

WEBER COUNTY CORRECTIONAL FACILITY

Volume

INMATE MANAGEMENT

Chapter

JC 07 - INMATE GOOD TIME

Effective Date:

01-01-02

Review Date:

06-15-05

Pages

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JC 07/01.00 **GENERAL**

JC 07/01.01 **Purpose**

- A. The purpose of this chapter is to provide the WCCF with policy, rationale and procedural requirements for the awarding of good time and as a behavioral incentive for inmates confined in the WCCF.
- B. This chapter shall include requirements for eligibility, screening process, awarding, denial, withholding and forfeiture of good time.

JC 07/01.02 **Cross Reference**

76-3-403 UCA

JC 07/01.03 **Definitions**

Good Time	time credited against an inmates sentence and awarded to eligible inmates based on good institutional behavior, positive participation in programs, work, or to reward other commendable behavior
IDHO	Inmate Disciplinary Hearing Officer
IMC	Inmate Management Committee
petitioner	for the purpose of this chapter, a petitioner shall be any inmate requesting good time
WCCF	Weber County Correctional Facility

JC 07/02.00 **GOOD TIME**

JC 07/02.01 **Policy**

It is the policy of the WCCF that:

- A. the WCCF, in its discretion, will award good time credit against a sentence to eligible inmates based on:
 - 1. good behavior,
 - 2. successful participation in habilitative programs or activities,
 - 3. successful participation on work details,
 - 4. commendable actions or service; or
 - 5. other reasons as deemed appropriate by an authorized authority;
- B. a formalized system using the facility IMC will be established to provide a uniform and objective review of inmate requests for good time;
- C. petitioner's requests for good time will be processed as expediently as possible; and
- D. petitioners who are unable to demonstrate a pattern of positive behavior may not receive good time.

JC 07/02.02 **Rationale**

- A. The ability of the WCCF to reward inmates for good behavior or for engaging in activities which provide positive avenues for habilitation promotes a safer and a more secure environment within the facility.
- B. Inmates who work or strive toward a positive goal may lessen the time they are confined. These inmates are more easily managed by staff, present less of a threat of inappropriate behavior, and enhance safety, security, and management of the WCCF.

JC 07/02.03 **Procedure: Requirements for Eligibility**

- A. For the purpose of this chapter, inmates will be eligible for Good Time if the inmate:

1. is fully adjudicated on all pending charges and sentenced to serve a term of confinement in the WCCF for a misdemeanor offense, or is serving time at the WCCF on a felony pursuant to a probation agreement;
 2. has a history of appropriate behavior during the current incarceration, demonstrated through documentation from facility staff members who routinely supervise the petitioner in activities such as:
 - a. WCCF work details,
 - b. WCCF sanctioned education/habilitative programming; and/or
 - c. day to day housing unit environment;
 3. is free from incidents which required modifying the management of the petitioner, based on inappropriate, disruptive, or non-compliant behavior; and
 4. is free from any institutional incidents or misconduct resulting in additional criminal charges being filed.
- B. For purposes of this policy, inmates are NOT eligible for Good Time when:
1. the inmate is a State inmate under the jurisdiction of the Board of Pardons (BOP); or
 2. the sentencing judge ordered no Good Time should be awarded.
- C. When a judge orders a determinate sentence to be served followed by release to an in-patient program, the inmate may not be considered for good time until the determinate sentence time has been served.

Example: If a judge orders 180 days with the inmate to be released to a program after serving 90 days, good time release may be considered only when the 90 days ordered has been served.

JC 07/02.04 **Procedure: Requesting Good Time**

Inmates who are fully sentenced and believe themselves eligible to be credited for reduction in sentence as defined in this policy, may request good time by:

- A. filling out an Inmate Request Form requesting consideration of good time; and
- B. forwarding the written request to the WCCF Inmate Management Committee (IMC).

JC 07/02.05 **Procedure: Screening Process**

- A. The IMC shall receive all inmate requests for good time and evaluate the petitioners judicial status based on requirements set in UCA 76-3-403 and this chapter.
- B. If the petitioner does not meet the standards in UCA 76-3-403 or this chapter, the IMC will provide a response to the request indicating the reasons for denial or disqualification.
- C. If the petitioner is eligible based on the standards in UCA 76-3-403 and this chapter, the IMC shall consider management information including, but not limited to the following:
 - 1. written statements by the petitioner supporting the awarding of good time;
 - 2. documentation submitted by staff who have supervised the petitioner in:
 - a. housing;
 - b. programs;
 - c. work assignments;
 - d. documentation from the WCCF IDHO concerning inmate disciplinary code infractions during the current incarceration; and/or
 - e. other information deemed appropriate by the IMC.

JC 07/02.06 **Procedure: Review Outline and Responsibility**

- A. Inmates may submit initial good time requests to the IMC no earlier than two (2) working days following the date of final sentencing by the court.
- B. Inmates may submit an initial request for good time no later than three (3) working days prior to the date of their scheduled release.
- C. Requests for good time shall only be accepted and applied to the petitioner's current incarceration. Requests for good time to be applied to past or future incarcerations may be considered a frivolous use of administrative review and may be considered a violation of the inmate disciplinary code.

JC 07/02.07 **Procedure: Awarding Good Time**

- A. Based on current available and applicable information in the possession of the WCCF, the IMC shall make a decision to award or deny good time.
- B. Upon approval of good time by the IMC, the IMC shall:
 - 1. calculate a release date indicating the possible date of release providing good time is awarded; and
 - 2. set a review date for final determination of good time earned by the petitioner no later than five (5) working days before the calculated good time release date as determined in B.1. above.
- C. On the review date, the IMC shall consider current available and applicable information in the possession of the WCCF which may include the petitioner's:
 - 1. applicable IMC meeting minutes;
 - 2. misconduct reports;
 - 3. inmate work records
 - 4. inmate program records; and/or
 - 5. any other information relative to the petitioner's incarceration.
- D. Based on this review IMC shall determine the amount of good time the petitioner should be awarded and forward that information to the WCCF Records office to be entered into the JMS.

JC 07/02.08 **Procedure: Special Hearings**

- A. If, for cause, a decision regarding a petitioners good time cannot be made by the IMC, a special hearing may be ordered by the Jail Commander/Designee.
- B. A special hearing board shall be comprised of at least three (3) voting members and chaired by the IMC chair person.
- C. Voting board members may consist of the following or their designees:
 - 1. the appropriate shift supervisor;
 - 2. the Inmate Services Coordinator;
 - 3. the appropriate Inmate Work Supervisor;

4. a WCCF classification officer; and/or
 5. any other staff who may present applicable information regarding the petitioner's incarceration.
- D. The special hearing board may interview the petitioner and other appropriate staff to determine if good time should be awarded.
- E. Good time shall be awarded or denied after a special hearing based on a majority vote of the board members.
- F. In the event of a tie vote, the special hearing chair person shall cast the tie breaking vote.

JC 07/02.09 **Procedure: Denying, Withholding, or Forfeiture of Good Time**

- A. Inmates who have been found to engage in behavior that is determined by the IMC to be contrary to facility rules of conduct may be subject to forfeiture or withholding of all or any portion of good time by:
1. a finding of guilty following administrative review by the facility IDHO;
 2. review and determination by the IMC; and/or
 3. review and determination by the special hearing board.
- B. When a petitioner's good time request is denied or withheld or when good time is forfeited, the IMC shall notify the inmate of such in writing. Documentation shall be recorded in the JMS with copies placed in the inmate's file.

JC 07/02.10 **Procedure: Management of Court Awarded Good Time**

- A. The court may order good time at the time of sentencing. Inmates who have been awarded good time by the court need not request good time from the WCCF.
- B. Good time ordered by the court may be awarded and managed at the discretion of the WCCF and as described in this chapter.
- C. Two-for-one good time may only be awarded by the court at the time of sentencing, and should be managed by the WCCF as outlined in this chapter.