



July 21, 2022

J. Bradley King, Co-Director
Indiana Election Division
302 West Washington Street
Room E-204
Indianapolis, IN 46204

Angela M. Nussmeyer, Co-Director
Indiana Election Division
302 West Washington Street
Room E-204
Indianapolis, IN 46204

Re: Tippecanoe County Compliance with Indiana's Voter Registration Statute and the Home Rule Act

Dear Director King and Director Nussmeyer:

We write on behalf of Common Cause Indiana and the League of Women Voters of Greater Lafayette to notify you of ongoing violations of Indiana's voter registration statute, Ind. Code § 3-7-33-4.5 and Ind. Code 3-7-22-9 (the "VR Statute"), and the Home Rule Act, Ind. Code § 36-1-3, by the Tippecanoe County Board of Elections and Registration ("the Board"). This written notice is filed pursuant to Ind. Code § 3-7-11-3, and we respectfully request that you take immediate action under Ind. Code § 3-7-11 to address and remedy these ongoing violations and bring the Board into compliance with Indiana law.

Common Cause Indiana ("CCIN") is a nonpartisan organization that works to promote open, ethical, and accountable government and strives to see that every citizen has a fair opportunity to vote. Common Cause Indiana has approximately 13,000 members who live and vote throughout the State of Indiana. The League of Women Voters of Greater Lafayette ("LWV") is a nonpartisan political organization encouraging informed and active participation in government who engages in voter registration activities.

The Indiana Election Division ("IED"), as the chief election official, is responsible for compliance with the relevant portions of the Indiana Election Code. Ind. Code § 3-7-11-1. We write to you in hope of an amicable resolution of these violations, which are set forth in detail in this letter. Should such a resolution not be achievable, Common Cause Indiana and the League of Women Voters of Greater Lafayette are prepared to move forward with litigation to protect the rights of Indiana voters. This letter serves as written notice of current and pending violations, as required by Indiana state law. *See* Ind. Code § 3-7-11-3.

League of Women Voters of Greater Lafayette, P.O. Box 2085, West Lafayette, IN 47996-2085

www.leaguelafayette.org / email: league@leaguelafayette.org / (765) 268-0817

I. Background

Sometime prior to February 2022, the Tippecanoe County Clerk, Julie Roush, advised her staff to require a first-time registrant whose paper voter registration form is hand-delivered on their behalf to produce additional proof of residency documentation such as is required by both federal and state law for first-time voters who submit their forms by mail. *See* 52 U.S.C. § 21083(b); Ind. Code § 3-7-33-4.5. LWV became aware of this policy when conducting voter registration drives and voter protection efforts in the county, including efforts to engage young people, first-time voters, and historically disenfranchised communities. Volunteers from the LWV contacted Common Cause Indiana late this spring to make them aware of this violation of state law and requested their help in getting the issue addressed by the appropriate authority

In response to an inquiry regarding this matter, on February 8, 2022, Co-Director King sent an email to LWV and members of the County Clerk's office¹ stating that "[t]he only time that proof of Indiana residence is required as part of the voter registration process is when a voter registration form is submitted (by the voter or anyone else) through USPS to the county voter registration office. *See* Indiana Code 3-7-33-4.5." However, the County Clerk's office continued to enforce their policy. On March 10, 2022, a member of the Board's staff, Germany Harris, sent an email to LWV and the co-directors of the IED² stating that the Board's belief is that Ind. Code 3-7-22 and Ind. Code 3-7-33-4.5 direct them to "treat registration applications presented on behalf of another the same as presented by the USPS or by mail and directs us to process in the same manner." The Board also claimed that Ind. Code 3-7-33-4.5(c) gives them the right to impose additional proof of residency requirements on registrants whose forms are hand-delivered because it allows them "to determine whether or not an applicant is subject to requirements listed in Ind. Code 3-7-33-4.5."

Both Co-Director Nussmeyer and Co-Director King responded to this assertion in separate emails³ by referencing the IED's 2022 Voter Registration Guidebook, which outlines the IED's position that the proof of residency requirements imposed by state and federal law do not apply when a form is hand-delivered, even if by a third party, "as opposed to sending the application through U.S. mail." Director Nussmeyer informed Harris and other members of the Board staff that "[i]f a person hand-delivers a registration form . . . then the Board has no legal authority to require residency documentation." Furthermore, she stated that the Board's policy "does not comply with our state and federal registration laws and should no longer be followed."⁴

Even after receiving this correspondence and clear directive from the co-directors of the IED, the Board did not stop requiring proof of Indiana residence for first-time voters whose application forms were hand-delivered in their behalf. In the Indiana primary election on May 3, 2022, this requirement imposed by the Board appears to have resulted in at least one newly registered voter whose paper voter registration form was hand-delivered to be required to cast a provisional ballot

¹ A copy of this email is attached herein as Exhibit A.

² A copy of this email is attached as Exhibit B.

³ Copies of these emails are attached as Exhibits C and D.

⁴ *See* Exhibit C.

that was not counted. At its May 13, 2022 meeting, the Board refused to open and count a voter's provisional ballot, apparently solely because the voter did not produce the proof of residency required of first-time voters who submit their form by mail, in spite of the fact that this voter did not in fact submit their registration application by mail.⁵

The Board's ongoing enforcement of its unlawful policy has a harmful impact on voter registration activities undertaken by the League of Women Voters in and around Tippecanoe County. LWV registers more than five hundred seniors at area high schools annually and regularly conducts voter registration drives at Ivy Tech Community College Lafayette and Purdue University, state institutions with more than 45,000 undergraduate students, the majority of whom are first-time voters and thus subject to the Board's unlawful policy. Common practice involves the distribution of copies of the federally-prescribed voter registration form, which are then completed by the registrant and collected and delivered to the Board by volunteers on behalf of the registrant. These young, first-time voters, including young people of color, are less likely than older registrants to have a photo ID that reflects their current address or other easily obtainable proof of residency. In their March 10 email, the Board employee acknowledged that "many students may not be able to outright satisfy the application requirements for proof of residency" under their policy.⁶

The imposition of an additional and unlawful voter identification requirement makes registering to vote and voting particularly burdensome for these eligible high school and college students because, even if they cast a provisional ballot, their vote will not be counted unless and until they again appear in person and provide proof of residency. Despite the clear direction of both co-directors King and Nussmeyer that this policy violates Indiana and federal law, the Board appears unwilling to modify its policy in future elections.

II. The Board's Policy is Unlawful and Has No Basis in Indiana or Federal Law

A. Federal Law

Congress enacted the National Voter Registration Act ("NVRA") to increase access to the "fundamental right" of voting by "establish[ing] procedures that will increase the number of eligible citizens who register to vote." 52 U.S.C. § 20501. Section 6 of the NVRA requires states to "accept and use" the "mail voter registration application form" prescribed by the Federal Election Commission (commonly referred to as the "federal form"). 52 U.S.C § 20505.

⁵ In response to requests dated May 23 and June 6 from Ken Jones of the League of Women Voters of Greater Lafayette, the Board has refused to provide that person's identity, citing § 15482(a)(5)(B) of the Help America Vote Act of 2002. On July 7, the Board provided redacted copies of affidavits concerning challenged voters in the May 3 election. This disclosure indicates that the reason for challenge for the referenced voter was initially marked as failure to provide proof of residency, but later crossed out and changed to proof of identification. *See* Exhibit F. The changed reason marked on the affidavit conflicts with the reason for rejection stated by the Board at its public meeting on May 13.

⁶ *See* Exhibit B.

The Help America Vote Act of 2002 (“HAVA”) created the Election Assistance Commission, which is responsible for maintaining the federal voter registration form. It also states the sole exception to the NVRA’s requirement that states “accept and use” the federal form on its own for registering to vote for federal elections, requiring most first-time voters who register to vote by mail to submit a government document displaying their name and registration address either with the registration form or when they request a ballot for the first-time. 52 U.S.C. § 21083(b). The federal form itself includes instructions referencing this requirement.⁷

The United States Supreme Court has held that Section 6 of the NVRA precludes states from “requiring a Federal Form applicant to submit information beyond that required by the form itself” before accepting and using the form for registration to vote in federal elections, *Arizona v. Inter Tribal Council of Ariz., Inc.*, 570 U.S. 1, 20 (2013). The instructions on the federal form make clear that additional documentation is only required of first-time voters who “are registering to vote for the first-time in [their] jurisdiction *and are mailing this registration application.*”⁸

When the voter signs the federal form they affirm the following: “The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be fined, imprisoned, or (if not a U.S. citizen) deported from or refused entry to the United States.”⁹ Therefore, every voter, whether subject to HAVA ID or not, swears to the accuracy of their address when completing the federal form.

B. Indiana Voter Registration Law

Indiana voter registration law imposes a residency documentation requirement for first-time voters that register to vote by mail. Ind. Code § 3-7-33-4.5. These requirements mirror those codified in federal law by HAVA, and are triggered by the act of submitting a mail voter registration form¹⁰ “by mail.” *Id.*; Ind. Code 3-7-22-9. Hereinafter, these requirements and the related HAVA provisions will be known as “HAVA ID.”

Indiana state law requires a county election authority to accept a mail voter registration form—the federal form established by the NVRA—whenever it is presented (1) by the United States Postal Service (“USPS”); (2) by the registrant themselves; or (3) by a third party presenting the form on behalf of the registrant. Ind. Code 3-7-22-9. This section dictates through what methods the form must be accepted—for example, voter registration officials do not have to accept a form

⁷ See EAC, *National Voter Registration Application Form for U.S. Citizens (ENG)*, available at https://www.eac.gov/sites/default/files/eac_assets/1/6/Federal_Voter_Registration_ENG.pdf.

⁸ See EAC, *National Voter Registration Application Form for U.S. Citizens (ENG)*, available at https://www.eac.gov/sites/default/files/eac_assets/1/6/Federal_Voter_Registration_ENG.pdf (emphasis added).

⁹ *Id.*

¹⁰ The Indiana Code uses multiple terms to refer to the federal form including “mail voter registration form,” “application to register to vote by mail,” “registration by mail form,” and “mail registration form.” See Ind. Code § 3-7-22; Ind. Code 3-7-33. This document uses the term from the NVRA, “mail voter registration form,” and “federal form” interchangeably.

submitted through fax or email—*not* how they should be treated for purposes of HAVA ID. That is covered by Ind. Code 3-7-33-4.5, which states that HAVA ID requirements apply when first-time voters submit a mail voter registration form under option one, through USPS. *See* Ind. Code 3-7-22-9.

When a county voter registration office receives a voter registration application by mail, that office is responsible for determining whether that applicant is subject to HAVA ID requirements, namely whether or not they would be considered a first-time voter, and whether any of the exceptions to HAVA ID apply. Ind. Code 3-7-33-4.5. Voter registration in Tippecanoe County is supervised by a Board of Elections and Registration, which is vested with the election-related powers and duties of the county election board, board of registration, and county executive. Ind. Code § 3-6-5.4; *see* Ind. Code 3-7-12-7. Indiana’s Home Rule statute grants local government units the powers needed for the effective operation of government as to local affairs. Ind. Code § 36-1-3-2.

Indiana state law designates the co-directors of the IED as the chief state election officials responsible for the coordination of state responsibilities under the VR Statute and invites persons aggrieved by a violation of Article 7 of the Indiana Code to file a written notice of violation with the IED. Ind. Code § 3-7-11-1; Ind. Code § 3-7-11-3.

III. The IED Must Find that the Board’s Policy Constitutes a Clear Violation of Indiana Law

First-time voters who register to vote by mail are required by federal and state law to provide proof of residency. *See* 52 U.S.C. § 21083; Ind. Code 3-7-33-4.5. However, these additional proof of residency requirements do not apply to registrants whose paper registration form is hand-delivered, whether by the registrant or a third party. Nevertheless, the Tippecanoe County Board of Elections and Registration routinely triggers a proof of residency request for all first-time voters who use the federal registration form even when the form is hand delivered, a clear violation of state law.

While the overlapping references to the “mail voter registration form” and the act of registering “by mail” in the state and federal statutory text concerning HAVA ID lend some confusion at first glance, the ultimate meaning of applicable law is unambiguous. The HAVA ID requirements only apply to individuals registering to vote using the paper mail voter registration form if it is submitted “by mail,” which is a narrowly defined method of submission. The IED has spoken to clarify any confusion held by election officials on how to apply the statutory requirements in practice. Tippecanoe County is preempted under Indiana state law from adopting its own voter registration requirements for state and federal elections.

The text of the Indiana statute is unambiguous as to what conditions trigger the application of HAVA ID requirements to paper voter registration forms. Both legal and ordinary dictionaries

define the act of “mailing” in reference to delivery via the national postal system, USPS, not any other form of hand delivery.¹¹ Therefore, requirements that only apply to voter registration forms submitted “by mail” cannot reasonably be interpreted to apply to hand delivery by a third party who is not a postal worker.

Additionally, because both HAVA and the Indiana statute explicitly declare that enhanced residency requirements apply to individuals who have submitted a mail voter registration form by mail, they impliedly preclude application of these requirements to voter registration forms that are hand-delivered. *See* Ind. Code § 3-7-33-4.5. The *expressio unius est exclusio alterius* canon of statutory interpretation directs readers to understand that when one thing is expressly mentioned, others of the same class are implicitly excluded.¹² Here, lawmakers directed county voter registration officials to accept mail voter registration forms when they are presented in three ways: via USPS, by the person registering, and by a third party. Ind. Code § 3-7-22-9. Lawmakers explicitly directed the officials to apply HAVA ID requirements to first-time voters who submitted their mail voter registration form using the first method, “by mail.” Ind. Code § 3-7-33-4.5. By singling out the first method, lawmakers implicitly excluded the other two from HAVA ID requirements.

The IED has directly addressed this question in its 2022 Voter Registration Guidebook, which explicitly clarifies that mail voter registration forms can be mailed or hand-delivered, but “[p]roof of residency requirements do not apply to a person who hand-delivers their voter registration application to the Indiana Election Division or county voter registration office.” Indiana Election Division, *2022 Indiana Voter Registration Guidebook* 16 (2022).¹³ The Guidebook further clarifies that the additional proof of residency requirement imposed by the IN statute and HAVA “applies only to voter registration applications received in the mail,” not to a registrant who registered with a full service voter registration agency or to a registrant who fills out a registration application as part of a registration drive performed by a party or organization, even when the party or organization representative hand-delivers the registration applications to the county voter registration office. *Id.* at 41 (emphasis added).

The Tippecanoe County Board of Elections and Registration is not unaware of the IED’s directives regarding the proper interpretation of Ind. Code 3-7-33-4.5. On February 8, 2022, Co-Director King responded to an inquiry on this matter by informing the Tippecanoe County Clerk and her staff that “[t]he only time that proof of Indiana residence is required as part of the voter registration process is when a voter registration form is submitted (by the voter or anyone else) through USPS to the county voter registration office.”¹⁴ On March 10, 2022, Co-Director Nussmeyer contacted another employee of the Board to inform them of the policy, referencing the Guidebook as a representation of “the view of the bi-partisan Indiana Election Division and

¹¹ *See e.g., Mail*, Merriam-Webster, <https://www.merriam-webster.com/dictionary/mail> (last visited June 15, 2022) (“a nation’s postal system”); *Mail*, Black’s Law Dictionary (11th ed. 2019) (“To deposit (a letter, package, etc.) with the U.S. Postal Service”).

¹² *See expressio unius est exclusio alterius*, Black’s Law Dictionary (11th ed. 2019).

¹³ Available at <https://www.in.gov/sos/elections/files/2022-Voter-Registration-Guidebook.FINAL.pdf>.

¹⁴ *See* Exhibit A.

the co-directors,” as the chief election officials for the state of Indiana, and asking the Board to halt implementation of their policy.¹⁵ Nevertheless, the Board has continued to require additional proof of residency documentation of voters whose registration form was hand-delivered, rather than mailed.

Furthermore, the Tippecanoe County Board of Elections and Registration does not have the legal authority to establish voter registration requirements that differ from or go beyond those codified in state and federal voter registration law under Indiana’s Home Rule Act. Ind. Code § 36-1-3-1. Because registration to vote in state and federal elections is an issue of statewide concern, a county election authority is not authorized to initiate additional requirements regarding voter registration without express statutory authority from the state, which does not exist here. *Id.*

IV. Remedy and Written Notice

For the reasons set forth above, the Tippecanoe County Board of Elections and Registration is engaged in action that violates Indiana state law. This letter is our request that the IED take all necessary steps to ensure that the Tippecanoe County Board of Elections and Registration comes into compliance with the statutory provisions of the Indiana voter registration statute and the Home Rule Act. To remedy the application of this illegal policy, we ask that the IED review all voter registrations entered by Tippecanoe County from January 1, 2018 to present to identify all current registration records that were wrongfully flagged as requiring additional proof of residency and approve them as final and complete registrations. While we are hopeful that the IED will use its authority in the next ninety days to resolve these violations by bringing the Board into compliance with the law, we are prepared to move forward with litigation if a resolution is not achieved. Accordingly, this letter serves as written notice pursuant to Ind. Code § 3-7-11-3. We look forward to your response.

Sincerely,

Common Cause Indiana
Julia Vaughn
Executive Director
P.O. Box 1603
Indianapolis, IN 46206

The League of Women Voters of Greater Lafayette
Ken Jones
Chair, Voter Services Committee
PO Box 2085
West Lafayette, IN 47996-2085

¹⁵ See Exhibit C.

EXHIBIT A

RETRIEVED FROM DEMOCRACYDOCKET.COM

Email
IED (King) to Jones
Feb 8 2022

Synopsis: Response from IED R-Codirector (King) to Ken J. request
To discuss the issue.

Feb 8, 2022,
11:32 AM (6
days ago)

King, Brad

to Valerie, me, Julie, Germany, Angela

Dear Mr. Jones,

Thanks for your message.

The only time that proof of Indiana residence is required as part of the voter registration process is when a voter registration form is submitted (by the voter or anyone else) through USPS to the county voter registration office. See Indiana Code 3-7-33-4.5.

Angie may have additional thoughts.

If you have further questions, please let me know.

Sincerely,

RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT B

RETRIEVED FROM DEMOCRACYDOCKET.COM



Ken Jones <joneskp0124@gmail.com>

Proof of Address - Tippecanoe County

Germany Harris <gharris@tippecanoe.in.gov>

Thu, Mar 10, 2022 at 11:10 AM

To: "vawarycha@iec.IN.gov" <vawarycha@iec.in.gov>, "Kochevar, Matthew R" <MKochevar@iec.in.gov>

Cc: "Nussmeyer, Angela M" <ANussmeyer@iec.in.gov>, "bking@iec.in.gov" <bking@iec.in.gov>, Ken Jones

<joneskp0124@gmail.com>, Julie Roush <jroush@tippecanoe.in.gov>, Mike Smith <msmith@tippecanoe.in.gov>, Juan Ramirez <jramirez@tippecanoe.in.gov>

Good Morning everyone,

Please see (Mail Registration) IC 3-7-22-9(3) a person presenting the form on behalf of the individual who is registering. The Indiana code cited, IC 3-7-33-4.5 additional documentation required for certain voters, includes any voter who submitted an application to vote by mail under IC 3-7-22 (Mail Registration) therefore, including Section 9(3). Subsection C of IC 3-7-33-4.5 gives Tippecanoe county the right to determine whether or not an applicant is subject to requirements listed in IC 3-7-33-4.5

We believe that IC 3-7-22-9 (3) is directing us to treat registration applications presented on behalf of another the same as presented by the USPS or by mail and directs us to process in the same manner, which triggers the requirements of IC 3-7-22-5 (5). IC 3-7-33-4.5 (1) seems to affirm documentation of residency is required by referring back to IC 3-7-22 within that section, in essence, doubling down. If IC 3-7-22-9 isn't requiring those three manners of submission to be treated the same, it would not have been written that way. This requirement is not "grossly unreasonable" (Simmons v Byrd, Indiana Supreme Court) in application of registration law, and special requirements for different registrants is established in precedent (see *Morris v Powell* and *League of Women Voters v Rokita*, both Indiana Supreme Court).

We understand that many students may not be able to outright satisfy the application requirements for proof of residency at the time of submitting an application for registration. However, provided that the school, of the student registering, include a signed letter stating that each student submitting a voter registration application is indeed a resident of the county, our office has stated that it would work with schools whose students cannot meet the residency requirements.

Cordially,

Germany Harris, Board Staff

Tippecanoe County Board of Elections & Registration

20 North 3rd Street

Lafayette, Indiana 47901

(765) 423-9303

gharris@tippecanoe.in.gov

"In seeking happiness for others, you will find it yourself" -Unknown

If a person is unclear concerning election law provisions, the Tippecanoe County Board of Elections and Registration office can be used as an interpretive resource. However, where your legal rights are concerned, you must consult with your attorney to be fully and properly advised.

EXHIBIT C

RETRIEVED FROM DEMOCRACYDOCKET.COM



Ken Jones <joneskp0124@gmail.com>

Proof of Address - Tippecanoe County

Nussmeyer, Angela M <ANussmeyer@iec.in.gov>

Thu, Mar 10, 2022 at 11:31 AM

To: Germany Harris <gharris@tippecanoe.in.gov>, "Warycha, Valerie S" <VaWarycha@iec.in.gov>, "Kochevar, Matthew R" <MKochevar@iec.in.gov>

Cc: "King, Brad" <bking@iec.in.gov>, Ken Jones <joneskp0124@gmail.com>, Julie Roush <jroush@tippecanoe.in.gov>, Mike Smith <msmith@tippecanoe.in.gov>, Juan Ramirez <jramirez@tippecanoe.in.gov>

Hi, Germany. The statute you cite below refers to the "mail" registration form, which is the VRG-7, VRG-11, and federal voter registration form as these forms are commonly referred to in state and federal law as the "mail-in" registration form. This statute is NOT describing the voter registration forms as being mailed if hand-delivered. It is simply referring the form type, which is known in statute as "mail-in" to distinguish it from the online registration option, for example.

Further, IC 3-7-33-4.5(a) describes the method (by mail) of receiving the "mail-in" registration form and the procedures to follow. The statute is clear that IF the "mail-in" registration form is sent by mail, then first time voters in Indiana must provide residency documentation. It excludes hand-delivered "mail-in" registration forms from this residency requirement.

If a person hand-delivers a registration form, whether it be the VRG-7, VRG-11, or federal form, then the Board has no legal authority to require residency documentation as required by state and federal law for first time voters in Indiana that register to vote using the "mail-in" form by mail. The person hand-delivering the form does NOT need to be the person registering to vote; it can be hand-delivered by a third party as per IC 3-7-22-9(2)(3) AND IC 3-7-33-3.7. The purple VR Guidebook covers this information in detail if you need to refer to it, as it represents the view of the bi-partisan Indiana Election Division and the co-directors, who are the NVRA officials for the state of Indiana.

Your Board does not have home rule authority to establish voter registration requirements not codified in federal and state voter registration law. The procedure documented below, in my view, does not comply with our state and federal registration laws and should no longer be followed.

Angie Nussmeyer

Co-Director | Indiana Election Division

302 West Washington Street | Room E-204 | Indianapolis, Indiana 46204

o. 317. 232-3940 | c. 317.442-1495 | anussmeyer@iec.in.gov

If a person is unclear concerning election law provisions, the Election Division can serve as an interpretive source. However, where important legal rights are concerned, you must consult with your own attorney to be fully and properly advised.

Angie

From: Germany Harris <gharris@tippecanoe.in.gov>

Sent: Thursday, March 10, 2022 11:10 AM

To: Warycha, Valerie S <VaWarycha@iec.IN.gov>; Kochevar, Matthew R <MKochevar@iec.IN.gov>

EXHIBIT D

RETRIEVED FROM DEMOCRACYDOCKET.COM

Email
IED Co-Director (King) to Ken J

Synopsis: Reply from IED co-counsel and co-director (King) to Ken J. email of March 9 reporting there is a problem and asking for guidance.

Mar 10, 2022, 4:19
AM (3 days ago)

Warycha, Valerie S <VaWarycha@iec.in.gov>

to me, Brad, Angela

Mr. Jones,

Brad and I are working together this morning and using my computer. His answers to your questions are below.

Valerie Warycha
Co-General Counsel
Indiana Election Division
302 W. Washington Street., Room E-204
Indianapolis, IN 46204
317-232-3929
vawarycha@iec.in.gov

If a person is unclear concerning election law provisions, the Election Division can serve as an interpretive source. However, where important legal rights are concerned, you must consult with your own attorney to be fully and properly advised.

From: Ken Jones <ioneskp0124@gmail.com>
Sent: Wednesday, March 9, 2022 10:09:41 PM
To: Nussmeyer, Angela M <ANussmeyer@iec.IN.gov>; King, Brad <bking@iec.IN.gov>
Subject: Proof of Address - Tippecanoe County

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Good morning,

This message is in reference to a question you both answered back in early February of this year. While I believe your guidance on the law was clear and was shared with the county clerk, there is a determination from her to ignore your guidance and require proof of address for voter registration forms using the last four digits of the SSN for identification AND being turned-in by League of Women Voters volunteers (not mailed via USPS). As a quick reminder, the situation is this:

1. The League of Women Voter conducts voter registration drives in the local high schools.
2. We collect some number of registrations that are on the federal paper form and use the last 4 digits of the SSN for identification purposes.
3. We turn all of these forms into the board of elections office in-person.
4. Staff enter the information from the forms.
5. Staff triggers an address verification for these forms by ticking the box that the form was received by mail

In my first email to you in early February, I indicated that the staff had explained that they were powerless to change the address verification requirements due to software function. I've watched them perform the work and their procedure is to tick the Receive by Mail box if the voter did not turn in the registration form in person. In my opinion they are working around the proper use of the system which appears to be designed and functioning in accordance with the law. IC 3-7-33-4.5

Each year we register about 800 high school seniors and probably 100 -150 will use the paper form and SSN. By needlessly triggering this address verification requirement it opens the door to turning away voters at the polls who in every other aspect should be able to exercise their right to vote. I can imagine that this also impacts our many Purdue Students who decide to register in Tippecanoe County. I was advised this morning by Germany Harris in the election office:

It looks like Julie is going with the statute on this one. The office will continue to require proof of residency from any first time voters whose voter registration application is delivered to the office through the use of registration drives. The office considers this as mail delivery. We will except what you can provide from the high school as proof, if you're able to.

My request to you:

1. Germany's note is that Julie is going with the statute. I'm a layman, and I've read through IC 3-7-33-45, where in the statute is Tippecanoe's procedure allowed?

We have attached the 2022 voter registration guidebook. Please look at page 16 where it spells out the additional residency documentation. A person who hand-delivers a voter registration application, as opposed to sending the application through U.S. mail, is not required to provide the additional residency documentation. Likewise, an individual whose voter registration application is hand delivered by another person is not required to provide additional residency documentation.

2. What recourse do I have through your office to address this issue?

If you believe that a violation has occurred, you have the right to file a complaint with the county election board or with the Indiana Division. If you wish to file your complaint with the Indiana Election Division. The required form is attached.

2 Attachments

Email
IED Co-Director (King) to Ken J

RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT E

RETRIEVED FROM DEMOCRACYDOCKET.COM



Ken Jones <joneskp0124@gmail.com>

Proof of Address - Tippecanoe County

Nussmeyer, Angela M <ANussmeyer@iec.in.gov>

Thu, Mar 10, 2022 at 11:00 AM

To: Ken Jones <joneskp0124@gmail.com>, "King, Brad" <bking@iec.in.gov>

Cc: "Kochevar, Matthew R" <MKochevar@iec.in.gov>, "Warycha, Valerie S" <VaWarycha@iec.in.gov>

Hi, Ken. Thanks again for bringing this to our attention.

Tippecanoe County has its own statute related to its Board of Elections and Registration (IC 3-6-5.4, generally). Unlike most counties, the county clerk is not the voter registration official for the county. Instead, the powers of the county election board, board of voter registration, and county executive as it relates to election and voter registration responsibilities is vested with the Board. The Board employs bi-partisan staff, which are equal in number, who carry out the day-to-day responsibilities of the bi-partisan board. This includes all voter registration responsibilities. The clerk would not be able to unilaterally make determinations about voter registration. In fact, under IC 3-7-12 (which are the statutes related to managing a board of voter registration, generally), if there is a disagreement between the co-directors of the voter registration board, then the matter is brought before the county election board. In this case, it would mean staff would bring a voter registration matter to the full Board of Elections and Registration, which includes the Democratic and Republican members along with the Clerk, to interpret the law.

If the facts presented below are accurate, then it appears the county clerk is allegedly advising staff to violate federal and state voter registration law by requiring an applicant whose registration form is hand-delivered to the office to provide additional residency documentation when the person is not required to do so under federal and state law. In my view, you have a few options. You can file a complaint with the county board of elections and registration and request a hearing on the matter. Alternatively or in tandem, you can file a grievance with the co-directors of the Indiana Election Division, who serve as the National Voter Registration Act (NVRA) officials for the state. I believe Brad and Valerie provided a grievance form for you to use, though I do not think it is applicable here. Instead, you would follow the procedures in IC 3-7-11, generally, which would require a written notice of the violation filed with the co-directors. IC 3-7-11-3 notes the information that should be contained within the notice a person would file with IED, and spells out the procedures that the co-directors would then follow.

I hope this information is helpful to you.

Angie

From: Ken Jones <joneskp0124@gmail.com>

Sent: Wednesday, March 09, 2022 10:10 PM

To: Nussmeyer, Angela M <ANussmeyer@iec.IN.gov>; King, Brad <bking@iec.IN.gov>

Subject: Proof of Address - Tippecanoe County

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

EXHIBIT F

RETRIEVED FROM DEMOCRACYDOCKET.COM



**CHALLENGE AFFIDAVIT OF A VOTER BY A CHALLENGER OR
MEMBER OF THE PRECINCT ELECTION BOARD /
AFFIDAVIT OF A CHALLENGED VOTER**

State Form 42132 (R14 / 3-22)
Indiana Election Division (IC 3-11-8-21; 3-11-8-23.5; 3-11.5-4-13.5; 3-11.5-4-13.6)

(PRE-4)

Is this an absentee ballot? ☐ Yes ☒ No

INSTRUCTIONS: After the challenger completes this side of the form, the challenged voter may complete the second page of this form. If the challenged voter does so, the challenged voter is entitled to cast a provisional ballot. Do not use this form to challenge a voter at a primary election due to the voter's party affiliation. Use PRE-6 form instead.

NOTE: THIS FORM MUST BE PRINTED DIRECTLY ON THE PRO-2 PROVISIONAL BALLOT SECURITY ENVELOPE.

STATE OF INDIANA, COUNTY OF TIPPECANOE

GENERAL INFORMATION

I, the undersigned, believe that [REDACTED], now offering to vote, is not a legal voter in this precinct, for the following reason(s):
(insert name of voter.)

Voter Eligibility - Fail Safe Procedures

1. ☐ This voter's name is not included on the poll list, and is NOT entitled to vote by using a "Fail Safe" procedure.
2. ☐ This voter's name is included on the poll list, but this voter does not currently reside in the precinct, and is NOT entitled to vote in this precinct by completing a VRG-4/12 form or a VRG-15 form, or other "Fail Safe" procedure.

Voter Identification

3. ☒ This voter was unable or declined to present proof of identification when required by law to do so.
4. ☒ This voter is identified on the poll list as required to present an additional document that confirms the voter's identity and current residence address, but has not done so.

Voter Eligibility - General Requirements

5. ☐ This voter is not a U.S. citizen.
6. ☐ This voter will not be eighteen (18) years of age or older at the general election.
7. ☐ This voter's signature on the election day poll list does not match the signature on the voter's registration record.
8. ☐ This voter's signature on the absentee ballot security envelope affidavit is missing or does not match the signature on the voter's absentee ballot application, electronic poll book, or registration record maintained in the statewide voter registration system.
9. ☐ Other _____

(Insert specific reason for challenging voter.)

I obtained the information from _____

(Insert name of person(s) supplying information for challenge.)

CHALLENGER AFFIRMATION

I swear (or affirm) that the foregoing statements are true, to the best of my knowledge and belief, and understand that making a false statement on this affidavit is punishable under the penalties of perjury.

Signature of challenger <i>Michael Kaiser</i>	Printed name <i>Michael Kaiser</i>	If serving as precinct officer: <input checked="" type="checkbox"/> Inspector <input type="checkbox"/> Judge <input type="checkbox"/> Poll Clerk
Precinct <i>04</i>	Township or ward <i>Fairfield</i>	City or town <i>Lafayette</i>

AFFIRMATION OF AFFIDAVIT

STATE OF INDIANA _____)

COUNTY OF TIPPECANOE _____)

I swear (or affirm) that the above challenge affidavit of a voter was subscribed and sworn to before me this 3 day of May, 2022

Signature of Official Administering Oath (Inspector, Judge, Poll Clerk, Sheriff, or Absentee Board Member Other than Challenger above)
Brian Leung

Printed Name and Title
Brian Leung Bill Worker

AFFIDAVIT OF A CHALLENGED VOTER

STATE OF INDIANA, COUNTY OF INDIANA

GENERAL INFORMATION

I, the undersigned, state the following:

1. that I am a citizen of the United States
2. that my date of birth is [REDACTED] (mm/dd/yy) to the best of my information and belief.
3. that I have been a bona fide resident of this precinct for thirty (30) days immediately before this election or I am qualified to vote in this precinct under IC 3-10-10, IC 3-10-11, or IC 3-10-12.
4. that I am generally known by the name in which I desire to vote, which is [REDACTED]
5. that I have not voted and will not vote in [REDACTED]
6. that my present residence address is [REDACTED]
(and, if applicable, my residence address thirty (30) days before this election was at: _____)
I moved to my residence address in this precinct on the following date: 08 / 01 / 2020 (mm/dd/yy)
7. that, if applicable, if I was challenged under boxes 3 or 4 on the Affidavit of a Voter By a Challenger portion of this form, I did present proof of identification or additional documentation that complied with IC 3-5-2-40.5 or IC 3-7-33-4.5.

CHALLENGED VOTER AFFIRMATION

I swear (or affirm) that the foregoing statements are true, to the best of my knowledge and belief, and understand that making a false statement on this affidavit is punishable under the penalties of perjury.

Precinct [REDACTED]	Township or ward [REDACTED]	City or town [REDACTED]
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AFFIRMATION OF AFFIDAVIT

STATE OF INDIANA _____)

COUNTY OF TIPPECANOE _____)

I swear (or affirm) that the above challenge affidavit of a voter was subscribed and sworn to before me this 3 day of May, 2022

Signature of Official Administering Oath (Inspector, Judge, Poll Clerk, Sheriff, or Absentee Board Member Other than Challenger above)
Joseph Knight

Printed Name and Title
Joseph Knight Lead Judge



PROVISIONAL BALLOT SECURITY ENVELOPE

Part of State Form 42132 (R14 / 3-22)

Indiana Election Division (IC 3-11.7-1-8; 3-11.7-5-3; 3-11.5-4-13.5; 3-11.5-4-13.6)

(PRO-2)

TO THE VOTER

READ CAREFULLY AND FOLLOW THE INSTRUCTIONS BELOW.

STATE OF INDIANA)

COUNTY OF TIPPECANOE)

I, (Print your name and address below.)

Name of Voter:

Residence Address of Voter (number and street, city, state, and ZIP code):

Telephone number (optional): () - -

have cast the enclosed provisional ballot at Precinct Name:

at the (select one)

☒ PRIMARY

☐ GENERAL

☐ MUNICIPAL

☐ SPECIAL ELECTION

to be held on:

05/03/2022

(Insert date (mm/dd/yy) of election.)

Date signed (mm/dd/yy)

05/03/2022

COUNTY ELECTION BOARD FINDINGS

NOTE: Absentee voters voting by mail or traveling board do not complete PRO-2 because the application serves as the voter's response to the challenge.

The enclosed provisional ballot is determined to be:

☐ Valid

☒ Invalid due to the following reason: Voter failed to produce a valid form of voter ID, under IC 3-52-40.5, at the time of both casting a vote on election day and the time necessary for the completion of this provisional ballot.

If invalid, this envelope may not be opened, and this ballot may not be counted.

Dated (mm/dd/yy): 5/13/22

Tippecanoe

County Election Board

TO THE PROVISIONAL BALLOT COUNTERS: After the ballot has been found valid by the county election board, open this envelope carefully. Do not deface or destroy the affidavit or the envelope. Take out the ballot enclosed for processing. If the ballot does not contain the initials of the poll clerks, the ballot shall, without being unfolded to disclose how the ballot is marked, be endorsed with the word "Rejected" and enclosed in State Form PRO-7 envelope.



**CHALLENGE AFFIDAVIT OF A VOTER BY A CHALLENGER OR
MEMBER OF THE PRECINCT ELECTION BOARD /
AFFIDAVIT OF A CHALLENGED VOTER**

(PRE-4)

State Form 42132 (R14 / 3-22)
Indiana Election Division (IC 3-11-8-21; 3-11-8-23.5; 3-11.5-4-13.5; 3-11.5-4-13.6)

Is this an absentee ballot? ☐ Yes ☒ No

INSTRUCTIONS: After the challenger completes this side of the form, the challenged voter may complete the second page of this form. If the challenged voter does so, the challenged voter is entitled to cast a provisional ballot. Do not use this form to challenge a voter at a primary election due to the voter's party affiliation. Use PRE-6 form instead.
NOTE: THIS FORM MUST BE PRINTED DIRECTLY ON THE PRO-2 PROVISIONAL BALLOT SECURITY ENVELOPE.

STATE OF INDIANA, COUNTY OF TIPPECANOE

GENERAL INFORMATION

I, the undersigned, believe that [redacted], now offering to vote, is not a legal voter in this precinct, for the following reason(s):
(Insert name of voter.)

Voter Eligibility - Fail Safe Procedures

1. ☐ This voter's name is not included on the poll list, and is NOT entitled to vote by using a "Fail Safe" procedure.
2. ☐ This voter's name is included on the poll list, but this voter does not currently reside in the precinct, and is NOT entitled to vote in this precinct by completing a VRG-4/12 form or a VRG-15 form, or other "Fail Safe" procedure.

Voter Identification

3. ☒ This voter was unable or declined to present proof of identification when required by law to do so.
4. ☐ This voter is identified on the poll list as required to present an additional document that confirms the voter's identity and current residence address, but has not done so.

Voter Eligibility - General Requirements

5. ☐ This voter is not a U.S. citizen.
6. ☐ This voter will not be eighteen (18) years of age or older at the general election.
7. ☐ This voter's signature on the election day poll list does not match the signature on the voter's registration record.
8. ☐ This voter's signature on the absentee ballot security envelope affidavit is missing or does not match the signature on the voter's absentee ballot application, electronic poll book, or registration record maintained in the statewide voter registration system.
9. ☐ Other _____
(Insert specific reason for challenging voter.)

I obtained the information from _____
(Insert name of person(s) supplying information for challenge.)

CHALLENGER AFFIRMATION

I swear (or affirm) that the foregoing statements are true, to the best of my knowledge and belief, and understand that making a false statement on this affidavit is punishable under the penalties of perjury.

Signature of challenger <i>Michael Kaiser</i>	Printed name <i>Michael Kaiser</i>	If serving as precinct officer: <input checked="" type="checkbox"/> Inspector <input type="checkbox"/> Judge <input type="checkbox"/> Poll Clerk
Precinct	Township or ward	City or town

AFFIRMATION OF AFFIDAVIT

STATE OF INDIANA)

COUNTY OF TIPPECANOE)

I swear (or affirm) that the above challenge affidavit of a voter was subscribed and sworn to before me this 3 day of May, 2022

Signature of Official Administering Oath (Inspector, Judge, Poll Clerk, Sheriff, or Absentee Board Member Other than Challenger above)

Printed Name and Title
Brian Long Poll Clerk

AFFIDAVIT OF A CHALLENGED VOTER

STATE OF INDIANA, COUNTY OF INDIANA

GENERAL INFORMATION

1. the undersigned, state the following:
1. that I am a citizen of _____ (mm/dd/yy) to the best of my information and belief.
2. that my date of birth is _____ (mm/dd/yy) to the best of my information and belief.
3. that I have been a bona fide resident of this precinct for thirty (30) days immediately preceding this election under IC 3-10-10, IC 3-10-11, or IC 3-10-12.
4. that I am generally known by the name in _____
5. that I have not voted and will not vote in a _____
6. that my present residence address is _____
(and, if applicable, my residence address thirty (30) days before this election was at _____)
I moved to my residence address in this precinct on the following date: 10 / 29 / 2020 (mm/dd/yy)
7. that, if applicable, if I was challenged under boxes 3 or 4 on the Affidavit of a Voter By a Challenger portion of this form, I did present proof of identification or additional documentation that complied with IC 3-5-2-40.5 or IC 3-7-33-4.5.

CHALLENGED VOTER AFFIRMATION

I swear (or affirm) that the foregoing statements are true, to the best of my knowledge and belief, and understand that making a false statement on this affidavit is punishable under the penalties of perjury.

Signature of challenged voter [redacted]	Printed name of challenged voter [redacted]
Township or ward [redacted]	City or town [redacted]

AFFIRMATION OF AFFIDAVIT

STATE OF INDIANA)

COUNTY OF TIPPECANOE)

I swear (or affirm) that the above challenge affidavit of a voter was subscribed and sworn to before me this 3 day of May, 2022

Signature of Official Administering Oath (Inspector, Judge, Poll Clerk, Sheriff, or Absentee Board Member Other than Challenger above)

Printed Name and Title
William L Lapchuska



PROVISIONAL BALLOT SECURITY ENVELOPE

Part of State Form 42132 (R14 / 3-22)
Indiana Election Division (IC 3-11.7-1-8; 3-11.7-5-3; 3-11.5-4-13.5; 3-11.5-4-13.6)

(PRO-2)

TO THE VOTER

READ CAREFULLY AND FOLLOW THE INSTRUCTIONS BELOW.

STATE OF INDIANA)

COUNTY OF TIPPECANOE)

I, (Print your name and address below)

Name of Voter: _____

Residence Address of Voter (number and street, city, state, and ZIP code): _____

Telephone number (optional): (_____) _____ - _____

have cast the enclosed provisional ballot at Precinct Name: _____

at the (select one)

☒ PRIMARY

☐ GENERAL

☐ MUNICIPAL

☐ SPECIAL ELECTION

to be held on:

May 3rd, 2022

(Insert date (mm/dd/yy) of election.)

Signature of voter

Date signed (mm/dd/yy)

COUNTY ELECTION BOARD FINDINGS

NOTE: Absentee voters voting by mail or traveling board do not complete PRO-2 because the application serves as the voter's response to the challenge.

The enclosed provisional ballot is determined to be:

☐ Valid

☒ Invalid due to the following reason:

Voter Failed to produce a valid
form of voter ID, under IC 3-5-2-40.5, at the
time of both casting a vote on election day and the
time of this provisional ballot.

If invalid, this envelope may not be opened, and this ballot may not be counted.

Dated (mm/dd/yy):

5/13/22

Tippecanoe

County Election Board

TO THE PROVISIONAL BALLOT COUNTERS: After the ballot has been found valid by the county election board, open this envelope carefully. Do not deface or destroy the affidavit or the envelope. Take out the ballot enclosed for processing. If the ballot does not contain the initials of the poll clerks, the ballot shall, without being unfolded to disclose how the ballot is marked, be endorsed with the word "Rejected" and enclosed in State Form PRO-7 envelope.



**CHALLENGE AFFIDAVIT OF A VOTER BY A CHALLENGER OR
MEMBER OF THE PRECINCT ELECTION BOARD /
AFFIDAVIT OF A CHALLENGED VOTER**

(PRE-4)

State Form 42132 (R14 / 3-22)
Indiana Election Division (IC 3-11-8-21; 3-11-8-23.5; 3-11.5-4-13.5; 3-11.5-4-13.6)

Is this an absentee ballot? ☐ Yes ☒ No

INSTRUCTIONS: After the challenger completes this side of the form, the challenged voter may complete the second page of this form. If the challenged voter does so, the challenged voter is entitled to cast a provisional ballot. Do not use this form to challenge a voter at a primary election due to the voter's party affiliation. Use PRE-6 form instead.
NOTE: THIS FORM MUST BE PRINTED DIRECTLY ON THE PRO-2 PROVISIONAL BALLOT SECURITY ENVELOPE.

STATE OF INDIANA, COUNTY OF TIPPECANOE

GENERAL INFORMATION

I, the undersigned, believe that [redacted], now offering to vote, is not a legal voter in this precinct, for the following reason(s):
(Insert name of voter.)

Voter Eligibility - Fail Safe Procedures

- ☐ This voter's name is not included on the poll list, and is NOT entitled to vote by using a "Fail Safe" procedure.
- ☐ This voter's name is included on the poll list, but this voter does not currently reside in the precinct, and is NOT entitled to vote in this precinct by completing a VRG-4/12 form or a VRG-15 form, or other "Fail Safe" procedure.

Voter Identification

- ☐ This voter was unable or declined to present proof of identification when required by law to do so.
- ☐ This voter is identified on the poll list as required to present an additional document that confirms the voter's identity and current residence address, but has not done so.

Voter Eligibility - General Requirements

- ☐ This voter is not a U.S. citizen.
- ☐ This voter will not be eighteen (18) years of age or older at the general election.
- ☐ This voter's signature on the election day poll list does not match the signature on the voter's registration record.
- ☐ This voter's signature on the absentee ballot security envelope affidavit is missing or does not match the signature on the voter's absentee ballot application, electronic poll book, or registration record maintained in the statewide voter registration system.
- ☒ Other Abandoned ABS polling station & no statutory provision for primary 'write-in'
(Insert specific reason for challenging voter.)

I obtained the information from Mike Smith
(Insert name of person(s) supplying information for challenge.)

CHALLENGER AFFIRMATION

I swear (or affirm) that the foregoing statements are true, to the best of my knowledge and belief, and understand that making a false statement on this affidavit is punishable under the penalties of perjury.

Signature of challenger	Printed name <u>Germans Harris</u>	If serving as precinct officer: <input checked="" type="checkbox"/> Inspector <input type="checkbox"/> Judge <input type="checkbox"/> Poll Clerk
Precinct <u>Wabash 16</u>	Township or ward <u>Wabash</u>	City or town <u>West Lafayette</u>

AFFIRMATION OF AFFIDAVIT

STATE OF INDIANA)

COUNTY OF TIPPECANOE)

I swear (or affirm) that the above challenge affidavit of a voter was subscribed and sworn to before me this 19th day of April, 2022
Jun Kamikie Z. Beard Staff

Signature of Official Administering Oath (Inspector, Judge, Poll Clerk, Sheriff, or Absentee Board Member Other than Challenger above)

Printed Name and Title

AFFIDAVIT OF A CHALLENGED VOTER

STATE OF INDIANA, COUNTY OF INDIANA

GENERAL INFORMATION

- I, the undersigned, state the following:
- that I am a citizen of the [redacted]
 - that my date of birth is [redacted] (mm/dd/yy) to the best of my information and belief.
 - that I have been a bona fide resident of this precinct for thirty (30) days immediately before this election or I am qualified to vote in this precinct under IC 3-10-10, IC 3-10-11, or IC 3-10-12.
 - that I am generally known by the name [redacted]
 - that I have not voted and will not vote in [redacted]
 - that my present residence address is [redacted]
(and, if applicable, my residence address thirty (30) days before this election was at [redacted])
I moved to my residence address in this precinct on the following date: [redacted] (mm/dd/yy)
 - that, if applicable, if I was challenged under boxes 3 or 4 on the Affidavit of a Voter By a Challenger portion of this form, I did present proof of identification or additional documentation that complied with IC 3-5-2-40.5 or IC 3-7-33-4.5.

CHALLENGED VOTER AFFIRMATION

I swear (or affirm) that the foregoing statements are true, to the best of my knowledge and belief, and understand that making a false statement on this affidavit is punishable under the penalties of perjury.

Signature of challenged voter	Printed name [redacted]
Precinct [redacted]	Township [redacted] City or town <u>LAFAYETTE</u>

AFFIRMATION OF AFFIDAVIT

STATE OF INDIANA)

COUNTY OF TIPPECANOE)

I swear (or affirm) that the above challenge affidavit of a voter was subscribed and sworn to before me this 19 day of April, 2022

Signature of Official Administering Oath (Inspector, Judge, Poll Clerk, Sheriff, or Absentee Board Member Other than Challenger above)

Printed Name and Title
Julie Roush, Clerk

**PROVISIONAL BALLOT SECURITY ENVELOPE**

Part of State Form 42132 (R14 / 3-22)

Indiana Election Division (IC 3-11.7-1-8; 3-11.7-5-3; 3-11.5-4-13.5; 3-11.5-4-13.6)

TO THE VOTER**READ CAREFULLY AND FOLLOW THE INSTRUCTIONS BELOW.**

STATE OF INDIANA)

COUNTY OF TIPPECANOE

I, (Print your name and address below.)

Name of Voter: _____



Residence Address of Voter (number and street, city, state, and ZIP code):

Telephone number (optional): _____

have cast the enclosed provisional ballot at Precinct Name: _____

at the (select one)

☒ PRIMARY☐ GENERAL☐ MUNICIPAL☐ SPECIAL ELECTION

to be held on:

04/19/22

(Insert date (mm/dd/yy) of election.)

Signature _____

Date signed (mm/dd/yy)

04 / 19 / 22**COUNTY ELECTION BOARD FINDINGS**

NOTE: Absentee voters voting by mail or traveling board do not complete PRO-2 because the application serves as the voter's response to the challenge.

The enclosed provisional ballot is determined to be:

☐ Valid☒ Invalid due to the following reason: voter abandoned polling place to pursue the option of a write in.

If invalid, this envelope may not be opened, and this ballot may not be counted.

Dated (mm/dd/yy):

01/13/22Tippecanoe

County Election Board

TO THE PROVISIONAL BALLOT COUNTERS: After the ballot has been found valid by the county election board, open this envelope carefully. Do not deface or destroy the affidavit or the envelope. Take out the ballot enclosed for processing. If the ballot does not contain the initials of the poll clerks, the ballot shall, without being unfolded to disclose how the ballot is marked, be endorsed with the word "Rejected" and enclosed in State Form PRO-7 envelope.