

Credits encourage good behavior, offer cost savings

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Proponents of Michigan's unique "truth in sentencing" scheme must answer two questions. What benefits make it worth the huge expense? And why do they think they are right and everyone else is wrong?

For decades, Michigan, like other states, awarded prisoners generous amounts of time off for good behavior — or "good time." But a 1978 initiative petition prohibited these awards.

Then, in 1982, faced with dangerous overcrowding, the Legislature adopted a more modest system of "disciplinary credits." Since accumulated credits can be lost, prisoners had a strong incentive to follow the rules. Nonetheless, credits just made people eligible for parole consideration sooner; they did not require that anyone be released.

In 1998, "truth in sentencing" legislation took a big step backward. It eliminated not only disciplinary credits, but also transition programs for people nearing parole. Over the last decade, it has required thousands of additional prison beds and cost taxpayers hundreds of millions of dollars.

As the Citizens Research Council has explained, truth in sentencing is a primary reason the average prison stay in Michigan is much longer than in comparable states. A recent Senate Fiscal Agency report notes that by contributing to the aging of our prisoner population, truth in sentencing also drives up health care costs.

There is no evidence that restoring sentence credits would harm public safety. In fact, research shows there is no relationship between recidivism and length of stay. The justification for eliminating all credit is transparency. Critics argue that it is dishonest not to have people serve every day of their sentence. But transparency can be achieved simply by stating at sentencing how much credit the defendant might earn. As former Michigan Department of Corrections Director Bob Brown — a strong proponent of restoring credits — has said: The system can certainly be honest for a lot less money.

Sentencing credits can have a positive effect. People who have failed to meet societal expectations, often despite receiving plenty of punishment, need opportunities for positive reinforcement. Sentence credits can encourage prisoners to behave in ways that will ultimately benefit not only them but also the communities to which they will return.

Michigan stands virtually alone. Federal prisoners can receive 15% off their sentences. Most states give some amount of credit for good conduct. Many give an additional amount, typically called



“earned credit,” for participation in work, educational or treatment programs. Even Michigan counties use “sheriffs’ good time” to control the size of jail populations and manage inmate behavior. The American Correctional Association has a formal policy that supports the use of both good time and earned credits.

Michigan’s original good-time system was both very generous and complicated to administer. But to argue against restoring that particular system misses the point.

Michigan can adopt whatever combination of good conduct and program participation credits it chooses. The important thing is that we all come to the table prepared to evaluate honestly what the impact of truth in sentencing has been and to consider cost-effective alternatives.