
 NEW YORK STATE Corrections and Community Supervision DIRECTIVE	TITLE Notice of Right to Vote Upon Release to Community Supervision		NO. 9205
			DATE 09/30/2021
SUPERSEDES DIR# 9205 Dtd. 04/15/21	DISTRIBUTION A B	PAGES PAGE 1 OF 3	DATE LAST REVISED
REFERENCES (Include but are not limited to) Election Law §3-102(16); Correction Law §75, §205, §701, §703-a(2); Executive Law §259-j; Executive Order 169; Executive Order 181; NYS Mental Hygiene Law	APPROVING AUTHORITY 		

- I. PURPOSE:** To instruct staff on the legal requirement to advise individuals of their right to vote upon release to Community Supervision (e.g., parole, conditional release, or period of post-release supervision) and to provide assistance with the voter registration process.
- II. POLICY:** All individuals convicted of a felony offense regain their right to register and vote when released to Community Supervision. The Department shall provide individuals with assistance with the voter eligibility and registration processes. Community Supervision staff shall provide the following information and assistance to all individuals released from a DOCCS facility or other correctional facility:
- A. Verbal and written notification of the restoration of voting rights upon release from a DOCCS or a local correctional facility.
 - B. New York State Voter Registration Form.
 - C. Acknowledgment of Receipt and Declination Form (DOCCS [Form #CS9205A](#)).
 - D. Assistance with completing the registration and declination forms.
 - E. Publications and written information regarding voting procedures produced and distributed by the Board of Elections.
 - F. If requested by the individual (releasee), staff shall transmit the completed voter registration form to the Board of Elections Office.
- NOTE:** Individuals do not have the right to vote while incarcerated for a New York State felony offense, while incarcerated for a Federal felony offense which would constitute a felony under the laws of New York State, or while incarcerated for a felony offense in another state where such offense would constitute a felony under the laws of New York State.
- NOTE:** Any reference to “individual” or “releasee” in this directive is intended to refer to a person released to Community Supervision and presently under the jurisdiction of DOCCS. References to “individual” or “releasee,” for purposes of this directive, shall also include any NYS Mental Hygiene Law-identified respondent who is presently under the jurisdiction of DOCCS, any alleged parole or post-release supervision violator, and any revoked parole or post-release supervision violator.
- III. PROCEDURE – COMMUNITY SUPERVISION AND PROGRAM SERVICES**
- A. Parole Officer (PO) Responsibility:
 1. The assigned PO or other designated officer will notify the individual (releasee) regarding their right to vote in New York State during the arrival report interview.

2. The PO will provide the following voter information and the Voter Registration Form at the time of the arrival report interview:
 - a. Voting Rights, as well as all other pertinent voting information
www.ag.ny.gov/civil-rights/voting-rights
 - b. New York State Voter's Registration Form (English and Spanish)
www.elections.ny.gov/VotingRegister.html
 - c. New York State Voter's Bill of Rights <https://vote.nyc/page/voters-rights>
 - d. Notice of the Restoration of Voting Rights Upon Release – Acknowledgement of Receipt and Declination Form (DOCCS [Form #CS9205A](#))
 3. If requested, the PO shall provide the releasee with assistance in filling out the Voter Registration Form.
 4. The PO shall provide the releasee with assistance in filling out [Form #CS9205A](#) and sign the "Witness Name" section.
 5. If requested, the PO shall transmit the Voter Registration Form to the State Board of Elections or the local Board of elections in the county where the releasee resides.
 6. The PO or other designated staff person shall enter the applicable information in the releasee's Case Management System (CMS) record by utilizing the Activity Code "VT". The CMS entry must also include the date, time, and place the releasee was provided with the voter registration material.
 7. A copy of completed [Form #CS9205A](#) shall be placed in the Community Supervision case folder.
- B. Senior Parole Officer (SPO) Responsibility: The SPO shall ensure that each releasee is provided with the voter registration information and forms during all arrival report interviews.
- C. Bureau Chief Responsibility: The Bureau Chief shall establish a system of controls that ensure the required dissemination of voter information and registration forms during the arrival report phase of Community Supervision.
- D. Declared Delinquent Other Institution (DDOI) Staff Responsibility: If an individual has been ordered returned on a sustained violation of parole, presumptive release, conditional release, or post-release release supervision, and the adjudicated parole violator subsequently reaches the maximum expiration of their sentence, or is to be discharged (released) by process while incarcerated at the Rikers Island CF, DDOI staff will provide the releasee with the information, documentation, and level of assistance as delineated in Section III-A of this directive. The documents will be provided to the releasee at the time of release interview.
- E. Upstate Parole Violation Unit (PVU) Staff Responsibility: If an individual has been ordered returned on a sustained violation of parole, presumptive release, conditional release, or post-release release supervision, and the adjudicated parole violator subsequently reaches the maximum expiration of their sentence, or is otherwise discharged (released) by process while incarcerated in a county jail or local correctional facility, PVU staff will notify the Parole Officer who will be responsible for conducting the release interview that the individual is to be provided with the information, documentation, and level of assistance as delineated in Section III-A of this directive.

- F. Chief of PVU and DDOJ SPO Responsibility: The Chief of Upstate PVU, Chief of Downstate PVU, and the DDOJ SPO shall establish a system of controls that ensure the required dissemination of voter information and registration forms during the release (discharge) interviews conducted at the Rikers Island CF and all other local correctional facilities.