

COUNCIL OF THE DISTRICT OF COLUMBIA

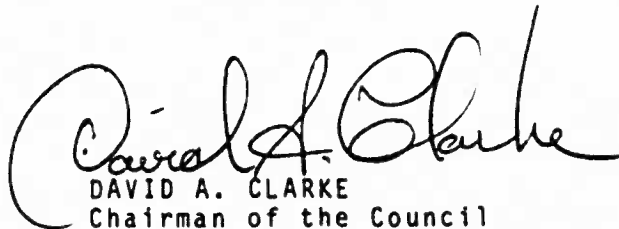
NOTICE

D.C. LAW 6-218

"District of Columbia Good Time Credits Act of 1986".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 6-505 on first and second readings, November 25, 1986, and December 16, 1986, respectively. Following the signature of the Mayor on January 8, 1987, this legislation was assigned Act 6-253, published in the January 23, 1987, edition of the D.C. Register, (Vol. 34 page 484) and transmitted to Congress on January 13, 1987 for a 60-day review, in accordance with Section 602(c)(2) of the Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 6-218, effective April 11, 1987.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 60-day Congressional Review Period:

January	13,14,15,16,20,21,22,23,26,27,28,29,30
February	2,3,4,5,6,9,10,11,17,18,19,20,23,24,25,26,27
March	2,3,4,5,6,9,10,11,12,13,16,17,18,19,20,23,24,25,26, 27,30,31
April	1,2,3,6,7,8,9,10

APR 11 1987

AN ACT

D.C. ACT 6 - 258

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JAN 08 1987

To promote a uniform system of awarding good time credits; to develop procedures for the administration of good time credits; to provide incentives for offenders to earn good time credits based on individual institutional adjustment, performance, and educational achievement; and to improve prison population control through the use of good time credits.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Good Time Credits Act of 1986".

Sec. 2. Institutional good time.

(a) Every person who is convicted of a violation of a District of Columbia ("District") criminal law by a court in the District of Columbia, imprisoned in a District correctional facility, and whose conduct is in conformity with all applicable institutional rules is entitled to institutional good time credits in accordance with the provisions of this section. Application of good time credits shall commence on the first day of the person's commitment to the custody of the Department of Corrections ("Department"), as follows:

New, D.C. Code, sec. 24-428 (1987 supp.)

(1) Five days for each month, if the sentence is not less than 30 days and not more than 1 year.

(2) Six days for each month, if the sentence is more than 1 year and less than 3 years.

(3) Seven days for each month, if the sentence is not less than 3 years and less than 5 years.

(4) Eight days for each month, if the sentence is not less than 5 years and less than 10 years.

(5) Ten days for each month, if the sentence is 10 years or more.

(6) When 2 or more consecutive sentences are to be served, the aggregate of the several sentences shall be the basis upon which the good time credits shall be applied.

(b) Good time credits authorized by the provisions of this section shall be applied to the person's minimum term of imprisonment to determine the date of eligibility for release on parole and to the person's maximum term of imprisonment to determine the date when release on parole becomes mandatory.

(c) Good time credits applied to the minimum term of imprisonment shall be computed solely on the basis of the minimum term of imprisonment. Good time credits applied to the maximum term of imprisonment shall be computed solely on the basis of the maximum term of imprisonment.

(d) Institutional good time credits under this section

shall be applied without regard to the person's award of educational good time credits under section 3.

Sec. 3. Educational good time.

New, D.C. Code,
sec. 24-429
(1987 supp.)

(a) Every person whose conduct complies with institutional rules and who demonstrates a desire for self-improvement by successfully completing an academic or vocational program, including special education and Graduate Equivalency Diploma programs, shall earn educational good time credits of no less than 3 days a month and not more than 5 days a month. These credits shall not be awarded until completion of the academic or vocational program.

(b) Educational good time credits authorized by the provisions of this section shall be applied to the person's minimum term of imprisonment to determine the date of eligibility for release on parole and to the person's maximum term of imprisonment to determine the date when release on parole becomes mandatory.

Sec. 4. Administration of good time credits.

New, D.C. Code,
sec. 24-430
(1987 supp.)

(a)(1) The Mayor shall administer the award of educational good time credits.

(2) The Mayor shall promulgate proposed rules for granting, withholding, forfeiting, cancelling, and restoring educational good time credits.

(3) The proposed rules shall be submitted to the Council of the District of Columbia ("Council") for a 45-day

period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved.

(b) The Mayor shall establish an Institutional Appeals Board ("Board") of 5 persons not employed by the Department of Corrections, to review the granting, withholding, forfeiture, cancellation, and restoration of good time credits. The Department shall provide staff support to the board. An inmate shall be entitled to appeal a decision to the board. The board shall review the record of the inmate and any additional materials submitted by the inmate or the Department. The decision of the board shall be final.

Sec. 5. Jail time; parole.

(a) Every person shall be given credit on the maximum and the minimum term of imprisonment for time spent in custody or on parole as a result of the offense for which the sentence was imposed. When entering the final order in any case, the court shall provide that the person be given credit for the time spent in custody or on parole as a result of the offense for which sentence was imposed.

(b) When a person has been in custody due to a charge that resulted in a dismissal or acquittal, the time that would have been credited against a sentence for the charge,

New, D.C. Code,
sec. 24-431
(1987 supp.)

had the charge not resulted in a dismissal or acquittal, shall be credited against any sentence that is based upon a charge for which a warrant or commitment detainer was placed during the pendency of the custody.

(c) Any person who is sentenced to a term of confinement in a correctional facility or hospital shall have deducted from the term all time actually spent, pursuant to a court order, by the person in a hospital for examination purposes or treatment prior to trial or pending an appeal.

Sec. 6. Forfeiture.

The award of good time credits for good behavior and faithful performance of duties may be forfeited, withheld, and restored by the Director, in accordance with rules promulgated by the Mayor pursuant to section 4, after a hearing, which shall be conducted in accordance with the rules.

New, D.C. Code,
sec. 24-432
(1987 supp.)

Sec. 7. Reporting requirement.

The Department shall regularly inform inmates of all awards, forfeitures, and restorations of good time credits and shall inform the Board of Parole of all persons who are expected to become eligible for release on parole within 45 days of their eligibility date and shall inform the Board of Parole of all persons whose release on parole will become mandatory within 45 days of the date when their release on

New, D.C. Code,
sec. 24-433
(1987 supp.)

parole becomes mandatory.

Sec. 8. Exceptions.

Institutional and educational good time credits shall not be applied to the minimum terms of persons sentenced under the District of Columbia Mandatory-Minimum Sentences Initiative of 1981, effective March 9, 1982 (D.C. Law 4-166; D.C. Code, secs. 22-3202, 33-501 & 33-541).

New, D.C. Code,
sec. 24-434
(1987 supp.)


Sec. 9. Section 937 of An Act to establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1341; D.C. Code, sec. 24-405), is repealed.

Repealed,
D.C. Code,
sec. 24-405
(1987 supp.)

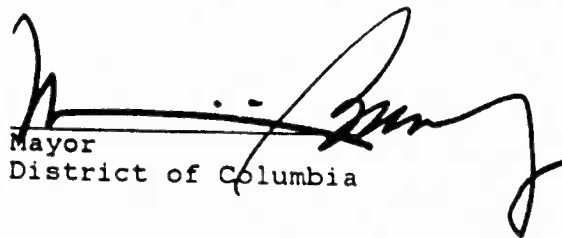
Sec. 11. Effective Date.

(a) This act shall take effect after a 60-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(2) of the District of Columbia Self-Government and Governmental Reorganization Act,

approved December 24, 1973 (87 Stat. 813; D.C. Code, sec.
1-233(c)(2)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

Approved: 1-8-87



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Six — Second Session

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO. B6-505

Item on Consent Calendar

X ACTION & DATE: Adopted First Reading, 11-25-86
X VOICE VOTE: By Majority, Member Kane voted no
Recorded vote on request

Absent: Crawford, Schwartz and Spaulding

ROLL CALL VOTE: — RESULT

(1 / 1 / 1)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN CLARKE					MASON					SPAULDING				
SMITH, JR					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell Smith
Secretary to the Council

12/29/86
Date

Item on Consent Calendar

X ACTION & DATE: Adopted Final Reading, 12-16-86

VOICE VOTE:
Recorded vote on request

Absent:

X ROLL CALL VOTE: — RESULT

(10 / 3 / 0 / 0)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN CLARKE	X				MASON	X				SPAULDING	X			
SMITH, JR	X				RAY	X				WILSON	X			
CRAWFORD	X				ROLARK	X				WINTER		X		
JARVIS	X				SCHWARTZ		X							
KANE		X			SHACKLETON	X								

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell Smith
Secretary to the Council

12/29/86
Date

Item on Consent Calendar

ACTION & DATE:

VOICE VOTE:
Recorded vote on request

Absent:

ROLL CALL VOTE: — RESULT

(1 / 1 / 1)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN CLARKE					MASON					SPAULDING				
SMITH, JR					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell Smith
Secretary to the Council

Date