

 <p style="text-align: center;"><b>KENTUCKY CORRECTIONS</b> Policies and Procedures</p>	Policy Number	Total Pages
	15.5	3
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	May 12, 2020	September 1, 2020
Authority/References KRS 196.035, 197.020, 197.045 CPP 15.2	Subject <b>RESTORATION OF FORFEITED GOOD TIME</b>	

## I. DEFINITIONS

“Statutory good time” means a sentence credit that may be awarded pursuant to KRS 197.045(1)(b)(1).

“Trial run yes report” means a computer generated list of the names of inmates who shall be considered for a restoration of forfeited good time.

“Trial run no report” means a computer generated list that applies meritorious good time credit and restoration of forfeited good time toward an inmate’s sentence once the trial run yes report has been reviewed and approved by the designated authority.

## II. POLICY and PROCEDURES

This policy and procedure provides for the restoration of good time which has been lost as the result of rule violations to promote an incentive for improved behavior and adjustment.

- A. Good time loss resulting from any Category III through Category VI rule violation, as described in CPP 15.2, may be restored.
- B. Good time loss resulting from any Category VII rule violation, as described in CPP 15.2, shall not be subject to restoration.
- C. Meritorious good time that was forfeited shall not be subject to restoration.

## III. Award and review procedures

### A. Institutions

A trial run yes report shall be generated and forwarded to the institutional Offender Information office at each institution prior to the 5<sup>th</sup> day of each month.

- 1. Program staff shall review the inmate record to determine the amount of the total award for which an inmate is eligible.

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2. Program staff shall:

- a. Review the information on the trial run yes report;
- b. Make any changes to the recommendation on the report;
- c. Enter the recommendation into case notes in the offender management system if the amount is different than what is reflected on the report with the reason for the change stated;
- d. Forward the recommendation to the Warden for approval or disapproval and signature; and
- e. Forward the signed trial run yes report to institutional offender information staff.

3. Institutional offender information staff shall:

- a. Enter any changes to the report manually and block any awards denied by the Warden;
- b. Run trial run no report; and
- c. Forward both the signed trial run yes and trial run no reports to Central Office Offender Information Services.

B. Local Facilities

1. Central office shall generate a trial run no report in the offender management system on a monthly basis for the inmate population in county jails and Community Service Programs.
2. Central Office Offender Information shall:
  - a. Review the report for accuracy; and
  - b. Make any changes to the recommendation on the report and enter the recommendation in the case notes in the offender management system if the amount is different than what is reflected on the report with the reason for the change stated.

IV. Reviews

- A. An inmate shall be continuously reviewed for eligibility for good time restoration. An inmate may be reviewed for restoration of forfeited good time six (6) months after conviction of any Category III or above offense, with the exceptions as previously noted in this policy. The following criteria shall be met:
  1. The inmate has completed six (6) consecutive months at an institution, community center, or in a controlled intake jail facility.
  2. During these six (6) consecutive months, the inmate shall not have received a conviction for a Category III or above offense while housed in an

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institution.

3. While the inmate has been incarcerated at a controlled intake or local facility, an incident has not occurred in jail similar to a Category III or above incident as evidenced by: (a) documentation on the inmate record, (b) additional conviction for any crime committed while housed as a controlled intake inmate, or (c) other means of verification.
- B. A maximum of ten (10) days good time may be restored for each month since conviction of a Category III or above offense. For example, six (6) months after conviction of a Category III or above offense, a maximum of sixty (60) days good time may be restored; after nine (9) months, a maximum of ninety (90) days may be restored.
1. If a break in custody occurs prior to an inmate achieving an initial six (6) consecutive months period of clear conduct, time spent in custody prior to release shall not count toward the six (6) consecutive months required for review.
  2. Upon recommitment to an institution, community center, or a controlled inmate jail facility, an inmate shall achieve six (6) consecutive months to become eligible for review.
  3. Time served prior to a break in custody shall be reviewed only after an initial six (6) months period has been achieved.
- C. If good time restoration is denied or adjusted, a written reason shall be entered into the case notes of the offender management system.
- D. Even though an inmate may receive approval for restoration of statutory good time, Corrections shall retain authority to void or adjust the amount of the restoration at any time during the inmate's incarceration if a review of the record reveals the restoration or calculation is erroneous.