

Peter S. Kosinski
Co-Chair

Anthony J. Casale
Commissioner

Todd D. Valentine
Co-Executive Director

Kimberly A. Galvin
Co-Counsel



40 NORTH PEARL STREET, 5th FLOOR
ALBANY, N.Y. 12207-2729
Phone: 518/474-1953 Fax: 518/474-1008
www.elections.ny.gov

Douglas A. Kellner
Co-Chair

Andrew J. Spano
Commissioner

Kristen Zebrowski Stavisky
Co-Executive Director

Brian L. Quail
Co-Counsel

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Notice to Judges, Corrections Staff, Parole & Probation Officers,
Attorneys, Elected Officials and the Public

Changes to Felon/Parolee Voting Rights

Chapter 103 of the Laws of 2021 removes the prohibition that a person convicted of a felony that is discharged from incarceration but on parole, cannot legally register to and vote. The law also requires that judges, corrections staff, parole and probation officers, attorneys, elected officials, and the public be advised of this new law.

The law now provides that prior to accepting a plea of guilty for a felony in an indictment or a Superior Court Information, that the Court must advise the defendant that by virtue of this felony conviction that he/she is forfeiting their right to vote while incarcerated and when they are discharged from the correctional facility, that their right to register and vote will be restored.

Upon processing the inmate for discharge, a jail or prison official, must advise the person being released, in writing, with written information regarding their right to register to vote and the process to submit that registration form. The person shall, then and there, prior to being discharged, be given the opportunity register to vote or take a voter registration form with them. If the person chooses to fill out the registration form at that time, the facility staff shall assist the person with filling out the same and shall transmit the form to the appropriate board of elections for processing. If the person declines, at that time, to register to vote, the correctional facility must obtain a signed declination acknowledging the declination and provide them with a voter registration form to take with them.

If the parole status of the individual is ever revoked, meaning that the person will be returned to an incarcerated status, the presiding officer revoking the parole, must advise the person, in writing, that while they are incarcerated in a correctional facility, their previously restored right to register and vote shall be again revoked and that their ability to do so shall be restored, upon their release.