


NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE Pursuant to RSA21-H:8 (III) Internal Practices and Procedures	CHAPTER <u>Enforcement Operations</u> STATEMENT NUMBER <u>457.00</u>
SUBJECT: EARNED TIME CREDIT PROVISIONS PROPONENT: <i>Name/Title</i> <i>Commissioner's Office 271-5601</i> <i>Office Phone #</i>	EFFECTIVE DATE <u>11/15/2023</u> REVIEW DATE <u>11/15/2025</u> SUPERSEDES PPD# <u>5.11</u> DATED <u>10/03/14</u>
ISSUING OFFICER:  <i>Helen E. Hanks, Commissioner</i>	DIRECTOR'S INITIALS: _____ DATE: _____ APPENDIX ATTACHED: YES _____ NO _____
REFERENCE NO: See reference section on last page of PPD.	

- (a) **PURPOSE:**
To establish a policy and procedure for reviewing and processing applications submitted by individuals sentenced in the State of New Hampshire who request consideration for sentence reductions for earned time credit pursuant to RSA 651-A:22-a.
- (b) **APPLICABILITY:**
To all New Hampshire sentenced individuals and staff involved in this administrative process.
- (c) **POLICY:**
It is the policy of the NH Department of Corrections to implement the provisions of RSA 651-A:22-a, Earned Time Credits for individuals sentenced in the State of New Hampshire, in a manner consistent with the law and public safety. The procedures detailed in this policy define the application process and how earned time credit shall be granted in accordance with the statute.
- (d) **RSA 651-A:22-a EARNED TIME CREDITS**

 I. The commissioner, after reviewing a prisoner's record, shall award to a prisoner or recommend that the prisoner receive a one-time reduction in his or her minimum and maximum sentences for successful completion of each of the following programs while incarcerated, and shall establish procedures for each program, which shall be exempt from RSA 541-A, for awarding such reductions:
 - (a) Education Programs:
 - (1) High School Equivalency Certificate 90 day reduction in the prisoner's minimum sentence and 90 day reduction in the prisoner's maximum sentence.

- (2) High School Diploma 120 day reduction in the prisoner's minimum sentence and 120 day reduction in the prisoner's maximum sentence.
- (3) Associate's Degree 180 day reduction in the prisoner's minimum sentence and 180 day reduction in the prisoner's maximum sentence.
- (4) Bachelor's Degree 180 day reduction in the prisoner's minimum sentence and 180 day reduction in the prisoner's maximum sentence.
- (5) Master's Degree 180 day reduction in the prisoner's minimum sentence and 180 day reduction in the prisoner's maximum sentence.
- (6) Doctorate Degree 180 day reduction in the prisoner's minimum sentence and 180 day reduction in the prisoner's maximum sentence.

(b) Vocational Programming. A prisoner who successfully completes a vocational program that is authorized and approved by the department or who successfully completes a vocational program that the commissioner deems to be valuable to the prisoner's rehabilitation, shall be entitled to a one-time reduction of 60 days in his or her minimum sentence and a one-time reduction of 60 days in his or her maximum sentence for each program under subparagraph (a) completed.

(c) Mental Health Programming. A prisoner who meaningfully participates in recommended or mandated mental health and/or substance use treatment that is authorized and approved by the department or that the commissioner deems to be valuable to the prisoner's rehabilitation, shall be entitled to a one-time reduction of 60 days in his or her minimum sentence and a one-time reduction of 60 days in his or her maximum sentence.

(d) Participation in Family Connections Center Programming. A prisoner who is a parent and who meaningfully participates in the programming offered by the Family Connections Center that the commissioner deems to be valuable to the prisoner's rehabilitation, shall be entitled to a one-time reduction of 60 days in his or her minimum sentence and a one-time reduction of 60 days in his or her maximum sentence.

(e) Correctional Industries On-the-Job Training. A prisoner who is awarded a certificate or certificate of apprenticeship in a correctional industries job that is authorized and approved by the department that the commissioner deems to be valuable to the prisoner's rehabilitation shall be entitled to a one-time reduction of 60 days in his or her minimum sentence and a one-time reduction of 60 days in his or her maximum sentence for each master's certificate earned.

(f) Other Programs. A prisoner who meaningfully participates in any program that is authorized and approved by the department that the commissioner deems to be valuable to the prisoner's rehabilitation which are not covered under subparagraphs (a) through (e) shall be entitled to a one-time reduction of 60 days in his or her minimum sentence and a one-time reduction of 60 days in his or her maximum sentence for each program completed.

II. The earned time reductions authorized in paragraph I of this section shall be available to prisoners who were incarcerated on or after the effective date of this section and who have been granted this option by the presiding justice at the time of sentencing. The earned time reductions authorized in paragraph I of this section shall be available to prisoners who were incarcerated prior to the effective date of this section upon recommendation of the commissioner and upon approval of the sentencing court in response to a petition which is timely brought by the prisoner.

III. The earned time reductions authorized in paragraph I of this section shall only be earned and available to prisoners while in the least restrictive security classifications of general population and minimum security. The earned time may be forfeited for involvement or membership in a security threat

group, attempted escape, escape, or commission of any category A offense listed in the department of corrections policy and procedure directives.

IV. The earned time reductions granted under this section shall not exceed 21 months off the prisoner's minimum sentence and 21 months off the prisoner's maximum sentence.

RSA 651:2 II -

(4) Sentences and Limitations.

To the minimum sentence of every person who is sentenced to imprisonment for a maximum of more than one year, shall be added a disciplinary period equal to 150 days for each year of the minimum term of the sentence, to be prorated for any part of the year. The presiding justice shall certify, at the time of sentencing, the minimum term of the sentence and the additional disciplinary period required under this paragraph. This additional disciplinary period may be reduced for good conduct as provided in RSA 651-A: 22 and for earned time as provided in RSA 651-A: 22-a. There shall be no addition to the sentence under this section for the period of pre-trial confinement for which credit against the sentence is awarded pursuant to RSA 651-A: 23.

(e) **OPERATIONAL DEFINITIONS:**

The following definitions for each area outline the operational meaning as determined by the New Hampshire Department of Corrections with respect to the statute:

(1) Eligibility:

- a. In accordance with RSA 651-A: 22-a, Earned Time Credits Section II, the earned time reductions authorized shall be available to individuals who were incarcerated on or after the effective date of this law and who have been granted this option by the presiding justice at the time of sentencing. If the requesting individual was sentenced prior to the implementation of this law and does not have this option granted by the presiding justice in his/her sentence, he/she may initiate the petition process through their assigned Correctional Counselor/Case Manager (CC/CM). Applications that have begun while an individual is incarcerated will continue through the process even if individual has been released on parole. An individual who is currently on AHC will be able to apply for Earned Time Credit through the Concord based Administrator of Programs.
- b. Security Threat Group (STG) Involvement: Any individual who has been identified as a validated member of a Security Threat Group is not eligible for any earned time credits under this policy. An individual who is validated will not be submitted for review under this policy. An individual's eligibility for earned time under this provision is at the sole discretion of the Commissioner of the New Hampshire Department of Corrections. Any individual who is deemed not eligible for earned time credit due to being identified as a validated member of a STG can appeal through the Department's grievance process as well as the process outlined in the STG PPD 370.
- c. Disciplinary Record: If an individual has an A-level disciplinary offense within 90 days of submission of the application, the person will not be eligible for earned time credit until they have been disciplinary free for at least 90 days from the disposition date.
 - a. Any other disciplinary level offense within 90 days of the application that contradicts the rehabilitative value of the program may result in denial of the application by the Administrator of Programs or higher authority.

- d. In accordance with RSA 651-A:22-a Earned Time Credits Section IV, earned time reductions granted under this section shall not exceed 21 months off the person's minimum sentence and 21 months off the person's maximum sentence for sentencing documents which confirm the presiding judge's granting of such credits under this provision of statute.
 - e. Earned Time Credit will only be awarded during the term of incarceration that the program was completed.
 - i. Term of incarceration is defined as the duration of time an individual is physically incarcerated in a secure correctional facility (county jail, NHDOC facility or facility in another state) from intake through their release back into the community. Once an individual is released to the community, the term of incarceration ends as it relates to this policy definition and application of ETC. If an individual returns to a facility on a probation/parole violation, new sentence, etc., a new term of incarceration begins as it pertains to accessing earned time credit recommendations/awards.
 - f. Earned Time Credit is awarded on the sentences that the resident is serving at the time of Earned Time Credit application approval. Pending consecutive sentences will not be affected.
 - g. At no time can a person earn more time under this policy than the time remaining to be served in their maximum sentence.
- (2) **Suitability:** In accordance with RSA 651: A-22-a Section III, the earned time reductions authorized shall only be earned and available to individuals while in the least restrictive security classifications of C3, C2/C1 and AHC.
- a. Suitability for any program participation associated with earned time reductions is contingent upon security level, sentencing, disciplinary history, facility placement, program staff screening assessment, program availability, etc. Not all individuals will be suitable or eligible for program participation due to the nature of the offense, sentencing restrictions and any other programming limitations, including but not limited to sex offenders under RSA 135-E. Individuals must qualify for this program under the normal guidelines of admittance to the program for which earned time credit is sought. Any falsification of information by an individual to gain program entry may result in disciplinary action as outlined in PPD390.
 - b. Individuals whose sentencing documents already provide for time off their sentence for Mental Health Treatment/Programming service completion will be eligible for earned time credits of the same service unless otherwise referenced in the sentencing documents by the Sentencing Court.
- (3) **Program/Treatment Services:** In accordance with the Earned Time Credits law, the following certificate, diploma and degree as defined will constitute the programs/treatment services that will be considered for Earned Time Credit:
- a. **Educational Programs:** Earned Time Credit is only awarded through college and university degree programs that are regionally accredited associations recognized by the U.S. Department of Education and the Council for Higher Education Accreditation (CHEA).
 - 1. High School Equivalency Certificate shall be identified as an equivalency diploma as identified by the New Hampshire Department of Education.
 - (i) Earned Time Credit will not be considered for multiple attainment of different high school equivalency certificates. It will only be considered for one certificate attained during the current term of incarceration.

2. High School Diploma shall be identified as a high school diploma awarded through the Corrections Special School District-Granite State High School as defined by the Interagency Agreement.
 - (i) Earned Time Credit will only be considered for either a high school equivalency certificate or a high school diploma attained during the current term of incarceration, not both.
 3. Associate's Degree shall be identified as an associate's degree awarded by a regionally accredited college or university program. All college or university program offerings will be coordinated by the Corrections Special School District personnel.
 4. Bachelor's Degree shall be identified as a bachelor's degree awarded by a regionally accredited college or university program. All college or university program offerings will be coordinated by the Corrections Special School District personnel.
 5. Master's Degree shall be identified as a master's degree awarded by a regionally accredited college or university program. All college or university program offerings will be coordinated by the Corrections Special School District personnel.
 6. Doctorate Degree shall be identified as a doctorate degree awarded by a regionally accredited college or university program. All college or university program offerings will be coordinated by the Corrections Special School District personnel.
- b. Vocational Programs
1. Determination of applicable vocational programs considered to be valuable for individuals' rehabilitation will be made by the NHDOC Commissioner in collaboration with the Corrections Special School District Administration.
 2. Successful completion of a Career and Technical Education Center program is defined as the completion of classes and/or lab activities of a program as determined by the Corrections Special School District Administration.
 3. Award of the competency-based Career and Technical Education program certificates differ by programming area and will be determined by the Corrections Special School District administration.
 4. All Corrections Special School District operational practices related to program enrollment, placement, instructional services, and documentation will follow the NH Department of Corrections policies and procedures as well as the NH Department of Education Interagency Agreement.
 5. Vocational programs will be defined as the following list of Corrections Special School District-Career and Technical Education Center program and facilities.
 - (i) Automotive Program Certificate Cluster
 - (ii) Building trades Certificate Cluster
 - (iii) Business Education Program Certificate Cluster
 - i. All six-business foundation class must be completed to receive earned time credit in the following business certificate programs. Each business education certificate cluster completed will count toward 60 days of Earned Time Credit.
 1. Business Management and Administration in General office and Clerical Services
 2. Business Management and Administration in Accounting Technology and Bookkeeping
 3. Hospitality and Tourism
 4. Digital Literacy
 5. Marketing, Sales, and Services
 - (iv) Culinary Arts Program Certificate Cluster
 - (v) Introduction to the Workforce Program (IWP) Certificate Cluster
 - (vi) Cosmetology and Aesthetics Certification
 - (vii) Barbering Certification

1. In order to earn earned time credit in Vocational training through college correspondence courses and programs the following procedures and guidelines are established.
 - i. The Resident requests a NHDOC correspondence course application through student services in education (Guidance Coordinator or Educational Case Manager) Resident completed the correspondence course application and submits it to student services.
 - ii. A copy of the correspondence course application will be reviewed and returned to the resident showing “approved”, “denied” or “more information requested”.
2. If the application is approved the following steps will take place,
 - a. Resident will be provided an appointment to meet with an educational staff member (assigned proctor, guidance, or educational case manager). Educational staff member will review the correspondence program and proctoring requirements. After the initial meeting, written guidance and direction will be provided to the student on how the program will be proctored and completed based on specific program requirements including the name of approved proctor(s), authorized program materials, course material approval process, exam proctoring process, process on submitting completed course materials and any other directions or guidance required. The written confirmation will provide authorization to proceed with enrolling in the program and having authorized program materials mailed in.
3. Residents who have completed programs prior to February 12, 2021, that did not follow the steps outlined in this section may still request earned time credit, however, applications will be reviewed and processed by the Education Director for appropriateness in following with section D and residents must provide official documentation that they have completed the program.
4. Applications may be denied if the following requirements are not met:
 - a. The institution or training center must be accredited as outlined in accreditation requirements in section (e) (3) of the earned time credit policy.
 - b. Programs must have a focus on providing students with skills and/or knowledge for a particular job function or trade.
 - c. Residents have obtained their High School Diploma or High School equivalency (exceptions may be granted if resident does not have enough time to obtain prior to their release.)
 - d. Resident has engaged in NHDOC career and Technical Education courses (This requirement is only if resident does not have associate degree or higher or the specific program or an equivalent is not offered through NHDOC.
 - e. Resident follows the process listed in this section including any written instructions provided to resident as they complete the program.
 - f. Program must be valuable to the individual’s rehabilitation.
5. Written notification must be provided to residents who are denied under this section, with detailed explanation on the reason for denial.

The post-secondary institution or training center that the program is completed through must be an accredited institution as outlined in accreditation requirements in Section (e) (3) below.

- (ii) The program must be able to be proctored through the New Hampshire Department of Corrections Education Department and verified that the student participating is completing the work. Exceptions to this guideline can be granted based on the

Institute and specific program requirements. Exceptions should be requested through the Education Director before the course is started.

- (iii) The course or program needs to be valuable to the student's rehabilitation and be comparable to other NHDOC Vocational programs listed above.
- (iv) The course offering, or programs will be reviewed by the education director to verify that the above standards have been met and that the courses and programs taken will be valuable to the individuals' rehabilitation.

c. Mental/Behavioral Health Programs

1. Determination of all applicable mental/behavioral health and/or substance use treatment/programs considered to be valuable to the person's rehabilitation will be made by the NHDOC Commissioner in collaboration with the appropriate Division Director or designee. In accordance with this law, Mental/ Behavioral Health Treatment/Programming will follow the following operational practices:

- (i) **Eligibility for Treatment Services:** Individuals will be screened by the Department to determine eligibility for recommended or mandated treatment/programming services.
 - i. The Department may recommend a one-time reduction of 60 days in his or her minimum sentence and a one-time reduction of 60 days in his or her maximum sentence to residents who meaningfully participate and complete qualifying programs identified by the Director of Behavioral Health Services.
 - ii. The Department may recommend a one-time reduction of 60 days in his or her minimum sentence and a one-time reduction of 60 days in his or her maximum sentence to people who meaningfully participate in a total of six consecutive months of treatment by behavioral health services to include Sexual Offender Treatment, clinical groups or individual treatment or substance use disorder services. Residents must have an appropriate treatment plan that will achieve individual clinical outcomes. This will be measured by the treatment plan and completion of services equivalent to six consecutive months. Resident must be active in the development and the planning of goals/objectives, as well as successfully achieving the outcome of said treatment goals. Treatment plans are established yearly and reviewed every six months or as needed to ensure appropriate outcomes and treatment goals.
- (ii) **Documentation:** The Division of Medical and Forensics Services will identify and manage all operational practices related to treatment service enrollment, placement, individual or group services, and documentation or otherwise.
- (iii) **Credit:** This credit may only be recommended for either a programming completion or upon the specific identification by clinical staff of ongoing, meaningful participation in treatment services.

d. Family Connections Center Programs

1. Determination of all applicable Family Connections Center programs and services considered to be valuable to the individual's rehabilitation will be made by the Commissioner, in collaboration with the Division of Rehabilitative Services Family Connections Center. In accordance with this law, eligibility and earned time credit shall be determined by the following operational practices:

- (i) **Eligibility:** Individuals who are a biological or legal parent and screened by the Family Connections Center will be determined to be eligible for Family Connections Center services in accordance with PPD 651 and the Family Connections Center Operations Manual. The Family Connections Center staff will require individuals to provide legal documentation to confirm parental status.

- (ii) Documentation: The Family Connections Center will identify and manage all operational practices related to program enrollment, placement, individual or group services, documentation or otherwise.
 - (iii) Meaningful Participation: Meaningful Participation: In order to be considered as having meaningfully participated in FCC, incarcerated parents must have completed the following within a three-year period (unless they have been active in FCC for over 3 years):
 - i. FCC 18-hour Parenting Education Class
 - ii. FCC 10-hour Healthy Relationship Class
 - iii. 47 hours of additional activities as listed below
 - (iv) Additional hours can be accumulated by participating in additional FCC activities. Parents can attend life skills seminars, weekly support groups, record books on CD's to send home to each minor child and have qualifying FCC visits with their minor children. 75 hours is the total number of participation hours to qualify for "meaningful participation." All participation hours will be credited at the discretion of the Family Connections Center Staff.
- e. Correctional Industries On-the-Job Training Programs
- 1. Determination of all Correctional industries on-the-job training programs and services considered to be valuable to the individual's rehabilitation will be made by the Commissioner, in collaboration with the Division of Rehabilitative Services Correctional Industries. In accordance with this law, eligibility and earned time credit shall be determined by the following operational practices:
 - (i) An individual who have completed and are awarded a Department of Labor certificate of apprenticeship that is approved by the NH Department of Corrections.
 - ii. Furniture Upholsterer – Requires successful completion of the Furniture Upholsterer apprenticeship program.
 - iii. Printing Press Operator – Requires successful completion of the Printing Press Operator apprenticeship program.
 - iv. Screen Printer – Requires successful completion of the Screen Printer apprenticeship program.
 - v. Cabinet Maker – Requires successful completion of the Cabinet Maker apprenticeship program.
 - vi. Furniture Sprayer – Requires successful completion of the Furniture Sprayer apprenticeship program.
 - vii. Machine Engraver – Requires successful completion of the Machine Engraver apprenticeship program.
 - viii. Furniture Refinisher – Requires successful completion of the Furniture Refinisher apprenticeship program.
- f. Other Programs - Per 651-A:22-a 1. (F) Other Programs. The following programs have been approved and deemed valuable to residents' rehabilitation. Programs are subject to change or removal based on availability of staffing, effectiveness and specific program requirements. New programs may be added to this list through request through the Earned Time Credit Review Committee.
- 1. Hospice Volunteer Training (Through Religious Services)
 - ii. Apply and be accepted into the program including signing the hospice volunteer contract.
 - iii. Maintain eligible status throughout the volunteer term.

- iv. Complete the six-hour initial Hospice Training Course.
 - v. Attend the bi-monthly one-hour refresher training sessions with 80% attendance.
 - vi. Perform 30 hours of actual Hospice Volunteer Duty in the HSC for a resident who has been medically cleared to be on hospice status. Since it is possible for a facility to forego a resident on hospice status, in the absence of a hospice patient, all certified Hospice Volunteers shall accrue one hour of time credited toward their 30-hour minimum services time for each month they remain on the certified Hospice Volunteer team roster, for those months in which there is no medically declared hospice patient at their facility. This credit will not be available for any month in which there is/was a resident on hospice status.
2. Residents may apply for a one time 60-day reduction for completion of Moral Reconciliation Therapy (MRT) or MRT Trauma.
 3. Cognitive Thinking/Reentry Programming
 - i. Residents may apply for one 60-day reduction for completion of Thinking for Change, Responsible Thinking/Core Skills journaling program OR Managing My Life journaling program.
 - ii. Residents must demonstrate a pattern of good institutional conduct post-completion for a period of no less than six (6) months to qualify, before applying.
 4. 200 Hour Yoga Certification Program through Yoga Alliance©.
 5. Breaking Free Substance Use Disorder program.
 - i. Must allow sharing on the program to allow review of program (See memo dated 10.7.2021)
 - ii. Must not be refusing to participate in assessed treatment services by a NHDOC Licensed Alcohol Drug Counselor as this is the primary rehabilitative program.
 - iii. Completed at minimum 25 hours.
 - iv. Must have shown Progress/Improvement meaning all green or 9 or higher on the strengths section.
 6. Peer Supporter
 - i. Peer Supporter Training
 - ii. Completion of CCAR Recovery Coach Academy© or Psychological First Aid
 - iii. Complete 20 hours of time providing direct peer support.
 7. Resident Communications Committee (RCC)
 - i. Become a member of the RCC per PPD 1072.00.
 - ii. Demonstrate 6 consecutive months of active and meaningful participation and 25 hours or more of committee work as a member of the main committee, subcommittee or a combination of both.
 - iii. Must be signed off and affirmed by NHDOC staff with oversight of the RCC.
 8. Choose Love – Social and Emotional Learning (SEL) Program
 - i. Residents may apply for a one-time 60-day reduction for program completion as a peer facilitator or as a program participant.

9. WorkReadyNH
 - i. Complete the 60-hour, comprehensive Professional Soft Skill Training course.
 - ii. Residents must receive the WorkReadyNH certificate issued by the Community College System of NH.

(f) PROCEDURES

- (1) Earned Time Credits Sentencing Review and Tracking
 - a. Upon receipt of the sentencing documentation, Client Records will record the sentence into the electronic client records management system (CORIS) including an entry in the Condition section to indicate that the individual is eligible to receive earned time credits under this policy, if individual has been sentenced after September 10, 2014, and the condition is listed on the Mittimus.
 - b. Once the person apply for a program under this policy, the designated (CC/CM) will verify the individual's eligibility for earned time credits by checking the appropriate sentencing documentation information in CORIS, checking the Client Summary Sheet for security threat group participation, reviewing disciplinary records and verifying the individual is currently in AHC, C1, C2 or C3 status. If the person does not qualify for earned time credit at this time, the case manager will inform the resident and document the results in CORIS.
- (2) Earned Time Reduction Application
 - a. The assigned CC/CM interviews the resident to discuss and review eligibility. The CC/CM will use the Earned Time Reduction Application, if eligible. (See Attachment 1).
 - b. The CC/CM will review classification level, disciplinary and sentencing history, as well as any information related to STG involvement.
 - c. The CC/CM will forward the application to the designated administrator for a signature that the individual has completed or meaningfully participated in the program in question.
 - d. The designated administrator will verify that the person has completed the appropriate programs/treatment to qualify for earned time credits. The designated administrator will sign the application, attach the verification of completion, and forward it to the next identified program administrator on the application. Once all program administrators have signed off on all applicable areas, the application will be forwarded to the Administrator of Programs at the originating facility for review.
 - e. The Administrator of Programs (AOP) or designee will review the application for completeness, accuracy and suitability. If recommended the AOP or designee will forward the application to the Commissioner's office for review and approval. Applications may not be forwarded to the Commissioner if a resident is deemed ineligible for application due to reasons listed in the Eligibility and Suitability Sections in this PPD. For the applications the AOP or designee is not recommending, the AOP or designee will send the resident a denial letter stating specific reasons for the denial and corrective action the resident can take to reapply and/or appeal the decision (Attachment 2).
 - f. If the AOP or designee recommends the residents application, it is forwarded to the Commissioner's office, the Commissioner will review it, and approve or deny the application.
 1. If the individual's Mittimus allows for earned time credit, the Commissioner's Office will scan the application into the electronic client file, inform client records that this has been done so they can take appropriate action and return the application to the CC/CM noting the approval or reason(s) for denial. The CC/CM will review the determination by the Commissioner with the person seeking the credit. If recommended by the Commissioner, and the ETC condition is not on the residents Mittimus, the individual will receive the original application notarized for them to attach to a petition

to be filed with the sentencing court, for sentence modification. If the individual's original sentence/Mittimus allows for earned time credit, the application is already scanned in and client records has already been notified by the Commissioner's office, at this point the CC/CM will assist and monitor CORIS notes and sentence adjustments to inform the resident that pursuant to the Commissioner's approval their sentence has been adjusted.

2. Any decision rendered by the sentencing court shall go to Client Records for entry of any sentence adjustments in the individual's records. Client Records will, no less than monthly, review all program completions relevant to this policy and enter into CORIS the appropriate sentence adjustments as allowed by policy and statute.
- (3) Interstate Compact
 - a. Individuals who are sentenced by the State of New Hampshire, but are housed outside of a New Hampshire Department of Corrections facility must initiate an earned time credit application with the Interstate Compact Coordinator in Client Records by completing Section 1 of Attachment 1.
 - b. The Interstate Compact Coordinator will stamp the application as received and forward it to the appropriate Administrator of Programs at either NH State Prison for Men or NH Correctional Facility for Women.
 - c. The Administrator of Programs will process the application in accordance with the procedures outlined above.
 - (4) Administrative Home Confinement
 - a. Individuals who are on AHC must initiate an earned time credit application with the appropriate Administrator of Programs at either NH State Prison for Men or NH Correctional Facility for Women.
 - b. The Administrator of Programs will process the application in accordance with the procedures outlined above.
 - (5) Loss of Earned Time Credits
 - a. Earned time credits under this policy may be rescinded if the individual is found to be guilty of any A level disciplinary offense. Any loss of time for an A level offense will be determined after review by Commissioners office and approved by the Commissioner of Corrections.
 - b. Earned time lost under the provision of PPD 390 and this policy may be restored under the procedure outlined in PPD 465.00.
 - c. Any Escape or Attempted Escape will result in the immediate forfeiture of all credit earned under this policy.
 - d. Any individual found to be involved in or a member of a Security Threat Group pursuant to Section (e) (1) b. of this policy and per PPD 370.00 Security Threat Group Identification and Management Section IV. I. 3. may be subject to the forfeiture of any earned time credits earned under this policy.

(g) **EARNED TIME CREDIT REVIEW COMMITTEE (ETCRC):**

In order to review and streamline requests for Earned Time Credit (ETC) opportunities, an Earned Time Credit Review Committee has been established. All requests for new ETC opportunities that are currently not outlined in this policy, will be reviewed during the committee meetings, and recommendations for new opportunities will be presented to the Commissioner of Corrections for final approval if deemed valuable to the rehabilitation of individuals sentenced to the NH Department of Corrections.

- (1) Purpose: Opportunities for residents to request new opportunities or review past opportunities for Earned Time Credit that are deemed valuable to the rehabilitation of an incarcerated resident per NH RSA 651 – A:22.

- (2) Earned Time Credit Review Committee (ETCRC) membership: Membership will include Deputy Director of Rehabilitative Services, Administrator of Programs North and South, Education Director, Administrator of Industries/Vocational Training and Administrator of Victim Services. The Committee may invite additional members to attend meetings as specialized requests demonstrates necessity. The Director of Rehabilitative Services will assign a chair for the Committee.
- (3) Operation of Earned Time Credit Review Committee (ETCRC):
- a) ETCRC meetings will be held quarterly in January, April, July and October.
 - b) All proposals submitted and received one month prior to each ETCRC quarterly meeting will be reviewed.
 - c) Proposals must be submitted utilizing the Earned Time Credit Opportunity Request Form (attachment 3).
 - d) A resident can only submit up to 2 proposals per meeting. Each proposal must be on a separate form.
 - e) ETCRC can send applications back to the Resident if more information or clarification is needed, resident must submit additional information before the next meeting.
 - f) If a proposal is approved, the application will be presented to the Commissioner for final approval.
 - g) If a proposal is denied, residents can submit to the Committee for further review only if they have additional or clarifying information.
- (4) Appeals:
- h) If a request is denied, and resident does not have additional or clarifying information, resident can appeal to the Director of Rehabilitative Services with attached prior requests. The Director of Rehabilitative Services can grant appeal and send to the Commissioner for Consideration, send back to the Committee for further review at the next meeting or deny the appeal.
 - i) If a resident is denied by the Director of Rehabilitative Services, they may appeal to the NHDOC Commissioner for final consideration. The Commissioners decision is final.
- (5) All of the above rules apply to proposals of the same type. If one resident's proposal is denied twice, the same or similar proposal for ETC will not be considered if submitted by a different resident.

REFERENCES:
RSA 651-A:22-a
RSA 541-A
PPD 370
PPD 390
PPD 465

Duffy/Foster/Hanks