Rhode Island

Help America Vote Act (HAVA) Complaint Process Guide

Provided by

VOTER REFERENCE FOUNDATION

Disclaimer: 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 this guide or the information linked to on the state site.

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Table of Contents:

What is the Help America Vote Act (HAVA)?

How do I file a HAVA complaint?

How do I file a non-HAVA election complaint?

Who do I contact regarding election related complaints?

What is the Help America Vote Act (HAVA)?

According to the Election Assistance Commission:

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 non-HAVA Complaint 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?

Rhode Island State Board of Elections

Physical Address:
Board of Elections
2000 Plainfield Pike, Suite A
Cranston, RI 02921

Mailing Address:
Board of Elections
2000 Plainfield Pike, Suite A
Cranston, RI 02921

Phone Number:
401-222-2345

Email Address:
boe.elections@elections.ri.gov

Website:
https://elections.ri.gov/

Office of the Attorney General

Physical Address:
Office of the Attorney General
150 South Main Street
Providence, RI 02903

Mailing Address:
Office of the Attorney General
150 South Main Street
Providence, RI 02903

Phone Number:
401-274-4400

Email Address:
voting@riag.ri.gov

Online Address:
https://riag.ri.gov