

(1) FROM THE FIRST DAY OF THE INMATE'S POSTSENTENCE COMMITMENT TO THE CUSTODY OF THE LOCAL CORRECTIONAL FACILITY TO THE LAST DAY OF THE INMATE'S MAXIMUM TERM OF CONFINEMENT;

(2) AT THE RATE OF 5 DAYS FOR EACH CALENDAR MONTH; AND

(3) ON A PRORATED BASIS FOR ANY PORTION OF A CALENDAR MONTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 704A(d).

In subsection (a) of this section, the former reference to "the inmate's future good conduct" is deleted as unnecessary in light of § 11-507 of this subtitle, which provides that diminution credits that are awarded under this section may be revoked for violations of disciplinary rules.

In subsection (b)(1) of this section, the reference to the first day of an inmate's "postsentence" commitment to a local correctional facility is added to state expressly that which was only implied in the former law, *i.e.*, an inmate is allowed deductions under this section only for time served in postsentence confinement. No substantive change is intended.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the standard for good conduct that is established in this section for postsentence confinement is different than the standard for good conduct that is established in § 11-503 of this subtitle for presentence confinement. Under this section, an inmate is allowed an initial deduction from the inmate's term of confinement that is calculated at a rate of 5 days for each calendar month of postsentence confinement. As provided in § 11-507 of this subtitle, these deductions may be revoked only if the inmate violates the rules of discipline. There is no statutory authority for revoking the deductions that are allowed under this section for failure to "[labor] with diligence and fidelity when the opportunity for labor is available". The General Assembly may wish to amend one or both of these sections to make the standard for good conduct the same for both presentence and postsentence confinement.

Defined terms: "Inmate" § 1-101

"Local correctional facility" § 1-101

11-505. SAME — INDUSTRIAL, AGRICULTURAL, OR ADMINISTRATIVE TASKS; EDUCATIONAL AND TRAINING COURSES.

(A) IN GENERAL.

IN ADDITION TO ANY OTHER DEDUCTIONS ALLOWED UNDER THIS SUBTITLE, AN INMATE MAY BE ALLOWED A DEDUCTION OF 5 DAYS FROM THE INMATE'S TERM OF CONFINEMENT FOR EACH CALENDAR MONTH OF PRESENTENCE OR POSTSENTENCE CONFINEMENT DURING WHICH THE INMATE MANIFESTS: