
 <p>Corrections and Community Supervision</p> <p>DIRECTIVE</p>	<p>TITLE</p> <p>Local Conditional Release (LCR)</p>		<p>NO. 9200</p>
			<p>DATE 9/19/2018</p>
<p>SUPERSEDES</p> <p>DIR #9200 Dtd. 1/12/2017</p>	<p>DISTRIBUTION</p> <p>A B</p>	<p>PAGES</p> <p>PAGE 1 OF 12</p>	<p>DATE LAST REVISED</p>
<p>REFERENCES (Include but are not limited to)</p> <p>Penal Law §70.40(2); Correction Law Sections, 168e, 803; Executive Law Section 259-i(3); 9 NYCRR 8005.20</p>	<p>APPROVING AUTHORITY</p> 		

- I. **PURPOSE:** To guide staff in the preparation of Local Conditional Release (LCR) cases for review and decision by the New York State Board of Parole and supervision in the community by the New York State Department of Corrections and Community Supervision (DOCCS).
- II. **POLICY:** It is the policy of DOCCS to consider applications for LCR received from incarcerated individuals in local custody who are eligible for consideration based on the requirements of New York State Penal Law §70.40(2). It is also the policy of DOCCS to prepare for the local conditional release of incarcerated individuals approved by the Board of Parole and to supervise these releasees for a period of one (1) year from the date of release.
- III. **DEFINITIONS:** Local Conditional Release (LCR) – Penal Law §70.40(2)
 - A. Eligible Incarcerated Individual: An incarcerated individual who is serving one (1), or more than one (1), definite sentence of imprisonment for a qualifying offense (see below “Ineligible Incarcerated Individual”), with a term or aggregate term in excess of ninety (90) days may, upon the incarcerated individual’s request, and after consideration and approval by the New York State Board of Parole, be conditionally released to supervision within the community after service of at least sixty (60) days of that term. The sixty (60) day requirement includes any credit for pre-sentence jail time. If an incarcerated individual is serving consecutive sentences, the aggregate of such sentences cannot exceed two (2) years. LCR shall be at the discretion of the New York State Board of Parole. An incarcerated individual must serve a minimum period of thirty (30) days before applying for LCR. Before being released from a local jail or local correctional facility to serve a period of LCR supervision, the incarcerated individual must agree in writing to all conditions governing their release.

A locally confined incarcerated individual previously under DOCCS jurisdiction who has been discharged from sentence, has reached the maximum expiration of sentence, or has reached the post-release supervision maximum expiration date may apply for consideration. There must be no indeterminate sentence, determinate sentence, or post-release supervision time remaining. A locally confined incarcerated individual who was previously under probation supervision in the community and has been discharged from the term and sentence may apply for consideration.

- B. Ineligible Incarcerated Individual: Incarcerated individuals sentenced to a definite term(s) for offenses making them ineligible for a merit time allowance under Section 803 of the Correction Law; incarcerated individuals previously convicted of offenses making them ineligible for a merit time allowance under Section 803 of the Corrections Law; and incarcerated individuals sentenced to definite term(s) by Family Court or those serving an intermittent sentence(s) or split sentence(s) are ineligible for LCR consideration. Incarcerated individuals resentenced on a probation violation and those incarcerated individuals required to serve a period of probation, subsequent to release on the definite sentence, are also ineligible for LCR.
- Note:** A prior Youthful Offender (YO) adjudication has no bearing on an eligible individual's application for LCR. A prior YO adjudication for a merit ineligible offense does not disqualify an individual seeking consideration while presently serving a sentence for a qualifying offense.
- Note:** An outstanding warrant does not preclude LCR consideration; however, where there are pending charges the application for LCR may not be processed or considered by the Board of Parole.
- C. Local Conditional Release Supervision: LCR shall interrupt the service of the definite sentence(s) and the remaining portion of the term(s) shall be held in abeyance. The LCR releasee will be under the supervision of DOCCS for a period of one (1) year (less one (1) day), calculated from the date of release. The LCR releasee must complete one (1) year of unrevoked LCR supervision regardless of the scheduled maximum expiration of the court imposed sentence. Upon successful completion of the period of supervision, the balance of sentence time held in abeyance is deemed satisfied and the LCR releasee will be discharged from sentence.
- D. Revocation of Local Conditional Release: If the LCR releasee is found, after a final revocation hearing conducted pursuant to Section 259-i(3) of the Executive Law, to have violated a condition or conditions of release in an important respect, the LCR releasee will be returned to the local jail or county correctional facility to serve the balance of sentence time owed (i.e., that portion of the definite sentence held in abeyance).
- E. DOCCS Community Supervision Staff Assigned to Rikers Island Correctional Facility (CF): Under the direction and immediate supervision of the Senior Parole Officer, professional, paraprofessional, and support staff assigned to the Rikers Island CF Community Supervision Office are responsible for reviewing applications received from locally confined incarcerated individuals, determining eligibility, procuring case-specific records and documents, and preparing the required reports for all eligible incarcerated individuals in the custody of New York City Department of Corrections (Rikers Island CF). Community preparation investigations shall be conducted by assigned field staff.
- F. DOCCS Community Supervision Field Staff: Under the direction of the Regional Directors and the supervision of the Bureau Chiefs, professional, paraprofessional, and support staff assigned to field Area Offices/Bureaus are responsible for reviewing applications received from locally confined incarcerated individuals, determining eligibility, procuring case-specific records and documents, preparing reports for all eligible incarcerated individuals, conducting community preparation investigations, and supervising releasees granted release by the Board of Parole.

- G. Guidelines Entry System (GES): DOCCS PARTNER Program utilized for core case record creation, Parole Board application preparation, and Parole Board dispositions.
 - H. Case Management System (CMS): DOCCS PARTNER Program defined as the core repository for case-specific information for the population of releasees under the jurisdiction of the Department. Staff shall enter and record all required contacts, interviews, activities, and case actions in the CMS record of the incarcerated individual.
- LDIN: The Department issued case identification number for LCR applicants (locally confined incarcerated individuals and releasees under supervision).

IV. PROCEDURE

A. Local Conditional Release Procedure

1. Application by an Incarcerated individual Serving a Definite Sentence (Local Custody)
 - a. All LCR applications, [Form LCR9200](#), "Application for Local Conditional Release (LCR) – NYS Penal Law §70.40 (2)," are to be submitted to the New York State Department of Corrections and Community Supervision, Attention: Community Supervision Operations, The Harriman State Campus, 1220 Washington Avenue, Albany, New York 12226-2050.
 - b. Upon receipt of a completed and signed application requesting LCR consideration, Community Supervision Operations (Central Office) staff will initiate core record creation in the GES and the LDIN identifier will be assigned.
 - c. The original LCR application will be directed to the attention of the Bureau Chief responsible for the particular county correctional facility. Applications received from incarcerated individuals confined at Rikers Island CF will be directed to the attention of the Senior Parole Officer assigned to Rikers Island CF.

Note: Upon receipt of an application, field staff must document in CMS any action taken on the case.

- d. The Bureau Chief (and the Senior Parole Officer at Rikers Island CF) is primarily responsible for the following:
 - (1) Assigning of the LCR application to the Senior Parole Officer and Parole Officer,
 - (2) Supervising creation of the case file and compilation of the required documentation, and
 - (3) Monitoring the Parole Board case preparation, case review, and release processes.
- e. Upon receipt of an incarcerated individual's LCR application and assignment to field staff, the Parole Officer responsible for application review and case processing shall contact the Jail Administrator, or other appropriate Records Office personnel, to ascertain the crime and sentence data, the date the sentence was imposed, and amount of pre-sentence jail credit. The Parole Officer must confirm that the definite sentence or aggregate of definite sentences is in excess of ninety (90) days.

- f. After sentence eligibility is determined, the Parole Officer must verify that the incarcerated individual has served at least thirty (30) days of the sentence, prior to acceptance of a completed application. The Parole Officer will make arrangements with the Jail Administrator, or other appropriate staff person, in an effort to conduct an interview with the incarcerated individual at the local jail or local correctional facility.
 - g. If the assigned Parole Officer determines that the incarcerated individual is not eligible for LCR, the Parole Officer shall inform the incarcerated individual and notify Community Supervision Operations staff in Central Office.
 - h. The assigned Parole Officer is responsible for procuring all case-specific documents and records from the Jail Administrator or Records Office staff at the county facility. Where necessary, the assigned Parole Officer will procure case-specific records from the county probation department or the sentencing court.
- 2. Pre-Parole Board Review and Initial Incarcerated Individual Interview
 - a. The Parole Officer will conduct an initial interview with the incarcerated individual consistent with the requirements associated with the preparation of a Parole Board Report and in preparation for case review by a panel of the Board of Parole. The interview shall occur within five (5) days of the eligibility determination. The Parole Board Report is to be identified as a "Local Conditional Release Parole Board Report," Form LCRPBR.
 - b. The Parole Officer must thoroughly explain the entire LCR process to the incarcerated individual including the Parole Board review and decision making process, the one (1) year requirement of LCR supervision, and the Parole Officer must also explain the impact a sustained revocation of LCR would have on the remaining portion of definite sentence(s). The Parole Officer must advise incarcerated individual applicants that they will be required to make weekly office reports, that there will be unannounced home visits conducted by field staff, that they will be required to pay a supervision fee, and in addition to the standard conditions of release, they may be required to comply with additional special conditions of release imposed by the Board of Parole and the assigned field Parole Officers.
 - c. If, during the course of the interview, the incarcerated individual decides to withdraw the application for LCR consideration, the Parole Officer will instruct the incarcerated individual to provide a brief written statement noting the voluntary withdrawal from consideration and the incarcerated individual shall be instructed to sign the document. The Parole Officer will retain the original copy of the document noting the withdrawal of the application and the Parole Officer shall also notify Community Supervision Operations staff in Central Office.
 - d. If the incarcerated individual elects to be considered for LCR, the incarcerated individual must sign the "Application for Conditional Release to Parole Supervision," Form #CS3041.

- e. If it is determined that the incarcerated individual will be required to register as a sex offender, the Parole Officer will review the "Notice of Duties as a Sex Offender," Form #3012CS with the incarcerated individual and have the incarcerated individual sign the form. Form #3012CS will not be distributed until such time as the Parole Board grants release and the actual release date is scheduled.
 - f. The Parole Officer must obtain the proposed residence and proposed employment information, as well as any other pertinent background information that is to be included in the Parole Board Report and the community preparation investigation.
 - g. Prior to completion of the interview, the incarcerated individual is to be provided with the Parole Officer's contact information, including the name of the Area Office location, mailing address, office telephone number, and instructions regarding the preferred method of contact in response to changes in status or the need to contact the Parole Officer or Area Office personnel.
3. Procurement of Case Documents, Case Folder Organization, and Program Records
- a. The Department will solicit recommendations from the Sentencing Judge, District Attorney, and Defense Attorney for all eligible incarcerated individuals who submit an application for LCR. Upon receipt of an application from an eligible incarcerated individual, assigned field staff will prepare and direct letters to the aforementioned individuals requesting a recommendation regarding release consideration by the Board of Parole. Staff will utilize the attached sample letter, Attachment A. The Department will afford the Sentencing Judge, District Attorney, and Defense Attorney a period of twenty-one (21) days to provide a response. This requirement is to be incorporated into the local processing controls of the area field office and under no circumstances shall an application package (LCR case folder) be submitted to the Community Supervision Operations Office and the Board of Parole prior to receipt of the responses or, if no responses are received, until such time as the twenty-one (21) day period has expired. The letters are to be prepared and directed to the attention of the Sentencing Judge, District Attorney, and Defense Attorney on or about the date of the initial interview (Parole Officer initial interview with the incarcerated individual). During the twenty-one (21) day comment period, assigned field staff will address and complete all other procedural requirements in preparation for submission of the case to the Board of Parole.
 - b. The Parole Officer responsible for the interview and preparation of the Parole Board Report must obtain copies of the following documents on the date that the initial interview is conducted at the county correctional facility:
 - (1) Pre-Sentence Report (PSR),
 - (2) A copy of the sentence and commitment order document,
 - (3) Copy or copies of any warrants or detainers on file,
 - (4) The incarcerated individual's photograph, and
 - (5) Fingerprint identification card.

The above referenced documents should be procured on the date that the incarcerated individual interview is conducted at the local correctional facility. It may be necessary to obtain a copy of the PSR from the county probation department or the sentencing court. If an incarcerated individual has been committed without a pre-sentence report, the Parole Officer will contact the sentencing court or local probation department in an effort to procure a copy of the report. If the Parole Officer is unable to obtain a copy of the PSR or if no PSR has been prepared by the probation department, the Parole Officer shall advise the Board of Parole by noting the fact that no pre-sentence report is available in the "Comment" area of the Parole Board Report, Form LCRPBR.

- c. Assigned field staff is responsible for creating and organizing the case folder in preparation for Board of Parole review and supervision in the community. Staff will utilize the designated LCR "blue" case folder jacket. The case folder shall be organized as per established Department procedure.
- d. Field staff shall ensure a copy of the incarcerated individual's DCJS Criminal History Profile (rap sheet) is placed in the case folder.
- e. Field personnel are required to provide the following information (case folder documents) to the Board of Parole:
 - (1) Parole Board Report
 - (2) Sentence and Commitment Order(s)
 - (3) Pre-Sentence Report (PSR)
 - (4) DCJS Criminal Justice Profile (rap sheet)
 - (5) Application for Local Conditional Release (LCR)
 - (6) Application for Conditional Release (Form #CS3041)
 - (7) Confidential File (if applicable)
 - (8) Prior Parole and Post-Release Supervision Records (if applicable)
 - (9) Psychiatric Reports, Psychological Assessments, disciplinary history and Mental Status Evaluations (if applicable)
 - (10) Medical Reports (if applicable)
 - (11) "Commissioner's Worksheet" (Form #9026.2)
 - (12) Recommendations from Sentencing Judge, District Attorney, and Defense Attorney
 - (13) "Post-Interview Staff Worksheet" (Form #9028)

Note: A copy of each of the documents referenced in Section IV-A-3-e-(1) through (13) (above), shall be directed to the Community Supervision Central Files Unit for inclusion in the incarcerated individual's Central File.

Note: "Certificate of Release to Parole Supervision," Form #CS3010, will be prepared At Central Office.

- f. Assigned field staff shall direct the completed LCR record (LCR case folder) to the attention of Community Supervision Operations (Central Office). Upon receipt of the LCR case folder by Community Supervision Operations staff, the contents of the folder will be inspected to ensure that all required documentation has been placed in the folder and complete the GES core record using the Pre-Sentence Report, sentence and commitment document and the rap sheet. Operations staff will submit the case folder to Board of Parole Operations staff for presentation to and review by the Board of Parole.
- B. Parole Board Review and Decision
1. Upon receipt of the documents identified in Section IV-A-3-e-(1) through (13), Board of Parole Operations staff will provide the information to the appropriate Board of Parole members for review and decision.
 2. The Board of Parole shall review the case folder and render a decision within five (5) days of receipt of the required documentation (complete case folder). The Board of Parole members will record their decision on Form #9026.2. Form #9026.2 shall specify the approved open date and the Board of Parole imposed conditions of release. In the case of a denial, the Commissioner will specify the reasons for the denial on Form #9026.2.
 3. If the Board of Parole grants release, the decision shall reflect "Local Conditional Release Open Date." Board of Parole Operations staff shall ensure that the open date is established in accordance with Penal Law §70.40(2). The incarcerated individual is required to serve sixty (60) days prior to LCR. The sixty (60) day requirement must be taken into consideration when establishing the earliest release date.
 4. The Board of Parole members (two member approval required) shall sign the "Certificate of Release to Supervision," Form #CS3010.
 5. Board of Parole Operations staff is responsible for entry of the decision in GES and distribution of the automatically generated "Parole Board Release Decision Notice," Form #9026, as follows:
 - Incarcerated Individual (Applicant) – to be sent via the U.S. Postal Service
 - Jail Administrator – to be sent via the U.S. Postal Service
 - Community Supervision Central File Unit
 - Area Office and case folder copies are to be placed in the incarcerated individual's case folder
 6. If the Board of Parole renders a denial decision, there is no additional opportunity for reapplication during the current definite term of imprisonment.
 7. A Board of Parole decision to deny application for LCR may not be appealed. There is no provision in NYS Executive Law §259-i(4) that provides for an appeal mechanism in response to a Board of Parole decision to deny LCR.
 8. Following completion of the Board of Parole decision phase and distribution of Form #9026, Internal Operations staff shall return the case folder to the attention of the field Bureau Chief. With regard to case folders prepared by Rikers Island CF Community Supervision staff, Board of Parole Operations staff shall return the case folders to the attention of the Rikers Island CF Senior Parole Officer.

9. If, after a decision to grant LCR, an incarcerated individual decides to withdraw from further consideration or refuses to be conditionally released to a period of supervision, assigned staff will proceed as follows:
 - a. The Parole Officer will interview the incarcerated individual and obtain the reason(s) for the decision to withdraw or refuse release, and record a chronological entry in the CMS record of the incarcerated individual.
 - b. The Parole Officer will direct the incarcerated individual to sign Form #CS3010 and ensure that the document includes a brief statement noting the voluntary withdrawal or refusal. The Parole Officer will witness the signature of the incarcerated individual and also sign the document. The form will be placed in the case folder.
 - c. Assigned field staff shall amend the original GES Board of Parole decision record to reflect the withdrawal action. The amended Form #9026 will be distributed as per the required distribution as noted in Section IV-B-5.
 - d. Staff shall immediately notify the Jail Administrator and Community Supervision Central Office Operations staff regarding the incarcerated individual's decision to voluntarily withdraw from consideration.
- C. Field Case Assignment, Community Preparation Phase, and Release Interview
 1. Assignment of Community Preparation Investigation
 - a. Upon receipt of the LCR Parole Board decision, Community Supervision Operations staff shall assign the case to a Senior Parole Officer and Parole Officer via CMS (case create screen). The community preparation investigation shall be completed no later than fourteen (14) days following the Board of Parole decision to grant LCR. Where applicable, the following case identifiers shall be referenced in the community preparation investigation:
 - (1) Sex Offender Registry Case
 - (2) Discretionary Sex Offender Referral
 - (3) Sexual Assault Reform Act (SARA)
 - (4) Bureau of Special Services (BSS) Alert
 - (5) Bureau Chief Alert
 - (6) Victim notification required
 - (7) Other appropriate special identifiers
 - b. If the incarcerated individual is confined at Rikers Island Correctional Facility, Rikers Island Community Supervision staff shall assign the community preparation investigation to appropriate field staff upon receipt of the Board of Parole decision to grant LCR and establish an investigation due date no later than fourteen (14) days from the assignment date.
 - c. Community Supervision staff shall comply with the community preparation investigation requirements as detailed in Parole Manual Item #8405.09, "Community Preparation."

Note: An incarcerated individual (releasee) approved for LCR may apply for an interstate transfer of supervision in accordance with the requirements of the Interstate Compact Agreement.

2. Community Preparation Investigation Phase

- a. The Field Bureau Chief is responsible for ensuring the completion of the community preparation field investigation by the established investigation due date.
- b. Upon completion of the field investigation and approval of the residence program, the Bureau Chief or designee (Senior Parole Officer) shall establish a release date and provide formal release notification to the Jail Administrator or other designated personnel at the county correctional facility. The notification to personnel at the county correctional facility shall stipulate that the incarcerated individual (releasee) cannot be released until such time as the Jail Administrator or other designated personnel are in receipt of the fully executed and signed release agreements "Application for Conditional Release to Parole Supervision," Form #CS3041, and the "Certificate of Release to Supervision," Form #CS3010.
- c. If the incarcerated individual is required to register as a sex offender, the assigned Parole Officer shall notify the Jail Administrator or designee immediately upon receipt of the Board of Parole decision to grant LCR. Field staff must provide the Jail Administrator or designee with the supervision residence and program information, as well as the address and contact information for the Parole Officer who will be responsible for the supervision of the releasee in the community. County correctional facility personnel are responsible for submitting the sex offender registration form to the New York State Division of Criminal Justice Services and they are also responsible for executing any additional requirements related to registration under §168-e of NYS Correction Law.
- d. Where applicable and based on case-specific circumstances, the Parole Officer will ensure that victim notification issues are addressed in accordance with Department policy and procedure. This shall include immediate notification of the Board of Parole decision to release to the Department's Office of Victim Assistance. The initial notification shall be made via telephone call and staff shall confirm receipt of the release decision via e-mail communication. Once the release date has been established and the date has been confirmed, assigned field staff shall also provide the Victim Assistance Unit with notification of release via both telephone call and e-mail.
- e. Following receipt of the Board of Parole's decision to release the incarcerated individual and throughout the community preparation investigation phase, it is the responsibility of assigned field staff to monitor the status of the incarcerated individual and to assess the incarcerated individual's overall adjustment in preparation for release to supervision. If an incarcerated individual receives a serious disciplinary infraction while confined in the county facility, the matter is to be investigated by assigned field staff as soon as practicable. If the circumstances warrant a temporary suspension of the release date, the Bureau Chief shall authorize a temporary suspension of the release date pending the preparation of a rescission report and presentation of the report to the Board of Parole.

3. Release Preparation and the Release Interview

- a. The assigned field Parole Officer (or other designated Parole Officer) is responsible for making arrangements to conduct the release interview at the county correctional facility.
- b. All release documents are to be prepared by Central Office staff prior to the release interview with the releasee. Staff must ensure that Form #CS3010 includes the signatures of two Board of Parole members.
- c. Central Office staff shall note on Form #CS3010 that the releasee has been granted "Local Conditional Release (LCR) in accordance with New York State Penal Law §70.40(2)." The sentence type on the release form shall indicate a definite sentence.
- d. The supervision maximum expiration date shall be recorded on Form #CS3010. The supervision maximum expiration shall be set at one (1) year less one (1) day from the actual release date (e.g., if the release date is 12/2/2014, the releasee will be under the jurisdiction of DOCCS until 12/1/2015).
- e. During the release interview, there is to be a thorough review and explanation of the reporting instructions and all conditions of release. The releasee must sign Form #CS3010.
- f. The interview must also cover all requirements of the one (1) year period of LCR supervision, including an explanation regarding the supervision maximum expiration date and the impact a revocation of release would have on the definite sentence(s).
- g. The Parole Officer is also responsible for providing both the releasee and the Jail Administrator or Records Office personnel with the "incarcerated individual" and "facility" copies of the release agreements (Form #CS3010 and Form #CS3041).

Note: If the release location is Rikers Island CF, Rikers Island Community Supervision officer personnel are responsible for ensuring that each of the above referenced requirements (Section IV-C-3-a through g) are satisfied.

- h. The Bureau Chief or designee shall send e-mail notification of release to designated staff in the Community Supervision Central Office Operations Office. The e-mail notification must be sent on the actual date of release and the notification is to include the following information:
 - (1) Releasee name,
 - (2) LDIN,
 - (3) NYSID,
 - (4) Date of release,
 - (5) Name of the assigned Senior Parole Officer and Parole Officer,
 - (6) Bureau/Area Office,
 - (7) LCR supervision maximum expiration date,
 - (8) Releasee's address, and
 - (9) County of supervision.

Note: If the release location is Rikers Island CF, the Rikers Island Community Supervision Senior Parole Officer is responsible for sending the e-mail notification of release to designated staff in the Community Supervision Central Office Operations Office and to the field Bureau Chief, Senior Parole Officer, and Parole Officer.

D. Community Supervision – Local Conditional Release (LCR)

1. Local conditional releasees shall be supervised in the same manner as releasees released under either parole supervision or post-release supervision. Releasees will be subject to the standard conditions of release and any additional conditions of release imposed by the Board of Parole or staff responsible for the supervision of the releasee.
2. Local conditional releasees are not subject to the revocation guidelines as defined in 9 NYCRR 8005.20. If release is revoked, the releasee will be returned to the county correctional facility and held to the maximum expiration of the definite term(s). The time to serve equates to the balance of sentence time owed or that portion of the definite sentence or aggregate of definite sentences held in abeyance.
3. Upon completion of the one (1) year period of supervision, the releasee shall be discharged from supervision. There are no early discharges and the one (1) year period of supervision requirement must be satisfied.

Sample Letter for Local Conditional Release (LCR)
Letter Head (See Directive #0008, "Use of Department Stationery & Business Cards")

Date:

First, MI, Last (Name of District Attorney)
Name of County
Street Address
City, State, Zip

Name:
DIN:
NYSID:

Dear (Judge) or (District Attorney) or (Defense Attorney):

The above referenced incarcerated individual was convicted of the following offense(s):

<u>Offense</u>	<u>Date</u>	<u>Sentence</u>	<u>County</u>	<u>Indict/Dkt Nos</u>
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The above-identified individual is eligible and has applied for local conditional release consideration pursuant to New York State Penal Law §70.40(2). The grant of local conditional release shall be in the discretion of the Board of Parole and shall be subject to any conditions that may be imposed by the New York State Board of Parole. If granted this type of release, the individual will be supervised in the community by the Department of Corrections and Community Supervision (DOCCS) for a period of one (1) year and the balance of the definite term(s) shall be held in abeyance at the time of release to the Department's jurisdiction.

At the time of the conditional release consideration, the Board of Parole will perform an extensive review of the subject's instant offense, prior criminal history, personal, and social history. The Board of Parole also wishes to consider any recommendations received from the Sentencing Judge, District Attorney, and Defense Counsel regarding the possible conditional release of this individual. Accordingly, the Board of Parole and Department of Corrections and Community Supervision respectfully request a statement or recommendation from you regarding the possible release of above referenced individual. We respectfully request that you provide our Department with a response no later than **twenty-one (21)** days from the date of this request. If you would like your recommendation and/or statement to remain confidential, please note your desire for confidentiality in your response letter.

Thank you for your time, attention, and consideration.

Very truly yours,

Signature

Name (Bureau Chief)
(Title)

Please direct your response to:

NYS Department of Corrections and Community Supervision
(Name of Bureau Chief and Bureau/Area Office Name)
(Address)
(City/Town, New York, Zip Code)

CC: Area Office/Bureau Case File
Office of Victim Assistance