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OREGON STATE LEGISLATURE
SENATE COMMITTEE ON JUDICIARY

S.B. 579, “Relating to Voting by Adults in Custody”

Testimony In Support Provided by Shenna Bellows, Secretary of State of Maine

January 26, 2023

Dear Chair Prozanski, Vice-Chair Thatcher, and Distinguished Members of the Senate Committee on Judiciary, thank you for the opportunity to provide testimony in support of Senate Bill 579, which strengthens an individual’s constitutional right to vote.

My name is Shenna Bellows, I am Maine’s 50th Secretary of State and the chief elections officer and chief motor vehicles official for the great state of Maine. My office previously spoke on this bill when it was before the House Committee on Rules in 2021. I so strongly believe in the goal of this bill that when asked to provide testimony again, I immediately said yes.

In Maine, we believe democracy is stronger when it represents everyone, and when everyone can participate. SB. 579 is critical because it re-enfranchises the voices of individuals who may otherwise feel disconnected from their community and state and puts an end to a policy rooted in racism dating back to the Jim Crow era.^[1] Additionally, this bill largely follows what has already proven to work in states like mine and Vermont.^[2]

The authority for those who are incarcerated to be able to vote comes from Article II of the Maine State Constitution, which makes explicit that all United States citizens, age 18 or older, who are residents of the State of Maine have a right to vote.

And Maine citizens never lose their right to vote, even upon conviction or incarceration. People in prison or jail in Maine may register to vote from their place of residence prior to incarceration and may cast an absentee ballot. This is accomplished by voter registration drives at the Maine State Prison and procedures to facilitate absentee voting by incarcerated persons. In 2022, my office collaborated with the NAACP to successfully conduct voter registration drives at the four facilities in Maine.

Not only should the constitutional guarantee to the right to vote apply equally to all but in practice, it eliminates confusion: when the same set of rules apply to all people regardless of background or circumstance, then there is less opportunity for discriminatory or prejudicial treatment. Similarly, universal franchise strengthens civic participation. A person who is incarcerated maintains closer ties

to the community to which they will return after incarceration if they are able to continue to have a vote in who represents them.

The power in a democracy rightly resides with the people – no matter where they cast their ballot from. I strongly urge this Committee to support this bill and I am happy to provide you with further information if necessary.

^[1] Taylor, Jennifer Rae, *Jim Crow's Lasting Legacy at the Ballot Box*, The Marshall Project, Aug. 20, 2008, available at <https://www.themarshallproject.org/2018/08/20/jim-crow-s-lasting-legacy-at-the-ballot-box>.

^[2] Board, Riley, *What does an election look like inside a prison?* Burlington Free Press, Aug. 24, 2020, available at <https://www.burlingtonfreepress.com/story/news/politics/elections/2020/08/24/vermont-inmates-can-vote-how-elections-prison-mail-in-ballot/3326694001/>.