

NEW YORK STATE DEPARTMENT OF CORRECTIONS & COMMUNITY SUPERVISION



Research In Brief *Early Conditional Parole For Deportation Only (ECPDO) - 2013*



- Under the provisions of the Sentencing Reform Act of 1995, foreign-born inmates who are committed for a non-violent felony offense and have a final order of deportation are eligible to be considered for release by the Parole Board prior to the completion of their minimum term of imprisonment for purposes of deportation only. These pre-parole eligibility releases are referred to as Early Conditional Parole for Deportation Only (ECPDO) releases.

TABLE M-5
ECPDO RELEASES BY FELONY CLASSIFICATION

FELONY CLASS*	RELEASE YEAR			TOTAL
	1995-2000	2001-2006	2007-2013	
A-I FELONY	153	25	25	203
A-II FELONY	466	543	189	1,198
CLASS B FELONY	240	195	150	585
CLASS C FELONY	116	46	27	189
CLASS D FELONY	76	19	18	113
CLASS E FELONY	16	4	5	25
YOUTHFUL OFFENDER	0	0	1	1
TOTAL	1,067	832	415	2,314

*Class A-I felonies are the most serious and Class E felonies are the least serious
 ** Youthful Offenders who are legal permanent residents cannot be deported based upon their felony conviction however, Youthful Offenders who are illegal aliens can be deported on the basis of their illegal status.

- There were 207 ECPDO releases from Department custody in calendar years 2010 - 2013. The total number of ECPDO releases between the beginning of the program (July 1, 1995) and December 31, 2013 was 2,314.

ESTIMATED COST SAVINGS FOR EARLY CONDITIONAL PAROLE FOR DEPORTATION ONLY RELEASES

- Between 1995 and 2009, 2,107 non-violent foreign-born inmates were released on average 27.3 months prior to the completion of their minimum term of imprisonment. The 207 cases released between 2010-2013 were released 19.6 months early.
- It is estimated that the ECPDO program has resulted in a \$157 million savings in operating and capital costs as of December 31, 2013.

EARLY RELEASE PRIOR TO PE DATE	ECPDO
Time Frame	January 1, 1995 - December 31, 2009
Early Releases	2,107
Average Savings Per Release to PE Date In Months	27.3
Annual Cost Per Inmate	\$29,000
Operational Savings	\$139,009,325
Monthly Capital Cost Per Bed	\$363
Capital Construction Avoidance Savings*	\$12,127,830
COMBINED SAVINGS	\$151,137,155
Time Frame	January 1, 2010 - December 31, 2013
Early Releases	207
Average Savings Per Release to PE Date in Months	19.6
Marginal Cost Savings Per Inmate Per Month***	\$1,500
Operational Savings	\$6,085,800
Bed Savings**	70
Total Savings January 1, 1995 - December 31, 2013	\$157,222,955

* Capital Construction Avoidance is calculated from 1995 through 2000.

** As of December 31, 2013

*** Based on work done by DCJS Research on the Results First Project