
	<b>Corrections and Community Supervision</b>	<b>TITLE</b> <b>Merit Termination of Sentence and Discharge from Presumptive Release, Parole, Conditional Release and Post-Release Supervision (PRS)</b>		<b>NO.</b> 9221
<b>DIRECTIVE</b>		<b>DATE</b> 04/24/2023		
<b>SUPERSEDES</b> DIR# 9221 Dtd. 11/29/18	<b>DISTRIBUTION</b> A B	<b>PAGES</b> PAGE 1 OF 12	<b>DATE LAST REVISED</b>	
<b>REFERENCES</b> (Include but are not limited to) NYS Correction Law §205, Article 6C; NYS Penal Law §70.02, Articles 130, 220, 230, 263, 485.05, 490; ACA Expected Practices 4-APPFS-2A-14, 4-APPFS-2F-02, 2-1073, 2-1124		<b>APPROVING AUTHORITY</b> 		

- I. PURPOSE:** To provide Department of Corrections and Community Supervision (DOCCS) personnel with instructions for reviewing case records, determining eligibility, processing required documents, and rendering decisions on releasees eligible for discharge consideration under New York State Correction Law §205 (Merit Termination of Sentence and Discharge from presumptive release, parole, conditional release, and release to post-release supervision).
- II. POLICY:** DOCCS may grant, to an eligible releasee, a merit termination of sentence from presumptive release, parole, conditional release, or release to post-release supervision prior to the expiration of the full term or maximum term of the sentence. The Department must determine that such merit termination of sentence is in the best interests of society and the releasee has made a favorable adjustment to parole or the period of post-release supervision. (Eligibility is defined in subsection III-B of this directive.)
- III. DEFINITIONS**
- A. Merit Termination of Sentence: Merit termination of sentence, as granted by the Department, shall constitute a termination of the sentence with respect to which it was granted. Once granted, the sentence shall be terminated and the releasee will no longer be under the jurisdiction of DOCCS.
- B. Eligible Releasee: DOCCS may grant a merit termination of sentence from presumptive release, parole, conditional release, or release to post-release supervision prior to the expiration of the full term or maximum term, provided it is determined by DOCCS that such merit termination of sentence (to include, where applicable, a period of post-release supervision) is in the best interests of society, such person is not required to register as a sex offender pursuant to Article 6C of Correction Law, and such person is not on presumptive release, parole, conditional release, or post-release supervision from a term of imprisonment for any of the following offenses, or an attempt to commit any of the following offenses:
1. A violent felony offense as defined in section 70.02 of NYS Penal Law (see Attachment A).
  2. Murder 1<sup>st</sup> or Murder 2<sup>nd</sup>.
  3. An offense defined in Article 130 (Sex Offenses) of the Penal Law.
  4. Unlawful Imprisonment 1<sup>st</sup>, Kidnapping 1<sup>st</sup>, or Kidnapping 2<sup>nd</sup>, in which the victim is less than 17 years old and the offender is not the parent of the victim.
  5. An offense defined in Article 230 (Prostitution Offenses) of the Penal Law involving the prostitution of a person less than 19 years old.

6. Disseminating Indecent Material to Minors 1<sup>st</sup> or Disseminating Indecent Material to Minors 2<sup>nd</sup>.
  7. Incest.
  8. An offense defined in Article 263 (Sexual Performance by a Child) of the Penal Law.
  9. An offense defined in Article 485.05 (Hate Crimes) of the Penal Law.
  10. An offense defined in Article 490 (Terrorism) of the Penal Law.
- C. Eligibility Period: A merit termination of sentence may be granted after two years of presumptive release, parole, conditional release, or post-release supervision to a releasee serving a sentence for a Class “A” Felony offense as defined in Article 220 of the New York State Penal Law. A merit termination of sentence may be granted to all other eligible releasees after one year of presumptive release, parole, conditional release, or post-release supervision. Releasees serving an indeterminate sentence shall not receive a merit termination of sentence until the minimum portion of the court-imposed sentence has been satisfied.
- D. Community Supervision: For an eligible releasee serving a sentence for a Class “A” Felony offense, as defined in Article 220 of the Penal Law, community supervision shall be defined as 24 months of uninterrupted or unrevoked parole or post-release supervision, and for all other eligible releasees community supervision shall be defined as 12 months of uninterrupted or unrevoked parole or post-release supervision.
- E. Supervision Credit Date: For purposes of determining eligibility for a merit termination of sentence and discharge, the supervision credit date shall be defined as follows:
1. Release (presumptive release, parole, conditional release, or release to post-release supervision) from a NYS DOCCS facility, the supervision credit date shall be the date of release to parole or post-release supervision.
  2. Release from a DOCCS facility to other custody (Federal or another state’s sentence and commitment order), the supervision credit date shall be the actual date of release to community supervision (parole or post-release supervision) in New York State or supervision under the Interstate Compact.
  3. Release from a DOCCS facility or release from a local correctional facility following a revocation of parole or post-release supervision, the supervision credit date shall be the date of re-release (time assessment expiration date) to parole or post-release supervision.
  4. Release following a revoke and restore decision; the supervision credit date shall be the date of the Administrative Law Judge’s decision (in most instances the date of decision is also the date of the final revocation hearing).
- F. Merit Termination of Sentence Eligibility Date: The merit termination of sentence eligibility date is the date on which the releasee has accrued either 24 months or 12 months of uninterrupted or unrevoked parole or post-release supervision. This date is posted on the “Parole Access Records Management Information Services (PARMIS) Conviction Inquiry” screen and on the “Merit Termination Worksheet and Decision” (MTRNR) form.

- G. Deferral: A deferral determination may only be made by the Regional Director/Assistant Regional Director and the deferral period may not exceed 12 months. For cases assigned to the Department's Interstate Bureau, a determination to defer and maintain supervision may be made at the Area Supervisor (Bureau Chief) level under the direction of the Regional Director/Assistant Regional Director. A deferral to the maximum expiration date or the post-release supervision maximum expiration date may only be made if 12 months or less remain on the sentence or period of post-release supervision.
- H. Interstate Compact Cases: Releasees under Community Supervision via the authority of the Interstate Compact are eligible for consideration as defined in subsection III-B, "Eligible Releasee," subsection III-D, "Community Supervision," and subsection III-E, "Supervision Credit Date". The MTRNR form must be completed by the New York State Parole Officer (PO) and Senior Parole Officer (SPO) assigned to the case, and the Interstate Area Supervisor (Bureau Chief) will make the final decision to grant a merit termination of sentence or to defer the case for an additional period of supervision.
- The New York State Interstate Parole Officer is required to obtain input and appropriate documentation from the officer responsible for supervision of the case in the other state, and this contact and receipt of information must be memorialized in the case record of the releasee.

#### IV. PROCEDURE

- A. Eligibility Determination, Case Processing, and Discharge Decisions
1. Supervising Offender Rehabilitation Coordinator and Offender Rehabilitation Coordinator
    - a. In preparation for release, facility staff will ensure that the Community Supervision case file is complete and accurate, and that the file includes all required documents and relevant information consistent with the requirements of established procedure (Case Folder and Records Organization).
    - b. Where applicable, facility staff will ensure that victim impact information and confidential information is made available to assigned field staff in accord with operating procedures.
    - c. The Supervising Offender Rehabilitation Coordinator and the Offender Rehabilitation Coordinator are responsible for providing information regarding the eligibility requirements for a merit termination of sentence, as well as other opportunities for discharge and sentence termination with offenders during the pre-Parole Board interview process, parole and post-release supervision orientation, the community preparation phase, and in response to requests for information received from offenders in state custody.
  2. Office of Information Technology Services (ITS)
    - a. ITS maintains an automated mainframe program that identifies releasees eligible for a merit termination of sentence case review to be performed by assigned field supervision staff.
    - b. The automated program subroutine produces the MTRNR forms package (Attachment B) via the On-line Print System (OPS).

The MTRNR package is generated 30 days in advance of the merit termination of sentence eligibility date and is made available to the Area Office/Bureau of assignment via the report print function (OPS). The MTRNR report package (Attachment B) includes the following documents:

- (1) Cover page memorandum (where applicable, this memorandum will include the Alien Registration Number of the releasee and a statement indicating that a letter has been sent to Immigration and Customs Enforcement (ICE) under the direction of the Assistant Commissioner for Community Supervision).
  - (2) "Releasee Profile" page that includes case identification, field assignment, three-year discharge date, maximum expiration date, crime(s), arrest information, and drug testing information.
  - (3) "Merit Termination of Sentence Worksheet and Decision" form that includes the merit termination of sentence eligibility date.
  - (4) Letter to Immigration and Customs Enforcement (produced only where an Alien Registration Number has been identified).
- c. ITS staff is responsible for maintaining eligibility information on the "PARMIS Conviction Inquiry" screen to include the "Merit Termination Eligibility" indicator, "Merit Termination Status," and the "Merit Termination Eligibility Date."
- d. ITS staff is responsible for maintaining the PARTNER/PRESS inquiry programs, "Outstanding Merit Term Decisions," and "Merit Term Review Results."
3. Central Office Community Supervision Operations Staff (Internal Operations): If an eligible releasee has an Alien Registration Number, the appropriate notification letter will be sent to ICE by Operations staff on behalf of the Director of Internal Operations for Community Supervision (Central Office Community Supervision Operations function). The purpose of this communication is to determine whether or not the releasee is a deportable alien. The copy of the ICE letter, generated via the OPS to assigned field staff, is intended to be a copy for the Community Supervision case file. A copy of the original letter, by the Director of Internal Operations for Community Supervision, will be placed in the Community Supervision central file of the releasee. The letter from the Director of Internal Operations will be sent to ICE 30 days in advance of the merit termination of sentence eligibility date. If a written response is received from ICE, the information will be provided to assigned field staff as soon as practicable.
4. Community Supervision Staff
  - a. The Area Supervisor (Bureau Chief) is responsible for monitoring receipt of the MTRNR report packages generated via the Department's OPS. The Area Supervisor will establish appropriate controls to ensure that MTRNR report activity is monitored on a daily basis, and that the report packages are distributed to the SPOs and POs responsible for supervision of the identified releasees.
  - b. Upon receipt of the MTRNR report package, the SPO and PO assigned to the case will confirm the accuracy of the documents and proceed with the case review.

Prior to completing the Merit Termination Worksheet and Decision document, the PO must: 1) ensure that the CMS (Case Management System) record of the releasee is up to date, 2) perform a thorough examination of the case file, and 3) request and review an up-to-date New York State Criminal History Profile to include a review of the Triple III report.

- c. The PO must complete the Merit Termination Worksheet and Decision document and submit the report package and case file to the SPO. The PO must sign the worksheet and make a recommendation to either grant a merit termination of sentence or defer for an additional period of supervision.  
Completion of the worksheet and submission of the report package and case file to the SPO is to be recorded, via case entry, in the CMS record of the releasee.
- d. The SPO will review the worksheet and case file, make a recommendation to either grant or defer the case, and sign the worksheet prior to submission to the Area Supervisor (Bureau Chief). It is the responsibility of the SPO to ensure that the record is complete and accurate. Submission of the report package and case file to the Area Supervisor is to be recorded via case entry in CMS.
- e. The Area Supervisor (Bureau Chief) will review the report package prepared by the PO and SPO as well as the case file. Subsequent to a review of the case file and required documents, the Area Supervisor will render a decision to grant merit termination of sentence (worksheet reference “no deferral” indicator) or defer the case for an additional period of supervision not to exceed a period of 12 months. If the Area Supervisor recommends deferral to the maximum expiration date or the post-release supervision maximum expiration date, there must be 12 months or less remaining on the sentence or period of post-release supervision. If deferred, the Area Supervisor must provide the rationale for such action on the worksheet. The Area Supervisor will sign the worksheet prior to submission to the Regional Director/Assistant Regional Director.
- f. The Regional Director/Assistant Regional Director is responsible for the supervision of the merit termination of sentence process throughout the Region. The Regional Director/Assistant Regional Director will ensure that the POs, SPOs, and Area Supervisors are completing the case reviews and preparing the required documentation for all eligible cases in a timely manner. The Regional Director/Assistant Regional Director is authorized to either grant a merit termination of sentence or defer the case for an additional period of supervision not to exceed 12 months. The Regional Director/Assistant Regional Director will review the report package and case file of the eligible releasee and record the decision on the worksheet. If the releasee has an Alien Registration Number and a letter has been sent to ICE, the Regional Director/Assistant Regional Director will allow sufficient time for a response and further direction, not to exceed 30 days unless otherwise instructed by the Deputy Commissioner or Assistant Commissioner for Community Supervision. If deferred, the Regional Director/Assistant Regional Director must provide the rationale for such action on the worksheet.

The completed worksheet, to include the required signatures, will be submitted by the Region to the Department's Community Supervision Quality Control (QC) Unit for final processing and record entry.

- g. Following submission of the worksheet to the QC Unit, it is the responsibility of the assigned PO to track the case status via PARMIS inquiry. If granted a merit termination of sentence, the PO is responsible for notifying the releasee and making the appropriate case entry in CMS. The SPO will confirm that the releasee has been notified of the discharge action via case entry in CMS.
  - h. If, subsequent to submission of the worksheet to the QC Unit, the releasee has been arrested or has engaged in behavior that may form the basis for a violation of release, the Regional chain of command must take appropriate action and notify the QC Unit staff. The Regional Director/Assistant Regional Director will ultimately determine the impact that this new information will have on further processing.
- 5. Community Supervision QC Unit Staff and Central Files Staff
  - a. QC staff will verify that all required signatures and information have been recorded on the worksheet document, and that the decision to either grant a termination of sentence or to defer for an additional period of supervision has been authorized by the Regional Director/Assistant Regional Director.
  - b. Prior to entering the decision, QC staff will review the case record for new arrests and warrant activity. QC staff will immediately confer with the appropriate Area Supervisor if a new arrest has been reported or a violation of release warrant has been issued.
  - c. QC staff will ensure that deferral recommendations do not exceed 12 months.
  - d. Central Files staff is responsible for forwarding the final discharge form to assigned field staff.

### **Violent Felony Offense List**

**Violent Felony Offense:** A violent felony offense is a class B violent felony offense, a class C violent felony offense, a class D violent felony offense, or a class E violent felony offense, defined as follows:

#### **N.Y. Penal Law §70.02 Class B Violent Felony Offenses:**

An attempt to commit the class A-1 felonies of:

Murder 2<sup>nd</sup> degree – PL 125.25  
Kidnapping 1<sup>st</sup> degree – PL 135.25  
Arson 1<sup>st</sup> degree – PL 150.20  
Manslaughter 1<sup>st</sup> degree – PL 125.20  
Aggravated Manslaughter 1<sup>st</sup> degree – PL 125.22  
Rape 1<sup>st</sup> degree – PL 130.35  
Criminal Sexual Act 1<sup>st</sup> degree – PL 130.50  
Aggravated Sexual Abuse 1<sup>st</sup> degree – defined 130.70  
Course of Sexual Conduct Against a Child 1<sup>st</sup> degree – PL 130.75  
Assault 1<sup>st</sup> degree – PL 120.10  
Kidnapping 2<sup>nd</sup> degree – PL 135.20  
Burglary 1<sup>st</sup> degree – PL 140.30  
Arson 2<sup>nd</sup> degree – PL 150.15  
Robbery 1<sup>st</sup> degree – PL 160.15  
Incest 1<sup>st</sup> degree – PL 255.27  
Criminal Possession of a Weapon 1<sup>st</sup> degree – PL 265.04  
Criminal Use of a Firearm 1<sup>st</sup> degree – PL 265.09  
Criminal Sale of a Firearm 1<sup>st</sup> degree – PL 265.13  
Aggravated Assault upon a Police Officer or a Peace Officer – PL 120.11  
Gang Assault 1<sup>st</sup> degree – PL 120.07  
Intimidating a Victim or Witness 1<sup>st</sup> degree – PL 215.17  
Hindering Prosecution of Terrorism 1<sup>st</sup> degree – PL 490.35  
Criminal Possession of a Chemical Weapon or Biological Weapon 2<sup>nd</sup> degree – PL 490.40  
Criminal Use of a Chemical Weapon or Biological Weapon 3<sup>rd</sup> degree – PL 490.47

#### **N.Y. Penal Law § 70.02 Class C Violent Felony Offenses:**

An attempt to commit any of the class B felonies:

Aggravated Criminally Negligent Homicide – PL 125.11  
Aggravated Manslaughter 2<sup>nd</sup> degree – PL 125.21  
Aggravated Sexual Abuse 2<sup>nd</sup> degree – PL 130.67  
Assault on a Peace Officer, Police Officer, Fireman or Emergency Medical Services Professional – PL 120.08  
Gang Assault 2<sup>nd</sup> degree – PL 120.06  
Burglary 2<sup>nd</sup> degree – PL 140.25  
Robbery 2<sup>nd</sup> degree – PL 160.10  
Criminal Possession of a Weapon 2<sup>nd</sup> degree – PL 265.03  
Criminal Use of a Firearm 2<sup>nd</sup> degree – PL 265.08  
Criminal Sale of a Firearm 2<sup>nd</sup> degree – PL 265.12  
Criminal Sale of a Firearm with the Aid of a Minor – PL 265.14  
Soliciting or Providing Support for an Act of Terrorism 1<sup>st</sup> degree – PL 490.15  
Hindering Prosecution of Terrorism 2<sup>nd</sup> degree – PL 490.30  
Criminal Possession of a Chemical Weapon or Biological Weapon 3<sup>rd</sup> degree – PL 490.37

Assault on a Judge – PL 120.09  
Strangulation 1<sup>st</sup> degree – PL 121.13  
Aggravated Criminal Possession of a Weapon – PL 265.19

**N.Y. Penal Law §70.02 Class D Violent Felony Offenses:**

An attempt to commit any of the class C felonies:

Reckless Assault of a Child – PL 120.02  
Assault 2<sup>nd</sup> degree – PL 120.05  
Menacing a Police Officer or Peace Officer – PL 120.18  
Stalking 1<sup>st</sup> degree – defined in subdivision one of section 120.60  
Rape 2<sup>nd</sup> degree – PL 130.30  
Criminal Sexual Act 2<sup>nd</sup> degree – PL 130.45  
Sexual Abuse 1<sup>st</sup> degree – PL 130.65  
Course of Sexual Conduct against a Child 2<sup>nd</sup> degree – PL 130.80  
Aggravated Sexual Abuse 3<sup>rd</sup> degree – PL 130.66  
Facilitating a Sex Offense with a Controlled Substance – PL 130.90  
Criminal Possession of a Weapon 3<sup>rd</sup> degree – defined in subdivision five, six, seven, eight, nine, or ten of section 265.02  
Criminal Sale of a Firearm 3<sup>rd</sup> degree – PL 265.11  
Intimidating a Victim or Witness 2<sup>nd</sup> degree – PL 215.16  
Soliciting or Providing Support for an Act of Terrorism 2<sup>nd</sup> degree – PL 490.10  
Making a Terroristic Threat – PL 490.20  
Falsely Reporting an Incident 1<sup>st</sup> degree – PL 240.60  
Placing a False Bomb or Hazardous Substance 1<sup>st</sup> degree – PL 240.62  
Placing a False Bomb or Hazardous Substance in a Sports Stadium or Arena, Mass Transportation Facility, or Enclosed Shopping Mall – PL 240.63  
Aggravated Unpermitted Use of Indoor Pyrotechnics 1<sup>st</sup> degree – PL 405.18  
Strangulation 2<sup>nd</sup> degree – PL 121.12

**N.Y. Penal Law §70.02 Class E Violent Felony Offenses:**

An attempt to commit any of the felonies of:

Criminal Possession of a Weapon 3<sup>rd</sup> degree – defined in subdivision five, six, seven, or eight of section 265.02 as a lesser included offense of that section – PL 220.20 of the Criminal Procedure Law  
Persistent Sexual Abuse – PL 130.53  
Aggravated Sexual Abuse 4<sup>th</sup> degree – PL 130.65-a  
Falsely Reporting an Incident 2<sup>nd</sup> degree – PL 240.55  
Placing a False Bomb or Hazardous Substance 2<sup>nd</sup> degree – PL 240.61



MTRNR

STATE OF NEW YORK PAGE: 1  
DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION  
THE HARRIMAN STATE OFFICE CAMPUS - BUILDING 2  
1220 WASHINGTON AVENUE  
ALBANY, NEW YORK 12226-2050

M E M O R A N D U M  
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TO: A/S: AREA SUPERVISOR NAME SPO: SPO NAME PO: PO NAME  
FROM: DIRECTOR OF INTERNAL OPERATIONS FOR COMMUNITY SUPERVISION  
RE: PAROLEE NAME  
NYSID: 01234567Z  
DIN: 99X9999  
DATE: 06/01/2014

PAROLEE XXXXXXXX,XXXXXXXX, NYSID 01234567Z, DIN 99X9999, HAS BEEN DETERMINED TO BE ELIGIBLE FOR DISCHARGE BY REASON OF MERIT TERMINATION OF SENTENCE. A MERIT TERMINATION OF SENTENCE REVIEW MUST BE CONDUCTED OVER THE NEXT THIRTY (30) DAYS AND A COMPLETED MERIT TERMINATION OF SENTENCE DECISION FORM SUBMITTED TO THE CENTRAL OFFICE COMMUNITY SUPERVISION QUALITY CONTROL UNIT THIRTY (30) DAYS FROM THE MERIT TERMINATION OF SENTENCE ELIGIBILITY DATE.

NOTE THAT THIS SUBJECT HAS BEEN DETERMINED TO BE AN ALIEN (WITH REGISTRATION NUMBER 123456789). A LETTER HAS BEEN SENT FROM CENTRAL OFFICE COMMUNITY SUPERVISION OPERATIONS TO IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) TO DETERMINE DEPORTATION STATUS.

Attachment B Cont.

MTRNR

MERIT TERMINATION REVIEW  
PAROLEE PROFILE

PAGE: 2

NAME: XXXXXXXX,XXXXXXXX

AREA: BROOKLYN X

NYSID: 01234567Z

SENIOR: SPO NAME

DIN: 99X9999

PO: PO NAME

RELEASE DATE: 07/08/2012

3 YEAR/DEFER DATE: NONE

ME DATE: 04/09/2015

--CRIME(S)-----ATTP--CL--MIN--MAX--CNTS--TYPE--HATE-VFO

GRAND LARCENY - NOT AUTO 3RD (REV 11/86) YES E 0106 0400 1 N NO

--ARREST(S)-----DATE-----AGENCY-----

GRAND LARCENY - NOT AUTO 3RD (REV 11/86) 12/13/2013 NYCPD PCT 009

INTERIM BY: NO DD PENDING COURT

INTERIM DATE: 02/06/2014

--DRUG TEST(S)----COC--OPS--THC--PCP--AMP--BAR--ALC--MET--OTH--TESTED-BY

05/27/2013 N N N N BROOKLYN X

Attachment B Cont.

MTRNR - MERIT TERMINATION WORKSHEET &amp; DECISION - Eligibility Date: 07/01/2014

NAME: XXXXXXXX,XXXXXXXX

NYSID: 01234567Z

PON: BK10-9999-9999

CMS Updated & Reviewed: ☐ YES Folder Reviewed: ☐ YES RAP & III: ☐ YES  
☐ NO ☐ NO ☐ NO

The parolee has maintained a stable, verifiable residence: YES( ) NO( )

The parolee has remained drug free and/or has completed any required treatment and is currently drug free: YES( ) NO( )

The parolee is employed, or has made good faith efforts to find employment, or has a verifiable source of income: YES( ) NO( )

The parolee has complied with special conditions: YES( ) NO( )

The parolee, while under supervision, has not violated an order of protection or engaged in violent behavior: YES( ) NO( )

The parolee has a prior history of threatening or violent behavior and/or violating an order of protection but discharge would not be contrary to the best interest of society: YES( ) NO( )

The parolee has made a good faith effort to pay Supervision Fees, Restitution, Mandatory Surcharges, and/or Sex Offender Fees: YES( ) NO( )

PO Signature \_\_\_\_\_ Defer \_\_\_\_\_ No Deferral \_\_\_\_\_

SPO Signature \_\_\_\_\_ Defer \_\_\_\_\_ No Deferral \_\_\_\_\_

No Deferral: \_\_\_\_\_ Defer: \_\_\_\_\_ months (may NOT exceed 12 months)

Defer to Max Exp. or Post-Release Supervision Max Exp: \_\_\_\_\_  
(ONLY if 12 months or less remain on sentence)

If deferred, details: \_\_\_\_\_

Area Supervisor \_\_\_\_\_ Date \_\_\_\_\_

No Deferral: \_\_\_\_\_ Defer: \_\_\_\_\_ months (may NOT exceed 12 months)

Defer to Max Exp. or Post-Release Supervision Max Exp: \_\_\_\_\_  
(ONLY if 12 months or less remain on sentence)

If deferred, details: \_\_\_\_\_

Regional Director \_\_\_\_\_ Date \_\_\_\_\_

June 01, 2014

Mr. Timothy Nevin  
Supervisory Deportation Officer  
U.S. Department of Homeland Security  
Immigration and Customs Enforcement  
P.O. Box 639  
Glenham, NY 12527

Re: PAROLEE NAME (NYSID 012345678Z 000000000)

Dear Mr. Nevin:

The above referenced individual is presently under the jurisdiction of the New York State Department of Corrections and Community Supervision (DOCCS). Pursuant to New York State Correction Law Section 205, this parolee may be granted a Merit Termination of Sentence unless Immigration and Customs Enforcement informs us that the parolee is a deportable alien.

As part of our review process, we are requesting that you provide us with written verification no later than July 01, 2014 of your intention to deport this individual. If our Department does not receive a response from your office prior to the aforementioned date, indicating that the deportation process is to be initiated, we will proceed with the Merit Termination of Sentence process provided a termination of sentence is in the best interest of society.

Please send your response to my attention at the New York State Department of Corrections and Community Supervision, The Harriman State Office Campus - Building 2, 1220 Washington Avenue, Albany, NY 12226-2050.

If you have any questions or would like further information regarding the Merit Termination of Sentence process, please call our Community Supervision Office at (518) 473-5421.

Thank you for your attention and assistance in this matter.

Very Truly Yours,

Timothy O'Brien  
Director of Internal Operations  
Community Supervision Operations

cc: Community Supervision Central Files  
Area Supervisor (Bureau Chief)