

# INMATE EARNED DISCHARGE CREDITS

CORRECTIONS COMMISSION  
JUNE 6, 2018

1

## HB 1053, AN ACT TO PROVIDE CERTAIN EARNED DISCHARGE CREDITS FOR INMATES

- Up to 90 days for 360 hours work; not to exceed 180 days in 12 months
- Up to 90 days for completion of evidence based programs; academic and vocational programs
- Up to 365 days for heroic acts, disaster response or exceptional assistance in safety/security

**Slide 2**

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Feiler, Laurie, 03/13/2018

## HB 1053, AN ACT TO PROVIDE CERTAIN EARNED DISCHARGE CREDITS FOR INMATES

- Applies to work hours, program completion and heroic acts after July 1, 2018
- DOC policy to set eligibility, rates, procedures
- No liberty interest in getting credits – discretionary – judgement of warden and Secretary of Corrections
- Applied prior to the calculation of parole date

## CALCULATION EXAMPLE

- 4 year sentence = 1460 days
- Time to parole of 1 year = 365 days
- 1460 days – original sentence
- -180 days of EDC
- 1280 days - sentence after EDC (3 yr. 6 mo. Sentence)
- 320 days to parole (25% of 1280) is 10.5 months

	Without EDC	With EDC
Sentence	4 years	3 years 6 months
Time to Parole	1 year	10 months 15 days

# COMPASSIONATE PAROLE

5

# HB 1109, AN ACT TO PROVIDE FOR PAROLE ELIGIBILITY FOR CERTAIN INMATES

- Allows parole for seriously ill/infirm inmates and aged inmates before their normal parole date.
- Patterned after current medical clemency/medical case management process with DOH and DOC.
- Warden or medical provider refer inmate to the Secretary. At Secretary's discretion, inmate can be referred to the Board of Pardons and Paroles for a hearing.
- Discretionary hearing – annual reviews
- Release plan and condition of parole to include provisions for medical care and payment of medical care.
- Those on compassionate parole are subject to the supervision and revocation laws that current exist for inmates on regular parole.
- Once reach normal parole date or is granted regular parole, no longer under the provisions of compassionate parole.

# FACTORS THE BOARD IS TO CONSIDER:

The Board of Pardons and Paroles shall consider the following factors in determining the grant or denial of a compassionate parole:

- (1) The inmate's assessed risk level;
- (2) The inmate's conduct in prison;
- (3) The inmate's conduct while on extended confinement, if applicable;
- (4) Sentence served and sentence remaining;
- (5) Offense and chronicity of criminal behavior;
- (6) Prognosis and incapacitation level;
- (7) The inmate's compliance with health care ordered by a health care provider;
- (8) Release plan including provisions for health care;
- (9) Input, if any, of the sentencing judge, the prosecuting attorney, and the victim;
- (10) If the care and supervision that the inmate requires and is anticipated to require can be provided in a more medically appropriate or cost effective manner than the Department of Corrections;
- (11) Allowing a geriatric or terminally ill person to live at a location outside of prison prior to death; and
- (12) The ability to adequately monitor the inmate, after release, to ensure public safety.

# INTERMEDIATE CORRECTIONAL INTERVENTION PROGRAM

- Maximizing State Reforms Grant 2016
- \$1.75 million over 3 years
- Prison bound adult female offenders in Pennington County
  - Reduce corrections costs by reducing unnecessary prison confinement
  - Expand/promote collaboration to support justice reinvestment
  - Use evidence based practices to reduce recidivism/prevent re-incarceration
- Prison bound probation violators, parole violators or reentry inmates
- Residential (3 months) and community (9 months) phases
  - 12 residential slots
- Contract with LSS and Pennington County
  - Program Start – summer 2018
- Assessments/Programming
  - WRNA – Women’s Risk Needs Assessment – Training week of 5/14
  - Change readiness
  - “Moving on” curriculum – Training 5/29 – 6/1
  - CBISA, MRT and MH services in community
  - Intensive case management
  - Responsivity – female/Native American

# COMMUNITY PLACEMENT FOR CTP PAROLEES

- Typically 200-300 parolees held in DOC prisons
- Community based CTP placements PSIA Pilot
  - Frees up prison beds for inmates – delays pressure for construction
  - Operational challenges
  - Reentry and intervention focus
  - Closer to home communities
- Appropriation for FY 19 – for 60-70 additional community beds
- RFP process – Room/Board and Case Management
  - Expanded services July 1, 2018