



August 27, 2008

Eastern Region Office
P. O. Box 40008
Philadelphia, PA 19106
215-592-1513 T
215-592-1343 F

Central Region Office
P. O. Box 11761
Harrisburg, PA 17108
717-238-2258 T
717-236-6895 F

Western Region Office
313 Atwood St.
Pittsburgh, PA 15213
412-681-7736 T
412-681-8707 F

James Rieland
Chief Probation Officer
Allegheny Adult Probation Office
564 Forbes Ave
Manor Bldg, Ste 1212
Pittsburgh, PA 15219

Re: Misinformation by Probation and Parole Officers Concerning
Right to Vote while on Probation and Parole

Dear Mr. Rieland:

We have received reports that state and county probation and parole officers have been informing people on probation and parole that they are not allowed to register to vote. As you know, that is wrong: In Pennsylvania, people can vote if they have been released from prison on probation or parole regardless of whether their crime was classified as a felony or a misdemeanor. We are concerned that probation and parole officers — at both the state and county level — are not only failing to advise people on probation and parole that they have the right to vote, but that officers are actively discouraging those persons from voting by providing false information and, in some instances, threatening to return people to prison if they attempt to register to vote.

According to a guide to the voting rights of convicted felons, convicted misdemeanants, and pretrial detainees published by the Commonwealth of Pennsylvania (which is also available on the Board of Probation and Parole's website), the following people have the right to register and vote in Pennsylvania:

- Pretrial Detainees;
- Convicted Misdemeanants 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; and

- Individuals who are under house arrest, regardless of their conviction status or the status of their conditions of confinement.

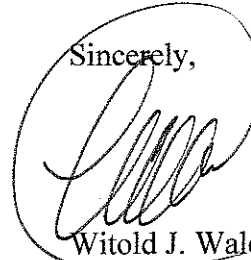
Commonwealth of Pennsylvania, *Voting Rights of Convicted Felons, Convicted Misdemeanants and Pretrial Detainees*, available at:

http://www.dos.state.pa.us/dos/lib/dos/20/convicted_felon_brochure_website.pdf (last visited August 25, 2008).

Given the apparent confusion about the voting rights of people, particularly felons, who have been released on probation or parole, we ask that you provide a copy of the Pennsylvania guide to *Voting Rights of Convicted Felons, Convicted Misdemeanants and Pretrial Detainees* to all county probation and parole officers and require the officers to provide copies of the guide to the parolees and probationers whom they supervise. Although we believe the misinformation spread by some officers likely stems from inadequate training and is not intentional, now that the department is on notice of the problem, the ACLU of Pennsylvania will have little choice but to pursue legal remedies if we receive documented complaints in the future.

Because of the importance of this matter and the short amount of time left to register to vote in the November 4, 2008, election, please respond to this letter by September 9, 2008. We can be reached at (412) 681-7864 if you have any questions.

Sincerely,

A handwritten signature in black ink, enclosed within a hand-drawn oval. The signature is stylized and appears to read 'Witold J. Walczak'.

Witold J. Walczak
Legal Director