Rehabilitative practices contribute significantly to public safety through the reduction of recidivism and successful reintegration of inmates into society. Wisconsin currently uses bifurcated sentencing, which means a person is sentenced to a specific time period to be incarcerated and a time to be on extended supervision. At this time, inmates are unable to earn time off their sentence unless they were deemed eligible for Earned Release Programming (ERP) at the time of their sentencing. Individuals are not eligible for ERP unless they have a substance abuse problem. This means that many others are essentially unable to earn any time off their sentence, regardless of the efforts they may make to pursue rehabilitation while incarcerated.

Incentives matter. Those incarcerated must have a goal to work towards during their incarceration and the ability to earn sentence credit by following evidence-based rehabilitative programming. Potential to earn time off also gives these individuals and their families hope. It would encourage continued support from families and loved ones – the number one resource to reduce recidivism.

We recommend this sentence credit be available to all incarcerated individuals sentenced as of January 1, 1995 going forward – when the initial iteration of Truth In Sentencing became effective.

**Suggested Eligibility for Sentence Adjustment Credits**

a) Individuals convicted of a Class A or B felony are eligible to earn ten days of sentence adjustment credit per month after having served fifteen percent of the confinement portion of his/her sentence.

b) Individuals convicted of a Class C or D felony are eligible to earn ten days of sentence adjustment credit per month after having served ten percent of the confinement portion of his/her sentence.

c) Individuals convicted of a Class F-I felony are eligible to earn ten days of sentence adjustment credit per month immediately following his/her confinement.

These eligibility standards allow an individual to earn up to one third time off their original sentence.

**Suggested Criteria for Earning Sentence Adjustment Credits**

To be eligible for sentence adjustment credits, individuals must demonstrate engagement with a majority combination of the following criteria:

* Compliance with the individual's personalized case plan, exhibiting consistent adherence to the established goals and objectives.
* Positive institutional adjustment, as evidenced by a record of good behavior, cooperation with facility staff, and participation in the facility community.
* Active involvement in academic and vocational training programs.
* Participation in life skill development classes and/or community-led programming, showing a dedication to improving for successful reintegration into society.
* Engagement with reentry training programs
* Participation in institution work assignments and/or volunteer activities, reflecting a work ethic and a sense of responsibility towards the community.
* Utilization of mental health or behavioral health services, as deemed appropriate and necessary, demonstrating a commitment to addressing personal mental and behavioral health needs.

**Suggested Review Mechanism:**

Individuals would petition the sentencing court or a designated judicial body responsible for reviewing sentence credit eligibility. This body would consider the individual’s commitment to the above list of criteria, any documentation provided by the DOC and it’s associated professionals (mental health, work supervisors, or community programming leaders), and/or any submitted statements by the individual and those who wish to support their eligibility for sentence credit. The judicial body would review the information to determine eligibility and therefore adjust the individual’s sentence.

We also recommend this process can only be done once every two years, once an individual has reached the initial threshold. This will help ensure continued effort towards rehabilitation is made by giving ample time to meet the majority of the criteria – and make adjustments if a previous petition was not granted.