

## **FAQ EDSC and EPSC**

### **SAFE-T ACT CHANGES (HB 3653)**

#### **Earned Discretionary Sentence Credit (EDSC)**

- Up to 180 days of EDSC can be awarded for individuals serving a sentence of less than five years
- Up to 365 days of EDSC can be awarded for individuals serving a sentence of five or more years
- This can be approved for individuals in custody before July 1 as well. Therefore, those who are serving a sentence of 5 years more can be awarded 365 days when these changes go in effect July 1. Those who already received time can be reviewed for additional time if they meet criteria.
- NOTE: Lists are generated for the facility as to who needs to be reviewed. There is no application process for EDSC. An individual does not need to ask to be reviewed.

#### **The following provisions still remain in the statute:**

##### **Eligibility**

- Eligible individuals for an award of earned discretionary sentence credit may be selected to receive the credit at the Director's or his or her designee's sole discretion.
- Eligibility shall be based on, but is not limited to, the results of any available risk/needs assessment or other relevant assessments or evaluations administered by the Department using a validated instrument, the circumstances of the crime, any history of conviction for a forcible felony enumerated in Section 2-8 of the Criminal Code of 2012, the individual's behavior and disciplinary history while incarcerated, and the individual's commitment to rehabilitation, including participation in programming offered by the Department.
- No 100 level disciplinary findings of guilt within the last year
- With forcible felonies that were sentenced within the last ten years, the risk to recidivate score must be low.
- The Director shall not award sentence credit to an individual unless the person has served a minimum of 60 days of the sentence

The award of the credits) shall not reduce the sentence of the individual to less than the following amounts:

- (i) 85% of his or her sentence if the individual is required to serve 85% of the sentence;  
or
- (ii) 60% of his or her sentence if the individual is required to serve 75% of the sentence, except if the prisoner is serving a sentence for gunrunning the sentence shall not be reduced to less than 75%.

(iii) 100% of the sentence if the individual is required to serve 100% of his or her sentence.

### **Earned Programs Sentence Credit**

- Adds Participation/compliance in work release/ATC programs/activities to eligible EPSC categories
- Changes EPSC to day- for- day credit for Substance Use Treatment, Illinois Correctional Industries, Education, Behavior Modification, Life Skills, Reentry Planning, and Work release/ATC programming and compliance
- EPSC for individuals who participate in IDOC approved self-improvement groups, volunteer work, or work assignments – shall receive 0.5 days credit for every day engaged in activities.
  - Self-improvement groups and volunteer work will need to be vetted by the statewide programs committee before being eligible for award of credit
- 120 days EPSC will be awarded for obtainment of an associate degree (retroactive timing as well for past degrees). They cannot have earned the degree prior to the current incarceration though.

Prorated time – If an individual is unable to complete a program due to illness, disability, transfer, lockdown, or another reason outside of the individual’s control, they shall receive prorated sentence credit for the days of participation.

EPSC for programs relative to this statutory change is not retroactive. The time award is effective for program contracts on or after July 1, 2021.

A maximum of two contracts can be awarded at any given time.