Challenges and Vouching Must be Based upon Personal Knowledge!

Minnesota Statutes, section 204C.12, subd. 2 requires that challenges be made in writing, under oath, *based upon personal knowledge* that the individual is not eligible to vote.

The requirement that challenges be based upon personal knowledge means that suspicion is not a sufficient basis for making a challenge. For example, it is impermissible to challenge a voter who you think is not a citizen simply because of the way that the voter speaks or dresses. A challenge of a voter's citizenship status would be legitimate, however, if it were based upon for example, having seen the voter's green card, having seen "status check" on the voter's driver's license, or having previously discussed with the voter the fact that the voter was not a citizen. In all cases, a challenger must personally know that the voter does not meet one of the voting eligibility criteria.

Similarly, a voter vouching that an individual resides in the precinct under Minnesota Statutes, section 201.061, subd. 3 must base this assertion upon his or her own personal knowledge and put it in writing, under oath.

To be eligible to vote in Minnesota, a person must:

- be at least 18-years-old on Election Day
- be a citizen of the United States
- have resided in Minnesota for 20 days immediately preceding Election Day
- maintain residence in the precinct in which they are voting on Election Day
- have had any felony conviction record discharged, expired, or completed
- not be under court-ordered guardianship where a court has revoked their voting rights
- have not been ruled legally incompetent by a court of law

If an individual personally knows that a voter is not eligible, then they should put the challenge in writing, under oath. If a voter personally knows that an individual resides in the precinct, then they may vouch for the voter in writing, under oath.

If an individual does not have personal knowledge in either of these cases, then he or she is prohibited from acting. Challenging a voter or vouching for a voter based upon anything less than personal knowledge is perjury, which is a felony.

For more information about registration, voting, absentee ballots, military or overseas voting, and polling place locations, contact your county auditor or visit the Office of Minnesota Secretary of State Web site at **mnvotes.org** or call **1-877-600-VOTE (8683)** or Minnesota Relay Service at **1-800-627-3529**.

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