

1 H.111

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

7 Referred to Committee on

8 Date:

9 Subject: Corrections; earned good time

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

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

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

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

17 § 818. EARNED GOOD TIME; REDUCTION OF TERM

18 (a) On or before September 1, 2020, the Department of Corrections shall
19 file a proposed rule pursuant to 3 V.S.A. chapter 25 implementing an earned
20 good time program to become effective on January 1, 2021. The

1 Commissioner shall adopt rules to carry out the provisions of this section as an
2 emergency rule and concurrently propose them as a permanent rule. The
3 emergency rule shall be deemed to meet the standard for the adoption of
4 emergency rules pursuant to 3 V.S.A. § 844(a).

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

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

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

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

18 (B) is not reincarcerated from the community for a violation of

19 release conditions, provided that an offender who loses a residence for a reason

1 other than fault on the part of the offender shall not be deemed reincarcerated
2 under this subdivision.

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4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on passage.