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Support the Safer Supervision Act, S. 3077 and H.R. 5883

Supervised release is a period of government supervision that begins after a person finishes serving a federal prison sentence. Unfortunately, the program's current operation is causing unnecessary economic friction. Technical, non-criminal violations are pushing otherwise employable adults out of the workforce at a time when job openings exceed available workers, and probation officers are spending disproportionate time managing low-risk cases that divert attention from individuals who actually require closer oversight. This misallocation drives administrative costs, slows reentry, and undermines family and employment stability. Although supervised release was designed as a tool for judges to use at their discretion, its use has become routine. According to the Congressional Research Service, terms of supervised release [are imposed in 90.1 percent of cases](#). There is a better way than the current approach to supervised release.

Introduced by Sens. Mike Lee (R-UT), Chris Coons (D-DE), Roger Wicker (R-MS), Kevin Cramer (R-ND), Thom Tillis (R-NC), and James Lankford (R-OK) in the Senate and Reps. Laurel Lee (R-FL), Mark Harris (R-NC), Zachary Nunn (R-IA), Barry Moore (R-AL), Deborah Ross (D-NC), Lucy McBath (D-GA), Burgess Owens (R-UT), and Don Bacon (R-NE) in the House, the Safer Supervision Act, S. 3077 and H.R. 5883, realigns incentives by rewarding compliance, escalating intervention proportionally, and reducing churn because of technical violations that produces no measurable public-safety gain.

The Safer Supervision Act requires sentencing courts to conduct an individualized assessment to determine whether a term of supervised release is necessary or appropriate. The bill creates a presumption of early termination of supervised release for individuals who have completed at least 50 percent of their term if they have abided by the conditions the court imposed. Importantly, individuals must show that termination of supervised release will not jeopardize public safety. The court may appoint counsel, such as a federal public defender, for the individual seeking termination of supervised release or modification of the terms of their release. The prosecuting U.S. Attorney may contest the early termination, although the individual seeking early termination will have the opportunity to rebut. Crime victims' rights also apply when the court considers the request for termination.

Consistent with a May 2025 directive from the Federal Bureau of Prisons to maximize the use of home confinement, the bill clarifies that earned time credits may be used to serve the remainder of a sentence outside of prison even if a term of supervised release was not originally imposed. This avoids artificially expanding supervision rolls simply to facilitate release pathways, preserves judicial discretion, and aligns with existing Bureau of Prisons guidance. These adjustments keep employer-ready individuals in the labor market rather than returning them to costly custody placements without a public-safety justification.

Due Process Institute supports the Safer Supervision Act and urges senators and representatives to co-sponsor and support this bipartisan, bicameral legislation. The Safer Supervision Act strikes the right balance: it protects the public, prioritizes officer attention on higher-risk individuals, supports rehabilitation, and preserves taxpayer dollars. These reforms are modest, bipartisan, evidence-based, and overdue.

Due Process Institute is a bipartisan nonprofit that works to honor, preserve, and restore principles of fairness in the criminal legal system. If you have any questions, please contact Vice President Jason Pye at jason@idueprocess.org.