

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Functional Area: <u>Facilities Operations</u>	Reference Number: IIB01-0021	Revises Previous Effective Date: <u>12/15/02</u>
Subject: Performance Incentive Credit Program		
Authority: <u>Owens/Tillman</u>	Effective Date: 11/01/2011	Page 1 of 4

I. POLICY:

The Performance Incentive Credit (PIC) Program is an incentive program whereby eligible offenders have the opportunity to reduce the length of prison service through satisfactory progress in educational/treatment programs, work details, and good behavior. Positive performance by offenders will result in favorable reports to the Parole Board, and under this policy an offender can earn up to 12 months credit. Unsatisfactory performance will be addressed through the disciplinary process.

II. APPLICABILITY:

All custodial facilities housing GDC Offenders who have been sentenced to incarceration. Probationers are excluded from PIC consideration.

III. RELATED DIRECTIVES:

- A. House Bill 1607 (1993).
- B. GDC Rule: 125-1-2-.01, 125-2-4-.03(2), 125-2-4-.04(1)(M), 125-3-2-.04, 125-3-7-.01.
- C. ACA Standards: 3-4407.
- D. Standard Operating Procedures: IIA02-0003, IIA04-0005, IIB02-0001, IIB05-0001, IIC01-0004, IIC02-0001, IIC02-0002, IIC04-0001, IID01-0003, , VB01-0006, VB01-0007.

IV. DEFINITIONS:

- A. Max Out Decision: A decision by the Parole Board to have an inmate serve until the expiration of the time serve portion of his/her prison sentence.

DRAFT REVISION

- B. Parole: The discretionary decision of the majority of the State Board of Pardons and Paroles to release a certain offender from confinement after he/she has served an appropriate portion of a prison sentence.
- C. Parole Consideration Date: The earliest statutory eligibility date an inmate can be considered for parole.
- D. Parole Incentive Credit (PIC) Date: A date that is earlier than the Tentative Parole Month (TPM) that the inmate can be considered for release.
- E. Tentative Parole Month: A tentative month and year set by the Board where the inmate will be released on parole.
- F. **Incentive Time:** The time frame between the offender's TPM and PIC dates. This is the amount of time an offender can earn off of his/her length of service by depending on the number of Performance Incentive Credit points received.
- G. **TPM Extensions:** Extensions imposed by the Parole Board based on recommendations originating from the GDC Disciplinary Process.
- H. **Recommended Release Date:** The release date, recommended by GDC to the Parole Board at the time of the Parole Review Summary request.

In the event that an offender Case Plan changes after PIC points have been tabulated or if there are conflicts in with tabulations, it will be the responsibility of the Warden/Deputy Warden of Care and Treatment/Superintendent to insure that a SCRIBE Data change request is submitted to notify OIT to resume calculating point. This should only be done if the offender case plan changes

Note that the Board may reconsider and change a prior decision in a case, for any reason, at any time, up to the time of release.

V. ATTACHMENTS:

DRAFT REVISION

Attachment I PIC Performance Measures

VI. PROCEDURE:

A. Performance Incentive Credit will be awarded based upon a standardized point system that provides offenders with the opportunity to play an active role in their Reentry Plan. The Performance Measures to determine the number of PIC credit an offender will receive are listed below:

1. Special Details: An offender shall receive 1 month Performance Incentive Credit (**PIC**) per point earned. Once an offender has been on a special detail as defined below for a cumulative period of 1 year (365 days) they are eligible to receive 2 points credit, and they shall receive 2 points every 6 months thereafter. If an offender is in transit from one facility to another for assignment to a specialized detail, their points shall continue to be tabulated as if they are continuously working on the detail. If the offender is removed from the detail as a result of conduct the calculation of the points will start over, however all points accumulated at the time the offender is removed from a detail will be credited to the offender. The maximum PIC allowance for details is 6 points. The approved special details are outlined below:

- a) Mobile - Offender shall receive full credit for actively participating on detail for a cumulative period of 2 years contingent upon compliance with case plan, and good institutional conduct. contingent upon compliance with case plan, and good institutional conduct.
- b) Prison Industry - Offender shall receive full credit for actively participating on detail for a cumulative period of 2 years contingent upon compliance with case plan, and good institutional conduct. contingent upon compliance with case plan, and good institutional conduct.
- c) Fire Services- Offender shall receive full credit for actively participating on detail for a cumulative period of 2 years contingent upon compliance with case plan, and good institutional conduct. contingent upon

DRAFT REVISION

compliance with case plan, and good institutional conduct.

- d) Food and Farm - Offender shall receive full credit for actively participating on detail for a cumulative period of 2 years contingent upon compliance with case plan, and good institutional conduct. contingent upon compliance with case plan, and good institutional conduct.

2. Outside Details/County Camps/Administrative Aides:

An offender shall receive 1 month Performance Incentive Credit (**PIC**) per point earned. Once an offender has been on a detail for a cumulative time period of 1 year (365 days) they are eligible for 1 point credit, and they shall receive 1 point every 6 months thereafter. Offender shall receive full credit for actively participating on detail for a cumulative period of 42 months contingent upon compliance with case plan, and good institutional conduct. An offender shall If transferred and it is not for disciplinary purposes the offender's time will continue to tabulate. The maximum PIC allowance for details is 6 points.

3. Programs/Case Plan Compliance - An offender shall receive 1 month Performance Incentive Credit (**PIC**) per point earned. Offenders shall receive full credit for completing their Case Plan along with Court/Parole mandates. Credit shall be contingent upon good institutional conduct. 1 point credit shall be received for each category listed below, however if the offender completes the entire reentry case plan then they shall receive 6 months credit. The point system is outlined below:

A. Education	1 point
B. Vocational	1 point
C. Cognitive Behavioral Programs	1 point
D. Substance Abuse Programs	1 point
E. SOPP	1 point
F. Mental Health Groups	1 point

Example: If John Doe has only Substance Abuse and Education needs he can only accumulate 1 point for

DRAFT REVISION

each. If that offender refused education and only took Substance Abuse Programs then only 1 point will be earned, but if both are completed the offender will have earned 6 points.

- B. Nothing in this plan suspends the applicability of the Disciplinary Procedure for offenders who refuse to work or otherwise disrupt the orderly operation of the institution.
- C. Only the Parole Board can determine the final applicability of GDC's PIC credit recommendation. Therefore, the issue of PIC credit application is not grievable in accordance with SOP IIB05-0001, "Statewide Grievance Procedure."
- D. Offenders will be informed about the PIC program, during their institutional orientation session in accordance with VB01-0004. The counselor will inform them that failure to participate in required programs or work or failure to comply with expected behavior standards shall result in an offender not being recommended for release during their PIC month. A copy of the GDC Performance Incentive Credit Procedure, and PIC Performance Measures (Attachment I) will be maintained in the facility's library for offender use at all times. PIC Performance Measures (Attachment I) shall be maintained on all offender bulletin boards, and a copy shall be given to offenders upon request.
- E. Eligibility to participate in the Performance Incentive Credit Program will be based upon decisions by the Parole Board and on all of an offender's current sentence(s) at any point in time. Therefore, it is possible for an offender's PIC eligibility to change during a period of incarceration.
- F. Upon request, an offender can discuss the issue of his/her PIC eligibility with the counselor.
- G. All state offenders (excluding probationers) are eligible to be considered for PIC eligibility except those in the categories listed below:
 - 1. Boot Camp Offenders
 - 2. Offenders under death sentence
 - 3. Offenders serving a life sentence with or without possibility of parole
 - 4. Offenders with sentences less than or equal to two years

DRAFT REVISION

5. Offenders serving for non-parole eligible offenses or serving minimum mandatory sentences, i.e. 7 deadly sin offenders (SB441), 90% time to serve offenders.
6. Offenders excluded from participation in PIC by the Parole Board.
7. **Exception:** Offenders with Disabilities (MH/MR or medically limited): Offenders in this category will be assigned a work detail/program commensurate with their abilities. Participation without regard to the offender's disability should determine the PIC eligibility, provided the offender participates willingly and performs the activity as assigned by the institution classification committee.
8. SB441 Cases as outlined below:
 - a. Aggravated Child Molestation
 - b. Aggravated Sexual Battery
 - c. Aggravated Sodomy
 - d. Armed Robbery
 - e. Kidnapping
 - f. Murder
 - g. Rape
9. 1607 cases are parole eligible and PIC eligible, however, they are statutory required to serve 1/3 of their sentence. So the earliest possible release date for a 1607 case equates to 1/3 of the court-imposed sentence. The cases are outlined below:
 - a. Aggravated Assault
 - b. Aggravated Battery
 - c. Arson 1
 - d. Cruelty to Children
 - e. Homicide by Vehicle while DUI or Habitual Violator
 - f. Incest
 - g. RICO (Racketeer Influence and Corrupt Organizations)
 - h. Statutory Rape
 - i. Trafficking in Drugs
 - j. Voluntary Manslaughter
- H. Once an offender has earned PIC credits they cannot be taken away, but this doesn't mean that the offender's conduct will not be addressed. The Parole Board will retain discretionary authority to

DRAFT REVISION

determine if a TPM extension is warranted once a recommendation is made. All infractions committed by an offender warranting a review shall be documented in SCRIBE and communicated to the Board via email.

I. Parole Review Summary

1. The assigned counselor will review the overall performance of the offender subsequently making a recommendation for the Parole Board to Consider. The summary should include but not be limited to a thorough review of the reentry plan and progress, work activity performance reports, general institutional conduct, etc. The recommendation by the case manager shall be forwarded to the Warden/Superintendent, and in the absence of the Warden or Superintendent, the Deputy Warden of Care and Treatment/Assistant Superintendent must review and approve.

PIC Performance Measures

I. **Special Details:** An offender shall receive 1 month Performance Incentive Credit (PIC) per point earned. Once an offender has been on a special detail as defined below for a cumulative period of 1 year (365 days) they are eligible to receive 2 points credit, and they shall receive 2 points every 6 months they are assigned to a special detail. If an offender is in transit from one facility to another for assignment to a specialized detail, their points shall continue to be tabulated as if they are continuously working on the detail. If the offender is removed from the detail as a result of conduct the calculation of the points will start over, however all points accumulated at the time the offender is removed from a detail will be credited to the offender. The maximum PIC allowance for assignment to special details is 6 points. The approved special details are outlined below:

- A. **Mobile** - Offender shall receive full credit for actively participating on detail for a cumulative period of 2 years contingent upon compliance with case plan, and good institutional conduct.
- B. **Prison Industry** - Offender shall receive full credit for actively participating on detail for a cumulative period of 2 years contingent upon compliance with case plan, and good institutional conduct.
- C. **Fire Services**- Offender shall receive full credit for actively participating on detail for a cumulative period of 2 years contingent upon compliance with case plan, and good institutional conduct.
- D. **Food and Farm** - Offender shall receive full credit for actively participating on detail for a cumulative period of 2 years contingent upon compliance with case plan, and good institutional conduct.

Special Details (Tabulated by cumulative time assigned)		
1 Year	18 months	24 Months
2 Points	4 Points	6 Points

II. **Outside Details/County Camps/Administrative Aides:** An offender shall receive 1 month Performance Incentive Credit (PIC) per point earned. Once an offender has been on a detail for a cumulative time period of 1 year (365 days) they are eligible for 1 point credit, and they shall receive 1 point every 6

months thereafter. Offender shall receive full credit for actively participating on detail for a cumulative period of 42 months contingent upon compliance with case plan, and good institutional conduct. An offender shall If transferred and it is not for disciplinary purposes the offender's time will continue to tabulate. The maximum PIC allowance for details is 6 points.

Outside Details/County Camps/Administrative Aides (Tabulated by consecutive time assigned)					
1 Year	18 months	24 Months	30 Months	36 Months	42 Months
1 Point	2 Points	3 Points	4 Points	5 Points	6 Points

III. **Programs/Case Plan Compliance:** An offender shall receive 1 month Performance Incentive Credit (PIC) per point earned. Offenders shall receive full credit for completing their Case Plan along with Court/Parole mandates. Credit shall be contingent upon good institutional conduct. 1 point credit shall be received for each category listed above, however if the offender completes the entire reentry case plan then they shall receive 6 months credit. The point system is outlined below:

- | | |
|----------------------------------|---------|
| A. Education | 1 point |
| B. Vocational | 1 point |
| C. Cognitive Behavioral Programs | 1 point |
| D. Substance Abuse Programs | 1 point |
| E. SOPP | 1 point |
| F. Mental Health Groups | 1 point |

Example: If John Doe has only Substance Abuse and Education needs he can only accumulate 1 point for each. If that offender refused education and only took Substance Abuse Programs then only 1 point will be earned, but if both are completed then the offender will have earned 6 points.

Assessed Needs					
Education	Vocational	Cognitive	Substance Abuse	SOPP	Mental Health Groups
1 Point	1 Point	1 Point	1 Point	1 Point	1 Point

MAXIMUM POINT TOTAL 12

V. All state inmates are eligible to be considered for PIC eligibility except those

in the categories listed below:

1. Boot Camp Inmates
2. Inmates under death sentence
3. Inmates serving a life sentence with or without possibility of parole
4. Inmates with sentences less than or equal to two years
5. Inmates serving for non-parole eligible offenses or serving minimum mandatory sentences, i.e. 7 deadly sin offenders (SB441), 90% time to serve offenders.
6. Inmates excluded from participation in PIC by the Parole Board, i.e. max-outs

Exceptions: Inmates with Disabilities (MH/MR or medically limited): Inmates in this category will be assigned a work detail/program commensurate with their abilities. Participation without regard to the inmate's disability should determine the PIC eligibility, provided the inmate participates willingly and performs the activity as assigned by the institution classification committee.