



Illinois Department of Corrections

Administrative Directive

Number: 01.07.454	Title: Conversion of Parole Violators to Good Conduct Credits	Effective: 10/1/2021
-----------------------------	---	--------------------------------

Authorized by:	<i>[Original Authorized Copy on File]</i> Rob Jeffreys Director
Supersedes:	01.07.454A-J effective 2/1/1997

Authority: 730 ILCS 5/3-3-9, 3-3-10(b), 3-6-3 and 5-8-1	Related ACA Standards: 5-ACI-1A-07 and 10, 5-ACI-1E-01 – 03, 5-ACI-1F-01, 02, 06 and 08, 5-ACI-5F-05, 5-ACI-7A-13
Referenced Policies: 01.07.400, 01.07.455	Referenced Forms:

I. POLICY

The sentences of all current parole violators shall be converted and day for day good conduct credits applied in accordance with the Illinois Supreme Court decision of Johnson vs. Franzen, provided it is more advantageous good time than statutory and compensatory good time.

II. PROCEDURE

A. Purpose

The purpose of this directive is to establish a written procedure for calculating sentences of parole violators.

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 review conducted at least annually for Administrative Directive 01.07.400.

D. General Provisions

1. The sentences of all parole violators shall be recalculated and day for day good conduct credits shall be applied to the portion of the imposed Indeterminate Sentence left to be served as of February 1, 1978. Good conduct credits shall also be applied to any portion of the statutory parole period served in custody.
2. The Prisoner Review Board (PRB) may enter an order of reparole or offer a release date under the 1978 law for a parole violator. The release date may be prior to the projected discharge date in Step 6 on the calculation worksheet. Good time shall be credited only on the portion of the statutory parole term served in custody.
 - a. If the release date is prior to the maximum date calculated in Step 3 by reason of:
 - (1) Reparole, the discharge date shall be the date calculated in Step 4 and this shall negate Steps 5 and 6.

	Illinois Department of Corrections Administrative Directive	Page 2 of 4
Number: 01.07.454	Title: Conversion of Parole Violators to Good Conduct Credits	Effective: 10/1/2021

- (2) A projected release date set by the PRB under the 1978 law, the discharge date shall be the aggregate of the projected release date and the full mandatory supervised release term under 730 ILCS 5/5-8-1.
 - b. If the reparole or the release date set by the PRB is after the maximum date calculated in Step 3, but prior to the projected discharge date calculated in Step 6, the discharge date shall be calculated using Steps 7 and 8 and this shall negate Steps 5 and 6.
3. The issuance of a parole violation warrant tolls the running of the sentence credit. Sentence credit shall not be resumed until the date a revocation hearing is held by the PRB. The individual in custody shall then receive credit for time spent in custody which was not credited against another sentence.
4. The period of time between the date the PRB declared the parolee a violator and the date of recustody or new sentence date shall be calculated as time lost as a parole violator. To determine how to apply sentence credit, the following shall control:
 - a. If the violator received a new sentence prior to his or her readmission to the Department, the custody time shall be credited to the new sentence and he or she shall receive credit on the original violation sentence from the date the new sentence was entered.
 - b. If the violator was returned as a technical violator without a new sentence, he or she shall receive credit for all custody time on the original violation sentence.
 - c. If the violator received a new sentence after his or her readmission to the Department, the custody time shall be credited to the original violation sentence and he or she shall receive credit on the new sentence from the date it was entered, unless otherwise ordered by the court.
5. Indeterminate Sentences entered after June 1, 1977, but prior to February 1, 1978, for offenses committed after June 1, 1977, shall be recalculated and statutory and compensatory good time shall be credited to the portion served prior to February 1, 1978, and good conduct credits shall be applied to the portion remaining after February 1, 1978. In all instances, the good time rate established after June 1, 1977, is less than day for day good time.

E. Calculation

1. To determine total time credits:
 - a. Determine the effective date which shall be February 1, 1978, unless:
 - (1) The imposed maximum sentence was completed prior to February 1, 1978, then the calculation would commence in Step 3 on the first line identified as maximum and the date entered shall be the maximum date as established.
 - (2) There was a parole violation prior to February 1, 1978, and the recustody or new sentence date was after February 1, 1978, then the date of the violation shall be the effective date.
 - b. Record the established effective date and subtract the old custody date. Add or subtract any previous time lost or awarded (previous time lost is any time an individual in custody is not under the supervision of the Department prior to the established effective date, for

	Illinois Department of Corrections Administrative Directive	Page 3 of 4
Number: 01.07.454	Title: Conversion of Parole Violators to Good Conduct Credits	Effective: 10/1/2021

example a parole violation, escape, etc., in which the date of violation and recustody date or the new sentence date was prior to February 1, 1978, and previous time awarded is any meritorious good time awarded).

- c. Add all compensatory good time earned prior to February 1, 1978. Using the departmental rule on diminution of sentences, determine the amount of statutory good time earned and add to the time credits.
2. To determine time left to serve:
 - a. Record the total time credits and subtract any statutory good time revoked. If the statutory good time revoked is greater than the statutory good time earned, subtract only the statutory good time earned. The difference between statutory good time revoked and earned shall be added after the completion of Step 3.
 - b. Record the imposed maximum sentence and subtract the total time credits. Subtract the good conduct credits, which shall be one-half of the sentence left to serve.
 3. To determine the maximum date:
 - a. Determine the effective date which shall be February 1, 1978, unless:
 - (1) The imposed maximum sentence was completed prior to February 1, 1978, then the calculation shall commence on the first line identified as maximum and the date entered shall be the maximum date as established.
 - (2) The individual in custody was returned as a technical violator under the same sentence, the violation was prior to February 1, 1978, and the recustody date was after February 1, 1978, then the date entered shall be the recustody date.
 - (3) The individual in custody was returned with a new sentence, the violation was prior to February 1, 1978, and the sentencing date of the new sentence was after February 1, 1978, then the date entered shall be the new sentence date.
 - b. Record the effective date as determined and add the time left to serve as determined in Step 2. Add any parole violation lost time (date of violation and recustody or new sentence date if it was after February 1, 1978). If there was a remainder of statutory good time revoked in Step 2, add to the maximum date.
- NOTE:** The individual in custody shall be released on 6 months mandatory release (release by statute) if the date of violation was more than one year prior to the expiration of the imposed sentence plus the parole period, if applicable, excluding time lost on the parole violation.
- If the individual in custody is eligible for six months mandatory release, then the calculation shall proceed as provided for in Administrative Directive 01.07.455, Release Under Supervision – Parole Violators, Step 2.
- If the individual in custody is not eligible for the six months mandatory release, then proceed with Step 4.
4. To determine the maximum date, record the maximum date arrived at in Step 3 and add the appropriate statutory parole term.

	Illinois Department of Corrections Administrative Directive	Page 4 of 4
Number: 01.07.454	Title: Conversion of Parole Violators to Good Conduct Credits	Effective: 10/1/2021

5. To determine time left to service:
 - a. Record the maximum date determined in Step 4 and subtract either the maximum, the recustody or the new sentence date.
 - (1) If the maximum date determined in Step 3 is after the recustody or new sentence date, the maximum date determined in Step 3 shall be used.
 - (2) If the maximum date determined in Step 3 is before the recustody or new sentence date, the recustody or new sentence date shall be used.
 - b. Subtract the good conduct credits, which shall be one-half of time left to serve.
6. To determine the projected discharge date, record the maximum, recustody or new sentence date as determined in Step 5 and add the time left to serve.

NOTE: Steps 7 and 8 shall be calculated only if Paragraph II.D.2. applies.

7. To determine good conduct credits, record the release date in a technical violator case and subtract the recustody date or the maximum date determined in Step 3, whichever is later. In a new sentence violator case, subtract the new sentence date or maximum date determined in Step 3.
8. To determine the discharge date, record the maximum date determined in Step 4 and subtract good conduct credits determined in Step 7.

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