

INSIDE OUT*A biweekly briefing on the federal prison system for families, defendants, and advocates* **Vol. 1 · No. 10 · Inmate Edition****Inside Out — September 4, 2026: BOP Leadership Turnover, USSC 2027 Priorities, and Custody Events at Tucson and Florence**

This issue covers a compressed news cycle inside the federal Bureau of Prisons (BOP) and adjacent agencies. At the top: BOP Deputy Director Joshua Smith departed after roughly a year on the job, and the agency issued a leadership staff update signaling further personnel movement. The United States Sentencing Commission (USSC) — the independent judicial-branch agency that writes the federal Sentencing Guidelines used by every federal judge at sentencing — adopted its policy priorities for the 2027 amendment cycle, which will shape what guideline changes are considered between now and May 2027. On the operational side, BOP reported a walkaway from the satellite camp at United States Penitentiary (USP) Tucson (Arizona), a death at USP Florence (Colorado), and a multi-agency contraband operation at Federal Correctional Institution (FCI) Bennettsville (South Carolina).

Policy items in the window include the Department of Justice's (DOJ) final rule on firearm rights restoration for people with certain nonviolent felony convictions, the resignation of the U.S. Pardon Attorney, and the reintroduction of the National Institute of Corrections (NIC) as an active BOP-affiliated training and research entity. A separate Court of Appeals decision addressed the interaction between the First Step Act (FSA) and supervised release conditions.

This issue also flags what the calendar means for families: Labor Day falls Monday, September 7, and Rosh Hashanah begins at sundown Friday, September 11 — both affect visitation scheduling, mail processing, and phone-line congestion. The practical tip at the end walks through how to prepare for that.

THIS WEEK'S LEAD**BOP Deputy Director Departs; Agency Issues Leadership Staff Update and Reintroduces NIC**

Theme: leadership / BOP governance

BOP Deputy Director Joshua Smith — the number-two official at the Bureau of Prisons, appointed roughly a year ago — announced his departure in late August, according to reporting by LISA Newsletter (Legal Information Services Associates). The Director's Office followed with a Message from the Director outlining leadership staff changes at the Central Office in Washington. Separately, BOP published a notice reintroducing the National Institute of Corrections (NIC), the agency's training, technical assistance, and research arm that supports federal, state, and local corrections systems.

For readers, three things matter here. First, the Deputy Director oversees day-to-day operations across BOP's six regions and 120-plus facilities, and turnover at that level historically slows the rollout of new policies (including FSA implementation refinements). Second, the leadership update names or reassigns senior officials whose sign-off is required on Program Statement (PS) revisions, national-scale contracting decisions, and Residential Reentry Center (RRC — commonly called a 'halfway house') capacity planning. Third, the NIC reintroduction signals renewed investment in staff-training infrastructure, which shapes how new hires and existing correctional officers are taught to apply BOP rules — from disciplinary hearings to compassionate release referrals.

None of these announcements change a specific rule tomorrow. They shape the environment in which rules will be interpreted, delayed, or accelerated over the coming months.

UNDERSTANDING THIS STORY**During incarceration****For people currently in custody: what to do while leadership settles**

The most useful step during a period of Central Office reshuffling is to make sure your local file is clean. Request a copy of your Inmate Profile printout from your Case Manager, verify your FSA Time Credit assessment printout, and check that your PATTERN (Prisoner Assessment Tool Targeting Estimated Risk and Need) score reflects your current programming. Errors caught locally are much faster to fix than errors escalated to Washington.

If you have completed programming that is not showing on your FSA printout, ask your Unit Team in writing (using an Inmate Request to Staff, commonly called a 'cop-out' or BP-A0148) to correct the record before your next Program Review. Keep a copy.

POLICY AND REGULATORY REFERENCES

The BOP's leadership structure is set by 18 U.S.C. § 4041–4042, which vests general management of federal penal institutions in the Director. Program Statement 1210.20 (the internal policy on delegation of authority) governs which decisions can be made at the institution, region, or Central Office level. When leadership turns over, delegated authority typically stays in place — the Warden of your loved one's facility retains authority over local decisions including furlough approval under 18 U.S.C. § 3622 and PS 5280.09.

The administrative remedy process, at 28 C.F.R. §§ 542.10–.19, provides four levels: informal resolution (BP-8), the Warden (BP-9), the Regional Director (BP-10), and the General Counsel (BP-11). Response deadlines are 20 calendar days at the institution, 30 at the region, and 40 at Central Office, each extendable once. If a deadline passes without response, the regulation treats the absence of response as a denial for purposes of moving to the next level — an important procedural point when leadership vacancies slow written responses.

Compassionate release under 18 U.S.C. § 3582(c)(1)(A) requires either a Warden-signed referral to the court or a 30-day lapse after the defendant submits a written request to the Warden. Central Office turnover does not extend that 30-day clock. The National Institute of Corrections is authorized under 18 U.S.C. § 4351 et seq.

ACTION ITEMS THIS WEEK

- Request a current copy of the FSA Time Credit Assessment printout from your Case Manager. If credits are missing, submit an Inmate Request to Staff (BP-A0148) identifying the specific programs completed and dates.
- If a written request to the Warden for compassionate release consideration has been pending 30 days without a decision, note the date; the statutory clock at 18 U.S.C. § 3582(c)(1)(A)(i) is preserved for court filing regardless of leadership changes.
- For administrative remedy appeals, calendar the 20/30/40-day response windows in 28 C.F.R. § 542.18 and treat missed deadlines as denials for purposes of appeal timing.
- Families should send written follow-ups every 14–21 days on pending Case Manager or Unit Team requests, keeping dated copies.
- Attorneys handling FOIA requests to BOP should reference 5 U.S.C. § 552 and cite the specific records categories in Program Statement 1351.05 to reduce back-and-forth.

SOURCES

- [Message from the Director - Leadership Staff Update](#) — Federal Bureau of Prisons
- [Reintroducing the National Institute of Corrections \(NIC\)](#) — Federal Bureau of Prisons
- [Smith Takes BOP Job and Shoves It – Update for August 31, 2026](#) — LISA Newsletter (Legal Information Services Associates)
- [BOP Brings Decades Old Systems Into a Modern Era](#) — Federal Bureau of Prisons

DEEP DIVE 2

U.S. Sentencing Commission Adopts 2027 Amendment-Cycle Priorities

Theme: USSC / guideline amendment cycle

The U.S. Sentencing Commission (USSC) — the independent agency in the judicial branch that promulgates the federal Sentencing Guidelines — voted last week to adopt its policy priorities for the amendment cycle running through May 1, 2027. Under 28 U.S.C. § 994(p), any guideline amendment the Commission approves is transmitted to Congress by May 1 each year and, absent congressional disapproval, takes effect on November 1 of the same year. The priorities set now determine what proposed amendments will be published for public comment during the fall and winter.

According to reporting by LISA Newsletter (Legal Information Services Associates), the announced priorities are heavily focused on internal Commission operations — including a proposal to move certain Commission actions from a supermajority to a qualified-majority vote, and to include a Federal Defender in a formal advisory capacity. Substantive priorities involving specific offense guidelines (such as drug quantity tables, criminal history calculations, or firearms enhancements) are more limited than in some prior cycles.

For defendants and families, this means the pipeline of guideline changes that could reduce sentences retroactively in the next 12–18 months is narrower than in cycles that produced amendments such as the 2023 status-point amendment (Amendment 821). It does not mean nothing will change; it means readers should watch the Commission's forthcoming public-comment notices closely to know what is on the table.

UNDERSTANDING THIS STORY

Before incarceration

For pre-sentence defendants: what to raise with counsel now

The Guidelines that apply at your sentencing are those in effect on the date of sentencing, unless applying them would violate the ex post facto clause (USSG § 1B1.11). If your sentencing is set for late 2026 or early 2027, you will be sentenced under the current 2024 Guidelines Manual as amended. Priorities the Commission is only now beginning to study will not directly affect your sentencing hearing.

What you can do: work with counsel to identify every downward variance and departure argument available under 18 U.S.C. § 3553(a) — the sentencing statute that instructs courts to impose a sentence 'sufficient, but not greater than necessary' — independent of guideline amendments. Guideline changes are not the only route to a lower sentence, and often are not the primary one.

During incarceration

For people in custody: what a 'narrow' priorities list means for retroactivity hopes

Retroactive guideline amendments — the kind that let people already sentenced file a motion under 18 U.S.C. § 3582(c)(2) to reduce their sentence — are rare. Amendment 821 (status points and 'zero-point offender' reduction) was one example. The 2027-cycle priorities as reported do not appear to include a headline drug or criminal-history amendment likely to be made retroactive.

That does not close other second-look doors. Compassionate release under § 3582(c)(1)(A), FSA time-credit application, and (in some cases) direct appeal or 28 U.S.C. § 2255 motions remain available on their own terms. Do not defer other pending relief in the hope that a retroactive amendment will materialize by late 2027.

STATUTORY FRAMEWORK FOR GUIDELINE AMENDMENTS

The Commission's authority to promulgate and amend guidelines comes from 28 U.S.C. § 994. Section 994(p) requires transmission of amendments to Congress by May 1, with a 180-day congressional review period; amendments take effect November 1 absent disapproval. Section 994(u) governs retroactivity: when the Commission reduces the term of imprisonment recommended by the guidelines, it may specify in what circumstances and by what amount the reduction applies retroactively. The mechanism for individual defendants to seek a reduction based on a retroactive amendment is 18 U.S.C. § 3582(c)(2), which requires that the Guideline range have been 'subsequently lowered by the Sentencing Commission.'

USSG § 1B1.10 lists which amendments are retroactive; only amendments listed in subsection (d) can be the basis of a § 3582(c)(2) motion. The Guidelines-in-effect-at-sentencing rule is at USSG § 1B1.11, with the ex post facto exception at § 1B1.11(b)(1).

ACTION ITEMS THIS WEEK

- Attorneys should calendar the USSC's expected public-comment period (typically opening in December or January) and identify client cases that illustrate any priority the Commission is studying.
- Defendants with pending sentencings should not delay sentencing in the hope of favorable amendments; guideline effective dates run November 1, and the applicable manual is the one in effect on the sentencing date.
- Incarcerated readers should not withdraw or delay pending compassionate release, § 2255, or FSA time-credit litigation based on possible 2027 amendments.
- Families and advocates who want to file public comments during the amendment cycle can monitor the Commission's public-notice page at ussc.gov and submit through the official comment portal when it opens.
- Review the current Guidelines Manual online at ussc.gov to confirm which guideline drives your loved one's sentence, so you can watch specifically for changes to that section.

SOURCES

- [Sentencing Commission Looks Inward for Next Year – Update for September 3, 2026](#) — LISA Newsletter (Legal Information Services Associates)
- [US Sentencing Commission Proposes Qualified Majority and Federal Defender Participation](#) — News aggregation

DEEP DIVE 3

Walkaway at USP Tucson Camp, In-Custody Death at USP Florence, Contraband Operation at FCI Bennettsville

Theme: custody events / family notification

Three institution-level events were reported in the window. On September 2, BOP announced a walkaway — the term BOP uses when a person leaves an unfenced minimum-security satellite camp without authorization — from the camp adjacent to USP Tucson in Arizona. Local reporting indicates the individual was subsequently apprehended. On August 26, BOP announced the death of a person in custody at USP Florence in Colorado; the press release did not disclose cause of death, which is standard practice pending medical examiner findings. On September 2, BOP reported a multi-agency operation at FCI Bennettsville in South Carolina involving contraband interdiction.

For families, each of these events triggers specific institutional processes. A walkaway leads to disciplinary proceedings under 28 C.F.R. Part 541 and typically a security-level reclassification for the individual involved, and short-term operational changes (headcount lockdowns, restricted movement, and phone/visitation modifications) at the affected facility. An in-custody death triggers notification obligations to the next of kin listed in the deceased's central file and a mortality review under BOP Program Statement 5553.06. A multi-agency contraband operation typically produces institution-wide shakedowns, mail delays, and temporary visitation modifications.

The practical question for readers is not the news value of these events but how to get accurate information when the facility housing a loved one goes on modified operations or when a family receives an unexpected phone call from BOP.

UNDERSTANDING THIS STORY

During incarceration

For people in custody during a lockdown or shakedown

During modified operations, options for reaching family are limited but not zero. Legal calls through your case manager (attorney calls under Program Statement 5264.08) are not subject to the same restrictions as social calls. If a legal matter requires attorney contact during a lockdown, request a legal call in writing through your Unit Team. Emergency family contact (serious illness or death of an immediate family member) can be requested through the Chaplain's office.

GOVERNING REGULATIONS AND PROGRAM STATEMENTS

Discipline for a walkaway (BOP code 102, escape) is governed by 28 C.F.R. Part 541, Subpart A, with sanctions listed in Table 1 of § 541.3. Consequences typically include loss of Good Conduct Time under 18 U.S.C. § 3624(b), disciplinary segregation, and a security-level increase. Under the First Step Act, a disciplinary finding for a serious offense also affects FSA time-credit eligibility under 18 U.S.C. § 3632(d)(4) (E).

Notification of next of kin on death is addressed in Program Statement 5553.06 (Mortality Reviews) and PS 5330.11 (which addresses family contact and Chaplaincy involvement in serious-illness and death events). Modified operations authority derives from 28 C.F.R. § 541.22 and the Warden's general operational authority under PS 5500.14.

Access to records after a death is available to next of kin under the Privacy Act, 5 U.S.C. § 552a, and the Freedom of Information Act, 5 U.S.C. § 552. Requests for autopsy or mortality-review records should be directed to the BOP FOIA/Privacy Act Section at Central Office.

ACTION ITEMS THIS WEEK

- Verify the next-of-kin designation in your loved one's central file. If you are not listed and should be, they can update the designation through their Case Manager.
- Save the main phone number of the housing facility, the Regional Office covering that facility, and the BOP Consolidated Legal Center (if any) that handles that facility's legal matters.
- During a modified-operations period, do not overload the facility switchboard; one call per day is enough. Document each call attempt.
- If your loved one is transferred to an outside hospital, ask BOP for the hospital name and unit. BOP may decline for security reasons; if so, request that a Chaplain relay updates.
- In the event of a death, submit a written records request to BOP FOIA under 5 U.S.C. § 552 and § 552a for the mortality review, autopsy report, and medical records. Include the deceased's full name, register number, date of death, and your relationship.

SOURCES

- [Walkaway from USP Tucson's Satellite Camp](#) — Federal Bureau of Prisons
- [Death at USP Florence](#) — Federal Bureau of Prisons
- [Multi-Agency Operation Conducted at FCI Bennettsville](#) — Federal Bureau of Prisons
- [Escaped federal inmate captured by authorities](#) — KVOA
- [They Pardoned Him, But Only After A Little Medical Neglect – Update for September 1, 2026](#) — LISA Newsletter (Legal Information Services Associates)

Systemic Issues Inside Out Is Watching

Patterns the publication is tracking this week from source material and court filings. Each entry includes factual description of the pattern and concrete guidance for readers affected by it.

Self-surrender vs. remand into custody after sentencing

PATTERN

Reporting in the window notes that federal courts are increasingly ordering self-surrender — allowing a defendant to report to their designated facility on their own — rather than remanding defendants into U.S. Marshals Service custody at sentencing. Self-surrender typically produces a more direct route to designation, reduces time spent in local jails and transit hubs (the 'diesel therapy' pattern), and allows a defendant to arrange family affairs before reporting. The trade-off is that the defendant must manage designation logistics without the involuntary transport system doing it.

WHAT FAMILIES AND DEFENDANTS CAN DO

Defendants who receive a self-surrender order should confirm at sentencing that the judgment specifies self-surrender and reflects any judicial recommendations for facility placement (for example, a recommendation of a specific FCI camp closer to family). The BOP Designation and Sentence Computation Center (DSCC) in Grand Prairie, Texas makes the final designation, and judicial recommendations are considered but not binding. Once designated, follow the reporting instructions in the BOP letter exactly — arriving early, late, or at the wrong entrance can result in a delay that BOP treats as a failure to report.

SOURCES

- Wheels on the Bus – Update for August 28, 2026 — LISA Newsletter (Legal Information Services Associates)

Clemency and pardon process in flux

PATTERN

The U.S. Pardon Attorney's Office — the DOJ component that reviews and makes recommendations on clemency petitions under 28 C.F.R. §§ 1.1–1.11 — has seen significant leadership turnover, with U.S. Pardon Attorney Ed Martin resigning in the window. Reporting indicates the underlying petition-review process has not substantively changed and continues to run through the Office of the Pardon Attorney (OPA) with recommendations forwarded to the White House.

WHAT FAMILIES AND DEFENDANTS CAN DO

Petitioners with pending clemency applications should not withdraw or refile based on the personnel change. If a petition was submitted more than 12 months ago without response, a status inquiry can be sent to the Office of the Pardon Attorney at the address published at justice.gov/pardon. The year-end period historically produces clemency actions; petitioners who have not yet applied and who are eligible (typically five years post-conviction for a pardon, or currently serving for a commutation) may wish to prepare a complete petition now.

SOURCES

- Goodbye and Good Riddance to Pardon Attorney... But Nothing's Likely to Change – Update for August 24, 2026 — LISA Newsletter (Legal Information Services Associates)

BOP Operations

Reintroducing the National Institute of Corrections (NIC)

Federal Bureau of Prisons · 2026-09-01

The National Institute of Corrections is BOP's training and technical-assistance arm, authorized under 18 U.S.C. § 4351 et seq. It develops curriculum used to train federal, state, and local corrections staff. Its reintroduction signals renewed emphasis on staff-training standards; for families and defendants this most directly affects how new correctional officers are taught to apply BOP rules on discipline, use of force, and programming.

BOP Brings Decades Old Systems Into a Modern Era

Federal Bureau of Prisons · 2026-08-27

BOP announced IT modernization efforts affecting internal case-management systems. Sentence-computation and FSA time-credit calculations depend on these systems, so families should expect intermittent update delays on inmate profile printouts during transition periods and should ask for the most recent 'as-of' date whenever a printout is provided.

UNICOR Showcases Mission and Impact at DOJ Industry Day

Federal Bureau of Prisons · 2026-08-24

UNICOR (Federal Prison Industries) is a wholly owned government corporation that employs people in BOP custody. Under 18 U.S.C. § 3624(d), UNICOR earnings can offset court-ordered financial obligations, and UNICOR employment counts as a 'Productive Activity' for FSA time-credit purposes. Defendants interested in UNICOR employment should ask their Case Manager about waitlist procedures at their designated facility.

Sentencing & Courts

8-Year Supervised Release Sentence Upheld In First Step Case

Law360 · 2026-08-25

A federal appellate decision upheld an 8-year supervised release term in a case arising under the First Step Act. Supervised release is the period after imprisonment during which a person remains under court supervision (18 U.S.C. § 3583). The practical effect is a reminder that FSA sentence-reduction avenues typically affect the custodial term, not the length of supervised release ordered by the sentencing court.

Non-Buyer's Remorse – Update for August 25, 2026

LISA Newsletter (Legal Information Services Associates) · 2026-08-25

LISA discusses a case addressing when a defendant's post-plea conduct undermines acceptance-of-responsibility credit under USSG § 3E1.1. The practical effect for pre-sentence defendants: conduct between plea and sentencing — including any statements to media, social media activity, or further offense conduct — can cost the two- or three-point reduction and materially change a guideline range.

Policy & Legislation

New Gun Restoration Rule Sends DOJ Fox to Guard the Henhouse – Update for August 27, 2026

LISA Newsletter (Legal Information Services Associates) · 2026-08-27

DOJ published a final rule setting out a procedure for restoration of federal firearm rights for individuals convicted of certain nonviolent felonies, implementing the authority in 18 U.S.C. § 925(c). LISA reports the process is administered by DOJ itself. For readers post-release: the rule creates an administrative path that had been dormant for years; individuals interested should consult counsel about eligibility and the application process.

Goodbye and Good Riddance to Pardon Attorney... But Nothing's Likely to Change – Update for August 24, 2026

LISA Newsletter (Legal Information Services Associates) · 2026-08-24

The U.S. Pardon Attorney resigned. The Office of the Pardon Attorney continues to accept and process clemency petitions under 28 C.F.R. §§ 1.1–1.11. Pending petitioners do not need to refile.

Wheels on the Bus – Update for August 28, 2026

LISA Newsletter (Legal Information Services Associates) · 2026-08-28

LISA covers commentary on courts' expanded use of self-surrender orders. For defendants: at sentencing, counsel should specifically request self-surrender when the case profile supports it — factors include no prior failures to appear, stable residence, non-violent offense, and no immediate flight risk.

From the Community

Sean 'Diddy' Combs' Federal Prison Release Date Moved Up Again

The Source · 2026-09-03

Reporting on a high-profile defendant's projected release date being adjusted illustrates a routine BOP practice: projected release dates on the BOP inmate locator update as Good Conduct Time is applied, FSA time credits are earned or forfeited, and disciplinary sanctions are imposed. Families of any incarcerated person should expect that the release date shown on bop.gov's inmate locator may shift over time — that is the system working as designed, not an error.

PRACTICAL TIP

Preparing for Labor Day weekend and Rosh Hashanah: visitation, phones, and mail

Labor Day is Monday, September 7 — a federal holiday. Rosh Hashanah begins at sundown Friday, September 11 and continues through Sunday, September 13. Both affect BOP operations. On federal holidays, administrative offices (Case Management, Unit Team, Business Office) are closed, mail is not processed or delivered, and phone lines are typically more congested because more families are calling. Visitation schedules vary by facility; some institutions run holiday visiting hours and others do not. Do not assume — call the specific institution and ask for its holiday visiting schedule and any visitor-registration deadlines.

For Rosh Hashanah, incarcerated individuals who observe should have submitted a religious-diet request through the Chaplain's office (Program Statement 4700.06 governs the Religious Diet Program). If your loved one observes and is not receiving accommodations, ask them to submit a Religious Preference form and a request for participation in holy day observance to the Chaplain in writing. Families sending holiday cards should mail early — the week before a federal holiday commonly produces multi-day processing delays on inbound mail at Central Inmate Monitoring facilities using the Smart Communications processing center in Tampa, Florida (for institutions on that system).

Inside Out will continue tracking BOP leadership changes, the 2027 USSC amendment cycle as proposed amendments are published for public comment, and facility-level operational developments through the fall. Readers who need further assistance navigating a specific federal-prison matter — a designation question, an FSA time-credit dispute, a compassionate release inquiry, or a family notification issue — can reach DrPrison.org at help@drprison.org.

NEED FURTHER ASSISTANCE?

Readers navigating a specific federal-prison matter — a designation question, a halfway house issue, an administrative remedy, a compassionate release motion — can reach DrPrison.org directly at help@drprison.org. Inside Out is a free service; no subscription required.

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