

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject COMPUTATION OF PROJECTED RELEASE DATES	Policy Number DM-2 Effective Date 02-06-24
Related Information ARS 31-144 DM-1, <i>Inmate Work Program</i> DO-2, <i>Release Process</i> DP-1, <i>Inmate Programs</i>	Supersedes DM-2 (12-04-15)	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for computing the projected release dates of sentenced inmates.

POLICY

It is the policy of the Office to ensure the calculation of a projected release date is based on the inmate's start date of the sentence, the concurrent or consecutive status of the sentence, or eligibility for double time credit. Accurate calculations are essential for the legal and timely release of inmates. Calculations shall be made in accordance with all applicable laws and shall be implemented uniformly at all Office jail facilities.

DEFINITIONS

Concurrent Sentence: Refers to jail sentences that may be served at the same time with the longest period controlling.

Confinement Order: An official document issued by a court that states a convicted person's sentencing information.

Consecutive Sentence: Refers to jail sentences that must be served one after the other rather than at the same time.

Double Time Credit (Two-For-One): A method of release computation which results in an inmate receiving two days credit for every one day they have participated in an approved work program, as specified in Arizona Revised Statutes (ARS) 31-144.

Inmate: A person who has been accepted for confinement into an Office jail facility.

Self-Surrender: An adult or juvenile remanded to the adult court system who is not in custody and is ordered by the court to present themselves to the Maricopa County Sheriff's Office (MCSO) for confinement.

Sentence: A period of incarceration ordered to be served in the Maricopa County Jail System imposed either as an order of confinement or a term of probation. This Office policy does not address periods of incarceration ordered served in institutions other than Maricopa County jail facilities.

Sheriff's Inmate Electronic Data (SHIELD): An Office jail management system containing information about individuals who are, or have been, incarcerated or booked into an MCSO jail facility. Information is entered in this database when an individual is booked and updated throughout the term of incarceration. This includes but is not limited to: inmate charges; holds; court dispositions; bond and fine amounts; a list of inmate's personal property at the time of booking; housing locations; restrictions; emergency medical information; scheduled inmate appointments; and the day-to-day operations of an Office jail facility housing unit shift logs.

PROCEDURES

1. **Computing Release Dates:** Unless explicitly directed otherwise in the order of confinement, release dates shall be computed in the following manner:
 - A. A concurrent sentence shall be served at the same time as any other sentence that the inmate is currently serving.
 - B. A consecutive sentence shall begin immediately upon completion of any other sentences that the inmate is currently serving.
 - C. An hourly sentence shall require that the inmate serve no fewer than the specified number of hours designated in the order of confinement prior to release.
 - D. A one-day sentence from any court other than Initial Appearance (IA) Court shall require that the inmate not be released from custody before 0001 hours on the day following commencement of the sentence. Inmates ordered to serve a one-day sentence by IA Court shall be required to serve a minimum of eight hours from the time of sentencing, prior to being released.
 - E. A one-month sentence shall be calculated as the number of days in the month in which the sentence begins. A sentence for two or more months shall be calculated as the number of days in the month the sentence begins, plus the number of days in any subsequent months.
 - F. A one-year sentence shall be calculated as 365 days.
2. **Sentence Start Date:** A sentence shall begin on the date specified in the confinement order. If there is no specified start date, and the inmate is not serving any other sentences, the sentence shall begin on the date the confinement order was signed and issued unless otherwise specified in the confinement order. If the inmate is currently serving a sentence on a separate case when the confinement order is issued, and there is no specified start date on the confinement order, the new sentence shall be served consecutive to the already existing sentence.
3. **Multiple Sentence Calculation:** When an inmate is serving multiple sentences, they shall be served either consecutively or concurrently to one another. Unless directed otherwise in the confinement order, computations involving multiple sentences shall be based on the following:
 - A. Sentences imposed with a specific starting date shall be served concurrently to any previously imposed sentences;
 - B. Sentences imposed with a specific release date shall be served concurrently to any previously imposed sentences;
 - C. Sentences shall never be interrupted or postponed by a sentence imposed at some future date; and
 - D. All other multiple sentences shall be served consecutively.
4. **Double Time/Two for One Credit Calculation:** Fully sentenced working inmates may receive two for one credit as specified by the sentencing court and Arizona Revised Statutes (ARS) 31-144.
 - A. Eligible inmates must actively participate in an approved work program to receive double time credit.

1. Double time credit shall be awarded for each day an eligible working inmate successfully participates in a work program.
 2. Credits more than double time, such as triple time, shall not be awarded.
 3. Inmate records shall be updated as changes occur to reflect status and projected release dates.
 4. The Sheriff or designee may declare all or part of the double time credit forfeited in cases of breach of trust or security on the part of the inmate. A memorandum shall be forwarded to the Workbox Unit to indicate that all or part of the double time credit be removed from the inmate's work record.
 5. Participation in non-work inmate programs, educational programs, or religious services, as specified in Office Policy DP-1, *Inmate Programs*, shall not be considered in the computation of two for one credit.
 6. Inmates participating in the Work Release program or the Work Furlough program are **not** eligible for two for one credit.
- B. An inmate, participating in an approved work program and sentenced under any of the following conditions, shall not be eligible to receive double time credit:
1. A specific release date has been designated in the order of confinement;
 2. The order of confinement denies double time credit by specifying "FLAT TIME," "STRAIGHT TIME," or specifically states in understandable language that two for one credit is not to be granted; or
 3. When sentenced to days for dollars, as specified in this Office Policy.
5. **Days for Dollars:** A sentence to pay either a fine or be incarcerated for a specified number of days shall be computed as follows when the inmate has served one or more days of their sentence:
- A. The per diem rate applied to the fine portion of the sentence shall be determined by dividing the fine amount by the number of days to be incarcerated, and then rounding it to the nearest whole dollar.
 - B. Time in custody shall not be credited toward the payment of fines imposed for civil child support cases. Typically, the order of confinement shall indicate that the fine be "cash only," and specify either a court appearance review date or a court ordered release date.
6. **Releases:** The Workbox Unit shall be responsible for entering the projected release dates of all fully sentenced inmates in the appropriate Sheriff's Inmate Electronic Data (SHIELD) format, and updating as needed, as specified in Office Policy DM-1, *Inmate Work Program*. The Workbox Unit shall access the appropriate SHIELD format daily, working in conjunction with the designated jail facility to determine which fully sentenced inmates are to be released. Inmates who have completed their sentences, and have no conditions barring their release, shall be processed for release at the Intake Transfer and Release (ITR) facility, as specified in Office Policy DO-2, *Release Process*. ITR personnel shall ensure the following release procedures for fully sentenced inmates are followed:
- A. Inmate work records shall be checked for accuracy and any discrepancies shall be resolved prior to the inmate's release.
 - B. Inmates shall normally be released prior to 1200 hours on the last day of their sentence.

1. Inmates participating in a work program to earn double time credit may be released after 1200 hours of the last day of their sentence.
 2. After review and approval by a supervisor, adult inmates who are identified by Correctional Health Services (CHS) as Seriously Mentally Ill (SMI) or with medical issues are being released unescorted from a jail facility, may await transport by a social services agency or responsible adult or parties in a designated public area of the release facility. When the inmate is released from Office custody, the releasing facility has no authority to further detain the person, as specified in Office policy DO-2, *Release Process*.
 3. After review and approval by a supervisor, juvenile inmates shall only be released to a parent, guardian, custodian, or other responsible adult. If no parent, guardian, custodian, or other responsible adult can be located, the juvenile inmate shall be released to the Arizona Department of Child Safety, as specified in Office policy DO-2, *Release Process*.
 4. After review and approval by a supervisor and it is determined that a juvenile inmate cannot be released to a parent, guardian, custodian, or other responsible adult and ADCS cannot take custody of the juvenile, the Initial Appearance (IA) Judge is to be contacted for further release instructions as specified in Office policy DO-2, *Release Process*.
- C. Questions concerning the release dates of fully sentenced inmates or double time credits of working inmates shall be directed to the Workbox Unit to be resolved, prior to an inmate's release from custody.