

Congress of the United States

Washington, DC 20515

March 3, 2025

To the United States Sentencing Commission:

We write as authors and cosponsors of the *Safer Supervision Act*, a bipartisan, bicameral bill to better ensure that the federal supervised release system is directing its resources to most effectively reduce recidivism and promote public safety, rehabilitation, and reintegration. We greatly appreciate the United States Sentencing Commission's leadership in setting forth its supervised release proposal, and we encourage the Commission to finalize an amendment that robustly implements the letter and spirit of the bill to the extent it can do so within its authority.

As the U.S. Supreme Court has explained, federal supervised release was originally designed to serve "rehabilitative ends, distinct from those served by incarceration" and to be used "for those, and only those, who need[] it." Currently, however, supervised release is imposed in nearly every case, overburdening law enforcement and resulting in a system that does not provide appropriate supervision to the high-risk individuals who most need it. This, in turn, creates counterproductive burdens on low-risk individuals, thus inhibiting reintegration. Although Congress created a system permitting courts to terminate supervision early whenever doing so is "in the interest of justice," many jurisdictions do not sufficiently utilize this authority and reserve it only for extraordinary cases, limiting its ability to ensure resources are allocated to best promote public safety.

The *Safer Supervision Act* would restore supervised release to the system that Congress originally intended. The bill would ensure that courts impose supervision (including its length and conditions) based on the individual facts of the case, promote positive incentives to encourage rehabilitation through improvements to the early termination process, and provide courts greater discretion regarding certain revocations. It would provide notice to individuals about their ability to seek early termination, it would provide guidance to courts regarding early termination through a presumption that requires key public safety findings, and it would expressly incorporate victims' rights and discretionary appointment of counsel in those proceedings. The bill received endorsements from numerous conservative organizations, law enforcement groups, faith groups, and civil rights groups because it is smart, commonsense policy: it shows how we can at the same time improve public safety, support law enforcement, use taxpayer dollars more responsibly, and better position people to succeed after they have served their time in prison.

The Commission's proposal advances the goals of our bill by encouraging courts to apply greater discretion at imposition of supervision and at revocation, and by encouraging use of early termination when in the interest of justice. We particularly appreciate how the Commission drew from the bill in developing its introductory commentary, its individualized assessment requirement, and its proposed factors for early termination. We would encourage the Commission to consider how it could go further to implement the letter and spirit of the bill. Additional guidance, including a presumption along the lines of the bill, could better instruct courts on the interest-of-justice standard and ensure that they use early termination when supervision is no longer necessary for the purposes it was imposed, rather than

just in the most extraordinary of cases. With appropriate notice, supervisees will then have actionable positive incentives to rehabilitate and reintegrate, to the benefit of public safety.

Although there is no substitute for statutory changes, and we will continue to press for enactment of this important legislation, the Commission has an opportunity to make significant progress on this issue now. We appreciate your efforts to advance our shared goals. Please let us know if we can be of assistance.

Sincerely,



Christopher A. Coons
United States Senator



Wesley P. Hunt
Member of Congress



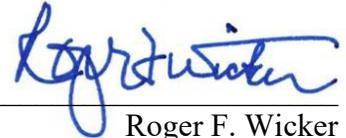
Mike Lee
United States Senator



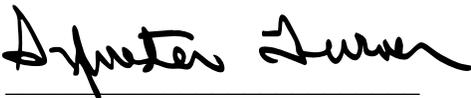
Thom Tillis
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Kevin Cramer
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Sylvester Turner
Member of Congress



Barry Moore
Member of Congress