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VOTING RIGHTS VICTORY SECURED THROUGHOUT NEW YORK STATE
People with Past Felony Convictions Will No Longer Face Barriers to Registration

New York, New York – November 3, 2003 – Just before Election Day, the New York State Board of Elections has put an end to widespread local practices that disenfranchised thousands of citizens with felony records who should have been eligible to vote, three advocacy groups who negotiated the agreement announced today.

On October 29th, the State Board, acting in response to an investigation and advocacy campaign mounted by the Legal Action Center, together with the Brennan Center for Justice at NYU School of Law and the Community Service Society, directed all county boards of elections to remove a host of barriers that had prevented people with past felony convictions from registering to vote.

State law automatically restores these citizens' right to vote once they have served their maximum sentence or been discharged from parole, but an investigation by the

advocacy groups found many impermissible road blocks erected by local boards that prevented voter registration.

More than half of New York's 62 county boards of elections, including all five boroughs in New York City, have been refusing to register individuals with felony records until they provided various documents. In many cases, the required documents do not even exist. Others are not available to some former felons or are only issued after a lengthy waiting period.

After the Legal Action Center, the Brennan Center for Justice and the Community Service Society brought the problem to the Board of Elections' attention, it and various state criminal justice agencies agreed to sit down with the advocacy groups and work to remove the barriers. The newly announced State Board of Elections policy resulting from the groups' victorious advocacy campaign instructs county boards to register people with felony records the same as they would any other eligible voter – by accepting a completed registration application with the signed voter affidavit. The Board's policy explains, "everyone who presents themselves to register, completes the form and signs the affidavit, is presumed to be eligible and should be registered. A person [with] a felony conviction is entitled to the same presumption of eligibility."

Erika Wood, the Legal Action Center attorney who spearheaded the advocates' campaign, hailed the new policy for "restoring an essential civil right to people who have paid their debt to society and are fully entitled by law to exercise their most fundamental right – the right to vote. We applaud the Board of Elections and the other state agencies for their willingness to find a constructive solution to the problem."

Juan Cartagena, general counsel for the Community Service Society, commended the Board of Elections for recognizing that "all citizens registering to vote should be

counted as equals, regardless of their criminal histories. The idea that everyone's vote is equal forms the very foundation of our democracy."

Under the policy, county boards who have questions about the eligibility of a person with a past felony conviction may consult the Department of Correctional Services' website which will confirm the dates individuals completed their sentences or were discharged from parole. "The state government has the information it needs to determine voter eligibility. Under the new policy, they will use it, rather than force individuals to chase down documents that may be impossible to collect," said Kele Williams, associate counsel for the Brennan Center.

The Legal Action Center is a nonprofit law and policy organization that specializes in issues relating to the rights of those with criminal records, HIV/AIDS or addiction histories. The Community Service Society is an independent, nonprofit organization that serves the poor through, among other things, litigation in numerous voting rights cases. The Brennan Center for Justice at NYU School of Law develops and implements a nonpartisan agenda of scholarship, public education, and legal action that promotes equality and human dignity, while safeguarding fundamental freedoms.

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