

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 for

4 **H. B. 3205**

5
6 (By Delegates Boggs and Swartzmiller)

7
8 [Passed March 9, 2011; in effect from passage]

9
10 AN ACT to amend and reenact §31-20-5d of the Code of West Virginia,
11 1931, as amended, relating to providing persons convicted of
12 a criminal offense and sentenced to confinement in a regional
13 jail a reduction in sentence for successful completion of
14 education and rehabilitation programs; increasing the time
15 permitted by a sentence reduction from one day to five days
16 per program; adding an alcohol abuse program to the programs
17 offered; increasing the total time permitted by sentence
18 reduction to thirty days; and establishing an enrollment fee
19 for each program.

20 *Be it enacted by the Legislature of West Virginia:*

21 That §31-20-5d of the Code of West Virginia, 1931, as amended,
22 be amended and reenacted to read as follows:

23 **ARTICLE 20. WEST VIRGINIA REGIONAL JAIL AND CORRECTIONAL FACILITY**

24 **AUTHORITY.**

25 **§31-20-5d. Good time credit.**

26 (a) Any person convicted of a criminal offense and sentenced
27 to confinement in a regional jail is to be granted reduction of his
28 or her sentence for good conduct in accordance with this section.

1 (b) The reduction of sentence or good time is to be deducted
2 from the fixed term of determinate sentences. An inmate under two
3 or more consecutive sentences is allowed good time as if the
4 several sentences, when the maximum terms thereof are added
5 together, were all one sentence.

6 (c) Every inmate sentenced to a regional jail for a term of
7 confinement exceeding six months who, in the judgment of the
8 administrator of the regional jail facility, faithfully complies
9 with all rules of the regional jail during his or her term of
10 confinement is entitled to a deduction of five days from each month
11 of his or her sentence. No inmate may be granted any good time
12 under the provisions of this section for time spent on bond or for
13 time served on parole or in any other status in which he or she is
14 not physically incarcerated.

15 (d) Each inmate sentenced to a term of confinement in a
16 regional jail facility who participates in a general equivalency
17 diploma program is to be granted three days of good time for the
18 completion of each educational literacy level, as demonstrated by
19 achieving a passing score on standardized tests required by the
20 department of education, and ten days of good time for completion
21 of the requirements for a general equivalency diploma or high
22 school diploma.

23 (e) Each inmate sentenced to a term of confinement in a
24 regional jail in excess of six months shall be granted five days of
25 good time for successful completion for each of the following
26 rehabilitation programs: Domestic violence, parenting, substance
27 abuse, life skills, alcohol abuse, and anger management or any
28 special rehabilitation or educational program designated by the

1 executive director. A maximum of thirty days good time shall be
2 granted for successful completion of all six programs. The fee for
3 each class is \$25 which is due upon enrollment. If an inmate is
4 unable to pay a fee or fees in full at the time of enrollment, it
5 may be paid by deductions from his or her inmate trust account,
6 subject to the provisions of subsection (f), section thirty-one of
7 this article. No more than one half of the amount in the inmate
8 trust account during any one week period may be so deducted.

9 (f) The administrator of a regional jail facility may, with
10 the approval of the Governor, allow extra good time for inmates who
11 perform exceptional work or service.

12 (g) The Regional Jail and Correctional Facility Authority
13 shall promulgate disciplinary rules for the regional jail
14 facilities. The rules are to describe prohibited acts, procedures
15 for charging individual inmates for violations of the rules and for
16 determining the guilt or innocence of inmates charged with the
17 violations, and sanctions that may be imposed for the violations.
18 For each violation by an inmate, any part or all of the good time
19 that has been granted to the inmate may be forfeited and revoked by
20 the administrator of the regional jail facility. The
21 administrator, when appropriate and with approval of the executive
22 director may restore any good time forfeited for a violation of the
23 rules promulgated or adopted pursuant to this subsection.

24 (h) Each inmate sentenced to a term of confinement in a
25 regional jail in excess of six months shall, within seventy-two
26 hours of being received into a regional jail, be given a copy of
27 the disciplinary rules, a statement setting forth the term or
28 length of his or her sentence or sentences, and the time of his or

1 her minimum discharge.