

Indiana Election Commission
Minutes
August 11, 2023

Members Present: Paul Okeson, Chairman of the Indiana Election Commission (“Commission”); Suzannah Wilson Overholt, Vice Chair of the Commission; Karen Celestino-Horseman, member; Connie Lawson, Proxy for Litany A. Pyle, Member; Brandon Clifton, Proxy for Chairman and Member Paul Okeson.

Members Absent: Litany A. Pyle.

Staff Attending: J. Bradley King, Co-Director, Indiana Election Division of the Office of the Secretary of State (Election Division); Angela M. Nussmeyer, Co-Director of the Election Division; Matthew Kochevar, Co-General Counsel of the Election Division; Valerie Warycha, Co-General Counsel of the Election Division; Ms. Abbey Taylor, Campaign Finance; Ms. Michelle Thompson, Campaign Finance.

Others Attending: Mr. Jayden Allen; Mr. Ferdinand Alvarez; Mr. John Collett; Ms. Nansi Custer; Ms. Sherry Ellis; The Hon. Sue Errington; Mr. Allen Hill; Mr. John Jacob; Mr. Eric Joseph; Ms. Debbi Kerr-Cook; Ms. Myra Kinser; Ms. Mary Kowalski; Mr. Nicholas Marshall; Mr. Ben Merida; Mr. Terry Michael; Mr. Mike Moran; Ms. Tonda Pauley; Mr. Jeremie Pearson; Mr. Chris Pence; Ms. Debora Porter; Mr. Dave Roberts; Mr. Evan Robbins; Ms. Angela Brito Rodriguez; Ms. Megan Ruddle; Mr. Herbert Sizek; Ms. Susan Smith; Mr. Mark Spelbring; Mr. Robert Stephenson; Ms Karen Valiquett; Mr. Robin Williams.

1. Call to Order:

The Chair called the August 11, 2023 meeting of the Commission to order at 1:00 p.m. EDT in the Indiana Government Center South Conference Room A, 402 West Washington Street, Indianapolis.

2. Transaction of Commission Business:

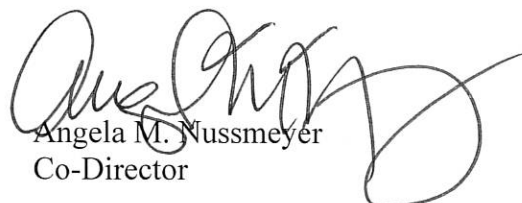
The Commission proceeded to transact the business set forth in the Transcript of Proceedings for this meeting prepared by Maria W. Collier, RPR, CRR, of Stewart Richardson and Associates, which is incorporated by reference into these minutes.

The Commission adjourned its meeting at 2:28 p.m. EDT.

Respectfully submitted,

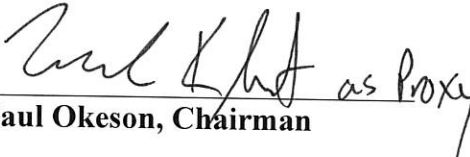


J. Bradley King
Co-Director



Angela M. Nussmeyer
Co-Director

APPROVED:


Paul Okeson, Chairman

In the Matter Of:

INDIANA ELECTION COMMISSION PUBLIC SESSION

Transcript of Proceedings

August 11, 2023

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2 INDIANA ELECTION COMMISSION
3 PUBLIC SESSION
4
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7 Conducted on: August 11, 2023
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11 Conducted at: Indiana Government Center South
12 402 West Washington Street, Conference Room A
13 Indianapolis, Indiana
14

15
16 A Stenographic Record by:
17 Maria W. Collier, RPR, CRR
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24 STEWART RICHARDSON & ASSOCIATES
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APPEARANCES

INDIANA ELECTION COMMISSION:

Paul Okeson - Chairman

Brandon Clifton - Proxy for Paul Okeson - Chairman

Suzannah Wilson Overholt - Vice Chairman

Connie Lawson - Proxy for Litany Pyle - Member

Karen Celestino-Horseman - Member

INDIANA ELECTION DIVISION STAFF:

Angela M. Nussmeyer - Co-Director

J. Bradley King - Co-Director

Matthew Kochevar - Co-Counsel

Valerie Warycha - Co-Counsel

Michelle Thompson - Campaign Finance Director

Abbey Taylor - Campaign Finance Director

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1 CHAIRMAN OKESON: Call the meeting of the
2 Indiana Election Commission to order, Friday,
3 August 11, 2023, approximately 1 p.m., Conference
4 Center Room A in Government Center South.

5 The following members of the Commission are
6 present: Myself, Chairman Paul Okeson; Vice Chair
7 Suzannah Wilson Overholt; Member Karen
8 Celestino-Horseman; and I'd like to recognize how
9 honored I am to have former Secretary of State
10 Connie Lawson sitting in as a proxy for Member
11 Litany Pyle.

12 VICE CHAIRMAN OVERHOLT: A lot of pressure
13 today.

14 CHAIRMAN OKESON: Yeah, I know.

15 MS. LAWSON: I've been retired for two years.
16 It's okay.

17 CHAIRMAN OKESON: Feel free to correct me at
18 any time.

19 I recognize the Election Division staff:
20 Co-Director Brad King and Co-Director Angie
21 Nussmeyer, Co-General Counsels Matthew Kochevar and
22 Valerie Warycha. Also, our friend, court reporter
23 from Stewart Richardson Deposition Services, Maria
24 Collier. And before we continue the meeting, I
25 want to remind everyone on behalf of the court

1 reporter, if you are speaking, please identify
2 yourself and spell your name correctly for accuracy
3 of the record.

4 Moving on, I'd like to ask that we cite
5 compliance with the Open Door Law.

6 MR. KING: Mr. Chairman, members of the
7 Commission, on behalf of myself and Co-Director
8 Nussmeyer, we certify that notice was given of this
9 meeting in compliance with the Indiana Open Door
10 Law.

11 CHAIRMAN OKESON: Thank you.

12 Next item on the agenda is approval of the
13 February 10, 2023, Commission minutes. I recognize
14 the co-directors to present the minutes.

15 MR. KING: Mr. Chairman, members of the
16 Commission, on behalf of myself and Co-Director
17 Nussmeyer, we recommend for your approval the
18 February 10, 2023, Commission minutes.

19 CHAIRMAN OKESON: Is there a motion to approve
20 the minutes as presented?

21 VICE CHAIRMAN OVERHOLT: So moved.

22 CHAIRMAN OKESON: Second?

23 MS. CELESTINO-HORSEMAN: Second.

24 CHAIRMAN OKESON: Any discussion?

25 Hearing none, all those in favor say "Aye."

1 VICE CHAIRMAN OVERHOLT: Aye.

2 MS. CELESTINO-HORSEMAN: Aye.

3 MS. LAWSON: Aye.

4 CHAIRMAN OKESON: The "ayes" have it.

5 Moving on, next item is ratification of
6 campaign finance settlement agreements. I
7 recognize the Election Division's campaign finance
8 staff, Ms. Taylor and Ms. Thompson, to present
9 information concerning several campaign finance
10 settlement agreements that have been entered into
11 on behalf of the Commission.

12 MS. THOMPSON: Mr. Chairman, members of the
13 Commission, under your Campaign Finance tab, you'll
14 have a list of settlement agreements. These are
15 committees that need to be ratified that have
16 agreed to pay the settlement agreement and waive a
17 hearing.

18 CHAIRMAN OKESON: A good number of them. And
19 remind me, these are a matter of record; right?

20 MR. KING: Yes, Mr. Chairman, that's correct.
21 They will be a part of the minutes of this meeting.

22 CHAIRMAN OKESON: Okay. Any discussion or
23 anything?

24 Is there a motion to ratify the settlement
25 agreements as presented?

1 MS. LAWSON: So moved.

2 CHAIRMAN OKESON: Is there a second?

3 VICE CHAIRMAN OVERHOLT: Second.

4 CHAIRMAN OKESON: Any questions, comments?

5 Hearing none, all those in favor signify by
6 saying "Aye."

7 VICE CHAIRMAN OVERHOLT: Aye.

8 MS. CELESTINO-HORSEMAN: Aye.

9 MS. LAWSON: Aye.

10 CHAIRMAN OKESON: The "ayes" have it. The
11 motion to ratify settlement agreements is adopted.

12 If you are planning on providing any testimony
13 or speaking before the Commission today, would you
14 please stand and allow yourselves to have the oath
15 administered by Matthew Kochevar.

16 MR. KOCHEVAR: All those rise who plan to
17 address the Indiana Election Commission and please
18 say "I do" after recitation of the oath.

19 Do you solemnly swear or affirm, under the
20 penalties of perjury, that the testimony you are
21 about to give to the Indiana Election Commission is
22 the truth, the whole truth, and nothing but the
23 truth? Please say "I do."

24 ALL: I do.

25 CHAIRMAN OKESON: Customarily, we've given any

1 committee present a final opportunity to pay a
2 reduced civil penalty by waiving the right to
3 present evidence or make arguments before the
4 Commission. Any committee is welcome to present
5 evidence or make an argument before the Commission
6 for the proposed penalty to be waived or reduced,
7 but this has been an opportunity for those who want
8 to waive any presentation and accept a reduced
9 penalty without making any argument or
10 presentation.

11 With that in mind, I move the adoption of the
12 following arrangements: If this is the committee's
13 first violation, the arrangement is for the
14 committee to agree to pay 25 percent of the
15 proposed fine plus mailing costs. If this is the
16 committee's second violation, the arrangement is
17 for the committee to agree to pay 50 percent of the
18 proposed fine plus mailing costs. And if it's the
19 third violation, the committee will agree to pay
20 75 percent of the proposed penalty plus mailing
21 costs.

22 For purposes of this arrangement, a previous
23 settlement agreement entered into by the committee
24 will be counted as one violation. Likewise, if
25 more than one alleged violation occurred on the

1 same calendar day, that group of violations shall
2 be counted as one violation.

3 Is there a second to this motion?

4 VICE CHAIRMAN OVERHOLT: Second.

5 CHAIRMAN OKESON: Any discussion? This is
6 usually your...

7 MS. CELESTINO-HORSEMAN: All right, y'all.
8 This is it. This is when you get a deal. If this
9 is your first offense and you take this agreement,
10 then you get a 75 percent discount off the fine.
11 If it's a second offense, you get 50 percent off.
12 And even if it's a third offense, you get
13 25 percent off, because if we go forward and we
14 have to hear your testimony, if it's because you
15 failed to file something on time and you want to
16 come up here and say I forgot, I didn't know the
17 law, the dog ate it, whatever, you still violated
18 it.

19 And we work -- you know, you can't rely on the
20 fact that you may have Democratic friends sitting
21 up here or Republican friends sitting up here. We
22 work as a team, and we know the importance it is to
23 make sure that everyone maintains compliance with
24 campaign finance. There's a reason why we have all
25 this.

1 So unless you have some stellar thing that you
2 really think is going to get you out of it and
3 you're willing to run the risk, I suggest that you
4 take the plea agreement.

5 VICE CHAIRMAN OVERHOLT: And just to clarify,
6 if you do not join the throngs of people that will
7 be coming forward to just accept the deal, there is
8 no guarantee of any kind of deal after that. So
9 just so you know, you are taking your fate into --
10 well, I guess you're putting it in our hands, but
11 anyway.

12 CHAIRMAN OKESON: You're taking it out of your
13 own hands and putting it in ours.

14 VICE CHAIRMAN OVERHOLT: Exactly, and I
15 wouldn't necessarily recommend that, especially if
16 you end up last in line.

17 MS. CELESTINO-HORSEMAN: And typically we do
18 not -- if we have to go through and listen to the
19 entire presentation, typically we do not make the
20 offer of a deal.

21 VICE CHAIRMAN OVERHOLT: Right.

22 CHAIRMAN OKESON: So with that being part of
23 the record of discussion, no further discussion.
24 All those in favor of the procedures, signify by
25 saying "Aye."

1 VICE CHAIRMAN OVERHOLT: Aye.

2 MS. CELESTINO-HORSEMAN: Aye.

3 MS. LAWSON: Aye.

4 CHAIRMAN OKESON: The "ayes" have it. That's
5 the deal.

6 The Commission will begin with committees
7 whose representatives are seated in the front of
8 the room and ask those who wish to accept these
9 arrangements to please step forward and be
10 recognized to confirm the acceptance of the
11 arrangement.

12 Remember, this is not the time for anyone to
13 make their case to ask for a reduction or waiver of
14 a proposed penalty.

15 So if you're going to take it, form a line,
16 take a seat, say your name for the record. If you
17 have your cause number, that would be very helpful.

18 MS. KOWALSKI: Mary Kowalski, Citizens for a
19 United Long Beach. The case number is
20 2022-7262-201.

21 MS. TAYLOR: It's on page 89.

22 THE REPORTER: Your name, ma'am?

23 MS. KOWALSKI: Mary Kowalski.

24 THE REPORTER: Thank you. Spell it, please.

25 MS. KOWALSKI: K-o-w-a-l-s-k-i.

1 MS. THOMPSON: Mr. Chairman, this is Citizens
2 for a United Long Beach, Cause No. 2022-7262-201.
3 This committee has not been before the Commission
4 before and has a proposed civil penalty of \$950.60.

5 CHAIRMAN OKESON: Are you prepared to accept
6 the arrangement?

7 MS. KOWALSKI: Yes.

8 CHAIRMAN OKESON: So with the reduced penalty,
9 what's the fine? iPhone calculator?

10 MS. TAYLOR: \$237.50.

11 CHAIRMAN OKESON: Plus mailing costs?

12 MS. TAYLOR: Plus 60 cents so \$238.10.

13 MS. KOWALSKI: Thank you.

14 CHAIRMAN OKESON: Thank you.

15 MS. KOWALSKI: And I'm free to go now?

16 CHAIRMAN OKESON: Yes, you're free.

17 MR. ALVAREZ: Good afternoon, ladies and
18 gentlemen. Ferdinand Alvarez, F-e-r-d-i-n-a-n-d,
19 A-l-v-a-r-e-z, Lake and Porter County Young
20 Democrats, Cause No. 2022-6681-72.

21 MS. THOMPSON: Page 1. This is the Lake and
22 Porter County Young Democrats, Cause
23 No. 2022-6681-72. It has been before the Board
24 twice before. Is that right?

25 MS. TAYLOR: Yes.

1 MS. THOMPSON: Has a proposed civil penalty of
2 \$1,000.60.

3 CHAIRMAN OKESON: So this would be 75 percent?

4 MR. KOCHEVAR: If they've been three times,
5 this is number four.

6 MS. NUSSMEYER: They have one settlement
7 agreement.

8 MS. THOMPSON: So this is their third time.
9 This will be their fourth here today.

10 CHAIRMAN OKESON: The documentation --

11 VICE CHAIRMAN OVERHOLT: So this says, our
12 records show two times before the IEC and one
13 settlement agreement.

14 MS. TAYLOR: Yes.

15 VICE CHAIRMAN OVERHOLT: So what does that
16 count as?

17 MS. TAYLOR: This is their fourth.

18 VICE CHAIRMAN OVERHOLT: Oh, I see.

19 CHAIRMAN OKESON: I read that as two times and
20 one of those times they took a settlement
21 agreement, but you're saying that's not how that
22 reads.

23 MS. TAYLOR: No. It's two separate, two
24 hearings and one settlement agreement.

25 VICE CHAIRMAN OVERHOLT: And you both agree

1 that's the way to read it?

2 MS. TAYLOR: Yes.

3 VICE CHAIRMAN OVERHOLT: Just checking.

4 MS. CELESTINO-HORSEMAN: That means they don't
5 qualify for --

6 CHAIRMAN OKESON: Yeah. Under the rules that
7 we've adopted and the procedures we've adopted, you
8 would not be eligible for a reduced penalty.

9 MR. ALVAREZ: Is it too late, then, to be able
10 to address the Commission?

11 VICE CHAIRMAN OVERHOLT: He can come back.

12 CHAIRMAN OKESON: You're welcome to stay and
13 make a case.

14 MR. ALVAREZ: I would prefer to do that, then.

15 CHAIRMAN OKESON: Sure.

16 MR. ALVAREZ: Thank you.

17 CHAIRMAN OKESON: You might want to take a
18 seat. It's going to be a minute.

19 MS. ERRINGTON: Sue Errington,
20 E-r-r-i-n-g-t-o-n. I have actually two cause
21 numbers.

22 CHAIRMAN OKESON: Okay.

23 MS. ERRINGTON: One is 2023-4008-187. The
24 other is 2023-4008-188.

25 MS. TAYLOR: They're both on page 104. The

1 proposed civil penalty is \$1,000 for Cause
2 No. 2023-4008-187 and \$1,000 for 2023-4008-188, and
3 this is the second time before the Board.

4 VICE CHAIRMAN OVERHOLT: So it would be
5 50 percent of both penalties; right?

6 MS. TAYLOR: Right, uh-huh.

7 CHAIRMAN OKESON: So that would be --

8 MS. TAYLOR: 1,000 total.

9 VICE CHAIRMAN OVERHOLT: So \$500 for each and
10 postage.

11 MS. TAYLOR: Right.

12 CHAIRMAN OKESON: \$1,000.60. It says
13 60 cents.

14 MS. TAYLOR: Right. So it would be \$1,001.20.

15 CHAIRMAN OKESON: There you go.

16 MS. ERRINGTON: I accept.

17 CHAIRMAN OKESON: Thank you.

18 MS. RUDDIE: Hello. Megan, M-e-g-a-n, Ruddie,
19 R-u-d-d-i-e. I'm the Indiana House Democratic
20 Caucus director. I'm here today representing State
21 Representative Rita, R-i-t-a, Fleming,
22 F-l-e-m-i-n-g. I don't know my cause number.

23 MS. TAYLOR: We got you. There are six. It
24 starts on page 94, bottom of 94, top of 95, Cause
25 No. 2023-7089-170; the next is 2023-7089-171 on

1 page 95; 2023-7089-172; 2023-7089-173; on page 99,
2 Cause No. 2023-7089-178. This is her second time
3 before the Commission. The total was \$1,100 for
4 those six. Oh, wait, there's another one. Sorry.
5 2023-7089-179.

6 CHAIRMAN OKESON: That's at the top of 100?

7 MS. TAYLOR: Yes.

8 CHAIRMAN OKESON: So it's \$1,200?

9 MS. NUSSMEYER: \$2,400.

10 CHAIRMAN OKESON: So page 97 and 98 are not
11 part of those?

12 MS. TAYLOR: Correct. It's \$1,100 plus
13 \$2.40 -- \$3.60 in mailing costs.

14 CHAIRMAN OKESON: Yeah. You said \$1,100
15 plus --

16 MS. TAYLOR: Plus \$3.60 in mail.

17 MS. RUDDIE: Graciously accept. Thank you.

18 CHAIRMAN OKESON: Okay. Thank you.

19 Sorry. So that ends up being what, then?

20 MS. TAYLOR: \$553.60.

21 MS. CELESTINO-HORSEMAN: And you said that the
22 ones on page 97 and 98 are not part of this?

23 MS. TAYLOR: Correct. They're a different
24 candidate. The system struggles a bit.

25 MR. ALLEN: My name is Jayden, J-a-y-d-e-n,

1 Allen, A-l-l-e-n. I'm speaking on behalf of my
2 mother, Tonda, T-o-n-d-a, Pauley, P-a-u-l-e-y.
3 Cause number is 2023-7392-74.

4 MS. THOMPSON: This is on page 46. This is
5 the Committee to Elect Tonda Pauley, Cause
6 No. 2023-7392-74. This committee has not been
7 before the Commission before and has a proposed
8 civil penalty of \$100.60.

9 CHAIRMAN OKESON: So 25.60?

10 MS. THOMPSON: Yes.

11 CHAIRMAN OKESON: Do you accept?

12 MR. ALLEN: Yes, we do, sir.

13 MS. PAULEY: We do, sir.

14 CHAIRMAN OKESON: Thank you.

15 MS. CELESTINO-HORSEMAN: And also,
16 Ms. Pauley -- good to see you, looking great -- if
17 you close your committee --

18 MS. TAYLOR: It is closed.

19 MS. CELESTINO-HORSEMAN: Oh, it's closed?
20 Never mind.

21 MS. PAULEY: It's closed.

22 CHAIRMAN OKESON: Thank you.

23 MR. ROBERTS: Hi there. Dave Roberts,
24 R-o-b-e-r-t-s. Name of the committee is Parents
25 for Accountable Schools. Number is 2023-7535-239.

1 MS. TAYLOR: This is on page 125 and 126,
2 Cause No. 2023-7535-239, proposed civil penalty of
3 \$400.63. This is their first time before the
4 Board.

5 VICE CHAIRMAN OVERHOLT: I'm sorry. You said
6 this is Dubois County?

7 MS. TAYLOR: Parents for Accountable Schools.

8 VICE CHAIRMAN OVERHOLT: Oh, down at the
9 bottom.

10 CHAIRMAN OKESON: So \$400.63, 25 percent of
11 that, \$100.

12 MS. TAYLOR: \$100 plus 63 cents.

13 VICE CHAIRMAN OVERHOLT: Stamp. I've lost
14 track, but all of a sudden it's gone up to 63 cents
15 as we sit here. Sorry.

16 CHAIRMAN OKESON: The other ones were 60.

17 VICE CHAIRMAN OVERHOLT: I know. That's why I
18 asked.

19 MR. ROBERTS: We're willing to negotiate on
20 the 3 cents.

21 MS. TAYLOR: When the penalty was accrued,
22 that was the mail cost that day, so that's the
23 difference.

24 CHAIRMAN OKESON: Okay.

25 MR. ROBERTS: That's acceptable. Do we pay

1 outside?

2 CHAIRMAN OKESON: Brad, will you handle that.

3 MR. KING: Yes, Mr. Chairman. After the
4 Commission concludes its hearings today, we'll meet
5 again to adopt final orders that include the
6 information that the campaign finance staff has
7 provided about the total cost assessed against a
8 committee. The committee will then get a letter
9 requesting that the penalty be paid at a date in
10 the future, later this year.

11 MR. ROBERTS: Okay. Thank you.

12 CHAIRMAN OKESON: Thank you. Did we state the
13 amount?

14 MS. TAYLOR: \$100.63.

15 CHAIRMAN OKESON: Thank you.

16 MS. KINSER: My name is Myra Kinser, and --

17 CHAIRMAN OKESON: Can you spell that, please.

18 MS. KINSER: Yes, sure. Myra, M-y-r-a,
19 K-i-n-s-e-r, and the administrative cause number is
20 2023-7689-106.

21 MS. THOMPSON: That is on page 61.

22 CHAIRMAN OKESON: How do you find it so fast?

23 MS. TAYLOR: Magic.

24 MS. THOMPSON: This is Hoosiers for Myra
25 Kinser, Cause No. 2023-7689-106, has a proposed

1 civil penalty of \$600.60, and this committee has
2 not been before the Commission.

3 MS. KINSER: I thought it was 300. I
4 apologize. That's what Michelle and I talked
5 about, but I don't know. Maybe she meant after the
6 600 it was 300. I apologize if I'm interrupting
7 but just clarification.

8 CHAIRMAN OKESON: But this is your first time;
9 correct?

10 MS. THOMPSON: This is the first time.

11 MS. KINSER: Yes.

12 CHAIRMAN OKESON: So it would be less than
13 that.

14 VICE CHAIRMAN OVERHOLT: It would be \$150 plus
15 60 cents mailing. You get a bargain on the
16 mailing.

17 CHAIRMAN OKESON: So \$150.60 would be the
18 deal.

19 MS. KINSER: Oh, sure.

20 MS. CELESTINO-HORSEMAN: Unless you want to
21 pay the 300.

22 MS. KINSER: I do not, and I do not ever want
23 to come back here again.

24 CHAIRMAN OKESON: Have you closed the
25 committee?

1 MS. TAYLOR: It's still open.

2 MS. KINSER: I believe so. I'll double-check,
3 though.

4 MS. THOMPSON: It's still open.

5 MS. KINSER: Is it really? Okay. I'll close
6 it. I'll get it closed.

7 CHAIRMAN OKESON: If that's what you want,
8 that would be the way to make sure that you don't
9 come back again.

10 MS. KINSER: Oh, okay. Well, good for
11 clarification. So what do I do, just to clarify,
12 to close the committee, just go and --

13 MS. THOMPSON: Just give one of us a call.

14 MS. KINSER: Just give you a call next week
15 and we'll get it closed out?

16 MS. THOMPSON: Yeah.

17 MS. KINSER: All right. Perfect. Thank you.

18 CHAIRMAN OKESON: Thank you.

19 MR. MARSHALL: Good afternoon, Committee. My
20 name is Nicholas Marshall, N-i-c-h-o-l-a-s,
21 M-a-r-s-h-a-l-l, and I'm with Hoosiers for Nick
22 Marshall. Cause number is 2023-7562-191. There is
23 a second one as well. Bear with me. Cause
24 No. 2023-7562-190. And first time in front of the
25 Committee as well.

1 MS. THOMPSON: This is page 105.

2 MS. TAYLOR: And 106.

3 MS. LAWSON: What was the second page?

4 MS. THOMPSON: 105 and 106. This is Hoosiers
5 for Nick Marshall, Cause No. 2023-7562-190 and
6 2023-7562-191. Both penalties are \$1,000, and this
7 committee has not been before the Commission
8 before.

9 VICE CHAIRMAN OVERHOLT: So the total would be
10 \$500 plus 1.20 so \$501.

11 MR. MARSHALL: 501?

12 VICE CHAIRMAN OVERHOLT: \$501.20.

13 MR. MARSHALL: Yes, ma'am. Thank you very
14 much.

15 CHAIRMAN OKESON: Thank you.

16 MR. ROBBINS: Hello. Evan Robbins, E-v-a-n,
17 R-o-b-b-i-n-s. I'm here for Committee to Elect
18 Rodney Pol, Jr. I don't have my cause number.

19 MS. TAYLOR: We got you. Page 91, Committee
20 to Elect Rodney Pol, Jr., Cause No. 2023-7580-162,
21 proposed civil penalty of \$1,000.60; and page 93,
22 Cause No. 2023-7580-165, proposed civil penalty of
23 \$1,000.60. This is their first time before the
24 Commission.

25 CHAIRMAN OKESON: Okay.

1 VICE CHAIRMAN OVERHOLT: So it would be
2 \$501.20.

3 MR. ROBBINS: I accept. Thanks.

4 CHAIRMAN OKESON: Okay.

5 MR. PENCE: My name is Chris Pence, P-e-n-c-e.
6 My cause number is 2023-7666-99.

7 MS. THOMPSON: This is on page 58. This is
8 Chris Pence for State Rep, Cause No. 2023-7666-99,
9 has a proposed civil penalty of \$1,000.60. And
10 this is his first time before the Commission, and
11 he has closed his committee.

12 CHAIRMAN OKESON: So \$250.60. Accept?

13 MR. PENCE: Yeah.

14 CHAIRMAN OKESON: Thank you.

15 MR. PENCE: Thank you.

16 MR. SPELBRING: Hello. Mark Spelbring,
17 M-a-r-k, S-p-e-l-b-r-i-n-g, and administrative
18 cause number is 2023-7731-189, -192, and -193.

19 MS. TAYLOR: On page --

20 MR. SPELBRING: I was confused because, when
21 the system auto generated -- these are large
22 contribution things -- it generated two rather than
23 three, the way the system worked whenever these
24 were reported in the --

25 CHAIRMAN OKESON: If you're accepting a

1 proposed settlement, we're not making any
2 presentation. We're just...

3 MS. TAYLOR: It's on page, bottom of 106 and
4 then most of 107. Proposed civil penalty is a
5 total of \$2,000 and \$1.20 mail. This is the first
6 time before the Commission.

7 CHAIRMAN OKESON: \$501.20?

8 MS. TAYLOR: \$501.20.

9 MR. SPELBRING: Accept.

10 CHAIRMAN OKESON: Okay. Thank you.

11 MS. SMITH: Hi. My name is Susan Smith, the
12 treasurer for Michael Paul Hart. The cause number
13 is 2023-7631-1.

14 THE REPORTER: Spell your name, please.

15 MS. SMITH: Susan, S-u-s-a-n, S-m-i-t-h.

16 MS. TAYLOR: At the bottom of 3, top of 4,
17 this is Hart for House, Cause No. 2023-7631-1,
18 proposed civil penalty of \$1,000.60, and this is
19 their first time before the Commission.

20 VICE CHAIRMAN OVERHOLT: So it would be
21 \$250.60.

22 MS. SMITH: Yes, we accept.

23 CHAIRMAN OKESON: Okay. Thank you.

24 MS. CUSTER: Hello. Nansi, and it's
25 N-a-n-s-i, Custer, C-u-s-t-e-r, and it's Cause

1 No. 2023-3728-190.

2 MS. THOMPSON: This is --

3 MS. TAYLOR: 108 and 109. Rush County?

4 MS. CUSTER: Yes, yes.

5 MS. TAYLOR: This is Rush County Republican
6 Party, Cause No. 2023-3728-198, proposed civil
7 penalty of \$500.63. This is their second time
8 before the Commission.

9 CHAIRMAN OKESON: So \$250?

10 MS. TAYLOR: So it would be \$250.63.

11 MS. CUSTER: Accept. Thank you.

12 CHAIRMAN OKESON: Thank you.

13 MR. HILL: Allen Hill, A-l-l-e-n, H-i-l-l, and
14 it's 2023-6134-133.

15 MS. THOMPSON: This is at the bottom of
16 page 73. This is Indiana School Counselors
17 Political Action Committee, Cause
18 No. 2023-6134-133. Today is their fourth time
19 before the Commission. They have a proposed civil
20 penalty of \$200.60.

21 CHAIRMAN OKESON: I'm sorry. This is School
22 Counselors?

23 MS. THOMPSON: Indiana School Counselors.

24 CHAIRMAN OKESON: Okay. Got it.

25 VICE CHAIRMAN OVERHOLT: So you're not

1 eligible for a reduction. Do you want to stay and
2 present your case?

3 MR. HILL: No. I'm just going to go ahead and
4 pay the fine. I didn't know. I've only been part
5 of the association for seven years, so I assume the
6 other ones were --

7 MS. THOMPSON: Previous.

8 MR. HILL: -- previous ones to that.

9 CHAIRMAN OKESON: So you'll accept the
10 proposed penalty as is?

11 MR. HILL: Yeah.

12 CHAIRMAN OKESON: And waive any presentation?

13 MR. HILL: Yeah.

14 CHAIRMAN OKESON: Okay.

15 MR. HILL: Okay.

16 MS. KERR-COOK: I'm Debbie Kerr-Cook,
17 D-e-b-b-i-e, Kerr, K-e-r-r, hyphen Cook, C-o-o-k
18 with the First District, and the cause number is
19 2023-4843-201.

20 MS. TAYLOR: It's on page 110, Cause
21 No. 2023-4843-201, proposed civil penalty of
22 \$950.63, and this is their third time before the
23 Commission.

24 CHAIRMAN OKESON: So 75 percent?

25 MS. TAYLOR: \$712.50, so \$713.13.

1 MS. KERR-COOK: Yes.

2 CHAIRMAN OKESON: Okay. Thank you.

3 MR. STEPHENSON: Hi. Robert Stephenson,
4 R-o-b-e-r-t, S-t-e-p-h-e-n-s-o-n, Howard County
5 Democrats. I don't have cause numbers, but I have
6 two.

7 MS. THOMPSON: We've got it.

8 MS. TAYLOR: We got it.

9 MS. THOMPSON: It's at the bottom of page 64
10 and on page 75. So they have two before the
11 Commission today. This is the Howard County
12 Democratic Party, Cause No. 2023-6554-115 and
13 2023-6554-135. This is their third -- today is
14 their third time before the Commission. They have
15 one proposed civil penalty of \$800.60 and one of
16 \$300.60.

17 CHAIRMAN OKESON: So just to make sure I'm --

18 MS. LAWSON: Total \$1,100.

19 MS. THOMPSON: Yeah. So it's 8 and 3.

20 MS. TAYLOR: So it will be \$701.20.

21 MR. STEPHENSON: Thank you.

22 CHAIRMAN OKESON: Thank you.

23 MS. ELLIS: My name is Sherry, S-h-e-r-r-y,
24 Ellis, E-l-l-i-s. Case number is 2023-7788-245 for
25 Micah for Lieutenant Governor.

1 MS. THOMPSON: Page 107.

2 CHAIRMAN OKESON: Page 107?

3 MS. THOMPSON: Yes. This is Micah for
4 Lieutenant Governor, 2023-7788-245, has a proposed
5 civil penalty of \$750.60, and this is the first
6 time before the Commission.

7 MS. TAYLOR: \$187.50 plus .60 is \$188.10.

8 MS. ELLIS: Yep. Thank you.

9 VICE CHAIRMAN OVERHOLT: That's it. Thank
10 you.

11 MS. WILLIAMS: My name is Robin Williams,
12 R-o-b-i-n, W-i-l-l-i-a-m-s, and it was under Robin
13 Williams for Indiana. This is my first time here.

14 MS. THOMPSON: What's your cause number?

15 MS. WILLIAMS: Cause number is 2023-7643-155.

16 MS. THOMPSON: This is on page 86. This is
17 Robin Williams for Indiana, Cause
18 No. 2023-7643-155, has a proposed civil penalty of
19 \$50.60, and this is her first time before the
20 Commission.

21 MS. TAYLOR: \$12.50 plus .60, \$13.10.

22 MS. WILLIAMS: It was three minutes late
23 because I couldn't get the submit button to work.

24 CHAIRMAN OKESON: \$13.10?

25 MS. WILLIAMS: Yes, sir. No, problem.

1 CHAIRMAN OKESON: Thank you.

2 MS. WILLIAMS: Thank you.

3 MR. JOSEPH: Hello. Erick Joseph, E-r-i-c-k,
4 J-o-s-e-p-h. Cause number is 2023-7729-159.

5 MS. THOMPSON: This is on page 88. This is
6 Recenter Indiana, Cause No. 2023-7729-159, has a
7 proposed civil penalty of \$700.60, and this is
8 their second time before the Commission.

9 CHAIRMAN OKESON: \$350.60?

10 MR. JOSEPH: Yes. I accept. Thank you.

11 MR. MERIDA: Ben Merida, B-e-n, M-e-r-i-d-a.

12 CHAIRMAN OKESON: I'm sorry. Just a second.

13 \$350.60?

14 MS. TAYLOR: \$350.60.

15 MR. MERIDA: Do you need me to state my name
16 again?

17 CHAIRMAN OKESON: Sorry. Please.

18 MR. MERIDA: No. That's fine. I can spell
19 it, so I'm good. Hopefully I can. Ben Merida,
20 B-e-n, M-e-r-i-d-a, here on behalf of Morgan County
21 Republican Central Committee. Cause number is
22 2023-5514-127. And I'm new to my position, so
23 hopefully you're going to tell me this is our first
24 time in front of this Committee. This was a gift
25 left for me.

1 MS. TAYLOR: Pages 70, 71, Cause
2 No. 2023-5514-127, proposed civil penalty of
3 \$1,000.60, and this is the second time before the
4 Commission.

5 CHAIRMAN OKESON: Well, you still get a break,
6 not as big as you were hoping.

7 MR. MERIDA: That's all right.

8 CHAIRMAN OKESON: So \$500.60?

9 MS. TAYLOR: \$500.60.

10 MR. MERIDA: And we'll receive that via mail?

11 MS. THOMPSON: Yes.

12 MR. MERIDA: Thank you.

13 MS. VALIQUETT: Karen Valiquett, it's
14 K-a-r-e-n, V-a-l-i-q-u-e-t-t, Elect Republican
15 Women PAC, Cause No. 2023-7198-141. It should be
16 our first time.

17 MS. TAYLOR: Page 78, Cause No. 2023-7198-141,
18 proposed civil penalty of \$200.60, and this is
19 their first time before the Commission, so that
20 would be \$50.60.

21 VICE CHAIRMAN OVERHOLT: Do you accept?

22 MS. VALIQUETT: Sounds good.

23 VICE CHAIRMAN OVERHOLT: Thank you.

24 MS. VALIQUETT: Thank you.

25 MR. MORAN: Mike Moran, M-i-k-e, M-o-r-a-n,

1 Lafayette Local 472 PAC, Cause No. 2023-7607-153.

2 MS. THOMPSON: This is Lafayette Local 472
3 PAC -- sorry. Page 85.

4 CHAIRMAN OKESON: If you're going to make me
5 find it, I'll never get there.

6 MS. THOMPSON: Cause No. 2023-7607-153, has a
7 proposed civil penalty of \$550.60. This is the
8 first time before the Commission.

9 MS. TAYLOR: So that would be \$137.50 so
10 \$138.10.

11 MR. MORAN: Thank you.

12 MS. CELESTINO-HORSEMAN: And please tell your
13 fellow firefighters thank you for their service.

14 MR. MORAN: Thank you.

15 MS. RODRIGUEZ: Good afternoon. Angela Brito
16 Rodriguez, A-n-g-e-l-a, B-r-i-t-o,
17 R-o-d-r-i-g-u-e-z, on behalf of Indy Teachers for
18 Public Schools. We have three cause numbers,
19 2023-7457-231, Cause No. 2023-7457-82, Cause
20 No. 2023-7457-147.

21 CHAIRMAN OKESON: One of them is on page 82.

22 MS. RODRIGUEZ: Teachers PAC.

23 VICE CHAIRMAN OVERHOLT: You get the gold
24 star.

25 CHAIRMAN OKESON: What are the odds?

1 MS. TAYLOR: Page 50, 82, 121 and 122.

2 MS. NUSSMEYER: So that was four.

3 MS. TAYLOR: It's three. It's the bottom of
4 121, top of 122.

5 MS. NUSSMEYER: Oh, sorry.

6 MS. TAYLOR: All right. First is
7 2023-7457-82, proposed civil penalty of \$50.60;
8 second is Cause No. 2023-7457-147, proposed civil
9 penalty of \$200.60; and the third is 2023-7457-231,
10 proposed civil penalty of \$1,000.63. This is their
11 second -- well, they paid one settlement agreement,
12 so this is their second time.

13 MS. RODRIGUEZ: This is the first time before
14 the Commission.

15 MS. TAYLOR: It's the first time before the
16 Commission, but you've paid a settlement agreement.

17 CHAIRMAN OKESON: You had a settlement prior
18 to, so your penalty would be reduced by 50 percent.

19 VICE CHAIRMAN OVERHOLT: So it would be 625
20 plus -- it would be \$626.83.

21 MS. RODRIGUEZ: I accept. We make that
22 payment upon receipt of the thing from you?

23 MS. THOMPSON: Yes, right.

24 MS. RODRIGUEZ: And how do we go about closing
25 that committee?

1 MS. THOMPSON: Give us a call next week and
2 we'll help you.

3 MS. RODRIGUEZ: Sounds great. Awesome. Thank
4 you so much.

5 CHAIRMAN OKESON: \$626.83?

6 MS. TAYLOR: \$626.83.

7 MS. RODRIGUEZ: Thank you.

8 MR. PEARSON: Hello. My name is Jeremie
9 Pearson, J-e-r-e-m-i-e, P-e-a-r-s-o-n. I'm with
10 the Lafayette IBEW Political Action Committee.
11 Cause number is 2023-7710-111.

12 MS. THOMPSON: This is on page 63. This is
13 Lafayette IBEW Political Action Fund, Cause
14 No. 2023-7710-111, has a proposed civil penalty of
15 \$400.60, and this is the first time before the
16 Commission.

17 VICE CHAIRMAN OVERHOLT: It would be \$100.60.

18 MR. PEARSON: Sounds good. Thanks.

19 MR. SIZEK: Herbert Sizek, H-e-r-b-e-r-t
20 S-i-z-e-k, Monroe County Young Democrats, Cause
21 No. 2023-7722-243.

22 MS. TAYLOR: It's on page 127, Monroe County
23 Young Democrats, Cause No. 2023-7722-243, proposed
24 civil penalty of \$1,000.63, and this is their first
25 time before the Commission.

1 VICE CHAIRMAN OVERHOLT: \$250.63. You take
2 it?

3 MR. SIZEK: Yes.

4 MS. TAYLOR: Okay.

5 MR. JACOB: My name is John Jacob. I'm here
6 for the Committee for John Jacob for State
7 Representative, Cause No. 2023-7313-166, J-o-h-n,
8 J-a-c-o-b. And with all due respect, I disagree
9 with the findings of the Commission, but I
10 understand.

11 CHAIRMAN OKESON: If you're accepting a
12 penalty, then no case to make.

13 MR. JACOB: Understood, but I'm just stating
14 my point for the record.

15 MS. THOMPSON: Mr. Chairman, this is on
16 page 93, John Jacob for State Representative, Cause
17 No. 2023-7313-166, has a proposed civil penalty of
18 \$1,000.60, and this is his first time before the
19 Commission.

20 VICE CHAIRMAN OVERHOLT: So \$250.60.

21 CHAIRMAN OKESON: \$250.60? Yeah.

22 MR. JACOB: All right. Thank you.

23 CHAIRMAN OKESON: No other takers?

24 MS. CELESTINO-HORSEMAN: Last chance. Okay.

25 CHAIRMAN OKESON: I guess that concludes the

1 reduced penalty portion of the --

2 MS. CELESTINO-HORSEMAN: Wait a minute.

3 MR. ALVAREZ: I've decided to take the deal,
4 ladies and gentlemen, on behalf of the Lake and
5 Porter County Young Democrats.

6 VICE CHAIRMAN OVERHOLT: Well, there's no deal
7 for you, remember? It's 100 percent.

8 MR. ALVAREZ: Then, right, I guess.

9 VICE CHAIRMAN OVERHOLT: Just checking.

10 MR. ALVAREZ: The non-deal. So would you like
11 me to restart the record?

12 MS. CELESTINO-HORSEMAN: He can just waive it
13 just like he did before, waive the hearing and
14 accept it.

15 Do you waive the hearing?

16 MR. ALVAREZ: I do.

17 MS. CELESTINO-HORSEMAN: And you accept the
18 penalty, full amount?

19 MR. ALVAREZ: I do.

20 MS. CELESTINO-HORSEMAN: Thank you.

21 CHAIRMAN OKESON: Oh, that was page 1; right?

22 MS. THOMPSON: Yes.

23 CHAIRMAN OKESON: Okay. Before we begin, the
24 remaining committees will be called to permit the
25 presentation of evidence in their matters.

1 Before doing so, I would note that, in the
2 past, the Commission has followed certain
3 procedures for conducting campaign finance
4 hearings, and I move that the Commission use the
5 following procedures for today: When each campaign
6 finance matter is called, the hearing will begin
7 with recognizing campaign finance staff to provide
8 information about the documents in this matter
9 provided to the Commission members, including
10 letters from committees and notice given to the
11 campaign committee.

12 Unless there is objection, the documents
13 provided to the Commission by the Election Division
14 will be entered into the record of this meeting.

15 After campaign finance staff completes a
16 presentation, a representative of the committee
17 will be recognized first and may present their case
18 for no more than five minutes.

19 You're keeping time?

20 MS. WARYCHA: Yes.

21 CHAIRMAN OKESON: Valerie will keep the time.

22 Commission members may ask questions during
23 the presentation. Any time spent answering those
24 will not count against your five minutes. The
25 Election Division may signal the Chair when the

1 presenter's time is up.

2 If the presenter chooses to offer additional
3 documents or other physical evidence not previously
4 received by the Commission, the original must be
5 provided to the Election Division -- I would ask
6 you to hand it to Valerie Warycha, to my right here
7 in the red -- in order to preserve the record.

8 If the Commission finds that a committee has
9 violated the campaign finance statutes, state law
10 requires a unanimous vote of all four Commissioners
11 to waive or reduce the amount of penalty set by
12 state law.

13 If the Commission makes a decision to either
14 fine a committee or dismiss the case against the
15 committee, the Election Division will prepare a
16 final order for the Commission to approve at a
17 later meeting. If a committee is fined today, the
18 committee will receive a notice from the Election
19 Division to pay the fine after the Commission
20 adopts the final order. So it may be some time
21 after today before the committee will be required
22 to pay the fine.

23 The Commission will recognize committees to
24 make a presentation, beginning with the committees
25 seated at the front of the room. It is very

1 helpful if you can speak up and, again, say your
2 cause number, state your name and spell it for the
3 court reporter.

4 Everyone here has taken the oath with
5 Mr. Kochevar?

6 Okay. Is there a second to this motion?

7 VICE CHAIRMAN OVERHOLT: Second.

8 CHAIRMAN OKESON: Any questions or objections?

9 Hearing none, all those in favor signify by
10 saying "Aye."

11 VICE CHAIRMAN OVERHOLT: Aye.

12 MS. CELESTINO-HORSEMAN: Aye.

13 MS. LAWSON: Aye.

14 CHAIRMAN OKESON: The "ayes" have it. Those
15 are the procedures.

16 We'll go ahead and begin at this time, though
17 I am going to recuse myself on one matter and
18 invite Brandon Clifton to sit in for me, and we'll
19 start with that case.

20 (Chairman Okeson exits.)

21 CHAIRMAN CLIFTON: It's good to be with
22 friends. My name is Brandon Clifton,
23 B-r-a-n-d-o-n, C-l-i-f-t-o-n.

24 I would ask that the committee JC for Indiana
25 or JCFOR43 come forward.

1 MR. COLLETT: Hi. I'm John Collett, J-o-h-n,
2 C-o-l-l-e-t-t, with JCFOR43 Committee, Cause
3 No. 2023-7675-102.

4 MS. THOMPSON: Mr. Chairman, this is on
5 page 59. This is JCFOR43 Committee, Cause
6 No. 2023-7675-102, has a proposed civil penalty of
7 \$1,000.60. This is his first time before the
8 Commission, and the committee is closed.

9 MR. COLLETT: I'll save a lot of your time.
10 This is the short version. There's a really long
11 version. I was approached by a couple legislators
12 to run for office. I jumped through all the hoops.
13 Long story short, at the last second, the party
14 chair wouldn't sign off. So within the time period
15 allotted, I pulled my name out of the hat.

16 And JCFOR43, it was opened, but it never had
17 any -- other than being opened, it had never had
18 any official capacity, never took in any money,
19 never held any fund-raisers, never did anything,
20 but it was open. Upon this notification, I closed
21 it immediately. And I just wanted the IEC to
22 understand my position, how it happened.

23 CHAIRMAN OKESON: Thank you.

24 Any questions?

25 MS. CELESTINO-HORSEMAN: Question for staff.

1 CHAIRMAN OKESON: Please.

2 MS. CELESTINO-HORSEMAN: So if this committee
3 is closed, who is responsible for paying the fine?

4 MS. THOMPSON: The chairman and the treasurer.

5 MS. CELESTINO-HORSEMAN: Okay. And do you
6 have a chairman and a treasurer?

7 MR. COLLETT: I'm the only person involved.

8 MS. THOMPSON: I don't know. He might have
9 been his own chairman and treasurer.

10 MR. COLLETT: Oh, yeah. There may have been
11 one, but I can't remember. It never really
12 materialized. I don't remember if I named one or
13 not. But I would be responsible regardless.

14 VICE CHAIRMAN OVERHOLT: Was there any money
15 in the account?

16 MR. COLLETT: No.

17 MS. TAYLOR: No. Zero report.

18 MS. CELESTINO-HORSEMAN: So you realize by
19 waiting you now face getting 1,000 when you could
20 have had 250?

21 MR. COLLETT: I understand that.

22 MS. CELESTINO-HORSEMAN: And you acknowledge
23 that you did file late; correct?

24 MR. COLLETT: I just wanted the IEC to
25 understand that I was never involved in any type of

1 run and the party chair pulled everything. So I
2 just wanted to state my case, and it was worth the
3 chance. I'm hoping that you will dismiss it. If
4 not, I'm hoping you'll reduce it. But I'm at your
5 mercy. But to me, it was worth the chance to just
6 let you know what happened.

7 VICE CHAIRMAN OVERHOLT: So when was it opened
8 and when was it closed?

9 MS. TAYLOR: It was opened February 9th of
10 2022, and closed April 3, 2023.

11 MR. COLLETT: That would have been when I was
12 notified.

13 MS. LAWSON: No contributions were given --

14 MR. COLLETT: Zero.

15 MS. LAWSON: -- and there was no expenses paid
16 out?

17 MR. COLLETT: Zero.

18 MS. TAYLOR: No contributions, no
19 expenditures.

20 MS. LAWSON: Mr. Chairman, I move we dismiss
21 this case.

22 CHAIRMAN CLIFTON: Well, are there any
23 additional questions from the Commissioners?

24 MR. KING: You have a motion before
25 discussion.

1 CHAIRMAN CLIFTON: I'm sorry. Is there a
2 second to close and dismiss this case?

3 Thank you, Brad.

4 MS. CELESTINO-HORSEMAN: Can we have a
5 discussion?

6 VICE CHAIRMAN OVERHOLT: I think we have to
7 have a second.

8 MR. KING: You need a second to have
9 discussion on the motion.

10 MS. CELESTINO-HORSEMAN: For purposes of
11 discussion, I'll second it.

12 CHAIRMAN CLIFTON: Okay. Discussion.

13 MS. CELESTINO-HORSEMAN: Here's my problem: I
14 understand people have busy lives and they're doing
15 all kinds of stuff, and you thought you were going
16 to run, but then it turned out you weren't able to
17 run and all that.

18 But at the time that you opened that
19 committee, you had a campaign finance book, you
20 knew you had reports due, you knew that once this
21 committee came into existence that it was going to
22 have to require something. And when the time came
23 and you -- you said you found out shortly. I guess
24 it was before the primary in May. You opened it in
25 February and before the primary in May --

1 MR. COLLETT: No. It was completed before
2 that. I think it was within a week of --

3 MS. CELESTINO-HORSEMAN: Of opening it that
4 you knew that. So you knew you had this committee,
5 and that is my problem because technically you
6 didn't follow the law.

7 So on the other hand, I understand why
8 Secretary Lawson has moved to dismiss it because
9 it's no harm, no foul in a way since there was no
10 money that passed through it.

11 CHAIRMAN CLIFTON: Commissioner, could I maybe
12 enrich our discussion. Is there any precedence
13 from fellow commissioners or from the staff as to
14 how similar cases have been handled in the past?

15 MR. KOCHEVAR: I can't give you a clear
16 example. The Commission has essentially waived
17 penalties, which is what this motion is under law,
18 in situations like this where we've had a number of
19 committees that have had zero dollars. I can't
20 point to you, because we do these rather
21 infrequently, like, once or twice a year, but I've
22 been here for eight years, and so I know we've come
23 across one of these beforehand. I'm sorry I can't
24 give you an example because I don't know, unless
25 one of the other staff can think of one right off

1 the top of their head, but it has.

2 MS. CELESTINO-HORSEMAN: All right. I move
3 that we --

4 VICE CHAIRMAN OVERHOLT: Wait.

5 MR. KING: You've got a pending motion.

6 MR. KOICHEVAR: I'm sorry. I will add one
7 thing. I do know what is more clear, this is more
8 present of mind, is that we have had committees who
9 have come for various reasons, some have been zero
10 dollars, some of them have been a tragedy that has
11 happened to them, where we said okay -- either they
12 had some money or they didn't have any, but we have
13 told them we will waive everything contingent on
14 you closing it. So this one is a little bit
15 different because it is closed, so that one has
16 already been met. So I just wanted to add that on
17 for the record.

18 CHAIRMAN CLIFTON: So there's a motion and a
19 second to dismiss this enforcement action with no
20 fine. Is that restatement correct, Secretary?

21 MS. LAWSON: Correct.

22 CHAIRMAN CLIFTON: Is that a fair restatement?

23 MS. LAWSON: Yes.

24 CHAIRMAN CLIFTON: All those in favor of
25 dismissing this action with no fine please say

1 "Aye."

2 VICE CHAIRMAN OVERHOLT: Aye.

3 MS. CELESTINO-HORSEMAN: Aye.

4 MS. LAWSON: Aye.

5 CHAIRMAN CLIFTON: And your matter is
6 dismissed with no fine.

7 MR. COLLETT: Thank you.

8 CHAIRMAN CLIFTON: You bet.

9 Any further action? Close that one out.

10 (Chairman Clifton exits.)

11 VICE CHAIRMAN OVERHOLT: I'll move for a brief
12 recess. I can do that.

13 MR. KING: You are vice chair.

14 VICE CHAIRMAN OVERHOLT: Yeah, I know. Do we
15 have a second for a recess?

16 MS. LAWSON: Second.

17 VICE CHAIRMAN OVERHOLT: All those in favor.
18 Recess by consensus?

19 MS. CELESTINO-HORSEMAN: By consensus, yes.

20 MR. KING: To reconvene?

21 VICE CHAIRMAN OVERHOLT: To reconvene --

22 MR. KING: In two minutes or whatever.

23 VICE CHAIRMAN OVERHOLT: You are such a
24 stickler, and we'll reconvene in three minutes.

25 (Recess taken.)

1 CHAIRMAN OKESON: Are we prepared for the next
2 case?

3 MS. CELESTINO-HORSEMAN: Yes.

4 MS. WARYCHA: Do we need to reconvene?

5 VICE CHAIRMAN OVERHOLT: Yes. Do the gavel.

6 CHAIRMAN OKESON: Reconvene at 1:59 p.m., same
7 date and place.

8 Are we calling them up or are they coming up
9 in order?

10 MS. LAWSON: They're coming up.

11 CHAIRMAN OKESON: I feel like I missed
12 everything.

13 MS. PORTER: Hello. Debora Porter,
14 D-e-b-o-r-a, P-o-r-t-e-r, from Porter County, no
15 relation, Case No. 2023-7498-151, cause number.

16 MS. TAYLOR: It's on page 84.

17 MS. PORTER: Thank you. This is a political
18 action committee that was formed in relation to --

19 CHAIRMAN OKESON: Which one is it?

20 MS. TAYLOR: 2023-7498-151, Indiana Freedom
21 Political Action Committee.

22 MS. PORTER: So we were very aspirational. We
23 formed a 501(c)(3) called Indiana Freedom, and with
24 that we also wanted to have in place ready to go a
25 political action committee, so at the same time we

1 opened both. This one was sitting in the back
2 burner. We never opened an account for it. We've
3 never done anything relative to this political
4 action committee, so it kind of fell off our radar.

5 We have been limping along for two years. If
6 we've ever had \$500 in our 501(c)(3) account, it
7 was because we had \$600 in bills to pay. We
8 literally are just limping along. This has never
9 been activated. We've never done any activity
10 relative to the activities in the political action.

11 Our idea was very aspirational, and that's why
12 we wanted to have the two accounts. Our idea was
13 to activate this whenever the time had come.
14 Therefore, the idea of filing a campaign report for
15 this account just was not on our radar. I'm the
16 treasurer for it. It was not on our radar.

17 So we're asking that this be dismissed for
18 cause. We have never opened an account. Right now
19 this has been disbanded. If you do a search on it,
20 it no longer exists.

21 MS. CELESTINO-HORSEMAN: Did you file to close
22 it with the Election Division?

23 MS. PORTER: I believe it is no longer. I've
24 done a search on it. I can't find it anywhere.

25 MS. LAWSON: But is it closed with the

1 Election Commission?

2 VICE CHAIRMAN OVERHOLT: That's a separate
3 process from if you --

4 MS. PORTER: If there is a separate process, I
5 will do it this moment because we're not going to
6 be able to -- like I said, we won't be --

7 MS. TAYLOR: It is closed.

8 MS. PORTER: Okay.

9 MS. CELESTINO-HORSEMAN: So this is like the
10 last one?

11 MS. TAYLOR: Sorry. We missed it on the
12 spreadsheet. We're sorry.

13 MS. CELESTINO-HORSEMAN: That will be a \$300
14 fine.

15 VICE CHAIRMAN OVERHOLT: I would move to
16 dismiss and not pursue the penalty.

17 MS. LAWSON: I second.

18 CHAIRMAN OKESON: Okay. Any discussion or
19 questions?

20 VICE CHAIRMAN OVERHOLT: Other than what you
21 missed?

22 CHAIRMAN OKESON: Yeah. So there's a motion
23 to dismiss. It's been seconded. All those in
24 favor signify by saying "Aye."

25 VICE CHAIRMAN OVERHOLT: Aye.

1 MS. CELESTINO-HORSEMAN: Aye.

2 MS. LAWSON: Aye.

3 CHAIRMAN OKESON: The "ayes" have it. The
4 matter is closed.

5 MS. PORTER: Thank you so much.

6 VICE CHAIRMAN OVERHOLT: We've concluded that
7 type of approach is consistent with our past
8 actions.

9 MR. MICHAEL: Good afternoon. My name is
10 Terry Michael spelled T-e-r-r-y, M-i-c-h-a-e-l,
11 Terry Michael for Senate. The reason I didn't come
12 up earlier is because I think I'm supposed to have
13 been here other times. I think I was here in 2007
14 for a similar incident with also state Senate.

15 MS. THOMPSON: This is page 42.

16 MR. MICHAEL: Sorry.

17 MS. THOMPSON: This is Terry Michael for
18 Senate.

19 MR. MICHAEL: So in 2020, I filed to run for
20 state Senate. COVID hit. I -- house arrest. I
21 mean, I didn't do anything. I didn't collect any
22 money. I didn't have any fund-raisers. In April,
23 I did file my report. I thought I had toggled the
24 switch to end my account. Clearly I didn't because
25 otherwise I wouldn't be here right now. And I

1 honestly didn't even know that I was --

2 CHAIRMAN OKESON: So you were attempting to
3 close the committee? Is that what you're saying?

4 MR. MICHAEL: I found out in April of 2020,
5 and I think it was May that you received it, you
6 said.

7 MS. THOMPSON: I'll have to look.

8 CHAIRMAN OKESON: Is it closed now?

9 MR. MICHAEL: It is.

10 MS. THOMPSON: It is closed. He closed it
11 this morning with us.

12 MR. MICHAEL: And it was only because a friend
13 told me you're in trouble. I'm like crap. So I'm
14 here just to say I'm sorry and see if I can have a
15 reduced amount.

16 CHAIRMAN OKESON: Is this consistent with the
17 other two?

18 MS. THOMPSON: I don't think he had anything.
19 It was all zeros.

20 MS. CELESTINO-HORSEMAN: Did you have any
21 money?

22 MS. THOMPSON: There was no money.

23 MR. MICHAEL: No. I never collected any
24 money.

25 MS. TAYLOR: There were no contributions.

1 MR. MICHAEL: I became a foster parent and
2 didn't think about these things.

3 VICE CHAIRMAN OVERHOLT: Then I --

4 MR. MICHAEL: I'm also legally blind, so I
5 apologize that I sometimes miss little toggle
6 switches, but I do remember that toggle switch.

7 VICE CHAIRMAN OVERHOLT: The toggles don't
8 always work.

9 It seems like this is consistent with the
10 prior two cases and our past practice. I would
11 move to dismiss and not pursue the penalty.

12 CHAIRMAN OKESON: Is there a second?

13 MS. LAWSON: I second.

14 CHAIRMAN OKESON: Hearing a motion to dismiss
15 and a second, any discussion or questions?

16 Hearing none, all those in favor signify by
17 saying "Aye."

18 VICE CHAIRMAN OVERHOLT: Aye.

19 MS. CELESTINO-HORSEMAN: Aye.

20 MS. LAWSON: Aye.

21 CHAIRMAN OKESON: The "ayes" have it. It's
22 dismissed.

23 MR. MICHAEL: Thank you.

24 CHAIRMAN OKESON: Enjoy the rest of your day.

25 MR. SIZEK: I'm not here for anybody. I'm

1 just observing at this point.

2 MS. CELESTINO-HORSEMAN: I'm patting myself on
3 the back.

4 VICE CHAIRMAN OVERHOLT: I am shocked.

5 CHAIRMAN OKESON: Would campaign finance staff
6 identify any matters for which a motion for
7 continuance was received for today's meeting.

8 MS. TAYLOR: We have a handful.

9 CHAIRMAN OKESON: Okay.

10 MS. TAYLOR: Cause No. 2023-7097-48, Cindy for
11 Indiana 58; Cause No. 20 --

12 CHAIRMAN OKESON: I'm sorry?

13 MS. LAWSON: Cindy for Indiana.

14 MS. TAYLOR: Cindy for Indiana 58; Cause
15 No. 2022-7097-93, Cindy for Indiana 58.

16 MS. CELESTINO-HORSEMAN: Can I ask a question?

17 MS. TAYLOR: Yeah.

18 MS. CELESTINO-HORSEMAN: Who is Cindy?

19 MS. TAYLOR: Her name is Cindy Reinert. The
20 name of her committee is just Cindy for Indiana 58.

21 MS. CELESTINO-HORSEMAN: Okay. And has she
22 asked for a continuance before?

23 MS. TAYLOR: The second, the 2022-7097-93, was
24 continued in the September of '22 hearing. This is
25 her second request for a continuance.

1 MS. NUSSMEYER: Don't we have a -- didn't the
2 Commission at some point decide that after a
3 certain number of continuances --

4 MS. TAYLOR: It was after the second.

5 MS. NUSSMEYER: -- you need to show up at the
6 next meeting?

7 MS. TAYLOR: Yes.

8 CHAIRMAN OKESON: So we would grant two but
9 not a third.

10 MS. TAYLOR: At one time, yes. It was Wabash
11 Democrats, but I couldn't tell you a year.

12 MS. NUSSMEYER: And this would be her second
13 request for continuance; correct?

14 MS. TAYLOR: Yes.

15 VICE CHAIRMAN OVERHOLT: On one of them?

16 MS. TAYLOR: Yes, and her first on the other.

17 2022-321-166, Indiana Federation of Republican
18 Women.

19 VICE CHAIRMAN OVERHOLT: I'm sorry. Do we
20 want to consider these --

21 CHAIRMAN OKESON: One at a time?

22 VICE CHAIRMAN OVERHOLT: Yeah.

23 MS. TAYLOR: Okay.

24 CHAIRMAN OKESON: Well, so we have --

25 VICE CHAIRMAN OVERHOLT: They're written up

1 here. So it seems like for Cindy Reinert -- well,
2 so for the committee for Cindy for Indiana 58, I
3 would move that on 2022-7097-93, that we deny that
4 request for a continuance because she has already
5 received two other continuances.

6 MS. TAYLOR: One, this is her second.

7 CHAIRMAN OKESON: She's asking for her second.

8 VICE CHAIRMAN OVERHOLT: Oh, never mind.

9 MS. CELESTINO-HORSEMAN: So let's --

10 VICE CHAIRMAN OVERHOLT: Never mind.

11 MS. CELESTINO-HORSEMAN: I move that we grant
12 the continuances in both and that our notice state
13 that no further continuances will be granted as
14 regards the matter where she's getting her second
15 continuance.

16 CHAIRMAN OKESON: Is that a motion?

17 MS. CELESTINO-HORSEMAN: Yes.

18 MS. LAWSON: Second.

19 CHAIRMAN OKESON: Hearing no discussion, all
20 those in favor signify by saying "Aye."

21 VICE CHAIRMAN OVERHOLT: Aye.

22 MS. CELESTINO-HORSEMAN: Aye.

23 MS. LAWSON: Aye.

24 CHAIRMAN OKESON: The "ayes" have it. Okay.

25 MS. TAYLOR: Okay. The next one,

1 2022-321-166, Indiana Federation of Republican
2 Women. This is their second request. The first
3 was granted at the September 9, 2022, hearing.

4 MS. CELESTINO-HORSEMAN: I move that we grant
5 the continuance, again, with a statement in the
6 order that says that no further continuances shall
7 be granted.

8 MS. LAWSON: Second.

9 CHAIRMAN OKESON: All those in favor signify
10 by saying "Aye."

11 VICE CHAIRMAN OVERHOLT: Aye.

12 MS. CELESTINO-HORSEMAN: Aye.

13 MS. LAWSON: Aye.

14 CHAIRMAN OKESON: The "ayes" have it. The
15 motion carries.

16 MS. TAYLOR: The next is 2023-7365-67, Lovely
17 for Indiana. This is their first request.

18 VICE CHAIRMAN OVERHOLT: I'd move that we
19 grant the continuance.

20 CHAIRMAN OKESON: Second?

21 MS. LAWSON: Second.

22 CHAIRMAN OKESON: All those in favor signify
23 by saying "Aye."

24 VICE CHAIRMAN OVERHOLT: Aye.

25 MS. CELESTINO-HORSEMAN: Aye.

1 MS. LAWSON: Aye.

2 CHAIRMAN OKESON: The "ayes" have it.

3 MS. TAYLOR: The next one is 2023-7382-72,
4 Blad for Indiana. This is their first request.

5 MS. LAWSON: I move we grant the continuance.

6 CHAIRMAN OKESON: Is there a second?

7 VICE CHAIRMAN OVERHOLT: Second.

8 CHAIRMAN OKESON: All those in favor signify
9 by saying "Aye."

10 VICE CHAIRMAN OVERHOLT: Aye.

11 MS. CELESTINO-HORSEMAN: Aye.

12 MS. LAWSON: Aye.

13 CHAIRMAN OKESON: The "ayes" have it. The
14 motion carries.

15 MS. TAYLOR: The next is 2023-7630-96, Ward
16 for State Representative. This is their first
17 request.

18 CHAIRMAN OKESON: That is the most succinct
19 request I think I've ever seen.

20 MS. LAWSON: "I'm requesting a continuance."
21 I move we grant their continuance.

22 CHAIRMAN OKESON: Second?

23 VICE CHAIRMAN OVERHOLT: Second.

24 CHAIRMAN OKESON: All those in favor signify
25 by saying "Aye."

1 VICE CHAIRMAN OVERHOLT: Aye.

2 MS. CELESTINO-HORSEMAN: Aye.

3 MS. LAWSON: Aye.

4 CHAIRMAN OKESON: The "ayes" have it. The
5 motion carries.

6 MS. TAYLOR: The next is Evan Shearin for
7 Indiana. He has two cause numbers, 2023-7677-157
8 and 2023-7677-103. This is his first request.

9 MS. LAWSON: Can I ask a question?

10 MS. TAYLOR: Uh-huh.

11 MS. LAWSON: The reason the cause numbers --
12 he's got two cause numbers, is that because of two
13 different filings that have been missed?

14 MS. TAYLOR: Yes.

15 CHAIRMAN OKESON: Did you say this was the
16 first?

17 MS. TAYLOR: His first, yes.

18 MS. LAWSON: I move we accept the continuance.

19 VICE CHAIRMAN OVERHOLT: Second.

20 CHAIRMAN OKESON: All those in favor signify
21 by saying "Aye."

22 VICE CHAIRMAN OVERHOLT: Aye.

23 MS. CELESTINO-HORSEMAN: Aye.

24 MS. LAWSON: Aye.

25 CHAIRMAN OKESON: The "ayes" have it.

1 MS. TAYLOR: The next is Cause
2 No. 2023-7696-158, Libertarian Party of Jefferson
3 County. This is their first request.

4 MR. KOICHEVAR: I have a note for the
5 Commission. On this, technically two requests in
6 writing have been made. One is that they've asked
7 for a reduction of their penalty in writing.
8 Second is a motion to continue.

9 To my knowledge -- and that's subject to other
10 people who have been here longer than I have -- the
11 Commission has never granted a reduction of a
12 penalty to a committee that has not shown up for a
13 hearing in person, sending it by writing. I've not
14 seen it ever happen before.

15 And so with that, I just want to make you
16 aware of that and say that probably, to be
17 consistent, just considering the continuance part
18 of this request would be appropriate and not to
19 take any action on the reduction of the penalty.
20 They probably should be here because we've had
21 everyone else come here to come before the
22 Commission and argue. But that's my statement and
23 everything for your consideration on this
24 particular committee.

25 MS. WARYCHA: I agree with Matthew. That's

1 accurate with what I've seen. But he's been here
2 longer and others have been here longer that might
3 know more.

4 MS. TAYLOR: I haven't seen them accept a
5 written statement since 2006.

6 VICE CHAIRMAN OVERHOLT: Well, I would move
7 that we grant the request for continuance and deny
8 a request that we consider the penalty via email.

9 MS. CELESTINO-HORSEMAN: Well, should we --

10 VICE CHAIRMAN OVERHOLT: Did I not --

11 MS. CELESTINO-HORSEMAN: I was going to say
12 continue the request for reductions until present
13 or until the hearing.

14 CHAIRMAN OKESON: Well, I think --

15 MS. CELESTINO-HORSEMAN: Because if we come
16 out and say we deny it now --

17 CHAIRMAN OKESON: I think Vice Chair Overholt
18 is correct. I think we would deny -- if I'm
19 understanding correctly, we are going to deny their
20 request for a reduced penalty via writing, inform
21 them that they need to appear, but we'll grant them
22 a request for a continuance.

23 MS. CELESTINO-HORSEMAN: Okay. I mean, that
24 will work. I think technically it probably -- it's
25 fine. That's fine.

1 MS. LAWSON: I second the vice chair's motion.

2 CHAIRMAN OKESON: So we have a motion to
3 accept the request for a continuation but deny the
4 request for reduced penalty, and we have a second.

5 VICE CHAIRMAN OVERHOLT: Well, sorry. What I
6 said was to deny the request that we consider a
7 reduced penalty via email because he could still
8 seek a reduced penalty coming before us but just
9 not via email.

10 CHAIRMAN OKESON: Did I say it that way?

11 VICE CHAIRMAN OVERHOLT: You just said deny
12 the request for a reduction or something. I don't
13 know.

14 CHAIRMAN OKESON: Okay. Thank you. We're
15 going to go with what she said. We have a first
16 and a second. All those in favor signify by saying
17 "Aye."

18 VICE CHAIRMAN OVERHOLT: Aye.

19 MS. CELESTINO-HORSEMAN: Aye.

20 MS. LAWSON: Aye.

21 CHAIRMAN OKESON: The "ayes" have it. The
22 motion carries.

23 MS. TAYLOR: And the final continuance,
24 2023-6953-221, Warrick County Republican Central
25 Committee. This is their first request.

1 MS. CELESTINO-HORSEMAN: She didn't want to
2 give up a vacation to come here?

3 MS. LAWSON: I move we --

4 MS. TAYLOR: She didn't invite me either.

5 MS. LAWSON: -- accept the request for
6 continuance.

7 MS. CELESTINO-HORSEMAN: I second.

8 CHAIRMAN OKESON: All those in favor signify
9 by saying "Aye."

10 VICE CHAIRMAN OVERHOLT: Aye.

11 MS. CELESTINO-HORSEMAN: Aye.

12 MS. LAWSON: Aye.

13 CHAIRMAN OKESON: The "ayes" have it. Request
14 is granted.

15 Does that take care of all the --

16 MS. TAYLOR: We've got a couple more. That's
17 the end of the continuances. We just have other
18 cleanup.

19 MS. THOMPSON: We have another one here, The
20 Hero Committee, Cause No. 2023-5170-12. Mr. Hero's
21 report was -- I don't have a page number. Let me
22 find the page.

23 MS. TAYLOR: Page 10.

24 MS. NUSSMEYER: I'm sorry, Mr. Chairman.
25 We're skipping over the Indiana School Counselor

1 Association document in the back because that
2 gentleman was here.

3 MS. TAYLOR: He was here. Sorry.

4 MS. NUSSMEYER: And is there a document that
5 you're referring to here with Mr. Hero?

6 CHAIRMAN OKESON: Yeah. Thank you.

7 MS. THOMPSON: No. Just the cause is on
8 page 10.

9 MS. NUSSMEYER: Thank you.

10 CHAIRMAN OKESON: Okay.

11 MS. THOMPSON: Mr. Hero's committee was filed
12 late, and he has a proposed civil penalty of
13 \$300.60. When his wife found out it was late, I
14 helped her get it filed. Mr. Hero passed away.
15 With the new law that came in effect July 1st, she
16 was the executor of the will or his estate, and so
17 I was able to help her close the committee. So the
18 committee is closed now, and we ask that the
19 proposed civil penalty be dismissed, waived or
20 dismissed.

21 CHAIRMAN OKESON: Yeah. Somebody want to
22 move?

23 MS. LAWSON: I move the penalty be dismissed.

24 VICE CHAIRMAN OVERHOLT: Second.

25 CHAIRMAN OKESON: All those in favor signify

1 by saying "Aye."

2 VICE CHAIRMAN OVERHOLT: Aye.

3 MS. CELESTINO-HORSEMAN: Aye.

4 MS. LAWSON: Aye.

5 CHAIRMAN OKESON: That cause is dismissed.

6 MS. THOMPSON: Okay. And then we have one
7 other one here. It's Cause No. 2022-7296-111, Nick
8 White for Indiana. At the last meeting in
9 September --

10 MS. LAWSON: Do you have a page number?

11 MS. TAYLOR: I don't have a page number.

12 MS. THOMPSON: In the last meeting when he was
13 here, the Commission asked that he close the
14 committee, and he came back and did close the
15 committee. And, therefore, we're coming back for
16 this one to be dismissed because he did what the
17 Commission asked him to do.

18 CHAIRMAN OKESON: Was the motion contingent
19 upon --

20 MS. THOMPSON: Yes.

21 MS. TAYLOR: Close the committee in 30 days
22 and you would dismiss it, and he did it within
23 seven days.

24 CHAIRMAN OKESON: Do we have to do anything
25 with that if it's already part of the previous

1 motion?

2 MR. KING: Yes. We have to acknowledge for
3 the record that the conditions have been met.

4 VICE CHAIRMAN OVERHOLT: So I would move that
5 the cause number that you just referenced -- Nick
6 White?

7 MS. TAYLOR: Nick White for Indiana.

8 VICE CHAIRMAN OVERHOLT: I would move that the
9 proposed penalty for Nick White be dismissed
10 because he met the preconditions to dismissal that
11 we set at the prior meeting.

12 CHAIRMAN OKESON: Is there a second?

13 MS. LAWSON: Second.

14 CHAIRMAN OKESON: All those in favor signify
15 by saying "Aye."

16 VICE CHAIRMAN OVERHOLT: Aye.

17 MS. CELESTINO-HORSEMAN: Aye.

18 MS. LAWSON: Aye.

19 CHAIRMAN OKESON: The motion carries.

20 Do we have any administrative dissolutions?

21 MS. THOMPSON: Yes, we do. Mr. Chairman, your
22 yellow tab in the back is a list of committees to
23 dissolve. These committees can be administratively
24 dissolved because they have not filed a report in
25 three years and they have a balance of less than

1 \$1,000. Both chairman and treasurer of these
2 committees have been notified.

3 CHAIRMAN OKESON: I move the Commission do the
4 following: Make a finding that there is no
5 evidence that these committees continue to receive
6 contributions, make expenditures, or otherwise
7 function as a committee; make a finding that,
8 according to the best evidence available to the
9 Commission, the dissolution of these committees
10 will not impair any contract or impede the
11 collection of a debt or judgment by any person;
12 make a finding that the prudent use of public
13 resources makes further efforts to collect any
14 outstanding civil penalty imposed against these
15 committees wasteful or unjust, and that therefore
16 the Commission administratively dissolve each of
17 these committees.

18 Is there a second?

19 VICE CHAIRMAN OVERHOLT: Second.

20 CHAIRMAN OKESON: Any discussion or questions?

21 Hearing none, all those in favor signify by
22 saying "Aye."

23 VICE CHAIRMAN OVERHOLT: Aye.

24 MS. CELESTINO-HORSEMAN: Aye.

25 MS. LAWSON: Aye.

1 CHAIRMAN OKESON: The "ayes" have it. The
2 motion carries.

3 I see no one else remaining to testify.

4 MS. CELESTINO-HORSEMAN: Is this something for
5 us today, this Andrew Straw?

6 CHAIRMAN OKESON: Yeah. So what's in the back
7 of the binder here? I see a lot of interesting --

8 VICE CHAIRMAN OVERHOLT: Yeah, I know. I just
9 saw some x-rays and thought wait a minute, what is
10 this?

11 MS. WARYCHA: I'll tell you what I know. I'm
12 actually sitting here kind of flipping trying to
13 remind myself about what happened back in July.
14 But Mr. Straw is a man who lives overseas. I
15 believe he lives in the Philippines. And he runs
16 for office every now and then. I think he's
17 interested in running again.

18 But what I'm seeing in the back is an email
19 that he sent to Ms. Taylor and Ms. Thompson and the
20 co-directors asking that his campaign finance that
21 was on the agenda not be enforced. He lives
22 overseas. He says he has a disability and he is
23 below the poverty line. So he is asking for a
24 dismissal, it looks like.

25 We do know that we are not, being the

1 Commission, the Secretary of State's office, staff,
2 anybody named, but did see that he filed a lawsuit
3 against the State about his law license, trying to
4 get his law license put back in so that he could
5 run for Attorney General because that is a
6 requirement.

7 MS. CELESTINO-HORSEMAN: He's filed litigation
8 and threatened litigation.

9 MS. WARYCHA: I think he lost at the trial
10 court level in Monroe County and just this week
11 appealed in the 7th maybe. I haven't had a chance
12 to really look --

13 VICE CHAIRMAN OVERHOLT: That's separate from
14 this, though?

15 MS. WARYCHA: Yeah. Just to give you some
16 oversight into what's going on with Mr. Straw and
17 why he's interested in campaign finance. This one,
18 I think, is from the Secretary of State.

19 MS. TAYLOR: He found out there was a
20 Commission hearing in July and just assumed he was
21 on the agenda, so that's when he sent this, back in
22 July.

23 MS. WARYCHA: Oh, thank you.

24 MS. TAYLOR: There was no campaign finance at
25 that hearing. I don't remember what you guys did

1 in July, but it was not campaign finance.

2 CHAIRMAN OKESON: But is there a pending cause
3 for him?

4 MS. TAYLOR: Yes. Yeah, he filed -- he ran
5 for Secretary of State last year and missed the
6 fourth quarterly report.

7 MS. THOMPSON: Yeah. He's on page 90, top of
8 page 91.

9 CHAIRMAN OKESON: So, Valerie, given your and
10 Co-Counsel Kochevar's comments on a prior matter
11 regarding requests in writing, how would you weigh
12 in on this one?

13 MS. WARYCHA: I wouldn't change the precedent
14 for anyone. I would continue with the current
15 precedent.

16 CHAIRMAN OKESON: Mr. Kochevar?

17 MR. KOCHEVAR: Given that it's already been
18 put into the record that the last time a request to
19 waive a penalty was considered only in writing was
20 in 2006 and based on actions today and through
21 other committees we've seen, I would say that this
22 be -- to do what you've done for the other ones,
23 either to dismiss the action or just not consider
24 it at all.

25 MS. CELESTINO-HORSEMAN: He's closed his

1 committee?

2 MS. TAYLOR: His Secretary of State committee
3 is closed. He does now have an Attorney General
4 committee open.

5 VICE CHAIRMAN OVERHOLT: He does have a
6 committee?

7 MS. TAYLOR: Yes. But it's a new committee.

8 MS. WARYCHA: That's why it's hard to keep
9 track of is that he switches offices so regularly
10 and lawsuits so regularly.

11 VICE CHAIRMAN OVERHOLT: We allow people to
12 designate representatives to appear before us;
13 right?

14 MS. WARYCHA: Yes. And he does have family in
15 the state.

16 VICE CHAIRMAN OVERHOLT: Right. Yeah, so he's
17 on today's agenda.

18 MS. TAYLOR: Yes.

19 VICE CHAIRMAN OVERHOLT: This is kind of sort
20 of a request for continuance or --

21 MS. TAYLOR: No. He thought he was on the
22 July agenda because he caught wind of a Commission
23 meeting in July and knew he had a late filing. He
24 was not on the July agenda.

25 MS. WARYCHA: I'm sorry to interrupt. Is he

1 on this agenda, then?

2 MS. TAYLOR: Yes, page 91.

3 MS. WARYCHA: So that would be a default
4 judgment since he didn't show up, given current
5 precedent and what's been said.

6 MS. CELESTINO-HORSEMAN: But you can construe
7 this as a motion to continue.

8 MS. WARYCHA: Yes, you could.

9 MS. CELESTINO-HORSEMAN: Because he does state
10 that in there.

11 VICE CHAIRMAN OVERHOLT: I mean, my thought
12 would be, because he's also overseas -- I mean,
13 he's overseas. We have no reason to question him
14 being in the Philippines. But, you know, I'm
15 wondering if we grant -- if we deem this as a
16 request for continuance, grant the continuance and
17 somehow let him know that he could appoint -- I
18 think it needs to be, I guess like what we said
19 before, that we grant the continuance, we will not
20 consider the request for a reduction in the fine,
21 you know, on paper or via email, and add that he
22 can designate a representative to appear in person
23 before us.

24 MS. CELESTINO-HORSEMAN: He's also asked --

25 CHAIRMAN OKESON: Can we just disregard the

1 rest of his motion?

2 MS. CELESTINO-HORSEMAN: No. That's what I
3 was just going to say.

4 MS. NUSSMEYER: He does ask for continuance.

5 MR. KOICHEVAR: Not exactly. He asks for the
6 appointment of counsel, for which I don't think
7 this Commission can ask, and then, if that is done,
8 for a continuance. I think you, as administrative
9 law judges, have the ability to grant the
10 continuance if you feel that the matter is
11 warranted and then instruct the Election Division
12 to include, specifically for him, a reminder that,
13 under the Administrative Orders and Procedures Act,
14 that he can appoint a representative, who I don't
15 even think needs to be legal counsel, to come in
16 front of you.

17 CHAIRMAN OKESON: That's what I'm asking. Do
18 we need to address his request to set aside this
19 \$350 fine he's referred to at several points in the
20 motion?

21 MS. CELESTINO-HORSEMAN: Well, we are going to
22 address it saying we don't address motions for
23 reductions.

24 CHAIRMAN OKESON: Okay.

25 MS. CELESTINO-HORSEMAN: I think the motion

1 should also say that -- no, no, no, this is
2 discussion -- that we deny --

3 CHAIRMAN OKESON: Do we have a motion?

4 VICE CHAIRMAN OVERHOLT: I thought I made a
5 motion.

6 MS. LAWSON: I thought it was good, but I
7 can't repeat it.

8 VICE CHAIRMAN OVERHOLT: Maybe I'll sneak in
9 making up some ground we've covered since then.

10 MS. CELESTINO-HORSEMAN: Our court reporter,
11 Maria --

12 VICE CHAIRMAN OVERHOLT: Well, I feel bad for
13 her because we keep talking all over each other.
14 If you have been able to transcribe this in any
15 way, shape, or form, hats off to you.

16 My motion -- this is meant to be a
17 reiteration, perhaps a clarification or expansion.
18 But so my motion is that we -- so given the order,
19 that we would deny the request for appointment of
20 counsel, that we grant the request for continuance,
21 and that --

22 MS. LAWSON: We don't waive the penalty.

23 VICE CHAIRMAN OVERHOLT: -- we deny the
24 request that we waive penalties via written
25 submission and that, however this gets communicated

1 to Mr. Straw, that it would include that he may
2 designate a representative of his choosing to
3 appear before the Commission on his behalf.

4 MS. LAWSON: I second.

5 MS. CELESTINO-HORSEMAN: I'll second.

6 CHAIRMAN OKESON: Having a motion and a
7 second, is there any further discussion? Any
8 questions?

9 Hearing none, all those in favor signify by
10 saying "Aye."

11 VICE CHAIRMAN OVERHOLT: Aye.

12 MS. CELESTINO-HORSEMAN: Aye.

13 MS. LAWSON: Aye.

14 CHAIRMAN OKESON: The "ayes" have it.

15 I believe that concludes our business for the
16 day.

17 MR. KING: You have defaults.

18 CHAIRMAN OKESON: Oh, defaults.

19 MS. TAYLOR: Everybody else.

20 VICE CHAIRMAN OVERHOLT: Everyone else, these
21 other 800 pages.

22 CHAIRMAN OKESON: There is no one else here to
23 testify, so I declare all hearings on remaining
24 campaign finance matters scheduled for today
25 closed.

1 Is there a motion to impose the entire amount
2 of the proposed penalty, plus mailing costs, in all
3 remaining campaign finance enforcement actions?

4 VICE CHAIRMAN OVERHOLT: So moved.

5 CHAIRMAN OKESON: Is there a second?

6 MS. LAWSON: Second.

7 CHAIRMAN OKESON: Any further discussion on
8 that matter?

9 Hearing none, all those in favor signify by
10 saying "Aye."

11 VICE CHAIRMAN OVERHOLT: Aye.

12 MS. CELESTINO-HORSEMAN: Aye.

13 MS. LAWSON: Aye.

14 CHAIRMAN OKESON: The "ayes" have it. The
15 motion to impose the penalty is adopted.

16 With that, I think we can conclude our
17 business today. Thank you, former Secretary of
18 State Connie Lawson, for joining us today.

19 VICE CHAIRMAN OVERHOLT: Yes. Thank you.

20 MS. CELESTINO-HORSEMAN: Thank you.

21 CHAIRMAN OKESON: Does that make you feel like
22 you need to jump back in?

23 MS. LAWSON: No.

24 CHAIRMAN OKESON: Is there a motion to
25 adjourn?

1 VICE CHAIRMAN OVERHOLT: So moved.

2 CHAIRMAN OKESON: Is there a second?

3 MS. LAWSON: Second.

4 CHAIRMAN OKESON: All those in favor say

5 "Aye."

6 VICE CHAIRMAN OVERHOLT: Aye.

7 MS. CELESTINO-HORSEMAN: Aye.

8 MS. LAWSON: Aye.

9 CHAIRMAN OKESON: We're adjourned. Thank you.

10 (The Indiana Election Commission Public

11 Session was adjourned at 2:28 p.m.)

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1 STATE OF INDIANA

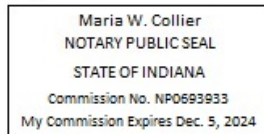
2 COUNTY OF HAMILTON

3 I, Maria W. Collier, a Notary Public in and
4 for said county and state, do hereby certify that the
5 foregoing public session was taken at the time and
6 place heretofore mentioned between 1:00 p.m. and
7 2:28 p.m.;

8 That said public session was taken down in
9 stenograph notes and afterwards reduced to typewriting
10 under my direction; and that the typewritten
11 transcript is a true record of the public session.

12 IN WITNESS WHEREOF, I have hereunto set my
13 hand and affixed my notarial seal this 14th day of
14 August, 2023.

15
16 *Maria W. Collier*



21 My Commission expires:
22 December 5, 2024

23 Job No. 183262
24
25

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