
CHAPTER 14

ELECTION COMPLIANCE

TABLE OF CONTENTS

| | |
|--|-----|
| Election Integrity Violation Report Procedures | 382 |
|--|-----|

ELECTION COMPLIANCE

The Secretary of State's Office oversees Nevada's Elections and is constantly monitoring elections activities. However, we also rely on the help of citizens to report violations of Title 24 (Nevada's Elections Laws) of the Nevada Revised Statutes. To facilitate this process, the Secretary of State has developed a statewide complaint system to address allegations involving a violation of any provision of Title 24.

To initiate the process, a formal complaint must be received by the Secretary of State and identify the person making the complaint. The complaint must set forth the alleged violation of law and identify the party responsible for the violation, as well as set forth dates and times of specific occurrences, if practicable. Upon receiving the formal complaint in the Secretary of State's office either by conventional mail, email, facsimile or hand delivery, the Secretary of State's office shall begin the resolution process.

Under this process any person may file a complaint who believes that there has been a violation, a violation is occurring, or a violation will be occurring related to any provision Title 24. These procedures shall be uniform and non-discriminatory. If under these procedures the Secretary of State determines that there is a violation, an appropriate remedy shall be provided to the extent permitted by law. If the Secretary of State determines that the complaint does not allege a violation, the Secretary of State may dismiss the complaint or refer it to the proper agency for resolution. The complainant will be notified of any action taken by the Secretary of State.

Election Integrity Violation Report Procedures

It is the responsibility of the Compliance Team to investigate each complaint received and make a factual determination based upon evidence and/or witness statements if a violation of Nevada's Election Laws occurred. In most cases, the following steps will occur:

Receive and review new EIVR:

- Notify the complainant via email, US mail or by telephone that their case has been assigned for review, request additional evidence if required;
- Record the required EIVR data for case tracking;
- Assign case number:
 - Examples: C22-183 SOS, C23-547 SOS, C24-98 SOS, C25-01 SOS
 - C (complaint)
 - 2 digits (year received)
 - Dash (-)
 - Next sequential number of cases received (01, 02, 03, etc.)
 - SOS (Secretary of State)

Case will be assigned a priority level:

- High Priority:
 - Example: Constituent was denied the right to vote at a polling location and it is still within the time frame for ballots to be case.
- Low Priority Title 24 Violations:
 - Example: A complaint is received showing an error in a candidate's Contribution and Expense reports.
- Not a Title 24 Violation, but possible other violation:
 - Example: Complaints submitted regarding an election held for a Homeowner Association. Because the Secretary of State does not oversee HOA elections, the complaint would be better suited for the Office of the Ombudsman for Common-Interest Communities, who could review and see if a violation occurred.
- No violation of Title 24, Election Law
 - Example: Dogs being allowed within the ballot processing locations, garbage bags located behind ballot processing buildings and the complainants not knowing what was in them, ballot processors not wearing visible name tags around their necks, or reports from Observers that appear to give a rundown of their day observing the counting of ballots.

EIVR Investigation:

- Example of process: Contact election officials requesting evidence, statements; complete witness interviews; gather evidence/documentation (audio, pictures, emails, etc.);
- Notify the subject of EIVR complaint via email, US mail or by telephone requesting statement, documentation and/or request specific action to remedy EIVR complaint;
- Compile documentation, case notes and review case with Elections Deputy/legal team for final determination.

Case Closure Notice:

- Complete case closure letter:
 - Send a copy to EIVR complainant
 - Send a copy to subject of EIVR
- Prepare criminal referral letter, including supporting documentation and forward to appropriate authorities (if required).

To file a formal complaint with the Secretary of State, complete the [Election Integrity Violation Report](#) and send it to the Elections Division at the address listed below.

Nevada Secretary of State
Elections Division
101 N. Carson Street, Suite 3
Carson City, NV 89701
Email: nvelect@sos.nv.gov