




Corrections and Community Supervision

ANDREW M. CUOMO
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

MEMORANDUM

TO: All Bureau Chiefs
All Chief of the Parole Violation Unit
All Senior Parole Officers
All Parole Revocation Specialists

FROM: Ana Enright, Acting Deputy Commissioner for Community Supervision 

RE: Executive Order 181 – *“Restoring the Right to Vote to Parolees”*

DATE: May 22, 2018

Please be advised that the issuance of pardons by Governor Cuomo under Executive Order 181 has commenced and the Executive Clemency Bureau has started to receive the pardon certificates from the Executive Chamber. The issuance of the pardons for the exclusive purpose of restoring the right to vote to parolees requires high priority attention by all affected Community Supervision personnel. Community Supervision personnel are required to deliver the pardon certificates to the recipients (parolees) and staff must also provide recipients with voter registration forms, related complementary documents, and assistance with the registration process. All associated activities must be entered in the Case Management System (CMS) record of the parolee. The Executive Clemency Bureau has been instructed to send the pardon documents via network email to the attention of the Regional Director, Assistant Regional Director, and Bureau Chief for distribution to assigned staff. The following information is intended to summarize the process and highlight the procedural steps to be followed by assigned staff:

1. The initial group of pardons received from the Executive Chamber will be automatically uploaded to the Case Management System (CMS) and posted on the “Miscellaneous” screen of the parolee (recipient). Please note that the pardon issuance indicator will be posted as a Miscellaneous Data record.
2. The issuance of a pardon under Executive Order 181 will be identified by the indicator “DI” on the Miscellaneous screen in CMS. Bureau personnel will find the case-specific pardon issuance information on the Miscellaneous screen effective immediately (May 22, 2018).
3. The Executive Clemency Bureau will forward the actual pardon certificates to the attention of the Regional Directors, Assistant Regional Directors, and Bureau Chiefs via network email in PDF format.
4. Upon receipt of the pardon documents, the Bureau Chief will be responsible for distribution to the assigned Senior Parole Officer and Parole Officer.
5. The assigned Parole Officer is responsible for providing the parolee with the pardon certificate during the next office visit with the parolee (recipient). The Parole Officer must enter the receipt of the

pardon certificate by the parolee via manual entry of the date provided by using the indicator "DR" on the Miscellaneous Data record screen in CMS.

6. At the time that the parolee is provided with the pardon certificate, the Parole Officer must also provide the recipient with the NYS Voter Registration Form and the NYS Voting Rights form. Supplies of the voter registration forms have been provided to all Community Supervision Bureaus and office locations. The Voting Rights form is available via the link referenced in Directive 9205, "*Notice of the Right to Vote*". The Parole Officer must be prepared to assist the parolee with filling out the registration form and the Parole Officer is responsible for providing information regarding the location of the local Board of Elections. The provision of the registration form and related documents must be recorded in the parolee's CMS Contact Record by using the "VR" activity code. The NYS Voter Registration Form is available in five (5) different languages. Additional information is available from the Regional Director or Assistant Regional Director.
7. If a parolee (recipient) has been reincarcerated and in local confinement or incarcerated in a correctional facility other than a NYS DOCCS facility, assigned Community Supervision staff are to maintain possession of the pardon certificate until such time as the pending matter has been resolved. If the charges or pending issues are dismissed or vacated, assigned staff must provide the parolee with the pardon certificate during the next office report.
8. If a parolee is reincarcerated in a NYS DOCCS facility as a result of a parole revocation and a time assessment has been imposed, the pardon certificate will be revoked administratively. The Executive Clemency Bureau is responsible for processing the pardon revocation and posting the revocation information by using the "DV" indicator on the Miscellaneous Data record of the parolee.
9. If the parole revocation results in a disposition of restoration to the community, assigned staff (Parole Violation Unit or the CS Bureau) must immediately contact the Executive Clemency Bureau via email to the Bureau's shared mailbox, PardonsandCommutations@DOCCS.NY.Gov and follow the directions provided by Bureau personnel with regard to the status and disposition of the pardon certificate.

Please be advised that the above referenced instructions will be incorporated into the Department's Directive #9205, "*Notice of the Right to Vote*", as will any additional direction, instructions, or protocols developed in response to Executive Order 181. As noted, this process requires high priority attention and it is extremely important that all related activities be entered in the Case Management System (CMS) record of the parolee.

Questions, comments, and concerns are to be raised via the Community Supervision chain of command.

Thank you for your attention and anticipated cooperation.

cc: Anthony J. Annucci, Acting Commissioner
Daniel F. Martuscello, Executive Deputy Commissioner
Anne Marie McGrath, Associate Commissioner
Marco Ricci, Assistant Commissioner
William Hogan, Assistant Commissioner
Timothy O'Brien, Director of Internal Operations
All Regional Directors
All Assistant Regional Directors
William Fitzpatrick, Director of Executive Clemency
Michael McHale, Deputy Chief of PVU

Reference Guide for Distribution / Documentation of Right to Vote Materials

SPO:

Upon receiving of Pardon/Voter Registration Forms, Certificates, and FAQ sheet, SPO will distribute to assigned parole officers and track through case conference that the documents were provided to parolees during office or home visits.

CMS must reflect the documents were provided, assistance was offered to complete (if requested), and parolee was provided direction to local Board of Elections. The CMS entry should have the "VR" activity code included and, under Miscellaneous Data section of Detail screen, "DR" code with date provided entered as well.

PO:

Upon receiving of Pardon/Voter Registration Forms, Certificates, and FAQ sheet, the PO will ensure that during the next home visit or office visit report, these documents are provided to the parolees. This will involve the following:

1. Presenting the documentation
2. Explaining the purpose of said documents
3. Offering assistance, if requested, in the completion of the forms
4. Provide direction to the local Board of Elections to submit completed paperwork

The above actions are to be memorialized in CMS as follows:

1. Record, noting that:
 - all three documents were provided to parole
 - assistance was offered or given, if requested
 - local Board of Elections address was provided
2. Enter the "VR" activity code on the CMS contact
3. In Detail Screen, under Miscellaneous section, enter the "DR" code with date provided

IF parolee is in violation status/absconder/out of state incarceration, etc., the documents will be returned to the SPO and said will be documented in CMS.

A Spanish version of the Pardon/Voter Registration Form is available if needed. Please contact Debbie for Spanish version, if needed.

PLEASE NOTE: This is a priority initiative and needs to be completed as soon as possible. If there are questions or concerns, please see your BC or SPO.

Thank you, in advance, for your attention to this matter.