

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency \_\_\_\_\_

Department \_\_\_\_\_

Contact \_\_\_\_\_ E-mail \_\_\_\_\_ Phone \_\_\_\_\_

Statutory Authority for Promulgating Rules \_\_\_\_\_

Rule Title: \_\_\_\_\_

### Intended Effective Date

(Check One)

Date

☐

Emergency (ACA 25-15-204)

Legal Notice Published ..... \_\_\_\_\_

☐

10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment ..... \_\_\_\_\_

☐

Other \_\_\_\_\_

(Must be more than 10 days after filing date.)

Reviewed by Legislative Council ..... \_\_\_\_\_

Adopted by State Agency ..... \_\_\_\_\_

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

E-mail Address

Date

## CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)


Signature

Phone Number

E-mail Address

Title

Date

 <p style="text-align: center;"><b>ADMINISTRATIVE RULES</b></p> <p style="text-align: center;"><b>STATE OF ARKANSAS</b></p> <p style="text-align: center;"><b>BOARD OF CORRECTIONS</b></p>	<b>Section Number:</b> <b>DOC 803</b> <b>DCP 7.3</b>	<b>Page Number:</b> <b>1 of 3</b>
	<b>Board Approval Date:</b> <b>12/30/93</b>	
	<b>Supersedes:</b> <b>DOC 803</b>	<b>Dated:</b> <b>7/8/92</b>
	<b>Reference:</b>	<b>Effective Date:</b> <b>1/1/94</b>
<b>SUBJECT: Sentence Computation and Tracking</b>		

I. AUTHORITY:

The authority of the Board of Correction and Community Punishment to promulgate this rule is confirmed in Act 50 of 1968, First Extraordinary Session, as amended; Act 438 of 1973, Regular Session; Act 1161 of 1975, Regular Session; Act 93 of 1977, Regular Session; Act 620 of 1981, Regular Session; Act 583 of 1981, Regular Session; Act 772 of 1983, Regular Session; Act 825 of 1983, Regular Session; and Act 534 of 1993, Regular Session.

II. PURPOSE:

To describe the procedures staff shall use to compute and track offender sentences during confinement.

III. APPLICABILITY:

To Department of Correction and Department of Community Punishment staff, especially records personnel; and offenders committed to the Department of Correction to include those judicially transferred to the supervision of the Department of Community Punishment.

IV. POLICY:

It is the policy of the Board of Correction and Community Punishment to incarcerate offenders only for that portion of their term of confinement which is legally required and to promptly release offenders when their sentence(s) are complete.

V. DEFINITIONS:

- A. Projected Release Date: the date the offender shall be released if all sentence-related factors and credits remain unchanged.
- B. Parole Eligibility Date the computed release date of an offender that reflects the required minimum time to serve on a sentence with credit for any good time earned; applies to offenders who committed offenses prior to January 1, 1994.

- C. Release Date: date of offender's release from custody and/or supervision upon completion of legally required sentence. This does not include releases on furlough, to community programs, or to similar activities considered an extension of confinement.
- D. Transfer Eligibility Date: an administrative condition permitting transfer of eligible offenders which reflects the earliest possible date on which an offender is eligible for transfer from a Department of Correction or Department of Community Punishment facility to a Department of Community Punishment program and/or supervision; such date may be extended based on disciplinary behavior while under commitment to the Department of Correction; applies to inmates who committed offenses on or after January 1, 1994.
- E. Judgement and Commitment Orders: a document signed by the sentencing judge or duly authorized officer of the court ordering or authorizing imprisonment of the offender for a specified term.

## VI. PROCEDURES:

Upon receipt of all necessary information, the Records Office will compute the parole or transfer eligibility and release date within the parameters established by applicable state and case law. The records staff will provide each offender with a computation of the total sentence to be served and release eligibility in compliance with applicable state codes and rules.

A time card shall be provided to the offender indicating at least the following: (1) sentence length, (2) offense, (3) minimum required time to serve before parole/transfer eligibility, (4) jail time, (5) class status, and (6) release dates.

### A. Computation Information

When computing an offender's sentence(s), all possible variables relating to the sentence shall be considered. This includes at least the sentence and parole or transfer eligibility acts, applicable case law and rulings, and administrative decisions.

In computing the sentence, the responsible staff member shall consider at least the following:

1. date of confinement;
2. date offender received;
3. offense;
4. sentence term;
5. felony class;
6. date offense committed;
7. type of sentence imposed by the court and applicable sentencing procedure, including any special orders by the court relating to the sentence;
8. whether there are any concurrent, consecutive, or dual sentencing procedures in effect;
9. date sentence imposed;
10. sentence modifications (if any);
11. prior probation or incarcerations affecting sentence;

12. jail time credit or credit for time previously served;
13. inoperative time (dead time) for escape, bond, or abscond status; and,
14. any applicable good time applied.

Further clarification of specific variables to be considered will be addressed in the appropriate Administrative Directive and/or Records Manual.

B. Computation Summary

A summary of information and computations shall be prepared and maintained in accordance with the appropriate administrative directive. The summary shall include at least the total number of sentences, total term(s), parole or transfer eligibility and/or release date, date sentence begins, and date total sentence expires.

C. Revisions

Revisions to sentence computation documents shall be made as conditions warrant. No modification of a sentence shall be initiated without obtaining verification of that change. Changes will be recorded in a timely manner, and revised computation records distributed as needed.