
Rhode Island

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

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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 who believes that there has been a violation of any provision of Title III (that either has occurred, is occurring, or is about to occur), by any state or local election official may file a complaint with the Board of Elections in which the alleged violation occurred, as provided under these regulations. All complaints must be in writing, sworn to under oath and under penalty of perjury, signed by the complainant, and notarized. (See HAVA Complaint Process link for additional information.)

How do I file a non-HAVA election complaint?

[Link to Election Offenses](#)

[Link to Form](#)

If you witness what you believe to be election-related crimes or unlawful conduct, please fill out the Attorney General's online complaint form, email the Attorney General at voting@riag.ri.gov, email the RI Department of State's Elections Division at elections@sos.ri.gov, or contact your local police department immediately.

The Attorney General's primary jurisdiction in election interference matters arises under R.I.G.L. § 42-9.3-2

[§ 42-9.3-2. Action by attorney general.](#)

(a) Whenever any person, whether or not acting under color of law, intentionally interferes or threatens to intentionally interfere, by physical force or violence against a person, by damage or destruction of property or by trespass on property, with the exercise or enjoyment by any other person of rights secured by the United States Constitution or the laws of the United States or of rights secured by the Constitution of Rhode Island or laws of the state, the attorney general may bring a civil action for injunctive or other appropriate equitable relief in order to protect the peaceable exercise or enjoyment of the rights secured.

Who can I contact regarding an election related complaint?

State of Rhode Island Board of Elections	
Address:	2000 Plainfield Pike, Suite A Cranston, RI 02921
Phone Number:	401-222-2345
Fax Number:	401-222-3135
E-mail:	boe.elections@elections.ri.gov
Local Boards of Canvassers:	https://vote.sos.ri.gov/Elections/LocalBoards

State of Rhode Island Attorney General	
Address:	RI Office of the Attorney General 150 South Main Street Providence, RI 02903
Phone Number:	401-274-4400
E-mail:	voting@riag.ri.gov
Webform:	https://riag.ri.gov/forms/election-incidence-form
Website:	https://riag.ri.gov