



PERSONNEL AND  
READINESS

UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000



SEP 17 2004

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (MANPOWER &  
RESERVE AFFAIRS)  
ASSISTANT SECRETARY OF THE NAVY (MANPOWER &  
RESERVE AFFAIRS)  
ASSISTANT SECRETARY OF THE AIR FORCE (MANPOWER &  
RESERVE AFFAIRS)

SUBJECT: Clarification of DoD Policy on Abatement of Sentences to Confinement

This directive-type memorandum restates the new policy on abatement of sentences to confinement and procedures for DoD correctional facilities announced on June 23, 2004, with clarification to one paragraph of the attachment (paragraph A2.2.2.).

Except as provided in the attachment, the attachment supersedes subparagraph 6.3.2. and enclosure 26 of DoD Instruction 1325.7, "Confinement of Military Prisoners and Administration of Military Correctional Programs and Facilities," and will be incorporated into the next revision of that instruction.

Except as otherwise provided in the attachment, this memorandum and its attachment are effective on October 1, 2004.

David S. C. Chu

Attachment  
As stated



## ABATEMENT OF SENTENCES TO CONFINEMENT

A1. Good conduct time (GCT), earned time (ET), and special acts abatement (SAA), as described in this attachment, are the only types of abatement of a sentence to confinement authorized in DoD correctional facilities or for DoD prisoners transferred to a Federal Bureau of Prisons (FBOP) facility.

A2. GCT. GCT is a deduction from a prisoner's release date for good conduct and faithful observance of all facility rules and regulations.

### A2.1. Eligibility.

A2.1.1. Subject to section A6., below, GCT shall be awarded to each prisoner serving a sentence imposed by a court-martial for a definite term of confinement.

A2.1.2. For prisoners who have an approved finding of guilty for an offense that occurred after the effective date of this attachment, the award of GCT shall be conditioned on the prisoner submitting an acceptable release plan and fully cooperating in all other respects with the mandatory supervision policy of DoD Instruction 1325.7, if directed to do so.

A2.1.3. Pretrial prisoners shall earn GCT for confinement served, but any earned GCT shall not be awarded until a sentence is adjudged and pretrial credit is ascertained.

A2.1.4. GCT shall not be awarded to a prisoner who has a life, life without parole, or death sentence. Prisoners with one of these sentences shall earn GCT, but it shall be held in abeyance and awarded only if the sentence is reduced to a determinate length.

### A2.2. Rate of Earning.

A2.2.1. Except as provided in subparagraph A2.2.2., below, GCT shall be awarded at a rate of 5 days for each month of confinement, and 1 day for each 6-day portion of a month (see Table A2.T1.), regardless of sentence or multiple sentence length.

~~A2.2.2. Prisoners who do not have an approved finding of guilty for an offense that occurred after the effective date of this attachment shall be awarded GCT at the rates specified in DoD Instruction 1325.7, enclosure 26.~~

*A2.2.2. With respect to sentences adjudged prior to January 1, 2005, GCT shall be awarded at the rates specified in DoD Instruction 1325.7, enclosure 26.*

A2.2.3. GCT shall be calculated in accordance with DoD 1325.7-M, DoD Sentence Computation Manual.