

The Residential Drug Abuse Program (RDAP)—How Do I Get In?

"You don't have to be a cocaine sniffing dope addict or stumbling alcoholic to be eligible for the BOP's 500-Hour Residential Drug Abuse Program and its sentence reduction incentives--you just need to have a good Federal Prison Consultant!" Ask Sam!

June 27, 2009 - [PRLog](#) -- Samuel Waksal, the former chief executive officer of the biotech firm Imclone, said he was only a social drinker when doing an initial interview with his probation officer before his sentencing and subsequent incarceration. That interview was called the Pre-Sentence Investigation (PSI) interview and it is the most dominant and definitive document used by the Court in determining the length of a defendant's federal prison sentence. The PSI is the defendant's "Bible", his life history as seen through the eyes of the probation officer authoring the report. Besides being instrumental in determining his federal prison sentence, the PSI is vitally important with respect to BOP federal prison designation, security level, custody level, work assignments, bunk assignments, furlough eligibility, community custody placement, inmate quality of life enhancements, and admission into the **500-Hour Residential Drug Abuse Program**.

Samuel Waksal is being released from federal custody after serving five years, six months and two weeks for insider trading. This is nine months less than his original sentence called for and he is also going to a halfway house for a full six months instead of serving that time in federal prison. Why did Mr. Waksal receive the shorter sentence and six full months of halfway house time? He was rewarded for participating in a prison rehab program for substance abusers—yet, by his own admission, he's not a substance abuser, at least he wasn't until a few months before his sentencing!

Mr. Waksal admitted to a probation officer during his pre-sentence interview that he was just a "social drinker" and drank "about five glasses of wine per week." At his plea hearing, Waksal also told the judge under oath that he'd never been treated for drug or alcohol addiction. But less than a month later Waksal's legal team advised the feds he had recently developed a "dependence on alcohol" and would benefit from treatment for his newly acquired addiction. It certainly was convenient, given that the rehab program is the main way white-collar offenders get time off their sentences.

Waksal is just one of many white-collar inmates who have discovered the Bureau of Prison's 500-Hour Residential Drug Abuse Program. This treatment program for federal inmates who abuse drugs and alcohol was actually started in 1919. Yet the program became big news in 1994 when Congress passed a law offering up to 12 months off a sentence for nonviolent offenders who successfully complete a counseling program. In addition these inmates get to spend the last six months of their sentence in a halfway house instead of in a federal prison.

March 2009: The law changes

In March of 2009 the incentives for the Residential Drug Program changed. Any inmate with an original sentence of 30 months or less is now eligible for up to a six month sentence reduction and six months of halfway house time. If the inmate's sentence is 31 to 37 months, the inmate is eligible for up to nine months of sentence reduction and six months in a halfway house. If the inmate's original sentence is 38 months or more, he is eligible for up to twelve months of sentence reduction and six months of halfway house time. These incentives for successful completion of the program result in up to 12 to 18 months less of incarceration in a federal prison.

This may not seem like a lot of time for offenders with lengthy sentences, but to white collar criminals involved in fraud, embezzlement, kick-backs, theft, and other white collar crimes, it can halve an inmate's

sentence.

The drug abuse program is so attractive to first time white collar offenders that it is now very competitive with both defendants and inmates vying for eligibility and acceptance. **Michael Frantz, a Federal Prison Consultant with Jail Time Consulting** advises defendants and their attorneys on how to get in. Jail Time Consulting offers assistance in determining eligibility and the positioning of defendants for acceptance into this valuable rehabilitative program. They are very good at what they do as their success rate is exceptionally high.

For a fee, **Jail Time Consulting** advises clients on how to get into the program and how to maximize the resulting sentence reduction. They have several different programs available and all are at affordable rates. Jail Time Consulting identifies sixteen critical “opportunities” that the defendant/inmate has to lay the foundation for acceptance into the drug program and then prepares a thirty page report (RDAP Eligibility Assessment and Positioning Paper, **REAPP**) with a step by step map or guideline individually constructed and specific to each client. Many current federal inmates are benefiting from the Residential Drug Program and judging by the high number of white collar criminals being sentenced today, many more future inmates also will.

Michael Frantz said, *“The federal government currently has a 97% guilty plea rate in federal criminal cases. Federal prosecutors have over a 75% conviction rate following trial, and 91% of federal criminal defendants receive a prison sentence. It is no longer a question of will I go to prison, it is a question of where will I go and how long will I be there.”* Frantz stated that with those statistics it is only prudent for a white collar criminal to investigate his eligibility status for the 500-Hour Residential Drug Abuse Program. Frantz commented, *“How can a white collar federal criminal defendant afford not to?”*

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Michael Frantz is a leading Federal Prison Consultant with Jail Time Consulting (JTC) in South Florida. The staff of JTC provides sentence reduction strategies, research, and many pre- and post-sentencing services for their clients. Michael has authored a bestselling book on federal prison titled, “Jail Time, What you need to know...Before you go to federal prison!” He has also authored over thirty-five JT Special Reports© on various federal prison issues affecting both the inmate and his/her family. They are available on the website. He writes a daily blog on the JTC website <http://prisonconsultinggroup.com> answering readers’ questions and comments. He is a nationally recognized authority on federal prison and has published over 40 articles nationwide. He has been contacted by ABC’s 20/20, the Oprah Winfrey network, the Fox News Network, as well as many radio and TV stations nationwide. He can be reached at 954-522-2254, 800-804-4686, or at mike@jailtimeconsulting.com.

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