



## **APPROVED MANDATORY EARNED TIME CREDIT PROGRAMS**

### **November 11, 2022**

**Utah Code 77-27-5.4** directs the Board of Pardons and Parole (Board), in collaboration with the Utah Department of Corrections (Corrections) to establish an Earned Time Program that reduces the period of incarceration for offenders who successfully complete approved programs designed to reduce recidivism.

There are two types of time cuts, mandatory and discretionary. Mandatory time cuts are given to individuals who successfully complete approved programs that are part of the individual's case action plan (CAP). A mandatory cut is four months for completion of up to two programs, or a maximum of eight months. If the individual completes two vocational programs, only the first is considered a mandatory time cut. The second or subsequent vocational program completion may be submitted by Corrections for consideration as a discretionary time cut. The mandatory time cuts required in the Earned Time Program are established in Section 77-27-5.4. The individual programs listed within this document, developed collaboratively with Corrections, are the only programs that may potentially provide a mandatory time credit.

Discretionary time cuts may be granted for exemplary performance, completing programs beyond the two CAP priorities, or other positive accomplishments. Completing a Criminogenic and Behavioral Health program is an example of a program that may be considered for a discretionary cut. Corrections may submit a special attention request for a discretionary time cut to the Board. In deciding to grant a discretionary time cut the Board may consider all relevant factors including the nature of the offense, institutional behavior, victim impact, treatment completion, sentencing guidelines, etc.

### **Restrictions**

Individuals with a life without parole sentence or who have been ordered to expire a life sentence by the Board are not eligible. The Board may order the forfeiture of earned time credits for a major disciplinary infraction, new charges, or if the Board sets a rescission hearing.

There may be circumstances when the previously ordered release date does not allow enough time for the full four- or eight-month time cut; however the Board will approve as much of a time cut as can be given while still allowing time for transition services (see Utah Code 77-27-5.4(3)(a) included in the Addendum below).

### **No Release Date**

Some individuals do not have a release date either because they have not had an original hearing, or they are set for a re-hearing. If the individual completes a qualifying program, the Board will acknowledge the completion and consider the appropriate adjustment at the individual's next hearing.

## **Program List**

The following is the list of programs approved for mandatory credit in the Earned Time Program. Approved programs must maintain high fidelity and performance standards, or they are subject to removal from the approved list. This list supersedes all previous lists. The effective date refers to the date the program was approved. Individuals who successfully complete the program on or after the effective date are eligible for Earned Time credit, assuming the other conditions of the statute have been met.

<b>Program Name</b>	<b>Location</b>	<b>Effective Date</b>
<b>Residential Substance Use Treatment Programs</b>		
<b>Conquest (Male RSUT)</b> <i>230 dosage hours, minimum 9 months, required full TC</i>	Salt Lake City	October 1, 2015
<b>Elevate (Female RSUT)</b> <i>230 dosage hours, minimum 9 months, required full TC</i>	Salt Lake City	October 1, 2015
<b>HOPE (Male RSUT)</b> <i>230 dosage hours, minimum 9 month, required full TC</i>	Gunnison	October 1, 2015
<b>Beaver (Male RSUT)</b> <i>230 dosage hours, minimum 9 months, required full TC</i>	Beaver	October 14, 2016
<b>Intensive Outpatient Substance Use Treatment Programs</b>		
<b>LOTUS (Female SUTP)</b>	Tooele County	October 1, 2022
<b>Focus (Male SUTP)</b> <i>190 dosage hours, minimum 6 months, may include modified TC</i>	Kane County	October 1, 2015
<b>R-Hope (Male SUTP)</b> <i>190 dosage hours, minimum 6 months, may include modified TC</i>	Millard County	October 1, 2015
<b>Security Level 4 (Male SUTP)</b> <i>190 dosage hours, minimum 6 months, may include modified TC</i>	Cache County	April 1, 2021

<b>Dare to Soar (Male SUTP)</b> <i>190 dosage hours, minimum 6 months, may include modified TC</i>	Garfield County	October 1, 2015
<b>Intensive Outpatient (Male SUTP)</b> <i>190 dosage hours, minimum 6 months, may include modified TC</i>	Salt Lake City & Gunnison	May 30, 2018
<b>Intensive Outpatient (Female SUTP)</b> <i>190 dosage hours, minimum 6 months, may include modified TC</i>	Salt Lake City	February 1, 2019

SUTP–Substance Use Treatment Program

RSUT–Residential Substance Use Treatment

TC- Therapeutic Community

<b>Sex Offense Treatment Programs*</b>		
<b>USCF - Dell (Female SOTP)</b> <i>96-150 dosage hours in 8-12 months - females are typically lower risk, so programming is not presently held</i>	Salt Lake City	January 19, 2021
<b>USCF - Resolve - Green (Male SOTP)</b>  <b>CBI-SO - 180-192 dosage hours, 8-12 months</b> <b>Footprints - 78-102 dosage hours 6-8 months</b>	Salt Lake City	October 1, 2015
<b>Kane County (Male SOTP)</b> <i>CBI-SO - 180-192 dosage hours 8-12 months</i>	Kane County	October 1, 2015
<b>Sanpete County (Male SOTP)</b> <i>CBI-SO - 180-192 dosage hours, 8-12 months</i>	Sanpete County	October 1, 2015
<b>San Juan County (Male SOTP)</b> <i>CBI-SO - 180-192 dosage hours, 8-12 months</i>	San Juan County	October 1, 2015


SOTP–Sex Offense Treatment Program


\* **Preparing for Change** is not a stand-alone program for time cuts (psychoeducational component of SOTP), but it still gives male clients 39 more dosage hours over a 6-month period for both Footprints (USCF only) and CBI-SO (All Locations)

## Educational Programs

GED/High School Diploma	All	October 1, 2015
Vocational Training Program (1 <sup>st</sup> is mandatory, 2 <sup>nd</sup> is discretionary)	Davis Applied Tech, Snow, Uintah Basin Tech	October 1, 2015
Associate's Degree	Salt Lake Community College	October 25, 2022
Bachelor's Degree	University of Utah	Coming soon*

*\* Once the University of Utah Bachelor's Degree is operational, this agreement will be updated to reflect the effective date of its status as an approved Earned Time Program.*

  
Carrie L. Cochran, Board Chair  
Utah Board of Pardons and Parole

  
Anndrea Parrish, Programming Division Director  
Utah Department of Corrections

## ADDENDUM

**Effective 7/17/2016**

**77-27-5.4. Earned time program.**

- (1) The board shall establish an earned time program that reduces the period of incarceration for offenders who successfully complete specified programs, the purpose of which is to reduce the risk of recidivism.
- (2) The earned time program shall:
  - (a) provide not less than four months of earned time credit each for the completion of up to two programs that:
    - (i) are approved by the board in collaboration with the Department of Corrections; and
    - (ii) are recommended programs that are part of the offender's case action plan; and
  - (b) allow the board to grant in its discretion earned time credit in addition to the earned time credit provided under Subsection (2)(a).
- (3) The earned time program may not provide earned time credit for offenders:
  - (a) whose previously ordered release date does not provide enough time, including time for transition services, for the Board of Pardons and Parole to grant the earned time credit;
  - (b) who have been sentenced by the court to a term of life without the possibility of parole;
  - (c) who have been ordered by the Board of Pardons and Parole to serve a life sentence;
  - (d) who do not have a current release date; or
  - (e) who have not met a contingency requirement for release that has been ordered by the board.
- (4) The board may order the forfeiture of earned time credits under this section if it determines a rescission hearing is necessary.
- (5) The department shall notify the board not more than 30 days after an offender completes a program as defined in Subsection 77-27-5.4(2)(a).
- (6) The board shall collect data for the fiscal year regarding the operation of the earned time credit program, including:
  - (a) the number of offenders who have earned time credit under this section in the prior year;
  - (b) the amount of time credit earned in the prior year;
  - (c) the number of offenders who forfeited earned time credit; and
  - (d) additional related information as requested by the Commission on Criminal and Juvenile Justice.
- (7) The board shall collaborate with the Department of Corrections in the establishment of the earned time credit program.
- (8) To the extent possible, programming and hearings shall be provided early enough in an offender's incarceration to allow the offender to earn time credit.

Amended by Chapter 4, 2016 Special Session 3