



# Maryland Diminution Credit System

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Annapolis, Maryland  
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# **Maryland Diminution Credit System**

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**Department of Legislative Services  
Office of Policy Analysis  
Annapolis, Maryland**

**December 2025**

## Contributing Staff

### *Writer*

Claire E. Rosmark

### *Reviewer*

Shirleen M. E. Pilgrim

### **For further information concerning this document contact:**

Library and Information Services  
Office of Policy Analysis  
Department of Legislative Services  
90 State Circle  
Annapolis, Maryland 21401

410-946-5400 • 1-800-492-7122, Extension 5400

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**DEPARTMENT OF LEGISLATIVE SERVICES**  
OFFICE OF POLICY ANALYSIS  
MARYLAND GENERAL ASSEMBLY

December 18, 2025

The Honorable Bill Ferguson, President of the Senate  
The Honorable Joseline A. Peña-Melnyk, Speaker of the House of Delegates  
Members of the Maryland General Assembly

Dear President Ferguson, Speaker Peña-Melnyk, and Members:

This report, *Maryland Diminution Credit System*, was prepared by the Department of Legislative Services, Office of Policy Analysis, in response to continuing legislative and public interest in the area of diminution of confinement credits that reduce the length of incarceration for the State's correctional population. The report discusses the overall system of diminution credits in the State and nationwide.

The report was written by Claire E. Rossmark, in consultation with the Department of Public Safety and Correctional Services, and reviewed by Shirleen M. E. Pilgrim.

We trust that this information will be of assistance to you.

Sincerely,

Victoria L. Gruber  
Executive Director

CER/SMEP/jag

Ryan Bishop  
Director



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# **Maryland Diminution Credit System**

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## **Generally**

Generally, an incarcerated individual sentenced to the custody of the Division of Correction (DOC) is entitled to earn diminution of confinement credits to reduce the individual's term of incarceration. Diminution credits are days of credit either granted or earned on a monthly basis. Incarcerated individuals in State correctional facilities and local detention centers are eligible for diminution credits. Credits may be forfeited or restricted due to misbehavior in the institution (Title 3, Subtitle 7 of the Correctional Services Article).

## **Restrictions on Earning Diminution Credits**

An incarcerated individual whose term of confinement includes a consecutive or concurrent sentence for a crime of violence, a sexual offense, or being a volume drug dealer or drug distribution kingpin may not be allowed a total deduction of more than 20 days per month. For all other incarcerated individuals not otherwise prohibited from earning diminution credits, the maximum monthly deduction is 30 days (§ 3-708 of the Correctional Services Article). For terms imposed between October 1, 1992, and October 1, 2017, the maximum deduction is 20 days per month for all incarcerated individuals. For terms imposed before October 1, 1992, the maximum deduction is 15 days per month for all incarcerated individuals.

The following types of incarcerated individuals may not earn diminution credits:

- an incarcerated individual serving a sentence for first- or second-degree rape or the former crimes of first- or second-degree sexual offense against a victim under age 16 (§ 3-702(b)(1) of the Correctional Services Article);
- an incarcerated individual serving a sentence for first-degree rape that occurred on or after October 1, 2024, regardless of the age of the victim (§ 3-702(b)(2) of the Correctional Services Article);
- an incarcerated individual serving a sentence for a subsequent conviction of third-degree sexual offense against a victim under age 16 (§ 3-702(c) of the Correctional Services Article); and
- an incarcerated individual imprisoned for a lifetime sexual offender supervision violation (§ 11-724(c) of the Criminal Procedure Article).

An incarcerated individual who serves a concurrent Maryland sentence in a foreign jurisdiction may be eligible for diminution credits but only from the date that the incarcerated individual is received into the physical custody of DOC (§ 3-703 of the Correctional Services Article).

## **Effect of Justice Reinvestment Act on Diminution Credits**

Chapter 515 of 2016 (The Justice Reinvestment Act) is aimed at reducing Maryland's incarcerated population and using the savings to provide for more effective treatment to offenders before, during, and after incarceration. It altered provisions relating to sentencing, corrections, parole, and the supervision of offenders. With regard to diminution credits, the Act increased the maximum total deduction from 20 to 30 days per calendar month for all State correctional facility incarcerated individuals except for individuals serving a sentence for a crime of violence, specified sexual offenders, or being a volume drug dealer or drug kingpin. The Act also increased the maximum deduction for special selected work projects or other special programs from 10 to 20 days per calendar month and expanded the types of programs for which an incarcerated individual may earn diminution credits. In addition, the Act increased the maximum deduction for diminution credits for an individual serving a sentence in a local correctional facility for a crime other than a crime of violence or specified volume drug offenses from 5 to 10 days per month. These provisions apply prospectively to individuals who are sentenced on or after October 1, 2017 (the information contained throughout this report reflects the changes made by Chapter 515).

## **Term of Confinement**

Diminution credits reduce the incarceration period, not the length of a sentence. Diminution credits are deducted from an incarcerated individual's "term of confinement," which is defined as:

- (1) the length of the sentence, for a single sentence; or
- (2) the period from the first day of the sentence that begins first through the last day of the sentence that ends last, for:
  - (i) concurrent sentences;
  - (ii) partially concurrent sentences;
  - (iii) consecutive sentences; or
  - (iv) a combination of concurrent and consecutive sentences (§ 3-701 of the Correctional Services Article).

“Maximum expiration date” is the last day of the sentence ending last (Code of Maryland Regulations (COMAR) 12.02.06.01).

## Types of Diminution Credits

Diminution credits are made for good conduct, work tasks, education, and special projects or programs. With the exception of good conduct credit, the various types of diminution credits are calculated from the first day of participation and on a prorated basis for any portion of a calendar month that applies (§§ 3-705 through 3-707 of the Correctional Services Article).

### Good Conduct Credit

Good conduct credit (sometimes referred to as “good time” credit) is advanced to an incarcerated individual at intake, subject to the individual’s future good behavior. These credits are calculated from the first day of commitment to the custody of the Commissioner of Correction through the maximum expiration date of the incarcerated individual’s term of confinement. Good conduct credits are a behavioral incentive and a means of reducing correctional facility overcrowding, *Stouffer v. Staton*, 152 Md.App. 586, 592 (2003). The awarding of diminution credits is automatic, not discretionary.

The rate at which diminution credits are awarded to an incarcerated individual is generally dependent on the date when the sentence was imposed.

- For sentences imposed before October 1, 1992, good conduct credit is awarded at the rate of 5 days per month regardless of the offense.
- For sentences imposed between October 1, 1992, and October 1, 2017, good conduct credits are awarded at the rate of 5 days per month if the incarcerated individual’s term of confinement includes a sentence for a crime of violence (as defined in Criminal Law Article § 14-101)<sup>1</sup> or distribution of controlled dangerous substances. Good conduct credit is awarded at the rate of 10 days per month for all other incarcerated individuals (except for those incarcerated individuals who are statutorily prohibited from earning diminution credits).

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<sup>1</sup> As of December 15, 2025, “crime of violence” includes abduction, first-degree arson, kidnapping, voluntary manslaughter, mayhem, maiming, murder, rape, robbery, robbery with a dangerous weapon, carjacking, armed carjacking, first-degree sexual offense, second-degree sexual offense, use of a firearm in the commission of a felony except possession with intent to distribute a controlled dangerous substance or other crime of violence, first-degree child abuse, sexual abuse of a minor (under specified circumstances), home invasion, felony sex trafficking, forced marriage, attempts to commit the foregoing offenses, continuing course of conduct with a child, first-degree assault, and assault with intent to murder, rape, rob, or commit a first- or second-degree sexual offense.

- For sentences imposed on October 1, 2017, or later, good conduct credit is awarded at the rate of 5 days per month if the incarcerated individual's term of confinement includes a sentence for a crime of violence (as defined in Criminal Law Article § 14-101) or being a volume drug dealer or drug distribution kingpin. Good conduct credits are awarded at the rate of 10 days per month for all other incarcerated individuals (except for those incarcerated individuals who are statutorily prohibited from earning diminution credits) (§ 3-704 of the Correctional Services Article).

## **Work Tasks**

An incarcerated individual may be allowed a deduction of five days from the individual's term of confinement for each month during which the individual manifests satisfactory performance of assigned work tasks. These credits are awarded monthly for the previous month's participation in assigned work tasks (§ 3-705 of the Correctional Services Article).

## **Education**

An incarcerated individual may be allowed a deduction of five days from the individual's term of confinement for each month during which the individual manifests satisfactory progress in or completion of:

- vocational courses;
- other educational and training courses;
- workforce development training;
- cognitive-behavioral therapy;
- substance abuse therapy;
- life skills training; or
- antiviolence therapy, including anger management and conflict resolution (§ 3-706 of the Correctional Services Article).

In addition to any other deductions to which an incarcerated individual is entitled, an individual may also be allowed a deduction from the individual's term of confinement if the individual successfully obtains:

- an intermediate high academic certificate;

- not more than one certificate of completion of a technical or vocational training program that required at least 600 hours of coursework and is approved by the Secretary of Labor and the Commissioner of Correction;
- a State High School Diploma by Examination under § 11-808 of the Labor and Employment Article;
- a high school diploma;
- not more than one associate degree; or
- not more than one bachelor's degree.

The applicable deduction is 60 days per program completed, or 40 days per program completed for an incarcerated individual who is serving a sentence for a crime of violence. An incarcerated individual who is serving a sentence for murder in the first degree or a sexual offense requiring registration on the Sexual Offender Registry is not eligible to receive the deduction (§ 3-706.1 of the Correctional Services Article).

## **Special Project**

In general, for sentences imposed on October 1, 2017, or later, an incarcerated individual may be allowed a deduction of up to 20 days from the individual's term of confinement for each month during which the individual manifests satisfactory progress in those special selected work projects or other special programs, including recidivism reduction programming, designated by the Commissioner of Correction and approved by the Secretary of Public Safety and Correctional Services. The maximum applicable deduction is 10 days if an incarcerated individual's term of confinement includes a consecutive or concurrent sentence for a crime of violence, a sexual offense requiring registration on the Sexual Offender Registry, or being a volume drug dealer or drug distribution kingpin (§ 3-707 of the Correctional Services Article). For sentences imposed between October 1, 1992, and October 1, 2017, special project credits may be awarded at the rate of up to 10 days per month for all incarcerated individuals (except for those incarcerated individuals who are statutorily prohibited from earning diminution credits) (§ 3-707 of the Correctional Services Article).

An incarcerated individual must be assigned by case management to receive credits for job or program participation.

The following is a list of approved special projects as of June 1, 2025:

- prison industries assignments, including:

- assignment to an industrial laundry operation;
- any Maryland Correctional Enterprises assignment;
- assignment to a prison industries program coordinated through the Federal Bureau of Prisons while in federal custody; or
- assignment to a prison industries program for Maryland offenders serving a Maryland sentence in another state pursuant to the Interstate Corrections Compact;
- educational programs, including:
  - assignment as a student to an academic or vocational education program coordinated through the Correctional Education Office;
  - assignment as a student to an academic or vocational education program coordinated by the Federal Bureau of Prisons while in federal custody; or
  - assignment to a registered apprenticeship training program;
- work detail assignments, including:
  - institutional barber;
  - commissary clerk;
  - a position in the maintenance department;
  - a work assignment in the institutional dietary department;
  - an aide, tutor, or clerk directly supporting an educational program or library service coordinated through the Correctional Education Office;
  - a detail that performs work in the institutional infirmary;
  - observation aide;
  - dog handler;
  - beekeeper;
  - wheelchair assistant;

- blind escort;
- maintenance emergency response;
- outside maintenance;
- road crew; or
- utility minimum and pre-release;
- work release employment; and
- rehabilitation programs, including the following programs addressing substance abuse and criminal behavior:
  - local re-entry;
  - re-entry CORE transition;
  - addictions treatment protocol;
  - Addiction Stabilization Treatment Enhancement Program;
  - therapeutic community;
  - Certified Peer Recovery Specialist;
  - cognitive therapy:
    - communications;
    - decisions;
    - domestic violence;
    - relationships;
    - seeking safety;
    - Thinking for a Change;
    - Thinking Deciding Changing;

- Victim Impact: Listen and Learn;
- parenting — Inside Out Dads;
- parenting;
- anger management;
- conflict resolution;
- alternatives to violence;
- Decision Points; and
- Trauma Education and Support for Survivors.

Special project credits awarded by a local detention center, between the date an incarcerated individual is sentenced to the custody of the Commissioner of Correction and the date the individual is transferred to DOC, qualify as special project credits (§ 3-707 of the Correctional Services Article).

In addition, for offenses committed from July 1, 1989, to July 1, 2007, five special project credits per month may be awarded for housing (double ceiling) if offense and housing assignment criteria are met and the statutory limit is not exceeded (COMAR 12.02.06.04).

Special project credits are available to incarcerated individuals in addition to work or education credits so that an individual gets five credits for the work or education project to which the individual is assigned and an additional five credits for having that particular project designated as a “special project.” Special projects do not exist outside of the context of a work or education assignment.

## **Revocation of Diminution Credits**

If an incarcerated individual violates DOC’s rules of discipline, DOC may revoke the individual’s good conduct or special project credits as the result of an adjustment proceeding. DOC may not revoke educational or work task credits (§ 3-709 of the Correctional Services Article).

Procedures relating to discipline of incarcerated individuals, including compliance requirements, procedures for investigating and reporting rule violations, informal disposition procedures, hearing procedures, and sanction guidelines are contained in COMAR 12.03.01.00-12.03.01.34.

Under specified circumstances, upon the recommendation of case management staff, a warden may restore diminution credit revoked during the current term of incarceration (COMAR 12.02.06.06).

## **Mandatory Supervision**

Release on mandatory supervision is a conditional release from confinement that results from the application of diminution credits and applies only to an incarcerated individual in a State correctional facility sentenced to a term of confinement exceeding 18 months. An incarcerated individual in a State correctional facility serving a term of 18 months or less and an incarcerated individual in a local detention center may also earn credits, but such individuals are not subject to mandatory supervision on release. There is no discretion involved in release on mandatory supervision.

Persons serving a sentence of longer than 18 months are incarcerated in a DOC facility. Persons serving a sentence of one year or less in a jurisdiction other than Baltimore City are sentenced to local detention facilities. For a person sentenced to a term of between 12 and 18 months, the sentencing judge has the discretion to order that the sentence be served at a local facility or a State correctional facility.

Individuals on mandatory supervision are supervised by the Department of Public Safety and Correctional Services (DPSCS) until the expiration of the term and are subject to the same terms and conditions as incarcerated individuals released on parole. The individual remains on mandatory supervision until the maximum expiration date of the term of confinement.

Generally, an incarcerated individual convicted of a violent crime committed on October 1, 2009,<sup>2</sup> or later, is not eligible for release on mandatory supervision until after the individual becomes eligible for parole (§ 7-501(b) of the Correctional Services Article).

## **Unsupervised Release (Release by Expiration of Sentence)**

For a term of confinement of less than 18 months, credits are deducted from the maximum expiration date to establish a release date. The incarcerated individual is released from incarceration on the release date and is not subject to any further supervision.

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<sup>2</sup> As defined in § 7-101(m) of the Correctional Services Article, “violent crime” includes the offenses listed in § 14-101 of the Criminal Law Article plus burglary in the first, second, and third degree.

## **Parole**

Diminution credits and parole are two distinct concepts. While diminution credits reduce an incarcerated individual's term of confinement, in general, parole is a discretionary and conditional release from confinement determined after a hearing for an incarcerated individual who is eligible to be considered for parole. If parole is granted, the incarcerated individual is allowed to serve the remainder of the sentence in the community, subject to the terms and conditions specified in a written parole order. The Maryland Parole Commission (MPC) has jurisdiction regarding parole for eligible incarcerated individuals sentenced to State correctional facilities and local detention centers. Incarcerated individuals in the Patuxent Institution who are eligible for parole are under the jurisdiction of the Patuxent Board of Review. Eligibility for parole is determined by criteria set forth in § 7-301 of the Correctional Services Article. Parole entitles the parolee:

- to leave the correctional facility in which the parolee was confined; and
- if the parolee satisfactorily complies with all the terms and conditions provided in the parole order, to serve the remainder of the parolee's term of confinement outside the confines of the correctional facility.

If a parolee violates a condition of the parolee's parole, the parole may be revoked, and sanctions may be imposed including reincarceration (§§ 7-302 through 7-403 of the Correctional Services Article). If an incarcerated individual is convicted and sentenced to imprisonment for a crime committed while on parole and the parole is revoked, diminution credits that were awarded before the individual's release on parole may not be applied toward the individual's term of confinement on return to DOC (§ 3-711 of the Correctional Services Article).

An incarcerated individual serving a sentence that is by statute nonparolable may still earn diminution credits. Maryland statute does not prohibit the awarding of diminution credits on a nonparolable sentence.

## **Administrative Release**

Chapter 515 (The Justice Reinvestment Act) established an administrative release procedure under which MPC must authorize the release of an incarcerated individual who meets specified eligibility criteria (without a hearing before MPC) when the individual has served one-fourth of the individual's sentence, if:

- the individual has complied with the individual's case plan;
- the individual has not committed a category 1 rule violation, as defined in COMAR 12.02.27.04;

- the victim has not requested a hearing; and
- MPC finds a hearing unnecessary considering the individual's history, progress, and compliance.

An individual on administrative release is subject to the jurisdiction of MPC in the same manner as a parolee and all laws and conditions that apply to parolees (§ 7-301.1 of the Correctional Services Article).

## **Revocation of Mandatory Supervision**

As is the case with parolees, if an individual released on mandatory supervision violates a condition of mandatory supervision, MPC may revoke the release and require the individual to serve the balance of the sentence, subject to the revocation caps applicable to technical violations as created by Chapter 515 (the Justice Reinvestment Act). The MPC commissioner presiding at an individual's mandatory supervision revocation hearing may revoke diminution credits previously earned by the individual on the individual's term of confinement as follows:

- not more than 15 days for a first technical violation;
- not more than 30 days for a second technical violation;
- not more than 45 days for a third technical violation; and
- up to all remaining days for a fourth or subsequent technical violation or a violation that is not a technical violation.

There is a rebuttable presumption that the revocation caps are applicable. The presumption may be rebutted if an MPC Commissioner finds and states on the record, after consideration of specified factors, that adhering to the revocation caps would create a risk to public safety, a victim, or a witness (§ 7-504 of the Correctional Services Article).

“Technical violation” means a violation of a condition of probation, parole, or mandatory supervision that does not involve (1) an arrest or a summons issued by a commissioner on a statement of charges filed by a law enforcement officer; (2) a violation of a criminal prohibition other than a minor traffic offense; (3) a violation of a no-contact or stay-away order; or (4) absconding (§ 6-101 of the Correctional Services Article).

If an incarcerated individual is convicted of and sentenced to imprisonment for a crime committed while on mandatory supervision and the mandatory supervision is revoked, diminution credits that were awarded before the individual's release on mandatory supervision may not be

applied toward the individual's term of confinement on return to DOC (§ 7-502(c) of the Correctional Services Article).

## **Earned Compliance Credit Program**

Under the Earned Compliance Credit Program, MPC or the court is required to reduce the period of a supervised individual's supervision on the recommendation of the Division of Parole and Probation (DPP) for earned compliance credits accrued. A "supervised individual" means an individual placed on probation by a court or serving a period of parole or mandatory release supervision after release from a correctional facility and includes an individual being monitored by a private home detention monitoring agency as a condition of probation. "Supervised individual" does not include a person:

- incarcerated, on probation, or convicted in Maryland for a crime of violence, a sex offense, homicide by motor vehicle or vessel, or a specified drug offense;
- registered or eligible for registration as a sex offender;
- convicted in any other jurisdiction of a crime and the person's supervision was transferred to this State; or
- convicted in Maryland of a crime and the person's supervision was transferred to another state.

"Earned compliance credit" means a 20-day reduction from the period of active supervision of the supervised individual for every month that a supervised individual:

- exhibits full compliance with the conditions, goals, and treatment as part of probation, parole, or mandatory release supervision, as determined by DPSCS;
- has no new arrests;
- has not violated any conditions of no contact requirements;
- except for a specified monthly supervision fee, is current on court-ordered payments for restitution, fines, and fees relating to the offense for which earned compliance credits are being accrued;
- is current in completing any community supervision requirements included in the conditions of the supervised individual's probation, parole, or mandatory release supervision; and

- if applicable, has been compliant with any supervision requirements of a private home detention monitoring agency (§ 6-117 of the Correctional Services Article).

“Abatement” means an end to active supervision of a supervised individual without effect on the legal expiration date of the case or the supervised individual’s obligation to obey all laws, report as instructed, and obtain written permission from DPP before relocating residence outside the State. A supervised individual whose period of active supervision has been completely reduced as a result of earned compliance credits must remain on abatement until the expiration of the individual’s sentence, unless the individual consents to continued active supervision or violates a condition of probation, parole, or mandatory release supervision, including failure to pay a required payment of restitution. A supervised individual who is placed on abatement may not be required to regularly report to a parole or probation agent or pay a supervision fee. If a supervised individual violates a condition of probation while on abatement, a court may order the person to be returned to active supervision (§ 6-117 of the Correctional Services Article).

## Local Correctional Facilities

Comparable to incarcerated individuals committed to a State correctional facility, an individual who is sentenced to a local correctional facility (including the Baltimore City Detention Center (BCDC))<sup>3</sup> may receive good conduct credit at the rate of 5 days per month if the individual’s term of confinement includes a sentence for a crime of violence or being a volume drug dealer or drug distribution kingpin.<sup>4</sup> Good conduct credit is awarded at the rate of 10 days per month for all other incarcerated individuals (§ 11-504 of the Correctional Services Article). Additionally, an incarcerated individual is awarded 5 days credit for each month of presentence confinement as long as the individual does not violate the disciplinary rules and works when the opportunity to work is available (§ 11-503 of the Correctional Services Article).

An incarcerated individual in a local correctional facility may also be allowed:

- a deduction of five days per calendar month from the individual’s term of confinement for each calendar month of presentence or postsentence confinement during which the individual manifests (1) exceptional industry, application, and skill in the performance of any industrial, agricultural, or administrative tasks assigned to the individual or (2) satisfactory industry, application, and progress in a vocational or other educational or training course; and

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<sup>3</sup> Although statute specifically references BCDC, it was demolished in 2019. Incarcerated individuals sentenced to a local correctional facility in Baltimore City are currently housed at the Baltimore Pretrial Complex.

<sup>4</sup> For sentences imposed before October 1, 2017, good conduct credits are awarded at the rate of five days per month regardless of offense.

- a deduction of not more than five days from the incarcerated individual's term of confinement for each calendar month or portion of a calendar month of presentence or postsentence confinement during which the incarcerated individual manifests satisfactory industry, application, and progress in special selected work projects or other special programs (§§ 11-505 and 11-506 of the Correctional Services Article).

If an incarcerated individual violates a disciplinary rule, diminution credits may be revoked by the managing official of the institution after the individual is afforded due process of law (§ 11-507 of the Correctional Services Article).

As in the State system, a local incarcerated individual serving a sentence for first- or second-degree rape or sexual offense against a victim under the age of 16 or a second or subsequent conviction of third-degree sexual offense against a victim under the age of 16 may not earn diminution credits. Again, local imprisonment for first-degree rape that occurred on or after October 1, 2024, regardless of the age of the victim, or for a lifetime sexual offender supervision violation is not subject to diminution credits (§ 11-502 of the Correctional Services Article).

Diminution credits awarded to an incarcerated individual of a local correctional facility who is later transferred to DOC must be applied to the individual's term of confinement (COMAR 12.02.06.03).

A tabulation of diminution credit eligibility in Maryland can be found in **Exhibit 1**.

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**Exhibit 1**  
**Diminution Credit Eligibility**  
**Maryland Law Effective October 1, 2025**

<b><u>Offenses</u></b>	<b><u>Diminution Credit Eligibility</u></b>
<b>State Facilities</b>	
First- or second-degree rape or sex offense against victim under 16	None
All first-degree rape occurring on or after October 1, 2024	None
Repeat offender – third-degree sex offense against victim under 16	None
Violation of lifetime sexual offender supervision	None
Crime of violence <sup>1</sup>	5 days/month good conduct, 20 days/month total <sup>2</sup>
Volume drug dealer or drug distribution kingpin	5 days/month good conduct, 20 days/month total <sup>2</sup>
Sex offense requiring registration on Sex Offender Registry	10 days/month good conduct, 20 days/month total <sup>2</sup>
All other crimes	10 days/month good conduct, 30 days/month total <sup>3</sup>
All offenses except first-degree murder and registrable sex offense	60 or 40 days for educational program <sup>4</sup>
<b>Local Facilities</b>	
First- or second-degree rape or sex offense against victim under 16	None
All first-degree rape occurring on or after October 1, 2024	None
Repeat offender – third-degree sex offense against victim under 16	None
Violation of lifetime sexual offender supervision	None
Crime of violence	5 days/month good conduct, 15 days/month total <sup>5</sup>
Volume drug dealer or drug distribution kingpin	5 days/month good conduct, 15 days/month total <sup>5</sup>
All other crimes	10 days/month good conduct <sup>6</sup> , 20 days/month total <sup>5</sup>

Note: Per § 7-501 of the Correctional Services Article, an incarcerated individual convicted of a violent crime committed on or after October 1, 2009,<sup>7</sup> is not eligible for conditional release until after the individual becomes eligible for parole (basically, after having served one-half of the individual's sentence).<sup>8</sup>

<sup>1</sup> As defined in Section 14-101 of the Criminal Law Article: abduction, first-degree arson, kidnapping, voluntary manslaughter, mayhem, maiming, murder, rape, robbery, robbery with a dangerous weapon, carjacking, armed carjacking, first degree sexual offense, second-degree sexual offense, use of a firearm in the commission of a felony except possession with intent to distribute a controlled dangerous substance or other crime of violence, first-degree child abuse, sexual abuse of a minor (under specified circumstances), home invasion, felony sex trafficking, forced marriage, attempts to commit the foregoing offenses, continuing course of conduct with a child, first degree assault, and assault with intent to murder, rape, rob, or commit a first or second degree sexual offense.

<sup>2</sup> Total may include credits for work tasks (5 days maximum), education (5 days maximum), and special projects (10 days maximum) in addition to good conduct.

<sup>3</sup> Total may include credits for work tasks (5 days maximum), education (5 days maximum), and special projects (20 days maximum) in addition to good conduct.

<sup>4</sup> In addition to any other deductions to which an incarcerated individual is entitled, an individual may also be allowed a deduction for completion of a specified educational program. The applicable deduction is 60 days per program completed, or 40 days per program completed for an incarcerated individual who is serving a sentence for a crime of violence.

<sup>5</sup> Total may include credits for industrial, agricultural, or administrative tasks or vocational or other educational or training courses (5 days maximum); and special selected work projects or other special programs (5 days maximum) in addition to good conduct.

<sup>6</sup> The good conduct deduction for presentence confinement is 5 days per month.

<sup>7</sup> "Violent crime" means a crime of violence as defined in § 14-101 of the Criminal Law Article or burglary in the first, second, or third degree.

<sup>8</sup> See Section 7-301(c) and (d) of the Correctional Services Article for further details regarding eligibility for parole after conviction of a violent crime.

Source: Department of Legislative Services

## Process After Sentencing

Promptly after an incarcerated individual is sentenced to the jurisdiction of DOC, DOC must assemble an adequate case record for the incarcerated individual that includes:

- a description of the incarcerated individual;
- a photograph of the incarcerated individual;
- the family history of the incarcerated individual;
- any previous record of the incarcerated individual;
- a summary of the facts of each case for which the incarcerated individual is serving a sentence;
- the results of a specified risk and needs assessment of the incarcerated individual; and
- the results of a physical, mental, and educational examination of the incarcerated individual.

Based on information assembled in the case record, DOC must classify an incarcerated individual and develop a case plan, as specified, to guide an incarcerated individual's rehabilitation while under the custody of DOC. In accordance with regulations adopted by DOC, the managing official of each correctional facility shall maintain, as a part of an incarcerated individual's case record:

- an adequate record of the conduct, effort, and progress of the incarcerated individual during confinement; and
- a record of the character of any offense committed by the incarcerated individual and the nature and amount of punishment inflicted (§ 3-601 of the Correctional Services Article).

The Commissioner of Correction is required to maintain a system for administering the diminution of confinement for each incarcerated individual. A diminution of confinement record must:

- be established on the date that an incarcerated individual is received into the custody of the commissioner;
- contain entries reflecting all diminution credits awarded, revoked, or restored; and

- reflect a current and accurate record of diminution credit affecting an incarcerated individual's term of confinement.

The commissioner must ensure that staff responsible for maintaining the diminution of confinement record are notified within five days of:

- the date of an incarcerated individual's assignment to and subsequent removal from a work assignment, an education program, or a special project;
- revocation of an incarcerated individual's good conduct or special projects credit, or both; and
- the warden's approval to restore an incarcerated individual's revoked diminution credit (COMAR 12.02.06.07).

The commitment unit within DOC is responsible for calculating the incarcerated individual's term of confinement, determining the number and type of diminution credits that may be applied toward that term, and determining the date of the incarcerated individual's release. The release date will change as the individual earns new credits or has credits revoked for violating the rules of discipline.

Since July 1989, various statutory changes and court decisions have increased the complexity of the calculation of incarcerated individuals' diminution credits and mandatory supervision release dates. In addition, legislative changes that restrict the earning or application of diminution credits may invoke the *ex post facto* doctrine to apply only to incarcerated individuals whose crimes were committed after the changes took effect.

When a case record is received, the commitment unit performs an initial calculation of the term of confinement, deducting good conduct credit in advance. Thereafter, on the eighth day of each month, an electronic program identifies the work and program credits for each incarcerated individual and uses that information to recalculate a new release date.

Good conduct and special project are the only types of diminution credits that are based on offense criteria. Adding to or changing an incarcerated individual's sentence could affect eligibility. For example, if an incarcerated individual is serving a sentence for theft, and accordingly receiving 10 good conduct credits a month, and then is sentenced for a crime of violence, the person is eligible for only 5 good conduct credits a month for the person's entire term of confinement. The good conduct credits must, therefore, be recalculated at 5 credits per month from the beginning of confinement.

For incarcerated individuals serving a life sentence, diminution credits are tabulated manually. However, no release date is calculated.<sup>5</sup>

An incarcerated individual may challenge the calculations prepared by the commitment unit any time in the process. A challenge may be initiated either informally or by formal appeal under the incarcerated individual grievance procedures. The challenge is forwarded to the commitment unit for an initial determination, which may be appealed to the Commissioner of Correction for a further investigation and response. The commissioner's decision may be appealed to the Inmate Grievance Office, which may be appealed to the Office of Administrative Hearings. Because these cases involve incarceration periods, all such questions may be additionally appealed to a circuit court as a *habeas corpus* matter. Incarcerated individuals receive a printout showing their sentence calculation information once per year; however, a case manager might share it more often.

In fiscal 2025, 4,658 incarcerated individuals were sentenced to DOC; 1,123 incarcerated individuals were returned to DOC from parole and mandatory supervision; 513 incarcerated individuals were continued on parole or mandatory supervision; and 1,734 incarcerated individuals were released on mandatory supervision. The fiscal 2025 average daily population of all Maryland local correctional facilities was 18,444, which includes both detainees and sentenced incarcerated individuals.

## Other States

Most states have sentence credit policies applicable to incarcerated individuals in state correctional facilities. There are two types of credits - earned time and "good time." Earned time is a credit against an incarcerated individual's sentence that the individual earns for participation in or completion of productive activities. Good time credits are given to incarcerated individuals for following correctional facility rules and behaving properly.

At least 40 states offer earned time credits. Education, work, and participation in substance use treatment and other rehabilitative programs provide the most common opportunities for earned time. At least 35 states, as well as the federal prison system, give good time credits. In some states, good time credits involve some element of achievement above and beyond mere good behavior. For example, in Iowa, Category A incarcerated individuals can reduce their sentences by 1.2 days for each day of good conduct and participation in approved programs like employment, education, or treatment. Category B incarcerated individuals can earn a maximum of 15% of their total

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<sup>5</sup> Diminution credits are relevant to an incarcerated individual serving a life sentence because such an incarcerated individual becomes eligible for parole consideration once the individual has served 15 years or the equivalent of 15 years considering allowances for diminution credits for crimes committed before October 1, 2021; 20 years or the equivalent of 20 years considering allowances for diminution credits for crimes committed on or after October 1, 2021; or 25 years if the incarcerated individual was sentenced to life imprisonment as the result of a death penalty proceeding.

sentence as earned time, at a rate of 15/85 of a day for each day of good conduct. Likewise, in Oklahoma, an incarcerated individual may receive up to 60 days sentence credit per month depending on the individual's classification level. The better an incarcerated individual's marks for participation in work, education, or program assignments, personal hygiene, and maintenance of living area, the higher the classification level. Often, as is the case in Maryland, incarcerated individuals serving sentences for more serious crimes have a reduced ability to earn good time credits or may not be able to earn good time credits at all.

Three states (Hawaii, Michigan, and Montana) do not allow sentence credits. Wisconsin allows sentence credits only for individuals who are incarcerated in local facilities.

A tabulation of credits available to state correctional facility incarcerated individuals in all 50 states and the federal prison system can be found in **Exhibit 2**. It should be noted that, due to the complexities involved in the laws, policies, and procedures of the various states, including determinate versus indeterminate sentencing, the interplay with parole, program availability, and the amount of discretion given to corrections officials, it is impossible to make an exact "apples-to-apples" comparison of diminution credit systems.

**Exhibit 2**  
**Good Time and Earned Time Policies for State Prison Incarcerated Individuals**  
**(As Established by Statute)**

This chart highlights sentence credit policies listed in state statutes that are applicable to incarcerated individuals in state prisons. Earned time is defined as a credit against an incarcerated individual's sentence or period of incarceration that is earned for participation in or completion of productive activities. Earned time is distinguished from, and can be offered in addition to, "good time" credits that are given to individuals for following prison rules and good behavior.

State	Good Time	Earned Time	Maximum Deduction Available (approximate)
<b>Alabama</b> § 14-9-41 <i>et seq.</i>	Up to 30 days per 30 days served based on individual's classification	Work practices and job responsibilities affect an individual's classification.	50%
<b>Alaska</b> § 33.20.010	1/3 off prison term		33 1/3%
<b>Arizona</b> § 41-1604.06 and .07		Classification in earned release credit program is based on factors related to an individual's record while in the custody of the department, including work performance, compliance with all rules of the department, progress in any appropriate education, training or treatment programs, and the performance of any assignments of confidence or trust. Maximum credit is 3 days for every 7 days served for drug possession; 1 day for every 6 days served for other crimes.	30%
<b>Arkansas</b> § 12-29-201 <i>et seq.</i>	Up to 30 days per month served based on an individual's classification	Director of the Division of Correction may award an amount of meritorious good time sufficient to reduce incarceration time by up to 90 days, not to exceed a total of 360 days, for each successful completion of a (A) GED program; (B) vocational program; (C) drug or alcohol treatment program; or (D) pre-release and other rehabilitative programs or assignments as approved by the Board of Corrections.  Work practices, job responsibilities, and involvement in rehabilitative activities affect an individual's classification.	50% plus 360 days

State	Good Time	Earned Time	Maximum Deduction Available (approximate)
<b>California</b> Penal Code § 2933 <i>et seq.</i>	Up to six months per six months served based on an individual's classification	<p>One to six weeks per 12-month period for completion of rehabilitative programming including academic programs, vocational programs, vocational training, and core programs such as anger management, social life skills, and substance abuse programs.</p> <p>Two days per 1 day for working at a conservation camp or for working as a firefighter.</p> <p>Up to 12 months for heroic acts in life threatening situations or providing exceptional assistance in maintaining the safety and security of a prison.</p>	More than 50%
<b>Colorado</b> § 17-22.5-405	10 or 12 days per month served based on an individual's classification	<p>Up to 60 days for completion of milestone or phase of an educational, vocational, or therapeutic program or per act of exceptional conduct.</p> <p>18 months for master's degree, 2 years for doctorate, 1 year for associate or baccalaureate degree, and 6 months for a certificate or credential requiring at least 30 hours to complete.</p> <p>One day per 1 day of working at a disaster site.</p>	29% plus
<b>Connecticut</b> Gen. Stat. § 18-98e		Under the Risk Reduction Earned Credit Program, an incarcerated individual may earn up to 5 days per month for compliance with accountability plan, participation in eligible programs, good conduct, and obeying institutional rules.	14%
<b>Delaware</b> 11 Del. C. § 4381	2 days per month for first year served and 3 days per month for subsequent years served	<p>Up to 10 days per month for participation in education, work, rehabilitation, or other programs.</p> <p>For individuals sentenced on or after August 8, 2012, up to 60 days of additional good time may be awarded for successful completion of an approved program designed to reduce recidivism.</p>	Capped at 180 days per year = 49%
<b>Florida</b> § 944.275	10 days per month basic gain time	<p>Ten days incentive gain time per month served for participating in training, working diligently, using time constructively, or other positive activities.</p> <p>Up to 60 days of meritorious gain time may be granted for an outstanding deed.</p> <p>One-time award of 60 days for completion of vocational program or GED.</p>	Capped at 15%

State	Good Time	Earned Time	Maximum Deduction Available (approximate)
<b>Georgia</b> § 42-5-101		The department may award up to 1 day of work incentive credits for each day during which an individual has participated in approved educational or other counseling programs, has satisfactorily performed work tasks assigned by the penal institution, and has complied with satisfactory behavior standards established by the department.	50%
<b>Hawaii</b>			No credit
<b>Idaho</b> § 20-101D		Up to 15 days per month for an extraordinary act.	Cannot be reliably calculated
<b>Illinois</b> 730 ILCS 5/3-6-3	Up to 1 day per 1 day served depending on offense type, plus up to 180 days of discretionary credit for sentences of less than 5 years and 365 days for sentences of 5 years or longer	1 day per 1 day served for full-time participation in and completion of educational, substance abuse, behavior modification, life skills, or reentry planning program or correctional industry assignment.  Additional 90 days for completion of GED, 120 days for completion of associate degree, and 180 days for completion of bachelor's or master's degree.	Cannot be reliably calculated
<b>Indiana</b> § 35-50-6-3 <i>et seq.</i>	1 day per 1, 3, or 6 days served based on offense	By statute, up to 6 months for completion of literacy and basic life skills program, 6 months for GED, 1 year for high school diploma, up to 1 year for associate's degree, up to 2 years for bachelor's degree, up to 1 year for career/technical/vocational program, up to 6 months for substance abuse program, and 6 months for reformatory program.  Under the Case Plan Credit Time Program, credit is earned based on progress made toward an individual's specific goals. An individual may earn up to 1 day of credit for every 3 days of participation in programming and classes geared toward the individual's unique needs.	Cannot be reliably calculated
<b>Iowa</b> § 903A.2	Hybrid – see next column	Category A incarcerated individuals can reduce their sentence by 1.2 days for each day of good conduct and participation in approved programs like employment, education, or treatment. A category A incarcerated individual is eligible for an additional reduction of sentence of up to 365 days for exemplary acts. Category B incarcerated individuals can earn a maximum of 15% of their total sentence as earned time, at a rate of 15/85 of a day for each day of good conduct.	12/10 = 55%

State	Good Time	Earned Time	Maximum Deduction Available (approximate)
<b>Kansas</b> § 21-6821	15% or 20% of prison term	Up to 120 days of sentence for completion of a GED, technical or vocational training program, substance abuse program, or any other program that has been shown to reduce an incarcerated individual's risk after release.	20% plus 120 days
<b>Kentucky</b> § 197.045 and § 197.047	Up to 10 days per month served	<p>90 days for completion of GED, high school diploma, college degree, or vocational or technical education program.</p> <p>Up to 90 days for completion of a drug treatment program, evidence-based program, or other promising practice or life skills program.</p> <p>Up to 7 days per month for outstanding performance related to institutional operations and programs.</p> <p>Up to 7 days per month for exceptional acts of service during an emergency.</p> <p>20% of a day per 8 hours of participation in state or local government work projects or work related to maintenance and operation of a correctional facility.</p>	25% plus
<b>Louisiana</b> RS 15: § 571.3.1, RS 15: § 833.1, and RS 15: § 828	For offenses committed on or after August 1, 2024, up to 15% of sentence	<p>Up to 360 days for participation in certified treatment and rehabilitation programs.</p> <p>Up to 180 days for participation in work release program.</p> <p>90 days for a bachelor's or master's degree.</p> <p>Up to 30 days per 30 days working on disaster remediation.</p>	50% plus
<b>Maine</b> 17-A MRSA §§ 2307, 2308	Up to 4 or 5 days per month served based on conduct	Up to 5 days per month for complying with transition plan for work, education, or rehab (for all but certain major crimes).	23% (9/39)
<b>Maryland</b> Correctional Services § 3-701 <i>et seq.</i>	5 or 10 days per month served	<p>Five days per month for participation in educational, vocational, or other training courses.</p> <p>Sixty or 40 days per program for completion of specified educational programs.</p> <p>Five days per month for satisfactory performance in assigned work tasks.</p> <p>Twenty days per month for participation in special selected work projects or other special programs.</p>	Total credits not to exceed 30 days per month = 50%, plus 60 days per educational program completed

State	Good Time	Earned Time	Maximum Deduction Available (approximate)
<b>Massachusetts</b> 127: § 129C and § 129D	Up to 2.5 days per month	<p>Up to 7.5 days per month for participation in a GED educational course or other educational course, vocational program, working at a state hospital or state school, work release or prison industry, or participation in any other program deemed valuable to an individual's rehabilitation. Total credits may not exceed 15 days per month.</p> <p>One-time credit of up to 80 days for program completion, capped at 17.5% of original maximum sentence.</p>	Total credits may not reduce maximum prison term by more than 35%
<b>Michigan</b> § 800.33			No credit
<b>Minnesota</b> §§ 643.29, 244.40-244.51	1 day reduction in sentence for every 2 days without violating a rule	Under the Minnesota Rehabilitation and Reinvestment Act, effective September 2025, incarcerated individuals can reduce their prison sentences by up to 17% by successfully completing goals contained in their individualized rehabilitation plans. This may include participation in programs like substance abuse treatment, mental health counseling, vocational training, and education.	33%+17% = 50%
<b>Mississippi</b> §47-5-138, § 47-5-138.1, and §47-5-142	4.5 days per 30 days served for compliance with good conduct and performance requirements	Credit may be awarded for participation in educational or instructional programs, work projects, or special incentive programs – 30 days per month for those in trusty status, discretionary for others.	13% plus
<b>Missouri</b> § 558.041 and 14 CSR 10-5.010	1 or 2 months per year for acceptable behavior and appropriate program involvement		14%
<b>Montana</b>			No credit
<b>Nebraska</b> § 83-1,107	6 months per year, plus 3 days per month following a 12-month period of incarceration with no disciplinary infractions		50% plus

State	Good Time	Earned Time	Maximum Deduction Available (approximate)
<b>Nevada</b> § 209.4467		Effective July 1, 2025, an incarcerated individual who complies with the programming and placement identified in a specified risk and needs assessment must be allowed credit against the minimum/maximum term or minimum/maximum aggregate term, as applicable, of the individual's sentence for good behavior in an amount of days that is equivalent to 35% of the minimum/maximum term or minimum/maximum aggregate term, as applicable, of the sentence.	Capped at 58% of the minimum term or the minimum aggregate term, as applicable, of the sentence
<b>New Hampshire</b> § 651:2(II-e), § 651-A:22, and § 651-A:22-a	150 days "disciplinary time" added for each year of term, reduced by commissioner at the rate of 12.5 days per month for good conduct	90 days for GED, 120 days for high school diploma, and 180 days for associate, bachelor's, master's, or doctoral degree.  One-time 60-day reduction for participation in vocational programming, mental health and/or substance abuse treatment, Family Connections Center Programming, correctional industries on the job training, or other approved program.	Earned time not to exceed 21 months off sentence
<b>New Jersey</b> § 30:4-92; § 30:4-92a and § 30:4-140	7 days per month up to 16 days per month served, time awarded increases with number of years served for orderly conduct	Compensation for incarcerated individuals may be in the form of cash at established wage rates or remission of time from sentence or both. Remission from the time of sentence shall not exceed one day for each five days of productive occupation.  Three days per month for the first year employed, and 5 days per month for subsequent years working in honor camps, farms, or details.  Commissioner may award time for achievements in education and workforce training on top of other time.	35% plus
<b>New Mexico</b> § 33-2-34	Up to 4, 8, or 30 days per month served depending on crime and quality of participation	Three months for a GED, 4 months for an associate's degree, 5 months for a bachelor's degree or graduate qualification completion.  One month for completion of a vocational, substance use, or mental health program.  For a heroic act of saving life or property or extraordinary conduct that demonstrates commitment to rehabilitation – amount earned at the discretion of The New Mexico Corrections Department.	Earned time awarded may not exceed 1 year in a 12-month period = 50%

State	Good Time	Earned Time	Maximum Deduction Available (approximate)
<b>New York</b> Correction §§ 803 and 803-b	Merit time allowance of up to 1/3 of the maximum term for an indeterminate sentence, and up to 1/7 of a determinate sentence	Limited time credit allowance of six months for participation in work and treatment and completion of “significant programmatic accomplishment.”	Cannot be reliably calculated
<b>North Carolina</b> Policy and Procedure Chapter B, § 0.100		<p>Up to 9 days per month for felony sentences, and up to 4 days per month for misdemeanor sentences, “earned time” for participation in full-time work and program activities.</p> <p>Additional “meritorious time” credits may be granted for exemplary acts or for working under emergency conditions, working overtime, working in inclement weather, for achievements in apprenticeship training, educational or other type programs, and/or for remaining infraction-free for a specified period of time.</p>	23% plus
<b>North Dakota</b> § 12-54.1	5 days per month	Incarcerated individuals may receive a lump sum or monthly rate of meritorious conduct sentence reduction for outstanding performance or heroic acts or as a special control and security measure.	14% plus
<b>Ohio</b> § 2967.193		<p>One or 5 days per month of participation in an educational, vocational training, substance use treatment, prison industries work, or other constructive program.</p> <p>90 days for completion of specified educational or vocational program or 10% of sentence, whichever is less.</p>	Total credit cannot exceed 15% of total days of prison term
<b>Oklahoma</b> § 57-138 and § 57-138.1	0, 22, 33, 44, 45, or 60 days per month based on classification level	<p>90 days for completion of a GED, 200 days for a bachelor’s degree; 100 days for an associate degree; 80 days for vocational certificate; 70 days for completion of a minimum 4-month alcohol/chemical abuse treatment; 10 to 30 days for other programs.</p> <p>Up to 100 days for meritorious act.</p> <p>Participation in work, education, and program assignments, and personal hygiene and maintenance of living area affect classification level.</p>	67% plus

State	Good Time	Earned Time	Maximum Deduction Available (approximate)
<b>Oregon</b> § 421.121	Up to 20% of prison term for appropriate institutional behavior and participation in adult basic skills development program		20%
<b>Pennsylvania</b> 61 Pa CSA §§ 4501-4512		Under recidivism risk reduction incentive program, eligible incarcerated individuals (as determined by sentencing court) may receive 25% or 16.7% reduction of minimum sentence for participation in and completion of evidence-based program plan as determined by risk assessments.	25% reduction
<b>Rhode Island</b> §§ 42-56-24 and 42-56-24	Up to 10 days per month	Up to 5 days per month for working, up to 5 days per month for participation in programs, up to 30 days for completion of program.  Up to an additional 3 days per month for meritorious service.	25% plus
<b>South Carolina</b> §§ 24-13-210 and -230	3 or 20 days per month	Up to 1 day for every 2 or 6 days per month for productive duty assignment or participating in academic, vocational, or technical training.	Maximum annual credit for earned time capped at 180 or 72 days
<b>South Dakota</b> §§ 24-5-1, 24-2-15, and 24-15A-50.1	4 months for the first 10 years served and 6 months per year for subsequent years	Incarcerated individuals may earn 3 types of “discharge credits” (1) up to 90 days of discharge credits for each program completion; (2) up to 90 days of discharge credits for 365 hours of satisfactory work, not to exceed 180 days of discharge credits for work in a 12-month period; and (3) up to 365 days of earned discharge credits for heroic acts, disaster response, or for “exceptional assistance in maintaining the safety and security of a prison.”  If any incarcerated individual has demonstrated continued exceptional good behavior, or is in failing health, or for some other good and sufficient reason in the interest of justice, the governor, upon the recommendation of the Secretary of Corrections, may diminish the individual’s period of confinement.	33% plus

State	Good Time	Earned Time	Maximum Deduction Available (approximate)
<b>Tennessee</b> § 41-21-236	Up to 8 days per month	<p>Up to 8 days per month for participation in work, educational, or vocational programs.</p> <p>Sixty days for receipt of specified diploma, degree, or certification.</p> <p>Sixty days for completion of specified substance use disorder treatment.</p> <p>For sentences of more than 2 years for offenses committed on or after July 1, 2024, sentence reduction credits affect eligibility for release on parole but do not alter the sentence expiration date.</p>	35% plus
<b>Texas</b> Gov. Code §§ 498.002-498.003		Up to 30 days good conduct time per 30 days served may be granted if the department finds that the incarcerated individual is actively engaged in an agricultural, vocational, or educational endeavor, in an industrial program or other work program, or in a treatment program, unless the department finds that the individual is not capable of participating in such a program or endeavor.	50%
<b>Utah</b> § 77-27-5.4		Minimum 4 months for completion of one program identified in case action plan. An incarcerated individual may earn credit for up to 2 programs. Parole board has discretion to award additional time.	8 months plus
<b>Vermont</b> 28 VSA §§ 811 and 818	Seven days reduction in the minimum and maximum sentence for each month that the incarcerated individual has not been adjudicated of a major rule violation	<p>An incarcerated individual receiving post-adjudication treatment for a substance abuse disorder in a residential setting is not eligible to earn the reduction of 7 days each month but shall earn a reduction of one day on the minimum and maximum sentence for each day the individual receives the inpatient treatment.</p> <p>Incarcerated individuals in work camps may earn up to 30 days per month if they demonstrate “beyond the level normally expected, consistent program performance or meritorious work performance.”</p>	19% or 50%
<b>Virginia</b> § 53.1-191, § 53.1-202 <i>et seq.</i>		<p>Up to 15 days per 30 days served for participation and cooperation in programs based on classification level.</p> <p>Additional time may be awarded at agency discretion for assistance in preventing an escape, blood donation to another incarcerated individual, extraordinary service, or sustaining an injury.</p>	33% plus

State	Good Time	Earned Time	Maximum Deduction Available (approximate)
<b>Washington</b> § 9.94A.729	Up to 33% of total sentence for good behavior and performance		33%
<b>West Virginia</b> § 15A-4-17	1 day for 1 day served	<p>An eligible incarcerated individual may receive extra good time in the sole discretion of the commissioner for meritorious service or performing extra assigned duties during emergencies.</p> <p>An eligible incarcerated individual serving a felony sentence may receive up to 90 days good time per program for successfully completing an approved, but not required, academic or vocational program, which is not part of the individual's required individualized reentry programming plan.</p>	50% plus
<b>Wisconsin</b> § 302.43	Local incarcerated individuals may earn good time in the amount of 25% of term for good behavior		25% of term – local incarcerated individuals only
<b>Wyoming</b> § 7-13-420 and P&P #1.500	Up to 15 days per month based on attitude, conduct, and behavior	If an incarcerated individual has demonstrated an especially proper and helpful attitude, exemplary conduct and behavior, the board may award up to 1 month of special good time off the minimum sentence for every year in length of the minimum sentence, up to a maximum of 1 year, in addition to the monthly good time allowance.	33% plus
<b>Federal</b> 18 U.S.C. §§ 3624(b), 3621	Up to 54 days per year	<p>In awarding sentence credit, the Bureau of Prisons shall consider whether the incarcerated individual has earned, or is making satisfactory progress toward earning, a high school diploma or an equivalent degree.</p> <p>An eligible incarcerated individual may be granted additional credit of up to 1 year for completion of a substance abuse program.</p>	12.9% plus

CSA: Pennsylvania Consolidated Statutes Annotated

CSR: Missouri Code of State Regulations

ILCS: Illinois Compiled Statutes

MRSA: Maine Revised Statutes Annotated

P&P: Wyoming Probation and Parole laws

RS: Louisiana Revised Statutes

U.S.C: United States Code

VSA: Vermont Statutes Annotated

Source: Department of Legislative Services

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## Conclusion

Maryland's diminution credit system has evolved over time to become a unique and complicated scheme. The system is administered by the Commitment Unit within DOC. The State is in accord with most other states in allowing good conduct credits as well as earned time credits to reduce the length of an individual's incarceration. Chapter 515, the Justice Reinvestment Act, and subsequent legislation expanded diminution credit availability such that it is possible, under specified circumstances, for an individual incarcerated in a State correctional facility to reduce the individual's incarceration time by more than 50% through good behavior and program participation.