



Legislation Text

File #: Res 1402-2020, **Version:** *

Res. No. 1402

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.4987/S.1931, which would restore voting rights to parolees.

By The Public Advocate (Mr. Williams)

Whereas, The right to vote is the most fundamental right of citizens and the bedrock of democracy; and

Whereas, New York State law currently rescinds the right to vote from any person convicted of a felony, unless he or she has completed his or her maximum sentence of imprisonment, been discharged from parole, or been pardoned or restored to the rights of citizenship by the Governor; and

Whereas, New York State law allows individuals on probation to vote, but not those on parole, a distinction that causes administrative confusion and has often led to illegal disenfranchisement; and

Whereas, According to the New York State Department of Corrections and Community Supervision's most recent annual report, as of December 31, 2018, there were 36,127 individuals on active parole in New York State; and

Whereas, According to the same report, parolees were disproportionately African-American (47 percent) or Hispanic (23 percent); and

Whereas, According to the same report, the majority (51 percent) of parolees in New York State were New York City residents; and

Whereas, According to the New York City Department of Correction's figures for Fiscal Year 2018, African-American and Hispanic individuals were also disproportionately represented in New York City jails, which are often points along the road to State prison, at 53 percent and 33 percent, respectively; and

Whereas, in December 2018, the New York City Council passed three local laws requiring the

Department of Probation to inform individuals on probation of their voting rights, requiring the Department of Correction to inform individuals released from City jails of their voting rights, and requiring agencies to assist eligible parolees with voter registration, enacted as Local Laws 2, 6, and 11 of 2019, respectively; and

Whereas, On April 18, 2018, Governor Cuomo signed Executive Order 181, which set forth a process by which, on a monthly basis, the Governor would grant conditional pardons to individuals on parole, thereby restoring their voting rights; and

Whereas, On May 22, 2018, Governor Cuomo issued his first set of conditional pardons, pardoning 24,086 individuals and restoring them to the franchise; and

Whereas, As of December 2019, more than 49,000 individuals on parole have had their voting rights restored; and

Whereas, While Executive Order 181 has restored voting rights to tens of thousands of parolees, it is not a permanent legislative fix; and

Whereas, Changing the law to restore voting rights to parolees would reduce administrative confusion and reduce the administrative burden of processing tens of thousands of pardons each month; and

Whereas, Restoring parolees' right to vote would help mitigate the systemic racism perpetuated by a system that disproportionately disenfranchises people of color on account of being on parole; and

Whereas, Civic engagement through voting is an essential element of being an adult member of civil society, and essential to rehabilitating individuals who have been removed from civil society while in prison; and

Whereas, Parolees are already fully functioning members of society who work and pay taxes, and should be permitted to express their opinions about issues that affect their community, as any other citizen is; and

Whereas, By changing the law to restore voting rights to parolees, New York would join 18 other states and the District of Columbia in allowing parolees to vote; and

Whereas, In January 2019, New York State Senator Leroy Comrie introduced S.1931, which would restore voting rights to parolees; and

Whereas, In February 2019, New York State Assembly members Latrice Walker and David Weprin introduced A.4987, the companion bill to S.1931; and

Whereas, A.4987/S.1931 would, among other things, restore voting rights to those on parole, and require that individuals about to be released from State or Local correctional facilities be informed verbally and in writing of the restoration of their voting rights and provided voter registration materials and assistance in registering to vote; and

Whereas, Passing A.4987/S.1931 would help make New York a more fair and just society, and would strengthen its democracy; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, A.4987/S.1931, which would restore voting rights to parolees.

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