§ 550.52 Non-residential drug abuse treatment services.

All institutions must have non-residential drug abuse treatment services, provided through the institution’s Psychology Services department. These services are available to inmates who voluntarily decide to participate.

§ 550.53 Residential Drug Abuse Treatment Program (RDAP).

(a) RDAP. To successfully complete the RDAP, inmates must complete each of the following components:

(1) Unit-based component. Inmates must complete a course of activities provided by drug abuse treatment specialists and the Drug Abuse Program Coordinator in a treatment unit set apart from the general prison population. This component must last at least six months.

(2) Follow-up services. If time allows between completion of the unit-based component of the RDAP and transfer to a community-based program, inmates must participate in the follow-up services to the unit-based component of the RDAP.

(3) Transitional drug abuse treatment (TDAT) component. Inmates who have completed the unit-based program and (when appropriate) the follow-up treatment and are transferred to community confinement must successfully complete community-based drug abuse treatment in a community-based program to have successfully completed RDAP. The Warden, on the basis of his or her discretion, may find an inmate ineligible for participation in a community-based program.

(b) Admission criteria. Inmates must meet all of the following criteria to be admitted into RDAP:

(1) Inmates must have a verifiable substance use disorder.

(2) Inmates must sign an agreement acknowledging program responsibility.

(3) When beginning the program, the inmate must be able to complete all three components described in paragraph (a) of this section.

(c) Application to RDAP. Inmates may apply for the RDAP by submitting requests to a staff member (ordinarily, a member of the unit team or the Drug Abuse Program Coordinator).

(d) Referral to RDAP. Inmates will be identified for referral and evaluation for RDAP by unit or drug treatment staff.

(e) Placement in RDAP. The Drug Abuse Program Coordinator decides whether to place inmates in RDAP based on the criteria set forth in paragraph (b) of this section.

(f) Completing the unit-based component of RDAP. To complete the unit-based component of RDAP, inmates must:

(1) Have satisfactory attendance and participation in all RDAP activities; and

(2) Pass each RDAP testing procedure. Ordinarily, we will allow inmates who fail any RDAP exam to retest one time.

(g) Expulsion from RDAP. (1) Inmates may be removed from the program by the Drug Abuse Program Coordinator because of disruptive behavior related to the program or unsatisfactory progress in treatment.

(2) Ordinarily, inmates must be given at least one formal warning before removal from RDAP. A formal warning is not necessary when the documented lack of compliance with program standards is of such magnitude that an inmate’s continued presence would create an immediate and ongoing problem for staff and other inmates.

(3) Inmates will be removed from RDAP immediately if the Discipline Hearing Officer (DHO) finds that they have committed a prohibited act involving:

(i) Alcohol or drugs;

(ii) Violence or threats of violence;

(iii) Escape or attempted escape; or
(iv) Any 100-level series incident.
(4) We may return an inmate who
withdraws or is removed from RDAP to
his/her prior institution (if we had
transferred the inmate specifically to
participate in RDAP).
(h) Effects of non-participation. (1) If
inmates refuse to participate in RDAP,
withdraw, or are otherwise removed,
they are not eligible for:
(i) A furlough (other than possibly an
emergency furlough);
(ii) Performance pay above mainte-
nance pay level, bonus pay, or vacation
pay; and/or
(iii) A Federal Prison Industries work
program assignment (unless the War-
den makes an exception on the basis of
work program labor needs).
(2) Refusal, withdrawal, and/or expul-
sion will be a factor to consider in de-
termining length of community con-
finement.
(3) Where applicable, staff will notify
the United States Parole Commission
of inmates’ needs for treatment and
any failure to participate in the RDAP.
§ 550.54 Incentives for RDAP partici-
pation.
(a) An inmate may receive incentives
for his or her satisfactory participation
in the RDAP. Institutions may offer
the basic incentives described in para-
graph (a)(1) of this section. Bureau-au-
thorized institutions may also offer en-
hanced incentives as described in para-
graph (a)(2) of this section.
(1) Basic incentives. (i) Limited finan-
cial awards, based upon the inmate’s
achievement/completion of program
phases.
(ii) Consideration for the maximum
period of time in a community-based
treatment program, if the inmate is
otherwise eligible.
(iii) Local institution incentives such as
preferred living quarters or special
recognition privileges.
(iv) Early release, if eligible under
§ 550.55.
(2) Enhanced incentives. (i) Tangible
achievement awards as permitted by
the Warden and allowed by the regula-
tions governing personal property (see
28 CFR part 553).
(ii) Photographs of treatment cere-
monies may be sent to the inmate’s
family.
(iii) Formal consideration for a near-
er release transfer for medium and low
security inmates.
(b) An inmate must meet his/her fi-
nancial program responsibility obliga-
tions (see 28 CFR part 545) and GED re-
sponsibilities (see 28 CFR part 544) be-
fore being able to receive an incentive
for his/her RDAP participation.
(c) If an inmate withdraws from or is
otherwise removed from RDAP, that
inmate may lose incentives he/she pre-
viously achieved.
§ 550.55 Eligibility for early release.
(a) Eligibility. Inmates may be eligible
for early release by a period not to ex-
ceed twelve months if they:
(1) Were sentenced to a term of im-
prisonment under either:
(i) 18 U.S.C. Chapter 227, Subchapter
D for a nonviolent offense; or
(ii) D.C. Code §24–403.01 for a non-
violent offense, meaning an offense
other than those included within the
definition of “crime of violence” in
D.C. Code §§22–1331(4); and
(2) Successfully complete a RDAP, as
described in §550.53, during their cur-
rent commitment.
(b) Inmates not eligible for early release.
As an exercise of the Director’s discre-
tion, the following categories of in-
mates are not eligible for early release:
(1) Immigration and Customs En-
forcement detainees;
(2) Pretrial inmates;
(3) Contractual boarders (for exam-
ple, State or military inmates);
(4) Inmates who have a prior felony
or misdemeanor conviction for:
(i) Homicide (including deaths caused
by recklessness, but not including
deaths caused by negligence or justifi-
able homicide);
(ii) Forcible rape;
(iii) Robbery;
(iv) Aggravated assault;
(v) Arson;
(vi) Kidnaping; or
(vii) An offense that by its nature or
conduct involves sexual abuse offenses
committed upon minors;
(5) Inmates who have a current fel-
ony conviction for:
(i) An offense that has as an element,
the actual, attempted, or threatened
use of physical force against the person
or property of another;