

ARKANSAS REGISTER

Transmittal Sheet

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



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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 _____ Reviewed by Legislative Council _____
(Must be more than 10 days after filing date.)

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;">ADMINISTRATIVE RULES</p> <p style="text-align: center;">STATE OF ARKANSAS</p> <p style="text-align: center;">BOARD OF CORRECTIONS</p>	Section Number: DOC 826 DCP 7.9	Page Number: 1 of 3
	Board Approval Date: 12/30/93	
	Supersedes: AR 826	Dated: 7/17/91
	Reference:	Effective Date: 1/1/94
SUBJECT: Meritorious Good Time		

I. AUTHORITY:

The authority to promulgate this administrative rule is vested in Act 549 of 1993, Regular Session, and Act 536 of 1993, Regular Session; A.C.A. 12-29-201--205.

II. PURPOSE:

To ensure a uniform method of awarding meritorious good time in accordance with Arkansas codes.

III. APPLICABILITY:

Directors of the Department of Correction and Department of Community Punishment; respective staff of the Department of Correction and Department of Community Punishment responsible for administering meritorious good time; and inmates.

IV. POLICY:

It shall be the policy of the Board of Correction and Community Punishment to award inmates meritorious good time as a result of good discipline, behavior, work practices, job responsibilities, and involvement in rehabilitative activities while in the custody or supervision of the Department of Correction or Department of Community Punishment.

V. DEFINITIONS:

- A. Meritorious Good Time - a reduction in an inmate's parole or transfer eligibility date up to 30 days for each month incarcerated after imposition of sentence.
- B. Inmate - persons sentenced by court order to the Department of Correction, to the Department of Correction but judicially transferred to the Department of Community Punishment, or to a Department of Community Punishment facility.

VI. PROCEDURES:

An inmate may be entitled to meritorious good time reducing their parole or transfer eligibility date up to 30 days for each month incarcerated after imposition of sentence in one of the units, facilities, or centers maintained by the Department of Correction or the Department of Community Punishment.

A. Release Eligibility

1. Meritorious good time will not be applied to reduce an inmate's length of sentence.
2. Meritorious good time shall apply to an inmate's parole or transfer eligibility date from the Department of Correction or the Department of Community Punishment.
 - a. Meritorious good time shall under no circumstances reduce an inmate's time served by more than one-half of the percentage required by law for transfer eligibility.
 - b. Meritorious good time shall under no circumstances reduce an inmate's confinement in a community punishment facility by more than one-half.
3. The Department of Correction or the Department of Community Punishment shall determine a date at which the inmate who has acquired the maximum amount of meritorious good time necessary is to be administratively transferred to a less restrictive placement or supervision level within the Department of Community Punishment.

B. Class Status

1. Inmates may be reclassified as often as necessary in accordance with applicable rules and/or policies in order to carry out the purposes of the law and to maintain good discipline, order, and efficiency at the units, facilities, and centers.
2. Inmates who are reduced to the lowest class as a result of disciplinary action shall not be entitled to earn meritorious good time.
3. Inmates serving a punitive disciplinary sentence shall not earn meritorious good time.

C. Reduction in Class Status

Reduction in class status may occur:

1. as a result of disciplinary action; or
2. as an administrative reassignment or demotion after a hearing conducted by a designated committee.

D. Forfeiture and Restoration of Meritorious Good Time

1. Earned meritorious good time may be forfeited in accordance with the appropriate departmental policies upon conviction of a violation of departmental rules and rules.
2. The Director of either the Department of Correction or the Department of Community Punishment may restore lost good time in accordance with applicable procedures.

E. Good Time Earned Pending Transfer to Department of Correction or Department of Community Punishment.

Any person who is sentenced by a circuit court to the Department of Correction or Department of Community Punishment and is awaiting transfer may earn meritorious good time.

F. Statutory Good Time

Inmates sentenced to the Department of Correction prior to April 2, 1971, shall be entitled to "statutory good time" as provided in Act 50 of 1968, provided no inmate shall ever receive a reduction of more than 30 days for each month served.

G. Effective Date

1. Inmates whose offense date is prior to January 1, 1994, shall earn good time (including good time applied to the length of sentence) in accordance with the good time law in effect on the date of the offense.
2. Inmates whose offense date is on or after January 1, 1994, shall earn good time in accordance with Act 549 and Act 536 of 1993, Regular Session.

VII. A.C.A. REFERENCE: