



U.S. Department of Justice
Federal Bureau of Prisons

PROGRAM STATEMENT

OPI: CPD/CPB

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Progress Reports

/s/

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1. PURPOSE AND SCOPE

§524.40 Purpose and scope.

The Bureau of Prisons maintains current information on each inmate through progress reports completed by staff. The progress report summarizes information relating to the inmate's adjustment during confinement, program participation, and readiness for release.

a. **Program Objectives.** The expected results of this program are:

- Accurate and current information on each sentenced inmate regarding his/her adjustment during confinement, program participation, and release needs will be maintained.
- Progress reports will be based on factual information, but will also be analytical, evaluative, and draw conclusions about the inmate based on observed/reported behavior and interaction with staff.

b. Summary of Changes

Policy Rescinded

P5803.07 Progress Reports (3/16/98)

Federal Regulations from 28 CFR are in shown in this type.

Implementing instructions are shown in this type.

- Eliminated Attachments A and B.
- Incorporated language to include references to the Bureau's electronic medical record and automated inmate systems.
- Updated policy to allow for electronic media for distribution.
- Removed Section 8, CMA assignments.
- Updated supervision authorities.
- Revised rules language to remove the requirements for triennial and internal transfer reports.

c. **Pretrial and Holdover Inmates.** This Program Statement applies to designated inmates. However, in certain circumstances, a progress report may be required for a pretrial or holdover inmate.

2. TYPES OF PROGRESS REPORTS

§524.41 Types of progress reports.

The Bureau of Prisons prepares the following types of progress reports.

a. **Initial Hearing – prepared for an inmate's initial parole hearing when progress has not been summarized within the previous 180 days.**

b. **Statutory Interim/Two-Thirds Review – prepared for a parole hearing conducted 18 or 24 months following a hearing at which no effective parole date was established, or for a two-thirds review (see 28 CFR §2.53) unless the inmate has waived the parole hearing.**

U.S. Parole Commission (USPC) regulations are the determining factor on whether the statutory interim report is prepared after 18 or 24 months (see Title 28, Code of Federal Regulations, Section 2.14). When an inmate chooses to waive a two-thirds mandatory parole hearing, a progress report is not required. The inmate must initial the Parole Form I-24 (Notice of Hearing), No. 3D, indicating a desire to waive mandatory parole. Staff then forward the executed I-24 to the USPC.

c. Pre-Release

(1) **Record Review – prepared for and mailed to the appropriate Parole Commission office at least eight months prior to the inmate's presumptive parole date.**

Mailing includes the ability to transmit using electronic media (scanning, email, fax, etc.) as applicable.

Upon review of this report, the USPC may grant a parole effective date or may modify its previous order.

(2) Final – prepared at least 90 days prior to the release of an offender to a term of supervision.

(a) **Parole Cases.** Progress reports submitted for prerelease reviews for inmates with a parole release date must include copies of Disciplinary Hearing Officer (DHO) Reports that have occurred since the last USPC action.

(b) **Supervision Only Releases.** When it is anticipated that the inmate will not be released through a Residential Reentry Center/Direct Home Confinement (RRC/Direct HC), a final progress report is completed and forwarded to the appropriate supervision authority (e.g., U.S. Probation, Court Services and Supervision Agency for D.C. offenders) 90 days prior to release.

(c) **Release to a Detainer.** A final progress report is also completed 90 days prior to release and forwarded to the appropriate supervision authority when the inmate is to be released to a detaining authority.

(d) **Deportable Aliens.** A final progress report does not need to be prepared on a deportable inmate who is serving his/her sentence in a contract detention facility or who has had an immigration hearing and has been ordered deported.

(e) Residential Reentry Center/Direct Home Confinement (RRC/Direct HC) Releases.

When it is anticipated that the inmate will be released through an RRC/Direct HC, the pre-release record review and/or final progress report must contain a thorough review of the inmate's community resources, release plans, and information regarding the RRC/Direct HC transfer. When known, the progress report includes the specific RRC/Direct HC and the expected date of transfer (or anticipated length of stay). When specific information is not available, the progress report reflects the current status of the transfer; staff are expected to notify the USPC (if applicable) and supervision authority when more specific information is available. Medical and/or mental health concerns, including required medication the inmate will need while in an RRC/Direct HC, are addressed in the exit summary and the mental health transfer summary maintained in the Bureau's electronic medical records. In addition, medical and mental health issues affecting employability and employment limitations are addressed in these summaries.

d. Transfer Report – prepared on an inmate transferring to community confinement or any non-Bureau facility.

Transfer progress reports are no longer required unless the inmate is being transferred to community confinement (i.e., RRC/Direct HC) or any non-Bureau facility. A progress report does not need to be prepared on any inmate serving his/her sentence in a contract detention facility.

e. Other – prepared for any reason other than those previously stated in this section. The reason (e.g., court request, clemency review) is specified in the report.

A progress report is not prepared solely at the inmate's request.

Regardless of the progress report type, only the most current signature page of the Progress Report should be retained in the central file.

Staff thoroughly review each section of the progress report to ensure it reflects an evaluation of the inmate's past status, his/her current status, and remaining needs that may affect future performance. Responses should be tailored to the individual.

3. CONTENT OF PROGRESS REPORTS

§524.42 Content of progress reports.

Staff shall include the following information in each progress report:

- a. Institution (full name) and Date;**
- b. Type of Progress Report;**
- c. Committed name;**
- d. Registration number;**
- e. Age;**
- f. Present security and custody level;**
- g. Offense(s) for which committed;**
- h. Sentence;**
- i. Date sentence began;**
- j. Time served to date, including jail time credit;**
- k. Good conduct time/Extra good time earned;**
- l. Statutory good time withheld or forfeited; Disallowed good conduct time;**
- m. Projected release date;**

- n. Most recent Parole Commission action, including any special conditions or requirements (if applicable);
- o. Detainers and pending charges on file;
- p. Institutional adjustment; this ordinarily includes information on the inmate's:

- (1) Program plans;
- (2) Work assignments and skills acquired;
- (3) Educational/vocational participation;
- (4) Counseling programs;
- (5) Incident reports;
- (6) Institutional movement;
- (7) Physical and mental health, including any significant mental or physical health problems, and any corrective action taken; and
- (8) Financial responsibility.

q. Release planning:

- (1) Where appropriate, staff shall request that the inmate provide a specific release plan;
- (2) Staff shall identify available release resources (including CCC) and any particular problem that may be present in release planning.

Staff complete the progress report components for their affected area(s). In addition, case management staff will submit the exit summary maintained in the Bureau's electronic medical record (if uploaded by Health Services staff), as well as the mental health transfer summary maintained in the Bureau's electronic medical record (if applicable and if loaded by Psychology Services staff) with all progress reports.

The progress and goals are summarized and stated in layman's terms to describe the inmate's progress and continued needs by the appropriate discipline. Department heads will ensure their designated areas of responsibility are updated appropriately and in a timely manner. The Unit Manager will be notified when data is not available for completing the progress reports.

4. INMATE'S ACCESS TO PROGRESS REPORTS

§524.43 Inmate's access to progress reports.

Upon request, an inmate may read and receive a copy of any progress report retained in the inmate's central file which had been prepared on that inmate after October 15, 1974. Staff shall allow the inmate the opportunity to read a newly prepared progress report and shall request the inmate sign and date the report. If the inmate refuses to do so, staff witnessing the refusal shall document this refusal on the report. Staff shall then offer to provide a copy of the progress report to the inmate.

The inmate's signature on the original allows all subsequent reproductions to show the signature and date. An inmate who refuses to sign and date the original of the report can still receive a copy upon request.

Progress reports prepared after October 15, 1974, are fully disclosable to the inmate.

5. DISTRIBUTION OF FINAL PROGRESS REPORTS

Final progress reports are mailed or preferably electronically transmitted (scanned, emailed, faxed) using appropriate security protocols to the appropriate supervision authority, and, if applicable, mailed to the USPC.

6. PROGRESS REPORT LIFE

A progress report is considered current if it has been 180 days or less since last issuance, unless there is new and significant information that requires inclusion – changes in an inmate's behavior, work habits and skills, program accomplishments, release plans, etc.

7. AGENCY ACA ACCREDITATION REFERENCES

(Staff can access ACA standards by contacting their facility's Accreditation Manager.)

- American Correctional Association 4th Edition Standards for Adult Correctional Institutions: ACI-4-4295, 4-4298.
- American Correctional Association 4th Edition Standards for Adult Local Detention Facilities: 4-ALDF-2A-31.

REFERENCES

Program Statements

- P5110.15 Notification of Release to State and Local Law Enforcement Officials (8/30/00)
- P5325.07 Release Preparation Program (12/31/07)
- P5380.06 Cost of Incarceration Fee (COIF) (8/11/99)
- P5800.11 Inmate Central File, Privacy Folder, and Parole Mini-Files (12/31/97)
- P5840.04 Staff Correspondence About Inmates (9/1/99)
- P7310.04 Community Corrections Center (CCC) Utilization and Transfer Procedure (12/16/98)

Federal Regulations

Rules cited in this Program Statement are contained in 28 CFR §524.40-43.

BOP Forms

None.

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) system on Sallyport.