AN ACT CONCERNING GOOD TIME CREDITS AND THE EARNED RISK REDUCTION CREDIT PROGRAM.

SUMMARY

This bill eliminates the ability of inmates imprisoned for crimes committed before October 1, 1994, to earn “good conduct credits” to reduce their sentences (see BACKGROUND) and instead allows them to earn credits under the state’s risk reduction earned credit program, if they are eligible. By law, inmates imprisoned for crimes committed on or after October 1, 1994, are ineligible for the good conduct program but may be eligible for the risk reduction program.

Consequently, the bill reduces the number of (1) inmates imprisoned for crimes committed before October 1, 1994, who are potentially eligible to earn credits off their sentences, due to the risk reduction program’s stricter eligibility criteria, and (2) days per month of credits that they may earn.

The bill allows inmates who earned good conduct credits prior to the bill’s passage to continue to use them to reduce their sentences as under current law, except as may be lost for misconduct or refusal to obey rules. The bill specifies that it does not invalidate the release or parole release of any inmate whose sentence was reduced under these provisions before the bill’s passage.

EFFECTIVE DATE: Upon passage

GOOD CONDUCT CREDITS AND RISK REDUCTION EARNED CREDIT PROGRAM

The bill eliminates the ability of inmates sentenced for crimes committed before October 1, 1994, to earn good conduct credits. If they were eligible for good conduct credits, the bill instead opens the risk reduction earned credit program to them, if eligible. Currently, the risk
reduction program applies only to eligible inmates imprisoned for crimes committed on or after October 1, 1994.

By shifting inmates imprisoned for crimes committed before then from earning good conduct credits to risk reduction credits, the bill reduces the number who may be eligible to earn credits. Although the good conduct law does not exclude any particular crimes, the existing risk reduction law bars inmate convicted of the following crimes from earning risk reduction credits: murder, murder with special circumstances, felony murder, arson murder, 1st degree manslaughter, 1st degree manslaughter with a firearm, 1st degree aggravated sexual assault, aggravated sexual assault of a minor, and home invasion. The law also bars an inmate from earning credits if he or she is classified as a persistent dangerous felony offender or persistent dangerous sexual offender (CGS § 18-98e).

By shifting inmates sentenced for crimes committed before October 1, 1994, to the risk reduction program, the bill also reduces the days per month of credits that they may earn, as follows:

1. Under the good conduct law, such inmates (starting with those sentenced on and after October 1, 1976) may earn up to 12 days off the sentence for each month of good behavior, or 15 days per month if sentenced for a crime committed before July 1, 1981.

2. Under the risk reduction program, eligible inmates may earn credits of up to five days per month for adhering to offender accountability plans, participating in eligible programs, and for good conduct and obeying institutional rules (but good conduct and obeying rules alone is not enough to earn credits).

BACKGROUND

Good Conduct Credits for Crimes Committed before October 1, 1994

In 1993, existing laws authorized good conduct credit for inmates. A provision in PA 93-219 provided that anyone convicted of a crime committed on or after October 1, 1994, had to be subject to supervision either by the Department of Correction (DOC) or the Board of Parole
until the maximum term of the person’s sentence expired (codified as CGS § 18-100d). The state Supreme Court interpreted this language as eliminating the ability of inmates to reduce their sentences under the good conduct statutes for crimes committed on or after October 1, 1994 (Velez v. Commissioner of Correction, 250 Conn. 536 (1999)).

Other Credit Programs for Crimes Committed before October 1, 1994

Under existing law, unchanged by the bill, inmates sentenced for crimes committed before October 1, 1994, may be eligible to reduce their sentences under certain other laws, at the DOC commissioner’s discretion. Specifically, such inmates:

1. who work at the prison or a work-release program may have their sentences reduced by one day for each consecutive seven days of employment (CGS § 18-98a) and

2. may have their sentences reduced by up to 120 days for an “outstanding meritorious performance award” (CGS § 18-98b).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable
Yea 39 Nay 0 (04/09/2019)