



February 6, 2023

SUMMARY OF BILL: Requires the superintendent or jailer to notify the Department of Correction (DOC) of the amount of sentence reduction credits for good institutional behavior that an inmate should receive for time incarcerated prior to imposition of sentence, as opposed to the superintendent or jailer objecting to an award of sentence reduction credits.

FISCAL IMPACT:

Other Fiscal Impact – Due to a number of unknown factors, the extent and timing of any fiscal impact resulting from the proposed legislation cannot be quantified.

Assumptions:

- Pursuant to Tenn. Code Ann. § 41-21-236(e), an inmate who exhibits good institutional behavior is automatically awarded sentence reduction credits at a rate of eight days for each month incarcerated after conviction but prior to a sentence being imposed, unless there is written objection filed by a superintendent or jailer.
- The proposed legislation will eliminate such automatic sentence reduction credits and instead require the superintendent or jailer to provide written documentation to the DOC evidencing an inmate's good institutional behavior and the number of sentence reduction credits, if any, the inmate should be awarded.
- Pursuant to Tenn. Code Ann. § 41-21-236(d), sentence reduction credits for good institutional behavior as authorized by this section shall likewise apply in accordance with the criteria, rules, and regulations established by the DOC.
- The proposed legislation does not alter the number of sentence reduction credits an individual is authorized to receive.
- It is reasonably assumed the DOC will establish criteria and regulations such that superintendents and jailers will be able to submit a monthly report which grants sentence reduction credits for good institutional behavior without a significant increase to administrative costs at the DOC.
- Any change in sentence reduction credits resulting from the proposed legislation is dependent on several unknown factors, including but not limited to: the criteria and regulations that will be created by DOC; the actions by local superintendents and jailers; the time served between convictions and sentences being imposed for each inmate; the overall sentences of each inmate; and if such inmates will serve time in a state or local facility.

- While the changes to reporting may result in variances in the total number of sentence reduction credits for good institutional behavior, the extent and timing of any changes cannot reasonably be quantified.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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