
 <p>State of Connecticut Department of Correction</p> <p>ADMINISTRATIVE DIRECTIVE</p>	Directive Number 4.2A	Effective Date 02/01/2016	Page 1 of 5
	Supersedes 3/22/2013		
Approved By  Commissioner Scott Semple	Title Risk Reduction Earned Credit		

1. Policy. Risk Reduction Earned Credit may be awarded or rescinded at any time prior to discharge at the discretion of the Commissioner or designee in the interest of public safety. RREC may be earned for participation in programs or activities, good conduct and obedience to departmental rules and behavior consistent with public safety and reentry to the community, for eligible sentenced inmates in accordance with the Connecticut General Statutes and the provisions set forth in this policy.

2. Authority and Reference.
 - A. Connecticut General Statutes, Sections 18-81, 18-98b, 18-98e, 18-100c, 18-100d and 54-125a.
 - B. Administrative Directives 4.2, Sentence Computation and Timekeeping; 4.5, Victim Services; 6.14, Security Risk Groups; 9.1, Population Management; 9.2, Offender Classification; 9.3, Inmate Admissions, Transfers and Discharges; 9.4, Restrictive Status; 9.5, Code of Penal Discipline; 9.6, Inmate Administrative Remedies; 9.7 Offender Management Plan; 10.13, Offender Programs; and 11.1, Parole and Community Services.
 - C. State of Connecticut, Department of Correction, Classification Manual, 2012.
 - D. State of Connecticut, Department of Correction, Records Manual.
 - E. American Correctional Association, Standards for the Administration of Correctional Agencies, Second Edition, April 1993, Standard 2-CO-1E-05.
 - F. American Correctional Association, Standards for Adult Correctional Institutions, Fourth Edition, January 2003, Standard 4-4097.

3. Definitions and Acronyms. For the purposes stated herein, the following definitions and acronyms apply:
 - A. Compliance. For purposes of applying RREC, all sentenced inmates, with the exception of those on a restrictive status, shall be considered compliant, if they participate in programs or activities, have good conduct and are obedient to departmental rules. Only compliant inmates may be eligible to earn RREC.
 - B. Non-Compliance. Inmates who do not sign their Offender Accountability Plan (OAP), participate in programs or activities, do not have good conduct and are not obedient to departmental rules, are on escape or absconder status, are on a restrictive status, refuse to comply with sex offender registration, or refuse to submit DNA shall be considered non-compliant. Non-compliant inmates may be subject to not earning and/or forfeiture of RREC.
 - C. Restrictive Status. For purposes of RREC, inmates on Administrative Segregation, designated a Security Risk Group Member, Chronic Discipline, and Special Needs Management status shall not be eligible to earn RREC.

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- D. Risk Reduction Earned Credit (RREC). Time awarded at the discretion of the Commissioner or designee up to the rate of five (5) days per month for participation in programs or activities, good conduct and obedience to departmental rules, unit and/or program rules in accordance with RREC guidelines as determined by the Commissioner or designee.
4. General Principles and Guidelines. The basic principles of RREC is for the Department of Correction to provide an incentive to inmates and have the ability to earn credit based on an inmate's overall risk level. Inmates who choose to be in compliance and participate in available programs and activities, coupled with good conduct and obedience to departmental, unit and/or program rules shall earn RREC as noted in this directive. Programs shall be offered providing inmates with valuable tools to be better prepared for reintegration into the community. RREC could affect an inmate's discharge date if in compliance. However, refusal to participate in programs or failure to abide by Departmental, Unit and/or Program rules may result in the inmate not earning RREC, forfeiture of RREC and ineligibility to earn RREC. In addition, RREC may be rescinded and/or an inmate may be excluded from earning RREC at any time at the discretion of the Commissioner or designee.
5. Eligibility. Any inmate sentenced to a term of imprisonment for a crime committed on or after October 1, 1994 except sentences for violation of CGS 53a-54a, 53a-54b, 53a-54c, 53a-54d, 53a-55, 53a-55a, 53a-70a, 53a-70c, 53a-100aa, is a persistent dangerous felony offender pursuant to 53a-40(a), is a persistent dangerous sexual offender pursuant to 53a-40(b), or a violation of criminal liability of CGS 53a-008 of the noted offenses may be eligible to earn risk reduction earned credit toward a reduction of that sentence at the discretion of the Commissioner or designee. RREC may be earned for adherence to the inmate's offender accountability plan, participation in eligible programs and activities and for good conduct and obedience to departmental rules as designated by the Commissioner or designee. Good conduct and obedience to institutional rules alone shall not entitle an inmate to such credit.
- Inmates sentenced to life without the possibility of parole, or sentenced to death, or serving a period of Special Parole shall not be eligible to earn RREC. RREC shall not apply to any previously served portions of a sentence if an inmate is recommitted to the Commissioner of Correction for a violation of probation.
6. Credit Earned. An inmate may earn RREC at the rate of three (3) days per month as an Overall Level 4 inmate, four (4) days per month as an Overall Level 2 or 3 inmate and five (5) days per month as an Overall Level 1 inmate or if the inmate is being supervised in the community on early release supervision throughout the sentenced portion of the inmate's incarceration. The number of days of credit earned shall be pro-rated for partial months of an inmate's sentence (e.g. first and/or last month of sentence). Posted RREC will reflect the inmate's compliance for the previous month and shall be applied to each docket on which the inmate is serving a sentence. This credit shall adjust an inmate's release date creating a maximum date. The maximum date reflects all credits earned and debits applied as of the current date. An inmate's discharge date is determined by the maximum date.

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7. Review Prior to Discharge. A review may be considered any time prior to discharge to determine whether RREC has been applied appropriately and whether discharge prior to the expiration maximum term or terms of which the inmate was sentenced is consistent with public safety. If an inmate is being projected out upon sentencing, then the inmate will not receive any RREC credits.
8. RREC Rescinded and/or Excluded from Earning RREC. The Commissioner or designee may rescind previously earned RREC or may exclude inmates from earning prospective RREC if the inmate poses a risk to public safety, themselves, facility staff or other inmates.
- A. Review: If an inmate is being considered for rescission of RREC and/or excluded from earning prospective RREC, the facility and/or appropriate Director or designee shall complete form CN 42A03, Review for Rescission of RREC And/or Exclusion from Earning of RREC, detailing the reason(s) for consideration. The CN 42A03 shall be submitted to the Unit Administrator or designee. If approved, the form shall be forwarded to the Director of Sentence Calculation and Interstate Management (SCIM) for approval to proceed. Requests may also originate from the Sentence Calculation and Interstate Management Unit. In these cases no signature of a Unit Administrator is required.
- B. Notice Of Hearing: If approved to proceed by the Director of SCIM, the facility and/or Parole and Community Services staff and/or Sentence Calculation and Interstate Management staff shall notify the inmate of a hearing 48 hours in advance using form CN 42A04, Notification of Hearing for Rescission of RREC And/or Exclusion from Earning of RREC. A copy of both the CN 42A03 and CN 42A04 forms shall be provided to the inmate. An inmate may waive the 48 hour advance notice and may waive the hearing.
- C. Hearing: The hearing shall be conducted by a Supervisor, who shall complete the CN 42A05 form and forward to the Unit Administrator for review.
- D. Recommendation: The Unit Administrator shall approve or disapprove the Hearing Officer's recommendation and sign the CN 42A05 form. If approved, forms CN 42A05, CN 42A04 and CN 42A03 shall be forwarded to the Director of Programs and Treatment for the final decision.
- E. Decision: The Director of Programs and Treatment shall make the final decision and forward the CN 42A06 Notification of Decision for Rescinding/Exclusion from earning RREC form to the Director of SCIM for processing, who shall forward it to the facility. The facility and/or Parole and Community Services and/or SCIM Unit staff shall complete CN 42A06, and provide a copy of the CN 42A05 and CN 42A06 to the inmate. Classification staff shall:
1. Notify records of the decision if approved.
 2. Note the decision in the Classification History Log.
 3. Place copies of CN 42A03, CN 42A04, CN 42A05 and CN 42A06 in section 5 of the inmate's master file.
- F. Appeal: If an inmate wishes to appeal the decision regarding the rescission of RREC and/or the ability to earn prospective time, he/she may submit an inmate request (CN9601) and submit a copy of the CN 42A06 form to the Commissioner or designee within 15 business days.
- G. Reinstatement: The Commissioner or Designee has the discretion to reinstate all or partial RREC credits. The facility shall generate the CN42A07 form and forward to the Director of SCIM to proceed. The Director of Programs and Treatment will make the final decision.

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H. Exclusionary Review: If the inmate is excluded from earning prospective RREC, this exclusionary status shall be reviewed during a classification review. Recommendations from the facility to allow an inmate to start earning RREC shall be documented on CN 42A07 and forwarded to the Director of SCIM for approval to proceed. If approved, the recommendation shall be forwarded to the Director of Programs and Treatment for final decision.

Inmates who have been excluded from earning prospective RREC, may at the Commissioner's or designee's discretion, have reinstatement of unearned RREC for some or all of the exclusionary time period. Unearned RREC due to restrictive status shall not be eligible for reinstatement. Recommendations from the facility shall be documented on CN42A07 and forwarded to the Director of SCIM for approval to proceed. If approved, the recommendation shall be forwarded to the Director of Programs and Treatment for final decision.

9. Mandatory Sentences. RREC may not reduce the sentence below the mandatory minimum term of imprisonment as required by statute.
10. Records Notification for RREC. The CN 42A01, Notification for Risk Reduction Earned Credit, shall be completed by classification staff when the inmate's compliance or non-compliance status changes in accordance with 4.2A Attachment B. The Record's Office shall get a copy of the form to accurately adjust the inmate's time sheet to reflect the changes.
11. Credit Forfeited. RREC shall be forfeited as a sanction related to the disciplinary process in accordance with Administrative Directive, 9.5, Code of Penal Discipline If the inmate has not yet earned sufficient RREC to satisfy the earned credit loss, such lost earned credit shall be deducted from any credit earned in the future by the inmate. Effective 1/1/16, RREC that is forfeited shall not be restored.
12. Lump Sum Award. An inmate may be eligible to receive a RREC lump sum award effective 2/1/2018, not to exceed amounts allowed by statute. In order to be considered for a lump sum RREC award, inmates must have served a minimum of 24 months sentenced incarceration. A lump sum may be awarded if approved by the Unit Administrator or designee every 24 months. To be eligible for the RREC lump sum award, the inmate shall be discipline report free within the past 24 months; active program participation or completion, to include a job, education, or vocational programming; no increase in the overall risk level or returned from discretionary parole within the past 24 months; no restrictive status removals within the past 4 years; inmates who maintained an overall security level of 1 or was released on parole during the 24 month time period will not be permitted to apply for credit; and no previous RREC lump sum award within the past 24 months. Form CN 42A02 shall be utilized to complete the Lump Sum application process.
13. Parole and Transitional Supervision Eligibility. RREC shall apply to the eligibility date for both Transitional Supervision and 50% parole eligible inmates.

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14. Inmates under Supervision in the Community. The provisions of this directive shall apply to inmates currently on Parole, Transitional Parole, Transitional Supervision, Transitional Placement, Re-Entry Furlough or housed in a halfway house under supervision by the Department of Correction.
15. Special Parole. Inmates serving a period of special parole shall not be eligible to earn RREC.
16. Appeal. If an inmate appeals a guilty finding of a disciplinary report and that finding is subsequently overturned by the District Administrator, the inmate's time sheet shall be adjusted provided the inmate is otherwise in compliance.
17. Forms and Attachments. The following forms and attachments are applicable to this Administrative Directive and shall be utilized for the intended function:
 - A. CN 42A01, Records Notification form for Risk Reduction Earned Credit Non-Compliance/Compliance Notification;
 - B. CN 42A02, Application for RREC Lump Sum award;
 - C. CN 42A03, Review for Rescission of RREC And/or Exclusion from Earning of RREC;
 - D. CN 42A04, Notification of Hearing for the Rescinding of RREC And/or the Exclusion from Earning of RREC;
 - E. CN 42A05, Summary of Hearing for the Rescinding of RREC And/or the Exclusion from Earning of RREC.
 - F. CN 42A06, Notification of Decision for the Rescinding of RREC And/or the Exclusion from Earning of RREC;
 - G. CN 42A07, Recommendation for Reinstatement of Previously Rescinded RREC And/or Removal from Exclusion from Earning of RREC.
 - H. Attachment A, Risk Reduction Earned Credit Grid;
 - I. Attachment B, Risk Reduction Earned Credit Rules;
 - J. Attachment C, Mandatory Minimum Offenses (Judicial and OLR); and,
18. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require the prior written approval of the Commissioner.