# 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:**

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

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

**2. The reentering citizens civic engagement program shall consist of a rigorous curriculum, and participants shall be instructed on subjects including, but not limited to, voting rights, governmental institutions, current affairs, and simulations of voter registration, election, and democratic processes. The program shall consist of three sessions that are ninety minutes each which do not need to be taken consecutively. The department shall offer the reentering citizens civic engagement program to incarcerated individuals scheduled to be released within twelve months, and each incarcerated individual shall enroll in the program one to twelve months prior to his or her expected date of release. The program shall be included in the standard exit process. The department 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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procedures and movements. Delays in the program being provided shall not cause delays in discharge. Incarcerated individuals may not be prevented from attending the program due to staffing shortages, lockdowns, or to conflicts with family or legal visits, recreational sessions, dining, work, class, or bathing schedules. In case of conflict or staffing shortages, incarcerated individuals shall be given full opportunity to attend a workshop at a later time.

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

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

(i) nonpartisan information on voting history procedures;

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

(iii) examples and simulations of registration and voting processes, and access to voter registration and voting processes for those individuals who are eligible to vote.

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

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

(i) verbally via peer educators; and

(ii) printed information packets.

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

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

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

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

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

**(b) Compliance with this section shall be monitored by a report published annually by the department, including numbers of incarcerated individuals who enrolled in the program, numbers of incarcerated individuals who completed the program, and total numbers of incarcerated individuals released. Data shall be disaggregated by correctional facility, release, or residence address of the formerly incarcerated individual, and other factors.**

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.