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Good Times for All?

A Public Policy Whitepaper by ASC-RI

Rhode Island General Law Section 42-56-24 of Chapter 42-56 Corrections Department Title 42 State Affairs and Government, generally known as the Good Times statute, was enacted in 2008. It codifies a formula for computing time off for good behavior for inmates at the state's Adult Correctional Institute (ACI). Far from being an attempt to provide humane treatment to those in state detention, however, the law was actually an attempt to blunt potential lawsuits. At the time it was signed, Rhode Island's inmate population was growing dangerously close to its maximum capacity under then current federal guidelines. At its conclusion the law reads:

"Furthermore, whenever the prisoner has successfully completed such program, they may; with the consent of the director and upon the recommendation by the assistant director, rehabilitative services, be deducted from the term or terms of the prisoner up to an additional (30) days."

The law requires a blanket reduction of prisoner sentences whenever certain simple performance criteria are met:

- 10 Days off the total sentence for every Month of 'Good Behavior'
- 2 Days off the total sentence for every Month in which an inmate works at a prison job
- 5 Days off the total sentence for every Month in which an inmate participates in certain designated educational programs
- As much as 30 Days off the total sentence for the successful completion of certain educational programs, after receiving the recommendation of the Dept. of Corrections

Currently all Rhode Island inmates are eligible for reductions of sentences under these rules. That includes murderers, rapists, and other sex offenders – those who would be considered to have committed the most heinous crimes by many in our state's communities. The statute is applied equally to all. So inmates who are non-violent offenders have the same incentive, even if they go on to commit more brutal crimes.

These 'Lesser' crimes all have victims with whom we identify and for whom the state imposes punishments. Crimes such as arson, burglary, weapons law violations, theft, extortion, and blackmail deserve more careful consideration as Stepping Stone offenses. But no consideration seems to have been given to differentiating them from crimes of violence, or to including any victim's rights in the calculation of time off for good behavior. If a sentence for a lesser crime could be worked off but that for a greater crime could not would a better incentive be provided to the inmate? If victims agreed to have the inmates convicted of the crimes against them made eligible for Good Times would there be a greater likelihood of seeking forgiveness? Yet were either of these angles reviewed during the framing of this law? It appears not.

Instead Rhode Island's Department of Corrections (DOC) simply advises that the reductions of sentences under the Good Times statute reduces prison overcrowding and saves the state an estimated \$44,000.00 for every inmate-year of incarceration that is eliminated in medium

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security detention. DOC also claims that the practice results in a calmer, more orderly and controlled environment at the ACI. No mention is made by DOC of the worth of inductive restrictions or special privileges used on a case by case basis as tools for behavior modification in the prison. Instead it seems to be only about the budget money.

While some may claim that Rhode Island's program of Good Times may be easing overcrowding at the ACI, others will point to it as the source of a marked increase in the clogging of court schedules. The Ocean State does no better than many other states in the recidivism rates of its released inmates. Currently well over 50% of those released are likely to reoffend. Since Good Times have had no discernable effect on that statistic it can be argued that the real result is simply to accelerate that level of re-offense. So while the DOC's annual expense budget may be said to have improved with the overall reduction in time served, there is an unaccounted for additional price being paid by the taxpayers. Public costs for law enforcement and courtrooms around the state are just the tip of that iceberg. The real costs are bourn by individual victims and by the public confidence in the safety of its communities.

Although community safety should be the paramount concern, the egregious breeches of it that are known to all Rhode Islanders have been fatal in nature, and directly related to Good Times releases. As the economy continues to suffer, these crushing unintended consequences will only increase.

The Alliance for Safe Communities asks a simple question: Are we actually rewarding bad behavior with the current configuration of the Good Times bill? And, if so, Why?

ASC-RI is a non-profit dedicated to assisting Communities to achieve the promise of a safe environment that is made to them by government.