explanation of how the sentencing recommendations were arrived at would be helpful. If they only arbitrarily arrived at by looking on a grid, I could do that myself.
- ✓ More accuracy in the determination of the presumptive sentence under the guidelines. Error are so common the confidence of all goes down.
- ✓ I cannot think of any changes that are necessary.
- ✓ None at this time.
- ✓ none
- ✓ None that I can think of.
- ✓ SACA is worthless. It is a self reporting test being completed by defendants who are positioned to lie. I have researched the validity of the SACA test and cant find any.
- ✓ I would like to read the true and unedited opinions of the officer that writes the report. All too often, the officer is bound by department policy to make a certain recommendation.
- ✓ I would like the SARs to state specifically the community support programs that P&P thinks would apply to this particular offender.
- ✓ More detailed background information about the Defendant, his history and mental health. A more thorough explanation of the reason for the sentence and the rehabilitation strategy for the Defendant.
- ✓ Allowing more officer discretion
- ✓ I do not agree with the sentencing, but love to use the rest
- ✓ Recidivist Offender needs redefinition; risk not to re-offend score is useless, because scoring method incomprehensible. IN GENERAL: I do use & am influenced by the SARs, but they are ordered in only a fraction of our cases, where there is no specific plea agreement, or where Defendant is trying for a better deal. Usually he gets a more lenient recommendation on the SAR and I usually use it, especially in young offenders. But SAR is most aggravating and unhelpful on really serious violent cases where the rationale in the scoring and the recs is incomprehensibly low!
- ✓ Nothing. I have never used them and can't see myself using them in the future. As I see it it is only a tool to lower the prison population. I have even been told by legislature candidates that Judges are too lenient because sentences are too lenient.
- ✓ Multiple offenses or multiple counts need to be taken into consideration
- ✓ Can't think of anything.
- ✓ Haven't seen a SAR in a while, but anything that would allow the court to quickly view past criminal history would be helpful.
- ✓ It should recognize other pending charges which were dismissed by state at time of plea of guilty.
- ✓ I think the structure and format are easy and useful. I have no recommendations for changes.

- ✓ There is nothing wrong with the general structure of the SARs. However, the dispositions of prior offenses shown on the reports often leave a lot to be desired
- ✓ Sometimes I use the SAR for bed dates for 559.115 or 217.362. I usually always request a SAR on A and B felonies where the state is requesting jail time and the defense what probation. I try not to over burden the probation & parole office with non-violent offenses unless there are unusual circumstances.
- ✓ I'd like to see a local sentencing assessment for average sentences in our jurisdiction, along with average recommendations by the prosecutor's office for the particular charge. Sometimes the prosecutor's rec's vary for the same charge anywhere from probation to maximum incarceration. Also, interestingly, sometimes the SAR's presumptive sentence is almost twice as much as the prosecutor's recommendation. Seeing what is generally done in our jurisdiction by other judges would be helpful.
- ✓ I like the format now and think the sentencing assessment reports are a very valuable tool. My problem in sentencing is not with the report but with the fact that we just don't have community based services to use in sentencing.
- ✓ More focus on how P&P will actually attempt to deal with the criminogenic factors actually present in the case as opposed to boilerplate conditions of probation based on the offense.
- ✓ better training of people preparing report. on occasion they do not have the right penalty range.
- ✓ Nothing comes to mind.
- ✓ I use it as written
- ✓ More realism in describing the defendant and less sugar coating.
- ✓ A recommendation from the writer like we used to get.

Prosecutors choosing to provide comments (optional and unedited):

- ✓ Just do away with them
- ✓ More emphasis on law enforcement input and victim impact statements.
- ✓ an opinion from the SAR writer as to the fitness for the defendant to be on probation
- ✓ Greater weight should be given to the type of offense. Also, the 'recidivist' category is strangely rated.
- ✓ Allow for more candid input from the probation officers about the offender and the circumstances of the crime. Some very evil offenders are given SARs that are at worst, neutral, and often whitewash or hide terrible behavior. The SAR scoring system greatly benefits educated and more financially well-off offenders. A middle-aged white person can go off the deep end and shoot at people (I had such a case), then look like an angel when the SAR report score comes in that rewards the fact the guy had a good-paying job for many years and had no prior felonies, etc., etc. The State of Missouri does not have adequate testing of sexual offenders to assess them prior to pleas and prior to sentencing. Because the SARs are so lacking in case-specific or offender-specific information, they are mostly not relied upon by responsible decision makers who are accountable to the people who have elected them
- ✓ Reconsider what is an unrelated prior offense. Redefine recidivist related offense. Attend to the pleading in a case so that the SAR does not propose a punishment below the statutory range of punishment for an offense.
- ✓ The old presentence investigations allowed the Probation Officer to give his or her subjective opinion as to a recommendation, which was always quite useful. The reports currently issued

are much less valuable without this paragraph which was always the opinion of an experienced probation officer based on the real facts of a specific case. The formula currently used in the reports is quite often practically useless. Going back to something more similar to the old reports would be an improvement

- ✓ Take out the guideline sentences. They are mostly wrong or low on several areas. In the alternative, make what a defendant receives is the sentence he serves
- ✓ In my opinion the structure of the document is not the problem. The problem is the recommendations. They are much too lenient for practical use in a rural county such as mine
- ✓ Get rid of sentence recommendations. As a prosecutor, it sort of diminishes the value or respect for a plea offer when someone else tells the Judge what the sentence should be
- ✓ removing the sentencing recommendation altogether
- ✓ Increase the numbers across the board
- ✓ less emphasis on sentence recommendation and more on defendants background
- ✓ Making it easier to decipher the defendant's status (mitigated vs. aggravated)
- ✓ The scoring system needs to be re-evaluated
- ✓ Scrap the system. Go back to Pre-sentence investigations with recommendations by probation officers. Take into consideration the seriousness of this crime, the effect on the victim and community. Overhaul the final page and allow for more negative values. Increase aggravating sentences. Give plus for accepting responsibility, negative for no acceptance. A murder defendant should never receive a recommendation of community based programs in lieu of a sentence
- ✓ I don't have any information on how the SAR's are created and have no way to recommend changes
- ✓ information on community structured programs available in the area information on any special supervision, i.e. sex offenders
- ✓ More information specific to the offender
- ✓ I would like an expanded victim impact section
- ✓ Drop the use of recommendations or suggestions of sentences
- ✓ Realizing that defendants with a prior felony criminal history rarely deserve probation a second time. --Placing the security of the community, including the right to be safe from property crimes, above simply limiting the prison population
- ✓ a more thorough assessment of risk to re-offend. 2. a more thorough comparison between risk liabilities and assets. 3. an explanation as to why a particular punishment is being recommended and what exactly was being considered in relation to that recommendation
- ✓ SAR's now omit a significant amount of information that was previously available in earlier reports. A review of SAR's, depending on the community in which it originates, reveals more about the philosophies of the particular community and court system than focusing on general criteria for determining risk of re-offending, establishing appropriate accountability and considering the history of the defendant with the specific facts of the case being prosecuted. I would like to see a return to a more complete SAR with less emphasis on what a particular probation/parole officer believes is appropriate but also with less of an eye to the state's concern about bed space and resources. Let's start with a fair assessment of the problem and not get down to allowing the tail (bed space and resources) wag the dog (the criminal justice response). Affordability is an issue, but pre-occupation with keeping defendants out on the streets, ignoring violations or reclassifying what is a violation does not make the system more effective. It's merely cosmetics. Success rates look great when probationers are not called on their violations and the community they spring from are not given an opportunity to set their

standards for accountability. The community's voice has to be heard on these cases. Moderation in consideration of resources, etc... should be the responsibility of the courts and the prosecutors/attorneys, not a committee somewhere in Jeff City

- ✓ My impression is that recommendations reflect an average of all sentences for a particular crime. This procedure unfairly compares crowded urban dockets with the more individualized considerations available in rural areas
- ✓ Get rid of it. It has inherent built in leniency biases. Again, any prosecutor, judge, politician, or self-respecting citizen worth their salt would cringe at the application of an SAR on their offender. The judge's are told don't send the defendants to prison. The probation officers are told don't violate the probationers, don't write hard SAR's, and don't complain about the defendants laughing at you because you have orders from other sheep. Allow the Judge's to sentence the defendants under the statutes the legislature passed for that offense based on the real history and the acts of the defendant. The probation officers aren't qualified to give sexual offender assessments. In response to the next question, the criminal history of the defendant is very important. However, the way the levels are designed or defined determines their actual utility. Thus, the next answer is skewed without a proper definition
- ✓ More input from the officer preparing the report would be more helpful.
- ✓ The guidelines for violent offenses, need to be addressed. Structure of the report is sufficient.
- ✓ Make it a standing rule that an offender can not serve less time for the same type of offense that he has in the past. I have had offenders that had 7 years in DOC for drug offenses and then because my judge follows the SARs to a T they then get 5 years. This happens even if I bump them up as a prior and persistent
- ✓ It might help to at least consider the original charge(s) versus what the offender actually pled guilty to, including any charges that were dismissed pursuant to a plea offer. I do think that recommendations with respect to drug offenses are quite a bit less than what my office would like to recommend in these cases.
- ✓ At this point I have no idea. Deleting the recommendations would be better than what is happening now. Certainly the worksheet at the end of the report is useless, particularly as far as first time offenders are concerned.
- ✓ More comments from the offender about the events on the criminal history section of the SAR. These comments might shed some light on the attitude of the offender, as well as give the offender an opportunity to explain some of the prior arrests/charges/convictions. Also, print the range of punishment in the same section as the mitigating, presumptive, and aggravating sentencing guideline recommendations. This will be convenient for the attorneys and court to refer to when arguing sentencing or addressing questions/comments about an appropriate sentence
- ✓ A sensible statement about the risk of re-offending. The statements are like a double-negative when describing the risk of reoffending
- ✓ Taking into consideration the different factual situations. Such as the difference between 40 grams and 40 pounds of marijuana with intent but treated the same by the SAR. Another example is someone with 3 priors and someone with 10 priors gets the same treatment. The examples can go on and on
- ✓ Dump it all together.
- ✓ Develop a structure and hierarchy of the factors to be considered.
- ✓ get rid of the SARs. The range of punishment for the convicted crime is the only guideline needed.

- ✓ If it is not restructured along the lines of the Salient Score embraced by the Federal Sentencing Guidelines, a much more complicated system, it should be scrapped in favor of the old OSI
- ✓ Taking into account the actual facts of the crime and the severity, not just the level of crime and the number of priors of the defendant.
- ✓ Actually making the Defendant responsible with some form of punishment for his actions.
- ✓ SAR do not take into account more than one offense even when the defendant is convicted of multiple counts.
- ✓ Eliminate recommended sentences. Instead, simply give the information to allow judges, prosecutors, and defense attorneys to evaluate sentencing options, including alternatives to incarceration for non-violent property and drug crimes.
- ✓ Account for number of all prior convictions, regardless of their age. Also, less value placed on employment and other short-term considerations. Not saying to ignore them, but emphasize less than other long-term considerations such as number of prior law enforcement contacts. Also, there should be consideration given to prior performance on probation. Scoring system for successes and revocations, including number of violations incurred during the probation term.
- ✓ More weight to prior criminal activity

Defense Attorneys choosing to provide comments (optional and unedited):

- ✓ I don't understand this question. Maybe an explanation following the recommendations would help?
- ✓ Include defendant's criminal history at end of report laid out in a logical format. This is valuable because often Judges take into account a defendant's past crimes as well as the rec of the SAR. Additionally, as a defense attorney it is helpful to have access to a defendant's criminal history easily at hand when in chambers negotiating, because the State has it at their disposal.
- ✓ Doesn't appear to be achieving its goal. City Judge's tend to follow while the outstate judge's generally always exceed.
- ✓ In the criminal history section, the probation and parole officers have too much leniency in what they can list. There are times when they include traffic tickets, charges that were ultimately dismissed, and charges that were juvenile. I think that a more structured way in which to list these criminal offenses should be in order.
- ✓ The report should not contain opinions of the probation officer
- ✓ One change that is reflected in the automated sentencing report, but I do not see much in the actual SAR is the time since the last offenses. Sometimes, a person is prior and persistent, but those priors are from 10, 15, 20 years ago. I just think that the more dated offenses should diminish in value in proving someone up as prior and persistent, especially in drug cases. Also, the SAR should look to the plea to determine whether or not the person was plead as prior and persistent. If the state does not prove them up, then the SAR should not use the elevated punishment levels.
- ✓ I do not know of any changes to the structure that would be of any help, but the Judges in this area do not follow the recommendations all the time. There is one Judge in particular that almost never follows the recommendations. In these situations, the recommended sentences are not much help at all, but I do not know of any changes that could be made to the SAR to eliminate this issue.
- ✓ Need more personal history about the offender, similar to what was in a PSI. It also would be helpful to have a personal recommendation by the PO.

- ✓ I have no problems with the STRUCTURE of the SAR.
- ✓ Information about parole
- ✓ Scores for recidivism are not intuitive and a bit silly.
- ✓ I prefer a more detailed analysis to support the recommendation.
- ✓ I made responses to the previous questions although I really have no experience with SARs in most of the noted areas. Given the nature of my work, I am not really in a position to make suggestions for changes to the reports
- ✓ I would like to see the SAR advise on concurrent vs. consecutive sentences and how much additional time a defendant would serve if given a consecutive sentence.
- ✓ the risk assesment score is of little value in my opinion.
- ✓ As a matter of style, replace paragraph narrative with more listed (bulletized) criteria/recommendations. These reports on being read on the bench and in court; sometimes finding specific points in the report can be difficult. (2) More page breaks between the major sections (offender/court information, risk assessment, etc.) would make the information more accessable in court. Avoiding page breaks in the middle of paragraphs would also be helpful.
- ✓ For the most part the SAR is good. However, I think some judges and prosecuting attorneys view them as being not strict enough. Especially, DWI (Fel) and Child Sex cases, many judges will not follow them, but instead sentence above the recommendation. Further, in one instance the SAR claimed to have performed some test on my client, which is supposed to determine if he was a risk to reoffend sexually against other children. The test concluded my client was low risk for reoffending. However, the probation and parole officer decided to put in the report that in her view (without giving her qualifications to make such a statement) she viewed the test as under-representing the risk my client posed. Well if the test under-represents risk, then it is not a good test and should not be on any SAR. No probation and parole officer should be allowed to make an unsupported conclusion about an offender in that way or about the test without some evidence. Even though this test under-represents the risk of certain offenders, this certain probation officer (to my knowledge) has not been working to protect the children of Missouri by having that test removed from the reports.
- ✓ There is no need to interview the Defendant about the facts of the case. A factual basis or finding of guilt has already been made. There is also no need to interview the Victim about the facts of the case, for the same reason. The portion regarding the impact on the victim makes sense - just not the facts of the case.
- ✓ conditional release time
- ✓ If Judges in the outlying / rural counties would actually consider SARs. They are generally categorically rejected by the bench. They are viewed as too urban oriented.
- ✓ It would be helpful, even where probation and community structured sentencing are the harshest recommendations, to have some information about the appropriate sentence upon probation violation. Suspended impositions of sentences are relatively common in our jurisdiction, and there is little guidance for what sentence to impose, if probation is violated. Also, given that this instrument is supposed to be somewhat objective, narrative comments by the probation officer completing the instrument should be excluded, and criminal cases which were dismissed, or in which there was an acquittal, should not be listed in the criminal history list the probation officer creates. Likewise, municipal violations should not be listed.
- ✓ More emphasis on treatment program availability
- ✓ Recommendations on how past criminal history supports the conclusion of the SAR
- ✓ It seems that the only real value rendered by the SARDS -- from the previous PSIs -- was to ease the burden of doing more intensive work on the part of Probation and Parole.

- ✓ Attorney input before final draft would possibly be helpful
- ✓ I would like to see a section of the SAR specifically dedicated to aggravating and mitigating circumstances in the case, along with a separate scale of points assigned to each of the circumstances. Many SARs fail to consider unique circumstances that are present, such as significant physical health limitations of the defendant, mental health factors, etc.
- ✓ Compared to federal presentence investigation reports or privately assembled reports, the one's prepared by probation and parole are woefully superficial especially in serious cases. It's pretty much computerized justice with a nod to some personal details. Probation and parole officers often feel like they are part of the prosecution team and spend little time talking to the defendants family or friends about mitigating factors.
- ✓ If the person who prepares the report gave a conclusion in the report and explained to the court why the conclusion was met.
- ✓ an outright recommendation for probation without prison options.
- ✓ when applicable, contact defense counsel in connection w/ disclosing the Defendant's version of the factual basis for the guilty plea, not just excerpting portions of the police report which cast the defendant in the worst light
- ✓ Information about whether the defendant has participated in substance abuse, mental health, and/or educational programs since the crime took place.
- ✓ I would only include sections on prior criminal history (convictions or plea of guilty only), a section on work history, family background, and drug and alcohol history and eliminate other sections. I also find it objectionable that Probation Offices include arrests, cases that were dismissed, etc. in the Criminal History section.
- ✓ There are two things about the SARs that bother me. One is with the structure and the other is with Probation & Parole's presentation. Frequently the PO includes an oral account of how she actually sees the defendant as being in different situation than the SAR states, and more disturbing is the amount of highly objectionable material that is in the SAR. Often times the PO will include in the SAR arrests that did not result in conviction, use words like several to describe said arrests instead of a number, and speculate as to the reasoning for the dismissal or failure to file charges. I have seen no contact with a named individual on a DWI SAR where the named individual pertained to charges from years earlier that were dismissed. These kind of things make the SAR lose legitimacy, when the officers presenting them do it in a wink wink tongue and cheek manner.
- ✓ Better explanation within SAR on terms used. Routinely carry around a copy of the DOC sentencing guidelines for questions that arise regarding terms used.
- ✓ This may be anecdotal in nature, but in the SARs I've reviewed it seems like the author of the report doesn't point out services available in the community such as halfway houses, treatment facilities, etc. that could be utilized by the court as an alternative to incarceration.
- ✓ I find that the age based point criteria on sex offenders is the inverse of what should be required. For example, a person is given points for being over 40 years of age at the time of the offense. Younger offenders are less likely to be repeat sex offenders than are older individuals. A forty five year old convicted of statutory rape in the second degree would be more likely to receive a presumptive probation score than would be a twenty one year old convicted of statutory rape in the second degree.
- ✓ Perhaps an opinion from an EXPERT in the field of sex offenders or experts who study violent crime. P&P evaluators are not experts.
- ✓ I doubt changing anything will make it any more useful considering the judge's and prosecutor's general disdain for the SAR system.

- ✓ If a statutory program is indicated, e.g. 559.115, 217.785, 217.362, include these in the recommendation portion and publish the associated bed date.
- ✓ Again, SARs are generally not applicable in the type of sentences I deal with
- ✓ understanding that the SAR is limited by the SAG, often additional factors require consideration, like multiple pending cases, delays in process when more timely sentencing would result in concurrent time being calculated at the same time as another sentence, but sentencing may actually occur after would-be concurrent sentences have run. Additional information about defendants' IQ, developmental disabilities, and/or mental disease or defect. Also, the point system from the SAG penalizes people based on age, education, employment, etc.
- ✓ As an attorney who regularly sees these reports and deals with the judges, I can tell you that the judges are not happy with these reports. They want them more detailed and to gather more information.
- ✓ Remove the Risk Assessment Table and score since they are mostly useless. For example, while statistically an offender's age may be used to determine if a particular group of offenders tend to re-offend, these general statistics mean very little to a particular defendant or his sentence.
- ✓ It would be helpful if the SAR took into account all charges a defendant is facing at a particular time. As it is now, someone facing 1 charge with a similar background can end up with the same recommendation as someone facing multiple counts.
- ✓ Change the SAR portion where the writer obtains information from the prosecutor's file. That portion is biased, doesn't generally fit the guilty plea, if the case settled with a plea, and the court knows the facts of the case because the court either heard the evidence in trial or the defendant made a factual basis in order to enter into the plea.
- ✓ If it can have more specific classifications and take into account specific assets and liabilities
- ✓ I frankly think that the SAR's are a waste of resources as Judges and attorneys typically have all the information already and can run the guidelines on their own. My biggest issue is with the salient factor score which basically amounts to if you are young and poor/uneducated you are high-risk. The State would better spend its resources in developing community supervision resources that would help probationers and parolees gain meaningful work and education. I won't get started on my issues privatized for-profit providers that probationers and parolees are referred to as a condition of supervision...
- ✓ It would help for the interview process and home plan to have a better format. It is difficult for my clients to understand what they said and how that made an impact on the recommended sentence.
- ✓ Too cut and dried. Does not take individual circumstances into consideration.
- ✓ A more clear indication whether the recommended sentence is a cumulative sentence for all crimes charged as the result of a single incident. Better guidelines for determining whether an aggravated or mitigated sentence is appropriate.
- ✓ There seems to be no section or part where a person's mitigating circumstances are even listed much less considered.
- ✓ Often times it comes back the same as the online sentencing guidelines, as if the PO who conducted it just punched in numbers and relied on that, not taking into account any mitigating information. I'd say getting over the laziness hump is something that should be addressed.
- ✓ Guidelines in cases where a defendant has pled to multiple counts/charges.
- ✓ Too many mistakes caused by carrying over field information from one SAR to another; i.e., I had a DWI/vehicular assault case in the last two days that on the face sheet, page 1, lower left hand corner indicated that the defendant was Under the Influence of Alc/Drugs: Noobviously carried over the last SAR performed by the officer, as it clearly was an alcohol case.

This is not an isolated incident, but is all too common. Also, the fields in this section are frequently left blank; some because sentence has not yet been imposed, but some out of laziness. (2) Face sheets and Itemized Listing of the Offender Risk Components (last sheet, typically) should be included as a uniform practice with all SAR's. It is not unusual for these to be omitted as delivered to the parties. The Face Sheet should be page 1, and the next page should be page 2; invariably the second page is also a Page 1 (upper right corner), etc., leading to confusion. (3) Under Offender/Court Information, re Plea Agreement, the field is very often completed Yes or No only; the writers very often have no clue as to whether there is an agreement, or its terms. In particular, in some counties, there is a Plea Agreement form signed by the parties and filed with the Court, and this is therefore available, and there still is incorrect information. This section also very often contains incorrect information regarding the offense(s) under investigation; i.e., whether reduced or eliminated charges are mentioned or presented. in this field. This is a training issue. (4) It should be mandatory P&P policy that SAR's be completed one week in advance of sentencing hearing (at least). Not unusual to receive them the date of sentencing, which is problematic for discussion, error correction, and whether a sentencing hearing will take place or be delayed due to the lack of the report. Travel plans for all involved for hearings can be disrupted by late arriving SAR's. Some judges take care of this by local rule or order; but it should be a uniform practice not dependent upon the sophistication of the Court. (5) SAR's should be signed by the author and a reviewing superior. Very often are not, and the errors above are not caught until court. Supervision and oversight in this regard are pretty lax.

- ✓ Community Structured Sentence is often confusing in counties that don't really have those options available. I tend to explain to my clients that is essentially a recommendation for probation. Additionally, I've noticed that there is automatically a recommendation for ITC when the score suggests it, even if it is not part of the recommendation from the prosecutor. In a plea situation, I think the SAR should use the plea agreement since if a judge disagrees with the recommendation from the prosecutor, the case is most likely set for trial.
- ✓ Persons who prepare the SARs should be instructed to remain as objective as possible. Subjective opinions are not helpful especially when the preparers have little time to become familiar with the true facts and background of the particular case and the offender due to caseload burdens.
- ✓ The SAR interviewers should not ask defendants about juvenile convictions. If the defendant refuses to answer these questions then he is seen as uncooperative. The SAR interviewers should not screen for bed dates for 120 ITC unless that is part of recommendation. Some judges see the bed date and assume SAR is recommending treatment.
- ✓ Including localized (by county or region) information about average sentences ordered, as well as average parole times for first-time offenders for the same charge.
- ✓ The SAR does not take into consideration the number of counts that the defendant has pled guilty to, or been found guilty of. The SAR does not take into consideration the number of charges, or the number of victims. For example, if a person sells drugs on four different occasions, it is treated the same as selling one time. Doing the same crime 4 different times is much different than doing it once, yet the SAR does not even factor that point in when arriving at their conclusion. Additionally, I have seen cases where someone has committed a crime, been released on bond, and then a week later committed the same offense. The defendant will plead to both offenses, but the SAR only treats it as one crime, not the two separate and distinct acts that they are. Also, on the violent crimes the SAR does not consider the level of violence used. For example, on a robbery case where a defendant used a toy gun to rob a store, if the

defendant has no priors the presumptive sentence will be 10 years. If a different defendant uses a real gun in a robbery, and shoots and causes permanent damage to the victim's body, if he has no priors the presumptive sentence will still be 10 years. To me this is a joke. While both crimes described are in fact robbery in the 1st degree, they are clearly different offenses. Unfortunately, they are treated the same on the SAR. As a defense attorney, I routinely see violent criminals receive very light sentences because judges do not understand that the neither the nature of the crime, nor the number of counts, are being considered by the SAR writer when the report is being prepared.

- ✓ less subjectivity from the prob officer
- ✓ Returning to the opinion section that was used in the PSI format. There should be a place for the probation officer to explain what an appropriate sentence would be and their reasons for that opinion.
- ✓ structure is fine
- ✓ A more thorough background review of the individual pleading guilty to the offense.
- ✓ Needs to take into account the age of the prior convictions. If the priors were received in big spurts. For instance, if someone pleads to 3 felonies in one case it should not be looked at harshly as someone who has three separate offenses.
- ✓ Allow the writer to make a recommendation
- ✓ The SAR is set-up appropriately
- ✓ More information as to the personal characteristics of defendant, such as : criminal history history of mental health treatment and whether defendant could benefit from future treatment employment history and real prospects for employment family composition and support
- ✓ need mental health eval for repeat or odd offenders. pnp often ignores that whole component in terms of treatment so we don't see the folks again
- ✓ The SAR should include a place to recommend suspended imposition of sentence
- ✓ Is it possible for the SAR to consider multiple charges, for example if someone is charged with 6 counts of burglary and a possession of Controlled substances, is the rec of the SAR the same as when only 1 count of burglary charged. Not clear is SAR takes into account the number of charges--or if it just considers the most serious. No one knows what community structured sentencing means. Should be able to recommend SIS or SES sentences. Don't need the offenders version of the event. It is irrelevant since they've plead guilty or been found guilty before a SAR is even completed, and is only used against them. sometimes the SAR recommends a sentence that is impossible based on the way the State has charged the crime (for example, prior and persistent drug offenders)
- ✓ The structure is fine.
- ✓ Actually looking for assets of the offender rather than focusing solely on the liabilities.
- ✓ That is difficult to say because I think they're pretty fair. However, the prosecutors and judges have no respect for the sentencing guidelines. The only thing that would help would be forced compliance as in federal court.
- ✓ Deletion of the section dealing with the facts of the alleged crime against the defendant. Such facts are available to the court through other means and detract from the other sections of the report.
- ✓ The scoring system should be revised as follows: 1) eliminate the recidivist offense category, it makes no sense; 2) do not penalize people because they are on disability; 3) score people on the employment issue as of the time of the arrest, not at the time of the report, as this unjustly penalizes confined persons. Also, sentences here are determined by local practice and not the sentencing guidelines, so the presumptive sentence does not mean much. Also my comments

on whether the presumptive sentences are fair is based on the current range of punishment. I disagree with the range of punishment on the drug cases and sex cases.

- ✓ The structure is fine as is
- ✓ Consistency. I have seen to many SAR's that recommend a term of years far below the mandatory minimum. For example an open plea was done on an offender who open pled to a class A felony. The SAR came back and recommended less than 10 years DOC. The minimum was 10-30 and the recommendation was for less than 10. The SAR was useless since the recommended sentence could not be followed by the judge. I have also seen the opposite happen especially with drug cases. However the SAR is usually within the range of punishment but sentences are usually very harsh with respect to drug offenders.
- ✓ Family History Family Contacts Psychological Factors
- ✓ If the report contained reference to what the recommendation would be for other related, or similar crimes- most importantly, what the recommendation would be for the original charge if the client is being sentenced on an amended charge. Perhaps a table of recommendations for comparison purposes instead of the single recommendation.
- ✓ More background information relating to family history - specifically abuse, neglect, drugs, criminal histories of immediately family members involved in upbringing
- ✓ Feel the SAR is a prosecutor tool that does not take into effect the defendant's mitigation facts. Too often the SAR writer will go out of their way to include every negative contact with law enforcement including past uncharged incidents that can be very prejudicial. The SAR writer never seems to contact people who can testify on behalf or in favor of the defendant.
- ✓ Have the Probation Officers rotate. Do not let one Probation Officer be over Drug court forever. They should rotate on a yearly basis as to what area they cover. They get to negative and jaded after a while in the same place.
- ✓ I don't have any problems with the present structure.
- ✓ The numbering system, on the last page of the SAR, does not have a lot of meaning
- ✓ The SAR seems to just plug numbers into the guidelines and spit out the number. This can be done by anyone. They don't seem to take into account the other factors. They do an in depth interview, but don't take any of the info into account.
- ✓ That the Judges who are supposed to take them into consideration actually do so. Although sentencing recommendations are just that, recommendations, I believe that there is often a means to their madness and that judges ought to at the very least take them as a very serious consideration. Although some do, many (atleast in my jurisdictions) do not.
- ✓ The summary portion too often contains remarks about how outraged the probation officer is by the crime. The summary seems of very little use.
- ✓ Very usable-no need to change anything
- ✓ none known
- ✓ The Sar seems to always go off the probable cause statement in regards to what the offender plead to factually which isn't always the case. I think that it should be based on what the defendant actually plead to.
- ✓ Require the SAR to be one factor considered in determining the total sentence in a case. Additionally, many states allow appellate review of a sentence itself as being too high or low. It would be nice if Missouri allowed for the same remedy.
- ✓ showing the average sentence ACTUALLY IMPOSED in other cases.
- ✓ use their own brains instead of the computerized response
- ✓ I think that it should give more direction regarding the granting of an SIS or SES. Community Structured Sentencing is a very broad term. The Defense attorney and the Defendant do not get

much guidance about whether or not the recommendation involves a felony conviction with probation or an SIS with probation. I think that the guidelines should contemplate the reasonableness of an SIS in certain situations.

- ✓ n/a
- ✓ It may be helpful to include statistics of the average sentence for the type of charge statewide.
- ✓ It would help if the SAR made an actual recommendation based on the individual client. Not just on numbers. To take the whole client into account not just his past, but the actual person
- ✓ A change that would cause the judge to defer to the SAR recommendation.
- ✓ don't know
- ✓ Interview the defendant's family &/or employer to find out more about the defendant.
- ✓ The sections dealing with the factual basis should be eliminated. Frequently, the official version is simply a restatement of the probable cause statement filed with the charges. It is rare that the facts actually come out the same as the probable cause statement and in any event, the Court would have that information. Asking the Defendant to give his or her version is inappropriate. If he or she has pled guilty then the Judge has already heard the defendant's statement. If there has been a trial then the Defendant has the right to appeal the case and no one should be permitted to question the defendant regarding the facts.
- ✓ There is no personal/background information about the person other than what is found on the computers as prior arrests or convictions, or what appears to be self reported.
- ✓ Needs to be more personal information regarding defendant's progress since time of offense and anyone with direct contact to defendant.
- ✓ community based programs instead of a prison sentence
- ✓ A component that takes into consideration of the socioeconomic makeup of the client. There should be some rationalization and analysis as to why the client committed the offense. These circumstances would be helpful to the court for mitigating or enhancing a sentence.
- ✓ There is no need to add if the client has remorse. There needs to be considerations for mental/physical disabilities that don't rise to the level of getting disability
- ✓ Get the writer's opinion out of it. For example when a Defendant has a home plan it reads This plan appears to be acceptable. When they don't it reads This plan is NOT acceptable. Why does the positive get only the appearance of being acceptable? It either is, or it isn't. Too much of the writer's bias getting in the way. Also, SAR's need to take into account agreed floor/ceiling's of any plea and account for higher ceilings from being proved up prior & persistent.
- ✓ Maybe go into the background of the defendant more and their mental status.
- ✓ The P&P officers need to stop putting in non-relevant prior offenses. The P&P officers need to stop allowing their judgment being reflected in the SAR.
- ✓ The recommended sentences (mitigating, presumptive, aggravating) need to be taken out of the equation. They often do not reflect the reality of the actual situation. I generally meet with my clients for a lengthy interview just for purposes of sentencing preparation alone. We talk about mitigation, preparation, etc. The SAR is generally pointless and I spend the bulk of my time at sentencing with the judge arguing against what are clearly personal attacks added in to the SAR by the PO. I thought that the SAR was designed to take out the personal opinions of the PO. That hasn't really happened.
- ✓ Options that include multiple count offenses and more consideration of prior convictions.
- ✓ omit the probation officers final recommendation just rely upon the score
- ✓ More background information regarding the client's lifestyle that lead them to be where they are.

- ✓ The structure is not really the problem. Various Probation Offices have differing policies--for instance some NEVER recommend probation in any sex case, even if it is a teenage romance variety Rural Judges brag that they never really pay attention to the SAR unless it agrees with what they were going to do.
- ✓ judges actually taking them into consideration, they have lost sight of the fact that rural judges where on the commission originally but if they don't like the presumptive they will chalk it up to liberal kc and stl judges having written the guidelines. they all want to think the price of crime is higher in their counties than in the rest of the state.
- ✓ THE OFFENSE SUMMARY IS JUST A REGURGITATION OF THE PROBABLE CAUSE STATEMENT, WHICH IN MY OPINION, IS GENERALLY INCORRECT. THE PROBABLE CAUSE STATEMENTS ARE WRITTEN FOR A SPECIFIC AUDIENCE, THE PROSECUTOR, NOT THE JUDGE SENTENCING THE DEFENDANT ON POSSIBLY A COMPLETELY DIFFERENT CHARGE OR AMENDED CHARGE.
- ✓ Initially, the narrative is of little value because it does not address the likelihood of rehabilitating the defendant inside versus outside the department of corrections, the economic impact of incarceration on the victim, defendant, and community, or the ease of restoring the victim to the position they were in prior to the offense. Moreover, there is little discussion of what the victim would actually like to see happen in the case. Additionally, there should be greater detail explaining how the Presumptive, Aggravating, and Mitigating sentencing recommendations were compiled. It would also be helpful if the report addressed the likelihood of recidivism based on the court executing a sentence based on any of the sentencing recommendations. Is there any increased or decreased likelihood of reoffending under any of the proposed sentencing schemes? There should also be more attention given to addressing the defendant's background, family history, factors which led to the criminal offense, and the role the defendant's criminal history plays in determining the likelihood for reoffense.
- ✓ I wish the length of time between crimes had more of an impact on the presumptive, mitigating, and aggravating sentences. I think the fact that a defendant has gone 10 or more years without a law violation should have more of an impact on the the ultimate sentence.
- ✓ more input from defense perspective and alternatives to sentencing
- ✓ The percentages of time to be served should reflect the statutory minimums for the case
- ✓ Assess where someone was before they went in custody- in school, job ect.
- ✓ Since a formal request for an SAR is not made on a regular basis in my area, it would be helpful to include some of the explanations that would be shown if you were simultaneously referring to the notes on using the instrument.
- ✓ The opinions of the probation officers about the offenders, when they only spend a few minutes with them. They make conclusions about the persons remorse, emotions and feelings and they do not know the offender and do not have psych degrees.
- ✓ Allowing a client's involvement in an inpatient/outpatient treatment program to carry more weight.
- ✓ Include character references for the offender.
- ✓ More information/resources/referrals to community-based treatment, housing, vocational education, etc.
- ✓ The assessment reporter should not be so subjective in their opinions. Also, the Probable Cause statement should not be included in the report. Often the Trial brings out many different facts in the Probable Cause statement and if the defendant has pled to a lesser offense by including the facts in the probable cause statement the defendant is not getting one of the benefits of the lesser degree of the offense b/c the Judge gets to consider only the facts in the Probable cause statement. I think that Juvenile records and convictions should not be included in the

report, particularly b/c they are closed records. The SAR reporter should not give her subjective opinion on whether the plea was appropriate. Thirdly, SAR's for Sex Offenders include the results of a Static 99 or other sex offender treatment tests. The reporters are not adequately trained to do those tests and they are often wrong in their scores. Those tests are not accurate anyway but if someone is going to represent them to the court they should be trained.

1. A more clear factor for how the SAR deals with multiple cases pending at the same time. 2. A more detailed explanation of the type of probation being recommended. 3. A better understanding and suggested supervision strategy for dealing with mentally ill clients, including clients with depression.

- ✓ not too impressed by them
- ✓ Overall, I think the structure is good. I think the SAR gives important information in a usable form.
- ✓ A section on the costs of incarceration vs. the costs of other sanctions/treatment, etc.
- ✓ Take into consideration the income of the defendant's family. This will immediately give us a picture of the lifestyle that the defendant was living in at the time of the offense.
- ✓ The SAR should eliminate the Offender's version portion of the SAR. Presumably, the Offender has already told his version of the offense in the factual basis portion of the plea process. Also, the Official version is usually just a regurgitation of the Statement of Probable Cause that is already in the Court's file and is usually inaccurate and often does not reflect the facts of the offense to which the Offender actually pleaded guilty.
- ✓ Less reliance on the state's version as gospel and less influence from the purported victims
- ✓ Make it shorter than it is. Get rid of the points or make it easier to finish reading it.
- ✓ Investigate the background of the defendant more. Include the mitigating circumstances that makes this case unique from other cases.
- ✓ Take regional differences into consideration.
- ✓ If there was less space for the subjective version of the narrative by the author of the report.
- ✓ No opinion
- ✓ not sure
- ✓ Get rid of the presumptive/mitigating/aggravating sentencing levels. They don't account for multiple charges. It is misguided when it considers some offenses as being recidivist related. It doesn't account for multiple charges. Judges rarely follow it anyway. Lose the risk assessments. Someone is punished on it because they are unemployed for 3 months because they cannot bond out while a rich person can bond out and find a job, especially with connections. Lose the criminal level. It's pointless. Simply have the offender's version, victim's version, the factual basis, the range of punishment, and list what programs (ie....long term drug treatment, or 120 treatment/shock, probation or not) the person qualifies for and let the judge make the decision.
- ✓ Less gobbledegook and repetitiveness. Data over opinion.
- ✓ Broader use throughout the state. They are seldom used in St. Louis City and County
- ✓ Identify and speak to family members, ministers, teachers ... responsible adults who can testify from personal knowledge.
- ✓ More discussion of past offenses. The SAR now looks like someone ran a criminal records check and that is all. I can do that and so can the PA. Also when victim does not respond, that is all we know. Why did they not respond?
- ✓ MORE TREATMENT STOP LOCKING UP PEOPLE WITH DRUG PROBLEMS STOP SAYING, There is no alternative to incarceration when clearly there are many POs need to stop spinning the reports in favor of the PA

- ✓ I believe that the Probation Officer has entirely too much leeway into what gets included and how it is written. I will often get a SAR where the client has no criminal history, however, the attributes section has 2-3 sentences and the liabilities section is 3-4 paragraphs. In my opinion the P.O. has too much room for subjective influence. Also, there are judges who regard the sentencing commissions recommendations as completely useless and refuse to give them much deference. What is the point of the sentencing commissions recommendation if the judge is not going to give it credence as a general rule. Ultimately, this 4-8 page report can have dramatic effects on the defendant's life. I believe that there needs to be sufficient safeguards that the P.O. is doing a thorough and FAIR investigation and that the judges respect the SAR for what it is intended for.
- ✓ Unknown at this time.
- ✓ I think the SAR doesn't take into account how long ago a defendant's prior offense was committed. Someone who hasn't had a conviction in 20 years shouldn't be treated the same as someone who has committed several offenses in the last few years.
- ✓ More guidance as to the strength of the recommendation may help.
- ✓ More accurate reporting and research on defendant's background. Very often the facts stated in the SAR are wrong or misleading
- ✓ expand on the risk factor range.
- ✓ I believe that the report should include more pertinent social history of the offender, similar to what was previously included in the Presentence Investigation Reports.
- ✓ More background information of a varied variety, not just that info which is provided without confirmation by a client himself. Also, it would be nice to see greater information about a person's intellectual functioning level. The current SARs seem so adherent to a formula that they actually say very little of consequence.
- ✓ Judges and prosecutors need to know board policies. For REAL. Judges and prosecutors think all offenders parole immediately, and if you try to tell them otherwise, they say You know, attorneys have tried to tell that before, and the the guy gets out in three months. IN FACT the board has blanket policies it applies to classes of offenders. Which, by the way, violates the law that - the statute requires the board to give individual assessments for parole, not by class. also, the legislature sets mandatory minimum, and then the board of parole usurps the legislature's authority by imposing its own minimum. Example: the legislature has set no mandatory minimum for involuntary manslaughter. C and D felonies. the board, quite on its own, has decreed that all invol manslaughter offenders MUST serve 50% of the sentence imposed before they are eligible for parole. Judges and prosecutors do not believe me when I tell them this.
- ✓ Less focus on the facts of the charge plead too, other than categorization of the crime. Less focus on desire of victims. More focus on rehabilitative potential of defendant.
- ✓ Quicker availability to the court system.
- ✓ A recommendation from Probation and Parole on sentencing
- ✓ more detail when evaluating community structured sentencing or if a defendant would meet qualifications for certain programs...like long term institutional treatment, etc.
- ✓ I do appellate work so use SAR's in a different way than trial attorneys. However, I think focusing more on efforts to maintain employment, get an education, complete substance abuse treatment, etc., should be given more emphasis.
- ✓ Would prefer a procedure which would allow a first draft with recommendations and room for objections etc. which might first be dealt with informally between defense counsel, prosecution

and the probation office and then the final draft noting the specific objections and the parties final response.

- ✓ None to suggest
- ✓ The SAR is too superficial and treats symptoms not attempting a cure. Missouri is 2nd or 3rd per capita in expenditures for corrections and 46-47th in expenditures for education. That is shameful! The legislature passed Senate Bill 5 to put an emphasis on community sentencing, however most judges have blown it off. Many judges are more worried about job security and politics than actually doing something about our screwed up system. Especially in these tough economic times the cost of warehousing non-violent offenders is ridiculous! The cost of probation-parole is what 20-25 % of a correction visit? The system is broke and I see knee jerk, term limited legislature doing nothing to fix it. They are headline driven and hot crime jump on the band wagon idiots. As you can see I hold back alot!
- ✓ Have more options for recommendations. Typically there are only three options to choose from; a period of confinement, community based sentence, or a 120 followed by probation. There needs to be more options.
- ✓ Devote half a page of narrative about the background of the offender. The old PSI's had too much of this, the SAR's don't have enough.

An offender's prior criminal history level (I - V) is an important consideration in reaching an appropriate sentencing disposition.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	46 (44.2%)	29 (46.8%)	23 (7.2%)
2	33 (31.7%)	16 (25.8%)	41 (12.9%)
3	11 (10.6%)	7 (11.3%)	74 (23.2%)
4	3 (2.9%)	2 (3.2%)	60 (18.8%)
5= Neutral	4 (3.8%)	3 (4.8%)	45 (14.1%)
6	1 (1%)	1 (1.6%)	33 (10.3%)
7	2 (1.9%)	2 (3.2%)	25 (7.8%)
8	2 (1.9%)	0 (0%)	10 (3.1%)
9= Strongly Disagree	2 (1.9%)	2 (3.2%)	7 (2.2%)
MEAN SCORE	2.22	2.31	4.11

The prior criminal history level, determined by the probation and parole officer in the Sentencing Assessment Report, is accurate.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	9 (8.7%)	6 (9.7%)	4 (1.3%)
2	21 (20.2%)	13 (21%)	20 (6.3%)
3	19 (18.3%)	3 (4.8%)	30 (9.4%)
4	9 (8.7%)	7 (11.3%)	35 (11%)
5= Neutral	28 (26.9%)	14 (22.6%)	82 (25.7%)
6	10 (9.6%)	5 (8.1%)	64 (20.1%)
7	3 (2.9%)	3 (4.8%)	50 (15.7%)
8	3 (2.9%)	7 (11.3%)	19 (6%)
9= Strongly Disagree	2 (1.9%)	4 (6.5%)	9 (2.8%)
MEAN SCORE	3.91	4.55	5.27

The offender risk variables presented in the Sentencing Assessment Report are helpful in reaching a sentencing decision.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	5 (4.8%)	2 (3.2%)	4 (1.3%)
2	17 (16.3%)	1 (1.6%)	12 (3.8%)
3	23 (22.1%)	6 (9.7%)	32 (10%)
4	9 (8.7%)	7 (11.3%)	41 (12.9%)
5= Neutral	25 (24%)	11 (17.7%)	63 (19.7%)
6	10 (9.6%)	7 (11.3%)	60 (18.8%)
7	9 (8.7%)	7 (11.3%)	48 (15%)
8	2 (1.9%)	5 (8.1%)	27 (8.5%)
9= Strongly Disagree	4 (3.8%)	16 (25.8%)	26 (8.2%)
MEAN SCORE	4.27	6.13	5.59

Probation and parole officers typically are accurate when scoring the offender risk variables in the Sentencing Assessment Report.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	8 (7.7%)	2 (3.2%)	7 (2.2%)
2	17 (16.3%)	6 (9.7%)	19 (6%)
3	14 (13.5%)	4 (6.5%)	31 (9.7%)
4	12 (11.5%)	4 (6.5%)	25 (7.8%)
5= Neutral	32 (30.8%)	23 (37.1%)	70 (21.9%)
6	11 (10.6%)	3 (4.8%)	62 (19.4%)
7	3 (2.9%)	7 (11.3%)	57 (17.9%)
8	6 (5.8%)	6 (9.7%)	30 (9.4%)
9= Strongly Disagree	1 (1%)	7 (11.3%)	14 (4.4%)
MEAN SCORE	4.19	5.40	5.48

The "offender management" section of the Sentence Assessment Report (including the supervision plan, community strategies, and institutional strategies) effectively assists you in developing (is effective in assisting the development of) appropriate dispositions.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	7 (6.7%)	2 (3.2%)	7 (2.2%)
2	21 (20.2%)	1 (1.6%)	28 (8.8%)
3	22 (21.2%)	7 (11.3%)	52 (16.3%)
4	18 (17.3%)	6 (9.7%)	55 (17.2%)
5= Neutral	15 (14.4%)	10 (16.1%)	66 (20.7%)
6	10 (9.6%)	2 (3.2%)	31 (9.7%)
7	3 (2.9%)	11 (17.7%)	45 (14.1%)
8	6 (5.8%)	9 (14.5%)	19 (6%)
9= Strongly Disagree	2 (1.9%)	14 (22.6%)	12 (3.8%)
MEAN SCORE	3.93	6.23	4.86

The "offender management" section of the Sentencing Assessment Report is generally good for identifying offender NEED areas linked to criminal behavior.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	6 (5.8%)	2 (3.2%)	3 (0.9%)
2	14 (13.5%)	4 (6.5%)	19 (6%)
3	21 (20.2%)	5 (8.1%)	51 (16%)
4	18 (17.3%)	6 (9.7%)	56 (17.6%)
5= Neutral	26 (25%)	15 (24.2%)	84 (26.3%)
6	9 (8.7%)	10 (16.1%)	35 (11%)
7	4 (3.8%)	7 (11.3%)	42 (13.2%)
8	4 (3.8%)	3 (4.8%)	14 (4.4%)
9= Strongly Disagree	2 (1.9%)	10 (16.1%)	10 (3.1%)
MEAN SCORE	4.14	5.60	4.92

Please list any specific recommendations to improve the usefulness of the "offender management" section.

Judges choosing to provide comments (optional and unedited):

- ✓ We all know that P&P are going to put all the offenders on minimum supervision in a short time. That means a phone call to a private contractor once a month. That is NOT supervision.
- ✓ When recommending self help groups like AA or NA a specific attendance should be set like 2 times a week for example
- ✓ N/A
- ✓ none
- ✓ I find that these recommendations are generally boiler plate
- ✓ Again the language in these SAR report is virtually identical in terms of making recommendations, which THEY DO NOT DO. It isn't beneficial to see the same thing written for different defendants. The only thing different is there address, family unit but nothing more.
- ✓ none
- ✓ Its hard to understand. Some areas don't have community structured sentencing . Every case has factual differences that lead to different sentences.
- ✓ none
- ✓ I would like to have more information about what kinds of things more often work and what kinds of things more often don't work with a particular defendant in light of his history. I would also like to know what studies show about people who plead guilty and then deny guilty when they meet with the person who is preparing the SAR. Also, do we have any studies that tell us the effectiveness of 559.115 programs and 317.362 programs for different types of defendants?
- ✓ Simply stating in plain language what might benefit the offender would be helpful.
- ✓ none
- ✓ No Comment
- ✓ none

- ✓ More detailed recommendations as to type of facility / program recommended or even better particular programs or facilities recommended with an explanation as to why that program would be appropriate would be very helpful.
- ✓ The DOC should devote more resources to implementing the recommendations contained in the offender management section. There is a need for effective jobs programs, including training and placement.
- ✓ None that I can think of.
- ✓ State specifically the programs that P&P thinks would benefit the offender, not just that these programs should be considered and then list the same programs time after time.
- ✓ A more thorough explanation of the reasons why various programs will be beneficial to the Defendant.
- ✓ Probation and parole has too many mandates with regard to their recommendations and the way they assess defendant risk. In fact, because of these mandated recommendations, they are losing credibility.
- ✓ We who are not chart & score junkies do not understand the rationales underpinning the weights the SAR gives to elements of the scores and do not understand how many priors are ignored and not treated as prior related offenses that it a big problem. We know the SAR is designed to reduce periods of incarceration and that is OK for non-violent and young offenders, but I think many of the recommendations are too lenient for the really serious offenses.. having said all this I am definitely influenced by the SARs as a whole and the scores, etc.,they give a rationale for a more lenient sentence when I think it is warranted. I really cannot say what percentage of cases get a SAR, but it is less than half and probably less than 25%; not sure. I follow the SAR in most cases, except the really serious cases would be my perception.
- ✓ None
- ✓ This is more of a wish list than anything else. More specialized programs are needed to deal with offenders in the community. The recommendations in the report to frequently recommend generic programs (e.g., anger management) that may not completely meet the needs of a particular offender. Also, from recent training at the past 2 judicial colleges, it seems that some areas in which offenders need programming should be completed sequentially, not all thrown at the offender at once. For example, an offender should probably deal with pathological behavior before working on a GED.
- ✓ Needs for detail or information. I feel that something is missing or the information is inadequate to assist in sentencing.
- ✓ See my previous answer. We just don't have a lot of resources in the rural areas.
- ✓ better training of people preparing report. on occasion they do not have the right penalty range.
- ✓ None.
- ✓ Obliterate.

Prosecutors choosing to provide comments (optional and unedited):

- ✓ Recommending probation or structured sentencing on someone without a home plan or a valid place of employment is a waste of time.
- ✓ A more subject report instead of just a number formula would be better
- ✓ I guess it is important to work on the offender, but my policy in my office has always been to look at what is best for the victim

- ✓ Again, I am not sure the document is the problem. The problem in my opinion is that probation and parole are too short staffed to do an effective job monitoring probationers. Having offenders call in to an automated system is crazy. Why not just recognize reality and say probation supervision does not exist after 3 - 4 months
- ✓ It doesn't really make any sense and it isn't in a language that anyone outside of P and P understands. I don't believe our Judges even look at this section
- ✓ It is not so much the recommendations as that these are rarely enforced after being ordered
- ✓ Don't have any. How can I comment on this when the application of the SAR, the options that are to be suggested by the POs, and everything about PO supervision strategies, etc. has been watered down to keep as many defendants on the streets as possible. We can't rehabilitate those who do not want to change. First step in rehabilitation is admitting you need help and want to change
- ✓ Good ideas and program options if getting probation. Could make it clear those programs are part of parole strategy when released
- ✓ The problem is not with the offender management section.
- ✓ I think it is a complete waste of my time to even read it. I always know that information anyway
- ✓ Eliminate it and start all over.
- ✓ You have to manage the offender once on probation because that is not done why bother.
- ✓ If there is no criminal history for which to look, then analyzing the current crime is important. I believe more forensic psychology should be used in determining the recidivism rate of offenders. also, I believe the victims and/or their families should be afforded a face-to-face opportunity to speak with the person providing the report. Often times they are face-to-face with the defendant and it is more likely that they will sympathize with some offenders b/c they do not have to look into the eyes of the victims. A lot of weight is put into the fact that the offender admits the crime and appears remorseful, so he/she is determined to be a great candidate for rehab. in the community. Look at the cycles of domestic violence, assault, remorse, second chances; assault, remorse, third chances, etc. Let's wake up and smell the coffee
- ✓ I am not sure how it could be done, but it should attempt to verify any information provided by the defendant. To the extent a defendant's input is relied on, it is flawed
- ✓ They are too easy on the defendant.
- ✓ Provide more detail in this area of the SAR and eliminate recommended sentences.
- ✓ Offender management section is of little use to me as prosecutor. I'm not sure of the value to others, including probation officer, but I don't care or consider the facts presented in the section.

Defense Attorneys choosing to provide comments (optional and unedited):

- ✓ I think it's helpful but the Judge's generally do with they want to do based upon the details about how the crime was committed and the persons priors.
- ✓ I don't have any key improvements, rather I just don't think the entire section is particularly valuable because the reasons people offend are varied and one section cannot take in to account all those variables. For example, the fact that D doesn't have a home may be a reason he commits crimes, but it's likely to not the root reason.
- ✓ The offender management section is something that I usually skip over. I don't think it contains any pertinent information to the attorney.

- ✓ I think it would be best to get bed dates when looking at the 559 drug treatment program or the 217.362 long term drug treatment program - this way the judge would not have to continue the case so those dates can be obtained prior to sentencing, if looking at those possibilities.
- ✓ For students who are enrolled in school full time, they should receive the same status as a person employed full time.
- ✓ Again, more detail to support the recommendation
- ✓ I have only read one or two SARS reports and am not even sure what the offender management section is.
- ✓ the recommendations are often times too numerous. What has to be taken into consideration is the behavior of the individual before being placed on probation is normally sleep till noon, get up watch tv all day and then go party. Going from that behavior to 10 different programs is asking for failure.
- ✓ Linking of community institutional strategies to specific factors in all sections (especially section II) might make the courts more amendable to following not only the management recommendations but also the section IV conclusions. I am often unable to make a convincing argument to the court based on the section III recommendations: the judges ignore them.
- ✓ The offender risk scores are often inaccurate and unfairly prejudice clients who are poor and unable to post bond.
- ✓ Add provisions for consideration of the stressors in the offender's life before the incident and what the offender has done to turn their life around after the incident.
- ✓ Again, it will not work unless the judiciary is receptive. Many judges in the exurban, rural jurisdictions do not follow SAR recommendations.
- ✓ In the Community Strategies , it would be nice if it could somehow make it so that the Judge doesn't order all of these strategies as a condition of probation, but P&P informs the judge of some community services it may direct the offender to undergo. There are so many programs and they all cost money. I see offenders unable to come up with money for court costs and the monthly supervision fee, plus the expenses for all the other programs. When an offender is indigent, the probation officer should get discretion to determine whether a person is trying to comply but can't afford things, and direct the offender as to priorities.
- ✓ Make a specific indication of an approved home plan. Usually when a home plan is not approved it is always specifically indicated.
- ✓ It's not that I don't find these helpful, but have found that several judges just don't care what the recommendations are for mitigating, presumptive and aggravated sentences and therefore, tend not to care what the offender mgmt section says
- ✓ They should make more of an attempt to develop mitigation evidence. Sooner or later it will become constitutionally impossible to not offer mitigation evidence as part of the sentencing process. Raise salaries of front line probation officers. Except Children Services social workers, probation officers are very susceptible to falling into the abyss of overwork, underfunding and little appreciation of the work they do. Many, many, many times over my 36 years of working within the criminal justice center I have observed affectless, uninvolved, chronically morose, front line P&P workers go through the motions. Those being sentenced for serious and minor crimes alike suffer the consequences.
- ✓ I believe that the witnesses or support group for defendant needs to be developed greater than is currently being presented in the acceptable home plan section.
- ✓ po should make more of an effort to locate family members of offender.
- ✓ Rather than stating a home plan is unacceptable or lack of employment is unacceptable, set forth job programs and residential services that would assist the defendant in gaining stability.

- ✓ The more the SAR focuses on identifiable facts, not arguments by the probation officer, the better. I would say focus on verifiable facts and let the judge draw his own conclusion.
- ✓ The problems with the offender management section are that it is blank space to fill, and so it gets filled. The recommendations are obvious (defendant should repay restitution) or unrelated 40 hours community service (no reasoning given).
- ✓ Don't list required programs, etc. when not presented as a problem. Every one on probation should not have to abstain from alcohol.
- ✓ Again, experts
- ✓ Specific programs in the community that will help the offender.
- ✓ Indicate a recommended choice that is tied to the presumptive recommendation.
- ✓ the section is limited by the offerings, so we need more offerings, like restoring the regimented discipline program (boot camp), sex offender assessment unit, dual diagnosis programs, and residential programs especially. The trick to changing people, places and things is the availability of resources, like access to other people, places to stay/work/study/treat, and things to do.
- ✓ This may not answer the question, but I want to make a comment. I like that the probation officer lists the convictions in an orderly fashion (with the date on the left column, the offense in the center and the disposition on the right). However, it drives me nuts when the probation officer then writes, underneath this orderly list, other offenses in the narrative. KEEP THEM TOGETHER
- ✓ Offenders' ties to the community
- ✓ Again, without context and individualized social/subjective information about an offender - not to mention the lack of programs available - this section is pretty meaningless. Attorneys and Judges know about TREND, 120's, long term treatment and straight time.
- ✓ It is difficult for some of my clients to conform to this section including the homeplan. More needs to be done to accommodate the clients and not penalize them if they are unable to follow some of these recommendations. My clients are indigent and some of these recommendations are extremely time consuming and expensive. Many have a hard time finding an appropriate home plan due to their situation.
- ✓ There is only a list of possible options there is never an explanation of the options or how said options might be used.
- ✓ Get courts to look at them
- ✓ Offender management provisions are vague - the Judges generally don't understand the process
- ✓ None come to mind.
- ✓ See previous comment RE plea agreements.
- ✓ I've noticed several SARs that list refraining from alcohol where the defendant has shown no prior problem with alcohol. Unnecessary added conditions are just one more thing to trip them up on.
- ✓ P&P is always about treatment for everything and I have rarely seen that make any difference. I think we need labor camps. Most of these guys never learned any discipline or what a day of work is like. They should be worked back into health and given some skills.
- ✓ please see earlier comment
- ✓ again, dual diagnosis folks don't get the mental health side of help. just usually mentioned in the body of the sar
- ✓ This section is very helpful in assessing conditions of probation.
- ✓ I have no specific recommendations because my knowledge and use of SARs is very limited in that my practice primarily focuses on post-conviction relief.

- ✓ Provide alternatives to incarceration.
- ✓ More options on an offender would be nice. Specific recommendations would be better than probation is not recommended . It would be good to see a PO go out on a limb once in a while.
- ✓ n/a
- ✓ I represent indigent clients who do not have the funds to participate in counseling and assessment programs. If P&P really wants to help the drug addicted and mentally ill, it needs to be better at providing these services.
- ✓ Probation and Parole could be more proactive and helpful in recommending specific providers for individuals with specific needs
- ✓ More specific recommendations for management: i.e. what kinds of treatment, etc (short or long term)
- ✓ If it was tailored to the specific individual in a more convincing fashion, perhaps the judges would pay more attention. However, that section is always full of seemingly boiler plate language that is largely ignored.
- ✓ I think it is mostly ignored by judges. I think they do not consider it when making a sentencing decision and if they do grant probation or community structured programs they create their own conditions and plan anyway.
- ✓ Expand the options beyond DOC programs
- ✓ I appreciate the detail that the SAR writer includes regarding the defendant's initial drug use, and would appreciate any history about the circumstances surrounding defendant's initial drug use.
- ✓ none
- ✓ The only things I have ever seen in this section are bed dates and only when specifically asked for. I have never seen additional recommendations that would allow community supervision options as opposed to prison treatment. If the goal is to utilize community options when available, we need to educate the judge and attorneys on what options are available.
- ✓ These recommendations tend to take in any of a number of factors that are from time to time irrelevant. There are cases on both sides of the spectrum. That is to say that there are instances where violent and threatening offenders might receive a benefit because of any of a number of mitigating factors and any of a number of circumstances where young offenders, because of their age and/or other factors might be graded more harshly.
- ✓ There is no or little consideration for non-government treatment programs.
- ✓ none
- ✓ none known
- ✓ more time should be spent by the probation officer evaluating, examining or visiting (in person) the potential home plan, and the same could be said for contacting or visiting the potential employment plan
- ✓ Stop letting probation officers give their insights on the Static 99. It is troubling that a person with no qualification to interpret an exam is allowed to do so.
- ✓ be more specific. use specific terms, ie: 120 days shock, SIS, SES, Supervised Probation, etc.
- ✓ n/a
- ✓ I would recommend a section for the defense attorney's input as to additional information that may be available for the report, e.g. medical records, psych.records, that may not be available to probation and parole, given the timing of the sentencing date.
- ✓ It would be helpful if Probation could look for other options, including residential treatment, not just probation or prison time
- ✓ none

- ✓ Not all judges will consider community alternatives even when it is recommended. However, I believe those recommendations should be included.
- ✓ This is a presentence tool reported to know the person BEFORE supervision has begun.
- ✓ There is usually very little provided in this area. It seems that once an offender is assigned a probation officer, that officer's goal is to get the offender into the department of corrections as soon as possible. Rehabilitation has taken the back seat in regard to probation and sentencing.
- ✓ The same things are put in this section over and over again. Somewhat altered to fit the client's situation. The PO writing the report could look into different (and should know about) programs available for the client that could benefit them and that could assist the client in a meaningful probation experience.
- ✓ I still have no idea what community supervision vs. probation means.
- ✓ This area of the SAR (i.e., the Offender Management section) has become so pro forma that I don't think the Judges even take much note of it any more. If helpful, I might highlight some component of it and argue that my client has taken proactive steps while out on OR Bond pending sentencing to do that (thereby showing that he is a good candidate for probation). But otherwise, the list is so limited and we see the same few things over and over.
- ✓ I don't think this is the correct section for this complaint but nothing makes me madder than having probation and parole, specifically SAR writers, working as the right hand of the prosecution instead of the judge. Time after time I receive SAR's with 3 sentence asset section and 2 page risk section. It means the PA's don't have to do anything but read the SAR while the defense bar is left investigating their clients. If PANDP would fairly depict client's in the SAR's the public defender's system would have more time to work on the facts of the case and not trying to cover every base knowing PANDP won't adequately describe client's assets. They (PANDP) spends endless hours pulling prior police reports and putting them in SAR's verbatim and what seems like very little time interviewing defendants about stresses in their lives and what the defendant's goals are.
- ✓ See prior comments.
- ✓ The officers rarely put any substantial amount of effort in this section, often resulting in a statement of unacceptable simply because they haven't made an attempt to verify it
- ✓ I think it is useful but most judges don't follow the recommendations, with the exception of locking people up.
- ✓ It would be much more useful if a probation officer was available to explain, discuss or support the items in the report. The information listed doesn't always seem concrete enough for the state and the court
- ✓ Overall the section is done okay, the problem is the Judges disagree 90% of the time
- ✓ Specific referrals to programs that address weaknesses in the offender risk score,
- ✓ I think that there should not be one and the offender management should and is better decided by the soon to be probation officer.
- ✓ More detail about the programs and the supervision strategy needs to be included in the report. 2. Probation and parole needs to create more effective programs for supervising the mentally ill; these programs need to be detailed in the SAR.
- ✓ I don't think it's the most helpful part of the report. I get the feeling some judges don't take this section very seriously.
- ✓ References to specific programs as an alternative to incarceration might be helpful.
- ✓ Since courts in rural areas seldom follow them or the recommendations are so out of tune with the situation it is hard to see any way to improve them unless the courts are going to mandatory sentencing guidelines.

- ✓ Make it shorter and easier to understand.
- ✓ Include if a Suspended Imposition of Sentence is potentially appropriate in the case. Also, if a specialty court (e.g. Drug, Mental Health, Intensive Supervision) is warranted, include it.
- ✓ They typically only include whether a defendant can do a program with no real information on why the program is helpful.
- ✓ Usually the bias of the author shows through in this section, which reduces its usefulness.
- ✓ No opinion
- ✓ not sure
- ✓ Drug court is a good option for many first time non-violent offenders however Drug court needs to be statewide and the defendant able to transfer drug court program to where they live not where they were arrested.
- ✓ I have found that this section can be simply cut and paste with some SAR writers. Including recommendations that don't apply. (i.e. They stated my client needed to obtain and keep a job, however, the SAR noted he was currently employed at the same job since 2007). They need to be closely tailored for the individual defendant
- ✓ Unknown at this time.
- ✓ It has been my experience that probation officers err on the side of incarceration too much when there could be community based alternatives. Just because there is no home plan while my client is in jail and has been for a year does not mean he cannot get an acceptable home plan soon.
- ✓ Specific programs and resources available to an offender within the community should be more specifically identified. Eligibility for these programs should be determined.
- ✓ I am baffled by suggestions about what is/is not a recidivist type of offense, especially when the crime has been committed by someone who has done it 2-3 times before and yet it is termed non-recidivist
- ✓ I don't know that i've really seen the offender management section used by courts much at all. Courts around here either decide on prison or not, and that's about it.
- ✓ Juvenile history should NOT be considered as a prior. SAR should consider how long it has been since the defendnat committed a crime or was revoked on probation.
- ✓ If community structured sentencing is the rec, reports should list more than one community option in which the offender could be placed. These placement recs need not be under the DOC jurisdiction, but rather those available in the community and utilized by P&P officers daily.
- ✓ Some way to encourage the judges to place more importance on them in sentencing
- ✓ Suggestions should be realistic and less likely to set offender up to fail.
- ✓ More options - like electronic monitoring, but that probably means more money that is not available.
- ✓ There needs to be greater emphasis on getting to the underlying reason for anti-social behavior: psychological, socio-economic, environment, etc.
- ✓ Needs to take into account the socio-economic roots of behavior more. Rarely, if ever, are they taken into account

Probation and parole officers in my circuit (your area) generally suggest appropriate recommendations for special conditions of supervision in the "community strategies" section of the Sentencing Assessment Report.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	10 (9.6%)	5 (8.1%)	5 (1.6%)
2	28 (26.9%)	8 (12.9%)	24 (7.5%)
3	25 (24%)	13 (21%)	44 (13.8%)
4	21 (20.2%)	6 (9.7%)	41 (12.9%)
5= Neutral	11 (10.6%)	17 (27.4%)	71 (22.3%)
6	1 (1%)	3 (4.8%)	44 (13.8%)
7	4 (3.8%)	3 (4.8%)	47 (14.7%)
8	1 (1%)	4 (6.5%)	23 (7.2%)
9= Strongly Disagree	3 (2.9%)	3 (4.8%)	16 (5%)
MEAN SCORE	3.36	4.31	5.16

A probationer violating a special condition of supervision is usually a significant factor that should be brought to the attention of the court.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	51 (49%)	41 (66.1%)	7 (2.2%)
2	29 (27.9%)	15 (24.2%)	17 (5.3%)
3	9 (8.7%)	1 (1.6%)	33 (10.3%)
4	4 (3.8%)	2 (3.2%)	47 (14.7%)
5= Neutral	8 (7.7%)	1 (1.6%)	91 (28.5%)
6	2 (1.9%)	0 (0%)	44 (13.8%)
7	0 (0%)	1 (1.6%)	39 (12.2%)
8	0 (0%)	0 (0%)	27 (8.5%)
9= Strongly Disagree	1 (1%)	1 (1.6%)	12 (3.8%)
MEAN SCORE	2.05	1.66	5.19

Suitable alternative sentences (any non-prison strategies) are available in your judicial circuit (the area where you practice).

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	15 (14.4%)	3 (4.8%)	14 (4.4%)
2	17 (16.3%)	9 (14.5%)	41 (12.9%)
3	18 (17.3%)	8 (12.9%)	38 (11.9%)
4	5 (4.8%)	6 (9.7%)	37 (11.6%)
5= Neutral	14 (13.5%)	5 (8.1%)	32 (10%)
6	13 (12.5%)	6 (9.7%)	29 (9.1%)
7	13 (12.5%)	4 (6.5%)	41 (12.9%)
8	5 (4.8%)	11 (17.7%)	42 (13.2%)
9= Strongly Disagree	4 (3.8%)	10 (16.1%)	43 (13.5%)
MEAN SCORE	4.21	5.42	5.37

Please list any alternative sentences you are aware of, NOT currently available in your area that would be useful.

Judges choosing to provide comments (optional and unedited):

- ✓ Drug Court, non-support court,
- ✓ restorative justice models
- ✓ very hard to find long term drug/alcohol treatment, especially something with an open bed date
- ✓ problems with residential programs and programs with defendants with cooccurring conditions
- ✓ boot camp for youthful offenders, work release programs, more in-custody substance abuse treatment programs.
- ✓ half way house, adequate community service program,
- ✓ Work release
- ✓ drug treatment programs-long term-in house
- ✓ Need more half way house or treatment type settings, particularly ones out of the urban area. Sending rural offenders to urban settings is not an option which I find attractive. Also: Treatment facilities designed for offenders with known mental issues would be helpful.
- ✓ Half way houses and in patient treatment centers
- ✓ There is a long list of tretemt n alternatives ocntained ina memo we jsut received fomr DOC. We are basically limited to probation, incarceration, co Jail and drug court.
- ✓ The only alternative sentence we have in our Circuit is drug court which I personally set up. I have no idea what else is available anywhere in the Stae. Judge Wolff insists we attend a portion of the Judicial College to identify the needs of a particular offender but what good is that since we have no alternative but toi place them on regular probation for a system that has nothing except to monitor and offer the same programs that Judge Wolff's expert says don't work.
- ✓ work release program very limited availability of in-patient drug and alcohol treatment.
- ✓ I know that they exists but I do not have any suggestions at this time.

- ✓ Most everything...our county does not have many programs reasonably available for defendants. Long drive distances are usually involved in order to take advantage of alternatives to incarceration.
- ✓ Halfway houses; bridge housing between incarceration and self-sufficiency; more funding for greater use of electronic monitoring for house arrest; more funding for random drug testing; more funding for substance abuse inpatient treatment and follow up counseling.
- ✓ Banishment.

Prosecutors choosing to provide comments (optional and unedited):

- ✓ a residential facility primarily for youthful first-time offenders whose likelihood of success on probation is questionable but whose need for incarceration is also questionable
- ✓ I don't think we need anything else. We are very lucky to have a circuit wide probation program which is very helpful
- ✓ Immediate sanctions for violation of special conditions to include, Allowing the probation officer to immediately place the defendant in jail for 2 days in jail on first violation of special conditions. 5 days for the second violation and 10 days for the third violation. Revocation of the suspended sentence for fourth violation
- ✓ drug court, halfway house, more counseling
- ✓ better treatment options for DWI offenders, better access to anger/domestic abuse treatment programs, funding for all treatments due to poor social status of many defendants
- ✓ Half-way house
- ✓ Probation Supervision that is more than sporadic would be a good start
- ✓ Adult work camps, scared straight camps, Rosa Parks type camps (juvenile), adult chain gangs out of jail and prison (pay for their keep in part/return something to the community).
- ✓ Seldom have room in community center next door & none in my district. Hard to have good treatment options because need to travel
- ✓ The workload of the officers drastically reduces their effectiveness is my main concer - that and affording offenders probation who need to spend some time in prison
- ✓ Considering that most offender are not supervised after the first couple of months after being placed on supervision what is the use of any alternative sentences. If they are ordered to pay resitution or court costs noting is done to follow up with that. If Ordered to obtain employment it not folowed through with. If they are odered to obtain a GED and they fail to do so no sanctions are given. If they fail substance abuse treatment then find another that will pass them through. I do not know of a single case where an offender was made to do shock jail time for a violation. I would like to see or try a restorative justice program with some real teeth. Do not get me wrong I'm not suggesting to lock them all up but if you are going to do community sentencing it had better be more than the joke it is now. Offneders consider it a joke, probation officer know its a joke, and I have no use for it. Probation officer know they will get in trouble if they recommed revocation. I had one officer who was physical threatend as was he family and was direct not to file a field violation report but just to transfer the case to another officer. If you want to treat them in the community great then lets treat them. If they refuse let lock them up
- ✓ MOSOP less than 30 miles away, half-way houses or homeless shelters, drug counseling, victim impact panels.
- ✓ Drug court is full and we have no dwi court. These are the only ones available

- ✓ We are not close to a halfway house or group home or inpatient drug recovery center
- ✓ lock down, not free to leave, drug treatment facility and lock down, not free to leave, housing location for non-violent offenders who would be free to leave for employment or education obligations

Defense Attorneys choosing to provide comments (optional and unedited):

- ✓ DRUG COURT
- ✓ There is a program that deals with women into drugs that is available near the St. Louis area where it provides treatment and transitional housing. Also there is a program that is trying to be introduced in this area but is not receiving a lot of support that deals with mental health clients and a different kind of probation.
- ✓ Drug court Mental Health court
- ✓ A restorative justice option would be helpful in many cases -- especially, e.g., for first time, youthful offenders, and especially for non-violent, property offenses. In felony criminal non-support cases, could SOMETHING be done to facilitate the interrelationship between civil and criminal courts!? Many of my clients (defendants represented by public defender system) do not have the means to address a civil remedy, such as modification, which could have significant bearing on their criminal liability, including their future risk of reoffending. As with restorative justice, the point here would be to create an alternative sentencing structure / program that is not exclusively punitive, but also constructive and in the long run, more economically beneficial for all concerned. We need more dual-diagnosis treatment alternatives. Drug court IS available here; the program could be expanded to help more abusers who get criminally involved.
- ✓ Any kind of help with drug addiction, help to find a place to stay, job assistance, anything. The only help in my area is drug court.
- ✓ 120 sex offender treatment pursuant to RSMo 559.115. I am told by probation officers MDOC has no 120 program for sex offenders?
- ✓ I don't know what alternative sentences there are. In my area its house arrest, jail, or prison.
- ✓ work release
- ✓ Mental health court. If an offender has a mental disability of retardation, it is very easy to find a facility to take them. If they have any other type of mental disability, it is very difficult, if not impossible to find a facility to take them. Facility = supervised living arrangement with care / treatment of mental disability.
- ✓ More substance abuse. There is an option for local in-custody 120 day treatment program, per §559.115, for male offenders, none exists for femal offenders.
- ✓ unknown
- ✓ Mental health/dual diagnosis assistance. More out patient drug facilities.
- ✓ I'm in kind of rural MO so there's a lot. I would love to see DWI courts and mental health courts. Lot more mental health services. More longer term drug treatment programs. 30 day programs don't work for too many people. More dual diagnosis programs b/c most people have both problems and can't fix one w/out fixing the other. Should reinstitute the boot camps. Programs for juveniles. Finding programs for 17 yr old is difficult. They're an adult in criminal law, but not old enough to go to adult inpatient programs. Most juvenile programs will only take them by a juvenile court order, but they're not under the jurisdiction of the juvenile court. It's a catch 22 and needs to be fixed.

- ✓ long term treatment center.
- ✓ Mental health services are grossly inadequate, and P & P does not manage those cases well (typically P & P tells the probationer to seek services and follow the recommendations, which only works if services are available.).
- ✓ treatment for offenders who have need both mental health and drug treatment.
- ✓ Almost no programs exist to assist defendants in obtaining stability. The Fellowship House in St. Joseph is a good example of the types of programs we need (except we need non-Christian options for non-Christian clients). It is a six-month program. Residents live in a house, the program goes beyond helping people with resumes, they actually line up residents with jobs, they save 1/3 of the residents' paychecks so they can obtain independent living situations when they complete it, and they have regular meetings and counseling to assist people with substance abuse issues. It provides structure, but also the dignity of living in a household rather than a half-way house type setting where there is little privacy and job assistance. We do not have any program like this in Kansas City. When our clients have to return home, to drug addicted family members or friends, to instability, and to strife - it is nearly impossible to make dramatic life changes. But with stable housing and a job, as well as programs that can be run out of such facilities (mental health, substance abuse, parenting, GED) their chances for success would be much improved.
- ✓ Drug Court
- ✓ Mental Health Court
- ✓ DWI court.
- ✓ Long-term substance abuse treatment as an alternative to institutional treatment.
- ✓ There are not many classes/treatment available for sex offenders. Also, there is not drug treatment/alcohol treatment around here (inpatient) that is longer than 30 days.
- ✓ Boot Camp Not aware of others, but would like to see alternatives for young adults (17-25) and better alternatives for those whose crimes are drug related.
- ✓ There is inadequate mental health counseling in our area and probation officers, judges and prosecutors are unwilling to recognize that sometimes possession of controlled substance charges are not because of a substance abuse problem, but actually a mental health issue where the client is self medicating.
- ✓ workforce and education access programs
- ✓ There needs to be more mental health options and co occurring disorder options.
- ✓ Halfway house placement without going to DOC first would be a good alternative. Again, community based strategies are vague. I would like to see more clarification of alternatives, and a handbook or publication for defense attorneys who are not part of the PD system that does a better job of explaining what sentencing alternatives are available. You can read the entire DOC web site and still not understand what programs are available and what the requirements are.
- ✓ Few, if any community based facilities. Halfway houses, shelter-like facilities, etc.
- ✓ Mental health court
- ✓ work camps for drug problems or violent offenders half-way houses for sex offenders
- ✓ More resources for drug-court type program. A county sponsored housing unit, like a local halfway house.
- ✓ we need a community corrections facility in the southwest missouri area
- ✓ I really don't know about that many. We only have 120 ITC and general shock and EMP. That's it other than drug court. P and P has nothing to do with drug court.
- ✓ Supervised living facilities for persons with mental illness and persons with developmental disabilities

- ✓ Boot camp
- ✓ Domestic Violence Court Mental Health Court
- ✓ Mental health courts. Drug courts. Child support courts. Anything would be useful because there are essentially no alternatives in this area.
- ✓ Halfway house, Mental Health Court, expanded Drug Court eligibility
- ✓ There is no alternative on criminal non-support cases.
- ✓ Long term drug care facilities for men.
- ✓ n/a
- ✓ more mental health options, especially inpatient housing. Also, much more is needed in rural areas we cover for inpatient drug/alcohol treatment - support for drug court programs with actual resources.
- ✓ The farther from the metropolitan areas, the less that is available of any kind.
- ✓ Money shortages have decreased the available services, especially for mental health clients.
- ✓ TREND; more women programs
- ✓ Drug treatment, SATOP, domestic violence/anger management, etc. My clients generally are expected to travel at least 50 miles each way to comply with special conditions. Many of them do not have driving licences so have significant transportation issues. Often results in probation violations.
- ✓ drug court
- ✓ mental health courts as well as group homes catering to clients with mental disabilities
- ✓ secure housing for individuals with drug addictions housing for sex offenders residential placements for individuals with mental health problems placements for women with children who need to go thru recovery
- ✓ In rural Missouri, the alternative options we have are few and far between. Those that do exist remain largely to the wealthy. I was recently made aware of the Center for Women in Transition in St. Louis, Missouri.
- ✓ Most options for drug courts or inpatient treatment are ignored by our local P&P
- ✓ The State Board of Probation and Parole devotes inadequate resources to developing alternative sentencing plans and to identifying providers and nurturing relationships with providers that would allow defendants with special needs such as mental health issues to remain in the community. This is true as well for sex offenders.
- ✓ Lock down in-patient drug treatment, secured sex offender placement.
- ✓ I would love to see more mental health treatment options for my clients. Living in a more rural jurisdiction, it often seems like the options are prison or probation or try to dig up some third option. If there were more state sponsored options, I feel we may get sentences that better benefit the community and the defendant.
- ✓ We have many available, P&P does not recommend much that is not in prison.
- ✓ SCRAM as part of P&P
- ✓ Day report centers, emergency & short-term housing, half-way houses, in-patient treatment programs
- ✓ Please see prior comments. probationers with mental illnesses, including depression, are not adequately served or supervised on probation. Incarceration does little to serve the problems, address issues of re-offending or protect the community.
- ✓ Non Support Programs, Long Term In-Patient Drug Programs
- ✓ Its not that programs aren't available, it's that Courts and PA's refuse to utilize them.
- ✓ I think that the judges and probation board should make more use of shock incarcerations in place of revocation recommendations

- ✓ Get the Judges to follow the SAR.
- ✓ No opinion
- ✓ Electronic monitoring
- ✓ There are not enough treatment centers for addiction and mental illness, both in-patient and out-patient.
- ✓ More community based drug treatment
- ✓ electronic monitoring for indigent clients; halfway house, etc.
- ✓ Deferred prosecution agreements; Diversion programs in all circuits; rehabilitation in stead of probation (in drug cases)
- ✓ Drug Court
- ✓ Boot camp type facilities for 17-23 year old offenders, in which the offender could have structured education and job skills training and learn to take pride in their progress.
- ✓ Since I am an appellate attorney, I am rarely involved in sentencing.
- ✓ We have so many elderly homeowners that can't keep up with their property and have a need for skilled help. There are many non-violent non-theft offenders like child support violator, driving while revoked, etc. that are skilled in roofing, carpenter, plumbing etc. and could be community sentenced to do community service for the elderly. Certainly you would not want a contractor serving time for fraud to be inflicted on some little old lady, but there are individuals in the MDC that could be utilized for community service.
- ✓ More long term drug treatment programs that aren't through the department of corrections after a sentence has been executed.

Information in the conclusion section of the Sentencing Assessment Report, concerning actual time served in prison for offenders, is useful.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	25 (24%)	12 (19.4%)	36 (11.3%)
2	40 (38.5%)	15 (24.2%)	45 (14.1%)
3	20 (19.2%)	8 (12.9%)	68 (21.3%)
4	9 (8.7%)	7 (11.3%)	43 (13.5%)
5= Neutral	7 (6.7%)	6 (9.7%)	49 (15.4%)
6	0 (0%)	2 (3.2%)	18 (5.6%)
7	2 (1.9%)	4 (6.5%)	20 (6.3%)
8	0 (0%)	5 (8.1%)	17 (5.3%)
9= Strongly Disagree	1 (1%)	3 (4.8%)	22 (6.9%)
MEAN SCORE	2.49	3.73	4.18

The Sentencing Assessment Report often contains too much social history information NOT relevant in determining sentencing dispositions.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	2 (1.9%)	6 (9.7%)	24 (7.5%)
2	9 (8.7%)	8 (12.9%)	33 (10.3%)
3	7 (6.7%)	4 (6.5%)	29 (9.1%)
4	5 (4.8%)	0 (0%)	26 (8.2%)
5= Neutral	18 (17.3%)	13 (21%)	52 (16.3%)
6	5 (4.8%)	6 (9.7%)	35 (11%)
7	20 (19.2%)	9 (14.5%)	35 (11%)
8	24 (23.1%)	7 (11.3%)	41 (12.9%)
9= Strongly Disagree	14 (13.5%)	9 (14.5%)	40 (12.5%)
MEAN SCORE	6.14	5.40	5.35

I regularly review the online automated sentencing information provided by the Missouri Sentencing Advisory Commission when considering plea agreements.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	2 (1.9%)	2 (3.2%)	60 (18.8%)
2	3 (2.9%)	0 (0%)	51 (16%)
3	3 (2.9%)	2 (3.2%)	33 (10.3%)
4	6 (5.8%)	3 (4.8%)	30 (9.4%)
5= Neutral	12 (11.5%)	3 (4.8%)	57 (17.9%)
6	10 (9.6%)	1 (1.6%)	9 (2.8%)
7	16 (15.4%)	5 (8.1%)	19 (6%)
8	15 (14.4%)	11 (17.7%)	20 (6.3%)
9= Strongly Disagree	37 (35.6%)	35 (56.5%)	38 (11.9%)
MEAN SCORE	6.98	7.73	4.27

The sex offender assessment instrument (STATIC 99), prepared by the probation and parole staff, is an important addition to the Sentencing Assessment Report.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	10 (9.6%)	1 (1.6%)	2 (0.6%)
2	19 (18.3%)	11 (17.7%)	5 (1.6%)
3	17 (16.3%)	11 (17.7%)	9 (2.8%)
4	10 (9.6%)	3 (4.8%)	28 (8.8%)
5= Neutral	35 (33.7%)	20 (32.3%)	108 (33.9%)
6	4 (3.8%)	4 (6.5%)	27 (8.5%)
7	8 (7.7%)	1 (1.6%)	31 (9.7%)
8	1 (1%)	1 (1.6%)	30 (9.4%)
9= Strongly Disagree	0 (0%)	10 (16.1%)	61 (19.1%)
MEAN SCORE	3.87	4.70	6.18

With regard to sentencing sex offenders, do you support the development of a sex offender assessment, prepared by a professional clinician, as a useful addition to the Sentencing Assessment Report?

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	15 (14.4%)	8 (12.9%)	32 (10%)
2	31 (29.8%)	11 (17.7%)	44 (13.8%)
3	15 (14.4%)	7 (11.3%)	46 (14.4%)
4	9 (8.7%)	7 (11.3%)	38 (11.9%)
5= Neutral	24 (23.1%)	14 (22.6%)	67 (21%)
6	2 (1.9%)	3 (4.8%)	18 (5.6%)
7	3 (2.9%)	6 (9.7%)	22 (6.9%)
8	3 (2.9%)	1 (1.6%)	11 (3.4%)
9= Strongly Disagree	2 (1.9%)	5 (8.1%)	27 (8.5%)
MEAN SCORE	3.39	4.23	4.39

The Sentencing Assessment Report would be more useful if it did NOT include sentencing recommendations.

	Judges	Prosecutors	Defense Attorneys
1 = Strongly Agree	3 (2.9%)	18 (29%)	11 (3.4%)
2	5 (4.8%)	11 (17.7%)	11 (3.4%)
3	0 (0%)	5 (8.1%)	13 (4.1%)
4	0 (0%)	0 (0%)	14 (4.4%)
5= Neutral	15 (14.4%)	11 (17.7%)	42 (13.2%)
6	5 (4.8%)	1 (1.6%)	30 (9.4%)
7	19 (18.3%)	5 (8.1%)	58 (18.2%)
8	25 (24%)	3 (4.8%)	61 (19.1%)
9= Strongly Disagree	32 (30.8%)	8 (12.9%)	78 (24.5%)
MEAN SCORE	7.11	3.98	6.65

In your opinion, what are the MOST important elements of the current Sentencing Assessment Report?

Judges choosing to provide comments (optional and unedited):

- ✓ prior criminal history and the offender's statement as to the facts of the crime and whether he/she takes responsibility for the crime.
- ✓ The risk assessment and the offender social information.
- ✓ the reporting of typical sentences in similar offenses and the anticipated actual time to be served.
- ✓ prior criminal history, presumptive sentence,
- ✓ history
- ✓ Offender history, sentence recommendation, probation strategies
- ✓ criminal history, factors that would evidence recidivism
- ✓ The social, criminal and employment history of the defendant, as well as information related to the defendant's prior supervision on probation, if applicable. Also information as to the victim.
- ✓ Past criminal behaviour. Static 99. Time served in prison and conduct on past probation.p parole.
- ✓ criminal history, defendant's version, victims version, sentence rec.
- ✓ Background data for the offender and suggested special conditions of community release - these are often not otherwise available in any reliable manner.
- ✓ recommended ranges from mitigating to aggravating contains criminal history and background similar to PSI
- ✓ The defendant's apst criminal history, home, family, education, work and psychological history.
- ✓ Gives a good picture for the recommendation made to the court.
- ✓ criminal history, social background and employment history
- ✓ Defendant's prior criminal history, defendant's mental health issues, victim impact, information regarding suitable treatment programs for drug offenses.

- ✓ criminal history, prior probation and number of prior violations
- ✓ history and sentencing alternatives
- ✓ criminal history check
- ✓ criminal history, offender's version of facts, victim impact statement
- ✓ Ranges of sentences given for same crime.
- ✓ Criminal history and prior probation and treatment history
- ✓ Overall, I like that the current SAR gives me specific history and details about a person up to the time of his/her sentencing. I like getting information about a Defendant's prior history on probation, as well as his/her health and education background. I also like getting the risk assessment factors. I wish I had a better sense of how to understand them and use them.
- ✓ Risk factor and length of time the ofender will likely serve.
- ✓ Prior history and risk factors. I want to know, or have a PO's opinion, as to whether someone avoid certain risks and stay out of further trouble, or should a jail sentence simply be imposed.
- ✓ risk factors, assets, sentencing recommendations, estimates of time which will be served
- ✓ The social history.
- ✓ The detailed personal background of an offender permits me to determine whether a person is deserving of probation and whether or not that person is reasonably likely to comply with conditions required in an alternative to incarceration disposition.
- ✓ information about the actual time served in prison
- ✓ No Comment
- ✓ Present offense information 2. Criminal history. 3. Offender Asset and Liability Assessment.
- ✓ criminal history
- ✓ Prior history, defendant's statement, victim's statement, calculation of the range of punishment.
- ✓ Sentencing recommendations
- ✓ Risk Assessment and Offender Management Recommendations
- ✓ Community based options. I don't give any where as much weight to sentencing suggestions to DOC.
- ✓ Previous convictions (type, nature of crimes). Emplment. Actual time to be served.
- ✓ Social history as relates to treatable issues such as addictions, prior record of convictions and arrests, appropriate conditions of probation if granted.
- ✓ Prior record
- ✓ Defendant's criminal history, assets and liabilities, risk factors, recommended sentencing.
- ✓ recommendation
- ✓ Previous criminal history, background information about the individual, and recommendation of sentence.
- ✓ I order the officer preparing the report to provide their recommendations as to whether probation should be granted or prison sentene imposed. I find this recommendation helpful.
- ✓ the mitigating, presumptive, and aggravating recommendations. the percentage of time that a typical offender may expect to serve.
- ✓ Social history and prior offenses.
- ✓ Victims impact and time actually served on similar cases
- ✓ The probation officer writing it. Far too often, these reports are inaccurate with regards to prior convictions and factual aspects of the case. Some SAR's are complete, detailed and accurate. Others are not. Those are worthless to the court.
- ✓ I learn what happened during the crime. 2. L learn of the past criminal history including punishments.
- ✓ Criminal History & Sentencing Range, despite my complaints.

- ✓ the statistics and recommendations.
- ✓ Sentencing recommendations, prior criminal history, interview with the offender.
- ✓ Recommendations
- ✓ Criminal history
- ✓ Presumptive sentence
- ✓ offense summary, criminal history, victim impact, assets and liabilities, offender management recommendations including community strategies, sentencing commission recommendations, risk score anrelease guidelines and average actual time served.
- ✓ The most important elements of the SAR are (1) the circumstances of the offense, (2) the offender's criminal history, (3) the offender's previous success or failure while on probation (if any), and (4) the risk assessment.
- ✓ criminal history, bacground information, strategies, recommended sentences, community alternatives,
- ✓ Risk assessment, victim impact, and offender management recommendations.
- ✓ Criminal history, alternatives to incarceration, history of the present offense, and statistics concerning parole guidelines and average sentences served prior to parole.
- ✓ criminal history, risk assessment, recommendation
- ✓ Treatment plan in the event probation is granted
- ✓ Criminal history
- ✓ Time spent in prison on similar case, risk factors, details about defendant
- ✓ The true criminal past of the defendant with no sugar coating and a realistic victim impact statement.
- ✓ Summary of crime, victim statements, social history criminal history, guidelines. Summary of offense needs to be expanded for A & B felonies.
- ✓ criminal history and social history

Prosecutors choosing to provide comments (optional and unedited):

- ✓ Criminal history and offenders version of the crime charged
- ✓ Risk history, criminal history, offender background and presumptive sentencing under guidelines.
- ✓ offender version, victim impact, percentage of time served and interview results by the SAR writer
- ✓ The offender's version of the current offense is usually enlightening. The victim impact section is important. The social history is somewhat useful.
- ✓ Present Offense Information; B. Criminal History; C. Victim Impact, and info on current substance abuse issues
- ✓ present offense; offender's version (though I would love to see more detail regarding the circumstances leading up to the offense); prior criminal history; substance abuse history
- ✓ Criminal history; statements of probation officer based on meeting with the defendant; victim impact information; the percentage of the sentence the person is likely to really serve
- ✓ Criminal history - it gives me more than I normally find on my NCIC
- ✓ Victim impact and offender risk issues
- ✓ Criminal history, both the offender and victim's version of the crime, dependency history
- ✓ Criminal history, victim impact and offender background

- ✓ the current SAR is a road block in most cases, I need a SAR when I don't know about the defendant
- ✓ Victim impact statement
- ✓ Victim impact
- ✓ The defendant's criminal history. Victim's impact
- ✓ CRiminal history and social background
- ✓ criminal history of defendant
- ✓ History and background
 - 1. Advising the court of the facts of the offense. 2. Advising the court of the defendant's criminal history. 3. Advising the court of the defendant's claimed attitude toward the offense
- ✓ Prior offenses, risk to re-offend, victim's input
- ✓ Providing a complete history for the defendant, laying out the alternatives the court may consider, informing the court of the victim's position, establishing what the most likely percentage of time to be served would be
- ✓ I am not aware of any
- ✓ Most recommendations are probation; the PSI was more helpful when the PO could recommend a number of years, and were given more discretion to recommend incarceration/probation.
- ✓ The actual sentence served lets the rest of the state know that there is no truth in sentencing under the application of the sentencing statutes. Outside of that, not much else
- ✓ The Criminal History, Social History, management suggestions and sentencing recommendations
- ✓ List of options available to case.
- ✓ accurate criminal history of the defendant.
- ✓ If you can't tell I disagree with the SAR most of the time. The only thing that is useful to me is the Probation officer obtains more specific on an offenders criminal history than would normally be disclosed to the court.
- ✓ victim impact statement, offender version, criminal history, and even defendant's background, including employment, education, and substance abuse
- ✓ The summary of the defendant's criminal history. His personal history. His comments to the officer. I believe at one time before this program was started the officers gave opinions and recommendations based on their training, experience and the conditions in this area. My recollection is that information was valuable
- ✓ Criminal history and substance abuse history information. No contest!
- ✓ Background information, including prior sentences and probations. Conditions for probation, in the event probation is granted. Percentage of time to be served, in the event offender sent to DOC
- ✓ Other than the offender identifying information, the offense summary, to some extent the offenders version, the defendants criminal history when reported correctly, and the victim impact which is never followed up upon, nothing
- ✓ the voice of the victims of the crime.
- ✓ none
- ✓ Any information gleaned that is not otherwise available to the State or the Court.
- ✓ Defendant's history and what he says about the crime he just committed.
- ✓ Alternative to incarceration for non-violent property and drug crimes.
- ✓ Detailing number of priors and providing an opportunity for victim impact
- ✓ criminal history

Defense Attorneys choosing to provide comments (optional and unedited):

- ✓ the sentencing recommendation and the person's family background information.
- ✓ Charge for which on probation, new charge that violated, prior conviction history.
- ✓ The client assets and the guidelines for sentencing.
- ✓ Percentage of time to be served.
- ✓ the information about the defendant's social history
- ✓ Deft's history, priors, risk factors/items that need to be addressed; sentencing alternatives - especially for drug cases.
- ✓ I have a comment regarding the use of the Static99 test. I take issue with this test being administered by officers of probation and parole who are not mental-health professionals. In addition, this test is misleading as it was designed to only be used with offenders who have a prior conviction. In our area it is being used with first-time offenders. According to this website: http://www.assessments.com/catalog/STATIC_99.htm, and the statement of a psychologist our office uses, the test is not to be used for first-time offenders.
- ✓ The sentencing recommendation and management plan
- ✓ criminal history victim impact (overly detailed) account of defendant's substance and alcohol abuse history sentencing commission recommendations
- ✓ criminal history
- ✓ prior criminal history, home plan, social background including drug abuse/addiction.
- ✓ Guideline sentences, alternatives to incarceration, social history.
- ✓ % of time that will be served
- ✓ The criminal background, presumptive sentence (even though my judges don't follow it, it gives me something to hope for!) and the actual time spent in prison %
- ✓ #1: Section II, part D: Offender asset and liability assessment. #2: Section III, Community Strategies #3: Section III, Supervision Plan (when detailed as available)
- ✓ The Static 99 is abused by the people that administer it. To have a test that represents to the court a that some offender poses a certain amount of risk to the community for things HE HAS NOT DONE YET, is in itself problematic. However, when these people say their reliable test isn't reliable in my guys case perpetrates a fraud on the court. The test is reliable, or it isn't. If the state is going to unconstitutionally make assertions about what people will do in the future based off of some shrink made test, it should at least do it in an honest way, since it has already forsaken science and the law in this process.
- ✓ Recommendation and risk score.
- ✓ Criminal history and sentencing recommendations
- ✓ How much time offenders are actually serving on their sentences.
- ✓ family history
- ✓ Reporting of offense history, education and job history, treatment recommendations.
- ✓ It seems that the judge pays the most attention to offense summary, offender's version, and victim impact, and criminal history. I find that the score at the end (from -8 to 7) is useful in comparing different SARs to give you an idea of whether probation should be considered.
- ✓ The sentencing recommendations and the percent time served feature.
- ✓ the conclusion
- ✓ The mitigation considerations could be further explained in each case.
- ✓ The sentencing recommendations even though lots of judge's don't follow it. Social history is good. Conditions of probation. I really don't have a problem w/ SARs just don't see the point when so many judge don't care what the recs are.

- ✓ risk score
- ✓ Background information including criminal history, family and social history, alcohol and drug considerations, physical and mental health factors.
- ✓ the information regarding ranges of punishment because even though the reports lack real insight into the individual circumstances of a defendant, the sentencing range information does tend to moderate crazy judges.
- ✓ assets section.
- ✓ Accurate prior criminal history, victim impact statement, General background of defendant, recommendation
- ✓ other assessment factors - profiling the defendant's social history.
- ✓ Criminal History, 2. Drug and Alcohol Abuse Section, 3. Version of the events, 4. Work History and Educational Background
- ✓ Need more accurate fact rendition. Stop taking the police reports verbatim.
- ✓ The most important elements are: actual (not speculative) criminal history, summary of crime, and recommendation, the score section would be helpful with an explanation, as it stands now the score means whatever the officer wants it to mean.
- ✓ sentencing recommendations
- ✓ Social history of defendant and options in the community for the defendant.
- ✓ Recommendations, criminal history, level.
- ✓ Social background, suggested punishment ranges, criminal history, and facts of the case.
- ✓ Prior criminal history, supervision strategy, recommendations
- ✓ prior criminal history and presumptive recommendations
- ✓ The recommendations
- ✓ presumptive, mitigated and aggravated guidelines in non-violent offenses. generally, supervision strategies either instead of prison, or in combination w/ shock incarceration/treatment programs under 559.115 and 217.362
- ✓ Criminal history; substance abuse history
- ✓ Most important element in practice seems to be the officer's ultimate recommendation to the Court regarding what the sentence should be.
- ✓ Remorse/responsibility by defendant; criminal history, home/work plan, substance abuse treatment plan.
- ✓ The sentencing recommendations
- ✓ listing of programs the offender is eligible for criminal history
- ✓ The sentencing recommendation section and the client's prior felony history. I do not think listing every single municipal court case is relevant to the report since we are in state court.
- ✓ the specific recommendations - presumptive, mitigating circumstances, aggravating circumstances
- ✓ Gives the Judges cover for following the sentencing guidelines
- ✓ Prior criminal history is important.
- ✓ Presumptive, mitigating and aggravated sentence guidelines.
- ✓ Giving a range of sentencing possibilities is helpful sometimes
- ✓ Background and social history.
- ✓ Giving a realistic and relevant range of punishment for the court to consider
- ✓ Unfortunately the only part the Judges pay any attention to is whether or not the report recommends probations so i guess that it is the most important element.
- ✓ Prior record history, Offender Risk Component scoring, and guidelines; in that order.
- ✓ sentence recommendation

- ✓ Criminal history since clients are often less than forthcoming about their records; the recommendations
- ✓ Determining a rec. sentence based on generic and objective criteria.
- ✓ prior criminal history (excluding juvenile convictions) problems with drugs/alcohol brief social history
- ✓ Documenting priors, risk assessment score, community-based strategies avail short of prison (when applicable).
- ✓ The most important elements are the circumstances of the specific offense, and the defendant's prior criminal history. The court needs to know exactly how many chances a defendant has had before they picked up their current charge, as well as knowing the exact circumstances that gave rise to the crime itself.
- ✓ assets/liabilities
- ✓ The risk score
- ✓ application of the guidelines, the social history and the alternatives to incarceration.
- ✓ priors
- ✓ I prefer the old PSI
- ✓ The risk variables, the criminal history and the social history.
- ✓ The presumptive sentence
- ✓ Percentage time required, actual percentage served, criminal history
- ✓ Criminal History community sentencing alternatives
- ✓ personal background, crim history, change of person's situation since the crime
- ✓ defendant social history and information; defendant criminal history; community strategies, defendant version of offense.
- ✓ recommendations of sentence.
- ✓ I believe an important element is when the SAR gives a sentencing recommendation after taking into the account the criminal history of each individual defendant.
- ✓ Prior history, risk factors and presumptive sentences
- ✓ the rec and the priors
- ✓ Social history of the defendant
- ✓ the provision of the prior criminal history. But, the history needs to be more accurate, and the dispositions of each arrest should be shown, stating not known is unacceptable
- ✓ The personal history sections
- ✓ presumptive sentences
- ✓ Recommended Sentences
- ✓ Family History of Offender Criminal history Risk factors Recommendation of sentence
- ✓ social history/assess & liabilities, sentencing options
- ✓ offense information, criminal history, offender assets and liability assessment and recommendation
- ✓ CRIMINAL HISTORY
- ✓ Social history, criminal history
- ✓ Social history and prison history.
- ✓ social history and risk factors
- ✓ History, job and family circumstances
- ✓ Criminal history
- ✓ Risk score / Offender version / and criminal history. All seem to be the big influencers when it comes to plea negotiations
- ✓ social information

- ✓ assets & liabilities of defendant
- ✓ social history of the defendant and the recommended sentence
- ✓ Charge and client's history
- ✓ social information, criminal history information, substance abuse history, sentencing recommendation
- ✓ i like the fact that it makes the outcome of a case somewhat predictable. In cases involving a prison sentence, it does a good job of giving the judge a basis for the sentence. However, in cases involving probation, it is basically worthless because of the general nature of the recommendations.
- ✓ prior criminal history
- ✓ EStimates of time served by offenders convicted and sentenced under same charge as offender in question
- ✓ Social history
- ✓ n/a
- ✓ In my opinion, the most important elements of the the current SAR are the client's social history, background information, and other personal information.
- ✓ No opinion
- ✓ no opinion
- ✓ recommendation time spent in prison criminal history
- ✓ The criminal history and sections outlining the strengths and weaknesses of the individual.
- ✓ personal history
- ✓ risk assets; mitigating, presumptive and aggravating options
- ✓ Community strategies which can then be used to develop an alternative sentencing plan.
- ✓ As a whole, the SAR is helpful as a tool. Since it is not binding on the court it can be used as a tool in argument for sentencing.
- ✓ guidelines for sentencing (presumptive, mitigating, aggravating) options available for client risk ranges
- ✓ The social history of the Defendant and sentencing suggestions.
- ✓ The sentencing recommendations and background of the defendant.
- ✓ History of drug use; education; employment. I use these as explanations for why my client is where she is in the context of her current life situation and why it is that we can achieve the plan/goal we have outlined (or will outline) to the court
- ✓ Ability to show jurisdictions that deviate from the norm, radically, that experts and statistics disagree with their opinions. Sentencing management section is very helpful in requiring courts to see the alternatives to long term prison commitments
- ✓ Criminal history, community/alternative sentencing strategies, officer recommendation.
- ✓ education, elements of the crime
- ✓ It takes time for P&P to create therefore giving me more time to come up with a good sentencing argument
- ✓ Most important is the sentencing recommendation; second most important is the community sentencing strategy/plan.
- ✓ to the judges i practice in front of the most important thing is criminal history. to me the most important element is what isn't there, a more inclusive, thought out asset section.
- ✓ Previous criminal activities, social history
- ✓ CRIMINAL HISTORY SOCIAL AND DRUG HISTORY MENTAL HEALTH HISTORY- WHICH IS NOT PRESENT AS OFTEN AS IT USED TO BE VICTIM IMPACT
- ✓ Social history, criminal history, and presumptive sentence

- ✓ I find the most useful aspect to the the sentencing recommendations. It gives the client and I an idea of what to expect.
- ✓ Presumptive/Mitigating/Aggravating Recommendations
- ✓ Although I commonly have issues with officers not completing them accuratley, I believe the social history, the sentence recomendations and the percentage of time to be served are the most helpful
- ✓ FOr first time offenders I believe it is helpful in letting the judge know what a case should be worth.
- ✓ Listing a range under the categories of mitigating, presumptive, and aggravating is an important part of highlighting the fact there is a RANGE of punishment which has been determined to be suitable for the given offense.
- ✓ Recommended Sentances, although the Judges tend to stray from them all too often. Would be nice if there were mandatory sentencing guidlines, but alas.
- ✓ Offender Risk Assessment, Criminal History level, Recommended Sentences
- ✓ The defendant's life and possibility of rehabilitation.
- ✓ All of the elements are important. As mentioned previously, many are not used as effectively as tehy could be. Also, with regard to a clinician evaluating sex offenders and codncuting Static 99's, my obejection as a defense attorney is that there needs to be a mechanism where defense counsel could rebut or challenge the conclusions. Also, STATIC-99 scoring can be wrong. The entire scoring sheet should be included in the SAR so the scoring can be checked for accuary by defense counsel and their chosen expert.s
- ✓ This is a hard question to answer because there are so many factors depending on the type of case and the client. There are times when each portion could and has been helpful but to name the most important is a hard question. This question would depend on whether you are the prosecutor, judge or defense attorney.
- ✓ The sentence recommendation and the alternatives proposed.
- ✓ Criminal history. Risk factors chart. Recommended sentencing guidelines.
- ✓ Offender managment plan, sentencing recommendation
- ✓ sentence recommendations, criminal history and social history.
- ✓ The last paragraphs where the conclusion and recommendations are located.
- ✓ Social History, Defendant's version, information regarding percentage served.
- ✓ Social history, recommendations and community alternatives
- ✓ Criminal history, social history if shorter, recommended sentence.
- ✓ Punishment recommendations, narrative (only helpful when written in a neutral, unbiased manner), the risks would be more helpful if they were in an easier to read format.
- ✓ No opinion
- ✓ Risk of reoffending; past history of offender
- ✓ I think the presumptive, mitigating, and aggrevating sentence recommendations are helpful, but prosecutors and judges seem to often ignore them.
- ✓ social history, factual basis, victim's version, offender's version, prior convictions
- ✓ sentencing recommendations, criminal history
- ✓ The sentencing recommendations
- ✓ PRIOR CRIMINAL HISTORY RECOMMENDED SENTENCE ALTERNATIVES TO INCARCERATION
- ✓ sentencing recommendations attributes and liabilities actual time served
- ✓ Unknown at this time.

- ✓ Social history, consideration of alternative sentencing strategies or treatment where appropriate, recommending a sentence based on courts across the state and not just the local jurisdiction
- ✓ risk variables and social history
- ✓ Home plan and alternative sentencing suggestions
- ✓ The range of options for the judge, mitigating, aggravating, and presumptive. I just wish I as an attorney could be there for the interview with my client to make sure his or her version of events is accurately taken down.
- ✓ Prior criminal history; what offender has done since the charge to put his best foot forward.
- ✓ The sentencing guidelines.
- ✓ defendant's own perception of what happened and his own culpability.
- ✓ social history. i've always thought the best thing about the report is that it gives the court a more credible source for the background facts i want to talk about during sentencing advocacy. if the p.o.l checks out work history, talks to family, school, etc. - then the court believes me and i don't need affidavits or live testimony to prove my point. the time acutally served section - it is my experience that judges and prosecutors do not believe it.
- ✓ Do NOT put the amount of time actually served. This is for DOC to decide, not the lawyers or the courts.
- ✓ Offender specific characteristics that would indicate likely success (or not) in the community. This should be based on academic records, job history, criminal history, etc NOT on the PO's personal opinion.
- ✓ social & family history criminal history
- ✓ The actual sentence recommendations
- ✓ assets/liabilities sections and sentencing recommendations
- ✓ Social history and substance abuse history.
- ✓ The statistical information regarding how a particular offense is sentenced in the norm.
- ✓ Facts of the offense, prior criminal history, success or failures on probation, sentence rec and sar score
- ✓ Criminal History, home plan and social history
- ✓ Offender version of offense, especially if the state version is different, and because it is the place to establish mitigating roles such as minor participant if the crime.
- ✓ Social history of the offender

In your opinion, what are the LEAST important elements of the current Sentencing Assessment Report?

Judges choosing to provide comments (optional and unedited):

- ✓ All the rest is worthless. What is the point? Even if I follow the sentencing guidelines, DOC ultimately decides how much time the offender will do.
- ✓ I think everything in the current reports is useful. I would not eliminate any of it.
- ✓ last page numbers for good, ave, below ave etc. I find them basically useless, unless they are very, very high or low.
- ✓ no opinion

- ✓ The sentencing recommendation
- ✓ All information important
- ✓ Social History.
- ✓ the itemized listing of the offender risk components scores.
- ✓ As long as the serious flaw in how prior offenses are treated (as described earlier) exists, the conclusions (i.e. presumptive, mitigating and aggravating recommendations) are virtually meaningless.
- ✓ The current written recommendation by the officer because it contains no information much less an actual recommendation as to sentencing.
- ✓ I believe all aspects of the report have a bearing on the recommendation.
- ✓ presumptive sentence
- ✓ Description of pending offense.
- ✓ recommended length of sentence because not supported by explanation and doesn't account for local community standards.
- ✓ risk assessments.
- ✓ mitigating-presumptive-aggravating sentencing suggestions.
- ✓ Social history of defendant.
- ✓ I like to get more information about a person rather than less so I find all of the SAR helpful. However, the Supervision plan section seems to rely on a lot of stock phrases without giving enough specific information and recommendations.
- ✓ I believe they are all important, but probably the social background is the least.
- ✓ Too much social history.
- ✓ long, detailed social history
- ✓ I have no complaints regarding the content of the SAR, except in the rare occasion where there is a mistake. Anyone can make an error.
- ✓ risk assessments
- ✓ No Comment
- ✓ Risk Score
- ✓ Defendant personal history and rec. sentence
- ✓ Risk assessment
- ✓ Nothing
- ✓ All of it is important. Most cases do not have a statement from the victim. If the victim wants to have a voice they usually appear at sentencing or provide a statement to the prosecutor.
- ✓ In depth fact review and social history, particularly items such as the offenders version of when drug or alcohol use first started or drug of choice information -- I don't view it as dependable.
- ✓ Family history. Seems like a lot of data is generated about past instead of present.
- ✓ numerical assessment, recitation of the facts of the crime,
- ✓ Community alternatives in cases wherein there is a mandatory prison sentence such as an ACA
- ✓ Defendant's social security number.
- ✓ not sure
- ✓ recidivism indicators.
- ✓ SACA
- ✓ Social history
- ✓ It seems to me that offering a list of community support programs, without stating exactly which of the programs will most likely benefit the offender means I have to throw a dart in picking the program or spend court time in quizzing P&P, the offender, the PA, and offenders attorney to try to determine what will best work.

- ✓ Sentencing recommendations and point values at the end of the report.
- ✓ The actual recommendation. Cattle rustling might be unimportant in St. Louis, but in rural Southwest Missouri, people who steal a man's livelihood are expected to go to prison.
- ✓ sentencing recommendations
- ✓ I guess Social History and offense history could be abbreviated.
- ✓ social background of offender, mental status of offender if not requested by the court.
- ✓ Family history
- ✓ Risk score
- ✓ none
- ✓ I do not consider any part of SARs as least important.
- ✓ opinions
- ✓ none
- ✓ Actually, I think that all of the elements are important. Hard to say the least.
- ✓ I think all of it is useful.
- ✓ social history
- ✓ The detailed life story of the Defendant - I'm more interested in what we can do to attempt to straighten out the Defendant in the future.
- ✓ The numerical score
- ✓ Lacks what the P & P officer thinks personally is appropriate for this offender based on the officer's knowledge and expertise
- ✓ Verbose drivel.
- ✓ There is some importance to all of it.
- ✓ age score

Prosecutors choosing to provide comments (optional and unedited):

- ✓ Offender risk components
- ✓ Family History, Recommendation
- ✓ Offender family history
- ✓ supervision strategies that are not specific
- ✓ The scoring section on the last page
- ✓ Sentencing Commission Recommended sentences, Risk Score, Risk Factors and Values.
- ✓ sentencing guidelines
- ✓ The lack of human input is the most glaring weakness. The number at the end giving a score is basically useless (e.g. getting points for how old you are is not helpful)
- ✓ Sentencing guidelines - I find that they are very unimportant as to what I do or what the sentence is
- ✓ Sentencing recommendations
- ✓ Sentencing recommendations and community structures. I am very fortunate to have an amazing P and P officer who is diligent with her Probationers and extremely thorough with her SARs. However, it is irksome with me that it is difficult for her to give her own opinion on SARs and violations
- ✓ Sentencing recommendations
- ✓ sentence recommendations and sentencing alternatives
- ✓ Sentence advisory recommendation
- ✓ Scoring system

- ✓ Everything other than defendant's name, criminal history and victim's impact.
- ✓ Sentencing recommendations
- ✓ The factors used to predict the offender's chances of successfully completing probation.
- ✓ recommendation
- ✓ Recommendations
- ✓ Risk assessment. 2. Recommendation
- ✓ Static 99 for sex offenders, biographical history of defendant.
- ✓ Risk ratings (except in sex offenses). State agency recommendations on sentencing
- ✓ The sentencing recommendations
- ✓ Get rid of it.
- ✓ The recommendation itself
- ✓ recommended sentence
- ✓ risk factor scale
- ✓ The aggravating, presumptive, and mitigating sentences really do not help much, nor does the offender risk score.
- ✓ At this point, the recommendation. The list at the end of the report.
- ✓ Itemized listing of the offender risk components - risk factors and values. I find these largely worthless.
- ✓ Risk assessment. Recs for mitigating, presumptive, and aggravating. Their background as it relates to girlfriends, wives, children, siblings and parents
- ✓ The offender management plan conclusion, the criminal history level, offense grouping/severity level, SENTENCING COMMISSION RECOMMENDATION follow by the biggest joke of them all sentencing commission risk score
- ✓ The defendant's after-the-fact, self-serving, BS
- ✓ Too much poor defendant sad story information and not enough of the facts and impact for the defendant's crimes/
- ✓ No opinion
- ✓ Any form of recommendation.
- ✓ Recommended sentences.
- ✓ too much background info on family and education and superfluous details about employment
- ✓ recommendation on sentencing

Defense Attorneys choosing to provide comments (optional and unedited):

- ✓ the description of the crime taken from the police report and all of the priors that are listed in the indictment anyway.
- ✓ P/P recommendation because it's usually not in my client's best interest.
- ✓ The community strategies and the social history. The defense attorney should be the one to argue mitigating circumstances because of the background because the Probation Officer has a chance to spin that history whichever way that they want.
- ✓ the defendant's version of what happened in the crime
- ✓ The extensive social history is the least important element.
- ✓ The parole guideline data
- ✓ social history sentencing commission risk score
- ✓ noting
- ✓ recidivism scores

- ✓ risk components
- ✓ the offense summary, the risk assesment section, and the recommended conditions of probation
- ✓ #1: Itemized listing of offender risk components, should be factored for defendant's overall history. For example, scoring a -1 on prior unrelated felony findings of guilt when the previous felony may have been many years ago, provides an inaccurate score. And the the recidivist-related offense score appears to be based on arbitrary considerations of what is a recidivist offense. #2: Old convictions/guilty pleas in section II, part B, #3; Victim impact in Section II, part C: often vindictive and inaccurate; allows complaining witnesses to make statements in writing that would be otherwise challengable in court under oath.
- ✓ Probationa and Parole Officers
- ✓ Probation officers summary of the facts of the case.
- ✓ Recitation of the facts of the case. Including traffic violations in the criminal history. Offender Risk Score
- ✓ Some of the history regarding sex offenders. It often seems evident that writer does not know how to properly use this data.
- ✓ The presumptive sentence and the community strategies
- ✓ scoring on education level and employment history, as these discriminate against the indigent.
- ✓ some of the history
- ✓ The aggravating assessment; too discretionary to be of any use.
- ✓ The defendant's version. Most of our client's are not intelligent and have a tendency to mitigate their wrongdoings and end up getting themselves in trouble no matter how much we prep them for that part. Don't see why it matters since in most cases, the defendant has already plead guilty
- ✓ social history
- ✓ The scale used to score risk is completely out of whack. Pharmacy robbery is a recidivist related offense but driving while revoked is not? The scale is well intentioned but very poorly executed and most of my judges disregard it.
- ✓ The social worker relief act stuff, classes, community service, etc.
- ✓ risk assesment.
- ✓ Offense summary (excerpts from police report)
- ✓ Risk liabilities because it penalizes defendant for being under-educated and poor (no employment, did not graduate high school). These factors should only be used to guide special conditions; services needed to prvent recidivism.
- ✓ Suggestions on Supervision Strategy 2. Family Background 3. Any sections that don't involve verifiable data
- ✓ offender version, victim impact (should be through prosecutors office), and PO narrative
- ✓ social history: Do we really need to know that Defendant has not seen his father since he was two years old and over the past twenty years defendants father has been in and out of prison.
- ✓ The risk assessment score.
- ✓ Social summary
- ✓ Time spent in prison, the use of factors uncontrolable by the offender.
- ✓ Societal history, arrest record.
- ✓ I find everything to have some value in the SAR.
- ✓ Employment and education history, family history unless it contains information that the defendant was abused as a child or a member of a dysfunctional family having some bearing to the criminal behavior.

- ✓ when probation officer states in report if client is remorseful for crimes as this seems to be based on opinion only
- ✓ Presumptive sentence
- ✓ length of actual time served figures; matrix elements like employment at time of arrest, age of defendant, etc.
- ✓ Judges here don't really pay attention to the sentencing guidelines, but I still think they are important
- ✓ Probably the List of Offender Risk Components -- Risk Factors and Values. I don't think that this point system is a very useful or fair assessment. Especially with regard to the negative points given for those under 22 years of age, while someone 45 years of age or over gets a positive two points...this doesn't seem to be a fair system of determining an offender's risk of re-offending or of violating probation.
- ✓ listing cases in the criminal history that have been dismissed; PO's trying to summarize unrelated cases from the criminal history because the PO has determined on their own that special attention should be given to a particular old case. Also, SAR writers that only mention the past probation failures of a defendant and never the positives. .
- ✓ the salient factor
- ✓ municipal court convictions and the version of events from the prosecutors' file. The judge took the guilty plea or saw the entire trial; therefore, there is absolutely no need to get the probable cause statement from the prosecutors' file and regurgitate the detectives versions of events. sometimes the charges change and the probable cause does not mirror the crime that the client was found guilty of committing.
- ✓ recidivist classification
- ✓ Everything. I actually have started to miss the PSI a little.
- ✓ Personal history and information on uncharged acts.
- ✓ The risk assessment score hurting young offenders.
- ✓ The social history is terrible. It is usually only a paragraph or two and has no depth of detail to use for a client's benefit.
- ✓ Priors
- ✓ Giving an opinion of the Probation officer as to what should happen to defendant
- ✓ Rehashing the police reports in the official version part. The prosecutor can provide that information just as well. It is a waste of time for the PO to rehash it. Even when there is a plea agreement to plea to a lesser charge, the PO writes it up as if the greater charge was committed, even if the Prosecutor might never be able to prove the official version
- ✓ Offender Asset and Liability Assessment discussion of offender's family criminal history. May be relevant, but often is given disproportionate discussion and prominence in the report.
- ✓ social history
- ✓ The numbered scoring system; the percentages of time served- I almost always disregard them, it confuses clients, and it has never once been mentioned in a sentencing that I have participated in.
- ✓ The use by some preparers of Other Assessment Factors which often contain subjective views of the preparer
- ✓ Score In depth social history recidivist info
- ✓ Victim impact statement. They should show up at the sentencing hearing, or let the prosecutor submit statements
- ✓ Risk factors.
- ✓ risk assessment - I've never seen an accurate one yet.

- ✓ long tirades by P&P on other accusations made against D that have never been proven or plead to. Also long tirades of P&P officer's personal opinion or concerns
- ✓ social history of the offender
- ✓ risk assessment sheet
- ✓ summary of offense, too one-sided against defendant
- ✓ none
- ✓ summary of police reports
- ✓ offender's version. victim's version. The Court already knows these. The Probation officer/report writer's clear biases that sometimes exist against an offender, causing the report writer to include information irrelevant to sentencing that is meant to put offender in a worse light.
- ✓ n/a
- ✓ The probation officers bias and personal opinions.
- ✓ social history, score
- ✓ Age considerations
- ✓ summarizing the police report.
- ✓ sentencing guidelines - these are available to all parties online and in print
- ✓ D's prior work and/or school history
- ✓ In my jurisdiction the P&P officer makes an actual recommendation as to probation or NOT regardless of the recommended sentences. I would like to see that option eliminated but suspect that this comes from the judges in the jurisdiction and is not part of P&P policy
- ✓ All are important
- ✓ Statement of offense
- ✓ the offender risk score
- ✓ SOCIAL HISTORY
- ✓ Salient factors
- ✓ The details of the present offense, compiled by reading the police reports.
- ✓ offenders version of the offense
- ✓ Rehabilitation scenarios
- ✓ Victim impact; conclusions by probation officer
- ✓ victim statement
- ✓ numerical statistics
- ✓ victim impact statement seems most victims want the death penalty or significant prison time can't the Court just assume this to be true, as a given in each case, but then the Court can continue to strive to arrive at a logical and fair sentence seems that the probation officers spend a large amount of their time during preparing the SAR by interviewing or sending letters to the victims this function is covered already by the victim advocate at the prosecutor's office, why is the probation officer employed to repeat obtaining the same info? why do we need a section of the SAR for victim impact under Missouri law, any victim who is that concerned/involved has the Right to appear in person at the sentencing and speak to the Court so why do we need this within the SAR also ?
- ✓ restatement of the probable cause statement
- ✓ number of misdemeanor convictions
- ✓ official version of the offense, offender's version, static-99 in sex cases (red herring)
- ✓ The conclusion
- ✓ The present offense information and offense summary sections.
- ✓ The scoring on the last page
- ✓ Offense summary

- ✓ n/a
- ✓ In my opinion, the number that assessed the risk assessment is the least important element of the current SAR because I believe every person is their own unique individual and just because statistics shows younger people in general are higher risk for recidivism, this does not mean every young person should be sentenced the same. It depends on the individual persons and circumstances in each individual case.
- ✓ The last page risk factors
- ✓ The views of the person writing the report; i.e. opinions
- ✓ crime victim opinions
- ✓ Their prior criminal history.
- ✓ The section setting out the facts is often inaccurate and provides no information that is not available elsewhere. The victim impact information usually does not provide much information. In many cases there is no response.
- ✓ description of the offense other than the charge
- ✓ restating the report from law enforcement
- ✓ The numeric scoring portion of the SAR remains the least important element. A raw number means very little unless there is weight attached to the components that make up the composite score. Attorneys and judges may put different weight on differing elements of the scoring system.
- ✓ supervision strategies
- ✓ Victim Impact Statement. This is not to belittle it, but the vast majority want the maximum, so how does that clarify things?
- ✓ P&P Discussion of the Criminal History.
- ✓ The Recommended Sentences; the Social History (which often contains ULTRA confidential and private information, including history of child molestation or other abuse the client him/herself may have endured as a child and is generally not only not relevant but brings back horrible memories needlessly;
- ✓ The recommendations. More focus should be on alternatives to DOC, and on mitigating facts and circumstances surrounding an incident and the alleged offender. Too much emphasis placed on the police report as well.
- ✓ Inaccurate social history. No interview of family or obtaining social records.
- ✓ Mitigating/Presumptive/Aggravating. Only because Judges seem to disregard.
- ✓ past criminal history and the recommendation of the officer
- ✓ The report is awfully vague and lacking in much helpful information
- ✓ Municipal convictions should be eliminated from the criminal history. They are not relevant to disposition of state cases.
- ✓ cut and paste police reports or conversations between probation and uncharged victims in the risk section
- ✓ Juvenile record, victim statements
- ✓ THE CONCLUSION IS CONFUSING TO THE DEFENDANT. IT MAY BE HELPFUL TO THE JUDGE, BUT THE PERCENTAGES ESPECIALLY ARE CONFUSING. EVEN MORE SO NOW THAT MOST JUDGES ARE ASKING THE ATTORNEY IF THEY HAVE GIVEN THE DEFENDANT ANY PROMISE OR ASSURANCE AS TO WHEN HE/SHE WOULD BE ELIGIBLE FOR PROBATION OR PAROLE. THE SENTENCING COMMISSION RISK SCORE IS MADE UP FROM 11 ARBITRARY QUESTIONS THAT DO NOT ALWAYS INDICATE A PERSON'S PROPENSITY TO RE-OFFEND
- ✓ For me the list of recommendations for community supervision usually proves to be the least useful.

- ✓ Offender's version
- ✓ the social history end up being the least helpful because of the officers bias that is put into it, often with much more effort being put into the liabilities than the assets
- ✓ I don't believe the report is helpful in getting repeat offenders the help they may need- especially if they weren't helped in the past convictions.
- ✓ The offenders version
- ✓ Social History
- ✓ Probable Cause statement, Static 99, substance abuse scoring.
- ✓ No answer. It's all important. Different cases will focus on differing parts of the SAR.
- ✓ This question would depend on whether you are a prosecutor, judge or defense counsel.
- ✓ Personal history.
- ✓ Social history; narrative about risk factors.
- ✓ All are important
- ✓ The section where the writer simply copies directly from the probable cause statement. Often those statements are not an accurate detail of the evidence and therefore the defense must spend time at the sentencing hearing pointing out how the writer of the SAR was wrong!
- ✓ Official version and offender's version.
- ✓ The numbers, they are never discussed in the County I practice in.
- ✓ Summary of case (P and P just take it from a police report), the last page where the number math occurs (the criteria for determining the number needs to be re-evaluated - e.g. an 17 year old that is still in High School can get a worse number than a career criminal who is in their 50's and yet the judges in my district are more likely to give the SIS to the 17 year old).
- ✓ Proposed conditions of probation, social history that is too long.
- ✓ Offender's version, taken from an interview with probation officer, without counsel present, and then written according to the officer's own bias.
- ✓ No opinion
- ✓ Opinion from the SAR writer. It's too subjective.
- ✓ PO's personal opinion (they put it in there) about whether offender deserves treatment or leniency, suggested sentencing (presumptive/mitigating/aggravating), arrests, risk components & assets
- ✓ The officers preparing the reports are not qualified to properly score the STATIC99, making it irrelevant, and therefore the least important element.
- ✓ The regurgitation of the police reports under the facts of offense summary
- ✓ Each element seems to be informative equally.
- ✓ Itemized listing of the risk components.
- ✓ Stupid percentages and strange numbers and things that NOBODY understands
- ✓ offense summary victim impact (the victim can come to court or submit a statement if they choose, however, the P.O.'s like to paraphrase what the victim told them and it may not always be accurate)
- ✓ Unknown at this time.
- ✓ The risks/assets section is too arbitrary to be of value in many cases
- ✓ miscellaneous data
- ✓ Facts about the crime and Defendant's stmt about the crime. Most lawyers advise their clients not to talk about the facts of the case with anyone other than them.
- ✓ Offender Risk scores
- ✓ Probation officers opinions

- ✓ The following are too lengthy: 1.) Version of events as based on police reports and 2.) Defendant's family history
- ✓ The risk factors and scoring
- ✓ Re-statement of the facts and victim impact. Facts that are common in types of cases (ie. distressed victims in sex cases) are used to exaggerate the negative characteristics of the offender, and distract from the offenders likelihood of success in the community.
- ✓ recommended sentences
- ✓ The Offender Asset and Liability Assessment
- ✓ offender score
- ✓ Employment history, uncharged prior criminal activity, prior charges not resulting in convictions
- ✓ The sentencing recommendation, while important, should only be utilized as one of the factors for the court to consider. I am concerned that the Probation office does not have any significant input from the defense side of the case and certainly not to the extent of its information from the prosecution. There are generally elements which make each case unique and I fear that information getting to the court without this type of information being included, particularly when the court reads this SAR before any defendant sentencing memorandum, might make it more difficult for the court to be as objective as it should be at the outset.
- ✓ risk scores
- ✓ Not sure I could say that any is the least
- ✓ Sentencing recommendations. The Judge is going to do what they believe is appropriate anyway and rarely follow the recommendation.
- ✓ Official version, present offense summary.

Please provide suggestions on how the Sentencing Assessment Report can become MORE USEFUL in sentencing decisions.

Judges choosing to provide comments (optional and unedited):

- ✓ They are a waste of resources. Do away with them and let the elected Judges do their job.
- ✓ Define what is meant when the presumptive disposition is probation and the aggravated disposition is community structured sentencing. What is the difference? Also, when the presumptive disposition is probation, there is nothing to indicate whether that is probation at that outset or probation under Ch. 559 after 120-day treatment or shock.
- ✓ Getting the SAR to the court sooner than later
- ✓ no ideas
- ✓ have a sentencing recommendation that has required some conscious thought, instead of just plugging data into a computer
- ✓ More individualized information as to alternative sentencing or community based programs
- ✓ More information on non-prison alternatives and likelihood of success.
- ✓ Allow the probation officer to make a recommendation as was done before the last change
- ✓ Fix the problem above described.
- ✓ available in more prompt manner
- ✓ Focus on the individual and prepare a recommendation that input information about this defendant and provide an actual recommendation regarding that defendant.

- ✓ let the individual probation officer have some personal input similar to the old PSI's instead of placing everyone somewhere on a grid .
- ✓ Noted above: reduce verbiage.
- ✓ make them shorter and to the point
- ✓ none
- ✓ I already answered this.
- ✓ I would like to have the entire history of this defendant. I mean, I can glean from the criminal history if he has had probation before and been revoked, but I want to know why. I don't want to grant probation to someone who already shows that they can't make it.
- ✓ I would like to have some comparative information. For example, Mr. X has this, this and this as key factors in his history to date. Experience shows that people with this, this and this in their history respond well to X,Y and Z in 65% of cases but, in 75% of cases, they don't do well with A,B and C.
- ✓ As mentioned previously, I liked the old system of having a PO actually give a recommendation on whether they believe someone will be able to complete probation. The POs work with these offenders and know if they are a suitable candidate for probation.
- ✓ I have not sentenced a person in a criminal case without reviewing the SAR for so long I cannot remember. I find the reports very useful.
- ✓ more history about the defendant
- ✓ No Comment
- ✓ Sexual offender SAR's need to be set up differently than for other offenses. At present sex offense SAR's do not account for the nature of the harm done, the risk of recidivism and the mental deviancy giving rise to the offense.
- ✓ Take into account the facts of the case -- if there have been more than one burglary. Follow the law on sentencing recommendations. Don't put in there a presumption of probation when under the law, probation cannot be given (certain sex offenses, ACA, etc.)
- ✓ It's a good instrument
- ✓ Some explanation of exactly what the conclusions are telling us.
- ✓ More community based sentencing alternatives, in detail. More victim impact information -- without recommendations as to length of sentence.
- ✓ I do believe they are useful as a tool in determining the appropriate sentence. Less emphasis on the rightness of the recommendations and more on the aiding of the judge.
- ✓ I have none. I find the SAR to be a very useful tool.
- ✓ I have none.
- ✓ By providing more treatment alternatives for offenders of all crimes.
- ✓ I believe the current reports focus too much on risk and don't even consider the valid sentencing objective of retribution (punishment). All too often the attorneys for the defendant focus all of their attention upon the report and what a good risk their client is. However, what they fail to recognize is that I also consider society's need for retribution. If we could include some measure in the report that would reflect and quantify that need, it would be most helpful.
- ✓ More social history, more program planning for the offender, less reliance on point values and recommended sentences.
- ✓ Allow the Probation Officer discretion to modify the recommendation under certain circumstances.
- ✓ Give us facts without all of the emotion and sentiment.
- ✓ The probability of success on repeat alcohol driving offences makes absolutely no

- ✓ See earlier comments. Also I forgot to say that I always look for and read Victim Impact Statements, which I consider very important, whether in the report or attached as separate statements.
- ✓ More information on victim impact if applicable.
- ✓ None
- ✓ No recommendations
- ✓ I recently learned that prior offenses were not being used to calculate recommended sentences, perhaps on a statewide basis. In one particular case involving a DWI over .18% vehicular manslaughter the first SAR showed mitigating, presumptive and aggravating sentences of 6, 8 and 10 years. The prosecutor's office asked for a correction and when the SAR was redone the recommended sentences were 20, 25 and 30 years. If the proper information is not entered, the recommendations can be way too low.
- ✓ number of pending cases. If Defendant is pleading to more than 1 case at a time (ie he picked up case while on bond) how does that affect the ranges of punishment in the SAR
- ✓ More objective professional input by probation office.
- ✓ Although perhaps not feasible, I would be interested in having data from comparable jurisdictions, i.e. rural vs. urban, etc. The biggest problem I have experienced with the SARs is probation and parole inputting data inaccurately, resulting in inaccurate data on average sentences served prior to parole. For example, I had a case where the mandatory time before parole was 85%, but the SAR said parole guidelines were 45% and the average release time was 80%.
- ✓ I am not unhappy with the current form
- ✓ More information in how the treatment plan is geared to meet needs of the particular Defendant.
- ✓ No suggestions
- ✓ More details about the offender, victim, offense; these details could still be packaged on a chart or graph.
- ✓ Be direct as to the realistic history of the criminal.
- ✓ See earlier responses.
- ✓ no suggestion

Prosecutors choosing to provide comments (optional and unedited):

- ✓ I don't think it can - I think it can be eliminated.
- ✓ a breakdown of the typical sentence the defendant receives by geographical region, the metropolitan areas dilute the sentences too much
- ✓ Calculate likely parole dates based on offense and prior remands so we have a quick glance at what the DOC is likely to do at the present time. Need more intelligent assessment of sex offenders. The static-99, described to me by some as the current state-of-the-art, is such a no-brainer that it hardly seems necessary to have professionals employed to administer it. Most of my sex offender cases involve people with little or no prior criminal history. Therefore, per the Static-99 calculations, since they have not had 3 prior rape convictions or some other such thing, they are called a low risk offender, even though the current investigation may have involved multiple victims and numerous, even scores, of unlawful incidents. We used to have much more in-depth pre-sentence testing of these offenders in terms of their tendencies and risks of

reoffending. Now we are operating blindly and cannot often separate the real pedophiles and predators from what I'll call the one-time screw-ups

- ✓ Redefine recidivist-related offenses. It is a meaningless term to me, when, e.g., the only way to become a felony DWI offender is by being a recidivist DWI offender and this is not a recidivist related offense. Enhance the offender version by probing the offender on what led up to the commission of this crime
- ✓ The report needs a paragraph from the Probation Officer giving a specific recommendation based upon the facts of this specific case. It is especially helpful when the probation officer who has actually talked with the defendant is giving details and recommendations
- ✓ Go back to what an SAR was suppose to be - basics. The SAR has become the former PSI. Just give us the facts, criminal history, some (limited) social history, and I am set
- ✓ Again, I'm not sure the document is the problem. The problem is the sentencing guidelines that are much too lenient in my opinion
- ✓ Get rid of sentence recommendations.
- ✓ removing the sentence ,recommmendations, adding more victim information, adding more specific information regarding availabel community programs, actually available in the jusisdiction
- ✓ go back to an optional PSI
- ✓ The form has no use in my sentencing decisions. I make recommendations based upon the facts in the case, the seriousness of the crime, my personal knowledge of the defendant,the effect of the crime on the victim, the standards in our community and expectations, my community has about dealing with criminals. My community should not be forced to deal with local criminals the same way that a large metropolitan area deals with criminals
- ✓ I don't have an opinion on how to improve the SAR
- ✓ More victim impact info.
- ✓ Drop the recommendations
- ✓ Give probation officers more discretion in giving their honest opinion about whether the defendant a) deserves probation and b) can succeed on probation. 2. If the risk assessment in retained, place more emphasis on the defendant's criminal history. 3. Make probation the rare exception for a) those with a prior felony conviction or felony guilty plea, and b) those convicted of class A and B felonies
- ✓ recommend more realistic sentencing recommendations based upon the information contained in the reports or explain how they weigh the different variables, because often the recommended sentence makes no sense in light of the factors listed throughout the report
- ✓ Go back to the Pre-Sentence Investigations that were conducted 10-20 years ago.
- ✓ Let the judges sentence the offenders under the statutes provided by the legislataure. Tell the DOC to provide security for us and rehabilitation of inmates when they can. Send the SAR commission home and have them return to discuss the actual necessity of replacing the SAR/PSI after they have housed a probationer or inmate in their home for 90 days. In the future, if parts of the state have judges that are sheep in their sentencing, let their constituents vote them out when they are weak on law enforcement. Oh, forgot about St. Louis and Kansas City (maybe Springfield) where they are appointed. The people of those cities are just screwed when it comes to the probability of a getting a good jurist who will actually protect his or her city, county, or neighborhood. Like bugs will run to the dark, criminals will move to where the crimianl tax is lower for their conduct
- ✓ don't know how to get some real comparison due to many variable facts. Let judges judge!
- ✓ become none existant

- ✓ I believe that judges want to have more information about this particular defendant and crime victim, rather than statistical information on how much time a defendant will serve on a sentence
- ✓ Have qualified officers make recommendations based on personal training and experience in light of the community standards of our area
- ✓ Eliminate probation as a possible sentence for Murder 2nd degree. Fortunately, I am mostly satisfied with the SAR format.
- ✓ Just the basics, such as the offender's version of the case, his criminal history, suggestions for conditions of probation if granted, programs in DOC if sent, and percentage of time on DOC sentence. Most of the rest is useless especially the recommended sentences. Get rid of the sentence recommendations
- ✓ It can not be done. Return to the old PSI's give the judge the information he needs to make an informed judgement that meets community standards
- ✓ The Judges have the benefit of blaming the report when they don't want to be harsh on the defendant and use it to look good by being a little tougher if the report is too light
- ✓ repeal the law setting up the sentencing guidelines commission and get rid of the sars. the psi was more useful
- ✓ As previously stated, it can go back to the PSI format, perhaps with additions such as average sentence statistics, or it can go the way of the Federal Sentencing Guidelines
- ✓ If it is going to have a recommendation it needs to be serious and actually put people in prison and have consequences not only if it is the Defendant's 20 time being in trouble.
- ✓ Provide more detail on sentencing alternative to non-violent property and drug crimes. Eliminate recommended sentences.
- ✓ Need a comment section for the probation officer preparing the report wherein we can be advised of additional factors deemed important by officer. No sentencing recommendations in that I don't care what other people in other counties do. Provide details about the offender's performance on previous bouts of probation and during any periods of incarceration.
- ✓ PSI's were prepared by humans, SAR's are prepared by number-crunchers w/ no discretion to make any recommendation except as strictly consistent with the numbers. Let the PO's be human again. Not every crime is the same.

Defense Attorneys choosing to provide comments (optional and unedited):

- ✓ tell whether or not the person can be successful on probation because that usually what we're trying to get them.
- ✓ Get them out quicker, streamline them to contain relevant data only
- ✓ need some way of getting Judge's in rural areas to follow them rather than ignore them. because right now still disparity between urban and rural sentencing
- ✓ Take into consideration what the prior charges were in each individual case.
- ✓ Provide available bed dates for drug treatment programs
- ✓ It is essential that probation officers do not use crimes for which people have not yet been convicted as the basis for counting the person as having a prior conviction. In our area, officers are counting a crime to which the defendant has entered a guilty plea but has not yet been sentenced, as a prior conviction. If the person pleads on the same day to 2 different crimes, the officer does not count either as a prior conviction. If the person pleads to one crime and then pleads (THE NEXT DAY) to another, then the officer is counting one as a prior conviction.

- ✓ More personal history. Probation officer recommendation.
- ✓ The term Community Structured Sentence is code, a term of art used by folks in Probation & Parole. To people uninitiated in the inner workings of P&P, it sounds like something to be -- in the community. Yet, it instead appears to refer to programs like Institutional Treatment Center, Shock Incarceration Program -- that occur inside DOC walls. Thus, the term confuses. Perhaps an asterisk and footnote could be added: *such as ITC or SIP, followed by probation to clarify the meaning of Cmty Structured Sentence. Criminal history is often cluttered with trivial offenses like running a stop sign, improper lane, and other criminal minutiae. Perhaps the Local jurisdiction offenses could be omitted. Limit the criminal history to felony pleas or convictions only, or to any offenses originally charged as felonies even if they later got resolved as misdemeanors, or only to Class A misdemeanors and higher.
- ✓ The writer of the SAR needs to state why they are recommending or not recommending probation. It's not uniform. Maybe a checklist would help. For example, recently a client with 1 prior felony (completed probation successfully) and a new drug charge, the writer recommended against probation even though the offer was for probation and drug court. The writer did not state why he was recommending against probation even though everything in the report said he should get probation. The writers need a checklist of why there are recommending probation or not when it the recommendation goes against the report.
- ✓ If make a recommendation, explain why that's the recommendation.
- ✓ treatment section (treatment received and treatment available) mental health section (separate from background)
- ✓ It seems to me MDOC has a magic machine inwhich they put a defendants information in when the defendant arrives at reception and diagnostic. As a 5th year public defender, I still cannot figure out how MDOC determines a parole date. It has gotten to the point that I tell all my clients to call me when released from MDOC just so I can advise future clients of how much time they may actually serve. I have some client released almost immediately when I thought they would have a long time to serve and other clients who stay much longer then I ever imagined. The one thing that should be fixed on a SAR is that an actual time served number should be on the SAR. Basically telling the Defendant, If you go down to MDOC, behave, take some classes (GED, Drug/AL2) you will be out on this date. I know jail credit would be an issue, however the SARS writer can get that info or the Parole date could be reduced by the days of Jail Credit. The uncertainty on the amount of time locks up the system. My clients do not want to plead guilty because of this uncertainty.
- ✓ Get Judges to follow the recommendations
- ✓ For better or worse, put the recommenation at the beginning of the report, keying specific findings with findings in the remainder of the report. Let the judge know upfront what the conclusion is.
- ✓ Get rid of Static 99 unless the state can find honest people.
- ✓ conditional release dates time served by similar offenders
- ✓ More consistency from jurisdiction to jurisdiction, availability of more community base programs, more emphasis regarding how long the prior offenses took place.
- ✓ #6 on the itemized listing, whether the offense is recidivist related, is a pretty stupid.. it unduly penalizes burglary, robbery and stealing a motor vehicle, and it boosts the scores of the other offenses by comparison
- ✓ Would like to see the research findings underpinning the items that are reviewed and scored.
- ✓ If the judges in our circuit would follow the presumptive recommendations

- ✓ Stop talking about family that is in/has been in prisons. Instead, actually print something about the person being interviewed. Individualization takes greater time but is of greater value.
- ✓ It seems like the old PSIs had more information about the defendant as a person and I liked that. The new format tends to dehumanize our clients and widdle them down into just numbers. We need to remember that most of our clients end up in these positions after a lifetime of problems that led them here so I think the social history is very important and there could be more of it.
- ✓ P & P does not accurately administer or score the Static 99. I would be very much in favor of using psychologists to administer this (and other) tests to determine risk on sex cases. I would like to see a separate section dedicated to aggravators and mitigators (as I mentioned earlier).
- ✓ More effort in assembling information that is not part of the public record, especially mental health information and family background information.
- ✓ provide probation options without a prison option.
- ✓ When the SAR recommends probation where probation is not available under the law (usually because there is an ACA), judges and prosecutors tend to disregard the entire report. These recommendations are unhelpful
- ✓ Eliminate sections that lend themselves to argument by probation officers. 2. Primary focus of SAR should be verifiable data
- ✓ Maybe more alternative sentencing ideas
- ✓ less room for officers personal opinions, make the recommendation the actual recommendation of P&P, explain the likeliness of being successful in the community (don't just give a number).
- ✓ Do away with the juvenile history questions. In my experience the juvenile crimes are guilty until proven innocent. Those convictions mean nothing. I've worked in areas: Poplar Bluff, Farmington, and Hillsboro where the juvenile confesses their crimes and get to go home. If they fight, they sit in a small jail cell being allowed one hour of freedom a day. (hillsboro). This encourages a confession and nothing else. Why even ask about this on the SAR?
- ✓ less emphasis on the risk assessment score and more emphasis on programs available within the community that could serve as alternatives to incarceration.
- ✓ Again, use of experts
- ✓ A new supreme court rule should be entertained that will order the sentencing judge to consider and follow the recommendations presented unless there are tangible aggravating factors.
- ✓ If judges would actually follow them so there would be consistency in cases.
- ✓ Include an analysis of defendant eligibility for alternatives as noted in the MDOC publication, Supervision Strategies and Treatment Alternatives . If treatment is an alternative, include appropriate bed date availability.
- ✓ previous suggestions, subject of course to the availability of strategies/programs instead of or in combination w/ incarceration.
- ✓ I think that the Offender Risk Components section could be re-vamped into a more useful and fair points system.
- ✓ More neutrally written. I hate when a SAR writer recommends against probation because of the nature of the case (usually sex), and not based on facts/criminal history.
- ✓ Depending on who the SAR writer is, many inappropriate and prejudicial items are often included. It appears as though some SAR writers believe it is their purpose to make sure defendants get the worst possible outcome. Others are much more fair in their assessment. I believe that extensive training for SAR writers is necessary.
- ✓ less attention on municipal charges
- ✓ adding a component for impact on victims

- ✓ Develop programs and meaningful sentencing alternatives and then recommend them.
- ✓ More emphasis on criminal history and less emphasis on personal history. I would like to see more options for indigent clients who cannot afford some of the community based options that are recommended.
- ✓ Provide more mitigation. Consider the mitigation when making a recommendation.
- ✓ As I listed earlier, if the PO is going to do a social history and/or record information outside of just priors/arrests, such information should be reflected in the actual sentence recommendation instead of listing the same numbers that come from just punching in numbers online.
- ✓ A more substantial recommendation on term that ought to be served. The SAR just lists a set of ranges.
- ✓ Some statistical information in the guidelines section regarding numbers of cases statewide of particular offense type and graphic/chart depiction of range and average (mean, mode, etc.) dispositions would be helpful. Though not mandatory, judges often look at the mitigating, presumptive and aggravating information with a skeptical eye, as though someone is trying to limit them. Depictions of a range and modalities would potentially be helpful in analyzing a particular case and sentencing decision.
- ✓ less subjective; more objective
- ✓ Get rid of the percentages at the end.
- ✓ Keep it objective and develop methods to prevent great deviation from its conclusions
- ✓ Don't ask questions about juvenile convictions Don't screen unless part of recommendation Keep social background brief Don't recommend added conditions unless they are necessary (i.e. refraining from alcohol for someone who has never shown a problem with alcohol)
- ✓ The recommended sentence section either needs to be eliminated, or the judges need to be educated on the problems with the section. Judges in Jackson County are clueless that the report doesn't even take into consideration the number of charges that the defendant pled to, nor the impact on the victim.
- ✓ As before, include an opinion paragraph. Abandon the risk assessment as it is not helpful to anyone and a more detailed social history that may help explain how a Defendant found themselves in this situation
- ✓ It needs to be dryer. P&P is now able to put too much personal opinion in it. Also, if someone had a job when they were arrested and do not have it anymore because they have been in jail for months, they should get a point for the job
- ✓ Needs more discussion about the social history.
- ✓ The problem isn't the SAR. The problem is the Department of Probation and Parole has too little resources to be effective. So courts are less likely to place offenders on probation who would benefit from it.
- ✓ See earlier comments
- ✓ again, mental health side of all is needed. harm to society now and future.
- ✓ It would be useful to consider old convictions (meaning 10 or more years old and offender hasn't been in DOC or on probation or parole in that time period) differently for the purpose of sentences. Someone may have 3 felonies that he pleaded to 20 years ago that all happened around the same time. Once guidelines are ran, this offender looks the same as someone who's lead a life of crime spread throughout the past 20 years. The probation officer/report writers should not have a bias against the defendant who's having the report written about him- or a personal feeling about the crime which comes out in the SAR.
- ✓ Tell the Probation Officers it is not their job to be a prosecutor and advocate for prison time in every case.

- ✓ getting the judges to listen to them more than they listen to prosecutors, which I realize is out of your hands
- ✓ The SAR offender scoring system should not take the offender's age into consideration. This serves as a bias against younger individuals.
- ✓ greater effort needs to be made to document mitigating information provided by the offender.
- ✓ by providing more specific alternative placement options
- ✓ Add suggestions for alternatives. For example recommendations for drug court, DWI court, mental health court, etc...
- ✓ If it would take into account priors on more of a case by case basis, it would be useful. As of now, someone can have a level IV with nothing but criminal non support convictions. The SAR does provide a criminal history, which does help, but the whole thing usually seems impersonal and robotic, which is why I believe the judges often ignore it.
- ✓ Feel more time and resources should be devoted to the defendant's mitigation history.
- ✓ NOT SURE
- ✓ Have them completed by neutral people with social work backgrounds. Probation officers have a vested interest in seeing more offenders incarcerated and skew the reports toward the negative.
- ✓ I don't have any suggestions that I can think of at this time. I study the SAR before sentencing, and I make arguments whether I agree or disagree with the SAR writer, based on the written report. I believe the majority of the SAR's that I have studied are very useful for the Court.
- ✓ none
- ✓ I would think that for first time semi-violent and especially non-violent offenders that there ought to be more thought put into viable alternatives to incarceration in MDOC and/or MDOC programs. There seems to be a much higher recidivism rate for folks that go to prison. I'm not talking about a cake walk, but I can say that there are a number of programs in St. Charles County that have greatly benefited numerous defendants who would have otherwise been subjected to hard time. Moreover, I believe that more reliable work release systems as well as home monitoring systems should be used with counseling programs that are not run by private practitioners motivated by profit. However, on the other hand, I think that there also needs to be a closer monitoring of SAR writers so as to lessen the disparity of certain probation officers to have not only a proclivity, but an affinity for scrutinizing and even being extremely punitive toward certain offenders. The statistics in this county speak for themselves, so I don't think I'll name names
- ✓ If it is common, prevent prosecutors from stating as a condition that the probation officer add a recommendation. It was understood that the removal of that subjective element was one of the goals of the SAR.
- ✓ Condense the information--only need 1 page maximum of information.
- ✓ expand on personal history information and quantify this into determinations tendered
- ✓ see above comments about more evaluation of the employment plan and the home plan shouldn't the probation officer on this specific SAR be more concerned about whether this defendant, with this specific plan, can realistically make a term of probation work out successfully ?
- ✓ The SAR does not assume a situation where the defendant picks up multiple cases at the same time when it evaluates the presumptive sentence
- ✓ Be more specific on first time and non-repeat offenders. Community Structured Sentencing is too vague. if the defendant should get a 120, suggest a 120. If they should get an SIS with

probation, then suggest it. The guidelines are clear on the upper range of punishment. They should be equally as clear on the lower ranges.

- ✓ Encourage the judges to actually follow the recommendation. Judges tend to ignore the bulk of the report and focus only on prior criminal history.
- ✓ More information could be provided about treatment and alternative sentencing available. SARs often seem to emphasize punishment and de-emphasize the options available for rehabilitation.
- ✓ Usually the recommended sentences do not take into account special sentencing provisions such as 85%
- ✓ n/a
- ✓ I suggest that the SAR be more individually structured for each individual case. I realize that this would take more resources and manpower, but these are people whom we are dealing with, not numbers!
- ✓ Structure the criminal history portion so that a guilty plea in one case does not count as a prior in the SAR on another case if the two cases exist contemporaneously and one just happens to result in a plea before the other.
- ✓ Anything that would provide an alternative to incarceration for non-violent offenders including pornography offenders.
- ✓ liked old PSI format
- ✓ more ideas/alternatives for judges to consider when determining sentences
- ✓ There should be more effort into focusing on the needs of the offender in order to ultimately provide the greatest benefit to society.
- ✓ Teach the PAs how to use the on-line version. Provide more information on the defendant's present- it focuses a lot on the past Criminal history, work history, etc. but what about what is going on right now. Most reports and POs seem to just write a little about this. Whether or not the person gets prison or probation is going to make a big impact on right now.
- ✓ It needs to incorporate the deal that has been struck between the State and Defendant. If the lid is 8, why get back an SAR that recommends 12. That's useless.
- ✓ Make recommendations according to sentencing guidelines and exclude the discussion of prior criminal history and risk to the public. Stop injecting the officers feelings into the report.
- ✓ See previous answer.
- ✓ To the extent community strategies/alternative sentencing options are available and /or recommended, the SAR could explain the option in more detail and give the benefits of such a disposition. If they are simply mentioned, Judges seem more likely to disregard.
- ✓ separate actual crimes from status crimes, such as possession of drugs, non payment of child support, failure to return rental property etc.
- ✓ The previous PSI was a much better tool
- ✓ They should be sent directly to the attorney vs. through the court clerk. Having to wait for the clerk to forward the SAR results in unnecessary delays & sometimes prevents the attorney from receiving the SAR prior to the sentencing hearing. The earlier the attorney can receive the SAR, the more productive the sentencing hearing.
- ✓ more info about offenders, ie. goals, better social history, stressors.
- ✓ IT SEEMS TO BE SKEWED TO SHOW EVERYTHING BAD ABOUT A PERRSON. BUT I GUESS THAT IS WHAT THE DEFENSE ATTORNEY IS FOR, TO TELL THE COURT ALL THE GOOD THINGS ABOUT A CLIENT AND WHY THEY SHOULD BE SENTENCED A CERTAIN WAY.
- ✓ better explanation of what is recommended when it suggests community structured sentencing.
- ✓ Change the Risk Assessment Factors to become more relevant

- ✓ more accurate time to be served percentages based on the statutes, and writers better trained to be unbiased in their assessment
- ✓ Although some judges in my metropolitan area do give a lot of consideration to the SAR, most pay little attention to it. Acceptance by the prosecuting attorneys would make a big difference. Most have this idea that the Sentencing Advisory Commission is some outside group of lenient do-gooders. I think the absence of a probation officer, preferably the one who prepared the report, is a substantial problem. The judges don't like not having anyone present and it is easy for the state to argue like it's just another piece of paper to go along with the character letters the defendant's family wrote..
- ✓ More detail on alternative community alternatives
- ✓ More individualized treatment/sentencing plans
- ✓ They always contain only negative information particularly when the Probable Cause statement is relied upon. I think that the SAR should include talking to friends and relatives and looking at the accomplishments of the defendant. It would at least make it appear that the Reporter is not so biased and give the Judge an idea of the likelihood of success in the community.
- ✓ See prior comments.
- ✓ I think that more alternative programs would be the best way to improve the SAR. But, if the area does not have the programs available then the SAR cannot include them.
- ✓ Until the sentencing guidelines are made mandatory, the majority of circuits don't even pay them lip service when presented by defense counsel during sentencing arguments.
- ✓ A requirement that judges follow the sentencing recommendations. If not followed a judge should be required to specify why he/she deviated from the recommendation.
- ✓ Comparative cost effectiveness information for various sanctions.
- ✓ I don't know.
- ✓ Get the Judges to follow them. If the goal is to provide more uniformity in dispositions among the Counties across Missouri, then get the Judges to follow the SAR. In my County, they don't pay much attention to it. Some of the conservative minded Judges simply don't agree with any of the SARs or the theory behind it.
- ✓ Forget the numbers section. At least the judges in my district don't care about them. Include what the community based options are. Include mitigating factors if there are any. Include if a specialty court is appropriate.
- ✓ Let P&P recommend for and against probation.
- ✓ Neutrality would help create a much more useful tool. Since the probation officers, who also supervise the defendants, are the persons writing the SARs, their bias comes through in the writing. If a third party wrote the SARs, or a probation officer who did not actively supervise the defendants, then maybe some of the bias could be eliminated. Also, with the SARs I read, there is not a lot of attention spent on the offender risks or the community strategies available, and certainly nothing about alternative sentences. They are regurgitations of police reports, opportunities for the victim (or family member) to slam the defendant, minimal offender version (often including side notes from the probation officer stating that the defendant was lying or his/her version is impossible), and then a range of punishment. Also, the Prosecuting Attorney in my county so despises the SAR recommendations that he has significantly reduced his willingness to allow open pleas with SARs. Also, he always argues for the highest recommendation or for something beyond the SAR which reduces its usefulness.
- ✓ No opinion
- ✓ If Judges and prosecutors respected the reports and followed the sentencing recommendations.

- ✓ much more basic. list the range of punishment. put bed dates on there. discuss what the person qualifies for. keep po's personal opinion out of it. get out of the way and let the lawyers and judges do their jobs
- ✓ In criminal history, show complete DOC history i.e. incarcerations, paroles, revocations, etc.
- ✓ More info about defendant's ability to successfully complete probation or defendant's ability to fail.
- ✓ Figure out how to get more buy-in by prosecutors and judges. I practice solely criminal defense, and I have never had a judge or a prosecutor even mention the Advisory Sentencing Recommendations. In my experience, judges use the SAR in exactly the same way that they used to use the PSI. They absorb the information about the defendant and the offense and either follow the plea agreement or sentence according to their own idea of what the punishment should be. In short, they are largely ignored, except by defense counsel when they support the defense's requested sentence.
- ✓ Slim it down. Needs to be more objective. Focus more on the Long-Term treatment of the person
- ✓ I have already made those suggestions
- ✓ Unknown at this time.
- ✓ Judges should rely on the assessment more than the prosecutor's recommendation in a case
- ✓ have clarification as to the strength of the recommendation
- ✓ Be more thorough in Defendant's history. More ideas for alternative sentencing.
- ✓ Present more options for non incarceration sentences. There are programs that newer attorneys do not even know about that could be more appropriate.
- ✓ I find the score at the end to be useless as it does not take into account what Defendant has done SINCE the criminal event and docks the individual for age and lack of education (even if the Defendant cannot provide proof of GED or is working on GED currently).
- ✓ Include more investigation of the social history of the offender as included in the previous Presentence Investigations. Recommendations should be made by the probation officer based upon his/her investigation of the needs of this specific offender. Available services for the offender if allowed to remain in the community should be specifically identified.
- ✓ well, i'm not always sure i want it to be more helpful, because sometimes the report makes things worse for my clients. But, I would like for the courts to have more respect for and belief in the time actually served and know about the board's actual policies. i had a court sentence a young man to 2 years, and i believe the court thought he would parole in about 4 months. in fact, they kept him an entire year because the board has this rule that invol man 2 is a violent crime ergo they have to do 50% before they are even eligible for parole. i liked the old PSI s that had MORE social history type info. I am ok with the computer generated guide, but i like the more extensive social history like they used to do.
- ✓ For the substance abuse scale, suggest community options, such as a 21 day treatment program.
- ✓ If the STATIC 99 is used, SAR's should be more proactive about recommending the SOAU. The release from the program should be at DOC's discretion and only based on bad behavior or failure to complete the program, not based on victim impact.
- ✓ Somehow encourage the judges to follow them more closely and also to have Probation and Parole actually make a recommendation
- ✓ expanded liabilities/assets sections
- ✓ Short of adopting an advisory guidelines system, like, e.g. Minnesota, can't think of any.
- ✓ Again, I would like to see the opportunity to address certain elements that might be useful to the probation office at an earlier stage. I guess the concern would be the already overly

burdened case load of the staff at that office who would then be looking at the preparation of two reports, a first draft and then a final one. I have not thought this through but would hope that some resolution allowing for this prior to my doing it the first time at the sentencing hearing or after the SAR has been already finalized so that it appears my suggestions might be at odds with the probation office, when, in reality, there might be times that they were not aware of certain factors! Anyway, you asked.

- ✓ Take into account factors unique to a case or charge instead of solely basing it on the charge and the other factors.
- ✓ Suggest that offenders and their attorney prepare the offender version and let that be in the report, or permit attorneys to attend the meeting for preparation of the report. It is always done in federal court.
- ✓ More thorough social history.
- ✓ Too much re-typing of info in the police reports. The recommendation from a PO who knows what he or she is doing is invaluable but it seems P & P decided to go with standardization.