

TIME SERVED

Law enforcement officers, prosecutors, and other North Dakotans often talk about the “**revolving door**” of criminals.

- Criminals reappear in the community far earlier than their sentences dictate, then commit new crimes and go back to jail.

Judges make comments on and off the record about DOCR greatly reducing the time inmates spend incarcerated compared to their sentences, even when time spent in transition centers is included.

- *“A two year sentence means you're only going to be out there for two, three months.”*
- *“The Department of Corrections has their own policy on how much time you're going to serve,” Weiler explained, per the Associated Press. “These are not mandatory minimums, which means that you're probably going to serve a small portion of that 28 years and be out on parole, so that'll ... give you an opportunity to have a second chance that Deputy Martin does not have, nor does his family have.”*

“Time served” calculations are inflated because they are based on inflated figures. When calculating the “time served” for an inmate, DOCR includes:

- Time an individual spends incarcerated, PLUS time spent out of confinement, in transitional facilities, and
- Good time and meritorious conduct time.
 - Good time is inflated. See the handout on *Good Time*.
 - Transitional facilities are not incarceration. Most inmates in transition centers have complete access to the community during the day. Walking away from a transitional facility is not hard and not uncommon. See the handout on *Transitional Facilities*.

Examples of actual time served:

- Josiah Anderson
Conspiracy to deliver a controlled substance – 4 year sentence
Time served in jail or prison – 190 days or 13% of his sentence
- Kevin Luke
Dealing fentanyl (2 cases) – 2 year sentence
Time served in jail or prison – 52 days or 7.1% of his sentence
- Cori Willard
Second time possessing meth with intent to deliver – 4 year sentence
Time served in jail or prison – 71 days or 4.9% of her sentence
- Cory Reis
Fourth drug dealing offense (while on parole) – 5 year sentence
Time served in jail or prison – 701 days or 38.4% of his sentence