

| | ERP/CIP | Extraordinary Health Conditions/Aged | Positive Adjustment Time (PAT) | | | Early Release of "Certain" Inmates (12 Months From Release) | Risk Reduction Sentence (RRS) | TIS 1 AND TIS 2 75% AND 85% |
|-------------------------|---|---|---|---|---|---|---|--|
| | | | Earn 1 for 2 | Earn 1 for 3 | Earn 1 for 5.7 | | | |
| Who is Eligible? | Inmates who currently meet Challenge Incarceration Program (CIP) or Earned Release Program (ERP) eligibility requirements (302.045 and 302.05) but do not have a documented need for AODA treatment. | 302.1135(2) (a)(b)(c) Any inmate who is serving a Truth In Sentencing (TIS) sentence, if he/she meets one of the following: 1. Is 65 years and served 5 years of a bifurcated or life sentence. 2. Is 60 years and served 10 years of a bifurcated or life sentence. 3. Extraordinary health condition. | 302.113(2)(b) An inmate sentenced under 973.01 for a misdemeanor or non-violent Felony F-I See statutes for additional exclusions. | 304.06(1)(bg)1 An inmate sentenced under 973.01 for a Class F-I felony or a misdemeanor that is not a violent offense, as defined in S. 301.048 (2)(bm)1 and who is ineligible for PAT under s. 302.113 (2)(b) or for a Class F-I felony that is a violent offense under s. 301.048 (2) (bm) 1 See statutes for additional exclusions. | 304.06(1)(bg)2 – An inmate sentenced under 973.01 for a Class C-E Felony See statutes for additional exclusions. | 302.113(9h) – An inmate serving the confinement portion of a bifurcated sentence for a misdemeanor or Class F-I Non-Violent offense defined in 301.048(2)(bm)1 whose release to extended supervision date is not more than 12 months before the person's extended supervision eligibility date. Inmates believed to be able to maintain himself or herself while not confined without engaging in assaultive activity. See statutes for exclusions. | Inmates sentenced for a felony under s. 973.01 for whom the court has ordered a Risk Reduction Sentence under s. 973.031. See statutes for exclusions. | 304.06 (1) (bg) 3 and 4. Misdemeanor or Felony F-I (75%) or Felony C-E (85%) for offenses committed prior to the effective date of the bill and who have not petitioned the court under 973.195. The 75% does not apply to a person who is serving, begins to serve, or who has served during his/her current period of confinement a sentence for a Class C-E Felony. |
| Effective | 10/01/09 | 10/01/09 | 10/01/09 | 10/01/09 | 10/1/09 | 10/1/09 | 10/1/09 | 10/1/09 |
| Inmate Responsibility | Obtain Judgment of Conviction (JOC) indicating eligibility. Complete six-month program. | Submit petition and follow DRAFT 302 IMP 14B requirements. Inmate completes petition, assists in release planning, authorizes release of medical information. | Must not violate any regulation of the prison or does not refuse or neglect to perform required or assigned duties. | Must not violate any regulation of the prison or does not refuse or neglect to perform required or assigned duties. | Must not violate any regulation of the prison or does not refuse or neglect to perform required or assigned duties. | Complete release plan. | Agree to risk assessment and participation in program/treatment. Must maintain "good" conduct." Serve at least 75% of confinement portion of a bifurcated sentence and complete programming or treatment. | Must serve at least 75%/85% of the confinement period of a bifurcated sentence. May choose to petition: 1) the court under 973.195 (if sentenced before 10/01/09 or, 2) ERRC under 304.06(1)(bg) 3and 4 (if not already petitioned the court under 973.195) |
| Key Stakeholders | Court determines program eligibility on JOC. Within 30 days of the notice of an inmate's successful program completion, the court will modify the inmate's sentence to reduce confinement time and will release the inmate to extended supervision. | ERRC – hearing. Victim, District Attorney (DA), defense attorney, inmate. May provide input or attend hearing. | Release subject to court review. Victim may provide input if court holds hearing. | Court, DA, victims. ERRC holds hearing; court may accept or reject ERRC's determination. Victim input at ERRC and/or court hearing. | Court, DA, victims. ERRC holds hearing; court may accept or reject ERRC's determination. Victim input at ERRC and/or court hearing. | Court, DA, victim | Court, victims | Court, DA, victims. Victim may provide input at ERRC and/or court hearing. |
| Risk Assessment | Not required. Eligibility determined on by court on JOC | Not required by Statute | Required by statute | Required by statute. | Required by statute. | For existing population, designee completes prior to review by Secretary's Office. | 302.042 (2) requires the department to complete for each inmate sentenced to a risk reduction sentence | Required by statute. |
| Risk Assessment Purpose | Not applicable | Not applicable | Assess criminogenic factors and risk to reoffend. Determine PAT category. For review by court. | Assess criminogenic factors and risk to reoffend. Determine PAT category. For review by ERRC and court. | Assess criminogenic factors and risk to reoffend. For review by ERRC and court. | Assess criminogenic factors and risk to reoffend | Assess criminogenic factors and risk to reoffend; development of Program Plan. | Assess criminogenic factors and risk to reoffend. For review by ERRC and court. |

Date: 10/7/2009