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JOHN Q. HAMM
COMMISSIONER

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**ADMINISTRATIVE REGULATION
NUMBER** 425

OPR: CLASSIFICATION

RETURN TO GOOD TIME EARNING STATUS AND RESTORATION OF GOOD TIME

I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes responsibilities, policies, and procedures for criteria governing the return to Good Time earning status and restoration of Good Time lost as a result of disciplinary procedures.

II. POLICY

It is the policy of the ADOC to utilize Good Time as an inmate management tool and to provide a process that may return inmates to Good Time earning status and restore Good Time lost as a result of disciplinary proceedings.

III. DEFINITIONS AND ACRONYMS

- A. **Demonstration of Good Behavior**: A qualifying period of time in which an inmate has not received a disciplinary nor a behavior citation.
- B. **Good Time**: Commonly used term that refers to any of the incentive time programs (i.e., Correctional Incentive Time (CIT), a reduction of sentence awarded to inmates with certain convictions committed on or after May 19, 1980; Incentive Good Time (IGT), an additional one-for-one reduction in sentence for inmates serving Statutory Good Time who have exhibited exceptional behavior, subject to the approval of the Commissioner/Designee; and Statutory Good Time (SGT), an automatic reduction of sentence given to inmates convicted of a charge which was committed prior to May 19, 1980. The time is deducted from an inmate's sentence based on the table of good time deduction. (See also AR 437, *Time Computation and Procedures*).

- C. **Restoration of Good Time**: Placing increments of Good Time lost back onto an inmate's sentence.
- D. **Return to Good Time Earning Status**: Removing an inmate from Class IV, in which the inmate earns no Good Time, and placing the inmate back into an earning class (Class I, II, or III) in which the inmate will accrue Good Time.

IV. **RESPONSIBILITIES**

- A. The Commissioner/Designee shall review recommendations of restoration of Good Time and return to Good Time earning status and render a decision regarding the restoration.
- B. The Director of Classification/Designee shall provide oversight of the regulations and processes involved in the restoration of Good Time and returning inmates to Good Time earning status.
- C. The Director of the Central Records Division shall ensure that the inmate database is updated with approved Good Time restoration and approved return to Good Time earning status.
- D. The Chief Information Officer will generate regular reports that lists inmates who are eligible to have Good Time restored and make the reports available as needed to all facilities.
- E. Wardens are responsible for establishing their own Standard Operating Procedures (SOPs) for the implementation of this AR.
- F. Facility classification personnel are responsible for reviewing inmates in accordance with this AR.

V. **PROCEDURES**

- A. Removal from Good Time Earning Status:
 - 1. Inmates who receive a Severe level rule violation under AR 403, *Procedures for Inmate Rule Violations*, shall be permanently barred from Good Time earning status.
 - 2. Inmates who receive a high-level rule violation under AR 403, *Procedures for Inmate Rule Violations*, shall be removed from Good Time earning status by being classified as a Class IV inmate for at least one year.

3. Inmates who receive a medium-level rule violation under AR 403, *Procedures for Inmate Rule Violations*, shall be removed from Good Time earning status by being classified as a Class IV inmate for at least 6 months.
4. Inmates who receive a low-level rule violation under AR 403, *Procedures for Inmate Rule Violations*, may be removed from Good Time earning status by being classified as a Class IV inmate for at least one day.

B. Criteria for Returning to Good Time Earning Status:

1. Inmates may request to be reviewed for a return to Good Time earning status and Classification Specialists may review an inmate at any time to determine their eligibility for a return to Good Time earning status.

2. Severe-Level Violations:

Inmates with severe-level violations shall not be returned to Good Time Earning Status for the remainder of their incarceration.

3. High-Level Violations:

Inmates with high-level violations may be reviewed for return to Good Time earning status after demonstration of good behavior for at least one year after the implementation of their sanction of one-year removal from Good Time earning status. (The required period of demonstrated good behavior may run concurrent with the period in which the inmate is removed from Good Time earning status.)

4. Medium-Level Violations:

Inmates with medium-level violations may be reviewed for return to Good Time earning status after demonstration of good behavior for at least six months after the implementation of their sanction of a six-month removal from Good Time earning status. (The required period of demonstrated good behavior may run concurrent with the period in which the inmate is removed from Good Time earning status.)

5. Low-Level Violations:

Inmates with low-level violations may be reviewed for return to Good Time earning status after demonstration of good behavior for at least 90 days after their removal from Good Time earning status. (The required period of demonstrated good behavior may run concurrent with the period in which the inmate is removed from Good Time earning status.)

C. Process for Returning Inmates to Good Time Earning Status:

1. Classification Specialists shall regularly review inmates' records for eligibility to return to Good Time earning status.
2. If an inmate meets the established criteria, the Classification Specialist shall initiate the process for the return to Good Time earning status on ADOC Form 425-A, *Request for Return to Good Time Earning Status or Restoration of Good Time*.
3. The Classification Specialist shall submit ADOC Form 425-A, *Request for Return to Good Time Earning Status or Restoration of Good Time*, to the Warden/Designee with justification for the recommendation to return to Good Time earning status.
4. The Warden/Designee shall review ADOC Form 425-A, *Request for Return to Good Time Earning Status or Restoration of Good Time* and provide a recommendation to return to Good Time earning status or not, with justification, and forward to the Commissioner/Designee.
5. The Commissioner/Designee shall review the request and approve or disapprove the request or finalize another course of action.
6. The decision of the Commissioner/Designee is final:
 - a. Disapproval will be annotated on ADOC Form 425-A, *Request for Return to Good Time Earning Status or Restoration of Good Time*, and returned to the facility Classification Unit, and a copy will be added to the inmate's electronic file.
 - b. Approval will be forwarded to the Director of Central Records, who will:
 - (1) Ensure that the inmate database is updated.
 - (2) Monitor the amount to be restored on sex offenders so not to violate proper notification procedures.
 - (3) Add the ADOC Form 425-A, *Request for Return to Good Time Earning Status or Restoration of Good Time*, to the inmate's electronic file.
 - (4) Generate a new Inmate Summary, provide it to the inmate, and add a copy to the inmate's electronic file.

D. Criteria for Restoration of Good Time:

1. Inmates who received a severe-level rule violation under AR 403, *Procedures for Inmate Rule Violations*, shall not have lost Good Time restored.
2. Inmates may have Good Time restored to their sentence only after they have returned to Good Time earning status.
3. Inmates who received a high-level rule violation under AR 403, *Procedures for Inmate Rule Violations*, may have Good Time restored 90 days after their return to Good Time earning status.
4. Inmates who received a medium-level rule violation under AR 403, *Procedures for Inmate Rule Violations*, may have Good Time restored 60 days after their return to Good Time earning status.
5. Inmates who received a low-level rule violation under AR 403, *Procedures for Inmate Rule Violations*, may have Good Time restored immediately after their return to Good Time earning status.
6. Good Time may only be restored in increments of up to 90 days, occurring at least 90 days apart, with continued demonstration of good behavior required for each subsequent 90-day increment of Good Time restored.

E. Process for Restoring Good Time:

1. Classification Specialists shall regularly review inmates' records for inmate eligibility for restoration of Good Time.
2. If an inmate meets the established criteria, the Classification Specialist shall initiate the process for restoration of Good Time on ADOC Form 425-A, *Request for Return to Good Time Earning Status or Restoration of Good Time*.
3. The Classification Specialist shall submit ADOC Form 425-A, *Request for Return to Good Time Earning Status or Restoration of Good Time*, to the Warden/Designee and specify the recommended amount of Good Time to be restored and justification.
4. The Warden/Designee shall review ADOC Form 425-A, *Request for Return to Good Time Earning Status or Restoration of Good Time*, and any additional information for the recommendation and shall provide a recommended amount of Good Time to be restored and justification to be forwarded to the Commissioner/Designee.

5. The Commissioner/Designee shall review the requests and approve or disapprove the request or finalize another course of action.
6. The decision of the Commissioner/Designee is final:
 - a. Disapproval will be annotated on ADOC Form 425-A, *Request for Return to Good Time Earning Status or Restoration of Good Time*, and will be returned to the institutional Classification Unit, and a copy will be added to the inmate's electronic file.
 - b. Approval will be forwarded to the Director of Central Records, who will:
 - (1) Ensure that the inmate database is updated.
 - (2) Monitor the amount to be restored on sex offenders so not to violate proper notification procedures.
 - (3) Add the ADOC Form 425-A, *Request for Return to Good Time Earning Status or Restoration of Good Time*, to the inmate's electronic file.
 - (4) Generate a new Inmate Summary, provide it to the inmate, and add a copy to the inmate's electronic file.

VI. DISPOSITION

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

VII. FORMS

ADOC Form 425-A, *Request for Return to Good Time Earning Status or Restoration of Good Time*.

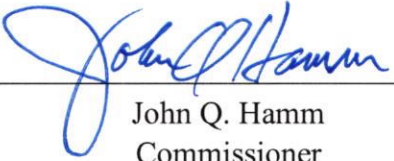
VIII. SUPERSEDES

This regulation supercedes Administrative Regulation 425, *Restoration of "Good Time,"* dated December 5, 2005, and all changes as amended.

IX. PERFORMANCE

- A. Code of Alabama 1975 § 14-1-1.1 *et seq.*

B. Code of Alabama 1975 § 14-9-40 *et seq.*



John Q. Hamm
Commissioner



ALABAMA DEPARTMENT OF CORRECTIONS

Request for Return to Good Time Earning Status or Restoration of Good Time

Choose A or B:	A.	The following inmate is submitted for Return to Good Time Status	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	B.	The following inmate is submitted for Restoration of Good Time	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Date:	Inmate Name:		AIS #:	
Facility:		Current Job:		
Date of Last Rule Violation:				
Level of Last Rule Violation (Check One): <input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low				
Note: Inmates with a Severe Level Rule Violation as their most recent rule violation are Not Eligible for Return to Good Time Earning Status nor to have Good Time Restored for the remainder of their incarceration.				
Classification Specialist's Justification/Comments:				
Return to Good Time Earning Status: <input type="checkbox"/> RECOMMEND <input type="checkbox"/> DO NOT RECOMMEND				
Restoration of Good Time: <input type="checkbox"/> RECOMMEND <input type="checkbox"/> DO NOT RECOMMEND				
Date inmate was Returned to Good Time Earning Status: _____				
Recommended Amount of Good Time to be Restored (up to 90 days): _____				
Note: For a High-Level Rule Violation, it must be 90 days since the inmate was restored to Good Time Earning Status; For a Medium Level Rule Violation, it must be 60 days since the inmate was restored to Good Time Earning Status.				
Signature of Classification Specialist:			Date of Signature:	
Warden's Justification/Comments:				
Return to Good Time Earning Status: <input type="checkbox"/> RECOMMEND <input type="checkbox"/> DO NOT RECOMMEND				
Restoration of Good Time: <input type="checkbox"/> RECOMMEND <input type="checkbox"/> DO NOT RECOMMEND				
Signature of Warden:			Date of Signature:	
<input type="checkbox"/> APPROVE <input type="checkbox"/> DISAPPROVE				
Signature of Commissioner/ Designee:			Date of Signature:	