

## **50% EARNED RELEASE TIME ELIGIBILITY – MODIFIED PRIOR TO JULY 2, 2010**

When the Criminal Conviction Record Unit completes a risk reassessment that changes an offender's 50% earned time eligibility from eligible to ineligible, the following steps must be taken:

1. The Counselor/CCO completes DOC 05-794 Classification Hearing Notice/Appearance Waiver documenting the date of the hearing, the reasons for the hearing, and checking ALL applicable boxes to ensure the offender is advised of his/her rights.
  - a) The form must be signed by the offender and witnessed by the Counselor/CCO, and the offender given a copy.
  - b) If the offender refuses to sign the form, the Counselor/CCO will write "Refused to Sign" on the form in the Offender/Witness Signature space, with the offender present.
2. The Counselor/CCO will complete DOC 02-329 50% Earned Release Time Eligibility Change Notice indicating the specific reasons for the change in the 50% earned time eligibility decision and any specific documents used to determine the change, if any.
3. The Counselor/CCO will complete a new Custody Facility Plan (Plan Change type), which includes the adjusted ERD and any modified classification actions necessary due to the release date change.
4. At the scheduled time, a Facility Risk Management Team (FRMT) will meet and the following must occur:
  - a) DOC 02-329 50% Earned Release Time Eligibility Change Notice is presented to the offender, signed by the offender, and the offender given a copy. The Counselor/CCO will send the original signed form to records staff to be placed in offender's central file.
  - b) The Counselor/CCO will summarize verbally the specific information used to determine a change in the risk assessment, along with a summary of documents used.
  - c) If requested at this time, the offender must be given a copy of DOC 05-066 Request for Disclosure of Records.

Once the FRMT meeting is complete, the FRMT chair/designee will complete the comment section in the Custody Facility Plan and make a "CA" entry on the Custody Review screen in the offender's electronic file indicating that the offender was given DOC 05-794 Classification Hearing Notice/Appearance Waiver and DOC 02-329 50% Earned Release Time Eligibility Change Notice, the FRMT was held, and the offender was advised of his/her rights and the change in 50% earned time eligibility decision and release date.