



DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS

Program Statement

OPI:	PROGRAMS
Number:	4340.2A
Date:	October 30, 2007
Supersedes:	4340.2 (11/6/87)
Subject:	Educational Good Time Credits

1. **PURPOSE AND SCOPE.** To establish uniform procedures for awarding Education Good Time Credits to eligible inmates imprisoned in a District of Columbia Correctional Facility.
2. **POLICY.** It is DC Department of Corrections (DOC) policy to award Educational Good Time Credits to sentenced inmates consistent with DC Code § 24-221.01 and in the following manner:
 - a. Every sentenced person whose conduct complies with institutional rules and who successfully completes an academic or vocational program, including special education and General Equivalency Diploma programs, shall earn educational good time credits of no less than three (3) days per month and not more than (five) 5 days per month.
 - b. Authorized educational good time credits shall be applied to the person's minimum term of imprisonment to determine the date of eligibility for release on parole and to the person's maximum term of imprisonment to determine the date when release on parole becomes mandatory.
 - c. When an inmate is found guilty of one or more Class I or Class II offenses, as defined in PM 5300.1C, the DOC Director may forfeit or withhold EGT.
 - d. The DOC Director may also restore Educational Good Time (EGT) Credits in accordance with this directive.
 - e. Once Educational Good Time Credits are awarded, they are vested and can not be forfeited.
 - f. Inmates are limited to 5 days EGT per month, even if enrolled in more than one eligible program.

3. **APPLICABILITY**

- a. This policy shall apply to DC Code offenders housed in a DOC or a DOC contract facility and enrolled in a course or program on or after April 11, 1987.
- b. The Federal Bureau of Prisons shall award EGT to eligible DC Code offenders, housed in federal or Bureau contract facilities.

4. **EXCEPTIONS**

- a. Educational and meritorious good time credits shall not reduce the minimum sentence of any inmate convicted of a crime of violence as defined by § 22- 4501, by more than 15%.
- b. Institutional and educational good time credits shall not be applied to the minimum terms of persons sentenced under:
 - 1) DC Code § 22-4502 Crime of Violence or Dangerous Crime While Armed,
 - 2) DC Code § 48-901.02 Controlled Substances Act,
 - 3) DC Code § 48- 904.01 Controlled Substances Act,
 - 4) DC Code § 22-2104(b) Murder in First and Second Degrees,
 - 5) DC Code § 22-2803 Carjacking, or
 - 6) DC Code § 22-4504(b).Possession of Firearm While Committing a Crime of Violence or a Dangerous Crime

- 5. **PROGRAM OBJECTIVES.** The expected results of this program are that inmates, by virtue of personal development and positive behavior, may receive an earlier release from confinement as well as the opportunity for a more successful reintegration into the community.

6. **NOTICE OF NON-DISCRIMINATION**

- a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §2.1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination

that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

- b. DOC prohibits discrimination against inmates based on an inmate's race, religion, national origin, gender, sexual orientation, disability or any other type of prohibited discrimination when making administrative decisions and in providing access to programs.
- c. Inmates with disabilities, including temporary disabilities, are housed in a manner that provides for their safety and security. Housing used by inmates with disabilities, including temporary disabilities, is designed for their use and provides for integration with other inmates. Programs and service areas are accessible to inmates with disabilities who reside in the facility.
- d. Discrimination on the basis of disability is prohibited in the provision of services, programs and activities.

7. DIRECTIVES AFFECTED

a. Directive Rescinded

- 1) PS 4340.2 Implementation of the District of Columbia Good Time Credit Act of 1986 (5/22/87)
- 2) SO 4340.2 Implementation of the District of Columbia Good Time Credit Act of 1986 (11/6/87)

b. Directives Referenced

- 1) PM 4110.7B Educational Services
- 2) PM 5300.1C Inmate Disciplinary and Administrative Housing Hearings
- 3) TRM 02-001 DC Records Training Technical Reference Manual
- 4) PS 4030.1 Inmate Grievance Procedures (IGP)

8. AUTHORITY

- a. DC Code § 24-221.01 Educational Good Time
- b. DC Code § 24-1201 Transfer of Prison System to Federal Authority

- c. Code of DC Municipal Regulations (CDCR), Title 28. Corrections, Courts and Criminal Justice, Chapter 6, Institutional and Education Good Time Credits
- d. Mayors Order 87-255 establishing rules for the Institutional Appeals Board

9. STANDARDS REFERENCED

- a. American Correctional Association (ACA) 4th Edition Performance-Based Standards for Local Adult Detention Facilities 4-ALDF-5A-09
- b. American Correctional Association (ACA) 4th Edition Performance-Based Standards for Adult Correctional Institutions

10. EDUCATIONAL GOOD TIME CREDIT AWARDS – GENERAL RULES

Expected completion times are assigned to DOC educational and vocational programs as outlined in Section 11 of this directive.

- a. Three (3) days per month for programs completed in one (1) to six (6) months not to exceed eighteen (18) days Educational Good Time.
- b. Four (4) days per month for programs completed in seven (7) to twelve (12) months not to exceed forty—eight (40) days Educational Good Time.
- c. Five (5) days per month for programs completed in thirteen (13) or more months not to exceed 300 days Educational Good Time.
- d. The inmate cannot earn EGT while on a waiting list for program enrollment.
- e. Enrollment in an eligible program for any portion of a calendar month earns one full month's worth of EGT.
- f. An inmate may be enrolled in a designated program longer than the time allowed in the table below, but may not earn more EGT than the maximum allowable credits indicated.
- g. If an inmate successfully completes an eligible program in less time than the expected completion time designated in the table below, the inmate shall only earn EGT at the applicable rate per month while actually enrolled.
- h. Educational Good Time Credits awarded for the completion of higher education semester hours shall not be cumulative. The maximum allowable credits for completing requirements of a Bachelor degree is 300 days EGT.

- i. The amount of creditable Good Time shall therefore be applied as follows:

Program	Expected Completion Time	Rate of days applied per month	Maximum Allowable Credits
Adult Basic Education	15 months	5 days	75 days
GED Preparation	15 months	5 days	75 days
Special Education	12 months	4 days	48 days
Life Skills	1 month	3 days	3 days
Related Programs	1-6 months	3 days	18 days
Vocational program	3 months	3 days	15 days
Vocational program	6 months	3 days	18 days
Vocational program	12 months	4 days	48 days
Higher Education – 3 semester hours	4 months	3 days per course unit	3 days X number of course units

11. WITHDRAWALS

- a. *Involuntary Withdrawal.* If an inmate is removed from an educational program for administrative reasons, the principal shall designate the inmate as a voluntary withdrawal. Administrative reasons may include but not be limited to medical restrictions, temporary transfer from the facility or disciplinary detention.
- b. *Reenrollment.* The inmate may later reenroll through routine institutional procedures and should be considered for EGT for the time previously enrolled in the program.
- c. *Voluntary Withdrawal.* If an inmate voluntarily withdraws from the program and later re-enrolls and completes the program, the inmate is not eligible for EGT for the time enrolled prior to voluntarily withdrawal.

12. PROCEDURES FOR AWARDING EGT

- a. The instructor shall complete and submit the Educational Good Time Credit certification to the principal within two (2) business days of the inmate's completion of the eligible program.
- b. Within one (1) business day, the principal shall deliver the approved certification to the Chief Case Manager.
- c. The Chief Case Manager shall ensure that a JAACS query and institutional file review is conducted within one (1) day to determine if the

inmate has been found guilty of a Class I or Class II offense while enrolled in the educational/vocational course or program.

- d. If the inmate has not been found guilty of one or more Class I or Class II offenses while enrolled in the course/program, the Chief Case Manager shall approve clearance. The Chief Case Manager shall deliver the approved certification to the Records Office Administrator for sentence computation.
- e. The Records Office Administrator shall ensure priority sentence computation for sentenced misdemeanants when it appears that the application of Educational Good Time Credits would sufficiently reduce the inmate's minimum or maximum sentence; making the inmate eligible for immediate release or placement in a community correctional center.
- f. The Records Office Administrator shall forward EGT credit certifications to the Federal Bureau of Prisons for sentenced felons who complete an eligible program while housed at the CDF or CCA/CTF prior to transfer to a federal facility.
- g. EGT shall not be awarded in an amount that would make the inmate past due for release (i.e., EGT may be prorated to avoid late release).
- h. The affected inmates shall be informed of all awards, forfeitures or restorations of good time credits.
- i. If the inmate has been found guilty of one or more Class I or Class II offenses while enrolled in the course/program, the Chief Case Manager shall refer the matter to the assigned Case Manager for a Classification Committee review. The inmate shall participate in the classification review and may submit a verbal and/or written statement along with documentation that may favorably influence the decision for the inmate.
- j. The Classification Committee shall review the matter and determine recommendation for the award, delay in the award of permanent withholding of all or part of the Educational Good Time award.
- k. The Classification Committee shall consider the following factors when deliberating:
 - 1) The severity of and circumstances surrounding the Class I or Class II offense;
 - 2) The inmate's disciplinary record during the current incarceration;
 - 3) The inmate's rehabilitative efforts during the current incarceration;

- 4) Mitigating circumstances such as first-time incarceration, youthfulness, and whether the inmate has developmental or mental health concerns; and
 - 5) The inmate's otherwise demonstrated positive adjustment since the violation.
- I. The Classification Committee shall forward any recommendation for delay or permanent withholding of educational good time credits to the Warden.
 - m. The Warden may take one of the following actions:
 - 1) Recommend that the action be sustained;
 - 2) Reverse the Committee's decision and recommend award of all or a portion of the EGT for which the inmate might have been eligible;
 - 3) Remand the recommendation to the Classification Committee for further review when the Warden has determined that the Committee failed to consider relevant evidence that was not made part of the record due to administrative or procedural error. Remand shall not be made to increase the amount of EGT being recommended for withholding or forfeiture.
 - n. Within five business (5) days of receipt of the recommendation the Warden shall forward the proposed action to the Director for a decision.
 - o. An inmate may appeal the Director's decision to forfeit or withhold EGT.
 - p. The Institutional Appeals Board, chaired by the Attorney General, DC or designee, shall upon the timely request from an inmate, review the Director's decision to grant, withhold, forfeit, cancel, delay or restore that inmate's educational good time credits.
 - q. The Institutional Appeals Board's decision shall be final.


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