

NEW YORK STATE DIVISION OF PAROLE
PAROLE OPERATIONS
97 CENTRAL AVENUE
ALBANY, NEW YORK 12206

APPLICATION FOR LOCAL CONDITIONAL RELEASE (LCR) – NYS PENAL LAW §70.40 (2)

SECTION A

Local Conditional Release (LCR)

An inmate who is serving one, or more than one, definite sentence of imprisonment with a term or an aggregate term in excess of ninety (90) days may, upon the inmate's request and submission of an application for Local Conditional Release (LCR), and after consideration and approval by the New York State Board of Parole, be conditionally released to community supervision after service of at least sixty (60) days of the term. The sixty (60) day requirement includes any credit for pre-sentence jail time. If an inmate is serving consecutive sentences, the aggregate cannot exceed two (2) years. Local Conditional Release (LCR) shall be at the discretion of the New York State Board of Parole. An inmate must serve a minimum period of thirty (30) days before applying for Local Conditional Release. Prior to Local Conditional Release, the inmate must agree, in writing, to all of the conditions of local conditional release.

Inmates committed to definite sentences by Family Court or those inmates serving an intermittent sentence or split sentence are ineligible for Local Conditional Release consideration. Inmates required to serve a period of probation, subsequent to release on the definite sentence, are also ineligible for Local Conditional Release consideration.

If an inmate is granted local conditional release, the releasee will be under the legal jurisdiction of the Division of Parole and supervised by a Parole Officer for a period of one year from the date of release. The releasee must agree, in writing, to all of the conditions of release and a violation of the conditions may result in a revocation of Parole and return to a local correctional facility. If returned to a correctional facility, the time spent under local conditional release will not be credited against the term of the sentence.

Name: _____ Date of Birth: _____
Correctional Facility: _____ NYSID: _____
Date Incarcerated: _____ Inmate ID No: _____
Length of Sentence: _____

I have read this application and I DO NOT wish to apply for Local Conditional Release (LCR). Please sign this section (section B) and return this document to the NYS Division of Parole, Parole Operations, 97 Central Avenue, Albany, NY 12206.

Inmate Signature

Date

PROPOSED RESIDENCE IF RELEASED:

Street & Apt. No: _____

City & State: _____

Telephone No: _____

Name and Relationship of All Persons Living at the Residence: _____

NEW YORK STATE DIVISION OF PAROLE



NEW YORK STATE BOARD OF PAROLE

LOCAL CONDITIONAL RELEASE (LCR)

PENAL LAW §70.40 (2)

- What is Local Conditional Release (LCR)?
- Who is eligible?
- How to apply for Local Conditional Release (LCR)
- Conditions of LCR Release
- Supervision requirements
- Period of supervision
- Revocation of Local Conditional Release (LCR)

NYS Division of Parole
Parole Operations
97 Central Avenue, Albany, NY 12206
(518) 473-9400

Local Conditional Release (LCR) - New York State Penal Law §70.40(2)

▪ **What is Local Conditional Release (LCR)?**

An inmate serving a definite sentence in a local correctional facility may be released earlier than the full service of the sentence. This is called **Local Conditional Release (LCR)**. A local conditional releasee will be under the legal jurisdiction of the New York State Division of Parole and supervised in the community by a parole officer. The New York State Board of Parole is responsible for determining who may be conditionally released (LCR), and when and under what conditions.

▪ **Who is eligible?**

You are eligible to apply for Local Conditional Release (LCR) if you are serving one, or more than one, definite sentence of imprisonment with a term or an aggregate term in excess of ninety (90) days jail and you have served a minimum period of thirty (30) days (prior to application). You must serve at least sixty (60) days of the term before you can be released. You must agree to all of the release conditions imposed by the New York State Board of Parole and you must agree to any additional release conditions that may be imposed by the parole officer.

▪ **Who is ineligible?**

Inmates committed to definite terms by Family Court or those inmates serving an intermittent sentence or split sentence are ineligible for local conditional release (LCR) consideration. Inmates required to serve a period of probation, subsequent to release on the definite sentence, are also ineligible for LCR.

▪ **How do I apply for Local Conditional Release (LCR)?**

You must fill out a written application for local conditional release and submit the completed application to the New York State Division of Parole. An application can be obtained from a designated official at your local correctional facility or you may contact the Local Jail Administrator. You must read the application very carefully and make sure that you fully understand the conditions governing your release and your obligations under supervision. If you are determined to be eligible for consideration, an officer from the Division of Parole will interview you at your facility. You must be prepared to fully participate in the interview with the officer and you will be required to provide answers to questions from the officer, and you must also provide court documents, probation records, and criminal history information upon request. If the officer approves your LCR application, the application will be submitted for consideration to the New York State Board of Parole. You will be provided with a copy of the Parole Board decision.

▪ **Can I reapply?**

No. If the NYS Board of Parole denies your application for Local Conditional Release (LCR), you cannot reapply during the current definite term of imprisonment.

▪ **What are the conditions of release?**

If you are granted LCR, you will be required to agree, in writing, to the local conditional release conditions and you will also be required to agree to any conditions of release imposed by the Board of Parole or your parole officer.

▪ **How long will I be under supervision in the community?**

All inmates released to local conditional release (LCR) will be supervised by a parole officer and will remain under the jurisdiction of the New York State Division of Parole for a period of one (1) year from the date of release. The supervision maximum expiration date is one year from the actual release date.

▪ **What will I be required to do under supervision?**

You will be required to report to your parole officer, in person, on a regular basis. You can expect to make office reports on a weekly basis. Your parole officer will make unannounced visits to your residence and place of employment. These visits will occur during the morning hours, evenings, nights, and weekends. You will be required to pay a monthly supervision fee of thirty dollars (\$30.00) while under supervision.

Your person, residence, and property will be subject to search and inspection by your parole officer. You will be required to remain within the boundaries of the county of commitment or any area defined by your parole officer, and you may not travel outside these boundaries unless you receive prior approval from your parole officer. If you are contacted by or questioned by any law enforcement personnel, you must immediately notify your parole officer. You may not own, possess, or purchase any firearms or weapons of any kind.

You may be required to abide by a curfew and you may be required to submit to periodic drug and alcohol testing. You must also fully comply with any additional conditions of release that may be imposed by the Board of Parole or your parole officer.

If you have been convicted of a sex offense and you are required to register as a sex offender, you must comply with all conditions and requirements of the Sex Offender Registration Act. Also, if you are required to pay court ordered restitution or if there are orders of protection issued against you, it will be your responsibility to satisfy and comply with any order issued by the court.

▪ **What if I violate the conditions of my release?**

If a local conditional releasee is found, after a final hearing conducted pursuant to §259-i (3) of the Executive Law, to have violated a condition of release, the local conditional releasee may be returned to the local correctional facility to serve the balance of the sentence time owed (i.e., that portion of the sentence held in abeyance). If there is a revocation of LCR, you will not receive credit for that period of time you spent under local conditional release supervision.

▪ **What are the benefits of Local Conditional Release (LCR)?**

You may be released after serving only sixty (60) days of the court-imposed sentence. You will be allowed to complete your sentence obligation in the community setting, and have the opportunity to reunite with family and significant others, obtain a job, continue your education, and participate in community based programs. Your parole officer can assist you with the transition to the community by helping you locate a suitable residence, obtain employment, and help you find the services you may need in the community.