Voting Rights of Convicted Felons, Convicted Misdemeanants and Pretrial Detainees

Commonwealth of Pennsylvania
Department of State

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www.dos.pa.gov

WHO CAN REGISTER AND VOTE

The following individuals may register and vote if they have been citizens of the United States for at least one month before the next election; have been residents of Pennsylvania and their respective election districts for at least 30 days before the next election; and will be at least 18 years of age on the day of the next election:

- Pretrial Detainees (individuals who are confined in a penal institution awaiting trial on charges of a felony or a misdemeanor);
- Convicted Misdemeanants (individuals who are confined in a penal institution for conviction of a misdemeanor only);
- Individuals who have been released (or will be released by the date of the next election) from a correctional facility or halfway house upon completion of their term of incarceration for conviction of a misdemeanor or a felony;
- Individuals who are on probation or released on parole, including parolees who are living in a halfway house;
- Individuals who are under house arrest (home confinement), regardless of their conviction status or the status of their conditions of confinement.

WHO CANNOT REGISTER AND VOTE

- Individuals who are currently confined in a penal institution for conviction of a felony (even if they are also incarcerated for one or more misdemeanor offenses) and who will not be released from confinement before the next election;
- Individuals in a halfway house or other alternative correctional facility on pre-release status for conviction of a felony and who will not be released before the date of the next election;
- Individuals who have been convicted of violating any provision of the Pennsylvania Election Code within the last four years.

RESIDENCY RULES

- For the purpose of determining residence, an inmate in a penal institution is deemed to reside where the individual was last registered to vote before being confined in the penal institution; or
- If the inmate was not registered to vote prior to confinement, the individual is deemed to reside at the last known address before confinement; or

- A new residence established while confined (for example, if the inmate's spouse establishes a new residence in which the inmate intends to reside upon his/her release from confinement);

- A penal institution (including a halfway house) **cannot** be a residence address for registering to vote.

HOW TO REGISTER

Individuals who are qualified to register to vote may apply to register by one of the following methods:

- Mail. A voter registration mail application can be obtained by contacting their county board of elections. Individuals can also request a voter registration mail application over the phone by calling the Department of State at 1-887-VOTESPA (1-887-868-3772);

- Internet. Download and print the voter registration application from the Department of State's website at www.votespa.com.

IMPORTANT INFORMATION FOR REGISTRANTS WHO ARE CONFINED IN A PENAL INSTITUTION

If individuals are currently confined in a penal institution for the conviction of a misdemeanor only or if they are awaiting trial, they must register from their last known address before confinement or an address (other than the penal institution) that they have established as their permanent residence.

If they were registered to vote before being confined, their residence is considered to be the address where they were last registered before confinement or the address (other than the penal institution) that they have established as their residence address or another address that they have established as their permanent address.

HOW TO VOTE

IF INDIVIDUALS ARE CONFINED IN A PENAL INSTITUTION…

Contact their county board of elections and request an absentee ballot application.

Complete the absentee ballot application card and return it to their county board of elections. (See paragraph B below)

Upon receiving their absentee ballot, they must complete the ballot in secret, enclose it in the envelope marked “Official Absentee Ballot” and then place it in the second envelope on which is printed the declaration of the elector (voter).

Fill out, date and sign the declaration of the elector printed on the envelope.

Seal the envelope and mail it to their county board of elections.

IF INDIVIDUALS ARE NOT CONFINED IN A PENAL INSTITUTION, HALFWAY HOUSE OR UNDER HOUSE ARREST (HOME CONFINEMENT)…

A. They may vote in person at their assigned election district (precinct). The location of their polling place should be included on their voter identification card, which was mailed to them by their county voter registration commission after they registered to vote.

-or-

B. If they will be absent from their municipality on the day of the election or unable to attend their polling place due to illness or disability (including incarceration or home confinement), they may vote by absentee ballot. Please refer to the procedures outlined above.

FOR ADDITIONAL INFORMATION, CONTACT THE COUNTY BOARD OF ELECTIONS WHERE YOU RESIDE. THE LINK BELOW PROVIDES COUNTY NAMES, PHONE NUMBERS AND ADDRESSES.

http://www.votespa.com/portal/server.pt/community/county_contacts_and_web_sites/13510