**Rehabilitative Earn-Out Sentencing Time (REST)**

Time-Based Sentencing is what we have today. It means that when a person is convicted of a crime, he or she is given a term of incarceration. That person goes to prison, and then gets released after the time has expired. There are very few incentives for the inmate to correct his or her behavior. It is merely a “time-out” for adults.

Since criminals earn their way to prison, shouldn’t they be required to “earn” their way out of prison? This would require a series of objectives or tasks to be completed and a series of skills to be acquired before he or she can be released. This helps in rehabilitating the criminal and make sure that the person exiting prison is better than he or she was when he or she entered prison. But how would this work?

Post-Conviction, Pre-Sentencing Psychological Evaluation

As a part of the Pre-Sentencing Evaluation, the newly convicted person would undergo a thorough psychological evaluation to determine the convict’s atavistic score. This means that we would have a better idea of the convict’s ability to be rehabilitated. If he or she rates really high on the atavistic scale, he or she is so damaged that rehabilitation would be highly unlikely, resulting in a sentencing term of natural life because this is a person that would be a danger to society, no matter how much we attempt to rehabilitate him or her.

The vast majority of criminals would not be this high. Most would score much lower and that score would give the sentencing judge an idea of how much rehabilitation would be needed. The higher the score, the more rehabilitation needed for that particular convict.

Sentencing

During sentencing, the convict would be given a minimum sentence that must be served at 100% of that time. The convict would also receive a list of objectives, rehabilitative training, and tasks that need to be completed and a list of skills that need to be acquired before the convict can begin the release process (step-down re-entry). If the convict gets to the end of his or her minimum sentence, but has not completed everything on the sentencing list, he or she is not eligible to begin the release process. The actual term in prison will be up to the convict. The longer he or she takes to complete the sentencing list, the longer he or she will be incarcerated. There would not be any maximum sentences. The maximum is set by the convict and his or her commitment to rehabilitation.

Release Process (Step-Down Re-Entry)

Once the inmate has completed the minimum sentence AND everything on the sentencing list, he or she will be released to a half-way house. Again, the convict will have a list of additional objectives and tasks to complete and additional skills to be acquired in order to proceed in the process. During this time, the convict is allowed more visits from loved ones, a regular job, a monitored cell phone, and more freedom of movement. But, there is a curfew and the convict is still closely guarded, just not 24/7 like in prison.

Once the convict has accomplished all of those tasks, objectives, and skills, he or she will go to home-monitoring. This allows the convict to live with family, have a later curfew, and periodic monitoring. There are additional objectives and tasks that need to be completed at this level and additional skills need to be acquired. This is the final test to see whether the convict has rehabilitated and is successfully assimilating back into society as a productive member of society.

The final stage is release from the home monitoring, but with a requirement that the now “ex-con” continues individual counseling and group therapy to keep him or her on the correct path. This is where the ex-con will be in the greatest danger of “falling off the wagon”, so follow-up support is desperately needed during this time. Eventually, the ex-con will not be required to continue the counseling sessions but this will be at the discretion of the counselors. However, the ex-con will always have the counseling available if, and when, he or she needs it. This is very similar to Alcoholics Anonymous and other addiction programs. We must recognize that criminality is an addiction of sorts. We must provide support to those who are feeling the temptation to regress back into a life of crime.