



COUNTY OF ERIE

MICHAEL A. SIRAGUSA
COUNTY ATTORNEY

MARK C. POLONCARZ
COUNTY EXECUTIVE

DEPARTMENT OF LAW

MICHELLE M. PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY C. TOTH
SECOND ASSISTANT COUNTY ATTORNEY

February 6, 2015

VIA HAND DELIVERY

Hon. Joseph C. Lorigo, Majority Leader
Erie County Legislature
Old Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Re: Co-Pays for Inmates In The Custody of the Erie County Sheriff

Dear Legislator Lorigo:

I am in receipt of your letter dated January 9, 2015, wherein you request that my office "draft a Home Rule Request for Legislative approval proposing a law that enforces at least a \$7.00 per visit co-pay on inmates" in the Sheriff's custody. I have discussed this matter with Ronald Bennett, Counsel to the Majority, and I believe that we are both in agreement that because there is currently not a "specific bill" to that effect before the State Assembly or Senate, any such Home Rule Request would be a nullity. See NYS Municipal Home Rule Law, §40. Accordingly, I would recommend that you and/or your colleagues lobby a state legislator to sponsor a bill that would permit Erie County to impose such a charge upon inmates while under the Sheriff's custody. Once there is proposed legislation before either of those bodies, a Home Rule Request would be appropriate. Please feel free to contact me with any questions. Thank you.

Very truly yours,

Michael A. Siragusa
Erie County Attorney

cc: Mark C. Poloncarz, Erie County Executive
Timothy M. Howard, Erie County Sheriff
Stefan I. Mychajliw, Erie County Comptroller
Ronald Bennett, Counsel to the Majority ✓

Comm. 4D-12

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