

Home Confinement and Prerelease Placement Updates

We're Maximizing Pre-Release Custody

The Bureau of Prisons (BOP) is combining or "stacking" two laws — the *First Step Act (FSA)* and the *Second Chance Act (SCA)* — with the goal of maximizing the amount of time eligible individuals can spend in prerelease custody.

More People Will Go Directly to Home Confinement (HC)

- If you've earned nine credits under the FSA and able to apply your credits and/or are eligible under the SCA, you do not require the services of a Residential Reentry Center (RRC), and meet eligibility requirements and are appropriate for HC, you shall be referred directly to HC.
- The goal is to reserve halfway house beds for those who need them most.

Conditional Placement Dates

- For those who are FSA eligible and able to apply FICs, your release to the community will be based on a **Conditional Placement Date**, which considers both your earned FSA Time Credits *and* whether you're eligible under the SCA.
- These are **projected dates**, meaning they assume you continue to successfully participate in programming and remain discipline-free.

If You Qualify, Your Referral Should Not Be Delayed

- If you're eligible under FSA and/or SCA and meet all criteria, **your referral should not be delayed**.
- Staff will refer you based on your **Conditional Placement Date**, even before your credits are fully earned.

What You Don't Need to Be Referred

- **You do not need to have prior employment** to be considered for home confinement.
- Your **potential** to work may be viewed positively, but it is not required.
- Your release plan, stability, and public safety risks are what matter most.

The Rules Are Clear

- There is **no limit** on how many FSA credits you can apply toward home confinement.
- If you're only eligible under the SCA, your prerelease time is limited to **up to 12 months in a halfway house or up to 6 months (or 10% of your sentence) in home confinement** — whichever is less.
- For individuals who have earned less than 365 days of FSA Time Credits towards supervised release, staff must also consider adding **up to** an additional 12 months of prerelease time under the SCA, **based on the five-factor review**.
 - The FSA Time Credit Work Sheet for time under the SCA defaults to and will remain "0" until your Unit Team inputs the prerelease time as determined based on the five-factor review. This number will range from 0 to 12 months.