



**U.S. Department of Justice**  
Federal Bureau of Prisons

**CHANGE NOTICE**

OPI: RSD/PSB  
NUMBER: 5331.02, CN-2  
DATE: September 27, 2017  
EFFECTIVE DATE: October 1, 2017

## **Early Release Procedures Under 18 U.S.C. § 3621(e)**

/s/

*Approved:* Mark S. Inch  
Director, Federal Bureau of Prisons

This Change Notice (CN) implements the following change to Program Statement 5331.02, **Early Release Procedures Under 18 U.S.C. § 3621(e)**, dated March 16, 2009. The single change is marked with a **highlight** and inserted into the policy.

### **11. MONITORING OF EARLY RELEASE ELIGIBILITY STATUS**

**b. The Unit Team.** Typically, the Unit Team's review of the inmate's status will be in conjunction with regularly scheduled program reviews, preparation of release paperwork, and RRC referrals.

(1) **Change in Early Release Eligibility Status/DAP WAIT **QUAL** or DAP PART.** If an eligible inmate's early release eligibility status requires change (e.g., detainers removed/added, noncompliance with FRP), the Unit Team will immediately notify the DAPC via e-mail.



**U.S. Department of Justice**  
**Federal Bureau of Prisons**

**C H A N G E   N O T I C E**

OPI: RSD/PSB

NUMBER: 5331.02, CN-1

DATE: April 25, 2016

RULES EFFECTIVE DATE: May 26, 2016

## **Early Release Procedures Under 18 U.S.C. § 3621(e)**

/s/

*Approved:* Thomas R. Kane  
Acting Director, Federal Bureau of Prisons

This Change Notice (CN) implements the following changes to Program Statement 5331.02, **Early Release Procedures Under 18 U.S.C. § 3621(e)**, dated March 16, 2009.

**5. § 550.55(b) INMATES NOT ELIGIBLE FOR EARLY RELEASE.**

**(4) Inmates who have a prior felony or misdemeanor conviction within the ten years prior to the date of sentencing for their current commitment for:**

**(6) Inmates who have been convicted of an attempt, conspiracy, or solicitation to commit an underlying offense listed in paragraph (b)(4) and/or (b)(5) of this section; or**



U.S. Department of Justice  
Federal Bureau of Prisons

"CORRECTED COPY 2/20/2009"

PROGRAM STATEMENT

OPI CPD/PSB

NUMBER P5331.02

DATE 3/16/2009

RULES EFFECTIVE 03/16/2009

## Early Release Procedures Under 18 U.S.C. § 3621(e)

/s/

Approved: Harley G. Lappin  
Director, Federal Bureau of Prisons

### 1. PURPOSE AND SCOPE

The purpose of this policy is to re-establish criteria and procedures when considering an inmate for early release pursuant to 18 U.S.C. § 3621(e)(2)(B) for successful completion of the Residential Drug Abuse Program.

For more information on procedures for treatment programming see Program Statement 5330.11, **Psychology Treatment Programs**, and the Sallyport site for Correctional Programs Division, Psychology Services Branch, Psychology Treatment Programs.

#### a. Summary of Changes

##### *Directives Rescinded*

P5331.01 Early Release Procedures Under 18 U.S.C. § 3621(e) (9/29/03)

This reissuance incorporates the following modifications:

- Prior and current offenses will be reviewed by the legal staff at the Designation and Sentence Computation Center (DSCC). Offense reviews will no longer be conducted in the regional or in the institution legal offices.

Federal Regulations from 28 CFR are in bold type.

Implementing instructions are in regular type.

- The Regional Psychology Treatment Program Coordinator (RPTP-C), formerly known as the Regional Drug Abuse Program Coordinator, will no longer have oversight authority for provisional approval of early releases.
- Institution staff will no longer be responsible for prior and current offense reviews of early releases.
- The procedures for monitoring early release have been modified, affecting the Drug Abuse Program (DAP) staff, the Unit Team, Transitional Drug Abuse Treatment (TDAT) staff, Community Corrections staff, and the DSCC.
- Inmates may receive a period of early release, not to exceed 12 months, based on the length of sentence imposed by the Court.
- Inmates with a prior conviction of arson or kidnaping are now ineligible for an early release.
- An inmate sentenced as a D.C. Code offender under § 24-403.01 (for an offense committed on or after August 5, 2000) is now eligible for an early release consideration for successful completion of the Residential Drug Abuse Program.

b. **Program Objectives.** The expected results of this program are:

- To define eligibility criteria for early release pursuant to 18 U.S.C. § 3621(e)(2)(B).
- To ensure all eligible inmates are released appropriately from Bureau of Prisons (Bureau) custody pursuant to 18 U.S.C. § 3621(e)(2)(B).
- To define the roles of staff in the procedures for early release pursuant to 18 U.S.C. § 3621(e)(2)(B).

## 2. BACKGROUND

Title 18 U.S.C. § 3621(e)(2)(B) allows the Director of the Bureau of Prisons to permit inmates who complete the Residential Drug Abuse Program (RDAP) to receive up to 12 months early release from custody. This Program Statement is to be read in conjunction with the Program Statement **Psychology Treatment Programs**.

## 3. DEFINITION OF TERMS.

- Eligible – to meet the criteria for an early release as defined in Bureau policy.
- Ineligible – failure of any RDAP component, or to be unable to meet the criteria for an early release as defined in Bureau policy.

## 4. § 550.55 ELIGIBILITY FOR EARLY RELEASE.

This section lists the criteria that renders an inmate *eligible* for § 3621(e) Conditional Release status.

**(a) Eligibility. Inmates may be eligible for early release by a period not to exceed twelve months if they:**

(1) have a diagnosis for a substance use disorder. The inmate must have a substantiated diagnosis for a substance use disorder.

(2) **§ 550.55(a)(1) Were sentenced to a term of imprisonment under either:**

**(i) 18 U.S.C. Chapter 227, Subchapter D for a nonviolent offense; or**, i.e., an inmate who committed a federal offense on or after November 1, 1987, after the effective date of the Sentencing Reform Act of 1987, also known as “new law.”

“Old law” inmates who are Parole Eligible, may, at the U.S. Parole Commission’s (USPC) discretion, be considered for an advanced release date through an award of Superior Program Achievement (SPA).

**(ii) D.C. Code § 24-403.01 for a nonviolent offense, meaning an offense other than those included within the definition of “crime of violence” in D.C. Code § 23-1331(4); and** (Section 24-403.01 pertains to inmates whose offenses were committed on or after August 5, 2000);

(3) **§ 550.55(a)(2) Successfully complete a RDAP, as described in § 550.53, during their current commitment** . Successful completion means:

(a) completion of the unit-based RDAP in the institution;

(b) when applicable, participation in follow-up treatment while in general population for 12 months or until release, whichever comes first; and

(c) completion of community Transition Drug Abuse Treatment (TDAT) while residing in a Residential Reentry Center (RRC) or on home confinement; and

(4) are Financial Responsibility Program (FRP) compliant. See 28 CFR § 545.10.

## **5. § 550.55(b) INMATES NOT ELIGIBLE FOR EARLY RELEASE.**

**As an exercise of the Director’s discretion, the following categories of inmates are not eligible for early release:**

**(1) Immigration and Customs Enforcement detainees;**

**(2) Pretrial inmates;**

**(3) Contractual boarders (for example, State or military inmates);**

**(4) Inmates who have a prior felony or misdemeanor conviction for:**

(i) Homicide (including deaths caused by recklessness, but not including deaths caused by negligence or justifiable homicide);

(ii) Forcible rape;

(iii) Robbery;

(iv) Aggravated assault;

(v) Arson;

(vi) Kidnaping; or

(vii) An offense that by its nature or conduct involves sexual abuse offenses committed upon minors;

(5) Inmates who have a current felony conviction for:

(i) An offense that has as an element, the actual, attempted, or threatened use of physical force against the person or property of another;

(ii) An offense that involved the carrying, possession, or use of a firearm or other dangerous weapon or explosives (including any explosive material or explosive device);

(iii) An offense that, by its nature or conduct, presents a serious potential risk of physical force against the person or property of another; or

(iv) An offense that, by its nature or conduct, involves sexual abuse offenses committed upon minors;

(6) Inmates who have been convicted of an attempt, conspiracy, or other offense which involved an underlying offense listed in paragraph (b)(4) and/or (b)(5) of this section; or

(7) Inmates who previously received an early release under 18 U.S.C. § 3621(e).

6. § 550.55(c) EARLY RELEASE TIME-FRAME.

(1) Inmates so approved may receive early release up to twelve months prior to the expiration of the term of incarceration, except as provided in paragraphs (c)(2) and (3) of this section.

**(2) Under the Director's discretion allowed by 18 U.S.C. § 3621(e), we may limit the time-frame of early release based upon the length of sentence imposed by the Court.**

This policy enacts the § 3621(e) early release based on an inmate's sentence length. This rule will be effective 03/16/2009. Those inmates who are participating in or have completed the Residential Drug Abuse Program (RDAP) before 03/16/2009 are not affected by this rule.

**7. PROCEDURE TO DETERMINE § 3621(e) EARLY RELEASE ELIGIBILITY**

The DAP staff (initial review) and DSCC legal staff (offense review) play key roles in identifying and documenting an inmate's eligibility for early release.

**a. Drug Abuse Program Staff, Initial Review.** If the Drug Abuse Program Coordinator (DAPC) determines the inmate is qualified for participation in the RDAP, he or she will review SENTRY to determine if the inmate:

- has received a prior early release under § 3621(e);
- is a contract boarder (e.g., a state or military inmate);
- is a pretrial offender;
- has a detainer that will prohibit completion of the community treatment component of the RDAP;
- committed his/her federal offense before November 1, 1987; or
- committed his/her D.C. offense before August 5, 2000.

If the DAPC determines the inmate meets any of the above conditions, the inmate is NOT ELIGIBLE for a § 3621(e) early release and no further review is required. The DAPC will then meet with the inmate to notify him or her of his or her ineligibility for an early release. The DAPC will also:

- have the inmate sign the *Notice of RDAP Qualification* form (BP-A0941).
- forward the *Notice of RDAP Qualification* form to the Unit Team for placement in the inmate's Central File; and
- enter the appropriate early release eligibility assignment into SENTRY.

Note: The DAPC can notify the inmate of his/her early release ineligibility and have the inmate sign the *Notice of RDAP Qualification* form at the same time.

If the inmate is not excluded from eligibility upon the DAPC's initial review, the inmate will require a § 3621(e) offense review by the DSCC legal staff. The DAPC or designee will submit (via GroupWise) a *Request for § 3621(e) Offense Review* form in a timely manner.

The DAPC or designee will also forward an electronic copy of the Judgment and Commitment Order (J&C) and the Presentence Investigation Report (PSR) if the DSCC does not already have

one. To determine whether the DSCC has a copy of an inmate's J&C file (which includes the PSR), the DAPC or designee will check the sentence computation data function in SENTRY. If the "DSC" last updated the computation, the DSCC has a copy of the J&C file, and there is no need to send a copy of the same with the *Request for § 3621(e) Offense Review* form. However, if an institution last updated the computation, the DSCC does not have a copy of the J&C file. In those cases, the DAPC or designee will send a scanned copy of the J&C file with the *Request for § 3621(e) Offense Review* form. The DAPC will place the inmate's name and register number in the subject line of the email to DSCC legal staff.

**b. Designation and Sentence Computation Center, Offense Review.** Upon receipt of the *Request for § 3621(e) Offense Review* form and the J&C file, the DSCC legal staff will ordinarily have 30 working days to determine an inmate's early release eligibility status based on a review of the inmate's current offense and prior convictions. The DSCC legal staff will review current and prior offenses for both U.S. Code and D.C. Code felony offenders.

After completing the offense review, a legal staff member will complete and sign the *Request for § 3621(e) Offense Review* form. Signature authority may not be delegated below the attorney level.

Designated DSCC legal staff, upon completion of the review, will notify the DAPC of the result of the review by forwarding the signed *Request for § 3621(e) Offense Review* form.

## **8. ASSIGNMENT OF § 3621(e) STATUS**

Upon receipt of a signed *Request for § 3621(e) Offense Review* form from the DSCC legal staff, the DAPC or designee will enter the appropriate early release eligibility code into SENTRY and:

- have the inmate sign the *Notice of RDAP Qualification* form;
- forward the signed *Notice of RDAP Qualification* form to the unit team; and
- enter into SENTRY the appropriate § 3621(e) early release eligibility assignment. If the inmate declines the RDAP after hearing of his or her early release eligibility status, enter into SENTRY the appropriate § 3621(e) assignment signifying the inmate's declination.

## **9. ASSIGNMENT OF § 3621(e) EARLY RELEASE CONDITIONAL DATE**

**a. Drug Abuse Program Coordinator.** Upon a qualified inmate's entry into the RDAP, the DAPC, or designee, will:

- enter into SENTRY the appropriate participation assignment; and
- within 15 working days, forward a *Notice of § 3621(e) Date* form (BP-A0764) to the DSCC team responsible for the inmate's sentence computation requesting computation of a § 3621(e) conditional release method date, with a copy to the unit team and the Correctional Systems Department (CSD).



b. **DSCC Staff.** Within 15 working days of the DSCC staff receiving the *Notice of § 3621(e) Date* form, computation staff will enter the estimated completion date into the § 3621(e) CRPS MN field (Complete Residential Program), and recalculate the sentence. The corresponding satisfaction/release method will be § 3621(e) COND (§ 3621E Conditional).

## 10. LENGTH OF SENTENCE

Following completion of Transitional Drug Abuse Treatment (TDAT), inmates found to be eligible for an early release under 18 U.S.C. § 3621(e) may receive that early release *based upon the length of their sentence*, as detailed in the table below.

Sentence Length	Early Release Time-Frame
30 MONTHS or LESS	No more than 6 months
31-36 MONTHS	No more than 9 months
37 MONTHS OR MORE	No more than 12 months

The early release time-frame reductions shown on the table are not pro-rated by days. For example, if an inmate's sentence is 36 months and any number of days, 9 months is the maximum sentence reduction allowed, whether the inmate's sentence is 36 months and 0 days, or 36 months and 30 days.

Any change in current offense sentence length as imposed by order of the Court will result in a recalculation of sentence computation and provisional incentive. For example, a 36-month sentence reduced to a 24-month sentence will result in no more than a 6-month early release.

## 11. MONITORING OF EARLY RELEASE ELIGIBILITY STATUS

An inmate may require changes to, or lose, his or her early release eligibility at any time as a result of:

- information that renders the inmate ineligible, see section 5; or
- identification of a previous error.

Chapter 2 of the Program Statement **Psychology Treatment Programs** contains specific information on the circumstances that may lead to expulsion and loss of early release. DAP staff, designated DSCC staff, Unit Team staff, TDAT staff, and Community Corrections staff play key roles in identifying, monitoring and documenting an inmate's eligibility for early release. This process involves the steps described below.

a. **The DAPC.** The DAPC, or designee, in all Bureau institutions will review all eligible inmate DRG assignments bi-monthly and prior to the inmate receiving a DAP COMP or FOL COMP SENTRY assignment.

(1) **Completion of the Unit-Based RDAP Component.** If the inmate completes the unit-based component (see **Psychology Treatment Programs**) of the RDAP, the local DAPC, or designee, will:

- replace the SENTRY participation assignment to completion assignment; and
- add a SENTRY assignment for follow-up treatment indicating the inmate is enrolled in institutional transitional aftercare.

(2) **Additional Completion Time in RDAP.** If an eligible inmate is determined, for clinical reasons (e.g., difficulty meeting treatment goals) or administrative reasons (e.g., writ, medical, institutional need), to require additional time to complete the RDAP, the DAPC, or designee, will immediately forward the *Notice of § 3621(e) Date* form to the CSD, Unit Team, and the DSCC.

(3) **Change in Early Release Status, Ineligible to Eligible.** If the DAPC is notified by the Unit Team of a change in circumstance of an “ineligible” inmate (e.g., detainer dropped, court case resolved, etc.), the DAPC, or designee, will:

- review the inmate’s case to determine if there are any other exclusionary criteria that would maintain the inmate’s ineligibility for early release;
- immediately replace the SENTRY DRG assignment of INELIGIBLE to ELIGIBLE, if no other exclusionary criteria exist; and
- forward a *Notice of §3621(e) Date* form to the CSD, the Unit Team, and the DSCC requesting appropriate change to the § 3621(e) conditional release method date.

(4) **RDAP Expel/Fail/Withdraw.** If an early release eligible inmate is expelled or withdraws from the RDAP (e.g., significant failure to meet treatment goals, significant program disruption, receives an incident report for misconduct related to drugs, alcohol, and/or act(s) of violence), the DAPC or designee will:

- complete Section III of the *Change in RDAP and § 3621(e) Status* form (BP-A0767);
- notify the inmate and send the *Change in RDAP and § 3621(e) Status* form electronically to the CSD, the Unit Team and the DSCC team responsible for the inmate’s sentence computation;
- replace the SENTRY assignment of participation with program failure for expulsion or failure, as appropriate; and
- when appropriate, replace the SENTRY assignments from § 3621(e) eligible to ineligible.

If an early release eligible inmate is expelled from the program based on an incident report for misconduct related to drugs, alcohol and/or act(s) of violence and *is later found not guilty* by the DHO, the DAPC will conduct a meeting with all treatment staff to determine if the inmate, based

on sound clinical practice and the good of the treatment community, is clinically appropriate to be placed back into the program, and if so:

- reinstate the inmate into the program;
- replace the SENTRY assignment of failure due to expulsion with that of participation;
- replace the SENTRY assignment noting ineligible to eligible;
- complete and forward the *Notice of § 3621(e) Date* form to the CSD, the Unit Team, and the DSCC team responsible for the inmate's sentence computation requesting any appropriate change to the § 3621 (e) conditional release method date; and
- notify the inmate.

(5) **Follow-Up Treatment Complete.** If an eligible inmate completes the required institutional follow-up component of RDAP, upon return to general population, the DAPC, or designee, will:

- replace the SENTRY DRG assignment of follow-up participation with follow-up completion; and
- review the inmate's PDS notes and review SENTRY to ensure the inmate is still eligible for the early release benefit.

(6) **Failure/Withdrawal of Follow-Up Treatment.** If an eligible inmate fails or withdraws from the follow-up component of RDAP, the DAPC, or designee, will:

- complete Section III of the *Change in RDAP and § 3621(e) Status* form;
- send this form electronically to the Unit Team, the CSD, and the DSCC team responsible for the inmate's sentence computation;
- replace the SENTRY assignment for follow-up participation to the appropriate follow-up fail assignment;
- replace the SENTRY assignment of DAP completion to DAP failure, final outcome; and
- replace the SENTRY assignment of eligible to ineligible for a § 3621(e) release.

(7) **Completion of All RDAP Components in the Institution.** If an eligible inmate has completed all institution components of RDAP (i.e., the unit-based program and the follow-up treatment program) and is later determined to require a change in his or her early release status (e.g., detainer removed or lodged, found guilty by the DHO for misconduct, especially as related to drugs, alcohol, and/or act(s) of violence), the Unit Team will notify the DAPC, via e-mail, of the inmate's change in status and the DAPC will then complete the *Change in RDAP and § 3621(e) Status* form.

The DAPC (or designee) will review the inmate's case to determine if the inmate is or is not eligible for an early release. The DAPC will document the outcome of this review and sign and forward the *Change in RDAP and § 3621(e) Status* form to the CSD, and the DSCC team responsible for the inmate's sentence computation.

(8) **Changes in Inmate Early Release Status.** Any and all changes in an inmate's early release status will be documented in the Psychology Data System (PDS). If an inmate is removed from the program, the circumstances for removal (e.g., expulsion, incomplete, withdrawal) are to be documented as a Discharge Note in PDS.

(9) **Unit Team Final § 3621(e) Review.** Before a § 3621(e) eligible inmate is processed for transfer to an RRC, the Unit Team will complete the *Unit Team Final Review* form (BP-A0766). Ordinarily, this will occur 30 days before the inmate's RRC transfer. This form ensures that all criteria for early release have been met. In conjunction with this review the DAPC, or designee, is to review SENTRY to determine if:

- the inmate has completed all components of the unit-based RDAP, in a unit set apart from the general population for no less than nine months; and
- the inmate has completed the follow-up component of the RDAP.

b. **The Unit Team.** Typically, the Unit Team's review of the inmate's status will be in conjunction with regularly scheduled program reviews, preparation of release paperwork, and RRC referrals.

(1) **Change in Early Release Eligibility Status/DAP WAIT QUAL or DAP PART.** If an eligible inmate's early release eligibility status requires change (e.g., detainees removed/added, noncompliance with FRP), the Unit Team will immediately notify the DAPC via e-mail.

(2) **Change in Early Release Eligibility Status/RDAP Complete.** If an eligible inmate has completed all institution components of RDAP (i.e., the unit-based program and the follow-up treatment program) and is later determined to require a change in his/her early release status (e.g., detainees removed/added, found guilty by the DHO for misconduct related to drugs, alcohol, and/or act(s) of violence, noncompliance with FRP), the Unit Team will immediately notify the DAPC via e-mail. The DAPC will:

- complete the *Change in RDAP and § 3621(e) Status* form;
- provide a copy of the *Change in RDAP and § 3621(e) Status* form to the inmate; and
- forward the *Change in RDAP and § 3621(e) Status* form to the Unit Team, the CSD, and the DSCC team responsible for the inmate's sentence computation.

(3) **§ 3621(e) Conditional Release.** The Unit Team will use the *Notice of § 3621(e) Date* form in preparing the RRC packet for the Warden's approval. Upon approval, the RRC packet will be forwarded to Community Corrections.

(4) **Unit Team Final Review.** Before an eligible inmate is processed for early release to an RRC, the Unit Manager or designee will complete the *Unit Team Final Review* form. Ordinarily, this will occur 30 days before RRC transfer or release. This review ensures that all criteria for early release have been met. If any SENTRY codes have been replaced with fail or ineligible codes, the inmate *is not eligible* for an early release.

(5) **RRC Incident Report.** If a previously eligible inmate was returned from RRC placement due to an incident report and that incident report is later expunged by the Discipline Hearing Officer, the Unit Team will:

- notify the DAPC immediately and request the SENTRY failure assignment be replaced with the completion assignment, and the SENTRY appropriate early release eligibility assignment is entered; and
- complete the *Notification of RRC Placement Date* form (BP-A0628) and send it to the CSD and the appropriate DSCC computation staff.

c. **DSCC Computation Staff.** Ordinarily, the DSCC's role is to ensure the Sentence Monitoring and Computation data for an inmate is appropriate and current at all times.

(1) **Changes in Conditional Release Date.** Any changes required in the computation of a § 3621(e) Conditional Release date will be made by DSCC upon receipt of one of the following Forms:

- the *Notice of § 3621(e) Date* form;
- the *Change in RDAP and § 3621(e) Status* form; or
- the *Notification of RRC Placement Date* form.

The DSCC staff will make the appropriate computation changes within 15 working days.

(2) **RRC Placement Date.** When the inmate has been accepted for RRC placement, the *Notification of RRC Placement Date* form will be sent to the appropriate DSCC computation staff and the CSD by the Warden. Upon receipt of this form, the designated DSCC staff will enter the § 3621E CCPS (complete community program) date into the inmate's sentence computation within 15 working days. DSCC staff will recalculate the sentence to show a release date via RDAP early release pursuant to § 3621(e).

(3) **Request to Delay, Remove or Reinstate Early Release.** When notified by the Transitional Drug Abuse Treatment Coordinator (T-DATC) via the *Request to Delay, Remove or Reinstate Early Release* form (BP-A0768), the DSCC will recalculate the sentence computation within 15 working days of receipt of the form. The DSCC will enter a "/" in the § 3621E CCPS (complete community program) date field, SENTRY will set the § 3621E REL date to "/", and the inmate's projected satisfaction/release date will be set to his/her projected Statutory Release Date (SRD), and the corresponding satisfaction/release method GCT REL.

d. **TDAT and Community Corrections Staff.** **§ 550.55(c)(3) If inmates cannot fulfill their community-based treatment obligations by the presumptive release date, we may adjust provisional release dates by the least amount of time necessary to allow inmates to fulfill their treatment obligations.** In practice, it is the T-DATC who adjusts all provisional release dates.

(1) **Transitional Drug Abuse Treatment Coordinator.** When an inmate is placed in community-based treatment, the T-DATC monitors the inmate's treatment. Therefore, all recommendations for changes in an inmate's early release date must be initiated by the T-DATC. This includes delays or removal of early release for treatment related issues, escapes from the RRC, RRC failures, disallowance of Good Conduct Time by the Discipline Hearing Officer, etc. For example, if an inmate fails the RRC, the CCM will contact the T-DATC via GroupWise to request a change in the inmate's status.

Additional guidance on delaying and/or removing early release is contained in the Program Statement on Community Transitional Drug Abuse Treatment.

(2) **T-DATC Review.** The T-DATC is responsible for reviewing all requests to delay or remove an inmate's early release date. Supporting documentation should be included in the review. The T-DATC will approve or disapprove the request.

(3) **Request to Delay, Remove or Reinstate Early Release.** If the T-DATC decides to delay or remove early release, he or she will complete the *Request to Delay, Remove or Reinstate Early Release* form, scan the document, and submit it to the appropriate team at the DSCC. If the staff at the DSCC have not calculated/assumed the related sentence computation, they will need to contact the parent facility for an electronic version of the Judgment and Commitment file to carry out the change in the release date.

(4) **SENTRY Assignments.** All SENTRY assignments should be updated by the TDAT and/or community corrections staff as such changes occur. At no time should an inmate have a failure SENTRY assignment while maintaining an early release date. This is to be monitored closely by the TDAT, community corrections, and the DSCC.

(5) **Reinstatement of § 3621(e) Date.** If an inmate has received an incident report that is later expunged by the DHO, the appropriate staff, T-DATC or DAPC, depending on the inmate's location, will complete the *Change in RDAP and § 3621(e) Status* form or the *Request to Delay, Remove or Reinstate Early Release* form and immediately scan the form and send it to the DSCC to reinstate the inmate's early release. Once the inmate begins TDAT, the T-DATC will decide if the inmate's provisional early release date will be delayed. Delays of an early release date will allow the inmate to complete TDAT.

(6) **Redesignation.** If it is determined that the inmate must be redesignated, the CCM will review the case and submit a redesignation request to the DSCC.

## 12. CERTIFYING EARLY RELEASE

Upon an inmate's completion of TDAT, the T-DATC must certify to the DSCC that the inmate has completed all requirements of RDAP. This certification assures the inmate has successfully completed all of the requirements that earn him or her an early release. The T-DATC will complete the *Transitional Drug Abuse Treatment § 3621(e) Release Date Confirmation* form



(BP-A0910), scan the document, and submit it to the appropriate team at the DSCC. (See Program Statement on Community Transitional Drug Abuse Treatment for steps to certifying early release.)

## REFERENCES

### *Program Statements*

P5162.02	Definition of Term - Crimes of Violence (7/24/95)
P5162.04	Categorization of Offenses (10/9/97)
P5270.07	Inmate Discipline and Special Housing Units (1/09/03)
P5310.12	Psychology Services Manual (3/7/95)
P5330.11	Psychology Treatment Programs (3/16/09)
P5800.15	Correctional Systems Manual (1/1/09)
P7430.02	Community Transitional Drug Abuse Treatment (4/14/99)

### *ACA Standards*

- Standards for Adult Correctional Institutions, 4<sup>th</sup> Edition: 4-4441
- Performance Based Standards for Adult Local Detention Facilities, 4<sup>th</sup> Edition: 4-ALDF-5A-08

### *Other Standards*

American Psychological Association Ethical Principles of Psychologists and Code of Conduct, 3-21-02.

### *Forms*

All forms may be found on Sallyport.

*Notice of RDAP Qualification* (BP-A0941)

*Request for § 3621(e) Offense Review* (BP-A0942)

*Notice of § 3621(e) Date* (BP-A0764)

*Change in RDAP and § 3621(e) Status* (BP-A0767)

*Unit Team Final Review* (BP-A0766)

*Notification of RRC Placement Date* (BP-A0628)

*Request to Delay, Remove or Reinstate Early Release* (BP-A0768)

*Transitional Drug Abuse Treatment § 3621(e) Release Date Confirmation* (BP-A0910)

### *Records Retention*

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) on Sallyport.