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# Massachusetts

## *Help America Vote Act (HAVA) Complaint Process Guide*

*Provided by*

VOTER  
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# State Guide to HAVA & Election Complaint Process

This is a guide to your state's laws relating to the Help America Vote Act (HAVA) and other election related complaints.

The statutes/codes cited in this guide may not be the most recent version. States may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained in the individual state guides or the information linked to on the state site.

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# **What is the Help America Vote Act (HAVA)?**

**[Link to HAVA Statute](#)**

**[Link to Election Assistance Commission](#)**

According to the EAC.gov website:

The Help America Vote Act (HAVA) of 2002 was passed by the United States Congress to make sweeping reforms to the nation's voting process. HAVA addresses improvements to voting systems and voter access that were identified following the 2000 election. HAVA mandates that EAC test and certify voting equipment, maintain the National Voter Registration form and administer a national clearinghouse on elections that includes shared practices, information for voters and other resources to improve elections.

HAVA creates new mandatory minimum standards for states to follow in several key areas of election administration. The law provides funding to help states meet these new standards, replace voting systems and improve election administration. HAVA also established the Election Assistance Commission (EAC) to assist the states regarding HAVA compliance and to distribute HAVA funds to the states. EAC is also charged with creating voting system guidelines and operating the federal government's first voting system certification program. EAC is also responsible for maintaining the National Voter Registration form, conducting research, and administering a national clearinghouse on elections that includes shared practices, information for voters and other resources to improve elections. HAVA requires that the states implement the following new programs and procedures:

- Provisional Voting
- Voting Information
- Updated and Upgraded Voting Equipment
- Statewide Voter Registration Databases
- Voter Identification Procedures
- Administrative Complaint Procedures

# **How do I file a HAVA complaint?**

## **[Link to HAVA Complaint Process](#)**

Any person may complain to the Secretary that a pattern of conduct, or a standard, practice or procedure, of a local election official is contrary to the election laws. Additionally, a person may complain to the Secretary, in accordance with the provisions of Section 402 of HAVA, that Title III has been violated, is being violated or is about to be violated.

- (1) Complaints need not use the language or refer to the relevant provision of the election laws, nor M.G.L. c. 56, § 60, nor 950 CMR 56.00. The complaint shall be in writing, except in urgent circumstances. The Secretary's office may initiate a complaint.
- (2) Complaints filed in accordance with Section 402 of HAVA, must be in writing and notarized.
- (3) Any complaints must be made to:

Elections Division  
Office of the Secretary of the Commonwealth  
One Ashburton Place, Room 1705  
Boston, MA 02108

# **How do I file a non-HAVA election complaint?**

## **[Link to Statutes](#)**

Concerns about the election process may be directed to the Office of the Secretary of the Commonwealth, Elections Division or local election offices.

If you believe an election crime has been committed, please file a report with law enforcement.

# Who can I contact regarding an election related complaint?

<b>Office of the Secretary of the Commonwealth</b>	
<b>Physical Address:</b>	Elections Division One Ashburton Place, Room 1705 Boston, MA 02108
<b>Mailing Address:</b>	Elections Division Office of the Secretary of the Commonwealth One Ashburton Place Boston, MA 02108
<b>Phone Number:</b>	617-727-2828
<b>Fax Number:</b>	617-727-3238
<b>E-mail:</b>	<a href="mailto:elections@sec.state.ma.us">elections@sec.state.ma.us</a>
<b>Local Election Offices:</b>	<a href="https://www.sec.state.ma.us/divisions/elections/voter-resources/find-my-local-election-office.htm">https://www.sec.state.ma.us/divisions/elections/voter-resources/find-my-local-election-office.htm</a>

<b>Office of the Attorney General</b>	
<b>Address:</b>	One Ashburton Place 20th Floor Boston, MA 02108
<b>Phone Number:</b>	617-727-2200
<b>E-mail:</b>	<a href="mailto:ago@state.ma.us">ago@state.ma.us</a>
<b>Criminal Complaint Form:</b>	<a href="https://www.mass.gov/how-to/file-a-request-for-review-with-the-attorney-generals-criminal-bureau">https://www.mass.gov/how-to/file-a-request-for-review-with-the-attorney-generals-criminal-bureau</a>