

# 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

**Others Attending:** Members of the public including speakers Dee Ann Hart, Chris Nardi, Randy Paul, Shari Frank, Julia Vaughn, Barbara Tully. State party chairmen John Zody and Kyle Hupfer.

## 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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INDIANA ELECTION COMMISSION  
PUBLIC SESSION

Conducted on: April 22, 2020

Conducted Remotely via Videoconference

A Stenographic Record by:  
Maria W. Collier, RPR, CRR

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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

1 CHAIRMAN OKESON: Okay. Seeing that we have a  
2 quorum, I'd like to go ahead and call this meeting  
3 of the Indiana Election Commission to order today,  
4 Wednesday, April 22, 2020. Seeing the members  
5 present, I'll announce us: Chairman Paul Okeson,  
6 Vice Chairman Anthony Long, Member Suzannah Wilson  
7 Overholt, and Commission Member Zachary Klutz.

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

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

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

23 I'd just like to have the Indiana Election  
24 Division staff confirm that we have proper public  
25 notice for this meeting.

1 MR. LANG: Confirmed, Chairman Okeson.

2 CHAIRMAN OKESON: Thank you.

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

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

21 I've talked at some length with my  
22 counterpart, Vice Chairman Long, about the  
23 procedures for today's meeting. I think the  
24 fairest way to do this -- and I've asked Stewart  
25 Richardson to keep a clock for us -- but is to

1 allocate 15 minutes to each Commission member. You  
2 can use that time in any manner you see fit,  
3 whether that's to simply have dialogue or  
4 discussion with the other members or to invite  
5 input from the public. Stewart Richardson will  
6 manage the Zoom technology, those members of the  
7 public who wish to be heard should you so choose to  
8 allow that.

9 I would ask that we confine public comment, if  
10 there is going to be any, to two to three minutes.  
11 I've also asked Stewart Richardson to keep time on  
12 that. If someone has something to expand upon and  
13 we all agree by simple consent that we want to hear  
14 more from them, we can certainly do that, but try  
15 to just keep some parameters for this meeting.  
16 Again, there will be nothing that will be voted on  
17 at this meeting. At the conclusion of the round of  
18 15 minutes, we will take that information under  
19 advisement and adjourn for the day.

20 With that, in no particular order, I would, I  
21 guess, start with my friend Vice Chairman Long, and  
22 if Stewart Richardson is ready and if there are no  
23 questions. And certainly if you don't want to use  
24 your 15 minutes, that's fine. But with that, Vice  
25 Chairman, I hand it off to you, sir.

1           VICE CHAIRMAN LONG: Okay. Thank you very  
2 much, Mr. Chairman. I would tell you that I do  
3 have one question of you. It's my understanding  
4 we're talking about two subject matters primarily  
5 today, and that's, as you've already announced, the  
6 receiving of evidence and information regarding  
7 what, if anything, we may need to do for the  
8 vote-by-mail decision as we get closer to the  
9 primary election.

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

25           CHAIRMAN OKESON: Yeah. And I apologize, Vice

1 Chairman Long. It is on the agenda. I guess I was  
2 under the impression that maybe neither one of them  
3 were going to be present for this and maybe, as of  
4 this date, didn't have anything of urgent matters  
5 for the Commission to consider. But it is on the  
6 agenda -- I apologize -- and I will allow  
7 additional time should either or both of them want  
8 to address the Commission.

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

12 CHAIRMAN OKESON: Okay.

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

18 CHAIRMAN OKESON: Yes.

19 VICE CHAIRMAN LONG: And with that, I would  
20 say that Suzannah and I have -- would like to hear  
21 from the public. We want to hear as far as -- we  
22 don't want to call anybody specifically, but we  
23 want to open the floor and combine our time, if the  
24 chair will allow it, so that we can use that for  
25 public input.

1           We would request -- I don't know how many  
2 people are signed on or that would want to speak.  
3 I assume they will know how to hold up their hand  
4 or know what to do to be recognized to speak. You  
5 have graciously indicated a desire to keep it to  
6 two to three minutes. It wouldn't bother me and it  
7 would be appreciated if they could keep it under  
8 two minutes. That way we'll have an opportunity to  
9 get more people. And if they don't use all of our  
10 time, then so be it. We'll just get done earlier.

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

1 because we will read each and every one of those  
2 and take them into consideration.

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

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

13 MS. OVERHOLT: Second.

14 CHAIRMAN OKESON: Any discussion?

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

17 MS. OVERHOLT: Aye.

18 MR. KLUTZ: Aye.

19 VICE CHAIRMAN LONG: Aye.

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

22 VICE CHAIRMAN LONG: And with that, what I  
23 and, I'm sure, Suzannah wants to hear, we need to  
24 know what is the point at -- at what point in time  
25 that we need to act to be able to implement any

1 changes relative to a vote-by-mail election for the  
2 primary, what is our, I guess, drop dead date for  
3 that based upon all the things that will follow in  
4 making that type of decision.

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

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

20 The deadlines, how would they change if we had  
21 a vote for various things occurring in a  
22 vote-by-mail election if there's no in-person  
23 voting and perhaps a more comprehensive survey of  
24 the clerks and election administrators to get more  
25 input and information from them.

1           Lastly, if there are best practices out there  
2           in other states that use vote-by-mail, the  
3           successes, I think it would be nice to have a  
4           report of those items for our consideration and  
5           hopefully to learn from their successes and from  
6           their failures.

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

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

21          But I do think to the extent that members of  
22          the public have comments regarding the context of  
23          those -- excuse me -- content of those amendments,  
24          you know, that had to do with extending the time  
25          for submitting absentee ballots and petitioning for

1 relief to the extent that complying with the  
2 minimum number of vote centers was not even  
3 possible, you know, those types of issues, if the  
4 members of the public want to comment on those,  
5 because, again, those are things that we think are  
6 maybe significant factors in conducting these  
7 elections during this rather unusual time.

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

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

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

18 CHAIRMAN OKESON: Hello?

19 MS. HART: Good morning. Good morning. My  
20 name is Dee Ann Hart. That's D-e-e space A-n-n,  
21 H-a-r-t. I am here today in follow-up to some  
22 communications that the Indiana American Council  
23 for the Blind sent to you. Barbara Salisbury has  
24 been in touch with the Election Commission back in  
25 the end of March.

1           The American Council for the Blind believes  
2           that the mail-in ballot should be extended -- or  
3           the overseas and military ballot should be extended  
4           as an option, as it allows for electronic transfer  
5           of our ballot; whereas, with a mail-in ballot it's  
6           in a print format and is not necessarily -- doesn't  
7           necessarily allow us to do it independently or  
8           privately.

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

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

15          MS. HART: Yes.

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

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

1 VICE CHAIRMAN LONG: Thank you.

2 MS. OVERHOLT: Thank you.

3 CHAIRMAN OKESON: Thank you.

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

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

9 Okay. Go ahead, Chris.

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

17 And firstly, I wanted to share that I agree  
18 that we should have some form of in-person voting  
19 for this election. For some members of our  
20 community it's simply infeasible for them to vote  
21 by mail. For instance, as the previous speaker  
22 just noted, there are difficulties with some  
23 members of the disabled community, and also members  
24 of the homeless community may be burdened by having  
25 to vote entirely by mail.

1           However, I do agree that there should be  
2 additional measures taken to encourage voting by  
3 mail. One measure to encourage voting by mail was  
4 offered in the amendments by Vice Chair Long at the  
5 previous meeting regarding sending a postcard or a  
6 letter to every registered voter in Indiana. I  
7 agree with this measure. I believe we can take  
8 more measures, however.

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

20           So in sum, I suggest combining these two  
21 measures, emailing the link to every registered  
22 voter and then following up for either those who  
23 don't have emails on file or who do not respond to  
24 the link in the requested time period. This would  
25 be expensive, yes. I do not have a number on that,

1 Vice Chair Long, but I do know that the State is  
2 requesting \$8 million from the Election Assistance  
3 Committee, and we should use some or all of that  
4 money to encourage voting by mail. This isn't  
5 necessarily just an option for ease of people  
6 voting, but this is also to protect people's  
7 safety. If we encourage more people to vote by  
8 mail, we know that fewer people could get infected  
9 with COVID-19 and potentially end up in the  
10 hospital.

11 Furthermore, I suggest that we should expand  
12 the hours of having absentee ballots returned, as  
13 offered in the amendments by Vice Chair Long.

14 I'd be happy to follow up with any additional  
15 studies as requested by the Commission. I believe  
16 you should have all received my written  
17 communications sent about a week ago, and I'd be  
18 happy to follow up if necessary. Thank you.

19 VICE CHAIRMAN LONG: We received that. It was  
20 sent in on April 20th. I'm not going to be able to  
21 maybe call all of these up today as people speak,  
22 but that one I remembered reading. Pomona College  
23 stuck in my mind, and I looked it over earlier and  
24 saw here today that it was mailed in on the 20th of  
25 April.

1 THE MODERATOR: Thank you, Chris. I'm going  
2 to get you unmuted again -- or disabled.

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

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

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

10 THE MODERATOR: Yes.

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

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

24 If a candidate is going to comply with the  
25 safety measures that's required from this pandemic,

1 you can't be any closer than 6 feet to a person.  
2 So, you know, visualize yourself walking down a  
3 sidewalk with a clipboard. To throw the clipboard  
4 at somebody, even exchanging pens is a hazard.  
5 One-on-one isn't even possible. Large crowds no  
6 longer exist. Normally we'd go to, like, our local  
7 farmers market. Do that a few weeks and you'd be  
8 able to obtain those signatures. We can't do that  
9 any longer. We've lost a huge part of our base  
10 with Indiana University. They're not here.

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

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

25 You know, we allow voters to register online.

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

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

16 VICE CHAIRMAN LONG: Thank you.

17 THE MODERATOR: Thank you, Randy.

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

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

25 My concern is primarily the deadline for the

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

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

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

17 THE MODERATOR: Thank you, Shari.

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

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

25 THE MODERATOR: Okay. I thought it was five

1 minutes each. No problem there.

2 The next person I have up is Bill Groth.  
3 Bill, if you want to go ahead and unmute yourself,  
4 please.

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

7 Is he still online?

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

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

20 I would encourage anyone to send further  
21 written material or further testimony for us to  
22 review and consider before our next meeting. But  
23 the purpose for today was to receive public input  
24 and public testimony, and I want to make sure that  
25 we have time on the table for that purpose. And if

1 you want to suspend the balance of ours and allow  
2 more public comment later if you guys, the other  
3 commissioners, want to utilize their time in the  
4 manner they desire.

5 CHAIRMAN OKESON: I appreciate that, Vice  
6 Chairman.

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

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

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

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

15 CHAIRMAN OKESON: Yes.

16 VICE CHAIRMAN LONG: Yes.

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

25 I would agree with all of the previous

1 speakers. I think you are operating in  
2 unprecedented times, and you really need to be  
3 thinking creatively and in ways that you probably  
4 never envisioned having to think of the  
5 administration of elections in Indiana. So it's  
6 going to be a challenging election period for  
7 voters, for election administrators, for county  
8 level officials.

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

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

24 I would underscore the comments by Ms. Frank  
25 from Brown County about the noon deadline. I think

1 that's extremely confusing for voters, and I think  
2 we are really coming up to a perfect storm. I am  
3 sure that you all have been reading, like I have,  
4 the challenges that the United States Postal  
5 Service is facing at this time, and so, you know,  
6 we're looking at voters returning ballots at a time  
7 when they have absolutely no idea how much time it  
8 is going to take for that ballot to get returned to  
9 the courthouse.

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

24 Please be mindful of those things. And the  
25 worst thing in the world that could happen is if

1 people, you know, apply for an absentee ballot,  
2 they get it, they vote it, they get it back in what  
3 they think will be adequate time, and then they  
4 discover that indeed it was not counted. I guess I  
5 would say, lastly, let's put into place a system  
6 that allows folks to follow up after the election  
7 and find out if indeed their absentee ballot was  
8 counted.

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

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

21 And we appreciate your comments and would say  
22 that to your comments and to comments of one other  
23 presenter that we have addressed and proposed  
24 amendments on a number of the issues that you have  
25 raised, later receipt of ballots would be counted,

1 the shortening of the time, the ability to have  
2 even curbside voting procedures considered. But I  
3 invite you to look at the proposed amendments that  
4 we have filed with the Commission -- or with the  
5 Division for consideration by the Commission and  
6 comment further on those individually, if you would  
7 care to.

8 MS. VAUGHN: Thank you.

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

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

14 MS. TULLY: Can you hear me?

15 VICE CHAIRMAN LONG: Yes.

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

20 I would echo the comments that have already  
21 been made and reinforce the need for transparency  
22 around the information shared with voters. I would  
23 also ask that the Commission consider that the  
24 county election staffs in each of the 92 counties  
25 in Indiana are really in desperate need of help,

1 and if there is anything that the Commission can do  
2 to assist the counties with the counting of  
3 absentee ballots.

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

18 There are also very, very good resources  
19 available, which we saw in person. Three of us  
20 from Indiana Vote by Mail traveled to Orange  
21 County, California, and to Denver at the very  
22 beginning of March and were in Denver on Super  
23 Tuesday and Orange County, California, the day  
24 before. And we saw the way that they physically  
25 run their elections, and it was a very impressive

1 sight. We were at vote centers and we were at  
2 their central election offices, and these things  
3 run like very well-oiled machines. I was impressed  
4 particularly in Denver that on Super Tuesday the  
5 vote center that we went to had no line of voters.  
6 Most people return their ballots by mail and by  
7 drive-up drop boxes that are located throughout the  
8 county.

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

17 The entire goal of Indiana Vote by Mail is to  
18 make sure everybody has equal access to the voting  
19 booth. And to make people show up during a 12-hour  
20 window on a single day of the year or two days of  
21 the year when life is very, very complicated for  
22 many, many voters, and now even more complicated  
23 because of COVID-19, is asking too much of many,  
24 many voters. And I think that we need to make it  
25 much more transparent for Indiana's voters.

1           Thank you very much for taking my comments,  
2           and I would support what Julia Vaughn and others  
3           have said in terms of their support for easing some  
4           of the restrictions around voting in Indiana.  
5           Thank you.

6           VICE CHAIRMAN LONG: Thank you.

7           THE MODERATOR: Thank you, Barbara.

8           That's the last question we have for right  
9           now, and that is time for Ms. Wilson Overholt and  
10          Mr. Long as well.

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

13          THE MODERATOR: We did not.

14          CHAIRMAN OKESON: Okay. Commission Member  
15          Klutz.

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

24          CHAIRMAN OKESON: Yeah. Acting Co-Director  
25          Lang, can you just, for purposes of the record, let

1 the public know where they can get access to some  
2 of those written comments. Will they be posted on  
3 any website?

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

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

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

17 CHAIRMAN OKESON: Yeah.

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

1 some more communication.

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

4 VICE CHAIRMAN LONG: You have my consent.

5 MS. OVERHOLT: I consent.

6 MR. KLUTZ: I consent as well.

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

17 And I also want to point out too that we've  
18 established largely the parameters for how this  
19 election is going to be conducted on June 2nd, and  
20 I think there will be a lot of communication that  
21 will occur between now and then, not least of  
22 which, it should be mentioned, that Secretary of  
23 State Connie Lawson's PSAs that are now out and  
24 running are also, I think, helpful in an effort to  
25 make sure the public is educated and has access to

1 information in terms of how they're going to choose  
2 to vote on June 2nd in the primary.

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

7 MR. KLUTZ: Second.

8 MS. OVERHOLT: Before we vote, Mr. Chairman.  
9 Sorry.

10 CHAIRMAN OKESON: Sure.

11 MS. OVERHOLT: Sorry.

12 CHAIRMAN OKESON: No. Go right ahead.

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

22 CHAIRMAN OKESON: I don't know that we can --  
23 it's a good point. Yes, we'll have to meet in May.  
24 As to the exact nature of the date, I'm not  
25 prepared to do that now, but I'll let the Division

1 co-members work towards that in concert with us,  
2 and my hope would be that we would choose a date  
3 where all of us are available and can attend  
4 presumably by this format. But, yeah, there will  
5 be a meeting in May, but I'm not in a position to  
6 propose an exact date just yet.

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

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

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

24 You know, but I thought there's no way I want  
25 to go to a polling place or go to a clerk's office,

1 and I don't want to require -- I feel -- sitting  
2 here today, it makes me really uncomfortable to be  
3 requiring a large number of folks to have to staff  
4 polling locations. I know that we need to have  
5 some available, but I just think that -- I  
6 appreciate the flexibility that all of us are  
7 showing, but I think it's really important for us  
8 to recognize that this is changing on a daily and  
9 weekly basis, and while we would all like to think  
10 that by June 2nd we're going to be out of the  
11 woods, that with what we're seeing around the  
12 country, I'm not convinced of that.

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

17 CHAIRMAN OKESON: I appreciate your comments.  
18 I would offer as well, you know, we've protected a  
19 lot of essential services, and there are many in  
20 the public who feel there is nothing more essential  
21 than the opportunity and the ability and the right  
22 to vote in person and cast your ballot. Your  
23 concerns raised, I think, are shared by all of us.  
24 And the young gentleman -- I believe Mr. Nardi was  
25 his name, the political science student -- noted

1 too that there are some that even the opportunity  
2 to vote by mail is a daunting challenge and the  
3 best opportunity for them is to go cast their  
4 ballot in person.

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

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

23 VICE CHAIRMAN LONG: Mr. Chairman?

24 CHAIRMAN OKESON: Yes, sir.

25 VICE CHAIRMAN LONG: I'd like to bring a

1 couple points up. Number one, I'd like to thank  
2 Dr. Box, who responded to our letter and directed  
3 us to the CDC guidelines. That was appreciated,  
4 her efforts to take the time to answer the inquiry  
5 that we made and give us guidance in that regard.

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

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

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

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

25 Mr. Lang or Co-Director Nussmeyer, Matthew

1 Kochevar, anybody want to weigh in on that for Vice  
2 Chairman Long?

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

4 CHAIRMAN OKESON: Sure.

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

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

18 If you click that link, what the system is  
19 designed to do currently -- again, there might be  
20 some small tweaks between now and Friday -- but the  
21 system is designed then to populate an absentee  
22 ballot request on the next screen. The voter still  
23 needs to be currently registered at their  
24 registration address. If they aren't, then they'll  
25 need to update their registration just like you

1 would do if you had submitted a paper application.  
2 And then once you fall out of the seven-day pending  
3 period as required by law, then you're able to  
4 request that absentee ballot.

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

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

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

25 And then on the back end, the county users

1 will be able to, what we call in our statewide  
2 voter registration system, access a hopper, which  
3 will include the list of names of people who  
4 submitted that application electronically. And  
5 then they are able to print off those applications  
6 and process them as they would anything that they  
7 would receive by paper.

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

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

25       So that's all the information that I have

1 currently. I'm happy to defer to Acting  
2 Co-Director Lang, Counsel Kochevar, members of the  
3 Commission, if you have questions.

4 CHAIRMAN OKESON: Thank you, Co-Director  
5 Nussmeyer.

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

8 MR. LANG: Nothing to add, Chairman.

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

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

14 MS. OVERHOLT: Aye.

15 MR. KLUTZ: Aye.

16 VICE CHAIRMAN LONG: Aye.

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

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

24 I've heard from State Republican Party  
25 Chairman Hupfer, who has indicated he has nothing

1 to bring before the Commission at this time, but  
2 obviously, as we've indicated, we may need to  
3 meet -- or we will meet here in May, that should  
4 there be anything, he reserves the right to bring  
5 it before the Commission.

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

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

12 CHAIRMAN OKESON: Yes.

13 VICE CHAIRMAN LONG: Correct.

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

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

19 MR. ZODY: Okay. Can everyone hear me?

20 VICE CHAIRMAN LONG: Yes.

21 CHAIRMAN OKESON: Yes.

22 MR. ZODY: Okay. Thank you, Mr. Chairman. I  
23 would also add that I don't have much to ask of the  
24 Commission today. We voted recently, our state  
25 committee, to take our convention virtual. In that

1 time I've talked to the Election Division. We are  
2 sort of going through all the statutes in Title 3  
3 that would be relevant to the convention, and I  
4 don't have anything to ask for at this time.

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

9 CHAIRMAN OKESON: Okay. Thank you.

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

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

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

22 VICE CHAIRMAN LONG: I move we adjourn.

23 CHAIRMAN OKESON: Thank you.

24 All those in favor signify by "aye."

25 VICE CHAIRMAN LONG: Aye.

1 MS. OVERHOLT: Aye.

2 MR. KLUTZ: Aye.

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

5 VICE CHAIRMAN LONG: Thank you all.

6 MR. KLUTZ: Thanks, everyone.

7 (The Indiana Election Commission Public  
8 Session was adjourned at 10:52 a.m.)

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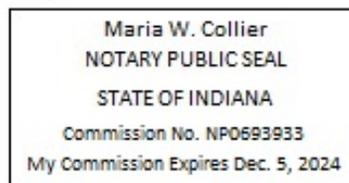
1 STATE OF INDIANA  
2 COUNTY OF HAMILTON

3 I, Maria W. Collier, a Notary Public in and  
4 for said county and state, do hereby certify that the  
5 foregoing public session was taken at the time and  
6 place heretofore mentioned between 10:00 a.m. and  
7 10:52 a.m.;

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

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

*Maria W. Collier*



15  
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18 My Commission expires:  
19 December 5, 2024

20 Job No. 152468  
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<b>\$</b>	<b>9</b>	<b>agreed</b> 4:18 11:19
<b>\$8</b> 16:2	<b>92</b> 26:24	<b>ahead</b> 3:2 12:16 14:9 17:7 19:19 21:3 22:11 26:11 32:12
<b>-</b>	<b>A</b>	<b>allocate</b> 5:1
<b>-a-u-g-h-n</b> 22:18	<b>A-N-N</b> 12:20	<b>allot</b> 20:19
<b>-u-l-l-y</b> 26:17	<b>ability</b> 26:1 34:21 35:12	<b>allotted</b> 20:18
<b>1</b>	<b>absentee</b> 11:25 15:13,17 16:12 20:1,13 24:17 25:1,7 27:3 31:15 33:22 37:16,21 38:4,23	<b>allotting</b> 20:23
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<b>12-hour</b> 28:19	<b>acceptance</b> 37:7	<b>allowing</b> 13:24 26:18
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<b>2</b>	<b>accommodating</b> 24:15	<b>amount</b> 20:20
<b>2</b> 38:17	<b>accomplished</b> 28:9	<b>Andrew</b> 3:9
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<b>2020-40</b> 4:4	<b>activities</b> 6:23	<b>Anthony</b> 3:6 20:23
<b>20th</b> 16:20,24	<b>add</b> 11:8	<b>anticipated</b> 30:19
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