

**OFFICE OF PATIENTS' RIGHTS
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INFORMATIONAL LETTER # 18

TO: Patients' Rights Advocates

FROM: Office of Patients' Rights

RE: Hospitalized Voter/Emergency Absentee Voting

DATE: January 02, 2004

The enclosed information is to assist you in assuring that your clients who are unexpectedly hospitalized on or shortly before the March 2, 2004 and November 2, 2004 elections are able to exercise their right to vote. Persons on short-term LPS holds retain the right to vote and, as explained in the attached memo, persons under conservatorship retain the right to vote unless that right has been specifically taken away by the court. You can help ensure that these individuals have the opportunity to vote by contacting the psychiatric facilities in your county to make sure that arrangements are in place to assist hospitalized voters on election day.

Enclosed Materials:

- Sample letters to facilities
- PAI Memo: *Right to Vote When in a Facility or Under Conservatorship*
- PAI Memo: *Voting and Disability*
- DMH Informational Notice No: 96-03 *Implementation of National Voter Registration Act (NRVA)*.
- Sample materials from San Diego and Sacramento County Registrar of Voters
- Voter Registration Card Statement of Distribution

Absentee Voting for Hospitalized Voters

Ordinarily, an application for an absentee voter ballot must be submitted to the county registrar of voters between the 29th and the 7th day prior to the election.¹ However, there are special procedures that apply when a registered voter is confined to a facility on or before election day.²

A registered voter who becomes hospitalized on or before election day may request an absentee ballot by filling out an application for an “emergency absentee” or “hospitalized voter” ballot. Once completed, the voter may authorize anyone to exchange the application for an absentee ballot at the county registrar’s office. The voted ballot may be returned to any polling place in the county before 8 P.M. on election day.

Advocacy Suggestions

- Many county registrar offices send out informational materials to hospitals on hospitalized voter/emergency absentee voting. (*Samples enclosed*). Contact the county registrar to ensure that inpatient mental health facilities are included on the registrar’s mailing list for these materials.
- Contact long-term facilities in your county well in advance of elections to ensure that they make voter registration materials available to residents. (*See sample letter and DMH Informational Notice*).
- Contact short-term facilities in your county to ensure that they are making arrangements for emergency absentee voting for voters hospitalized on election day. (*Sample letter enclosed*).

¹ Cal. Elections Code § 3001

² Cal. Elections Code § 3021