

NOTICE OF ELECTION LAW & CONSTITUTIONAL VIOLATIONS

To the Town / City Clerk _____

Moderator _____

Selectman _____

of _____ (Town/City name)

Please be informed that any absentee ballots processed and accepted by _____ (town/city name) must follow the defined qualification process described in New Hampshire laws. RSA 659:50 (b) & (c) . Without a duly executed affidavit with third party notarization confirming of proof of identity, the ballot should be disqualified as described in RSA 695:53 **Forms not in order** (affidavit not properly executed) and can be challenged under RSA 659:27(a) J

Legal Definition: Affidavit

An affidavit is a **written declaration under oath made before a person who has authority to administer oaths, without notice to any adverse party that may exist.** It is a sworn statement in writing, typically made under oath or on affirmation, before an authorized magistrate or officer.

Key characteristics of an affidavit include:

- *A written statement*
- *Made under oath or affirmation*
- *Before a person with authority to administer oaths (such as a notary public or court clerk)*
- *Without notice to any adverse party*
- *Legally binding and intended to be used as evidence in legal proceedings*

Without the execution of a legal affidavit on an absentee ballot, the voter will be submitting a ballot which must be disqualified.

An election official accepting an absentee ballot as a legal vote without the duly executed affidavit will be guilty of Official Misconduct (666:3) and Official Malfeasance (RSA 666:2) as well as a civil rights violation for preserving equal protection under the law.

Please refer to the election manual **PREFACE AND ACKNOWLEDGEMENTS section** Page IV (last 2 Paragraphs)

*"Whenever uncertainty exists as to what action to take, we will make our best effort to assist you *and you should consult your local legal counsel. The Attorney General's Office enforces the election laws and serves the Secretary of State as legal counsel. However, if a local election official is sued, the local election official's town or city legal counsel will represent the official. *If disagreement exists as to proper procedure, consult with your jurisdiction's local legal counsel before acting."*

Signed _____

Name _____

Address _____