

Army Regulation 633-30
AFR 125-30

Apprehensions and Confinement

Military Sentences to Confinement

Headquarters
Departments of the Army, Air Force
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UNCLASSIFIED

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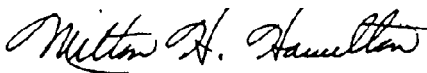
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Applicability. Not applicable

Proponent and exception authority. The proponent agency of this regulation is the office of the Deputy Chief of Staff for Operations and Plans.

Army management control process.
Not applicable.

Supplementation. Not applicable

Interim changes. Not applicable

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Section I GENERAL

1. Purpose.

a. This regulation prescribes procedures for the computation of sentences to confinement of persons subject to the Uniform Code of Military Justice serving sentences in the custody of the Department of the Army or Air Force. Such persons are hereinafter referred to as prisoners.

b. The premature or tardy release of prisoners from confinement results in poor prisoner morale and reflects unfavorably upon the administration of confinement by the Departments of the Army and the Air Force. Further, it is imperative that the essential legal rights of the individual be protected by insuring that he is not held beyond the proper release date. Accordingly, commanding officers of confinement facilities will exercise close and continuing command supervision over the computation of sentence expiration dates.

c. Questions regarding clarification of computation of expiration date for Army prisoners will be forwarded to the Office of the Deputy Chief of Staff for Operations and Plans (DAMO-ODL), Washington, DC 20310-0440. Questions regarding clarification of computation for Air Force prisoners will be forwarded to HQ AFOSP/SPOL, Kirkland AFB NM 87117-6001.

2. Definitions.

For the purpose of this regulation, the following definitions, in addition to those contained in AR 190-47 and AFR 125-18, are applicable:

a. Abatements.

(1) *Good conduct time.* Any deductions from the term of a sentence for good conduct.

(2) *Extra good time.* Any deductions from the term of a sentence which may be earned for actual employment in assignments for which extra good time has been approved.

b. *Inoperative time.* Any period of time during which a prisoner is not credited with serving his sentence to confinement (para. 5b).

c. *Full term of sentence.* The entire sentence to confinement without deductions for abatements.

d. *Short term of sentence.* The full term of sentence as reduced by credit for abatements.

e. *Maximum release date.* (Applicable to sentences adjudged on or after 31 May 1951.) The day preceding the date determined by adding the full term of the sentence to the beginning date of the sentence.

f. *Minimum release date.* (Applicable to sentences adjudged on or after 31 May 1951.) The maximum release date reduced by the actual number of days of abatement credited on the sentence and further adjusted by forfeitures of abatement, where applicable.

g. *Short term release date.* (Applicable to sentences adjudged prior to 31 May 1951.) The day preceding the date determined by adding the term of the sentence as reduced by abatements to the beginning date of the sentence.

h. *Parole violator term.* The unexpired term of the sentence to be served by a prisoner who has violated parole determined as follows:

(1) For a prisoner whose sentence was adjudged prior to 31 May 1951, such term will be determined by extending the short term release date of the sentence prior to his going on parole, by the time difference (number of calendar months and days) between the date of release on parole and the date of return to confinement and further extending that date on an actual day basis by the number of days good conduct time to the prisoner's credit on the date of parole. Such term may later be reduced by the restoration of the good conduct time forfeited.

(2) For a prisoner whose sentence is adjudged on or after 31 May 1951, such term will be the actual number of days difference between the date of release on parole and the maximum expiration date of his sentence. This term may be reduced by the good conduct time which may be earned on the parole violator term at the rate applicable to the full term of the sentence. The day of release on parole is credited as a day in confinement. Parole violators will not be credited with good conduct time or extra good time which was earned prior to the date of their release on parole.

3. Abbreviations.

For the purpose of this regulation only, the following abbreviations are applicable to the "examples" shown in sections II and III: