

Voter Challenge

Any registered voter may challenge another voter's right to vote on the grounds that:

- The voter is not the person the voter alleges to be.
- The voter is not entitled to vote in that precinct.

Voter Challenges Not Occurring In A Polling Place

Voter challenges not occurring at an election day polling place or early walk-in location shall be in writing, explaining the grounds upon which it is based, and be signed by the person making the challenge. The clerk upon receipt of a written challenge shall investigate and rule on the challenge as soon as possible.

The Clerk will notify the person ruled against that he/she has the right to appeal the decision to the Board of Registration within ten (10) days of service of the decision.

Appeal of Clerk's Ruling

The challenged voter must submit a written appeal to the Board of Registration in writing within ten (10) days of service of the clerk's decision. The written appeal should include:

- Name of the person challenged voter.
- A statement of clerk's decision.
- The grounds upon which it is being contended.

If an appeal made to the Board of Registration is sustained, the Board shall immediately certify that finding to the Clerk's Office.

At the end of the hearing, the Board may give an oral decision or take the matter under advisement with a written decision to be issued at a later date.

The Board will notify the person ruled against that he/she may appeal to the Intermediate Court of Appeals not later than 4:30 p.m. on the tenth day after the Board services its written decision.

Voter Challenge Occurring In A Polling Place

A voter challenge may be made at an election day polling place or early walk-in location. The challenge

does not have to be in writing. The challenged voter will be allowed to make the relevant correction.

Otherwise, the challenge is considered and decided upon immediately by the precinct officials. Both the challenger and challenged voter may appeal to the Board of Registration.

If no appeal is made, the decision of the precinct chairperson is deemed final. The challenged voter will be allowed to vote or will be prevented from voting in accordance with the ruling.

Appeal to the Precinct Officials' Ruling

Both the challenger and challenged voter may appeal the ruling of the precinct officials to the Board of Registration. The appeal shall be made before the challenged voter casts a ballot, or before the challenger leaves the polling place.

The challenged voter will be allowed to vote a challenged ballot to be later counted or rejected in accordance with the ruling of the appeal.

The Board shall discuss the challenge and come to a decision regarding the appeal. The Board shall notify the precinct chairperson and the Clerk of the decision.

A summary of the discussion by the Board, the decision of the Board, and the reasons for the Board's decision shall be included in the Board's minutes.

The precinct chairperson shall notify both the challenger and the challenged voter of the Board's decision.

The precinct chairperson shall notify the person ruled against that he/she may appeal the Board's decision to the Intermediate Court of Appeals.

If no appeal is made, the challenged ballot shall be counted or not, and be stored as provided by law.

If an appeal is made, the ballot shall remain in the custody of the Clerk's Office to be counted or rejected in accordance with the ruling of the appeal and the

register shall be corrected to conform to the court's decision.

At all times, the secrecy of the challenged voter's ballot shall be safeguarded.

All documents relating to the challenge and proceedings shall be attached to the minutes of meeting for record keeping for each Board of Registration.

Office of Elections
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