



Federal legislative update

September 26, 2008

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On September 25, Rep. Danny Davis (D-Ill.) introduced HR 7089, the “Federal Prison Work Incentive Act of 2008,” a **bill** (this is not yet a law, it does not affect anyone yet) that would substantially revive the good time system that existed before November 1, 1987, when the Sentencing Reform Act (SRA) was passed. The SRA reduced the good time credit, eliminated parole and enacted the federal sentencing guidelines.

What does the bill do?

As defined in HR 7089, good time is the amount of time a prisoner, whose record of conduct shows substantial observance of Bureau of Prisons (BOP) regulations, is eligible to have deducted from the term of his sentence. The amount varies depending on, among other things, the length of the prisoner’s sentence.

Congressman Davis’s proposal increases earned good time, restores industrial good time (providing for additional opportunities to reduce one’s sentence by engaging in work opportunities), allows forfeiture of all good time credit in the event of infractions in prison, and provides for potential restoration of forfeited good time credit.

How does this affect people already in prison?

Although HR 7089 technically would apply to all prisoners sentenced on or after November 1, 1987, **it would not be retroactive – it would not recalculate good time already earned under the current system.** To see how the bill would direct the BOP to compute good time, please follow this link: http://thomas.loc.gov/home/gpoxmlc110/h7089_ih.xml

What happens next?

Introduced at the end of the 110th session in the U.S. House of Representatives, HR 7089 was referred to the House Judiciary committee. If HR 7089 is passed by the U.S. House of Representatives and the Senate, and signed into law by the president, it would become effective immediately. However, it is highly unlikely the bill will receive a hearing or pass through committee before Congress adjourns.

Any bill that fails to pass through the House and Senate and be signed into law by the president before Congress adjourns must be reintroduced in the 111th Congress for consideration. While HR 7089 may not yield relief to prisoners and their families this year, it is an important step in promoting debate about earned good time credit.

FAMM will monitor this legislation and post updates on our website, www.famm.org.