

Inside Out — June 26, 2026: Three In-Custody Deaths, a Florence Bribery Case, and a Narrower Path on Compassionate Release

This issue covers a five-week window ending July 17, 2026, with most reporting drawn from developments between June 12 and June 26. Three federal in-custody deaths were announced by the Bureau of Prisons (BOP) during the period — at USP Florence in Colorado, FCI Petersburg Low in Virginia, and FCI Marianna in Florida — and federal charges were unsealed against a BOP investigator at the Florence complex in a bribery and contraband case. Both stories carry direct practical implications for families trying to reach loved ones, verify safety, and understand how staff misconduct investigations affect daily operations at a facility.

On the sentencing and courts side, the U.S. Supreme Court issued two decisions that change the federal post-conviction landscape: a ruling that narrows the use of 18 U.S.C. § 3582(c)(1)(A) compassionate release to revisit a long sentence, and a ruling that limits the enforceability of appellate waivers in plea agreements in certain circumstances. The U.S. Sentencing Commission (USSC) — the seven-member federal body that writes the U.S. Sentencing Guidelines (USSG) — announced it will not advance retroactivity on any guideline amendment this cycle. We also cover the BOP's launch of an internal Evidence-Based Academy, the reopening of a regional reentry topic around Independence Day visitation, and an NPR/Marshall Project investigation into the BOP grievance system.

What follows: two deep dives, a systemic-issues section on the administrative remedy process, quick hits across BOP operations and sentencing law, and a practical tip oriented to the July 3 federal holiday.

THIS WEEK'S LEAD

Three BOP In-Custody Deaths Announced in the Window — USP Florence, FCI Petersburg Low, FCI Marianna

Theme: deaths / custody / notification

Between June 14 and June 25, the federal Bureau of Prisons (BOP) — the Department of Justice agency that runs the federal prison system — issued press releases announcing the deaths of three people in its custody. The decedents were housed at USP Florence (a high-security U.S. Penitentiary in Florence, Colorado, part of the Florence federal correctional complex), FCI Petersburg Low (a low-security Federal Correctional

Institution near Petersburg, Virginia), and FCI Marianna (a medium-security FCI in Marianna, Florida that has historically also housed a satellite minimum-security camp). Each release follows BOP's standard format: name, age, date and time found unresponsive, transport to a medical facility, pronouncement of death, and a statement that the FBI and local authorities have been notified.

BOP press releases do not state cause of death and do not typically identify whether the death was natural, accidental, the result of violence, or self-inflicted. That information is generally developed through an autopsy by the local county medical examiner where the institution is located, and through the FBI investigation if criminal conduct is suspected. For families, this means that the public BOP notification is rarely the most informative document; the death certificate, autopsy report, and any After-Action Review prepared by BOP carry significantly more detail.

The USP Florence death also lands during the same week that federal prosecutors unsealed charges against a BOP investigator assigned to the Florence complex (covered separately below). Inside Out is not connecting the two events; we note only that families of people housed at the Florence complex may be receiving multiple distinct pieces of news about the facility in the same period and may want to track them separately.

UNDERSTANDING THIS STORY

FAMILY, FRIENDS & ADVOCATES

How families learn what happened — and how to get more than the press release

When a person dies in BOP custody, the chaplain at the institution is generally the staff member who calls the listed next-of-kin. That call is often brief and does not include cause of death. Families who want fuller information typically need to request several distinct documents from several distinct offices: the death certificate from the vital records office of the county where the institution sits (Fremont County for Florence, Dinwiddie or Prince George for Petersburg, Jackson County for Marianna); the autopsy report from the same county's medical examiner or coroner; and the BOP After-Action Review, which is generated internally following any in-custody death.

After-Action Reviews are not posted publicly. Families generally obtain them through a Freedom of Information Act (FOIA) request to BOP, or through litigation. FOIA requests for documents about a deceased person should attach a copy of the death certificate to overcome privacy exemptions under 5 U.S.C. § 552(b)(6) and (b)(7)(C). The request should be sent to the BOP's FOIA office and reference the decedent's full name and BOP register number.

If the family suspects that medical neglect, use of force, or failure to protect contributed to the death, a separate path is the Office of Inspector General (OIG) for the Department of Justice. OIG accepts complaints at oig.justice.gov and routes serious allegations involving BOP staff to either internal investigation or the FBI.

DURING INCARCERATION

What people currently inside should know about how deaths are documented

If you witnessed events surrounding an in-custody death — a medical emergency, a use-of-force incident, or conditions on the unit — your account may be important to the decedent's family later. You are not required to speak to FBI agents or BOP Special Investigative Services (SIS) staff without counsel, and you have the right to remain silent. You also have the right to write down what you observed for your own records.

Written contemporaneous notes (date, time, what you saw, who else was present) become significantly more credible than later recollections. Notes kept in your personal property, sent home through legal mail, or shared with your attorney through a confidential channel are generally more durable than notes left in an open locker. Outgoing legal mail under 28 C.F.R. § 540.18 must be addressed to an attorney and marked 'Special Mail — Open Only in the Presence of the Inmate' on the envelope to receive the heightened protections.

ATTORNEYS & PRISON OFFICIALS

Notification, evidence preservation, and civil deadlines

Counsel representing the estate of a person who died in federal custody should focus early on three items: (1) preserving video, which under most BOP retention schedules is overwritten within 30 to 90 days unless flagged; (2) obtaining the central file and medical file under FOIA or via the personal representative of the estate; and (3) calendaring the Federal Tort Claims Act (FTCA) deadline at 28 U.S.C. § 2675, which requires an administrative claim on Form SF-95 within two years of accrual.

A video preservation letter sent to the warden and to BOP General Counsel as soon as practicable can prevent the routine overwrite from extinguishing the most important evidence. The SF-95 administrative claim is a jurisdictional prerequisite to suit under the FTCA and cannot be waived.

POLICY & REGULATORY REFERENCES

BOP Program Statement 5553.06 (Escapes/Deaths Notifications) governs how the agency notifies family and outside authorities when a person in custody dies; in practice, notification flows through the institution chaplain to the listed next-of-kin. Autopsy authority sits with the state or county medical examiner where the death occurred, not with BOP. Records access for surviving family members runs through the Freedom of Information Act, 5 U.S.C. § 552, with privacy exemptions at (b)(6) and (b)(7) (C); attaching a death certificate generally defeats those exemptions because privacy interests of the deceased are reduced. Civil claims for negligent medical care or failure to protect are governed by the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b), 2671–2680, with the SF-95 administrative-claim requirement at § 2675(a) and a two-year filing deadline at § 2401(b). Constitutional claims against individual federal officers under *Bivens v. Six Unknown Named Agents* have grown narrower in recent years; recent Supreme Court term coverage from LISA Newsletter (Legal Information Services Associates) describes *Bivens* as continuing to contract, which means FTCA is increasingly the more reliable federal civil vehicle for surviving families.

ACTION ITEMS THIS WEEK

- Confirm next-of-kin designation. If your incarcerated loved one is still living, ask them to verify in writing through their unit team that the correct next-of-kin and emergency contact are listed on the BP-A0408 (Visitor Information / Notification) and central-file emergency-contact paperwork.
- If notified of a death: request the death certificate from the county vital records office where the institution is located (Fremont County, Colorado for Florence; Dinwiddie/Prince George, Virginia for Petersburg; Jackson County, Florida for Marianna).
- Submit a FOIA request to the BOP FOIA office for the central file, medical file, and any After-Action Review concerning the decedent, attaching the death certificate to overcome privacy exemptions.
- Send a written video-preservation letter to the warden of the institution and to BOP General Counsel within days of the death to halt routine overwrite of housing-unit and incident video.
- Calendar the two-year Federal Tort Claims Act administrative-claim deadline (Form SF-95) under 28 U.S.C. § 2401(b) if there is any possibility of a negligence claim.
- If staff misconduct is suspected, file a complaint with the DOJ Office of Inspector General at oig.justice.gov referencing the decedent's name, BOP register number, and institution.

SOURCES

Death at USP Florence (BOP press release) — *Federal Bureau of Prisons*

Death at FCI Petersburg Low (BOP press release) — *Federal Bureau of Prisons*

Death at FCI Marianna (BOP press release) — *Federal Bureau of Prisons*

Inmate at USP Florence dies after being found unresponsive — *FOX21 News Colorado*

Paper Tiger — Update for June 25, 2026 (Bivens coverage) — *LISA Newsletter (Legal Information Services Associates)*

DEEP DIVE 2

Supreme Court Narrows the Use of 18 U.S.C. § 3582(c)(1)(A) to Challenge Long Sentences

Theme: compassionate release / supreme court

The Supreme Court issued a decision this term limiting the circumstances in which a federal prisoner may use the compassionate release statute, 18 U.S.C. § 3582(c)(1)(A), to argue that a now-disfavored long sentence constitutes 'extraordinary and compelling reasons' for a sentence reduction. The compassionate release statute, as expanded by Section 603(b) of the First Step Act of 2018, allows federal prisoners to file motions directly with their sentencing court after exhausting administrative remedies within BOP. Lower federal courts have split for several years on whether the length and harshness of a sentence imposed under earlier laws — including changes to stacking under 18 U.S.C. § 924(c) and to mandatory minimums — can itself qualify as an 'extraordinary and compelling' reason.

The new ruling restricts that use. Practical effect: defendants who built motions primarily on the argument 'my sentence today would be much shorter if I were sentenced under current law' are now in a narrower

posture in most circuits. Motions grounded in medical condition, age, family caregiving need, or other traditionally recognized categories under U.S. Sentencing Guidelines § 1B1.13 are not eliminated by the ruling.

The ruling has been the subject of significant follow-up reporting, including from the Brennan Center for Justice and ArentFox Schiff, and NPR has profiled at least one individual — released years ago under a compassionate release order based in part on sentence-length considerations — whose case prosecutors have signaled they may revisit. LISA Newsletter has also tracked the Sentencing Commission's separate decision this cycle not to advance retroactivity on any pending amendment, which closes one parallel path that some prisoners had been watching.

UNDERSTANDING THIS STORY

DURING INCARCERATION

If you have a compassionate release motion pending or planned

If your motion is built primarily on a sentence-length theory — for example, that if you were sentenced today your guideline range would be lower, or that stacked § 924(c) counts would no longer be charged the same way — your attorney should review whether the motion can be reframed or supplemented under one of the categories enumerated in USSG § 1B1.13: serious medical condition, advanced age combined with deteriorating health, family circumstances (death or incapacitation of the caregiver of a minor child or incapacitated spouse), or victim-of-abuse provisions added in recent guideline cycles.

If you have not yet filed, the administrative-exhaustion step under § 3582(c)(1)(A) still applies: you must submit a written request for compassionate release to the warden, and either receive a denial or wait 30 days before filing in court. Save a dated copy of your request. Document any health condition with sick-call requests and medical records, because the strongest motions today will be those that point to a concrete, present circumstance — not solely to a comparison with current sentencing law.

FAMILY, FRIENDS & ADVOCATES

Helping from outside

Families can support a compassionate release motion by gathering documentation that the court will weigh under the 18 U.S.C. § 3553(a) sentencing factors at the second stage of the analysis: letters of support, verified housing plans, employment offers, treatment program acceptances, and documentation of caregiving need at home. A motion that pairs a qualifying circumstance with a strong, concrete release plan is generally stronger than one that relies on the qualifying circumstance alone.

If a loved one was previously released under a compassionate release order that relied on sentence-length reasoning, and you become aware of any government effort to revisit the case, contact the attorney who handled the original motion immediately. Reporting suggests that government revisits in this posture are not routine, but they are not unheard of.

ATTORNEYS & PRISON OFFICIALS

Drafting in the new posture

Counsel should expect that sentence-length-as-sole-basis motions will face heightened scrutiny in most circuits. The pre-existing circuit split has narrowed in one direction, and the Sentencing Commission has signaled no concrete retroactivity proposals this cycle. Motions should be built on one or more enumerated USSG § 1B1.13 categories with detailed medical, family, or other documentation, and should preserve any sentence-length argument as a § 3553(a) consideration at the discretionary stage rather than as the 'extraordinary and compelling' threshold showing.

Exhaustion under § 3582(c)(1)(A) should be documented with the dated written request to the warden, proof of delivery, and either the warden's response or proof that 30 days have lapsed.

POLICY & REGULATORY REFERENCES

The compassionate release statute, 18 U.S.C. § 3582(c)(1)(A), permits a court, on motion of the BOP Director or on motion of the defendant after exhaustion, to reduce a term of imprisonment for 'extraordinary and compelling reasons,' after considering the factors set forth in 18 U.S.C. § 3553(a). The applicable policy statement, U.S. Sentencing Guidelines § 1B1.13, enumerates qualifying categories including medical circumstances, age, family circumstances, and victims of abuse, and was substantially revised by the Sentencing Commission in 2023. The First Step Act of 2018, Pub. L. 115-391, § 603(b), is the provision that allowed defendants — not only the BOP Director — to bring motions directly. Administrative-exhaustion procedures are described in BOP Program Statement 5050.50 (Compassionate Release/Reduction in Sentence). The U.S. Sentencing Commission's announcement this cycle declining to advance retroactivity on pending amendments is summarized in LISA Newsletter coverage from June 18, 2026.

ACTION ITEMS THIS WEEK

- Review any pending or planned compassionate release motion with counsel to confirm it rests on one or more enumerated USSG § 1B1.13 categories rather than primarily on sentence-length reasoning.
- Submit (or resubmit) a written compassionate release request to the warden under BOP Program Statement 5050.50 and keep a dated copy; the 30-day clock under 18 U.S.C. § 3582(c)(1)(A) starts on receipt.
- Gather current medical records through sick call and request copies through the institution's Health Services Administrator; medical documentation must be current to support a § 1B1.13 medical-circumstances motion.
- Build a written release plan (residence, employment, treatment) and have the family compile it as an exhibit; courts weigh this at the § 3553(a) stage.
- If your loved one was previously released on a compassionate release order grounded partly in sentence-length reasoning, contact original counsel to discuss whether the case is at risk of revisiting and what a defensive filing might look like.
- Monitor the U.S. Sentencing Commission's public agenda at ussc.gov for any future cycle in which retroactivity is reopened.

SOURCES

What's Next After Supreme Court Limits Compassionate Release for Excessive Sentences — *Brennan Center for Justice*

(Less Than) Compassionate Release: Supreme Court Narrows Relief for Federal Prisoners — *ArentFox Schiff*

This man is a bus driver and grandfather. A Supreme Court ruling could reimprison him — *NPR*

He rebuilt a life after 27 years. Prosecutors want him back in prison. — *IndyStar*

No Retro, No Concrete Proposals, Sentencing Commission Says — Update for June 18, 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.

BOP administrative remedy process: documented rejection rates and response delays

PATTERN

The BOP administrative remedy program — the three-step internal grievance process at the BP-9 (institution), BP-10 (regional), and BP-11 (Central Office) levels under 28 C.F.R. §§ 542.10–542.19 — has been the subject of new outside reporting and follow-up legal analysis during the window. The Marshall Project and NPR published an investigation finding that a large share of grievances are rejected on procedural grounds without reaching the merits, and that response times in many cases significantly exceed the deadlines set in the regulation (20 calendar days at the institution, 30 days at the region, 40 days at Central Office, with one allowed extension at each level). LISA Newsletter's June 22 update summarizes the findings and ties them to the Prison Litigation Reform Act's exhaustion requirement under 42 U.S.C. § 1997e(a), which requires prisoners to exhaust available administrative remedies before suing — a requirement that becomes difficult to satisfy when the system itself does not respond on time or rejects filings on technical grounds.

WHAT FAMILIES AND DEFENDANTS CAN DO

When filing a BP-9, keep a dated personal copy of every document, including the informal BP-8 attempt, and note the date you handed it to staff. If a response does not arrive within the regulatory deadline (20 days at BP-9, 30 days at BP-10, 40 days at BP-11), the regulation at 28 C.F.R. § 542.18 treats the absence of response as a denial that may be appealed to the next level. If a grievance is rejected for a procedural defect, the rejection notice must state the defect and whether it can be cured; cure and refile within the time stated. Families and attorneys building a record for later litigation should preserve every rejection notice, because the PLRA exhaustion analysis turns on whether the remedy was 'available' as a practical matter, and a pattern of technical rejections supports the argument that it was not. For attorneys: consider whether the SAMS, BeMail, or institution-level tracking records can be obtained through discovery or FOIA to corroborate filing dates.

SOURCES

'Rejected': How federal prisons stonewall grievances and deny care for years — *NPR / The Marshall Project*

Shocking News: BOP Grievance Procedure Deck is Stacked — Update for June 22, 2026 — *LISA Newsletter (Legal Information Services Associates)*

BOP Operations

Federal charges unsealed against BOP investigator at Florence complex in bribery and contraband case

Canon City Daily Record · 2026-06-22

Federal prosecutors charged a BOP investigator assigned to the Florence federal correctional complex in Colorado with accepting bribes from an inmate in exchange for smuggling contraband (reported elsewhere as cellphones and vapes). The Florence complex includes USP Florence (high-security), USP Florence ADMAX (the federal 'supermax'), FCI Florence (medium-security), and a satellite minimum-security camp. For families of people housed at the complex, expect that searches, cell shakedowns, and modified visitation or mail procedures may follow such a case while the internal investigation continues.

Colorado federal prison employee accused of smuggling cellphones, vapes into facility

The Denver Post · 2026-06-23

Follow-up coverage of the Florence bribery case identifies the alleged contraband items. Possession of an unauthorized cell phone in a federal prison is a separate federal offense under 18 U.S.C. § 1791. People inside who become aware of contraband activity can report through SIS or the OIG hotline; reporting through OIG (oig.justice.gov) is generally considered the more independent route.

BOP launches Evidence-Based Academy

Federal Bureau of Prisons · 2026-06-24

BOP announced the launch of an internal Evidence-Based Academy. Programming under the First Step Act (FSA) is required by 18 U.S.C. § 3632 to be 'evidence-based recidivism reduction' (EBRR) programming, and qualifying participation generates FSA Earned Time Credits (ETCs) that can be applied toward earlier transfer to prerelease custody — a halfway house (Residential Reentry Center, or RRC) or home confinement. Whether and how the Academy affects which programs are designated as EBRR-eligible on the BOP's program inventory will determine its practical effect on credit accrual; people currently programming should continue to confirm with their unit team that their assigned programs are credit-bearing.

Sentencing & Courts

Supreme Court holds appellate waivers are not always enforceable

LISA Newsletter (Legal Information Services Associates) · 2026-06-23

The Supreme Court ruled this term that the appellate-waiver clauses found in most federal plea agreements — the provisions in which a defendant agrees not to appeal a sentence within a stipulated range — are not enforceable in every circumstance. Practical effect: defendants who pleaded guilty under agreements containing such waivers may have appellate or post-conviction options in narrow circumstances that previously appeared foreclosed. Consult with appellate counsel before the deadline under Federal Rule of Appellate Procedure 4(b) (14 days from entry of judgment) if your sentence is recent.

Supreme Court rules in 'Hemani' on § 922(g)(3) firearms-and-drug-use prosecution

LISA Newsletter (Legal Information Services Associates) · 2026-06-19

The Supreme Court declined to issue a broad ruling on 18 U.S.C. § 922(g)(3) — the federal statute prohibiting firearm possession by an unlawful user of a controlled substance — and instead issued a narrower decision. Defendants charged or convicted under § 922(g)(3) should review with counsel whether the specific reasoning of the decision affects their case; the effect on pending cases is fact-specific.

Supreme Court narrows criminal venue rules

LISA Newsletter (Legal Information Services Associates) · 2026-06-15

The Court narrowed the government's ability to bring federal charges in a district based on where the effects of an offense were felt rather than where the conduct occurred. The decision may affect pending pretrial venue motions and certain post-conviction challenges where venue was preserved. Defendants whose trial counsel raised venue should ask appellate counsel whether the ruling creates a basis to re-press the issue.

U.S. Sentencing Commission declines retroactivity, defers concrete amendment proposals

LISA Newsletter (Legal Information Services Associates) · 2026-06-18

The U.S. Sentencing Commission, which is currently operating with five of seven commissioners seated, indicated this cycle that it will not advance retroactive application of any guideline amendment and has not put forward concrete amendment proposals. Practical effect for people inside: there is no Commission-driven sentence-reduction vehicle to watch this cycle. People who would have qualified for retroactive relief under a possible future amendment should track the Commission's next public meeting agenda at [ussc.gov](https://www.usc.gov).

Policy & Legislation

Transgender-housing policy litigation continues; preliminary relief granted in D.D.C.

LISA Newsletter (Legal Information Services Associates) · 2026-06-16

U.S. District Judge Royce Lamberth (District of Columbia) has been hearing a series of challenges to BOP policies governing transgender prisoners and granted preliminary relief in one of the cases. People affected by housing or medical-care decisions tied to these policies should keep their attorney apprised of the case docket; preliminary injunctions are case-specific but can inform similar requests at other facilities.

Profile of newly appointed BOP leadership

The Free Press · 2026-06-25

A profile of a senior BOP leader with prior personal experience of incarceration was published this week. Personnel changes at the agency level do not by themselves change BOP Program Statements, the Code of Federal Regulations, or statutory entitlements, but they can affect agency priorities. Families tracking specific policy decisions should continue to rely on published Program Statements and the Federal Register rather than personnel coverage.

From the Community

Indiana state-prison death-penalty facility coverage

Indiana Capital Chronicle · 2026-06-26

Indiana coverage notes that the state's newly built prison includes infrastructure for firing-squad executions, a state-level (not federal) issue. The federal death penalty is administered separately at USP Terre Haute. We include the item because it surfaces in the federal-prison news stream; it does not change federal-side procedure.

PRACTICAL TIP

Independence Day visitation and communication: plan around July 3

Independence Day falls on Friday, July 3, 2026 (the holiday is observed on the Friday because July 4 is a Saturday). Federal holidays affect BOP visiting schedules differently by institution — some facilities expand weekend visiting to include the holiday, others modify or cancel visiting. Before traveling, call the institution's visiting line to confirm hours, check whether the visiting room will be open on the observed holiday, and confirm that your name is still on the approved visitor list. Phone lines and TRULINCS (the BOP email-style messaging system) typically see heavier-than-usual traffic on holiday weekends; expect longer queues and possible delays in CorrLinks message delivery.

For families traveling: confirm dress-code rules (each institution maintains its own list, and a violation usually means turned away at the front lobby), bring a government-issued photo ID, and leave electronic devices in the car. For people inside: if your visitor is traveling on July 3, ask the unit team well in advance whether the visiting room will follow weekend hours or holiday hours, and submit any updated visitor-list forms early so they clear processing before the weekend.

Inside Out is published by DrPrison.org. Readers who need further assistance navigating a specific federal-prison matter — sentencing, designation, FSA credits, compassionate release, administrative remedies, or family communication — can reach DrPrison.org at help@drprison.org. The next issue will cover developments through mid-July, including any follow-up on the in-custody deaths reported in this period and any new guidance from BOP on First Step Act programming.

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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