

Talking Points Re: FIRST STEP

- On Friday December 21, 2018, the President signed into law new criminal justice legislation called the "FIRST STEP Act".
- This law is complex and requires the BOP to implement a number of changes. The agency is analyzing all the changes required but taking careful note of which changes are effective immediately and which changes require additional action.
- We know that inmates and their families are particularly interested in the changes regarding good conduct time. The law will allow BOP in the future to apply 54 days of credit for every year a sentence was imposed, which is a change to the prior law.
- While this change may result in additional credit for inmates, we note that is not effective immediately nor is it applicable to all inmates.
- Specifically, Section 102 (b) (2) states "*EFFECTIVE DATE.—The amendments made by this subsection shall take effect **beginning on the date that the Attorney General completes and releases the risk and needs assessment system** under subchapter D of chapter 229 of title 18, United States Code, as added by section 101(a) of this Act.*"
- Section 102 (b) (3) states, "*APPLICABILITY.—The amendments made by this subsection shall apply with respect to offenses committed before, on, or after the date of enactment of this Act, **except that such amendments shall not apply with respect to offenses committed before November 1, 1987.***"
- Although this revision is not in effect at this time, the BOP is currently preparing to issue new sentence computations when the risk and needs assessment system is issued.
- The Department of Justice and the BOP are reviewing the legislation and will carry out all necessary steps to comply with this significant piece of legislation.