



EARNED TIME ACT

Despite clear research that longer prison sentences increase rather than reduce recidivism, New York has shifted focus from rehabilitation to warehousing people in prison for as long as possible.

- Good time and merit time programs support personal transformation by encouraging participation in education, employment, and other rehabilitative programs.
- However, during the 1990s, New York State slashed programs for incarcerated people and dramatically limited the time people could earn off their sentences. This included eliminating financial aid for incarcerated college students, decimating college-in-prison programs.
- New York also restricted access to merit time based on conviction type, eliminating key opportunities for rehabilitative programming and earned time for thousands of New Yorkers each year.
- Research shows that longer prison sentences increase rather than decrease recidivism. For example, a 2016 [study](#) in four states—Michigan, Missouri, New York, and Utah—found that longer length of stays produces higher recidivism rates. A [study](#) in Texas found that each additional year that a person serves time behind bars makes them 4 to 7% more likely to recidivate within three months after release.
- Research also shows that earned time opportunities help to prepare incarcerated people for reintegration, reducing recidivism rates and correctional costs.
- New York is substantially behind other states—including traditionally conservative states—on allowing incarcerated people to earn time off their sentences. For example, [Alabama](#), [Nebraska](#) and [Oklahoma](#) all permit incarcerated people to earn over 50% earned time.

Current state law fails to provide incarcerated people with meaningful opportunities to earn release and gives DOCCS unlimited discretion to deny earned good time and merit time credits—even after years of good conduct.

The Solution: The Earned Time Act

Earned time helps to prepare incarcerated people for reintegration and to restore them to their families and communities. The Earned Time Act will strengthen and expand “good time” and “merit time” laws to encourage personal transformation in prison and reunite families.

Key Provisions

- Allow all incarcerated people to earn good time and merit time, so that all incarcerated people—regardless of conviction—have the opportunity and encouragement to engage in personal transformation.
- Increase good time to 50% and merit time to 25% to reunite families sooner.
- Create procedural protections to limit abuse of discretion in taking away good time.
- Expand opportunities for earning merit time and incentivize individual facilities to offer the programs that allow incarcerated people to earn merit time.

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