

March 30, 2020

Indiana Election Commission
Mr. Paul Okeson, Chairman
elections@iec.in.gov

Dear Chairman Okeson and Members of the Indiana Election Commission:

Thank you for taking steps to begin to create an environment that will ensure the safety of Indiana voters, poll workers and election staff for our primary election. With primary Election Day moved to June 2nd and voting by mail incentivized, there is much for county officials and voters to absorb and adapt to ensure the election season runs smoothly. This will be a challenging year for everyone involved in elections.

We issue this letter jointly from our organizations, Common Cause Indiana, Indiana Vote By Mail, and League of Women Voters of Indiana, because we stand united in our belief that Indiana's electorate deserves every opportunity to vote, and to have confidence in the voting process.

We raise the following concerns about the IEC's Order No. 2020-37 and related Appendix 1 released on 3/25/2020:

- No-excuse absentee balloting – waiving the reasons for voters to apply for absentee ballots makes the most sense given the fraught nature of the times we are in. Thank you for taking that step. This provision needs to be extended to the November 2020 General Election to minimize voter confusion and provide continuity.
- Order No. 2020-37 and Appendix 1 do not make clear whether voters will automatically be sent absentee applications by county election staff, or if voters need to apply for absentee ballots individually. Without a clear directive from the IEC, counties may take different courses of action, potentially leading to confusion among voters. Due to current health concerns, county election offices may not be staffed to full capacity to meet voter demands for absentee ballot applications. Our organizations believe this process will work best if all counties are required to send absentee ballots to all registered voters, in an effort funded by the State, with clear procedural guidelines from the Secretary of State.
- Section 6.B of Order No. 2020-37 raises several concerns. Section 6.B marries the online absentee application, if it is possible to create such an application, with the voter's signature filed at the time they registered to vote. Then, the IEC is to work to incorporate that signature into SVRS. Section 6.B gives no timeframe or deadline for accomplishing these things. The IEC needs to lead Indiana to adopt voter-centric practices for using digitized versions of signatures for verifying voter identity, and to require that this be done expeditiously, and no later than the 2020 General Election.
- Tabulation of votes prior to Election Day – Order No. 2020-37 and Appendix 1 do not address the burden put on election staff to wait until Election Day to extract ballots and scan them for counting. The IEC needs to provide clear direction to counties to deal with an increasing number of absentee ballots by allowing ballots to be separated from ballot envelopes once signatures are verified and scanning those ballots through tabulators prior to Election Day without calculating totals until polls close. Voter expectations for election results on Election night engender suspicion when results are delayed. Enabling counties to scan the increased

number of ballots prior to Election Day would ensure that voters' expectations can be met even in trying circumstances.

Voting is a fundamental civil right, a right that should be regarded as sacred and must always be protected under all circumstances. We want to impress upon the Indiana Election Commission the need for the State to move to a more robust framework for election administration to help keep voters, poll workers, and election administration staff healthy and safe. Hoosier voters must be given options for how and when they cast their ballots.

There are many resources and considerable expertise available from our three organizations. We offer such expertise to the Indiana Election Commission, along with this document from VoteAtHome.org about how to approach building the infrastructure necessary for widespread mailed balloting: https://www.voteathome.org/wp-content/uploads/2020/03/VAHScale_StrategyPlan.pdf

While we appreciate the actions you have already taken, Indiana voters deserve more, and the Indiana Election Commission has the power to create a different vision for the way Hoosiers exercise that most democratic practice of all – voting. Please use your power to help voters during this most uncertain time.

Sincerely,



Julia Vaughn, Policy Director



Barbara Tully, President



Linda Hanson, Co-President

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