Indiana Election Commission Minutes

April 22, 2020

Members Present: Paul Okeson, Chairman of the Indiana Election Commission ("Commission"); S. Anthony Long, Vice Chairman of the Commission; Suzannah Wilson Overholt, member; Zachary E. Klutz, member.

Members Absent: n/a

Staff Attending: Angela M. Nussmeyer, Co-Director of the Election Division; Andrew Lang, Co-General Counsel of the Election Division; Matthew Kochevar, Co-General Counsel of the Election Division


1. Call to Order:

The chair called the April 22, 2020 meeting of the Commission to order at 10 am EST online via a Zoom virtual meeting room that was moderated by Stewart Richardson.

2. Transaction of Commission Business:

The Commission proceeded to transact business set forth in the Transcript of the Proceedings for this meeting prepared by Maria Collier of Stewart Richardson and Associates, which is incorporated by reference into these minutes.

The Commission adjourned its meeting at 10:52 a.m. EST.

Respectfully submitted,

J. Bradley King
Co-Director

Angela M. Nussmeyer
Co-Director

APPROVED:

Paul Okeson, Chairman
In the Matter Of:

INDIANA ELECTION COMMISSION PUBLIC SESSION

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Transcript of Proceedings

April 22, 2020

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APPEARANCES

INDIANA ELECTION COMMISSION:
Paul Okeson - Chairman
S. Anthony Long - Vice Chairman
Suzannah Wilson Overholt - Member
Zachary E. Klutz - Member

INDIANA ELECTION DIVISION STAFF:
Angela M. Nussmeyer - Co-Director
Matthew Kochevar - Co-Counsel
Andrew Lang - Co-Counsel
CHAIRMAN OKESON: Okay. Seeing that we have a quorum, I'd like to go ahead and call this meeting of the Indiana Election Commission to order today, Wednesday, April 22, 2020. Seeing the members present, I'll announce us: Chairman Paul Okeson, Vice Chairman Anthony Long, Member Suzannah Wilson Overholt, and Commission Member Zachary Klutz.

Also with us is the Indiana Election Division staff: Co-Director Angie Nussmeyer and Andrew Lang, who is standing in for both Brad King and Valerie Warycha, and then we also have Co-General Counsel Matthew Kochevar.

Also with us is Maria Collier from Stewart Richardson Deposition Services.

And, again, this is now the third time we've done this digital Zoom format. I'd just like to remind everyone, if we have any public testimony or discussion, that you please announce yourself when speaking, although I think Maria can see things on the screen easily, but please just, for the purposes of the record, state your first and last name and spell it for her.

I'd just like to have the Indiana Election Division staff confirm that we have proper public notice for this meeting.
MR. LANG: Confirmed, Chairman Okeson.

CHAIRMAN OKESON: Thank you.

So as you all in attendance last meeting, our Order 2020-40, in that order we committed to having a meeting on this date today where we would consider -- and I have the quote here -- "methods and procedures necessary to implement a vote-by-mail election for the primary election that has been postponed by Section 1 of Order 2020-37 should the public health disaster emergency necessitate such a change in election procedures."

I guess the idea today is we have nothing to vote on. There will be no orders that will be passed by this body. But rather this is more of a fact-gathering mission just to gather information and understand. Should we get to a point where we need to change the parameters by which we've already all agreed to in how we run this election, we'll have more information to do so and can take that under advisement.

I've talked at some length with my counterpart, Vice Chairman Long, about the procedures for today's meeting. I think the fairest way to do this -- and I've asked Stewart Richardson to keep a clock for us -- but is to
allocate 15 minutes to each Commission member. You can use that time in any manner you see fit, whether that's to simply have dialogue or discussion with the other members or to invite input from the public. Stewart Richardson will manage the Zoom technology, those members of the public who wish to be heard should you so choose to allow that.

I would ask that we confine public comment, if there is going to be any, to two to three minutes. I've also asked Stewart Richardson to keep time on that. If someone has something to expand upon and we all agree by simple consent that we want to hear more from them, we can certainly do that, but try to just keep some parameters for this meeting. Again, there will be nothing that will be voted on at this meeting. At the conclusion of the round of 15 minutes, we will take that information under advisement and adjourn for the day.

With that, in no particular order, I would, I guess, start with my friend Vice Chairman Long, and if Stewart Richardson is ready and if there are no questions. And certainly if you don't want to use your 15 minutes, that's fine. But with that, Vice Chairman, I hand it off to you, sir.
VICE CHAIRMAN LONG: Okay. Thank you very much, Mr. Chairman. I would tell you that I do have one question of you. It's my understanding we're talking about two subject matters primarily today, and that's, as you've already announced, the receiving of evidence and information regarding what, if anything, we may need to do for the vote-by-mail decision as we get closer to the primary election.

We also have, I understood, for discussion today and hopefully -- I've invited both of our state party chairmen to come and address the Commission on the subject of any needs that they may have with regard to their respective state conventions that the Commission might be able to be of benefit for them. If they are going to be allowed some additional time at the end, that would be great. If not, Suzannah and I would like to donate or dedicate five minutes of our combined time to Chairman Hupfer, Chairman Zody, not each but collectively, to come forward at some point as the chair would deem appropriate to discuss their convention activities, if that's all right with you, sir.

CHAIRMAN OKESON: Yeah. And I apologize, Vice
Chairman Long. It is on the agenda. I guess I was under the impression that maybe neither one of them were going to be present for this and maybe, as of this date, didn't have anything of urgent matters for the Commission to consider. But it is on the agenda -- I apologize -- and I will allow additional time should either or both of them want to address the Commission.

VICE CHAIRMAN LONG: That would be great. I do believe Chairman Zody either is or will be on the meeting today.

CHAIRMAN OKESON: Okay.

VICE CHAIRMAN LONG: And certainly we wanted to make sure that both chairmen had an opportunity to address us so that there may be some consideration for their conventions, but I'll treat that as being a separate agenda item.

CHAIRMAN OKESON: Yes.

VICE CHAIRMAN LONG: And with that, I would say that Suzannah and I have -- would like to hear from the public. We want to hear as far as -- we don't want to call anybody specifically, but we want to open the floor and combine our time, if the chair will allow it, so that we can use that for public input.
We would request -- I don't know how many people are signed on or that would want to speak. I assume they will know how to hold up their hand or know what to do to be recognized to speak. You have graciously indicated a desire to keep it to two to three minutes. It wouldn't bother me and it would be appreciated if they could keep it under two minutes. That way we'll have an opportunity to get more people. And if they don't use all of our time, then so be it. We'll just get done earlier.

But the primary issues that we are interested in and want to be able to have input on particularly relate to about six or seven areas I want to quickly go over. I do want to preface this, though, that we have received about 220 pieces of public comment in written format. This has been circulated. I know that I have them on my desk and have read a large number of them and will before our next meeting, which we believe, by the logistics, needs to be on or before May 17th to move forward to making some decisions, that they will all be digested. And I would encourage anyone who wants to speak today to follow up with more detail and written material and follow up, even if you don't get to speak, with written material.
because we will read each and every one of those
and take them into consideration.

I would at this point ask that the public
comments that we have received at the Election
Division be received into evidence as a part of the
minutes of this public hearing and be a part of the
minutes of our meeting and make that in the form of
a motion.

CHAIRMAN OKESON: So I have a motion to take
any of the evidence or written materials submitted
as part of the record for this meeting. Is there a
second?

MS. OVERHOLT: Second.

CHAIRMAN OKESON: Any discussion?

Hearing none, all those in favor signify by
saying "aye."

MS. OVERHOLT: Aye.

MR. KLUTZ: Aye.

VICE CHAIRMAN LONG: Aye.

CHAIRMAN OKESON: Aye. It's unanimous. The
motion passes.

VICE CHAIRMAN LONG: And with that, what I
and, I'm sure, Suzannah wants to hear, we need to
know what is the point at -- at what point in time
that we need to act to be able to implement any
changes relative to a vote-by-mail election for the primary, what is our, I guess, drop dead date for that based upon all the things that will follow in making that type of decision.

I would request information from the Division and the public, if they have information, on what the budget for a vote-by-mail election would be like into this election and to see what our cost expense is compared perhaps to the cost expenses for in-person voting. I'd like to know detailed costs of mailed out ballot applications to all voters or to mail ballots to voters for an election in Indiana, realizing the difficulties of primaries, knowing which ballots to mail.

I think we need to know what process changes would need to be taken for counties to shift to vote-by-mail elections, taking into account the different types of machines that are currently being used in the counties.

The deadlines, how would they change if we had a vote for various things occurring in a vote-by-mail election if there's no in-person voting and perhaps a more comprehensive survey of the clerks and election administrators to get more input and information from them.
Lastly, if there are best practices out there in other states that use vote-by-mail, the successes, I think it would be nice to have a report of those items for our consideration and hopefully to learn from their successes and from their failures.

But with that, Suzannah, if you have anything you want to add before that, but I would turn this over to the moderator to invite public comment, particularly in the areas of our concern, and we'll go from there. Suzannah.

MS. OVERHOLT: I guess, well, one other thing I'd be interested in hearing about. This goes back to the amendments we had talked about at our last meeting, and those were offered because those were all issues that we feel strongly about and that were -- my understanding is they were discussed in-depth during the negotiations over the last order, the terms of the last order that was agreed to.

But I do think to the extent that members of the public have comments regarding the context of those -- excuse me -- content of those amendments, you know, that had to do with extending the time for submitting absentee ballots and petitioning for
relief to the extent that complying with the minimum number of vote centers was not even possible, you know, those types of issues, if the members of the public want to comment on those, because, again, those are things that we think are maybe significant factors in conducting these elections during this rather unusual time.

VICE CHAIRMAN LONG: I'd ask the moderator to ask people, if they want to speak and want to offer testimony or comments to us, that now's the time to speak up or forever hold your peace.

THE MODERATOR: Absolutely. I have three people with their hands raised. The first person I will be unmuting is Dee Ann Hart. I'm going to do those permissions.

Dee Ann, if you want to go ahead and speak, it looks like you just need to unmute yourself now.

CHAIRMAN OKESON: Hello?

MS. HART: Good morning. Good morning. My name is Dee Ann Hart. That's D-e-e space A-n-n, H-a-r-t. I am here today in follow-up to some communications that the Indiana American Council for the Blind sent to you. Barbara Salisbury has been in touch with the Election Commission back in the end of March.
The American Council for the Blind believes that the mail-in ballot should be extended -- or the overseas and military ballot should be extended as an option, as it allows for electronic transfer of our ballot; whereas, with a mail-in ballot it's in a print format and is not necessarily -- doesn't necessarily allow us to do it independently or privately.

The information was sent to you, and I believe -- if you have any questions, I'll be glad to answer them, but I think our information that we sent to you was pretty clear.

VICE CHAIRMAN LONG: And we received that. We show that March 24th, I believe, we received that.

MS. HART: Yes.

VICE CHAIRMAN LONG: And it has been read and considered.

MS. HART: Okay. Thank you. And I guess the only other comment I would make is in the future, if we're going to look at other options for vote-by-mail or other mechanisms for voting, that the disability community be included in the discussion so that our needs are met. And that's all I have today to share. Thank you for allowing me to speak.
VICE CHAIRMAN LONG: Thank you.

MS. OVERHOLT: Thank you.

CHAIRMAN OKESON: Thank you.

THE MODERATOR: Thank you. Dee Ann, I'm going to get that removed.

The next person up, it looks like, is Chris Nardi. Just give me one second and I will unmute you.

Okay. Go ahead, Chris.

MR. NARDI: Good morning. My name is Chris Nardi, C-h-r-i-s, N-a-r-d-i. I am a politics major at Pomona College in Claremont, California, and I'm also a resident of Carmel, Indiana. I wanted to speak to you today because of the information I've learned as a politics major. I am a sophomore in my undergraduate studies.

And firstly, I wanted to share that I agree that we should have some form of in-person voting for this election. For some members of our community it's simply infeasible for them to vote by mail. For instance, as the previous speaker just noted, there are difficulties with some members of the disabled community, and also members of the homeless community may be burdened by having to vote entirely by mail.
However, I do agree that there should be additional measures taken to encourage voting by mail. One measure to encourage voting by mail was offered in the amendments by Vice Chair Long at the previous meeting regarding sending a postcard or a letter to every registered voter in Indiana. I agree with this measure. I believe we can take more measures, however.

So firstly, the Indiana voter registration database has email addresses for some members of the public who are registered voters. To start with, we should start by emailing the link to request an absentee ballot to every registered voter who has an email on file. However, we know this isn't going to be an entirely effective measure. A 2015 study shows that sending out a link to a place to request an absentee ballot is not as effective as physically mailing an application to every individual voter.

So in sum, I suggest combining these two measures, emailing the link to every registered voter and then following up for either those who don't have emails on file or who do not respond to the link in the requested time period. This would be expensive, yes. I do not have a number on that,
Vice Chair Long, but I do know that the State is requesting $8 million from the Election Assistance Committee, and we should use some or all of that money to encourage voting by mail. This isn't necessarily just an option for ease of people voting, but this is also to protect people's safety. If we encourage more people to vote by mail, we know that fewer people could get infected with COVID-19 and potentially end up in the hospital. Furthermore, I suggest that we should expand the hours of having absentee ballots returned, as offered in the amendments by Vice Chair Long. I'd be happy to follow up with any additional studies as requested by the Commission. I believe you should have all received my written communications sent about a week ago, and I'd be happy to follow up if necessary. Thank you.

VICE CHAIRMAN LONG: We received that. It was sent in on April 20th. I'm not going to be able to maybe call all of these up today as people speak, but that one I remembered reading. Pomona College stuck in my mind, and I looked it over earlier and saw here today that it was mailed in on the 20th of April.
THE MODERATOR: Thank you, Chris. I'm going to get you unmuted again -- or disabled.

It looks like the next person to speak -- and this is the last hand I see raised -- is Randy Paul. We just had one more as well. So I'm going to get that unmuted.

Randy, go ahead and speak if you want to just unmute yourself. There you go.

MR. PAUL: Okay. Can you hear me now?

THE MODERATOR: Yes.

MR. PAUL: Again, my name is Randy Paul, R-a-n-d-y, last name is P-a-u-l. I wanted to talk to you today. I also wrote you a couple of emails and a letter back in March.

My concern is -- I'm running as a Green Party candidate in Monroe County for county commissioner, and as you well know, a third-party candidate has to have X number of signatures on a petition to have valid access. In my case, it's roughly a little over a thousand signatures. I've been in politics for 40 years. I've run petition drives before, and that's normally not a problem. This year, though, it's become a huge problem.

If a candidate is going to comply with the safety measures that's required from this pandemic,
you can't be any closer than 6 feet to a person.
So, you know, visualize yourself walking down a
sidewalk with a clipboard. To throw the clipboard
at somebody, even exchanging pens is a hazard.
One-on-one isn't even possible. Large crowds no
longer exist. Normally we'd go to, like, our local
farmers market. Do that a few weeks and you'd be
able to obtain those signatures. We can't do that
any longer. We've lost a huge part of our base
with Indiana University. They're not here.

And I'm not just speaking for my own
candidacy, but I think any third-party candidate,
it's going to be virtually impossible for them to
collect the required signatures to be on the ballot.

And time is of the essence. With the primary
now being in June, the cutoff for those petitions
is at the end of June. Some decision by the
Commission yes or no would be really appreciated
because right now I think most third-party
candidates are trying to figure out if they can
even run at all. And I think if we don't have some
type of flexibility here, and what I would ask the
Commission to consider is to allow online
signatures.

You know, we allow voters to register online.
I think it would be reasonable for us to say that that person who registered online could sign a petition for a candidate online. If we could have online signatures, I think most third-party candidates, if they started right away, could probably get that done. If it's delayed much, even that would not be possible. So if time is a factor, that you would consider extending that time into July as the deadline instead of June, I think it would also be helpful.

But I do think it's important that third parties participate in this election, and I think the only way possible for that would be some flexibility on how we get these petitions signed.

Thank you.

VICE CHAIRMAN LONG: Thank you.

THE MODERATOR: Thank you, Randy.

The next person we have up is Shari Frank. Shari, I'm going to go ahead and get you access to speak, if you can just unmute yourself, please.

MS. FRANK: Hi. My name is Shari Frank, S-h-a-r-i, last name Frank, F-r-a-n-k. I'm the president of the League of Women Voters of Brown County. I sent a letter about a couple weeks ago.

My concern is primarily the deadline for the
absentee mail-in voter ballot. I wonder if we could get an explanation of why noon is considered an appropriate deadline for election day and how voters can be held accountable for that when they can't predict how long it will take to mail a ballot in, how long it will take to actually be received. And also the midday deadline is so confusing. Every other deadline that is requested by a certain date allows either a postmark or end of day.

And the second part of that is: What systems will be available to voters to be able to return absentee ballots? Will there be lockboxes or some other system available?

I had more in my letter, but those are my main questions today. Thank you.

THE MODERATOR: Thank you, Shari.

And I have done the five minutes of allotted time for Suzannah. Do you want me to allot the remaining amount for your 15 minutes to public comment?

MS. OVERHOLT: Oh, yes, please. I thought we were allotting all of the time that Anthony and I had.

THE MODERATOR: Okay. I thought it was five
minutes each. No problem there.

The next person I have up is Bill Groth.

Bill, if you want to go ahead and unmute yourself, please.

CHAIRMAN OKESON: Mr. Groth, if you are trying to speak, you are still muted.

Is he still online?

THE MODERATOR: He is still online, his hand is still raised, and it does look like that is the last hand for right now. So I will leave that unmuted for now if you guys wanted to continue.

VICE CHAIRMAN LONG: As far as I'm concerned, if the chairman wanted to weigh in at this point, we'd be more than happy to put them in as a part of our time, or if everyone who has signed on has spoken that wanted to offer evidence, that's fine. That's what we want to dedicate our time to. I'm not speaking for Suzannah on this. She obviously can address this issue herself.

I would encourage anyone to send further written material or further testimony for us to review and consider before our next meeting. But the purpose for today was to receive public input and public testimony, and I want to make sure that we have time on the table for that purpose. And if
you want to suspend the balance of ours and allow
more public comment later if you guys, the other
commissioners, want to utilize their time in the
manner they desire.

CHAIRMAN OKESON: I appreciate that, Vice
Chairman.

Has Mr. Groth reengaged in any way or have we
lost him?

THE MODERATOR: He has not, but I do have
another person who has raised their hand.

So for right now I will go ahead and disable
Mr. Groth and allow Julia Vaughn. If you want to
unmute yourself, you have access to speak.

MS. VAUGHN: Thank you. Can you hear me?

CHAIRMAN OKESON: Yes.

VICE CHAIRMAN LONG: Yes.

MS. VAUGHN: Great. I'm Julia, J-u-l-i-a,
Vaughn, V, as in victory, -a-u-g-h-n. I represent
Common Cause Indiana. My organization has
communicated with the Commission. We sent a letter
early this month, I believe, in conjunction with
Indiana Vote by Mail and the League of Women Voters
Indiana. I do appreciate the opportunity to
underscore some of our points this morning.

I would agree with all of the previous
speakers. I think you are operating in unprecedented times, and you really need to be thinking creatively and in ways that you probably never envisioned having to think of the administration of elections in Indiana. So it's going to be a challenging election period for voters, for election administrators, for county level officials.

We agree with the emphasis on vote by mail, but we are very conscious that most Hoosiers are unfamiliar with voting by mail and certainly are unfamiliar with the deadlines that are involved. So we would really encourage you to, at a minimum, communicate in some way with each registered voter in our state to make sure that they understand what the rules are for casting a ballot by mail.

We also strongly encourage you to look at some of the deadlines which are incredibly restrictive. Just last year the date for applying for a ballot was moved back four days. So we would encourage you to use your power in this process to relax that date, go back to receiving applications eight days before election day.

I would underscore the comments by Ms. Frank from Brown County about the noon deadline. I think
that's extremely confusing for voters, and I think we are really coming up to a perfect storm. I am sure that you all have been reading, like I have, the challenges that the United States Postal Service is facing at this time, and so, you know, we're looking at voters returning ballots at a time when they have absolutely no idea how much time it is going to take for that ballot to get returned to the courthouse.

So I think, you know, with this election coming up and with the one for November, voters are going to need those folks in state and local government who have the authority to administer election laws to go out of their way to educate, to be accessible and accommodating to voters. And so I would encourage you to do more than just make no-excuse absentee voting available to all Hoosiers -- we commend you for taking that first step, but that is truly just the first step -- and consider all of the extenuating circumstances that are out here in the real world that voters will have to face as they try to engage in the election this year.

Please be mindful of those things. And the worst thing in the world that could happen is if
people, you know, apply for an absentee ballot, they get it, they vote it, they get it back in what they think will be adequate time, and then they discover that indeed it was not counted. I guess I would say, lastly, let's put into place a system that allows folks to follow up after the election and find out if indeed their absentee ballot was counted.

This is going to be a big, big learning curve for everybody involved, but in particular the voters. So I would encourage you to do everything in your power to educate voters and make this election truly accessible to all Hoosiers. Thank you.

VICE CHAIRMAN LONG: Thank you, Ms. Vaughn. And we received your joint communication, it appears, under date of March 30th. I recall reading that -- actually I read it this morning again -- from Common Cause, Indiana Vote by Mail, and League of Women Voters of Indiana.

And we appreciate your comments and would say that to your comments and to comments of one other presenter that we have addressed and proposed amendments on a number of the issues that you have raised, later receipt of ballots would be counted,
the shortening of the time, the ability to have
even curbside voting procedures considered. But I
invite you to look at the proposed amendments that
we have filed with the Commission -- or with the
Division for consideration by the Commission and
comment further on those individually, if you would
care to.

MS. VAUGHN: Thank you.

THE MODERATOR: All right. We have one more
question for right now.

Barbara Tully, I'm going to go ahead and get
you set up. If you can just unmute yourself,
please.

MS. TULLY: Can you hear me?

VICE CHAIRMAN LONG: Yes.

MS. TULLY: My name is Barbara Tully,
B-a-r-b-a-r-a, T, as in Tom, -u-l-l-y. I am with
Indiana Vote by Mail. Thank you for allowing me to
speak this morning.

I would echo the comments that have already
been made and reinforce the need for transparency
around the information shared with voters. I would
also ask that the Commission consider that the
county election staffs in each of the 92 counties
in Indiana are really in desperate need of help,
and if there is anything that the Commission can do to assist the counties with the counting of absentee ballots.

I think one of the things that the Commission ought to consider, as has been done in other vote-by-mail states -- and there are five states that do full on vote by mail now. They still have in-person polling, but they do mail ballots to every registered voter automatically without people having to apply for them. But I think there needs to be a common envelope design, and I had shared with the Indiana Election Commission what that envelope design from the USPS looks like. It's a size 6-by-9 envelope. It has a bar code on it that's scannable, and that allows for easy tracing by voters and by election staff. And we really need to ease the burden for election staff.

There are also very, very good resources available, which we saw in person. Three of us from Indiana Vote by Mail traveled to Orange County, California, and to Denver at the very beginning of March and were in Denver on Super Tuesday and Orange County, California, the day before. And we saw the way that they physically run their elections, and it was a very impressive
sight. We were at vote centers and we were at their central election offices, and these things run like very well-oiled machines. I was impressed particularly in Denver that on Super Tuesday the vote center that we went to had no line of voters. Most people return their ballots by mail and by drive-up drop boxes that are located throughout the county.

So this could be accomplished in ways that are well thought out, and I would encourage the Indiana Election Commission to really look at what other states have done. We don't need to reinvent the wheel ourselves. It's been done by others, and we can learn from their mistakes, as Vice Chairman Long said, and their successes and build something that works for all Hoosier voters.

The entire goal of Indiana Vote by Mail is to make sure everybody has equal access to the voting booth. And to make people show up during a 12-hour window on a single day of the year or two days of the year when life is very, very complicated for many, many voters, and now even more complicated because of COVID-19, is asking too much of many, many voters. And I think that we need to make it much more transparent for Indiana's voters.
Thank you very much for taking my comments, and I would support what Julia Vaughn and others have said in terms of their support for easing some of the restrictions around voting in Indiana. Thank you.

VICE CHAIRMAN LONG: Thank you.

THE MODERATOR: Thank you, Barbara. That's the last question we have for right now, and that is time for Ms. Wilson Overholt and Mr. Long as well.

CHAIRMAN OKESON: We never heard back from Mr. Groth?

THE MODERATOR: We did not.

CHAIRMAN OKESON: Okay. Commission Member Klutz.

MR. KLUTZ: Mr. Chairman, I guess I would yield my time to you if we wanted to handle it the same way we did with Commissioner Long and Commissioner Overholt, although I'm not sure if there are any other participants wanting to talk. I thought the comments were all very helpful and appreciative, as were the over 200 comments received by mail or email today.

CHAIRMAN OKESON: Yeah. Acting Co-Director Lang, can you just, for purposes of the record, let
the public know where they can get access to some
of those written comments. Will they be posted on
any website?

MR. LANG: If the Commission desires, we can
post a link to a document containing those comments
on the Election Division web page and then
specifically on the page for the Election
Commission.

CHAIRMAN OKESON: I mean, I think given the
unnatural way in which we're meeting at this point
and that public access is somewhat limited based on
technology, that seems like it might be a good
idea.

VICE CHAIRMAN LONG: I would echo that. I
think my motion was that they're included in
evidence as a part of our minutes.

CHAIRMAN OKESON: Yeah.

VICE CHAIRMAN LONG: We normally post our
minutes, and I anticipated that they would be
posted. I realize the volume might require a link
with the minutes to reach them for people to see
them, but it's important, I agree with Commissioner
Klutz and yourself, that they be available for
people to read online so that everyone can -- and
they may agree or disagree, and that might stir
some more communication.

CHAIRMAN OKESON: Can we just do that by consent? We don't need to vote on it.

VICE CHAIRMAN LONG: You have my consent.

MS. OVERHOLT: I consent.

MR. KLUTZ: I consent as well.

CHAIRMAN OKESON: Like Commissioner Klutz, we've heard from a number of people. We have all these inquiries, comments, and offerings that have been written in or emailed that we now will post with a link to the website. But just to, again, kind of, for the purposes of the record, clarify, I commend this body in doing so in a unanimous, bipartisan way. We have passed a series of orders that have made no-fault absentee mail-in ballots available to anyone who wants them.

And I also want to point out too that we've established largely the parameters for how this election is going to be conducted on June 2nd, and I think there will be a lot of communication that will occur between now and then, not least of which, it should be mentioned, that Secretary of State Connie Lawson's PSAs that are now out and running are also, I think, helpful in an effort to make sure the public is educated and has access to
information in terms of how they're going to choose
to vote on June 2nd in the primary.

With that, if there's no further discussion
and having yielded the remainder of our time, I now
move to end this portion of the meeting, this
discussion. Is there a second?

MR. KLUTZ: Second.

MS. OVERHOLT: Before we vote, Mr. Chairman.

Sorry.

CHAIRMAN OKESON: Sure.

MS. OVERHOLT: Sorry.

CHAIRMAN OKESON: No. Go right ahead.

MS. OVERHOLT: So I think an issue -- and I'm
not sure -- I just want to make sure we don't lose
sight of it, is we do -- well, my understanding,
and I think we all agree, is that in order for the
existing orders to still be effective June 2nd, we
need to meet, I think, on or before May 17th. So I
just want to make sure, are we going to -- I guess
I would like to see us set a date for that meeting
now if we can or is that just --

CHAIRMAN OKESON: I don't know that we can --
it's a good point. Yes, we'll have to meet in May.
As to the exact nature of the date, I'm not
prepared to do that now, but I'll let the Division
co-members work towards that in concert with us, and my hope would be that we would choose a date where all of us are available and can attend presumably by this format. But, yeah, there will be a meeting in May, but I'm not in a position to propose an exact date just yet.

MS. OVERHOLT: Okay. That's fine. I just wanted -- before we closed out this portion, I wanted to make sure.

And I guess the other comment I would just make that's pertinent to this portion of the meeting is that I do think, you know, given the statistics, maybe I pay more attention than -- well, I'm sure we're all paying a lot of attention to the kind of daily updates in terms of the COVID-19 statistics in the state and especially in Marion County, and it's just a real concern to me.

You know, I was thinking about it this morning preparing for this meeting, you know, how am I going to vote. And I'm one of those people, I usually vote early in person. And I thought, wow, I've never requested a paper absentee ballot before, and that's going to feel really strange.

You know, but I thought there's no way I want to go to a polling place or go to a clerk's office,
and I don't want to require -- I feel -- sitting here today, it makes me really uncomfortable to be requiring a large number of folks to have to staff polling locations. I know that we need to have some available, but I just think that -- I appreciate the flexibility that all of us are showing, but I think it's really important for us to recognize that this is changing on a daily and weekly basis, and while we would all like to think that by June 2nd we're going to be out of the woods, that with what we're seeing around the country, I'm not convinced of that.

So I think we just all need to recognize, and I hope we all do recognize, that we may need to change what we've already ordered because of what may happen between now and June 2nd.

CHAIRMAN OKESON: I appreciate your comments. I would offer as well, you know, we've protected a lot of essential services, and there are many in the public who feel there is nothing more essential than the opportunity and the ability and the right to vote in person and cast your ballot. Your concerns raised, I think, are shared by all of us. And the young gentleman -- I believe Mr. Nardi was his name, the political science student -- noted.
too that there are some that even the opportunity
to vote by mail is a daunting challenge and the
best opportunity for them is to go cast their
ballot in person.

So I think I would just reiterate my comments
earlier that this Commission has done a great job
of coming together in a unanimous, bipartisan way
to make sure that we're prepared to conduct this
election on June 2nd. I look towards Governor
Holcomb and Secretary Lawson's leadership, and I
know that this is about safety and diligence as
well as the ability to exercise your right to vote.

So I think we're striking the right balance,
and we'll take each day as we get it. And once we
figure out when we're going to meet in May, we'll
get that date posted. And as we have done in the
past, I've tried to make sure that I'm coordinating
with Vice Chairman Long to ensure that we're at
least operating on the same page in cordiality in
these meetings and have an opportunity to make sure
all the important things that need to be discussed
and heard are discussed and heard. So we should --

VICE CHAIRMAN LONG: Mr. Chairman?

CHAIRMAN OKESON: Yes, sir.

VICE CHAIRMAN LONG: I'd like to bring a
couple points up. Number one, I'd like to thank Dr. Box, who responded to our letter and directed us to the CDC guidelines. That was appreciated, her efforts to take the time to answer the inquiry that we made and give us guidance in that regard.

Like Commissioner Overholt had just said, I've always been a believer in early voting and early voting in person, and it is strange. I'm looking forward to using our online portal to make the request, and maybe the Division could give us some idea as to how that is progressing. And it's my understanding that the goal was to have it online later this week. If we could find some information, perhaps we could use this forum to disseminate that as to when we might expect that to be operational.

CHAIRMAN OKESON: If that's a question posed to me, I don't have the answer for that.

VICE CHAIRMAN LONG: I thought maybe somebody in the Division who is working on it might be able to step forward. And obviously I don't have the answer either or I wouldn't ask it.

CHAIRMAN OKESON: Yeah. I agree with you. I'd defer to members of the Division.

Mr. Lang or Co-Director Nussmeyer, Matthew
Kochevar, anybody want to weigh in on that for Vice Chairman Long?

MS. NUSSMEYER: Mr. Chairman, if I might.

CHAIRMAN OKESON: Sure.

MS. NUSSMEYER: So beginning hopefully Friday -- we're still going through testing, and we're doing some user acceptance testing tomorrow. So if everything moves along as planned, either Thursday night or Friday night there will be a new feature rolled out into Indianavoters.com, which is the online voter registration website.

If you are currently a registered voter, you can go into the website through your My Voter Portal page, and in the left toolbar navigation, there will be an opportunity for a person to apply for an absentee ballot by mail in both English and Spanish as well as a travel board application.

If you click that link, what the system is designed to do currently -- again, there might be some small tweaks between now and Friday -- but the system is designed then to populate an absentee ballot request on the next screen. The voter still needs to be currently registered at their registration address. If they aren't, then they'll need to update their registration just like you
would do if you had submitted a paper application. And then once you fall out of the seven-day pending period as required by law, then you're able to request that absentee ballot.

But assuming you're registered to vote at that address, you can indicate a different mailing address. So if you're anywhere, you know, in the world, you can enter a mailing address there. Of course, in a primary you have to select a political party, so you affiliate with the Democratic or Republican party. For those individuals who don't affiliate with either party but you have a public question on the ballot, you can request a public-question-only ballot in the primary election.

Because the Commission, in Order 2020-37, have removed the requirement to include a reason if you want to vote by mail for the June 2, 2020, primary election, that reason section is eliminated.

And then what will happen is that there's a disclaimer at the bottom that says by hitting Submit you consent to having your signature from your voter registration record applied to the absentee application. And so the voter simply hits Submit.

And then on the back end, the county users
will be able to, what we call in our statewide voter registration system, access a hopper, which will include the list of names of people who submitted that application electronically. And then they are able to print off those applications and process them as they would anything that they would receive by paper.

So, again, if you're currently registered to vote, you can access the Indianavoters.com website. What users might experience too as they log on, just make sure that you are using your name in the exact way that you're registered. We don't allow for wild card matching. So you'll enter your name, first name, last name, date of birth, and the county. It will confirm, you click.

There's a new screen that pops up. A couple weeks ago we launched two-factor authentication, so those individuals who want to further protect their personal information within the My Voter Portal page can opt in or out. So you either select yes or no if you want to enroll in the two-factor authentication page, and then you end up on your My Voter Portal page where you can access that application.

So that's all the information that I have
currently. I'm happy to defer to Acting Co-Director Lang, Counsel Kochevar, members of the Commission, if you have questions.

CHAIRMAN OKESON: Thank you, Co-Director Nussmeyer.

Mr. Lang, do you have anything you'd like to add?

MR. LANG: Nothing to add, Chairman.

CHAIRMAN OKESON: Okay. Any further discussion on the motion to conclude this portion this meeting?

Hearing none, do I have a vote? All those in favor signify by saying "aye."

MS. OVERHOLT: Aye.

MR. KLUTZ: Aye.

VICE CHAIRMAN LONG: Aye.

CHAIRMAN OKESON: The "ayes" have it. This portion of the meeting is now concluded.

As Vice Chairman Long appropriately corrected me, there is the matter of state party conventions that is on the agenda. I would like to provide five minutes each to any members -- or to either of the chairs.

I've heard from State Republican Party Chairman Hupfer, who has indicated he has nothing
to bring before the Commission at this time, but obviously, as we've indicated, we may need to meet -- or we will meet here in May, that should there be anything, he reserves the right to bring it before the Commission.

So that would leave Chairman Zody. Has he logged on? Does he have anything he'd like the Commission to consider relative to the Democratic state party convention?

THE MODERATOR: I do see John Zody logged on. His first name is John; correct?

CHAIRMAN OKESON: Yes.

VICE CHAIRMAN LONG: Correct.

THE MODERATOR: Okay. It was a very particular last name. I'm going to allow him to speak.

So, Mr. Zody, if you have anything to say, feel free to unmute yourself.

MR. ZODY: Okay. Can everyone hear me?

VICE CHAIRMAN LONG: Yes.

CHAIRMAN OKESON: Yes.

MR. ZODY: Okay. Thank you, Mr. Chairman. I would also add that I don't have much to ask of the Commission today. We voted recently, our state committee, to take our convention virtual. In that
time I've talked to the Election Division. We are sort of going through all the statutes in Title 3 that would be relevant to the convention, and I don't have anything to ask for at this time.

I do sort of look toward the May meeting. If something changes, I would ask us to maybe be able to bring that up at the May meeting, if possible, but appreciate the opportunity to speak.

CHAIRMAN OKESON: Okay. Thank you.

As noted by Commission Member -- or asked by Commission Member Overholt, we will have a meeting in May, and when that date is set, we'll get that posted obviously in accordance with the law. But we'll try and find a date where all of us can be in attendance without a need for a proxy.

I think we've finished our business for today. I appreciate all those who participated. Thank you to Stewart Richardson for running a smooth Zoom meeting process today.

I'd simply ask if there's a motion for the Indiana Election Commission to adjourn.

VICE CHAIRMAN LONG: I move we adjourn.

CHAIRMAN OKESON: Thank you.

All those in favor signify by "aye."

VICE CHAIRMAN LONG: Aye.
MS. OVERHOLT: Aye.

MR. KLUTZ: Aye.

CHAIRMAN OKESON: Hearing none, we are adjourned. Thank you.

VICE CHAIRMAN LONG: Thank you all.

MR. KLUTZ: Thanks, everyone.

(The Indiana Election Commission Public Session was adjourned at 10:52 a.m.)
STATE OF INDIANA
COUNTY OF HAMILTON

I, Maria W. Collier, a Notary Public in and for said county and state, do hereby certify that the foregoing public session was taken at the time and place heretofore mentioned between 10:00 a.m. and 10:52 a.m.;

That said public session was taken down in stenograph notes and afterwards reduced to typewriting under my direction; and that the typewritten transcript is a true record of the public session.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 24th day of April, 2020.

[Signature]

My Commission expires:
December 5, 2024

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ahead 3:2 12:16 14:9 17:7 19:19
21:3 22:11 26:11 32:12
allocate 5:1
allot 20:19
allotted 20:18
allotting 20:23
allowed 6:17
allowing 13:24 26:18
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16:13 25:24 26:3
American 12:22 13:1
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