



Citizens United for Rehabilitation of Errants



Federal Prison Chapter

*A National Effort to Reduce Crime
Through Federal Criminal Justice Reform*

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FedCURE Newsletter - December 2006

Greetings FedCURE Members, Supporters and Friends:

The new Congress has huge implications for FedCURE and its two legislative initiatives.

The new Congress has huge implications for FedCURE and its two legislative initiatives: H.R. 3072 (Federal Parole) and H.R. 1704/S.1934 (The Second Chance Act). As you may know, FedCURE authored H.R. 3072 and its predecessor H.R. 4036. H.R. 3072 is a bill to revive the system of parole for Federal prisoners and is our champion cause. The bill has been stuck in committee in the 109th Congress and we anticipate having to reintroduce the bill in the 110th Congress. However, H.R. 1704/S. 1934, a bill we also strongly advocate in favor of, has bipartisan support and has already cleared the House Judiciary committee and the likelihood of the Second Chance Act's passage during the upcoming "lame-duck" session remains promising in the Senate. But even if it does fail, its broad bipartisan support will likely continue in the 110th Congress, hopefully carrying it towards final passage.

FedCURE works closely with Rep. Danny K. Davis (D-Ill), who is the key-sponsor of both of these bills. Many Democratic members of Congress who sponsor FedCURE and with whom FedCURE works with were re-elected and will assume powerful leadership positions when Congress reconvenes in January. For example: Rep. John Conyers (D-Mich.) a FedCURE sponsor and cosponsor of H.R. 3072 and H.R. 1704, will become Chairman of the House Judiciary Committee, replacing sentencing reform foe Rep. F. James Sensenbrenner (R-Wis.), who opposed reinstating federal parole and orchestrated attacks on judicial discretion and sponsored the egregious "Booker-fix" bill, among many other costly and punitive sentencing bills. You can bet when the federal parole bill is reintroduced to the 110th Congress that he will mark it up for hearings. Rep. Robert "Bobby" Scott (D-Va.), another FedCURE sponsor and cosponsor of H.R. 3072 and H.R. 1704 will become Chairman of the House Subcommittee on Crime, Terrorism and Homeland Security, which is the committee where sentencing bills begin.

The positive relationships FedCURE has built with Republican lawmakers like Rep. Bob Inglis (R-S.C.) and Rep. Jeff Flake (R-Ariz.), who were re-elected, will also continue. And, of course, we will keep reaching out to more Republicans to build a broad consensus for sentencing reform, which is still necessary to win reforms.

In a resolution dated 16 August 2006, the American Correctional Association strongly urged Congress to reinstate and fully fund a system of parole for Federal prisoners. See page 3.

FedCURE's lifetime member and PBS film producer and Soros Justice Media Fellowship candidate, Allan Mason and BNN (Broadcast News Network), is documenting these activities for inclusion in the production of a one-hour special news documentary film titled, *The CURE: America's ailing federal criminal justice system* (suitable for Frontline, NOW, or an independent special report for the Public Broadcasting System and their affiliates), examining the ailing federal criminal justice system in the United States and the impact of two pieces of proposed federal legislation that would reduce federal prisons sentences and provide for tax payer relief by enacting smart legislation that would revive the system of parole for federal prisoners; and reduce run-a-way recidivism rates by enacting smart legislation such as "The Second Chance Act," reauthorizing the grant program of the Department of Justice for re-entry of offenders into the community, to establish a task force on Federal programs and activities relating to the re-entry of offenders into the community, and for other purposes. See <http://www.fedcure.org/information/Legislation.shtml>, respectively.

FedCURE needs your support and for you to be informed in these matters. The 110th Congress could mean big changes for federal criminal justice. We need you to be engaged in this process with us.

Please Donate to FedCURE and Join Now: <http://www.fedcure.org/join.shtml>.

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Reprint of Press Release of 13 October 2006

Contact: Ira Cohen
 Director of Issues and Communications
 Congressman Danny K. Davis
 Phone: 773.533.7520

Congressman Danny K. Davis Puts His Legislation on the Fast Track

Sponsor of H.R. 3072 and H.R. 1704 will visit the Iowa Speedway on Sunday, October 15, 2006

Congressman Danny K. Davis (D-IL07) will team up with sponsor FedCURE and owner/driver, Roger Carter, II, of <http://www.carter2motorsports.com/> Statesville, North Carolina, a Limited Late Model and NASCAR Craftsman Truck Series, NASCAR Busch Series and ARCA RE/MAX Series Racing Team to highlight two bills pending in the U.S. Congress. FedCURE is pioneering the concept of using NASCAR and ARCA racing cars to promote federal legislation.

Rep. Davis is the sponsor H.R. 3072 - A Bill to Revive the System of Parole for Federal Prisoners. This is the first promotion of federal legislation, ever, to ride on a NASCAR or ARCA racing cars.

The H.R. 3072 (car number 60) will run the 2006 ARCA RE/MAX Series "Prairie Meadows 250" on Sunday, October 15, 2006 at the Iowa Speedway in Newton Iowa. This is a 250-lap race with full event coverage airing live on the Speed TV channel at 2:30 pm EST and rebroadcast several times thereafter. The ARCA RE/MAX Series has an annual track attendance of 500,000 fans. Congressman Danny Davis will be trackside to support H.R. 3072 and will tour the track, including the pit area, before the race beginning at 12:30.

FedCURE is a leading advocate for America's ever growing federal inmate population and supports several other bills currently pending in the U.S. Congress, such as H.R. 1704 - The Second Chance Act, which is also sponsored by Congressman Danny Davis. The Second Chance Act has passed out of Committee and may come to the House floor in November of December after Congress returns from the election recess.

H.R. 3072's first race was the NASCAR Busch East Series 150 Race, in Waterford, Connecticut at the Waterford Speed Bowl on August 19, 2006. The H.R. 3072 races next in the NASCAR's Craftsman Truck Series at Martinsville Speedway in Martinsville, Virginia, in the Kroger 200. The series has over 30 million fans in the United States.

The Iowa Speedway in Newton, Iowa is one of America's newest and most innovative tracks. With superb seating, easy access, the latest safety features and the latest racing technology including cars, which run on alternative fuels such as soy, fans are always treated to a world class racing experience.

Congressman Davis stated, "I think Sunday's event is going to be fantastic. It's going to be a exciting race . . . and everyone will win if we can spark just a little informed conversation about how we deal with one of America's toughest problems: ensuring that ex-offenders returning to their communities have a real second chance to become positive self-sustaining members of society rather than a burden to their neighborhood."

Links:

Rep. Davis: <http://www.house.gov/davis/>
 H.R. 3072: <http://thomas.loc.gov/cgi-bin/query/z?c109:h.r.3072>
 H.R. 1704: <http://thomas.loc.gov/cgi-bin/query/z?c109:h.r.1704>
 FedCURE: <http://www.FedCURE.org>
 R. Carter: <http://www.Carter2Motorsports.com>
 ARCA: <http://www.arcaracing.com>
 NASCAR: <http://www.NASCAR.com>
 SPEED TV: <http://www.speedtv.com>

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 Ira Cohen

Director of Issues and Communications
 Congressman Danny K. Davis

See: H.R. 3072/ARCA 2007 Racing Schedule on page 4.

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H.R. 3072 - A Bill to Revive the System of Parole for Federal Prisoners

Subject: American Correctional Association (ACA) Resolution on the Reinstatement of a System of Parole for Federal Prisoners. <http://www.aca.org>.

A resolution supporting federal legislation for the "Reinstatement of a System of Parole for Federal Prisoners" was unanimously passed by the American Correctional Association Delegate Assembly on Wednesday, 16 August 2006, in Charlotte, North Carolina.

To wit:

WHEREAS, a substantial number of Federal inmates are nonviolent drug offenders with long sentences and the majority of this segment of the inmate population is being incarcerated for the first time; and

WHEREAS, some Federal inmates are serving life sentences without the possibility of parole for nonviolent offenses; and

WHEREAS, parole has been eliminated in the Federal system; and

WHEREAS, offenders can be rehabilitated and should be given a second chance to lead productive lives; and

WHEREAS, prison crowding is a danger to both inmates and staff; and

WHEREAS, the cost to house inmates increases substantially with age; and

WHEREAS, a Federal agency with inmate release jurisdiction exists to protect public safety;

THEREFORE BE IT RESOLVED that the American Correctional Association urges Congress to reinstate and fully fund a system of parole for Federal prisoners.

American Correctional Association

Many thanks to FedCURE's Mark A. Varca, J.D., CIO, and Kenny Linn, J.D., LL.M, Chairman; and Charles Sullivan and Dianne Tramutola-Lawson of International CURE, for this resolution.

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H.R.3072 - Federal Parole Bill - <http://www.fedcure.org/information/Legislation.shtml>

Title: To revive the system of parole for Federal prisoners, and for other purposes.

Sponsor: Rep Davis, Danny K. [IL-7] (introduced 6/27/2005) Cosponsors (12)

Latest Major Action: 8/23/2005 Referred to House subcommittee. 11/21/2006 Status: Stuck in the Subcommittee on Crime, Terrorism, and Homeland Security.

COSPONSORS (12), ALPHABETICAL [followed by Cosponsors withdrawn]: (Sort: by date)

Rep Clay, Wm. Lacy [MO-1] - 9/29/2005

Rep Conyers, John, Jr. [MI-14] - 9/21/2005

Rep Jackson, Jesse L., Jr. [IL-2] - 12/7/2005

Rep Jackson-Lee, Sheila [TX-18] - 12/8/2005

Rep Lewis, John [GA-5] - 12/7/2005

Rep McKinney, Cynthia A. [GA-4] - 2/8/2006

Rep Moore, Gwen [WI-4] - 12/14/2005

Rep Owens, Major R. [NY-11] - 2/8/2006

Rep Rangel, Charles B. [NY-15] - 9/21/2005

Rep Schakowsky, Janice D. [IL-9] - 3/1/2006

Rep Serrano, Jose E. [NY-16] - 5/9/2006

Rep Thompson, Bennie G. [MS-2] - 12/8/2005

H.R 3072 – Car No.: 48 - ARCA RE/MAX Series Schedule 2007

Date	Event/Length
Saturday, 10 February 2007	Daytona ARCA 200 200 Miles
Saturday, 24 March 2007	USA Int'l Speedway 250 Laps
Saturday, 07 April 2007	PFG Lester 150 150 Miles
Nashville Super Speedway Sunday, 22 April 2007	Kentuckiana Ford Dealers 200 200 Laps
Salem Speedway Friday, 27 April 2007	Kansas Lottery \$200 Grand 200 Miles
Kansas Speedway Sunday, 06 May 2007	Winchester ARCA 200 200 Laps
Winchester Speedway Saturday, 12 May 2007	Buckle Up Kentucky 150 150 Miles
Kentucky Speedway Sunday, 20 May 2007	Toledo ARCA 200 200 Laps
Toledo Speedway Saturday, 02 June 2007	Prairie Meadows 250 250 Laps
Iowa Speedway Saturday, 09 June 2007	Pocono 200 200 Miles
Pocono Raceway Friday, 15 June 2007	Hantz Group 200 200 Miles
Michigan Int'l Speedway Saturday, 07 July 2007	Berlin ARCA 200 200 Laps
Berlin Raceway Friday, 13 July 2007	WLWT Channel 5-150 150 Miles
Kentucky Speedway Saturday, 04 August 2007	Pennsylvania 200 200 Miles
Pocono Raceway Saturday, 11 August 2007	Nashville ARCA 200 200 Miles
Nashville Super Speedway Sunday, 19 August 2007	Allen Crowe 100 100 Miles
Illinois State Fairgrounds Sunday, 26 August 2007	Governor's Cup 200 200 Miles
Milwaukee Mile Friday, 31 August 2007	Shop 'n Save 150 150 Miles
Gateway Int'l Raceway Monday, 03 September 2007	Southern Illinois 100 100 Miles
DuQuoin State Fairgrounds Saturday, 08 September 2007	Chicagoland ARCA 200 200 Miles
Chicagoland Speedway Saturday, 15 September 2007	Eddie Gilstrap Motors ARCA Fall Classic 200 Laps
Salem Speedway Friday, 05 October 2007	Food World 250 250 Miles
Talladega Super Speedway Sunday, 14 October 2007	Toledo ARCA 200 200 Laps
Toledo Speedway	

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FedCURE Summary on H.R. 3072:

<http://www.fedcure.org/documents/17102005-FedCURE-SUMMARY-FederalParole-FederalGoodTimeAllowances.pdf>

FedCURE Talking Points On H.R. 3072:

<http://www.fedcure.org/documents/17102005-FedCURE-HR3072-TalkingPoints-ReviveSystemOfParole.pdf>

Urgent Action Alert
FEDERAL PAROLE BILL
H.R. 3072 - "A bill to revive the system of parole for Federal prisoners."
[Please click here to go to Alert]

<http://www.fedcure.org/alerts/07April2004UrgentActionAlertFundraising.shtml>

Federal Bureau of Prisons: Program Statement 5100.08 - Inmate Security Designation and Custody Classification

Effective: 12 September 2006. The BOP states that there are no APA ramifications.

PURPOSE AND SCOPE. This Program Statement provides policy and procedure regarding the Bureau of Prisons inmate classification system. The classification of inmates is necessary to place each inmate in the most appropriate security level institution that also meets their program consistent with the Bureau's mission to protect society.

Summary of the Changes

This revision incorporates Executive Staff decisions 03-04-05 and 99-03-03, as well as other procedural changes such as the movement of most designation/re-designation functions (04-08-17) to the Designation and Sentence Computation Center (DSCC), Grand Prairie, Texas.

- a. The scoring item "Type of Prior Commitment" has been replaced with "Criminal History Score." (Chapter 4, Page 8 and Chapter 6, Page 5)
- b. A new scoring item for inmate "Age" has been added. (Chapter 4, Page 12 and Chapter 6, Page 8)
- c. A new scoring item for "Education Level" has been added. (Chapter 4, Page 12 and Chapter 6, Page 8)
- d. The "Drug/Alcohol Abuse" scoring item has been added to the BP-337 and has moved from Section C (Custody Scoring) of the BP-338 to Section B (Base Scoring) of the BP-338. (Chapter 4, Page 13 and Chapter 6, Page 9)
- e. The "Mental/Psychological Stability" scoring item has been discontinued.
- f. The "Responsibility Demonstrated" scoring item has been replaced with "Living Skills" and "Program Participation." (Chapter 6, Page 10)
- g. Instructions for scoring the "Family/Community Ties" scoring item have been clarified. (Chapter 6, Page 13)
- h. The floor for the Violent Behavior PSF has been reduced from High to Low Security. (Chapter 5, Page 9)
- i. New cut points and a new Custody Variance Table have been developed. (Chapter 1, Page 2 and Chapter 6, Page 15)
- j. An expiration date for the Greater Security Management Variable has been added. (Chapter 5, Page 5)
- k. The criteria for the Deportable Alien PSF has been clarified. (Chapter 5, Page 9)
- l. Text has been added that formalizes the Bureau's past and current practice of continually assessing the effectiveness of its inmate classification process. (Program Statement Section 6)
- m. Text has been added that encourages DSCC staff to consider using a Management Variable when designating inmates where age is largely the contributing factor in the inmate's placement. (Chapter 5, Page 5)
- n. Text has been revised that requires the entry of supporting information in the BP-337 "REMARKS SECTION" when there is Pre-Sentence Investigation Report information relevant to that scoring item. (Chapter 4, Page 13)
- o. The DSCC Administrator will ensure that designation/re-designation decisions are applied consistently on a bureau-wide basis. (Chapter 4, Page 14)
- p. DSCC staff must contact the sentencing court if a Statement of Reasons is not received at the time a request for designation is made. (Chapter 3, Page 1)

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(Summary of the Changes, continued)

q. Inmates who currently qualify for unescorted transfer may be transported by family members via POV from one camp to another camp. (Chapter 7, Page 8)

r. The appendices on Sentence Procedures, Institutions Missions and Parolable Institutions have been removed from the manual, but will be available on the CPB website.

s. The Offense Severity Scale, Definition of Roles involved in Drug Offenses and the Special Instructions appendices have been combined into one appendix.

t. All transfer requests under codes 309 - Disciplinary and 323 - Close Supervision will be directed to the Designation and Sentence Computation Center. "W REDES C" has been eliminated and "W REDES D" has been changed to "W REDES R" to reflect routine re-designations. (Chapter 7, Page 2)

u. The female versions of the BP-337 and BP-338 have been discontinued although certain policies and procedures specific to female offenders are maintained i.e. security levels, cut points, Public Safety Factors and Management Variables.

v. The "Release on Own Recognizance" scoring item has been discontinued. (Chapter 4, Page 5)

w. The description of Management Variable "U" has been revised to include all long-term detainees. It no longer applies solely to Mariel Cuban Detainees. (Chapter 5, Page 4)

x. The medical transfer code descriptions were revised to include "Level of Care" language. (Chapter 7, Pages 21-22)

y. The criteria for the Prison Disturbance PSF has been clarified. (Chapter 5, Page 10)

This Program Statement is available online at: http://www.bop.gov/policy/progstat/5100_008.pdf

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Please distribute and post widely.

*Merry * Christmas and Happy New Year!*

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