COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE SEPTEMBER 26, 2025	EFFECTIVE DATE SEPTEMBER 26, 2025	NO. 069-25
SUBJECT: GENERAL ORDER **Good Behavior Credit for Sentenced Incarcerated Individuals**		DISTRIBUTION **Jail Bureau Personnel**	AMENDS
REFERENCE: Part 7007 of Title 9 of the Official Compliance Codes, Rules, & Regulations of the State of New York (9NYCRR Part 7007), Part 7006.9 (6) of the Official Compliance Codes, Rules, & Regulations of the State of New York (9NYCRR Part 7006), Correction Law 500-L 600-a, 804, and 804-a, NYS Penal Law 70.00, 70.25 (1.b), 70.30 (2, 3), Judiciary Law 750, 751, General Construction Law Article 2 (24)			RESCINDS NEW

Purpose: To establish and maintain policies and procedures relative to the allotment and removal of good time credit for Incarcerated Individuals (II's) serving a local, civil, or judiciary contempt sentence in the custody of the Monroe County Sheriff's Office (MCSO).

Policy: It will be the policy of the MCSO to establish and observe procedures that enable staff to properly calculate local or civil sentences for County Incarcerated Individuals in the Monroe County Jail (MCJ). Sentence calculations will be conducted in accordance with Part 7007 of Title 9 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (9NYCRR Part 7007), Part 7006.9 (6) of the Official Compilation of Codes, Rules, and Regulations of the State of New York (9NYCRR Part 7006), New York State Penal Laws 70.00, 70.25 (1.b), 70.30 (2,3), Correction Laws 500-L, 600-a, 804, and 804-a, Judiciary Laws 750 and 751, and General Construction Law Article 2 (24) in such a way that will ensure accuracy and proper custody status of the Incarcerated Individuals housed in the facility.

Definitions: Definite Local Sentence: A fixed length of time that a person must serve in jail as punishment for a crime, as specified by the court.

Civil Commitment: A fixed length of time that a person must serve in jail for failure to comply with a court order in a civil case, as specified by the court. Examples: failure to pay child support or other court-ordered fines or fees.

Judiciary Contempt Sentence: A fixed length of time a person must serve in custody as punishment for obstructing or disrespecting the judicial process, as specified by the court.

I. Good Behavior Credit

A. All Incarcerated Individuals serving a definite local sentence of imprisonment may receive good time allowances as discretionary reductions of the term of sentence, as provided by Correction Law 804. Good behavior allowance must not exceed one-third of the court-imposed length of sentence.

B. All Incarcerated Individuals serving a civil commitment for a fixed period of time, whose release is not conditional upon any act within his or her power to perform (i.e. pay a fine/delinquent child support), may receive good behavior time allowances as discretionary reductions of the term of his or her commitment, as provided by Correction Law 804-a. Good behavior allowance must not exceed one-third of the court-imposed length of sentence.

Note: If there is a payment option which would result in the court ordering the release of the Incarcerated Individual, good behavior credit is NOT applied to the sentence calculation.

C. Good behavior credit allowances may be reduced based on sustained disciplinary sanctions. In this case, a **JB-465-25 – Loss of Good Behavior Credit Form** will be delivered to Jail Records in order to adjust the sentence calculation. A copy of this form will remain in the associated Incarcerated Individual's Jail Records file. (Refer to JBGO-007-23).

D. An Incarcerated Individual who has lost good behavior credit as a result of a sustained disciplinary sanction may petition to the Chief Administrative Officer (CAO) to have good behavior credit restored utilizing **JB-351-24 – Request for Good Time Restoration**.

E. Good behavior credit may fluctuate based on subsequent sentences which cause an increase in the sentence term.

II. Record Keeping

A. In conjunction with the maintenance of other records and accounts as required by law, the Local Sentenced In-Custody List is a written record that is kept of every person confined in the Monroe County Jail who may be eligible to receive a discretionary reduction of a definite sentence or sentences, or who may be eligible to receive a discretionary reduction of the term or terms of civil commitment by reason of the application of good behavior allowances.

B. A record provided **(JB-414 Sentence Term Calculation Form)** shall indicate the manner in which the discretionary good behavior allowance was calculated and applied to the term of the sentence(s) or civil commitment imposed by the court, to establish the date of discharge.

C. Upon commencement of any sentence, the Incarcerated Individual will be provided a copy of the Sentence Term Calculation Form (JB-414), specifically explaining their sentence terms, including good time allowances pursuant to Correction Law 804 and/or Correction Law 804-a. The Incarcerated Individual will sign one copy and it will be returned to Jail Records and placed in their Jail Records file. The Incarcerated Individual will also be provided a copy of the Sentence Term Calculation Form for their own record keeping.

D. All sentence term calculations, securing orders, and release orders will be maintained in the Jail Records folder for each associated individual. Upon release, the documents will be transferred to the Criminal Records Unit for storage in the individual's historical file.

E. All information pertaining to the reason for commitment of an individual to the Monroe County Jail is provided to the public via the Monroe County Sheriff's website, specifically the Jail Census.

III. Weekend and Holiday Discharge Dates

A. If the discharge date for an Incarcerated Individual falls on a Saturday or Sunday, the Incarcerated Individual shall be released from custody on the preceding Friday. If the discharge date for an Incarcerated Individual falls on a legal holiday, the Incarcerated Individual shall be released the preceding day, except when such legal holiday falls on a Monday, in which case the Incarcerated Individual shall be released from custody on the preceding Friday.

B. Holidays Identified by General Construction Law Article 2 (24):

1. New Year's Day

2. Dr. Martin Luther King Day

3. Lincoln's Birthday
4. Washington's Birthday
5. Memorial Day
6. Juneteenth
7. Independence Day
8. Labor Day
9. Columbus Day
10. Veterans Day
11. Thanksgiving
12. Christmas Day
13. General Election Day

Note: If any such day is falls on a Sunday, the next day thereafter is the recognized holiday.

By order of the Sheriff

Todd K. Baxter