

# The Earned Time Act

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## WHY?

**Expanding earned time would create incentives for people in prison to follow prison rules and participate in educational, vocational, and rehabilitation programs, making New Yorkers safer both inside and outside of prison.**

Despite the proven benefits of many programs available in prison, New York severely restricts access to good time and merit time credit for program participation. As a result, thousands of people who could benefit from educational programming and self-improvement have limited opportunity and incentive to do so. Incentivizing program participation through the Earned Time Act will better prepare people for successful reentry and increase participation in the workforce moving forward.

## SUMMARY

**The Earned Time Act would increase, protect, and expand eligibility for reductions in people's prison terms for good time and merit time. The Earned Time Act would:**

- Increase the amount of good time an individual can earn from 33% to 50% of their sentence. Good time is earned monthly based on behavior in prison and impacts the maximum time an individual serves in prison.
- Expand merit time eligibility to all people incarcerated and increase merit time credit length from 17% to 25% of an individual's sentence. Merit time is earned for participating in programs and impacts the minimum time an individual serves in prison before being eligible for parole.
- Make New York's earned time structure more similar to states like Oklahoma, which allows some people to earn more than 50% good time, in addition to up to 200 days of time for completing education or treatment programs.

## IMPACT

In 2021, more than 41% of the people released from New York's prisons earned some good time.<sup>1</sup> By increasing the number of people eligible for merit time and the opportunities for earlier release for those earning good time, the Earned Time Act will save the state millions of dollars while incentivizing program participation, increasing employment opportunities upon release, and reducing recidivism.<sup>2</sup>

## ENDNOTES

1 New York State Department of Corrections and Community Supervision, "Admissions and Releases: Calendar Year 2021," [https://doccs.ny.gov/system/files/documents/2022/08/admissions-releases-report-calendar-year-2021\\_final.pdf](https://doccs.ny.gov/system/files/documents/2022/08/admissions-releases-report-calendar-year-2021_final.pdf).

2 Northwestern Prison Education Program, "Benefits of Prison Education," <https://sites.northwestern.edu/npep/benefits-of-prison-education/>.