

St Joseph County Election Board

101 S. Main ST.

South Bend, IN 46601

Thomas Dixon, Republican Chair

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Charles Leone, Democrat Chair

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Amy Rolfes, Secretary

April 18, 2023

12:30 PM

Minutes for 04/18/2023 Meeting

1. Call to order

Present are:

Nick Abernathy-RBM

Joe Rice-Clerk's

Kim Riskovitch- Elections Clerk

Donna Hurley-VR Supervisor

Kamy Navarrete

Dave Smith-Machine Techs

Trisha Carrico-Chief Deputy Elections

Michael McManus-self

Judy Bradford-League of women voters SB area

Debbie Ladyga-Block-SJC Dem party

Janet Yarbrough-Clerk

Diana Hess-SJC Dems

Pam Claeys-citizen

Susan Baxmeyer-SJC Republican Party

2. Pledge of Allegiance

3. 1st Item- Election Day Security

- Amy Rolfes gave an update regarding security. She spoke with Lt. Fazio from the Sherriff's department, and they will provide security in Mishawaka for the 2 Saturdays and Sunday. She also spoke with Trinity Security, and they will be responsible for the security in the County-City building on those days.

4. Next item- Election Commissioner resolutions

- The board has drafted resolutions to deputize the election commissioners on May 2nd, 2023. Tom Dixon stated the board will move to adopt the “Duties, and administration of Deputy election Commissioners resolution”. Tom Dixon stated the board would move to adopt the resolution on this date, and it will go into effect on May 2nd. The Clerk’s office staff will follow up with the deputized Commissioners the morning of election day, instead of holding another formal resolution on that day.
- Tom Dixon stated he would entertain a motion to adopt the resolution to take effect on May 2nd, 2022.
- A motion followed by a second motion were made. The matter carried unanimously.
- Charles Leone raised a question regarding the number of commissioners. Kim Riskovitch stated it was up to the party chairs. Each party could have up to 10. It was agreed that 3 from each party would be sufficient.

5. Next item- Voter Registration update on incomplete registrations

- Trisha Carrico stated there are VRG-4/12 forms that are incomplete, and these forms included, there are 68 incomplete registrations. She stated they have made 3 phone calls and sent 3 correspondences, to inform the individuals the forms are missing required information. She stated Voter’s Registration has documented the attempts, and they have gone above and beyond the legal obligation. The individuals have until 10 days before the election to respond with the information, or else they will be rejected. She then asked for permission to reject the applications.
- Amy Rolfes asked Trisha Carrico what the legal obligation is regarding reaching out to the individuals. Trisha answered 1 phone or 1 correspondence.
- Trisha Carrico asked for permission to reject the applications if they were not updated 10 days before the election.
- Tom Dixon asked if there was any reason why it could not be a public document. His thought was to possibly pass the names to party chairs and see if they can reach out to the individuals.
- Trisha stated these were filed out in the last election. The voter cast their ballot, then incorrectly filled out the VR-4/12 form.
- Tom Dixon’s idea was discussed, and Charles Leone agreed with it.
- Amy Rolfes stated there needs to be better training in the vote centers. When VRG forms are being filled out, the inspectors are responsible for making sure forms are filled out correctly.

- Trish also pointed out these are VRG-4/12 forms that can be fixed. Voter's Registration has rejected around 30 forms for other reasons that cannot be fixed over the phone, and have not responded to affidavits etc.
- Tom Dixon asked if anyone had an issue with providing the party chairs with the list which included names, addresses, and what information is missing. The board agreed, and Trisha Carrico was asked to e-mail the party chairs the list.
- It was also agreed that if the forms were not corrected by April 22, 2023, (included by end of business day of April 22nd, 2023) they could be rejected by default.
- Charles Leone also stated that these individuals, if rejected would be canceled, but could still vote if they sign a form that states they live at the listed address and may have to fill out a new VRG-412 form.
- Dave Smith Clarified the situation. If the voter is canceled in SVRS, they cannot check in on a poll pad. They will have to contact Voter's Registration, resolve the issue, fill out a provisional ballot, or get issued a certificate of error.

6. Next item- Signs

- Kim Riskovitch summarized the situation. Christine Sopczynski is a citizen who called because of a sign placed in Kennedy Park.
- Tom Dixon then stated Kim Riskovitch was showing a trail of e-mail communications between herself and Christine Sopczynski regarding Jordan Geiger placing a sign in a park in South Bend.
- Tom Dixon stated that Christine Sopczynski wanted to bring it to the board's attention. This is not an issue for the board to act, because it is something the municipalities would control.
- Charles Leone agreed, and stated when he was a city attorney, something like this was handled by the municipality. Signs were collected and brought to the party headquarters. He believed it is because of sign ordinance issues, rather than election law issues. He was currently unaware if policies have changed.
- Kim Riskovitch stated she reached out to the municipalities and received no response. She also contacted the Indiana Election Division and was told if the park or the city is contacted, placing the sign there is ok. However, in that case they cannot deny other candidates from placing signs there. She then passed the information along to Christine Sopczynski and told her to contact the City of South Bend.

7. Next item- Jordan Giger

- Tom Dixon was contacted by Candidate Jordan Geiger on April 14, 2023, via e-mail. Jordan Giger claimed Karen White, Bianca Tirado, and Jody Freed appeared to be voting in the County-City building atrium, and campaigning by the voting stations. He asked if there was a way to file a complaint and stated, "video evidence will show where they are".

- Tom Dixon responded and shared it with the other members of the board. Tom Dixon stated the e-mail asking to file a complaint itself. He also stated the board will start a file, and requested Joe Rice to find a 9x12 folder and label it as a complaint file for Jordan Giger that will be kept in the Clerk's office. Tom Dixon believed there was a need for a formal hearing, and indicated to Jordan Giger that it would be discussed in today's meeting. He stated Trisha Carrico was also aware of the situation that same day, and stated in the meeting two candidates were addressed about the situation.
- Tom Dixon also brought up the last sentence regarding video evidence was unclear. He thought Jordan Giger was indicating someone caught the alleged incident on a phone. Amy Rolfes thought he was requesting the board to investigate and get videos from that location in the County-City Building. Tom Dixon stated it was not the board's responsibility to obtain videos. It is the responsibility of the complaining party to bring the video evidence in. Andrew Jones, the Election Board attorney, agreed.
- Tom Dixon asked if someone would make a motion to have this hearing be placed on the next meeting's agenda. Amy Rolfes made a motion, and Charles Leone requested an amendment to include a look at how the board handles electioneering in general.
- Kim Riskovitch stated the absentee workers had no electioneering signs posted 50 feet away. There is no electioneering past this point, The absentee workers present at the meeting stated the signs were posted at the public entrance. This prompted a discussion as to where do the signs need to be posted, and where is the "Chute" located? Charles Leone then suggested the board come up with a document that has guidelines for electioneering. Tom Dixon agreed with this idea. Amy Rolfes also pointed out vote center workers receive training regarding electioneering, and the county has also fulfilled its obligations by posting signs. Kim Riskovitch then stated she and Trisha Carrico spoke with two of the candidates. Tom Dixon reiterated that it would be a good idea if Charles Leone drew up an outline. Tom Dixon then asked for a second motion for the Jordan Giger complaint being taken up as a hearing at the next meeting. It was seconded, and the matter carried unanimously.

8. Next item- Travel Board

- Trisha Carrico stated two individuals came to the Clerk's office the day before and were discussing Travel Board, and indicated there is a possibility of between 320 and 680 travel board requests from that moment and May 1st. She was asked who these individuals were, and she responded Karen White and someone else. The individuals showed Kim and Trisha an e-mail from a third party and were gathering information for that third party. Trisha Carrico stated she and Kim Riskovitch explained what travel board was, how the process

worked, and what the requirements are. These being 1. An injury/ illness, 2. Caring for a confined person or private residence, 3. A voter has disabilities and believes the polling place is not accessible to them. Being over 65 years of age is not a qualifier. Every request will be verified, to ensure the request is valid. Charles Leone then asked Trish what the form number was and if it was available online. She stated it was available online, and it was State form # 55379;R5/3-22, and was updated March of 2022. She then gave a copy of the form. It was also stated that the individuals brought up printing disabilities and were told they need to go through the state for that.

- Amy asked what the average number of Travel Board requests was for elections., Trisha Carrico and Kim Riskovitch stated it depends on the election, but it has never been that high for municipal elections. Tom Dixon expressed concern regarding the number being that high. Trisha Carrico stated she wanted it on the record what the requirements are to be eligible for Travel Board. She also stated they only have 2 individuals doing Travel Board now. Charles Leone then asked if a doctor's note is required for a Travel Board request. Trisha Carrico said a doctor's note is not needed.

9. Next item- Vote Center worker training

- Amy Rolfes stated she received Dave Smith's training materials and is waiting on Nick Abernathy to send his materials.
- Amy then wanted to state on record she had a copy of last year's Vote Center worker training assessment, and is interested in reviewing, and revisiting the assessment.
- Dave Smith stated there are some techs who want to attend training in person, and he wanted to know what number they needed to call. Trisha Carrico gave him the main Clerk's number and the Voter's Registration supervisor's extension.

10. Next item- Delinquent CFA-4 Campaign forms

- Tom Dixon had a list of candidates who turned in their forms after the April 14th, 2023, 12:00 P.M. deadline. Sonia Perez's form was received at 12:40 P.M., Drew Duncan's form was received at 1:23 P.M., Brian Vandal's form was received at 2:25 P.M., and Heidi-Sunje Bell's form had not yet been received at the time of the meeting. Tom Dixon requested if anyone has Heidi-Sunje Bell's contact information, to please reach out to her, and let her know her form is past due. The board will not act against the candidates who were late turning in their forms.

11. Public Comments

- Mike McManus asked if Andrew Jones being the attorney for the Board of Elections was a conflict of interest. He referenced a past lawsuit involving members of the board, and Andrew Jones. He then asked if an official opinion

had not been sought from the professional responsibility people in Indianapolis, that one be obtained.

- Tom Dixon responded that it was time for public comments, not open discourse time. He also stated that he would be happy to talk about it after the meeting, or if Mike McManus wanted, he could submit something in writing to ask the board to consider his request at a future meeting, then the board could take it up and formalize it.
- Mike McManus stated he would do this.

12. Final item- next meeting/ adjournment

- Next meeting is April 27, 2023, at 5:00 P.M.
- Tom Dixon asked for a motion to adjourn, the matter carried unanimously.