

From: Alex Remington <alex.remington@news21.com> 
Subject: Maine - 3 cases of voter fraud
Date: June 20, 2012 3:46:00 PM MST
To: Corbin Carson <Corbin.Carson@news21.com>

3 Attachments, 435 KB

----- Forwarded message -----

From: Robbin, Leanne <Leanne.Robbin@maine.gov>
Date: Wed, Jun 20, 2012 at 3:40 PM
Subject: Dual Voter cases
To: alex.remington@news21.com
Cc: "Kielty, Brenda" <Brenda.Kielty@maine.gov>

Dear Alex:

This will follow up on our telephone call on Monday. The State of Maine has prosecuted three dual voting cases identified by the Secretary of State's Office through the Central Voter Registry. All three cases involved voters who owned property in two municipalities and wrongly believed that they were entitled to vote in both towns in the same election.

The first was against Delmer Terrill, then age 65, who voted twice on November 3, 2009. Terrill was in the process of a divorce, and he voted first, with his soon-to-be-ex-wife, in the Town of Dixmont. He then went to the town offices at neighboring Newburgh, where he owned a convenience store with an adjacent apartment and asked to register his truck. When he was questioned about whether he was a resident of Newburgh, he asserted that he was (he was moving there that day as a result of the divorce) and he was handed a voter registration card. He completed the card and was then handed a ballot. He completed the ballot, without disclosing that he had already voted that day. Terrill did not go into the Town of Newburgh intending to vote twice, but took advantage of the situation to do so. Terrill pled guilty to a misdemeanor voter registration violation and was sentenced to 12 days to be served in the alternate sentencing program. Terrill had a prior felony conviction.

The second was against Derek Abbott, then age 44, whose residence straddles two towns—Boothbay and Boothbay Harbor. He admitted to having voted in several elections twice, asserting that he believed he had the right to do so because he was

a taxpayer in both towns and wanted to have input into how the towns were governed. He could not explain why that sentiment would justify voting twice in State and federal elections (which he admitted he had done—repeatedly). On October 25, 2010, he pled guilty under a deferred disposition agreement that permitted him to withdraw his guilty plea if he completed 120 hours of community service. He successfully completed the requirements, was permitted to withdraw his plea, and the State dismissed the prosecution. Abbott had no prior criminal history.

The third action was against Donald Wright, then age 78, voted once through early voting at his residence in Burnham (Waldo County) a few weeks prior to the election on November 3, 2009. On election day, he found himself in West Newfield (York County), where he has a seasonal home. He voted a second time at the polls in Newfield. He claimed that a Newfield friend suggested that they go to the polls to vote. Wright appeared to have some cognitive issues (either illness or age related), and it was unclear whether he remembered that he had already voted in Burnham when he cast his ballot again at the polls in Newfield. We resolved his case through a filing on December 21, 2011, with Wright agreeing to complete 60 hours of community service or make a \$600 contribution to a non-profit organization approved by this office. Like Abbott, Wright had no prior criminal history.

I've attached the indictments for all three cases and the resolutions in two. Please feel free to contact me if you need additional information.

-Leanne

Leanne Robbin
Assistant Attorney General
Criminal Division
Maine Office of Attorney General
6 State House Station
Augusta, ME 04333

Tel. [\(207\) 626-8581](tel:(207)626-8581)



[Terrill indic...pdf \(259 KB\)](#)



[Abbott indic...pdf \(139 KB\)](#)

STATE OF MAINE
YORK, ss.

SUPERIOR COURT
CRIMINAL ACTION
DOCKET NO.

STATE OF MAINE

v.

DONALD WRIGHT
DOB: 05-28-1933
94 Rancourt Lane
Burnham, Maine 04922

Defendant

INDICTMENT FOR ONE
COUNT OF VOTING TWICE IN
THE SAME ELECTION
(21-A M.R.S.A §674(3)(B-2)) (CLASS C)

SEX: M RACE: W HGT: 5'7"
EYE: HZ HAIR: WT: 247

Incident # 2011-023-31A

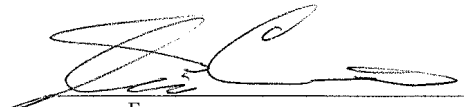
The Grand Jury charges:

COUNT I
21-A M.R.S.A §674(3)(B-2) (CLASS C)
ATN: 919106A /CTN: 9372
SEQUENCE #: 001

On or about November 3, 2009, in the County of York, State of Maine, the Defendant, Donald Wright, having voted once within this State, did knowingly vote again in the same election within this State, all in violation of 21-A M.R.S.A. §674 (3)(B-2) (2008).

A True Bill.

Dated: 11-8-2009


Foreperson

SUPERIOR COURT
CRIMINAL ACTION
DOCKET NO.

V.

DOB: 01/15/1945

Newburgh, Maine 04444

Defendant

Incident # 2009-078-31A

CTN: 001 9372

002 5752

The Grand Jury charges:

(21-A M.R.S.A §674(3)(B-2) (CLASS C))

On or about November 3, 2009, in the County of Penobscot, State of Maine, the Defendant, Delmer Terrill, having voted once in the Town of Dixmont, did vote again in the same election in the Town of Newburgh, all in violation of 21-A M.R.S.A. §674 (3)(B-2) (2008).

(21-A M.R.S.A §159(1) (CLASS D))

On or about November 3, 2009, in the Town of Dixmont, County of Penobscot, State of Maine, the Defendant, Delmer Terrill, made a false statement before an official, the Deputy Warden Registrar for the Town of Dixmont, concerning the Defendant's qualifications for registration, in that the Defendant represented that he was a resident of

the Town of Dixmont, when he did not believe that statement to be true, all in violation of 21-A M.R.S.A §159(1)(2008).

A True Bill.

Dated: 2/24/10

D S Edwards
Foreperson

STATE

Mar. 3, 2011 1:06PM

941-3039

JUDGMENT At No. 4127 MIT P. 2-T

Docket No.

County/location

Date

DOB

PENCD-CR-2010-00743

8-13-10

01/15/1945

State of Maine

Residence:

2213 WESTERN AVENUE

NEWBURGH ME 04444

Offense(s) charged:

VOTING WHEN INELIGIBLE

Charge: 1

Class: C DOV: 11/03/2009 Seq #: 9372 Title: 21-A / 674 / 3 / B-2

MAKING FALSE STATEMENT

Charge: 2

Class: D DOV: 11/03/2009 Seq #: 5752 Title: 21-A / 159 / 1

Charged by:

☒ indictment☐ information☐ complaint

Plea(s):

☒ Guilty☐ Nolo☐ Not Guilty

Offense(s) convicted:

☒ VOTING WHEN INELIGIBLE

Charge: 1

Class: C DOV: 11/03/2009 Seq #: 9372 Title: 21-A / 674 / 3 / B-2

☒ MAKING FALSE STATEMENT

Charge: 2

Class: D DOV: 11/03/2009 Seq #: 5752 Title: 21-A / 159 / 1

Convicted on:

☒ plea☐ jury verdict☐ court finding

It is adjudged that the defendant is guilty of the offenses as shown above and convicted.

☒ It is adjudged that the defendant be hereby committed to the sheriff of the within named county or his authorized representative who shall without needless delay remove the defendant to:☐ The custody of the Commissioner of the Department of Corrections, at a facility designated by the Commissioner, to be punished by imprisonment for a term of _____☒ The County jail to be punished by imprisonment for a term of 12 days to be served in the
VOA program multi-offender in Portland☐ This sentence to be served (consecutively to)(concurrently with) _____☒ Execution stayed to on or before: 10-1-10 at 8:00 (a.m.)(p.m.)☐ It is ordered that all (but) _____ of the sentence (as it relates to confinement)(as it relates to the _____) be suspended and the defendant be placed on a period of ☐ probation ☐ administrative release for a term of _____ (years)(months) upon conditions attached hereto and incorporated by reference herein.☐ Said probation to commence (_____) (upon completion of the unsuspended term of imprisonment).☐ Said administrative release to commence immediately. The defendant shall serve the initial portion of the foregoing sentence at _____☐ It is ordered that the defendant, having been convicted of an offense that requires compliance with the Sex Offender Registration and Notification Act as a ☐ 10-year registrant or a ☐ life-time registrant, must satisfy all requirements in the Sex Offender Registration and Notification Act. (34-A M.R.S.A. Ch.15) The defendant must submit to the taking of fingerprints and a photograph as specified in the notice of duty to register.☐ It is ordered that the defendant forfeit and pay the sum of \$ _____ as a fine to the clerk of the court, plus applicable surcharges and assessments of:☐ 10% ☐ 12%(Eff. 7/4/96) ☐ 14%(Eff. 9/18/99) ☐ 15% surcharge (Eff. 08/01/02) ☐ 20%(Eff. 07/30/04)☐ \$30.00 ☐ \$125.00 surcharge (29-A M.R.S.A. Section 2411) ☐ \$10 (7 M.R.S.A.) ☐ 10% (17 M.R.S.A.)☒ 1X \$10 assessment(s) plus ☐ \$25 assessment(s) totalling \$ _____ (5 M.R.S.A. Section 3360-1)☒ All but \$ \$10.00 waived suspended.☐ Execution/payment stayed to pay in full by _____ or warrant to issue.☐ To pay \$ _____ per week/month beginning _____ or warrant to issue.TOTAL DUE: \$ \$0 (To be filled in by cashier).

☐ It is ordered Mar. 3, 2011 at 1:06 PM in and 941-3039 of \$ _____ No. 4127 as re P. 3 on, through the (Department of Corrections)/ _____ (Attorney's Office) for the benefit of _____ (17-A M.R.S.A. Section 1152-2-A)

☐ Execution/payment stayed to pay in full by _____ or warrant to issue.

☐ It is ordered pursuant to applicable statutes, that the defendant's motor vehicle operator's license or permit to operate, right to operate a motor vehicle and right to apply for and obtain a license and/or the defendant's right to register a motor vehicle is suspended in accordance with notice of suspension incorporated herein.

☐ It is ordered that the defendant perform _____ hours of community service work within _____ (weeks) (months) for the benefit of _____

☐ It is ordered that the defendant pay \$ _____ for each day served in the county jail, to the treasurer of the above name county. (Up to \$80/Day) (17-A M.R.S.A. Section 1314)

☐ Execution/payment stayed to pay in full by _____ or warrant to issue.

☐ It is ordered that the defendant shall participate in alcohol and other drug education, evaluation and treatment programs for multiple offenders administered by the Office of Substance Abuse. (29 M.R.S.A. Section 1312-B (2)(D-1), 29-A M.R.S.A. Section 2411(5)(F))

☐ It is ordered that the defendant forfeit to the state the firearm used by the defendant during the commission of the offense(s) shown above. (17-A M.R.S.A. Section 1158)

☐ It is ordered that the defendant be unconditionally discharged. (17-A M.R.S.A. Section 1201)

If the defendant has been convicted of an applicable offense listed in 25 M.R.S.A. Section 1574, then the defendant shall submit to having a DNA sample drawn at any time following the commencement of any term of imprisonment or at any time following commencement of the probation period as directed by the probation officer.

It is further ordered that the clerk deliver a certified copy of this Judgment and Commitment to the Sheriff of the above named county or his authorized representative and that the copy serve as the commitment of the defendant. Reasons for imposing consecutive sentences are contained in the court record or in attachments hereto.

A TRUE COPY, ATTEST: _____
Clerk


Judge/Justice

I understand the sentence imposed herein and acknowledge receipt of a copy of this Judgment and Commitment. I hereby acknowledge that the disclosure of my Social Security number on this form is mandatory under 36 M.R.S.A. Section 5276-A. My Social Security number will be used to facilitate the collection of any fine that has been imposed upon me in this action if that fine remains unpaid as of the time I owe a State of Maine income tax refund. My Social Security number also may be used to facilitate the collection of money I may owe the State of Maine as a result of having had an attorney appointed to represent me. Collection of any fine or reimbursement of money which I owe to the State of Maine will be accomplished by offsetting money I owe to the State against my State of Maine income tax refund.

Social Security Number 007 - 42 - 3689

Date: 8/13/10

Defendant Selma D. Powell
Address 2213 Western Ave
Newburgh ME 04444

RETURN

By virtue of the within JUDGMENT AND COMMITMENT I have this day delivered the within named Defendant to the _____

Date: _____ Deputy _____

By virtue of this warrant, the within-named Defendant has been removed to and received at the _____ on this day.

Date: _____
Authorized Officer/Supt., M.C.C./Warden M.S.P.

STATE OF MAINE

SUPERIOR COURT

~~DE NOBSCOT~~ ss.
Docket No. CR10-743

DISTRICT COURT

Location _____
Docket No. _____

STATE OF MAINE

v.

DISMISSAL
(M.R.CrIm.P. 48(a))

DELMER TERRILL
Defendant

Pursuant to Rule 48(a) of the Maine Rules of Criminal Procedure the (~~District Attorney for~~
~~Prosecutorial District~~ _____) (Attorney General of the State of Maine) hereby dismisses
the indictment, information, complaint or count(s) I thereof against
the defendant for the following reasons:

- 1.) ☒ Defendant has pled to other charges.
- 2.) ☐ Defendant has been indicted on this or a substituted charge.
- 3.) ☐ Witness unavailable.
- 4.) ☐ Insufficient evidence.
- 5.) ☐ Defendant is a juvenile.
- 6.) ☐ De Minimis.
- 7.) ☐ Other _____

Date: JUNE 11, 2010

[Signature]
(Asst.) District Attorney / Attorney General

TO BE COMPLETED IF DISMISSED DURING TRIAL:

I, _____, defendant, consent to the filing of the
foregoing dismissal.

Date: _____

Defendant

STATE OF MAINE
LINCOLN, ss.

SUPERIOR COURT
CRIMINAL ACTION
DOCKET NO.

STATE OF MAINE)
)
 v.) INDICTMENT FOR TWO
) COUNTS OF VOTING TWICE IN
) THE SAME ELECTION.
 DEREK A. ABBOTT) (21-A M.R.S.A §674(3)(B-2)) (CLASS C)
 DOB: 05/06/1966)
 705 Back Narrows Road)
 Boothbay Harbor, Maine 04538)
 Defendant)

SEX: M RACE: W HGT: 5'10"
EYE: BROWN HAIR: BROWN
WT: 150

Incident # 2010-019-31A

ATN: 820334A
CTN: 001 9372
002 9372

The Grand Jury charges:

COUNT I

(21-A M.R.S.A §674(3)(B-2) (CLASS C))

On or about November 3, 2009, in the County of Lincoln, State of Maine, the Defendant, Derek A. Abbott, having voted once within this State, did knowingly vote again in the same election within this State, all in violation of 21-A M.R.S.A. §674 (3)(B-2) (2008).

COUNT II

(21-A M.R.S.A §674(3)(B-2) (CLASS C))

On or about November 4, 2008, in the County of Lincoln, State of Maine, the Defendant, Derek A. Abbott, having voted once within this State, did knowingly vote

again in the same election within this State, all in violation of 21-A M.R.S.A. §674 (3)(B-2) (2008).

A True Bill.

Dated: 8 / 18 / 10

Nathan T. Thompson
For person

STATE OF MAINE
LINCOLN, ss

SUPERIOR COURT
DOCKET NO. CR-10-274

STATE OF MAINE

V.

AGREEMENT OF DEFENDANT AND ORDER
DEFERRING DISPOSITION

DEREK ABBOTT

Pursuant to 17-A M.R.S.A. Section 1348 et seq., I am the above-named defendant, I have entered a plea of guilty, and I agree to:

- ☒ 1. Appear in the court on the date and time I am notified to appear.
- ☒ 2. Refrain from all criminal conduct and violation of federal, state, and local laws.
- ☐ 3. Identify myself as being on deferred disposition if arrested or questioned by law enforcement and notify the District Attorney's Office in writing of any contact with law enforcement within 96 hours of the contact.
- ☒ 4. Advise the court named above of any change in my address or telephone number within 24 hours of the change.
- ☐ 5. Comply with all conditions of any Bail order.
- ☐ 6. Pay an administrative supervision fee of \$10 per month.
- ☒ 7. Other conditions:
 - Refrain from any criminal conduct
 - Not violate any law
 - Obtain approval from the prosecutor for a community service program and work 120 community service hours in the approved program at a rate of at least 10 hours a month until the 120 hours is completed. A representative of the community service program shall report the hours worked to the prosecutor on a monthly basis.**

If the deferred disposition is successfully completed, the Defendant will be allowed to withdraw his plea and the State will dismiss the indictment. If the Defendant is unsuccessful it would be an open plea to the Class C Crime of Voting Twice in the Same Election.

I UNDERSTAND THAT IF I VIOLATE ANY OF THE ABOVE REQUIREMENTS, I AM SUBJECT TO ARREST AND DETENTION, I CAN BE REQUIRED TO MEET DIFFERENT OR ADDITIONAL REQUIREMENTS OF DEFERRED DISPOSITION, AND I CAN BE TERMINATED FROM DEFERRED DISPOSITION AND SENTENCED IMMEDIATELY.

By signing here, I acknowledge that I understand the provisions of this order, I have received a copy of this order, I agree to comply with the above requirements, and I agree to have my sentencing deferred to a later date.

DATE: October 25, 2010


DEREK ABBOTT

As counsel for the defendant, I have explained to the defendant this procedure and agreement. I believe the defendant fully understands the meaning of this agreement and has sufficient mental capacity to intelligently, intentionally, and knowingly enter into this agreement.

DATE:

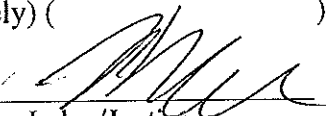
Attorney for Defendant

st 92.

ORDER

Based upon the above, the defendant's plea of guilty is accepted and sentencing is deferred for 1 year months to 10-27-11. The above requirements are imposed effective (immediately) ().

DATE: 10-28-10



Judge/Justice