

**IN THE TRIBAL COURT
FOR THE
ASSINIBOINE AND SIOUX TRIBES**

ADMINISTRATIVE ORDER 2019-9.0

ORDER CONCERNING APPLICATION OF SENTENCE REDUCTIONS FOR "GOOD TIME" OF INMATES

WHEREAS, the Court sees the need to outline the parameters of "good time", and

WHEREAS, the Court needs to modify the current system because it has been applied at an excessive rate.

THEREFORE, the Court modifies the parameters of "good time" to the following:

1. The Adult Detention Handbook (Volume 3 Page 7.5.1) utilized by the Fort Peck Adult Corrections is attached to this Order and is the resource available when requesting a sentence reduction for good time.
2. Sentence reduction is not mandatory and will be at the discretion of the Court.
3. The information must be provided to the Court in well-documented form; such as a spreadsheet, logs or other evidence of proper timekeeping.
4. The ratio recognized by the Court is a 1 for 1 formula, meaning every day reduces the sentence by one day, up to a maximum of 54 days each calendar year.
5. Please note, the Adult Detention Handbook (Volume 3 Page 7.5.1) refers to inmates working in the facility and the Comprehensive Code of Justice (Title 3 Sec. 306) refers to inmates working for the betterment of the Tribes upon authorization of the Presiding Judge of the Tribal Court.
6. Once requests are submitted, a hearing may be scheduled.
7. Good time is subject to revocation as a result of the inmate engaging in criminal acts and/or misconduct. The Court will schedule a hearing if good time is subject to revocation.

This policy supersedes Administrative order 2016-9.1 and shall remain in effect until further notice or until superseded by future policy.

DATED THIS 17TH DAY OF SEPTEMBER 2019.



Stacie Smith
Chief Judge

SECTION 5. SENTENCE REDUCTION

Statement of Purpose. The facility administrator or designee calculates "good time" or a reduction in sentences. If authorized by tribal code, all inmates are eligible for sentence reduction at the rate allowed by tribal code. The facility administrator or designee has the right to revoke "good time" for just cause.

General Information.

1. Each program identifies circumstances under which "good time" may be earned and revoked.
2. Each program attaches to this chapter the applicable section of tribal code which authorizes sentence reduction.

Definitions.

1. Good Time. This is the practice of allowing inmates to reduce the amount of time they must actually serve on their sentence by working in the facility. Good time is often expressed as a ratio, i.e., 1 for 1 (every day worked reduces the sentence by one day).
2. Good Time Calculation Form. This is a form used to calculate an inmate's accumulated good time.

Documentation.

1. Good Time Calculation Form.

Procedures.

Calculation of Good Time. This procedure explains how and when good time is calculated. This procedure must be tailored for each facility. It includes:

1. If the jurisdiction applies good time.
2. The formula for calculating good time, including how to calculate the release date applying the formula for good time.
3. How an inmate petitions the court for good time, if applicable.
4. Who monitors good time for the facility.
5. Rate at which good time is earned.
6. Where good time is recorded once it is calculated to ensure the proper release of the inmate, such as use of a Good Time Calculation Form.

Revocation of Good Time. This procedure explains how and when good time is revoked. This procedure must be tailored for each facility. It includes:

1. If good time may be revoked.
2. Circumstances under which good time may be revoked, if applicable.
3. Who can revoke good time.
4. How Volume 3, Chapter 3, Section 7, Inmate Grievances relates.
5. Where revocation of good time is recorded to ensure the proper release of the inmate