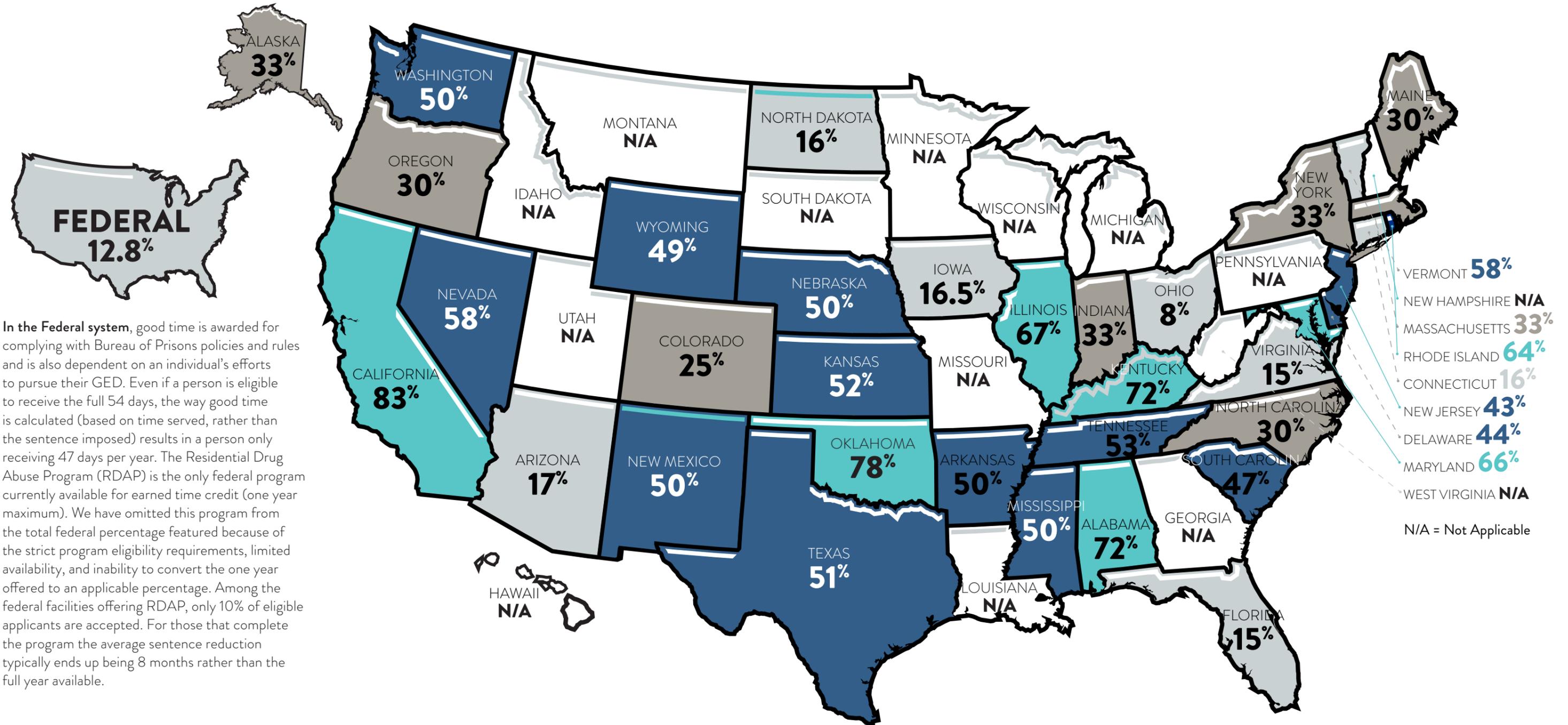


EARNED AND GOOD TIME POLICIES: COMPARING MAXIMUM REDUCTIONS AVAILABLE



In the Federal system, good time is awarded for complying with Bureau of Prisons policies and rules and is also dependent on an individual's efforts to pursue their GED. Even if a person is eligible to receive the full 54 days, the way good time is calculated (based on time served, rather than the sentence imposed) results in a person only receiving 47 days per year. The Residential Drug Abuse Program (RDAP) is the only federal program currently available for earned time credit (one year maximum). We have omitted this program from the total federal percentage featured because of the strict program eligibility requirements, limited availability, and inability to convert the one year offered to an applicable percentage. Among the federal facilities offering RDAP, only 10% of eligible applicants are accepted. For those that complete the program the average sentence reduction typically ends up being 8 months rather than the full year available.

METHODOLOGY

This chart was created to demonstrate the maximum percentage of a sentence that can be reduced by taking full advantage of statutory earned and good time credit policies at the state and federal level. Federal statutes and statutes for all 50 states were examined. Thirteen states were not included in this chart. Hawaii, Michigan, Minnesota, Montana, and South Dakota are omitted because they lack statutory guidance for good or earned time credits. In the remaining eight states, good and/or earned time is calculated in a way that could not to be converted to a percentage.

Definitions of good and earned time vary across jurisdictions. In general, and for the purposes of this chart, good time is time given for good behavior while earned time is achieved through education, treatment, etc. Some states make both avenues for sentence reduction available while others only offer one or combine these policies. For the purposes of this chart, both mechanisms to earn sentence reduction were used if available. In many states, eligibility for sentence reduction is determined based on a tiered system of offenses committed and some states have exclusions for certain offenses. Unless a statutory cap exists, the maximum amount of time available was the percentage used for this project.

STATE	GOOD TIME	EARNED TIME	TOTAL TIME	% OF TIME OFF	STATUTE
ALABAMA	75 days for every 30 days			72	AL Code §14-9-41
ALASKA	1/3 of sentence			33	AS §33.20.010
ARIZONA		1 for every 6 days		17	ARS §41-1604.06
ARKANSAS	30 days per month	Cannot exceed 360 days on top of good time		50	AR Code §12-29-201
CALIFORNIA	67%	12 weeks per year for milestone program completion, 4 weeks per year for rehabilitation credits, one time credit for education 180 days		83	Penal Code §2933 et seq.
COLORADO		not more than 25%		25	CO Rev Stat § 17-22.5-405
CONNECTICUT		3-5 days per month		16	CT Gen Stat § 18-98e
DELAWARE	36 days per year	5 days per month for education, work, or rehabilitation program	No more than 160 days in 1 year	44	11 Del.C. §4381
FLORIDA	10 days per month	10 days per month; one time award of 60 days for completion of vocational or high school equivalent diploma or performing an outstanding service	Cannot be more than 15%	15	FL Stat §944.275
GEORGIA		1 day per day of participation in education or vocational education			O.C.G.A. § 42-5-101
HAWAII					
IDAHO		15 days for outstanding act			I.C. §20-101D
ILLINOIS	4.5 days per month, or 1 day per day	90 days in addition to good time for high school equivalency test; Good times x 1.5 for drug abuse programs or working		67	730 ILCS 5/3-6-3
INDIANA	1 day per 1, 3, or 6 days based on offense	Max of 2 years for bachelor, other degrees and educational credits are lower times	lesser of 2.5 years or 1/3 of total time	33	IC 35-50-6
IOWA	15/85 of a day	15% for Category B offenses;	1 and 2/10th of a day per day if Category A, otherwise 15%	16.5	IA Code §903A.2
KANSAS	20%	120 days		52	K.S.A. §21-6821
KENTUCKY § 197.045	7 days per month	90 days per diploma, or program completed		72	KRS § 197.045
LOUISIANA	30 days for every 30 days	30 days for community resource center, 90 days for education, treatment and rehabilitation programs	No more than 360 days (cap on earned time)		"RS 15: §571.3, RS 15: §828,"
MAINE	4 days per month	5 days per month		30	"17-A MRSA §1253 (8) - (10)
MARYLAND	10 days per month	5 days per month for program; 5 days for work	20 days per month	66	MD Code, Correctional Services, § 3-704, 705
MASSACHUSETTS	2.5 days per month	5 days per program per month	No more than 10 days per month	33	M.G.L. c. 127 §129(C& D)
MICHIGAN					
MINNESOTA					
MISSISSIPPI	4.5 days per 30 days	The number of days shall be determined by the commissioner on the basis of each particular program or project	Up to half of sentence	50	Miss Code § 47-5-138, 142
MISSOURI §558.041					
MONTANA					
NEBRASKA	6 months per year			50	NE Code 83-1,107
NEVADA	20 days per month	Max of 120 days for associate degree, 90 days for HS, 10 days per month for working	Cannot deduce sentence by more than 58%	58	NRS 209.4465

STATE	GOOD TIME	EARNED TIME	TOTAL TIME	% OF TIME OFF	STATUTE
NEW HAMPSHIRE		180 days for college degree; 60 days for vocational or mental health program			NH Rev Stat §651:2(11-e), §651-A:22
NEW JERSEY	7 days per month, increasing with each year served	1 day for every 5 days		43	"NJ Rev Stat §30:4-92; §30:4-140"
NEW MEXICO	30 days per month nonviolent offenses, 4 days per month for serious violent offense	3 months for HS, 5 months for bachelors	1 year per 12 months	50	NMSA § 33-2-34
NEW YORK	Indeterminate sentence=not more than 1/3 of sentence; Determinate sentence= not more than 1/7th of term			33	NY COR §803
NORTH CAROLINA	If I'm reading the law correctly, good time only applies to those sentenced prior to 10/1994	9 days per month		30	NC Policy & Procedure B.0100
NORTH DAKOTA	5 days per month			16	ND Code §12-54.1
OHIO		Up to 5 days for completion month of program; 90 days for completion of educational or vocational program	Outside of completion of an educational program the maximum amount of credit cannot exceed 8% of total number of days on term	8	ORC 2967.193
OKLAHOMA	5 days for every 4 days	60 days per month for 1st time Class 4 offenders; 200 days for bachelor's degree		78	57 OK Stat §57-138, 65
OREGON			Up to 20% or 30% with obtaining degree of total	30	ORS §421.121
PENNSYLVANIA					"61 Pa CSA §4501 - §4512"
RHODE ISLAND	10 days per month	2 days per month for working; 5 days per month for programs, 30 days for completion of education program		64	RI Gen L § 42-56-24
SOUTH CAROLINA	20 days per month 3 days per month if it was a no parole offense	Maximum of 180 days for work and education credit, no parole offense max is limited to 72 days		47	SC Code §24-13-210, 230
SOUTH DAKOTA					
TENNESSEE	8 days per month	8 days per month, one time credit of 60 days for completion of educational program	16 days per month	53	T.C.A § 41-21-236
TEXAS			No more than 30 days per month	51	"Texas Gov. Code §498.002 -§498.003"
UTAH			Rather than a maximum Utah states that earned time shall not be less than 4 months for the completion of 2 programs		Utah Code 77-27-5.4
VERMONT	1 day per day	30 days for work camp		58	28 VSA §726, 811
VIRGINIA		4.5 days per 30 days		15	VA Code § 53.1-202.3
WASHINGTON			Up to 50%, but only 10% if serious violent offense or sex offense	50	RCW 9.94A.729
WEST VIRGINIA	1 day per day			50	WV Code §28-5-27
WISCONSIN	Only applies to local				WI Stat §302.43
WYOMING	15 days per month			49	WDOC Policy & Procedure #1.500
FEDERAL	54 days per year			12.8	18 U.S.C. § 3624(b).