

**REPORT OF THE VIRGINIA
DEPARTMENT OF CORRECTIONS**

**Earned Sentence Credit
Legislation Workgroup Report
(Chapter 50, 2020 SSI)**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



HOUSE DOCUMENT NO. 10

**COMMONWEALTH OF VIRGINIA
RICHMOND
2021**

Earned Sentence Credit Legislation Workgroup Report



Harold W. Clarke, Director

July 1, 2021



Background Information

Summary of House Bill HB5148 (2020 General Assembly Special Session)

Department of Corrections; earned sentence credits. Establishes a four-level classification system for the awarding and calculation of earned sentence credits. The bill also specifies certain crimes that are subject to the maximum 4.5 earned sentence credits for each 30 days served that is permitted under current law. The bill provides that the Department of Corrections shall convene in due course a work group to study the impact of the sentence credit amendments set forth in the act. The bill directs the work group to report to the Governor and the General Assembly by July 1, 2021, the membership of the work group and the work group's plan for conducting such study, including any data and information upon which the work group will rely in conducting such study, and to report its finding and conclusions to the Governor and the General Assembly by December 1, 2022. The remainder of the bill has a delayed effective date of July 1, 2022, and requires the calculation of earned sentence credits to apply retroactively to the entire sentence of any inmate who is confined in a state correctional facility and participating in the earned sentence credit system on July 1, 2022. As introduced, this bill was a recommendation of the Virginia State Crime Commission.

Workgroup Members

Senator L. Louise Lucas
Senator Frank M. Ruff, Jr.
Delegate Lashrecse D. Aird
Delegate Barry D. Knight
Mrs. Meredith Farrar-Owens, Director-Virginia Criminal Sentencing Commission
Ms. Kristen Howard, Executive Director-Virginia State Crime Commission
Ms. Clovia Lawrence, Project Give Back to Community
Mr. Chuck Slemple-Commonwealth's Attorney, Wise County
Ms. Banci Twolde, Associate Director-Department of Planning and Budget

Methodology

This workgroup will study data related to the sentencing and release of State Responsible (SR) inmates who are impacted by the Earned Sentence Credit legislation. Current and future SR sentenced inmates will be monitored, tracked and compared to historical trends to determine the impact on time served and outcomes. Consideration will need to be made regarding sentencing of individuals during the COVID-19 pandemic as well as post COVID-19.

