WOMAN'S PRISON: Whether diminution of sentences applies to any inmate sentenced for shorter period of time than one year.

June 10, 1933.

Mrs. Marian F. Gallup, Supt.,
The Indiana Woman's Prison,
Indianapolis, Indiana.

Dear Madam:

I have before me your letter of June 9, 1933, which reads in part as follows:

"Please kindly give us an opinion on the following: Referring to chapter 164, page 858 of the Acts of the Indiana general assembly of 1933, Does the diminution of sentences apply to any inmate sentenced for a shorter period of time than one year, who has a definite sentence; for example, a sentence for 60 days with a fine and cost of $130.00 or a sentence of 30 days with a small fine and costs?"

Section 1 of the act in question contains the following provision:

"That every inmate who is now or hereafter may be confined in the Indiana State Prison, Indiana Reformatory, or Indiana Woman's Prison, for a determinate term of imprisonment, and who, while an inmate in such institution, shall have no infractions of the rules and regulations of the institution, nor infractions of the laws of the State of Indiana or laws of the United States recorded against him or her, and who performs in a faithful manner the duties assigned to him or her while an inmate, shall be entitled to a diminution of time from his or her sentence as indicated in the following table for the respective years of his or her sentence, including time being served for unpaid fine or costs, and pro rata for any part of a year when the sentence is for more or less than a year." (Our italics.)

It seems clear that the language used in this act is capable of only one interpretation; and that is, that inmates of your institution sentenced for a determinate period of less than a year, are entitled to the benefits of the "good time" table prorated for the period of the sentence imposed.