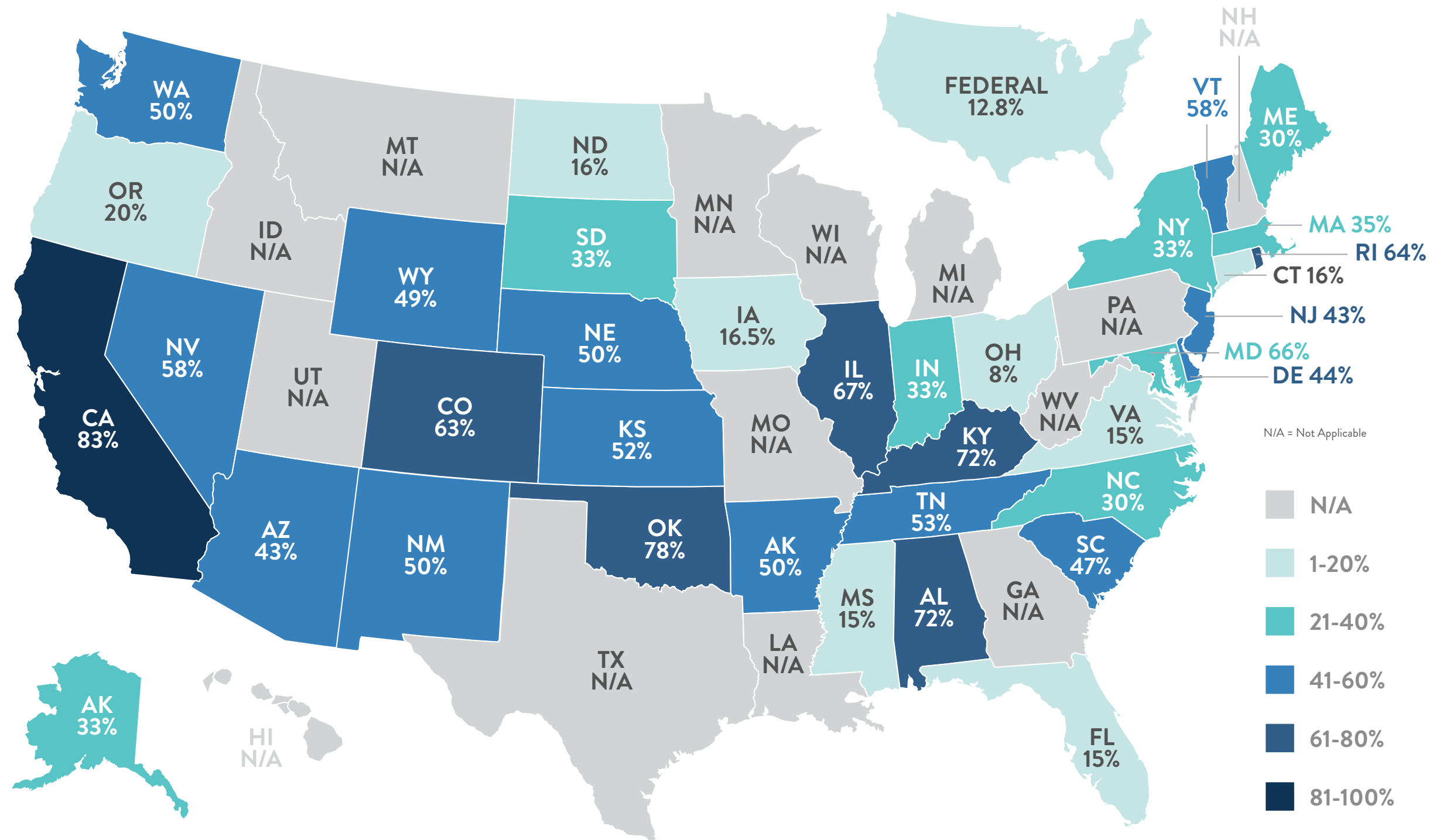


Earned & Good Time Policies: Comparing Maximum Reductions Available



The FIRST STEP Act of 2018 clarified the calculation of good time credits and introduced earned time credits within the federal system. Prior to its passage, individuals serving time in the Bureau of Prisons were eligible for up to 47 days of good time per year of sentence imposed. Eligibility is now clarified to allow for up to 54 days. The FIRST STEP Act also allows for individuals to earn time credits for participation in and completion of assigned evidence-based recidivism reduction programs and productive activities. All eligible individuals are able to earn up to 10 days of earned time credits for every 30 days of participation, and individuals in low or minimum risk categories are able to earn an additional 5 days for a maximum of 15 days per 30 days of participation. The Bureau of Prisons has not yet finalized the meaning of a “day” for the purposes of accumulating or applying earned time credits. While good time credits do allow for an actual sentence reduction, the FIRST STEP Act’s earned time credits do not; instead these credits allow incarcerated people to complete more of their imposed sentence in home confinement, residential reentry center, or supervised release. Individuals with certain covered offenses under the FIRST STEP Act are not able to accumulate earned time credits but can acquire certain in-prison privileges following program completion.



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. Fourteen 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 nine states, good and/or earned time is calculated in a way that could not 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	Ala. Code §14-9-41.
ALASKA	1/3 of sentence			33	Alaska Stat. §33.20.010.
ARIZONA		3 days for every 7 days served for completion of drug treatment or other self-improvement program		43	Ariz. Rev. Stat. §41-1604.07.
ARKANSAS	30 days per month	Cannot exceed 360 days on top of good time		50	Ark. Code Ann. §12-29-201, 202.
CALIFORNIA	2 days per every day of incarceration	12 weeks per year for milestone program completion, 40 calendar days per year for rehabilitation credits, one time credit for education 180 days		83	Cal. Code Regs. tit. 15 §3043.2 to 3043.5.
COLORADO		10 days for each month of incarceration	Automatic deduction of 50% in addition to the 10 days per month	63	Colo. Rev. Stat. §17-22.5-405.
CONNECTICUT		5 days per month		16	Conn. 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	Del. Code Ann. tit. 11, §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	Fla. Stat. Ann. §944.275.
GEORGIA		1 day per day of participation in education or vocational education			Ga. Code Ann. §42-5-101.
HAWAII					
IDAHO		15 days for outstanding act			Idaho Code §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 Ill. Comp. Stat. Ann. 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	Ind. Code Ann. § 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	Kan. Stat. Ann. §21-6821.
KENTUCKY	10 days per month	90 days per diploma, or program completed		72	Ky. Rev. Stat. Ann. §197.045.
LOUISIANA	30 days for every 30 days	30 days for community resource center, 360 days for education, treatment and rehabilitation programs	No more than 360 days (cap on earned time)		La. Stat. Ann. §15:828, 833.1.
MAINE	4 days per month	5 days per month		30	Me. Rev. Stat. Ann. tit. 17-A, § 1253(8)-(10).
MARYLAND	10 days per month	5 days per month for program; 5 days for work	30 days per month	66	Md. Code Ann., Corr. Servs. § 3-704, 406.
MASSACHUSETTS		7.5 days per program per month	No more than 15 days per month	35	Mass Ann. Laws ch. 127, §129D.
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	Not to exceed 15% of sentence	15	Miss. Code Ann. 47-5-138, 142.
MISSOURI §558.041			No more than 2 calendar months for each year of sentence	17	Mo. Code Regs. Ann. tit. 14, §10-5.010.
MONTANA					

*These states have DOC policies related to earned or good time credit that may differ from their respective statute in terms of accrual and use.

NEBRASKA	6 months per year			50	Neb. Rev. Stat. Ann. §83-1, 107.
NEVADA	20 days per month	Max of 120 days for associate degree, 90 days for HS, 60 days for GED, 10 days per month for working	Cannot deduce sentence by more than 58%	58	Nev. Rev. Stat. Ann. §209.4465.
NEW HAMPSHIRE	12.5 days per month	180 days for college degree, 120 days for high school equivalent diploma; 60 days for vocational or mental health program			N.H. Rev. Stat. Ann. §651-A:22.
NEW JERSEY	7 days per month, increasing with each year served	1 day for every 5 days		43	N.J. Stat. Ann. §30:4-92, 140.
NEW MEXICO	30 days per month for nonviolent offenses, 4 days per month for serious violent offense	3 months for high school diploma, 5 months for bachelors	1 year per 12 months	50	N.M. Stat. Ann. §33-2-34.
NEW YORK		1/7 off sentence		33	N.Y. Correct. Law § 803.
NORTH CAROLINA		9 days per month		30	NC Policy & Procedure B.0113.
NORTH DAKOTA	5 days per month			16	N.D. Cent. Code § 12-54.1-01.
OHIO		Up to 5 days for completed 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	Ohio Rev. Code Ann. § 2967.193.
OKLAHOMA		60 days per month; 200 days for bachelor's degree; 90 days for high school diploma; 80 days for vocational training		78	Okla. Stat. Ann. tit. 57, §138.
OREGON	1 day for every 2 days served	Up to 20%	May not exceed 20% of total term	20	Or. Rev. Stat. §421.121.
PENNSYLVANIA					61 Pa. Cons. Stat. §4505.
RHODE ISLAND	10 days per month	2 days per month for working, 5 days per month for programs, 30 days for completion of program		64	RI Gen Laws § 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					SD Codified laws L § 24-5-1.
TENNESSEE	8 days per month	8 days per month, one time credit of 60 days for completion of educational or evidence-based program	16 days per month	53	Tenn. Code Ann. §41-21-236.
TEXAS	20 days per 30 days served	15 days per 30 days of participation in work, educational, agricultural, or vocational program	No more than 30 days per 30 days served		Texas Gov. Code §498.002, 003.
UTAH			Rather than imposing a maximum, Utah states that earned time shall not be less than 4 months for the completion of 2 programs		Utah Code Ann. § 77-27-5.4.
VERMONT	1 day per day	30 days for work camp		58	Vt. Stat. Ann. tit. 28, §726, 811.
VIRGINIA		4.5 days per 30 days		15	VA Code Ann. § 53.1-202.3 .
WASHINGTON			Up to 50%	50	Wash. Rev. Code §9.94A.729.
WEST VIRGINIA	1 day per day			50	W. Va. Code §15A-4-17.
WISCONSIN	Only applies to local jails				WI Stat §302.43.
WYOMING	15 days per month			49	Wyo. DOC Policy & Procedure #1.500.
FEDERAL	54 days per year	15 days for every 30 days			18 U.S.C. § 3624(b), 3632(d) (4).