

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1656

S.P. 597

In Senate, January 11, 1994

An Act to Clarify the Method for Calculating Inmate Good Time.

Submitted by the Department of Corrections pursuant to Joint Rule 24.
Reference to the Joint Select Committee on Corrections suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.
Cosponsored by Senator: KIEFFER of Aroostook, Representative: CLUKEY of Houlton.

Be it enacted by the People of the State of Maine as follows:

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4 Sec. 1. 17-A MRSA §1253, sub-§3, as amended by PL 1991, c. 364, §1, is further amended to read:

6 3. Beginning October 1, 1983, a person sentenced to
8 imprisonment for more than 6 months is entitled to receive a
10 deduction of 10 days each month for observing all rules of the
12 department and institution. The period from which the deduction
14 is made must be calculated from the first day the person is
16 delivered into the custody of the department and includes the
18 full length of the unsuspended portion of the sentence. This
provision does not apply to the suspended portion of the person's
sentence, pursuant to section 1203 nor does it apply to the
suspended portion of a sentence under section 1262. For the
purpose of calculating good time under this subsection, a month
is 30 days and a year is 12 months.

20 A. Deductions under this subsection must be calculated as
follows for partial months.

22 Days of partial month	Maximum good time credit available
24 0 - 2 days	0
26 3 - 5 days	1
28 6 - 8 days	2
9 - 11 days	3
12 - 14 days	4
15 - 17 days	5
18 - 20 days	6
21 - 23 days	7
24 - 26 days	8
27 - 29 days	9
30 days	10

36 Sec. 2. 17-A MRSA §1253, sub-§3-B, as amended by PL 1989, c.
38 693, §9, is further amended to read:

40 3-B. Beginning October 1, 1983, each person sentenced, to
42 imprisonment for 6 months or less shall be entitled to receive a
44 deduction of 3 days per month calculated from the first day of
46 his delivery into the custody of the department, to include the
48 full length of the unsuspended portion of his sentence, for
observing all the rules of the department and institution, except
this provision shall not apply to the suspended portion of a
persons sentence pursuant to split sentences under section 1203.
For the purpose of calculating good time under this subsection, a
month is 30 days and a year is 12 months.

2 A. Deductions under this subsection must be calculated as follows for partial months.

4	Days of partial month	Maximum good time credit available
6		
8	0 - 7 days	0
	8 - 15 days	1
10	16 - 23 days	2
	24 - 30 days	3

12 **Sec. 3. 17-A MRSA §1253, sub-§4**, as amended by PL 1991, c. 737, §1, is further amended to read:

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16 4. Up to an additional 3 days per month may be deducted in the case of those inmates committed to the Department of Corrections who are assigned or participating in work, education or other responsibilities within the institution or program that are determined to be of sufficient importance to warrant those deductions by the institution head in accordance with policy and guidelines established by the Department of Corrections. For the purpose of calculating meritorious good time under this subsection, a month is a calendar month.

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26 A. Deductions made under this subsection must be calculated as follows for partial months.

28	<u>Days of partial month</u>	<u>Maximum meritorious good time credit available</u>
30		
32	<u>1 - 10 days</u>	<u>up to 1</u>
	<u>11 - 20 days</u>	<u>up to 2</u>
34	<u>21 - 31 days</u>	<u>up to 3</u>

36 **Sec. 4. 17-A MRSA §1253, sub-§5**, as amended by PL 1991, c. 259, §2, is further amended to read:

38 5. In addition to the provisions contained in subsection 4, up to 2 days per month may also be deducted in the case of those inmates assigned to and participating in minimum security or community programs administered by the Department of Corrections. These deductions may also apply in the case of those inmates assigned to or participating in minimum security or community programs through agencies providing services to the Department of Corrections. These deductions may be authorized for work and responsibilities to include public restitution that are deemed to be of sufficient importance to warrant those deductions by the institution head in accordance with the Department of Corrections policy and guidelines. For the purpose of calculating meritorious good time under this subsection, a month is a calendar month.

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A. Deductions made under this subsection must be calculated as follows for partial months.

<u>Days of partial month</u>	<u>Maximum meritorious good time credit available</u>
<u>1 - 15 days</u>	<u>up to 1</u>
<u>16 - 31 days</u>	<u>up to 2</u>

STATEMENT OF FACT

The purpose of this bill is to clarify the method of calculating inmate good time and to provide an opportunity for minimum security prisoners at all facilities to be eligible to earn the 2 days per month of meritorious good time in order to comply with federal nondiscrimination requirements.

This document has not yet been reviewed to determine the need for cross-reference, stylistic and other technical amendments to conform existing law to current drafting standards.