

The Earned Time Act

S.774 (COONEY) / A.1128 (KELLES)

WHY IS IT VITAL TO PASS THE EARNED TIME ACT THIS SESSION?

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 programs have limited opportunities and incentives to participate. Passing the Earned Time Act will modernize this system, better preparing people for successful reentry, reducing recidivism, and boosting New York's economy. A broad coalition of New Yorkers, including business, faith, former corrections employees, and labor unions support this essential piece of legislation because of its potential to bolster long-term safety and economic well-being for communities across the state.

SUMMARY

The Earned Time Act would increase, protect, and expand eligibility for good time and merit time for people serving time in state prison.

The Earned Time Act would:

- Increase the amount of time that people can earn off of their prison sentences for good behavior and for participating in vocational, educational, and rehabilitative programs.
 - ▶ Increase the amount of good time an individual can earn time off 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 and increase merit time credit length. Merit time is earned for participating in programs and impacts the minimum time an individual serves in prison before being eligible for parole.
- Create consistent guidelines for when merit and good time is given, and provide due process to incarcerated people before credits are taken away.
- More closely align New York's earned time credit structure with numerous other states, including Oklahoma and Alabama, where people can earn a substantial time off their total sentence.
- Use data-driven solutions to help keep incarcerated people and corrections staff safe by helping reduce violence in prisons. Studies in Florida and North Carolina show that earned time credits are essential in keeping people in prisons safer.

IMPACT

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, making prisons safer, increasing employment opportunities upon release, and reducing recidivism.