RESOLUTION TO RECOMMEND RE-ESTABLISHING THE ERIE COUNTY EARLY CONDITIONAL RELEASE COMMISSION

WHEREAS, under New York Corrections Law section 271, each county outside New York City, and the City of New York, may appoint a Commission consisting of at least five members who have the authority to offer "conditional release" to local jail inmates serving a sentence of one year or less; and

WHEREAS, the law makes prisoners eligible to obtain release from jail after serving at least 60 days of their sentence if they agree to serve a new sentence of probation supervision for a period of one year upon release from jail under the program; and

WHEREAS, Erie County had an Early Conditional Release Commission in effect until approximately 2005; and

WHEREAS, the Program was discontinued only as a result of the budget crisis of 2005; and

WHEREAS, the daily cost of imprisonment is $175.50 per day per prisoner; and

WHEREAS, profits on prisoners' telephone calls are a significant source of the County's income (i.e. $717,000.00 during the period January 1, 2011 – May 31, 2012);

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Community Corrections Board recommends to the Erie County Legislature, the Erie County Department of Probation, the Erie County Executive, and the Sheriff's Office that the Erie County Conditional Release Commission be re-established in accordance with New York Corrections Law section 271; and

REOLVED, the Erie County Conditional Release Commission shall meet within one month of its establishment to adopt procedures for the review of applications for early release; and

RESOLVED, that the Legislature will fund the Erie County Conditional Release Commission with profits from prisoners' telephone calls, or any other funding source identified by the Legislature.