Introduced by Representatives Savage of Swanton, Batchelor of Derby, Graham of Williamstown, Gregoire of Fairfield, Hango of Berkshire, Harrison of Chittenden, Kitzmiller of Montpelier, Lefebvre of Orange, Martin of Franklin, Page of Newport City, Peterson of Clarendon, and Sullivan of Dorset

Referred to Committee on

Date:

Subject: Corrections; earned good time

Statement of purpose of bill as introduced: This bill proposes to prohibit an inmate from earning a sentence reduction for good time if the inmate is serving a sentence for an offense that caused death or serious bodily injury.

An act relating to prohibiting good time sentence reductions for offenses that cause death or serious bodily injury

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 28 V.S.A. § 818 is amended to read:

§ 818. EARNED GOOD TIME; REDUCTION OF TERM

(a) On or before September 1, 2020, the Department of Corrections shall file a proposed rule pursuant to 3 V.S.A. chapter 25 implementing an earned good time program to become effective on January 1, 2021. The
Commissioner shall adopt rules to carry out the provisions of this section as an emergency rule and concurrently propose them as a permanent rule. The emergency rule shall be deemed to meet the standard for the adoption of emergency rules pursuant to 3 V.S.A. § 844(a).

(b) The earned good time program implemented pursuant to this section shall comply with the following standards:

(1) The program shall be available for all sentenced offenders, including furloughed offenders, provided that the program shall not be available to offenders on probation or parole, to offenders eligible for a reduction of term pursuant to section 811 of this title, to offenders sentenced for an offense that resulted in death or serious bodily injury, or to offenders sentenced to life without parole. Offenders currently serving a sentence shall be eligible to begin earning a reduction in term when the earned good time program becomes effective.

(2) Offenders shall earn a reduction of seven days in the minimum and maximum sentence for each month during which the offender:

(A) is not adjudicated of a major disciplinary rule violation; and

(B) is not reincarcerated from the community for a violation of release conditions, provided that an offender who loses a residence for a reason
other than fault on the part of the offender shall not be deemed reincarcerated

under this subdivision.

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Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.