

Restore Justice Foundation

Criminal Justice Issues and Prisoners' Rights

<https://restorejustice.org/goodtime-changes-2020/>

Public Facing Advocacy Writing

by Restore Justice, in partnership with [John Howard Association](#)

Changes to Illinois [Truth in Sentencing](#) law become effective on January 1, 2020. Here is what you need to know.

Disclaimer: Restore Justice was not a part of the legislative effort that resulted in the passage of HB0094, and so we are relying on our own analysis of the law along with our partners feedback to generate this summary. We decided to publish a summary because we were getting an overwhelming number of questions on the topic.

The most important thing to know is that **the new law only applies to people serving sentences for offenses committed before June 19, 1998.** (Truth in Sentencing, which eliminated and reduced sentencing credits, is still the law.)

The Illinois Department of Corrections (IDOC) has not yet issued clear guidance on how they plan to implement this new law, but with our friends at John Howard Association, we have outlined our summary of the law below.

The law requires IDOC to award up to 90 days of sentence credit for successful completion of programming listed under 730 ILCS 5/3-6-3(4) to people who are currently serving a sentence for an offense committed **prior** to June 19, 1998.

Programming listed in paragraph 4 of 730 ILCS 5/3-6-3 includes full-time substance abuse programs, correctional industry assignments, educational programs, behavior modification programs, life skills courses, or re-entry planning should count for sentence credit. Obtaining college and advanced degrees should also count.

If this change in the law applies to you, sentencing credit should be awarded to you for successfully completing programming at any time during your current term of incarceration. So, you should be awarded sentence credit for programming successfully completed at any time before or after the day the change in the law goes into effect (January 1, 2020). The programming must have been completed during your current term of incarceration if you are currently incarcerated for an offense committed prior to June 19, 1998.

Heres how the amount of sentence credit would be determined:

If the person participated in more than 45 days of programs, they would receive 90 days of sentence credit. If the person completed less than 45 days or cannot prove they completed more than 45 days, they would receive 45 days of sentence credit.

An additional 180 days of sentence credit could be awarded to people who obtain bachelors, masters, or professional degrees while in IDOC custody.

We interpret this to mean that no one will get more than 90 days of credit via this program unless they obtained a bachelors masters, or professional degree within IDOC.

Heres whats needed to be eligible for sentence credit:

Documentation that the person participated in and completed full-time substance abuse programs, correctional industry assignments, educational programs, behavior modification programs, life skills courses, or re-entry planning.

The incarcerated persons own testimony, through an affidavit or documentation, OR a third partys documentation or testimony, through an affidavit, that the person participated in and completed the programs.

Other things to know:

If u produced all the documents for schooling how long does it take for them too recieve there good time!

Cleo, Thank you for contacting us. Unfortunately, we dont have the answer to your question. We will update this post if we receive more information.

IF AN INMATE GETS 3 YEARS IDOC HOW MUCH TIME WILL THEY HAVE TO DO,AND DO THEY GET GOOD TIME FOR A CLASS 3 FELONEY.

Michael, The good time bill only applies to people sentenced before 1998. In 1998, Illinois did away with good time. This bill tries to make sure people who should have access to it, do. This article explains how much time a person has to serve based on their sentence: <https://www.restorejustice.org/know-more-truth-in-sentencing/>

I REALLY DONT UNDERSTAND HOW YOU PASS A LAW AND IT DOESNT PERTAIN TO INMATES THAT HAS BEEN LOCKED UP IN THE SYSTEM 25 YEARS AND IS INNOCENT. giVING people now less time that doesnt fit the crime please get rid of these ridiculous truth and sentencing laws

Sonya, The good time bill applies only to people sentenced before 1998. Its not for people that are newly sentenced.

Restore Justice believes strongly in the need for retroactivity and will continue working to make that a reality. We believe in creating opportunities for release. Heres an article we wrote about truth in sentencing in Illinois: <https://www.restorejustice.org/know-more-truth-in-sentencing/>

Please sign up for our mailing list or follow us on Facebook so we can stay connected about reform efforts.

Question is what is the Percentage of a non violent drug charge for Federal prison ? If you get 2 years sentence how long will you have to do with the new IL laws ?

Hi Jennifer, This bill only applies to people sentenced before 1998. It also only applies to people in Illinois Department of Corrections facilities. I would recommend contacting the Sentencing Project. <https://www.sentencingproject.org/>
<https://www.sentencingproject.org/contact/>

I have a daughter in IDOC, she has done all of her classes and has been an outstanding inmate. Meaning she has followed all the rules and has not been in trouble while inside prison. When should she expect to get her good time?

Dana, What year was your daughter sentenced in? This bill only applies to people sentenced before 1998. It clarifies their ability to earn good time. But, in 1998, Illinois did away with good time, and people sentenced after that year arent eligible. Restore Justice believes strongly in the need to create opportunities for release. Please stay in touch, and we can update you on our efforts.

Hello my husband resides in a reception center in Iorain and has been there since march 19th 2020 he has been sentenced 2 yrs prison spent already 6 months jail time prior to going to prison in march. He has been working in the kitchen for the time hes been there and due to covid transfers arent going on at this time , will he be awarded good days for working the time in his reception center since hes awaiting to go to his parent institution? Thanks or can you direct be to a website that explains time allowd for inmates in reception centers with covid going on and if he can get good days being there, will he automatically get 54 good days a year if hes good. Please help thanks.

Hi Heather, That is a good question. I dont know the answer. I would suggest contacting the John Howard Association. Sorry I dont have a better answer. <https://www.thejha.org/faq>

When is the truth in sentencing going to change for inmates doing 100% my husband has been in there for 18 years serving 22 years lost many years of his life without his family and kids it is his first offense locked up for a murder and he was just the driver. these laws need to change Can someone let me know something about the ones facing 100% he has gone to school and works in there and stays out of trouble how can they get time served or their time cut to good time what do we have to do to help change these laws under truth in sentencing?

Have you ever received in answer to your question? I was just curious because I have a brother in a similar situation. He is serving 25 years on a first-degree murder charge and he told me there was supposed to be a change to the law reducing the 100% to 80-85%. Thanks and good luck to you and your daughter!

+God bless,
Joshua Anderson

Hi Joshua, The legislation that took effect this year applies to people sentenced before 1998. It is supposed to ensure those people receive their good time. Illinois did away with good time in 1998, and people sentenced after that year were sentenced under truth in sentencing.

Article about the good time bill: <https://www.restorejustice.org/goodtime-changes-2020/>

Article about truth in sentencing in Illinois: <https://www.restorejustice.org/know-more-truth-in-sentencing/>

Please let me know if you have any other questions.

Nirvana, What year was your husband sentenced? Illinois did away with good time in 1998. If he was sentenced after 1998, there are not good time options. Restore Justice strongly believes in the need for opportunities for release (good time, parole, etc.). Please consider signing up for our mailing list or following us on social media so we can stay in touch. We take trips to Springfield to ask lawmakers to make Illinois more compassionate and just.

My Son has been Locked Up since 2001, charged with a murder that He clearly did not commit, He has never been up for any kind of good time,. He has never been in trouble incarcerated, a model inmate..years has been taken from his life, He served his country in the military. Never been in trouble before and still Hes still behind Bars. Where is the JUSTICE!!

Sorry to read this, Pearl. Illinois did away with good time in the 1990s. The only people still accruing good time were sentenced before 1998. Restore Justice believes strongly in the need to create opportunities for release. We hope you will join our mailing list and/or social media channels and stay in contact as we work for a more compassionate and just system.

Here's an article about truth in sentencing: <https://www.restorejustice.org/know-more-truth-in-sentencing/>

I need some clarification my love one has multiple classes/programs completed successful through out the last 23 yrs of his incarceration. Now is this just a one time 90 day credit for all classes? Or is it 90 days per every class completed?

Its 90 days total.

Curious if a prisoner is serving 6 months of his year sentence in NRC because of the Corona virus, can't get transferred because they are on lockdown, do you think he'll get released early.

Is there a FORM to be completed for the 6 month early release program?

Hi Irean, This good time legislation applies to people sentenced before 1998. (The State eliminated good time after that.) It allows for up to 3 months of sentence credit. A person who is incarcerated receives that time through participation in certain programs. If a person is owed good time, but hasn't received it, they should deal with facility staff. I hope this helps; Restore Justice didn't work on this bill so I don't have more info beyond what's provided here.

My son will be getting sentence next Wednesday for a Class 1 felony for D.U.I, he will take a 4 year sentence that day. Can you please tell me if he will be eligible for the good time credit? How much good time will he receive and how much time will he do on that 4 year sentence for class 1 felony D.U.I? I tried to look at it above but I'm not getting it and I apologise! Also when he's released from Illinois prison he's going to go to Missouri to answer felony probation revocation, what should he do to take care of Missouri while in Illinois? To run it concurrent please help! Thank you so much

Wondering about bill to be passed inmates serving 85% changed to 75%. My grandson has taken classes etc hoping good time will also apply

Hi Charlene, Thank you for writing to us. This bill only applies to people sentenced before 1998. Here are a few more recent articles that might help, depending on your grandson's charges: <https://www.criminalawyerillinois.com/2013/03/20/truth-in-sentencing-defendants-must-serve-more-than-50-of-the-sentence-imposed/> AND <https://www.restorejustice.org/know-more-truth-in-sentencing/> AND <https://loumeza.com/illinois-department-of-corrections-sentence-credits/#:~:text=Supplemental%20Sentence%20Credit%20%E2%80%9C%20CSC%E2%80%9D,of%20Corrections%20or%20his%20designee>

Does this apply for A1. Sentence in 2010

This bill only applies to people sentenced before 1998. Illinois enacted truth in sentencing that year.

My son just got sentence to 6 years for legal pot it was a lot. Can someone give me advice when he goes to get assessed in Statesville how it works. And what happens please

If the original offense was prior to 1998 but it was a sex offender offense which required registry on the sex offender list, is failure to register considered a new offense or will the original sentence be used.

I UNDERSTAND THE LAW WAS CREATED PERTAINING TO OFFENDERS IN YEAR OF 1998. How about get rid of that law completely there are actually reformed people just sitting in the prison system wasting away. Due to unjust laws. People committing crimes such as murder getting less time for the crime. My husband prime example was sentenced to 18 years per case attempted murder also armed robbery the victim never reported anything stolen. My son was shot in the head and chest September 1 of this year fighting for his life he's only 24 years old and no one is looking for the assailant that did this to him. If and when they catch him I bet justice will not be served. I am fed up with these laws and prison system.

Are they giving out any good time or doing any early release my husband have 6 months left

Hi Danielle, It depends on when your husband was sentenced and what his class is. Here's more info: [https://www.restorejustice.org/about-us/resources/know-more/know-more-truth-in-sentencing/#:~:text=Truth%20in%20sentencing%20only%20teaches,them%20to%20be%20beyond%20reform,&text=For%20instance%2C%20a%20first%20degree,life%20\(before%20firearm%20enhancements\)](https://www.restorejustice.org/about-us/resources/know-more/know-more-truth-in-sentencing/#:~:text=Truth%20in%20sentencing%20only%20teaches,them%20to%20be%20beyond%20reform,&text=For%20instance%2C%20a%20first%20degree,life%20(before%20firearm%20enhancements)).

Do women in the Illinois Department of corrections get to earn good time if they have a sentence of 85%

Hi Brian, I'll share more about the rules, but a person with 85 percent could earn some time off their sentence. <https://www.restorejustice.org/about-us/resources/know-more/know-more-truth-in-sentencing/#:~:text=What%20is%20truth%20in%20sentencing,for%20every%20day%20in%20prison>.

@Alissa he has been in since 2002 so this law doesn't qualify for him it's horrible how the inmate who did the murder is serving half his sentencing but my husband who was JUST the driver has to serve 100% what is the governor doing about the pending Clemency from 2018 and 2019 also requested to do emergency clemency for what nothing is being done especially during this covid virus that has hit our loved ones and they have no contact visit only with guards and staff who are taking it to them!!!!

We are very worried about COVID, as well. We are watching the numbers and demanding more releases, more testing, and better treatment. All incarcerated people should be tested regularly, and those that are sick should be well cared for. Which prison is your husband at?

@alissa Rivera he is in Dixon Correctional any update on the clemency or emergency clemency they have requested the inmate to do. he had his hearing in October 2019 still pending. he had a clemency when Previous governor was on but they made him redo it because of new governor

my brother been incarcerated since 2002, he is in hell correctional center he been getting his certificates in every program he have good behavior, now he is trying to get his GED. they give him 20 yrs for the murder and 25 years for the gun that they never found, is there any way that my brother can be released earlier and drop the gun charge he have. since he was sentenced as young adult he was a teen. and there is a lot of new evidence in his case prove he is innocent it suppose to be a self defense but the system has failed him without looking in the evidence please if you can contact me and tell me what I can do.

This is not a question on good time program. I'm trying to understand the inmate search site. In detailing the inmates sentencing and parole, there is a row with COUNT in the column next to it is the number 1. Does that mean murder 1 or what does that stand for. Thanks for your assistance.

That is the number of counts of that specific charge.

@alissa Rivera Are they going to add anything on Truth in Sentencing in the new bill that the governor sent back to add about prison reform? i want to know if they'll be lowering their time from 100% to 85-90% on the new bill to be signed this July would you know? it for inmates doing time from 2002 at 100% under truth in sentencing

Hi Elizabeth, Are you asking about the criminal law omnibus bill? I don't believe the bill has been sent to the Governor yet. We are hopeful he will sign it, but encourage everyone to ask him to do so! That bill does have some pieces about sentencing credits. However, it doesn't eliminate truth in sentencing. There's more info here under Sentencing Credits. <https://restorejusticeillinois.org/criminal-law-omnibus-summary/>

person in custody on 11/1998 serving 28 yr sentence ADA wheelchair bound due to injury sustained in IDOCs care to ACL and IDOC refuse to allow surgery (too expensive) yet not giving ADA documented and mandated phys therapy also person served 6 YEARS in solitary AND has completed multiple levels of education since in custody age of inmate approaching 50 (high health concerns with COVID crisis where community housing and close quarters prohibit proper distancing) anything that can be done to help (?) current release date 2026

my son is in graham cc he's been in other prison he's trying to better himself to get good time he went to school in galsburg all he could now work in the kitchen where he at helps were ever he can is parole date is 2035 he is as a sex offender he's wanted to know what more can he do to get early release

So if I'm understanding correctly, the 85% law has not changed for people sentenced after 1998? My friend was convicted for aggravated DUI, sentenced to 7 years/85% with no good time. Since it was in 2019 nothing changes for him?

Yes. This bill clarifies good time for people convicted before Illinois enacted Truth in Sentencing in 1998. It doesn't remove the Truth in Sentencing for people convicted since 1998.

Let me get this right if I get sentenced to six years at 50% and I go to say southwestern drug rehabilitation and I get a GED I'm only gonna get 90 days good time on top of my 50% because 90 days is the max you can get? Thank you I hope to hear back from you

Hi, That is a good question. I think you are correct, but Restore Justice does not work specifically on this issue so to be certain, I recommend asking the John Howard Association. Also, the law only applies to those sentenced before 1998, the year Illinois eliminated good time.

My husband was sentence 30 years suspend 10 75% 15 years got sentenced in 2014 he is going on 7 yrs.. Drug charge first time offense. He is 63 does the new law apply to him trying to get his diploma at his age. Its really hard for him is there anything he can do

Hi, I'm sorry to hear about your husband. We are thinking of you. This bill is for the Illinois Department of Corrections.

He is in Indiana idoc

My husband is 63 he is getting his literacy and trying for his ged what if he can't get it he has to have it to get time cuts is there a limit to age on trying to do this he already has a time cut but don't get credit until he gets his G.E.D

Hi! I'm checking to see if the laws has changed for this good time program. I have a relative that has been locked up for 27 years now. A little over 50% of his time. He was at Dixon and they were trying to get him to put in application for work release and he didn't because he was told when he transferred to Robinson he would get good time day for day and could work 2 jobs and get double day for day. Now they are telling him no, its only one job day for day and that he doesn't qualify for work release because he's class X. Can you please advise?

Hi Monique, I am sorry you and your relative are receiving conflicting information. I can't say for sure in your specific situation. There were changes to good time through the 2021 SAFE-T Act. We have a summary here: <https://restorejusticeillinois.org/criminal-law-omnibus-summary/>

The John Howard Association works on good time and may have more information on their website. <https://www.thejha.org/>

Hello,

Is it lawful in Illinois for parole time to exceed the time of an actual sentence? This is in regards to an aggravated domestic battery case.

Thank you,

Shane

Hello, so if my boyfriend is serving 85% of his 6 year sentence there is nothing in his power to get out?

Hi my brother has been locked up since 2001 in Illinios so he has been gon for 21yrs with 29yrs to go. He was sentenced to 50 yrs Is he under the new or old law? And can he get resentenced?

Hello Angela, Unfortunately, the new changes only apply to people sentenced before 1998. Illinois got rid of a lot of good time after that year. The only county that has provided information about resentencing is Cook. If your brothers conviction is in Cook County, here is the info they have provided: <https://www.restorejustice.org/fall-2021-newsletter/>

Hi Heather. I know this post is 2 years old now but hoping you see it. Its really wild that our husbands were in the SAME position. I bet they know each other. Mine was the last ride out from lake county in March 2020, spent nearly 6 months in reception at Lorain, and also worked in the kitchen. I never heard anything about good days for the kitchen work. If you see this, please message me at jgoertler@gmail.com
Thanks in advance!
Jennifer

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