

006-95

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF WYOMING

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REPLY TO: CHEYENNE

February 8, 1995

U.S. Sentencing Commission
One Columbus Circle, NE Suite 2-500
Washington, D.C. 20002-8002
Attn: Public Comment

RE: Proposed 1995 Guideline Amendments

Dear U.S. Sentencing Commission:

The U.S. Probation Office in the District of Wyoming would like to comment upon some of the proposed 1995 Guideline Amendments. You will receive feedback from our District regarding the proposed drug guideline amendments via our survey which was sent to Caryl A. Ricca, our 10th Circuit representative on the Probation Officers Advisory Group.

Regarding other proposed amendments, our District heartily approves amendment 44 dealing with money laundering. We would like to see this amendment made retroactive if possible, due to the sizable number of persons sentenced by this District in recent years for money laundering that were not involved in drug activity. The underlying offenses are almost always Wire Fraud or Mail Fraud, and the sentences that have resulted overrepresent actual offense conduct in many cases. We agree the proposed money laundering table should be used instead of the table in 2F1.1 if the case does not involve an underlying fraud.

Regarding paragraph 45, the only time the mandatory imposition of a term of supervised release becomes a problem is in dealing with deportable aliens. Few Districts are going to extradite an offender for illegal re-entry if the offender is arrested in another District. Otherwise, mandatory supervised release periods are beneficial to offenders and to the public. In rare cases, the Court can always depart and not impose TSR if for some reason TSR is not advisable.

Also, our District agrees with the proposed amendments to 5G1.3 listed in paragraph 46...

Thank you for allowing the opportunity to comment on these proposed guideline amendments.

Sincerely,



John D. Olive
Senior U.S. Probation Officer

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