

UNITED STATES DISTRICT COURT

Western District of Tennessee

SUITE 1107

FEDERAL BUILDING

MEMPHIS, TENNESSEE 38103

Jerome Turner
Judge

February 8, 1995

United States Sentencing Commission
One Columbus Circle, N.E.
Suite 2-5000
South Lobby
Washington, D.C. 20002-8002

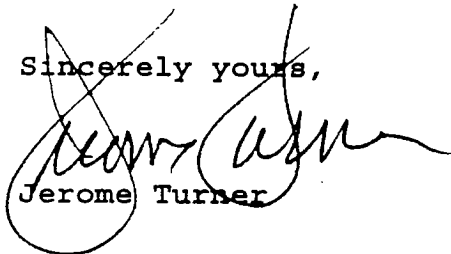
Attn: Public Information

Gentlemen:

I understand that the commission has invited comment on whether the supervised release guidelines should be amended. It has been my experience that an ever-increasing amount of judicial resources are being devoted to supervised release violations. The violation hearings are expanding rapidly both in time and number. The court has become somewhat of an unglorified parole board for a period of three to five years after incarceration. I do not believe in this time of increasing civil and criminal federal laws that the federal courts have the capacity to handle the required hearings (mini-trials) on supervised release violations.

Given that parole is no longer utilized in the federal system, I am somewhat doubtful that supervised release is necessary in any but those cases where the actual sentence of incarceration is short or has been reduced below the applicable guideline range by virtue of departure. Moreover, where a defendant on supervised release has been charged with felony violations of state law, I see no need for the federal courts to interpose themselves with a supervised release hearing long before the criminal trial will have been disposed of in state court. In those instances where state indictments are pending, mandatory supervised release hearings should not be required.

Sincerely yours,


Jerome Turner

JT:jmf