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*Your Responsibility When Using the Information Provided Below*

*When we wrote this letter, we did our best to give you useful and accurate information. The laws can change and be looked at in different ways. We cannot always make changes to this letter every time the law changes. If you use this letter, it is your responsibility to check if laws have changed or if they apply to you. The prison law library should have most of the materials you need.*

**INCREASED TIME CREDITS FOR SECOND STRIKE SENTENCES  
(Updated May 20, 2014)**

On February 10, 2014, the three-judge court ordered CDCR to immediately “increase credits prospectively for non-violent second strikers,” so that those prisoners are “eligible to earn good-time credits at 33.3% time credits and will be eligible to earn milestone credits for completing rehabilitative programs.” The word “prospectively” means prisoners start earning more credits after the date of the order, but will not earn any more credits for time they served before that date.

On May 15, 2014, CDCR told the court that “[a]s of April 30, 2014, 289 inmates have been released as a result of the court-ordered credit increases.” Governor Brown has reported that he expects that 1,000 prisoners will be paroled early between February 10, 2014 and June 30, 2015 because of increased second-strike credits.

CDCR has told us that all second strikers who are earning 20% credits have since February 10, 2014 started earning 33.3% credits, **except** those who are required to register as sex offenders pursuant to Penal Code Section 290.

This means that if you are a second striker who was earning 20% credits (and you are not a section 290 registrant), you are automatically earning 33.3% credits, **even if** you have not received a notice stating this.

CDCR now must recalculate the release dates of all second strikers eligible to earn 33.3% credits. They are starting by manually recalculating release dates for eligible second strikers in order of release date. In other words, prisoners whose release date is earlier are having their release dates recalculated first.

*[information continues on other side of page]*

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**INCREASED TIME CREDITS FOR SECOND STRIKE SENTENCES**  
**(Updated May 20, 2014)**  
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CDCR has told the court that they are working on a system to automatically recalculate the release dates of all eligible prisoners, using their computer system. Once the CDCR's computerized system is complete, CDCR has told us that they will recalculate the release dates of all eligible prisoners, regardless of release date. Thus, prisoners whose release dates are later – for example, more than three to six months from now – are earning credits now, but may not get paperwork about their new release date for several more months.

CDCR's delay in calculating new release dates for second strikers with dates more than three to six months in the future is not likely to delay the early release of those prisoners, because the change from 20% to 33.3% credit only reduces a release date by 12 additional days for every 90 days served after February 10, 2014. For example, a second striker whose 20% release date was November 10, 2014 will have a 33.3% release date of approximately October 4, 2014.

CDCR is telling prisoners that a 602 will not help them get their increased second-strike credits, or their new release date calculation any earlier. However, if you believe you are eligible for additional credits and you believe that your new recalculated release date should be within the next 90 days, we advise you to file an administrative appeal (602), and write "emergency" across the top of the appeal.

If your 602 is denied or cancelled, we advise you to appeal the denial or cancellation through the Director's Level. If the appeal is not processed immediately, or your appeal is denied or cancelled when you believe it should be granted, you may file a writ of habeas corpus in state court requesting a recalculated release date. (If you write to us and ask for these documents, we can send you free instructions about how to file 602 appeals and habeas writs.)

Please send us a copy of any director's level response you receive to a 602 regarding second strike credits, and any eligibility criteria you are given. We cannot promise we can help, but we would like to review what prison officials say to individual prisoners.

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***The attached pages have more information  
about the February 10, 2014 court order  
on CDCR population reduction.***