Marion County Election Board
VOTER EXPERIENCE PROJECT

ELECTION FUNDAMENTALS &
INDIANA VOTING METHODS

AGENDA
1. INTRODUCTION
2. ELECTION FUNDAMENTALS
3. INDIANA VOTING METHODS
4. DATA

April 15, 2013 | Module 1

Introduction

Welcome

• Study Group Members
  ○ Marion County Democratic Party
  ○ Marion County Republican Party
  ○ Marion County Libertarian Party
  ○ Marion County Board of Voter Registration
  ○ Indianapolis-Marion County City-County Council
  ○ Marion County Office of Finance & Management
  ○ Marion County Information Services Agency
  ○ Greater Indianapolis NAACP
  ○ League of Women Voters of Indianapolis
  ○ Central Indiana Council on Aging

• Ball State University’s Bowen Center on Public Affairs
  ○ Dr. Raymond Scheele
  ○ Greg Fehribach
  ○ Susan Sizemore, consultant

• Staff
  ○ Election Board Team
  ○ Carolyn Brown, facilitator

Why are we meeting?

• Aging Fleet of Voting Equipment
  ○ Purchased in 2002; 2000 model technology
  ○ Replacement parts becoming difficult to find
  ○ Equipment showing signs of age

• Tabulation software license expires 12/2014
• Machine service contract expires 12/2014

Voter Experience Project

• Phase 1: Study Group
  ○ Review & study Indiana voting methods
  ○ Draft a well-informed, fully deliberated report identifying
    the cost and benefits of Marion County’s future voting needs
    ▪ Report largely based on your input and reaction to information,
      so your participation is important!
  ○ Present those findings to the Election Board

• Phase 2: Community Input
  ○ Allow Indianapolis residents to add their voice to the final report

How we vote on Election Day will in large part determine the type and quantity
of voting equipment needed in Marion County
to run future elections.
Focus on Election Day Voting Methods

- Series of presentations to learn more about:
  - Election Fundamentals & Indiana Voting Methods
  - General Procedures & Poll Workers
  - Polling Sites & Accessibility
  - Voting Technology
  - Security Needs
  - Cost
- Not focusing on:
  - Campaign Finance
  - Candidate Filing
  - Voter ID
  - Voter Registration Requirements
  - Current Process
  - Controversies

Study Group Mission Statement

Mission: To present a well informed, fully deliberated report identifying the cost and benefits of Marion County’s future voting needs, and present those findings to the Election Board.

Election Fundamentals

Presenter: Andy Mallon, Election Board Attorney

When are elections held in Indiana?

- Non-Presidential Federal Election (2014)
  - Includes federal offices and state, county and township executive and legislative offices
- Municipal Election (2015)
  - Local ‘city’ elections – Mayor, City-County Council
- Presidential Federal Election (2016)
  - Includes federal offices and state, county and township executive and legislative offices
- ‘Off year’ – no elections (2017)

When are elections held?

- Referenda/Public Questions
  - Constitutional amendments
  - Certain controlled building projects where tax dollars are used
  - Questions adopted by the Indiana Legislature
- Special Elections
  - Called when certain vacancies exist
    - Example: 2008 Special Election to fill the seat vacated with the passing of Congresswoman Julia Carson
  - Called by special legislation
    - Example: 2009 Wishard referendum election

What are the types of elections?

- Primary Election
  - Different dates across the country
  - Indiana holds its primary elections on the first Tuesday after the first Monday in May
  - Opportunity for two major political parties to nominate their candidates for the fall election
  - Indiana voters must choose a Democrat or Republican ballot – can’t vote in both!
  - How election code determines party affiliation

What are the types of elections?

- **General Election**
  - Date is the same across the country
  - First Tuesday after the first Monday in November
  - Voters decide who will govern for next term of years
  - Nominated candidates from the two major political parties, other third parties and opportunities to write-in candidates appear on the same ballot

Who funds elections?

- **Indiana law requires the local unit of government to fund most elections**
  - In Marion County, the county general fund is used to pay for each election
    - For large equipment purchases, a bond is often issued to cover the cost of capital expenses (i.e. machines, hardware, etc)
    - Service and software expenses are generally handled through contractual agreements
  - Referenda elections not held in regularly scheduled election year are paid by the party requesting the election
    - Example: 2009 Referenda Election was paid for by Wishard Hospital and the few township school corporations with additional public questions

Who funds elections?

- **2002 Equipment Purchase**
  - Federal Help America Vote Act (HAVA) funds were distributed to states to aid with new equipment and software purchases
  - Marion County used dollars to pay for original software license and election services through 2008
  - Bond issued to purchase election equipment (hardware, voting machines)

What agencies take part in local elections?

- **Marion County Election Board**
  - Bi-partisan board made up of three members:
    - 1 Republican, 1 Democrat, County Clerk
- **Marion County Board of Voters Registration**
  - Bi-partisan staff with co-directors appointed by the two major political parties
- **County Executive**
  - In Marion County, the Mayor is the county executive pursuant to state law
  - In most jurisdictions, the County Commissioners serve this function

What is the Election Board?

- **Bi-partisan Board made up of three members**
  - 1 Democrat & 1 Republican are appointed by their party chair
  - County Clerk (elected)
- **Manages Election Day operations and absentee voting activities**
- **Supports political parties’ efforts to recruit and train poll workers**
- **Prints ballots**
- **Maintains and tests voting equipment and software**
- **Tabulates and certifies election results**

What is the Role of the County Clerk?

- **Determines partisan majority of the Board**
- **Drafts and administers Election Board budget**
- **Performs election education and outreach**
- **Maintains filings, election results and other records**
- **Supervises staff**

*County’s Chief Election Official*
What is the Board of Voters Registration?

- Bi-partisan Board where co-directors are appointed by the two major political parties
  - Not all Indiana counties have a separate Voter Registration Board; most under the direction of County Clerk
- Accepts and maintains county voter registration records and updates the Statewide Voter Registration System (SVRS)
- Builds the ‘precinct key’
  - Assigns voters & precincts to correct election districts
  - Used by Election Board to build ballots for each precinct
- Prints Election Day poll books for each precinct
  - Poll book is the list of all registered voters in a precinct

What does the county executive do?

- Under the UniGov statute, Indianapolis Mayor is the county executive
- Selects polling locations that are accessible to all voters
- Draws precinct lines

What is a precinct?

- All voters live in a precinct
  - Generally 2-5 square city blocks
  - Board of Voters Registration assigns voters and election districts to each precinct
- All election districts and government jurisdictions are made up of contiguous precincts
- Sometimes precincts are ‘split’ by smaller election districts
  - Term used internally to denote precincts that are split in two, three or four

How are precincts drawn?

- County executive draws precinct boundary lines by grouping together census blocks
  - Census blocks are even smaller than precincts and help define the demographics of an area
- Generally, any changes in precinct maps goes through a public process and vetted by Indiana Election Commission
  - Special law permitted the county executive to redraw maps without public input and review by the Indiana Election Commission in 2011 only

Marion County’s Precincts

- Marion County has 600 precincts
  - Prior to 2007, county had 917 precincts
  - Bi-partisan reduction of precincts to 590 implemented 12/07
  - Mayor Ballard redrew precincts in ’11 & increased to 600

How are ballots defined?

- Ballot card
  - Ballot printed on paper, which can be read through an optical scan reader
  - Voter marks the paper to indicate their selections
  - This will be the definition used throughout our conversation
- Paper ballot
  - Used when an election is hand-counted
- DRE (Direct Recording Electronic)
  - Ballot displayed electronically on a computer screen
  - Voting activated by poll worker
  - Voter uses button or touches screen to mark selections and cast ballot, which is stored in electronic media
How are ballots built?
- Each precinct’s “Precinct Definition” found in the “Precinct Key” identifies each legislative and government unit assigned to a particular precinct
  - Example: Precinct Key defines precinct A as having President, US Senator and dog catcher only; this means the ballot in this precinct will be printed with just those three offices on it
- Candidate filing opens each election cycle
  - Candidates are certified by either the Indiana Election Division or county Election Board
  - Certified candidates placed on ballot in their respective election districts within each precinct
- Order of races and candidates determined by statute

How are ballots built?
- Ballots coded in one of two ways:
  - By style
    - Some precincts have the same election districts and thus, the same ballots
    - Excess ballots capable of being shared between precincts if there’s a shortfall
  - By precinct
    - Every precinct has its own ballot and cannot be shared between precincts

How many ballots are printed?
- Primary Elections
  - Require separate Democrat & Republican ballots
    - Special 17-year old ballots are printed in those precincts where a final election occurs like precinct committeeperson
  - Formula outlined in state law to determine number of each partisan ballot to print for each precinct
  - If public question considered in a primary, must also print a special non-partisan ballot to permit voting only on the question
- General Elections
  - One ballot printed for each voter in a precinct

How are ballots printed?
- DRE
  - No need to print ballots; everything coded electronically
- Pre-Printed
  - Ballot order sent to a printer & collated
  - Ballots distributed by precinct & secured until Election Day
- On Demand
  - Ballots printed upon request
    - Primarily used during early voting in the Clerk’s Office
    - Newer voting technology permits on-demand printing at Election Day polling locations

What do poll workers do?
- Manage Election Day polling sites
- Process voters into the poll book
- Ensure each voter receives the correct ballot
  - Often there are several ballot styles in a precinct, which requires the poll worker to select the right ballot
- Initiate and shut-down voting equipment
  - Assist with operations if necessary
- Enforce elections laws to protect voters & prevent fraud
- Decide challenges when necessary
- Process absentee ballots

What are watchers & challengers?
- Watchers
  - Appointed by political parties, candidates or other groups designated by statute (e.g. media)
  - Permitted at a precinct on Election Day 30 minutes before polls open through completion of results tabulation
  - May come and go throughout the day
  - May watch and inspect precinct activities and paperwork
- Challengers
  - Appointed by political parties
    - Must be a registered voter of the county
  - May be present 30 minutes before polls open through close
  - May challenge voters under penalty of perjury, if otherwise qualified under state law
What are provisional ballots?

- Ballot of last resort used to allow the Election Board to review challenges or problems like:
  - Voter at incorrect precinct
  - Person not registered but wants to vote
  - Voter lacking appropriate ID
    - Can bring ID to Election Board by noon ten days after Election Day
  - Voter & poll workers/challenger must complete an affidavit & sign the security envelope
    - Ballot has a special sticker placed on it and is secured in envelope
  - Election Board investigates and makes determination if a provisional ballot can be counted

What are voter registration requirements?

- Must be a citizen of the United States
- Must be 18 on or before the date of November’s general election
  - Indiana law permits 17-year olds to register and vote in the primary election as long as they are 18 by general election
- Must reside in precinct for 30 days
- Cannot currently be serving a prison sentence

In the November 2012 presidential election, Marion County had 640,675 registered voters

How are voters defined?

- Active voter
  - Voter has registered or voted in any election during the preceding 4 years at their registration address; OR
  - Voter has NOT voted by has responded in writing to an address confirmation notice sent
- Inactive voter
  - Voter has not voted in preceding 4 years and did NOT respond within 30 days to an address confirmation notice

Indiana Voting Methods

- Precinct-based elections
- Vote centers

When & where do we vote in Indiana?

- Absentee Voting
  - Mail
  - Traveling Board
  - Early Voting
    - In-person at Clerk’s Office and satellite locations
- On Election Day
  - Precinct Polling Location
  - Vote Center

Absentee Voting

- Mail
  - Voter must apply for a ballot in every election, providing a reason for the request
  - Applications processed by Election Board staff and ballots mailed to voter, if approved
  - Voter must return the ballot on or before Election Day
- Traveling Board
  - Only voters with disabilities, those confined to their home or care facility and their caregivers can access this option
  - Bi-partisan team brings the voter’s ballot to them and can provide assistance, if requested
Absentee Voting

- Early Voting
  - Option available to all voters 29 days before Election Day in the Clerk’s Office
  - Additional satellite locations permitted under law
  - Satellite early voting is often confused with vote centers – while similar, they should not be used interchangeably
  - No reason necessary to vote early in-person, but must present valid photo ID that complies with Indiana law
  - Ends at noon the Monday before Election Day

Voting on Election Day

- Polls are open in Indiana between 6AM & 6PM
  - Time varies from state to state
- Precinct-based elections
  - Voters votes at a site in or near their neighborhood
  - Polling sites selected by the county executive & are subject to change each election
- Vote Center
  - Voter votes anywhere in the county
  - Sites must be unanimously selected by the Election Board through its Vote Center Plan

Precinct-based Elections

- Polling Locations
  - Found within or near the boundaries of a precinct as required by state law
  - Often multiple precincts are assigned to the same site
  - County executive selects the locations
    - Must submit the list no later than 29 days before each election
  - Sites subject to change in each election

Precinct-based Elections

- Poll Workers
  - Up to five per precinct as outlined in state law
    - Inspector (1)
    - Judge (2 – 1D & 1R)
    - Clerk (2 – 1D & 1R)
  - Sometimes, assistant poll clerks are permitted if Board adopts a resolution before an election
  - Political parties recruit and appoint poll workers with assistance from the Election Board
    - Parties must submit their lists of poll workers no later than 21 days before an election
    - Student poll worker program permits 16 & 17 year-olds to work if they meet a set of criteria

Precinct-Based Elections

- Absentee Voting
  - Mail & Traveling Board are treated the same under both models
  - Early in-person voting is available for 29 days
    - Any additional ‘satellite’ early voting sites must be unanimously approved by the Election Board
  - County decides absentee ballot processing method
    - Central Count: absentee votes count at a central site by bi-partisan teams
      - Another set of bi-partisan commissioners are dispatched to precincts with a list of absentee voters to check off in the poll book
      - Precinct Count: bi-partisan teams deliver absentee ballots to each precinct where poll workers process into the poll book and feed ballots into the machine
    - Absentee ballots can be received up to the last delivery before 6PM
    - Marion County pursues a court order in each election to permit any ballot received by 6PM and not arriving at precinct through no fault of the voter be counted during canvassing

Precinct-Based Elections

- Voting Technology
  - Requires printed poll book
    - ePollbooks currently not permitted under this voting model
  - Pending legislation would permit all counties to use them
  - Voting Machines
    - Decision of ‘how many’ aided by precinct parameter of about 1,200 registered voters in a precinct
      - Currently, Marion County has:
        - at least one iVotronic at each polling site (Direct Recording Electronic)
        - one M100 in each precinct (optical scan ballot reader)
    - Other technology options available
      - Election Board required to hold a public test of equipment no later than 14 days before an election
Precinct-Based Elections

- Ballot Printing
  - DRE (iVotronic in Marion County)
    - No printed ballots
    - Ballots stored electronically on Personalized Electronic Ballot card
  - Paper Ballots
    - Can be programmed by style or precinct
      - By style gives the Election Board more flexibility to share ballots between precincts to troubleshoot on Election Day and find some small cost savings
      - Programming ballots by precinct is more inflexible as ballots can only be used in one precinct
    - Some precincts are split, requiring multiple ballots in each precinct

- Processing Election Day Voters
  - Voter must go to the correct precinct within their polling location
  - Voter presents photo ID to poll workers
  - Clerks find voter in the poll book and voter signs their name
  - Voter receives a paper ballot initialed by the clerks or a card noting their precinct and ballot style to be found on the DRE
  - Voter completes and casts their ballot

- After the polls close
  - Individual precinct results printed at the polling location & signed off by poll workers
  - Electronic media (flash cards) removed from equipment & are later uploaded to a central server
  - Poll workers perform an accounting of the precinct's ballots, secure their materials & deliver to Election Board

Precinct-Based Elections

- Recount
  - Candidates have to ask for specific precincts to be counted
    - Precinct based elections force poll workers to organize and bundle individual precinct materials like:
      - Poll book
      - Ballots
      - Results tape
    - Ballots (ballot cards & electronic media) and materials are returned and stored in individual precinct containers and held in the Board’s vault to be reviewed by parties of a recount in order to determine the intent of the voter

Vote Centers

- Polling Locations
  - Voter can vote at any site in the county
  - Indiana law requires 1 vote center for every 10,000 active voters, rounding up for any partial number
    - In 2012 General Election, there were 637,820 active voters
  - Sites designated in the county's vote center plan
    - No distance requirements or parameters in the law
    - Sites subject to change only if plan is amended by a unanimous vote of the Election Board

- Poll Workers
  - Designation determined in plan unanimously adopted by the Election Board
    - State law does not require a minimum number or define party representation
    - Two major political parties are required to recruit

Vote Centers

- Absentee Voting
  - Mail & Traveling Board are treated the same under both models
  - Early in-person voting available for 29 days
    - Vote center plan requires at least one site be used as a satellite early voting location for two Saturdays
  - All absentee ballots must be centrally counted
    - Absenees are counted at a central site by bi-partisan teams
    - Must receive absentee ballot by noon

- Voting Technology
  - Requires ePollbook
    - Ensures each voter only votes once as the equipment is networked together and shares the same database
  - Voting machines
    - Difficult to determine number of voters that will attempt to vote at each site
    - Turnout will not be uniform across the county
    - Challenging to move equipment around on Election Day to meet demand at unexpected high volume sites
  - Challenges with current equipment
    - Marion County does not own enough touch-screen machines to meet voter needs
    - County’s current M100 technology does not work in a vote center model
      - Does not have the capacity to read, tabulate & store information from all 600 precincts
Vote Centers

- Ballot Printing
  - DRE
    - Printed ballots not necessary
    - Other jurisdictions do print paper ballots as back-up, however
    - Ballots stored electronically on Personalized Electronic Ballot
  - Paper Ballots
    - Would have to be programmed & printed by precinct
    - Ballots could be pre-printed or printed on-demand though pre-printed ballots would require site to have storage for at least 600 ballot styles in a general election, 1200 in a primary election

Vote Centers

- Processing Election Day Voters
  - Voter can go to any vote center in the county
  - Voter presents photo ID to poll workers
  - Clerks looks up voter in ePollbook
    - ePollbooks connected to prevent voter from voting more than once
  - Voter signs a log book or signature can be electronically captured with a signature pad
  - Voter receives a paper ballot or a card noting their precinct to find on the DRE
  - Voter completes and casts their ballot

Vote Centers

- After polls close
  - Electronic media returned & results uploaded to a central server
  - Vote Center Plan would outline how materials would be organized
- Recounts
  - Candidates must ask for specific precincts
  - May be difficult to organize materials
    - If paper ballots used, each vote center would have to sort at least 600 ballot styles
    - Electronic ballots make this easier, but are concerns about verifiable voter paper audit trail

Vote Center Plan

- County must adopt a vote center plan:
  - State law outlines what information needs to be in the plan
    - (see handout)
  - Draft plan must be presented at a public hearing
  - Thirty days after the hearing on the draft plan, Board must hold another hearing to adopt the plan
    - Requires unanimous vote of the Election Board
    - Plan in effect until rescinded or amended by unanimous vote
  - County executive and fiscal body must each pass a resolution designating the county as a vote center county
    - Simply majority required

Data

Large Jurisdictions by Population & Registered Voters (2012 General)*

*LA City runs their own elections and November 2009 Municipal was the most recent.
Comparable Jurisdictions by Population & Registered Voters (2012 General)

Registered Voters: Top 4 Indiana Counties

**Indianapolis Registered Voters Compared to IN Vote Center Counties**

Observations

- Marion County has 15% of all registered voters in Indiana
  - Lake County is next largest and represents 7% of Indiana voters
    - 4,554,289 represents total number of registered voters in Indiana as of 10/29/12
  - Combined total of all registered voters living in the 8 vote center counties only compromises 77% of the total voters in Marion County

Observations

- Marion County’s population density and urban environment present unique challenges to election administrators
  - Consider looking at other comparable jurisdictions across the country for best practices for both models – precinct-based and voter center – for potential application in new generation of Marion County voting system
Discussion

RESPONSES ON THE FOLLOWING THREE SLIDES FROM STUDY GROUP MEMBERS TAKEN AT THE APRIL 15, 2013 MEETING

Presenter: Carolyn Brown, facilitator

What are your constituent goals?
- Make it easier, more convenient
- Fundamental fairness in the process
- Hard copy vote trail
- Short or long-term fiscal impact to the county
- Informed and fiscally responsible decision in elections & voting technology to do so

What new information did you hear tonight?
- Cost & complexity of vote centers
- Lack of clarity in the statute for vote centers
- Three-member Board ultimate direct decision – their authority & oversight

What topics need further discussion or explanation?
- Did not have time to discuss

Next Meeting
MONDAY, APRIL 29 | 5:30 PM
PUBLIC ASSEMBLY ROOM
CITY-COUNTY BUILDING