



State of New York
STATE BOARD OF ELECTIONS

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TO: County Commissioners
FROM: State Board of Elections
RE: Registration of Former Felons
DATE: October 29, 2003

There have been two meetings between SBOE staff, advocates for ex-felons and criminal justice state agencies, to discuss both barriers to ex-felons registering to vote, and ways to remove those barriers.

As you know, everyone who presents themselves to register, completes the form and signs the affidavit, is presumed to be eligible and should be registered. [Election Law §§5-102 & 5-210]. A person previously canceled for a felony conviction is entitled to the same presumption of eligibility.

Whenever the board has reason to question a person's eligibility, Election Law §5-210(10) authorizes them to seek additional information to resolve any question before making a determination.

When the person whose eligibility is being questioned is an ex-felon, many of you are asking for documentation that they cannot provide. Certificates of Relief from Disabilities, although real, are very rare. The issuance is discretionary, and Department of Correctional Services rules and regulations serve to deny such issuance in the vast majority of instances. Additionally, the Division of Parole admits to at least a 60 day delay in the issuance of release letters once a person has completed their parole supervision.

Given these realities, it is clear that county boards cannot ask for these or similar items as proof of eligibility in those rare instances when a question arises. Doing so has the effect of disenfranchising people, and we are in the business of enfranchising people.

There is a website, maintained by the Department of Correctional Services, which is updated monthly. It is possible to access current information on persons who have served time in state facilities, including release dates from prison and/or parole supervision.

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The website is www.docs.state.ny.us. At the page, you would click on 'Inmate Lookup', enter the person's first and last name, and submit the request. The results page will list name, sex birth date, status, facility and department identification number, or DIN. Click on the DIN for the person whose information you are verifying.

This brings up a "Commitment History" page, and if you click on the DIN one more time, you get the "Inmate Information Page". Scroll to end, and you will find maximum release dates. Check those dates against the current date, and you will be able to determine whether the individual before you is indeed eligible to register. Samples of each page in this process are attached. If you have problems, or questions using this system, please call:

In NYC: Office of Downstate Parole Services, 212-239-5727; Marshall Rosado or Andrea Evans;
Upstate: Office of Upstate Parole Services, 518-473-3272; Karl Guule.

This seems like a lot, but is a fairly quick, and reasonably reliable system. It is also the only alternative currently available to us.

Again, this alternative is to be used only in those rare occasions when there is a question about a person's eligibility to register and vote. The question must be something more than just the fact of the previous cancellation, as all persons who complete the form and sign the affidavit are presumed eligible to register and vote.

As always, if there are questions, do not hesitate to call us.