

**OFFICE OF THE DEFENDER GENERAL  
2009 GREEN MOUNTAIN JUVENILE AND  
CRIMINAL DEFENSE INSTITUTE**

**JUNE 5, 2009**

The Inn at Essex  
70 Essex Way  
Essex Jct., VT 05452

**WHAT EVERYONE MUST KNOW ABOUT CREDIT  
AND GOOD TIME**

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## **“GOOD TIME” (AS OF 2009) CHEAT SHEET**

### **THERE IS NO MORE GOOD TIME OFF THE MAXIMUM RELEASE DATE!! (EXCEPT AT THE WORK CAMPS)\***

A reduction of up to 30 days in the minimum and maximum terms of confinement may be made in accordance with a policy established by the director of a work camp in which an inmate is confined for each month during which the inmate demonstrates, beyond the level normally expected, consistent program performance or meritorious work performance

### **THERE IS ONLY THE 90-DAY WINDOW AND REINTEGRATION FURLOUGH (5 DAYS/MONTH IN ADDITION TO THE 90-DAY WINDOW) OFF THE MINIMUM RELEASE DATE.**

To get the 90-day window, your client has to meet the following SOMEWHAT DISCRETIONARY criteria:

1. be in compliance with their case plan;
2. have no disciplinary convictions in the preceding twelve (12) months for ANY Major “A” infraction or any other major or minor infraction which was specifically the result of violence against a person or property;
3. have a minimum sentence to serve – “All Suspended But” sentences are not considered to have a minimum sentence;
4. have served half of their minimum sentence if their minimum sentence was 180 days or less. Credit for time served counts toward the required days to serve. Awards of Automatic Reduction of Term, Earned Reduction of Term, Prospective Awards and Camp Earned Reduction of Term or Work Camp Good Time do not apply as time served.

To get an additional 5 days/month off the minimum sentence, your client must meet the following multiple and complicated COMPLETELY DISCRETIONARY criteria)\*:

\* We're not going to tell you b/c none of our clients ever get this. If your client wants to know if s/he is eligible, call us and we'll walk you through it...

### **180-DAY WINDOW FOR CERTAIN DUI OFFENDERS**

An offender incarcerated for driving while under the influence of alcohol under 23 V.S.A. § 1210(d) (3<sup>rd</sup> offense) or (e) (death resulting) may be furloughed to the community up to 180 days prior to completion of the minimum sentence at the commissioner's discretion, provided that an offender sentenced to a minimum term of fewer than 270 days shall not be eligible for furlough under this subdivision until the offender has served at least 90 days of his or her minimum term of incarceration. **This statute is in effect but DOC has not yet implemented it; please call PRO if your client is well-behaved and wants to take advantage of this..**

### **AND DON'T FORGET ABOUT THIS ONE...**

**Treatment furlough.** The department may place on furlough an inmate who has not yet served the minimum term of the sentence, provided the approval of the sentencing judge is first obtained, who, in the department's determination, needs residential treatment services not available in a correctional facility. The services may include treatment for substance abuse or personal violence or any other condition that the department has determined should be addressed in order to reduce the inmate's risk to reoffend or cause harm to himself or herself or to others in the facility. **(Usually used for the Tapestry program; could be used for any residential substance treatment facility)**

### **ONE FINAL NOTE**

**There are clients who have old sentences (for crimes committed in 2005 or before) that will make the person eligible for previous good time schemes. These are highly fact-specific situations that are becoming increasingly less common; if you encounter one of these, please call Prisoners' Rights at 828-3194.**