

Help America Vote Act (HAVA) Complaint Form

SEL 820

rev 12/16

For filing complaints alleging possible violations of HAVA Title III

! To be accepted and processed the complaint must be made in writing, signed under oath by the person filing the complaint and notarized. File this form directly with the Secretary of State, Elections Division. The complaint is considered filed on the day it is received by the Elections Division.

Elections Division 255 Capitol St NE Suite 501, Salem OR 97310 **fax** 503-373-7414 **✉** elections.sos@oregon.gov

HAVA Title III Requirements

Title III of the Help America Vote Act, PL 107-252, created minimum standards for states to follow in several key areas of election administration. Specifically, Title III contains minimum requirements for voting systems, provisional voting and required information for voters, computerized statewide voter registration lists and requirements for first-time voters who register by mail. The requirements of each section of Title III are summarized below.

Section 301 – Voting Systems

- Educate voters on correcting their ballot before it is cast, requesting a replacement ballot and the effect of over-voting.
- Any method used to record a voter's choice must produce a paper record that can be used for manual audits.
- Ensure individuals with disabilities have the same access to voting, including privacy and independence, as provided to other voters.
- Provide alternative language accessibility as required by law.
- Comply with federal voting system error rate standards.
- Adopt uniform and nondiscriminatory standards defining what constitutes a vote for each voting system used in the state.

Section 302 – Provisional Voting and Voting Information

- Allow a person whose name does not appear on registration lists to affirm in writing they are an eligible registered voter and cast a provisional ballot.
- Provide written notification to any voter casting a provisional ballot of the free access system that allows the voter to find out if the ballot was counted and if not, why not.
- Cause voter information, such as election date and poll hours, voter rights, voting and registration instructions and information on who to contact to file a complaint, to be posted in each polling place. Voter information also includes general information on voting and ballot prohibitions.

Section 303(a) – Computerized Statewide Voter Registration

- Implement and maintain a single, uniform, official, centralized and interactive statewide computerized voter registration list accessible electronically by any election official in the state.
- Assign each legally registered voter a unique identification number. Require applicants to provide a valid driver's license number or last four of their Social Security number.
- Regularly review computerized voter registration list, eliminating the names of voters who are not registered or duplicates.
- Implement safeguards to ensure eligible voters are not removed from computerized list in error.
- Verify the accuracy of voter registration application information by coordinating the sharing of database information between state agencies.
- Ensure all voter registration information is expeditiously entered electronically by local elections officials.

Section 303(b) – Identification Requirements for Voters who Register by Mail

- A person who registered to vote for the first time in Oregon by submitting a registration card using USPS and failed to provide a driver's license number or the last four of their Social Security number must include with their ballot a copy of a current valid photo I.D., or a copy of a paycheck stub, utility bill, bank statement or other government document showing the person's name and address.

Complaint Information Select the Title III section and requirement you believe has been violated.

- Section 301** – Voting systems or accessibility for individuals with disabilities
- Section 302** – Provisional voting or voter information
- Section 303(a)** – Computerized statewide voter registration list
- Section 303(b)** – Identification requirements for voters who register by mail

Filed By

| | |
|---|-----------------------|
| Name | Contact Number |
| Address street, city, state, zip | Email Address |

Filed Against If applicable.

| | |
|---|-----------------------|
| Name | Contact Number |
| Address street, city, state, zip | Email Address |

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Allegations Attach any documentation/evidence you may have.

i Provide the facts of the alleged violation. Include specific information as to who, what, where, why, when and how as applicable.

Verification upon Oath or Affirmation

! Only sign this form in the presence of a notary public.

→ By signing this document, I hereby state that all information provided by me on both sides of this form and in any attachments, is true to the best of my knowledge.

Complainant Signature

Date Signed

Notary Public Certificate To be completed by the Notary Public after the complainant swears or affirms.

State of OREGON

County of _____

Signed and sworn to, or affirmed, before me _____
(date)

by _____
(name of individual)

Notary Public – State of Oregon