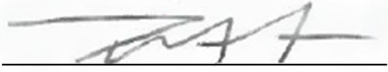


POLICY TITLE: VOTING POLICY NUMBER: 19.03 (AF) CHAPTER 19: RESIDENT RIGHTS		PAGE 1 OF 7
	STATE of MAINE DEPARTMENT of CORRECTIONS Approved by Commissioner: 	PROFESSIONAL STANDARDS: See Section VIII
EFFECTIVE DATE: August 26, 2026	LATEST REVISION:	CHECK ONLY IF APA []

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

All Adult Facilities

III. POLICY

It is the policy of the Department of Corrections to assist adult facility residents in exercising their right to vote in any local, referendum, primary, or general election in which they are qualified to vote.

IV. DEFINITIONS

None

V. CONTENTS

Procedure A: Voting, General
 Procedure B: Informing Residents of Their Right to Vote
 Procedure C: Voter Qualifications
 Procedure D: Registration
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 Procedure G: Campaign Restrictions

VI. ATTACHMENTS

Attachment A: [Voter Registration Oath/Affirmation](#)

VII. PROCEDURES

Procedure A: Voting, General

1. Maine allows its citizens to vote even if they are incarcerated. This includes being allowed to vote in local, referendum, primary, and general elections.
2. Any false statement made as part of the voter registration process, attempt to vote when not qualified, attempt to vote in a city or town where not allowed to be, or attempt to vote more than once in an election is a crime.
3. If an adult facility resident requests a Maine Voter Registration Application, an Application for Absentee Ballot, or an Application for Ongoing Absentee Status, the facility librarian or the resident's case manager shall print off the most recent form from the Secretary of State's website. If a resident requests a Voter Registration Oath/Affirmation, the facility librarian or the resident's case manager shall print it off from the Department's document management system.
4. The resident shall be provided with only one copy of each of the above forms for each election unless they show that they have made an error on a previously provided copy.
5. If a resident requests a copy of their Maine driver's license, State of Maine ID, or Maine DOC ID to send with voter registration forms, their case manager shall provide the copy.
6. If a resident requests contact information (address and/or phone number) for a municipal clerk or registrar of voters for the town or city in which they intend to register or vote, the facility librarian or the resident's case manager shall provide that information.
7. Due to state law limiting the return of a ballot for another person and to protect staff against claims of interference with resident voting rights, facility staff shall not hand deliver or mail to a town's or city's municipal clerk or registrar of voters or to the Secretary of State's Office voter registration forms, applications for absentee ballots, or ballots on behalf of residents.

Procedure B: Informing Residents of Their Right to Vote

1. Each adult facility Chief Administrative Officer, or designee, shall ensure facility residents are informed of their right to vote, as well as how to exercise that right while incarcerated.
2. The Chief Administrative Officer, or designee, shall ensure that voter information meetings are held with residents during state election years.
3. These meetings may be held in conjunction with voter registration drives arranged with the Secretary of State's Office.
4. The meetings shall be held sufficiently in advance of an election to enable residents to have the time to register to vote, request absentee ballots, and cast absentee ballots (i.e., no later than six (6) weeks before the election if the meetings are held independently of voter registration drives arranged with the Secretary of State's Office and no later than four (4) weeks before the election if the meetings are held in conjunction with voter registration drives arranged with the Secretary of State's Office).

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5. Voter information meetings shall inform residents:

- a. about important dates and deadlines;
- b. about registration requirements and instructions;
- c. about how to request and cast absentee ballots while incarcerated; and
- d. that any additional questions may be directed to the Secretary of State's Office by writing to:

Division of Elections
#184 State House Station
Augusta, ME 04333-0184

6. For a resident who is unable to attend a meeting, e.g., they are in a hospital, out to court, etc., their case manager shall provide the above information.

Procedure C: Voter Qualifications

1. An adult facility resident is allowed to register and vote if they:
 - a. are a United States citizen; and
 - b. had a residential address in Maine immediately prior to their incarceration.
2. Even a resident who is under guardianship is allowed to vote.

Procedure D: Registration

1. An adult facility resident who is qualified to vote, but who is not registered to vote, must register in the town or city where they had their fixed and principal home immediately prior to incarceration and to which they intend to return.
2. A resident with a life sentence must have an intent to return to that city or town should the life sentence be overturned or commuted, or they receive parole.
3. A resident is not allowed to register to vote in the town or city where they are incarcerated unless they resided in that city or town immediately prior to being incarcerated.
4. For a resident who is not already registered to vote or who wishes to change their registration (such as by updating the town or city in which they need to be registered or changing their party affiliation), they can register or change their registration at a voter registration drive at the facility or by mail. A facility resident is not permitted to register or change their registration online.
5. In order to register or change a registration, a resident will need to complete a Maine Voter Registration Application and provide all necessary supporting documents (see below).
6. The resident may obtain the most current version of this application from the Secretary of State's Office, the facility librarian, or their case manager.
7. When completing the form, the resident will need to:
 - a. put the address of their prior home in the community where the form asks for "CURRENT RESIDENCE ADDRESS (Physical address where you live);" and

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- b. put the mailing address of their facility (not the address of the Department's mail processing center unless they are the same) where the form asks for "CURRENT MAILING ADDRESS (Complete if different from above address)."
8. The CURRENT RESIDENCE ADDRESS must include the street name and number (e.g., 95 Houlton Rd.), not a PO Box or the like. For a resident who was unhoused immediately prior to incarceration, this may include a description of the physical location where they last lived in the community (e.g., name and address of shelter, location of tent where sleeping, etc.).
9. The resident will also need to complete a Voter Registration Oath/Affirmation (Attachment A) stating the address of their prior home in the community.
10. The resident may obtain this form from the Secretary of State's Office, the facility librarian, or their case manager.
11. This form must be notarized. The Secretary of State's Office has a notary present during voter registration drives. Otherwise, the resident's case manager shall arrange for this form to be notarized by facility staff within a reasonable time of the resident requesting notarization.
12. Finally, the resident will need to include a photocopy of their Maine driver's license or Maine State ID (which they can obtain from their case manager). If they do not have either of these, they will need to include a photocopy of their Maine DOC ID.
13. If a resident is registering during a voter registration drive, the Secretary of State's Office will collect all of these documents and provide them to the appropriate municipal official.
14. If a resident is registering by mail, they will need to send all of these documents to the municipal clerk or registrar of voters for the town or city in which they are registering. They may obtain that official's address from the Secretary of State's Office, the facility librarian, or their case manager. If a resident encounters an issue with registering by mail, the resident may mail the registration documents to the Secretary of State's Office.
15. By statute, the cut-off date for registering by mail is receipt by the city or town by the 21st day before the election (in other words, three (3) weeks). This means, for example, that for an election held on November 3, the resident will need to have their registration paperwork delivered to the municipal clerk or the registrar of voters by October 13. The resident should allow at least one (1) week from the time the paperwork goes into the mail for it to be delivered.

Procedure E: Absentee Ballot

1. At or after the time an adult facility resident registers to vote, they may complete an Application for Absentee Ballot specific to the election in which they wish to vote.
2. They may obtain the application from the Secretary of State's Office, the municipal clerk or registrar of voters for the town or city in which they are or will be registered, the facility librarian, or their case manager.

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3. When completing the form, the resident will need to:
 - a. put the address of their prior home in the community where the form asks for “Residence Address of Voter;” and
 - b. check the box for “By Mail to this Address” where the form asks for “Method of Delivery of Ballot to the Voter” and put the mailing address of their facility (not the address of the Department’s mail processing center unless they are the same).
4. The application is generally available two (2) months before a primary election and three (3) months before a referendum or general election.
5. If a resident completes the application during a voter registration drive, the Secretary of State’s Office will collect the application and provide it to the appropriate municipal official.
6. If a resident sends the application by mail, the resident will need to send it to the municipal clerk or registrar of voters for the town or city in which the resident is registered. A facility resident is not permitted to apply for an absentee ballot online.
7. By statute, the application must be received no later than the 3rd business day before the election. This means, for example, if an election is being held on November 3, the resident will need to have the application delivered by October 29. However, that is almost certain to be too late for the absentee ballot to get to the resident in time to vote. Therefore, the resident should allow at least three (3) weeks from the time the application goes into the mail for it to be delivered, the ballot to be sent to the resident, and the ballot to be returned to the municipal official in time for the vote to count.
8. A resident shall not mail an Application for Absentee Ballot to the Secretary of State’s Office.
9. If a resident wishes to receive absentee ballots automatically, they may apply by using an Application for Ongoing Absentee Ballot Status form.
10. The resident may obtain this form from the Secretary of State’s Office, the facility librarian, or their case manager.
11. When completing the form, the resident will need to:
 - a. put the address of their prior home in the community where the form asks for “Residence Address of Voter;” and
 - b. put the mailing address of their facility (not the address of the Department’s mail processing center unless they are the same) where the form asks for “Mailing address at which voter will receive absentee ballot.”
12. If a resident completes the application during a voter registration drive, the Secretary of State’s Office will collect the application and provide it to the appropriate municipal official.
13. If a resident sends the application by mail, the resident will need to send it to the municipal clerk or registrar of voters for the town or city in which the resident is registered. This status cannot be applied for online.

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14. If the application is accepted, they will then automatically receive an absentee ballot for each election for which they are qualified to vote and will not be required to submit a separate request for each election.
15. The resident is responsible for updating their address(es) with the municipal clerk or registrar of voters if they are transferred to another facility or are released from incarceration.
16. A resident shall not mail an Application for Ongoing Absentee Ballot Status to the Secretary of State's Office.
17. The earliest an absentee ballot will be sent to a resident will be approximately one (1) month before the relevant election.
18. Once the absentee ballot is filled out, the resident will need to send it by mail to the municipal clerk or registrar of voters for the town or city in which the resident is registered.
19. A resident may request a duplicate absentee ballot only if the original ballot is lost, damaged, or spoiled (has been filled out incorrectly by the resident). If a resident believes that a ballot has been lost (it has been more than two (2) weeks since the application for the ballot was sent), before requesting a duplicate, they shall contact the municipal clerk or registrar of voters to find out when the ballot was sent and whether they should request a duplicate.
20. By statute, an absentee ballot must be delivered back to the municipal clerk or registrar of voters no later than on the day of the election. Therefore, the resident should allow at least one (1) week from the time the ballot goes into the mail for it to be delivered.
21. A resident shall not mail the ballot to the Secretary of State's Office.

Procedure F: Facility Processing of Voting Materials

1. Incoming and outgoing voter registration forms, applications for absentee ballots, applications for ongoing absentee ballot status, and related materials shall be handled by mail room staff like any other general mail.
2. An adult facility resident may use their free weekly allowance of two (2) one-ounce letters to send out registration forms, applications for absentee ballots, and an application for ongoing absentee ballot status, but they should take into account the extra time this might add for the delivery of these documents to the recipient.
3. An incoming absentee ballot and related materials, provided they are sent to a resident directly from a city or town municipal clerk or registrar of voters and the envelope has the official election mail mark, shall be opened to inspect for contraband, but shall not be photocopied or scanned. The originals shall be delivered to the resident.
4. If something that purports to be an incoming absentee ballot does not meet the above requirements, it shall not be delivered to the resident, but shall be turned over to a facility law enforcement officer.
5. If an incoming absentee ballot is sent to the facility's mailing address (not to the address of the Department's mail processing center unless they are the same), reasonable efforts shall

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be made to deliver the ballot to the resident within 24 hours (excluding Saturdays, Sundays, and holidays) of receipt by the facility mail room staff.

6. If an incoming absentee ballot is sent to the address of the Department's mail processing center and it is not the same as the facility's mailing address, the resident should take into account the extra time this might add to the delivery of the ballot to the resident.
7. An outgoing absentee ballot, provided it is sent by a resident directly to a city or town municipal clerk or registrar of voters and the envelope has the official election mail mark, shall not be opened.
8. Reasonable efforts shall be made to send an outgoing absentee ballot within 24 hours (excluding Saturdays, Sundays, and holidays) of receipt by the facility mail room staff.
9. Each adult facility Chief Administrative Officer, or designee, shall establish practices to permit an indigent resident to mail out an absentee ballot free of charge in a timely manner.
10. Each adult facility Chief Administrative Officer, or designee, shall establish practices to track when an absentee ballot is received by the facility mail room, when it is delivered to the resident, and when the absentee ballot is sent out by the mail room.

Procedure G: Campaign Restrictions

1. Due to the restrictions of the federal and Maine Hatch Acts, candidates for public office are not allowed to campaign, either in person or by video conferencing or similar remote means, in a Department facility.
2. Nothing in this policy precludes a candidate or their campaign from communicating with an individual resident by phone, mail, or text, or from mailing campaign materials to an individual resident. Such materials shall be handled by mail room staff like any other general mail.

VIII. PROFESSIONAL STANDARDS

None

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