



CHAIRMAN'S MEMORANDUM

NO. 18-2005 December 12, 2005

TO: SHERIFFS, COMMISSIONERS OF CORRECTION, JAIL ADMINISTRATORS

RE: Inmate release on public holidays, Saturdays and Sundays

We are all familiar with section 500-1 of the Correction Law, which provides that when an inmate's sentence or civil commitment is to end on a Saturday or Sunday, the inmate must be released the preceding Friday. Furthermore, the statute provides that when the release date falls on a public holiday, the inmate must be released on the preceding day, unless such holiday falls on a Monday, whereby release must occur on the preceding Friday. What may not be so familiar is a local correctional facility's obligations under this statute when a holiday falls on a Sunday, as is the case with the upcoming Christmas and New Year's day observations.

To provide clarification regarding the timely release of inmates on or around the above public holidays, attached please find a legal opinion of Brian M. Callahan, an attorney in the Commission's Office of Counsel. Should you have any questions or need further clarification, please feel free to contact Mr. Callahan at (518) 485-2346.

Alan J. Croce, Chairman/Commissioner

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