



## Illinois Department of Corrections

### Administrative Directive

Number: <b>01.07.440</b>	Title: <b>Single or Concurrent Indeterminate Sentences and Jail Time Credit (Statutory Good Time)</b>	Effective: <b>1/1/2022</b>
-----------------------------	--	-------------------------------

<b>Authorized by:</b>	<i>[Original Authorized Copy on File]</i>	<b>Rob Jeffreys</b> Director
<b>Supersedes:</b>	01.07.440A-J effective 10/1/1996	

<b>Authority:</b> 730 ILCS 5/3-6-3, 5-4.5-100, 5-7-1 and 5-8-4 DR 107: Subpart B	<b>Related ACA Standards:</b> 5-ACI-1E-01 – 03, 5-ACI-1F-01, 02, 06
<b>Referenced Policies:</b> 01.07.400	<b>Referenced Forms:</b> DOC 0658 – Single or Concurrent Indeterminate Sentences and Jail Time Credits (Statutory Good Time)

#### I. POLICY

Individuals in custody who received Indeterminate Sentences prior to February 1, 1978, with statutory and compensatory good time and are presently earning good time at a greater rate than day for day, pursuant to Department Rule 107: Subpart B, shall have their sentences computed in accordance with the procedure established in this directive.

#### II. PROCEDURE

##### A. Purpose

The purpose of this directive is to establish a procedure for the calculation of single or concurrent Indeterminate 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 Section 5-8-4 (f) and (g) which shall run consecutively, unless otherwise ordered by the court.

1. Individuals in custody shall be given credit on the minimum and maximum terms of an Indeterminate 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 730 ILCS 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

	Illinois Department of Corrections Administrative Directive	Page 2 of 3
Number: 01.07.440	Title: Single or Concurrent Indeterminate Sentences and Jail Time Credit (Statutory Good Time)	Effective: 1/1/2022

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 sentence, unless the court orders otherwise.

3. Indeterminate Sentences shall be calculated to arrive at a projected minimum and maximum date. Individuals in custody shall be docketed before the Prisoner Review Board for a parole hearing 90 days prior to the projected minimum date.
4. Compensatory good time shall be earned on Indeterminate Sentences at a rate of seven and one half (72) days per month for each month served in custody if sentenced under the law in effect on or after January 1, 1973, but prior to February 1, 1978, including custody in the county jail, unless denied pursuant to the provisions of Department Rule 107: Subpart B. Compensatory good time shall be credited on a prorated basis for the first month of custody and the month of release on parole, etc. Compensatory good time shall not be awarded on any sentence or portion thereof in which day for day good conduct credits have been applied.

#### **E. Calculation**

1. All calculations required in accordance with this directive shall be completed with the Single or Concurrent Indeterminate Sentences and Jail Time Credits (Statutory Good Time), DOC 0658.
2. Obtain from the mittimus the sentence and any orders pertaining to sentence credit and then 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 the 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 shall be exercised in ensuring that the individual in custody has been in custody since the date of the 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) and 1(C), as necessary.
3. To determine the total jail credits, record the jail credits arrived at in Steps 1(A), 1(B) and 1(C) and total.

	Illinois Department of Corrections Administrative Directive	Page 3 of 3
Number: 01.07.440	Title: Single or Concurrent Indeterminate Sentences and Jail Time Credit (Statutory Good Time)	Effective: 1/1/2022

4. To determine the new custody date, record the old custody date or sentence date as determined and subtract the total jail credits.
5. To determine the adjusted projected minimum date, record the new custody date as determined in Step 3 and add the minimum sentence less statutory good time pursuant to the Table, Statutory Good Time Calculations for Those Sentenced Prior to June 1, 1977, in DR 107: Subpart B. Add or subtract any previous time awarded or lost. Subtract all compensatory good time earned as of the date the DOC 0658 is completed.
6. To determine the adjusted projected maximum date, record the new custody date as determined in Step 3 and add the maximum sentence less statutory good time pursuant to the Table, Statutory Good Time Calculations for Those Sentenced Prior to June 1, 1977, in DR 107: Subpart B. Add or subtract any previous time awarded or lost. Subtract all compensatory good time earned as of the date the DOC 0658 is completed.

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

---