

1934  
Mr. Chubb  
suggested  
bill

AN ACT TO AUTHORIZE THE CIRCUIT COURTS TO POSTPONE THE RENDITION OF JUDGMENT, TO PLACE ON PROBATION, AND TO MAKE RULES FOR THE USE OF PROBATION, THE ARREST OF DEFENDANTS AND THE ENFORCEMENT OF JUDGMENT RENDERED IN CERTAIN CRIMINAL CASES; PROVIDING FOR THE APPOINTMENT AND COMPENSATION OF PROBATION OFFICERS AND DEFINING THEIR POWERS AND DUTIES.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Sec. 1. Postponement of Rendition of Judgment and Probation Authorized.

In prosecutions for crime in the circuit courts of this state, when the defendant has pleaded or been found guilty, except in cases where the penalty of life imprisonment or death may be inflicted, if it appears to the satisfaction of the court that the character of the defendant and the circumstances of the case are such that he is not likely again to engage in an offensive course of conduct and that the public good does not demand or require that he shall suffer the penalty imposed by law, such court may postpone the rendition of judgment and may also place the defendant on probation, upon such terms and conditions as the court deems proper.

Sec. 2. Termination of Probation, Arrest, Subsequent Disposition.

Upon the satisfactory fulfilment of the terms and conditions of probation the court shall by order duly entered discharge the defendant who shall thereafter be released from further penalty and disabilities resulting from his offense. At any time during the period of probation or of the postponement of the rendition of judgment, the court shall have power to cause a warrant to be issued for the defendant and upon his arrest he may be sentenced as for the original offense and such sentence shall be carried into immediate execution.

Sec. 3. Appointment of Probation Officers. The judge or judges of each circuit may appoint one or more probation officers in their discretion. The court may remove such probation officer at any time. The jurisdiction and powers of a probation officer shall be co-extensive with the judicial district for which he is appointed to serve. All probation officers shall serve without compensation unless and until provision is made for the payment of salaries by the legislature or by one or more county courts in the districts served by such probation officers. When provision is made for such salaries they shall be fixed by the judge or judges appointing such probation officers within the limit fixed and approved by the legislature or the county court or courts making appropriations for the same. The necessary and reasonable expenses of a probation officer incurred in the performance of his duties shall be paid out of any funds available to the court after such expenses have been approved by a judge of the court for which such officer is appointed to serve.

Sec. 4. Duties and Powers of Probation Officers. A probation officer shall investigate all cases referred to him for investigation by the court for which he is appointed to serve and shall report thereon in writing to the court. He shall furnish to each person released on probation under his supervision a written statement of the conditions of probation and shall instruct him regarding the same. Such officer shall keep informed concerning the conduct and condition of each probationer under his supervision. He shall use all practical methods, not inconsistent with the conditions imposed by the court, to aid and encourage persons on probation and to bring about improvement in their conduct and condition. He shall keep detailed record of his work, accurate and complete account of all monies collected from persons under his supervision, and shall keep

or give receipts therefor. He shall pay over all monies collected from the defendants to the court having jurisdiction of the persons on probation, and in the event such monies collected are restitutions or for the support of neglected or abandoned dependents, such monies shall be paid to the aggrieved, neglected or abandoned parties and receipt taken therefor and filed with the records of the case. He shall perform such other duties as the court may require. Any probation officer, with the approval of the court which he is serving, may act as parole officer over persons released from any correctional institution upon the request of the parole authorities of the Commonwealth. A probation officer shall have, in the execution of his duties, the powers of arrest and the same right to execute processes as is now given or may hereafter be given by law to the sheriffs in this Commonwealth.

Sec. 5. Protection of Records. All information and data obtained in the discharge of official duty by any probation officer shall be privileged information, shall not be receivable as evidence in any court, and shall not be disclosed directly or indirectly to anyone other than to the judge or to others entitled under this act to receive reports, unless and until otherwise ordered by such judge.

Sec. 6 Transfers of Cases. A court may transfer a person on probation under its jurisdiction from the supervision of one probation officer to that of another probation officer in this or any other state. Such transfer shall be reported by the court to both such probation officers and to the person on probation, and a copy of such transfer shall be filed with the records of the case. Whenever a person placed on probation resides in a locality or district in this or another state outside the jurisdiction of the court which placed such person on probation, or whenever a person on probation desires to remove to a locality or district outside its

jurisdiction, such court may transfer such probationer to a probation officer regularly appointed and authorized to serve for the locality or district where such probationer resides or to which he is to remove; provided, that such probation officer sends to the court desiring to make such transfer a written statement that he will receive and exercise supervision over such probationer and, provided further, that such statement is approved in writing by the judge or judges of the court, if located in the Commonwealth of Kentucky, to which such probation officer is attached. Such probation officer shall report concerning the conduct and condition of said probationer to the court which placed the defendant on probation.

Sec. 7. Office Accommodations. The fiscal court in each county in which a probation officer serves shall provide in or near the court house suitable office space for such officer.

Sec. 8. Chief and Assistant Probation Officers - Meaning of Terms. When there are two or more probation officers appointed for one district or circuit, one shall be designated by the judge or judges thereof as "Chief Probation Officer" and the others as "Assistant Probation Officers." The words "Probation Officer" as used in this act shall include chief and assistant probation officers, unless otherwise specified. The word "probation" shall mean the placing of a defendant under the supervision of a probation officer by order of and under conditions imposed by the court. The word "probationer" shall mean the defendant so placed.

Sec. 9. This act shall take effect from and after its passage and approval by the Governor.

PROPOSED ADULT PROBATION LAW FOR KENTUCKY

AN ACT TO PROVIDE FOR THE POSTPONEMENT OF THE RENDITION OF JUDGMENT AND THE USE OF PROBATION IN CRIMINAL CASES, PROVIDING FOR THE APPOINTMENT AND COMPENSATION OF PROBATION OFFICERS AND DEFINING THEIR POWERS AND DUTIES.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. Probation and Postponement of Rendition of Judgment. The courts may place on probation any person before them charged with crime, except in cases where the penalty of life imprisonment or death may be inflicted. After conviction or a plea of guilty, the courts may postpone the rendition of judgment and may also place the defendant on probation.

Section 2. Investigation. When directed by the court the probation officer shall fully investigate and report to the court in writing the circumstances of the offense, criminal record, social history and present condition of any defendant. No defendant charged with a felony, and, unless the court shall direct otherwise in individual cases, no other defendant shall be placed on probation or released under the postponement of the rendition of judgment until the report of such investigation shall have been presented to and considered by the court. Whenever practicable such investigation shall include physical and mental examinations of the defendant. If such defendant is committed to any institution, a copy of the report of such investigation shall be sent to the institution at the time of commitment.

Section 3. Conditions of Probation. The court shall determine and may at any time modify the conditions of probation and may include among them the following, or any other: That the probationer shall:

- (a) avoid injurious or vicious habits;
- (b) avoid persons or places of disreputable or harmful character;
- (c) report to the probation officer as directed;
- (d) permit the probation officer to visit him at his home or elsewhere;
- (e) work faithfully at suitable employment as far as possible;
- (f) remain within a specified place;

- (g) pay money, in one or several sums as directed by the court in a total amount not to exceed the sum named in the verdict or imposed by the court.
- (h) make reparation or restitution to the aggrieved party for the damage or loss caused by his offense, in an amount to be determined by the court;
- (i) support his dependents.

#### Section 4. Termination of Probation, Arrest, Subsequent Disposition.

The period of probation or of postponement of rendition of judgment shall be determined by the court and may be continued or extended. Upon the satisfactory fulfillment of the conditions of probation or of postponement of rendition of judgment the court shall by order duly entered discharge the defendant, who shall thereafter be released further penalties and disabilities resulting from his offense. At any time during the period of probation or of postponement of rendition of judgment, the court may issue a warrant and cause the defendant to be arrested for violating any of the conditions of probation or of postponement of rendition of judgment. Any probation officer, police officer or other officer with power of arrest, upon the request of the probation officer, may arrest a probationer without a warrant. In case of an arrest without a warrant the arresting officer shall have a written statement by said probation officer setting forth that the probationer has, in his judgment, violated the conditions of probation and said statement shall be sufficient warrant for the detention, until such probationer can be brought before the court. Such probation officer shall forthwith report such arrest and detention to the court and submit in writing a report showing in what manner the probationer has violated his probation. Thereupon, the court, after a hearing, may revoke the probation or the postponement of rendition of judgment and shall proceed to deal with the case as if there had been no probation or postponement of rendition of judgment.

Section 5. Appointment of Probation Officers. The judge or judges of each circuit shall appoint one or more probation officers from a list certified to said judge or judges by the State Board of Probation. All

appointments of probation officers shall be made by orders entered of record in the circuit court and a certified copy of such court order shall be transmitted by the clerk thereof to the State Board of Probation. In order to qualify as probation officer, such person appointed as aforesaid shall appear before a judge of the circuit in which he is to serve and take the oath of office as prescribed by law, which oath shall be administered by said judge and the act noted of record by the clerk, and shall give bond to the Commonwealth of Kentucky with corporate surety in an amount fixed by said judge for the safe-keeping of all moneys collected, which bond shall be forwarded to and lodged with the State Board of Probation.

Section 6. Jurisdiction of Probation Officers; Removal The jurisdiction and powers of a probation officer shall be co-extensive with the judicial district for which he is appointed to serve. The judge of a court other than the circuit court may request the judge or judges of the circuit court for the services of the probation officer, and upon consent entered of record by such circuit court said probation officer shall serve in such other court with like powers and duties as in the circuit court.

The judge or judges of any circuit court shall have power to suspend or remove any probation officer serving in that court for incompetency, misconduct, failure to carry out the orders of the court, or neglect of any duty. Such suspension or removal shall be made by order entered of record, which order shall include a statement of the reasons for such suspension or removal, and a certified copy of such order shall be transmitted by the clerk of the court to the State Board of Probation.

Section 7 Compensation. Probation officers appointed under this act shall be paid such salaries as the State Board of Probation shall determine, out of state funds as provided by law. Such salaries, however, shall be not less than fifteen hundred dollars (\$1500) nor more than twenty-five hundred dollars (\$2500). Probation officers shall also be



paid their traveling and other necessary expenses incurred in the performance of their duties, after the same have been approved by the judges in whose courts they serve.

Section 8 Duties and Powers of Probation Officers. A probation officer shall investigate all cases referred to him for investigation by any court in which he is serving and shall report in writing thereon to the court. He shall furnish to each person released on probation under his supervision a written statement of the conditions of probation and shall instruct him regarding the same. Such officer shall keep informed concerning the conduct and condition of each probationer under his supervision by visiting, requiring reports and in other ways and shall report thereon in writing as often as the court may require. Such officer shall use all practicable and suitable methods, not inconsistent with the conditions imposed by the court, to aid and encourage persons on probation and to bring about improvement in their conduct and condition. Such officer shall keep detailed records of his work; shall keep accurate and complete accounts of all moneys collected from persons under his supervision and shall keep or give receipts therefor; shall pay over all moneys collected from the defendant to the court having jurisdiction of the person on probation; and in the event that such money collected is restitution, or for the support of neglected or abandoned dependents, such moneys shall be paid to the aggrieved, neglected or abandoned parties and receipts therefor taken, and filed in the records of the case; shall make such reports in writing to the State Board of Probation as it may require; and shall perform such other duties as the court may direct. Any probation officer, with the approval of the court, may act as parole officer over persons released from any correctional institution upon the request and with the consent of the parole authorities in this Commonwealth. A probation officer shall have, in the execution of his duties, the powers of arrest and the same right to execute process as is now given, or that may hereafter be given by law, to the sheriffs in the Commonwealth.



Section 9. Protection of Records. All information and data obtained in the discharge of official duty by any probation officer shall be privileged information, shall not be receivable as evidence in any court, and shall not be disclosed directly or indirectly to anyone other than to the judge or to others entitled under this act to receive reports, unless and until otherwise ordered by such judge.

Section 10. Transfers of Cases. A court may transfer a person on probation under its jurisdiction from the supervision of one probation officer to that of another probation officer in this or any other state. Such transfer shall be reported by the court to both such probation officers and to the person on probation, and a copy of such transfer shall be filed with the records of the case. Whenever a person placed on probation resides in a locality or district in this or another state outside the jurisdiction of the court which placed such person on probation, or whenever a person on probation desires to remove to a locality or district outside its jurisdiction, such court may transfer such probationer to a probation officer regularly appointed and authorized to serve for the locality or district where such probationer resides or to which he is to remove; provided, that such probation officer sends to the court desiring to make such transfer a written statement that he will receive and exercise supervision over such probationer and, provided further, that such statement is approved in writing by the judge or judges of the court, if located in the Commonwealth of Kentucky, to which such probation officer is attached. Such probation officer shall report concerning the conduct and condition of said probationer to the court which placed the defendant on probation.

Section 11. Office Accommodations The Fiscal Court in each county in which a probation officer serves shall provide in or near the Court House suitable office space for such officer.

Section 12. Chief and Assistant Probation Officers; Meaning of Terms  
When there are two or more probation officers appointed for one district

or circuit, one shall be designated by the judge or judges thereof as "Chief Probation Officer" and the others as "Assistant Probation Officers". The words "Probation Officer" as used in this act shall include chief and assistant probation officers, unless otherwise specified. The word "probation" shall mean the placing of a defendant under the supervision of a probation officer by order of an under conditions imposed by the court. The term "probationer" shall mean the defendant so placed.

Section 13. This Act shall take effect

The Filson Historical Society

AN ACT TO CREATE A STATE BOARD OF PROBATION, TO DEFINE ITS POWERS AND DUTIES, AND TO PROVIDE FOR THE APPOINTMENT AND COMPENSATION OF A STATE DIRECTOR OF PROBATION AND OTHER EMPLOYEES AND APPROPRIATING NECESSARY FUNDS FROM THE GENERAL FUND FOR ITS ADMINISTRATION.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. State Board of Probation Created. Appointment. Terms of Office. The Governor, shall, within four months after this Act takes effect, appoint five persons to constitute the State Board of Probation. The members first appointed shall serve for one, two, three, four and five years respectively. Their successors shall be appointed by the Governor for a term of five years each. Vacancies shall be filled for the unexpired terms.

Section 2. Powers and Duties of the Board of Probation. The Board shall exercise general supervision over the administration of probation in all courts of the state. It shall select one of its members as chairman and meet at stated times to be fixed by it, not less often than once in two months, and on call of the Chairman, to consider all matters in relation to probation in the state. The Board shall make an annual report to the Governor, with statistical and other information and recommendations regarding the administration of probation and the laws relating thereto.

The Board shall keep informed of the work of all probation officers; may inspect the work of any probation officers and shall have access to all probation offices and records; shall compile and publish annually a list of the probation officers of the state; shall inform courts and probation officers of legislation concerning probation and of developments in the administration of probation; shall require reports of their work at regular intervals from probation officers and the juvenile courts; shall prescribe the form of records and reports to be used by probation officers; and shall consult and cooperate with the courts and probation officers in the development of methods and procedure in the administration of probation. The Board may arrange conferences of probation officers and

Judges.

The Board shall from time to time conduct competitive examinations to establish lists of persons eligible for appointment as probation officers in the Circuit Courts, prescribe qualifications for entrance to such examinations and establish rules for the conduct of such examinations and the eligibility of candidates for appointment, provided that no person shall be eligible for such examination or appointment unless he shall have graduated from an accredited high school or have had equivalent education. The Board may also conduct such examinations and recommend persons for appointment as probation officers in any juvenile court, on request of the judge thereof. No person shall be appointed probation officer in any Circuit Court of this state who has not been certified by the Board in pursuance of such rules and examination. The Board may recommend to the proper authority the discharge of any probation officer.

Section 3. Employees of the Board. Compensation. The Board shall employ a Director of Probation who shall be its chief executive officer and who shall receive a salary at the rate of not less than three thousand six hundred dollars a year; it may employ such other persons and at such salaries as may be necessary in the conduct of the business of such Board. The duties of the Director of Probation and other employees shall be designated by the Board. The General Assembly shall provide for the necessary and reasonable traveling expenses of the members of such Board and the employees thereof. Suitable office accommodation shall be provided for the Board and its employees.

Section 4. Appropriation. There is hereby appropriated out of the general funds the sum of \_\_\_\_\_ for the administration of this act including the salaries and expenses of probation officers appointed by the circuit judges.

Section 5. This Act shall take effect.....

Dec. 1921-

SUGGESTIONS FOR LEGISLATION  
AFFECTING JUVENILE COURTS AND PROBATION IN KENTUCKY

As the result of my investigation of the Kentucky situation, I recommend that the following legislative changes be sought at the coming session of the Kentucky legislature.

1. Revision of the present juvenile court laws with the following principal amendments:

a. Removing any uncertainty in the present law regarding the age limit of children and fixing the jurisdiction of the court over children to the eighteenth birthday for both boys and girls.

(The present law is variously construed in different counties. The best opinion throughout the country has fixed 18 as the most suitable age limit for both boys and girls. Seventeen states have this provision.)

b. Eliminating the provision which seems to provide for a jury trial for children.

(It seems that a jury trial for children is neither used nor required by the laws or constitution of Kentucky. It has no place in disposing of children's cases under a purely chancery procedure.)

c. Providing for increased salaries of probation officers and authorizing the appointment of paid probation officers in all counties of the state.

(The greatest need of the juvenile courts in Kentucky is for more and better qualified probation officers. Salaries are now entirely inadequate. In my opinion salary limitations have no place whatever in a juvenile court law. I am recommending a simple provision authorizing county judges in all counties to appoint probation officers and prescribe

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their salaries subject to the approval of the county commissioners. Under such a law probation has advanced in states like New York and Massachusetts and increasingly adequate salaries are paid. There is no danger that salaries will be excessive.)

d. Adding provisions to secure the proper *deten-*tion of children awaiting court action in every county.

(Elastic provisions are suggested authorizing counties to provide for the boarding<sup>of</sup> such children or placing them in homes maintained by private agencies.)

e. Limiting the transfer of cases to the criminal court to children 15 years of age or over.

(This is suggested as the most feasible limitation on the present shirking of responsibility by county judges outside Louisville, nullifying the juvenile court act. There can be no excuse in any case for sending children under 15 to the circuit court. In only exceptional cases should it be done above that age. To remedy this evil most effectively other acts should be amended to provide that the state should support all persons committed to its institutions.)

f. Providing that children committed to the Houses of Reform shall be committed during minority subject to release on parole in accordance with the rules established by the State Board of Charities and Correction.

(This is in accordance with provisions in most states avoiding conflict of two public authorities and safeguarding the child's best interests.)

g. Providing for the examination and treatment of children in hospitals at county expense when necessary.



(Whatever is necessary for the proper treatment and care of children made wards of the state by this act, should be given them. When the cost of treatment cannot be borne by parents or guardian it should be a charge upon the county.)

Besides the above minor changes a simplification of this act is suggested in a bill to be submitted.

2. An adult probation law providing for the appointment of probation officers in any court in the discretion of the judges and prescribing their powers and duties.

Adult probation laws are now in effect in all except 13 states. When properly used adult probation is safe and successful. It has become as important and valuable a part of the correctional system in states like New York, Massachusetts and New Jersey, as have the state reformatories. Judges can be entrusted with the power. The appointment of probation officers would be in the discretion of the judges, salaries to be determined by the city or county boards. The appointment of probation officers in the courts handling family cases (non-support, desertion and divorce), would secure the <sup>most important feature</sup> ~~more use~~ of domestic relations courts.

3. A special act providing for the appointment of a permanent state commission on juvenile courts and probation.

It has been suggested that such commission be composed of 7 persons appointed by the governor and unpaid. That they be provided with a paid secretary who should be chief executive officer, with an office in the capitol and a stenographer. The duties of the commission will be to supervise and extend the work of juvenile courts and probation officers throughout

the state, to establish standards, arouse interest and develop the work when necessary.

4. An amendment to the constitution authorizing the establishment of domestic relations courts as separate courts or parts of existing courts in all or certain counties of the state.

The plan to which many states are working and which has found favor in Louisville, of centering in one well equipped court all cases having to do with family relations and children, can only be secured by an amended <sup>went to the</sup> constitution. I believe the plan ideal and recommend that such an amendment be sought as soon as possible.

CHARLES L. CHUTE, SECTY.,  
NATIONAL PROBATION ASSN.

in reference  
to meeting held  
at N. B. May 26, 22  
called by  
Judge Tucker



Friday May 26, 1922  
8 P. M. - Niagara Falls, N. Y.

Mr. Charles L. Chute, General Secretary, National Probation Association, addressed the meeting on "Probation Standards." He said, in part:-

"Probation has been defined as the method by which the community, through its courts, seeks to supervise, discipline and, if possible, reform offenders without committing them to institutions. It is a reformatory without walls. It is helping others to help themselves. Its main elements are social investigation and social case work. It is being applied successfully, ~~in~~ not only to children's cases, but adults, in a large majority, in fact, in all but thirteen states of the Union."

Mr. Chute cited successful cases of Probation work, showing how men had been reclaimed from bad habits, reunited with their families and turned from outcasts into useful citizens. He stated that last year in New York State 78% of all probation cases turned out successfully. An after study made in Buffalo, New York, showed that 68% of adult probationers were completely restored and successful three years after the probation period.

"To-day in Kentucky both children and adults are sent to penal institutions, at great expense, in many cases where if good probation work were established, they could be reclaimed without the stigma, the expense and the risk of committment. Only five courts in the entire state to-day have paid probation officers. No courts in the state have adequate clinics. These are most necessary as an adjunct to the probation system."

"Probation in Kentucky needs more public interest and support. Juvenile courts should be extended throughout the state. Adult probation established. State aid and supervision of the work should be provided. Legislation to effect these was prepared by the National Probation Association and introduced in the legislature by the Kentucky Children's Code Commission. It failed through lack of public interest and support. It will fail again unless local organization is effected and active work done to rouse the people of the state. Legislation is not the only need, however. Judges and others in authority should be aided through local support and organization to secure progress so much needed in this field and to extend and standardize probation work. The Kentucky Probation Association is needed. The ~~results~~ <sup>work</sup> of the Association, if supported by all who are interested, will be of almost untold value in organizing the courts for social service, thereby reclaiming thousands of young offenders, reuniting homes and preventing the development of crime."

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Page 2.

The National Probation Association desires to work in the closest co-operation with your organization and to assist you by means of literature, visits of representatives and in every possible way. We hope that not only will you affiliate with us as an organization, but that your members will all become members of the National organization, participating in the work of extending the the probation service throughout the country."

The Filson Historical Society

→ National Probation Association

Dec 1921

WELFARE LEAGUE OF LOUISVILLE

Dec 1921

Gentlemen:-

We, the undersigned, members of a committee which has been formed to develop juvenile court and probation work in Louisville and throughout the state, hereby request that an appropriation of \$1000.00 toward this work be granted at the present time.

The committee was formed at the instance of Mr. Charles L. Chute, Secretary, National Probation Association, who has made a study of the very great needs in this field. As a result of this survey supplementing the findings of the Commission to Revise Children's Laws, a definite and intensive program to meet the evils and deficiencies of the juvenile court and probation situation, has been planned. A copy of the recommendations of the National Probation Association which has our endorsement is attached herewith. We believe that the securing of this legislative program will be of immense value to Louisville. We all believe however, that this desirable end cannot be obtained without organization and a great deal of educational work both directly before the legislature and indirectly throughout the state especially in the city of Louisville. This work the committee desires to take up as soon as possible and prosecute vigorously.

Referring briefly to the needs here, we may state that Louisville is far behind other cities in probation work at the present time. Its juvenile court has done good work in

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the past. At present however, the situation is deplorable. The probation staff which is the heart of the court's work, is very inadequately paid, is not given sufficient clerical help or cooperation and worst of all is deficient in personnel. The work is not under good executive management.

There is no probation work in the adult courts although this is an approved need in most large cities. There has been great interest in the domestic relations court. This interest should be continued. A long step toward the securing of Domestic relations court work would be the appointment of probation officers for the courts dealing with these problems.

The securing of proposed legislation would go a long way toward improving the situation both in Louisville and throughout the state. There is other work however, for this committee to do. We plan to cooperate with all of the judges in securing better administration of the laws. Representatives of the committee will confer with the judges, county commissioners and others making definite recommendations and following them up.

In all of this work as in the past, we desire to utilize to the fullest extent possible, the expert knowledge and assistance offered by the National Probation Association. The Association has at its command information concerning this work throughout the country. It has very valuable literature which it can make available to our needs. It has promised to send its Secretary, Mr. Chute, from time to time and as often as is necessary to have charge of the executive work. **The**



page 3

committee will act in an advisory capacity and also direct policies in all of this work.

The National Probation Association due to limited funds is unable to do any of this work at the present time unless the money can be provided at this end. We therefore, urge that this small appropriation be allowed as we believe it will bring very great returns in developing and improving a field of social service which is fundamental to the success of all social work in the city and state.

Respectfully submitted,

KENTUCKY PROBATION COMMITTEE

(Signed)

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Respectfully submitted,

KENTUCKY PROBATION COMMITTEE

(Signed)

## MACHINERY FOR REAL PROBATION

That no juvenile court nor adult court, no correction institution nor penal institution, can function properly and completely without probation or parole, is accepted by all those honestly interested in this phase of ~~our social~~ <sup>social</sup> problems.

However, it is very important to distinguish between a true probation system and a system which is called probation, but in reality possesses few of the earmarks of true probation. Such an imperfect system not only fails to a very large degree in accomplishing the aims sought, but very frequently stands in the path of progress, preventing true probation from becoming effective.

*Excellent*

Probation does not mean the indiscriminate discharge of individuals coming before the courts nor the indiscriminate discharge on parole of individuals from a correction institution because they have served an arbitrary sentence. True probation is not based upon the deed committed nor upon the punishment given to a person committing such an act by the law, but is based upon the needs of the individual who chances to transgress the laws of society. In other words we must, if we are doing our full duty in this respect, consider the needs of each individual rather than his deeds. By so doing our courts of justice will cease being what they have been to too great a degree in the past, institutions of revenge, and will take their place on a loftier level as institutions of true reform, where individuals can be helped in becoming better and more law-abiding citizens.

(Let us consider the machinery necessary for true probation. <sup>Every institution should have parole work</sup> In the institution where <sup>parole</sup> probation, which may be considered (as) post-institutional probation, there should be facilities whereby the parole board can determine what type of man they are considering returning to the community. This parole should not be based only on the fact that the individual has served an arbitrary sentence and has had a good record while in the institution. There are many factors in the individual, e.g., his attitude toward society in general and especially toward those with whom he will come in close contact, etc., are very important bits of information which help to indicate to the board of parole the possibility of this man becoming a good citizen and not only a paroled person. Of course, the home to which he is going, occupation that he will assume and the like, should have been prepared for him in advance. The institution should have, however, facilities for making a thorough examination of each man and his parole conditions, based more or less upon these findings.

In the court we are dealing with a slightly different situation. In this connection we must consider the chief constituents, namely, the judge, the defendant or individual and probation department.

1. Judge Any judge will tell you that he has long since been impressed by the very heterogeneous group of individuals who come before him. He recognizes that many of them are very inferior mentally and physically. They vary from these types up to the hardened, so-called criminal type, and in between these two there are many different grades of humanity. The judge, therefore, soon learns that if he is to mete out justice he must have all the information possible, in most cases, about every defendant. Many of the more progressive judges are demanding the aid given them by psychiatric or mental hygiene clinics. One judge, nationally known because of his good work with broken families and dependent children, recently remarked, "I would not attempt, for I could not, to dispose of any case without the report from my mental hygiene clinic."

## 2. Individual

As indicated above, the people coming before the court of justice are all different, each one presenting a more or less different physical condition, a very significant mental condition, and in all cases the potentiality for reform varies. Again there is the necessity for a complete study of these unfortunates before any intelligent disposition of their cases can be made.

## 3. Probation Department

In the probation department there should be facilities for gathering all possible information about every individual, so that the judge may have a better back ground on which to base the disposition of every case. First of all, there should be clinic facilities so that each one could be thoroughly examined mentally, physically and environmentally. How often do we find that a certain type of over-activity, which may show itself in the form of a delinquency, may be but the nervous manifestation of incipient tuberculosis, or of cardiac disturbance. He, the judge, should know all about the individual mentally, not only his intellectual level but also the rest of his mental make-up, and his personality especially, because adjustment to society is not based upon, nor determined by, intellectual level. Has the individual a "wrong slant" towards society, not appreciating what society owes him nor, on the other hand, what he owes society? There should be thorough home studies. Not a mere notation of the environment, whether or not the mother or father works and the like, although these are important, but it should go deeper into the intricate home conditions, all of which play a most important role in fashioning the reactions of every one.

The probation officer serves at least a two-fold function, first to gather accurately information, both for the judge and the clinic, should it exist. Second, to carry out the conditions of probation laid down by the judge and the advice given by the clinic. To do this the probation officer must be both highly trained and intelligent. Highly trained, in order that he or she will be able to gather the most from all investigations and apply it in a way that will bring optimum results. The probation officer should be a type of person that all his probationers may look up to as an ideal to attain. Only when they are of this type can the officers have the proper guiding influences over those intrusted to their care.

The following case, briefly given, brings out the type of work that is very frequently done under the very faulty system which is marching under the banner of probation. A girl, still in her 'teens, was arrested for immoral conduct. On examination she ~~was~~ proved to be feeble-minded. She was paroled to her mother who had just been released from jail where she had served a sentence for immorality. She, too, was examined and was found to be feeble-minded. No judge having the proper information at hand, could have conscientiously disposed of the case in this manner. It is this type of disposition, which is sadly termed probation, that does considerable damage toward the progress of true probation.

In summary it must be pointed out that real probation or parole cannot be carried out successfully without making use of all possible helps, especially should there be clinic facilities whereby each individual considered for probation or parole should be studied in toto, physically, mentally and socially. Therefore, there should be in every court, and institution doing parole work, or attached to it, a mental hygiene clinic where this thorough examination and investigation can be made. The parole officers and probation officers should be well



trained and intelligent individuals, who will be able not only to gather the information necessary for the judge and clinician to carry out their instructions by proper supervision, but they should be individuals whose very make-up and mode of living demand respect of all those under their charge. This type of probation means the salvage of human beings at a time when a great proportion of them can be returned or kept in society as very desirable citizens.

The Filson Historical Society

LIST OF PEOPLE FORMERLY INTERESTED IN PROBATION

Charles Allen  
Miss Mildred Anderson  
Alex G. Barret  
Judge Henry S. Barker  
Miss Minnie Baldauf  
Mrs. Helm Bruce, Jr.  
Judge Robert W. Bingham  
Mrs. Alfred Brandeis  
Judge Bolderick  
Mrs. C. N. Bolinger, Maysville, Ky.  
  
Mrs. Eliot Callahan,  
Col. Dan Carrell  
P. H. Callahan  
Ellerby Carter  
Eliot Callahan  
  
Morris B. Gifford  
  
Churchill Humphrey  
Judge Alex P. Humphrey  
R. P. Hodson  
John Heyburn  
  
Miss Frances Ingram  
  
J. William Kreiger  
Judge Wm. Kirby  
  
Miss Nettie M. Lovell  
Leon Lewis  
Dr. Lederman  
Judge Walter Lincoln  
Mrs. Herbert Mengel  
Mrs. Shackelford Miller  
Mr. Starling Marshall  
J. C. Murphey  
Senator White L. Moss, Pineville, Ky.

Miss Linda Neville, Lexington  
Mrs. Geo. R. Newman  
  
Dr. Frank J. O'Brien  
Joseph O'Neal  
  
James E. Pearson, Jr.  
  
Mrs. H. G. Reynolds, Paducah,  
Rev. Charles P. Raffo  
Mrs. Lafon Riker  
  
Mrs. Charles Semple  
John F. Smith, Berea  
John M. Scott  
Miss Lucy Sims, Paris  
Grover Sales  
~~xxxxxxx~~  
Mr. Linton B. Swift  
Miss Mamie Schuhman  
Mr. J. E. Sampson, Harlan  
  
Mr. E. S. Tachau  
Mrs. Charles G. Tachau  
Judge H. E. Tincher  
Dr. Traywick  
Preston Tabb  
Mrs. Isaac Frost  
Robert Vaughn

502/20

March 2, 1934.

JUVENILE COURT -- PROBATION OFFICERS - *for Jefferson County*

Robert C. Logan	Chief Probation Officer
Dorothy Pinney	Asst. Chief Probation Officer
Violet Hansbrough	Probation Officer
Clara M. White	Probation Officer
Jean C. DeLine	Probation Officer
Hattie Henn	Probation Officer
Nellie Miller	Probation Officer
Mamie Herr	Probation Officer
Henry Dries	Probation Officer
W. C. Conklin	Probation Officer
Alma Griffin	Probation Officer
W. E. Leanhart	Probation Officer
Henry Schenk	Probation Officer
W. M. Gerber	Probation Officer
Cora DeSha Barnett (Col)	Probation Officer
LeRey Franklin (Col)	Probation Officer
Bruce Bukey (Col)	Probation Officer
J. W. Muir (Col)	Probation Officer

statement  
made in  
letter to  
Mr. Francis H. Hiller, Field see  
mat. 370 - 7th New York City, N.Y. 27928  
Jan 1

1. The position of adult probation officer under the new law passed in 1926, providing a salary of \$2400.00, appointments under Civil Service, is a Federal, and not a State position.
2. In reference to Column 22, Louisville is the only city of first class in any county in Kentucky.
3. In reference to Column 10; Cases must first come to the Juvenile Court and the Juvenile Court has entire descretion in retaining or waiving jurisdiction. There is no provision by which children may legally be taken directly before the Grand Jury for trial in accordance with criminal procedure.
4. In reference to Column 11; Carroll's Kentucky Statutes, g.2123, "Children; provisions for pending divorce or when granted; fee simple title not to be divested pending an application for divorce, or on final judgement, the court may make orders for the care, custody, and maintenance of the minor children of the parties, or children of unsound mind, or any of them, at any time afterward, upon the petition of either parent, revise and alter the same, having in all such cases of care and custody, the interest and welfare of the children principally in view, but no such order for maintenance of children or allotment in favor of the wife shall divest either party of the fee simple title to real estate."

The Filson

KENTUCKY

Col. 1. Carroll's Ky. Statutes  
C. 18 - Art. 5  
Sec. 531e, 1-24

" 2. Co. courts

" 3. "Juvenile session of co. court"

" 4. Co.

" 5. Elected

" 6. 24 years of age; a citizen of Ky.; a resident of State 2 years; and one year next preceding his election

" 7. 4 years

" 8. Salary fixed by fiscal court; certain fees also allowed *not exceeding \$5000.*

" 9. Delinquency, neglect, and dependency

" 10. *Central juvenile session may be held by court of justice*

" 11. *Concurrent jurisdiction with chancery for custody*  
*Exclusive of support of children*

" 12. Boys, 17  
Girls, 18

" 13. All cases within provisions of this act coming before a justice or police magistrate shall be transferred *to the juvenile court for disposition*

" 14. Any case of delinquency (*§ 331c - 7*) *In no case shall a child brought*

" 15. *or (correct)* "During minority" *before the court under provisions of this act*  
*be committed beyond the age of majority (over 18)*

" 16. Court may set aside or modify any order of commitment; after hearing in delinquency cases, at any time in dependency and neglect cases

" 17. Petition

" 18. Summons, and warrant if necessary

" 19. No child under 14 shall be incarcerated in co. jail or police station

" 20. In cos. having a city of first or second class, fiscal court must establish a detention school; co. court to appoint superintendent and matron

" 21. "In a summary manner"  
Proceedings shall not be deemed criminal

" 22. In cos. with a city of first class, a special courtroom shall be provided; in other cos. hearings to be held in chambers so far as possible  
Public may be excluded

" 23. Record of proceedings shall not be made public except by leave of the judge  
Name or identity of child or parent shall not be disclosed in clerk's annual report to Governor

" 24. *NO* - - - - -

examining  
Tuan

KENTUCKY (CONTINUED)

Set Stand

Col. 25. Court may order physical examinations if parents consent  
~~through an agent~~ *Physician's license*  
26. Court may order placement in hospital or institution for treatment or special care *at discretion of court*

" 27. The disposition of any child under this act or any evidence given in such case shall not be lawful evidence in any other case except in subsequent proceedings against same child under this act

" 28. Jury on request or on motion of the judge  
" 29. ~~--- No appeal. ---~~ *(Signature)*

" 30. "A special record book or books shall be kept by the court for all cases coming within the provisions of this act, to be known as the "Juvenile Record"

*Contributions to dependency or delinquency by adults*

" 31. ---

" 32. In cos. having a city of first or second class, a chief probation officer, one or more assistants and other assistants may be appointed Court in any co. may appoint one or more volunteers

" 33. Court

" 34. ~~--- No approval. ---~~

" 35. Discreet persons of good moral character

" 36. ~~--- None ---~~

" 37. Fixed by judge of co. court, not to exceed:-

Chief -	\$2,400	\$3000
First Assistant -	1,200	2000.
Other Assistants -	1,000	1500.

" 38. Pleasure of court

Cols. 39 and 40. ~~--- Dependency cases, trial of cases of crime ---~~

" 41. Juvenile court clerk in each co. required to make annual report to Governor, showing number and disposition of cases

*41 No special provisions*

" 42. Parents may be required to pay reasonable sums for support and maintenance of child found to be delinquent, neglected, or dependent

" 43. Cases of adults who contribute to the delinquency, neglect, or dependency of any child

" 44. (1) Sentence may be suspended and bond required

*(2) petition, warrant, trial by jury if requested.  
(3) may be held over to 9th July.*



KENTUCKY

Col. 1. (Suspension of Sentence)  
Carroll's Ky. Statutes  
C. 18 - sec. 331d

" 2, and 3. Contributing to delinquency, neglect, or dependency in  
juvenile cases. Juvenile court has jurisdiction and may release  
such person on probation for 1 year.

Cols. 3 to 8. - - - - -

Cols. 9, and 10. No provision ~~for adult probation officers~~

Cols. 11 to 16. - - - - -

Adult probation officers - yes, serving  
without compensation.

New law passed 1926, provides \$2400@  
yr. (Exams for this position (Civil Service) were  
held six wks ago; the results have not  
as yet been made public. —

The Filson Historical Society

~~1114~~ *Guelder*

Key to Column Numbers, and Adult Probation Schedule

1. State and statute reference
2. Offenses to which applicable
3. Courts having authority to use
4. Imposition or execution of sentence suspended
5. Conditions of probation
6. Limits or duration of probation
7. Revocation
8. Special provisions
9. Number of probation officers authorized
10. By whom appointed and approval of probation officers
11. Qualifications and examinations required
12. Salaries
13. Tenure of office
14. Functions other than adult probation
15. State supervision
16. Special provisions

~~Adult Probation~~

Law passed 1926

Mr. Tancher now serves - no competitors -  
all seemingly gratified

Head of Adult Civil Service Exam held 2 yrs  
ago salary \$2400 - here in Lowell

UNITED STATES CIVIL SERVICE EXAMINATIONS

PROBATION OFFICER, \$2,400 A YEAR

(GEORGIA, ILLINOIS, KENTUCKY, NEW JERSEY, PENNSYLVANIA)

APPLICATIONS MUST BE ON FILE WITH THE CIVIL SERVICE COMMISSION AT WASHINGTON, D. C., NOT LATER THAN OCTOBER 1, 1927

THE DATE FOR ASSEMBLING OF COMPETITORS WILL BE STATED ON THEIR ADMISSION CARDS, AND WILL BE ABOUT TEN DAYS AFTER THE CLOSE OF RECEIPT OF APPLICATIONS

PERSONS WHO ENTER THIS EXAMINATION WILL NOT BE ADMITTED TO ANY OTHER EXAMINATION FOR WHICH THE RECEIPT OF APPLICATIONS WILL CLOSE ON THE DATE INDICATED ABOVE

The United States Civil Service Commission announces an open competitive examination for Probation Officer, to be held at any of the places listed below at which examination is requested in applications received by the Commission at Washington, D. C., on or before the date indicated above, for filling one position of Probation Officer in each of the ~~five~~<sup>SIX</sup> United States District Courts at the following places: Macon, Ga., Danville, Ill., Louisville, Ky., Trenton, N. J., Erie, Pa., and Philadelphia, Pa. Vacancies occurring in positions requiring similar qualifications, in the States named, will also be filled from this examination, unless it is found in the interest of the service to fill any vacancy by reinstatement, transfer, or promotion.

Places of examination.—This examination may be taken at any of the following places:

Georgia.—Albany, Athens, Atlanta, Augusta, Columbus, Gainesville, Macon, Rome, Savannah, Thomasville, Valdosta, Waycross.

Illinois.—Aurora, Cairo, Centralia, Chicago, Danville, Decatur, East St. Louis, Effingham, Freeport, Galena, Galesburg, Kankakee, Peoria, Quincy, Rockford, Rock Island, Springfield, Streator, Urbana.

Kentucky.—Ashland, Bowling Green, Covington, Henderson, Hopkinsville, Lexington, London, Louisville, Middlesboro, Owensboro, Paducah, Somerset.

New Jersey.—Atlantic City, Camden, Newark, New Brunswick, Trenton.

Pennsylvania.—Altoona, Bethlehem, Chambersburg, Dubois, Erie, Galeton, Harrisburg, Kittanning, Lancaster, Oil City, Philadelphia, Pittsburgh, Reading, Scranton, State College, Sunbury, Uniontown, Warren, Wilkes-Barre, Williamsport.

Salary.—The entrance salary for this position is \$2,400 a year.

Status of appointees.—The position of Probation Officer in the Federal courts is not within the classified civil service, and persons appointed from this examination will not be subject to the operation of the civil-service retirement act.

Certification.—In filling vacancies in this position certification will be made of the highest eligibles who are actual bona fide residents of the State in which the appointee is to be employed.

Residence, citizenship, and sex.—Only actual bona fide residents of the States of Georgia, Illinois, Kentucky, New Jersey, and Pennsylvania, who are citizens of the United States and who meet the requirements, both men and women, may enter this examination.

False statements.—False statements in applications concerning age or other matters affecting the applicant's eligibility will result in cancellation of examination and debarment from future examinations, and removal from service in case of appointment.

Duties.—To develop and conduct the probation work of a Federal Court under the general direction of the Judge or Judges thereof, such work requiring the appointee to make investigations into the character, family environment, and condition of probationers and mitigating or aggravating circumstances of their offenses, wherever practicable utilizing the services of volunteers and cooperating social organizations; to furnish probationers with a statement of conditions of probation and to instruct them regarding the same; to keep necessary records of the work performed, and accurate and complete accounts of all moneys collected from persons under the supervision of the probation officer, to give receipts therefor and to make periodical returns; to make reports to the Attorney General as he may require and to perform such other duties as the Court may direct.

Subjects and weights.—Competitors will be rated on the following subjects, which will have the relative weights indicated:

	<i>Subjects</i>	<i>Weights</i>
1.	Practical questions on probation work.....	70
2.	Training and experience.....	30
	Total.....	100

[OVER]

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**Rating required.**—Competitors must attain a rating of at least 60, exclusive of military preference credit, in the first subject, Practical questions; otherwise they will not be rated on the subject of Training and experience.

**Training and experience.**—Under this subject applicants must show that they meet the requirements specified in one of the following groups:

- (a) At least one year's experience in paid probation work.
- (b) At least three years' experience as a volunteer probation worker; provided the applicant shows that he devoted at least 500 hours a year to such work.
- (c) At least two years' experience in paid systematic and organized social work with an established social agency; provided, that for each year lacking of this experience there may be substituted the completion of one year of work in a college or university of recognized standing with courses in social service, or one year in a recognized school of social work.

**Statement as to training and experience are accepted subject to verification.**

**Age.**—Applicants must have reached their twenty-first but not their fifty-fifth birthday on the date of the examination. Age limits do not apply to persons entitled to preference because of military or naval service, except that such applicants must not have reached the retirement age.

**Photographs.**—Applicants must submit to the examiner on the day of the examination their photographs, taken within two years, with their names written thereon, and *securely pasted* in the space provided on the admission cards sent them after their applications are filed. Proofs or group photographs will not be accepted. Photographs will not be returned to applicants.

**Personal qualifications.**—Applicants must be persons of good moral character and temperate habits, intelligent, discreet, patient, tactful, adaptable to the work, and of good speech and manner, and be able physically to discharge the duties assigned.

**Oral examination.**—Competitors attaining an eligible average may be required to report for oral examination which will be held at points as convenient for candidates as conditions will permit. The purpose of the oral examination is to determine the applicant's personal characteristics and address, adaptability, keenness and quickness of understanding, observation, judgment, and discretion; in general his personal fitness for the performance of the duties of the position. A competitor who fails to pass the oral test, which is an essential part of the examination, will not be eligible for appointment.

The oral examination will be given to competitors in the order of their standing and only to such number as the needs of the service may require. Notice will be given in advance of the date and place of the oral examination.

**Any traveling expenses incurred by the applicant in connection with either the written or oral examination must be borne by the applicant.**

**Applications.**—Applicants should at once apply for Form 2600, stating the title of the examination desired, to the U. S. Civil Service Commission, Washington, D. C., or to the Secretary of the U. S. Civil Service Board at any examination place listed above. Applications should be properly executed, excluding the officer's certificate of residence and the medical certificate of residence and the medical certificate, and must be filed with the U. S. Civil Service Commission at Washington, D. C., on or before the date indicated above.

**The exact title of the examination, as given at the head of this announcement, should be stated in the application form.**

**Preference.**—Applicants entitled to preference because of military or naval service should *attach to their applications* their original discharge, or a photostat or certified copy thereof, or their official record of service. If, because of disability, the applicant is entitled to a pension under authorization of the Pension Bureau, or to compensation or training under the Veterans' Bureau, he should also *attach to his application* his pension certificate, or a certified copy thereof, or a certificate from the Veterans' Bureau showing that he is entitled to compensation or training by that Bureau. Such papers will be returned to the applicant.

Issued September 2, 1927.

U. S. GOVERNMENT PRINTING OFFICE: 1927

THE RECEIPT OF THIS ANNOUNCEMENT WITH COPIES OF THE BY-LAW INDICATED THEREON  
SHOULD BE KEPT BY EACH APPLICANT FOR HIS REFERENCE TO THE OTHER EXAMINATION BOARDS WHICH  
ARE HELD UNDER THE BY-LAW OF RECEIVING OF APPLICATIONS  
AND BY THE BOARD OF COMMISSIONERS WHICH IS HELD BY THE BOARD OF COMMISSIONERS  
OF THE CIVIL SERVICE COMMISSION AT WASHINGTON, D. C.

(GEORGIA, ILLINOIS, KENTUCKY, NEW JERSEY, PENNSYLVANIA)

EXAMINATION OFFICER, 23700 V LEVE

EXAMINATION BOARD, CIVIL SERVICE COMMISSION

1927  
NO. 381

approved March 4, 1925

[PUBLIC—No. 596—68TH CONGRESS]

[S. 1042]

An Act To provide for the establishment of a probation system in the United States courts, except in the District of Columbia. //

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the courts of the United States having original jurisdiction of criminal actions, except in the District of Columbia, when it shall appear to the satisfaction of the court that the ends of justice and the best interests of the public, as well as the defendant, will be subserved thereby, shall have power, after conviction or after a plea of guilty or nolo contendere for any crime or offense not punishable by death or life imprisonment, to suspend the imposition or execution of sentence and to place the defendant upon probation for such period and upon such terms and conditions as they may deem best; or the court may impose a fine and may also place the defendant upon probation in the manner aforesaid. The court may revoke or modify any condition of probation, or may change the period of probation: *Provided,* That the period of probation, together with any extension thereof, shall not exceed five years.

While on probation the defendant may be required to pay in one or several sums a fine imposed at the time of being placed on probation and may also be required to make restitution or reparation to the aggrieved party or parties for actual damages or loss caused by the offense for which conviction was had, and may also be required to provide for the support of any person or persons for whose support he is legally responsible.

SEC. 2. That when directed by the court, the probation officer shall report to the court, with a statement of the conduct of the probationer while on probation. The court may thereupon discharge the probationer from further supervision and may terminate the proceedings against him, or may extend the probation, as shall seem advisable.

At any time within the probation period the probation officer may arrest the probationer without a warrant, or the court may issue a warrant for his arrest. Thereupon such probationer shall forthwith be taken before the court. At any time after the probation period, but within the maximum period for which the defendant might originally have been sentenced, the court may issue a warrant and cause the defendant to be arrested and brought before the court. Thereupon the court may revoke the probation or the suspension of sentence, and may impose any sentence which might originally have been imposed.

SEC. 3. That the judge of any United States court having original jurisdiction of criminal actions, except in the District of Columbia, may appoint one or more suitable persons to serve as probation officers within the jurisdiction and under the discretion of the judge making such appointment or of his successor. All such probation officers

55-16

shall serve without compensation except that in case it shall appear to any such judge that the needs of the service require that there should be a salaried probation officer, such judge may appoint one such officer and shall fix the salary of such officer subject to the approval of the Attorney General in each case: *Provided*, That probation officers who are to receive salaries shall be appointed after competitive examination held in accordance with the laws and regulations of the civil service of the United States. Such judge may in his discretion remove any probation officer serving in his court. The appointment of probation officers shall be in writing and shall be entered on the records of the court of the judge making such appointment, and a copy of the order of appointment shall be delivered to the officer so appointed. Such court may allow any probation officer his actual expenses necessarily incurred in the performance of his duties. Such salary and expenses when duly approved shall be paid from the appropriations for the courts in which such officer serves.

SEC. 4. That it shall be the duty of a probation officer to investigate any case referred to him for investigation by the court in which he is serving and to report thereon to the court. The probation officer shall furnish to each person released on probation under his supervision a written statement of the conditions of probation and shall instruct him regarding the same. Such officer shall keep informed concerning the conduct and condition of each person on probation under his supervision and shall report thereon to the court placing such person on probation. Such officer shall use all suitable methods, not inconsistent with the conditions imposed by the court, to aid persons on probation and to bring about improvements in their conduct and condition. Each officer shall keep records of his work; shall keep accurate and complete accounts of all moneys collected from persons under his supervision; shall give receipts therefor, and shall make at least monthly returns thereof; shall make such reports to the Attorney General as he may at any time require; and shall perform such other duties as the court may direct. A probation officer shall have the power of arrest that is now exercised by a deputy marshal.

SEC. 5. That this Act shall take effect immediately.

Approved, March 4, 1925.

The F...

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