

COVID-19 Home Confinement: Frequently Asked Questions (FAQs)

Given the surge in positive cases at select sites and in response to the Attorney General Barr's directives, the BOP began immediately reviewing all inmates who have COVID-19 risk factors, as described by the CDC, to determine which inmates are suitable for home confinement. Since the release of the [Attorney General's original memo](#) to the Bureau of Prisons on March 26, 2020 instructing us to prioritize home confinement as an appropriate response to the COVID-19 pandemic, the BOP has placed an additional **1,280** inmates on home confinement.

Eligibility Requirements

What are the eligibility requirements for an inmate to be considered for Home Confinement under the CARES Act and the Attorney General Guidelines?

The eligibility requirements for an inmate to be considered for Home Confinement are set forth in the Attorney General's March 26 and April 3, 2020 Memoranda:

- [Attorney General's March 26 Memo](#)
- [Attorney General's April 3 Memo](#)

If an incarcerated individual does not qualify for Home Confinement under the CARES Act, is there any other means for them to obtain early release from an institution?

All inmates are reviewed for placement in Residential Reentry Centers and Home Confinement near the end of their sentence in accordance with the Second Chance Act and First Step Act. Every effort is being made to review inmates with impending releases dates for placement in Residential Reentry Centers.

Providing Assistance

Q) Can I submit an inmate's name for consideration?

A) Submitting inmate names is not necessary. BOP staff are able to run and establish lists of inmates who meet the guidance provided by the Attorney General. This process ensures that all eligible inmates who meet the criteria are reviewed and considered for movement to Home Confinement.

Q) What can I do to help an incarcerated individual receive Home Confinement?

A) The BOP has identified a cohort of inmates eligible for review under the expanded guidelines. Staff are working diligently to process applications as quickly as possible for those

that meet the eligibility requirements for Home Confinement. You may assist the incarcerated individual by helping him or her develop a viable release plan with appropriate housing in the community. **We ask that you do not call or contact the institution, as staff are not able to discuss an individual's eligibility due to privacy concerns.**

Inmates in RDAP

Q How does this initiative affect people participating in RDAP?

A) Community Treatment Services (CTS) is the third required component of the Residential Drug Abuse Program (RDAP) that inmates must successfully complete in the community to finish RDAP and earn a 3621(e) early release. **Inmates can still complete this requirement while on home confinement, as long as they participate in required counseling.** Inmates who are currently participating in the unit-based component of RDAP must complete this component before they can be placed on home confinement.

Quarantine Requirements

Q) Is there a quarantine requirement for inmates moved to Home Confinement?

A) Yes. In order to protect the public, prior to transfer to home confinement, all inmates must be quarantined at an appropriate BOP facility for 14 days. As the Bureau identifies potential priority candidates for Home Confinement, they will begin to start the quarantine process, regardless of whether they have officially been approved for Home Confinement. This step should enable those inmates to move out of the facility sooner, upon identification and verification of a suitable living situation.

Transportation

Q) Can I provide transportation to the approved residence for an individual who has been approved for Home Confinement?

A) Transportation from the institution to the approved residence may be provided by any approved visitor on the inmate's visitation list. **This option is especially important, as public transportation options may currently be limited in many areas due to the COVID-19 pandemic.**

Reconsideration

Q) I was rejected for Home Confinement because my home situation was not suitable. I now have a suitable home situation. Can I be re-considered?

A) Yes. Inmates who have an updated home situation should raise that issue with their case manager to see if that new setting makes them better suited to Home Confinement.



ZOUKIS
CONSULTING GROUP