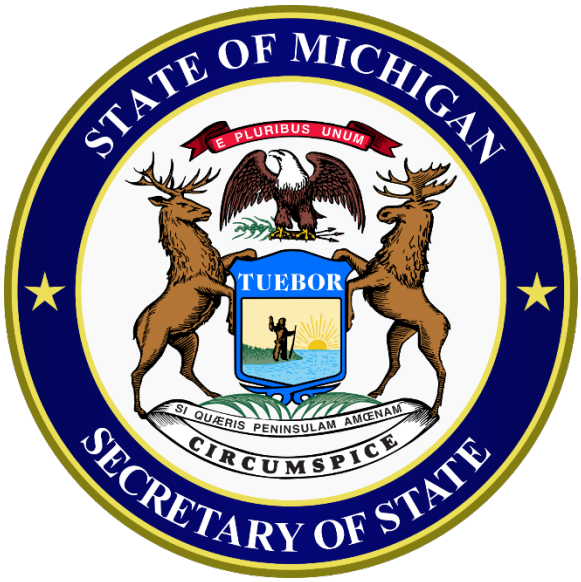

The Appointment, Rights, and Duties of Election Challengers and Poll Watchers

July 2026

INSTRUCTIONS PROVIDED BY THE MICHIGAN BUREAU OF ELECTIONS
RICHARD H. AUSTIN BUILDING • 1ST FLOOR • 430 W. ALLEGAN • LANSING, MICHIGAN 48918
(800)292-5973

I. Introduction 1
II. Challengers 1
Challenger-credentialing organizations 1
Challenger credentialing by political parties 2
Challenger credentialing by other qualified organizations 2
Credentialing organization records and point of contact 3
Credentialing organization training 3
Eligibility to serve as a challenger 4
Training of challengers 4
Required training 4
Acknowledgement of training 5
III. Rights and duties of challengers when observing election-related procedures 5
Challengers' obligation to follow election inspector directions 5
Form of challenger credential 6
Challenger liaison 6
Challenger identification upon entering polling place, early voting site, absent voter ballot processing facility, clerk's office, or Election Day vote center 7
Communication with election inspectors and election officials 8
Challengers at clerks' offices 9
Challengers at polling places and early voting sites 9
Challengers at an Election Day vote center 9
Challengers at absent voter ballot processing facilities 10
Excess challengers at an election-related location 11
When location cannot accommodate number of challengers permitted 11
Making challenges 12
Adjudicating and recording challenges 12
Impermissible challenges 12
Rejected challenges 13
Accepted challenges 13
Challenges to a voter's eligibility in a polling place or early voting site 14

Impermissible challenge to voter's eligibility: improper reason for challenge 14
Impermissible challenge to voter's eligibility: non-specific challenge 15
Impermissible challenge to voter's eligibility: no explanation for challenge 15
Impermissible challenge to voter's eligibility: lack of photo ID 15
Processing challenges to a voter's eligibility 16
Recording a challenge to a voter's eligibility 16
Challenges by an election inspector to a voter's eligibility 17
Challenges by a voter to another voter's eligibility 18
Challenges to absent voters in polling places 18
Voters who surrender their absent voter ballot at the precinct on Election Day or at an early voting site 18
Voters who do not surrender their absent voter ballot at the precinct on Election Day or at an early voting site 19
Voter eligibility challenges are not permissible at an absent voter ballot processing facility 19
Challenges to an election process 20
A challenger may challenge a voting process, including the way that election inspectors are operating a polling place or early voting site or processing absent voter ballots at an absent voter ballot processing facility. A challenge to an election process must **state the specific element or elements of the process that the challenger believes are being improperly performed and the basis for the challenger's belief**.Impermissible challenge to an election process 20
Rejecting a challenge to an election process 21
Accepting a challenge to an election process 21
Recording a challenge to an election process 21
Challenges to recurring election processes: blanket challenges 22
Rights of challengers 22
Restrictions on challengers 23
Warning and ejecting challengers 24
Challenger appeal of challenger liaison or election inspector determinations 25

IV. Poll watchers 25
Rights of poll watchers 26
Restrictions on poll watchers 26
Ejection of poll watchers 27

I. Introduction

This publication is designed to familiarize election challengers, poll watchers, election inspectors, and members of the public with the rights and duties of election challengers and poll watchers in Michigan. It was updated to incorporate the Department of State's "Election Challengers and Poll Watchers" Administrative Rules, which took effect May 6, 2026.[1]

Election challengers and poll watchers play a constructive role in ensuring elections are conducted in an open, fair, and orderly manner by following these instructions.

Challengers and poll watchers should familiarize themselves with the instructions and directions in this publication governing their conduct, rights, and responsibilities. Election inspectors should likewise familiarize themselves with the instructions and directions in this publication, including their duties to record challenges and their powers to maintain order at the polls.

Any questions or concerns about the procedures laid out in this document may be sent to BOERegulatory@Michigan.gov.

II. Challengers

Challenger-credentialing organizations

Credentialing organizations are organizations eligible to appoint and credential challengers in Michigan. Credentialing organizations must be one of the following:

- A political party eligible to appear on the ballot in Michigan;
- An organized group of citizens interested in the passage or defeat of a ballot proposal being voted on at that election;
- An organized group of citizens interested in preserving the purity of elections and guarding against the abuse of the elective franchise; or
- An incorporated organization.

A credentialing organization appoints a challenger by giving a person a credential indicating that the person is serving as a challenger on behalf of

[1] The complete rules are available online: Election Challengers and Poll Watchers.

the organization. This process is known as credentialling. The credential must conform to the standards set out later in this publication.

Candidates, candidate committees, or organizations formed to support or oppose candidates are not eligible to appoint or credential challengers.

Challenger credentialing by political parties

Political parties eligible to appear on the ballot may appoint or credential challengers at any time through Election Day. A challenger is appointed when they are given a credential by a representative of the political party. Political parties do not need to apply for approval by local election officials in the same way that other challenger-credentialing organizations must be approved; however, political parties should notify local clerks of their intention to appoint or credential challengers prior to Election Day.

Challenger credentialing by other qualified organizations

All other qualified organizations wishing to appoint or credential challengers must file an application to field challengers with the clerk of each county, city, or township in which the organization intends to field challengers. The application must be filed no less than 20 and no more than 30 calendar days prior to Election Day. The application consists of a written statement indicating the organization's intent to field challengers in that jurisdiction, the reason that the organization believes itself to be an organization qualified to field challengers under the criteria set out above, and a copy of a completed *Michigan Challenger Credential Card* form that the organization will distribute to its challengers. The statement must be signed and sworn by an officer of the organization.

Within two business days of receiving an application from an organization wishing to appoint challengers, the clerk must approve or deny the application and notify the group of the approval or denial. The clerk may deny the application if the group or organization fails to demonstrate that it is qualified to appoint challengers under the criteria explained above or if the application is not timely filed. If the application is denied, the organization may appeal the denial to the Secretary of State within two business days of receiving notice of the clerk's decision. Within two business days of receiving the appeal, the Secretary of State will render a decision on the appeal and notify the organization and the local clerk of that decision.

An organization wishing to appoint or credential challengers whose application is approved by a county clerk is qualified to appoint or credential

challengers in any jurisdiction within that county, even if the organization has not filed an application with each specific city or township in the county.

Credentialing organization records and point of contact

For each challenger to whom a credentialing organization provides credentials, the organization must keep the following records and retain them for 1 year after the date of the challenger's service:

- The challenger's name
- The challenger's mobile phone number, if the challenger has a mobile phone
- Other contact information that may be used to contact the challenger during the performance of the challenger's duties
- The city or township where the challenger is registered to vote
- Each election site where the challenger is designated to serve

Before any of a credentialing organization's challengers begin service, the organization must designate a member to be a point of contact between the organization and election officials. Political parties credentialing challengers must make this point of contact known to the Secretary of State. All other credentialing organizations must make the point of contact known to the Secretary of State and the clerk of each jurisdiction where the credentialing organization is appointing challengers. All point of contact notifications must be made using the form prescribed by the Secretary of State.

The credentialing organization's point of contact must be available to be contacted by election officials at any time when their credentialed challengers are serving as challengers. The point of contact must have the records described above readily available for reference if contacted by an election official.

Credentialing organization training

Before issuing credentials to any challengers, each individual issuing credentials on behalf of the organization must complete training created by the Secretary of State. For 2026, this training is completed when the individual reviews and submits a signed acknowledgement to the Secretary of State that they have reviewed this manual. A scanned copy or photograph of the signed acknowledgment can be emailed to MDOS-BOERegulatory@michigan.gov.

Eligibility to serve as a challenger

A person may serve as a challenger only if the person is registered to vote in Michigan and only if the person is provided a challenger credential by a credentialing organization. The credential must be specific to the election at which the person is serving as a challenger; a credential issued for a prior election does not entitle a person to serve as a challenger at a future election. A person cannot serve as a challenger if the person is serving as an election inspector during the same election. Additionally, a person cannot serve as a challenger if the person is running for nomination or for office during the same election, with the exception that precinct delegate candidates can serve as challengers so long as they do not serve at the precinct in which they are running for office.

Training of challengers

Required training

Credentialing organizations are responsible for the behavior and actions of challengers that they credential. As such, credentialling organizations are required to provide challengers with training on both the basic aspects of election administration in Michigan and the rights and duties of challengers in Michigan, using this manual. Providing challengers with a basic understanding of election administration will allow challengers to fully participate in the election process and to make informed challenges without disrupting or delaying election-related activities. Providing challengers with an explanation of their rights and duties will allow them to realize the full benefit of their status without violating the law.

Challengers must be provided training that is specific to the type of election-related location at which the challenger will be serving. For example, a challenger who will be serving at an absent voter ballot processing facility must be trained in how absent voter ballots are processed, while a challenger serving at an early voting site or polling place where voters are casting ballots on Election Day must be trained on in-person voting processes. If the challenger is designated to serve at multiple categories of locations, the credentialing organization must train the challenger in the procedures for all designated locations. Failure to tailor challenger training about which procedures are to be followed in different types of locations may lead to confusion, ineffective observation, and impermissible challenges.

An individual must not serve as a challenger unless the individual has completed challenger training within the last 2 calendar years.

Acknowledgement of training

Each challenger must sign or electronically sign a written statement certifying that they completed the required training and have a working knowledge of the materials presented. The credentialing organization must keep this statement for 2 years after the last date that the challenger served.

III. Rights and duties of challengers when observing election-related procedures

Challengers' obligation to follow election inspector directions

Election inspectors are empowered and obligated by law to maintain order and facilitate the peaceful conduct of elections at the polling place, early voting site, or absent voter ballot processing facility in which the election inspector is serving. **Challengers present at a polling place, early voting site, or absent voter ballot processing facility must follow the directions of the election inspectors operating the polling place, early voting site, or absent voter ballot processing facility.** The directions election inspectors may give to challengers include, but are not limited to:

- Directing challengers on where to stand and how to conduct themselves in accordance with these instructions;
- Directing challengers to cease any behavior prohibited by these instructions;
- Directing challengers to cease any behavior that intimidates voters or disrupts the voting process; and
- Directing a challenger who violates these instructions to leave the polling place, early voting site, or absent voter ballot processing facility, or requesting that the local clerk or local law enforcement remove the challenger from the polling place, early voting site, or absent voter ballot processing facility.

Form of challenger credential

Under Michigan law, each challenger present at a polling place, early voting site, absent voter ballot processing facility, or clerk's office must possess an authority signed by the chairman or presiding officer of the organization sponsoring the challenger. This authority, also known as the *Michigan Challenger Credential Card*, must be on a form promulgated by the Secretary of State. The blank template credential form is available on the Secretary of State's website. The entire credential form, including the challenger's name, the name of the credentialing organization, the date of the election and precinct number or location at which the challenger is credentialed to serve, and the signature of the chairman or presiding officer of the organization appointing the challenger, must be completed. If the entire form is not completed, the credential is invalid and the individual presenting the form cannot serve as a challenger. The credential may not be displayed or shown to voters.

A credential form may be digital and may be presented on a phone or other electronic device. If a challenger uses a digital credential, the credential must include all of the information required on the template credential form promulgated by the Secretary of State. A digital credential must not include any information or graphics that are not included or requested on the template credential form. If a challenger using a digital credential is serving in an absent voter ballot processing facility on Election Day, the challenger must display the credential to the appropriate election official.

Clerks may allow or require challengers serving at a polling place on Election Day, at an early voting site during the early voting period, or at a clerk's office at any time that voters are present, to wear a reasonably sized nametag or badge. The nametag or badge cannot include any text or graphics aside from the challenger's name and the words "election challenger". The nametag must be printed on white paper, and the words "election challenger" must be printed in black ink.

Clerks may allow or require challengers serving in absent voter ballot processing facilities where voters are not present to wear nametags or badges that identify challengers and the organization represented by the challenger.

Challenger liaison

Every polling place, early voting site, or absent voter ballot processing facility should have one or more election inspectors designated as the

challenger liaison. Unless otherwise specified by the local clerk, the challenger liaison at a polling place is the precinct chairperson and at an early voting site is the early voting site chairperson. The challenger liaison or precinct chairperson may designate one or more additional election inspectors to serve as challenger liaison, or as the challenger liaison's designees, at any time. The local clerk should designate an election inspector to serve as challenger liaison at an absent voter ballot processing facility or early voting site. If multiple precincts or absent voter counting boards are included in a single location, a single election inspector may serve as the challenger liaison for multiple precincts or absent voter counting boards. When determining the number of election inspectors, the size of the location, number of precincts/ballots processed, number of election inspectors, and number of challengers should be considered. Unless otherwise specified by the local clerk, the challenger liaison at the clerk's office is the most senior member of the clerk's staff present.

To ensure accuracy and consistency, challengers must not communicate with election inspectors other than the challenger liaison or the challenger liaison's designee unless otherwise instructed by the challenger liaison or a member of the clerk's staff.

Challenger identification upon entering polling place, early voting site, absent voter ballot processing facility, clerk's office, or Election Day vote center

Upon arriving at a polling place, an early voting site, an absent voter ballot processing facility, a clerk's office, or an Election Day voter center a challenger must introduce themselves and show their credential to the challenger liaison or their designee.

After making the challenger's presence known to the challenger liaison, all challengers must complete a challenger oath. Challengers serving at an absent voter ballot processing facility must take the following oath:

> "I (name of individual taking oath) do solemnly swear (or affirm) that I shall not communicate in any way information relative to any ballots or the tabulation of votes that may come to me while in this counting place until after the polls are closed. Further, I shall not photograph, or audio or video record, within the counting place, except for posted election results."

This oath may be administered by the clerk, a member of the clerk's staff, or the chairperson or a member of the absent voter counting board or combined absent voter counting board. A challenger may not be present in the absent voter ballot processing facility without taking and signing this oath.

All other challengers must take the following oath:

> "I (name of individual taking oath) do solemnly swear (or affirm) that I have reviewed the written materials designated by the Secretary of State for my training and will comply with the provisions in those materials. I will follow the directions of the election inspectors operating the (description of applicable location). Further, I shall not photograph, or audio or video record, within the (description of applicable location), except for posted election results."

The oaths must be placed in an envelope and sealed with the red state seal. Following the election, the oaths must be delivered to the city or township clerk.

A challenger cannot make challenges or take advantage of any of the other rights afforded to challengers until they have properly made their presence known to the challenger liaison and completed the oath. The challenger's name, the organization which the challenger represents, and the time of the challenger's arrival should be noted in the poll book.

If the challenger leaves a polling place prior to the close of polls, the challenger shall inform the challenger liaison of their departure. The challenger's departure and time of departure should be noted in the poll book.

Communication with election inspectors and election officials

Challengers must communicate only with the challenger liaison unless otherwise instructed by the challenger liaison or a member of the clerk's staff. Challengers must not communicate with election inspectors who are not the challenger liaison unless otherwise instructed by the challenger liaison or a member of the clerk's staff. Challengers may not communicate with voters.

Challenger liaisons must be readily accessible to communicate with challengers, to answer questions about the voting and tabulating procedures, and to record any challenges made.

Challengers at clerks' offices

Each credentialing organization may assign one challenger to observe the issuance and receipt of absent voter ballots at a clerk's office or a satellite location maintained by the clerk, including an Election Day Vote Center. A challenger serving in a clerk's office must make the challenger's presence known.

A challenger may be present only in areas of the clerk's office where an absent voter ballot may be requested. A challenger may be present in the clerk's office only when the office is open for business and during the period prior to an election when voters may request or return an absent voter ballot at the office. A challenger present in a clerk's office may not view the Qualified Voter File.

A challenger serving at a clerk's office is bound by the same duties as a challenger serving at an Election Day polling place, early voting site, or absent voter ballot processing facility. If a challenger photographs, or audio or video records at a clerk's office other than as allowed by the MEL, the individual shall be ejected from the location.

Challengers at polling places and early voting sites

Only two challengers from any political party or other credentialing organization may be present at a precinct conducting in-person voting on Election Day or at an early voting site during the early voting period. If two challengers from the same credentialing organization are present, both challengers enjoy the rights afforded to challengers, except that at any given time only one of the two challengers can be designated to make challenges. The challengers must make known to the challenger liaison which of the two challengers is designated to make challenges. The challengers may agree to change which challenger is designated to make challenges at any time, but the challengers must inform the challenger liaison of that change.

Challengers at an Election Day vote center

Challengers are permitted to serve at an Election Day vote center. Each credentialling organization may appoint 1 challenger for every 8 election inspectors assigned to the election day vote center.

Challengers at absent voter ballot processing facilities

Challengers have a right to be present at locations where absent voter ballots are removed from envelopes and tabulated. These locations are referred to as absent voter ballot processing facilities in this publication. Absent voter ballot processing facilities do not include a clerk's office or other locations where absent voter ballots are stored, signatures appearing on absent voter ballot envelopes are checked, or other activities are conducted prior to absent voter ballots being removed from absent voter ballot envelopes and prepared for tabulation.

An absent voter ballot processing facility may contain a single absent voter counting board, multiple absent voter counting boards, a single combined absent voter counting board, or multiple combined absent voter counting boards. The Michigan Election Law uses the term "absent voter counting board" simultaneously to refer to a single absent voter counting board corresponding to an individual in-person precinct; a station within a facility processing absent voter ballots for multiple in-person precincts; the entire facility at which all absent voter ballots are processed for a jurisdiction; and an entire facility at which combined absent voter ballots are processed for multiple jurisdictions in a county.

During processing and tabulation prior to Election Day, credentialing organizations are allowed 1 challenger per 8 election inspectors; if there are fewer than 8 election inspectors at a facility, each credentialing organization may designate 1 challenger. At a single absent voter counting board, each credentialing organization may appoint 1 challenger. At an absent voter ballot processing facility where more than 1 absent voter counting board is located, each credentialling organization may appoint 1 challenger for each board.

At no point shall more than 1 challenger from any single credentialing organization observe the activities of any single team of election inspectors processing ballots at an absent voter ballot processing facility.

The clerk must make publicly available the number of challengers each credentialing organization will be allowed to field in the absent voter ballot processing facility at least seven calendar days prior to the election.

If the absent voter ballot processing facility cannot accommodate 1 challenger for each credentialing organization, the clerk's notice under MCL 168.765a shall provide notice of the number of challengers that can be

accommodated, and 1 challenger per organization is admitted until that number is met.

If absent voter ballot processing or tabulation continues after the close of polls, challengers must be permitted to remain in the absent voter ballot processing facility at any time when absent voter ballots are being processed until processing and tabulation is complete.

By law, a challenger may not photograph, or audio or video record, within a facility, with the exception of posted election results. A county, city, or township clerk, or a clerk's assistant, must remove an individual who violates this prohibition from the absent voter ballot processing facility. An individual who violates this law is guilty of a misdemeanor.

Excess challengers at an election-related location

A credentialing organization may field no more than the number of challengers set out in the above sections at any clerk's office, in-person precinct, early voting site, absent voter ballot processing facility, or Election Day vote center. If the credentialing organization already has the total number of challengers allowed present in a particular location, additional challengers credentialed by that organization cannot act as challengers in that location. At the clerk or challenger liaison's discretion, additional challengers seeking access to the location may be given the option to serve as poll watchers in that location. Challengers who agree to act as poll watchers have none of the rights specifically afforded to challengers and must adhere to the same standard of conduct and observe the same restrictions as any other poll watcher. The rights and duties of poll watchers are set out at the end of this document.

Generally, a credentialing organization will be allowed to replace challengers credentialed by that organization with other challengers credentialled by that organization so long as the replacement process does not disrupt the work of election inspectors or clerk staff present in the location. In no case during the replacement process may a credentialing organization have more challengers present in a particular location than would be allowed by the other provisions of this document.

When location cannot accommodate number of challengers permitted

Clerks must make reasonable efforts to accommodate the number of challengers equal to the number of credentialing organizations approved to

credential challengers in the clerk's jurisdiction multiplied by the maximum number of challengers allowed in the location.

However, if an Election Day polling place, early voting site, or absent voter ballot processing facility cannot accommodate the total number of challengers allowed, the maximum number of challengers each credentialing organization is allowed to have present in that location is decreased by an equal number for all credentialing organizations.

Making challenges

A challenge must be made to a challenger liaison. The challenger liaison will determine if the challenge is permissible as explained below. Assuming the challenge is permissible, the substance of the challenge, the time of the challenge, the name of the challenger, and the resolution of the challenge must be recorded. If a permissible challenge is made, the challenger must fill out the Challenge Record form and return the form to the challenger liaison.

If the challenge is rejected, the reason for that determination must be recorded.

An impermissible challenge, as explained below, need not be noted in the poll book.

Adjudicating and recording challenges

There are three categories of challenges: impermissible challenges, rejected challenges, and accepted challenges. The challenger liaison is responsible for adjudicating each challenge by categorizing each challenge and determining what, if any, action should be taken in response to the challenge.

Impermissible challenges

Impermissible challenges are challenges that are made on improper grounds. Because the challenge is impermissible, the challenger liaison does not evaluate the challenge to accept it or reject it. Impermissible challenges are:

- Challenges made to something other than a voter's eligibility or an election process;
- Challenges made without a sufficient basis, as explained below;
- Challenges made alleging lack of photo identification against a voter who signed an Affidavit of Voter Not in Possession of Picture ID; and

- Challenges made for a prohibited reason.

Challenger liaisons are not required to record an impermissible challenge as a challenge. If it is possible to make a note without slowing down the voting or absent voter ballot tabulation process, the challenger liaison is encouraged to note the content of an impermissible challenge, as well as any warning given to the challenger making that impermissible challenge. If the challenger makes multiple impermissible challenges, the challenger liaison is likewise encouraged to note the general basis of those challenges and the approximate number of challenges, if the challenger liaison can make that note without slowing down the election process. In all circumstances, however, the challenger liaison should prioritize the orderly and regular administration of the election process over noting an impermissible challenge.

Repeated impermissible challenges may result in a challenger's removal from the polling place, early voting site, or absent voter ballot processing facility.

Rejected challenges

Rejected challenges are challenges that are not impermissible, but which the challenger liaison does not accept. Whether a challenge is permissible but rejected is a context-specific determination that depends on the type of challenge being made. The process for determining whether a challenge to an election process or a voter's eligibility is rejected is set out below in the relevant sections. If a challenge is permissible but rejected, the following information must be recorded:

- The challenger's name;
- The name of the challenger's credentialing organization;
- The time of the challenge;
- The substance of the challenge; and
- The reason why the challenge was rejected.

Accepted challenges

Accepted challenges are challenges that are permissible and which the challenger liaison deems correct. If a challenge is accepted, the following information must be recorded:

- The challenger's name;
- The time of the challenge;
- The substance of the challenge; and

- The actions taken by the challenger liaison in response to the challenge.

Challenges to a voter's eligibility in a polling place or early voting site

A challenger may make a challenge to a voter's eligibility to cast a ballot only if the challenger has a good reason to believe that the person in question is not a registered voter. There are four reasons that a challenger may challenge a voter's eligibility; **a challenge made for any other reason than those listed below is impermissible**. The four permissible reasons to challenge a voter's eligibility are:

1. The person is not registered to vote;
2. The person is less than 18 years of age on Election Day;
3. The person is not a United States citizen; or
4. The person has not lived in the city or township in which they are attempting to vote for 30 or more days prior to the election.

The challenger liaison to whom the challenge is made must ask the challenger to state with specificity which of the four listed permissible reasons that the challenger believes the person is not a registered voter, and the challenger must **explain the reason the challenger holds that belief**. If the challenger does not cite one of the four permitted reasons to challenge this voter's eligibility, or cannot provide support for the challenge, the challenge is impermissible.

A challenger may challenge a voter's eligibility only by making a challenge to the challenger liaison or the challenger liaison's designee. **The challenger must make the challenge in a discrete manner not intended to embarrass the challenged voter, intimidate other voters, or otherwise disrupt the election process.** A challenger liaison will warn a challenger who violates any of these prohibitions; if a challenger repeatedly violates any of these prohibitions, the challenger may be ejected from the polling place or early voting site.

Impermissible challenge to voter's eligibility: improper reason for challenge

A challenger may not challenge a voter's eligibility for any reason other than the four reasons listed above. Any challenge made for a reason other than those four reasons is impermissible and should not be considered by the

challenger liaison or recorded by the liaison. Improper reasons for making a challenge to a voter's eligibility include, but are not limited to, the following:

- the voter's race or ethnic background;
- the voter's sexual orientation or gender identity;
- the voter's physical or mental disability;
- the voter's inability to read, write, or speak English;
- the voter's need for assistance in the voting process;
- the voter's manner of dress;
- the voter's support for or opposition to a candidate, political party, or ballot question;
- the appearance or the challenger's impression of any of the above traits; or
- any other characteristic or appearance of a characteristic that is not relevant to a person's qualification to cast a ballot.

Impermissible challenge to voter's eligibility: non-specific challenge

A challenge to a voter's eligibility is impermissible and should not be recorded by the challenger liaison if the challenger cannot specify under which of the four permissible reasons the challenger believes the voter to be ineligible to vote, or if the challenger refuses to provide a reason for the challenge to the voter's eligibility.

Impermissible challenge to voter's eligibility: no explanation for challenge

A challenge to a voter's eligibility is impermissible and should not be recorded by the challenger liaison if the challenger cannot provide a reason for their belief that the voter is ineligible to vote. For example, a challenger cannot simply state that they believe a voter to be ineligible because of their age or citizenship status; the challenger must explain why they believe the voter to be underage or why they believe the voter is not a United States citizen.

Impermissible challenge to voter's eligibility: lack of photo ID

A voter who signs an *Affidavit of Voter Not In Possession of Picture ID* cannot be challenged on the grounds that the voter is not in possession of photo identification. Any challenge on these grounds must be deemed an impermissible challenge, should not be recorded, and the challenger must be warned that no such challenge is allowed.

Processing challenges to a voter's eligibility

If a challenge to a voter's eligibility made at an in-person polling location is determined to be permissible, the challenge must be handled using the following process:

1. The voter is sworn in by the precinct chairperson or another election inspector using the following oath:

   "I swear (or affirm) that I will truly answer all questions put to me concerning my qualifications as a voter."

2. The election inspector who administered the oath asks the voter to confirm that they meet the criteria to be eligible to cast a ballot. The election inspector may ask the voter only the questions necessary to confirm that they meet the criteria disputed by the challenger; the election inspector may not ask the voter any other questions.
3. If, after questioning under oath, the voter confirms they are eligible to vote, the challenge is rejected and the voter is permitted to vote a challenged ballot. A challenged ballot is prepared by writing the voter's ballot number on the ballot and then covering the number with tape or a slip of paper. **The voter then completes the ballot and casts the ballot by feeding the ballot into the tabulator in the same manner as an unchallenged voter.**
4. If the voter does not confirm they are eligible to vote after questioning under oath, the challenge is accepted, and voter is not allowed to cast a ballot.

The election inspector should take the challenged voter aside to administer the oath and ask the required questions. Election inspectors should administer the oath and ask the required questions in a manner that does not humiliate, degrade, or embarrass the challenged voter. The oath and questioning process should be carried out in a manner that does not unduly delay the challenged voter.

If a voter whose eligibility is permissibly challenged refuses to take the above oath or answer questions designed to verify the voter's eligibility, the challenge is accepted, and the voter cannot cast a ballot.

A challenger cannot appeal a determination that a challenged voter is eligible to vote on Election Day. Outstanding challenges to a voter's eligibility after Election Day may be adjudicated through the judicial process.

Recording a challenge to a voter's eligibility

Permissible challenges to a voter's eligibility are recorded inthe paper poll book, and if it is being used in that location, the electronic pollbook, as directed by the local clerk. When a voter's eligibility is permissibly challenged, the election inspector selects "Challenged Voter" in the electronic poll book, which automatically creates a notation of the challenge and the challenge's outcome. A challenge recorded in the paper poll book should be recorded on the "Challenged Voters" page of the physical poll book. Finally, the election inspector should make a comment in the electronic poll book recording:

- The challenger's name;
- The time of the challenge;
- The substance of the challenge; and either
- If the challenge was rejected, the reason why the challenge was rejected; **or**
- If the challenge was accepted, the reason the challenge was accepted.

Because the only action taken by an election inspector in response to an accepted challenge to a voter's eligibility is to disallow that person from casting a ballot, and that denial is automatically recorded in the poll book when the voter is not issued a ballot, the election inspector does not need to record any additional information about an accepted challenge to a voter's eligibility.

Challenges by an election inspector to a voter's eligibility

An election inspector shall make a challenge to a voter's eligibility if the election inspector knows or has good reason to suspect that the voter is not eligible to cast a ballot. Such a challenge is treated identically to a challenge made by a credentialed challenger as explained above – the election inspector must provide a specific and permissible reason that the election inspector believes the voter is ineligible to cast a ballot, and there must be some explanation for the election inspector's belief. If an election inspector wishes to challenge a voter's eligibility, the election inspector must make that challenge to the challenger liaison. If the election inspector making the challenge is the challenger liaison, the challenger liaison must make the challenge to another election inspector and the local clerk must be notified of the challenge. A challenge made to a voter's eligibility by an election inspector is recorded and resolved using the same process as a challenge made to a voter's eligibility by a credentialed challenger.

Challenges by a voter to another voter's eligibility

A registered voter of a precinct who is present at that precinct on Election Day may challenge the eligibility of another person to vote in that precinct if the challenging voter either knows or has good reason to suspect that the challenged person is not eligible to cast a ballot in that precinct.

Such a challenge is treated and resolved identically to a challenge made by a credentialed challenger as explained above. If a voter wishes to challenge a person's eligibility to vote under this mechanism, the challenging voter must make that challenge to the challenger liaison.

A voter who is not credentialed as a challenger may only challenge the eligibility of persons attempting to vote in the precinct in which the challenging voter is registered to vote. A voter who is not credentialed as a challenger cannot challenge persons attempting to vote in any other precinct, nor can they challenge the conduct of election processes. A voter making challenges to the eligibility of other voters in their own precinct may not make challenges designed to harass, annoy, or delay voters. A voter making challenges to the eligibility of other voters in their own precinct, like all persons present in the precinct, must follow the directions of the election inspectors assigned to the precinct.

Challenges to absent voters in polling places

A voter who requested an absent voter ballot may vote in person so long as their local clerk has not received their absent voter ballot at the time they attempt to vote in person. In some situations, these voters may be subject to challenge as an absent voter in the polling place or early voting site. **A voter is subject to challenge as an absent voter in the polling place or early voting site only if the poll book indicates that an absent voter ballot was sent to the voter and only if the voter does not surrender the absent voter ballot at the polling place or early voting site.**

Voters who surrender their absent voter ballot at the precinct on Election Day or at an early voting site

A voter who received an absent voter ballot but who surrenders that absent voter ballot to election inspectors at the polling place on Election Day or at an early voting site during the early voting period may vote a regular ballot. **Such a voter is not subject to challenge as an absent voter in the**

polling place or early voting site and a challenge on those grounds is impermissible.

Voters who do not surrender their absent voter ballot at the precinct on Election Day or at an early voting site

A voter for whom the poll book indicates an absent voter ballot was sent may not have received the ballot, may have lost or destroyed the ballot, or may have mailed the ballot back to the clerk too close to Election Day that the ballot may not arrive in time to be counted. **In these situations, the election inspector must always call the local clerk to verify that the voter's absent voter ballot has not been returned to the clerk.** Once the clerk verifies to the election inspector that the absent voter ballot was not returned to the clerk, the voter must sign an affidavit of lost or destroyed absentee ballot stating that the voter did not successfully return the ballot. Absent a challenger issuing a challenge against that voter, the voter is then permitted to cast a regular ballot.

A voter for whom the poll book indicates an absent voter ballot was mailed may be challenged as an absent voter in the polling place or early voting site even after the clerk verifies the absent voter ballot has not been returned and after the voter signs the affidavit stating that the voter did not return the ballot; if such a voter is challenged, that voter is permitted to cast a challenged ballot. **So long as the clerk confirms that they have not received the voter's absent voter ballot, the voter is permitted to vote in the polling place on Election Day or at an early voting site during the early voting period.** A challenged ballot is prepared by writing the voter's ballot number on the ballot, then covering the number with tape or a slip of paper. The voter then completes the ballot and casts the ballot by feeding the ballot into the tabulator in the same manner as an unchallenged voter.

Voter eligibility challenges are not permissible at an absent voter ballot processing facility

Challengers at absent voter ballot processing facilities may make challenges to election processes as described below. Permissible challenges at absent voter ballot processing facilities include challenges to ensure that the review of any portion of the absent voter ballot envelope reviewed at the absent voter ballot processing facility is properly completed. City and township clerks review the portion of the absent voter ballot envelope containing the absent voter's signature prior to Election Day, or when the ballot envelope is

received by the clerk on Election Day, to ensure that the signature is genuine and the absent voter is eligible to cast a ballot. If the clerk has verified the signature and the absent voter's eligibility prior to the ballot envelope being transmitted to the absent voter ballot processing facility, a challenge may not be made on the same issue at the absent voter processing facility or during processing and tabulation period before Election Day.

Because an absent voter's eligibility is verified by the clerk prior to the absent voter ballot envelope being processed at the absent voter ballot processing facility, election inspectors serving at the absent voter ballot processing facility are not responsible for verifying voter eligibility at the facility. Instead, election inspectors serving at the absent voter ballot processing facility confirm that the clerk has verified the absent voter's eligibility to cast a ballot by confirming that the clerk has reviewed the signature section of the absent voter ballot envelope. Additionally, because the voters are not present at the absent voter ballot processing facility, the oath administration and questioning process set out in the Michigan Election Law and explained above cannot be carried out at an absent voter ballot processing facility and a challenged voter would have no chance to refute the challenge leveled against them. For these reasons, challenges to voter eligibility at absent voter ballot processing facilities are not permissible and need not be recorded.

Individuals who wish to contest the eligibility of an absent voter should raise those concerns with the clerk of the city or township in which the voter is registered to vote prior to Election Day as prescribed by the Michigan Election Law; no information about a particular voter's eligibility would be available to a challenger serving in an absent voter ballot processing facility that would not have also been available to the challenger prior to Election Day.

Challenges to an election process

A challenger may challenge a voting process, including the way that election inspectors are operating a polling place or early voting site or processing absent voter ballots at an absent voter ballot processing facility. A challenge to an election process must ***state the specific element or elements of the process that the challenger believes are being improperly performed and the basis for the challenger's belief****.Impermissible challenge to an election process*

A challenge to an election process is impermissible and should not be recorded by the election inspectors if the challenger cannot identify a specific element or multiple elements of the process the performance of which the challenger believes improper. A challenge to an election process is also impermissible if the challenger cannot adequately explain why the election process is being performed in a manner prohibited by state law. An explanation for a challenge to an election process must include an explanation of the proper performance of the element or elements in question but need not take the form of a direct citation to statute or election administration materials.

Rejecting a challenge to an election process

A permissible challenge to an election process will be rejected if the challenger liaison determines that the specific element or elements of the election process being challenged are being carried out in accordance with state law. A challenger liaison's determination that a challenge to an election process is rejected may be appealed using the process laid out at the end of this publication.

Accepting a challenge to an election process

A permissible challenge to an election process will be accepted if the challenger liaison determines that the challenger is correct and that the specific element or elements of the election process being challenged are not being carried out in accordance with state law. The challenger liaison shall inform the relevant election inspectors how to properly carry out the process and take any other remedial action necessary to correct the error.

Recording a challenge to an election process

A permissible challenge to an election process should be recorded in the remarks section of the electronic poll book or on the "Challenged Procedures" section of the physical poll book, or both, as directed by the local clerk. The record should include:

- The challenger's name;
- The time of the challenge;
- The substance of the challenge; and either
- If the challenge was rejected, the reason why the challenge was rejected; **or**
- If the challenge was accepted, the reason the challenge was accepted, and any remedial actions taken in response to the challenge.

Challenges to recurring election processes: blanket challenges

If a challenger wishes to challenge recurring elements of the election process, the challenger must make a blanket challenge in order to avoid unnecessary delay or disruption to the process. The blanket challenge shall be treated as a challenge to each occurrence of the process but need only be made and recorded in the poll book once. **A challenger may only challenge recurring processes through a blanket challenge; a challenger may not challenge every occurrence of a recurring process in lieu of making a blanket challenge.**

Rights of challengers

A challenger who has made themselves known to the challenger liaison, who is in possession of a valid credential, and who has taken a challenger oath, has the right to:

- Be present in the polling place, early voting site, absent voter ballot processing facility, or Election Day vote center;
- Make challenges to the challenger liaison or the challenger liaison's designee as provided in these instructions;
- Be treated with respect by election inspectors;
- Be provided with reasonable assistance in performing their duties as a challenger;
- Inspect applications to vote, registration lists, and other printed materials used to conduct elections, so long as the challenger does not touch or handle any of those materials and so long as the inspection does not impede the voting process;
- Observe election inspectors' preparation of voting equipment at the polling place or early voting site before the opening of the polls during the early voting period and on Election Day, and observe election inspectors' handling of voting equipment after the close of polls on Election Day, so long as the challenger does not touch or handle any of that equipment and so long as that observation does not impede the election inspectors in completion of their duties;
- Observe the election process from a reasonable distance, so long as election inspectors have sufficient room to perform their duties and voters are not impeded in any way;
- If serving in a polling place or early voting site during the early voting period or on Election Day, to use electronic devices, so long as the device is not disruptive and so long as the device is not used to make video or audio recordings of the polling place or early voting site;
- If serving in an absent voter ballot processing facility, to use electronic devices, so long as the device is not disruptive and so long as the

device is not used to photograph or make video or audio recordings of except for posted election results;
- Observe election-related activities at an early voting site or at a polling place on Election Day at any time the early voting site or polling place is open to the public, including prior to the opening of polls or after the closing of polls;
- Take notes about the election process;
- Notify the challenger liaison of perceived violations of election laws by third parties, including electioneering within 100 feet of the precinct, improper handling of a ballot by a voter, or other issues;
- Remain in the Election Day polling place, early voting site, or absent voter ballot processing facility after the close of polls or the end of tabulation and until the election inspectors complete their duties;
- If serving in an early voting site or polling place where ballots are being issued, stand behind the processing table and intermittently move close enough to view the poll book as ballots are issued to voters and the voters' names are entered into the poll book, so long as the challenger does not touch or handle the poll book or otherwise interfere with the work of the election inspectors;
- If serving at an absent voter ballot processing facility, stand in a location where the tabulation of absent voter ballots can be observed, or stand in a location where the challenger can intermittently move close enough to view the entry of the names of voters whose ballots are being processed into the poll book can be viewed, so long as the challenger does not touch or handle any election-related materials.

A challenger may request and be provided with a chair to use when conducting challenger activities, so long as the provision of the chair does not interfere with the orderly conduct of elections. The placement of the chair is at the discretion of the challenger liaison or clerk.

Restrictions on challengers

Challengers may not:

- Speak with or interact in any way with voters;
- Threaten or intimidate voters, other challengers, or election inspectors, or attempt to threaten or intimidate voters, other challengers, or election inspectors at any stage of the voting process;
- Continuously stand in close proximity to election inspectors in a way a reasonable individual could find intimidating;
- Speak with or interact with election inspectors who are not the challenger liaison or the challenger liaison's designee, unless given explicit permission by the challenger liaison or a member of the clerk's staff;

- Make repeated impermissible challenges;
- Make a challenge indiscriminately or without good cause, or for the purpose of harassing, delaying, or annoying voters, election inspectors, or any other person;
- Physically touch or interact with ballots, absent voter ballot envelopes, electronic poll books, physical poll books, or any other election materials;
- Stand so close to the poll book or other materials that the challenger's proximity to those materials interferes with the election inspectors' ability to perform their duties;
- Use a device to photograph or make video or audio recordings in a polling place, early voting site, clerk's office, or at an absent voter ballot processing facility (other than the recording of election results);
- Provide or offer to provide assistance to voters;
- Wear any clothing or other apparel relating to any party, candidate, or proposition on the ballot or which disrupts the peace or order of the early voting site or polling place, unless the challenger is serving at an absent voter ballot processing facility and is given permission or instructed to wear such an identifier by an election official;
- Wear clothing or other apparel expressly advocating for or against the election of a candidate or advocating the passage or defeat of a ballot measure;
- Set up a table or other furniture in the early voting site or polling place; or
- Take any actions to disrupt or interfere with voting, ballot tabulation, or any other election process.

Warning and ejecting challengers

If a challenger acts in a way prohibited by this instruction set, the Election Challengers and Poll Watchers administrative rules, or the Michigan Election Law, or fails to follow a direction given by an election inspector serving at the location at which the challenger is present, the challenger will be warned of their prohibited action and of their responsibility to adhere to the instructions in this publication and to directions issued by election inspectors. The warning and the reason that the warning was issued should be noted in the poll book. The warning requirement is waived if the prohibited action is so egregious that the challenger is immediately ejected.

A challenger who repeatedly fails to follow any of the instructions or directions set out in this publication the Election Challengers and Poll Watchers administrative rules, the Michigan Election Law, or issued by election inspectors may be ejected by any election inspector. A challenger who acts in a manner that disrupts the peace or order of the polling place,

early voting site, or absent voter ballot processing facility, who acts to delay the work of any election inspector, or who threatens or intimidates a voter, election inspector, or election staff, may also be ejected by any election inspector. The ejection should be noted in the poll book. If the challenger refuses to leave after being informed of their ejection by an election inspector, the election inspector may request law enforcement remove the challenger from the polling place, early voting site, or absent voter ballot processing facility.

If a challenger photographs, or audio or video records, anything other than election results, the clerk must expel the individual from the location.

Challenger appeal of challenger liaison or election inspector determinations

A challenger may appeal a decision by the challenger liaison or any other election inspector relating to the validity of a challenge, to a challenger's conduct, or to a challenger's ejection to the city or township clerk of the jurisdiction in which the challenger is serving. At the request of a challenger, the challenger liaison must provide the contact information of the city or township clerk. The appeal must be made outside of the hearing of voters. If the challenger is appealing their ejection, the appeal must be made after the challenger has left the polling place, early voting site, or absent voter ballot processing facility. If the city or township clerk rejects the challenger's ejection as improper, the clerk shall inform the challenger liaison and the challenger shall be allowed to reenter the polling place, early voting site, or absent voter ballot processing facility.

The challenger may appeal the decision of the local clerk to the Bureau of Elections.

A challenger may not appeal to the city or township clerk an election inspector's resolution of a challenge to a voter's eligibility to vote. Appeals of an election inspector's resolution of an eligibility challenge can only be adjudicated through the judicial process after Election Day.

IV. Poll watchers

The law has been interpreted to permit members of the public who are not credentialed challengers to observe elections. Members of the public wishing to observe elections, often referred to as poll watchers, do not enjoy the same rights as credentialed challengers. A person does not need to be

registered to vote in Michigan to serve as a poll watcher in this state, but a candidate for elective office being voted on in the election cannot serve as a poll watcher. There is no particular number of poll watchers that must be admitted to any election-related location, but poll watchers must be permitted to observe the electoral process so long as the total number of poll watchers does not cause the process to be disrupted.

Rights of poll watchers

Poll watchers are allowed to be present in a polling place, early voting site, or an absent voter ballot processing facility. Clerks or challenger liaisons must designate a Public Viewing Area from which poll watchers can observe the electoral process. The Public Viewing Area must be placed in a location that does not interfere in any way with the work of election inspectors present in the location. If the location is a polling place or early voting site, the Public Viewing Area must be situated so that the presence of poll watchers does not interfere with voters participating in the voting process. If the Public Viewing Area for a particular election location is full and cannot accommodate more poll watchers, and if the Public Viewing Area cannot be enlarged without disrupting election processes, the clerk or challenger liaison may deny entry to additional poll watchers. If the location is an absent voter ballot processing facility, the poll watcher must take the same oath as a challenger present at such a facility and is bound by all the same restrictions as a challenger present at such a facility.

A poll watcher may request that the challenger liaison allow the poll watcher to view the poll book without handling it, but the challenger liaison may decline that request. A poll watcher may never handle the poll book or other election equipment or materials.

Restrictions on poll watchers

Poll watchers are subject to all of the same restrictions as credentialed challengers, including the prohibitions against speaking with voters and against speaking with election inspectors other than the challenger liaison without the challenger liaison's permission. In addition, poll watchers cannot:

- Issue challenges;
- Sit or stand behind the election inspectors as voters are processed; or
- Be present in any part of the polling place, early voting site, clerk's office, or absent voter ballot processing facility except the designated Public Viewing Area.

Ejection of poll watchers

A poll watcher who repeatedly fails to follow any of the above instructions, who acts in a manner that disrupts the peace or order of the polling place, early voting site, or absent voter ballot processing facility, who acts to delay the work of any election inspector, or who threatens or intimidates a voter, election inspector, or election staff, may be ejected by any election inspector. If the poll watcher refuses to leave after being informed of their ejection by an election inspector, the election inspector may request law enforcement remove the poll watcher from the polling place, early voting site, or absent voter ballot processing facility.

If a poll watcher photographs, or audio or video records, anything other than posted election results, , the clerk must expel the individual from the absent voter ballot processing facility.

Challenge Record

Record (all fields required)	
Name of challenger making challenge	
Date of challenge	
Time of challenge	
Location of challenge	
Credentialing organization	
Type of challenge: ☐ Voter eligibility ☐ Election process	
Reason for making challenge	
Received by (name or initials)	Date

Challenger Credentialing Organization Contact

CLEAR FORM

Contact information (required fields)
Credentialing organization
Contact name
Contact phone number
Date submitted

Contact information (optional fields)
Alternate contact name
Alternate contact phone number

If submitted to MDOS: The personally identifiable information collected on this form will be used by MDOS to complete the requested transaction. MDOS limits the amount of personally identifiable information to only that information which is relevant and necessary to complete your transaction. Please be aware that under the Federal Driver's Privacy Protection Act, 18 U.S.C. 2751, et seq. and the Michigan Driver's Protection law, MCL 257.208c, your personal information may be provided to third parties without additional prior notice or consent when permitted or required by law. As a public body, MDOS is subject to the Michigan Freedom of Information Act (FOIA), MCL 15.231 et seq., and information such as a name or address may be disclosed in response to a FOIA request pursuant to law.