INTRODUCTION

In recent years the emergence and definition of inmate legal and civil rights has accelerated, particularly those rights associated with the Federal Civil Rights Act of 1963. One of the civil rights areas where there has been rapid and fundamental change is the area of voting rights for inmates. The inmate's right to vote will be kept intact.

GROUP SERVED

Correctional Facility staff and residents.

OBJECTIVE

To protect the voting rights of inmates in correctional institutions, and to mandate development of facility procedures for inmate voting.

POLICY DESCRIPTION

Vermont law is quite clear when it indicates that a person who is convicted of a crime shall retain the right to vote by absentee ballot in a primary or election during the term of his commitment to a term of confinement providing that that person otherwise fills all voting requirements.

It is the responsibility of the Superintendent of each correctional facility to ensure that his staff takes the initiative to inform and assist inmates in exercising their right to vote (for example, obtaining absentee ballots.) He shall also develop any necessary procedures for carrying out this right, and ensure that inmates are aware both of their
and related procedures.

Vermont statutes forbid inmates to use their place of involuntary confinement as their place of residence for voting, and instead require that such vote be made at their last place of voluntary residence.

Legal Reference
28 VSA, Sec. 807

Commissioner of Corrections
(Acting)