Authorized by:		
	[Original Authorized Copy on File]	**Rob Jeffreys** Director
Supersedes:	01.07.421A-J effective 10/1/1996	

Authority: 730 ILCS 5/3-6-3, 5-4.5-100 and 5-8-4 DR 107: Subpart B	**Related ACA Standards:** 5-ACI-1E-01 – 03, 5-ACI-1F-01, 02, 06
Referenced Policies: 01.07.400	**Referenced Forms:** DOC 0485 – Single or Concurrent Determinate Sentences Under 1978 Law and Jail Credit

I. POLICY

The Record Office Supervisor at each correctional facility shall ensure the timely calculation of single or concurrent Determinate Sentences and jail credits.

II. PROCEDURE

A. Purpose

The purpose of this directive is to establish a written procedure for the calculation of single or concurrent Determinate Sentences and jail time credits.

B. Applicability

This directive is applicable to all correctional facilities within the Department.

C. Facility Reviews

A facility review of this directive is covered under the facility reviews conducted at least annually for Administrative Directive 01.07.400.

D. General Provisions

Multiple sentences of imprisonment may be imposed on an individual in custody at the same time or a term of imprisonment may be imposed on an individual in custody who is already subject to a sentence. The individual in custody's sentences shall run concurrently, unless otherwise specified by the court, pursuant to 730 ILCS 5/5-8-4, except those sentences imposed under Paragraphs 5-8-4 (f) and (g) which shall run consecutively, unless the court orders otherwise.

1. The individual in custody shall be given credit on the Determinate Sentence of imprisonment for time spent in custody as a result of the offense for which the sentence was imposed and which was not credited to another sentence, pursuant to 730 ILCS 5/5-4.5-100, at the rate specified in Paragraph 5/3-6-3.

2. Whenever an individual in custody is serving a sentence in a Department facility and is removed therefrom by writ or order to stand trial for another offense for which he or she is then sentenced on, the individual in custody shall receive credit on the subsequent sentence (assuming it is to run concurrently with the prior sentence) from the date of sentencing, unless the court orders otherwise.

E.   Calculation

1.   All calculations required in accordance with this directive shall be completed with the Single or Concurrent Determinate Sentences Under 1978 Law and Jail Credit, DOC 0485.

2.   Obtain from the mittimus the sentence and any orders pertaining to sentence credit and proceed as follows:

   a.   If the mittimus orders a specific number of days credit, convert the number of days credit by dividing by 30 and record the results in Step 3 as total jail credits and continue the calculation.

   b.   If the mittimus orders the sentence to commence on a specific date, record the date the sentence is ordered to commence in Step 4 as the new custody date and continue the calculation.

   c.   If the mittimus does not indicate sentence credit and:

   (1)   If the jail credit verification report is not available, record the sentence date in Step 4 as the new custody date and continue the calculation. However, caution must be exercised in ensuring that the individual in custody has been in custody since the date of sentence.

   (2)   If the jail credit verification report indicates the individual in custody has been in continuous custody, record the date the report indicates as the custody date in Step 4 as the new custody date and continue the calculation.

   (3)   If the jail credit verification report indicates the individual in custody has been released on bond on one or more occasions, record in Step 1(A) the date released on bond and the arrest date. Subtract to determine the jail credits. Add 1 day to assure credit for the first and last dates of custody. If there was more than one arrest and release on bond, complete Steps 1(B), 1(C) and 1(D), as necessary.

3.   Record the jail credits determined in Steps 1(A), 1(B), 1(C) and 1(D) and total to determine the total jail credits.

4.   Record the old custody date or sentence date as determined and subtract the total jail credits to determine the new custody date.

5.   Record the new custody date as determined in Step 3 and add the sentence less good conduct credits per Department Rule 107: Subpart B to determine the projected-out date. Add or subtract any previous time lost or awarded to determine the adjusted projected out date.

6.   Record the new custody date as determined in Step 3 and add the imposed sentence to determine the mandatory out date.

NOTE: Results of the calculations shall be shared with the individual in custody.