

119TH CONGRESS
1ST SESSION

S. _____

To expand eligibility for and provide judicial review for the Elderly Home
Detention Pilot Program, and to make other technical corrections.

IN THE SENATE OF THE UNITED STATES

Mr. DURBIN (for himself and Mr. GRASSLEY) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To expand eligibility for and provide judicial review for the
Elderly Home Detention Pilot Program, and to make
other technical corrections.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safer Detention Act
5 of 2025”.

6 **SEC. 2. HOME DETENTION FOR CERTAIN ELDERLY NON-**
7 **VIOLENT OFFENDERS.**

8 Section 231 of the Second Chance Act of 2007 (34
9 U.S.C. 60541) is amended—

1 (1) in subsection (g)—

2 (A) in paragraph (1), by adding at the end
3 the following:

4 “(D) JUDICIAL REVIEW.—

5 “(i) IN GENERAL.—Upon motion of a
6 defendant, on or after the date described
7 in clause (ii), a court may reduce an im-
8 posed term of imprisonment of the defend-
9 ant and substitute a term of supervised re-
10 lease with the condition of home detention
11 for the unserved portion of the original
12 term of imprisonment, after considering
13 the factors set forth in section 3553(a) of
14 title 18, United States Code, if the court
15 finds the defendant is an eligible elderly of-
16 fender or eligible terminally ill offender.

17 “(ii) DATE DESCRIBED.—The date de-
18 scribed in this clause is the earlier of—

19 “(I) the date on which the de-
20 fendant fully exhausts all administra-
21 tive rights to appeal a failure of the
22 Bureau of Prisons to place the de-
23 fendant on home detention; or

24 “(II) the expiration of the 30-day
25 period beginning on the date on which

1 the defendant submits to the warden
2 of the facility in which the defendant
3 is imprisoned a request for placement
4 of the defendant on home detention,
5 regardless of the status of the re-
6 quest.”;

7 (B) in paragraph (3), by striking “through
8 2023” and inserting “through 2029”; and

9 (C) in paragraph (5)—

10 (i) in subparagraph (A)(ii)—

11 (I) by inserting “, including of-
12 fenses under the laws of the District
13 of Columbia,” after “offense or of-
14 fenses”; and

15 (II) by striking “ $\frac{2}{3}$ of the term
16 of imprisonment to which the offender
17 was sentenced” and inserting “ $\frac{1}{2}$ of
18 the term of imprisonment reduced by
19 any credit toward the service of the
20 offender’s sentence awarded under
21 section 3624(b) of title 18, United
22 States Code”; and

23 (ii) in subparagraph (D)(i), by insert-
24 ing “, including offenses under the laws of

1 the District of Columbia,” after “offense
2 or offenses”; and

3 (2) in subsection (h), by striking “through
4 2023” and inserting “through 2029”.

5 **SEC. 3. COMPASSIONATE RELEASE TECHNICAL CORREC-**
6 **TION.**

7 Section 3582 of title 18, United States Code, is
8 amended—

9 (1) in subsection (c)(1)—

10 (A) in the matter preceding subparagraph
11 (A), by inserting after “case” the following: “,
12 including, notwithstanding any other provision
13 of law, any case involving an offense committed
14 before November 1, 1987”; and

15 (B) in subparagraph (A)—

16 (i) by inserting “on or after the date
17 described in subsection (d),” after “upon
18 motion of the defendant”; and

19 (ii) by striking “after the defendant
20 has fully exhausted all administrative
21 rights to appeal a failure of the Bureau of
22 Prisons to bring a motion on the defend-
23 ant’s behalf or the lapse of 30 days from
24 the receipt of such a request by the warden

1 of the defendant's facility, whichever is
2 earlier,";

3 (2) by redesignating subsections (d) and (e) as
4 subsection (e) and (f), respectively; and

5 (3) by inserting after subsection (c) the fol-
6 lowing:

7 “(d) DATE DESCRIBED.—For purposes of subsection
8 (c)(1)(A), the date described in this subsection is the ear-
9 lier of—

10 “(1) the date on which the defendant fully ex-
11 hausts all administrative rights to appeal a failure of
12 the Bureau of Prisons to bring a motion on the de-
13 fendant's behalf; or

14 “(2) the expiration of the 30-day period begin-
15 ning on the date on which the defendant submits a
16 request for a reduction in sentence to the warden of
17 the facility in which the defendant is imprisoned, re-
18 gardless of the status of the request.”.