

The System at 100

John J. Fitzgerald

*Chief, Probation and Pretrial Services Office
Administrative Office of the U.S. Courts*

ON MARCH 4, 1925, President Calvin Coolidge signed into law the Probation Act of 1925, which not only authorized federal judges to impose a term of probation in lieu of a term of imprisonment but also created the federal probation system. This was the culmination of decades of attempts, mostly from federal judges, to secure this kind of authority. The federal probation system was originally placed under the control of the attorney general, and later under the Federal Bureau of Prisons. In 1940, it was moved to the federal judiciary following the creation of the Administrative Office of the U.S. Courts (AO). In the years since its creation, what eventually evolved into the federal probation and pretrial services system has experienced significant change. In 1930, it was charged with supervising federal parolees. Later it was given responsibility to supervise federal juvenile delinquents. After World War II, the system assisted in supervising military parolees. In the 1980s, Congress authorized pretrial services and supervised release. The system's workload, staffing, and complexity have all increased over the past century.

The centennial of federal probation marks a good opportunity to take stock of what has been accomplished and where the system needs to go. Twenty-five years ago, federal probation and pretrial services undertook a strategic assessment, the recommendations of which have shaped many of the major initiatives that have been implemented since then, including: (1) the creation of a national training academy, (2) the creation of a data-driven business intelligence platform, and

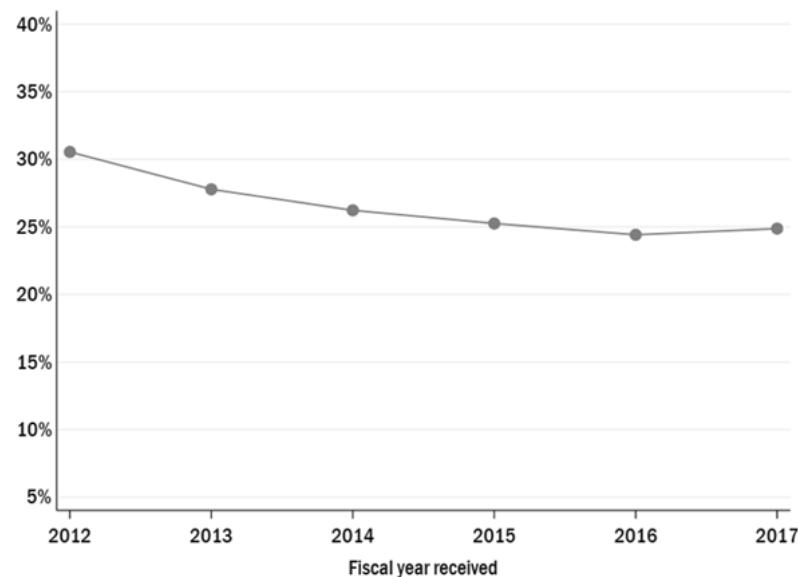
(3) the adoption of evidence-based practices to reduce recidivism. While much progress has been made on these and other initiatives identified in the strategic assessment, much remains to be done. Additionally, changes in the law and technology (among other areas) have emerged since the completion of the strategic assessment. In this article I highlight some of the issues facing today's federal probation and pretrial services system using the framework established by the strategic assessment. I offer possible pathways to pursue

and raise questions for system leaders and stakeholders to ponder. Considering these recommendations and questions will help our system plan for success in the years ahead.

What are the mission-critical outcomes that the system should be striving to achieve?

The central recommendation of the report on the strategic assessment was to become a results-driven organization with a comprehensive outcome measurement system. In

Figure 1. Overall Arrest Rate Over Time



Notes: This figure graphs overall rearrest rates within five years by supervision start year. For an individual to be included in the analysis, a five-year observation period must be available, meaning supervision must have started prior to September 30, 2017.

response, the federal probation and pretrial services system set out to identify what its desired outcomes should be. In post-conviction supervision, recidivism has been the benchmark metric. While the federal recidivism rate is below state and local community corrections programs, more can be done. After years of steady decreases in recidivism, recently the trend has shifted. What is causing/contributing to this change in the trend? What can be done to return to the downward trend?

Some have raised questions about whether all revocations should be viewed as unsuccessful outcomes. While a revocation reflects that the person under supervision did not desist from criminal or other prohibited conduct (as defined by the court-ordered conditions), should the detection and disruption of that criminal conduct be viewed as a positive outcome from a public safety perspective?

The federal system has been careful in its use of revocations. Officers manage non-compliance using a variety of interventions, including reviewing the conditions with the person on supervision, clarifying instructions and giving warnings, adjusting testing and treatment regiments, and stepping up oversight as needed. Officers often notify the courts of noncompliance without recommending any court action. When needed, officers may seek modifications to court-ordered conditions to address emerging needs. When all else fails, and when public safety is at risk, officers will seek a summons or warrant for the arrest and revocation of the term of supervision. Despite concerns by some that revocations of supervision for technical violations of conditions are rampant, an analysis of revocation data by the AO does not support these claims. In fact, very few people on supervision are revoked and returned to imprisonment simply for a technical violation.¹

In pretrial services, the desired outcomes are tied to the goals of the Bail Reform Act, which seeks to reduce the reliance on pretrial detention while ensuring the safety of the community and the defendant's appearance in court as required by the judge. Pretrial supervision outcomes are excellent. Overall, the system achieves over a 90 percent success

rate, and even the highest risk cases succeed 75 percent of the time. However, the release rate remains stubbornly low and, despite some improvement in recent years (attributable to the COVID-19 pandemic), the release rate trend is declining. What is causing/contributing to the decline in release rates? What can be done to safely increase release rates? Should the probation and pretrial services system limit its focus on recommendations for release, since that is within its control? Should the probation and pretrial services system take a more active role in persuading judges to release more defendants when it is safe to do so?

A substantial part of the work of the probation system is conducting presentence investigations and writing presentence reports. What metrics should be used to assess the success of the presentence function? Judicial satisfaction with the reports? Accuracy in calculating the guidelines? The degree to which information is corroborated and verified? How useful officers' sentencing recommendations are? Surveys conducted by the AO over the past several decades continuously show high satisfaction with the reports, with less reliance on the overall sentencing recommendation, but higher reliance on the recommendations related to supervision terms and conditions.

To become a results-based organization, the probation and pretrial services system needs to be able to draw not only from research literature that demonstrates "what works" in reducing recidivism, but also on the skills and resources to implement this research with fidelity. Additionally, in some functional areas—such as pretrial services supervision—the existing research literature is insufficient or inconclusive. In such instances, the system must use sound methods to design, pilot, and study the effectiveness of its own initiatives. Questions arise about how best to carry out this work. The AO has staff capable of doing so, but their bandwidth is limited. Previous efforts to collaborate with districts to pilot and study innovations have proven challenging. Entities like the Federal Judicial Center (FJC) are available to conduct research requested by the Judicial Conference, but the FJC's capacity is also limited. The system should explore ways to build a more robust research program by expanding internal capacity, developing partnerships with other agencies and academia, and contracting for services when necessary.

Is the federal probation and pretrial services system properly resourced to achieve mission-critical outcomes?

Annual budget requests consistently seek funding below 100 percent of the staffing formula requirements. In most recent years, the requests have not exceeded 90 percent of full staffing formula requirements. Based on available resources (including appropriations, fees, and carry forwards), recent years have resulted in significant reductions to full-formula allotments.

As of April 30, 2025, the staffing formula called for 9,077 authorized work units (AWUs), but there were approximately 7,700 on-board staff. For the same period, the staffing utilization rate compared to the staffing formula was 83 percent. There were 33 offices with staffing utilization rates below 80 percent. A few offices had rates as low as 66 percent. There were 38 offices with staffing utilization rates at or above 85 percent. The staffing utilization rate compared to funded positions was 92.2 percent. What should the target staffing utilization rate be? Should it depend on the size of the office (i.e., the number of AWUs)?

Late appropriations and final financial plans have a chilling effect on hiring and spending and result in excessive surpluses and funds not being used to meet operational needs. Budget execution rules do not currently promote hiring during continuing resolutions or at the end of fiscal years, as the risks associated with these decisions are borne by the district alone. Could the AO find ways to share the risks with the districts to promote hiring throughout the year, so that staffing levels would increase and surpluses would decline?

The ability of the AO's Probation and Pretrial Services Office (PPSO) to support the system is impacted by limited resources. The office has about 75 full-time staff to support the roughly 7,800 probation and pretrial services employees. PPSO relies on more than 50 temporary duty assignments (TDYs) and

Table 1. Financial Plan Reductions

Fiscal Year	Financial Plan Reduction
2020	-9.4%
2021	-11.5%
2022	-13.0%
2023	-9.6%
2024	-7.4%
2025	-10.9%

¹ Cohen, Thomas, "Just the Facts: Revocations for Failure to Comply with Supervision Conditions and Sentencing Outcomes" (June 14, 2022) (available at: <https://www.uscourts.gov/data-news/judiciary-news/2022/06/14/just-facts-revocations-failure-comply-supervision-conditions-and-sentencing-outcomes>).

detailees to carry out its work. While PPSO benefits from the “boots on the ground” perspective, the temporary nature of this staffing augmentation presents risks to the program’s success. Compared to similar organizations, PPSO’s staffing is dangerously low. For example, the BOP has over 2,000 staff in its Central Office supporting 32,000 employees across the country. That is a staffing ratio of 1:16. By comparison, PPSO’s staffing ratio is 1:100. What should PPSO’s staff size be? What is the optimal use of TDYs/detailees?

Is the federal probation and pretrial services system properly staffed to achieve mission-critical outcomes?

Staffing formulas measure the work being done but fail to capture work not done that needs to be done to achieve desired outcomes. The staffing formulas perpetuate a cycle of getting less and doing less. Instead, the formulas should be aspirational—what does it take to achieve desired outcomes?

Probation and pretrial services offices are routinely reporting challenges recruiting and retaining staff. Working for the federal probation and pretrial services system used to be the goal of community corrections professionals, but nowadays many districts report smaller, less qualified recruitment pools. Among the reasons cited by some chiefs is the lack of competitive salary and benefits. Disruptions in operations stemming from long CRs and government shutdowns (or threats of shutdowns) make federal public service less attractive for state and local community corrections professionals. Additionally, some chiefs cite changing attitudes on careers in law enforcement. What should be done—locally and nationally—to improve the recruitment of new officers?

Retaining staff has also been challenging. For fiscal year 2023, there were a number of

resignations and transfers of officers in their 20s and 30s and a surge in retirements once officers hit age 50 (the minimum retirement age).

Among the reasons cited by chiefs for early departures of staff is burnout associated with high workloads and high stress. Adding to these workload pressures are challenges an office faces when staff are out of the office for any extended period of time. For example, probation and pretrial services staff constitute 27 percent of all federal Judiciary employees. However, according to personnel data maintained by the AO, in fiscal year 2024, system staff used 128,964 hours of Paid Parental Leave (PPL), 52 percent of the 250,267 total PPL hours used by Judiciary staff. Extended absences of officers and staff create holes that must be filled by other officers and staff, many of whom already have full plates. Increasing officers’ caseloads can add pressure to avoid delays in investigations and reports and increase the risk that supervision issues are not timely or adequately addressed. Stakeholders generally agreed this was a problem, and there are measures underway to seek relief in the form of added staffing resources that can be strategically deployed to cover extended absences of staff.

The work conditions of officers also present challenges to officer recruitment and retention. Officers face risks to their personal safety while carrying out their duties. From October 1, 2023, to September 30, 2024, probation and pretrial services staff entered 617 approved safety incident reports in the Safety and Information Reporting System (SIRS). This is nearly identical to the 636 reports in fiscal year 2023. Safety incidents include assaults, written and verbal threats, intimidation, animal attacks, encountering people with weapons, and being exposed to unsafe/unhealthy environments.

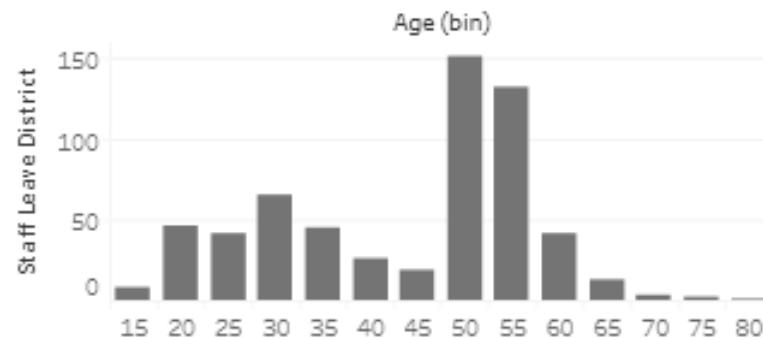
The system offers extensive firearms and

safety training, and in recent years has stressed the importance of strategies to maintain staff wellness. Nonetheless, there is more that could be done to promote safety and wellness among the workforce. For example, the staffing formula could be modified to ensure sufficient staffing resources to allow officers to conduct fieldwork in pairs. Additionally, PPSO is currently analyzing the results of an officer safety survey, which should provide direction on what officers perceive to be their safety needs. Some ideas include additional less-than-lethal tools (e.g., batons, tasers) or modifications to the firearms regulations to allow for pistol-mounted optics that could enhance shooting proficiency and reduce the risk of missed shots. The rollout of any new tools or features would require modifications of national training and may require additional resources.

Another staffing risk is the constant churn among the system’s leaders and the need for better succession planning. Currently, over one-third of all chiefs have less than three years of experience. The 2024 New Court Unit Executive and Chief Deputy Orientation Program hosted by the AO had 80 participants, of whom half were from the probation and pretrial services system. In 2024, 22 chiefs retired; as of summer 2025 another 15 have already retired or announced their retirement. The AO’s Chiefs Advisory Group (CAG) has identified a gap in the training offered to new chiefs by the AO and FJC. To fill this gap, they have developed a New Chiefs On-Boarding Program in which they offer new chiefs advice on topics such as budget and finance, managing complex personnel matters, and using data to make decisions. PPSO provides logistical support for this program, and is responsible for enrolling new chiefs, scheduling sessions, and moderating material on the chiefs’ SharePoint site.

In 2005, in part due to the findings from the strategic assessment, the AO entered into an agreement with the Federal Law Enforcement Training Center (FLETC) to host the Federal Probation and Pretrial Academy. The academy offers classes to new officers, as well as advanced programs in firearms, safety, search and seizure, sex offender management, and some EBP skills. The full curriculum for new officer training is six weeks long; however, due to backlogs, the curriculum was shortened in 2023 to four weeks. The program extended to five weeks in 2025, with plans to get back to six weeks in FY 2026. However, even at six weeks, our initial training falls behind many other federal law enforcement agencies.

Figure 2. Age Distribution of Staff Leaving FY 2023



Beyond the Academy, PPSO offers training on a number of policies, procedures, tools, and skills used by officers. PPSO relies on TDYs to deliver many of these trainings to the field. Additionally, PPSO has recently started to focus on the importance of not just offering training, but ensuring good implementation of policies, procedures, tools, and skills. The focus on implementation has not been resourced with full-time AO staff and is being delivered primarily by contractors and TDYs. How should the system align and properly resource EBP implementation efforts?

Is the federal probation and pretrial services system properly organized to achieve mission-critical outcomes?

The strategic assessment provided a detailed breakdown of the organization of the Judiciary and the federal probation and pretrial services system. The report touched on the roles of district and circuit governance, as well as the roles of the Judicial Conference, its committees, the AO, the FJC, and the U.S. Sentencing Commission. The report included a recommendation to “organize to achieve mission-critical outcomes” and a recommendation to “review the appropriate roles of national entities.”

Driven largely by budget pressures, the Judiciary has been promoting organizational models that are intended to achieve efficiencies and boost productivity. These proposals include consolidating court units and the sharing of administrative services. Neither strategy has been well-received by the probation and pretrial services system.

Although consolidation might achieve savings to the Judiciary in the form of smaller allotments to newly consolidated court units, there has been inadequate examination of how consolidation may impact the office’s performance. One analysis conducted by PPSO suggests that if an office consolidates, it should maintain a dedicated management position to oversee pretrial services work. The current staffing formulas do not fund districts in this way. If funding for dedicated pretrial services management was necessary for consolidated offices to maintain good outcomes, the cost of that would greatly exceed the savings derived by consolidating the offices.

The sharing of services—within and across districts—is another strategy promoted by the Judiciary in the attempt to operate with limited resources. Although there are shared services arrangements that work well, some

models are detrimental to probation and pretrial services offices. Bad models fail to ensure that high quality services are delivered to all court units or that all court unit executives have a say in how services are prioritized and delivered.

Is the sharing of operational services across offices underutilized in the probation and pretrial services system? There are several examples of effective sharing. For example, districts have pooled resources to support the creation and maintenance of regional drug testing labs. Labs with sufficient volume may be more economical than locally operated labs. Similarly, a few districts have pooled resources together to operate computer forensic labs. At the national level, additive funding is offered to districts to facilitate systemic work such as gang and violent extremist intelligence sharing, and release planning for civilly committed sex offenders. Should more sharing be encouraged? For example, could districts share safety and firearms instructors? Search team members? EBP coaches? Also, should the system develop solutions that offer short-term staffing support for offices in need? For example, when an office loses a staff member to paid parental leave, military leave, or extended medical leave, could the system provide temporary assistance to that district? If so, how should such an arrangement be funded? Pooled resources among the districts? Nationally funded?

Some districts have made the decision to place a district executive or a district clerk between the chief judge and the other unit executives. While such an arrangement may be expedient for the chief judge, it fails to recognize the unique operational issues that arise in probation and pretrial services offices and leaves it to a district clerk to determine what information is elevated and how chiefs engage with the judges. Based on the risks associated with the work, should these organizational models be discouraged?

The concepts of local governance and budget decentralization are valued in the federal Judiciary. It is generally understood that the best decisions are made by those closest to the work. However, in some areas, our decentralized governance system has added challenges for the system. For example, despite the lack of national policies, procedures, rules, or funding, several districts have embarked on efforts to operate judge-involved supervision programs modeled after state and local drug courts. And while drug courts have been extensively studied and can be effective when

implemented correctly, the lack of standards, resources, and supports has led to fragmentation, disparity, and inconclusive outcomes. Nonetheless, the programs continue, drawing resources (e.g., staff time, treatment funds) from probation and pretrial services offices. Certain judges are strong supporters of these kinds of programs, making it challenging for chiefs to communicate their concerns.

The only organizational change that has occurred at the national level since the strategic assessment is the 2013 reorganization of the AO. As a result of that reorganization, the former Office of Probation and Pretrial Services (led by an Assistant Director who reported to the Deputy Director of the AO) was renamed the Probation and Pretrial Services Office (led by an office chief who reports to the Associate Director for the Department of Program Services (DPS)).² The stated purposes of the 2013 reorganization were to (1) reduce operating costs and duplication of effort, (2) simplify the agency’s administrative structure, and (3) enhance service to the courts and the Judicial Conference. It’s unclear what impact, if any, the AO’s re-organization has had on the probation and pretrial services system. It’s unclear if mission-critical outcomes improved because of this organization or if outcomes would have been better under an alternate structure. This is something that needs to be reassessed.

Another feature of the organization of the Judiciary that should be studied is the fact that the AO does not serve as a “headquarters,” and it has limited authority to direct changes at the district level. Extra care and effort must be invested to work collaboratively with the districts to effect needed change. This dynamic means results are inconsistent and may take more time to achieve. There has been no examination of whether the current governance of the probation and pretrial services system, with its unique mission within the branch, is optimal to achieving mission-critical outcomes. Alternate support structures should be considered, including greater use of regional staffing models (i.e., AO staff deployed across the country to better integrate with each district).

Under statute, the Director of the AO is

² The Office of Probation and Pretrial Services (OPPS) was created in 2001. Its predecessor entity, the Federal Corrections and Supervision Division, was a component of the AO’s Office of Court Programs, which provided support to clerks’ offices and probation and pretrial services offices. Director Leonidas Ralph Mecham, in announcing the creation of OPPS, cited the growth in the program’s size, budget, and complexity of its work.

charged with a number of responsibilities related to the probation and pretrial services system. For example, in 18 U.S.C. § 3672, the Director shall, among other things:

1. Investigate the work of the probation officers and make recommendations concerning the same to the respective judges and shall have access to the records of all probation officers.
2. Collect for publication statistical and other information concerning the work of the probation officers.
3. Prescribe record forms and statistics to be kept by the probation officers.
4. Formulate general rules for the proper conduct of the probation work.
5. Endeavor by all suitable means to promote the efficient administration of the probation system and the enforcement of the probation laws in all United States courts.

The Director also has broad statutory authority over the contract treatment services used by probation and pretrial services offices, the firearms program (including training and authority to carry and use a firearm), and the disclosure and use of pretrial services information. The Judiciary spends approximately \$50 million per year in substance use testing and treatment. An additional \$30 million is spent on mental health treatment (with many being treated for co-occurring disorders involving substance use disorder).

Alternatives to the current contract treatment model must be explored. Among the options to be considered are providing some services in-house (e.g., cognitive behavioral services). The AO's Office of the General Counsel has determined that the Judiciary lacks the authority to bring substance use disorder treatment in-house. Recently, the Judicial Conference agreed to seek legislation to allow the hiring of staff to deliver in-house treatment. Other options include a national telemedicine contract, modeled after other national contracts such as location monitoring and computer monitoring.

One area where the Director's authority seems impactful is in reviewing the work of probation and pretrial services offices. PPSO is in the process of revising its review protocols to make them align more closely with case outcomes. We know that review outcomes matter to the chiefs and their judges and will influence operations.

Other ways the AO can work with the districts to influence operations at the local level include (1) continuing to use court staff as

TDYs (as subject matter experts but perhaps avoiding their use as PPSO staffing augmentation), (2) recruiting and appointing diverse working group members, and (3) funding national additive positions (e.g., a service provided by a district that benefits the system as a whole).

What are the emerging opportunities and threats that may impact the ability of the federal probation and pretrial services system to achieve mission-critical outcomes?

There are a number of emerging issues that will shape the system in the years ahead. These issues present both risks and opportunities.

The AO is undertaking the modernization of its core case management system for probation and pretrial services, PACTS. The new system, PACTS360, will be cloud-based and will merge all information on clients and cases into a unified record. The initial release of PACTS360 will occur in early 2026 with six pilot offices. Full implementation is expected by the end of 2027. While the first release of PACTS360 will offer many new features for officers and will undoubtedly make them more productive and effective, the benefits of PACTS360 will truly be realized in the years that follow. A number of enhancements are already planned but need to be funded in future fiscal years. PACTS360 has received extensive support from key Judiciary stakeholders, but that support will still be needed in the years ahead (albeit at a lower cost) to ensure that it maintains its place as a state-of-the-art platform for the probation and pretrial services system. Putting PACTS360 in the cloud has several benefits, not the least of which is the potential to someday leverage emerging AI technology. Use cases for AI have already been identified, with many more on the horizon:

- Advanced Research and Data Science: Most of PPSO's research efforts today rely on traditional methods (e.g., regression analyses). AI offers a number of advantages. For example, natural language processing would allow us to take advantage of tremendous amounts of data in unstructured formats (text in chronological records in PACTS and PACTS360, uploaded documents such as police reports and treatment records, and even video and audio records such as those used in some STARR/core correctional practice interventions). Additionally, AI

can recognize patterns in the data that traditional research may miss or require extensive time/effort to find. AI will not only increase the data that can be tapped into, but it will also speed up the system's ability to reach results.

- Acute Dynamic Risk Assessment: PPSO already has a dynamic risk assessment (i.e., one that detects changes in risk over time). However, detecting the change in risk must be initiated by the officer by doing a reassessment. An acute dynamic risk assessment would be a tool that proactively alerts officers when factors in the person's life have changed and correspond to increased risk of recidivism. For example, if there was an AI engine that could sort through all of the inputs received on a case (e.g., officers' chronological entries, updated rap sheets, drug test results, treatment report, monthly supervision reports) and flag those cases in which the data suggested increased risks, the officer could prioritize those cases and attempt to mitigate the issues BEFORE a recidivist event occurred.
- A Recommender System: Many applications now include user feedback features that help train the application on what to recommend to the user. For example, based on a user response, with a streaming service the application recommends similar shows that you may like. The more you provide feedback, the better the recommender is at predicting shows you will like. The probation and pretrial services system should pursue a recommender system for supervision outcomes. It would look at millions of case outcomes based on factors that match an officer's case. It would identify those with successful outcomes and recommend to the officer the supervision strategies, programming, and interventions taken in the successful cases that can be used by the officer.
- Realtime Coaching: As part of its STARR program (core correctional practices), the probation and pretrial services system teaches officers skills that research shows reduce recidivism. These skills include things like effective use of authority, effective use of approval/disapproval, problem solving, and the cognitive model (changing thoughts leading to changing behaviors). The system has learned that training officers in core correctional practices by itself is not sufficient for them to become proficient. They need ongoing coaching. The

current coaching model is very labor intensive. With AI, the system could develop a model to work with(in) PACTS360 that assesses an officer's supervision activities in a given case and provides real-time coaching and feedback on how they can use the STARR skills more effectively. Reports on progress can be generated and used by chiefs and deputy chiefs to address officers' performance, training needs, and professional development.

- **Fieldwork Route Planning and Safety Tool:** Officers currently use the "Field App" to plan routes for fieldwork. The app includes several safety and productivity features. However, the system could build on the Field App by integrating AI technology used by organizations ranging from Amazon/UPS/FedEx (efficient route planning) but also tap into public safety data used by first responders to avoid high-risk areas at certain times (and even weather data). Moreover, coupling an AI-enhanced field app with PACTS360 could help officers prioritize which cases they see while conducting fieldwork. This would enhance officer safety and productivity.

With the promise of AI comes risks. The system will need to have staff trained in how to use this technology responsibly, protect confidential information, and ensure stakeholders continue to trust the results. At the same time, officers will need to be prepared to supervise people who may use AI to circumvent their court-ordered conditions and commit new crimes.

Even conventional technology will present challenges for the system. Judges are routinely imposing computer monitoring and computer search conditions. The number and types of internet-connected devices grow exponentially. Internet bans are difficult in modern society, meaning officers must balance the need for internet access for legitimate purposes while enforcing court-ordered bans on illicit/prohibited content. The skills it takes to conduct forensically sound computer searches are not possessed by the average officer (or even the average IT staff in a probation office). Turning over devices to other agencies for them to search raises issues of confidentiality and the court's jurisdiction of the supervision

process (e.g., would an agency performing a search for a probation office be authorized to bring its own charges in relation to evidence of a crime detected on a device). It is impractical to develop capacity in each district to perform their own forensic analyses; however, there is currently no strategic approach on how to support a sustainable national or regional forensic lab model.

Another threat to the success of the system is the dependence on other agencies. For example, the Judiciary may operate or contract for its own halfway houses for pretrial defendants, but it lacks the authority to do the same in post-conviction cases. Accordingly, the Judiciary is dependent on the BOP for these services. The BOP contracts for residential reentry centers (RRCs) in places where it deems them necessary. These RRCs are used for inmate reentry as well as for sentencing options under the *Guidelines Manual* or for graduated sanctions for supervision violations. In recent years, however, the BOP has closed several RRCs, thereby eliminating the courts' ability to use them for sentencing options. The lack of a RRC in Hawaii, in particular, means inmates releasing to the district must spend time in RRCs on the mainland and then must start their reentry efforts from scratch when they reach the islands.

Similar issues arise with the detention of pretrial detainees. The U.S. Marshals Service is charged with housing all pretrial detainees. In some districts, detainees may be placed in detention centers operated by the BOP. Elsewhere, the marshals enter into intergovernmental agreements with state, county, and municipal jails to house federal defendants. Based on limited bedspace in these local government-run facilities, it is not uncommon for federal detainees to be housed great distances from the courthouses in which they will be prosecuted. The remote detention of detainees increases logistical challenges for the marshals and the Judiciary and increases costs associated with attorney-client visits and conducting presentence interviews with detainees.

Another area in which dependence on another agency creates problems is in the proceedings surrounding violation proceedings. The governing statutes and rules are ambiguous about the appropriate role of the

U.S. attorney's office. Over the years, it has been customary for the probation or pretrial services office to coordinate with the U.S. attorney's office when deciding whether to file a request for a summons or warrant and seek a modification or revocation of supervision. In recent years, however, more and more districts are reporting a breakdown in cooperation. For example, in the District of New Mexico, the U.S. attorney informed the chief judge that his office would not appear or present evidence in connection with violation hearings where the violation was based on a new state or local arrest and the underlying charges have not been resolved. While the U.S. attorney's office cited resource constraints, as well as legal and evidentiary concerns, it failed to recognize that the federal court has separate, concurrent jurisdiction and that not addressing the alleged noncompliance in a timely manner may actually do more harm to public safety. Should the rules for violations be revisited and revised to clarify roles and responsibilities?

Conclusion

With approximately 7,700 staff, the federal probation and pretrial services system is the largest program in the federal Judiciary. It fulfills the important work of administering justice through its bail and presentence reports and protecting the public by executing court-ordered conditions of supervision. While the system's outcomes are generally good, there are systemic risks that could jeopardize these results. The Director is charged with "endeavor[ing] by all suitable means to promote the efficient administration of the probation system and the enforcement of the probation laws in all United States courts." The AO—working with the Judicial Conference, its committees, and chiefs and judges across the federal Judiciary—is committed to the future success of the system. While it's unclear what the next 100 years will bring, the federal probation and pretrial services system has demonstrated its ability to adapt to all the emerging challenges it has faced in the past and it will continue its important work of serving courts and communities across the country.