

(holding that a judge may impose a sentence consecutive "to whatever other unsuspended sentence of confinement then exists"). Subsection (c)(1) addresses the situation in which an inmate is convicted of and sentenced to a term of imprisonment for a sexual offense after the inmate has been sentenced for the charge for which the inmate was being held at the time of the sexual offense. Subsection (c)(2) addresses the situation in which an inmate is convicted of and sentenced to a term of imprisonment for a sexual offense before the inmate has been sentenced for the charge for which the inmate was being held at the time of the sexual offense.

Defined terms: "Inmate" § 1-101

"Local correctional facility" § 1-101

"State correctional facility" § 1-101

#### 9-202. CONSECUTIVE AND CONCURRENT SENTENCES — MULTIPLE JURISDICTIONS.

##### (A) DEFINITIONS.

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "DIVISION CUSTODY" MEANS CONFINEMENT RESULTING FROM A SENTENCE TO THE JURISDICTION OF THE DIVISION OF CORRECTION.

(3) (I) "NON-DIVISION CUSTODY" MEANS ANY POST-SENTENCING CRIMINAL CONFINEMENT OTHER THAN DIVISION CUSTODY.

(II) "NON-DIVISION CUSTODY" INCLUDES CONFINEMENT RESULTING FROM A SENTENCE TO:

1. A LOCAL CORRECTIONAL FACILITY; OR
2. A CORRECTIONAL FACILITY IN A FOREIGN JURISDICTION.

##### (B) COMMENCEMENT OF CONSECUTIVE SENTENCES.

(1) A SENTENCE TO A TERM OF DIVISION CUSTODY THAT IS IMPOSED CONSECUTIVE TO A TERM OF NON-DIVISION CUSTODY SHALL BEGIN WHEN THE INDIVIDUAL IS RELEASED FROM NON-DIVISION CUSTODY DUE TO THE EXPIRATION OF A SENTENCE, PAROLE, OR THE APPLICATION OF DIMINUTION CREDITS.

(2) A SENTENCE TO A TERM OF NONDIVISION CUSTODY THAT IS IMPOSED CONSECUTIVE TO A TERM OF DIVISION CUSTODY SHALL BEGIN WHEN THE INDIVIDUAL IS RELEASED FROM DIVISION CUSTODY DUE TO THE EXPIRATION OF A SENTENCE, PAROLE, OR THE APPLICATION OF DIMINUTION CREDITS.

##### (C) SENTENCE CONSECUTIVE TO PAROLE.

A SENTENCE IMPOSED CONSECUTIVE TO A TERM OF CONFINEMENT FOR WHICH THE DEFENDANT IS ON PAROLE SHALL BEGIN:

(1) IF, AT THE TIME OF SENTENCING, PAROLE IS REVOKED, ON EXPIRATION OF THE ORIGINAL TERM OF CONFINEMENT; OR