



# Election Division Dispatch

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## NEWS & UPDATES

### Public Test: IEC-9 & IEC-10

After conducting your public test of voting equipment, don't forget to send in your IEC-9 & IEC-10 forms to the Election Division. All counties will submit the IEC-10, since an opScan tabulator is needed in all counties for absentee ballots, at minimum. The IEC-9 must also be filed for those counties using a DRE voting system. Please email those to [elections@iec.in.gov](mailto:elections@iec.in.gov) to file with our office.

### CAN-39: Notice of General Election

Not later than ten days before the election, the CAN-39 must be printed in your local newspaper and included in your CEB meeting minutes. Unlike the primary election, the public notice for the general election does not need to include the names of the candidates. Instead, state law only requires the office names and any public or judicial retention questions to be printed. Of course, a county can elect to include the names. However, if you create the CAN-39 out of SVRS, only the office names and questions will appear.

### #Protect2020

CISA recently released the "Election Risk Profile Tool," a user-friendly assessment tool to equip election officials in prioritizing and managing cybersecurity risks. The Election Risk Profile Tool focuses on these areas:

Voter Registration	Pollbook Preparation
Pollbook Use	Ballot Preparation
Voting Machine Preparation	Website
Voting Machine Use	Tabulation Use (Precinct)
Tabulation Use (Central)	Aggregation (State)

You can access the Tool here: <https://www.cisa.gov/election-risk-profile-tool>. If you'd like to learn how to use it, the EAC provides an overview: <http://www.eac.gov/app/esa/how-to-use>

The agency also released a new CISA Insights: Actions to Counter Email-Based Attacks on Elections-Related Entities in light of increased sophisticated phishing operations targeting individuals and groups involved in the upcoming elections. More info can be found here: <https://blogs.microsoft.com/on-the-issues/2020/09/10/cyberattacks-us-elections-trump-biden>

## CALENDAR

**October 4, 2020:** "Late" Ballot Vacancy procedures under IC 3-13-2 begin

**October 5, 2020:** Statewide VR Deadline

**October 5, 2020:** Deadline to conduct public tests of voting systems

**October 6, 2020:** In-Person Absentee Voting begins at clerk's office

**October 9, 2020:** End of pre-election campaign finance reporting period

**October 10, 2020:** First day for CFA-11 reporting of large contributions by candidate committees

**October 12, 2020:** Columbus Day—IED Closed

**October 13, 2020:** Deadline for county VR office to receive and process a VR form, if the postmark is missing or illegible (NOTE: Any envelope containing a VR app that has a legible postmark on or before October 5 is to be processed, if the person is otherwise eligible)

**October 13, 2020 (NOON):** Deadline for D/R county chairs to fill poll worker positions (CEB may fill vacancies after this deadline)

**October 15, 2020:** Travel Board Appointments Begin

**October 16, 2020 (NOON):** Pre-Election CFA-4 reporting deadline by candidate/party/political action committees

**October 22, 2020 (11:59P):** ABS-Mail application deadline

**October 22, 2020 (11:59P):** Deadline for FPCA to be filed to request a mailed absentee ballot

**October 24, 2020:** All counties open for "early" voting

**October 24, 2020:** Deadline to publish CAN-39 notice of general election

**October 24, 2020:** Deadline for CEB to publish notice of polling location list in the newspaper

**October 26, 2020:** Deadline for military/overseas voter using the FPCA to register to vote

**October 31, 2020:** All counties open for "early" voting

**November 2, 2020 (NOON):** Multiple absentee deadlines; see yellow Calendar guidebook

**November 3, 2020:** Election Day

## SEPT/OCT WEB TRAINING

**Sept 22 & 24 |** ePollbook Overview

**Oct 13 & 15 |** COE Processing

**Oct 27 & 29 |** County ENR Data Entry

*Dates are subject to change; check the 2020 INSVRS Training Schedule on the county portal to confirm.*

# IN FOCUS: POLL WORKERS, WATCHERS, CHALLENGERS & POLL BOOK HOLDERS

State law is very specific about the people permitted into a polling place besides a voter. You can find the list in state law: IC 3-11-8-15.

Poll workers are nominated by the D/R county chairs not later than noon, 21-days before the election, or October 13, 2020 for the upcoming November election. Any vacancies after the deadline are to be filled by the county chair. All poll workers must meet the qualifications found in IC 3-6-6-7.

Generally, watchers are appointed by the state or county party chair of the D/R/L parties. This means it's possible to have two watchers from the same political party: one nominated by the state chair and one nominated by the county chair. There are specific qualifications to be a party watcher, including being a registered voter of the county. See IC 3-6-8-2.5 for the details on qualifications.

Before election day, the parties may have watchers at early voting locations though are limited to 2 people per site. On Election Day, watchers can be present at the central count location: one watcher

nominated by the state and county chair for each bi-partisan team counting ballots. (IC 3-11.5-3-2)

At the election day polling places in non-vote center counties, the state and county party chair can appoint one watcher for each precinct. (IC 3-6-8-1) In vote center counties, a state and county party chair can appoint one watcher for each ePBs at the vote center site. Some minor party and independent candidates might also appoint watcher, though the statute for them is a little different. See IC 3-6-8-1 for details.

The media can also appoint watchers, generally following the same rules as above for party watchers. Before election day, a media watcher can enter an early voting location and on election day, enter a polling place or central count "floor." More details about media watchers can be found in IC 3-6-10, generally.

Challengers and poll book holders are appointed by the county parties. If a challenge is made, then the challenger the PRE-4 and once the voter completes their affidavit on the PRE-4, the poll workers

issue the voter a provisional ballot. The voter then places their provisional into the PRO-2 envelope and signs the affidavit found on it.

Poll book holder credentials allow a person to enter the polling place and mark who has voted already at the precinct on what's often called a "scratch" list. A clerk cannot be a pollbook holder for a party, but can keep a scratch list for poll book holders to see. See IC 3-6-7, generally, for the qualifications for serving in either of these roles.

**All persons other than a voter must have a credential to enter a polling site!** Poll workers credentials are issued by the CEB. Watchers, challengers, and poll book holders have credentials issued by their political party or in the case of media watchers, by their news organization. (Note: if a news organization is in more than one county, IED issues the credentials). CEBs should read the statutes noted above closely, as they may be required to issue credentials in cases where there is a public question on the ballot, for example.

## VR CORNER

### Polling Place & Early Voting Information

County election officials are asked to enter their early voting and polling place information into SVRS by Sept. 30, 2020. Understanding that some counties may not yet have a final list of polling places by early October, all finalized sites should be entered. Not only does this information display on indianavoters.com, but the polling place data is shared with Democracy Works, who posts to gettothepolls.com. This website is then amplified by other organizations to assist people in finding their voting locations before and on election day.

### Incomplete Voter Registrations

Sometimes a voter misses boxes on their VR form before turning it in. In these cases, county VR officials are to call the voter, if a number is available, and mail notice to a voter if their VR form is incomplete. Voters not checking the age/citizenship question have until Oct. 5, 2020, to put in writing the answer to those questions. For any other reason, the voter can cure the incomplete not later than 10-days before the election, when the VR official must reject the application and send those names to the CEB. (IC 3-7-34-4) More info is in the purple VR Guide.

## SEPTEMBER BUILD

Updates to SVRS will be pushed later this month, such as:

- 1/ Updating the public site online absentee application portal to require voters to enter their IN DLN or last 4SSN before being granted access to online ABS app.
- 2/ Allowing voter to add their DLN to their registration record as a correction rather than an update. This should resolve the issue where adding DLN to 2FA, for example, was updating the VR record and moving the voter's record to "pending."
- 3/ Preventing ABS ballots from having a Received Date prior to the Sent Date.
- 4/ Adding more info to the "ABS Portal Part" on indianavoters.com to display the receipt and approval date for ABS applications and displaying a status for returned ABS ballots (like received or rejected).
- 5/ Improving the focus of the "Update Voter Info" section on a mobile phone to better display its functionality. On some phones currently, the "update" section appears not to be on the screen but the voter needs to scroll up. Changing the focus will improve the experience.

## QUESTIONS OF THE MONTH

**Q. Are we able to process absentee applications to vote-by-mail if the envelope is postmarked on or before Oct. 22 and received after the deadline?**

A. No. State law requires any absentee ballot application to be received not later than the specified deadline. Any application that is received after the deadline for filing is to be rejected.

**Q. Can independent candidates appoint watchers?**

A. Only statewide or federal candidates can appoint watchers, who must meet the qualifications under state law to be appointed. The chair of the candidate's campaign finance committee would issue the credential. See IC 3-6-8-1 and IC 3-6-8-3 for details.

**Q. Can independent candidates appoint poll book holders or challengers?**

A. Yes. The poll book holder and challenger are nominated by the independent candidate, but again, these individuals must meet the qualifications under state law to serve. See IC 3-6-7-1 for details.

**Q. Can school board candidates appoint watchers?**

A. Yes. School board candidates or group of school board candidates can appoint watchers by filing a written statement with the clerk. The contents of this statement must include their attorney-in-fact and the list of precincts where the watchers will be present. The clerk then issues the credential to the individuals on the written request. See IC 3-6-9, generally, for the specific procedures. NOTE: School board candidates are not entitled to appoint challengers or poll book holders.

**Q. Can a committee supporting or opposing a public question appoint watchers?**

A. Yes. The chair of the PAC can appoint watchers, but must first collect signatures equal to 2% of the total votes cast for SOS in 2018 and file the petition with the county election board. Once the number of signatures is determined to equal this threshold hold, the CEB will issue a credential to the watchers. See IC 3-6-8, generally, for these details.

**Q. Do we have to organize our ABS applications and ballot envelopes by precinct before election day?**

A. YES! State law requires this organization to perform the central count of absentees on election day. See IC 3-11.5-4-5 for details. Counties might also consider running the ABS Ballot Activity Report to use as a checklist for the central count teams to confirm all ballots received are present in their precinct pack.

**Q. Can a candidate be a poll worker?**

A. It depends. In a non-vote center county, a candidate may be a poll worker in a precinct where their name does not appear on the ballot, such as another township. In a vote center county, a candidate may not serve as a poll worker since all precincts vote at each vote center. See IC 3-6-6-7 for details. Please note: This applies to unopposed candidates as well.

**Q. My newspaper failed to publish my notice for a public test. Do I have to reschedule?**

A. Not necessarily. State law permits a county where the newspaper failed to timely publish a notice to allow the county to either 1) display the notice prominently in three locations in the county or 2) post on the county's website (IC 5-3-1-2(k)).

**Q. Can we remove ballot cards from the ABS security envelope before election day to prepare for tabulation?**

A. No. State law does not permit an absentee ballot envelope to be opened prior to the start of the central count of absentee ballots. **State law also explicitly states that a ballot card cannot be pre-scanned prior to election day.** (IC 3-11.5-4-6(b))

**Q. Do we have to perform the second signature review for absentee ballots?**

A. State law allows a county election board to unanimously agree to forego the second signature review on travel board and in-person absentee ballots. See IC 3-11.5-4-12 for details.

**Q. If we have a line at the end of the day during in-person absentee or "early" voting, are we required to allow individuals waiting in line to vote if our office is closed?**

A. Much like election day, if there are voters in line waiting to vote during any day of "early" voting at the clerk's office or satellite location, then those individuals are allowed to vote, if otherwise eligible. Staff should either write down each person's name who is waiting, mark their hands with a stamp, or designate a staff person to wait at the end of the line to mark the end. (IC 3-11-8-11 and IC 3-11-10-29.2)

**Q. If a voter comes to early voting and doesn't have the correct photo ID, do they vote provisionally?**

A. Yes. The voter should be issued a provisional ballot, given the PRO-9 form. The voter then has until noon, ten days after the election to bring their ID to the CEB or sign the PRO-10 affidavit to indicate the person is indigent or whose religion bars them from being photographed.

**Q. Does a voter's ID need to have a matching address to their registration record?**

A. No. The photo ID law does not require a matching address. Instead, it must be issued by the state of Indiana or federal government, be current or expired since the last general election (11/6/18), and include a photo and name that conforms with the registration. (IC 3-5-2-40.5)