

## **§ 570.45**

trips for a medical emergency, an inmate going on an escorted trip must agree in writing to the conditions of the escorted trip (for example, agrees not to consume alcohol).

### **§ 570.45 Violation of escorted trip.**

(a) Staff shall process as an escapee an inmate who absconds from an escorted trip.

(b) Staff may take disciplinary action against an inmate who fails to comply with any of the conditions of the escorted trip.

## **PART 571—RELEASE FROM CUSTODY**

### **Subpart A [Reserved]**

#### **Subpart B—Release Preparation Program**

Sec.

571.10 Purpose and scope.

571.11 Program responsibility.

571.12 General characteristics.

571.13 Institution release preparation program.

#### **Subpart C—Release Gratuities, Transportation, and Clothing**

571.20 Purpose and scope.

571.21 Procedures.

571.22 Release clothing and transportation.

#### **Subpart D—Release of Inmates Prior to a Weekend or Legal Holiday**

571.30 Purpose and scope.

#### **Subpart E—Petition for Commutation of Sentence**

571.40 Purpose and scope.

571.41 Procedures.

#### **Subpart F—Fines and Costs**

571.50 Purpose and scope.

571.51 Definitions.

571.52 Procedures—committed fines.

571.53 Determination of indigency by U.S. Magistrate—inmates in federal institutions.

571.54 Determination of indigency by U.S. Magistrate Judge—inmates in contract community-based facilities or state institutions.

#### **Subpart G—Compassionate Release (Procedures for the Implementation of 18 U.S.C. 3582(c)(1)(A) and 4205(g))**

571.60 Purpose and scope.

## **28 CFR Ch. V (7–1–22 Edition)**

571.61 Initiation of request—extraordinary or compelling circumstances.

571.62 Approval of request.

571.63 Denial of request.

571.64 Ineligible offenders.

### **Subpart H—Designation of Offenses for Purposes of 18 U.S.C. 4042(c) [Reserved]**

AUTHORITY: 5 U.S.C. 301; 18 U.S.C. 3565; 3568 and 3569 (Repealed in part as to offenses committed on or after November 1, 1987), 3582, 3621, 3622, 3624, 4001, 4042, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 4161–4166 and 4201–4218 (Repealed as to offenses committed on or after November 1, 1987), 5006–5024 (Repealed October 12, 1984, as to offenses committed after that date), 5031–5042; 28 U.S.C. 509 and 510; U.S. Const., Art. II, Sec. 2; 28 CFR 1.1–1.10; D.C. Official Code sections 24–101, 24–461, 24–465, 24–467, and 24–468.

SOURCE: 44 FR 38254, June 29, 1979, unless otherwise noted.

### **Subpart A [Reserved]**

#### **Subpart B—Release Preparation Program**

SOURCE: 59 FR 35456, July 11, 1994, unless otherwise noted.

##### **§ 571.10 Purpose and scope.**

The Bureau of Prisons recognizes that an inmate's preparation for release begins at initial commitment and continues throughout incarceration and until final release to the community. This subpart establishes a standardized release preparation program for all sentenced inmates reintegrating into the community from Bureau facilities. Exception to this subpart may be made by the Warden of a Bureau facility which has been designated as an administrative maximum security institution.

[61 FR 38043, July 22, 1996]

##### **§ 571.11 Program responsibility.**

The Warden shall designate to a staff member the responsibility to:

(a) Determine the general release needs of the inmate population;

(b) Coordinate the institution release preparation program;

(c) Chair the Release Preparation Program Committee;

## Bureau of Prisons, Justice

## § 571.21

(d) Contact and schedule volunteers from the local community to participate in the release preparation program.

### § 571.12 General characteristics.

(a) Staff shall structure the release preparation program to make extensive use of staff, inmate, and community resources.

(b) Staff shall strongly encourage and support an inmate's participation in the institution release preparation program. Staff shall document the inmate's participation in the program in the inmate's central file.

### § 571.13 Institution release preparation program.

(a) The institution release preparation program shall be administered by the Release Preparation Program Committee.

(b) The institution release preparation program will be based on a core curriculum of topics/courses organized into six broad categories. The six categories are:

- (1) Health and nutrition.
  - (2) Employment.
  - (3) Personal finance/consumer skills.
  - (4) Information/community resources.
  - (5) Release requirements and procedures.
  - (6) Personal growth and development.
- (c) To assist in the release process, the Warden may, in accordance with the Bureau of Prisons' rule on furloughs, grant an inmate a furlough for release preparation purposes.

(d) Staff shall help an inmate obtain proper identification (social security card, driver's license, birth certificate, and/or any other documents needed by the inmate) prior to release.

(e) An inmate who is not being released through a Community Corrections Center (CCC) may ask staff to request the assistance of a United States Probation Officer in establishing a release plan. Bureau staff are to encourage the inmate to give at least one employment lead or contact. Where the inmate or the inmate's family has already identified employment, the case manager shall notify the United States Probation Officer so that the usual verification of release plans may be

made. Where employment has not been identified, the case manager shall notify the United States Probation Officer of the employment need. This notification should ordinarily occur at least six weeks prior to the inmate's release.

### Subpart C—Release Gratuities, Transportation, and Clothing

SOURCE: 56 FR 23480, May 21, 1991, unless otherwise noted.

### § 571.20 Purpose and scope.

It is the policy of the Bureau of Prisons that an inmate being released to the community will have suitable clothing, transportation to the inmate's release destination, and some funds to use until he or she begins to receive income. Based on the inmate's need and financial resources, a discretionary gratuity up to the amount permitted by statute may be granted.

[61 FR 47795, Sept. 10, 1996]

### § 571.21 Procedures.

(a) An inmate is eligible for a gratuity as determined by the availability of personal and community resources. Greater consideration may be given to an inmate without funds or community resources.

(b) A federal prisoner boarded in a non-federal facility is eligible for a release gratuity. The director of the non-federal facility housing federal inmates or the community corrections manager shall determine the amount of release gratuity in accordance with the purpose and scope of this regulation for federal inmates housed in non-federal facilities.

(c) An inmate who is without personal funds may receive a gratuity when transferred to a community corrections center. The amount shall enable the inmate to care for needs in transit and allow for the purchase of necessary personal items upon arrival.

(d) Staff shall provide the inmate released to a detainer with information on how to apply for a gratuity if released prior to expiration of the federal sentence.

(e) Staff will ensure that each alien released to immigration authorities for