How to Navigate the Federal Prison System

NATIONAL ASSOCIATION OF CRIMINAL DEFENSE LAWYERS | NACDL FOUNDATION FOR CRIMINAL JUSTICE

By

NACDL Corrections Committee

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How to Navigate the Federal Prison System

A Message from NACDL's Corrections Committee:

Navigating the federal criminal justice system's policies, procedures, and practices can feel insurmountable.

From pre-trial through post-sentencing and on to pre-release, a web of "program statements" and institutional practices guide the Federal Bureau of Prisons (BOP) in making decisions relating to confinement and release.

This guide is designed to help ease some of those challenges. Each section highlights obstacles confinement poses and offers resources and strategies to overcome these barriers.

We welcome suggestions for new topics, updates, or corrections, should you find any. We thank you for reading. We wish you courage and strength in what may be difficult days ahead.

Disclaimer: Nothing in this document constitutes legal advice from the National Association of Criminal Defense Lawyers ("NACDL"), the authors, or its editors. This monograph is not a substitute for competent legal advice from a properly licensed and trained lawyer who knows the controlling facts of any case. Both federal case law and Federal Bureau of Prisons policy can also change at any time, so all information should be checked for updates, changes, and modifications.

Bureau of Prisons and Other Federal Custody

Headquartered in Washington, D.C., the Federal Bureau of Prisons (BOP) includes more than 118 institutions located throughout the country. Approximately 153,004 individuals are in BOP custody at any given time. Of those, approximately 137,665are held in Bureau of Prisons institutions and 15,339 are in other types of facilities (including home confinement and halfway house)[i]. The United States Marshals Service (USMS) is responsible for approximately 55,533 people in federal custody before sentencing, only 8,002 of which were in BOP custody in fiscal year 2025. The majority of people pretrial at the federal level are in state, local, and private facilities.

BOP is responsible for the custody and care of all persons incarcerated under a federal conviction, as well as many individuals who are detained pre-trial and pre-sentence.

Information on each individual BOP facility — including address, visitation hours, mail procedures, and programming available — can be found on the BOP website[ii], along with an Inmate Locator and BOP's policies and forms.

Inmate Demographics[iii]

Gender: 6.5% Female 93.5 % Male

Race: 1.6% Asian 38.6% Black 3.1% Native American 56.7% White
Ethnicity: 29.3% Hispanic 70.7% Non-Hispanic

Sentencing Information

Sentence	# of Inmates	% of Inmates
0 to 1 year*	3,074	2.1%
> 1 year to < 3 years**	12,387	8.7%
3 years to < 5 years	12,552	8.8%
5 years to < 10 years	34,273	23.9%
10 years to < 15 years	33,785	23.6%
15 years to < 20 years	19,541	13.6%
20 years or more but < Life	23,978	16.7%
Life	3,564	2.5%

* *The sentence category "0 to 1 year" includes misdemeanor offenses (0-12 months).*
** *The sentence category "> 1 to < 3 years" includes the common sentence type: "Twelve months plus 1 day."*

There are 3 individuals who have a Federal death sentence imposed.

Classifications

BOP uses five basic classifications[iv]:
Minimum (Camp)
Low
Medium
High
Administrative (Unclassified)

BOP Fact Sheets are updated quarterly at the bottom of their Statistics page.
July 2026 BOP Fact Sheet

Terminology

The following terms are used in particular ways within the federal prison system. Their definitions are provided to make your navigation of this report and the system itself easier.

Community Custody: lowest custody level. Those under community custody are eligible for least secure housing, including housing outside an institution's perimeter. They are eligible to work outside details with minimal supervision. Finally, they are also eligible to participate in community-based program activities.

Custody Classifications: the review process to assign a custody level based on an individual's criminal history, current offense, and institutional adjustment.

Custody Level: dictates the degree of BOP staff supervision required for an individual. Levels are Community, Out, In, and Maximum.

Evidenced Based Recidivism Reduction Programs:

In Custody (a.k.a. "in"): second-highest custody level assigned to an individual. Such individuals are eligible for regular work assignments and activities but not work details or programs outside the facility's secure perimeter.

Holdover: refers to the status of those who have been convicted but not yet sentenced, those sentenced but not yet designated, and those who are designated but not yet received at their designated prison. Once a person is a "holdover," the rules and requirements begin to change from pre-trial to BOP rules. Federal and state writs are considered holdovers.

Maximum Custody (a.k.a. "Maximum" or "Max"): highest custody level assigned to an individual. Maximum custody requires highest level of supervision and control in housing and work assignments.

Out Custody (a.k.a. "out"): second-lowest custody level. Such individuals may be assigned to less secure housing and may be eligible for work details outside the secure perimeter with a minimum of two-hour intermittent staff supervision.

PATTERN:

Pre-Trial: a term of art with a specific meaning under BOP policy. An individual is "pre-trial" until the BOP has official notification of a finding of guilt.

Productive Activities:

Redesignation: the reassignment of an individual from one institution to another following initial designation.

Release Residence: the verified designation to which an individual realistically plans to reside upon release. The individual must provide proof of residence to unit staff, with verification to be made through consideration of the presentence report, telephone and visiting lists, and in- and out-going mail addresses.

Security Level: describes the structural variables (i.e., physical security, such as gun towers, perimeter barriers, and detection devices) and inmate-to-staff ratio at the various types of BOP facilities (e.g., Minimum, Low, Medium, and High). Also refers to the type of institution required to house an individual based upon their history, institutional adjustment, and custody level.

SPARC-13:

Transfer: the movement of an individual from one institution/facility to another.

One of the most comprehensive summary documents formulated for legal professionals can be found at: https://www.bop.gov/resources/pdfs/legal_guide.pdf.

Pre-Trial

General information about BOP policies regarding pre-trial individuals can be found at: Program Statement 7331.04, Pretrial Inmates

Intake screening is an extremely important aspect of incarceration. It includes written responses and a formal interview relating to social, psychological, and medical information. The information provided is documented in a computerized record which is retained and utilized throughout the individual's time in detention.

The screening utilizes the Pre-Trial Inmate Interview form. Regular program reviews for pre-trial inmates are documents on the Pre-Trial Inmate Review Report. In addition to the interview, BOP can use the following sources for information:

- USMS,
- USMS Remand Form and accompanying booking information (verbal and written),
- Medical and psychological screening,
- Pre-trial services,
- Arresting agency,
- U.S. Attorney's Office,
- Prior institution reports,
- Interview with individual,
- Medical reports,
- Defense attorney, and
- Individual's family.

Federal Bureau of Prisons Pretrial Detention Legal Access Handbook
Also available in other languages on Attorney Resources page and BOP detention institutional pages.

Legal Access Rules

Attorney Communications

- Visitation: Wardens must provide opportunities for attorneys to visit pre-trial clients 7 days a week.
- Calls: Staff shall allow pre-trial detainees, upon their request, to call their attorney as often as resources in the institution allow.
- **NACDL Interactive Map regarding Prison/Jail Communication Systems:** The NACDL Interactive Map regarding attorney-client jail and prison communications (including both BOP and State systems) describes the various forms of communication systems presently utilized in each state in the country. When you click on the link you can click on a state to better understand the reported systems used in that state, in addition to case law litigated across the country. Additionally, there is a form included on the Map which enables you to provide NACDL with relevant phone and communication systems at facilities within your jurisdiction. This data, collected through NACDL member surveys in February and March 2020, is by no means "all inclusive" and the reason NACDL welcomes your input on the provided form.



Legal Materials

Pre-trial detainees must have access to legal research materials either via the facility's law library or a designated pre-trial detainee law library.

Housing

To the extent practicable, pre-trial detainees will ***not*** be housed with those who are convicted.[v] Rather, they will typically be held in a Metropolitan Detention Center (MDC), Metropolitan Correctional Center (MCC), or Federal Detention Center (FDC). Federal pre-trial detainees may also be held at a local jail with which the U.S. Marshals Service ("USMS") has contracted for beds.

Work

Pre-trial detainees cannot be required to work (beyond routine housekeeping tasks in their cell and community living areas) unless they waive their right not to work.

General Program Participation Rules

The following summarizes the rules about participation programs available to pre-trial detainees:

Facility Programs and Rules

Pre-trial detainees may participate in facility programs if deemed consistent with the facility's safety and orderly operations. However, they may ***not*** participate in community-based programs (except upon order of the court). Inmates cannot earn First Step Act time credits during pre-trial confinement.

Recreation

- When appropriate, pre-trial detainees may participate in recreation with those who have been convicted.
- At minimum, pre-trial detainees must be provided daily with one hour of outside recreation (weather permitting) or two hours of indoor recreation.
- Recreation equipment available to pre-trial detainees includes physical exercise equipment, books, table games, and television.

Visitation

Note: Prior to sentencing, prisoners are the responsibility of the U.S. Marshals Service.

Business Operations: Pre-trial inmates may be allowed special visitors for the purpose of protecting the pre-trial inmate's business interests (28 CFR 540.45(a)).

Furloughs: A warden may not grant a furlough to a pre-trial individual. These must be granted by the court.

Medication Notification

BOP staff shall advise the court via the USMS of any medication a pre-trial detainee receives that may alter their courtroom behavior. A copy of such notification is also provided to the U.S. Attorney's Office and defense counsel.

Discipline

BOP staff shall notify the court and the U.S. Attorney (via the USMS) of "repeated or serious disruptive behavior" by a pre-trial detainee.

BOP staff shall notify the Probation Officer (USPO) assigned to prepare the Presentence Investigation Report of a pre-trial detainee's violations of any BOP rules or inmate discipline (this is ***not*** limited to repeated or serious disruptive behavior).

Detainers

If a person has charges in more than one jurisdiction, the charging state or government(s) can secure the inmate for future prosecution by filing a "detainer." The detainer holds (detains) a person in custody even if they are eligible for release by one jurisdiction to allow the other jurisdiction to act on their case.

When in custody, inmates can resolve charges in other courts by filing appropriate forms under the Interstate Agreement on Detainers ("IAD"). The BOP unit team will have access to those IAD forms. It should be noted IAD is only accessible for people with "un-tried" indictments. Probation and/or parole violators do not have access to this process.

Chapter 6 of this comprehensive BOP Directive covers the Interstate Act on Detainers Policy.

For more on the USMS Directive on the filing and management of detainers.

U.S. Marshals Service Defendants in Custody and Prisoner Management – Public Defender's Handbook

Pre-Sentencing and Sentencing Processes

If convicted, whether by guilty plea or jury's verdict, most federal defendants will face imprisonment. The events leading up to the sentencing hearing can have a significant impact on prison placement and programming.

Presentence Report (PSR) Information

The importance of a federal defendant's Presentence Investigation Report cannot be overstated. Known by a number of different names or abbreviations — such as PSR, PSI, PSIR, PIR — they all refer to one of the core documents used by BOP. This report contains the Probation Officer's assessment about the offense and the defendant. Because the PSR contains so many intimate details about the case and the defendant, the BOP forbids inmates from possessing copies of their PSR while in custody. However, an individual can request to review their PSR at any time.[vi]

The PSR plays a vital role in placement. Notably, information contained in the report's current offense narrative can be used to determine classification, even if the narrative is referring to conduct for which the individual was not convicted. For example, a description of sexual misconduct that was charged, but through a plea agreement, was dismissed, can nevertheless be used to add a Public Safety Factor (PSF) to the individual's classification consideration. However, when the conviction is the result of a verdict, the BOP can only use the offense behavior related to the specific count.

Ordinarily, counsel has a short window to respond to objections in the draft, and then the USPO addresses the issues and/or makes changes for the final report. Issues not resolved prior to sentencing are decided by the court and included in the "Statement of Reasons." Inmates are also prohibited from possessing the Statement of Reasons. It is suggested to be mindful of local rules that deviate from standard disclosure protocols as they may vary by district.

It is extremely important all information is accurate because information such as the failure to verify a high school diploma and ambiguous or incomplete dispositions for ancient criminal conduct can lead to an increase in classification and/or prevent program eligibility.

Sentencing

Once the draft PSR is objected to, both parties (the defendant and the government) get to submit papers recommending a particular sentence, programs, or outcomes. These documents, called "memoranda in aid of sentencing," are a chance for each side to set their arguments for the upcoming sentencing hearing.

At the sentencing hearing, the Judge will resolve any objections that remain about the PSR and the Sentencing Guidelines. They then will adopt some version of the PSR and order it filed under seal (where it will stay), and then hear from both the parties about what sentence each side believes appropriate.

The defendant has a right to speak to the court before being sentenced. This right to "allocute" is an imperative, *and failure to allow allocution can be a reversible error*. See Federal Rule of Criminal Procedure 32(i)(4); 18 U.S.C. § 3553(a).

Once the Judge accepts all information, he or she passes a sentence. Usually the sentence involves prison time in federal custody, followed by a period of "Supervised Release," or court supervision after prison.

Judges can recommend any number of things to the BOP, from placements to programs to medical care. While judicial recommendations are not binding, the BOP does encourage compliance in its Legal Resource Guide (March, 2019).

It is important to make sure the recommended program or facility is commensurate with the classification and program needs. Facility and program research should be done in real time because missions and program changes may occur at any time.

Post-Sentencing

Federal Designation and Placement

The BOP's facility designation decisions focus on two primary considerations: the individual's security and supervision needs, and his or her "programmatic" needs (the in-prison programs meant to reduce risks of re-offense).

Secondary considerations include sentencing court's recommendations, geography and release residence locales, separatees (inmates with whom the individual cannot be placed, such as co-defendants or adverse witnesses), and institutional "crowding rates" — the percentage of overcrowding suffered at each prison.

Process

After sentencing, the Clerk of Court transmits the Court's Judgment to the USMS. The USMS notifies the Designation and Sentencing Computation Center ("DSCC") that the individual is ready for designation.

The USMS and probation provide documentation to the DSCC, including the PSR, judgment, sentencing court's Statement of Reasons, USM-129 Form (Individual Custody/Detention Report), and if necessary, the Central Inmate Monitoring System ("CIMS") information, including but not limited to separation concerns.

Within three days of receiving this information, the DSCC will complete its initial designation, or if appropriate, refer the designation to the Office of Medical Designations and Transportation ("OMDT") for any individuals with potential medical or mental health concerns.

Scoring

SENTRY is a BOP Computer database containing information on incarcerated individuals from a variety of sources including: USMS, U.S. Attorney, and U.S. Probation. SENTRY is used to calculate security level points.

Details regarding the various factors, their definitions, and scoring can be found in the BOP's Inmate Security Designation and Custody Classification policy, Program Statement 5100.08. Scoring variables include the incoming inmate's age, education level, criminal history, history of violence, prior escapes and attempts, and drug/alcohol abuse history.

Security Point Total
The point total is not definitive in placement decision.

General Scoring:

Level	Male	Female
Minimum	0-11	0-15
Low	12-15	16-30
Medium	16-23	N/A
High	24+	31+

Voluntary Surrender
If the Court's judgment provides that an individual be permitted to "voluntary surrender" to either the USMS or the BOP, three points may be subtracted from their Security Point total. This only applies to post-sentence voluntary surrenders.

Other Factors Impacting Designation

Public Safety Factors
"PSFs" include "relevant, factual information about the individual's current offense, sentence, criminal history, or institutional behavior," outside of the general security scoring "that require additional security measures."

Considerations can include adjudicated conduct contained in the PSR. For example, if the PSR indicates the individual was charged with a sexual offense, but as part of a plea bargain was convicted of simple assault, the documented behavior in the PSR will be used to add a PSF flag for sexual conduct.

Management Variables
"MGTVs" are designations allowed to the BOP when an inmate's scored security level does not match the inmate's (or *custodians'*) needs.

Examples include "Population Management," "Program Participation," and the catchalls "Greater Security" and "Lesser Security" MGTVs, when staff determines a person requires a greater or lesser security prison environment. For instance, a 24-year-old first-time offender who is assigned eight security points for age can be placed in a medium FCI to avoid the predatory USP environment.

Facility Types

Several different types of facilities and levels of security exist. They include:

Minimum Security
Federal Prison Camps ("FPC") and the now-more common Satellite Prison Camps ("SCP"); that feature dormitory-style housing.

Low Security
Federal Correctional Institutions ("FCI") that have dormitory-style housing or cell-style housing.

Medium Security
Federal Correctional Institutions ("FCI") that predominately have cells with double occupancy and some dormitory areas.

High Security
High security institutions ("USP") have highly secured perimeters (featuring walls or reinforced fences), multiple- and single-occupant cell housing, the highest staff-to-inmate ratio, and close control of inmate movement.

Administrative
Administrative facilities encompass all security levels and include detention centers for pre-trial and holdover operations (MDC/FDC/MCC). The Florence ADX is also considered an administrative facility.

Federal Medical Centers
"FMCs" are used to treat sentenced individuals of all security levels who have serious or chronic physical and/or mental health problems.

Federal Correctional Complexes
FCCs are large correctional complexes which include separate facilities of various levels on one large federal parcel.

The BOP has recently developed "Satellite Lows" which are secure facilities outside the perimeter of a larger operation. It should be noted that a few U.S. Penitentiaries have changed their mission to lesser security purposes but have retained their name for historical purposes.

Programs

Most facilities offer similar programs throughout the country aside from the several specialized programs included in the National Programs Directory which can be found at: Medication Assisted Treatment for Opioid Use Disorder (bop.gov)

BOP Drug Programs, including RDAP are covered in the Psychology Treatment Programs policy.

The early release provisions can be found at: 5330.11.pdf (bop.gov)

An important clinical guide which is currently under revision is regarding opioid disorder related to the expansion of BOP "MAT" Programs (Medication Assisted Treatment)

BOP: Publications

Program Statement 5405.01 First Step Act Assessments, Programming, and Incentives

Needs Assessment in the Federal Bureau of Prisons August, 2020, Update

First Step Act Annual Report - June 2024

FSA Approved Program Guide

The First Step Act

The First Step Act ("FSA") is a bipartisan federal criminal justice reform bill that was signed into law in December 2018. Pub. L. 115-391, 132 Stat. 5194 (2018). The law is expansive, touching on many aspects of federal sentencing. This section focuses on aspects of the FSA that may impact prisoners currently serving federal sentences in the BOP.

Good Time Credit

Good time credit results in real time being deducted from a prisoner's sentence due to good behavior. All federal prisoners, except those serving life sentences, are eligible for good time credit. Prior to the FSA, the BOP calculated good time credit so that prisoners received 47 days off their sentence per year for good conduct. The FSA increased the credit to up to 54 days per year of the sentence imposed (i.e. roughly this means the prisoner will only serve 85% of his or her sentence). 18 U.S.C. § 3624(b). The increase in good time credit was made retroactive.

PATTERN

The FSA required the DOJ to develop a risk and needs assessment tool to be used by the BOP to evaluate the recidivism risk of all federal prisoners. The needs assessment is called the Standardized Prisoner Assessment for Reduction in Criminality, or the SPARC-13 in shorthand. The risk tool is called the Prisoner Assessment Tool Targeting Estimated Risk and Needs, or PATTERN in shorthand. After completing the SPARC-13 survey, the BOP will assign programming and productive activities that correspond to the person's designated needs. Under PATTERN, each prisoner is classified as having a **minimum**, **low**, **medium**, or **high** risk of recidivism. 18 U.S.C. § 3631(a)(1). As the FSA requires, PATTERN has been reviewed and revalidated in the years since the FSA was passed. 18 U.S.C. § 3631(b)(4). PATTERN 1.3 is the most recent version of PATTERN the DOJ has published public revalidation results for. In its 2024 FSA Report, DOJ stated that "there remains evidence that the male and female general tools overpredict the risk of recidivism for Black, Hispanic, and Asian individuals relative to White individuals – that is, the tools have high AUC accuracy for all groups, but prediction does differ across race and ethnic groups, and further that the overprediction for Black males and females worsened relative to the previous reviews. This disparity remains the Department's leading concern related to the PATTERN tool."

Earned Time Credits

The FSA also provides that prisoners who successfully complete recidivism reduction programming can earn additional time credits (earned time credits) that will allow them to be placed in home confinement or a halfway house earlier than previously allowed. 18 U.S.C. § 3624(g). Earned time credit is not the same as statutory good time credit. PATTERN scores play a significant role in earned time credits. All eligible prisoners can earn 10 days of earned time credits for every 30 days of successful participation in designated

programming or productive activities. 18 U.S.C. § 3632(d)(4). However, if the prisoner is categorized as a minimum or low risk PATTERN score over 2 consecutive assessments, they can earn an additional 5 days of time credits, for a total of 15 days for every 30 days of successful participation in designated programming. *Id.* Earned time credits can be used when accumulated credits are equal to the remainder of the prisoner's term. 18 U.S.C. § 3624(g). Only those who score as minimum or low risk can automatically apply earned time credits. *Id*. Those with a medium or high risk must petition and secure their warden's approval to apply earned time credits. *Id.* However, prisoners participating in programming shall receive PATTERN reassessments at least every year. 18 U.S.C. § 3232(d)(5). Those determined to be medium or high risk and less than 5 years from their release date shall receive more frequent risk assessments. *Id.*

The policy governing time credits was recently amended to reflect the ability of people with detainers and non-citizens to earn credits under certain conditions. 5410.01_cn2.pdf (bop.gov)

Disqualifying Offenses

A prisoner is ineligible to earn earned time credits if "serving a sentence for a conviction" under an enumerated offense. 18 U.S.C. § 3632(d)(4)(D). These offenses include: trafficking in fentanyl, trafficking in heroin or methamphetamine with a role enhancement, sex offenses, and violent offenses if the defendant was sentenced to more than one year of imprisonment and has certain prior convictions. *See* 18 U.S.C. § 3632(d)(4)(D)-(E). While ineligible persons cannot earn time credits, they can earn other benefits through program participation such as: phone and visitation privileges, transfer to a prison closer to home, increased commissary limits, email privileges, and preferred housing units. 18 U.S.C. § 3624(g). Deportable persons subject to a final order of removal cannot apply earned time credits. 18 U.S.C. § 3632(e).

Compassionate Release

The FSA significantly changed the process for prisoners to seek a reduction in sentence under 18 U.S.C. § 3582, which is commonly called "compassionate release." Prior to the FSA, only BOP could file a compassionate release motion on a prisoner's behalf, but rarely did so. From 2006 to 2011, an average of only 24 prisoners were released each year through BOP-filed motions

Administrative Requirements

Before a prisoner can file a motion with the sentencing Judge, the statute requires that he or she first make a compassionate release request to the warden of his or her prison. The BOP's internal policies for applying for compassionate release can be found in its Program Statement 5050.50. Under the compassionate release statute, a sentencing court may reduce a defendant's sentence upon their motion "after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of

30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier." 18 U.S.C. § 3582(c)(1)(A). Most courts have interpreted this language to mean, 30 days after the prisoner makes his request to the warden, the court can rule on the compassionate release motion. *See, e.g., United States v. Alam*, 960 F.3d 831, 834 (6th Cir. 2020) ("Prisoners who seek compassionate release have the option to take their claim to federal court within 30 days, no matter the appeals available to them.")

Compassionate Release Motion
The statutory requirements for a sentence reduction under 18 U.S.C. § 3582(c)(1)(A), as amended by FSA, are that the court find:

(1) "extraordinary and compelling reasons" for the reduction;
(2) ensure any reduction is consistent with applicable policy statements; and
(3) consider the relevant sentencing factors under section 3553(a).

18 U.S.C. § 3582(c)(1)(A). Extraordinary and compelling reasons are not defined in the statute, but examples are given in the notes of the policy statement found in USSG § 1B1.13(b). The examples fall into six categories:

(1) Medical Circumstances of the Defendant;
(2) Age and Medical Circumstances of the Defendant;
(3) Family Circumstances of the Defendant
(4) Victim of Abuse
(5) Other Reasons "similar in gravity" to the first four reason, or
(6) Unusually Long Sentence.

The Supreme Court has added limitations to compassionate release in two cases. In *United States v. Rutherford* (24-820) (May 28, 2026), the Court limited the Unusually Long Sentence provision by holding that a nonretroactive Congressional change to a criminal statutes could not make a prisoner eligible for compassionate release by itself or in combination with other factors. In *Fernandez v. United States* (24-556) (May 28, 2026), the Court limited the Other Reasons provision by holding that "the supposed invalidity of a conviction is not among the 'extraordinary and compelling reasons' that justify compassionate release."

Filing the Motion
Some courts have issued standing orders to allow Federal Defender offices to handle compassionate release motions, but, in many cases, prisoners must either retain attorneys, file their motions pro se, or seek pro bono representation through various NACDL compassionate release projects.

Home Confinement for Low-Risk Offenders

The FSA maximizes the amount of time a prisoner can potentially spend on home confinement. Under 18 U.S.C. § 3624(c), the BOP shall ensure that a prisoner spends a

portion of the final months of his imprisonment term (not to exceed 12 months) under conditions that will afford the prisoner a reasonable opportunity to adjust and prepare for the re-entry. *See*. Program Statement 7320.01, Home Confinement (bop.gov)Such conditions may include a halfway house, but the statute provides that a prisoner can be also placed in home confinement for 10% of the term of imprisonment or 6 months, whichever is less. § 3624(c)(2).

BOP Detention

The BOP houses people in both federal detention facilities (aka: MCC/MDC/FDC) and private and local government contracts in the more rural areas without a federal facility. Contract facilities are not subject to the exact rules and regulations so it is important to access the facility website for specific information. There is a separate, comprehensive pre-trial policy as well as U.S. Marshal Policies which cover the vast array of detention issues.

U.S. Marshals Service Fact Sheet - Prisoner Operations

Funds

For people incarcerated in a federal facility, families and friends mail postal money orders to a centralized "lock box" in Iowa, however, most prefer to send money by Western Union and MoneyGram. Contract facilities use various vendors like JPay. Clients should be warned against their families sending money to another prisoner as they can be charged with a violation of BOP policy.

> *Inmate Trust Fund*
> The trust fund account is a non-interest-bearing account which is used to pay for commissary purchases, transfer money to phone and email accounts, as well as send money to family and others in the community. All trust fund processes are governed by a lengthy manual.

Communications

Information on each individual BOP facility, including address, visitation hours, mail procedures, and programming available, can be found on the BOP website.

General Visitation

BOP Policy on Visitation:. It should be noted that each facility website has the visiting schedule and a local visiting institutional supplement. 5267.09cn-1.pdf (bop.gov)

Each warden must establish procedures that allow each inmate a minimum of four hours of visitation per month (28 CFR 540.43).

Search

All visitors may be subjected to a search of their person and their personal property, and in some instances screening by an ion spectrometer technology. A positive result may come from a family member being in proximity to a person smoking marijuana.

Consular Visits

When it is determined an individual who is incarcerated is the citizen of a foreign country, the warden must permit the consular representative of that country "to visit on matters of legitimate business." These visits may not be withheld due to disciplinary sanctions upon the incarcerated person (28 CFR 540.45(b)). The case manager is required to notify inmates of treaty nations of their treaty transfer eligibility shortly after arrival.

U.S. Department of Justice April 9, 2019, Change Notice concerning Transfer of Offenders To or From Foreign Countries

Loss of Visitation

Ordinarily, the placement in detention or segregation status does not itself deny an individual their visitation. However, it is not uncommon for visiting to be suspended pending an investigation on the more serious alleged behavior. Visitation may only be restricted or disallowed if the individual is found to have committed a prohibited act relating to the visiting guidelines or acted in a way that would indicate they threaten the security/orderliness of the visitation room. Given the secret nature of transfers, it is always practical to access the BOP locator prior to a visit to make sure the person is still at the facility.

Legal Visitation

Attorney-client visits may not be subject to auditory supervision but may be subject to visual supervision (28 CFR 540.46).

To the extent practicable, attorney visits for both pre-trial and sentenced individuals are to occur in a private conference room (28 CFR 540.46).

Pre-trial: 28 CFR 551.117
Post-sentencing: 28 CFR 543.12-543.16

Please refer to the individual facility website for local procedures on legal visiting hours and other legal visiting information unique to that facility, which includes a local visiting supplement and inmate handbook. Informative policies regarding visiting and legal activities.

Mail

All general mail is subject to monitoring and legal mail must be marked as indicated in the policy for it to be opened in the presence of the person. See section 11 in the policy on Correspondence. Due to the systemic introduction of suboxone, some facilities have enacted additional restriction on general correspondence such as rejecting colored paper and even greeting cards.

Telephone

All calls are monitored and recorded on a BOP database that is accessible to all staff. A domestic argument over the telephone can result in an incident report for "Threatening." This is more common when there is a verbal dispute with the officer. Unmonitored legal calls are possible but are more difficult in non-administrative jail facilities. Refer to the policy on Telephone Regulations and Chapter 6 of the Trust Fund Manual.

Email

All email is also monitored in real time and stored for accessibility on a database for all staff to review. Email is contracted out and falls within the broader Trulincs system governed by Chapter 14 of the above referenced Trust Fund Manual. Clients should be advised it is not uncommon for correctional officers to search the database and issue incident reports based on email and conversations.

Programming

Various programs are available to detainees after sentencing. BOP's First Step Act Approved Programs Guide Directory of National Programs provides key information, including program description, admission criteria, length, empirical support for efficacy, and institutional locations.

Occupational/Educational Training
The BOP offers both educational and occupational training once a person completes the GED or has a verified high school diploma. The policy governing educational and vocational programs are Literacy, Occupational Education Programs, Education, Training and Leisure Time Program Standards, and Minimum Standards for Administration, Interpretation, and Use of Education Tests, and Post-Secondary Education Programs.

Religious Worship
All inmates may participate in religious programs and the governing policy is Religious Beliefs and Practices.

Program Statement 5360.09, Religious Beliefs and Practices

Minister of Record
An individual may receive visits from their "minister of record" by submitting a written request to the facility chaplain. Upon approval, the Minister of Record will be added to the individual's visitation list, but the Minister of Record *does not count* against the total number of persons allowed on an inmate's visitation list.

Clergy
Visits from clergy other than the Minister of Record must follow the facility's general visitation policy.

Family Emergencies and Furloughs

Immediate family emergencies like bedside visits and funerals may be able to be attended by either an escorted trip or furlough (unescorted). The BOP seldom approves furloughs even in minimum camp settings, so it is important to understand the eligibility and differences between an escorted trip and furlough. The eligibility and processing requirement are found within the below policies.

Furloughs

Escorted Trips

Classification and Review

While an inmate received a security classification prior to designation, they are scheduled for an "Initial Classification" meeting within four weeks of arrival at the initially designated facility. During this meeting, short-term and long-term programs are recommended. Program recommendations are reviewed every three or six months in subsequent formal unit team meetings which are called program reviews. A person's Classification and Risk Assessment is updated yearly.

Program Statement Unit Management Manual

Residential Re-Entry Centers

RRCs (aka: halfway houses) are transfers near the end of a sentence for transitional living to accomplish re-entry goals such as securing employment, obtaining a residence, and accumulating release funds. While the Second Chance Act authorizes up to a 12-month placement, it is rare when a person is afforded over six months due to capacity constraints. Home detention eligibility is limited to lesser of six months or 10% aside from the Elderly Offender Program and more recently the CARES Act. The BOP policy on the First Step Act pre-release time credits (aka: FTC) has not yet been issued but will mandate the agency to award credit for program participation and productive activities as defined for inmates meeting certain eligibility requirements.

U.S. Department of Justice December 16, 1998, Change Notice to reissue the Program Statement on Community Corrections Center (CCC) Utilization and Transfer Procedures

U.S. Department of Justice December 15, 2017, Change Notice concerning Home Confinement

Female Population

Office of the Inspector General: Review of the Federal Bureau of Prisons' Management of its Female Inmate Population, Sept. 2018.

The female offender management manual.

A list and map of female facilities

Program Statement 5360.09, Religious Beliefs and Practices

Mothers and Infants Nurturing Together Program

The MINT Program is a community-based residential program preparing pregnant inmates for delivery and bonding with their infant after giving birth. Generally, participation begins the last two months of pregnancy and continues three to six months after delivery. Upon completion, the individual returns to the BOP institution to their complete sentence. The BOP has exercised their authority to extend MINT placement for up to one year.

To qualify for MINT, participants must:

1. Be pregnant upon incarceration,
2. Have a delivery date prior to release,
3. Have less than five years remaining on sentence,
4. Qualify for halfway house placement, and
5. Assume financial responsibility for their child's care.

Transgender Individuals

BOP Transgender Offender Manual.

Veterans:

The comprehensive policy on the management of veterans.

Medical Services

BOP Policies regarding medical care are found on the BOP website. Medical designations and referrals are made by a BOP Medical Designator. Factors considered are urgency of need, cost-effectiveness, BOP institution capabilities, expected service period (including

recuperation), current bed space availability, security, and consultation with BOP physician at sending and receiving facilities.

Initial designation is for those recently sentenced. Individuals with acute medical/psychiatric problems or chronic care requirements are referred by the Community Corrections Office to the Medical Designator for initial designation. That can include designation to a Medical Referral Center (MRC).

Individuals without acute/chronic medical needs are designated by the Designations and Sentence Computation Center in Grand Prairie, TX.

Medical re-designation is initiated by the facility Chief Clinical Director for individuals with acute medical, surgical, or psychiatric conditions or for those with chronic care needs that cannot be met at their current institution.

It is important for the BOP Office of Medical Designations and Transportation (OMDT) to have the necessary medical records for a proper assessment. Separate medical and psychological reports are not ordinarily uploaded into the designation processing data base known as " E-DES " Clients will be given a "provisional" care level for the initial designation that will be reviewed and made "non-provisional" by clinicians upon an evaluation after arrival.

Co-Pay Fees

Individuals are generally charged a small co-pay fee for medical visits. Those without funds are not charged the health care service fee if considered indigent. Individuals are not charged the health care services fee if they are indigent.

Exceptions to payment include:

- Those in Medical Referral Centers are not charged for medical visits relating to the primary diagnosis for their MRC placement.
- Service based on a staff referral (e.g., blood pressure monitoring) or staff-approved follow-up treatment.
- Preventative health care services
- Emergency services
- Prenatal Care
- Diagnosis/treatment of chronic infectious diseases
- Mental health care
- Substance abuse treatment

<u>Dental Services</u>

Routine services are provided in the order of a waitlist held in a single, national database. The database is maintained so that inmates transferred from one facility to another will not lose their place in line for services.

All individuals regardless of classification or security level are entitled to sick call/urgent care services.

Pre-trial detainees are eligible to receive comprehensive care by requesting placement on the national waiting list after they have been in custody for 12 months.

The General Population is eligible for the national wait list for comprehensive care.

Those living in Residential Re-Entry Centers or Community Corrections Facilities are only eligible for emergency care.

The most comprehensive medical policies which include the standards of care.

Some of the most important medical policies at the above referenced link include:
Federal Bureau of Prisons October 2025, Care Level Classification for Medical Conditions Or Disabilities
Federal Bureau of Prisons May, 2019, Care Level Classification for Medical and Mental Health Conditions or Disabilities
Federal Bureau of Prisons, Program Statement concerning Patient Care

2026 BOP National Formulary
2022_winter_formulary_part_1.pdf (bop.gov)
2022_winter_formulary_part_2.pdf (bop.gov)

Mental Health Services

BOP Policy on Treatment and Care of Inmates with Mental Illness.

The policy on Secure Mental Health Units which was previously a pilot program.

Re-Entry and Release

It is important to seek out resources for all persons transferring or leaving the Bureau of Prisons into the community. This section includes resources regarding housing, drug and medical treatment, and employment. While the list is not exhaustive, it is designed to provide a start for those persons being transferred from a secured facility into the transitional phase of re-entry back into society. Every BOP facility has a full-time Re-entry Affairs Coordinator.

BOP
A great deal of comprehensive information concerning resources available upon release can be found on BOP's website: Reentry Programs, Resources For Former Adults in Custody, and Community Release Planning Guidelines for Social Work.

The National Re-Entry Resource Center
"NRRC" was established by the Second Chance Act (Public Law 110-199). The NRRC is funded and administered by the U.S. Department of Justice's Bureau of Justice Assistance (BJA). The website is operated by the Council of State Governments Justice Center. It is intended to be the nation's primary source of information and guidance in re-entry.

These are a series of updated fact sheets published by the NRRC designed to clarify existing federal policies that affect formerly incarcerated individuals and their families including housing, access to benefits, veterans' issues, employment, and juvenile issues, among others. These myth-busters address common areas of misunderstanding concerning eligibility for certain programs and services. They were developed by the Council of State Governments:
REENTRY_MYTHBUSTERS.pdf (csgjusticecenter.org)

Internal Revenue Service
IRS information for various tax credits, including those available for individuals with a prior felony conviction.

Reentry, *National Institute for Justice*

Twelve facts about incarceration and prisoner reentry, *The Brookings Institute*

Criminal Justice, *Manpower Demonstration Research Corporation*
"MDRC" is testing a range of interventions designed to reduce recidivism and improve outcomes for those leaving incarceration as they face daunting obstacles to successful re-entry into their communities. This link explains those initiatives:

Prisoners and Prisoner Re-Entry, *Department of Justice*

APPENDIX A

Agency and Organization Links

EXECUTIVE BRANCH
United States Department of Justice
Federal Bureau of Prisons
BOP Federal Inmate Locator
U.S. DOJ, International Prisoner Transfer Program
U.S. DOJ, Office of Inspector General
U.S. DOJ, Office of Pardon Attorney
U.S. Parole Commission
U.S. Marshals Service

JUDICIARY
Federal Judiciary
U.S. Supreme Court
U.S. Sentencing Commission
PACER (Public Access to Court Electronic Records, Administrative Office of the U.S. Courts)

LEGISLATIVE BRANCH
U.S. Senate
U.S. House of Representatives
Congress.gov (Library of Congress Legislative Information)

SOURCES OF LAW
U.S. Constitution (via Cornell Univ. Law School Legal Information Institute)
U.S. Code (via Cornell Univ. Law School Legal Information Institute)
Code of Federal Regulations Online (Government Publishing Office)

ASSOCIATIONS
National Association of Criminal Defense Lawyers
National Legal Aid and Defender Association
Office of Defender Services (Federal Defenders)

Detention Management Committees Resources

APPENDIX B

Glossary of Facility Abbreviations

ADX	Administrative-Maximum US Penitentiary
CI	Correctional Institution (private facility)
CIM	Central Inmate Monitoring
CO	Central Office
DSCC	Designation and Sentencing Computation Center
FCC	Federal Correctional Complex
FCI	Federal Correctional Institution
FDC	Federal Detention Center
FMC	Federal Medical Center
FPC	Federal Prison Camp
FSL	Federal Satellite Low
FTC	Federal Transfer Center
JPATS	Justice and Prisoner and Alien Transportation System
MCC	Metropolitan Correctional Center
MCFP	Medical Center for Federal Prisoners
MDC	Metropolitan Detention Center
OMDT	Office of Medical Designation and Transfers
PSF	Public Safety Factor
PSR	Presentence Investigation Report
RO	Regional Office
RRC	Residential Reentry Center
RRM	Residential Reentry Management Office
SFF	Secure Female Facility
SOR	Statement of Reasons
USMS	US Marshals Service
USPO	US Probation Office/US Probation Officer

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[i] Data on Federal Bureau of Prison Populations can be found at: www.bop.gov/mobile/about/population_statistics.jsp

[ii] www.bop.gov/

[iii] Additional information about inmate demographics can be found at: www.bop.gov/about/statistics/statistics_inmate_age.jsp

[iv] www.bop.gov/about/statistics/statistics_inmate_sec_levels.jsp

[v] Title 18 U.S.C. § 3142(i)(2)

[vi] See Office of Probation and Pre-trial Services, "The Presentence Investigation Report" (Publication 107, Rev. March 2006). See also https://www.ncwp.uscourts.gov/sites/ncwp/files/Guide_to_the_Presentence_Process.pdf