

# FBOP Updates to Phone Call Policies and Time Credit System

Supporting successful rehabilitation and reentry



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**(FBOP)** - The Federal Bureau of Prisons (FBOP) is introducing several important updates to its phone call policies and time credit systems, reflecting its commitment to improving the well-being of Adults in Custody (AICs) and supporting their successful rehabilitation and reintegration.

## Changes to Phone Call Policies

FBOP is changing its policies on phone minutes to incentivize programming and support both essential reentry programming and operational needs. Effective January 1, 2025, AICs who chose not to participate in programming, will be responsible for the cost for phone and video minutes. As an incentive for programming, all individuals participating in First Step Act (FSA) Evidence-Based Recidivism Reduction (EBRR) programs, regardless of their FSA earned time credit eligibility, will receive 300 free phone minutes each month.

Prior to the COVID-19 pandemic, and the implementation of the CARES Act, AICs were required to pay for all of their phone minutes. In 2014, for example, direct dial local calls were \$0.06 per minute and direct dial long distance calls started at \$0.21 per minute and were as high as \$0.99 per minute for direct dial international calls. The CARES Act, in March 2020, required the FBOP to begin providing free calls to the AICs during the covered COVID-19 pandemic emergency period. Recognizing the significant cost of providing free phone calls to all AICs, Congress provided FBOP with supplemental funding for this purpose in 2020 and 2021.

Between April 2020, when the FBOP began providing free minutes per the CARES Act, and May 2024 (the last data readily available), nearly \$350 million dollars in telephone calls occurred. When the CARES Act expired in March 2022, and supplemental funding was no longer being provided, the FBOP made the decision to continue offering free phone minutes to AICs at the agency's expense.

Recently, due to budget constraints and in an effort to incentivize programming participation, the FBOP decided to change its approach and will provide free phone calls only to those who are on the waitlist for, or are participating in, an EBRR. As mentioned, this is intended to incentivize programming and also to allow FBOP to reallocate resources to other critical needs, including programming, staffing, and contraband interdiction.

In order to mitigate the financial impact on AICs that choose not to participate in programming and their families and loved ones, the discontinuation of free phone minutes is being timed in conjunction with recent per minute fee reductions mandated by the Federal Communication Commission (FCC). Effective January 1, 2025, new phone rates set by the FCC go into effect that reduce the call rates for AICs to \$0.06 per minute for all audio communications and \$0.16 per minute for video communications.

## Updates on Time Credits and Community Placement

The FBOP is also updating its FSA Time Credit system to better support AICs as they engage in pre-release planning. Under the FSA, AICs earn time credits for completing approved programs while in custody, which can reduce the time before they are placed in community settings such as Residential Reentry Centers (RRCs) or home confinement.

AICs will now see three key dates in their records to help them plan their release:

- **FTC Conditional Placement Date:** The date when an AIC may be eligible for pre-release placement based on earned FSA Time Credits.
- **Second Chance Act (SCA) Conditional Placement Date:** The date when an AIC may be eligible for release under the SCA. SCA eligibility requires an individualized assessment and is not guaranteed.
- **Conditional Transition to Community Date:** The earliest possible release date, based on a combination of FTCs and SCA eligibility.

FBOP employees will use these dates to make release decisions, beginning the process 17-19 months before the Conditional Transition to Community Date. For eligible individuals, this could include recommendations for direct home confinement, bypassing RRC placement where appropriate.

It is essential for AICs to continue participating in FTC-earning programs, as any suspension in their participation due to misconduct could delay their release. The FSA Conditional Release Date IS A PROJECTED DATE BASED ON VARIOUS FACTORS, INCLUDING CONTINUED ELIGIBILITY FOR FTCS, PARTICIPATION IN PROGRAMS, AND ELIGIBILITY AND APPROPRIATENESS UNDER SCA.

The FBOP will prioritize processing referrals based on placement dates, with unit teams initiating referral packets for pre-release placement at least 12 months, but no later than 60 days, prior to the Conditional Transition to Community Date. The Residential Reentry Management Office will work to ensure that AICs are placed in the community according to these recommendations, provided there are adequate resources in the community.

These upcoming changes underscore the FBOP's commitment to supporting the rehabilitation and reentry of AICs while ensuring responsible use of agency resources. External stakeholders advocating for AICs are encouraged to share this information with their communities to help prepare individuals in custody for these transitions.