1	Senate Bill No. 423
2	(By Senators Laird, Kirkendoll, Stollings, Kessler (Mr.
3	President), Cookman and Plymale)
4	
5	[Introduced March 4, 2013; referred to the Committee on the
6	Judiciary.]
7	
8	
9	
10	
11	A BILL to amend and reenact §31-20-5d of the Code of West Virginia,
12	1931, as amended, relating to providing persons convicted of
13	a criminal offense and sentenced to a six-month confinement in
14	a regional jail a reduction in sentence for successful
15	completion of education and rehabilitation programs.
16	Be it enacted by the Legislature of West Virginia:
17	That §31-20-5d of the Code of West Virginia, 1931, as amended,
18	be amended and reenacted to read as follows:
19	ARTICLE 20. WEST VIRGINIA REGIONAL JAIL AND CORRECTIONAL FACILITY
20	AUTHORITY.
21	§31-20-5d. Good-time credit.
22	(a) Any person convicted of a criminal offense and sentenced
23	to confinement in a regional jail is to be granted reduction of his

- 1 or her sentence for good conduct in accordance with this section.
- 2 (b) The reduction of sentence or good time is to be deducted
- 3 from the fixed term of determinate sentences. An inmate under two
- 4 or more consecutive sentences is allowed good time as if the
- 5 several sentences, when the maximum terms thereof are added
- 6 together, were all one sentence.
- 7 (c) Every inmate sentenced to a regional jail for a term of
- 8 confinement exceeding six months who, in the judgment of the
- 9 administrator of the regional jail facility, faithfully complies
- 10 with all rules of the regional jail during his or her term of
- 11 confinement is entitled to a deduction of five days from each month
- 12 of his or her sentence. No inmate may be granted any good time
- 13 under the provisions of this section for time spent on bond or for
- 14 time served on parole or in any other status in which he or she is
- 15 not physically incarcerated.
- 16 (d) Each inmate sentenced to a term of confinement in a
- 17 regional jail facility who participates in a general equivalency
- 18 diploma program is to be granted three days of good time for the
- 19 completion of each educational literacy level, as demonstrated by
- 20 achieving a passing score on standardized tests required by the
- 21 Department of Education, and ten days of good time for completion
- 22 of the requirements for a general equivalency diploma or high
- 23 school diploma.
- (e) Each inmate sentenced to a term of confinement in a

- 1 regional jail in excess of six months or more shall be granted five
 2 days of good time for successful completion for each of the
 3 following rehabilitation programs: Domestic violence, parenting,
 4 substance abuse, life skills, alcohol abuse and anger management or
 5 any special rehabilitation or educational program designated by the
 6 executive director. A maximum of thirty days good time shall be
 7 granted for successful completion of all six programs. The fee for
 8 each class is \$25 which is due upon enrollment. If an inmate is
 9 unable to pay a fee or fees in full at the time of enrollment, it
 10 may be paid by deductions from his or her inmate trust account,
 11 subject to the provisions of subsection (f), section thirty-one of
 12 this article. No more than one half of the amount in the inmate
 13 trust account during any one-week period may be so deducted.
- 14 (f) The administrator of a regional jail facility may, with 15 the approval of the Governor, allow extra good time for inmates who 16 perform exceptional work or service.
- (g) The Regional Jail and Correctional Facility Authority
 18 shall promulgate disciplinary rules for the regional jail
 19 facilities. The rules are to describe prohibited acts, procedures
 20 for charging individual inmates for violations of the rules and for
 21 determining the guilt or innocence of inmates charged with the
 22 violations and sanctions that may be imposed for the violations.
 23 For each violation by an inmate, any part or all of the good time
 24 that has been granted to the inmate may be forfeited and revoked by

- 1 the administrator of the regional jail facility. The
- 2 administrator, when appropriate and with approval of the executive
- 3 director, may restore any good time forfeited for a violation of
- 4 the rules promulgated or adopted pursuant to this subsection.
- 5 (h) Each inmate sentenced to a term of confinement in a 6 regional jail in excess of six months shall, within seventy-two 7 hours of being received into a regional jail, be given a copy of 8 the disciplinary rules, a statement setting forth the term or
- 9 length of his or her sentence or sentences and the time of his or
- 10 her minimum discharge.

(NOTE: The purpose of this bill is to include those sentenced to six months in regional jails to be eligible for good time credit.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.)