

# Challenge to Voter Registration

how to challenge a voter registration in Washington state

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## general information

Registration of a person as a voter is presumptive evidence of his or her right to vote. However, the registration of a voter may be challenged by another registered voter.

The challenge process is established in RCW 29A.08.810 through RCW 29A.08.850.

A challenge may be dismissed if it is not in proper form or based on any other reason than those described in statute 29A.08.810.

## residency requirements

Residency requirements, as defined in Article VI, section 4 of the Washington State Constitution and RCW 29A.04.151, and 29A.08.112 may not be challenged if the voter is:

- absent while in service of the state or federal government
- attending school
- confined in a public prison
- at sea
- lacking a traditional residential address such as a shelter, park, motor home or marina.

## filing a challenge

Only a registered voter or the county prosecuting attorney may file a challenge to a voter's registration. A challenge must be based on the challenger's personal knowledge.

The completed challenge form, with supporting documentation, is submitted to the county elections office of the county where the challenged voter is registered to vote.

## challenging a ballot

In order to affect the validity of a ballot, challenges must be filed at least 45 days before the election.

If the challenged voter registered or moved less than 60 days before the election, a challenge must be filed at least 10 days before the election or 10 days after the voter registered, whichever is later.

## challenge process

Upon receipt of the challenge the County Auditor or the county elections officer will:

- review the form for completeness and factual basis
- notify the challenged voter and interested parties of the challenge
- post the challenge documents on the Auditor's web site
- set a hearing time and date

Either the County Auditor or County Canvassing Board will conduct the hearing, depending on the date of the challenge filing. Testimony by affidavit or in person must present clear and convincing evidence that the voter's registration is improper. Final determination of the challenge may be appealed in Superior Court.

## public information

All challenge documents are public records. Challenge documents will be posted on the County Auditor's website.

# Challenge to Voter Registration

## who are you?

\_\_\_\_\_  
first middle last

\_\_\_\_\_  
address

## who are you challenging?

\_\_\_\_\_  
first middle last

\_\_\_\_\_  
address (as registered to vote)

## basis of challenge

You are challenging the voter's registration for the following reason(s):

- Voter is not a U.S. Citizen.
- Voter will not be at least 18 years old by the next election.
- Voter is ineligible due to a felony conviction.
- Voter has been declared incapacitated by a court of law.
- Voter does not reside at address of voter registration. *Please fill out the next section.*

## voter residence information

Only fill out this section if the basis of your challenge is that the voter does not reside at address of voter registration.

Select only one option at right.

The voter really resides at:

\_\_\_\_\_  
address

I have evidence that I personally took all of the following steps:

- a. Sent a letter with 'return service requested' to all known addresses for the voter;
- b. Searched local telephone directories to determine whether the voter maintains a telephone listing at an address within the county;
- c. Searched county property records to determine whether voter owns any property in the county;
- d. Searched the statewide voter registration database to determine if the voter is registered at any other address in the state; and
- e. Visited the voter's residential address to contact persons at the address.

As proof I am submitting a signed affidavit from anyone who owns, manages, resides, or is employed at the address stating that, to his or her personal knowledge, the voter does not reside at the address.

## challenger oath

I, \_\_\_\_\_ declare under penalty of perjury under the laws of the State of Washington that I:

- am a registered voter in the State of Washington
- have personal knowledge and belief that the person named above is not qualified to vote for the reason or reasons indicated in this affidavit;
- have exercised due diligence to personally verify the evidence that accompanies this affidavit
- believe that the challenged voter is not qualified to vote

\_\_\_\_\_  
signature of challenger

\_\_\_\_\_  
date

## submitting the form

Submit this form and all evidence supporting the challenge to the County Elections Office.