

LAW & CRIME

Judge partially grants Fort Dix inmate's bid for prerelease custody review

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Prison-Jail-Cell

Camden, NJ – A federal judge has ordered the Bureau of Prisons to conduct a good-faith review of an inmate's eligibility for prerelease custody after finding merit in part of a habeas corpus petition filed by a Fort Dix prisoner.

Chief U.S. District Judge Renée Marie Bumb ruled that inmate Raul Magana-Herrera was entitled to an individualized determination under federal law regarding his potential placement in home confinement or a residential reentry center.

The decision marks a rare partial win for prisoners challenging Bureau of Prisons (BOP) policies under the First Step Act.

Petitioner argued BOP denied credits under First Step Act

Magana-Herrera, incarcerated at FCI Fort Dix, filed his petition in May, claiming he was eligible for prerelease custody

under the First Step Act but was denied due to an immigration detainer. He argued that the BOP's policy excluding inmates with detainers from prerelease consideration violated federal law and was never properly adopted under the Administrative Procedures Act.

In his filings, Magana-Herrera also asserted that the agency ignored directives from its own director in May and June, which, he claimed, instructed staff to immediately transition eligible inmates to home confinement regardless of detainer status.

Government cited lack of exhaustion and agency discretion

Federal prosecutors opposed the petition, arguing that Magana-Herrera had not exhausted his administrative remedies and that federal law grants the BOP broad discretion in determining placement decisions. They maintained that neither the Constitution nor the First Step Act guarantees inmates prerelease custody or home confinement.

The government further asserted that the longstanding policy of excluding inmates with active immigration detainers from early release was lawful and consistent with agency practice.

Court orders individualized determination

While the court declined to order Magana-Herrera's immediate release, Judge Bumb found that the BOP must reassess his placement request under 18 U.S.C. § 3621(b), which requires individualized evaluation of several statutory factors.

Citing recent Supreme Court precedent in *Loper Bright Enterprises v. Raimondo*, the court also acknowledged limits on judicial deference to agency interpretations of law, reinforcing the need for the BOP to follow statutory procedures rather than rely solely on internal policies.

Next steps for the case

The court's order directs the BOP to complete a good-faith review of Magana-Herrera's eligibility for prerelease custody but leaves open whether that review will result in any actual transfer. The ruling stops short of declaring the detainer policy unlawful but signals greater scrutiny of how the BOP applies the First Step Act.