

**VOTER REGISTRATION CHALLENGE**

**AFFIDAVIT**

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 and that I hereby challenge the voter registration of:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Registered Address

I have personal knowledge and belief that this person is not qualified to vote or does not reside at the address given on his or her voter registration record, as evidenced below. I have exercised due diligence to personally verify the evidence presented.

**REASON FOR CHALLENGE**

Check the appropriate box below. The voter:

- Is not a U.S. Citizen.
- Will not be at least eighteen years old by the next election.
- Has been convicted of a felony and his or her right to vote has not been restored.
- Has been judicially declared ineligible to vote due to mental incompetency.
- Does not reside at the address at which he or she is registered to vote, in which case I am submitting either:

1) The address at which the challenged voter actually resides: \_\_\_\_\_.

or

2) Evidence that I exercised due diligence to verify that the voter does not reside at the address provided and to

Voter Registration Challenge

attempt to contact the voter to learn the voter's actual residence. I personally:

- Sent a letter with return service requested to all known addresses for the voter;
- Visited the voter's residential address to contact persons at the address to determine if the voter actually resides there. If I was able to contact anyone who owns, manages, resides, or is employed at the address, I am submitting a signed affidavit from that person stating that, to his or her personal knowledge, the voter does not reside at the address;
- Searched local telephone directories to determine whether the voter maintains a telephone listing at an address within the county;
- Searched County Auditor property records to determine whether the voter owns any property in the county; **and**
- Searched the statewide voter registration database to determine if the voter is registered at any other address in the state.

List the evidence for the challenge:

---

---

---

---

\_\_\_\_\_  
Signature of Challenger

\_\_\_\_\_  
Date and Place Signed

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

Attach all necessary documentation.

## **FILING A VOTER REGISTRATION CHALLENGE**

### **General Information**

The registration of a person as a voter is presumptive evidence of that person's right to vote. A voter registration challenge cannot be based on unsupported allegations or allegations by anonymous third parties. All documents pertaining to a challenge are public records. A challenge may be dismissed if it is not in proper form or if the reason is not grounds for a challenge. The challenge process is established in RCW 29A.08.810 through RCW 29A.08.850. Residency requirements are established in Article VI, section 4 of the Washington State Constitution, RCW 29A.04.151, and RCW 29A.08.112.

### **Who May File a Challenge and When**

A registered voter or the Prosecuting Attorney may file a challenge. To affect an upcoming election, the challenge must be filed at least 45 days before the election. However, if the challenged voter registered less than 60 days before the election or moved less than 60 days before the election without transferring the registration, the challenge must be filed at least 10 days before the election or 10 days after the voter registered, whichever is later. Additionally, a poll site judge or inspector may challenge a voter's right to vote on Election Day at the poll site.

### **Exceptions to the Residency Requirements**

A voter does not lose his or her voting residency if absent due to state or federal employment, military service, school attendance, confinement in a public prison, out-of-state business, or navigation at sea. A voter who lacks a traditional residential address, such as a person who resides in a shelter, park, motor home or marina, is assigned a precinct based on the voter's physical location.

### **The Hearing**

The County Auditor notifies the voter and challenger of the hearing date and time. The voter and challenger may either appear in person or submit testimony by affidavit. The County Auditor presides over the hearing, unless the challenge was filed during the 45 days before an election, in which case the County Canvassing Board presides over the hearing. The challenger has the burden to prove by clear and convincing evidence that the voter's registration is improper. The voter has an opportunity to respond. The final decision may only be appealed in Superior Court.