

## EXPLAINER

## Could Michael Vick Play Next Season?

How to skim the top off a federal prison sentence.

By Harlan J. Protass

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Atlanta Falcons quarterback Michael Vick signed a [plea deal](#) (PDF) with federal prosecutors on Friday on charges relating to his participation in an illegal dogfighting ring. Those charges carry a maximum penalty of five years in prison. Vick's 2007 season is lost, but does he have any hope of getting out before the 2008 season kicks off?

Yes, if U.S. District Judge Henry E. Hudson sentences him to one year and one day in prison. Under [federal sentencing guidelines](#), Vick's plea agreement calls for a sentence of between 12 and 18 months. If Vick wants the minimum possible prison term, he should ask for a sentence of slightly more than one year. Under Bureau of Prisons regulations, federal prisoners are eligible for an approximately 15 percent reduction of their sentences if they behave themselves—so long as that original sentence is longer than a year. Sentence of one year? Serve one year. Sentence of one year and one day? With good behavior, you'll serve a bit more than 10 months. Odd but true.

If Vick wants to get out of prison by the start of the 2008 season, he should surrender to federal authorities before he gets sentenced. Any time that he serves prior to sentencing will count toward completion of the prison term he'll ultimately receive. The sooner he goes in, the sooner he'll get out. If he wants to get the one year and one day sentence, he should also accept full responsibility for his conduct at the sentencing hearing, as well as express extreme and heartfelt remorse.

If Vick adopts this game plan, he would just need to avoid fights (dog or otherwise) while in prison. He could be out in 10-plus months—in other words, by mid-July 2008, just in time for next year's training camp.

One additional item in the plea agreement could help Vick get free before next season. Not only did Vick plead guilty, but he also agreed to cooperate with federal authorities. If Vick provides substantial assistance to the feds in the investigation or prosecution of another person who has committed a crime (such as other people involved in dogfighting), prosecutors could ask Judge Hudson to impose a sentence shorter than the 12 to 18 months called for by his plea deal.

Of course, Vick will still have to contend with the NFL, which [suspended him indefinitely](#) on Friday. In a letter to Vick, Commissioner Roger Goodell emphasized the quarterback's involvement in illegal gambling. The league [prohibits its players](#) from any form of gambling activity; the possible penalties for such behavior include a life suspension. Goodell added that he would "review the status of [Vick's] suspension following the conclusion of the legal proceedings." The NFL could refuse to lift the suspension even after Vick is released from prison. That would put the 2008 season—as well as his whole career—in jeopardy, regardless of whether he manages to snag a one year, one day sentence.

Got a question about today's news? [Ask the Explainer](#).

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