Commonwealth of Massachusetts
Department of Correction
Standard Operating Procedures
Attachment to 103 CMR 411, Deduction from Sentence
Procedures for Deductions

I. Purpose

The purpose of this document is to establish procedures for the deduction of earned good time ("EGT") from an inmate's sentence for satisfactory performance in an approved activity.

II. Deductions

A. Per M.G.L. c. 127, §129D, the Superintendent or designee, Director of Inmate Education and Training or designee, Director of Community Work Crews Central Division or designee, or the Central Date Computation Unit ("CDCU") may deduct a maximum of ten (10) days per month from an inmate's sentence for satisfactory performance in an approved activity in any of the following categories:

1. Employment Programs: The Superintendent, their designee or CDCU may grant deductions totaling not more than five (5) days per month to an inmate who has satisfactorily performed in an employment program(s) approved by the Commissioner or designee.

2. Education Programs: The Director of Education and Training, their designee, or CDCU may grant deductions totaling not more than five (5) days per month for each program to an inmate who has satisfactorily performed in an educational program(s) approved by the Commissioner or designee.

3. Vocation Trainings: The Director of Inmate Education and Training, their designee, or CDCU may grant deductions totaling not more than five (5) days per month for each training to an inmate who has satisfactorily performed in a vocation training(s) approved

by the Commissioner or designee.

4. Programs: The Superintendent, their designee, or CDCU may grant deductions totaling not more than five (5) days per month for each program to an inmate who has satisfactorily performed in a program approved by the Commissioner or designee.

5. Pre-Release Program: For the satisfactory conduct of an inmate confined on pre-release status, the Superintendent, their designee or CDCU may grant a monthly deduction in the Program category of not more than two-and-one-half (2.5) days for time spent in confinement on pre-release status.

B. To earn deductions for one month participation, an inmate shall participate in the activity for at least eighty percent (80%) of the duration of the activity for the respective month as well as perform all requirements of the activity.

1. An offender may be assigned additional out of class work in lieu of an excused absence however this should be an exception and not the rule.

C. Per M.G.L. c. 127, §129D, the Superintendent, their designee, The Director of Inmate Education and Training, their designee, or CDCU may grant a deduction of ten (10) days Boost Time in a given month where the inmate has demonstrated competency in an activity approved by the Commissioner for Boost Time by means of completing and passing an activity-provided exam or by a Panel review which measures competency. The activity must be at least six (6) months in duration and Boost Time, if awarded, shall be awarded during the same month of successful completion after the inmate has demonstrated competency in the respective activity. Boost Time cannot be awarded during the last three (3) months of an inmate's incarceration.

D. Camp Time - For the satisfactory conduct of an inmate confined in a prison camp, the

institutional Records Manager or CDCU may grant a monthly deduction from sentence of not more than two-and-one-half (2.5) days for time spent in confinement in a prison camp per M.G.L. c.127, §129C.

E. Any deductions from sentence earned pursuant to M.G.L. c.127, § 129C and 129D, once granted, cannot be forfeited for disciplinary infractions.

F. In the event that an inmate challenges any deductions from sentence or Earned Good Time History Report the inmate may submit a written request for reconsideration. The request for reconsideration must be submitted within thirty (30) days from the date of receipt of the Deduction from Sentence or Earned Good Time History Report first listing the challenged deduction and/or program for which a deduction was not granted. The written request must be sent to the appropriate department, Work Assignment Officer, Director of Treatment or School Principal of the institution where the earned good time is claimed to have been earned.

III. EGT for Activities Participated in During Final Three (3) Months of Incarceration

An inmate may be awarded EGT for activities participated in during the final three (3) months of incarceration, as the Superintendent/designee, Director of Inmate Education and Training/designee, the Director of Community Work Crews Central Division/designee or CDCU shall presume that the inmate will continue to satisfactorily participate in current activities as part of the inmate's re-entry/discharge planning process. The Director of the Central Date Computation Unit or designee will presume EGT for the inmate’s last three (3) months of incarceration based on the amount of EGT awarded for activities during the previous month. Inmates may enroll in additional activities in the last three (3) months of their incarceration; however they may be awarded EGT solely based on the previous months activities, not for the additional activities participated in during the last three (3) months of

their incarceration. Boost Time shall not be awarded during the last three (3) months of the inmate's incarceration.

Superintendents or designee(s), the Division of Inmate Education and Training or designee(s), and the Director of Community Work Crews Central Division or designee, shall be responsible for the monitoring of inmate compliance with respect to the eighty percent (80%) threshold as stated above at II.B;

1. The Superintendent or designee may recommend EGT for inmates who successfully complete institutional work assignments, facility and work crews under their supervision and respective inmate programs in accordance with 103 CMR 411.

2. The Division of Inmate Education and Training or designee(s) may recommend EGT for inmates who successfully complete education and vocation activities in accordance with 103 CMR 411.

3. The Director of Community Work Crews Central Division or designee may recommend EGT for inmates who successfully complete Central Community Work Crews in accordance with 103 CMR 411.

The Director of the CDCU or designee shall be the sole granting authority for EGT for activities participated in during the final three (3) months of incarceration, including presumptive EGT, as the Commissioner's designee(s). Recommendations for EGT for activities participated in during the final three (3) months of incarceration that do not meet the requirements of the Standard Operating Procedure shall not be granted.

IV. Effective Date

Sections II (A), (C), (D), and (E) of this standard operating procedure is effective as of November 1, 2012. Section II (B) and Section III of this standard operating procedure is effective on March 2, 2015.