

(Added Pub. L. 100-690, title VII, §7084(a), Nov. 18, 1988, 102 Stat. 4408.)

REFERENCES IN TEXT

The Federal Rules of Criminal Procedure, referred to in text, are set out in the Appendix to this title.

PRIOR PROVISIONS

A prior section 3151, added Pub. L. 89-465, §3(a), June 22, 1966, 80 Stat. 216, related to contempt power of courts, prior to repeal by Pub. L. 98-473, title II, §203(a), Oct. 12, 1984, 98 Stat. 1976.

§ 3152. Establishment of pretrial services

(a) On and after the date of the enactment of the Pretrial Services Act of 1982, the Director of the Administrative Office of the United States Courts (hereinafter in this chapter referred to as the "Director") shall, under the supervision and direction of the Judicial Conference of the United States, provide directly, or by contract or otherwise (to such extent and in such amounts as are provided in appropriation Acts), for the establishment of pretrial services in each judicial district (other than the District of Columbia). Pretrial services established under this section shall be supervised by a chief probation officer appointed under section 3654 of this title or by a chief pretrial services officer selected under subsection (c) of this section.

(b) Beginning eighteen months after the date of the enactment of the Pretrial Services Act of 1982, if an appropriate United States district court and the circuit judicial council jointly recommend the establishment under this subsection of pretrial services in a particular district, pretrial services shall be established under the general authority of the Administrative Office of the United States Courts.

(c) The pretrial services established under subsection (b) of this section shall be supervised by a chief pretrial services officer appointed by the district court. The chief pretrial services officer appointed under this subsection shall be an individual other than one serving under authority of section 3602 of this title.

(Added Pub. L. 93-619, title II, §201, Jan. 3, 1975, 88 Stat. 2086; amended Pub. L. 97-267, §2, Sept. 27, 1982, 96 Stat. 1136; Pub. L. 110-406, §10, Oct. 13, 2008, 122 Stat. 4293.)

REFERENCES IN TEXT

The date of enactment of the Pretrial Services Act of 1982, referred to in subsecs. (a) and (b), is the date of enactment of Pub. L. 97-267, which was approved Sept. 27, 1982.

PRIOR PROVISIONS

A prior section 3152, as added by Pub. L. 89-465, §3(a), June 22, 1966, 80 Stat. 216, defined the terms "judicial officer" and "offense", prior to repeal by Pub. L. 93-619, §201. See section 3156 of this title.

AMENDMENTS

2008—Subsec. (c). Pub. L. 110-406 added subsec. (c) and struck out former subsec. (c) which related to supervision of pretrial services.

1982—Pub. L. 97-267 struck out "agencies" after "services" in section catchline, divided previously unlettered text provisions into subsecs. (a), (b), and (c), and substituted revised provisions as so redesignated for provisions which required the Director of the Administrative Office of the United States Courts to es-

tablish, on a demonstration basis, in each of ten representative judicial districts (other than the District of Columbia), a pretrial services agency authorized to maintain effective supervision and control over, and to provide supportive services to, defendants released under this chapter such districts to be designated by the Chief Justice of the United States after consultation with the Attorney General, on the basis of such considerations as the number of criminal cases prosecuted annually in the district, the percentage of defendants in the district presently detained prior to trial, the incidence of crime charged against persons released pending trial under this chapter, and the availability of community resources to implement the conditions of release which may be imposed under this chapter.

AUTHORIZATION OF APPROPRIATIONS

Pub. L. 97-267, §9, Sept. 27, 1982, 96 Stat. 1139, provided that:

"(a) There are authorized to be appropriated, for the fiscal year ending September 30, 1984, and each succeeding fiscal year thereafter, such sums as may be necessary to carry out the functions and powers of pretrial services established under section 3152(b) of title 18, United States Code.

"(b) There are authorized to be appropriated for the fiscal year ending September 30, 1983, and the fiscal year ending September 30, 1984, such sums as may be necessary to carry out the functions and powers of the pretrial services agencies established under section 3152 of title 18 of the United States Code in effect before the date of enactment of this Act [Sept. 27, 1982]."

STATUS OF PRETRIAL SERVICES AGENCIES IN EFFECT PRIOR TO SEPTEMBER 27, 1982

Pub. L. 97-267, §8, Sept. 27, 1982, 96 Stat. 1139, provided that: "During the period beginning on the date of enactment of this Act [Sept. 27, 1982] and ending eighteen months after the date of the enactment of this Act, the pretrial services agencies established under section 3152 of title 18 of the United States Code in effect before the date of enactment of this Act may continue to operate, employ staff, provide pretrial services, and perform such functions and powers as are authorized under chapter 207 of title 18 of the United States Code [this chapter]."

§ 3153. Organization and administration of pretrial services

(a)(1) With the approval of the district court, the chief pretrial services officer in districts in which pretrial services are established under section 3152(b) of this title shall appoint such other personnel as may be required. The position requirements and rate of compensation of the chief pretrial services officer and such other personnel shall be established by the Director with the approval of the Judicial Conference of the United States, except that no such rate of compensation shall exceed the rate of basic pay in effect and then payable for grade GS-16 of the General Schedule under section 5332 of title 5, United States Code.

(2) The chief pretrial services officer in districts in which pretrial services are established under section 3152(b) of this title is authorized, subject to the general policy established by the Director and the approval of the district court, to procure temporary and intermittent services to the extent authorized by section 3109 of title 5, United States Code. The staff, other than clerical staff, may be drawn from law school students, graduate students, or such other available personnel.