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*Agency of Human Services*

## MEMORANDUM

To: All Incarcerated Persons

From: Cullen Bullard, Director of Classification

Re: Earned Time and S.18

Date:

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The Vermont State Legislature passed a law in 2020 providing for earned time effective 1/1/21. VTDOC has been reviewing and awarding this earned time in accordance with the law.

A new law was passed this year (Senate Bill 18) which disqualifies for those serving a sentence on 1/1/21 for one of the below crimes from earned time.

- (A) murder in violation of 13 V.S.A. § 2301;\*
- (B) voluntary manslaughter in violation of 13 V.S.A. § 2304;
- (C) kidnapping in violation of 13 V.S.A. § 2405;\*
- (D) lewd and lascivious conduct with a child in violation of 13 V.S.A. § 2602, provided that the offense shall not be considered a disqualifying offense if the offender is under 18 years of age, the child is at least 12 years of age, and the conduct is consensual;
- (E) sexual assault in violation of 13 V.S.A. § 3252(a) or (b) \*
- (F) aggravated sexual assault in violation of 13 V.S.A. § 3253;\* or
- (G) aggravated sexual assault of a child in violation of 13 V.S.A. § 3253a

If your conviction is not one of the above, this law should not impact you.\*\* If you began serving a sentence for one of the above after 1/1/21, this law should not impact you.

If you are impacted by the law, you will keep earned time you received between 1/1/21 and the effective date of the law, but will not be eligible to earn more time. Caseworkers will be meeting with each individual affected by the law. They will be able to answer further questions you may have.





\*Consistent with 13 V.S.A. § 9, this includes attempted murder, kidnapping, sexual assault, and aggravated sexual assault.

\*\* The law also eliminates earned time for interrupted sentences (such as a sentence to serve weekends.)

