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|  <p>Department of Corrections and Community Supervision</p> <p>DIRECTIVE</p> | TITLE | | NO. 9205 |
| | <p>Notice of Right to Vote Upon Release to Community Supervision</p> | | DATE 07/11/2024 |
| SUPERSEDES DIR #9205 Dtd. 04/24/23 | DISTRIBUTION A B | PAGES PAGE 1 OF 3 | DATE LAST REVISED |
| REFERENCES (Include but are not limited to) Election Law § 3-102(16); Correction Laws §§ 75, 205, 701, 703-a(2); Executive Law § 259-j; NYS Mental Hygiene Law; Executive Order 169; Executive Order 181 | 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 Department of Corrections and Community Supervision (DOCCS) facility or other correctional facility:
 - A. Verbal and written notification of the restoration of voting rights upon release from a DOCCS or local correctional facility.
 - B. New York State (NYS) Voter Registration Form.
 - C. DOCCS [Form #CS9205A](#), "Notice of Restoration of Voting Rights Upon Release - Acknowledgment of Receipt and Declination Form."
 - 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, a federal felony offense which would constitute a felony under the laws of New York State, or 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 – PROGRAM SERVICES

- A. Offender Rehabilitation Coordinator (ORC) Responsibility:
 1. The assigned ORC or other designated staff will notify the individual regarding their right to vote in New York State during the release/sign-out interview from custody to Community Supervision or Maximum Expiration (ME). Additionally, releasing individuals will receive voter registration education as part of Transitional Services Phase III.

2. The ORC will provide the following voter information and the Voter Registration Form at the time of the release/sign-out interview.
 - a. NYS Voter's Registration Form (English and Spanish):
<https://elections.ny.gov/register-vote>
 - b. NYS Voter's Bill of Rights:
<https://elections.ny.gov/know-your-rights>
 - c. DOCCS [Form #CS9205A](#)
 3. If requested, the ORC shall provide the releasee with assistance in filling out the Voter Registration Form.
 4. The ORC shall provide the releasee with assistance in filling out [Form #CS9205A](#) and sign the "Witness Name" section.
 5. If requested, the ORC shall transmit the Voter Registration Form to the State Board of Elections, or the local Board of Elections in the county where the releasee will reside.
 6. The ORC or other designated staff 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 the completed [Form #CS9205A](#) shall be placed in the Guidance folder and the Community Supervision case folder.
- B. Supervising Offender Rehabilitation Coordinator (SORC) Responsibility: The SORC shall ensure that each releasee is provided with the voter registration information and forms during the release/sign-out interview.
- C. Deputy Superintendent for Programs (DSP) Responsibility: The DSP shall establish a system of controls that ensure the required dissemination of voter information and registration forms during the release/sign-out process.

IV. PROCEDURE – COMMUNITY SUPERVISION

- A. Parole Officer (PO) Responsibility:
1. The assigned PO or other designated officer will notify the individual 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. NYS Voter's Registration Form (English and Spanish):
<https://elections.ny.gov/register-vote>
 - b. NYS Voter's Bill of Rights:
<https://elections.ny.gov/know-your-rights>
 - c. 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 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 (BC) Responsibility: The BC 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. The BC shall review the monthly NOVAC report and discuss identified cases with appropriate staff to ensure compliance.
 - 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 supervision, and the adjudicated parole violator subsequently reaches the ME of their sentence, or is to be discharged (released) by process while incarcerated at the Rikers Island Correctional Facility, DDOI staff will provide the releasee with the information, documentation, and level of assistance as delineated in subsection IV-A. 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 supervision, and the adjudicated parole violator subsequently reaches the ME 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 PO 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 subsection IV-A.
 - F. Chief of PVU and DDOI SPO Responsibility: The Chief of Upstate PVU, Chief of Downstate PVU, and the DDOI 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 Rikers Island and all other local correctional facilities.