

**Nicole Lynn Browne
Clerk of Monroe Circuit Courts
301 N. College Avenue, Room 201
P.O. Box 547
Bloomington, IN 47402**

January 8, 2020

Commissioner Penny Githens
Commissioner Lee Jones
Commissioner Julie Thomas

RE: Responses to Concerns Regarding Election Central Spatial Issues
Raised By Monroe County Commissioners

Commissioners:

Please allow this correspondence to serve as my formal response to issues raised by your Office on December 23, 2019, following a site visit by representatives of your Office and County Legal to Election Central on December 10, 2019. The site visit, at your request, was scheduled for the purpose of discussing imminent spatial needs in conjunction with the Early/Absentee and Election Day issues incurred by my Office as we prepare to oversee the 2020 Presidential elections in Monroe County.

Let me reiterate, in clear and unequivocal terms, we have an imminent need for additional space at Election Central in the Johnson Hardware building so that we can accommodate anticipated high voter turnout in Monroe County. This is not the first, last or only instance in which space issues for the Johnson Hardware Building have been brought to the attention of the Monroe County Commissioners Office. Most notably, these issues were brought to light under the previous Clerk's administration as her Election/Voter Registration offices were being moved from the Curry Building to the current Johnson Hardware location.

She was assured, with the directive to her to move her offices, that her issues and concerns would be addressed so that the offices would not only be in compliance with the Help America Vote Act (HAVA) but meet the Office's ongoing and expanding needs in conjunction with overseeing voter registration and elections.

Under the current administration, which began in 2016, issues regarding space were revisited in a meeting with the Commissioners following receipt of correspondence in which the Monroe County Clerk's Office was unceremoniously directed to remove items from the Health Building (more specifically, the stored voted ballots that were statutorily mandated to be held until their "destroy by" dates following their corresponding elections).

During the 2016 Presidential election, when my team informed your Office that we did not have a sufficient number of chairs for our Early/Absentee workers (many of whom are elderly and/or have mobility issues,) your office suggested that we encourage our workers "to bring their own chairs." We were able to successfully secure chairs, on loan from a very generous local church, to accommodate our election workers' needs.

In early 2018, my team and I came to your Office to convey a clear and unequivocal portrayal of the space constraints we face at Election Central--complete with photographic documentation. Members of your Office rolled their eyes at one another throughout the meeting and the best proposal offered up by your Office, at that time, was a locker and a padlock so that the ballots could be stored at the Monroe County Highway Garage.

Additionally, in latter 2018, a former Monroe County Commissioner came over to Election Central (for unrelated business) and—following an impromptu yet extensive tour of the facilities—expressed her comprehensive understanding of the spatial needs for elections and voter registration. She assured us, at that time, that she would relay our needs to her fellow Commissioner colleagues.

Throughout 2019, my team and I invested a significant amount of time in herculean efforts to bring these issues to the forefront prior to preparing for the annual budget hearings before the Monroe County Council. My Election Supervisor made in person appearances at the weekly Commissioner meetings and, between both my Chief Deputy Clerk and myself, we spoke with each Commissioner about our need for expansion at Election Central. In fact, on one occasion, one Commissioner replied "I know!" prior to my even being able to formulate a full sentence (e.g., "Commissioner, I'd like to speak to you regarding..."). I also spoke with most of the Monroe County Council members to enlist their support in conveying the dire needs for expansion and growth at Election Central to the Monroe County Commissioners.

Following the visit by representatives from your Office, on December 10, 2019, I understand your questions to be the following:

Why was the cost so much more to operate out of Showers?

The mathematical formula for this is, surprisingly, simple. The amount of the total costs for operating the satellite is divided by the total number of voters who took advantage of

the convenience of having a satellite polling location. These costs would include, but not be limited to:

Additional Early Voting staffing – for 2 elections

- Additional Team of Leads – representing each major political party – for each day of Early Voting – x 2 elections
- Additional staff to greet voters, guide & manage voting traffic, and ensure ballot deposit after voting
- Additional worker teams, at each station, representing each major political party – at poll book stations, at ballot printing stations & at check-out when paperwork is signed
- Additional ballot printing equipment
- Additional staff time to ensure smooth operation of off-site satellite (staffing, personnel mgmt., equipment mgmt., voter mgmt., supplies, etc.)
- Additional staff time teams to consolidate and protect ballots and election paperwork at Election Central for each day of early voting
- Voter Registration coverage on-site with computer
- Phone access to Satellite
- As needed, technology management for two sites (set-up early voting sites, manage any connectivity issues and equipment needs, etc.)
- Training for all additional workers

Will you still be needing a satellite (or second polling place)-not sure I'm using the correct terminology if we remodel the current space?

No. Unless you are in possession of Early/Absentee and Election Day voting statistics that voting efforts will trend downward with this and future elections (of which I am currently unaware), we anticipate a high level voter turnout for the 2020 Presidential elections. We will not have the time, effort or resources to revisit and correct the difficulties we experienced, in 2016, when overseeing two polling locations.

In 2016, the Showers Building housed a well-staffed satellite that was under-utilized by the public. Parking was terrible. Building employees, working in and around the satellite location, stole parking spots reserved for and allotted to voters. Our overall experience was that, even when people in line were advised of the satellite location, they preferred to remain in line to vote at Election Central. This resulted in significant overhead given the number of voters who made the effort to vote in the Showers building.

Additionally, in 2018, I am sure you well recall the issues that presented themselves in conjunction with unprecedented voter turnout in an off-Presidential year election. On average, we processed 1,189 voters every day of Early/Absentee voting. At our peak, we processed 1,665 voters. If insufficient space issues are a hindrance going forward, we anticipate having to grapple with some of those same issues during the 2020 Presidential elections.

It is the official stance of the Monroe County Clerk's Office that discussions regarding a satellite location would not even be necessary had our concerns for a larger Election Central been promptly and sufficiently addressed more than five (5) years ago. At best, a satellite location would be a temporary fix for a permanent problem and present recurring issues that no Clerk (current or future) will have the time to adequately address going forward.

In addition to the above listed needs regarding the staffing for an additional location, a satellite location would double the efforts needed to secure additional Early/Absentee workers—in a Presidential year—when we already struggle to recruit and retain quality election workers. The resources required to oversee a satellite location would be better directed toward addressing the growth and expansion needs at Election Central.

The first rule in Architecture 101 is “everything under one roof.” At this time, my Office is responsible for an Election Central/Voter Registration office housed in one building, voting equipment housed in another building, overseeing poll worker training classes that occur in another building and ballots housed in yet another building.

As we prepare for the Presidential election, being cognizant of ongoing and future needs, it is my hope that we can come into agreement for a detailed plan to incrementally increase the square footage allotted to Election Central until such time as all election related needs can be accommodated under one roof. Given how long it has taken to acclimate most Monroe County voters to the fact that current Early/Absentee voting takes place at the Johnson Hardware Building, and that we **still** have Monroe County voters who **truly** believe that they voted—during the last election—in the Curry Building's atrium, it stands to reason and makes the most sense that the “one roof” concept should remain at our current location in the Johnson Hardware Building. Any decision less than one that allows for the seamless growth and expansion of Election Central, at the Johnson Hardware Building, would be a disservice to Monroe County voters and lend to the optics of disenfranchisement therein.

At last month's Election conference, in Indianapolis, representatives from the Department of Homeland Security (DHS) were on site in their capacity of providing oversight for the Cybersecurity and Infrastructure Security Agency (CISA) to address and support the Secretary of State's initiatives to combat cybersecurity threats ahead of the 2020 Presidential election (including, but not limited to, the Secretary of State's efforts to incorporate the FireEye cybersecurity software—at her expense—throughout the State of Indiana—of which you were previously made aware under separate cover).

In conjunction with efforts to protect Indiana's Statewide Voter Registration (SVRS) information, DHS advised county Clerks that, “The President of the United States has ordered the federal government to closely coordinate with critical infrastructure owners and operators, including state and local governments and private vendors, to improve cybersecurity information sharing and promote and incentivize the adoption of strong cybersecurity practices.”

Further, county Clerks were advised that cybersecurity is the number one issue for DHS and CISA so that Clerks could put their respective counties on notice of the need for the proper tools and behind the scenes support, by their County Government agencies, necessary to effect successful elections in our communities. As you might imagine, this means my Office has little to no time for “no room at the inn” issues at this time.

While it would not have been my preference to address spatial issues at 11:59 on the precipice of a Presidential election and I do not possess a PhD in “We need more space,” it is my hope that providing these comprehensive responses to your outstanding inquiries will allow our Offices to establish a level playing field regarding our growth and expansion needs so that Monroe County voters can be assured that **all** election issues are paramount to the Commissioners going forward.

Sincerely,

Nicole Lynn Browne
Monroe County Clerk