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# CHAIRMAN'S MEMORANDUM

## NO. 11-2005      September 13, 2005

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**TO: SHERIFFS, COMMISSIONERS OF CORRECTION, JAIL ADMINISTRATORS**

**RE: Inmate Labor**

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It is customary in the spring and summer months for many local correctional facility administrators in New York State to assemble and assign inmate work crews to projects designed to improve and benefit the surrounding communities. As of late, Commission staff have discovered several instances where the assignment of inmate work crews constitutes an unlawful provision of inmate labor.

To provide clarification regarding the allowable and lawful uses of inmate labor in New York State, attached please find a legal opinion of Brian M. Callahan, an attorney in the Commission's Office of Counsel. As explained therein, inmate labor may not be used to benefit a not-for-profit or charitable organization not owned or managed and controlled by the State, a county, or a municipality. Should you have any questions or need further clarification, please feel free to contact Mr. Callahan at (518) 485-2346.

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**Alan J. Croce, Chairman/Commissioner**

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**Alan J. Croce, Chairman/Commissioner**

**Frederick C. Lamy, Commissioner  
Frances T. Sullivan, Commissioner**