**The First Step Act’s Risk Assessment Tool**

Who is eligible for early release from federal prison?

*Updated MONTH DAY, 2021*

The [First Step Act](https://www.congress.gov/115/plaws/publ391/PLAW-115publ391.pdf) offers people incarcerated in federal prison the opportunity to earn credits toward early release. To help determine who is eligible (after [excluding people with certain prior offenses](https://www.bop.gov/resources/fsa/time_credits_disqualifying_offenses.jsp)), the US Department of Justice created the [Prisoner Assessment Tool Targeting Estimated Risk and Needs](https://www.bop.gov/inmates/fsa/docs/the-first-step-act-of-2018-risk-and-needs-assessment-system-updated.pdf) (PATTERN), a risk assessment tool that predicts the likelihood that a person who is incarcerated will reoffend. This interactive version of PATTERN shows how each risk factor raises or lowers a person’s risk score and can estimate whether they qualify for early release.

**How to use this tool:**

The tool defaults to the first answer for every risk factor. Make sure to select your own answer for every factor to get the most accurate results.

* Because the risk factors for reoffending can differ between **men** and **women**, scoring varies slightly by gender. Start by selecting a gender. Then select answers for each risk factor.
* Risk factors are divided into two categories: **static** and **dynamic**. People who are incarcerated can take steps to change their dynamic risk scores.
* PATTERN calculates two separate scores: a person’s risk of reoffending in general and their risk of reoffending with an act of violence. Each answer below shows the point values for both scoring methods. These scores determine whether someone is in a minimum-, low-, medium-, or high-risk category for reoffending. For someone to be eligible for early release, their **general** and **violent** risk categories must both be minimum or low.

**CHOOSE ONE:**

Men

Women

RESULTS

[For men]

To be eligible for early release, the general risk score must be less than 31 and the violent risk score must be less than 25.

[For women]

To be eligible for early release, the general risk score must be less than 32 and the violent risk score must be less than 20.

**General:** [Score] (TK-risk category)

**Violent:** [Score] (TK-risk category)

Based on these results, this person would [not] be eligible for early release.

**[MEN]**

**STATIC Risk factors**

**1. Age at time of assessment**

18–25 *(General: 35 points; Violent: 20 points)*

26–29 *(General: 28 points; Violent: 16 points)*

30–40 *(General: 21 points; Violent: 12 points)*

41–50 *(General: 14 points; Violent: 8 points)*

51–60 *(General: 7 points; Violent: 4 points)*

> 60 *(General: 0 points; Violent: 0 points)*

**2. Current offense was violent**

*PATTERN considers* [*these federal offenses*](https://www.bop.gov/inmates/fsa/docs/fsa_pattern_violent_offense_codes.pdf) *to be violent offenses.*

No *(General: 0 points; Violent: 0 points)*

Yes *(General: 5 points; Violent: 5 points)*

**3. Current or prior sex offense conviction**

No *(General: 0 points; Violent: N/A)*

Yes *(General: 1 point; Violent: N/A)*

**4. Criminal history score**

*Criminal history scores are* [*calculated under the US Sentencing Commission guidelines*](https://www.ussc.gov/guidelines/2018-guidelines-manual/annotated-2018-chapter-4#4a11) *and are based primarily on the length of prior prison sentences. This score can be found on the presentence investigation report.*

0–1 points *(General: 0 points; Violent: 0 points)*

2–3 points *(General: 8 points; Violent: 4 points)*

4–6 points *(General: 16 points; Violent: 8 points)*

7–9 points *(General: 24 points; Violent: 12 points)*

10–12 points *(General: 32 points; Violent: 16 points)*

> 12 points *(General: 40 points; Violent: 20 points)*

**DYNAMIC RISK FACTORS**

**1. Infraction convictions (all)**

0 *(General: 0 points; Violent: 0 points)*

1 *(General: 1 point; Violent: 1 point)*

2 *(General: 2 points; Violent: 2 points)*

> 2 *(General: 3 points; Violent: 3 points)*

**2. Infraction convictions (serious and violent only)**

0 *(General: 0 points; Violent: 0 points)*

1 *(General: 2 points; Violent: 2 points)*

2 *(General: 4 points; Violent: 4 points)*

> 2 *(General: 6 points; Violent: 6 points)*

**3. Amount of time since last infraction (any)**

No infractions/> 12 months *(General: 0 points; Violent: 0 points)*

7–12 months *(General: 2 points; Violent: 1 point)*

3–6 months *(General: 4 points; Violent: 2 points)*

< 3 months *(General: 6 points; Violent: 3 points)*

**4. Amount of time since last infraction (serious and violent only)**

No infractions/> 12 months *(General: 0 points; Violent: 0 points)*

7–12 months *(General: 1 point; Violent: 1 points)*

3–6 months *(General: 2 points; Violent: 2 points)*

< 3 months *(General: 3 points; Violent: 3 points)*

**5. Number of programs completed (any)**

*The* [*approved programs*](https://www.ojp.gov/pdffiles1/nij/256084.pdf)*, which* [*are described here*](https://www.bop.gov/inmates/fsa/docs/2021_fsa_program_guide.pdf)*, are adult continuing education, the National Parenting from Prison Program, the Life Connections Program, the BRAVE program, the Challenge Program, the Skills Program, the Sex Offender Treatment Program (residential or nonresidential), the STAGES program, and the Mental Health Step Down program.*

0 *(General: 0 points; Violent: 0 points)*

1 *(General: -2 points; Violent: -1 point)*

2–3 *(General: -4 points; Violent: -2 points)*

4–10 *(General: -6 points; Violent: -3 points)*

> 10 *(General: -8 points; Violent: -4 points)*

**6. Work programming**

*The number of technical, vocational, or prison-industry (UNICOR) programs completed during current incarceration.*

0 *(General: 0 points; Violent: 0 points)*

1 *(General: -1 point; Violent: -1 point)*

≥ 2 *(General: -2 points; Violent: -2 points)*

**7. Drug treatment while incarcerated**

No need indicated *(General: -9 points; Violent: -3 points)*

Completed residential drug treatment during incarceration *(General: -6 points; Violent: -2 points)*

Completed drug treatment during incarceration *(General: -3 points; Violent: -1 point)*

Need indicated but no treatment completed yet during incarceration *(General: 0 points; Violent: 0 points)*

**8. Education**

Verified high school degree or GED *(General: -4 points; Violent: -2 points)*

Enrolled and progressing in GED program *(General: -2 points; Violent: -1 points)*

No verified degree and not participating in GED program *(General: 0 points; Violent: 0 points)*

**9.** **Noncompliance with financial responsibility**

*Not applying income earned during incarceration toward restitution and dependents, if applicable.*

No *(General: 0 points; Violent: 0 points)*

Yes *(General: 1 point; Violent: 1 point)*

**10. History of violence**

None *(General: 0 points; Violent: 0 points)*

> 10 years since a minor incident *(General: 1 point; Violent: 1 point)*

5–10 years since a minor incident *(General: 3 points; Violent: 3 points)*

< 5 years since a minor incident *(General: 5 points; Violent: 5 points)*

> 15 years since a serious incident *(General: 2 points; Violent: 2 points)*

10–15 years since a serious incident *(General: 4 points; Violent: 4 points)*

5–10 years since a serious incident *(General: 6 points; Violent: 6 points)*

< 5 years since a serious incident *(General: 7 points; Violent: 7 points)*

**11. History of escape attempts**

None *(General: 0 points; Violent: 0 points)*

> 10 years minor *(General: 2 points; Violent: 1 point)*

5–10 years minor *(General: 4 points; Violent: 2 points)*

< 5 years minor or any serious *(General: 6 points; Violent: 3 points)*

**[woMEN]**

**STATIC Risk factors**

**1. Age at time of assessment**

18–25 *(General: 25 points; Violent: 5 points)*

26–29 *(General: 20 points; Violent: 4 points)*

30–40 *(General: 15 points; Violent: 3 points)*

41–50 *(General: 10 points; Violent: 2 points)*

51–60 *(General: 5 points; Violent: 1 point)*

> 60 *(General: 0 points; Violent: 0 points)*

**2. Current offense was violent**

*PATTERN considers* [*these federal offenses*](https://www.bop.gov/inmates/fsa/docs/fsa_pattern_violent_offense_codes.pdf) *to be violent offenses.*

No *(General: N/A; Violent: 0 points)*

Yes *(General: N/A; Violent: 3 points)*

**3. Criminal history score**

*Criminal history scores are* [*calculated under the US Sentencing Commission guidelines*](https://www.ussc.gov/guidelines/2018-guidelines-manual/annotated-2018-chapter-4#4a11) *and are based primarily on the length of prior prison sentences. This score can be found on the presentence investigation report.*

0–1 points *(General: 0 points; Violent: 0 points)*

2–3 points *(General: 8 points; Violent: 2 points)*

4–6 points *(General: 16 points; Violent: 4 points)*

7–9 points *(General: 24 points; Violent: 6 points)*

10–12 points *(General: 32 points; Violent: 8 points)*

> 12 points *(General: 40 points; Violent: 10 points)*

**DYNAMIC RISK FACTORS**

**1. Infraction convictions (all)**

0 *(General: 0 points; Violent: 0 points)*

1 *(General: 1 point; Violent: 1 point)*

2 *(General: 2 points; Violent: 2 points)*

> 2 *(General: 3 points; Violent: 3 points)*

**2. Infraction convictions (serious and violent only)**

0 *(General: 0 points; Violent: 0 points)*

1 *(General: 1 point; Violent: 1 point)*

2 *(General: 2 points; Violent: 2 points)*

> 2 *(General: 3 points; Violent: 3 points)*

**3. Amount of time since last infraction (any)**

No infractions/> 12 months *(General: 0 points; Violent: 0 points)*

7–12 months *(General: 2 points; Violent: 1 point)*

3–6 months *(General: 4 points; Violent: 2 points)*

< 3 months *(General: 6 points; Violent: 3 points)*

**4. Amount of time since last infraction (serious and violent only)**

No infractions/> 12 months *(General: 0 points; Violent: 0 points)*

7–12 months *(General: 2 point; Violent: 1 point)*

3–6 months *(General: 4 points; Violent: 2 points)*

< 3 months *(General: 6 points; Violent: 3 points)*

**5. Number of programs completed (any)**

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0 *(General: 0 points; Violent: 0 points)*

1 *(General: -1 point; Violent: -1 point)*

2–3 *(General: -2 points; Violent: -2 points)*

4–10 *(General: -3 points; Violent: -3 points)*

> 10 *(General: -4 points; Violent: -4 points)*

**6. Work programming**

*The number of technical, vocational, or prison-industry (UNICOR) programs completed during current incarceration.*

0 *(General: 0 points; Violent: 0 points)*

1 *(General: -1 point; Violent: -1 point)*

≥2 *(General: -2 points; Violent: -2 points)*

**7. Drug treatment while incarcerated**

No need indicated *(General: -12 points; Violent: -3 points)*

Completed residential drug treatment during incarceration *(General: -8 points; Violent: -2 points)*

Completed drug treatment during incarceration *(General: -4 points; Violent: -1 point)*

Need indicated but no treatment completed yet during incarceration *(General: 0 points; Violent: 0 points)*

**8. Education**

Verified high school degree or GED *(General: -6 points; Violent: -2 points)*

Enrolled and progressing in GED program *(General: -3 points; Violent: -1 point)*

No verified degree and not participating in GED program *(General: 0 points; Violent: 0 points)*

**9. Noncompliance with financial responsibility**

*Not applying income earned during incarceration toward restitution and dependents, if applicable.*

No *(General: 0 points; Violent: N/A)*

Yes *(General: 3 points; Violent: N/A)*

**10. History of violence**

None *(General: 0 points; Violent: 0 points)*

> 10 years since a minor incident *(General: 1 point; Violent: 1 point)*

5–10 years since a minor incident *(General: 3 points; Violent: 3 points)*

< 5 years since a minor incident *(General: 5 points; Violent: 5 points)*

> 15 years since a serious incident *(General: 2 points; Violent: 2 points)*

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**11. History of escape attempts**

None *(General: 0 points; Violent: 0 points)*

> 10 years minor *(General: 3 points; Violent: 2 points)*

5–10 years minor *(General: 6 points; Violent: 4 points)*

< 5 years minor or any serious *(General: 9 points; Violent: 6 points)*

**RELATED RESOURCES**

* *Urban Wire* blog post: [add title of new blog post when it’s ready]
* *Urban Wire* blog post: “[How Can the First Step Act’s Risk Assessment Tool Lead to Early Release from Federal Prison?](https://www.urban.org/urban-wire/how-can-first-step-acts-risk-assessment-tool-lead-early-release-federal-prison)”
* Urban Institute brief: “[Next Steps in Federal Corrections Reform: Implementing and Building on the First Step Act](https://www.urban.org/research/publication/next-steps-federal-corrections-reform)”
* *Critical Value* podcast: “[The First Step Act](https://www.urban.org/criticalvalue/26-the-first-step-act)”
* For more information about scoring and how this tool was developed, see the US Department of Justice reports from [July 2019](https://nij.ojp.gov/sites/g/files/xyckuh171/files/media/document/the-first-step-act-of-2018-risk-and-needs-assessment-system_1.pdf), [January 2020](https://nij.ojp.gov/sites/g/files/xyckuh171/files/media/document/the-first-step-act-of-2018-risk-and-needs-assessment-system-updated.pdf), [June 2020](https://www.ncjrs.gov/pdffiles1/nij/254799.pdf), [December 2020](https://nij.ojp.gov/first-step-act/the-attorney-generals-first-step-act-section-3634-annual-report-december-2020.pdf), and [January 2021](https://www.ncjrs.gov/pdffiles1/nij/256084.pdf).
* For an assessment of the initial implementation of the First Step Act, see the First Step Act Independent Review Committee report from [December 2020](https://firststepact-irc.org/report-of-the-independent-review-committee-report-pursuant-to-the-requirements-of-title-i-section-107g-of-the-first-step-act-fsa-of-2018-p-l-115-391/).

**ABOUT**

The Federal Bureau of Prisons uses PATTERN to help determine who is eligible for early release from federal prison. For people [not disqualified based on their offenses](https://www.bop.gov/resources/fsa/time_credits_disqualifying_offenses.jsp), eligibility for early release is a function of risk level. Only people who score as low or minimum risk for both general and violent recidivism are eligible for early release, either into prerelease custody (i.e., home confinement or a halfway house) or community supervision. During the COVID-19 pandemic, the bureau has used the PATTERN score as [one factor](https://www.bop.gov/coronavirus/docs/bop_memo_home_confinement.pdf) in determining who is granted early release to home confinement.

In January 2020, the Bureau of Prisons [updated PATTERN](https://www.bop.gov/resources/news/20200115_fsa_update.jsp) based on public feedback, adding new risk factors and removing others, changing how those factors are weighted, and revising the scoring. In January 2021, BOP [corrected several errors](https://www.ojp.gov/pdffiles1/nij/256084.pdf). We’ve updated this tool accordingly. Complete definitions of each risk factor are available in appendix A of the [*2020 Review and Revalidation of the First Step Act Risk Assessment Tool*](https://www.ojp.gov/library/publications/2020-review-and-revalidation-first-step-act-risk-assessment-tool) report.

Because the risk factors for reoffending can differ by gender, men and women are scored slightly differently. Also, PATTERN assesses two types of risk scores: one for general recidivism and one for violent recidivism. The table below shows how the general and violent risk scores correspond with the general and violent risk categories for men and women. For someone to be eligible for early release, their general and violent risk categories must both be minimum or low.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **General** | | **Violent** | |
| Risk category | Men | Women | Men | Women |
| Minimum | -23 to 8 | -24 to 5 | -11 to 6 | -11 to 2 |
| Low | 9 to 30 | 6 to 31 | 7 to 24 | 3 to 19 |
| Medium | 31 to 43 | 32 to 49 | 25 to 30 | 20 to 25 |
| High | 44 to 113 | 50 to 102 | 31 to 71 | 26 to 33 |

The First Step Act also requires that a person earn enough time credits to at least equal their remaining sentence to be eligible for early release. For release to home confinement or a halfway house, a person must maintain a low or minimum risk score for at least two assessment cycles. For supervised release, a person must have a low or minimum risk score for the last reassessment. Prison wardens can approve early release for anyone, regardless of risk level. The Bureau of Prisons must conduct periodic reassessments and include dynamic factors, such as the number of programs completed, so that people can move from higher to lower levels of risk.

**PROJECT CREDITS**

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*View this project on GitHub*