



U.S. Department of Justice  
Federal Bureau of Prisons

## PROGRAM STATEMENT

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# Correctional Systems Manual

/s/

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Director, Federal Bureau of Prisons

## 1. PURPOSE AND SCOPE

To provide direction to ensure consistency in carrying out Correctional Systems responsibilities.

The Correctional Systems Department (CSD) is responsible for many diverse activities and duties that are essential to the admission and release of inmates, computing and tracking inmate sentence information, and providing secure mail services to inmates and staff. This edition of the Correctional Systems Manual incorporates changes based on the Executive Staff decision to consolidate the duties of the Legal Instruments Examiner (LIE) and the Inmate Systems Officer (ISO) under the new position title of Correctional Systems Officer, and changes which have occurred since the last publication of this manual.

### a. Summary of Changes

#### *Policy Rescinded*

P5800.14 Inmate Systems Management Manual (12/30/06)

Changes have been made to update previous policy. If local procedures are changed, the local union will be notified in accordance with the Master Agreement. Training will be conducted for affected departments as necessary.

The following is a summary of the major changes to the manual.

- **Added:** Duties for Correctional Systems Officers (CSOs).
- **Updated:** Mandatory training modules.

b. **Program Objective.** Correctional Systems departments will operate uniformly Bureau-wide.

c. **Institution Supplement or Other Local Procedures Required.** Institution Supplements or some other form of local procedures are needed for the following sections:

- **Section 101.a (Page 1-1).** Procedures for coordinating and reviewing paperwork associated with inmate movement and release.
- **Section 103 (Page 1-3).** Alternative procedures for the Records Office “open house” where physical layout or mission prohibit inmate access for responding to inmate issues.
- **Section 105 (Page 1-4).** The Department Head is responsible for procedures for the procurement and collection of X-ray badges.
- **Section 306 (Page 3-3).** Procedures for the receipt and processing of all trackable mail other than U.S. Postal Service deliveries.
- **Section 306 (Page 3-3).** Procedures to document temporary file withdrawal requests made outside a Bureau approved e-mail system.
- **Section 310 (Page 3-7).** Procedures for special seals or certifications for those jurisdictions requiring them on copies of inmate file materials.
- **Section 603.a (Page 6-2).** Ensuring that a second Detainer Action Letter (DAL) is sent in a timely manner for all unanswered inquiries.
- **Section 604 (Page 6-3).** Procedures for distributing U.S. Marshals Service and Immigration and Customs Enforcement (ICE) detainers within the institution.
- **Section 701 (Page 7-1).** Procedures for notifying the FBI and other law enforcement agencies of an inmate’s escape.
- **Section 903 (Page 9-4).** Procedures for ensuring the timely release of inmates.
- **Section 904.b (Page 9-8).** Optional procedures regarding staff signatures for the “Release Action” section of the Release Authorization form (BP-A392).

d. **MCC/MDC/FDC/FTC/Application.** This Program Statement’s provisions apply to pretrial and holdover inmates as indicated in subsequent sections.

e. **Private Sector Secure Correctional Facility and Intergovernmental Agreement (IGA) Application.** Portions of this Program Statement may apply to privately-operated facilities and IGAs. Contractors and operators should consult their Statements of Work for applicability.

## 2. DISTRIBUTION

Central Office Correctional Programs staff will distribute a copy of this manual electronically to all Regional Correctional Programs Administrators, Case Management Coordinators, Community Corrections Managers, and Unit Managers.

## REFERENCES

### *Program Statements*

- P1237.13 Information Security Programs (3/31/06)
- P1240.05 Records and Information Management Programs (9/21/00)
- P1351.05 Release of Information (9/19/02)
- P1434.06 Jurisdiction on Escape Related Issues – Memorandum of Understanding – USMS/FBI/BOP (7/25/94)
- P2000.02 Accounting Management Manual (10/15/86)
- P3000.03 Human Resource Management Manual (12/19/07)
- P3906.20 Employee Development Manual (1/24/07)
- P4100.04 BOP Acquisitions Policy (5/19/04)
- P5070.10 Responses to Judicial Recommendations and U.S. Attorney Reports (6/30/97)
- P5100.08 Inmate Security Designation and Custody Classification (9/12/06)
- P5110.14 Administration of Sentence for Military and Coast Guard Inmates (1/7/00)
- P5111.03 Mariel Cuban Detainees (10/25/99)
- P5140.34 Transfer of Offenders To or From Foreign Countries (9/21/00)
- P5140.35 Transfer of a Prisoner to State Custody Prior to Release from the Federal Sentence (9/12/01)
- P5140.36 Release of Inmates Prior to a Weekend or Legal Holiday (11/23/01)
- P5140.37 Unescorted Transfers and Voluntary Surrenders (1/31/03)
- P5160.05 Designation of State Institution for Service of Federal Sentence (1/16/03)
- P5180.05 Central Inmate Monitoring System (Program Statement Only) (12/31/07)
- P5180.06 Central Inmate Monitoring System (Operations Manual Only) (3/24/08)
- P5265.11 Correspondence (7/9/99)
- P5266.10 Incoming Publications (1/10/03)
- P5280.08 Furloughs (2/4/98)
- P5290.12 Intake Screening (3/16/99)
- P5330.10 Inmate Drug Abuse Programs Manual (5/25/95)
- P5331.01 Early Release Procedures under 18 U.S.C. §3621(e) (9/29/03)
- P5380.08 Inmate Financial Responsibility Program (8/15/05)
- P5538.05 Escorted Trips (10/6/08)
- P5553.07 Escapes/Deaths Notification (2/10/06)
- P5580.07 Inmate Personal Property (12/28/05)
- P5800.10 Mail Management Manual (11/3/95)
- P5800.11 Inmate Central File, Privacy Folder, & Parole Mini-Files (9/8/97)
- P5800.12 Receiving and Discharge Manual (12/31/97)
- P5875.12 Transfer of Inmates to State Agents for Production on State Writs (7/31/03)
- P5880.28 Sentence Computation Manual (CCCA of 1984) (2/21/92)
- P5880.30 Sentence Computation Manual/Old Law, Pre-CCCA 1984 (7/16/93)
- P5880.32 District of Columbia Sentence Computation Manual (1/23/01)
- P5882.03 Fines and Costs for “Old Law” Inmates (2/4/98)
- P5884.02 Educational Good Time Sentence Credit for D.C. Code Offenders (7/24/02)

P5884.03 Good Conduct Time Under the Prison Litigation Reform Act (3/31/06)  
P6270.01 Medical Designations and Referral Services for Federal Prisoners (1/15/05)  
P7300.09 Community Corrections Manual (1/12/98)

*Other Policy*

T5802.02 SENTRY General Use Technical Reference Manual (7/10/00)

*ACA Standards*

- 4th Edition Standards for Adult Correctional Institutions: 4-4095, 4-4096, 4-4097, 4-4098, 4-4103, 4-4104, 4-4281-8, 4-4414 and 4-4446
- 2<sup>nd</sup> Edition Standards for Administration of Correctional Agencies: 2-CO-1E-06, 2-CO-1F-08, 2-CO-1E-04, 2-CO-1E-05, and 2-CO-1E-01
- 4th Edition Performance Based Standards for Adult Local Detention Facilities: 4-ALDF-4D-22-8, 4-ALDF-4D-27, 4-ALDF-5B-18, 4-ALDF-7D-20, 4-ALDF-2A-16

*Records Retention Requirements*

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

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## **CHAPTER 1. CORRECTIONAL SYSTEMS DEPARTMENT/DESIGNATION AND SENTENCE COMPUTATION CENTER**

### **101. RESPONSIBILITIES**

a. **Correctional Systems Department (CSD).** CSD responsibilities include:

#### *Records Office*

- Ensuring the legality of an inmate's admission and release.
- Coordinating and reviewing paperwork associated with inmate movement and release (refer to local procedures).
- Establishing and maintaining a "records control system" to effect the release of inmates on the correct date.
- Coordinating and monitoring the release of inmates to other jurisdictions upon completion of their sentence(s) or for temporary release for court appearances.
- Responding to requests for records.
- Determining and verifying outstanding charges from other agencies/jurisdictions and coordinating the placement of detainees.

#### *Mail Room*

- Operating the Mail Room.
- Processing all incoming and outgoing inmate and official mail. (Refer to the Mail Management Manual for more information.)

#### *Receiving and Discharge (R&D)*

- Reviewing commitment and release paperwork.
- Processing inmate property.
- Coordinating and reviewing paperwork associated with inmate movement and release (refer to local procedures).
- The physical processing of all inmates into and out of the institution. (Refer to the Receiving and Discharge Manual for more information.)

b. **Designation and Sentence Computation Center (DSCC).** DSCC responsibilities include:

- Ensuring placement of inmates in facilities commensurate with their security and program needs.
- Computation of various types of sentences in order to establish an inmate's statutory release date.
- Auditing sentence computations.

- Monitoring the status of contract prisoners.

## **102. STAFFING**

The CSD, under the direction of the Case Management Coordinator (CMC), normally consists of a Supervisory Correctional Systems Specialist (SCSS) and Correctional Systems Officers (CSOs).

The DSCC, under the direction of the Chief, normally consists of Section Chiefs, attorneys, supervisory staff, classification, computation and designation staff.

Program direction and support for sentence computation and related functions are provided by the Chief, DSCC.

Program direction and support for institution Records Office, R&D and mail room functions will be provided by the Regional Correctional Programs Administrator and/or Correctional Programs Branch, Central Office.

### **a. Supervisory Staff (CMC/SCSS)**

- Must participate in the institution Admission and Orientation (A&O) Program (cannot be delegated below the acting supervisor).
- Reviews commitment documentation and SENTRY load data to ensure it is complete and accurate.
- Has the overall responsibility for accuracy of release paperwork.
- Conducts training sessions for unit management staff or other institution staff as needed.
- Ensures all CSD staff are adequately trained and supervised, and that training is documented on the employee's training record.
- Responsible for ensuring all CSD staff are notified of the publication of all Program Statements and updates which directly affect the department. This may be accomplished either via electronic or printed media.
- Participates in the annual budget process and is a member of the institution budget committee.
- Must be familiar with preparation of equipment justification forms, sources for obtaining equipment and supplies, and operation of the department within the available funding limits.
- Encourages positive Labor Management Relations and has a working knowledge of the Master Agreement.
- Acts as the technical advisor for the department.
- Ensures security of the department.

**b. Correctional Systems Officers (CSOs).** Schedules and rosters for CSOs will be in accordance with Article 18 of the Master Agreement. All CSOs are to perform all functions in all three functional areas to maintain maximum knowledge and flexibility in all areas.

Prior to assuming duties in a particular area, employees who were originally hired as ISOs or LIEs will not be scheduled to perform duties in that area until trained. All PO9 positions assigned to CSD will be treated in the same manner as CSOs.

**c. DSCC Staff**

- Ensures a SENTRY Update Judgment/Warrant transaction is performed on all inmates designated to their institution within 48 hours of admission (excluding weekends and holidays).
- Audits sentence computations.
- Ensures the timely and accurate completion of sentence computations.
- Ensures all DSCC staff are adequately trained and supervised and that training is documented on the employee's training record.
- Ensures all DSCC staff are notified of the publication of all Program Statements and updates which directly affect the department. This may be accomplished either via electronic or printed media.

**103. STAFF RESPONSIVENESS**

Supervisory staff will ensure that all staff at institutions and the DSCC have access to applicable directives, training, and cross-training to provide assistance as needed.

CSD and DSCC staff, where appropriate, will provide inmates with information regarding:

- Sentence computation.
- Good time.
- Adjustments to release dates.
- Detainers.
- Writs.
- Mail.
- Personal property.
- Other CSD-related issues.

Normally, these responsibilities are accomplished during intake processing, A&O, Open House, mainline, or by responding to an Inmate Request to Staff Member (BP-A148).

Institutions whose physical layout or mission prohibits inmate access to the Records Office for "Open House" must develop local procedures for responding to inmate issues.

A representative from the CSD must make weekly visits to Special Housing/Jail/PCU Units to respond to issues for inmates not housed in the general population.

## **104. SECURITY**

Inmates may be assigned to the CSD and the DSCC. Inmates may only be allowed to perform janitorial duties, tailoring duties, and tasks which do not jeopardize the security. The physical design and layout of all department areas are an important part of maintaining security.

- Inmate workers must be closely supervised.
- There must be controlled access to all areas. Only authorized staff are permitted. (Institutions will refer to the R&D and Mail Management Manuals for specific requirements.)
- All CSD office and area keys are to be considered “restricted” and procedures for obtaining “restricted keys” are to be followed.
- Data areas must be designed to provide for the security of the equipment, manuals, reports, and related materials.

Guidelines relating to the security of computer systems are provided in the Program Statement, Information Security Programs.

## **105. EQUIPMENT**

The acquisition of all telecommunications and computer-related equipment will be made in accordance with the Program Statement on BOP Acquisitions.

An area security x-ray exposure badge will be provided by Health Services to detect leakage from specific equipment. The badge will be exchanged quarterly for a new badge.

The Department Head is responsible for establishing local procedures to ensure badges are provided and collected for the department.

## **CHAPTER 2. STAFF TRAINING**

### **201. INTRODUCTION**

Training is vitally important for staff growth and development. Numerous training aids are available for staff, to include, but not limited to on-the-job training (OJT), mentoring, classroom instruction, training modules, computer-based training, videos, etc.

Managers/supervisors have a responsibility to ensure staff receive adequate training to meet the challenges of their job and to prepare them for future advancement.

For training purposes, the agency agrees to comply with all national policies and the Master Agreement. Consistent with this, training will be provided to those employees not previously trained in the functional areas of the CSO position (i.e., Records Office, R&D, and Mail Room).

### **202. STAFF ORIENTATION**

The training process starts when a new employee reports for duty. It is important that staff receive an overview of the department's components and mission, including but not limited to:

- Sentence computation and administration of good time.
- IADA, writs, and movement.
- Preparation of release paperwork.
- Proper handling and accountability of inmate mail.
- Property.
- Proper handling of monies and legal instruments.

Managers/Supervisors are required to develop an orientation program that, is conducted as soon as is practicable, and at a minimum, consists of the following components:

- Introduction of the new employee to their administration, co-workers, and other staff as required.
- A five-day orientation program.
- Assignment to an experienced employee in each functional area to provide guidance on duties.
- Introduction to the reference library, or use of the Sallyport Policy/Forms Intranet website, with a listing of all relevant policies provided.

CSD staff should be knowledgeable of all policy applicable to Correctional Systems. The manager/supervisor has a responsibility to ensure training is conducted.

### 203. MANDATORY TRAINING

All CSD staff must complete all of the self-study training modules successfully within nine months of appointment. The manager/supervisor will coordinate a schedule and provide on-duty time for completing the modules. The modules are to be administered “open book.” They may be taken in any order, but must be given in a controlled testing environment.

NAME OF MODULES
Mail Management
Detainers, Writs and IAD
Processing Inmates In-Out
Sentence Computation/Judgment and Commitment File

A minimum score of 75% must be achieved to pass each module. If a passing score is not attained, the employee may retake the module one more time without additional study. If a passing score is not attained on the second attempt, the manager/supervisor will prescribe additional training and study.

**Note:** If the employee fails to receive a passing score after the second attempt, at least 30 days must elapse between each subsequent attempt with additional training during this time.

When the employee completes all modules successfully, a copy must be forwarded to the Employee Services Manager (ESM) for documentation and posting to the official training record. Sixteen hours of training credit will be given for each completed module.

Additionally, all CSD staff must complete the Mail Room Officer’s and the Receiving and Discharge Officer’s Self-Study Course and Survival Skills Guides within nine months of appointment. This training will be completed during on-duty time.

Staff will be required to be Central Inmate Monitoring (CIM) certified in accordance with the CIM Manual, and National Crime Information Center (NCIC) certified.

Specific training requirements for the CSD are outlined in the Employee Development Manual. Staff will not be nominated to attend specialty training until they have completed all of the CSD self-study training modules.

#### **204. LOCAL CSD TRAINING**

Each manager/supervisor has a responsibility to provide and monitor localized training for their staff. In carrying out these responsibilities, each manager/supervisor will develop local training materials to help staff perform their assigned duties. Upon request, the Correctional Programs Division, Central Office, will provide training materials and assist in developing local training.

The manager/supervisor will maintain all training records. All training must be documented in accordance with the Employee Development Manual.

#### **205. INDIVIDUAL TRAINING PLANS**

A large part of the manager/supervisor's responsibility lies in staff development. To ensure staff training needs are adequately met, each manager/supervisor is to evaluate the needs of their staff in accordance with the Employee Development Manual.



## **CHAPTER 3. CORRECTIONAL SYSTEMS POPULATION ACCOUNTABILITY & FILE MANAGEMENT**

### **301. DEFINITION AND RESPONSIBILITIES**

The Bureau maintains confinement-related documents on all inmates and detainees committed to its authority.

The Records Office maintains the records of each inmate admitted to or discharged from the institution.

The manager is the Custodian of Records and is responsible for file retrieval, transfer, retention, disposal, certification, production, and disclosure.

### **302. POPULATION INDEX SYSTEM**

The maintenance of an alphabetical index card system for all inmates processed into or out of the institution is not required if a database system is used to document file retirement. The inactive cards currently on file will be kept for archiving purposes. In the event a database system is developed or used, the local Union will negotiate in accordance with the Master Agreement.

Upon commitment, index cards such as quarters' cards, crew kit cards, Warden's cards, etc., may be produced in any format.

### **303. INMATE REMAND AND JUDGMENT & COMMITMENT (J&C) FILES**

The CSD creates and maintains Inmate Remand and J&C files.

- The Inmate Remand file (BP-676) is a drop-file folder that may be used for documents pertaining to pretrial and holdover inmates.
- The J&C file (BP-174) is a folder marked "Sensitive But Unclassified" which contains documents relating to sentenced inmates.

Due to the sensitive nature of information contained within these files, the front of each file will be stamped "Sensitive But Unclassified." Disclosure of information contained in these files must be in accordance with the Program Statement on Release of Information.

A copy of most documents contained in the J&C file are available in the central file, and therefore, inmates requesting to review the J&C file will be referred to the unit team.

CSD staff may allow inmates to review portions of the J&C file when discussing sentence computations or detainer issues, unless documents are sealed by the court or otherwise non-disclosable.

If clarification of disclosable information is needed, CSD staff must contact their assigned legal representative.

Inmates are to submit requests for additional access to information or copies of file materials through regular Freedom of Information Act (FOIA) procedures.

Local instructions will be established at each institution to implement this procedure.

For security and safekeeping purposes, Inmate Remand, J&C, and holdover files will be stored alphabetically in locked cabinets, secured file room, or filing systems when not in use. The file cabinets are to be located in a central area for easy access.

J&C files of designated inmates will be physically accounted for quarterly (this procedure is also recommended for Remand files). A SENTRY generated roster of the institution's designated inmate population will be used to verify each file. Once completed, the reviewing CSD staff member will sign and date the roster. It is to be maintained for two years.

### **304. ORGANIZATION OF THE INMATE JUDGMENT & COMMITMENT (J&C) FILE**

Refer to Attachment A for the organization of the J&C file.

Each document within its same subset will be filed chronologically from bottom to top with the most recent document on top.

The most recent sentence computation and good time action sheet, certified, dated, and audited, will be maintained in the J&C file. Prior copies must be kept if they provide a history leading to the most recent computation. History may include jail credit, modified parole eligibility dates, violator computations, changes in sentence structure, or satisfied prior commitments.

All material relating to the original sentence computation and previous violator terms for which the violator term was imposed, including the original fingerprint card, will be retained in the J&C file. All other excess prior commitment documents will be forwarded to the unit team for review and possible inclusion in the inmate central file.

### **305. PRODUCTION OF RECORDS IN COURT**

Procedures governing the production of records in court may be found in 28 CFR 16.21 Subpart B. Approval for production or disclosure is by the Attorney General or other appropriate Department of Justice (DOJ) personnel.

CSD staff who receive a subpoena, order, or other court demand to produce CSD records are encouraged to seek advice from their assigned legal representative, local U.S. Attorney's office, and from the Regional Counsel or Office of General Counsel prior to processing.

Questions concerning disclosable information may be directed to their assigned legal representative.

When it is known that records will be required for introduction into evidence, copies must be prepared in advance to deliver to the court. Inmate files **will not leave the custody** of the person subpoenaed to produce the records.

### **306. TRANSFER OF INMATE FILES**

All requests for inmate files from Bureau facilities, will use a Bureau approved e-mail system. Upon receiving a request for the permanent withdrawal of an inmate file, CSD staff will verify the requesting person's identity prior to fulfilling the request, unless the request is sent via e-mail from another Bureau facility. Such requests will contain the requestor's mailing address.

CSD staff will note on the back of the 3 x 5 inactive card, or in a database system, the requesting facility, the date the file was mailed and the shipping tracking number.

Files sent between Bureau or contract facilities, or to CCM offices, must be sent by trackable mail with signature confirmation. Local procedures should be established for receipt and processing of trackable mail other than United States Postal Service deliveries.

For temporary withdrawal requests, other than through a Bureau approved e-mail system, the following information will be documented in accordance with local procedures:

- How the request was made (telephonic, written, etc.).
- Date.
- Name of person contacted to verify requestor.
- Name of CSD staff person conducting the verification.
- Inmate's name.
- Register number.
- Address where the file is being sent.
- The certified mail number/tracking number.

**Note:** Institution staff are **not authorized** to provide actual files to anyone outside the Bureau. If a request of this type is received, contact the assigned legal representative for direction.

Requests for inmate files from a U.S. Attorney must be referred to the appropriate assigned legal representative for determination.

If the assigned legal representative grants approval to mail a file to a U.S. Attorney, the file will be sent via trackable mail with signature confirmation.

The U.S. Attorney will be notified that the file is not to be released to anyone, that they are assuming full responsibility for its integrity and safekeeping, and they must return it to the sending institution.

If the inmate whose file has been requested is serving a current Federal sentence, the unit team will make a copy of the central file.

If the inmate is not serving a current Federal sentence, CSD staff will make a copy of the central file.

**Note:** The assigned legal representative is **not authorized** to allow files or their contents to be sent to anyone other than a designated U.S. Attorney. A photocopy or certified copy of the file may be substituted for the original at the requesting U.S. Attorney's discretion.

The manager/supervisor is responsible for establishing a follow-up system to track the return of files sent to U.S. Attorneys. The follow-up system must list:

- The name and register number of the file which was provided.
- The date it was mailed.
- The name and address of the U.S. Attorney requesting the file.

The signature confirmation is to be maintained in the follow-up file. The U.S. Attorney will be contacted at three-month intervals to determine the file's location and the expected date of return. These contacts will be documented in the follow-up file.

Requests for release of partial records will be handled in accordance with the Program Statement on Release of Information.

When a file request is received from the D.C. Attorney General, Unit Management staff will prepare the D.C. Department of Corrections file for mailing and ensure all pertinent information has been copied. The file will then be forwarded to the Records Office for mailing.

CSD staff will maintain a log for all files sent to the D.C. Attorney General, it will consist of the following:

- Inmate's name.
- Register Number.

- DCDC Number.
- Date of request.
- Date file was mailed.
- Trackable Mail Number.
- D.C. Attorney General's staff (who requested file).
- Mailing staff's initials.

CSD staff will note on the back of the 3 x 5 active card, or in a database system, the name of the requestor, agency, and date the file was mailed.

### **307. FILE RETENTION AND DISPOSAL DATES**

Following an inmate's release from the confinement portion of a sentence, all inmate records, except the J&C file, are to be forwarded to the appropriate unit team for inclusion in the inmate central file.

Once consolidated, the inmate central file will be sent to the Records Office no later than 30 calendar days from the date the inmate releases from the institution.

When the inmate central file is received, Correctional Systems staff will incorporate the J&C file. The outside of the inmate central file will be marked with the year of expiration, including supervision, and the disposal year of the file.

These files will be maintained at the institution until the year of expiration, including supervision, at which time they will be sent to the Federal Records Center (FRC) for retention. If space is limited at the institution, the manager/supervisor may request the FRC to accept files at an earlier date.

File retention and disposal dates are located on the BOP Intranet on-line services system. For special case files, the following information is provided:

- Files for sentences that have been expired in their entirety, to include any period of supervision, will not be combined with new sentence files.
- Files of Witness Security inmates are to be forwarded to the Inmate Monitoring Section, Central Office. Guidance and direction on handling these files should be obtained from the Inmate Monitoring Section, Central Office.
- Files for escaped inmates will be kept at the last designated institution until the inmate is apprehended or death is validated.
- The original DC file, which is maintained at the designated facility, will be archived with the institution case file.

## *Community Corrections Files*

- RRC-generated files resulting from institution transfers will be mailed with release paperwork, terminal report, final computation, inmate referral form, medical forms, disciplinary forms, and forms related to the Drug Abuse Program to the Records Office at the parent institution within 21 working days following the inmate's release. Upon receipt, the Records Office will forward the RRC release file material to the unit team for inclusion in the central file. The inmate central file will be forwarded to the Records Office within 30 calendar days of receipt of the RRC documents. Any duplicate documents and reports, such as the Presentence Report, should be shredded.
- RRC-generated files resulting from direct court commitments will be maintained at the CCM office until shipped to the FRC, at least once a year. (The retention period at the FRC is the same as institution case files: Release date + supervision term + 30 years);
- RRC-generated files resulting from condition of supervision placements and community confinement cases will be mailed to the supervising USPO unless the Chief USPO indicates in writing that the file is not required.

### **308. RETIREMENT OF FILES TO THE FEDERAL RECORDS CENTER (FRC)**

Files shipped to a FRC must be filed alphabetically by year of expiration of supervision. If files with different years of expiration are in the same box, the latest expiration date will be applied to the entire box for disposal purposes.

A shipping schedule will be agreed upon between the institution and the appropriate FRC which provides file retirement at least once a year.

Staff instructions for the retirement of files and records management guidance is located on the BOP Intranet on-line services system which includes guidance on using FRC storage and record retrieval services and associated systems.

Accession, location, and box container numbers will also be placed on the back of the appropriate inmate's card that is located in the Records Office permanent index card system or database system.

### **309. FEDERAL RECORDS CENTER SERVICES**

Inmate files may only be retrieved from FRCs by institution, DSCC, or CCM staff. Ordinarily, the file is requested from the parent institution, who in turn, will retrieve it from the FRC. Notification to the parent institution must be made if another institution retrieves the file from the FRC which allows the parent institution to account for the file.

A Reference Request – Federal Records Center (OF-11), is used to request or return files to the FRC. (Requests may also be made via e-mail.) The file's accession, location, NARA-BOP Stratified Code and box number must be provided with the request. Files may be requested telephonically when an immediate need exists. Additional guidance on FRC record retrieval services is found on Sallyport's Policy/Forms Intranet website.

Blanket permission has been given to the FBI and the U.S. Probation Office to review, on-site, all files at the FRC. CSD staff will give the file's accession, location, and box number to the requestor, for this purpose. They may not remove any documents from the file.

Requests made under the terms of the FOIA and/or Privacy Act for material in stored files will be responded to by the FRC upon the parent institution's direction. An OF-11, or e-mail message, is used for this type of request.

The FRC will also respond to requests for:

- Certified copies of J&C's, sentence data records, and fingerprint cards.
- Classification materials, Study and Observation and Progress Reports.
- Other requested information that the institution determines is releasable.
- Temporary or permanent use of a file to an authorized requestor.

### **310. CERTIFICATION OF RECORDS**

**Penitentiary Packets (Pen Packets).** A state prosecuting attorney may request certified copies of an inmate's Federal conviction record as proof of prior convictions. CSD staff at the institution having custody of the inmate's central file will process a "pen packet" for this purpose.

The "pen packet" includes the following:

- A copy of the photograph.
- A copy of fingerprint card.
- A copy of J&C (if not sealed).
- A Certificate of Record (BP-A396).

The manager will sign as the Custodian of Records under the authority of 18 U.S.C. § 4004. CSD staff are authorized to witness the manager's signature.

If the inmate's central file has been archived, CSD staff will request the file from the FRC, process the "pen packet," and then return the file.

Records are to be examined carefully for completeness prior to copying. For those jurisdictions that require special seals or certifications, local procedures are to be established.

### **311. GENERAL RECORDS SCHEDULES (GRS)**

General Records Schedules are mandatory for disposal of Federal records. GRSs, combined with disposal schedules of inmate files, provide disposal authority for the records that the Bureau generates.

When a record shows a disposal of “Submit SF-258” in the GRS, the record will be fully identified and brought to the attention of the DSCC Chief or Information Management Office, Central Office. Central Office staff will complete the necessary SF-258 for submission to the National Archives.

### **312. RETENTION OF CSD RECORDS OTHER THAN INMATE CENTRAL FILES**

Refer to the Sallyport Policy/Forms Intranet website for retention periods of all CSD records and files.



## CHAPTER 4. RECORDS OFFICE FUNCTIONS

### 401. INITIAL REVIEW OF DESIGNATION PACKET

Upon receipt of the designation packet, CSD staff will create a temporary file.

### 402. SENTENCE COMPUTATIONS

All sentence computation functions will be performed by the DSCC, except for the following:

- The SCSS will generate a daily roster of computation changes and will notify the unit team.
- A copy of the audited sentence computation will be sent to unit staff for inclusion in the inmate central file and a copy will be sent to the inmate.

**a. Load Data.** A careful review of the Offense/Charge Remarks on the Inmate Load Data must be conducted on every inmate upon designation with documents as noted in section 502.e and h. The Inmate Load Data will reflect the docket number(s), the most serious offense(s), and the total sentence length.

If any discrepancies are found, the remarks must be updated. (Refer to the Program Statement, Security Designation and Custody Classification Manual for more information.)

**b. Sentence and Commitment Documents.** Documents not received at the DSCC will be forwarded on to the DSCC and the unit team, i.e., NOAs, J&C modifications, court orders, state judgments, **Title 18 U.S.C § 3621(e) documentation (in accordance with policy)**, etc.

**c. Verifying Court Orders.** Except for the initial J&C, the authenticity of court orders (i.e., amended J&C's not affecting sentence computations, state and Federal writs, etc.) must be confirmed before the ordered action is taken. Court orders that impact sentence computations must be verified by DSCC.

Any court order received through the U.S. Marshals Service need not be verified.

Orders received through any other method must be verified as follows:

- Telephone the clerk of the court of issuance to verify the order and its exact language. If the clerk is unavailable, telephone the Assistant U.S. Attorney (AUSA) or USPO in the district of issuance.
- Verify the inmate's committed name, docket number, and date of order. Note on the J&C the date verified, name, title, and telephone number of the verifying person, and signature of the CSD staff making the inquiry.
- Ensure the order contains the court's seal, the clerk's signature, and the judge's signature. Some orders are received by facsimile machines with an electronic certification attached.

- Judicial orders and recommendations (not J&C orders) involving situations other than sentencing, i.e., designations, furloughs, compassionate release, etc., must be reviewed by the DSCC and forwarded to the appropriate Chief Executive Officer.
- Bureau approved court electronic records systems may also be used to verify court orders; e.g., Public Access to Court Electronic Records (PACER), Jail and Commitment Corrections Systems (JACCS), and Joint Automated Booking System (JABS).

If an order for immediate release is received, every effort will be made to release the inmate as soon as possible.

**d. Inmate Committed, Legal, and True Names.** The name entered on the J&C is considered the committed name to be used by the inmate, as well as the Bureau. SENTRY must reflect the committed name, which may only be changed by an order from the Federal sentencing court. Court orders will be filed in the J&C file in accordance with Attachment A of this Manual and the DSCC will be notified accordingly.

Some orders/documents indicate “legal” names or “true” names in addition to the committed names used in the criminal case. A SENTRY code for “legal” name has been established and the SENTRY “legal” name field must be updated accordingly. A “true” name will be entered into SENTRY as an alias.

Additionally, inmates may adopt name changes in accordance with religious affiliations or other lawful means. It is the inmate’s responsibility to provide CSD staff with verifiable documentation of the name change which will be entered by staff in the SENTRY “legal” name field.

Names that are inflammatory and contrary to the institution’s security or orderly operation are not acceptable.

When a religious name is questionable, consult with the institution Chaplain.

**e. Fines, Costs, and Restitution.** The manager/supervisor is responsible for coordinating administrative procedures required of the Bureau to process the release of inmates with satisfied or unsatisfied fines and/or costs. (For any fines and costs related to old law sentences, refer to the Program Statement on Fines and Costs.)

Inmates wishing to satisfy fines, costs or restitution must contact unit staff.

CSD staff must verify with unit staff that inmates with fines agree in writing to establish a payment schedule with the court prior to being released to a period of supervised release (Title 18 U.S.C. § 3624(e)). A copy of the agreement will be retained in the J&C file. An agreement to adhere to a payment schedule is not required when the fine has already been paid prior to release. A copy of the SENTRY PDIF transaction, filed in the J&C file, is acceptable proof of payment.

Violators who had a financial obligation imposed on the original sentence will continue to have the fine or restitution on the violator term unless there is documentation indicating that it has been paid or the court has removed or waived it.

CSD staff will notify the U.S. Attorney in the sentencing district of any inmate released with a fine that has not been paid in full. This notification will be on the Notice to U.S. Attorney of Release of Inmate With Criminal Fine Judgment (BP-A384).

A “new law” inmate who refuses to set up a payment plan with the Probation Officer through his or her unit team and does not have supervision to follow will be released from custody.

However, a “new law” inmate will not be released if there is supervision to follow and the inmate refuses to agree to adhere to an installment payment schedule.

CSD must contact their assigned legal representative for consultation in these types of cases.

**f. Legal Reference Material.** Computing a sentence involves using compiled data to produce a reasonable and logical interpretation of the sentencing court’s mandate.

The Records Office must have access to current editions of the following legal reference material:

- Federal Rules of Criminal Procedures, Title 18, Title 21 Chapter 13, Title 28 Chapter 175, and Title 46 Chapter 38 (paperback, non-annotated – West Publishing).
- Title 28, Code of Federal Regulations (Government Printing Office).
- Title 8, U.S.C. is recommended for Detention Centers and Jail Units with ICE and pretrial detainees (annotated – West Publishing).
- Title 22 and Title 24, D.C. Code are recommended for those facilities which house D.C. Code violators.
- All Program Statements and Operations Memoranda in the 1000 and 5000-7000 series that pertain to the Correctional Systems Department procedures and functions will be accessible to all department staff.
- United States Sentencing Commission Guidelines Manual (Government Printing Office).

#### **403. PROCESS OF HABEAS ACTIONS**

Once the Administrative Remedy process has been exhausted, the inmate may file a petition for relief with the Federal court. Usually, the court issues a show cause order requiring Bureau staff to appear and present to the court the reason(s) why the relief should not be granted. In some cases a declaration is required.

It is critical for the manager/supervisor to work closely with their assigned legal representative and the U.S. Attorney to ensure responses are prepared appropriately and filed by the deadline(s) set by the court.

The manager/supervisor is often called upon to represent the institution in court proceedings to testify in support of sentence computations, commitment authority, or chain of custody.

As a witness, the manager/supervisor must be thoroughly prepared on every detail of the case in which testimony is expected. Meetings with the AUSA prior to giving testimony are encouraged.

#### **404. CONTRACT PRISONERS**

Contract prisoners are those inmates who are committed to Bureau institutions for other than violations of the U.S. Code.

When an inmate is returned to permanent state custody, the last institution of confinement will terminate the state billing assignment and release the prisoner via "STATE PRIS."

## **CHAPTER 5. DSCC FUNCTIONS**

### **501. INITIAL REVIEW OF DESIGNATION PACKET**

DSCC staff must thoroughly review all sentencing and designation material. The review includes, but is not limited to, jail credit, over-served time, separatee, medical, PSI, and J&C information.

### **502. SENTENCE COMPUTATIONS AND AUDITS**

The DSCC is to ensure that a SENTRY Monitoring Update Judgment/Warrant transaction is performed on all designated inmates within 48 hours of receipt of the complete packet (excluding weekends and holidays).

An inmate's sentence must be computed and audited immediately if the inmate is within 30 days of the statutory release date and within five working days if the inmate is within six months or less of the statutory release date. For terms in excess of six months from the statutory release date, the sentence must be computed and audited within 30 calendar days.

The Chief, DSCC, will determine the assignment of auditing sentence computations by relying on staff experience and training.

SENTRY will automatically capture the electronic ID of staff computing sentences at initial computation or subsequent updates. The final auditor will certify the computation in SENTRY.

DSCC staff will monitor and update Good Time Data on a daily basis. Any documentation to support the changes in the Good Time Data sheet will be forwarded (i.e., facsimile, electronically) by the approving official to the DSCC and unit team.

**Note:** All military and Coast Guard sentence computations will be provided by the Records Office, U.S. Army Disciplinary Barracks, Fort Leavenworth, Kansas.

The Bureau must accept the sentence computation as provided by military authorities and refer suspected errors, or challenges to the sentence computation, to the U.S. Army Disciplinary Barracks, Fort Leavenworth, Kansas.

For military parole violators, the sentence will be computed as if it were a U.S. Code sentence. (Refer to the Administration of Sentences for Military and Coast Guard Inmates Program Statement for more information)

**a. Load Data.** A careful review of the Offense/Charge Remarks on the Inmate Load Data must be conducted on every inmate upon designation with documents as noted in section 502.e and h.

The Inmate Load Data will reflect the docket number(s), the most serious offense(s), and the total sentence length.

If any discrepancies are found, the remarks must be updated. (Refer to the Program Statement, Security Designation and Custody Classification Manual for more information.)

**b. Violators.** When applicable, the DSCC will ensure all necessary files are requested and received (see Section 309). A SENTRY Sentence Monitoring Independent Sentence Computation will be done on all types of parole and mandatory release violators upon receipt of pertinent documents.

The Independent Sentence Computation must include credit for all street time, with the exception of D.C. Code offenders, in order to project the inmate's Tentative Release Date (TRD) which will be entered on to the Security Designation Load Data.

If the results show an imminent or overdue release date, the U.S. Parole Commission (USPC) is to be notified and a copy of the Independent Sentence Computation documented and filed.

The Independent Sentence Computation will then be included in the inmate's designation packet, provided he/she is not an immediate release.

DSCC staff will calculate the violator term within five working days from the date the Notice of Action (NOA) is received from the USPC.

When auditing violator terms, an audit of the original and any related violator computations must be performed.

**Note:** For Supervised Release Violators, a thorough review of all sentencing material must be conducted to include over-served time, jail credit, etc.

**c. J&C Order.** Prior to calculating an inmate's sentence, DSCC staff will carefully analyze the J&C to ensure it is in accordance with applicable statutes, case law, and the U.S. Sentencing Guidelines.

Each J&C must be examined carefully to ensure that it is a bonafide legal document that has been issued by the appropriate court.

In some cases, a court will enter an order that is contrary to the Bureau's statutory interpretation.

If the order involves the awarding of jail credit, DSCC staff must perform an Independent Sentence Computation based on the J&C and one based upon Bureau's statutory interpretation. Supervisory staff will be consulted for guidance.

Certain cases do not coincide with those covered by policy, nor with previous legal precedent the Bureau has accepted. If a case has national implications, it will be referred to the DSCC attorney.

**Note:** 5G1.3 is not an application of jail credit. Refer to the sentence computation manuals for more information on 5G1.3.

If the order does not involve the awarding of jail credit, the Bureau must calculate the sentence based on the court order and then write a letter to the prosecuting AUSA, with a courtesy copy to the U.S. Probation Officer (USPO), seeking clarification from the court.

The DSCC will prepare a letter, for the Chief's signature, and it must:

- Include the inmate's committed name, register number, docket number, and other pertinent information relating to the case.
- Convey to the AUSA that the Bureau is seeking assistance to clarify the Court's order.

A copy of the letter will be forwarded to the DSCC Attorney for comment prior to submission to the AUSA. A copy will also be placed in the J&C file for documentation.

**Note:** A court may make a recommendation on the J&C. If a recommendation is made and not followed, refer to Program Statement on Responses to Judicial Recommendations and U.S. Attorney Reports.

**d. Verifying Court Orders.** Except for the initial J&C, the authenticity of court orders (i.e., amended J&C's, state and Federal writs, etc.) must be confirmed before the ordered action is taken.

Any court order received through the U.S. Marshals Service need not be verified.

Orders received through any other method must be verified as follows:

- Telephone the clerk of the court of issuance to verify the order and its exact language. If the clerk is unavailable, telephone the AUSA or USPO in the district of issuance.
- Verify the inmate's committed name, docket number, and date of order. Note on the J&C the date verified, name, title, and telephone number of the verifying person, and signature of the DSCC staff making the inquiry.
- Ensure the order contains the court's seal, the clerk's signature, and the judge's signature. Some orders are received by facsimile machines with an electronic certification attached.

- Judicial orders and recommendations (not J&C orders) involving situations other than sentencing, i.e., designations, furloughs, compassionate release, etc., must be reviewed by the DSCC and forwarded to the appropriate Chief Executive Officer.
- Bureau-approved court electronic records systems may also be used to verify court orders; e.g., Public Access to Court Electronic Records (PACER), Jail and Commitment Corrections Systems (JACCS), and Joint Automated Booking System (JABS).

If an order for an immediate release is received, every effort will be made to release the inmate as soon as possible.

**e. Inmate Committed, Legal, and True Names.** The name entered on the J&C is considered the committed name to be used by the inmate, as well as the Bureau. SENTRY must reflect the committed name, which may only be changed by an order from the Federal sentencing court. Court orders will be filed in the J&C file in accordance with Attachment A of this Manual and the designated Records Office will be notified accordingly.

A file review will be conducted on inmates with multiple judgments.

Based on the review, a committed name will be selected.

- Inmates who are committed on a new judgment, and have a pending violation, will have their committed name reflect the name used on the new judgment.
- Inmates who are committed as violators will retain the name used on their original commitment.
- Inmates who are committed to serve a violator term, and at the same time committed on additional judgments (whether agreeable or not), will be admitted with the name used on the original commitment (prior to violation).
- In complex situations, or if further clarification is required, contact a DSCC supervisor.

Some J&C's indicate "legal" names or "true" names in addition to the committed names used in the criminal case. A SENTRY code for "legal" name has been established and the SENTRY "legal" name field must be updated to include any "legal" names the sentencing court provided.

A "true" name will be entered into SENTRY as an alias.

**f. Fines, Costs, and Restitution.** It is the DSCC's responsibility to indicate on the SENTRY Sentence Monitoring Computation Data the existence of fines, costs or restitution penalties.

If there is no documentation, DSCC staff will load the original fine or restitution in SENTRY when computing the sentence for the violator term.

**g. Assessments.** The court, under 18 U.S.C. § 3013, is required to impose a monetary assessment on convicted defendants based on the offense classification. Offenses are classified in 18 U.S.C. § 3559.



It is the DSCC's responsibility to indicate on the SENTRY Sentence Monitoring Computation Data the existence of assessments.

**h. Source Documents and Legal Reference Material.** Designation and sentence computation involves using compiled data to produce a reasonable and logical interpretation of the sentencing court's mandate.

Designation source documents are identified in the Security Designation and Custody Classification Manual.

The compiled data for calculating a sentence comes from source documents which will be reviewed in the following order and include, but are not limited to: Court Orders, J&C's, Statement of Reasons, Individual Custody and Detention Reports (USM-129) for each geographical area the inmate was in custody, correspondence relating to the sentence, jail credit, fines, Pre-sentence Investigation Reports (PSIs), USPC Notice of Actions (NOAs), Notices of Escaped Federal Prisoner, Unescorted Transfer and Commitment Cards, and SENTRY sentence data.

In addition to source documents, the DSCC must have access to current editions of the following legal reference material:

- Federal Rules of Criminal Procedures, Title 18, Title 21 Chapter 13, Title 28 Chapter 175, and Title 46 Chapter 38 (paperback, non-annotated West Publishing).
- Title 28, Code of Federal Regulations (Government Printing Office).
- Title 8, U.S.C. for ICE and pretrial detainees (annotated – West Publishing).
- Title 22 and Title 24, D.C. Code.
- All Program Statements and Operations Memoranda in the 1000 and 5000-7000 series that pertain to the DSCC procedures and functions will be accessible to all department staff.
- United States Sentencing Commission Guidelines Manual (Government Printing Office).

### **503. CONTRACT PRISONERS**

Contract prisoners are those inmates who are committed to Bureau institutions for other than violations of the U.S. Code.

The DSCC Designator creates a billing assignment when a Bureau institution is designated for D.C., state, or territorial inmates. For previously billable inmates, the Designator will remove the assignment if it no longer applies and was not removed at the time of release. (All D.C. inmates will have the billing assignment of NBL DC.) Billing disputes concerning any contract prisoner will be referred to the DSCC.

## **CHAPTER 6. DETAINERS, INTERSTATE AGREEMENT ON DETAINERS, FOREIGN DETAINERS AND WRITS**

### **601. INTRODUCTION**

The Interstate Agreement on Detainers Act (IADA) allows the disposal of detainers lodged against inmates by jurisdictions in states that are party to the agreement.

Either an inmate or a state may initiate proceedings for this purpose.

Under the IADA, a jurisdiction having an untried indictment, information, or complaint lodged as a detainer may secure temporary custody of the inmate for trial.

### **602. DEFINITIONS**

**a. Detainer.** A formal request from a Federal, state, or local jurisdiction for an inmate's custody upon completion of a term of imprisonment. This definition includes requests for criminal and non-criminal charges (e.g., material witnesses, deportation, probation/parole violator warrants, child support, etc.).

**b. Interstate Agreement on Detainers Act (IADA).** A statutory provision authorizing "party states" to enter an agreement, for the disposition of "untried" charges, indictments, informations, or complaints which form the basis of a detainer.

The agreement applies to all detainers based on pending charges lodged against an inmate by a "party state" no matter when the detainer was lodged.

The IADA does not apply to probation/parole violators (see *Carchman v. Nash*, 473 U.S. 716, 105 S.Ct. 340, 87 L.Ed.2d 516 (1985)).

**c. Charge.** Any untried indictment, information, or complaint.

**d. Notify.** A formal request from a Federal, state, or local jurisdiction for notification before an inmate's release from a term of imprisonment.

**e. Party State.** The United States of America, the District of Columbia, and any U.S. state or territory that has codified the IADA into its statutes. The states of Louisiana, Mississippi, the Commonwealth of Puerto Rico, and the territories or possessions have not joined the IADA to date. (Refer to Appendix II, Title 18 U.S. Code.)

### **603. DETAINER ACTIONS**

**a. Correctional Systems Department Review.** CSD staff must review the FBI RAP sheet and the PSI to learn the existence of any possible pending charges or sentences.

When possible, pending charges or sentences are indicated, CSD staff will initiate an inquiry by sending a Detainer Action Letter (BP-A394) (DAL) to the appropriate officials, usually the Sheriff or Prosecuting Attorney.

The manager or designee must sign the DAL. All DAL requests should include a business reply envelope.

**Note:** FBI Rap Sheets are requested when an inmate arrives at his/her initial designation. Additional information may be obtained by submitting an NCIC request.

If no response was received, a second and final DAL will be sent within one year of release. Local procedures must be established to ensure the second DAL is sent in a timely manner for all unanswered detainer inquiries. A copy will be placed in the J&C file. Copies will also be forwarded to the appropriate unit staff for inclusion in the inmate central file and a copy to the inmate.

**b. Lodging Requirements (Detainers).** For a state or local authority to lodge a detainer against an inmate in Bureau custody, including Bureau-contracted private-sector secure corrections facilities, the requesting authority must provide a copy of the warrant/abstract along with a cover letter requesting placement of a detainer in its favor.

SENTRY will be used to lodge the detainer and a DAL will be used to acknowledge the lodging of the detainer.

Ordinarily, the warrant/abstract will be certified, however, if the requesting authority does not certify the document, CSD staff must verify its authenticity with the requesting authority via telephone and document the verification on the warrant/abstract.

If the warrant/abstract is received without a letter requesting placement as a detainer, staff must return the document(s) to the issuing agency with instructions to forward a certified copy of the warrant/abstract along with a cover letter. CSD staff will use the DAL for this purpose.

Federal authorities are not required to provide certified copies of the warrant/abstract to lodge a detainer in their favor. The nature of the Federal detainer, however, must be clear on the documentation presented to the institution.

When a Federal detainer is filed, CSD staff will advise the inmate of the inmate's right to a speedy trial under the provisions of 18 U.S.C. § 3161. (These same procedures apply for D.C. Code offenders.)

If at any time thereafter the inmate informs the custodian that they demand a trial, such person will promptly notify the U.S. Attorney or AUSA who filed the detainer. Forms used for notifying inmates of the filing of the Federal detainer based on untried charges are usually sent with the USMS detainer request. If not, notify the requesting USMS.

**c. Lodging Procedures for Notifications.** When a formal request is received from a Federal, state, or local jurisdiction requesting notification of an inmate's release, a DAL will be used to acknowledge the lodging of the notify.

**d. SENTRY Update.** When a detainer or request for notification is received, CSD staff will update the inmate's current detainer/notify status (Sentence Monitoring, Update Detainer/Update Notify screen) in SENTRY.

CSD staff will update, in a timely manner, the inmate's current detainer/notify status each time a detainer or notification is filed, removed, or changed.

**e. Removal of Detainers or Notifications.** CSD staff must verify any correspondence requesting a detainer or notification removal. The name of the person contacted, title, telephone number, date, and signature of CSD staff verifying this information must be clearly marked on the correspondence requesting the removal of the detainer or notification. A DAL will be sent to the agency notifying them that their detainer or notification has been removed per their request.

#### **604. U.S. MARSHALS SERVICE (USMS) AND IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) DETAINERS**

Warrants are not required when the USMS or ICE files a Federal detainer. Ordinarily, the USMS will use their detainer request (Forms M-16A-D or M-17) and ICE will use their Immigration Detainer form.

CSD staff are encouraged to establish procedures with the local ICE office in order to streamline receipt and verification of an immigration detainer. A DAL may be used for this purpose, however, if local procedures are established, appropriate distribution of the lodged detainer must be followed within the institution.

#### **605. U.S. PAROLE COMMISSION (USPC) WARRANTS**

If a USPC warrant has been filed as a detainer, a copy of the DAL and a complete copy of the USPC warrant, to include the warrant application and subsequent NOA(s), will be forwarded to

the DSCC and unit team for inclusion in the inmate central file. Upon executing the warrant for the parole violation, the detainer will be removed from SENTRY, copies will be forwarded to the USPC, unit team, and the DSCC. Questions concerning NOA(s) should be directed to the DSCC.

#### **606. PRE-RELEASE NOTIFICATION**

No later than 60 calendar days before the inmate's release, CSD staff will notify the agency that placed a detainer or notification, usually via a DAL or letter, of the inmate's projected release date. The authority that filed a detainer must notify the institution of its intent to take custody of the inmate. It is the responsibility of the agency placing the detainer to arrange with local law enforcement authorities when the need for an extradition hearing arises.

If the requesting authority indicates in writing it will not take custody of the inmate, the detainer will be canceled, the warrant will be returned, and the institution may continue with release planning.

The unit team will be notified of the removal of all detainers via DAL. If the detainer is removed within one month of release, the unit team will be notified of the action without delay (ordinarily within the same business day).

If the filing authority has indicated it will take custody, but on the day of scheduled release chooses not to, it is requested that the filing authority provide written documentation of its intent. (A fax copy is adequate, however, CSD staff must verify the document and file it in the J&C file.)

If the filing authority cannot provide written documentation, telephonic verification will be accepted and documented accordingly. In either case, the inmate will be released to the community provided no other detainer has been lodged against the inmate.

If multiple detainers have been filed, custody will be offered first to the earliest lodged detainer. All jurisdictions that have lodged detainers are to be notified of the detaining authority taking custody at release to allow those jurisdictions to re-file their detainer(s).

Federal detainers, excluding ICE deportation matters, will take priority over non-Federal detainers.

Normally, ICE will not accept custody of an inmate until all state and Federal criminal matters have been satisfied.

## **607. PAROLE TO A DETAINER**

When an inmate is granted parole to a detainer, all appropriate staff must refer to the conditions cited on the NOA to ensure compliance. When situations arise that are unclear, CSD staff must contact the USPC for further direction.

## **608. EXTRADITION**

An inmate's extradition from one state to another will be the sole responsibility of the state in which the inmate is being housed. The exception exists when an inmate files for disposition of charges under the provisions of Article III of the IADA.

Under Article III, the inmate waives extradition rights only for those charges for which he is being removed and may be turned over directly to the agency that placed the detainer.

**Note:** Extradition hearings are not required in some states. Refer to Chapter 9 of this manual for the list of states not requiring extradition hearings.

CSD staff must contact the Attorney General's office in both the state the inmate is housed and the state that lodged the detainer, after consultation with the assigned legal representative, if the inmate is due for release and meets the following criteria:

- A detainer is on file for an outstanding charge or conviction.
- The inmate has not waived extradition.
- The local Sheriff refuses to take custody of the inmate.

It must be made clear to the Attorney General's office that the Bureau is obligated by statute to release the inmate at the expiration of the sentence and cannot violate any state extradition law by releasing the inmate directly to the state requesting custody.

## **609. INMATE NOTIFICATION AND RESPONSE**

The IADA applies to Federal and state inmates who have entered upon a term of imprisonment in an institution designated for service of the sentence. Resolution of any untried charges may be obtained through provisions of the Act. The portions of the Act related to inmates confined in Federal institutions are incorporated as follows:

**a. Availability.** The IADA is not available for the inmate or the prosecutor until the inmate arrives at the designated institution for service of the sentence. Before reaching the designated institution, the requesting agency may obtain custody via a writ of habeas corpus ad

prosequendum. (Refer to the Program Statement on Transfer of Inmates to State Agents for Production on State Writs for more information.)

**b. Notification.** Article III(c) requires the Bureau to inform the inmate of the source and content of any detainer lodged. CSD staff will notify the inmate by completing the IAD – Notice of Untried Indictment form (BP-A235). The inmate will sign the form acknowledging the detainer has been lodged and that he/she was advised of inmate’s rights under the IADA. This form will then be forwarded to the Warden, or designee, for signature. Upon return of the signed form, the original will be forwarded to the inmate.

**c. Inmate Appearance in Court.** An inmate may appear in state court to dispose of pending charges under Article III of the IADA. If a situation occurs that precludes an inmate’s release under this provision (i.e., medical condition, other pending court actions, security concerns, etc.) the assigned legal representative and the requesting agency will be consulted to discuss and resolve any conflicts.

## **610. INMATE REQUEST FOR FINAL DISPOSITION**

Article III (d) provides that once an inmate has been notified of any detainer, and the inmate has arrived at the designated institution, the inmate may request final disposition of the charges for which the detainer is based. By doing so, the inmate waives the right to contest extradition for any charges that form the basis of the request, either during or after completion of the Federal sentence. Extradition procedures will apply separately to charges unrelated to the IADA charges.

**a. Waiver of Extradition.** A Waiver of Extradition means that the receiving state may take custody of the inmate directly from the institution for those charges that the IADA is based upon. This is regardless of whether the state in which the institution is located requires that the inmate be released to its jurisdiction to satisfy the extradition rules for its state.

**b. Appointment of Counsel.** The inmate initiates final disposition of pending charges by completing the IAD – Place of Imprisonment form (BP-A236). It is important that the inmate show on the BP-A236 his or her designated counsel or request the court to appoint counsel for representation. If the inmate needs assistance to complete the form, institution staff must assist.

**c. Disposition of Charges.** Once an inmate requests disposition of charges, CSD staff will prepare the IAD – Certificate of Inmate Status form (BP-A238) and the IAD – Offer to Deliver Temporary Custody form (BP-A239).

**Note:** In the body of the BP-A239, first and second paragraph, there are two types of requests listed, inmate request and prosecutor request. CSD staff must ensure that clarification is made as to the appropriate request.

**d. Required Paperwork – Distribution.** CSD staff will prepare a Prosecutor’s Notification letter (see sample – Attachment B) and mail it along with the inmate’s request for final disposition of charges to the prosecuting official. This letter addresses the prosecutor’s requirement to send the Bureau the following completed forms:

- IAD Form VI – Evidence of Agents’ Authority (BP-A564).
- IAD Form VII – Prosecutor's Acceptance of Temporary Custody (BP-A566).
- IAD/State Writ – Prosecutor’s Certification (BP-A565). (A blank copy must be included in the IADA packet sent to the prosecutor.)

The Prosecutor’s Notification letter must also address any security requirements the Bureau deems necessary.

**Note:** The above forms (BP-A564, BP-A565, BP-A566) are Bureau forms. If the requesting prosecuting official does not have the equivalent of these forms, the Bureau will supply them.

**e. Notification to the Receiving State.** CSD staff must notify the following of the inmate’s request:

- Clerk of the Court, via Certified Mail, Return Receipt.
- Prosecuting Officer, via Certified Mail, Return Receipt.
- IADA Compact Administrator, via First-Class Mail.

Copies of the forms, including the BP-A235, along with the cover letter, are to be forwarded as follows:

- Clerk of the Court: a copy of the cover letter and copies of the forms.
- Prosecuting Officer: the original cover letter and copies of the forms.
- IADA Compact Administrator: a copy of the cover letter and the original forms.

In addition, a copy of the letter and all forms are to be placed in the J&C file, inmate central file, and a copy will be forwarded to the inmate.

**f. Additional IADA Notifications.** CSD staff will also mail, via First-Class Mail, a copy of the IADA packet to any other prosecutor and Clerk of the Court who has lodged a detainer from the state in which the inmate's request for final disposition is being sent.

The prosecuting officials must be notified by an accompanying letter (see sample, Attachment C) that all such indictments, informations, or complaints, as listed on form BP-A239, must be disposed of according to the provisions of Article III of the Agreement.



**g. Return Receipts.** The return receipts will be placed in the J&C file and attached to copies of the appropriate IAD forms. CSD staff must set up a retrieval system for tracking the two-week follow-up date. In the event the return receipt is not received, CSD staff may visit the U.S. Postal Service public website to obtain delivery date confirmation.

**h. Notification Follow-Up.** CSD staff will determine, two weeks after mailing, whether the IAD packet has arrived at the proper destinations and the institution has received the return receipts.

If CSD staff have not received a reply to the inmate's request for disposition within 90 days, or to any letters of notification sent to other jurisdictions in the state, CSD staff will send a letter to the prosecutor and the IADA Compact Administrator in the receiving state to learn the state's intent for assuming temporary custody (see sample, Attachment D).

**i. 180-Day Period.** If the inmate has not been brought to trial within 180 days from the date prosecuting officials received the IAD packet, CSD staff will correspond with the prosecutor (see sample, Attachment E) calling attention to the lapse of the 180-day period.

Only the state may authorize the removal of its detainer.

The inmate must address any request regarding a possible violation of the IADA to the appropriate state court.

## **611. PROSECUTOR REQUEST FOR TEMPORARY CUSTODY**

Article IV gives the prosecutor an opportunity to request temporary custody of an individual. The purpose is to resolve the untried charges which form the basis of the associated detainer. Ordinarily, a prosecutor's request is received as an IAD Form V, Request for Temporary Custody (BP-A568).

Sometimes, a state writ of habeas corpus ad prosequendum is issued. When this occurs, and a detainer has been lodged, the state writ will be treated the same as the IAD Form V.

**Note:** If a detainer is on file for one jurisdiction and another jurisdiction within the same "party state" files a state writ, the state writ will be treated as an Article IV IAD request and the inmate must go out "IAD" on all.

**a. 30-Day Period.** Under the provisions of Article IV(a) the Warden has up to 30 days to approve or disapprove the state's request for temporary custody. During this time, the inmate may petition the Warden to disapprove the state's request for temporary custody. The inmate will sign a waiver, either requesting or waiving the 30-day period (See sample, Attachment F). The Warden is not obligated to grant the inmate's request and may use some or all of the 30-day

period to decide whether to grant the state's request for temporary custody. The 30-day period begins on the date the prosecutor's request is received at the institution.

Anytime before the date the state accepts the inmate's custody, the inmate may request final disposition of charges under the provisions of Article III. If this occurs, follow procedures outlined in section 510, **Inmate Request for Final Disposition**.

**b. Required Paperwork – Distribution.** After receiving the IAD request from the prosecutor, CSD staff will prepare the following:

- IAD – Certificate of Inmate Status (BP-A238).
- IAD – Offer to Deliver Temporary Custody (BP-A239).
- IAD/State Writ – Prosecutor's Certification (BP-A565). (A blank copy must be included in the IADA packet sent to the prosecutor.)

**Note:** In the body of the BP-A239, first and second paragraph, there are two types of requests listed, inmate and prosecutor. CSD staff must ensure that clarification is made as to the appropriate request.

These forms will be forwarded, with the Prosecutor's Request for Temporary Custody letter (see sample, Attachment G), to the prosecutor requesting custody.

The letter must state that the offer to deliver temporary custody is contingent upon receiving a properly executed copy of the IAD Form VI (BP-A564) and the completed IAD/State Writ – Prosecutor's Certification (BP-A565).

**Note:** The above forms (BP-A564 and BP-A565) are Bureau forms. If the requesting prosecuting official does not have the equivalent of these forms, the Bureau will supply them.

**c. Notification to the Receiving State.** CSD staff must send copies of all forms, including the BP-A235 and the cover letter to:

- Clerk of the Court, via Certified Mail, Return Receipt.
- Prosecuting Officer, via Certified Mail, Return Receipt.
- IADA Compact Administrator, via First Class Mail.

Distribution is as follows:

- Clerk of the Court: a copy of the cover letter and copies of the forms.
- Prosecuting Officer: the original cover letter and copies of the forms.
- IADA Compact Administrator: a copy of the cover letter and the original forms.

Copies of the forms and cover letter will be placed in the J&C file, inmate central file, and a complete copy will be forwarded to the inmate.

**d. Additional IADA Notifications.** CSD staff must send copies of the BP-A235, BP-A238, BP-A239, BP-A565, and a cover letter to any other prosecutor and Clerk of the Court who has lodged a detainer within the same state that requested temporary custody.

Copies are also to be mailed to the IADA Compact Administrator. All forms will be sent via First Class Mail.

Copies will also be placed in the J&C file, inmate central file, and a complete copy will be forwarded to the inmate.

## **612. CHALLENGES TO AN INMATE'S IADA RIGHTS**

If an inmate says that his or her rights have been violated under the IAD, the inmate will be advised to contact the state authorities or his or her attorney.

The Bureau does not decide the validity of the detainer or violation of any IAD provision.

All detainers will remain in full force and effect, unless and until the charges from the “receiving state” are dismissed and/or the receiving state authorizes, in writing, the removal of the detainer.

**a. Return of Inmate Before Completion of Proceedings.** If the inmate is returned to the Bureau before completion of all state court proceedings, the detainer will remain on file. The Bureau will honor the “receiving state’s” request for temporary custody if they should request to assume custody again under the IAD.

The original IAD paperwork suffices to return the inmate to the “receiving state” if the agents assuming custody are the same.

Requirements applicable to the initial temporary transfer of custody will still apply.

**b. Re-filing of Charges.** If an inmate files for disposition of charges and the state drops the detainer that forms the basis for the inmate’s request, the detainer will be returned to the originating agency, making the inmate’s IAD request moot.

Once the detainer is removed, all documentation, except the letter requesting removal of the detainer and the IAD – Place of Imprisonment form (BP-A236), will be disposed of.

If the same agency wishes to re-file the same charges later, it may do so, and the detainer request will be honored and the inmate may again request disposition of the charges under the IAD.

**c. State Writ Request – No Detainer on File.** If the state wishes to issue a writ to request temporary custody and does not file a detainer, the inmate may be released via state writ.

**Note:** Refer to the Note in section 611, **Prosecutor Request for Temporary Custody.** For more information on state writs, refer to the Program Statement, Transfer of Inmates to State Agents for Production on State Writs.

### **613. BEFORE TEMPORARY RELEASE TO IAD**

CSD staff will present and explain the IAD/State Writ – Acknowledgment (BP-A567) to the inmate prior to release under either Article III or Article IV of the IAD.

If the inmate is improperly released to the community by local authorities or improperly transferred to any non-Federal facility or agency while under the IAD process, this form requires the inmate to call the person designated on the BP-A567 (collect or through any other communication systems available) immediately, upon the release or transfer.

CSD staff must have the inmate sign the BP-A567 before release to state agents under the IAD. If the inmate refuses to sign the Acknowledgment, staff must advise the inmate of the form's contents and document the refusal to sign.

The Warden designates the contact person to be listed on the BP-A567.

A copy of the form is given to the inmate prior to being released under the IAD.

CSD staff must provide a copy of the BP-A567 to the Control Center and the Operations Lieutenant. This form provides the basis for accepting an inmate's collect call.

If the inmate is improperly released to the community, the contact person will instruct the inmate to surrender to the nearest U.S. Marshals Office.

### **614. FEDERAL INMATES HOUSED IN NON-FEDERAL FACILITIES**

Federal inmates housed in non-Federal facilities, i.e., state concurrency cases and long term boarders, may request disposition of “untried” indictments, informations, or complaints pursuant to Article III of the IAD, provided those charges are lodged as detainers with the authorities who are housing the inmate. Staff at the non-Federal facility are responsible for processing the IAD paperwork.

All policies governing the state in which the inmate is housed will be followed regarding the Federal inmate. Similarly, the prosecuting officer can request a Federal boarder’s temporary custody under Article IV of the IADA provided a detainer is on file and the charges which form the basis for the detainer are otherwise processed under the Agreement.

When Bureau staff receive a detainer, the original detainer and any other correspondence concerning the detainer will be forwarded to the state facility housing the inmate. When applicable, the CCM is to maintain a copy of the detainer paperwork in the J&C file.

When the IADA's provisions arise for Federal inmates boarded in the states of Mississippi, Louisiana, the Commonwealth of Puerto Rico, or other non-members of the IAD, the CCM will contact the appropriate Regional Counsel for further instruction.

#### **615. STATE BOARDERS HOUSED IN BUREAU CUSTODY**

All requests for disposition of charges by the inmate, or a prosecutor's request for temporary custody of an inmate placed as a State Boarder in a Federal facility, will be processed in the same manner as if the State Boarder was a Federal inmate.

#### **616. FOREIGN DETAINERS**

If information indicates an inmate may be wanted in a foreign country (i.e., foreign criminal charges, escape from a foreign prison, etc.), CSD staff will make a written request to the Correctional Programs Branch, Central Office, to investigate possible pending foreign charges. The request must include the source document that is the basis of the inquiry.

Once received, Correctional Programs staff will review and forward the request to the Office of International Affairs. Follow-up procedures and time frames will be the same as for domestic DALs.

If the inmate is wanted in a foreign country, the foreign country files a request for extradition with the Office of International Affairs who then contacts the International Coordinator at the appropriate U.S. Attorney's Office who assigns an AUSA to handle extradition proceedings through the Federal court.

If the court determines the inmate is to be extradited to the foreign country, it will issue an Order of Extradition or warrant to be filed with the USMS as a detainer.

#### **617. FEDERAL WRITS AND REQUESTS FOR PRODUCTION**

Federal Writs of Habeas Corpus and Requests for Production (often referred to as Attorney Special Requests or ASRs) are issued by the court and U.S. Attorneys. The purpose is to acquire confined individuals for hearings on issues concerning the legality or conditions of confinement, modification of a sentence, new prosecution, or as a witness to give testimony.

Civil and criminal Writs of Habeas Corpus from the D.C. Superior Court will be considered and processed as Federal Writs.

CSD staff must contact the issuing court or U.S. Attorney to verify the authenticity of the writ or production request. The verification will be noted on the document itself.

**Note:** Refer to Chapter 4 for verification requirements. Some local courts may not verify the authenticity of writs. In these cases, contact the Regional Correctional Programs Administrator for further guidance.

If the institution has not previously received a copy of the writ or production request, the agent directed to assume custody must present it upon arrival to the institution. Ordinarily the agent will be a Deputy U.S. Marshal from the district in which the inmate is located.

If the writ/Request for Production calls for appearance in another district, transportation is arranged by Prisoner Coordination of the USMS.

## **618. STATE WRITS**

The Warden may authorize an inmate to be released on writ for production in state court.

All authorized releases via state writ will require CSD staff to verify the authenticity using the same procedures as for a Federal writ. (Refer to the Program Statement on Transfer of Inmates to State Agents for Production on State Writs for more information.)

## **619. FOLLOW-UP OF TRANSFER**

To ensure that inmates released under the provisions of the IAD, state, or Federal writ remain in custody and are returned to the sending institution upon completion of court proceedings, CSD staff will contact the authorities who have custody of the inmate at 60 calendar day intervals to learn the inmate's status.

These contacts are to be documented in the J&C file and include:

- Date of contact.
- Name of person contacted.
- Telephone number of person contacted.
- Current status of the inmate.
- Current location of the inmate.
- Name of the staff member making contact.

If the inmate was moved via a U.S. Marshals cooperative agreement and is being housed in a Federal institution, SENTRY may be used to verify the necessary information. CSD staff must note the date, the institution where the inmate is currently housed, and that the information was verified by SENTRY. Upon the inmate's return to the institution, this documentation may be discarded, if appropriate, at the discretion of the local manager.

## **620. NOTIFICATIONS TO DSCC**

If an inmate is returned from a Federal writ, state writ, or IAD, CSD staff will notify and forward pertinent material to the DSCC.

## **CHAPTER 7. ESCAPE FROM CONFINEMENT AND EXTENDED LIMITS OF CONFINEMENT**

### **701. ESCAPE FROM CONFINEMENT**

When an inmate escapes, institution staff will notify the local FBI office, local law enforcement agencies, and other appropriate parties and furnish details of the escape and the escapee's identity in accordance with the National Memorandum of Understanding (MOU), the Program Statement on Escapes/Deaths Notifications, and any other local procedures that may be established.

To provide this notification, staff must prepare a Notice of Escaped Federal Prisoner (BP-A393). This notice will be distributed to all concerned agencies, to include the DSCC, with a copy filed in the J&C file and in the inmate central file.

The SENTRY Sentence Monitoring Update Jail Credit/Inop Time transaction will be updated by the DSCC to show the inmate's sentence is in inoperative status as a result of the escape.

The inmate's sentence will be made inoperative in SENTRY as of the day following the escape (any portion of a day in custody counts as a full day for credit purposes).

If an inmate escapes while temporarily released from custody (furlough, writ, etc.), it is the **releasing** institution's responsibility to update the SENTRY ARS code to reflect ESCAPE. When an inmate escapes from a halfway house, follow procedures in the Community Corrections Manual and notify the DSCC.

After completion of the required paperwork, the inmate central file and medical file will be forwarded to the Records Office, where it will be maintained until the inmate is apprehended and re-designated.

### **702. ESCAPE FROM EXTENDED LIMITS OF CONFINEMENT**

An inmate has failed to remain within the extended limits of confinement if he/she:

- Willfully failed to return while on pass from a Residential Release Center (RRC), furlough, or other authorized community-based program.
- Is arrested by state or local authorities as a result of criminal activity, OR
- Is in the extended limits of confinement and is arrested by Federal authorities as a result of criminal activity.

The inmate will be placed on escape status as per the provisions of 18 U.S.C. § 4082(a) or 18 U.S.C. § 4082(d) (repealed).



Once the escape has been verified, institution staff or Community Corrections Management (CCM) staff will change the ARS code to ESCAPE. When the inmate escapes while en route to another Federal or contract institution, the sending institution will change the ARS code to ESCAPE.

When an inmate escapes while on furlough/transfer to a RRC, the sending institution will notify the FBI in their district. When an inmate escapes while housed in a RRC, the responsible CCM staff will notify the FBI in their district.

The sending institution (or CCM Office for direct court commitments) will consolidate and retain the J&C file, inmate central file, and Health Record. Once the inmate has been returned to Bureau custody, the consolidated file will be requested and forwarded to the designated institution.

If a Victim Witness Protection case escapes, notification procedures are to be followed as outlined in the Program Statement on Victim and Witness Notification.

**a. Non-Federal Arrest.** If an inmate fails to report to the designated institution or facility, the sending institution in the case of institution transfers, or the CCM office in the case of arrest while assigned to a RRC, will change the ARS code in SENTRY to ESCAPE. If an arrest occurs while on an authorized community based activity, the CCM/institution staff will change the ARS code in SENTRY to ESCAPE.

In the following situations, the Chief, DSCC will determine whether to apply the credit or designate the non-Federal institution where the inmate is confined as the place to serve the Federal sentence. (Refer to the Program Statement on Designation of State Institution for Service of Federal Sentence for more information.):

- Prosecuted and found guilty of an offense by a state or local court.
- Tried and acquitted, or the charges are dismissed and the inmate is returned to Federal custody.
- Arrested and detained mistakenly for any time longer than one full day.
- Arrested and detained on a prior non-Federal judgement.

Once the non-Federal institution is designated as the place in which the Federal sentence is to be served, the Federal institution or CCM office will transfer custody by preparing a Transfer Order for concurrent and continued service of the Federal sentence.

The transferring institution or CCM office will forward the Transfer Order and all files (central, medical and J&C) to the appropriate regional correctional programs administrator.

The regional correctional programs specialist will ensure a letter is forwarded to the USMS requesting that they (USMS) place a detainer on the inmate with the non-Federal institution.

**b. Federal Arrest.** If Federal authorities arrest an inmate during an authorized extended absence, the inmate's sentence will continue to run and the ARS code will not be changed to ESCAPE.

Should the inmate be arrested after an authorized absence expires, but prior to one full day of inoperative time, the inmate's sentence continues to run. If an inmate has already been placed in escape status for more than one day (for other than a new arrest), and is subsequently arrested for an offense other than escape, the sentence will recommence on the Federal arrest date. The ARS code in SENTRY will be updated to reflect the changes by Correctional Systems or CCM staff.

### **703. COMPLEX SITUATIONS**

Complex situations will be referred to the DSCC for guidance.

### **704. APPREHENSION**

When official confirmation of apprehension is received, the offices which were originally notified of the escape will be advised of the apprehension.

Correctional Systems staff will reissue the Notice of Escaped Federal Prisoner (BP-A393) with the notation "Apprehended" stamped or printed on the form. A copy will be retained in the J&C file, with a copy placed in the inmate central file, which will be maintained in the Correctional Systems Department until the inmate is re-designated.

Once the escapee's location is known, the Correctional Systems staff will contact the USMS in the district the inmate is located. A request will be made by the institution for the USMS to place a detainer against the inmate and request designation from the DSCC when the inmate returns to Federal custody.

## **CHAPTER 8. FBI FINGERPRINT CARDS, ARREST RECORDS, AND FBI DISCLOSURE OF NCIC/CCH RECORDS**

### **801. FINGERPRINT CARDS**

Fingerprints are taken of all inmates remanded or committed to Bureau custody. A full set of fingerprints, must be on file for every individual (including Juvenile Justice and Delinquency Prevention Act (JJDP) cases). This set will be retained in the Inmate Remand or J&C file and will accompany the inmate on any transfer to another Bureau institution.

Identification data, along with staff and inmate signatures, will be entered on all fingerprint cards. When required, one completed card, for inmates with felony and misdemeanor charges, will be submitted to the FBI within five working days of commitment.

Two full sets of fingerprints will be taken on the initial commitment of designated (A-DES) inmates. This includes state boarders, D.C. Code offenders, military and territorial prisoners, violators, and escapees upon their return to custody. (The notation "Return from Escape" must be included in the "Charge" block on escapees upon their return to custody.)

Both cards are to be completed in their entirety with one card submitted to the FBI.

The SENTRY Inmate Label transaction **may not** be used on the card sent to the FBI.

One full set of fingerprints will be taken on the initial commitment of a Bureau of Immigration & Customs Enforcement inmate (A-INS), Material Witness (A-MAT), Holdover (A-HLD), Pre-trial inmate (A-PRE), and an un-sentenced study case inmate.

**Note:** These cards will not be submitted to the FBI, therefore, the use of the SENTRY Inmate Label transaction **is** authorized.

For Pre-trial inmates sentenced to "time served," one additional set of fingerprints will be taken prior to the inmate's release. Both cards will be completed and an unlabeled card submitted to the FBI.

If a full set of fingerprints are on file for an inmate received as a transfer, IAD/writ return, or holdover, a right thumb print will be taken on the lower portion of the fingerprint card and compared to the original full set of fingerprints to identify the inmate.

Previous transfer fingerprint cards, excluding the initial full set of fingerprints, will be purged from the file. When the SENTRY Inmate Label Transaction is used, the information listed will be verified with the inmate when the fingerprints are being taken.

A full set of fingerprints will be submitted to the FBI on a transferred inmate if the current offense for which the inmate is incarcerated is not listed on the Fingerprint Identification Record or if the FBI number is unknown.

Fingerprint procedures for inmates under the custody of the U.S. Probation Office, or in contract facilities, are outlined in the Community Corrections Manual.

Fingerprint cards for inmates in the Witness Security Program will be completed and processed in accordance with the Central Inmate Monitoring Manual.

## **802. COMPLETING THE FBI FINGERPRINT CARD**

All information must be verified upon commitment:

- **State Usage** – leave blank.
- **Name** – inmate’s committed name as indicated on the J&C.
- **Signature of Person Fingerprinted** – inmate’s signature.
- **Social Security Number** – if not known, print or type in the word “unknown,” if multiple Social Security Numbers, list additional numbers under Additional Information/Basis for Caution Section.
- **Aliases/Maiden** – list any additional names (not to exceed ten), if none are known, print or type in “unknown.” Use the Additional Information/Basis for Caution Section, if more space is needed.
- **FBI Number** – if unknown, print or type in “unknown.”
- **State Id** – state ID number if known.
- **DOB** – if multiple dates, list additional dates under Additional Information/Basis for Caution section.
- **Sex – M or F** – Transvestite, cross dresser, or sex change should be listed under Additional Information/Basis for Caution Section.
- **Race** –
  - ▶ A = Asian – includes Pacific Islander.
  - ▶ B = Black.
  - ▶ I = Native American – includes Alaskan native and Eskimo.
  - ▶ W = Caucasian – includes Mexican, Puerto Rican, Cuban, Central and South American, and any other of Spanish culture or origin.
- **Height** – three characters, no fractions (i.e., 509 = 5 feet 9 inches).
- **Weight** – three characters, no fractions.
- **Eye Color** – three characters.

BLK - Black	BLU - Blue	BRO - Brown
GRY - Gray	GRN - Green	HAZ - Hazel
MAR - Maroon	MUL - Multicolored	
PNK - Pink	XXX - Unknown	

- **Hair Color** – three characters.

BAL - Bald	BLK - Black	BLN - Blond
BLU - Blue	BRO - Brown	GRN - Green
GRY - Grey	ONG - Orange	PLE - Purple
PNK - Pink	RED - Red	SDY - Sandy
WHI - White	XXX - Unknown	

- **Date of Arrest** – Date of arrival at institution.
- **Send Copy To, Date of Offense, Employer, and Occupation** – Leave Blank. (**Do not stamp the “Send Copy To” block** with the Central Office address.)
- **Miscellaneous Numbers** – Military number if military prisoner, Alien number(s), etc.
- **Local Identification** – Federal Register Number.
- **Photo Available** – Check Yes.
- **Charge/Citation** – As indicated on commitment paperwork. If an inmate is returned as a violator, indicate such (**Example:** “Supervised Release, Parole or Mandatory Release Violation – original offense – Bank Robbery.”)
- **Disposition** – Term in Effect and date of imposition of sentence. (For violators, list only the current term for the violation.)
- **Additional** – For additional charges and dispositions. Additional Information/Basis for Caution – Additional DOB(s), SSN(s) or security concerns, escape risk, assaultive, martial arts, and JJJPA cases (see below).
- Any blocks not mentioned above complete as indicated on the form. Be sure the “YES” square in the “Reply Desired” block is checked.

For study cases other than Juvenile Justice and Delinquency Prevention Act (JJJPA) studies, the Disposition block should be completed as follows:

**Sentence Procedure Examples**

**Disposition Block Examples**

3552(b) SRA Study

04-01-92 Convicted – Committed for 60 Day Study,  
18 U.S.C. § 3552(b)

4241 PLRA Study

06-23-05 Committed for 30 Day Study,  
18 U.S.C. § 4241

For JJJPA commitments, contract facility staff must submit a juvenile’s fingerprints to the FBI upon admission to the facility with a notation in the “additional information” block that states:

- The subject has been adjudicated a juvenile delinquent under 18 U.S.C. § 5037, OR
- The subject has not attained his/her 18<sup>th</sup> birthday but was sentenced as an adult.

The FBI will furnish the FBI number and the arrest history, if one exists, and return the fingerprint card. Refer to the Program Statement on Juvenile Delinquents for more information.

Should an inmate suffer an injury while in Bureau custody or while in service of his/her Federal sentence that changes a fingerprint characteristic in any way, or if an amputation should occur, two full sets of fingerprints must be taken with one for placement in the J&C file and the other for submission to the FBI. A request for a copy of the Fingerprint Identification Record is not necessary. The original card will remain in the file.

### **803. DEATHS**

For identifying a deceased inmate, staff familiar with identification procedures will verify the inmate's identity by taking a rolled print of the right thumb. A comparison of the print will be made with the fingerprint card in the Inmate Remand or J&C file.

The signature of the person taking the print certifies that a comparison has been made and the identity of the inmate has been established. The final disposition, physical description, and the inmate's FBI number will be included on the card. The fingerprint card will then be filed in the J&C file.

Notifications will be made in accordance with the Program Statement on Escapes/Deaths Notifications.

### **804. FORM I-178, CJIS SUPPLY REQUISITION FORM**

This form is available on Sallyport and is used for ordering FBI forms. It is self explanatory.

### **805. ARREST RECORD**

Fingerprint cards are submitted to the FBI to determine prior arrests, to update information about a new arrest, and to verify the inmate's identity. If the inmate has been arrested previously, the FBI will have an arrest record that includes the date, name used, place and agency identification number for that arrest, charge, and known disposition for each entry.

The USMS may have obtained an FBI arrest record in time to deliver it with the other commitment documentation. In these cases, the FBI number will be available as well as leads that may be useful in determining current status of pending charges or detainees.

Arrest records received directly from the FBI will be reviewed by CSD staff for the following information:

- To confirm identity of commitments. (Questionable cases will be referred to the Regional Correctional Programs Administrator.)

- To obtain and record FBI numbers in SENTRY which were previously unavailable.
- To determine whether charges may be pending in any other jurisdiction that need to be investigated.

If the arrest record indicates other names used, SENTRY will be updated to reflect the alias names. Also, the FBI number assigned will be entered. The original arrest record will be forwarded to the inmate's unit team for inclusion in the inmate central file.

## CHAPTER 9. INMATE MOVEMENT AND RELEASE

### 901. DEFINITION AND RESPONSIBILITIES

The Institution Correctional Systems Department/DSCC is responsible for preparing inmates for release from the institution as a result of:

- Medical treatment.
- Transfer to another Federal facility.
- Court orders.
- USPC decisions.
- Expiration of the confinement portion of the sentence.
- Any other method meeting legal qualifications for release.

To carry out this responsibility, the following procedures are established for processing inmates for release.

### 902. TEMPORARY RELEASE OF INMATES

**a. Emergency Medical Release.** An emergency medical release requires an inmate's immediate removal to a medical facility, other than the institution hospital, for emergency treatment. This type of release usually occurs when an inmate is injured in an accident, is assaulted, attempts suicide, or experiences some other medical emergency of a life threatening nature.

**Note:** Proper photograph and fingerprint identification will be made prior to the inmate's departure from the institution, when possible. In life threatening situations, identification will be delayed until local hospital officials give approval to complete the process.

Fingerprint identification will be obtained (placed on a Marshals' Receipt, BP-A378, or a Transfer Receipt, BP-A821) for inmates who are at the hospital and will be guarded by a contract security guard service at the outside facility.

Inmates whom Bureau staff guard will not require fingerprint identification but will require a photograph comparison. All paperwork will be completed pursuant to the Escorted Trips Program Statement.

Procedures for inmates housed in a RRC are covered in the Community Corrections Manual.

**b. Scheduled Inmate Movement.** When notice has been received of a scheduled movement, designated staff will use the Transfer Receipt listing all inmates being transferred. The Transfer



Receipt will advise all concerned departments of the deadline date for preparing required paperwork and the forwarding of files to the designated staff.

The Transfer Receipt will be issued no later than the morning of the last working day prior to the day of departure.

This receipt **will not** be made available to inmates or unauthorized staff not involved in the transfer process.

CSD staff will review the files to ensure all necessary paperwork is completed. This review will include the following:

- Ensure the DSCC/Central Office has approved the transfer by reviewing the PP10 within 24 hours of the movement of each CIM case.
- If the transfer would result in a delay in the inmate's scheduled parole hearing, defer the transfer until after the hearing.
- The inmate may not be transferred until all pending writs are satisfied or have been addressed with the prosecuting attorney.
- The inmate may not be transferred if the court has issued a Restraining Order. The transfer will be delayed until the court withdraws the order or the time limit of the order has been satisfied.
- For each inmate scheduled to be transferred, ensure the inmate central file, J&C file, medical record, the inmate's ID card (if available), education file (if hard copy exists), Parole Commission File (if the transfer occurs prior to the initial hearing), one copy of the Transfer Order, Medical Summary of Federal Prisoner/Alien in Transit (BP-A656), and the SENTRY-generated In-Transit Data Form (BP-A0175) with photograph are assembled to be transferred simultaneously with the inmate, or at the latest, within 72 hours.
- Changes in statutes/rules language.

CSD staff will place all of the inmate's records in an envelope/container; each envelope/container is marked with the inmate's full name, register number, the institution which is the final destination, and the inmate's transfer date.

If more than one envelope/container is required, each will be marked and attached to each other in such a manner that they will not become separated. Indicate on the first envelope/container "1 of 2" and the second "2 of 2," etc.

The Medical Record of Federal Prisoner In-Transit form (BP-A149), and the SENTRY-generated In-Transit Data Form (BP-A0175) with photograph attached will be placed in separate groups for the transporting officer's convenience.

The transporting officer will execute the original Transfer Order upon completion of the transfer and CSD staff will then file it in the J&C file.

**c. Bus/Van/Airlift and Special Trips.** All inmates transported via bus, van, or special move will be coordinated with Justice Prisoner and Alien Transportation System (JPATS), Kansas City, Missouri. Lists of the inmates scheduled to be moved, their destinations, and the itinerary of the bus trip are issued by JPATS the week preceding the trip, if possible. A Transfer Receipt will be prepared in accordance with the Receiving and Discharge Manual.

Institutions may add or delete an inmate to a trip list only if the placement will not result in the deletion of another inmate scheduled for the trip, if there is a seat available, and if it has been approved by JPATS.

Immediately after the bus has departed the institution, a GroupWise message with the attached final transfer receipt will be forwarded to JPATS.

**Note:** It is imperative that the correct vehicle code is used when releasing an inmate. All receipts will reflect the vehicle code associated with that specific movement.

All procedures relating to the movement of inmates via bus also apply to airlift movements. (Refer to the Program Statement on Escorted Trips for more information.)

All inmates must have the appropriate medical clearance prior to transfer. (Refer to the Program Statement on Medical Designations & Referral Services for Federal Prisoners for more information.)

Inmates who present medical or security concerns may require special movement by Bureau personnel. The institution Warden will direct these movements. JPATS must be notified.

**d. Unescorted Movement.** Some inmates may travel unescorted to report voluntarily to a designated institution or via furlough transfer to another institution or contract RRC. (Refer to the Program Statements on Furloughs and Unescorted Transfers and Voluntary Surrenders for additional information).

*Unescorted Transfer to a Federal Institution, Non-Federal Contract Facility, RRC, or Community-Based Program.* When an inmate is released via furlough transfer, the furlough packet will be routed through CSD for a final detainer and legal status review (e.g., pending writs, warrants, and/or charges) prior to delivery to the Warden for signature.

The CCM will not need to conduct an audit of the computation once the inmate arrives at the halfway house.

J&C files for inmates at RRCs are to remain in the Records Office at the sending institution. They are to be filed separately from the J&C files of inmates at the institution.

The completed release documents and terminal report will be mailed to the parent institution CSD.

The CCMs will dispose of duplicate documentation before forwarding files to the parent institution. Duplicate documentation is considered to be anything that is already in the institution file, such as the PSI and J&C's. Properly signed, updated BP-A338's and incident reports must be forwarded for inclusion in the central file.

When the material is received from the CCM, CSD staff will forward the completed release materials to unit staff for inclusion in the inmate's central file.

CSD staff will monitor the release dates of inmates at RRCs to ensure that the release materials are received from the CCM. A follow-up is to be conducted if they are not received within one month after the inmate's release from the RRC. If the institution still does not receive the release materials, it will be documented in the J&C file. This documentation will include all contact with the RRC. No further follow-ups will be conducted.

When an inmate is returned to custody prior to his or her final release date and there is not enough time remaining to return the inmate to his or her parent institution, the staff having responsibility where the inmate is housed will prepare the final release paperwork and release the inmate. He or she will be "released" from SENTRY according to the type of release although he or she may have been admitted as a holdover.

### **903. SCHEDULING INMATES FOR FINAL RELEASE**

The Institution Correctional Systems Department/DSCC will establish and maintain local procedures, including the use of SENTRY, to ensure the timely release of inmates. The DSCC will audit the sentence computations of all inmates to be released, including any good time actions, before certifying each release date.

Staff in other departments will access SENTRY to obtain current release dates for release planning and preparation.

**Note:** CSD staff are not required to prepare and forward a release list.

The Community Corrections Manual contains instructions for inmates releasing from community corrections facilities.

**a. Public Law, Weekend, and Holiday Releases.** In accordance with 18 U.S.C. §§ 4163 and 3624(a), whenever possible, inmates may be released on the last preceding weekday if their projected release date falls on a weekend or holiday.

An inmate will not, however, be released on parole or mandatory parole on the last preceding weekday if the actual release date falls before the parole eligibility date.

Refer to the Program Statement on Release of Inmates Prior to a Weekend or Legal Holiday for more information.

**Note:** Inmates in any facility as a condition of supervision are not serving a sentence of imprisonment, and therefore, are not eligible for Public Law days.

**b. Secret Service Notification.** The Secret Service requires release notification of those inmates who are considered dangerous to the President or Vice President of the United States and other government officials. They will provide a Secret Service Notification Card which is placed in the Inmate Remand or J&C file with a copy to unit staff for inclusion in the inmate central file.

This **will not** be loaded into SENTRY as a “notify.”

**c. Release of State/Territory/Commonwealth Inmates.** When a state, territory, or commonwealth inmate is to be released, CSD staff will notify the appropriate authority no later than 60 days prior to the scheduled release. The notification will contain the scheduled date of release, proposed release destination, and will solicit certification of the release date and any special instructions for the releasee which will be communicated to unit staff.

If no answer is received from the appropriate authority within 30 days, CSD staff will follow up telephonically to obtain the requested information. The response received from the appropriate authorities will be noted/filed in the J&C file and will serve as the authority to release the inmate from custody.

**d. Inmates Releasing to a State Detainer.** When an inmate has a detainer based on untried charges (e.g., indictments, informations, complaints), the inmate will be turned over to local authorities or any other detaining authority that has filed a detainer within that state.

When an inmate has a detainer for service of a sentence (or for a parole or probation revocation hearing), the following applies:

- Institutions in the following states will turn the inmate over directly to the out-of-state authorities (that is, authorities from the state lodging the detainer). There is no need to turn the inmate over to local authorities for extradition proceedings.

Arizona	Michigan	South Carolina
California	New Jersey	Virginia
Florida	New York	Wisconsin
Kansas	Nevada	
Louisiana	North Carolina	

- Institutions in any state not listed above must turn the inmate over to local authorities to waive or contest extradition proceedings; except when the state sentence is a result of the inmate's own earlier IAD (Article III) request for disposition of his/her case.

In these situations, the inmate's extradition rights have been waived and the inmate may be turned directly over to the out-of-state authorities.

It is the CSD staff's responsibility to notify detaining authorities of the pending release and to advise them of the procedures to follow to obtain custody.

Refer to Chapter 6 for more information on pre-release notification.

**e. Release of Military Inmates.** Inmates released from their sentence through the operation of "good time" (Mandatory Release, Expiration with Good Time, or Parole) with an offense date of August 15, 2001, or earlier, are not subject to supervision. A 180-day date is therefore inapplicable and must not be entered on the computation.

Inmates released from their sentence through the operation of "good time" (Mandatory Release, Expiration with Good Time, or Parole) with an offense date **after** August 15, 2001, are subject to supervision until the expiration of the sentence imposed.

Such supervision is at the USPC's discretion. They will determine if such supervision is necessary for the inmate's orderly transition back into the community.

The U.S. Probation Office in the district of release will supervise any inmate released by action of the USPC. Military and Coast Guard inmates released on parole are subject to the same USPC rules and regulations as Federal inmates.

**f. Transfer of an Inmate to a Foreign Country.** Once an inmate has been approved for transfer to a foreign country to serve his or her U.S. sentence, the procedures established in the Program Statement on Transfer of Offenders to or from Foreign Countries will be followed. All inmates, to include state inmates, enroute to a foreign country will be removed from SENTRY as a Treaty Transfer (TRTY TRANS).

## 904. RELEASE PAPERWORK

Inmates releasing to a detaining authority, whether temporary or final, must have an In-Transit Data Form (BP-A0175) and a Release Authorization Form (BP-A392). However, a Release Authorization need not be prepared when a transfer receipt is used (e.g., bus/airlift). Instructions for completing these forms are outlined below.

**Note:** An In-Transit Data Form need not be completed for the final release of an inmate to the community.

Chapter 10 of this manual outlines the types of final release and the paperwork associated with each type of release.

For final releases, unit staff will prepare the release paperwork and a release folder on each inmate scheduled for release. This folder will contain the inmate's various release paperwork and an envelope with the inmate's name and register number.

All documents, forms, or items that are to be given to the inmate at release will be placed in this envelope, including the inmate's driver's license or Social Security card, which may have been stored in section 3 of the inmate central file. The inmate may retain his or her inmate identification card upon release.

The completed release folder will be delivered to CSD staff no later than two working days prior to the inmate's scheduled release date, however, unit staff are encouraged to complete and route the release packet in advance of the release date to allow time for corrections.

CSD staff will verify each release folder for content and accuracy of CSD-related data, e.g., days remaining, release method, release date, etc. Unit staff are responsible for making corrections, providing mailing envelopes with addresses, and returning the packet to CSD.

**a. In-Transit Data Form (BP-A0175).** Upon notice that an inmate is to be transferred, temporarily released, or permanently released to an authorized Law Enforcement Officer (i.e., USMS, State Law Enforcement Officer, Bureau of Prisons Bus Officer), the CSD will ensure the following:

- A hard copy of the SENTRY automated In-Transit Data Form is provided.
- The information indicated on the top portion of the form is accurate and is verified with source documents (refer to Chapter 4 for more information).
- The detainer remarks printed are accurate and up-to-date (refer to Chapter 6 for more information).
- The "CMC Clearance and Separatee Data" was reviewed within the last 24 hours, and if changed, a new copy will be attached.

- The In-Transit Data Form is within 30 days of signature.
- The In-Transit Data Form will be delivered to escorting officials.

SENTRY update functions will need to be executed if the data is not accurate. Once SENTRY has been updated, unit staff will be notified and a new form will be completed.

**b. Release Authorization Form (BP-A392).** The BP-A392 will be used to release inmates for completion of sentences, appeal bonds, court-ordered releases, writs of habeas corpus (except for inmates moving on a writ via bus or airlift), commutation of sentences, Interstate Agreement on Detainers, furlough transfers, transfers to state facilities, and transfers to contract RRC's.

**Note:** A release authorization need not be prepared for inmates who are removed temporarily by and remain in continuous Bureau staff custody. The exchange of custody will be executed through the use of a Marshals Receipt or Transfer Receipt.

The sentence computation will be certified by the DSCC prior to release. The manager or supervisor will normally sign the Release Authorization, unless the Warden's signature is required. This signature ensures the following documents have been reviewed:

- J&C's.
- USPC Warrants.
- Notices of Action(s).
- Good Time documents.
- All detainer information.

The following statement is used on the Release Authorization to verify that the proper review, as specified above, has been personally accomplished by the manager/supervisor, prior to the inmate's release:

**“I certify that this release is in accordance with applicable and controlling rules, regulations, and statutory provisions. I have personally reviewed this inmate's Judgment and Commitment file, and determined that there is no information that would prevent release by the method stated above. All Judgment and Commitment Orders, U.S. Parole Commission Warrants, Notice of Actions, Good Time documents, and all detainer information have been personally reviewed by me.”**

For final releases, the sentence computation will be satisfied and made a prior commitment in SENTRY by the DSCC no earlier than five days prior to release. Institution staff will be responsible for making changes to the SENTRY Sentence Monitoring Update Detainer/Notify screens prior to release.

If the confinement portion of a sentence ends and the inmate continues to serve another sentence, the expired sentence will be satisfied and made a prior commitment upon release from all sentences.

**Example:** If an inmate is serving multiple sentences due to multiple J&C's or a multiple count J&C (i.e., SRA and PLRA, or VCCLEA and PLRA, etc.), DSCC staff will be unable to make this expired sentence a prior commitment.

This expired sentence (computation) will be satisfied on the date that it ends, however, it will not be made a prior commitment until all sentences on that multiple count J&C are made prior commitments.

When an inmate is released to another agency via state writ or IAD, the official assuming custody must sign the Release Authorization.

**Note:** To execute an inmate's release on IAD, a copy of the Evidence of Agents Authority (Form VI) will accompany the Release Authorization for comparison of the agents' signatures.

The officer or agent signing the Release Authorization must be listed on the form. The official taking custody will be provided a copy of the Release Authorization which will bear the typed or stamped notation:

**“Inmate is to be returned to the (name of institution) and is not to be released from custody without the written permission of the Warden.”**

The original Release Authorization, with photograph attached, is to be provided to Receiving and Discharge for release purposes, dress-out preparation, and final release certification.

The “Release Action” section of the Release Authorization will be completed with the signature of the staff member identifying the inmate, the staff member releasing the inmate, and the staff member providing funds to the inmate (unless local procedures are otherwise established).

**Note:** The staff member identifying the inmate upon release **must be different** from the staff member who releases the inmate.

At the time of release, the inmate's thumbprint will be taken on the original Release Authorization. It will be compared with the thumbprint in the J&C file to verify the inmate's identity by the releasing staff member.

Fully executed Release Authorizations are to be returned to the Records Office and will be filed in the J&C file.



## **905. CERTIFICATION OF JUDGMENT/COMMITMENT ORDER (OLD LAW) AFTER RELEASE**

Pursuant to 18 U.S.C. § 4163, offenses committed prior to November 1, 1987, require certification upon release. The DSCC will perform this function.

Under 18 U.S.C. § 3624 (New Law), certification of the J&C is not required.

## **906. UNTIMELY RELEASE NOTIFICATION PROCEDURES**

Upon receiving a sentence impact document effecting the release of an inmate, the manager/supervisor or Community Corrections Manager will verify the document through established procedures and forward the document to the DSCC to facilitate re-calculation of the related sentence.

If, upon re-calculation, DSCC staff determine the inmate is an untimely release, notification will be given to the appropriate manager or supervisor, who will then immediately notify the Warden or designee. In the event of an early release, DSCC staff will forward the BP-558 (Untimely Release Notification) to the Warden or designee for threat evaluation purposes.

Upon re-calculating the affected sentence, DSCC Staff will complete parts A and B of the Untimely Release Notification (BP-A558).

In cases where the CCM will also route the notification, the CCM will also route the notification to the Regional Community Corrections Administrator.

If the Untimely Release Notification cannot be forwarded within one day, an e-mail will sent to the Regional Correctional Programs Administrator notifying of the release.

The DSCC will ensure the Late Release Notice for United States Probation Service (BP-A623) is completed and mailed for any late release with supervision to follow.

In any case involving an inmate's untimely release (including court ordered releases that are not acted upon in a timely manner) of 30 days or more and/or has been identified as a threat to the community, the Warden must forward a personal letter to the appropriate Judicial Official(s) providing details of the untimely release.

Copies of the letter must also be forwarded as notification to the following:

- United States Attorney or State/Territory Prosecuting Attorney.
- Chief Probation Officer.

- USPC (if appropriate).
- Detaining Officials (if appropriate).
- Regional Correctional Programs Administrator.
- State/Territory Department of Corrections (if appropriate).

The Chief, DSCC, will review the circumstances of each early/late release and work closely with the Correctional Programs Administrator, Central Office, and institution staff to prevent additional occurrences.

In cases which require a threat evaluation (including, but not limited to early release), the DSCC shall forward the untimely release notification to the Warden (with a courtesy copy to the Regional Correctional Programs Administrator).

The Warden will designate a staff member to perform a thorough **threat assessment** of an early release. All files must be researched to determine the untimely release's impact upon the community.

Special care must be given to determine whether the subject:

- Has a history of violence.
- Has a weapons usage history.
- Has a record of psychological problems.
- Is a Broad Publicity case.
- Requires Victim/Witness notifications.

If the untimely release is determined to be a threat to the community, the Warden or designee will make the following notifications telephonically:

- Regional Director.
- Regional Correctional Programs Administrator.
- District U.S. Marshal or appropriate State/Territory.
- Department of Corrections.
- Sentencing Judicial Official(s).
- Prosecuting Attorney(s).
- Chief Probation Officer(s).

These notifications will be documented in the inmate's central file.

The Chief, DSCC, will notify the Deputy Assistant Director, Correctional Programs Division, of all untimely releases considered to be either a threat to the community or of public interest.

An Untimely Release Notification (BP-A558) need not be completed for the following types of late releases unless the inmate was not released on the date the order was received at the institution:

- Court order terminating or vacating the sentence.
- Sentence modifications (e.g. amended or corrected orders).
- Ineffectual (over before imposed) terms.
- Time served sentences.
- Treaty transfers.
- Changes in Statutes/Rules language.

In each instance, the Sentence Computation Remarks will be updated by DSCC staff explaining the circumstance and the date the order was received.

**Note:** A sentence computation will be performed on all ineffectual and time served sentences.

## CHAPTER 10. FINAL RELEASE

### 1001. METHODS OF FINAL RELEASE

**a. Parole.** A conditional release from custody ordered at the discretion of the USPC at any time on or after the parole eligibility date.

An individual released via Parole will have supervision until the Full Term Date of the sentence on which the parole was granted.

**b. Old Law Mandatory Parole (Two-thirds/Thirty year release date).** An actual parole release date by the USPC based on a two-thirds (2/3's) review consistent with 18 U.S.C. § 4206(d).

**Note:** Two-thirds is a mandatory USPC review date.

**c. Parole to Special Parole (SPT).** A conditional release from custody ordered at the discretion of the USPC at any time on or after the parole eligibility date with a Special Parole Term (SPT) to follow.

**Note:** This type of release is called “Parole to Special Parole” and the SPT would begin the day after parole supervision ends.

**d. Mandatory Release (M.R.).** A release from sentence confinement with sentence supervision to follow, pursuant to the requirement of 18 U.S.C. § 4164. If the inmate has in excess of 180 days remaining between the date of the actual release date and the established Full Term Date, the inmate is required to be supervised for any days in excess of 180 days.

The days remaining to be served are determined by finding the number of days remaining between the release date and the sentence’s Full Term Date. Exceptions to this rule are NARA and JJDPA when days remaining to be served are calculated from the date of release to the Full Term Date without regard to the 180-day date.

**e. Mandatory Release to Special Parole (M.R. to SPT).** In some cases, an inmate in service of an SPT Violator Term, who is not otherwise ordered released on parole by the USPC, may be released at the expiration of his/her term, less good time deductions, back to the SPT remaining.

**Note:** This type of release is called “Mandatory Release to Special Parole.” SPT would begin the day after release.

The provisions of 18 U.S.C. § 4164 do not apply and the inmate remains on supervision until his/her Full Term Date.

**Note:** It is improbable that an inmate serving a SPT Violator Term could be released via Expiration of Sentence. The only way this could happen is if the release date was the same date as the inmate's Full Term Date.

**f. Expiration Full Term.** This type of release indicates the inmate has completed the confinement portion of the sentence and has no supervision to follow. This type of release occurs when the inmate does his or her sentence "day for day" with no deductions for Extra or Statutory Good Time.

**Note:** An inmate may be released at the expiration Full Term Date of his or her sentence and still have SPT or probation to follow.

**g. Expiration Full Term with Special Parole to Follow.** This type of release indicates the inmate has completed the confinement portion of the sentence, but has SPT to follow. The inmate would have supervision relating to the SPT for a period of time equal to the term of the SPT specified by the Court on the J&C Order. SPT would begin on the day of release.

**h. Expiration with Good Time.** This type of release indicates the inmate has completed the confinement portion of the sentence and has no supervision to follow.

This type of release occurs pursuant to the provisions of 18 U.S.C. § 4163, which states that an inmate will be released at the expiration of his/her term less the time deducted for good conduct.

**Note:** The provision of 18 U.S.C. § 4164 (the "mandatory release" provision of the law) does not apply.

For an inmate to be released via Expiration with Good Time, the days remaining to serve would have to be an amount equal to 180 days or less. To the contrary, mandatory release cases require an accrual of good time in excess of 180 days.

**Note:** Not all SPT Violators are eligible for this type of release. An inmate released at the expiration of his or her SPT Violator term, less applicable good time deductions, may return to SPT supervision until it is completed.

An SPT Violator released at the expiration of his/her term, after any good time deduction, may be released as "Mandatory Release to Special Parole."

**i. Expiration with Good Time with Special Parole to Follow.** This type of release indicates the inmate has completed the confinement portion of the sentence, including good time deductions pursuant to 18 U.S.C. § 4163, but has SPT to follow.

The inmate would have supervision relating to the SPT for a period of time equal to the term of the SPT specified by the Court on the J&C Order. SPT would begin the day of release.

**j. All “New Law” Related Offenses – Good Conduct Time (GCT)/Full Term (FT), Etc.**

These types of releases fall under the Sentencing Reform Act of 1984. These are unconditional releases from the confinement portion of the sentence. No supervision applies to the sentence imposed but a period of Supervised Release could be imposed in connection with the offense.

**k. District of Columbia (D.C.) Mandatory Parole.** Applicable only to inmates with D.C. Code offenses. This type of release occurs when good time credits are applied to the maximum term of imprisonment to determine the date when release on parole becomes mandatory.

**l. Military and Coast Guard Releases.** Refer to the Program Statement, Administration of Sentence for Military and Coast Guard Inmates, for more information on these types of releases.

**m. Release of ICE Detainees.** Although not releasing directly from service of a sentence, they are ordinarily released via a parole by ICE. They can also be ordered released by a court order.

## **1002. RELEASE FORMS**

**a. Release & Gratuity Information (BP-A189).** The Case Manager generates this form and forwards it to the business office. They return it to the Case Manager and the form is routed for approval.

**b. Notice of Release and Arrival (BP-A714).** A Notice of Release and Arrival (BP-A714) will be prepared for each inmate, excluding state boarders, upon final release. The original BP-A714 will be provided to the inmate. Copies will be sent to the U.S. Probation Officer in the district of release, the Chief U.S. Probation Officer in the district of residence, the USPC (for “Old Law” cases only), and a copy will be retained in the inmate’s central file.

**c. Certificate of Parole.** When an NOA has been received that grants parole and the inmate's release plan has been approved, unit staff are responsible for requesting parole certificates from the USPC.

The inmate cannot be released on parole until the USPC executes the certificates.

The inmate and Warden, or designee, must sign the certificates, individually, in ink.

Unit staff will enter the number of days remaining to be served under supervision on the form. The Institution Correctional Systems Department/DSCC reviewing the release file must examine this element closely.

The original Parole Certificate will be provided to the inmate upon release. Signed copies will be sent to the U.S. Probation Officer in the district of release, the USPC, and to the inmate's central file.

**d. Multi Purpose (Parole Form I-33).** The certificates must be signed individually, in ink, by the inmate and Warden, or designee. The original certificate is provided to the inmate upon release. Signed copies will be sent to the U.S. Probation Officer in the district of release, the USPC, and a copy to the inmate's central file.

**(1) Certificate of Mandatory Release and Certificate of Mandatory Release to Special Parole.** If an inmate sentenced as an adult is released (other than by Parole) with more than 180 days of accumulated Good Time (Statutory and/or Extra) he/she is released via Mandatory Release and will remain under supervision until the 180-day date. A Certificate of Mandatory Release (Parole Form I-33) will be prepared.

When an inmate releases via Mandatory Release and has SPT to follow, a certificate of Mandatory Release to Special Parole (Parole Form I-33) will be prepared.

**Note:** When an inmate is Mandatorily Released, the SPT begins the day after supervision terminates (180-day date). If an inmate is released on Parole, the SPT begins the day after the Full Term Date. If the inmate is released via Expiration, the SPT will begin when released from confinement.

Inmates sentenced under the provisions of Narcotics Addict Rehabilitation Act (NARA) and Federal Juvenile Delinquents Act are also released via Mandatory Release in the absence of parole. Supervision for these inmates will be until the Full Term Date of the sentence. A Certificate of Mandatory Release (Parole Form I-33) must be prepared for these inmates.

**(2) Certificate of Special Parole.** If the court has imposed a Special Parole Term (SPT) in addition to the inmate's term of confinement, a Certificate of Special Parole (Parole Form I-33) is to be prepared.

Any special conditions the USPC orders, as noted on the NOA, will be typed on the Certificate of Special Parole.

If Parole is granted for a person serving a SPT Violator sentence, no Parole Form I-33 is required. The Parole Certificate the USPC issues will suffice.

For Expiration Full Term with SPT to Follow, the number of days remaining to be served should be crossed out and the number of years of SPT inserted.

If an inmate has been sentenced under the provisions of 18 U.S.C. § 3651, and is being released on Probation with a SPT to follow, it is not necessary to prepare SPT certificates. If the inmate completes the period of probation successfully, he/she will not be subject to the SPT.

(3) **Certificate of Court Designated Parole.** When the court specifies an effective parole date at the time of sentencing, a Certificate of Court Designated Parole (Parole Form I-33) is to be prepared.

**e. Release of Immigration Detainee with Supervision to Follow (BP-A325).** When an inmate is to be released to an ICE detainer and has a period of supervision to follow (including probation and supervised release), unit staff will prepare this form.

The completed form will be forwarded to the Records Office. When the inmate is placed in ICE custody, the releasing CSD staff member will date and sign Item 14 of the form. The first four copies of the form will be given to the ICE Officer assuming custody of the inmate. The fifth copy of the form will be placed in the inmate's central file.

**f. Certificate Entitling Prisoner to Gratuities (BP-A379).** The Certificate Entitling Prisoner to Gratuity (BP-A379) will be prepared only when inmates are released to a non-Federal detainer via Parole, Mandatory Release, Mandatory Parole, Mandatory Release to Special Parole, etc., and has Federal supervision to follow.

This form does not apply to "New Law" releases or to inmates releasing to an ICE detainer.

To be eligible for payment, the inmate must be released from the detaining authority prior to expiration of Federal supervision.

The inmate will be provided the original form, which contains instructions for applying for the gratuity. Copies of the form will be retained in the inmate central file for use if application for payment is made. A copy will also be provided to the Financial Management Department.

**g. Late Release Notice for U.S. Probation Service (BP-A623).** This form is used **only** for a late release prisoner who has a period of supervised release to follow, even if that late release is from a Supervised Release Violator Term.

**h. Agreement to Adhere to Installment Schedule Agreement for Unpaid Fines.** If the inmate has an unpaid fine and has supervision to follow, the inmate must sign this agreement prior to release. (See Section 402, e. of this Manual and the Program Statement, Inmate Financial Responsibility Program.)

**i. Notice to U.S. Attorney of Release of Inmate with Criminal Fine Judgment (BP-A384).** If an inmate will be released with a fine that has not been paid in full, CSD staff will notify the U.S. Attorney in the sentencing district via this form.



### 1003. RELEASE TABLE

	BP-A189	BP-A714	Parole Cert.	Parole Form I-33	BP-A325	BP-A379	BP-A623	Unpaid Fine Agrmnt	BP-A384
Parole and Old Law Mand. Parole	R	R	R		M	M			M
Parole to SPT	R	R	R		M	M			M
M.R.	R	R		R	M	M			M
M.R. to SPT	R	R		R	M	M			M
Exp. Full Term	R	R			M	M			M
Exp. Full Term W/SPT to Follow	R	R		R	M	M			M
Exp. w/Good Time	R	R			M	M			M
Exp. w/Good Time w/SPT to Follow	R	R		R	M	M			M
D.C. Mand. Parole	R	R	R		M	M			M
“New Law” (GCT, FT REL., etc.)	R	R			M	M	M	M	M
ICE Inmate	R								

**R = Forms required for that type of release.**

**M = Forms may or may not be required for that type of release.**

BP-A189 – Release & Gratuities Information

BP-A714 – Notice of Release and Arrival

BP-A325 – Release of Immigration Detainee with Supervision to Follow

BP-A379 – Certificate Entitling Prisoner to Gratuities

BP-A623 – Late Release Notice for U.S. Probation Service

BP-A384 – Notice to U.S. Attorney of Release of Inmate with Criminal Fine Judgment

## 1004. RELEASE FORM INSTRUCTIONS

### a. Release and Gratuity Information (BP-A189)

1. **Name of Institution**
2. **Current Date**
3. **Register Number**
4. **Inmate's Committed Name**
5. **Date Releasing** from institution
6. **Method of Release** – Mandatory Release, Parole, Expiration w/Good Time, Good Conduct Time Release, release to RRC, etc.
7. **Inmate Unit Assignment**
8. **Inmate Job Assignment**
9. If a detainer is on file, cite the **detaining authority**
10. Request **information regarding inmate's account** from Financial Management  
**Note:** This is a very important section as it assists in determining what, if any, gratuity will be granted
11. **Current Date** (may be different than #2 above)
12. Type in **amount of gratuity** to be given the inmate
13. Complete only if inmate is releasing to detaining authorities and has **“old law” Federal supervision to follow**. This should trigger preparation of BP-A379
14. **Address to which excess funds in inmate's personal account are to be mailed**
15. **City and State to which inmate is releasing**
16. Check appropriate **method of transportation**. If Government expense, note amount of travel fare and amount of taxi fare needed.
17. **Signature of Case Manager**
18. **Signature of approving authority**, usually the Case Management Coordinator or Cost Center Manager

**Note:** The unit team completes 1 through 9 and forwards the form to Financial Management. The Financial Management staff will complete section 10 and return the form to the unit team for further completion and approval.

**b. Notice of Release and Arrival (BP-A714).** Any time an inmate releases from an institution, the Notice of Release and Arrival must be completed. The BP-A714 must be filed and distributed as specified at the bottom of the form (e.g., it is not necessary to forward it to the Clerk of the Court, the U.S. Attorney's Office Financial Litigation Unit, Bureau of Immigration and Customs Enforcement, etc.).

For RRC releases, unit staff will partially complete this form and forward it to the CCM's Office. RRC staff will complete the form prior to the inmate's final release to the community and distribute it as specified at the bottom of the form and forward a file copy (with inmate's signature if applicable) to the sending facility with the terminal report.

1. **Inmate's Committed Name** as it appears in SENTRY.
- 2a. **Inmate's Register Number.**
- 2b. **Inmate's FBI Number.**
- 2c. This line is intended for **other numbers** the inmate may have such as: District of Columbia (DCDC/PDID), Immigration/Alien numbers (INS), or State number (STAN).
3. Indicate the **name and address of your institution.**
4. Insert the **Projected Release Date.**
5. Insert the **Release Method.**
6. Indicate the **number of Public Law Days awarded** (e.g., n/a, 1 day, 2 days, etc.). **If released to a RRC, this item will be left blank.** RRC staff will complete this section.
7. Indicate by checking "yes" or "no" whether the **inmate will be under supervision.** If "yes" is checked provide the term of supervision in years/months and ensure the inmate signs (see item 13) indicating he/she was advised of the Obligation to Report for Supervision.
8. Indicate whether inmate is to be **released to the community or a detainer** by checking either "Community" or "Detainer". **If released to a RRC, leave the "Release to" section blank.** RRC Staff will complete this section.
- 9a. Indicate the name of the **supervision agency's Chief/Director in the sentencing district (In all cases 9a, b, c, d, and e must be filled out).**
- 9b. Provide the name of the **supervision agency in the sentencing district.**
- 9c. Provide the **sentencing district**, e.g., Southern District of WV.
- 9d. Provide the **address of the supervision agency in the sentencing district** (the street address not the mailing address).
- 9e. Provide a **contact telephone number** for the supervision agency in the sentencing district.
- 10a. This section (items 10a, b, c, d, and e) applies only to cases when **supervision has transferred to another district/authority.** If the inmate will release to the sentencing district indicate "n/a". If inmate's residence is not within the sentencing district (see item 9c.) indicate the name of the supervision agency's Chief/Director in the district of residence.
- 10b. Provide the **name of the supervision agency in the relocation district.**
- 10c. Provide the **relocation district**, e.g., Middle District of NC.
- 10d. Provide the **address of the supervision agency in the relocation district** (the street address not the mailing address).
- 10e. Provide a **contact telephone number** for the supervision agency in the relocation district.
11. Indicate the **inmate's proposed release address.** **If released to a RRC, the address of proposed resident should be left blank.** This information is subject to change during the RRC placement. This information should be completed by RRC staff.
- 12a. Is a **DNA sample required?** Indicate "yes" or "no".
- 12b. If 12a. is "yes"; indicate **date (12/30/2006YY) sample taken** (as it appears on the Inmate DNA Number History transaction) or "NEEDS". If 12a. is "no" type "n/a".

- 12c. If a date is provided in item 12b. provide **DNA number** (e.g., BOP00001). If a date is not provided in item 12b. type “n/a”.
13. If item 7 indicates “yes,” the **inmate’s signature** is required on the file copy. If the inmate refuses to sign staff will indicate by signature that the inmate was advised of Obligation to Report for Supervision. The decision as to when the inmate signs the form will be at the discretion of the releasing facility. In cases where the inmate is not physically in custody (i.e., State Writ, IAD, etc.) CSD staff will ask the authority that has physical custody of the inmate to execute the BP-A714 (fax transmittal and return is acceptable for file copy).

**If released to a RRC, this section will be left blank.** If item 7 indicates “yes,” RRC staff will have the inmate sign the file copy. If the inmate refused to sign, RRC staff will indicate by signature that the inmate was advised of Obligation to Report for Supervision.

**c. Release of Immigration Detainee with Supervision to Follow (BP-A325)**

**BP-A325 RELEASE OF IMMIGRATION DETAINEE WITH SUPERVISION TO FOLLOW** is available on Sallyport and BOPDOCS.

1. **Name of Institution**
2. **Current Date**
3. **Inmate’s Committed Name**
4. **Inmate’s Register Number**
5. **Immigration and Customs Enforcement (ICE) Number**
6. **FBI Number**
7. Self-Explanatory
8. **U.S. Parole Commission Office** in your Region with Address.
  - A. Name of Analyst in U.S. Parole Commission
  - B. Analyst’s Phone Number
9. **U.S. Probation Office of the District of Conviction** (Procure address from U.S. Probation Officer Address Book)
  - A. Name of Chief U.S. Probation Officer in District of Conviction
  - B. Phone Number found in Resource as listed above.
10. Check either (a) or (b) and indicate **date of release from Federal sentence**. If Good Conduct Time Release, cross out “Mandatory Release Date” and statement relating to certificate attachment, and type in Good Conduct Release.
11. If there is a **Special Parole Term**, note how many years
12. Note **length of Probation**. If Good Conduct Release with Supervised Release Term to Follow, cross out term “probation” in #19 and #20, and replace with “Supervised Release” and number of years imposed.
13. **Date Supervision will end**. If release is via Good Conduct Release, leave blank.
14. **Date ICE to assume custody**

**d. Multi-Purpose Certificate (I-33)**

1. Check the:
  - a. **“Certificate of Mandatory Release”** in Mandatory Release cases.
  - b. **“Certificate of Mandatory Release to Special Parole”** in any case that is serving a Special Parole Term Violation and is subsequently Mandatorily released.
  - c. **“Certificate of Special Parole”** in all Expiration, Regular Parole, and Regular Mandatory Release cases where Special Parole follows.
  - d. **“Certificate of Court Designated Parole”** only when Parole is ordered by the Court, pursuant to 18 U.S.C. § 4205(f).
2. **Inmate’s Committed Name** (See SENTRY).
3. **Register Number**
4. **Facility Name**
5. Check this box in all **Mandatory Release cases**, with the exception of **Mandatory Release from a Special Parole Term Violation**.
  - a. This Block represents the total amount of Statutory Good Time and/or Extra Good Time earned during this period of confinement, and which entitles the person to release on the date described in 5b. below.
  - b. Date the inmate is actually released from the institution.
  - c. This date is determined by simply subtracting 180 days from the Final Full Term Date. It is typically found on the computation sheet and is entitled “180 Day Date.”
  - d. “Days remaining to be served.” The days remaining to be served will be calculated from the day after release until the Full Term Date.
6. Check **“Special Parole” block in Mandatory Release cases** that have a **Special Parole Term to Follow**; cases released via **Expiration of Sentence with Special Parole to Follow**; and, **Parole releases with a Special Parole to Follow**. When release is via Mandatory Release from Special Parole Term Violator, check this block only.
  - a. Date Special Parole Term Begins:
    1. On the 180-day date in Mandatory Release cases;
    2. Date of release in all Expiration cases;
    3. On the day after Full Term Date in all Parole cases;
    4. On Mandatory Release back to Special Parole, remainder of Special Parole begins the day after release.
  - b. The “days remaining to be served” here represents the number of days owed from, and including, the Special Parole Term beginning date and the established date that represents the end of Special Parole Term Supervision.
  - c. This is the date when Special Parole Term Supervision ends. It is determined by adding the term of Special Parole to the beginning Special Parole Term Supervision date, and then dropping one day.
7. Complete this section **only when the Court orders Parole consistent with 18 U.S.C. § 4205(f)**.
  - a. This is the date the court ordered an effective parole release.

- b. Days remaining to serve will be calculated from the day after release until the Full Term Date.
- 8. **Judicial District where supervision will occur.**
- 9. **Name of Chief U.S. Probation Officer.** See appropriate directory.
- 10. **Signature of Inmate** (original required on each copy).
- 11. **Register Number.**
- 12. **Case Manager's Signature** (original required on each copy).
- 13. Self-Explanatory (Title of #12).
- 14. **Date Actually Signed.**
- 15. **Initial Risk Category** – Established by the U.S. Parole Commission. If person has had a prior U.S. Parole Commission hearing, this information should be on the Notice of Action. If not, contact the case manager or the U.S. Parole Commission. An experienced case manager will be able to calculate the risk category.
- 16. Self-Explanatory.
- 17. Self-Explanatory.
- 18. List **Special Conditions** on the reverse side of this form. Special Conditions are generated by the United States Parole Commission and are contained in the Notice of Action.

**e. Certificate Entitling Prisoner to Gratuities (BP-A379)**

BP-A379 **CERTIFICATE ENTITLING PRISONER TO GRATUITIES, ETC.** is available on Sallyport and BODOCS.

This Form is to be used only when releasing inmates to detaining authorities (other than Immigration), with parole or mandatory release Federal supervision to follow.

- 1. **Committed Name, Register Number, and date of inmate release**
- 2. **Sentence**
- 3. Cross out, as appropriate. If release is other than indicated, cross out both, and type in appropriate release. See CSD staff with questions. Fill in the **name of the institution from which the inmate is being released.**
- 4. Fill in **detaining jurisdiction**, e.g., State of Florida; Cook County, Illinois; etc.
- 5.
  - a. Fill in detainer jurisdiction if turned over on untried charges.
  - b. Fill in detainer sentence length and name of institution if known.
  - c. Fill in detainer offense.
- 6. Fill in **date Federal supervision expires.**
- 7. Fill in the **amount of money the inmate will take** with him/her on release date.
- 8.
  - a. The amount of **cash gratuity** authorized for the inmate when he is released from custody of the detaining authority.
  - b. Fill in **Federal supervision release destination.**

SECTION 2 – Completed by inmate as indicated in the form instructions.

SECTION 3 – To be completed by final release authority.

BP-A558 **UNTIMELY RELEASE NOTIFICATION** is available on Sallyport and BOPDOCS.

**f. Late Release Notice for United States Probation Service (BP-A623)**

“**Would have been release date**” refers to the date that would have occurred in the past based on a recalculation of sentence due to a court order or staff review. “**Over-served time**” refers to the days served in imprisonment between a would have been release date and the actual release date.

1. **Name of Institution**
2. **Committed Name of Inmate**
3. **Register Number**
4. **Would have been release date (Proper Release Date).** Self-explanatory.
5. **Actual Release Date.** Self-explanatory.
6. **Over-Served Time (Days) Amount.** The time from the would have been release date through the actual release date.
7. **Over-Served Time Reason.** Self-explanatory.
8. Self-explanatory.
9. Self-explanatory.
10. Self-explanatory.

**Note:** Do not submit this report for “old law” cases or for “new law” cases that have **no** supervised release to follow.

**1005. CORRECTIONAL SYSTEMS DEPARTMENT FORMS**

<b>Form No.</b>	<b>Title</b>
BP-A171	Record of Information Release
BP-A0175	In-Transit Data Form
BP-A189	Release and Gratuity Information
BP-A235	IAD – Notice of Untried Indictment
BP-A236	IAD – Place of Imprisonment
BP-A238	IAD – Certificate of Inmate Status
BP-A239	IAD – Offer to Deliver Temporary Custody
BP-A284	Transfer Notice
BP-A325	Release of Immigration Detainee with Supervision To Follow
BP-A327	Returned Correspondence

BP-A328 Stamps, Negotiable Instrument, or other Returned to Sender  
 BP-A331 Authorization to Receive Package or Property  
 BP-A333 Worksheet Sentence Computation Record  
 BP-A377 Prisoner Remand  
 BP-A379 Certificate Entitling Prisoner to Gratuities  
 BP-A380 Good Time Record  
 BP-A382 Commitment Summary  
 BP-A383 Inmate Personal Property Record  
 BP-A384 Notice of Release of Inmate with Criminal Fine Judgment  
 BP-A388 Response to Records Request  
 BP-A389 Statutory Good Time Action Notice  
 BP-A390 Extra Good Time Recommendation  
 BP-A392 Release Authorization  
 BP-A393 Notice of Escaped Federal Prisoner  
 BP-A394 Detainer Action Letter  
 BP-A395 Notice to U.S. Attorney of Committed Fine  
 BP-A396 Certificate of Record  
 BP-A397 Notice to Commissary Supervisor of Committed Fine  
 BP-A398 Disposition of General Correspondence While Inmate is Released Temporarily on Writ  
  
 BP-A399 Transfer Order  
 BP-A401 Committed Fine and/or Cost Application, Oath, and Order  
 BP-A0402 Confiscation and Disposition of Contraband  
 BP-P0405 SENTRY Paper (9 ½ x 11) for Large Printers  
 BP-A407 Acknowledgment of Inmate, Part 1 & 2  
 BP-A408 Acknowledgment of Inmate, Part 3 & 4  
 BP-A515 Abandoned Inmate Property  
 BP-A558 Untimely Release Notification  
 BP-A559 Sentence Computation Checklist  
 BP-A564 IAD Form VI – Evidence of Agent’s Authority  
 BP-A565 IAD/State Writ – Prosecutor’s Certification  
 BP-A566 IAD Form VII – Prosecutor’s Acceptance of Temporary Custody  
 BP-A567 IAD/State Writ – Acknowledgment  
 BP-A568 IAD Form V – Request for Temporary Custody  
 EMS-A609 Early/Late Release Report  
 BP-A613 Determination of Violent/Non-Violent Status, VCCLEA  
 BP-A676 Inmate Remand File Labels



# Attachment A

## INMATE JUDGMENT & COMMITMENT FILE ORGANIZATION

***\*\*All documents to be filed in chronological order\*\****

### LEFT SIDE

Secret Service Card  
SENTRY - Sentence Monitoring Computation Data  
- Sentence Monitoring Independent Sentence  
Computation (*for manual dates*)  
Parole/MR/SPT Violator Warrants  
Determination of: Violent/Non-Violent Status, VCCLEA  
(BP-A613)  
Title 18 U.S.C. § 3621(e):  
Attachment C - (Change in DAP Status Memo)  
Attachment K - (Final Review of Inmate's Provisional  
Early Release)  
Central Office Written Approval  
Notification of RRC Placement Date (BP-A628)  
Attachment H - (Notification of Provisional  
Determination for 18 U.S.C. § 3621(e)  
Sentence Reduction)  
Title 18 U.S.C. § 4046(c):  
Attachment E - (Change in ICC Sentence Reduction  
Status)  
Attachment F - (Notice to Inmate the Previously  
Scheduled Release is Being Delayed)  
Attachment D - (Provisional Notification of ICC  
Sentence Reduction)  
J&C's and Modifications (*Certified*)  
Court Orders (*Certified*)  
Nunc Pro Tunc Authorizations  
USMS Individual Custody and Detention Report  
(USM-129)  
Correspondence/Documents: *relating to Sentence, Jail  
Credit, Untimely Release and Register Number (to include  
D.C. Face Sheets, D.C. Violator Warrant Applications, and  
D.C. Release or Detention Orders)*  
Fines: (BP-A384, BP-A401, OBD-500, BP-A395, BP-A397),  
*Installment Agreements, & documents/correspondence  
relating to fines being paid*  
Presentence Investigation Report (PSI)  
Detainers/IAD Paperwork  
Prisoner Remand - MCC Modified (BP-A377)  
Commitment Summary (BP-A382)

### RIGHT SIDE

SENTRY Sentence Monitoring Good Time Data  
Inmate Discipline Data Chronological Disciplinary Record  
Specialized Daily Log Verification Notification Form  
(GED UNSAT)  
ICE Will Deport Order  
Good Time Record (BP-A380) or (PSIE)  
Parole Commission Notice of Action (NOA)  
Release Authorization (BP-A392)  
Notice of Escaped Federal Prisoner (BP-A393)  
Good Conduct Time Action Notice (BP-A448)  
Statutory Good Time Action Notice (BP-A389)  
Extra Good Time Recommendation (BP-A390), (FPI-96),  
*or SENTRY Work History*  
D.C. Education Good Time (DCEGT)  
Transfer Order (BP-A399)  
SENTRY Security/Designation Data Sheets  
Writs of Habeas Corpus (*Certified & verified*)  
Authorized Unescorted Transfer and Commitment (BP-  
A385)  
FBI Fingerprint Cards (FBI-249); *one full set & latest  
transfer card*  
ID Photo (*additional photos may be stored on the right side  
of the file under all documents*)

**Attachment B. PROSECUTOR'S NOTIFICATION (SAMPLE LETTER)**

**(DATE)**

**PROSECUTOR'S NAME  
TITLE  
STREET ADDRESS  
CITY, STATE ZIP CODE**

**RE: INMATE NAME  
INMATE REGISTER NO.  
STATE CASE/REFERENCE NO.**

Dear **PROSECUTOR'S NAME**:

The above-referenced defendant has requested disposition of pending charges in your jurisdiction pursuant to the Interstate Agreement on Detainers Act (IADA). Necessary forms are enclosed.

We request action be taken under Article III of the IADA and IAD Form VI (BP-A564), "Evidence of Agents' Authority" and Form VII (BP-A566), "Prosecutor's Acceptance of Temporary Custody" be submitted to us, as necessary. The two (2) persons who are the designated agents to return the prisoner to your State **must** also be the persons whose signatures appear on the Form VI. It would be advisable to designate alternate agents whose signatures must also appear on the Form VI, in the event the primary agents are unable to make the trip. Also be advised that the designated agents must have in their possession a copy of the Form VI, proper identification, and a certified copy of the warrant when assuming custody of the prisoner. Any questions regarding this procedure may be directed to the individual listed below or the Agreement Administrator for your State.

Inmates who are temporarily transferred pursuant to the IAD remain under the primary jurisdiction of Federal authorities. Should you accept temporary custody of this inmate, we wish to remind you that under Article V(e) of the IAD, you are required to return the above-named inmate to this institution after prosecution on all pending charges. While this inmate is in your temporary custody, he or she will be held in a suitable jail that meets the level of security required by the Bureau of Prisons. **In addition, security requirements for the inmate (e.g., type of restraints, number of escorting staff, who may transport, etc.) must be met.** Any problems associated with this inmate must be reported to the individual listed below. This inmate may not be released on bail or bond while in your custody. Additionally, this inmate is not to be committed to a state correctional institution for service of any state sentence(s) that may be imposed because of your prosecution.

**PROSECUTOR'S NOTIFICATION**

Page Two

**RE: INMATE'S NAME**

To help us with processing, please fill out the enclosed certification form and return to us before scheduling a date for assuming custody. Upon completion of the State proceedings, contact this office to schedule a date for the inmate's return to Federal custody.

If you have any questions on this matter, please call: **MANAGER'S NAME AND TELEPHONE NUMBER.**

Sincerely,

**CEO'S NAME**

/s/

**NAME**

**MANAGER**

Enclosures: BP-Forms A235, A236, A238, A239  
BP-A565, IAD/State Writ – Prosecutor's Certification Form

cc: Clerk of Court  
State IADA Administrator

**Attachment C. OTHER PROSECUTOR'S NOTIFICATION (SAMPLE LETTER)**

**(DATE)**

**PROSECUTOR'S NAME  
TITLE  
STREET ADDRESS  
CITY, STATE ZIP CODE**

**RE: INMATE NAME  
INMATE REGISTER NO.  
STATE CASE/REFERENCE NO.**

Dear **OTHER PROSECUTOR'S NAME:**

The above-referenced defendant has requested disposition of pending charges in **(ORIGINAL JURISDICTION)** pursuant to Article III of the Interstate Agreement on Detainers Act (IADA). According to Article III(d), the inmate's request also is a request for disposition of the charges in your jurisdiction lodged as a detainer. Consistent with the same Article, copies of the appropriate forms are enclosed. You should contact the prosecuting official named above to arrange for a transfer of custody once trial is had in their jurisdiction. Any questions regarding this procedure may be directed to the individual listed below or the Agreement Administrator for your state.

Inmates who are temporarily transferred pursuant to the IAD remain under the primary jurisdiction of Federal authorities. Should you accept temporary custody of this inmate, and are the last to prosecute the inmate among those eligible to do so, you will be required to return him or her to this institution after prosecution of all pending charges that form the basis for your detainer (Article V(e)). While in your temporary custody, the inmate must be held in a suitable jail that meets the level of security required by the Bureau of Prisons. **In addition, security requirements for the inmate (e.g., type of restraints, number of escorting staff, who may transport, etc.) must be met.** Any problems encountered with this inmate must be reported to the individual listed below. This inmate may not be released on bail or bond while in your custody. Additionally, this inmate is not to be committed to a state correctional institution for service of any state sentence(s) that may be imposed because of your prosecution.

To help us with processing, please fill out the enclosed certification form and return to us before scheduling a date for assuming custody.

**OTHER PROSECUTOR'S NOTIFICATION**

Page Two

**RE: INMATE'S NAME**

If you have any questions on this matter, please call: **MANAGER'S NAME AND TELEPHONE NUMBER.**

Sincerely,

**CEO'S NAME**

/s/

**NAME**

**MANAGER**

Enclosures: BP-Forms S235, S236, S238, S239  
BP-S565, IAD/State Writ – Prosecutor's Certification Form

cc: Clerk of Court (**COUNTY**)  
(**ORIGINAL PROSECUTOR'S NAME & ADDRESS**)  
State IADA Administrator

**Attachment D. ARTICLE III FOLLOW-UP (SAMPLE 90-DAY LETTER)**

**(DATE)**

**PROSECUTOR'S NAME  
TITLE  
STREET ADDRESS  
CITY, STATE ZIP CODE**

**RE: INMATE NAME  
INMATE REGISTER NO.  
STATE CASE/REFERENCE NO.**

Dear **PROSECUTOR'S NAME**:

The above-named subject applied for final disposition of pending charges pursuant to the Interstate Agreement on Detainers Act (IADA)' which application was received in your office on **(DATE)**.

As you are aware, under Article III of the IADA, inmate **(NAME)** is to be brought to trial on these charges within 180 days from the date the forms were received in your office as noted on the certified mail receipt. It appears that inmate **(NAME)** has not been brought to trial on the charges specified in your detainer and the 180-day period will lapse on **(DATE)**.

I would appreciate hearing from you at your earliest convenience as to your state's intentions in this case. Further arrangements may be made by contacting me at **(TELEPHONE NUMBER)**.

Sincerely,

/s/  
**NAME  
MANAGER**

cc: Agreement Administrator

**Attachment E. ARTICLE III FOLLOW-UP (SAMPLE 180-DAY LETTER)**

**(DATE)**

**PROSECUTOR'S NAME  
TITLE  
STREET ADDRESS  
CITY, STATE ZIP CODE**

**RE: INMATE NAME  
INMATE REGISTER NUMBER  
STATE CASE/REFERENCE NO.**

Dear **PROSECUTOR'S NAME**:

On **(DATE)**, the above-referenced Federal offender made application for final disposition of pending charges in your jurisdiction pursuant to the Interstate Agreement on Detainers Act (IADA). Pursuant to inmate **(NAME)** application, we forwarded all applicable forms to your office and the court via Certified Mail, Return Receipt. Our records indicate that the application was received in your office on **(DATE)**.

As you are aware, under Article III of the IADA, inmate **(NAME)** was to be brought to trial on these charges within 180 days from the date the forms were received in your office. Inmate **(NAME)** has not been brought to trial on these charges and the 180-day time limit has expired.

I would appreciate hearing from you at your earliest convenience as to your state's intentions in this case. Further arrangements may be made by contacting me at **(TELEPHONE NUMBER)**.

Sincerely,

/s/  
**NAME  
MANAGER**

cc: Agreement Administrator





**Attachment G. PROSECUTOR'S REQUEST FOR TEMPORARY CUSTODY (SAMPLE LETTER)**

**(DATE)**

**PROSECUTOR'S NAME  
TITLE  
STREET ADDRESS  
CITY, STATE ZIP CODE**

**RE: INMATE NAME  
INMATE REGISTER NO.  
STATE CASE/REFERENCE NO.**

Dear **PROSECUTOR'S NAME**:

In response to your request for temporary custody pursuant to the Interstate Agreement on Detainers Act (IADA), applicable forms are enclosed.

Please be advised subject has been notified of your request and has been afforded a 30-day period in which to contact the Warden of this institution as to any reasons why he should not be produced in your State pursuant to the Agreement.

**\_\_\_ The inmate has waived this 30-day period. You may contact this facility directly to arrange for temporary custody.**

**\_\_\_ The inmate has elected this 30-day period, provided under Article IV(a), which expires on (\_\_\_ DATE \_\_\_). Any court proceedings must occur after this date.**

Please remit to this office completed Form VI, "Evidence of Agent's Authority to Act for Receiving State" (BP-A564). The persons designated as agents to return the prisoner to your State must also be the persons whose signatures appear on the Form VI. Naming alternative agents would be advisable in case your primary agents cannot make the trip. The alternate agents' signatures should also appear on the Form VI. Also be advised that the designated agents must have in their possession a copy of the warrant when assuming custody of the prisoner.

Inmates who are temporarily transferred pursuant to the IAD remain under the primary jurisdiction of Federal authorities. Should you accept temporary custody of this inmate, we wish to remind you that under Article V(e) of the IADA, you are required to return the above-named inmate to this institution after prosecution on all pending charges.

**PROSECUTOR'S REQUEST FOR TEMPORARY CUSTODY**

Page Two

**RE: INMATE'S NAME**

While this inmate is in your temporary custody, he/she will be held in a suitable jail that meets the level of security required by the Bureau of Prisons. **In addition, security requirements for the inmate (e.g., type of restraints, number of escorting staff, who may transport, etc.) must be met.**

Any problems associated with this inmate must be reported to the individual listed below. This inmate may not be released on bail or bond while in your custody. Additionally, this inmate is not to be committed to a state correctional institution for service of any state sentence(s) that may be imposed because of your prosecution.

To help us with processing, please fill out the enclosed certification form and return to us before scheduling a date for assuming custody.

If you have any questions on this matter, please call: **MANAGER'S NAME AND TELEPHONE NUMBER.**

Sincerely,

**CEO'S NAME**

/s/

**NAME**

**MANAGER**

Enclosures: BP-Forms A235, A236, A238, A239  
BP-A565, IAD/State Writ – Prosecutor's Certification Form

cc: Clerk of Court  
State IADA Administrator