

Criminal Justice Issues and Prisoners' Rights

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COLUMBUS- The American Civil Liberties Union of Ohio called on state senators to fully restore earned credit provisions to Ohio House Bill 86. The proposed legislation is an overdue beginning to reform the states ineffective and overcrowded criminal justice system. Earned credit allows inmates to reduce their sentence by participating in educational, vocational, and rehabilitative programs. However, earned credit in HB 86 would not apply to inmates currently housed in Ohio prisons, meaning there will be little immediate relief to overcrowded facilities.

Earned credit presents the clearest means to save taxpayer dollars and keep people out of prison, said ACLU of Ohio Legal Director James L. Hardiman. Our criminal justice system is flooded by far too many people who need a helping hand, and instead are locked behind bars. By providing incentives to enroll in these programs, more people will choose to seek help rather than simply bide their time behind bars. Rehabilitation and job training will help break the cycle of incarceration that is keeping our prison population at dangerously high levels.

HB 86 passed the Ohio House of Representatives on May 4, 2011 by a vote of 95-2. It includes provisions that will improve the states probation system, reduce the disparity between crack and powder cocaine sentences, and steer juveniles away from incarceration.

Many of the reforms in House Bill 86 are commendable and long overdue. However, our prisons populations have swelled to over 130% capacity and continue to grow unnecessarily, added Hardiman. With reports of increasing violence, state legislators must take action to provide instant relief to our ballooning prison populations.

Prior to its passage in the Ohio House, representatives amended the bill to narrow the categories of people who would be eligible for earned credit. Previous legislation also allowed earned credit to apply retroactively to inmates who are currently incarcerated.

Other states have generated substantial cost savings by expanding earned credit programs. Between 1997-2006, the New York Department of Corrections saved \$369 million due to earned credit. Washington State found in 2003 that it saved \$7,179 per inmate. Kansas, Nevada, and Pennsylvania have also reported substantial savings from earned credit reforms. Nationally, 33 states use earned credit.

House Bill 86 represents a positive step forward, but our broken criminal justice system demands fast, fundamental changes to thin our bloated prisons. Earned credit will provide the greatest reduction in our prison population and Ohio cannot afford to wait another two years to realize that change, Hardiman concluded.

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