

Effective 1/28/16

PSI PROCESS for LOW RISK OFFENDERS

AP&P will provide a modified PSI (Sentence Memorandum) to the court for certain low risk offenders prior to sentencing in the following circumstances:

1. Class A and above person offenses listed in Addendum B to the Sentencing Guidelines, except that sex offenses will continue to receive a full PSI;
2. DUI offenses within the scope of UCA 41-6a-505(3);
3. When the court determines a PSI is warranted for reasons stated on the record, taking into account that, “[i]f an offender is identified as low risk on the LSI-SV, a full risk assessment is generally not warranted . . . as supervision services should generally not be targeted towards low risk offenders.” 2015 Adult Sentencing & Release Guidelines, p. 11.

PROCEDURE

1. The LSI-SV should be administered as soon as possible after the court submits a referral to AP&P, until the counties begin administering the screening and reporting the results to the court.
2. If the person is screened or assessed as low AND meets one of the above criteria (person offense; DUI; or other reason stated on the record) AP&P will prepare the Sentencing Memorandum.
3. If AP&P recommends that a PSI or supervision is not warranted because of a low risk screen *that does not meet one of the above criteria*, it should notify the court promptly after the screen is administered.
4. If the court determines that a PSI is needed, it will notify AP&P.
5. If a judge has a concern regarding a PSI report prepared by AP&P based on either the judge’s review of the report or a concern raised by the prosecution or defense, the court should notify AP&P of the concern. AP&P should promptly provide a response.

If AP&P determines that the original report is correct and complies with the guidelines, AP&P will explain its reasons to the judge and no further reports will be provided. The judge may make a determination of relevance and accuracy on the record.

SENTENCE MEMORANDUM

TO: JUDGE
FROM: , INVESTIGATING OFFICER
ADULT PROBATION AND PAROLE, REGION
DEPARTMENT OF CORRECTIONS

DATE: 00/00/2016

OFFENDER #:

RE: LAST NAME, FIRST NAME

DISTRICT - CASE#: OFFENSE:

Per the request of the court, the following is submitted for your consideration:

FACTUAL BASIS: *(this section should include the factual basis statement in the defendant's plea agreement, or provide a brief summary of the offense)*

VICTIM IMPACT STATEMENT & RESTITUTION:

CUSTODY STATUS:

CRIMINAL HISTORY:

JUVENILE RECORD:

<i>Date</i>	<i>Agency</i>	<i>Offense</i>	<i>Disposition</i>

ADULT RECORD:

<i>Date</i>	<i>Agency</i>	<i>Offense</i>	<i>Disposition</i>

PENDING CASES:

PROBATION/PAROLE HISTORY:

EVALUATIVE SUMMARY: *(this section should include the risk/need assessment category and a summary of any problem areas / strengths)*

RECOMMENDATION:

It is respectfully recommended by the staff of Adult Probation and Parole, that the defendant be placed on probation with __ , and the following conditions be ordered:

Respectfully Submitted,

, INVESTIGATING OFFICER

Approved,

, SUPERVISOR

Attachments: *(include any applicable guideline forms)*