

**CALIFORNIA DEPARTMENT OF CORRECTIONS & REHABILITATION
CREDIT EARNING '101'**

Penal Code Section - Credit Earning

2920 Effective 1941(all sentences are indeterminate)

- The Adult Authority granted credits for inmates based upon recommendations from the Department of Corrections

3046 Effective 1941(life)

- 0 credit earning for 7 years to Life sentences

2931 Effective 7/1/1977 (determinate) & 11/8/1978 (15 & 25 year to life indeterminate sentences)

- 33.3 percent earnings reflected as Behavior and Participation Credits

2933 Effective 1/1/1983 (Day-for Day) (eligible life and determinate sentences)

- One day of additional credit for every actual day served in state prison

2933.5 Effective 1/1/1991(life and determinate sentences)

- 0 credit earning when serving a term for a felony listed under this section with two or more prior prison terms for those specified offenses

2933.6 Effective 1/1/1993 (life and determinate sentences)

- 0 credit earning when housed in a Security Housing/Administrative Segregation Unit due to a disciplinary Rules Violation Report

2933.6 Effective 1/25/2010 expanded to include (life and determinate sentences)

- 0 credit earning when housed in a Security Housing/Administrative Segregation Unit due to gang affiliation.

667(b)-(i)/1170.12 Effective 3/7/1994 (Second Striker) (life and determinate sentences)

- 20 percent earning = 1 day of additional credit for every 4 actual days served

667(b)-(i)/1170.12 Effective 2/10/2014 (Second Striker - determinate sentences)

- 33.3 percent earnings for non-violent Second Strikers (excluding PC 290 sex registrants)= 1 day of additional credit for every 2 actual days served pursuant to Federal Court Order

667(b)-(i)/1170.12 Effective 3/7/1994 (Third Striker - Life)

- 0 credit earning, *People vs. Stofle (1996) 45 Cal.App.4th 417*

2933.1 Effective 9/21/1994 [violent offenders pursuant to PC 667.5(c)] (life and determinate sentences)

- 15 percent earning = 1 day of additional credit for every 5.66 actual days served

664(f) Effective 1/1/1998 (Life)

- 0 credit earning for persons convicted of attempted murder of a peace officer or firefighter

2933.2 Effective 6/3/1998 (Life)

- 0 credit earning for persons convicted of murder

2933.3 Effective 1/2/2003 (two for one) (determinate sentences)

- 2 days of additional credit for every actual day served at a conservation camp

2933.3 Effective 1/25/2010 expanded to include (determinate sentences)

- 2 days of additional credit for every actual day served at Forestry Training Program and institution firefighters

CALIFORNIA DEPARTMENT OF CORRECTIONS & REHABILITATION CREDIT EARNING '101'

2933.3 Effective 1/1/2015 expanded to include (determinate sentences)

- 2 days of additional credit for every actual day served for specific minimum custody inmates pursuant to Federal Court Order

2933.05 Effective 1/25/2010 (MCC) (eligible life and determinate sentences)

- Milestone Completion Credits for offenders eligible for PC 2933 credits, up to 42 days of credit per year deducted from release date for program completions
- PC 290 sex registrants are not eligible

2933.05 Effective 2/10/2014 expanded to include (determinate sentences)

- Milestone Completion Credits for non-violent Second Strikers (no PC 290 registrants) pursuant to Federal Court Order, up to 42 days of credit per year deducted from release date for program completions

2935 Effective 1982 Meritorious Credit (life and determinate sentences)

- Up to one year deducted from term for heroic act performed in CDCR

Board of Parole Hearing Consideration for Release

Non-Violent Second Strike (NVSS) Effective 1/1/2015, pursuant to Federal Court Order (determinate sentences)

- Eligible for parole consideration by the Board of Parole Hearings once the offender has served 50 percent of their sentence, without credit reduction
- PC 290 sex registrants are not eligible

Elderly Parole Effective 2/11/2014, pursuant to Federal Court Order (life and determinate sentences)

- Eligible for parole consideration by the Board of Parole Hearings for inmates who are 60 years or older and have served 25 years in prison, without credit reduction

Youthful Offender (Senate Bill 260) PC 3051(life and determinate sentences)

- During the 15th year of incarceration for a determinate term, eligible for parole consideration by the Board of Parole Hearings for specific offenders when the offense was committed under the age of 18; during the 20th year of incarceration for a life term less than 25 years to life; during the 25th year of incarceration for a 25 year to life term.
- List of exclusionary criteria is found in PC 3051(h)

Youthful Offender (Senate Bill 261) PC 3051(age changed from 18 to 23) (life and determinate sentences)

- Eligible for parole consideration by the Board of Parole Hearings, as listed above, for specific offenders when the offense was committed under the age of 23

Miscellaneous

Post sentence and vested credits pursuant to PC 2900.5(e): The CDCR grants the actual days between sentencing and date received by CDCR. Vested credits are the amount of conduct credits granted based upon the law at the time of the offense and/or the date received by CDCR.

An offender with multiple offenses may have multiple credit earnings based upon the crime committed, date of offense, case laws, and Federal Court Orders.

CALIFORNIA DEPARTMENT OF CORRECTIONS & REHABILITATION

Credit Earning Categories

- 50% = One day of credit for every day served (Penal Code 2933)
 - Day-for-Day
 - Determinate Sentence
 - Indeterminate Sentence
 - Non-Violent/Non-Strike offenses
- 33.3% = One day of credit for every two days served (Penal Code 2931)
 - Determinate Sentence
 - Indeterminate Sentence
 - Non-Violent Second Striker per Federal Court Order
 - No Penal Code 290 Sex Registrants
- 20% = One day of credit for every 4 days served (Penal Code 667(b)-(i)/1170.12)
 - Second Striker- 1 prior serious or violent conviction
 - Determinate Sentence
 - Indeterminate Sentence
 - Includes Non-Violent Second Striker, Penal Code 290 Sex Registrants
- 15% = One day of credit for every 5.66 days served (Penal Code 2933.1)
 - Determinate Sentence
 - Indeterminate Sentence
 - Violent Offenders, offenses listed in Penal Code 667.5(c)
- 0 = Credit only for actual days served (Various Penal Code Sections)
 - Determinate Sentence
 - Indeterminate Sentence
 - Third Strikers (PC 667(b)-(i)/1170.12)- 2 prior serious or violent convictions
 - Murder Offense committed on or after June 3, 1998 (Penal Code 2933.2)
 - 7 to Life term (PC 3046)
 - Other various offenses where statute reflects zero credit
- Work Groups that impact Credit Earning- (CCR 3044)
 - "C" Disciplinary Unassigned
 - No credit earning for the length of the Rules Violation Report
 - "D2" Security Housing Unit/Administrative Segregation Unit (Penal Code 2933.6)
 - No credit earning for the length of the assignment to the Unit
 - Applies when housed in the Unit due to gang affiliation
 - "F" Two days of credit for every day served, 66.6% (Penal Code 2933.3)
 - Determinate Sentence
 - Assigned to a conservation camp
 - Completed the Forestry Training Program
 - Institution Firefighters
 - Minimum custody