



Public Education Initiative

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Todd Rokita
Indiana Secretary of State

CONTENTS

Background to the Vote with ID Task Force	2
Important Terms	3
Goals of the Vote with ID Initiative	4
Objectives and Related Components	4
Appendix A: Legislation Summary of PL 109-2005	9
Appendix B: Executive Summary of the Indiana State HAVA Plan	12



The following is a tentative plan to implement PL 109-2005 — Indiana’s photo ID law. Actions described throughout the plan may change as we gain a greater understanding of the needs of Indiana voters, and as new opportunities for communication become available.

Background to the Vote with ID Task Force

Indiana is in the process of implementing the most groundbreaking election reform since the Voting Rights Act of 1965. Some of the changes are the result of federal legislation – primarily the Help America Vote Act (HAVA). Some, such as the new photo ID requirement, are the result of state legislation. Despite the volume of changes or differences in their origins, they share a common goal: To improve the integrity of Indiana elections.

Voters must be educated about the specifics of the new law prior to the May 2006 Primary Election and prior to the November 2006 General Election. One of the purposes of the Vote with ID Public Education Initiative is to accomplish just this. Using a combination of mass marketing, direct marketing, in-person training, and strategic partnerships, Indiana voters will receive a relatively simple message: Go the polls; bring photo ID; vote with confidence.

Success at the polls under the new law also depends on adequate education for county election officials and pollworkers. Accordingly, photo ID topics will comprise a substantial portion of the training curricula being developed for election officials and pollworkers as part of the State HAVA Plan.

In October 2005, Secretary Rokita assembled the Vote with ID Task Force — a group of community leaders from around the state — to review the plan and to provide input regarding effective implementation strategies. The group met in full on October 13, 2005. What follows is a roadmap for photo ID education based on input from Task Force members, county election officials from around the state, and Hoosier voters.



Important Terms

County Election Official: County clerk, circuit court clerk, or other county-level official responsible for directing the county's election activities

Challenge: On Election Day, election workers and credentialed challengers may formally contest a voter's qualifications if they suspect the voter is not eligible to cast a ballot. If a voter does not have valid photo identification, the proper procedure on Election Day is for an election worker to *challenge* the voter, then allow the voter to cast a *provisional ballot*.

Fail-safe: Procedural safeguard that allows a registered voter who is challenged at the polls to cast a ballot.

HAVA: The Help America Vote Act of 2002 (Public Law 107-252). A federal law passed by Congress and signed by President Bush on October 29, 2002. Each state has passed (or is considering the passage) of its own laws needed to implement HAVA in that state.

Indiana Voter's Bill of Rights: Document produced prior to each election in Indiana. The content and distribution of the document are prescribed by IC 3-5-8.

PL 109-2005: Indiana's voter identification requirement, enacted into law by the Indiana General Assembly in July 2005. In short, the law requires certain voters to present photo identification before voting. The photo identification must:

- 1) be a document issued by the United States or the State of Indiana;
- 2) show the name of the voter and the name must conform to the name on the voter's registration record;
- 3) contain a photograph of the voter; and
- 4) include an expiration date showing that the photo identification has not expired or that the photo identification expired after the date of the most recent general election.

For more information, refer to Appendix A.

Pollworker: Paid position at polling place on Election Day to assist in operating the election.

Provisional Ballot: A ballot cast by an individual when it is not clear whether the individual is eligible to vote in a precinct. The provisional ballot is kept separate from the other ballots cast by voters in the precinct. After Election Day, the county election board decides whether the individual is entitled to vote and whether the individual's provisional ballot should be counted or rejected.

PSA / NCSA: Public Service Announcement / Non-Commercial Sustaining Announcement produced for either radio or television broadcast.



Goals of the Vote with ID Initiative

1. Through a multimedia public education campaign and direct outreach to voters, the Vote with ID Initiative will ensure that citizens in Indiana understand how PL 109-2005 affects their rights and responsibilities related to voting in the 2006 Indiana General Election.
2. Through development of a comprehensive training module, the Vote with ID Initiative will ensure that pollworkers and election officials understand how to implement PL 109-2005

Objectives and Related Components

1. **Educate voters about the most critical or most relevant aspects of PL 109-2005 by developing materials to address the following points:**
 - What constitutes an appropriate photo ID
 - How to obtain photo ID
 - What happens if a voter doesn't have photo ID on Election Day?
 - Reminding voters to bring ID to the polls

Print Materials

The Indiana Voter's Guide will serve as a comprehensive summary of what a citizen needs to know to successfully vote in Indiana. This document will feature information on the new photo ID requirement, but also will include the full text of *The Indiana Voter's Bill of Rights*, as described below. These will be made available online and in hard copy for distribution at conferences, lectures, fairs, and other outreach events. English and Spanish versions will be produced, and an online .pdf version will be produced for visually impaired voters.

The Indiana Voter's Bill of Rights Poster will be updated to include relevant photo ID points. This document will be available online and in poster format for display at the polls on Election Day. English and Spanish versions will be produced. The font size and style will accommodate visually impaired voters.

The Photo ID Quick Reference Guide will explain the basics of photo ID on one side and what voters need to know about provisional balloting on the other. The piece will be suitable to stand alone, but it will be designed to fit in a standard envelope, thus making it possible to include the guide in other mailings. These will be available in hard copy for distribu-



-tion by the Secretary of State's office, county election officials, BMV license branches, state agencies, and community leaders. English and Spanish versions will be produced.

Chute Posters will be placed at the front of each polling place's chute on Election Day. The posters will explain PL 109-2005 and remind voters that they must provide photo ID prior to signing the poll list. It will explain how to obtain an ID from the local BMV license branch and will explain the provisional ballot failsafe.

Television and Radio PSAs / NCSAs

Multiple PSAs produced in conjunction with implementation of the State HAVA Plan will mention photo ID requirements. In addition, one PSA or NCSA will focus specifically on photo ID and provisional balloting. These will be distributed to broadcast outlets and public access providers statewide beginning in April 2006 and again in September 2006.

Earned Media

Before the May 2006 Primary and the November 2006 General Election, the Secretary of State's office will carry out the following media relations activities:

- Produce a series of op-eds focusing on photo ID, voter protection, election security, and other related topics.
- Pitch photo ID-related stories to print and broadcast media statewide
- Conduct at least one train-the-media session for interested reporters and editors. Topics will include HAVA and photo ID legislation updates and summaries; best statewide and local contacts for election issues; and suggested credible, outside sources for HAVA and photo ID information.
- Develop a HAVA/photo ID-specific media kit for use during and after the train-the-media session.
- Offer a basic media training session for county election officials

Internet

The Indiana Voter's Guide, Indiana Voter's Bill of Rights, Photo ID Quick Reference Guide, and PSAs/NCSAs will be available on the Secretary of State's website at www.sos.in.gov.

Outdoor Advertising

In the 2-3 months preceding the November 2006 General Election, we will institute an urban outdoor advertising campaign. To determine which urban areas are most in need of this extra communication, we will



consider input from voters, county election officials, Vote with ID Task Force members, state agencies, and other interested organizations. We also will consider statistics from the May 2006 Primary Election and any other relevant, credible data.

Outreach

Throughout the year, the Secretary of State's office participates in numerous outreach events around the state. Since July 2005, materials pertaining to photo ID education have been distributed at all events where such communication was appropriate, including Black Expo, the Indiana State Fair, Fiesta Fort Wayne, and Fiesta Indianapolis. When the Voter's Guide and the Quick Reference Cards are produced, they will replace existing outreach materials. The new, more reader-friendly materials will allow event volunteers and attendees to more quickly gain an understanding of the new law.

County election officials and Vote with ID Task Force members will play a vital role in identifying new outreach opportunities prior to the 2006 Primary and General Elections.

2. Identify groups of voters for whom compliance with PL 109-2005 may be difficult, and develop effective ways to adapt public education campaign techniques and messages to reach these groups.

Most registered voters in Indiana already possess sufficient photo identification, either in the form of an Indiana Driver's License, Indiana State ID Card, or a U.S. Passport. However, there are registered voters who do not possess photo identification; who may have difficulty understanding what the new law requires of them; or who do not have the means necessary to obtain photo identification. Groups that fall within these parameters may include:

- Elderly voters
- Indigent voters
- Voters with disabilities
- First-time voters
- Re-enfranchised ex-felons

Strategic partnerships

Strategic partnerships with state agencies and private organizations will be a hallmark of the Vote with ID Initiative. Many existing agencies are uniquely suited for statewide communication with the groups of voters identified above. In an effort to act as responsible stewards of funding



identified above. In an effort to act as responsible stewards of funding set aside for this initiative, the Secretary of State's office will follow through with every possible, appropriate opportunity for collaboration in furtherance of the Vote with ID objectives. Potential partners include :

- AARP
- BMV
- FSSA
- Office of Veterans Affairs
- Governor's Planning Council for People with Disabilities
- IPAS
- League of Women Voters
- Department of Workforce Development
- Chambers of Commerce throughout the state
- Department of Corrections
- Political parties

Outreach

As mentioned in the previous section, direct outreach opportunities are a key component of the Vote with ID initiative. They are of particular importance for effectively educating the voter groups discussed in this section. County election officials and Vote with ID Task Force members will play a vital role in identifying outreach opportunities geared toward these audiences.

- 3. Educate county election officials about PL 109-2005, and assist them in implementing the new law prior to the May 2006 Primary Election.**

Training Curriculum

The Secretary of State's office is developing a comprehensive curriculum for county election officials. While many of them have run successful elections in the past, federal and state election laws have changed significantly in recent years. The state's photo ID requirement is new, and although HAVA was enacted in 2002, full compliance is not mandatory until January 1, 2006.

Most of the training content will relate to election day procedures under Indiana law and HAVA implementation; however, one "chapter" will be dedicated solely to the new photo ID requirement. (Continued on p.8)



Training will include instruction on:

- determining whether an ID is valid
- determining whether the name on the ID conforms to the name on the voter registration record
- proper challenge procedures and failsafe implementation should a voter lack the requisite ID
- determining whether one of the law's exceptions applies to a voter who cast a provisional ballot
- processing provisional ballots cast as a result of a voter lacking photo ID
- training election workers to carry out the new law at the polls

4. **Educate pollworkers about PL 109-2005 and how it affects their duties**

Training Curriculum

In addition to the curriculum described above, the Secretary of State's office is developing a comprehensive pollworker training curriculum. One of the training modules will focus on the new photo ID requirement. It will include instruction on:

- determining whether an ID is valid
- determining whether the name on the ID conforms to the name on the voter registration record
- proper challenge procedures and failsafe implementation should a voter lack the requisite ID
- processing provisional ballots

Election Day Materials

Photo ID Quick Reference Guides will be supplied to each county for distribution to pollworkers. These will include space and suggestions for customizing the guides according to each county's designated election resource person(s).



Appendix A:

Legislation Summary of PL 109-2005

Excerpted from the *2005 Indiana Election Legislation Summary*

Prepared by the Indiana Election Division

Full text available at www.sos.in.gov

Photo Identification

Certain voters must present photo identification before voting. The photo identification must:

- 1) be a document issued by the United States or the State of Indiana;
- 2) show the name of the voter and the name must conform to the name on the voter's registration record;
- 3) contain a photograph of the voter; and
- 4) include an expiration date showing that the photo identification has not expired or that the photo identification expired after the date of the most recent general election.

The photo identification requirement applies to a person who votes:

- 1) in person at the polls on election day; or
- 2) absentee in the office of the circuit court clerk or a satellite office established by unanimous vote of the county election board;

The photo identification requirement does not apply to a person who votes:

- 1) absentee by mail;
- 2) absentee by traveling board; or
- 3) in person on election day in a precinct whose polling place is located at the state licensed care facility where the voter resides.

A precinct election officer must ask a voter who offers to vote to provide photo identification before the voter is permitted to sign the poll list and vote. If a voter is unable or declines to produce the required photo identification, or a member of the precinct election board determines that the photo identification offered by the voter does not meet statutory requirements, then the voter will be permitted to vote a provisional ballot if the voter wants to vote. A member of the precinct election board must challenge the voter on a form that indicates that the challenge is based upon the voter's inability or declination to provide photo identification or the photo identification offered by the voter does not meet statutory requirements. If the challenged voter signs the appropriate challenge counter-affidavit required for a provisional ballot then the voter shall be issued a provisional ballot.

A voter who votes absentee in person in the clerk's office (or at a satellite office) must also provide photo identification before being permitted to vote. If the voter is unable or declines to present the photo identification, or a member of the absentee voter board determines that the photo identification provided by the voter does not meet statutory requirements, then the voter shall be permitted to cast an absentee ballot and the voter's absentee ballot shall be treated as a provisional ballot.

If a voter votes a provisional ballot because the voter was unable or declined to present a photo identification, or a member of the precinct election board or absentee voter board determined that the photo identification provided by the voter did not meet statutory requirements, the county election board shall find that the voter's provisional ballot is valid and direct that the provisional ballot be opened and processed as a provisional ballot if the voter appears before the county election board after leaving the polls and before noon on the second Monday following the election and:



- 1) the voter was not required to vote a provisional ballot for any other reason (for example, the voter is challenged because the voter is not on the poll list);
- 2) the voter produces photo identification to the county election board or circuit court clerk; and
- 3) the voter signs an affidavit indicating that the voter is the same person who cast the provisional ballot on election day.

In addition, the voter may also satisfy the photo identification requirement in another manner. The county election board shall find that the voter's provisional ballot is valid and direct that the provisional ballot be opened and processed as a provisional ballot if the voter appears before the county election board after leaving the polls and before noon on the second Monday following the election and:

- 1) the voter was not required to vote a provisional ballot for any other reason (for example, the voter is challenged because the voter is not on the poll list); and
- 2) the voter signs an affidavit indicating that the voter is the same person who cast the provisional ballot on election day and that the voter cannot obtain a photo identification because:
 - a. the voter is indigent and unable to obtain a photo identification without the payment of a fee; or
 - b. the voter has a religious objection to being photographed.

If a voter fails by the deadline to appear before the county election board and execute one of the affidavits described above, then the county election board shall find that the voter's provisional ballot is invalid and note on the provisional ballot envelope: "Provisional ballot determined invalid."

If the county election board determines that a voter has been challenged for a cause other than the voter's inability or declination to provide valid photo identification, then the board shall note on the provisional ballot envelope that the voter has complied with the photo identification requirement and proceed to determine the challenge as set forth in the challenge affidavit.

Some first time voters who registered by mail remain subject to the Help America Vote Act (HAVA) requirement to provide additional documentation showing the residence address of the voter. (Current law requires this documentation from voters who register by mail and have not previously voted within the county. After implementation of the Statewide Voter Registration System on January 1, 2006, this identification documentation will be required from voters who register by mail and have not previously voted within Indiana.)

This type of voter is required to submit the additional documentation regardless of how the voter votes (absentee by mail, traveling board, in-person absentee in the clerk's office, and in person voting at a polling place on election day). If this type of voter votes in person at the polls on election day or votes in person absentee in the clerk's office or at a satellite office, then this voter must present both the additional residence documentation required under prior law and the photo identification requirement under the new law. If the voter's photo identification also shows an address that conforms to the voter's registration record, then the photo identification will also meet the identification documentation requirements under prior law. However, if this type of voter produces a document that does not meet the definition of "proof of identification" applicable to photo identification, (for example, a utility bill with the voter's name and residence address) to meet the additional documentation requirements for first time voters who registered by mail, then the voter is required to present photo identification before voting a regular ballot on election day or in person absentee in the clerk's office or at a satellite office.

The bureau of motor vehicles may not impose a fee for the issuance of a photo identification



card when an individual does not have a valid Indiana driver's license and will be at least 18 by the next general, municipal, or special election.

Full service license branches must remain open from 8:30 a.m. to 8:00 p.m. on the day before each general, municipal, primary and special election and from 6:00 a.m. to 6:00 p.m. each general, municipal, primary and special election day solely for the purpose of issuing driver's licenses and photo identification cards. The Motor Vehicle Commission shall designate another day as compensatory time off or authorize overtime pay for license branch personnel required to work on election day.



Appendix B:

Executive Summary of the Indiana State HAVA Plan

Full text available at www.sos.in.gov

Executive Summary

Indiana has a population of 6,100,000 (2002 estimate), with a voting age population of 4,448,000 (2000 estimate used for purposes of HAVA). Of this population, 4,297,755 were registered to vote as of January 1, 2005.

Election Administration in Indiana

The Secretary of State serves as Indiana's chief election official. The Indiana Election Division (IED) is established within the Office of the Secretary of State. The Governor appoints the IED's two co-directors from lists of two or more persons submitted by the state's Democratic and Republican parties. The IED assists the Secretary of State and the Indiana Election Commission (IEC) with the administration of elections. Indiana's local government includes election administration and voter registration offices in each of the state's 92 counties. Each county is divided into election precincts, with a total of 5,571 precincts in Indiana (as of 2005). All 92 counties have a circuit court clerk elected by the voters and a county election board, which includes the circuit court clerk, to administer local elections.

In 2000, the Bipartisan Task Force on Election Integrity was convened by Secretary of State Sue Anne Gilroy and Governor Frank O'Bannon. The Task Force was charged with examining the election process in Indiana to ensure that elections were accurate, accessible and secure. After months of study, this bipartisan group reached consensus on several improvements to the election process; much of the work of the task force took the form of recommendations to the Indiana General Assembly. Many of these recommendations were adopted, including provisional balloting, the establishment of a statewide voter registration system, and the phase out of punch card voting systems. Some of these initiatives were sidelined when appropriations were cut.

With the enactment of the Help America Vote Act of 2002 (HAVA) and the promise of federal funding to implement its requirements, Indiana's election reform efforts were revitalized. Secretary of State Todd Rokita convened the Vote Indiana Team in February 2003 to move forward with Indiana's election reforms. The Vote Indiana Team consists of 30 Hoosier voters representing a wide variety of ethnic, geographic and tri-partisan political backgrounds.

In developing the initial HAVA State Plan in 2003, members met as a whole and in subgroups to address particular subject areas. At all times, meetings were open to the public and time was set aside for public comment. Furthermore, a thirty-day public comment period began June 3, 2003, and ran through July 3, 2003, in accordance with HAVA requirements. The State Plan, all meeting notes, and other Team information can be found at www.sos.IN.gov, under "Vote Indiana Team Information." Please see Section 13 (on page 52) of the State Plan to review the procedures used for registering public comment.



The Vote Indiana Team reconvened on June 23, 2005 to conduct an initial meeting to consider comments from Team members and the public concerning possible amendments to the Plan. The proposed changes to the Plan proposed by the Secretary of State are indicated in this document and are submitted to begin the process of public comment and further consideration by the Vote Indiana Team.

HAVA requires the submission of a state plan detailing how HAVA requirements will be met and how HAVA monies will be utilized. This Executive Summary outlines the major initiatives of the Team and the plan for distributing HAVA funding.

Voting Systems

Several Quantity Purchase Agreements (QPA) for the purchase of voting systems have been issued by the State of Indiana. Each voting system vendor with a voting system certified by the Indiana Election Commission for use in Indiana elections will be eligible to enter into a QPA with the state. A county may purchase certified voting systems from a vendor off of the State's QPA or may otherwise purchase certified voting systems, subject to complying with state laws concerning procurement by local governments.

HAVA requires each county to acquire at least one voting system with accessible equipment per polling place. The remaining county punch card voting systems in Indiana will be replaced by the end of 2005. As of January 2005, all lever machine voting systems formerly used in Indiana counties have been replaced with optical scan or direct record electronic voting systems.

Funding will be distributed as a reimbursement to counties for the costs incurred in purchasing a voting system, subject to compliance with HAVA and state law. Eligibility for reimbursement will be determined after review of an application to the Indiana Election Division, certification of polling place accessibility, and cooperation with a local advisory council to choose accessible polling places. The original funding formula described in the Plan was based on estimates of funding outlined in HAVA and is being revised to reflect the amount of funding appropriated by Congress during federal Fiscal Years 2004 and 2005.. Please refer to Sections 1 (A) and 6 (A) of the State Plan for further information.

Statewide Voter Registration System

A consultant and statewide steering committee is currently assisting the Secretary of State and Indiana Election Division in the development and implementation of a statewide voter registration system by the December 31, 2005 deadline set by HAVA. A Request For Proposal (RFP) was issued for the selection of a vendor to create the system, and a vendor is currently implementing its contract with the State to implement the statewide voter registration system (SVRS). The steering committee is helping guide the creation and implementation of the system. The committee is comprised of Team members and representatives from the clerks' and voter registration officials' associations. The system will also interact with computer systems of the Bureau of Motor Vehicles, Indiana State Department of Health and Department of Correction. Please refer to Sections 1 (B), Section 6 (B), and Section 8 (1) of the State Plan for further information.



Training and Education

Training will be geared toward election officials and pollworkers. Voter educational opportunities will also be created. Please see Section 1 (F), Section 3, Section 6 (C), Section 8 (2 a,b,c), and Section 10 of the State Plan for further information.

Statewide Grievance Procedure

A statewide grievance procedure was established in 2003 to handle complaints that may involve voting system and polling place accessibility, allegations of fraud, and other voting or registration processes. Please see Section 1 (E), Section 6 (E), Section 8 (3), and Section 9 of the State Plan for further information.

Provisional Balloting

Provisional balloting **is** available as a safety net for the voter who may have erroneously been removed from the voter list and to guard against fraudulent voting practices. A free access system **is** available for a provisional voter to check the status of the provisional ballot (e.g. find out whether the ballot was counted). Please see Section 1 (D), Section 6 (D), and Section 8 (4) of the State Plan for further information.

Accessibility A comprehensive polling place accessibility study has been undertaken to guide local jurisdictions in making improvements. The Secretary of State has applied for federal funding to help counties improve the accessibility of particular polling places. A voter will be able to cast a ballot privately and independently. Please see Section 4, Section 6 (HHS grants and F), Section 8 (5), and Section 10 of the State Plan for further information. I

In summary, the efforts of the Vote Indiana Team and the dedication of Indiana's election officials have already begun to produce positive changes and will set the course for Indiana's election reform efforts for years to come.

