

STATE OF NEW YORK

7053

2023-2024 Regular Sessions

IN ASSEMBLY

May 10, 2023

Introduced by M. of A. CUNNINGHAM -- read once and referred to the
Committee on Correction

AN ACT to amend the correction law, in relation to requiring the department of corrections and community supervision to offer civic engagement courses one year before an incarcerated individual is released from a correctional facility

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The correction law is amended by adding a new section 80 to
2 read as follows:

3 § 80. Reentering citizens civic engagement program. 1. The department
4 shall provide a nonpartisan and peer-led civics program in all correc-
5 tional facilities in this state to teach civics to soon-to-be released
6 incarcerated individuals. The goal of the program shall be to promote
7 the successful integration of formerly incarcerated individuals, promote
8 democracy, and reduce rates of recidivism within the state. This program
9 shall ensure that incarcerated individuals being released understand
10 their civic responsibility and know how to secure their right to vote
11 upon their release from a correctional facility.

12 2. The reentering citizens civic engagement program shall consist of a
13 rigorous curriculum, and participants shall be instructed on subjects
14 including, but not limited to, voting rights, governmental institutions,
15 current affairs, and simulations of voter registration, election, and
16 democratic processes. The program shall consist of three sessions that
17 are ninety minutes each which do not need to be taken consecutively. The
18 department shall offer the reentering citizens civic engagement program
19 to incarcerated individuals scheduled to be released within twelve
20 months, and each incarcerated individual shall enroll in the program one
21 to twelve months prior to his or her expected date of release. The
22 program shall be included in the standard exit process. The department
23 shall aim to include the program in conjunction with other pre-release

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 procedures and movements. Delays in the program being provided shall not
2 cause delays in discharge. Incarcerated individuals may not be prevented
3 from attending the program due to staffing shortages, lockdowns, or to
4 conflicts with family or legal visits, recreational sessions, dining,
5 work, class, or bathing schedules. In case of conflict or staffing shor-
6 tages, incarcerated individuals shall be given full opportunity to
7 attend a workshop at a later time.

8 3. The reentering citizens civic engagement program shall be taught by
9 peer educators who are incarcerated in correctional facilities and who
10 are specially trained by experienced peer educators and established
11 nonpartisan civic organizations. Established nonpartisan civic organiza-
12 tions may be assisted by area political science or civics educators at
13 colleges, universities, and high schools and by nonpartisan organiza-
14 tions providing reentry services. The nonpartisan civic organizations
15 shall provide adequate training to peer educators on matters including,
16 but not limited to, voting rights, governmental institutions, current
17 affairs, and simulations of voter registration, election, and democratic
18 processes, and shall provide periodic updates to program content and to
19 peer educators.

20 4. (a) Program content shall provide the following:

21 (i) nonpartisan information on voting history procedures;

22 (ii) nonpartisan definitions of local, state, and federal governmental
23 institutions and offices; and

24 (iii) examples and simulations of registration and voting processes,
25 and access to voter registration and voting processes for those individ-
26 uals who are eligible to vote.

27 (b) Established nonpartisan civic organizations shall provide periodic
28 updates to program content and peer educators. Updates shall reflect
29 major relevant changes to election laws and processes in New York.

30 (c) Program content shall be delivered in the following manners:

31 (i) verbally via peer educators; and

32 (ii) printed information packets.

33 (d) (i) Peer educators shall disseminate printed information for
34 voting in the incarcerated individual's county, including, but not
35 limited to, election authorities' addresses, all applicable internet
36 websites, and public contact information for all election authorities.
37 This information shall be compiled into a civics handbook. The handbook
38 shall also include key information condensed into a pocket information
39 card.

40 (ii) This information shall also be compiled electronically and shall
41 be posted on the department's website.

42 (iii) The commissioner shall ensure that the wardens or superinten-
43 dents of all correctional facilities visibly post this information on
44 all common areas of their respective correctional facilities. The
45 commissioner shall ensure that updated information is distributed in a
46 timely, visible, and accessible manner.

47 (e) The commissioner shall order, in a clearly visible area of each
48 parole office within the state, the posting of a notice stipulating
49 voter eligibility and that contains the current internet website address
50 and voter registration information provided by the board of elections
51 regarding voting rights for formerly incarcerated individuals released
52 from the physical custody of the department.

53 5. (a) The commissioner shall ensure that wardens or superintendents
54 and facility staff permit program sessions to be held, and that partic-
55 ipating incarcerated individuals are escorted to such sessions in a
56 consistent and timely manner.

1 (b) Compliance with this section shall be monitored by a report
2 published annually by the department, including numbers of incarcerated
3 individuals who enrolled in the program, numbers of incarcerated indi-
4 viduals who completed the program, and total numbers of incarcerated
5 individuals released. Data shall be disaggregated by correctional facil-
6 ity, release, or residence address of the formerly incarcerated individ-
7 ual, and other factors.

8 § 2. This act shall take effect on the one hundred eightieth day after
9 it shall have become a law. Effective immediately, the addition, amend-
10 ment and/or repeal of any rule or regulation necessary for the implemen-
11 tation of this act on its effective date are authorized to be made and
12 completed on or before such effective date.