



## Frequently Asked Questions Regarding Gaintime

### 1. What is Gaintime?

- A. Gaintime is an inmate's opportunity to earn a reduction (if eligible) in his/her overall sentence imposed by the court.
- B. Gaintime has been in existence in Florida since 1889.
- C. Gaintime is a tool the department uses to encourage satisfactory inmate behavior and motivate program and work participation.
- D. Inmates serving life sentences or certain minimum mandatory sentences are not eligible for Gaintime (during the portion of time these mandatory sentences are in effect).
- E. Awards of Gaintime are made according to statutory authorization pursuant to [s.944.275 F.S.](#)
- F. Just as Gaintime can be awarded, it can be withheld or forfeited in accordance with [s. 944.275](#), [s. 944.279](#), [s. 944.28](#), and [s.944.281 F.S.](#)

### 2. What are the various types of Gaintime?

- A. **Incentive Gaintime** ([s. 944.275\(4\)\(b\) F.S.](#)) is awarded to inmates for institutional adjustment, work and participation in programs.
  - i. The awards are made on a monthly basis as earned unless prohibited by law. (These awards are typically posted by the 15th of the following month.)
  - ii. The award amount varies in relation to the inmate's rated performance and adjustment.
  - iii. If the crime(s) was committed before 7/1/78 and/or after 6/15/83 but before 1/1/94, the inmate may be eligible for up to 20 days a month.
  - iv. Inmates who committed crime(s) on or after January 1, 1994 may earn up to 25 days of incentive gain time per month, if the crime falls within levels 1 through 7 of the revised sentencing guidelines.
  - v. If the crime(s) was committed on or after January 1, 1994, the inmate is eligible for up to 20 days per month of incentive gain time, if the crime(s) falls within levels 8-10
  - vi. For crimes committed on or after October 1, 1995, inmates are required to serve 85% of each sentence imposed. Satisfaction of 85% includes time served in the county jail as credited by the sentencing court.
    - These inmates are eligible to earn up to 10 days per month incentive gain time.
    - This gain time is earned until the tentative release date reaches the date equal to 85% of the sentence imposed. At that point, gain time no longer is applied to reduce the sentence.
    - For example, at a rate of ten days per month you can earn approximately 913 days of gain time while in service of a ten year sentence. However, due to the requirement that at least 85% of the sentence must be served, only 548 days, or 1 and ½ years, could apply to the release date."
- B. **Meritorious Gaintime** ([s. 944.275\(4\)\(c\) F.S.](#)) may be considered for an inmate who commits an outstanding deed.
  - Maximum award is 60 days.
  - Examples of outstanding deeds are saving a life or assisting in recapturing an escaped inmate, or in some manner performing an outstanding service.
- C. **Educational Achievement Gaintime** ([s. 944.275\(4\)\(d\) F.S.](#)) in the amount of 60 days may be awarded to an inmate who receives a General Education Development (GED) diploma or a certificate for completion of a vocational program.
  - Inmates whose offense was committed on or after October 1, 1995 are not eligible.
  - This is a one-time award.
- D. **Education Gaintime** ([944.801\(3\)\(i\) 5 F.S.](#)) may be awarded to an inmate who satisfactorily completes the Mandatory Literacy Program.
  - The institution's Education Program Manager determines award compliance.
  - This is a one-time award of six days per commitment.
- E. **Prison Releasee Reoffender Punishment Act** ([s. 775.082\(9\) F.S.](#)) provides for an inmate to serve 100% of his/her new sentence, with no allowance for Gaintime, if they commit a specified offense within 3 years of their release.

Specified offenses are: treason; murder; manslaughter; sexual battery; carjacking; home-invasion robbery; robbery; arson; kidnapping; aggravated assault with a deadly weapon; aggravated battery; aggravated stalking; aircraft piracy; unlawful throwing, placing, or discharging of a destructive device or bomb; any felony that involves the use or threat of physical force or violence against an individual; armed burglary; burglary of an occupied structure or dwelling; or any felony violation of [s. 800.04](#), [s. 827.03](#), or [s. 827.071](#);

### 3. I have a question about an inmate's Gaintime. Who should I contact?

- A. Direct questions about a specific inmate's Gaintime awards to the Classification Officer in the inmate's assigned facility.
- B. Use our [Facility Directory](#) or [Facility Profiles](#) to locate addresses, e-mail or other contact information.

[See questions/answers](#)  
for other topics.

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- [Annual Substance Abuse Reports](#)
- [Quarterly Escapes Report](#)
- [Agency Goals](#)
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- Inmate Orientation Handbook: [English](#) - [Spanish](#)

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- [Organization Charts](#)
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