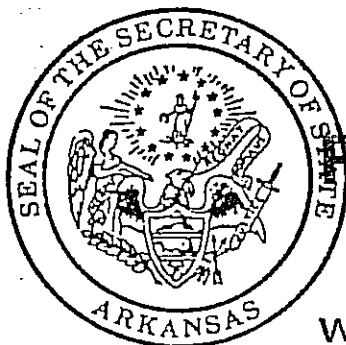


ARKANSAS REGISTER



Transmittal Sheet
RECEIVED

RECEIVED

DEC 13 1990

DEC 11 1990

W. J. "BILL" McCUEN
SECRETARY OF STATE

W. J. "BILL" McCUEN
Secretary of State
State Capitol
Little Rock, Arkansas 72201-1094

By _____

For Office
Use Only:

Effective Date 12-11-90 Code Number 004.00.90--016

Name of Agency Arkansas Department of Correction

Department of Correction

Contact Person Al. L. Lockhart, Director Telephone 501-247-1800 ext. 200

Statutory Authority for Promulgating Rules Act 50, Sixty-Sixth

General Assembly, First Extraordinary Session, 1968, Approved February 20, 1968.

Intended Administrative Regulation 826 - Meritorious Good Time
Effective Date _____

Date _____

Legal Notice Published _____

☒ Emergency 12/11/90 Final Date for Public Comment _____

☐ 20 Days
After Filing Filed With Legislative Council 12/12/90

Reviewed by Legislative Council _____

☐ Other Adopted by State Agency 12/11/90

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance With Act 434 of 1967 As Amended.

[Signature]
SIGNATURE
Director
TITLE
December 11, 1990
DATE



ADMINISTRATIVE REGULATIONS
STATE OF ARKANSAS
DEPARTMENT OF CORRECTION

EMERGENCY

RECEIVED

Section Number	Page Number
826	1 of 9
Board of Correction Approval Date: 12/11/90	
Supersedes: AR 826	Dated: 08/23/89
Attorney General Review Date: 12/11/90	Date Filed Secy. of State: 12/12/90

SUBJECT: Meritorious Good Time

DEC 18 1990

W. J. "BILL" McCUEN
SECRETARY OF STATE

By

I. AUTHORITY:

The authority of the Board of Correction to promulgate this Administrative Regulation is confirmed in Act 50 of 1968, First Extraordinary Session; Act 510 of 1971, Regular Session; Act 273 of 1987, Regular Session; Act 626 of 1987, Regular Session; Act 506 of 1987, Regular Session; and Act 429 of 1989, Regular Session.

II. PURPOSE:

To ensure a uniform method of awarding meritorious good time pursuant to the provisions of the Arkansas Codes.

III. APPLICABILITY:

To departmental staff, all inmates and parolees.

IV. POLICY:

It shall be the policy of the Department of Correction to award inmates and parolees meritorious good time as a result of good behavior, good work habits, appearance, overall adjustment and participation in self-improvement programs.

V. PROCEDURES:

Meritorious good time is the reduction of an inmate's sentence and parole eligibility date on the basis of good discipline, good behavior, work practices and job responsibilities while under the control and supervision of the Arkansas Department of Correction. This reduction can be up to thirty days for each month. Meritorious good time is not something to which an inmate is entitled as a matter of right, but is awarded in proportion to his good discipline, good behavior, work practices and job responsibilities.



ADMINISTRATIVE REGULATIONS
STATE OF ARKANSAS
DEPARTMENT OF CORRECTION

Section Number
826

Page Number
2 of 9

Board of Correction Approval Date:
12/11/90

Supersedes:
AR 826

Dated:
8/23/89

Attorney General
Review Date:
12/11/90

Date Filed
Secy. of State:
12/12/90

SUBJECT: Meritorious Good Time

No inmate may be awarded any meritorious good time while located in punitive isolation as a result of disciplinary action.

A. Class Status

Meritorious good time may be awarded and credited according to which of the four classes an inmate is assigned as set forth in the provisions of the Arkansas Codes, Administrative Regulation(s) and Administrative Directive(s).

The Classes with corresponding meritorious good time are as follows:

1. Class I: An inmate in this class may receive a total of thirty days reduction of sentence for each month served on his/her sentence as long as he/she maintains a good conduct record, an outstanding work record and exceptional institutional adjustment. This good time is intended for inmates who are assigned to very responsible jobs or inmates who are performing any job tasks which require the highest degree of discipline, behavior and responsibility. There are three types of trustees in the institution under Class I good time (I-A, I-B and I-C). The Classification Committee will make class determinations.
 - a. Class I-A: This inmate, approved by the Classification Committee and by the Warden/Center Supervisor, may work outside the compound without being under armed supervision. Supervision generally required of this type of trusty would be a check once in the morning and once in the afternoon by an employee.



ADMINISTRATIVE REGULATIONS
STATE OF ARKANSAS
DEPARTMENT OF CORRECTION

Section Number

826

Page Number

3 of 9

Board of Correction Approval Date:
12/11/90

Supersedes:

AR 826

Dated:

8/23/89

Attorney General

Review Date:

12/11/90

Date Filed

Secy. of State:

12/12/90

SUBJECT: Meritorious Good Time

b. Class I-B: This inmate may also work outside the compound without being under armed supervision. He/She will, however, be under the general supervision of an employee at all times.

c. Class I-C: This inmate cannot be considered for minimum security type assignments outside the compound but, nevertheless, is assigned a responsible job in or out of the building. This inmate will be under armed supervision if taken from the compound.

Inmates who have appeared before and been approved for parole by the Arkansas Board of Parole and Community Rehabilitation automatically become Class I-C (unless they are already in Class I-B or I-A) until their actual release at which time they are placed in I-P status.

d. Class I-P: Inmates who are released on parole.

Inmates currently on parole may be placed in meritorious good time status pursuant to the appropriate Administrative Directive.

2. Class II: An inmate in Class II status may receive a total of twenty days reduction of sentence for each month served on his/her sentence. After an inmate's initial classification and assignment, he/she will be automatically placed in Class II, unless he/she receives disciplinary action. A parolee may be reduced to this class by the Parole Hearing Examiner.



ADMINISTRATIVE REGULATIONS
STATE OF ARKANSAS
DEPARTMENT OF CORRECTION

Section Number

826

Page Number

4 of 9

Board of Correction Approval Date:

12/11/90

Supersedes:

AR 826

Dated:

8/23/89

Attorney General

Review Date:

12/11/90

Date Filed
Secy. of State:

12/12/90

SUBJECT: Meritorious Good Time

3. Class III: An inmate in this class may receive a total of eight days reduction of sentence for each month served on his/her sentence. The class is set aside for new inmates in their first fifteen days at the institution. It is also set aside for those inmates who, for one reason or another, have been unable to maintain the type of institutional adjustment necessary to remain Class II inmates. The Unit Disciplinary Committee makes the determination whenever it is necessary to demote an inmate in class. A parolee may be reduced to this class by the Parole Hearing Examiner.
4. Class IV: Inmates in this class receive no extra days reduction of sentence for each month served on his/her sentence. This class is generally referred to as "flat time" or "day-for-day." It is for those inmates who seriously violate the rules and regulations of the Department. The Unit Disciplinary Committee is the recommending authority for placing inmates in this category. No inmate sentenced to or received by the Department of Correction prior to March 30, 1971, shall be reduced to Class IV except while confined to punitive isolation. Class IV includes all inmates assigned to the punitive isolation area for disciplinary purposes, inmates who are on escape status or serving dead time, inmates who have been reduced to this class as a result of disciplinary action, or parolees reduced to this class by ruling of the Parole Hearing Examiner.

Inmates sentenced with other than a definite number of years (i.e., Life) may be credited with good time which may be awarded upon a commutation to a term of years. Inmates serving Life without Parole cannot be awarded good time.



ADMINISTRATIVE REGULATIONS
STATE OF ARKANSAS
DEPARTMENT OF CORRECTION

Section Number

826

Page Number

5 of 9

Board of Correction Approval Date:

12/11/90

Supersedes:
AR 826

Dated:
8/23/89

Attorney General
Review Date:
12/11/90

Date Filed
Secy. of State:
12/12/90

SUBJECT: Meritorious Good Time

B. Reduction in Class Status

Upon recommendation of the Disciplinary Committee, an inmate may be reduced one or more classes as a result of disciplinary action. An inmate may be reassigned or demoted to the Class II status by the Unit Classification Committee. Such an administrative reduction may be made upon the recommendation of the inmate's supervisor or other reports that might be filed. If this administrative action is taken, the inmate shall be afforded a hearing before the Unit Classification Committee at which time the inmate may explain why such action should not be taken. Any administrative reduction will be without prejudice.

C. Awards of Additional Meritorious Good Time

1. Act 626 of 1987

The Department of Correction shall solicit the recommendation of the sheriff(s) of the county where the inmate was housed prior to incarceration within the Department of Correction. Pursuant to Act 626 of 1987, Regular Session, meritorious good time may only be given for being housed in a jail awaiting transfer on the conviction resulting in sentence(s) from that county. Meritorious good time will be calculated upon reception within the Department in accordance with the appropriate Administrative Directive.

2. Act 273 of 1987

Under the provisions of Arkansas Codes, Act 273 of 1987 Regular Session, as amended, an inmate may be awarded up to ninety days of additional meritorious good time per incarceration (not accumulative) based on the following schedule:



ADMINISTRATIVE REGULATIONS
STATE OF ARKANSAS
DEPARTMENT OF CORRECTION

Section Number

826

Page Number

6 of 9

Board of Correction Approval Date:

12/11/90

Supersedes:

12/11/90

Dated:

8/23/89

Attorney General
Review Date:

12/11/90

Date Filed
Secy. of State:

12/12/90

SUBJECT: Meritorious Good Time

Requirements

Additional MGT Awarded

- * Successful completion of G.E.D. Program Up to 60 days MGT
- * Successful completion of SATP Program Up to 60 days MGT
- * Successful completion of a Vo-Tech Program or any program for which an inmate may receive vo-tech training certification Up to 60 days MGT
- * Successful completion of a college course Up to 20 days MGT per course
- * Maintain I-A status continuously for twelve months. If an inmate does not have twelve months remaining on his/her sentence, then the award may be given after a period of at least six months Up to 90 days MGT

(The starred (*) activities may be completed in a county jail or in the community while on bond, by participating in programs which are operated with funds from and/or accredited by the appropriate state regulatory agency. Other programs must be certified in advance, by direct action of the Board of Correction.)

Maintain I-B status continuously for twelve months

Up to 60 days MGT

Maintain I-C status on specialized job for twelve months (specialized job such

Up to 60 days MGT



ADMINISTRATIVE REGULATIONS
STATE OF ARKANSAS
DEPARTMENT OF CORRECTION

Section Number

826

Page Number

7 of 9

Board of Correction Approval Date:

12/11/90

Supersedes:

AR 826

Dated:

8/23/89

Attorney General

Review Date:

12/11/90

Date Filed
Secy. of State:

12/12/90

SUBJECT: Meritorious Good Time

as head cook, bookkeeper, etc.)

Inmate who does not qualify for other programs, but who receives meritorious good time and has a good work record, attitude and appearance record, if the receipt of meritorious good time would aid him/her in early release to participate in family assistance and/or further education Up to 60 days MGT

An act performed without solicitation, and the inmate's performance averts serious threat to security, tragedy or loss of limb or property Up to 60 days MGT

Heroic act(s) performed without solicitation defined as an act(s) that directly resulted in a saving of a life or lives Up to 90 days MGT

For any of the above awards, an inmate must be in at least Class II status and must be recommended by the Classification Committee to the Director. The Director will approve or deny the recommendation. Copies of the application(s) denied by the Director will be forwarded to the Board of Correction.

IN NO CASE CAN THE TOTAL AWARD OF ADDITIONAL/MERITORIOUS GOOD TIME EXCEED NINETY DAYS MGT PER INCARCERATION.

The effective date to begin calculation of the awarding up to ninety days meritorious good time per



ADMINISTRATIVE REGULATIONS
STATE OF ARKANSAS
DEPARTMENT OF CORRECTION

Section Number

826

Page Number

8 of 9

Board of Correction Approval Date:

12/11/90

Supersedes:

AR 826

Dated:

8/23/89

Attorney General
Review Date:

12/11/90

Date Filed
Secy. of State:

12/12/90

SUBJECT: Meritorious Good Time

Act 273 of the 1987 Regular Session will be
March 17, 1987.

D. Forfeiture and Restoration of Meritorious Good Time

1. When an inmate is convicted by the Disciplinary Committee for more than one offense, meritorious good time may be taken for each offense.
2. No disciplinary action shall be taken that will take away more meritorious good time than an inmate has earned to that date or allowed by Arkansas Code(S).
3. Any inmate who is awarded meritorious good time, who has lost meritorious good time already awarded, allowed and credited on the sentence he/she is currently serving, such loss having been the result of a violation of institutional rules and regulations, may have such meritorious good time restored by the Director upon the recommendation of the Classification Committee and the warden/supervisor, only after it is determined that the good time is allowed under present sentencing guidelines.

E. Act 429 of 1989 Regular Session - Meritorious Good Time earned While Awaiting Transfer

Any person who has been arraigned on a felony charge and is in jail or on bond awaiting disposition of charges or who has been sentenced to the Arkansas Department of Correction and is in jail awaiting transfer, may earn meritorious good time by completing G.E.D. requirements, a vocational-technical program, a college course, or a residential treatment program for substance abuse. An inmate may be credited for meritorious good time only after they have been received by the Arkansas Department of Correction. In order to receive credit, certification of completion



ADMINISTRATIVE REGULATIONS
STATE OF ARKANSAS
DEPARTMENT OF CORRECTION

Section Number

826

Page Number

9 of 9

Board of Correction Approval Date:

12/11/90

Supersedes:

AR 826

Dated:

8/23/89

Attorney General

Review Date:

12/11/90

Date Filed
Secy. of State:

12/12/90

SUBJECT: Meritorious Good Time

of the activity must be received by the Administrator of Classification directly from the authority of the issuing agency or program. It is the responsibility of the inmate to request and authorize said certification to be furnished to the Arkansas Department of Correction.

The effective date to begin calculation of awarding meritorious good time per Act 429 of 1989 will be March 9, 1989.

AR826