

**State Prison, Prisoners Released on Parole Are Entitled to the Benefits of Regulation No. 119. Prisoners, at State Prison Should Be Credited on Parole With Good Time Earned While at Prison.**

Time earned by a prisoner while in the state prison whether under regulations of the prison or under statutes of the state should be credited to a prisoner when paroled by the board.

November 14, 1911.

Mr. J. J. Ryan,  
Clerk of the Board of Prison Commissioners,  
Helena, Montana.

Dear Sir:

I acknowledge receipt of your favor of the 9th inst., enclosing the last parole report of a prisoner by the name of J. P. Purvis, and in this connection you submit a question for the board of prison commissioners, as to whether or not the time earned by a prisoner under the trusty system pursuant to the provisions of Regulation No. 119 should properly be allowed a prisoner who is released from the prison on parole. The said regulation reads as follows:

**"REGULATION NO. 119**

Prisoners who are employed outside the prison walls as trusties, in road building, or other work, shall be allowed ten (10) days good time allowance upon each month of their sentence, in addition to that provided for by statute for good-conduct. This rule is not intended to apply to persons working within the prison walls, or within stockades."

In justice and fairness in the administration of the law relative to the conduct of the prison and the regulation concerning good time allowance, I am clearly of the opinion that all time earned by the prisoner under said regulation before his parole should be deducted

from the time of his sentence, the same as it would be were the prisoner actually continued in the charge of the warden.

Yours respectfully,

ALBERT J. GALEN,

Attorney General.