



Proposition 57: Credit-Earning for Inmates Frequently Asked Questions (FAQ)

(Updated May 2018)

Overview of Proposition 57

On November 8, 2016, California voters overwhelmingly passed Proposition 57 (64% to 35%), which gives California Department of Corrections and Rehabilitation (CDCR) inmates the ability to earn additional credits for good behavior and for approved rehabilitative or educational achievements. Under Proposition 57, the department incentivizes inmates to take responsibility for their own rehabilitation; promote public safety by encouraging inmates to pursue educational, vocational, and self-improvement activities; and reduce recidivism by increasing the likelihood that inmates will successfully transition back into our communities.

Proposition 57 regulations were approved for permanent adoption by the Office of Administrative Law (OAL) and filed with the Secretary of State's Office on May 1, 2018. This was the last step in codifying the regulations, which were implemented gradually last year after being approved on a temporary emergency status in April 2017.

What are the credits inmates can earn under Proposition 57?

Inmates are expected to maintain good behavior, work or participate in approved rehabilitative programs and activities to give them tools and skills for their eventual return to society. Under Proposition 57, inmates who comply with the rules, avoid violence, and perform duties assigned to them, are eligible to earn Good Conduct Credits. Inmates who participate in approved rehabilitative and educational programs shall be eligible to earn Milestone Completion Credits, Rehabilitative Achievement Credits, or Educational Merit Credits. Inmates who perform a heroic act in a life threatening situation may be eligible to receive the Extraordinary Conduct Credits. All credits except for Educational Merit and Extraordinary Conduct Credits will be applied prospectively.

What will do the expanded credit-earning opportunities do for inmates?

Credits earned for good conduct and rehabilitative and educational achievements can advance an inmate's release date if sentenced to a determinate term, or advance an inmate's initial parole hearing date if sentenced to an indeterminate term with the possibility of parole. *(Note: A determinate term is a sentence of specified length. An indeterminate term is a sentence of unspecified length which ends only when the inmate is granted parole by the Board of Parole Hearings.)* Inmates who violate prison rules will forfeit credits.

Who is eligible?

Credit-earning opportunities are available to all inmates, including those housed in contract facilities, as well as those in administrative segregation housing, security housing and psychiatric services units. Inmates not eligible for credits under Proposition 57 include condemned inmates and those serving sentences of life without the possibility of parole.



What are Good Conduct Credits under Proposition 57?

Good Conduct Credits are awarded to eligible inmates who comply with all the rules within a prison and perform the duties as assigned on a regular basis. Effective May 1, 2017, Good Conduct Credits were amplified according to the following table:

Good Conduct Credits Table (GCC):

| Inmates Eligible | Prior to Prop. 57 GCC Credits | Prop. 57 GCC Credits |
|---|-------------------------------|----------------------|
| <ul style="list-style-type: none"> Violent offenders serving determinate sentences or indeterminate life sentences | Zero to 15% | 20% |
| <ul style="list-style-type: none"> Nonviolent second- and third-strikers | Zero to 33.3% | 33.3% |
| <ul style="list-style-type: none"> Day-for-day offenders | 50% | 50% |
| <ul style="list-style-type: none"> Offenders with violent offenses completed fire fighter (FF) training for assignment to Camp or a Firehouse and inmates assigned to Fire Camp in support positions (non-FF positions). | 15% | 50% |
| <ul style="list-style-type: none"> Nonviolent offenders' assignment to Camp or a Firehouse and inmates assigned to Fire Camp in support positions (non-FF positions). | 33.3% | 66.6% |
| <ul style="list-style-type: none"> Day-for-day minimum-custody offenders These inmates receive enhanced credit based on Minimum Custody, and do not require FF training or camp placement to receive enhanced GCC. | 66.6% | 66.6% |

What are Milestone Completion Credits?

Under Proposition 57, the Milestone Completion Credits were expanded to 12 weeks in a 12-month consecutive period effective August 1, 2017. Milestone Completion Credits are awarded to eligible inmates for successful completion of approved rehabilitative or educational programs designed to better prepare them to find employment upon release and thereby reduce recidivism. They are also awarded for achievement of a distinct objective based on instruction and classwork time.

What are Rehabilitative Achievement Credits?

Thousands of self-help and volunteer public service activities offered in California prisons are intended to provide meaningful rehabilitative programming to our inmate population. Some examples include alcohol and substance abuse prevention, anger management, anti-gang life skills, victim awareness, and best parenting practices, to name a few. Many of these self-help activities fall under the Rehabilitative Achievement Credits, and effective August 1, 2017, inmates are able to receive up to one week of credit for every 52 hours of participation in approved programs, for up to a maximum of four weeks of credit for 208



hours of participation in a twelve month period. CDCR's Division of Adult Institutions and the prisons' Wardens approve the programs, which must be organized to achieve educational or rehabilitative goals, and be sponsored by department staff or volunteers.

What are Educational Merit Credits?

Educational Merit Credits recognize the achievements of inmates who earn the following:

- a high school diploma or high school equivalency approved by the California Department of Education (current options include the following exams: GED, HiSET, and TASC);
- higher education degrees, such as an AA or a BA;
- the Offender Mentor Certification Program

High school and high school equivalency completion awards inmates 90-days of credit. Inmates can earn 180-days of credits for higher education degrees and the OMCP. This once-in-a-lifetime credit, which came into effect on August 1, 2017, may be awarded for each level of educational achievement; and the achievement must be completed during the inmate's current term of incarceration. At least fifty-percent of the credit toward a college-level degree must be earned from a regionally accredited institution while an inmate is in prison on his or her current term. Because it can take years to earn an educational degree, inmates who achieve that goal will be given three-to-six months of credit, which will be applied retroactively if the degree has been completed during the inmate's current term of incarceration.

What are Extraordinary Conduct Credits?

The Extraordinary Conduct Credit is an existing type of credit where an inmate may be granted up to twelve additional months of reduction of a sentence, under the approval of the Director of the Division of Adult Institutions, if they have performed a heroic act in a life-threatening situation, or have provided exceptional assistance in maintaining the safety and security of a prison.

Can an inmate lose credits?

CDCR can forfeit Good Conduct, Milestone Completion, and Rehabilitative Achievement Credits as a result of disciplinary infractions and rules violations. Educational Merit and Extraordinary Conduct Credits are not subject to forfeiture for disciplinary reasons.