



Illinois Department of Corrections

Administrative Directive

Number: 01.07.475	Title: Consecutive Sentences – Indeterminate to Indeterminate/Determinate/Misdemeanor	Effective: 1/1/2022
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Authorized by:	<i>[Original Authorized Copy on File]</i>	Rob Jeffreys Director
Supersedes:	01.07.475A-J effective 7/1/1998	

Authority: 730 ILCS 5/5-8-4	Related ACA Standards: 5-ACI-1E-01 – 03, 5-ACI-1F-01, 02, 06
Referenced Policies: 01.07.400	Referenced Forms: DOC 0671 – Consecutive Sentences – Indeterminate to Indeterminate/Determinate/Misdemeanor

I. POLICY

Individuals in custody serving consecutive sentences shall have their sentences aggregated and treated as though committed for a single term pursuant to the provisions herein.

II. PROCEDURE

A. Purpose

The purpose of this directive is to establish a written procedure for the calculation of Indeterminate Sentences consecutive to Indeterminate, Determinate or Misdemeanor Sentences.

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. Definitions

Minimum – the minimum period of imprisonment shall consist of the aggregated minimum of the imposed Indeterminate Sentences and Misdemeanor Sentences or 20 years, whichever is less, plus the Determinate Sentence.

Maximum – the maximum period of imprisonment shall consist of the aggregated maximum of the imposed Indeterminate Sentences plus the imposed Determinate Sentence and/or Misdemeanor Sentence.

E. General Provisions

1. Individuals in custody who receive a Determinate Sentence consecutive to Indeterminate Sentences shall be eligible for parole consideration after serving the aggregated minimum term of their Indeterminate Sentences (not to exceed 20 years less good time) plus the Determinate Sentence less good time.

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2. The minimum and maximum sentences shall be calculated independently and the more advantageous good time credited. There may be cases where the minimum shall be credited day for day good time and the maximum shall be under statutory and compensatory good time.
3. Individuals in custody serving consecutive Indeterminate Sentences for crimes committed after June 1, 1977 and whose sentences were entered on or after February 1, 1978, shall have their sentences calculated awarding good conduct credits from the date of custody, consistent with the procedures herein.
4. Individuals in custody who received Indeterminate Sentences for crimes committed prior to June 1, 1977 and who were sentenced to one or more consecutive Determinate Sentences entered on or after the February 1, 1978 law shall receive statutory and compensatory good time or good conduct credits, whichever is more advantageous on the entire length of the aggregated minimum and maximum terms.
5. Individuals in custody presently serving an Indeterminate Sentence who subsequently received one or more consecutive Determinate Sentences under the 1978 law shall have the Determinate Sentences aggregated to both the minimum and the maximum terms of the originally imposed Indeterminate Sentence.
6. If a Misdemeanor Sentence is ordered consecutive to a felony Indeterminate Sentence, the sentences shall be aggregated to both the minimum and maximum of the Indeterminate Sentence and credited with statutory and compensatory good time or good conduct credits, whichever is more advantageous.

F. Calculation

1. All calculations required in accordance with this directive shall be completed with the Consecutive Sentences – Indeterminate to Indeterminate/Determinate/Misdemeanor, DOC 0671.
2. **Record** the Indeterminate Sentence. **Add** the consecutive Indeterminate, Determinate or Misdemeanor Sentence to both the minimum and maximum of the Indeterminate Sentence. **Add** to arrive at the total aggregated sentence.
3. **In Step 2 (A)**, if the minimum on the first sentence has not been served, record the old custody. **Add** the aggregated sentence less statutory good time or good conduct credits to arrive at the projected minimum. **Subtract or Add** any previous time lost or awarded. **Subtract** compensatory good time earned as of the date the calculation is completed (if statutory good time has been applied) to arrive at the projected minimum date.
In Step 2 (B), if the date of the original Indeterminate Sentence or crime is prior to June 1, 1977, and the minimum has been completed prior to the entry of the consecutive sentence, the first year of statutory good time on the consecutive sentence shall begin at the subsequent year's rate obtained with the completion of the first sentence minimum. **Record** the new custody date and add the new minimum less statutory good time or good conduct credits, whichever is more advantageous, to arrive at the projected minimum date. **Add or subtract** any previous time lost or awarded. **Subtract** compensatory good time earned as of the date the calculation is completed (if statutory good time has been applied) to arrive at the projected minimum date.
4. **Record** the old custody date and **add** the aggregated maximum sentence less statutory good time or good conduct credits, whichever is more advantageous, to arrive at the maximum. **Add or subtract** previous time lost or awarded. **Subtract** compensatory good time earned as of the date the calculation is completed (if statutory good time has been applied) to arrive at the projected maximum date.

NOTE: The calculation shall be shared with the individual in custody.