Indiana Election Commission Minutes April 24, 2015

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

Members Absent: None

Staff Attending: Trent Deckard, Co-Director, Indiana Election Division of the Office of the Indiana Secretary of State (Election Division); J. Bradley King, Co-Director of the Election Division; Matthew Kochevar, Co-General Counsel of the Election Division; Dale Simmons, Co-General Counsel of the Election Division.

Others Attending: Dr. Jay Bagga, VSTOP; Mr. Mark Manganaro, Election Systems & Software; Dr. Raymond Scheele, VSTOP.

1. Call to Order

The Chair called the April 24, 2015 meeting of the Commission to order at 3:00 p.m. EDT in Conference Room 22, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana.

The Chair proceeded to conduct the business set forth in Transcript of Proceedings prepared by Sharon A. Barrett of Connor Reporting, which is incorporated by reference in these minutes, and approves the correction of the following scrivener's errors in that document. [Copies of all documents incorporated by reference are available for public inspection and copying at the Election Division Office.]

Page 2, line 12, replace "Commission Member" with "Co-Director".

Page 2, line 13, replace "Commission Member" with "Co-Director".

Page 3, line 4, replace ", termination" with "and determination".

Page 3, line 11, replace "co-director members" with "co-directors".

Page 3, line 20, replace "Voter" with "Open Door".

Page 4, line 13, replace "I" with "aye".

Page 4, line 14, replace "I" with "aye".

Page 5, line 9, replace "the" with "a".

Page 7, line 6, replace "MR. DALE SIMMONS" with "MS. SUSANNAH OVERHOLT".

Page 7, line 8, replace "I" with "aye".

Page 7, line 9, replace "I" with "aye".

Page 7, line 23, replace "3410" with "3.4.1.0".

Page 9, line 1, replace "35" with "certified".

Page 10, line 7, replace "ballet" with "ballot" in both cases.

Page 10, line 9, replace "ballet" with "ballot".

Page 10, line 10, replace "ballet" with "ballot".

Page 11, line 14, replace "I" with "aye".

Page 11, line 15, replace "I" with "aye".

Page 11, line 17, replace "I's" with "ayes".

Page 13, line 3, replace "35" with "certified".

Page 15, line 3, replace "auto mark" with "AutoMark".

Page 20, line 6, replace "N-100" with "M-100".

Page 24, line 9, replace "I" with "aye".

Page 24, line 11, replace "I" with "aye".

Page 24, line 12, replace "I" with "aye".

Page 24, line 14, replace "I's" with "ayes".

Page 25, line 3, replace "Unison" with "Unisyn".

Page 27, line 9, replace "I" with "aye".

Page 27, line 10, replace "I" with "aye".

2. Adjournment

The Commission meeting adjourned at 3:50 p.m.

Respectfully submitted,

Trent Deckard Co-Director J. Bradley King
Co-Director

APPROVED:

Bryce H. Bennett, Jr.

Chairman

In the Matter Of:

INDIANA ELECTION COMMISSION HEARING

TRANSCRIPT OF PROCEEDINGS April 24, 2015



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Transcript of Proceedings April 24, 2015

1	April 24, 2015
1	1 INDIANA ELECTION COMMISSION
2	PUBLIC SESSION AGENDA
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6	Conducted On: Friday, April 24, 2015
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10	
11	Location: Indiana Government Center South
12	Conference Room 22 402 West Washington Street
13	Indianapolis, Indiana 46204
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17	
18	A STENOGRAPHIC RECORD BY:
19	Sharon A. Barrett
20	Notary Public
21	Stenographic Reporter
22	
23	
24	
25	
1	



2	April 24, 2015	
1	APPEARANCES	2
3	INDIANA ELECTION COMMISSION:	
4	Bryce Bennett - Chairman	
5	Anthony Long - Vice Chairman	
6	Suzannah Overholt - Commission Member	
7	Zachary Klutz - Commission Member	,
8	INDIANA ELECTION DIVISION STAFF:	
10	Mr. Dale Simmons - Co-Legal Counsel	
11	Mr. Matthew Kochevar - Co-Legal Counsel	
12	Mr. Trent Deckard - Commission Member	
13	Mr. Brad King - Commission Member	
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THE CHAIRMAN: My clock says 3:00. 1 the Indiana Election Commission Public Session 2 3 meeting of Friday, April 24, 2015. First item on the agenda is the call to order, termination 4 5 of the quorum. This meeting is hereby called to order. The following members of the Commission are present: Myself, Bryce Bennett, Chairman; 7 Vice Chairman, Anthony Long; and Member, Zachary Klutz; and Member, Suzannah Overholt. Indiana Election Commission staff are our 10 11 co-director members, Trent Deckard, Brad King, and co-general counsels Matthew Kochevar and 12 Dale Simmons. Our court reporter today is 13 Sharon Barrett from Connor Reporting. And the 14 question for Mr. Deckard and Mr. King is whether 15 16 the meeting is in compliance -- noticed in 17 compliance with the Indiana Voter Law. MR. BRAD KING: Yes, Mr. Chairman, members 18 of the Commission, the meeting was properly 19 20 posted in accordance with Indiana Voter Law. 21 THE CHAIRMAN: At this time I recognize 22 Mr. Deckard and Mr. King to present the minutes 23 from the December 16, 2014 and February 2, 2015 24 Commission meeting. MR. BRAD KING: Mr. Chairman, members of 25



- 1 the Commission, those two sets of minutes of
- 2 meetings were provided to members earlier, and
- 3 Mr. Deckard and I recommend that they be
- 4 approved.
- 5 THE CHAIRMAN: Is there a motion to approve
- 6 the minutes?
- 7 MR. ANTHONY LONG: Move to approve them.
- 8 THE CHAIRMAN: There's a motion. Is there
- 9 a second?
- 10 MR. ZACHARY KLUTZ: Second.
- 11 THE CHAIRMAN: The motion is seconded. Is
- 12 there any discussion? Hearing no, all in favor
- 13 say I.
- 14 THE COMISSION: I.
- 15 THE CHAIRMAN: All opposed say may. The
- 16 motion carried. The minutes of the meetings are
- 17 adopted.
- The next item on the agenda is the approval
- 19 of Order 2015-1 concerning Absentee Ballot
- 20 Application Form. I would ask that Mr. Deckard
- 21 and Mr. King present that item.
- MR. BRAD KING: Mr. Chairman, members of
- 23 the Commission, I'll begin and then I'll yield
- 24 to Mr. Deckard. The Absentee Ballot Application
- 25 form that's included in your binder is one



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	5	
that's used for voters who request that an		
absentee ballot be sent to them by mail. We		
have each year updated the instructions on that		
particular form to include deadlines for the		
form to be received by County Election Board		
offices. This year we replaced the 2014 version		
on several pages of our website, but one escaped	,	
our attention, and we later learned that a		
candidate in Hamilton County, the mayoral		l
candidate, had used the older version of the		
2014 form in a campaign mail piece. The		
Hamilton County Election Board considered this		
matter earlier this month, and noted that the		
only difference between the 2014 and 2015		ŀ
version of the form was the date in the		
instructions. The 2015 form, of course,		
references the 2015 deadlines. And then		
finally, the provision on penalties in the 2015		
form recognizes the transition to the new		
Criminal Code where the penalties for a Level 6		
felony are the ones that would be in effect as		
		- 1



Code.

opposed to the ones under the former Criminal

My understanding was that the Hamilton

County Election Board authorized its staff to

- 1 accept the 2014 version of the ABS mail form,
- 2 and the order simply extends the grandfathering
- of that 2014 form through the end of May for the
- 4 primary and any proceedings afterwards.
- 5 I'll yield to Mr. Deckard.
- 6 MR. TRENT DECKARD: Thank you very much.
- 7 Mr. Chairman, Mr. King, members of the
- 8 Commission. We often see confusion around use
- 9 of current absentee forms or other forms. As
- 10 I've indicated to Mr. King in a conversation
- 11 prior to this meeting, I would urge future
- 12 forms, that we do our best to limit changes to
- 13 substantive changes, and perhaps even consider
- 14 not using dates on forms. While dates are
- 15 helpful to users, I think we will continue to
- 16 see situations where a form has not changed
- 17 significantly, other than a date, which then
- 18 makes it an ineligible form. I think it would
- 19 be easier for voters in the state if forms
- 20 changed less, were more uniform. With that
- 21 being said, I appreciate anyone in this
- 22 situation -- and I have worked with Mr. King on
- 23 this order to have a remedy here that we'll put
- 24 to the Commission for your consideration.
- 25 THE CHAIRMAN: Anything further? Is there



a motion to approve the proposed order 2015-1 as 1 presented? MR. ZACHARY KLUTZ: So moved. THE CHAIRMAN: There's a motion. Is there a second? 5 MR. DALE SIMMONS: Second. THE CHAIRMAN: Motion has a second. discussion? All in favor say I. 8 THE COMISSION: 9 THE CHAIRMAN: All opposed say nay. I's 10 have it, and the order is approved. Thank you. 11 MR. ANTHONY LONG: You want a stamp on it 12 or do you want everyone to sign it? If you've 13 got one to sign, we can do it now. 14 (Order was signed by the Commission.) 15 THE CHAIRMAN: All right. The next item on 16 the agenda is the Voting System Technical 17 Oversight Program Report concerning 18 certification of the ES&S Unity 3.4.1.0 Optical 19 Scan Ballot Card System. I would ask that VSTOP 20 present on that subject. 21 MR. RAY SCHEELE: Sure. We have two 22 systems from ES&S; the first one is 3410 as we 23 call it, and I'll turn it over to Dr. Bagga. Just to refresh your memory, we have three 25

- 1 co-directors here of VSTOP, the Voting System
- 2 Technical Oversight Program, Dr. Bagga, and
- 3 myself, Ray Scheele, and Joe Losco, who is not
- 4 here today. But I'll let Jay present our
- 5 findings and recommendations to you with respect
- 6 to the 3.4.1.0 ES&S System.
- 7 THE CHAIRMAN: Thank you.
- 8 DR. JAY BAGGA: Hello, Mr. Chairman and
- 9 members of the Commission. I'm Jay Bagga,
- 10 co-director of VSTOP. This system was tested at
- 11 Ball State at the VSTOP headquarters on
- 12 November 18, 2014. And this is a new
- 13 certification. This system has not been
- 14 certified in Indiana. The VSTOP project team
- 15 conducted all the demonstration tests of the
- 16 voting system on all the hardware, firmware and
- 17 software components and features specified in
- 18 the application. The test also included
- 19 verification of all the required elements of the
- 20 Indiana statutes regarding voting systems, as
- 21 well as conducting mock elections on the voting
- 22 system. This system was certified by the
- 23 Federal U.S. Election Assistance Commission on
- 24 April 4, 2014. The test documents that were
- 25 submitted by the manufacturer, along with the



- 1 findings from 35 national labs, were reviewed by
- 2 VSTOP. On the basis of our tests, and review
- and our evaluation, we find that the voting
- 4 system referenced herein meets all the
- 5 requirements of the Indiana Code for use in the
- 6 State of Indiana. This finding includes
- 7 compliance with legal requirements for voters
- 8 with disabilities.
- 9 THE CHAIRMAN: Anything else?
- 10 DR. JAY BAGGA: Not unless you have
- 11 questions.
- MR. ANTHONY LONG: Could I ask a question?
- DR. JAY BAGGA: Yes.
- MR. ANTHONY LONG: In layman's terms,
- 15 pretty basic for me, what does this mean? What
- 16 does this system do?
- DR. JAY BAGGA: This is an Optical Scan
- 18 Ballot Card System that consists of many
- 19 components. The components include precinct
- 20 scanners, tabulators, vote assist terminals,
- 21 which --
- MR. ANTHONY LONG: This is a complete
- 23 system?
- DR. JAY BAGGA: It's a complete system with
- 25 several components, yes.



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1	MR. ANTHONY LONG: And generates a hard	10
2	paper	
3	DR. JAY BAGGA: Yes.	
4	MR. ANTHONY LONG: ballot that is	
5	scanned and can be counted, correct?	
6	DR. JAY BAGGA: Correct. So a voter can	
7	actually mark on the ballet and scan the ballet.	
8	A disabled voter can mark it on a screen, and	
9	that will generate a ballet then, and that	
10	ballet is then fed into the scanner.	
11	THE CHAIRMAN: Is there a representative of	
12	ES&S present that would like to speak?	
13	MR. MARK MANGANARO: Yes. I'm here to	
14	answer any questions that you guys have.	
15	THE CHAIRMAN: Would you state your name,	
16	please, for the record?	
17	MR. MARK MANGANARO: Mark Manganaro.	
18	THE CHAIRMAN: What is your position with	
19	ES&S?	
20	MR. MARK MANGANARO: I'm the Indiana State	
21	Certification Manager.	
22	MR. ANTHONY LONG: Ms. Reporter, do you	
23	need him to spell his last name?	
24	THE REPORTER: I'll get it afterwards.	
25	Thank you.	

THE CHAIRMAN: Are there any other 1 questions by the Commission? Is there a motion to approve the application for renewal certification? MR. ANTHONY LONG: This is a new certification? THE CHAIRMAN: Yes. Is there a motion to approve the application for certification of the 8 voting system submitted by ES&S? 9 MR. ANTHONY LONG: I will make that motion. 10 THE CHAIRMAN: We have a motion. Is there 11 a second? 12 MR. ZACHARY KLUTZ: Second. 13 THE CHAIRMAN: All in favor say I. 14 THE COMISSION: I. 1.5 THE CHAIRMAN: All opposed say may. 16 I's have it. The motion is approved. 17 MR. ANTHONY LONG: This is a five-year 18 certification, isn't it? The system gets 19 updated every five years? 20 MR. BRAD KING: Mr. Vice Chair, actually it 21 will expire October 1, following the 22 presidential election year, so October 1, 2017. 23 MR. ANTHONY LONG: That would be the

renewal time, if they choose to do that?

1	MR. BRAD KING: Inac's Coffeet.
2	THE CHAIRMAN: The next item on the agenda
3	is the VSTOP report concerning the certification
4	of election systems software Unity 5200. That's
5	the scan ballot card. I'd like to ask VSTOP to
6	present on this issue.
7	DR. JAY BAGGA: Thank you. So the second
8	system that ES&S applied for on July 24, 2014,
9	is the ES&S EVS 5.2.0.0, or 5200 as we call it,
10	Optical Scan Ballot Card. And again, this
11	system consists of a number of components,
12	including precinct scanners, tabulators, voter
13	assist terminals and other components, and
14	software and firmware. This system was also
15	tested at Ball State on November 20, 2014, by
16	VSTOP. And this is a new system which has never
17	been certified in Indiana before. The VSTOP
18	team conducted all the tests of the voting
19	system on all the hardware, firmware and
20	software components, and all the features which
21	are specified in the application. This test
22	also included verification of all the required
23	elements of the Indiana Statutes regarding
24	voting systems, as well as conducting mock
25	elections on the voting system. This system was

- 1 also certified by the U.S. Election Assistance
- 2 Commission on July 2, 2014. The test documents
- 3 submitted with the findings from 35 national
- 4 labs were also reviewed by the VSTOP team. On
- 5 the basis of our evaluation, we find that the
- 6 work voting system referenced herein meets all
- 7 the requirements of the Indiana Code for use in
- 8 the State of Indiana. This finding includes
- 9 compliance with legal requirements for voters
- 10 with disabilities.
- 11 THE CHAIRMAN: Thank you. Is there a
- 12 representative of ES&S who wishes to speak on
- 13 this topic at this point in time?
- MR. MARK MANGANARO: Mark Manganaro with
- 15 ES&S. If you guys have any questions, I would
- 16 be glad to answer them.
- 17 MR. ANTHONY LONG: I have one.
- 18 THE CHAIRMAN: Yes. Vice Chair?
- 19 MR. ANTHONY LONG: Is this similar to the
- 20 one we had before? The other one had a ballot.
- 21 This has got a card.
- DR. JAY BAGGA: It's called Optical Scan
- 23 Ballot Card, but it's similar. It has a paper
- 24 ballot to be scanned.
- MR. ANTHONY LONG: Is it marked or punched?



- 1 DR. JAY BAGGA: It is marked and scanned.
- 2 MR. ANTHONY LONG: So it creates a hard
- 3 copy vote for both election and review if
- 4 necessary?
- 5 DR. JAY BAGGA: Yes. The votes are
- 6 electronically recorded and tabulated, yes.
- 7 Mark, do you want to answer the question
- 8 about hard copy? The question was specifically
- 9 the hard copy of the ballot.
- 10 MR. MARK MANGANARO: It's a paper-based
- 11 system. A voter would either fill out a ballot
- 12 with a pen, put it into a precinct count
- 13 tabulator, or if it's an absentee, it would go
- 14 through a central account tabulator where a
- 15 voter could put the same paper ballot into the
- 16 auto mark system, mark it, and then have their
- 17 ballot returned, to be put in the tabulator as
- 18 well.
- 19 MR. ANTHONY LONG: My basic concern is it
- 20 creates a hard copy record of the vote?
- MR. MARK MANGANARO: Correct. It's not a
- 22 DRE. There's no DRE on this system.
- MR. ANTHONY LONG: That's all the questions
- 24 I have.
- MS. SUZANNAH OVERHOLT: I have some



- 1 follow-ups for clarification. When you said the
- 2 auto -- what did you call it, the auto --
- MR. MARK MANGANARO: The auto mark.
- 4 MS. SUZANNAH OVERHOLT: So that would be
- 5 for disabled voters? So they put a paper ballot
- 6 in?
- 7 MR. MARK MANGANARO: That's correct. It's
- 8 the ADA component of the system.
- 9 MS. SUZANNAH OVERHOLT: That's interesting.
- 10 So even disabled voters would be able to --
- 11 there's a paper ballot that reflects their vote,
- 12 as opposed to just something on some card?
- MR. MARK MANGANARO: Correct. Each race is
- 14 presented on the screen. They can actually
- 15 touch on the screen or use a navigation keypad
- 16 that's off to the side.
- 17 MR. ANTHONY LONG: But if I'm not disabled,
- 18 do I have a regular ballot?
- 19 MR. MARK MANGANARO: Yes.
- 20 MR. ANTHONY LONG: What do I turn in to get
- 21 counted?
- MR. MARK MANGANARO: A regular ballot.
- MR. ANTHONY LONG: How is this ballot
- 24 different from the one in the earlier system
- 25 that we just approved?



- 1 MR. MARK MANGANARO: Both systems use the
- 2 same principle. So on election day --
- 3 MR. ANTHONY LONG: Same physical ballot is
- 4 used in both systems?
- 5 MR. MARK MANGANARO: Correct.
- 6 MR. ANTHONY LONG: Okay.
- 7 THE CHAIRMAN: I have a question on the
- 8 mock election testing procedure. Generally,
- 9 what is the protocol for that? How does that
- 10 work?
- DR. JAY BAGGA: In the mock election we
- 12 created some sample ballots, which are based on
- 13 real elections which were held in the past in
- 14 Indiana, and we precount the totals. So we know
- 15 what the answer should be for each race. And
- 16 then we run these ballots through the system.
- 17 And we did it for each system. And then we
- 18 tabulated the votes and we compared that with
- 19 the already-known results, and we want to make
- 20 sure that those are identical.
- 21 THE CHAIRMAN: What were the results for
- 22 the 5200?
- DR. JAY BAGGA: They were identical.
- 24 THE CHAIRMAN: What about for the other
- 25 system, the 3410?



		17
1	DR. JAY BAGGA: They were identical.	
2	MS. SUZANNAH OVERHOLT: This is now getting	
3	very interesting. So when you do the mock	
4	election, does any of your assessment involve	
5	the complexity of getting the machines set up	
6	for the election? Is that anything that you	
7	consider in terms of because it's lay people who	
8	are out in the precincts setting up these	
9	machines on election day. I don't know if your	
10	assessment entails any of that, or does ES&S	
11	come in and set up the equipment and you just	
12	run an election through the equipment?	
13	DR. JAY BAGGA: In the mock election, the	
14	ES&S personnel come in and have the equipment	
15	set up for us. But also as part of our review,	
16	we review their training materials, which they	
17	hand out to their customers in jurisdictions.	
18	We have a protocol on making sure that the	
19	training materials are exhausted, which the	
20	county or the jurisdiction officials will use.	
21	MS. SUZANNAH OVERHOLT: In addition to	
22	reviewing the training materials, do you	
23	actually try to follow the training materials to	
24	actually set up the equipment and open it for	
25	voting and then close it?	



- DR. JAY BAGGA: We actually follow the same
- 2 protocol as the county or the jurisdiction, but
- 3 that protocol as we review it, it's set up by
- 4 the manufacturer, by the vendor's
- 5 representative. But we are there watching it.
- 6 It is set up in front of us.
- 7 MR. RAY SCHEELE: We videotape this entire
- 8 testing process. So, for example, when one
- 9 piece is set up and connected to another piece,
- 10 let's say, we actually name the piece that is
- involved, and which piece it's being connected
- 12 to so that if we ever have to go back and
- 13 determine exactly what the components were and
- 14 compare it with the test data package, we can do
- 15 so. And we do.
- 16 MR. ANTHONY LONG: I think what
- 17 Commissioner Oberholt's concern is, and it's a
- 18 very real one, is that the folks out in the
- 19 precincts that are setting these up, and don't
- 20 have Dr. in front of their name, they are just
- 21 lay folks that aren't trained and are not
- 22 professionals like you all are. That's a
- 23 concern we have, that if they are not really
- 24 user friendly, then we have a tendency then to,
- 25 I don't think operate as well.



- Is this machine designed that if it's not 1 set up and put in operation in exact accordance 2 with the specifications and instructions, it 3 won't work? 4 MR. RAY SCHEELE: There could be, as we 5 would say, a lot of anomalies, yes, exactly. 6 Virtually, all machines, the first thing you 7 want to do once it's set up, let's say plugged 8 in, to use that phrase, you run a tape on it to 9 make sure that the machines are all clean, 10 there's what we call a zero tape. And all of 11 that is part of the training of poll workers and 12 people who set up the machines in the precincts 13 or the vote centers. So consequently, we follow 14 that same kind of protocol, that is, we run the 15 zero tapes, we make certain that as we count the 16 ballots, that the tapes show exactly what we had 17 preceded the test to have shown, and that's how 18 we verify it. 19 I guess the steps MS. SUZANNAH OVERHOLT: 20
 - MS. SUZANNAH OVERHOLT: I guess the steps
 that I'm talking about happen before you run
 that zero tape. I remember an election here in
 Marion County, I think it was the spring of
 24 2007, where I was doing voter protection, and I
 remember being in Wayne Township, and every

- 1 precinct I walked into, all you heard was the
- 2 beeping, because it was still -- what is now the
- 3 equipment that's falling apart, but what was
- 4 then new equipment. People had not followed the
- 5 instructions. You had to hook up -- I think you
- 6 had to start with the N-100, and then you go to
- 7 the -- whatever the one on the stand is called,
- 8 but I can't remember. But if you did that in
- 9 the wrong order, it would beep and the system
- 10 would not work. And a lot of polls were delayed
- in opening because people were just -- yes, the
- 12 instructions were there in writing, but it's
- 13 5:00 in the morning and people are not at their
- 14 best. I think that's --
- MR. RAY SCHEELE: I don't think there's any
- 16 question that we need more training, and perhaps
- 17 the vendors need to -- I mean we check their
- 18 training documents obviously, and they are all
- 19 in order.
- 20 MS. SUZANNAH OVERHOLT: You don't bring in
- 21 like one of your -- I think it would be
- 22 interesting -- I'm sure this doesn't have
- 23 anything to do with requirements or Indiana Law
- 24 or anything, but I think -- it seems to me that
- 25 reviewing the training materials is very



- 1 different from having someone who's just your
- 2 average election worker, or someone like --
- 3 maybe I'm not your average election worker. But
- 4 if you had a poll worker on election day, to
- 5 come in and look at the materials and see if
- 6 they can assemble the machines, go through the
- 7 training program, and then see if they can
- 8 follow the materials to get the equipment up and
- 9 running. I mean reviewing training materials is
- 10 very different from actually trying to follow
- 11 them and seeing if the equipment works and if
- they are clear or not when you're trying to do
- 13 it at 5:00 in the morning.
- DR. JAY BAGGA: Another step in this
- 15 process of checking that the equipment is set up
- 16 and works is the public test that's done before
- 17 the election, where the jurisdictions actually
- 18 set up the units, currently some units, and go
- 19 through a mock election on their own.
- MS. SUZANNAH OVERHOLT: Right. But that's
- 21 after they've made the decision to purchase the
- 22 equipment.
- DR. JAY BAGGA: Yes. Of course.
- MR. ANTHONY LONG: When we used to do this,
- 25 the vendor would bring in the machine and we'd



- 1 get to see it. And I'm thinking that I'm sort
- 2 of missing that. I think we would see it, what
- 3 Commissioner Oberholt is saying, in more of a
- 4 perspective of someone who is not a specialist,
- 5 not an expert. We could watch someone who is an
- 6 expert -- we would appreciate that -- set it up
- 7 and take it out of the box, just as the worker
- 8 would do, and not to second-guess what you all
- 9 have done, but so that we've got more of a
- 10 comfort level; that the level of complexity here
- 11 would be more in-tune to what maybe it should
- 12 be.
- MR. RAY SCHEELE: Certainly we could invite
- 14 you to come to the test. That would be a very
- 15 good idea.
- 16 MR. ANTHONY LONG: I would rather invite
- 17 you to bring it down here.
- 18 MR. RAY SCHEELE: They have to pay the cost
- 19 of bringing it.
- 20 MR. ANTHONY LONG: That used to be part of
- 21 the process.
- MR. RAY SCHEELE: We could do it here in
- 23 Indianapolis just as easily as we could do it
- 24 anywhere.
- MR. ANTHONY LONG: My suggestion would be



- 1 you do exactly what you're going to do. I'm
- 2 looking back before you all were in the picture
- and we had the unenviable task of trying to do
- 4 this ourselves. And I was -- it was not a very
- 5 comfortable time. But the reality was: We did
- 6 get to see and have a feeling as to how that
- 7 system worked in practicality. I sort of would
- 8 like to go back to that aspect of the final
- 9 presentation, that we get to see a demonstration
- 10 in the future on these if we're doing a new
- 11 system. I'd just throw that out for
- 12 consideration. I think I would feel more
- 13 comfortable with it.
- DR. JAY BAGGA: That point is well-taken.
- 15 As Dr. Scheele mentioned, we do videotape the
- 16 tests. The system is set up and the VSTOP
- 17 members are watching. We could bring that, a
- 18 shortened version of it, some parts of it.
- 19 THE CHAIRMAN: The problem is, we don't how
- 20 many takes it took to make that tape.
- MR. RAY SCHEELE: We don't have time to
- 22 make more than one.
- MR. ANTHONY LONG: I appreciate, certainly
- 24 myself, Dr. Bagga, we've been in these sessions,
- 25 and Ray and I have been friends for longer than



- 1 either one of us wants to admit, but thank you
- 2 for your great work.
- 3 DR. JAY BAGGA: You're welcome, sir.
- 4 THE CHAIRMAN: Anything else? Any other
- 5 discussion? With that, is there a motion to
- 6 approve the application for the Certification of
- 7 the Voting System submitted by ES&S?
- 8 MR. ANTHONY LONG: So moved.
- 9 THE CHAIRMAN: All in favor, say I.
- 10 MS. SUZANNAH OVERHOLT: Second.
- 11 THE CHAIRMAN: All in favor say I.
- 12 THE COMISSION: I.
- 13 THE CHAIRMAN: All opposed say may. The
- 14 I's have it. The motion is approved.
- 15 Does VSTOP have any information to report
- 16 regarding any other voting system applications
- 17 or certifications?
- DR. JAY BAGGA: At this point those two are
- 19 the only ones. There are still some in process,
- 20 but that's for the future. At this point, those
- 21 are the two voting systems.
- MR. ANTHONY LONG: You still have work to
- 23 do?
- MR. RAY SCHEELE: We still have these
- 25 electronic poll booths, so we deal with those a



- 1 lot.
- 2 THE CHAIRMAN: Is there an application
- 3 pending from Unison?
- DR. JAY BAGGA: There is, certainly, and we
- 5 are reviewing that application currently, and we
- 6 have a test scheduled --
- 7 MR. RAY SCHEELE: Last week of May.
- 8 DR. JAY BAGGA: Right after Memorial Day,
- 9 so we're looking at it --
- 10 THE CHAIRMAN: Are the Commissioners
- 11 invited to watch that test?
- DR. JAY BAGGA: Yes. Very welcome.
- MR. RAY SCHEELE: Yes. We'll send you an
- 14 engraved invitation.
- MS. SUZANNAH OVERHOLT: Is there a reason
- 16 there's such a delay? I notice that the
- 17 application for the last system was submitted in
- 18 July of 2014, and we're now approving it in
- 19 April of 2015. Seems like a bit of a lag.
- 20 MR. RAY SCHEELE: A lot of the lag is we go
- 21 line by line through all of the test data
- 22 packages that the vendors -- they test it, of
- 23 course, the EAC, even though Indiana Law does
- 24 not require EAC certification like the federal
- 25 government, nonetheless, we go through it as



- 1 well. So consequently, we build a big data
- 2 sheet to see if everything is matching, and then
- 3 of course the final match is to the Indiana
- 4 Code. Only after all of that is done, do we
- 5 even talk about scheduling the test. And often
- 6 there are questions that go back and forth. We
- 7 talk to Mr. Manganaro a lot, for example, on the
- 8 ES&S systems, to talk about a particular
- 9 component that we don't understand exactly how
- 10 it was tested, it's not clear enough for us. So
- 11 we have to go through all of that. That takes a
- 12 lot of time.
- DR. JAY BAGGA: Generally there are four
- 14 agencies involved here, and we have to, as Dr.
- 15 Scheele said, go back and forth. VSTOP is, of
- 16 course, the one doing the testing and review.
- 17 But then VSP are the labs, they're involved
- 18 quite a bit, and we communicate with them
- 19 regularly. EAC comes in by way of VBSG,
- 20 requirements need to be satisfied, and then the
- 21 manufacturer. So there is communication
- 22 throughout between these four parties. And
- 23 documentation is needed. At times documentation
- 24 needs to be revised and reviewed again. So that
- 25 adds to the time taken.



MS. SUZANNAH OVERHOLT: Thanks. 1 THE CHAIRMAN: With that, the Indiana Election Commission has finished its business 3 for today. Is there a motion to adjourn? 4 MR. ANTHONY LONG: So moved. There's a motion. THE CHAIRMAN: Is there a second? Second. 8 MS. SUZANNAH OVERHOLT: THE CHAIRMAN: All in favor say I. THE COMISSION: I. 10 MR. RAY SCHEELE: I would like to say one 11 quick thing off the record, just for the 12 Commissioners' information. The VSTOP program 13 operates under the umbrella of the Bowen Center 14 for Public Affairs at Ball State University, and 15 every year the Bowen Center has an institute on 16 a weekend here in Indianapolis, it's called the 17 Bowen Institute on Political Participation, at 18 which we bring students together from not just 19 Ball State, but other institutions, and we also 20 have citizens attend. Those citizens are 21 nominated by public officials. And we had it 22 this year at the law offices of Barnes & 23 Thornburg in beautiful downtown Indianapolis, 24

25

and I want you to know, Commissioners, that your

1	co-directors, Trent Deckard and Brad King,
2	consented to take a day of their weekend to
3	speak on a panel about civic participation and
4	political participation, and how important it
5	is, if you're interested in running for office
6	some day, to be up to snuff with financial
7	reports, etcetera, that you folks deal with all
8	the time. We haven't got all of our evaluations
9	in yet from the institute from three or four
10	weeks ago, but I'll certainly share those with
11	Trent and Brad.
12	THE CHAIRMAN: Thank you. Anyone opposed
13	to the adjournment? Hearing no nays, this
14	meeting is adjourned.
15	(Time noted: 3:50 p.m.)
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