

## Training Plan

### WHAT IS THE FIRST STEP ACT (FSA)

Provide programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes.

### BOP's Role in enactment of FSA:

- Recalculation of the Good Conduct Time Credits from 47 days to 54 days for the total sentence length. July 19, 2019.
- Determine Eligibility to earn and/or apply FSA Time Credits for prerelease custody.
- Use of the Prisoner Assessment Tool Targeting Estimated Risk and Needs (**PATTERN**) tool to complete Risk/Needs Assessment by January 15, 2020, as established by FSA.
- Evaluate Evidence Based Recidivism Reduction (EBRR) programs and productive activities.
- Time Credits

### GOOD Conduct Time Calculation

DSCC began recalculation of inmate sentence computations in June 2019. All computations audited after this date are based on the new calculation.

### ELIGIBILITY

Every inmate will be reviewed for eligibility by January 15, 2020. (Does not apply to Pretrial/Holdover inmates)

- FSA SENTRY Codes established; all inmate currently have (b)(7)(E) (b)(7)(E) (Unreviewed Past Offense History). See Handout
- Using the criteria as referenced in FSA Section D (S75-5,6,7,8,9,10) A handout with the FSA Federal Ineligible Offenses.
- This applies to US Code Offenses only, (does not apply to State Boarders, Military, D.C. Superior Court, will be given a SENTRY assignment of (b)(7)(E) .
- Review the current offense to determine eligibility under FSA and enter the appropriate SENTRY assignment. (see handout)

- If current Federal offense determines they are eligible, then review past Federal/state offenses using the Presentence Investigation Report (PSI), Rap Sheet, NCIC or pertinent information (see Handout for prior Federal and state offense). If found ineligible by this conduct unit staff must email the local Consolidated Legal Center (CLC) via Unit Team Mail box. (b)(7)(E)
- Once determination is made by CLC, staff will enter the appropriate SENTRY assignment.
- Documentation of eligibility will annotated on the Central File Chronological Activity Log.
- (b)(7)(E) - SENTRY automation to review the Sentence Offense Codes for FSA eligibility. Unit staff will need to review each Judgement and Commitment to ensure the offense meets the criteria. If unit staff identify a discrepancy between the Sentence Offense Code and the Judgment and Commitment an email will be sent to the DSCC Team assignment (located on the Inmate Profile).
- If unit team and DSCC do not concur the DSCC will consult the DSCC Legal Counsel.

## RECIDIVISM RISK ASSESSMENT

DOJ Researchers created PATTERN to fulfill requirements of the First Step Act of 2018 (FSA). The inmate custody classification manual predicts whether an inmate will commit serious misconduct while in prison. **PATTERN predicts whether an inmate will commit a crime after their release from prison.** The general and violent risk score determine each inmates violence and general recidivism risk levels: Minimum, Low, Medium, or High. Finally, PATTERN, determines and Overall recidivism risk level, which is equal to either the violent or general recidivism risk level - WHICH EVER IS HIGHER.

While PATTERN utilities information from the Custody Classification Form it is still an independent tool to assess recidivism risk.

## **PATTERN RISK SCORING**

**MALE** (Handout with Instructions, will be filed in Section 2).  
Values will need to be entered for both General and Violent Risk.

1. Current Age - from Inmate Profile (PP44).
2. Age at First Conviction - Find first conviction from PSR, Rap Sheet or NCIC and calculate age. (must use conviction date).
3. Walsh W/Conviction - from Inmate Profile (PP44).
4. Violent Offense - Violent IIS Offense Codes (handout)
5. Severity of Current Offense - from latest Custody Classification form (BP337/BP338) for new commits arriving do not rescore.
6. Criminal History Points - from the initial Security Designation form (PPG0). (Do not use Criminal History Score)
7. History of Escapes - from the latest Custody Classification form, review the PD15 for any recent escape infractions.
8. Voluntary Surrender - from the latest Custody Classification form.
9. History of Violence - from the latest Custody Classification form, review the PD15 for any recent violent infractions.
10. Drug Program Status - determine if the inmate has an alcohol or drug abuse history, review PSR or latest Custody Classification form and PD15. Lastly, review the Inmate Profile (PP44) to see if the inmate completed any Drug Programming.
11. All Incident Reports - Review PD15 for all incident reports for the last 10 years to include prior incarcerations. (PD15 Limit To 120 MOS)
12. Serious Incident Reports - Review PD15 for all 100/200 incident reports for the last 10 years to include prior incarcerations.
13. Programs Completed - Review the Inmate Education Data Transcript (PEED) for completed classes within the current incarceration. (Column AC = C) ACE, Parenting, VT and Tech LOCAL EDUCATION WILL NEED TO PROVIDE INFO ON CLASSES
14. Tech/Voc Programs - Review the Inmate Education Data Transcript (PEED) for completed classes within the current incarceration. (Column AC = C)
15. Drug Education - Review the Inmate Profile (PP44) for (b)(7)(E) .

- Sum each columns
- List the overall PATTERN RISK LEVEL (Highest of the two scores)

### CUT POINTS FOR MEN

Recidivism Risk Level	Male	
	General	Violent
Minimum	10 or Less	21 or Less
Low	11-33	22-35
Medium	34-45	36-40
High	46+	41+

**FEMALE** (Handout with Instructions, will be filed in Section 2). Values will need to be entered for both General and Violent Risk.

1. Current Age - from Inmate Profile (PP44).
2. Age at First Conviction - Find first conviction from PSR, Rap Sheet or NCIC and calculate age. (must use conviction date)
3. Violent Offense - Violent IIS Offense Codes (handout)
4. Severity of Current Offense - from latest Custody Classification form (BP337/BP338) for new commits arriving do not rescore
5. Criminal History Points - from the initial Security Designation form (PPG0). (Do not use Criminal History Score)
6. History of Escapes - from the latest Custody Classification form, review the PD15 for any recent escape infractions.
7. Voluntary Surrender - from the latest Custody Classification form.
8. History of Violence - from the latest Custody Classification form, review the PD15 for any recent violent infractions.
9. Drug Program Status - determine if the inmate has an alcohol or drug abuse history, review PSR or latest Custody Classification form and PD15. Lastly, review the Inmate Profile (PP44) to see if the inmate completed any Drug Programming.

10. Education Score - Review the Inmate Education Data Transcript (PEED) for earned High School Diploma or GED, or enrolled or not enrolled.
11. All Incident Reports - Review PD15 for all incident reports for the last 10 years to include prior incarcerations. (PD15 Limit To 120 MOS)
12. Serious Incident Reports - Review PD15 for all 100/200 incident reports for the last 10 years to include prior incarcerations.
13. Programs Completed - Review the Inmate Education Data Transcript (PEED) for completed classes within the current incarceration. (Column AC = C) ACE, Parenting, VT and Tech LOCAL EDUCATION WILL NEED TO PROVIDE INFO ON CLASSES
14. Tech/Voc Programs - Review the Inmate Education Data Transcript (PEED) for completed classes within the current incarceration. (Column AC = C)
15. UNICOR - Inmate Work History Profile (PP37), any days spent working in UNICOR during current incarceration.
16. Drug Education - Review the Inmate Profile (PP44) for (b)(7)(E).
17. FRP Refusal - Review the Inmate Profile (PP44) for current FRP status.

- Sum each columns
- List the overall PATTERN RISK LEVEL (Highest of the two scores)

#### **CUT POINTS FOR WOMEN**

Recidivism Risk Level	Female	
	General	Violent
Minimum	9 or Less	22 or Less
Low	10-29	23-30
Medium	30-45	31-35
High	46+	36+

#### **TIME CREDITS**

- Eligible inmates will be able to earn time credits.
- Ineligible inmates are able to earn but cannot apply the credits.

- Inmates who score as Minimum or Low recidivism are able to apply time credits; Medium and High inmate can earn credits but cannot apply until they reach low or minimum recidivism level.
- Minimum and Low recidivism inmates can earn additional days of credit after two consecutive assessments.
- Criminal Alien can earn time credits but are not eligible to apply time credit due to Detainer status.
- Any inmate with a formally lodged Detainer cannot apply time credits until the detainer is removed.