



RESIDENTIAL REENTRY CENTERS

Reference Guide
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[Abstract](#)

This guide provides background information, a legal framework, operational information, and policy considerations for use of residential reentry centers in the federal criminal justice system.

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Introduction

The federal judiciary relies on Residential Reentry Centers (RRCs), also known as halfway houses or community correctional facilities, during various phases in the federal criminal justice system. RRCs are operated by vendors under contract with the probation and pretrial services offices (pretrial) or the Bureau of Prisons (BOP) (post-conviction). They are used as an alternative to pretrial detention, for alternative (non-custodial) sentences, as a prerelease option from incarceration, and as an intermediate sanction for noncompliance by persons under supervision. RRCs can provide a safe, structured, and supervised environment for individuals. RRCs further provide employment counseling, job placement, financial management assistance, and other programs and services. Placement in a RRC comes with hope that the individual will maintain or rebuild ties to the community and not recidivate.

This guide provides historical information on RRCs, a legal framework for use of RRCs, RRC operational information, and policy considerations for use of RRCs in the federal criminal justice system.¹

History of RRCs

The BOP's first established halfway houses, better known as "Pre-Release Guidance Centers," were run by BOP staff and focused on youthful inmates. Following the Federal Prisoner Rehabilitation Act of 1965, the BOP expanded the program to include adults, and renamed halfway houses "Community Treatment Centers" (CTCs). By 1967, five CTCs were operated by contractors. In 1981, due to staff reductions, the BOP eliminated CTCs run by BOP staff, choosing to rely solely on contract providers. Later CTCs were renamed as Residential Reentry Centers (RRCs).²

Legal Framework

Pretrial

The court has authority to issue an order of release or detention pending trial to a person charged with an offense.³ [18 U.S.C. §§ 3141, 3142](#). If released, the person may be released on personal recognizance, upon execution of an unsecured appearance bond, or on a condition or combination of conditions set forth in [18 U.S.C. § 3142\(c\)](#). [18 U.S.C. § 3142\(a\)](#). Under [18 U.S.C. § 3142\(g\)](#), the court must consider several factors in determining whether there are conditions of release that will reasonably assure the courtroom appearance of the person charged with an offense and the safety of any other person and the community.

¹ This resource guide is for general information purposes only. It does not create any legal rights or set any precedent.

² The terms "Halfway House" and "RRC" are used interchangeably in this document.

³ The court is also authorized to release or detain a person who is a material witness. [18 U.S.C. § 3144](#).

The court may order halfway house placement as a condition of pretrial release under [18 U.S.C. § 3142\(c\)\(1\)\(B\)\(xiii\)](#). Halfway house placement is an alternative to detention for individuals whose appearance cannot be reasonably assured and/or who may pose a danger to the community under less restrictive conditions.

Under [18 U.S.C. § 3152\(a\)](#), the Director of the Administrative Office of the U.S. Courts must provide, by contract or otherwise, for the establishment of pretrial services in each judicial district. Pretrial services must operate or contract for the custody or care of persons on pretrial release, including residential halfway houses, addict and alcoholic treatment centers, and counseling services. [18 U.S.C. § 3154\(4\)](#).

Post-Conviction

Probation

As an alternative to imprisonment, an individual may be statutorily eligible for probation.⁴ A sentence to probation may include mandatory conditions and/or discretionary conditions. *See* [18 U.S.C. §§ 3563\(a\)-\(b\)](#); *see also* Overview of Probation and Supervised Release Conditions, *available at* <https://www.uscourts.gov/services-forms/overview-probation-supervised-release-conditions>; U.S.S.G. § 5B1.3. Placement into a RRC is an example of a discretionary condition of probation.

Prerelease Custody

Under [18 U.S.C. § 3624\(c\)\(1\)](#), the BOP must, to the extent practicable, ensure that a prisoner serving a term of imprisonment spends a portion of the final months of that term (not to exceed 12 months), under conditions that will afford that prisoner a reasonable opportunity to adjust to and prepare for reentry into the community. Such conditions may include a RRC. The BOP has regulations in place to ensure that placement in a RRC is (1) conducted in a manner consistent with [18 U.S.C. § 3621\(b\)](#); (2) determined on an individual basis, and (3) of sufficient duration to provide the greatest likelihood of successful reintegration into the community. [18 U.S.C. § 3624\(c\)\(6\)](#). The United States Probation System must, to the extent practicable, offer assistance to a prisoner in prerelease custody under [§ 3624\(c\)](#). [18 U.S.C. § 3624\(c\)\(3\)](#).

Eligible prisoners who have earned time credit under the risk and needs assessment system developed under the First Step Act, Pub. L. 115-391, 132 Stat. 5149, may also be placed in prerelease custody, including release to a RRC. [18 U.S.C. § 3624\(g\)\(2\)\(B\)](#). A prisoner who earns time credit under the risk and needs assessment system may be placed in prerelease custody if, under the system, the prisoner has been determined to be a minimum or low risk to

⁴ Under [18 U.S.C. § 3561\(a\)](#), “A defendant who has been found guilty of an offense may be sentenced to a term of probation unless (1) the offense is a Class A or B felony and the defendant is an individual; (2) the offense is an offense for which probation has been expressly precluded; or (3) the defendant is sentenced to a term of imprisonment at the same time for the same or a different offense that is not a petty offense.” The statutorily authorized terms of probation are one to five years for a felony, not more than five years for a misdemeanor, and not more than one year for an infraction. [18 U.S.C. § 3561\(c\)](#).

recidivate for the past two reassessments. Alternatively, a prisoner who earns time credit under the risk and needs assessment may be placed in prerelease custody if they petitioned to be transferred to prerelease custody and the warden approved the petition after determining that the prisoner would not be a danger to society, the prisoner has made a good faith effort to lower their recidivism risk through participation in recidivism reduction programs, and the prisoner is unlikely to recidivate. *Id.* at § 3624(g)(1)(D). If released and placed in a RRC, the prisoner is subject to conditions imposed by the BOP. *Id.* at § 3624(g)(2)(B). The United States Probation System must, to the greatest extent practicable, offer assistance to a prisoner in prerelease custody under § 3624(g). *Id.* at § 3624(g)(2)(8).

Supervised Release

A term of supervised release after imprisonment may be required by statute or may be imposed at the discretion of the court. 18 U.S.C. § 3583(a). Under 18 U.S.C. § 3583(d), the court is permitted to impose the same discretionary conditions that are authorized under 18 U.S.C. § 3563(b) for probation. Under §§ 3563(b)(10) and (b)(11), the court may require a person under supervision to serve a period of time in a RRC as a condition of supervision.

The U.S. Sentencing Guidelines Manual also provides that non-incarceration sentences and “split sentences,” where an individual spends a portion of the sentence incarcerated and the remaining portion on supervised release with a community confinement condition, may be available to those whose sentence range falls under Zones A, B, or C of the Sentencing Table. *See* USSG, Sentencing Table; USSG § 5C1.1. For those in Zone B, the Guidelines suggest a sentence of imprisonment for least one month followed by a term of supervised release with a condition that substitutes community confinement, such as a RRC. For those in Zone C, the Guidelines provide that a person may spend at least half of the sentence imprisoned and the remaining time on supervised release with a condition that substitutes community confinement, such as a RRC. *Id.*

Intermediate Sanction for Supervision Noncompliance

If an individual violates a condition of probation, the court may, after a hearing and after considering the applicable factors provided in 18 U.S.C. § 3553(a), continue the individual on probation. 18 U.S.C. § 3565(a)(1). The court may also modify the conditions, including any RRC condition. *Id.*

Similarly, under 18 U.S.C. § 3583(e)(2), the court may modify the conditions of supervised release “at any time prior to the expiration or termination of the term of supervised release.” As part of such modification, the court may order the person under supervision to reside in a RRC.

How RRCs Operate and When to Impose

Overview

RRCs are transitional housing that provide safe, structured, and supervised environments for residents and offer various programs and services. RRCs can help residents develop tools they need to better themselves and rebuild their ties to the community. In addition, RRCs can assist the probation and pretrial services officer (“officer”) with monitoring the activities of a person under supervision in an effort to ensure compliance with release conditions and reduce violations. Research shows that RRCs may be most appropriate for higher risk individuals.⁵

Alternative to Pretrial Detention

Placement in a RRC/halfway house is one alternative to pretrial detention for individuals whose appearance cannot be reasonably assured and/or who may pose a danger to the community under less restrictive conditions. Placement in a halfway house as an alternative to detention is most effective in conjunction with pretrial services supervision. Officers can help assess the individual’s needs and make referrals for placement. Officers can also monitor the individual’s progress through effective supervision practices and inform the court if the situation improves and a less restrictive alternative is appropriate.

Under Judicial Conference policy,⁶ the court may wish to consider the following when determining if halfway house placement is the most appropriate alternative to detention:

- Halfway houses may cost less than detention.
- Halfway houses may require payment by defendants to reduce the expense to the district.
- Placement in a halfway house reduces jail overcrowding.
- Halfway houses are not usually secured facilities.
- Bed space may be limited.
- Halfway house staff assist the probation and pretrial services officer with monitoring the defendant’s activities in an effort to ensure compliance with release conditions and reduce violations.
- The defendant may be able to be self-supporting through continued employment.
- Halfway house placement may not be appropriate for all defendants (e.g., defendants with prior poor adjustment to residential settings or certain sexual offenses).

⁵ Accordingly, a less restrictive alternative to placement in a RRC may be appropriate for lower risk individuals. Alternative options for lower risk individuals may include home confinement or location monitoring.

⁶ *Guide to Judiciary Policy*, Volume 8, Part B, Chapter 3 §360.70.

Alternative to Incarceration/Probation

Community confinement within a RRC is an alternative sentencing option for individuals sentenced in Zones A and B of the U.S. Sentencing Guidelines. Where the applicable guideline range is in Zone A of the Sentencing Table, a condition requiring a period of community confinement may be imposed but is not required. Under the U.S. Sentencing Guidelines Manual, for an individual whose sentence range falls in Zone B and is sentenced to a term of probation, the court must impose a condition requiring a period of community confinement, home detention, or intermittent confinement sufficient to satisfy the minimum term of imprisonment specified in the guideline range. USSG §5B1.1, §5C1.1.

Before imposing a sentence to a RRC, the court may wish to consider the purpose of the placement and whether a less restrictive program, such as home confinement or location monitoring, might be a better alternative sentence, especially for lower risk individuals.⁷ Officers can help verify the necessary services and recommend a level of confinement most appropriate and available in the geographic region.

Once the court imposes a condition requiring RRC placement, the officer submits a referral packet (including the court's order of RRC placement, judgment form, and presentence report) to the BOP so that it can designate the probationer to the appropriate facility. When the probationer is designated to a facility, the officer works with the probationer and RRC to achieve the purposes of the RRC placement.

Prerelease Custody

The BOP has the authority to place an inmate in a RRC while serving the remainder of the sentence. The goal of placing an inmate in a RRC is to provide the individual with reentry programming to help the person successfully transition back into society. Reentry programming can include work, education, vocational training, drug and mental health treatment, and release preparation. The success of an inmate in a RRC depends on the quality of programming provided by the RRC. Under Judicial Conference policy, officers should become involved as early as possible in planning the transition from BOP custody to supervision in order to support the person's reintegration into the community, promote continuity of services, and initiate a collaborative plan to safely manage and reduce the risk of reoffending or violating a condition of supervision.⁸

⁷ Location Monitoring (LM) is a court-imposed condition or sentencing alternative that requires a person under pretrial or post-conviction supervision to be confined to a specific location (often a primary residence) and/or monitored in the community. Additional information about LM is available in the Administrative Office of the U.S. Courts, *Location Monitoring Reference Guide* (March 2020).

⁸ See *Guide to Judiciary Policy*, Volume 8, Part E, Chapter 3 § 320.

Under the Second Chance Act of 2007, federal inmates may be eligible for prerelease RRC placement. Prerelease placement to a RRC and length of stay are dependent upon the BOP's assessment of the inmate's need for transitional services, the risk the inmate might pose to the community, and risk for recidivism. Inmates placed in a RRC may be there for up to 12 months.

Under the First Step Act, eligible prisoners who have earned time credit under the BOP's risk and needs assessment system may also be placed in prerelease custody, including release to a RRC. 18 U.S.C. § 3624(g)(2)(B). A prisoner who earns time credit under the risk and needs assessment system may be placed in prerelease custody if, under the system, the prisoner has been determined to be a minimum or low risk to recidivate for the past two reassessments. Alternatively, a prisoner who earns time credit under the risk and needs assessment may be placed in prerelease custody if the prisoner petitioned to be transferred to prerelease custody and the warden approved the petition after determining that the prisoner would not be a danger to society, has made a good faith effort to lower the recidivism risk through participation in recidivism reduction programs, and is unlikely to recidivate. *Id.* at § 3624(g)(1)(D). If released and placed in a RRC, the prisoner is subject to conditions imposed by the BOP. *Id.* at § 3624(g)(2)(B). The United States Probation System must, to the greatest extent practicable, offer assistance to a prisoner in prerelease custody under § 3624(g). *Id.* at § 3624(g)(8).

An inmate placed in a RRC is eligible to transition into home confinement if the inmate has a place to live and has demonstrated that he or she no longer requires the level of accountability and services RRCs provide. Transitioning suitable inmates to home confinement also helps address RRC capacity issues and ensures that more inmates are afforded RRC service. Therefore, inmates in RRCs are generally assessed by residential reentry staff for home confinement placement every two weeks. Under BOP policy, RRC staff should document an appropriate plan of action with target dates for home confinement placement.

Post-Conviction Supervision

The court may require an individual to serve a period of time in a RRC as a condition of supervised release. Before imposing a sentence to a RRC, the court may wish to consider the purpose of the placement and whether a less restrictive program, such as home confinement or location monitoring, might be a better alternative sentence, especially for lower risk individuals. Such considerations would be consistent with Judicial Conference policy that higher risk individuals receive the most intensive and extensive interventions.⁹ Officers can help verify the necessary services and recommend a level of confinement most appropriate and available in the geographic region.

⁹ See *Guide to Judiciary Policy*, Volume 8. Part E, Chapter 1 §160.

Once someone enters the RRC, officers work with RRC staff to identify correctional strategies during a RRC placement, which may include assistance in securing an appropriate residence; assistance in seeking or preparing to seek employment, vocational training, or educational services; financial education or credit counseling; or therapeutic services to stabilize a mental health condition or manage a substance use relapse. Officers monitor the person under supervision's progress toward the programming goals through regular communication with the person under supervision and RRC facility staff. Officers also monitor the person under supervision's compliance with the rules and regulations and intervenes as necessary.

According to Judicial Conference policy, before an individual's release from BOP custody, an officer should become involved as early as possible in planning the transition from BOP custody to supervision.¹⁰ Early involvement helps support the individual's reintegration into the community, promote continuity of services, and initiate a collaborative plan to safely manage and reduce the risk of reoffending or violating a condition of supervision.

Intermediate Sanction

In response to noncompliance by a person under supervision, the court may require the individual to reside at a RRC and participate in the facility's programming. Once the court imposes a condition requiring placement at a RRC, the officer submits a referral packet (including the court's order, judgment form, and presentence report) to the BOP so that it can designate the individual to the appropriate facility. The individual is required to abide by the rules and regulations of the facility, and the facility staff may impose additional restrictions or sanctions on individuals who violate the rules and regulations. While the individual is at the RRC, the officer maintains regular communication with the BOP and/or facility staff to monitor the individual's compliance with both the schedule of confinement and facility rules and regulations, and intervenes as necessary.

In some cases, imposing a community confinement condition as a sanction for a violation of a condition of supervision is a more effective way to address noncompliance than sending the individual back to prison. An order to a RRC as an intermediate sanction may prevent the individual from losing employment or it might help avoid the complete removal of the family provider or caretaker that would otherwise result from revocation and a traditional term of incarceration.

RRC Placement and Housing Under the Second Chance Act

While placement in a RRC is a versatile condition that can serve multiple purposes, it is not generally appropriate to provide housing for homeless persons on supervision. Instead, courts have the authority to provide transitional housing under the Second Chance Act of 2007, codified

¹⁰ *Guide to Judiciary Policy*, Volume 8, Part E, Chapter 3 § 320.

at [18 U.S.C. § 3672](#) and modified by the Judicial Administration and Technical Amendments Act of 2008 (JATAA).

RRC Summary Chart

Phase	Purpose of the RRC	Who Pays For It
Pretrial – Alternative to Detention	<ul style="list-style-type: none"> • Help reasonably assure the appearance of the person as required. • Help reasonably assure the safety of any other person and the community. 	Judiciary pays for RRC placement for pretrial defendants (unlike pretrial detention, which is paid for by the U.S. Marshals Service).
Probation – Alternative to Incarceration	<ul style="list-style-type: none"> • Deterrence, public protection, rehabilitation, and providing just punishment for the offense. • Enables the officer to satisfy the statutory requirements to keep informed as to the conduct and condition of the individual, report the individual’s conduct and condition to the court, and aid the individual and bring about improvements in his or her conduct and condition. 	BOP
Prerelease custody	<ul style="list-style-type: none"> • Provide the individual with reentry programming to help successfully transition back into society. 	BOP
Supervised Release	<ul style="list-style-type: none"> • Deterrence; public protection; and rehabilitation. • Enables the officer to satisfy the statutory requirements to keep informed as to the conduct and condition of the defendant, report the 	BOP

	defendant’s conduct and condition to the sentencing court, and aid the defendant and bring about improvements in his or her conduct and condition.	
Post-Conviction Intermediate Sanction	<ul style="list-style-type: none"> • Deterrence, public protection, and rehabilitation. • May serve as a negative consequence or controlling intervention in response to noncompliance with conditions of release. • May prevent the individual from losing employment or allow a defendant to avoid the complete removal from the role of provider or caretaker for dependents and other family members that would result from a traditional term of incarceration. 	BOP

Sample Language for Court Orders

The following language may provide guidance when imposing a RRC condition. While this section includes sample condition language for special conditions that is intended to be clear and legally sound, there may be cases where the court or the parties determine that different language is necessary to account for the individual circumstances in that case. There may also be case law in individual circuits requiring variations from the sample special condition language. For instance, circuits vary in the level of specificity required in conditions to prevent over-delegation of authority to officers. Each district should fashion special conditions that comport with circuit case law requirements.

Sample Language for Pretrial Release to a RRC as an Alternative to Detention

Language for imposition of a condition of placement in a halfway house is available in the Administrative Office of the U.S. Courts (AO) Form 199B (“Additional Conditions of Release”).

Sample Language for Order of RRC as an Alternative to Incarceration

The following is sample language the court may use when imposing a RRC condition during probation: “You must reside in a residential reentry center for a term of _____ days. You must follow the rules and regulations of the center.”

Sample Language for Order of RRC as a Condition of Post-Conviction Supervision

The following is sample language the court may use when imposing a RRC condition to a person under post-conviction supervision: “You must reside in a residential reentry center for a term of _____ days. You must follow the rules and regulations of the center.”¹¹

¹¹ The sample language, which was endorsed by the Committee on Criminal Law of the Judicial Conference of the United States (Criminal Law Committee), is also available on the United States Courts website. *See* Overview of Probation and Supervised Release Conditions document, available at <https://www.uscourts.gov/services-forms/overview-probation-supervised-release-conditions>.