

Voters in Care Facilities

To ensure the security and integrity of election related activities at care facilities, staff members are discouraged from participating directly with a voter in the process of registering and/or voting absentee. Staff may assist only upon receiving specific authorization from the resident (voter).

If a resident of a care facility requests voting assistance from care facility personnel, the following guidelines should be observed to protect the voter's rights:

- Reach out to family members to get them involved in the process of registration and voting.
- Ensure that the resident meets all the qualifications to register to vote.
- Offer early voting for residents who may not be able to make it to the polls on Election Day.

Voter Registration

An individual or organization may not duplicate, copy, or otherwise make use of any information provided on the voter registration applications. It is unlawful for any person to use, print, publish, or distribute information acquired directly or indirectly from voter registration applications.

Refrain from explicit or implicit discriminatory or coercive voter registration practices. Both are prohibited.

Completed voter registration applications shall not be collected by the distributing person or organization unless specific authorization is provided by the clerk or chief election officer. Any mailed request for an absentee ballot shall be mailed by the voter directly to the clerk.

Requesting Ballot

Hawaii law provides for incapacitated voters to send a representative to obtain his/her ballot from the clerk's office. The representative shall not be the voter's employer, or an agent of that employer, or officer/agent of the voter's union.

The voter must request in writing to the clerk to authorize the clerk to deliver the ballot through an intermediary other than the voter's employer, employer's agent, or union's agent. The request must include the following:

- First and last name
- Residence address, and mailing address
- Date of birth
- Social Security Number
- Election(s) in which you intend to vote absentee
- Voter's signature

Voting by Mail

If care facility staff will be assisting a resident in voting, ensure that the staff remain nonpartisan and to have at least two people of differing political parties present. This is to ensure the rights of the voter are protected. Additionally, please adhere to the following:

- No one may ask a voter to see or look at the contents of his or her ballot or choice of party.
- No one may mark a person's ballot or direct a person in voting without authorization.
- An attempt to vote in the name of another without specific authorization is illegal.

Voter and Election Fraud

The following actions constitute election fraud:

- A person who directly or indirectly offers to give valuable consideration and/or offer money to any voter to induce that voter to vote or refrain from voting for any particular person.
- A person who directly or indirectly, personally or through another person, threatens, forces or intimidates a voter to refrain from voting, or to vote for any particular person or party at any election.
- A person who votes or attempts to vote in the name of any other person, living or dead, or in some fictitious name.

- A person who has already voted and knowingly attempts to vote again.
- A person who knowingly gives or attempts to give more than one ballot for the same office at the time of voting.

Pursuant to Hawaii law, any person who knowingly furnishes false information on the voter registration application or absentee application may be guilty of a Class C Felony, punishable by up to 5 years imprisonment and/or \$10,000 fine.

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