

## Inside Out — August 21, 2026: Custody Deaths at Edgefield and Philadelphia, First Step Act Habeas at the Supreme Court, and Contraband Enforcement Trends

This issue covers a two-week window in which the Bureau of Prisons confirmed two in-custody deaths — one at FCI Edgefield in South Carolina and one at FDC Philadelphia — and in which the Supreme Court's pending review of habeas corpus as a vehicle to enforce First Step Act rights drew a wave of amicus briefs. It is also a period during which reporting on contraband enforcement inside federal facilities has focused increasing attention on staff-source contraband, a topic with practical implications for families sending mail, money, and visits.

Deep dives this week address (1) in-custody deaths and how families learn what happened, and (2) the First Step Act habeas question now pending at the Supreme Court, which affects how incarcerated people can challenge BOP calculations of Earned Time Credits. Systemic-issues coverage tracks contraband enforcement patterns and BOP budget pressures reported in fiscal year 2025. Quick hits cover a new FCI Atlanta visitation pilot, a recent Fourth Circuit primer on § 2255 motions, and sentencing developments including a Forbes column on courtroom remand practice.

With Labor Day falling on September 7, the practical tip this issue addresses visitation logistics around the holiday. Readers should treat this briefing as a starting point for their own inquiries; where policy is unsettled, this newsletter says so rather than guessing.

### THIS WEEK'S LEAD

## Two In-Custody Deaths Announced: FCI Edgefield and FDC Philadelphia

*Theme: deaths / custody / notification*

The Bureau of Prisons (BOP) — the federal agency that operates all federal prisons and detention facilities — issued press releases on August 10 and August 17 confirming the deaths of two people in custody. FDC Philadelphia is a Federal Detention Center, meaning it primarily holds people awaiting trial, sentencing, or transfer to designated facilities. FCI Edgefield is a Federal Correctional Institution in South Carolina; local

reporting identifies the person who died at Edgefield as a 41-year-old from Michigan, and describes the death as the third at Edgefield reported this year.

BOP death notifications follow a standard, brief format: name, age, date and location of death, and a statement that the cause is under investigation. Cause of death is not disclosed at the time of the initial announcement. Under federal law and BOP policy, in-custody deaths trigger both internal review and reporting obligations to the Department of Justice.

For families, the news of an in-custody death often arrives before official information is complete. The practical questions — who to call, what records to request, how to obtain the body, and how to preserve a possible legal claim — become urgent immediately. This deep dive lays out the notification framework, the records-request pathways, and the timing of information families should expect.

## UNDERSTANDING THIS STORY

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### FAMILY, FRIENDS & ADVOCATES

#### **What families can request, and when**

The first official contact after an in-custody death typically comes from the facility's Chaplain or Warden's office to the next-of-kin on file. If the person in custody had not updated the emergency contact designation on their BP-A0148 (Notification of Next of Kin) form, notification can be delayed or misdirected. Families who suspect they should have been notified but were not can call the facility's main line and ask to speak to the Chaplain's office and the Warden's Executive Assistant.

After notification, families can request the following records: the initial incident report, medical records (through the person's designated representative or via a HIPAA authorization signed before death, if available), and — after the internal review concludes — the after-action report. The autopsy is generally performed by the local county coroner or medical examiner, not by BOP, and families should request the autopsy report directly from that office. Coroner offices operate on their own timelines and typically release reports to next-of-kin on request.

Families who intend to pursue a legal claim — for example, a Federal Tort Claims Act (FTCA) claim alleging medical negligence — should be aware that the FTCA administrative claim (Standard Form 95) must be filed with the appropriate federal agency within two years of the incident. Consulting an attorney experienced in federal-custody wrongful-death matters early is prudent, because evidence preservation requests to BOP are more effective when made promptly.

## **DURING INCARCERATION**

### **For people currently in custody: witness accounts and self-preservation**

People incarcerated in the same unit as someone who has died often have information that is not otherwise available to the family or to investigators. Statements can be provided to the person's family (through mail or approved communications) and, in some cases, to the DOJ Office of the Inspector General, which accepts confidential complaints from incarcerated people. Contact information for the OIG hotline is posted in law libraries and can be sent through the BOP electronic messaging system (TRULINCS) to outside contacts who can relay it.

Documenting one's own medical conditions in real time — through sick-call requests (BP-A0532), copies of medical records requested through the Health Services unit, and administrative remedy filings when medical care is denied — creates a paper trail that matters both for the individual's own safety and, if the worst occurs, for any subsequent investigation. Retaining copies through TRULINCS attachments or trusted outside contacts is one way to ensure the record survives.

## **ATTORNEYS & PRISON OFFICIALS**

### **Records pathways and litigation posture**

Counsel representing families should consider a coordinated records strategy: a Freedom of Information Act (FOIA) request to BOP for the incident report, after-action review, and any surveillance video; a separate FOIA to the DOJ OIG for any open or closed investigation file; and a request to the local medical examiner for the autopsy. BOP FOIA requests are submitted through the agency's online portal or by mail to the FOIA/PA Section at BOP headquarters. Where litigation is anticipated, a preservation letter to BOP Central Office and the specific facility is standard practice.

The FTCA administrative-exhaustion requirement (28 U.S.C. § 2675) makes early filing of the Standard Form 95 essential. Bivens claims against individual federal officers face significant post-Egbert v. Boule limitations, but state-law wrongful-death claims funneled through the FTCA remain the standard vehicle.

## **POLICY & REGULATORY REFERENCES**

BOP Program Statement 5553.06 (Escapes/Deaths Notification) governs the internal reporting cascade following a death in custody. 28 C.F.R. § 553.10 addresses inmate personal property disposition after death. The Federal Tort Claims Act (28 U.S.C. §§ 1346(b), 2671–2680) is the primary vehicle for tort claims against the United States arising from federal-employee conduct, including alleged medical negligence in BOP custody; the administrative-claim requirement in § 2675(a) means a claim must first be presented to BOP on Standard Form 95 before suit can be filed, and the two-year statute of limitations in § 2401(b) begins to run from the date of the incident. FOIA (5 U.S.C. § 552) provides the records-request framework; BOP FOIA procedures are set out in 28 C.F.R. Part 513, Subpart E. The DOJ Office of the Inspector General reviews certain in-custody deaths under authorities including 5 U.S.C. App. 3 (Inspector General Act) and the Death in Custody Reporting Act (34 U.S.C. § 60105), which requires states and federal agencies to report custody deaths to the Attorney General.

### ACTION ITEMS THIS WEEK

- If you are the next-of-kin, request in writing from the Warden's office copies of the initial incident notification and confirmation that the medical examiner's office has been provided your contact information.
- Contact the county coroner or medical examiner in the jurisdiction of the facility (Edgefield County, SC, or Philadelphia County, PA) to request the autopsy report be released to next-of-kin.
- File a FOIA request with BOP for the incident report and any after-action review; use the online portal at foia.bop.gov and reference the person's register number.
- If you suspect medical neglect or misconduct, file a complaint with the DOJ Office of the Inspector General at oig.justice.gov/hotline; the OIG accepts complaints from families as well as incarcerated people.
- Consult an attorney experienced in federal custody wrongful-death matters within the first 60–90 days, well before the two-year FTCA deadline, to preserve evidence.
- If your loved one is currently in custody and has ongoing medical needs, ensure they are submitting sick-call requests in writing and retaining copies, and that BP-A0148 next-of-kin information is current.

### SOURCES

Death at FCI Edgefield — *BOP*

Death at FDC Philadelphia — *BOP*

41-year-old inmate at FCI Edgefield dies, Federal Bureau of Prisons confirms — *WJBF*

Edgefield federal prison inmate dies, 3rd death reported this year — *WRDW*

### DEEP DIVE 2

## Supreme Court Case on Using Habeas Corpus to Enforce First Step Act Draws Amicus Briefs

*Theme: first step act / habeas / supreme court*

The Supreme Court is reviewing whether people in federal custody can use a habeas corpus petition under 28 U.S.C. § 2241 to enforce rights created by the First Step Act of 2018 — most notably, the Earned Time Credits (ETCs) that reduce time in prison for people who complete evidence-based recidivism-reduction programs. LISA Newsletter reports that a number of amicus (friend-of-the-court) briefs have now been filed in support of the position that habeas is an available remedy when BOP allegedly miscalculates or refuses to apply First Step Act credits.

A § 2241 petition is filed in the federal district where a person is incarcerated, not the district of conviction. It is the traditional vehicle for challenging the manner of execution of a sentence, including BOP's calculation of good-time and earned-time credits. The question before the Court is whether that traditional vehicle applies to First Step Act disputes or whether some other, more limited procedure controls.

The practical effect for incarcerated people and their families is significant. If the Court holds that § 2241 is available, incarcerated people who have exhausted BOP's administrative remedy process will have a clear route into federal court to challenge ETC calculations. If the Court holds it is not available, the primary remedy will remain the internal BOP administrative process, with limited judicial review.

## UNDERSTANDING THIS STORY

### DURING INCARCERATION

#### **For people in custody: preserve your administrative-remedy record now**

Regardless of how the Supreme Court rules, exhaustion of the BOP administrative remedy process is the foundation of any subsequent court challenge. The process is: an informal resolution attempt with the unit team (BP-8), then a formal request to the Warden (BP-9), an appeal to the Regional Office (BP-10), and a final appeal to the General Counsel in Washington (BP-11). Each step has its own deadline; missing one can foreclose later review.

If you believe your ETC calculation is wrong — for example, credits are not being applied, or your PATTERN score has been miscategorized, or programs you completed are not being recognized — begin the BP-8 process in writing and keep copies of every submission, receipt, and response. If unit-team responses are verbal only, document the conversation in a memo to yourself and follow up in writing. This record is what will support any later § 2241 petition if the Court holds habeas is available.

### FAMILY, FRIENDS & ADVOCATES

#### **For families: how to help track the paperwork**

Families cannot file administrative remedies on a loved one's behalf, but they can help maintain the paper trail. Ask your loved one to mail you copies of each BP-8/9/10/11 filing and BOP's responses as they occur. Keep a chronological folder. If a response is late — the regulations set specific time frames — that itself is a data point that can matter in litigation.

Families can also help identify the correct programs and Productive Activities that count toward ETCs. The BOP's approved program list is published on the agency website; matching your loved one's completed programming against that list, and confirming through their unit team that credits have been posted, is often where miscalculations are first detected.

### ATTORNEYS & PRISON OFFICIALS

#### **For counsel: strategic considerations pending decision**

Counsel with clients whose release calculations depend on First Step Act credits should watch the Supreme Court docket closely. In the interim, the safer course is to build a complete administrative record now — full BP-8 through BP-11 exhaustion, with each filing and response preserved. If the Court holds § 2241 is available, cases with complete exhaustion records can proceed without delay; if the Court holds otherwise, the administrative record remains the basis for any residual review, including Administrative Procedure Act challenges to final BOP decisions.

## POLICY & REGULATORY REFERENCES

The First Step Act of 2018 (Pub. L. No. 115-391) created Earned Time Credits at 18 U.S.C. § 3632(d) (4), allowing eligible people in federal custody to earn 10 or 15 days of credit for every 30 days of successful participation in evidence-based recidivism reduction programming or productive activities. BOP's implementing regulations appear at 28 C.F.R. Part 523, Subpart E. The PATTERN risk assessment tool determines who qualifies for application of credits toward prerelease custody. The administrative remedy process is at 28 C.F.R. §§ 542.10–.19, and its exhaustion is typically required before judicial review. Habeas corpus for federal prisoners challenging the execution of a sentence is generally brought under 28 U.S.C. § 2241 in the district of confinement; this is distinct from a § 2255 motion, which challenges the underlying conviction or sentence and is filed in the sentencing court. LISA Newsletter's coverage of the pending Supreme Court amici filings tracks the underlying briefing and can be used as a signpost to the primary court filings.

#### ACTION ITEMS THIS WEEK

- Confirm your ETC eligibility and current credit total with your case manager, and request a printout of your sentence computation.
- If ETCs appear miscalculated, file a BP-8 with your unit team in writing; if unresolved, proceed to BP-9, BP-10, and BP-11 within the deadlines specified in 28 C.F.R. §§ 542.14–.15.
- Keep dated copies of every administrative-remedy filing and response; mail copies to a family member for safekeeping.
- Ask your unit team for a current PATTERN score sheet; if any inputs appear incorrect, raise the specific inputs in your administrative remedy filings.
- If you have an attorney, share the full administrative-remedy file so counsel can evaluate a § 2241 petition once the Supreme Court decides the pending case.
- Track the underlying Supreme Court docket through the Court's website; do not rely solely on secondary summaries.

#### SOURCES

Amici Line Up to Support First Step Habeas Right – Update for August 18, 2026 — *LISA Newsletter (Legal Information Services Associates)*

How 2255 Motions Get Decided (And How to Write Them) – Update for August 17, 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.*

## Contraband enforcement and staff-source contraband

### PATTERN

LISA Newsletter's August 21 update surveys reporting on the sources of contraband inside federal facilities and notes that a portion is attributable to staff, alongside the more heavily enforced pathways of visits, incoming mail, and drone drops. BOP enforcement responses have concentrated on restricting mail (including photocopying of incoming personal mail at some facilities), tightening visitation rules, and using body-scan technology at entry points.

The practical effect for families is that mail and visitation are the two areas where the tightest enforcement is felt, even where family conduct is not the source of the contraband problem. Rules on what can be mailed, what can be brought into visitation, and how funds are deposited to inmate trust accounts continue to shift facility by facility.

### WHAT FAMILIES AND DEFENDANTS CAN DO

Before sending any mail, check the current mail policy for the specific facility on [bop.gov](http://bop.gov) under the facility's page; policies vary and some facilities now route personal mail through a third-party processor. Before visiting, confirm the current visiting schedule and dress code on the facility page and by calling ahead — visitation was reduced or modified at multiple facilities in recent years and reversals are not always publicized. If mail is returned or a visit is denied on grounds you believe are inconsistent with policy, ask for the specific rule cited and request review in writing through the Warden's office; the administrative-remedy process (BP-8 through BP-11) is available for visitation and mail disputes.

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### SOURCES

Contraband Augments Some Officer Incomes – Update for August 21, 2026 — *LISA Newsletter (Legal Information Services Associates)*

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## BOP budget and operational capacity

### PATTERN

LISA Newsletter's August 20 update summarizes a USA Facts fact sheet reporting that BOP's net spending in fiscal year 2025 was \$9.13 billion, with the population served and per-capita spending shifting from prior years. The publicly available data indicate rising per-capita costs alongside a population lower than pre-pandemic levels.

Budget pressures manifest in practical ways for incarcerated people and their families: staffing shortages that affect medical care access, program availability, and visitation staffing; deferred maintenance at older facilities; and periodic facility closures or mission changes that trigger transfers.

### WHAT FAMILIES AND DEFENDANTS CAN DO

Families whose loved ones report reduced program access, delayed medical appointments, or repeated lockdowns can document these accounts in writing and share them with defense counsel and, where warranted, with congressional constituent-services offices. Members of Congress can make direct inquiries to BOP on constituent matters. If a facility closure or mission change affects your loved one's placement, request a redesignation through the unit team and, if denied, pursue the administrative-remedy process.

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### SOURCES

Prisons, Prisoners, and Money – Update for August 20, 2026 — *LISA Newsletter (Legal Information Services Associates)*

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## BOP Operations

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### FCI Atlanta Pilots New Prison Visitation Program

*BOP · 2026-08-19*

FCI Atlanta — a federal correctional institution in Georgia — has begun piloting a new visitation program. BOP has not yet published full policy details; families with loved ones at FCI Atlanta should call the facility to confirm current visitation schedules, whether the pilot changes visitor registration requirements, and whether existing approved-visitor lists carry over. If the pilot is later extended to other institutions, family logistics may need to be revisited.

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### BOP Participates in DOJ Kids Day 2026

*BOP · 2026-08-17*

BOP participated in the Department of Justice's Kids Day 2026 event. The item is informational; no operational change results from it. Families interested in child-focused visitation programming at specific facilities can ask the Warden's office whether any parent-child visitation initiatives are active at their loved one's institution.

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### BOP Public Health Service Officer Earns Prestigious Award

*BOP · 2026-08-12*

A BOP-assigned U.S. Public Health Service officer received a national award. Public Health Service officers provide medical services in BOP facilities under an interagency arrangement. The item is informational; it does not change medical-services procedures or the process for medical grievances, which remains the sick-call process and the administrative-remedy system.

## Sentencing & Courts

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### How 2255 Motions Get Decided (And How to Write Them) – Update for August 17, 2026

*LISA Newsletter (Legal Information Services Associates) · 2026-08-17*

LISA's August 17 update highlights a recent Fourth Circuit decision providing a detailed walkthrough of how motions to vacate a federal sentence under 28 U.S.C. § 2255 are analyzed. A § 2255 motion — distinct from a § 2241 habeas petition — is filed in the sentencing court and challenges the underlying conviction or sentence. Readers considering a § 2255 motion should note the one-year statute of limitations in § 2255(f) and consult counsel before filing.

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### Federal Judges Waste Tax Payer Money By Remanding At Sentencing

*Forbes · 2026-08-18*

A Forbes column addresses the practice of some federal judges remanding defendants into custody at sentencing rather than allowing self-surrender to a designated facility. Self-surrender — reporting directly to the designated BOP facility on a date set by the court — depends on the judge's discretion and the defendant's release status pending sentencing. Defendants who want to preserve self-surrender should discuss it with counsel well before the sentencing date and be prepared to address any bond-modification factors.



## **Toward Reconstructing Sentencing: Thoughts on Effectuating Racial Justice Through Federal Drug Sentencing Amendments**

*Race, Racism and the Law* · 2026-08-18

A recent commentary examines proposed amendments to federal drug sentencing under the U.S. Sentencing Guidelines (USSG). The USSG are advisory rules issued by the U.S. Sentencing Commission that federal judges consult at sentencing. Any amendments require Commission action and, generally, congressional non-disapproval before taking effect on the standard November 1 cycle. Defendants with pending or scheduled sentencings on federal drug charges should ask counsel whether any pending amendment could affect their guideline calculation.

## **'I Shot Mr. Thompson': Luigi Mangione Pleads Guilty To Stalking Charges In Federal Court**

*Forbes* · 2026-08-14

A high-profile federal plea was entered on federal stalking charges. Federal plea agreements typically include a statement of offense, an agreed guideline calculation, and, in many districts, a waiver of certain appellate rights. Defendants considering federal pleas should review the specific waiver language with counsel, because it affects the availability of later challenges under both § 2255 and other post-conviction remedies.

## **Policy & Legislation**

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### **Amici Line Up to Support First Step Habeas Right – Update for August 18, 2026**

*LISA Newsletter (Legal Information Services Associates)* · 2026-08-18

Amicus briefs have been filed in the pending Supreme Court case on whether 28 U.S.C. § 2241 habeas corpus is available to enforce First Step Act rights. The decision will affect how ETC and PATTERN disputes can be brought into court. See this issue's deep dive for full context and preservation steps.

### **Trump Is Their Best Hope to Avoid Going Back to Prison**

*The Free Press* · 2026-08-19

Reporting concerns a group of defendants whose First Step Act-related release status is subject to further legal action. The article discusses executive clemency (pardons and commutations) as a potential remedy. Executive clemency is a discretionary presidential authority under Article II of the Constitution; families interested in the clemency process can submit a petition through the Office of the Pardon Attorney at [justice.gov/pardon](https://justice.gov/pardon), which lists eligibility criteria and application forms.

### **Matthew Charles: President Donald Trump has the power to save 13 men who face prison again**

*Chicago Tribune* · 2026-08-12

A companion commentary addresses the same set of cases and the clemency mechanism. Readers whose loved ones' cases may implicate similar issues should consult counsel about both the underlying litigation posture and any clemency application. Clemency petitions are separate from post-conviction litigation and can, in some circumstances, be pursued in parallel.

## **Hecker Fink Files Amicus Brief in the U.S. Supreme Court on Behalf of Ranking Member Jamie Raskin in Maxwell v. Dinis**

*heckerfink.com · 2026-08-13*

An amicus brief has been filed in Maxwell v. Dinis, a Supreme Court case addressing federal plea-agreement interpretation. Plea agreements can bind future federal prosecutors depending on the agreement's specific language and scope. Defendants who entered federal pleas with immunity or non-prosecution provisions should have counsel review the underlying agreement in light of the eventual decision.

## **Halfway Houses, Escape, and Placement**

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### **Parker, SD man sentenced to two years in federal prison on escape charges**

*Dakota News Now · 2026-08-19*

A defendant was sentenced to two years for escape from custody. Federal escape under 18 U.S.C. § 751 includes walking away from a halfway house (Residential Reentry Center or RRC) or home confinement without authorization. The practical effect: an unauthorized absence — even a brief one — from an RRC can result in a new federal charge, loss of good time, and return to a higher-security facility.

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### **A Parker Man Will Serve 27 Months in Federal Prison**

*95.7 KELO-FM · 2026-08-20*

Companion coverage of the above sentencing. For families whose loved ones are approaching RRC placement, review the RRC's rules on sign-in/sign-out, employment verification, and pass procedures before the transfer; unit teams can provide the RRC handbook in advance.

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### **Waterloo man gets 18 months in federal prison for Cedar Rapids escape**

*KWWL · 2026-08-17*

Another federal escape sentencing was reported. Consistent across the three items: even non-violent, short-duration unauthorized departures from RRC or home-confinement placements can carry federal escape exposure. If a loved one at an RRC is having difficulty complying with sign-out rules — for example, transportation problems or medical appointments — the correct step is to raise the issue with the RRC case manager and BOP community corrections office, not to leave without authorization.

#### PRACTICAL TIP

### Planning a visit around Labor Day weekend (September 5–7)

Labor Day falls on Monday, September 7. Federal facility visitation schedules on federal holidays vary by institution: some facilities follow the standard weekend schedule, some run holiday hours, and some suspend visitation for staffing reasons. Before traveling, call the facility's visiting-room line directly (numbers are listed on the facility page at [bop.gov](http://bop.gov)) and confirm hours, dress code, and any current entry requirements. Ask specifically whether the Monday holiday is treated as a Sunday for visitation purposes and whether the schedule reverts to the standard rotation on Tuesday.

If you are traveling by air or long distance, build a contingency day into your trip in case a lockdown, staffing shortage, or weather event affects visitation. Bring only what the facility's visiting rules permit — typically a valid photo ID, a limited amount of cash or coins for vending machines (where permitted), and nothing else. Confirm whether your loved one's approved-visitor list is current; if you were recently added, verify that approval has posted before you travel.

*Inside Out will return in two weeks with continued coverage of BOP operations, court rulings, and Sentencing Commission activity heading into the fall. Readers who need further assistance navigating a specific federal-prison matter can reach DrPrison.org at [help@drprison.org](mailto: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](mailto:help@drprison.org)**. Inside Out is a free service; no subscription required.

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