

HILL ALERT



DUE PROCESS

INSTITUTE

Support H.R. 4018 to Help Implement the First Step Act

The Due Process Institute supports H.R. 4018 and urges you to support the legislation as it moves forward in the Senate.

This bill, which passed by unanimous voice vote in the House, corrects an oversight of the First Step Act that would seriously diminish the benefit of a new pilot program that you established in the last Congress. The Elderly Home Detention Pilot Program offers an opportunity for those incarcerated for nonviolent federal offenses to transfer to home confinement if they are 60 years-old or older and have already served two-thirds of their sentence. As the average age of prisoners has increased over the years, the Bureau of Prisons has taken on the burden of the healthcare and other costs associated with housing a nonviolent elderly population.

This pilot program would not release anyone from federal supervision before his or her sentence has ended, but would instead move that individual to home confinement. Home confinement is a restrictive and punitive term of detention under which a person is still under the BOP's control, yet it costs taxpayers less and is an effective way to ease the transition from prison back into society.

H.R. 4018 makes an important but minor clarification to the pilot program's qualifying language to ensure that Good Time credits of the prisoner are factored in when calculating when that individual has completed two-thirds of his or her sentence. In the First Step Act, one of the major reforms included the clarification of the language around this very issue—calculating Good Time credit in a way that permitted 54 days of credits per year as written in the original statute as opposed to the 47 days that the Bureau of Prisons was granting based on a flawed equation. This bill reflects the spirit of that change by factoring in Good Time credit upfront, respecting that Congress has established Good Time credits as an essential part of the federal sentencing system. This is a simple but essential fix to an important pilot program Congress established in the bipartisan First Step Act—legislation that has continued to enjoy support from all around the country.

We thank you for supporting commonsense bipartisan reforms that increase procedural fairness and human dignity, support public safety, and improve fiscal responsibility. **We encourage you to move H.R. 4018 forward and send it to the President for his signature so that the First Step Act is that much closer to full implementation.**