



THE UNITED STATES SENTENCING COMMISSION

First Step Act Earned Time Credits

18 U.S.C. §§ 3632, 3624(g) *

Eligibility

Statutorily Eligible

Individuals can earn time credits for participating in recidivism reduction programming or productive activities.

These time credits can later be applied towards early release from secure custody.

Statutorily Ineligible

Statute of conviction prohibits earning credits.

Order of Removal prohibits applying earned credits.

or

Earning

In Earning Status

Not in Earning Status

Earning rates based on risk level

Minimum/Low Risk

15 days earned per
30 days in programming

Automatic

Medium/High Risk

10 days earned per
30 days in programming

"Warden
Exception"

Examples

1. Placement in a Special Housing Unit;
2. Designation status outside the institution;
3. Temporary transfer to the custody of another federal or non-federal government agency;
4. Placement in mental health/psychiatric holds; and
5. "Opting out."

Award

Up to 1 year

Early Supervised Release

Prerelease Custody
(Home Confinement or RRC)

Time Credits

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Remainder of Term

Individuals may lose earned time credits if they violate prison or program rules. These lost credits can be restored.

*FSA time credits are distinct from, and in addition to, any "good time credit" awarded under 18 U.S.C. § 3624(b) or credits for participation in RDAP.

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