

**LAKE COUNTY ELECTIONS AGENDA  
COMMISSIONER'S COURTROOM  
TUESDAY, MAY 20, 2025**

**Notice is given to the news media pursuant to I.C. 5-14-1.5-5(a)**  
**LCBER YouTube Link: <https://www.youtube.com/@LCBER45>**

**1. CALL TO ORDER**

1. **Pledge of Allegiance**

**2. ROLL CALL**

1. **Clerk Michael Brown**
2. **Ms. Mara Candelaria Reardon**
3. **Mr. Michael Mellon**
4. **Mr. John Reed**
5. **Chairman Kevin Smith**

**3. APPROVAL OF MINUTES**

**Board Meetings Minutes - April 15, 2025**

**Board Meeting Minutes - May 3, 2025 (Inspector Saturday)**

**Board Meeting Minutes - May 6, 2025 (Election Day)**

**4. OLD BUSINESS**

**Election Equipment Bid Process**

**Complaint Tracking Procedure**

**Jostes v. Allende - Cont.**

**5. NEW BUSINESS**

**CFA Matters - James Piggee for Calumet TWP Board Member**

**2025 Election Certification**

**6. CORRESPONDENCE**

**7. COUNSEL REPORTS**

**8. PURCHASE ORDERS**

**PO 2505174**

**PO 2505925**

**PO 2505861**

**9. NEXT MEETING**

- **June, 17, 2025 at 10:00 AM in the Commissioner's Courtroom**

**10. PUBLIC COMMENT**

**11. ADJOURNMENT**

# Item Cover Page

## ELECTIONS AGENDA ITEM REPORT

**DATE:** May 20, 2025

**SUBMITTED BY:** Jessica Messler,Elections

**ITEM TYPE:** Minutes

**AGENDA SECTION:** APPROVAL OF MINUTES

**SUBJECT:** **Board Meetings Minutes - April 15, 2025**

**SUGGESTED ACTION:**

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**ATTACHMENTS:**  
[2025 04 15 Board Meeting Minutes](#)

**In the Matter of:**

*LAKE COUNTY BOARD OF ELECTIONS AND REGISTRATION*

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*BOARD MEETING*

*April 15, 2025*

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1 APPEARANCES:

2 Kevin Smith, Board Chairman

3 Mike Brown, Board Member

4 Michael Mellon, Board Member

5 John Reed, Board Member

6 Mara Candelaria Reardon, Board Member

7 Michelle Fajman, Director

8 Jessica Messler, Assistant Director

9 Jerry Schmitt, Election Administrator

10 Genny Gasparovic, Assistant Election Administrator

11 Lori O'Dea, Campaign Finance Clerk

12 Kelley DiPirro, Campaign Finance Clerk

13 Michael Tolbert, Board Attorney

14 Carly Brandenburg, Board Attorney

15 and

16 Members of the Public

17 \* \* \*

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I N D E X				
ITEM	DESCRIPTION	PAGE/LINE		
1				
2				
3	Call to Order	4	1	
4	Roll Call	4	9	
5	Approval of Minutes 03-18-25 & 03-25-25	5	8	
6	Old Business	Equipment Bid Process	6	1
		Complaint Tracking	6	5
7		Complaint 2024-10	6	13
8	New Business	2024 Annual Reports	115	8
		CFA Santos	127	9
9		Legal Notice	128	7
		VVSTOP Audit Update	129	3
10		C/A Remove Entry SVRS	130	22
11	Correspondence	None	131	25
12	Counsel Report	None	132	2
13	Purchase Orders		132	19
14	Next Meeting	May 3, 2025	134	8
15	Public Comment		134	12
16	Adjournment	12:03 p.m.	135	11

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1                   CHAIRMAN SMITH: I'm going to call  
2 the Lake County Board of Elections and  
3 Registration Board meeting of April 15th to  
4 order. If you could all please rise, if  
5 you're able, for the Pledge of Allegiance.

6                   (Pledge of Allegiance recited.)

7                   CHAIRMAN SMITH: Thank you, and  
8 welcome, everyone. Michelle, can you please  
9 take Roll Call.

10                  MS. FAJMAN: John Reed?

11                  MR. REED: Present.

12                  MS. FAJMAN: Mike Mellon?

13                  MR. MELLON: I am here.

14                  MS. FAJMAN: Mike Brown?

15                  MR. BROWN: Present.

16                  MS. FAJMAN: Our new Board member,  
17 Mara Candelaria Reardon?

18                  MS. CANDELARIA REARDON: Present.

19                  MS. FAJMAN: And Kevin Smith?

20                  CHAIRMAN SMITH: I am here. I  
21 will note for the record we have a quorum. I  
22 want to welcome our newest Board member, Mara  
23 Candelaria Reardon. Congratulations and  
24 welcome.

25                  MS. CANDELARIA REARDON: Thank

1 you.

2 CHAIRMAN SMITH: Also, I do want  
3 to recognize we have both chairmen here today.  
4 So, hello to Chairman Niemeyer and hello to  
5 Chairman Repay, and welcome.

6 (Inaudible; talking in unison.)

7 The next matter on the agenda is  
8 Approval of the Minutes. I'll entertain a  
9 motion to approve the March 18th and the  
10 March 25th minutes.

11 MR. BROWN: Motion to approve,  
12 Mr. Chair.

13 MR. MELLON: I'll second.

14 CHAIRMAN SMITH: We have a motion  
15 by Clerk Brown, seconded by Mr. Mellon, to  
16 approve the minutes. Is there any discussion?  
17 Hearing none. All those in favor signify by  
18 saying aye.

19 (Board members saying "aye" in  
20 unison.)

21 CHAIRMAN SMITH: Any opposed?

22 (No immediate response.)

23 CHAIRMAN SMITH: That motion  
24 carries.

25 The next matter of business on the

1 agenda is Old Business. Election Equipment  
2 Bid Process. It's indicating no major  
3 updates. Jessica, is that correct?

4 MS. MESSLER: That is correct.

5 CHAIRMAN SMITH: And Complaint  
6 Tracking Procedure?

7 MS. MESSLER: Also no major  
8 updates.

9 CHAIRMAN SMITH: All right. Thank  
10 you. Are there any questions for our staff  
11 regarding those matters by the Board? Okay.  
12 Hearing none.

13 Moving on, the next is Complaint  
14 2024-10, which is entitled Jostes versus  
15 Allande, if I'm saying that correct. Do we  
16 have the complainant, or petitioner, here,  
17 Ms. Jostes? Hi. Come on up. And then also,  
18 Mr. Allande, you're here with Mr. Vis, I  
19 believe, as your representative. Ms. Jostes,  
20 if you could come over to this side, please.  
21 And then, Mr. Allande, you're here with  
22 Mr. Vis.

23 Okay. Let me just set the record,  
24 and just ask the parties if they have any  
25 other potential witnesses with them today that

1 will be testifying on your behalf?

2 MS. JOSTES: I don't think so.

3 MR. VIS: No.

4 CHAIRMAN SMITH: All right. So if  
5 you two could just please raise your right  
6 hand to be sworn in.

7 (Whereupon, parties were sworn in  
8 by Chairman Smith.)

9 CHAIRMAN SMITH: We will show you  
10 both duly sworn. Just for the record, I just  
11 want to place on the record that I do have  
12 before me a complaint form that's dated  
13 November 5, 2024, in the name of Madison  
14 Jostes. It lists the respondent as Jason  
15 Allande, and she's also included an email. We  
16 have notice to Mr. Allande dated January 2nd  
17 and I think we had a subsequent notice, based  
18 on failure to attend by the parties, and we're  
19 here today for that.

20 Ms. Jostes, do you have anything  
21 besides your email that you'd like to present  
22 to the Board? Obviously, you're going to get  
23 a chance to speak.

24 MS. JOSTES: Yes, that's it.

25 CHAIRMAN SMITH: Okay. And then I

1 understand that we also have a recording by  
2 Ms. Jostes that's been given to the attorneys  
3 for the Board?

4 MS. BRANDENBURG: I believe  
5 Michelle has it -- or Jessica has it and can  
6 play it, if the Board likes. It wasn't  
7 attached with the complaint. So Officer  
8 Allande hasn't received it prior.

9 CHAIRMAN SMITH: So, Mr. Vis, you  
10 don't have a copy of that?

11 MR. VIS: I do not. I'm unaware  
12 of that until just now.

13 CHAIRMAN SMITH: All right. So I  
14 want to make sure you are aware of it and so  
15 now you are and, obviously, we want to get you  
16 a copy of that. And then, Mr. Vis, I'll ask  
17 you the same thing. Do you have any other  
18 documents that you want to present to the  
19 Board or any testimony outside of Mr. Allande?

20 MR. VIS: Just for the record, I  
21 was retained as of yesterday. So, fairly new,  
22 didn't even have enough time to assemble  
23 witnesses. I do have a picture of the shirt  
24 at issue, in case that's relevant. That would  
25 be the only additional item. And then I would

1 want to reserve, based upon the fact that I've  
2 just learned that there is a recording that I  
3 was unaware of, to continue this hearing to a  
4 future date, if necessary, to bring rebuttal  
5 witnesses.

6 CHAIRMAN SMITH: Okay. I know  
7 that there's been some difficulty getting  
8 everybody here. I think I remember somebody  
9 from the Cedar Lake Democratic Party coming  
10 and indicating that Ms. Jostes works out of  
11 town. Is that accurate?

12 MS. JOSTES: Yes.

13 CHAIRMAN SMITH: Where do you  
14 work?

15 MS. JOSTES: It's a company in  
16 Wisconsin. So I'm there and I'm here at  
17 different times. So the last two times I was  
18 up in Wisconsin.

19 CHAIRMAN SMITH: Okay.

20 MS. BRANDENBURG: To be fair, I  
21 don't believe it's a recording of the  
22 incident. It's a recording of Ms. Jostes  
23 reporting -- yes, a voice mail, reporting the  
24 incident to the Election Board. So it's not a  
25 contemporaneous recording, or anything of that

1 nature. It would, essentially, be similar to  
2 the complaint.

3 CHAIRMAN SMITH: Got it.

4 MR. MELLON: Mr. Chairman, I don't  
5 know if -- even if it did record the incident,  
6 I mean, I don't know if -- what we're trying  
7 to determine is whether or not electioneering  
8 was taking place. Whether or not  
9 electioneering was taking place, I don't know  
10 if the video itself would even potentially  
11 reveal that.

12 Now there's also the argument that  
13 there was an argument that took place and  
14 there was some rude behavior that took place.  
15 Now, that may show something along those  
16 lines, but I don't know if that necessarily  
17 rises to the level of an election law  
18 violation. So, I mean, I'm not sure what the  
19 video is. I don't know that I want to  
20 postpone this to --

21 MR. REED: It's not a video. It's  
22 a tape-recording; right?

23 MS. FAJMAN: Audio.

24 MS. BRANDENBURG: A voice mail.

25 MR. REED: Audio, voice mail, that

1 was saved for reporting the incident itself;  
2 right?

3 MS. BRANDENBURG: Right.

4 CHAIRMAN SMITH: What's the date  
5 of it?

6 MS. FAJMAN: It is Election Day.  
7 The way this all came about, I had forgotten  
8 all about it. I was checking my voice mail  
9 because it was saying I couldn't leave voice  
10 mails, cleaning them out, and it said I had  
11 five in there from Election Day. Some were  
12 just problems with machines, and so forth.  
13 Hers was like the fourth one in, and it was  
14 just her calling in to report it.

15 CHAIRMAN SMITH: And it was done  
16 on Election Day.

17 MS. FAJMAN: On Election Day. I  
18 believe it was like 8:23 a.m., somewhere in  
19 that vicinity. It appeared she stepped  
20 outside, maybe the wind blowing a little bit.  
21 She probably just stepped outside the doors  
22 right there, maybe, to make a phone call to us  
23 to report it and to let us know what was going  
24 on.

25 MR. MELLON: Well, Mr. Chairman, I

1 mean, she's going to report what took place.  
2 She's under oath. Let's just eliminate that.

3 MS. FAJMAN: Okay.

4 MR. REED: Well, let me ask you  
5 this.

6 CHAIRMAN SMITH: Mr. Reed.

7 MR. REED: If we're going to  
8 listen to this, I think Mr. Vis should get the  
9 opportunity to listen to it, even if it's a  
10 few minutes, to determine if it's  
11 objectionable or not on any level. If it is  
12 or it isn't, I just don't like the idea of  
13 sort of putting it --

14 CHAIRMAN SMITH: Yeah, I wasn't  
15 implying that we were going to play it.

16 MR. REED: Yeah, but if we are  
17 going to play it, he should get an opportunity  
18 to --

19 CHAIRMAN SMITH: I guess I  
20 would --

21 MR. MELLON: If we're going to  
22 play it, we should postpone it to give him an  
23 opportunity to --

24 CHAIRMAN SMITH: Yeah, so,  
25 Ms. Jostes, do you have any intention on

1 needing to play the voice mail or do you want  
2 to -- or you can just tell the Board what  
3 happened.

4 MS. JOSTES: You can do whatever.  
5 Whatever is easy for you guys. I really  
6 don't --

7 CHAIRMAN SMITH: Okay.

8 MR. TOLBERT: Can I make a  
9 suggestion?

10 CHAIRMAN SMITH: Mr. Tolbert.

11 MR. TOLBERT: Just don't rely on  
12 it, just like -- I know this is not a court of  
13 law.

14 CHAIRMAN SMITH: Right, it's not.

15 MR. TOLBERT: But it's a little  
16 late in the game and what a judge would do is  
17 just not allow that to be heard or considered  
18 as evidence.

19 CHAIRMAN SMITH: Yeah, and that's  
20 where I'm leaning.

21 (Inaudible; talking in unison.)

22 MR. TOLBERT: Kind of what  
23 Commissioner Mellon said.

24 CHAIRMAN SMITH: Yeah, that's  
25 where I'm leaning, and that's why I wanted to

1 allow the petitioner the opportunity to tell  
2 us, oh, it's important to my case and I do  
3 want it to be heard or I don't care. And it  
4 sounds like she's fine with us not playing it,  
5 which is great.

6 Okay. So, Mr. Vis, the decision,  
7 I guess, of the Board is to not play it. The  
8 petitioner is not necessarily -- I think she  
9 indicated she didn't care one way or the  
10 other. I think we're just going to proceed.

11 MR. VIS: No objection to that.

12 CHAIRMAN SMITH: Okay. Then,  
13 Ms. Jostes, you have the floor to kind of  
14 explain exactly what happened that day. Could  
15 you start with what your position is and maybe  
16 how long you've been performing those duties  
17 on Election Day?

18 MS. JOSTES: For that Election  
19 Day, that was my first time being an  
20 inspector. I had just gotten called, I think,  
21 the Saturday before Election Day because they  
22 were down one. So I went to the training and,  
23 you know, they had said if anything happened,  
24 please report it to us. We want you to report  
25 it.

1           On Election Day it was, obviously,  
2 very busy. I was sitting with my group of  
3 people and workers, and one of my judges had  
4 come up and pointed out that there was  
5 somebody wearing election memorabilia, and  
6 because it was -- it had a name of someone on  
7 the ballot. I approached him and asked him if  
8 he could please flip his shirt inside out or  
9 go and get a jacket from the car, cover it up  
10 if he could. He said he wasn't going to do  
11 that.

12           I said, you have to do that. You  
13 can't wear that in here. Nobody that's on the  
14 ballot, you can't wear anything. It doesn't  
15 matter what party, anything like that. And  
16 he's like, what are you going to do about it?  
17 I said, I can call the police. I can call  
18 county. And then he continued to -- he  
19 started yelling and said, I am the police, and  
20 pulled out his police badge and put it in my  
21 face. So that was uncomfortable.

22           CHAIRMAN SMITH: You can take a  
23 minute, if you want.

24           MR. MELLON: Mr. Chairman, can I  
25 ask a question?

1                   CHAIRMAN SMITH: Yes, Mr. Mellon.  
2 Oh, for Ms. Jostes? I want to give her a  
3 chance to compose herself.

4                   MR. MELLON: Right, I was going to  
5 give her a chance up here to listen to the  
6 question and --

7                   CHAIRMAN SMITH: Sure.

8                   MR. MELLON: -- compose herself a  
9 little bit. So when you approached him, did  
10 you identify yourself as an election worker or  
11 did you have a badge or a lanyard or --

12                  MS. JOSTES: A badge.

13                  MR. MELLON: -- anything like  
14 that? All right. And did you say, hey, look,  
15 I'm a -- what was your position again?

16                  MS. JOSTES: Inspector.

17                  MR. MELLON: Inspector. Did you  
18 say I'm the inspector for the polling place,  
19 anything along those lines?

20                  MS. JOSTES: No, I don't think so.  
21 I think I just asked can you please change  
22 your shirt.

23                  MR. REED: Had you had like a  
24 lanyard with a --

25                  MS. JOSTES: I just had a badge

1 like on my shirt that had my name. I think it  
2 said Inspector on it too.

3 MR. REED: And that, Michelle, on  
4 Election Day, what do those look like? I know  
5 I've seen them, but --

6 MS. FAJMAN: They're a little  
7 lanyard that say the position, inspector,  
8 judges, and clerks, and then they usually put  
9 like their first name on there.

10 MR. REED: It's not like hidden or  
11 tiny or --

12 MS. FAJMAN: No.

13 MR. REED: All right. I just  
14 thought maybe he wouldn't notice it.

15 CHAIRMAN SMITH: Did you feel that  
16 you properly let Mr. Allande know that you  
17 were an election official, because you had  
18 your badge on and --

19 MS. JOSTES: I had it like --  
20 right, yeah, yeah. I didn't physically say  
21 I'm the inspector for this township, but it  
22 was labeled right there.

23 CHAIRMAN SMITH: Okay. And so I  
24 think you were explaining that he had pulled  
25 out his badge, said I am the law, and put it

1 in your face and yelling at you.

2 MS. JOSTES: Yes.

3 CHAIRMAN SMITH: Okay. What  
4 happened after that?

5 MS. JOSTES: After that I was  
6 like, okay, I'm going to call county, and I  
7 just walked away, grabbed my phone, got county  
8 on the phone, and I just -- I don't know what  
9 happened, because I was facing the other way,  
10 but everybody was paying attention at that  
11 point because it was loud. But the other  
12 inspector had come up -- I was on the phone at  
13 this time, but the other inspector had come up  
14 and, I think, just asked him to change his  
15 shirt, and she knew him, so he flipped his  
16 shirt right there. Because she came up to me  
17 and said, I just got him to change his shirt,  
18 I know who he is, like everything is fine.

19 But at that point I was on the  
20 phone, so I had -- I don't know who I was  
21 talking to. It was probably the first person  
22 that picked up, but I had called that office,  
23 and I was just like I'll just report later  
24 after I talk to someone else, I guess. So, I  
25 think that was probably it.

1 MR. MELLON: Mr. Chairman?

2 CHAIRMAN SMITH: Yes, Mr. Mellon.

3 MR. MELLON: Question. So there's  
4 kind of two stories here, to me. One is  
5 electioneering, and are you saying that -- so,  
6 he was notified that he was electioneering,  
7 that he had a shirt that displayed a  
8 candidate's name that was on the ballot.

9 MS. JOSTES: Uh-huh.

10 MR. MELLON: You asked him to  
11 remove it, to switch it, do whatever. He  
12 initially replied no to you, but then when he  
13 spoke to somebody he recognized, he then  
14 complied with that.

15 MS. JOSTES: Uh-huh.

16 MR. MELLON: Okay. The other  
17 aspect is kind of, I guess, the tone or maybe  
18 sort of like abusive language, is kind of what  
19 you're claiming here. You're saying that he  
20 was sort of attacking you verbally during this  
21 process.

22 MS. JOSTES: Yeah, he was cussing,  
23 and like I'm not effing doing that, I am the  
24 effing police. I believe he was -- I don't  
25 know if he called me any names after that,

1 but --

2 CHAIRMAN SMITH: Did you feel  
3 intimidated?

4 MS. JOSTES: Yes.

5 CHAIRMAN SMITH: You did. You  
6 felt intimidated.

7 MS. JOSTES: Yes.

8 CHAIRMAN SMITH: Did you feel that  
9 he was being aggressive towards you?

10 MS. JOSTES: Yes. I was scared.

11 MR. MELLON: You said he put it in  
12 your face. How close was the badge to your  
13 face?

14 MS. JOSTES: I don't know. Out of  
15 your pocket and like -- I don't know. I was  
16 pretty close to him.

17 MR. MELLON: But not slammed  
18 against you.

19 MS. JOSTES: Not like -- it was  
20 like this. It wasn't like that.

21 (Demonstrating.)

22 MR. MELLON: Yeah, okay. So your  
23 complaint -- I guess, had the second part of  
24 the event, sort of the uncomfortable aspect of  
25 it, not taken place, would you have filed the

1 complaint of electioneering?

2 MS. JOSTES: Probably not. I  
3 think the language and everything that had  
4 occurred to me was reportable. So that's why  
5 I reported it.

6 MR. MELLON: I understand. Thank  
7 you.

8 CHAIRMAN SMITH: Any other  
9 questions for Ms. Jostes?

10 MR. BROWN: Yes. After the --

11 CHAIRMAN SMITH: Clerk Brown.

12 MR. BROWN: After the other person  
13 spoke to him and he calmed down and did what  
14 he had to, did you still feel intimidated or  
15 was everything kind of smoothed over?

16 MS. JOSTES: I wasn't really like  
17 worried about that. I was just like worried  
18 about what was going to happen. I think I was  
19 fine at that point. Just he's going to move  
20 along in the line and get to the voting  
21 machine, and once he gets out of here, we're  
22 good. After that, I think it was okay, but --

23 CHAIRMAN SMITH: Have you worked  
24 other elections besides this one?

25 MS. JOSTES: Yes.

1                   CHAIRMAN SMITH: Okay. Just never  
2 as an inspector?

3                   MS. JOSTES: No.

4                   CHAIRMAN SMITH: What other  
5 positions have you held?

6                   MS. JOSTES: Oh, I've been a judge  
7 and I've also been the poll pad person. I  
8 can't think of what one that is, but --

9                   MS. FAJMAN: Clerk.

10                  MS. JOSTES: Clerk, yes. Thank  
11 you.

12                  CHAIRMAN SMITH: Ms. Candelaria  
13 Reardon.

14                  MS. CANDELARIA REARDON: Yeah, I  
15 wanted to ask you, when you left to make the  
16 phone call were you aware that he was  
17 complying? To you he was not complying and  
18 that's why you made the complaint originally?

19                  MS. JOSTES: Uh-huh. Yes.

20                  CHAIRMAN SMITH: And do you  
21 believe that your training that you had,  
22 either as a clerk or a judge or an inspector,  
23 that you were using that training to let him  
24 know that you couldn't have a person that's on  
25 the ballot inside the polling place?

1 MS. JOSTES: Uh-huh. Yes.

2 CHAIRMAN SMITH: Okay. And you  
3 believed that he was, at the time that he had  
4 the shirt on, violating what you understood  
5 the law to be?

6 MS. JOSTES: Yes.

7 CHAIRMAN SMITH: And is that why  
8 you warned him?

9 MS. JOSTES: Yes.

10 CHAIRMAN SMITH: And he did not  
11 comply with you; is that correct?

12 MS. JOSTES: Correct.

13 MR. REED: Mr. Chairman.

14 CHAIRMAN SMITH: Mr. Reed.

15 MR. REED: As to this particular  
16 polling place, where was the entrance to the  
17 polling place and where was the chute, if you  
18 can describe it to us?

19 MS. JOSTES: Okay. So the  
20 building at the front doors, there's like a  
21 long hallway that leads into like a bigger  
22 room, and there was a line out the door and  
23 like wrapped inside for the polling place,  
24 like lines of people to vote.

25 MR. REED: So let me ask you this.

1 The room that the voting machines were in, the  
2 door into that room, is that where you started  
3 the -- is that where the ropes were started  
4 and extended back?

5 MS. JOSTES: They were started at  
6 the entry door.

7 CHAIRMAN SMITH: And then back  
8 outside.

9 MS. JOSTES: And then back  
10 outside.

11 MR. REED: So they were -- make  
12 sure I get this straight. The entry door to  
13 the room where the machines were, not the  
14 entry door to the building.

15 MS. JOSTES: Not that door. The  
16 entry door to the building.

17 CHAIRMAN SMITH: So the chute  
18 started -- the entry door to the building is  
19 where the chute started, where the rope  
20 started.

21 MS. JOSTES: I think so, yes.

22 CHAIRMAN SMITH: And was it --  
23 based on what he told you, did he say anything  
24 to the effect of I'm not doing that, I'll do  
25 it when I get in the chute, or did he just say

1 I'm not doing that?

2 MS. JOSTES: He said I'm not doing  
3 that. He was at the entry door to the room.  
4 So, we didn't see him in line at that point.  
5 One of my judges -- if this is like where the  
6 door opens up into the room, he was like  
7 standing on the corner of like the door.  
8 That's where she noticed him.

9 CHAIRMAN SMITH: So just to be  
10 clear here, when you approached him and he  
11 said these things to you and he refused to  
12 comply with what you requested, he was just  
13 outside the door to the voting room.

14 MS. JOSTES: Correct.

15 CHAIRMAN SMITH: In the building.  
16 You were not outside.

17 MS. JOSTES: Correct.

18 CHAIRMAN SMITH: Okay.

19 MR. REED: Even if the chute was  
20 in the wrong place --

21 MS. FAJMAN: He's in the room.

22 CHAIRMAN SMITH: He's not in the  
23 room.

24 MR. REED: He's not in the room.

25 CHAIRMAN SMITH: He's in the

1 chute.

2 MS. BRANDENBURG: He's in the  
3 chute, but not in the room.

4 CHAIRMAN SMITH: Okay. I don't  
5 have any further questions of Ms. Jostes.  
6 However, I just want to make sure the rest of  
7 the Board if they have any further questions?

8 (No immediate response.)

9 CHAIRMAN SMITH: Okay. Mr. Vis,  
10 do you have any questions?

11 MR. VIS: Yes. Thank you,  
12 Mr. Chairman.

13 EXAMINATION

14 BY MR. VIS:

15 Q First, Ms. Jostes, thank you for your service.  
16 I served as an inspector in 2008 at a polling  
17 place in Hammond, and I attempted to enforce a  
18 gentleman to take off a Vote for Pedro button  
19 and, much to my surprise, he said this is a  
20 movie that you're trying to enforce. It's not  
21 for a particular candidate. So that is my  
22 inspector story from many years ago, but thank  
23 you for your service.

24 A couple of questions. So that I  
25 understand, this was the first time that you

1 had been called into service as an inspector;  
2 correct?

3 A Correct.

4 Q And the training that you received was on that  
5 Saturday beforehand; correct?

6 A Correct.

7 Q So this was new to you, being an inspector.

8 A Right, but I had worked several elections  
9 before. So I kind of had a bit of a sense of  
10 what to look for, and stuff like that.

11 Q And I recognize that that is the Knights of  
12 Columbus right on 41. It's my voting spot.

13 A Yeah.

14 Q So on that particular morning did you have any  
15 others that day where you had to approach  
16 someone and encourage them to remove a hat or  
17 to remove a button, or anything?

18 A Just one person who was wearing a sweatshirt  
19 that had his name on it. She didn't know. So  
20 she went outside and took the sweatshirt off  
21 and put it in her car.

22 Q So you approached her and asked her to change  
23 it?

24 A Yes.

25 Q And is that standard procedure as to how

1           you've been taught, to give someone an  
2           opportunity to take off an article of  
3           clothing?  
4    A       Yes.  
5    Q       Okay. And what's your understanding of what  
6           constitutes electioneering?  
7    A       If it has their name on it, anybody on the  
8           ballot's name. It can say a slogan, and  
9           that's what I've heard. That's what I learned  
10           in training, but as long as their name is on  
11           it, then they can't wear it.  
12   Q       Okay. The name of the candidate; correct?  
13   A       The name of the candidate, yes.  
14   Q       Okay. And as I review this email, this was an  
15           email that you sent the following morning. Is  
16           that accurate, your submission to the Board?  
17   A       No, it was the same day.  
18   Q       It was the same day?  
19   A       Yes.  
20   Q       Okay.  
21                           CHAIRMAN SMITH: I show it dated  
22           Tuesday, November 5th, at 10:11 a.m.  
23   BY MR. VIS:  
24   Q       Okay. So it was sent later that morning.  
25   A       Correct.

1 Q You sent it from your cell phone?

2 A Yes.

3 Q All right. So this was sent fairly quickly

4 after the incident happened and fresh in your

5 memory.

6 A Uh-huh.

7 Q Yes?

8 A Yes.

9 Q So when I go to the second line, it says, I

10 approached him and asked him if he could go to

11 the bathroom and flip his shirt inside out or

12 go grab a jacket from the car and zip it up.

13 Is that accurate?

14 A Correct.

15 Q And at that point you hadn't made eye contact.

16 A Correct.

17 Q You next state, he said I'm not doing that,

18 and continued looking at his phone and would

19 not look at me. That's accurate?

20 A Correct.

21 Q So up to this point he's not made eye -- he's

22 not turned and looked at you; correct?

23 A Correct.

24 Q So at this point --

25 A He might have looked at me when I walked up

1           and then pulled his phone out. I'm not sure,  
2           but at that point he was not.

3    Q       Okay. But fair to state to this point you  
4           don't recall if he looked at you.

5    A       Correct.

6    Q       Looked at your face, looked at your chest area  
7           where you would have been labeled as an  
8           inspector; correct?

9    A       Correct.

10   Q       Okay. And you never identified yourself as my  
11          name is Ms. Jostes, I'm the inspector for this  
12          whole area.

13   A       No.

14   Q       All right. So at this point it'd be fair to  
15          say he doesn't know if the voice is coming  
16          from a neighbor that doesn't like him?

17   A       I guess that's fair.

18   Q       He doesn't know if it's coming from a Kamala  
19          Harris supporter; correct?

20   A       He doesn't know that.

21   Q       He doesn't know if it's coming from someone  
22          that's supporting an Independent candidate;  
23          correct?

24   A       Correct.

25   Q       So at this point the two of you are talking to

1 each other, but not looking at each other and  
2 knowing who each other are; correct?

3 A Uh-huh.

4 Q Yes?

5 A Yes.

6 Q Okay. So then you continue, you indicate to  
7 him, quote, he, meaning Trump, is on the  
8 ballot and any item of clothing that has a  
9 name or a picture cannot be worn inside the  
10 voting place; correct?

11 A Correct.

12 Q Okay. But you didn't indicate to him this is  
13 state law. You're just telling him you can't  
14 do this; correct?

15 A I don't think I said it was state law, but I  
16 said he cannot do this. He cannot wear this  
17 in the polling place.

18 Q He doesn't know if it's coming from a Joe  
19 Johnson supporter; correct?

20 A Correct.

21 Q You then express to him he gets to have his  
22 voice heard when he gets to the voting  
23 machine, and he raised his voice and said,  
24 what are you going to do about it; correct?

25 A Yes.

1 Q Okay. At this point you still haven't made  
2 eye contact.

3 A I think at that point he had finally put his  
4 phone away and looked at me. It was that  
5 initial -- like he was still pretty calm when  
6 he would not lift his eyes from his phone.

7 Q And you said you could call the police;  
8 correct?

9 A Yes.

10 Q And that's when he took out his wallet?

11 A I said I can call the police or call county,  
12 and that's when he pulled it out, pulled out  
13 the badge.

14 Q Okay. When he pulled out his badge and showed  
15 it to you, he didn't say don't call the  
16 police, did he?

17 A He said go ahead and call the police, I am the  
18 effing police.

19 Q Okay. But he wasn't telling you to not call  
20 the police; correct?

21 A Correct.

22 Q He was okay with you calling the police.

23 A I don't know that. I don't know that.

24 Q Did you record his badge number when he opened  
25 up his wallet?

- 1 A No.
- 2 Q Okay. So when you came back inside after  
3 making the phone call, that's when you  
4 observed that he had flipped his T-shirt over;  
5 correct?
- 6 A I was still in the room when I made the phone  
7 call. I had just turned away to go towards my  
8 table, and the inspector, the other inspector  
9 that had got him to change his shirt, she came  
10 up to me and she said -- she like touched my  
11 shoulder and said, hey, I got him to flip his  
12 shirt inside out.
- 13 Q Okay. Did you know who he was at that point?
- 14 A No.
- 15 Q Okay. So within two hours of this incident  
16 occurring, I think there was evidence put in  
17 the record that there was a voice mail left  
18 with the Lake County Election Board, at  
19 approximately 8:34. Within two hours you sent  
20 this email; correct?
- 21 A Correct.
- 22 Q Okay. Who did you learn from that his name  
23 was Jason Allande?
- 24 A The other inspector.
- 25 Q Okay. Who did you learn from his badge

1 number?

2 A I'm not sure.

3 Q Did you text someone in this room?

4 A No.

5 Q Did you text anyone in this room?

6 A No.

7 Q So how did you learn his badge number?

8 A I think it was somebody else. I think it was  
9 Tracy Haskell. She had found out --

10 MR. MELLON: Mr. Chairman, what's  
11 the relevance of that question? I'm not  
12 understanding the relevance of how she learned  
13 his badge number.

14 MR. VIS: My relevance is that  
15 within less than two hours of this incident  
16 happening not only is there a description of  
17 what it is, but it's who he is and then  
18 there's a specific depiction that it's a  
19 police officer and his badge number.

20 MR. REED: So what's wrong with  
21 that?

22 MR. MELLON: Yeah, what's wrong  
23 with that? That's a way to identify him.

24 MR. VIS: Right. But my question  
25 in particular is, is this being exacerbated or

1           inflamed because of who he is, once she  
2           learned who he was.

3                       MR. MELLON: Well, I think she  
4           learned who he was when he showed her the  
5           badge, that he was a police officer. Whether  
6           or not she tracked that down, I don't see,  
7           Mr. Chairman, any relevance to that question.

8                       CHAIRMAN SMITH: Why don't you go  
9           ahead and ask your next question.

10                      MR. VIS: We can do that. That's  
11           okay. I'm just trying to learn, because that  
12           just struck me as odd that this would be said.

13                      MR. MELLON: Yeah, but I just  
14           don't know what it implies to anyone here.

15                      MR. VIS: Okay.

16 BY MR. VIS:

17 Q           So afterwards his shirt is turned inside out;  
18           is that correct?

19 A           Yes.

20 Q           Okay. And from what I understand, that day  
21           there was one other lady who you approached;  
22           correct?

23 A           Correct.

24 Q           And you requested that she flip her shirt  
25           inside out or take it off?

1 A Correct.

2 Q And that's an opportunity that you give to  
3 everyone; correct?

4 A Yes.

5 Q Okay. And if they comply with that  
6 opportunity, then you don't submit a charge  
7 against them for electioneering; correct?

8 A Correct.

9 MR. VIS: Okay. I've got no other  
10 questions.

11 CHAIRMAN SMITH: Thank you,  
12 Mr. Vis. Any questions of Ms. Jostes based  
13 upon the questions of Mr. Vis?

14 MR. REED: Could you -- I believe  
15 you said, ma'am, who you might have gotten the  
16 badge number from. You said a Tracy Haskell?

17 MS. JOSTES: Uh-huh.

18 MR. REED: Because I don't know if  
19 the court reporter got that name, but who is  
20 Tracy Haskell?

21 MS. JOSTES: I don't know like a  
22 specific job title, but she's always gotten me  
23 and my sister to work for the elections, so.

24 MR. REED: Okay. And was she part  
25 of that board?

1 MS. JOSTES: She wasn't, not that  
2 specific one. I know she was -- she was in  
3 that polling place. Like her voting location  
4 was also in that polling place. So she was  
5 there that morning to vote, and since she's  
6 gotten us to work for the elections, I had  
7 just reached out to her.

8 MR. REED: Okay. That's all I  
9 had.

10 CHAIRMAN SMITH: Thanks. All  
11 right. Any other questions of Ms. Jostes?

12 (No immediate response.)

13 CHAIRMAN SMITH: Okay. And,  
14 Ms. Jostes, outside of that, I think you  
15 mentioned you don't have any documents and you  
16 don't have any other witnesses?

17 MS. JOSTES: Correct.

18 CHAIRMAN SMITH: Okay. Mr. Vis,  
19 if you want to present any testimony, you can  
20 do that now.

21 MR. VIS: Yes. Would you like me  
22 to take my client through it, would you like  
23 me to present it? What's preferred for the  
24 Board?

25 CHAIRMAN SMITH: I think whatever

1 you can get through, however you want to is  
2 fine by us. Just keep moving it along.

3 MR. VIS: Okay. So, I think and I  
4 appreciate, number one, there's been reference  
5 that this has been deferred two meetings.  
6 I've taken a look at the letter that my client  
7 received, and I want to apologize on behalf of  
8 my client. One of the things that he does in  
9 his vocation as an officer is deliver  
10 subpoenas, and he clearly knows the difference  
11 between you are ordered to appear versus you  
12 are requested to appear.

13 And the one-page sheet that my  
14 client received in January and in February, it  
15 doesn't indicate he's being charged with  
16 something. It just says you're requested to  
17 attend. So it wasn't until there was a  
18 subpoena that was submitted that my client  
19 understood, no, you're obligated to be here.  
20 So perhaps that's something that can be  
21 changed down the road in these letters that  
22 are sent out, but the letter does indicate  
23 you're requested.

24 MR. MELLON: Well --

25 CHAIRMAN SMITH: Mr. Mellon.

1           MR. MELLON: And he was requested.  
2 Now, most people in this situation, they  
3 contact us and ask why am I being requested to  
4 appear, because there's a certain level of  
5 respect for the Board and what the Board does.  
6 In this situation, he chose not to follow that  
7 path. So we went with -- so, you're right,  
8 you're not penalized in any way, shape, or  
9 form for denying our request, but now we  
10 issued a subpoena and now you're mandated.  
11 So, I mean, it was an odd behavior. I will  
12 give you that.

13           CHAIRMAN SMITH: And I was going  
14 to say as an officer, apparently, of the  
15 law -- I don't know if that's who he is yet,  
16 but I'm sure we're going to get to that, I  
17 think that he understands about proceedings,  
18 he understands about official proceedings, and  
19 probably would at least -- I would think most  
20 people would say I better call down there and  
21 see what's going on. But he didn't and that's  
22 okay and I appreciate the explanation, because  
23 we had requested and required, but --

24           MR. VIS: Sure. No, I think most  
25 people don't understand the difference between

1 the two of them. I've got a lot of clients  
2 that are requested to go meet juvenile  
3 officers after they get an underage ticket and  
4 they don't know that it's not mandatory.

5 CHAIRMAN SMITH: I think we -- let  
6 me just ask staff, do we also include a copy  
7 of the complaint?

8 MS. FAJMAN: Yes.

9 MS. MESSLER: Yes.

10 CHAIRMAN SMITH: We do, okay. So  
11 he was notified of the complaint and knew  
12 there was a complaint and was requested to  
13 appear and didn't twice, but he's here now.

14 MR. VIS: Yes.

15 CHAIRMAN SMITH: All right.

16 EXAMINATION

17 BY MR. VIS:

18 Q Would you please state your name for the  
19 record?

20 A Jason Dain Allande.

21 Q And, Mr. Allande, what do you do for a living?

22 A I'm a police officer for Cedar Lake Police  
23 Department.

24 Q And how many years have you served in that  
25 location?

- 1 A Total, 24.
- 2 Q And prior to that what did you do for an  
3 occupation?
- 4 A I worked for a construction company.
- 5 Q Okay. I want to take you to November 5, 2024.  
6 Like many other Americans, did you take an  
7 opportunity to vote on that day?
- 8 A Yes, I did.
- 9 Q Okay. And where was your voting booth?
- 10 A The Knights of Columbus off of Wicker Avenue.
- 11 Q Okay. And do you recall approximately what  
12 time you entered that voting area that day?
- 13 A I'm not a hundred percent. It had to have  
14 been around 8:00 o'clock, or so. I'm  
15 guessing.
- 16 Q Long lines?
- 17 A Long lines.
- 18 Q And were you wearing any paraphernalia that  
19 would have attached you to any particular  
20 candidate one towards another?
- 21 A Yes, I was. I wore a shirt that said, Trump,  
22 Make America Great.
- 23 Q Okay. Dark blue?
- 24 A Yes.
- 25 Q Okay. Were you aware of any prohibitions that

1 restricted you from wearing the name of a  
2 candidate when you went to vote?

3 A No, I didn't know that.

4 Q Okay. In your 24 years of serving as an  
5 officer you've never been called to a voting  
6 booth to enforce anything?

7 A No.

8 Q In any of your training you've never  
9 encountered anything like that?

10 A No.

11 Q Do you recall seeing any signs in your -- I  
12 didn't ask how old you were, but in your years  
13 of voting that restrict you from wearing a  
14 shirt like that?

15 A No, I didn't see anything.

16 Q Okay. So as you waited in line, can you  
17 please share with the Board what happened  
18 next?

19 A Long line. Was sitting there messing around  
20 on my phone, and then I had somebody come up  
21 to my left shoulder and say you can't wear  
22 that shirt, you need to take that shirt off.

23 Q Okay. And at this point had you seen this  
24 person?

25 A No, I was just paying attention to my phone.

1 Q Was it a female voice, a male voice?  
2 A A female voice.  
3 Q Okay. And what happened next?  
4 A After that, I said I'm not going to do that.  
5 She said you can't wear that, you're going to  
6 have to go into the bathroom, take off the  
7 shirt or cover it or put a sweatshirt on. I  
8 said I'm not going to do that.  
9 Q Let me stop you there. At this point had the  
10 voice or the person identified themselves as  
11 to who they were?  
12 A No.  
13 Q They hadn't stated their name?  
14 A No.  
15 Q They hadn't stated that they were a poll  
16 inspector?  
17 A No.  
18 Q A poll watcher?  
19 A No.  
20 Q Okay. At this point did you know who this  
21 person may be?  
22 A No.  
23 Q You didn't know if they were a Kamala Harris  
24 supporter?  
25 A No, I had no idea.

1 Q A Joe Johnson supporter, anyone?

2 A I had no idea.

3 Q Okay. You just wanted to be left alone at

4 this point.

5 A Yes.

6 Q All right. What happened next?

7 A She asked me again to remove my shirt or flip

8 it inside out. I told her I wasn't going to

9 do that. I just -- I wasn't paying any

10 attention to her. I wasn't looking at her. I

11 just kept looking forward, and then she said

12 that she was going to call the police. I said

13 you can go ahead and call the police. I

14 pulled out my wallet, I went like this, I said

15 I am the police, call them.

16 Q Okay. So at this point you weren't saying

17 don't call the police.

18 A No.

19 Q You were welcoming a phone call to the police.

20 A Yes.

21 Q At this point you didn't understand what the

22 issue was. Is that accurate?

23 A A hundred percent accurate.

24 Q Okay. At this point had you seen her face or

25 anything on her body that demonstrated to you

1           that she was acting in an official capacity?

2    A       No.  I didn't want to make any kind of eye  
3           contact or start any kind of issue.  I just  
4           wanted to be left alone.

5    Q       Okay.  So after you showing to her that you  
6           were the police, did you put your wallet back  
7           in your pocket?

8    A       Yes.

9    Q       What happened next?

10   A       She walked away.  I kind of looked at her and  
11           saw that it was a younger female from behind,  
12           and then my neighbor came walking up to me,  
13           and I knew that she was working the polls, and  
14           she goes, Jay, you can't wear that, turn it  
15           inside out.  And then she -- oh, I had no  
16           idea, does she work here?  And she said, yes.  
17           So I said, oh, I'm sorry, and I flipped it  
18           inside out, and said tell her I'm sorry.

19   Q       What happened next?  Anything else beyond  
20           that?

21   A       I waited in line for the next half an hour, or  
22           so, voted, and left.

23   Q       Okay.  All right.  When you think back, if she  
24           would have introduced herself as a poll  
25           inspector, would your response have been

1 different?

2 A A hundred percent.

3 Q And how would your response have been  
4 different?

5 A I would have went and changed my shirt or  
6 covered it or did whatever she wanted. I did  
7 not know she worked there and I didn't know  
8 that I couldn't wear that shirt.

9 Q Okay. As you think back on that situation, do  
10 you want to apologize to Ms. Jostes for any  
11 intimations that she may have experienced from  
12 you?

13 A 110 percent. I did raise my voice and I  
14 apologize for that one hundred percent. I  
15 shouldn't have. I got to the point where I  
16 was getting upset and I should have never  
17 raised my voice. It was inappropriate.

18 Q At that point it was your perception that she  
19 was someone that stood for an opposing  
20 viewpoint. That's what you believed?

21 A That's what I believed. I had never had  
22 somebody come up and tell me that I have to  
23 take my shirt off. I had no idea.

24 MR. VIS: I have no further  
25 questions.

1                   CHAIRMAN SMITH: All right. Does  
2 the Board have any questions of Mr. Allande?

3                   MR. BROWN: Yes, Mr. Chair.

4                   CHAIRMAN SMITH: Clerk Brown.

5                   MR. BROWN: I can appreciate your  
6 apology to the young lady at this time and  
7 respect you for your service as a police  
8 officer. My father served as a police officer  
9 in the '70s. The thing that I'm concerned  
10 about is the raising of the voice, because as  
11 an officer, generally, if someone raises their  
12 voice to you, you act on it, am I right, tell  
13 them to calm down?

14                  MR. ALLANDE: I'm sorry?

15                  MR. BROWN: Can you hear me?  
16 Okay. I said the thing I'm concerned about is  
17 the raising of the voice, when you raised your  
18 voice to her. I'm saying in your capacity --  
19 you're saying you don't want to be bothered,  
20 but in your capacity as a professional and a  
21 police officer, people raise their voice to  
22 you on a regular basis?

23                  MR. ALLANDE: Yes.

24                  MR. BROWN: And you tend to calm  
25 the situation down; right?

1 MR. ALLANDE: Yeah.

2 MR. BROWN: Right. Okay. Good.  
3 So even though you didn't know who she was and  
4 she asked you to do what she asked you to do,  
5 instead of raising your voice, had you  
6 considered just having a conversation with her  
7 to find out why she asked you that? In my  
8 experience as a precinct committeeman and a  
9 person who goes out to early voting sites on a  
10 regular basis, I'm constantly having to tell  
11 people to take off their button.

12 Because there is a bit of  
13 confusion, because you can take political  
14 stuff inside the voting booth, but people do  
15 tend to show their support for the person  
16 they're voting for and no one has a problem.  
17 But once you get inside the chute and in that  
18 area, we train the workers to do just what she  
19 did. What she did was within reason.

20 So all I'm saying to you is, I  
21 would suggest in the future -- not just you,  
22 but anyone else, if somebody goes out to vote  
23 and someone approaches you and says something,  
24 instead of questioning them or speaking in a  
25 high tone -- because I saw how uncomfortable

1 she was this morning and that bothered me. I  
2 have daughters myself. That you should speak  
3 in a tone that you're professionally known to  
4 speak. Because in your profession it's your  
5 responsibility to keep things as calm as  
6 possible. Am I right?

7 MR. ALLANDE: Correct. I did not  
8 raise my voice at the beginning. It took  
9 several times of her telling me what to do, to  
10 the point where I raised my voice to leave me  
11 alone. You know, I raised my voice to show  
12 her I don't want to be engaged in that kind of  
13 conversation.

14 MR. BROWN: Well, I can respect  
15 that you didn't want to be engaged. The issue  
16 is not about the conversation. The issue is  
17 about what you had on and the fact that it was  
18 her responsibility and her job to ask you to  
19 just simply, you know, do what your neighbor  
20 asked you to do. It's real simple. Nothing  
21 more than that.

22 And as I said, I'm constantly  
23 going to whether they're municipal or national  
24 elections, people have the right to show their  
25 support for whoever they support. That's not

1 the issue. But when you get into that area of  
2 voting, we also have the right to respect  
3 everyone's right by not displaying that and  
4 wait until you get behind the booth to do what  
5 you want to do.

6 MR. ALLANDE: If I would have  
7 known she worked there, then it would have  
8 been a different situation. I had no idea.

9 MR. BROWN: So, I don't disagree  
10 with you about that you did not know. What  
11 I'm saying to you is, it would have been nice  
12 to engage with her, after she made the comment  
13 to you, to find out who she was and why she  
14 made the comment. Even though, in your  
15 opinion, you said in your years of being a  
16 professional that you hadn't engaged in that  
17 situation as a police officer, I can respect  
18 that as well. But when someone else is  
19 speaking to you and they are in charge at that  
20 particular time, it's our responsibility to  
21 kind of step back and kind of work with them.  
22 That's all I'm saying.

23 MR. ALLANDE: Okay.

24 CHAIRMAN SMITH: Any other  
25 questions of Mr. Allande?

1 MS. CANDELARIA REARDON: Mr.  
2 Chairman?

3 CHAIRMAN SMITH: Ms. Reardon, yes.

4 MS. CANDELARIA REARDON: I'm  
5 wondering, Mr. Allande -- thank you, by the  
6 way, for your service. I know that you have a  
7 difficult job. And would you say it's a 24/7  
8 job?

9 MR. ALLANDE: If I leave the  
10 house, yeah. I mean, if I'm not at home, if  
11 you're --

12 MS. CANDELARIA REARDON: Right.  
13 So, as a police officer, you're held to a  
14 certain standard of behavior. Do you think  
15 that you met -- your interaction with this  
16 poll worker met that standard that you hold  
17 yourself to professionally?

18 MR. ALLANDE: Yes.

19 MS. CANDELARIA REARDON: So when  
20 you whipped out your badge, that was to  
21 educate and inform and not intimidate?

22 MR. ALLANDE: No, I opened up my  
23 badge and I didn't whip it out. I didn't  
24 throw it in anybody's face. I opened it up,  
25 because I said I am a police officer, not

1 to -- just to show I'm not lying about being a  
2 police officer. Go ahead and call the police,  
3 if that's what you want. I just --

4 MS. CANDELARIA REARDON: And you  
5 are engaging her at that time and you never  
6 saw the sticker that said Inspector on her  
7 lapel?

8 MR. ALLANDE: No.

9 MS. CANDELARIA REARDON: And in  
10 the 30 minutes after you decided to change  
11 your shirt, you didn't have an opportunity to  
12 apologize to the inspector for your behavior  
13 that you regretted once you found out she  
14 worked there?

15 MR. ALLANDE: I just wanted to get  
16 done and out of there. I wanted to vote and  
17 leave.

18 MS. CANDELARIA REARDON: Thank  
19 you.

20 CHAIRMAN SMITH: Any other  
21 questions of Mr. Allande?

22 MR. REED: Just to clarify the  
23 record.

24 CHAIRMAN SMITH: Mr. Reed.

25 MR. REED: The entire interaction,

1 until one of the people that you knew and  
2 recognized as an actual poll worker told you,  
3 you were not aware, in your mind, that she was  
4 actually working at that point.

5 MR. ALLANDE: A hundred percent.

6 MR. REED: I think your attorney  
7 went through that, but I just wanted to make  
8 that clear for the record.

9 During the course of that morning,  
10 not knowing who that person is, was it your  
11 impression that she supported another  
12 candidate and was trying to start an argument  
13 with you or was it -- what was it?

14 MR. ALLANDE: That's what I was  
15 assuming. That's why I didn't make eye  
16 contact. That's why I said I'm not doing  
17 that, and I didn't want to interact.

18 MR. REED: That's all I have.

19 CHAIRMAN SMITH: So are you saying  
20 that -- I'm sorry, anybody else have any  
21 questions?

22 (No immediate response.)

23 CHAIRMAN SMITH: All right. So  
24 you're saying after you said go ahead and call  
25 the police, I am the law, and you saw her walk

1 back in and you saw her walk back out and  
2 she's going in and out of the polling place,  
3 you just thought she was some voter going in  
4 and out of --

5 MR. VIS: I'm going to object for  
6 the record that that's a recharacterization  
7 of --

8 CHAIRMAN SMITH: Let me ask you  
9 this question then. Did you ever see her --  
10 after you pulled out your badge and said go  
11 ahead and call the police, did you ever see  
12 her after that point?

13 MR. ALLANDE: Not that I recall,  
14 no. I didn't pay any attention to it.

15 CHAIRMAN SMITH: Okay. I've got  
16 some more questions for you. Have you ever  
17 heard the phrase ignorance of the law is no  
18 defense?

19 MR. ALLANDE: Yes.

20 CHAIRMAN SMITH: If you pull me  
21 over in Cedar Lake and -- you pull me over and  
22 on my dashboard just sitting out there in  
23 plain view for you I've got a bag of cocaine.  
24 I've never done that, but this is a  
25 hypothetical.

1 (Inaudible; talking in unison.)

2 CHAIRMAN SMITH: And you say, hey,  
3 sir, you know you can't -- is that cocaine? I  
4 say, yeah, it's cocaine. And you say you know  
5 you can't have cocaine in this state, it's  
6 against the law, because it is. Right?

7 MR. ALLANDE: Uh-huh.

8 CHAIRMAN SMITH: And I say to you  
9 I didn't know that, I didn't know I couldn't  
10 have cocaine, would you still arrest me?

11 MR. ALLANDE: Yes.

12 CHAIRMAN SMITH: All right.

13 MR. VIS: I'm going to object to  
14 this line of testimony. It mischaracterizes  
15 the standard that's already been set, but go  
16 ahead.

17 CHAIRMAN SMITH: I am going to go  
18 ahead.

19 MR. VIS: This is the weirdest  
20 tribunal, just for the record.

21 CHAIRMAN SMITH: Yeah. So would  
22 you consider that as a police officer you have  
23 a position of authority?

24 MR. ALLANDE: Yes.

25 CHAIRMAN SMITH: And do you expect

1 people to respect that authority when they  
2 interact with you? Whether they do or not,  
3 I'm sure in today's day and age you probably  
4 don't get the respect you did when you started  
5 24 years ago.

6 MR. ALLANDE: I would hope that  
7 they would.

8 CHAIRMAN SMITH: Yes, you would  
9 hope they would; right?

10 MR. ALLANDE: Uh-huh.

11 CHAIRMAN SMITH: And would you  
12 also expect that people that are working at a  
13 polling place in a position of authority, such  
14 as inspector, judge, or clerk, should also get  
15 that respect?

16 MR. ALLANDE: Yes.

17 CHAIRMAN SMITH: Was Ms. Jostes  
18 rude to you at all when she asked you to take  
19 it off?

20 MR. ALLANDE: No.

21 CHAIRMAN SMITH: She did it  
22 politely, didn't she.

23 MR. ALLANDE: Yes.

24 CHAIRMAN SMITH: All right. And  
25 she also mentioned that you swore at her. Do

1 you remember swearing at her?

2 MR. ALLANDE: I do not remember  
3 swearing at her.

4 CHAIRMAN SMITH: Now, you  
5 mentioned that you didn't look up from your  
6 phone. At some point I assume you did.

7 MR. ALLANDE: Yes.

8 CHAIRMAN SMITH: Okay. When you  
9 go --

10 MR. ALLANDE: Once she --

11 CHAIRMAN SMITH: Go ahead, tell me  
12 when you did.

13 MR. ALLANDE: Once she started  
14 walking away and she said she was calling the  
15 police, that's when I turned and looked and  
16 saw that it was a young lady. She was walking  
17 to my left, and then I just looked up, and  
18 then my neighbor come walking up and said you  
19 can't wear that shirt. And like I said, I  
20 knew she worked for the polling place, so I  
21 instantly turned it inside out while I was in  
22 line.

23 CHAIRMAN SMITH: That seems to be  
24 a little contradictory from the testimony  
25 earlier, because I think what you said was --

1 and, again, please feel free to explain it if  
2 you'd like, is that she said I'm going to call  
3 the police and you pulled your badge out and  
4 you said go ahead and call the police and you  
5 showed it to her. So she wasn't walking away  
6 from you at that point. She was right in  
7 front of you; correct?

8 MR. ALLANDE: She wasn't in front  
9 of me. She was to my left.

10 CHAIRMAN SMITH: Okay. She was to  
11 your left. Like between what, me and the  
12 flag?

13 MR. ALLANDE: Yeah, probably.

14 CHAIRMAN SMITH: Okay. So she's  
15 right there. You're looking at her at that  
16 point.

17 MR. VIS: For the record --

18 CHAIRMAN SMITH: I'm just going to  
19 call it about three feet.

20 MR. VIS: Well, it's about six  
21 feet between you and the flag, three feet  
22 between you and your arm.

23 (Inaudible; talking in unison.)

24 MR. MELLON: Can we agree on  
25 five feet?

1 MR. REED: It's actually five-two.

2 MR. VIS: Perfect.

3 CHAIRMAN SMITH: Yeah, let's say  
4 somewhere between three and five feet. All  
5 right. And at that point your testimony here  
6 today is you don't see her with a badge.

7 MR. ALLANDE: Yes, because when  
8 she said I'm calling the police, I pulled the  
9 badge out of my pocket, I went like this, and  
10 I said I am the police and went like that.

11 CHAIRMAN SMITH: Okay. But do you  
12 have -- I guess just as a fundamental question  
13 to you, as a police officer, do you feel that  
14 it's appropriate when someone says I'm going  
15 to call the police, to pull out your badge and  
16 say go ahead, I am the police?

17 MR. ALLANDE: At that time that's  
18 just how I reacted.

19 CHAIRMAN SMITH: I mean, do you  
20 have any issue -- just looking back maybe.  
21 All right? As you sit here today and reflect,  
22 do you think -- do you, as a police officer,  
23 do you believe that it's a good idea to just  
24 flaunt the authority you have and say to  
25 people, members of the public, whether they're

1 an inspector or, apparently, somebody that you  
2 thought may be supporting an opposing  
3 candidate, to just kind of say like do what  
4 you want, I am the police? Do you think  
5 that's appropriate?

6 MR. VIS: I'm going to object to  
7 the characterization of flaunting authority.  
8 But go ahead and answer his question.

9 CHAIRMAN SMITH: Sure.

10 MR. ALLANDE: No, looking back on  
11 it, I wish things would have happened  
12 differently. If she would have just walked up  
13 and identified herself, this would have never  
14 happened.

15 CHAIRMAN SMITH: So if she -- so  
16 you're saying because she didn't identify  
17 herself, you thought it was okay to pull out  
18 your badge and say, go ahead, I am the police.

19 MR. ALLANDE: When she came up and  
20 started out with you need to take the shirt  
21 off, I didn't know who she was. I didn't  
22 immediately pull out my badge and start saying  
23 I'm the police.

24 CHAIRMAN SMITH: Okay. When you  
25 pull over people, do you always come up and

1 say I am the police?

2 MR. ALLANDE: Well, I'm in a fully  
3 marked car and a uniform and I introduce  
4 myself. I am Corporal Allande, Cedar Lake  
5 Police Department, the reason why I pulled you  
6 over. So I identify myself.

7 MR. REED: The reason why I pulled  
8 you over is because you had a bag of cocaine.

9 CHAIRMAN SMITH: That's right, on  
10 my dashboard. Do you feel that you were  
11 being, let's say -- I'm trying to think of the  
12 right word. By not looking up, I just feel  
13 like you were almost being dismissive of what  
14 she was saying. Do you feel like you were  
15 dismissive when she said, hey, you need to  
16 turn that inside out?

17 MR. ALLANDE: No. I didn't want  
18 to engage with somebody who comes up and  
19 starts telling me I can't wear a certain  
20 shirt. I didn't know I could not wear that  
21 shirt. So why engage with somebody that leads  
22 right off the bat telling me what I need to  
23 do.

24 CHAIRMAN SMITH: She wasn't being  
25 rude.

1 MR. ALLANDE: No.

2 CHAIRMAN SMITH: Mr. Mellon.

3 MR. MELLON: Mr. Chairman, you  
4 know, we can harp on this forever. I think  
5 there's a lot of weird things going on here,  
6 but the two issues that we're facing overall  
7 is electioneering and then, ultimately, what I  
8 would classify as rude and to the point of  
9 being extremely rude. You know, I think it's  
10 hard to believe overall that at some point we  
11 didn't see a badge, we had no idea this person  
12 had any level of authority.

13 We do have a young woman here who  
14 you raised your voice at. In politics we're  
15 getting more and more complaints like these  
16 because there is -- there's rude, there's  
17 curt, there's horrifying behavior that's  
18 taking place, and we're not treating people  
19 like we're living in a society anymore.  
20 Instead, we're sitting on our phones thinking,  
21 well, you can't tell me what to do, you know,  
22 I am this, I am that, you shut up, you don't  
23 listen to me, I think I know the rules.

24 And the Chairman is right, I mean,  
25 the fact that you didn't know the rules really

1 has no bearing on anything, in all honesty,  
2 whether or not that you do or not. And  
3 somebody asking you to do this, I mean, I  
4 would assume there would be some back and  
5 forth, and so I kind of assume there was a  
6 knowledge that this may be somebody who's  
7 working there.

8 But, Mr. Chairman, all that  
9 aside -- I'm kind of in the middle of  
10 something, Mike, I'd appreciate it.

11 MR. TOLBERT: No, I'm just --

12 MR. MELLON: But, Mr. Chairman --

13 CHAIRMAN SMITH: Mr. Mellon.

14 MR. MELLON: -- we've dealt with  
15 electioneering many, many times, okay, and  
16 usually when we refer to the prosecutor's  
17 office is because there was a flagrant  
18 violation. They knew they were violating the  
19 law and they refused to comply with the law.  
20 That is not the case here. Both these parties  
21 make the same statement, that he didn't know  
22 that he was supposed to do it, he questioned  
23 her, and then when he did find out, he  
24 complied.

25 Now, whether or not he should have

1 complied earlier or should have complied in a  
2 more polite way, that's an entirely debatable  
3 issue, but he did comply. So, to me, the  
4 electioneering discussion is sort of off the  
5 table. So I don't see that this rises to an  
6 election law violation. Now, there's the  
7 absolute and I think unequivocal rudeness that  
8 took place. I think that had you not  
9 apologized initially formally on the record, I  
10 would almost demand that you do, because I  
11 think it's crass and it's horrible and this is  
12 what's wrong with society.

13           You know, whether you support the  
14 Democrats or the Republicans or the  
15 Independents, we all try to act like we're the  
16 good guys, but then when the reality sets in,  
17 we're all the bad guys. We all treat people  
18 like this, and we can't sit back, we can't  
19 listen to each other, we can't have a civil  
20 conversation. We keep our heads down, staring  
21 at our phones, telling them you can't tell me  
22 what to do. It's just -- it's a horrible  
23 situation, and I hope that the people in this  
24 room will rise above it at some point.

25           But, Mr. Chairman, I don't see an

1 election law violation and I would like to  
2 make a motion to deny the complaint.

3 CHAIRMAN SMITH: Can I ask you to  
4 hold that motion because I'd like to just  
5 finish with the hearing part of it. I will  
6 entertain it in a little bit, but Mr. Reed and  
7 then Mr. Tolbert has --

8 MR. REED: Mike, it'll just be  
9 real quick.

10 MR. TOLBERT: I don't need that  
11 long.

12 CHAIRMAN SMITH: And I was going  
13 to allow discussion after the motion, if we  
14 wanted to argue the --

15 MR. REED: I don't know if Mr. Vis  
16 or his client have any input on this, but we  
17 keep talking about looking down at your phone  
18 and not engaging, it's dismissive or it's  
19 rude. I can just tell you from personal  
20 experience if someone is saying something or I  
21 can tell they want to start something, the  
22 more dismissive I am, the better off this is  
23 all going to be.

24 If I look at my phone or if I've  
25 got something that's just not important to me,

1 if I look at you and I start engaging,  
2 92 percent chance it's going to get worse. I  
3 would rather just look away and pretend like  
4 it didn't happen. That's me. I mean, that's  
5 what I'm getting the feeling from him. If he  
6 doesn't know who this is and he thinks it's  
7 someone supporting someone else, if I were  
8 standing there -- I'm not a huge fan of being  
9 told what to do, just ask my wife, but I  
10 just -- you know, of course, I always comply.

11 But it's one of those things where  
12 the more I engage, the more escalated that's  
13 going to get. I'm not paying attention to  
14 you, stop talking to me, and go away, is the  
15 impression I prefer to give out. So I don't  
16 put as much stock in the fact that he didn't  
17 engage. But like Mr. Mellon said, the  
18 rudeness, if there was cursing -- and I have  
19 no reason to disbelieve this lady. I think  
20 that did happen. In my judge of credibility,  
21 I think it did and I think it's terrible.

22 But be that as it may, I just want  
23 to make the point that I think being  
24 dismissive of someone else when they're coming  
25 after you or telling you to do something that

1 you don't want to do, probably is a better way  
2 to deescalate something. But that's just my  
3 two cents.

4 CHAIRMAN SMITH: I appreciate  
5 that. Mr. Tolbert?

6 MR. TOLBERT: Yeah, I guess the  
7 only point I wanted to make is I wanted to  
8 make sure that we frame the issues, because I  
9 think this has been continued twice and --

10 CHAIRMAN SMITH: Can I -- I just  
11 want to make sure. Do you want to do that now  
12 or do you want to do that once we get the  
13 motion, because I want to make sure that  
14 nobody has other questions of Mr. Allande. Is  
15 that okay?

16 MR. TOLBERT: That's fine, yeah,  
17 if you want to get everybody -- yeah.

18 CHAIRMAN SMITH: Mr. Mellon, kind  
19 of made an argument, which I'm fine with.

20 MR. MELLON: Well, I thought  
21 everyone was asked.

22 CHAIRMAN SMITH: Well, I didn't  
23 really ask if there were any other questions.

24 (Inaudible; talking in unison.)

25 CHAIRMAN SMITH: I just want to

1 make sure nobody else -- does anybody else  
2 have any other questions of Mr. Allande from  
3 the Board?

4 (No immediate response.)

5 CHAIRMAN SMITH: All right. Okay.  
6 Ms. Jostes, do you have any questions of  
7 Mr. Allande?

8 MS. JOSTES: No.

9 CHAIRMAN SMITH: Mr. Vis, do you  
10 have any other evidence to present, not  
11 argument?

12 MR. VIS: No further evidence.

13 CHAIRMAN SMITH: Okay. So then  
14 we'll consider the hearing part of it closed.  
15 Mr. Mellon has made a motion, which I will now  
16 entertain.

17 MR. MELLON: My motion was to  
18 dismiss the complaint because I don't see any  
19 violation of election law. I still -- I guess  
20 there's a second bite of the apple, but --

21 CHAIRMAN SMITH: Well, let me get  
22 a second.

23 MR. MELLON: I'm still making my  
24 motion.

25 CHAIRMAN SMITH: All right. Make

1 your motion.

2 MR. MELLON: I make a motion to  
3 dismiss.

4 CHAIRMAN SMITH: Do we have a  
5 second?

6 MR. REED: I'll second.

7 CHAIRMAN SMITH: Seconded by  
8 Mr. Reed, motion by Mr. Mellon. Discussion.  
9 Mr. Tolbert.

10 MR. TOLBERT: The only thing I  
11 wanted to say is, I know this has been  
12 continued a few times and I know it's kind of  
13 surrounded whether there was electioneering or  
14 not, but I know in the last meeting there was  
15 really two issues that I saw when we looked at  
16 this complaint from the time that it came in.  
17 It wasn't just electioneering.

18 I do respect Mr. Mellon's kind of  
19 account of what he believes the issue is, but  
20 I believe it's more than just electioneering.  
21 There was also a component of obstruction and  
22 interference with an election officer, and I  
23 think that's really the issue and I think it  
24 rises more to a level of --

25 MR. MELLON: Mr. Chairman -- and

1 I'm directing this to you, Mike. What I'm  
2 failing to see in that is where the  
3 obstruction took place, because nobody was  
4 prevented from voting and nobody was prevented  
5 from doing their job.

6 CHAIRMAN SMITH: Do we have a  
7 citation?

8 MR. TOLBERT: Yeah, that's Indiana  
9 Code 3-14-3-4.

10 MS. BRANDENBURG: And it says,  
11 knowingly obstructs or interferes with an  
12 election officer.

13 CHAIRMAN SMITH: Read it again,  
14 I'm sorry.

15 MR. TOLBERT: 3-14-3-4.

16 MR. MELLON: And what aspect of  
17 the job would be the obstruction?

18 MR. TOLBERT: My point is -- I'm  
19 not advocating for either party. I'm  
20 objective in this. I'm just looking at the  
21 facts and looking at the fact that we have to  
22 account for every fact that comes in. And the  
23 knowingly part is, I don't think -- I think  
24 Chairman buffed up against it. I don't think  
25 you can put yourself in a position of being

1 unknowingly. That's the problem that I have.  
2 I thing that -- you know, I don't want to give  
3 a cocaine example, but if I was  
4 driving through --

5 MR. REED: Let's just say heroin.

6 (Inaudible; talking in unison.)

7 MR. TOLBERT: If I encountered a  
8 officer of any ilk, of Gary, Cedar Lake, or  
9 any officer, and they said, you know, what are  
10 you doing -- because a lot of times officers  
11 don't necessarily always identify themselves,  
12 as, hey, I'm a police officer before they  
13 start to inquire.

14 I don't have the benefit of just  
15 looking at my phone and being dismissive. I  
16 can't put myself in a situation where I don't  
17 know who I'm talking to or who I'm addressing.  
18 So, I'm not advocating one way or the other,  
19 but my point is, I think there's enough to at  
20 least consider whether or not his actions were  
21 knowingly.

22 MR. MELLON: I just want to get  
23 back to that. Mr. Chairman, if we could all  
24 keep it down a little over there.

25 (Inaudible; talking in unison.)

1                   MR. MELLON: I guess what I'm  
2 saying, though, is, look, I understand what  
3 you're saying. I know the rudeness, the  
4 curtness. There's a lot of weird things that  
5 went on during this exchange, and I don't  
6 disagree with that, and that's why I think the  
7 apology was appropriate, because, for me, I  
8 would be very apologetic. But the obstruction  
9 of her doing her job, so knowingly  
10 obstructing, there is always knowingly and not  
11 knowingly. I don't disagree with that.

12                   MR. VIS: Mr. Chairman, if I may?

13                   CHAIRMAN SMITH: Mr. Mellon has  
14 the floor --

15                   MR. MELLON: And I don't think we  
16 were --

17                   CHAIRMAN SMITH: And by the way,  
18 on a point of order, let me just make a ruling  
19 on that. There's been a motion. It's been  
20 properly seconded. We're in discussion from  
21 the Board. So we're not taking anything  
22 further from the parties. Mr. Mellon has the  
23 floor.

24                   MR. MELLON: All right. Thank  
25 you. I don't see in any way, shape, or form

1 that there was any obstruction. What was she  
2 prevented from doing her job? There was  
3 disagreement, there was discussion, there was  
4 rudeness. We can argue all those different  
5 things, but the obstruction of the job, and  
6 especially with him then eventually complying,  
7 I don't see -- if you can help me, I could be  
8 missing a nuance here.

9 If there's an aspect of the  
10 exchange that created obstruction, I'd love to  
11 hear it. That's why my motion to dismiss in  
12 its entirety is because I think that there was  
13 no obstruction and there was no electioneering  
14 that took place.

15 MR. TOLBERT: Well, I think it  
16 prevented her from doing her job.

17 MR. MELLON: But was it --

18 MR. TOLBERT: The statute --

19 COURT REPORTER: Wait, wait, one  
20 at a time, please.

21 MR. TOLBERT: I'm sorry. She  
22 wasn't able to correct a voter who was,  
23 obviously, within the chute or the polling  
24 place to correct his or her behavior from  
25 electioneering, which is what she was trying

1 to do, and there was a separate election  
2 officer that actually had to do that.

3 MR. MELLON: But the behavior was  
4 corrected eventually. Now, whether or not  
5 there was influence perhaps that she had over  
6 him in that initial discussion, I don't know.  
7 So I don't want to speculate on that aspect.  
8 The behavior was corrected. The  
9 electioneering that was potentially there was  
10 eradicated. So I don't see it.

11 MR. TOLBERT: That's fair.

12 MR. REED: If I can add --

13 CHAIRMAN SMITH: Mr. Reed.

14 MR. REED: If I can add to that  
15 just a little bit. The part that I find  
16 telling about that it not being electioneering  
17 and not being someone who wouldn't comply is  
18 the moment he was confronted by someone who he  
19 knew who the person was, knew that person was  
20 a member of the board that day, immediately  
21 complied.

22 That tells me if he knew who the  
23 person was, he would have complied initially.  
24 When you say, well, I didn't know, I didn't  
25 see the badge, I didn't look, I don't find

1 that disingenuous at all. Because the moment  
2 he saw someone that he knew was working the  
3 election that day, he complied.

4 MR. TOLBERT: I took that more  
5 as -- again, I'm listening with my lawyer ear.  
6 I took that to mean more so it was his  
7 neighbor. I think that if it wasn't his  
8 neighbor and it was just some other election  
9 officer, they would have met the same fate as  
10 this young lady. I know it's speculation, but  
11 I think it was more so the neighbor being more  
12 of a connection.

13 MR. REED: I think he made it  
14 clear that it was his neighbor and he knew  
15 that she worked in that polling place. He  
16 made that clear when he testified.

17 CHAIRMAN SMITH: Can I have the  
18 electioneering statute?

19 MS. BRANDENBURG: Electioneering  
20 is 3-14-3-16, and C would be specifically.  
21 Knowing isn't an aspect of electioneering, but  
22 as far as the Board's handling of these  
23 matters, and I think very consistent with how  
24 Ms. Jostes handled this that day commendably,  
25 that her first goal was to correct the

1 problem, and typically when a voter does  
2 correct the problem, the Board has not pursued  
3 referral to the prosecutor for electioneering.

4 So as far as the electioneering  
5 statute, knowing isn't the aspect of that.  
6 Knowing is the aspect of 3-14-3-4, obstruction  
7 of or inference with. That requires knowingly  
8 obstructs or interferes with an election  
9 officer in the discharge of the officer's  
10 duty. The knowing aspect, as I heard it,  
11 really doesn't appear to be present. The  
12 obstruction aspect doesn't appear to be  
13 present.

14 The electioneering did occur. We  
15 understand he was in the chute. There may  
16 have been some problem potentially, as I heard  
17 the facts, how the chute was designated. But,  
18 regardless, I think the testimony was clear  
19 that when Officer Allande learned from a poll  
20 worker, who he knew to be a poll worker and  
21 knew had that authority, that he complied.

22 CHAIRMAN SMITH: Yeah, I guess, I  
23 just -- I think there is two components to  
24 this, and I just want to make sure I  
25 understand the motion. The motion is to,

1 because the electioneering didn't rise to the  
2 level of an election violation, that we should  
3 dismiss the complaint.

4           There is another component of  
5 this, which is the obstruction or interference  
6 of an election officer or voter. I don't  
7 think in that statute, 3-14-3-4, I don't think  
8 there's any question that Ms. Jostes was  
9 discharging her duties that day. There's no  
10 question that she was an officer, an election  
11 officer that day. So, really, the focus is on  
12 the knowingly part.

13           MR. MELLON: Well, whether or not  
14 there was an obstruction that took place.  
15 Just because two people have a disagreement or  
16 an argument, Mr. Chairman, doesn't mean that  
17 they were prevented from doing their job or  
18 that person was knowingly obstructing the  
19 voting process.

20           CHAIRMAN SMITH: Well, it doesn't  
21 have to be obstructing the voting process.  
22 It's whether or not the discharge of her  
23 duties, what she was doing.

24           MR. MELLON: Mr. Chairman, if I  
25 could just -- and I apologize for interjecting

1 too much.

2 CHAIRMAN SMITH: That's okay.

3 Just let me finish my summary and I'll --

4 MR. MELLON: I know you know how

5 I --

6 CHAIRMAN SMITH: It's you.

7 MR. MELLON: Yeah, so, but here's  
8 what the problem is, we look back at the  
9 process and what we've done in the past, and  
10 we are a quasi judicial board, and our options  
11 here are to dismiss or to refer this to the  
12 prosecutor's office for violation of election  
13 law, and there are some things in between that  
14 we can do.

15 Sometimes we can ask people to  
16 apologize, make a formal apology, something  
17 along those lines, is always a good idea. But  
18 if we refer something like this to the  
19 prosecutor's office, I fear that we are going  
20 down a partisan path and what we're going to  
21 end up doing is, we're going to lose our  
22 credibility with the prosecutor's office.

23 You had a violation, a potential  
24 violation of election law that was corrected  
25 and you had two people who had -- who had a

1 rude interaction between them. Okay? That is  
2 not intimidation. That is not preventing  
3 somebody from doing their job. And if we  
4 start referring things like that, I'm going to  
5 tell you, we're going to -- we're going to  
6 refer everything to the prosecutor's office  
7 over the next couple years, because we see  
8 these things, we see these kind of situations  
9 all the time, Mr. Chairman, and you know that  
10 as well as I do.

11 MR. REED: If I can just add to  
12 that just a small bit. So, I read everything  
13 in the agenda, and everything, before we got  
14 here over the last couple of days. I can tell  
15 you, before I came to this meeting I didn't  
16 hear the word obstruction or interference with  
17 an election worker one time. I came here  
18 today. She came here to testify as to and  
19 they came here to defend an electioneering  
20 complaint. Now I'm reading the obstruction  
21 statute while I sit here.

22 MR. TOLBERT: Just for the record,  
23 we mentioned it at the last meeting.

24 MR. REED: We might have mentioned  
25 it, but in these materials today, Item No. 7

1 in my agenda is the electioneering statute.  
2 The obstruction statute is not here. What  
3 would lead me to believe I was here to hear  
4 that today? I think if you're going to defend  
5 yourself from a charge, you ought to know what  
6 that charge is.

7 MR. VIS: May I speak on behalf of  
8 my client?

9 CHAIRMAN SMITH: I just want to  
10 see if there's anymore Board --

11 MR. REED: Well, Michelle has her  
12 hand up.

13 CHAIRMAN SMITH: Are there any  
14 other Board comments on this? I want to just  
15 state for the record, I thought we did talk  
16 about obstruction at the last meeting. I'd  
17 have to look at the minutes and get to the  
18 exact spot.

19 MR. REED: But talking about it  
20 and actually being charged with it and  
21 defending it are different things, not that  
22 this is trial in any way, shape, or form. I  
23 don't want to go into court defending a RICO  
24 case and find out I've got -- we're going to  
25 spring up mail fraud on Thursday.

1                   CHAIRMAN SMITH: Right, and that's  
2 why it gets referred to the prosecutor. The  
3 prosecutor will make the charges on the  
4 defendant, but --

5                   MR. TOLBERT: Can I make one  
6 point?

7                   CHAIRMAN SMITH: Mr. Tolbert.

8                   MR. TOLBERT: So if you look at  
9 the minutes of March 18, 2025, on Page 17,  
10 Line 16, it specifically references the  
11 obstruction statute.

12                  MR. MELLON: Who referenced it?  
13 Is that you, Mr. Tolbert?

14                  MR. TOLBERT: Yeah, I referenced  
15 it.

16                  MR. MELLON: Well, maybe you  
17 should have filed the complaint.

18                  MR. TOLBERT: Well, I'm just  
19 trying to --

20                  MR. REED: He's not joking.

21                  MR. TOLBERT: I'm just trying to  
22 give the Board the information. I don't think  
23 this is -- my point is, I don't think this is  
24 a surprise and I think we talked about this  
25 always in two components, which is

1 electioneering and also obstruction. I'm not  
2 saying that he did it. All I'm saying is --

3 MR. MELLON: But I think that  
4 that's something that you brought up. I don't  
5 think the complaint talked about obstruction,  
6 and I think you brought that up at the last  
7 meeting and I think you're bringing it up  
8 again today, and I don't think I agree with it  
9 on either occasion.

10 CHAIRMAN SMITH: I just want to  
11 read part of the transcript from our meeting  
12 that day. Mr. Mellon said: Mr. Chairman,  
13 right now I've got a person who filed the  
14 complaint who isn't here, but I've got an  
15 email from that person. So without the target  
16 of the complaint stating the facts aren't  
17 true, I have to make the assumption that every  
18 word is true. Correct?

19 And I said: I mean, we're not a  
20 court law. We don't have the strict  
21 evidentiary standards. We have a statement  
22 from someone and we do not have a response. I  
23 would agree with that.

24 Mr. Mellon said: Right. So, I  
25 guess what my point is, I'm not a big fan of

1 Mr. Allande ignoring our request to come in  
2 over this. We had talked about a referral to  
3 the prosecutors, with the attorneys  
4 establishing a conversation with the  
5 prosecutor's office so we can sit down and  
6 talk with them.

7 Ms. Brandenburg said: Yep.

8 Mr. Mellon said: Obviously, if  
9 there's truth to it, which I have to assume at  
10 this point there's a hundred percent truth to  
11 it, that this person was engaged in  
12 electioneering and voter intimidation with the  
13 statement that "I am the police". So, to me,  
14 our board is done with this. This needs to go  
15 to the prosecutor's office and we need to try  
16 to see if we can get this prosecuted for voter  
17 intimidation and electioneering.

18 MR. REED: And there's something  
19 in that statement that's 100 percent accurate,  
20 until we heard the testimony today.

21 MR. MELLON: Correct.

22 CHAIRMAN SMITH: I know, but the  
23 reason I read that is because it wasn't just a  
24 discussion about electioneering.

25 MR. MELLON: That was later in a

1 conversation with Mike.

2 MR. REED: Remember, you said the  
3 word voter intimidation.

4 CHAIRMAN SMITH: I just read from  
5 the transcript.

6 MR. MELLON: You didn't say  
7 obstruction. You said argument was made of  
8 obstruction.

9 MR. REED: You said that when you  
10 read it from the transcript, but that says  
11 voter intimidation. That doesn't say  
12 obstruction. I'm looking at the Board packet,  
13 which is what I'm supposed to be studying  
14 before I come to these things, and it doesn't  
15 say that. I've got Attorney Vis here who's  
16 trying to defend his client and doesn't know  
17 he's being charge with that.

18 CHAIRMAN SMITH: He's not being  
19 charged right now.

20 MR. REED: Being brought in to  
21 speculate as to whether or not that's a  
22 referral.

23 CHAIRMAN SMITH: I mean, these  
24 things are pretty fluid at times when we have  
25 these hearings. It's not like we sit here and

1 say you've been -- we're going to look into  
2 this statute, we're looking into that statute.  
3 Our job as a board is to determine whether or  
4 not there's been a violation or we believe  
5 that there's enough evidence to refer to the  
6 prosecutor because we believe there's been a  
7 violation of election law. We never said  
8 we're only looking at this statute. I think,  
9 generally, the Board has determined after the  
10 evidence, hey, what is out there, what may be  
11 violated.

12 MR. TOLBERT: And just for the  
13 record and I want to make sure -- and, again,  
14 I'm not advocating for one side or the other,  
15 but I think the context of the conversation  
16 stemmed around -- talked about voter  
17 intimidation, and I think the reason this  
18 statute came up is because I wanted to really  
19 make sure that we were accurate in terms of  
20 the factual basis that was provided.

21 That's the only reason I mentioned  
22 the statute is because she was an election  
23 officer, and it wasn't a voter that was being  
24 intimidated, it was her, and that's why I  
25 threw that out for the Board's --

1                   CHAIRMAN SMITH: And I just want  
2 to mention this to Mr. Mellon's point. It's  
3 like the electioneering -- and Ms. Brandenburg  
4 pointed this out, the electioneering statute  
5 doesn't require a knowing element. However, I  
6 think to Ms. Brandenburg's point also and  
7 Mr. Mellon's point, in practice, we have been  
8 very understanding of situations where, you  
9 know, were you told what to do, did you know  
10 about this.

11                   I mean, even today I think the  
12 practice that Ms. Jostes put forth in what she  
13 did that day is probably what we want to see  
14 our election workers do. We don't want to  
15 have people pulled out of line and say I want  
16 the sheriff to come down here and arrest you  
17 for electioneering because you're in the chute  
18 with a shirt on, whatever candidate it is.  
19 And so I really do understand that point of  
20 it, and I wouldn't sit here and say, oh, well,  
21 the letter of the law says he was  
22 electioneering because he had that shirt on,  
23 he had a shirt on of a candidate in that  
24 chute.

25                   If I was just real rigid, I'd say,

1 oh, well, that's electioneering, let's refer  
2 to the prosecutor. I think we've done a very  
3 good job on this Board on giving people an  
4 opportunity to, number one, defend themselves;  
5 number two, we've done a very good job on this  
6 Board of taking testimony in and understanding  
7 what the issues are.

8 But I don't think we've been so  
9 rigid where we say, oh, this is what the  
10 complaint says, we have to stick to the  
11 statute. So I appreciate the fact that  
12 Mr. Tolbert has brought up this other  
13 potential situation and statute so that we can  
14 look at it and discuss it. I feel that, as  
15 far as the electioneering goes, I'm with you.  
16 I think he ended up complying.

17 Whether or not I believe the fact  
18 he didn't know that Ms. Jostes was an election  
19 officer, I'm not sure I do believe that, but I  
20 do understand that he, when confronted by his  
21 neighbor who also was an election worker, he  
22 complied. What was that conversation? We  
23 don't know. It's all hearsay, we're guessing,  
24 and we're weighing the credibility of the  
25 witnesses in that regard.

1                   So, I'm fine with the fact that I  
2 don't believe he was electioneering, even  
3 though he might have been technically  
4 violating the statute, because I think I know  
5 what this Board has done in the past. The  
6 real issue I have is with the treatment of an  
7 election worker on that day and whether or not  
8 that amounts to interference or obstruction,  
9 and that's where I'm focused.

10                   MR. REED: Can I ask one more  
11 question, just so it's clear for the record?

12                   CHAIRMAN SMITH: Mr. Reed.

13                   MR. REED: We've said that we kind  
14 of agree that electioneering doesn't have a  
15 knowing component to it. I think it does.

16                   CHAIRMAN SMITH: I was just going  
17 by what --

18                   (Inaudible; talking in unison.)

19                   MR. REED: As I read it, I don't  
20 read it saying knowingly.

21                   MR. MELLON: I don't think anybody  
22 disagrees that the electioneering is not an  
23 issue.

24                   MR. REED: Can we just not talk  
25 over each other for a second?

1 CHAIRMAN SMITH: Sure. Mr. Reed.

2 MR. REED: 3-14-3-16, C, a person  
3 who knowingly does any electioneering on  
4 election day within the polls or the chute.

5 MS. BRANDENBURG: I apologize, I  
6 was talking about A, which is --

7 CHAIRMAN SMITH: That's what I was  
8 looking at is A.

9 MS. BRANDENBURG: -- just defining  
10 it, simply defining.

11 MR. REED: I just wanted to make  
12 sure that you're not --

13 MS. BRANDENBURG: But you're  
14 right. The action --

15 MR. REED: Just want to make sure  
16 we're not dismissing that component.

17 MS. BRANDENBURG: Yeah, I agree.

18 MR. REED: Mr. Chairman, I don't  
19 know if it matters, but I want to -- well,  
20 Michelle has something. She's really had her  
21 hand up for a long time.

22 MR. MELLON: I don't that -- both  
23 Jessica and Michelle want to add something to  
24 this, but I don't know that that should be --

25 MR. REED: I'm going to call for

1 the question, Mr. Chairman. We've got a  
2 motion and a second.

3 CHAIRMAN SMITH: And I want to be  
4 real clear here, because the motion, my  
5 understanding of the motion -- Mr. Mellon,  
6 please feel free to rephrase it if I'm  
7 incorrect here, but I want to make sure the  
8 Board understands the motion. Your motion was  
9 that you do not believe -- you want to dismiss  
10 the complaint in its entirety based on the  
11 fact there was no electioneering.

12 MR. MELLON: Based on the fact  
13 there was no electioneering and I also believe  
14 that there was no --

15 MR. REED: He's asking what your  
16 motion was. Your motion was about  
17 electioneering. Let's get through that one  
18 first. I think that's what it was.

19 MR. MELLON: I'm dismissing the  
20 complaint in its entirety.

21 MR. REED: That was the motion.

22 MR. MELLON: That's my motion, to  
23 dismiss the complaint in its entirety.

24 CHAIRMAN SMITH: Okay. We will  
25 have -- discussion has ended. I'm going to

1 call for the vote. I'll entertain a call for  
2 the vote. Michelle, roll call, please.

3 MS. FAJMAN: Reed?

4 MR. REED: Yes.

5 MS. FAJMAN: Mellon?

6 MR. MELLON: Yes.

7 MS. FAJMAN: Brown?

8 MR. BROWN: No.

9 MS. FAJMAN: Candelaria Reardon?

10 MS. CANDELARIA REARDON: No.

11 MS. FAJMAN: Smith?

12 CHAIRMAN SMITH: No. Motion  
13 fails. We still have a complaint out there.

14 MR. REED: I'd like to make a  
15 motion to dismiss the complaint as far as the  
16 electioneering law violation is concerned.

17 CHAIRMAN SMITH: I have a motion.  
18 Do I have a second?

19 MR. BROWN: Second.

20 CHAIRMAN SMITH: Seconded by Clerk  
21 Brown, motion by Mr. Reed. Any discussion on  
22 that? So the motion is to dismiss the  
23 complaint as it relates to electioneering.  
24 Roll call.

25 MS. FAJMAN: Reed?

1 MR. REED: Yes.

2 MS. FAJMAN: Mellon?

3 MR. MELLON: Yes.

4 MS. FAJMAN: Brown?

5 MR. BROWN: Yes.

6 MS. FAJMAN: Candelaria Reardon?

7 MS. CANDELARIA REARDON: Aye.

8 MS. FAJMAN: Smith?

9 CHAIRMAN SMITH: Yes. Motion  
10 carries. Is there any other motion?

11 MR. BROWN: Mr. Chair, I'd like to  
12 make a motion regarding I.C. 3-14-3-4,  
13 obstruction and interference of an election  
14 officer.

15 CHAIRMAN SMITH: And what would be  
16 your motion, Clerk Brown?

17 MR. BROWN: Based on that, I'd go  
18 obstruction and interference.

19 MR. MELLON: So what do you want  
20 to do with that?

21 MR. BROWN: That's my motion.

22 CHAIRMAN SMITH: To refer to the  
23 prosecutor?

24 MR. BROWN: Well, it has to be  
25 referred.

1                   CHAIRMAN SMITH: All right. So we  
2 have a motion by Clerk Brown on I.C. 3-15-3-4,  
3 obstruction --

4                   MR. TOLBERT: 3-14.

5                   CHAIRMAN SMITH: I'm sorry,  
6 3-14-3-4, obstruction of or interference with  
7 an election officer or voter to refer to the  
8 prosecutor. Is there a second?

9                   MS. CANDELARIA REARDON: Second.

10                  CHAIRMAN SMITH: Seconded by  
11 Ms. Candelaria Reardon. Discussion?

12                  MR. MELLON: Mr. Chairman.

13                  CHAIRMAN SMITH: Mr. Mellon.

14                  MR. MELLON: This will be a  
15 fundamental change in every precedent that  
16 we've ever had on this Board. If we're going  
17 to say that an argument between two  
18 individuals -- and even though I don't think  
19 it was warranted and it was a terrible thing  
20 that took place, is obstruction, then,  
21 Mr. Chairman, I'm going to be filing a  
22 complaint about you every election. I'm going  
23 to be filing a complaint about Mr. Brown,  
24 Mr. Reed, Ms. Candelaria Reardon, because we  
25 argue all the time.

1           There's discussion that takes  
2 place and that does not prevent me or you from  
3 doing our jobs. And if we're going to say  
4 that we're at a point now where any  
5 disagreement that takes place in the polling  
6 place is now obstruction, good luck with that,  
7 Mr. Chairman.

8           MR. TOLBERT: Can I make a  
9 comment?

10           (Inaudible; talking in unison.)

11           CHAIRMAN SMITH: We're on  
12 discussion. And I do appreciate, either  
13 Ms. Brandenburg or Mr. Tolbert, as long as  
14 it's -- I want to keep it to, you know,  
15 legal --

16           MR. TOLBERT: Absolutely. And I  
17 do appreciate Mr. Mellon's comment about  
18 precedent, and the only reason I brought up  
19 the statute is because we talked about it. I  
20 do understand there is an issue with whether  
21 or not there's evidence offered today that  
22 shows whether or not there was knowingly  
23 obstruction or knowingly interference.

24           And I know in the past this Board  
25 has looked at that element very, very closely,

1 in terms of deciding whether or not to move  
2 forward and refer to the prosecutor. So, you  
3 know, I kept copious notes. I do appreciate  
4 that that element is very weak, but I threw it  
5 out for the Board's consideration.

6 CHAIRMAN SMITH: Thank you.  
7 Ms. Brandenburg.

8 MS. BRANDENBURG: I do want to  
9 raise that upon referral to the prosecutor for  
10 this particular violation, this would be a  
11 level 6 felony that has serious consequences  
12 for this officer. What I heard in the  
13 testimony today and, yes, this is my opinion,  
14 is that I think we have a lovely poll worker  
15 who I feel for and I think she did a good job  
16 that day, but we have an instance of rudeness  
17 and disagreement.

18 I've seen situations come before  
19 this Board in the past, someone wearing  
20 sheriff memorabilia arguing with poll workers.  
21 That was not referred. I think that that  
22 precedent has to be considered and respected,  
23 particularly with regard to the knowing  
24 aspect, of knowingly obstructing or  
25 interfering with an election officer. As the

1 testimony came out today, Mr. Allande has  
2 stood by his statement that he did not know  
3 during the course of this disagreement that  
4 this individual was a poll worker. That's  
5 significant to me.

6 MR. BROWN: Mr. Chair.

7 CHAIRMAN SMITH: Clerk Brown.

8 MR. BROWN: So, based on that, my  
9 motion is generally based on the legal  
10 information that you give us. We do not go  
11 outside the legal bounds.

12 MS. BRANDENBURG: Sure.

13 MR. BROWN: I want to make that  
14 clear. So at some point between you and the  
15 other attorney you need to come up with  
16 something to make sense, because the motion is  
17 based upon the law. We do not go outside of  
18 that. You brought up a very good example. I  
19 respect that, but I'm also trying to work  
20 within the law in my motions.

21 MR. MELLON: Mr. Chairman, we had  
22 a Deputy Election Commissioner that wore a  
23 sheriff's jacket that engaged in arguments  
24 with election workers and we didn't refer that  
25 individual to the prosecutor. As a matter of

1 fact, that individual continues to be a Deputy  
2 Election Commissioner today. This is a real  
3 dangerous precedent.

4 MR. REED: That incident with the  
5 sheriff's jacket was one of the worst I have  
6 ever heard.

7 MR. MELLON: Yep. Screaming and  
8 yelling and --

9 MR. REED: That was literally  
10 making it so people could not do their jobs.

11 MR. VIS: Mr. Chairman --

12 MR. REED: This lady asked this  
13 man to take off his shirt. He claims he  
14 didn't know she worked there. Once he saw  
15 somebody who did work there, he complied. I  
16 don't know how that prevented her from doing  
17 her job that day. She did her job exactly how  
18 it was intended to be done.

19 She saw a violation, she asked, he  
20 decided not to comply, then saw somebody he  
21 knew. I don't know how that stopped her from  
22 performing her duties as an inspector. I have  
23 no idea. I don't think there's any evidence  
24 to show that she was unable to do her job that  
25 day. That's the cornerstone of obstruction.

1                   CHAIRMAN SMITH: Yes, thank you,  
2 Mr. Reed. So I want to ask the Board --  
3 Mr. Vis has been waiting patiently, as has  
4 Ms. Jostes. I don't want to necessarily deny  
5 them the opportunity, but I also want to make  
6 sure, because it would be out of order. So I  
7 just want to ask the Board if anybody has an  
8 objection to hear from the parties before we  
9 take a vote?

10                   MR. REED: I think the way this  
11 complaint has morphed from one thing to  
12 another, I think they absolutely should have  
13 the right to speak.

14                   CHAIRMAN SMITH: All right. So,  
15 Ms. Jostes, you as the complainant -- and  
16 you've been very patient sitting there and I  
17 appreciate that, I'm going to give you the  
18 opportunity to address the Board and say  
19 anything that you'd like to say based on what  
20 you've heard and our discussion regarding your  
21 complaint, if you'd like.

22                   MS. JOSTES: I want to know if  
23 this happened again, should I not report it,  
24 because I just feel like all of this was  
25 sounding like nothing. I just want to be done

1 with it. I want to get back to work and not  
2 have to think about this. If I were to work  
3 another election and have this happen and  
4 report the behavior is the same thing going to  
5 happen or should I not report it?

6 MR. MELLON: Mr. Chairman, if I  
7 may.

8 CHAIRMAN SMITH: Mr. Mellon.

9 MR. MELLON: If you're asking this  
10 Board that question, I think there's a very  
11 good answer. No, you should absolutely report  
12 it, because there was a potential for a  
13 violation of election law, which was  
14 electioneering, no question about that. And  
15 at the same time, there was rude behavior that  
16 should be addressed, and I think that we've  
17 got the parties here and we've made -- I'd  
18 like to think that we've made an impression  
19 upon him that this behavior shouldn't be  
20 tolerated in the future, that the behavior  
21 needs to change in society.

22 So I think you did a tremendous  
23 job by reporting it. This is exactly the  
24 thing that should be reported. Look at the  
25 feverish discussion that's taken place here

1 today, and you're the cause of all that. So I  
2 think if you work --

3 CHAIRMAN SMITH: Not the cause,  
4 but --

5 MR. MELLON: No, no, I mean you're  
6 the impetus of trying to make those  
7 corrections. I apologize, I misphrased that.  
8 But you're the impetus of trying to make that  
9 correction. So what I'm trying to say is that  
10 I think you should work as a poll worker  
11 again. I think you should do the exact same  
12 thing if this exact same situation were to  
13 take place.

14 And, of course, there is a  
15 complaint tracking system in place, and if  
16 there were multiple complaints against another  
17 individual, then these situations of knowingly  
18 do come in, and everything. But right now the  
19 only issue that we're hung up on is this  
20 obstruction issue, and I would ask you a  
21 question.

22 Did this prevent you from doing  
23 your job that day? I know that it was an  
24 upsetting moment, but did it prevent you from  
25 allowing people to work and continue to vote

1 and do the things that they needed to do on  
2 Election Day, besides the discomfort of it?

3 MS. JOSTES: After the initial,  
4 probably, hour after, everything else was  
5 fine.

6 CHAIRMAN SMITH: What about during  
7 that hour?

8 MS. JOSTES: Just trying to figure  
9 out what I should do, also trying to deal with  
10 all the problems with the voters, because  
11 there were many of those. Obviously, it was  
12 busy. It was stressful. I mean, I wasn't  
13 expecting to come across that.

14 MR. MELLON: Certainly.

15 CHAIRMAN SMITH: Yeah, I think  
16 that it's -- I just want to be very clear to  
17 Ms. Jostes and to any poll worker out there,  
18 that, in my opinion, what happened that day is  
19 totally inappropriate, that you shouldn't have  
20 to endure any type of intimidation or  
21 dismissiveness or challenge your authority, or  
22 someone trying to intimidate you because they  
23 happen to have a badge and think that they can  
24 throw their badge out and say I'm the police  
25 and that somehow bears some weight on your

1 ability to do your job that day. I have a  
2 real big problem with that.

3           Where I'm struggling is the legal  
4 part of this, because I don't think anybody on  
5 this Board believes that you were treated  
6 fairly that day. I don't think anybody on  
7 this Board believes that the behavior that was  
8 exhibited by an officer of the law, a sworn  
9 officer of the law -- who I can tell you that  
10 I, personally, don't want to get pulled over  
11 by, was inappropriate. It's bad. I don't  
12 think it's an example that we want our police  
13 officers to be held up to.

14           But, again, really, the meat of  
15 this is the legal part of it, and so I just  
16 want you to understand that, regardless of how  
17 this all ends up today, I want you to hear  
18 from this Board and from me that we don't  
19 agree with what happened to you that day.

20           MR. REED: If I can add to that,  
21 Mr. Chairman.

22           CHAIRMAN SMITH: Mr. Reed.

23           MR. REED: Just so you know,  
24 because of things like you bringing this  
25 complaint, for example, Michelle and formally

1 LeAnn Angerman, who see these things happen,  
2 see poll workers getting upset and being  
3 treated poorly, the legislature, based on what  
4 they have said to the legislature, has  
5 increased these offenses from misdemeanors to  
6 felonies.

7           So when things like this happen,  
8 levers move. So don't feel like you shouldn't  
9 bring a complaint or you shouldn't work at a  
10 poll. These sorts of incidents move the  
11 lever. And one of the levers we should  
12 probably move is talking about people working  
13 at a polling place identify themselves, be  
14 visible, things like that. I mean, whatever  
15 she was trained to do is exactly what she did,  
16 but maybe we need another component. I don't  
17 know.

18           MS. FAJMAN: We did the training.  
19 We told them this is a heated election. We  
20 don't want you to be put in harm's way in any  
21 way, shape, or form. If something happens,  
22 this is what you do. If it continues to  
23 happen, call the Election Board. She did  
24 that. We can send out a Deputy Election  
25 Commissioner. We can call the police.

1           When he identifies himself as the  
2 police, higher standards kind of step in  
3 because you're now alerted it's the police and  
4 there is intimidation. You can tell she's  
5 definitely been scared. I think this has been  
6 affecting her this whole time. But they've  
7 been trained and we have a yellow sign  
8 outside --

9           (Inaudible; talking in unison.)

10           CHAIRMAN SMITH: Jessica, did you  
11 want to say anything?

12           MS. MESSLER: It's completely  
13 irrelevant at this point. I just wanted to  
14 tell anybody who didn't have a code book, I  
15 did add the electioneering thing. That's all  
16 I had to say.

17           CHAIRMAN SMITH: Thank you.

18           MS. CANDELARIA REARDON: Mr.  
19 Chairman?

20           CHAIRMAN SMITH: Ms. Candelaria  
21 Reardon.

22           MS. CANDELARIA REARDON: Yeah, I  
23 think that -- I think that absolutely she did  
24 the right thing. I think you should, if you  
25 work another election, continue to report.

1 Because I believe that whether this was  
2 intimidation or obstruction according to the  
3 statute or not -- first of all, I believe it  
4 was. I believe that the badge was brought out  
5 in an effort to intimidate a poll worker and I  
6 don't think that's okay.

7           And I think another component that  
8 probably you should be aware of is that your  
9 position of authority and your gender, in  
10 general, is intimidating to somebody who is  
11 trying to do the right thing. I think you  
12 have to keep that in mind. And I think  
13 that -- you know, should you lose your career  
14 over this? I don't know. I think that when  
15 we're talking about the statute and following  
16 the statute and precedent, and all those  
17 things -- this is my first meeting, but I will  
18 say that I hope you've learned a lesson and  
19 your role as a police officer continues to  
20 evolve after 24 years and that you do owe her  
21 an apology, whether she wants one or not.

22           I think the way you behaved was  
23 intimidating to her and the way it impeded her  
24 from attending to other voters, because either  
25 she was shook up or she was busy calling other

1 people. I do believe that you made a huge  
2 mistake, and should you pay with your career?  
3 I don't know. According to the statute, we  
4 have to follow the statute, but I think that  
5 moving the needle forward, these complaints  
6 and these things, don't feel like if it  
7 doesn't go to the prosecutor that you're not  
8 changing -- you're not making change because  
9 you are making change and you are calling out  
10 people when they need to be called out.

11 We struggle to get people to work  
12 the polls and this is exactly why, behavior  
13 like this. And I hope that you do learn a  
14 lesson and you have learned a lesson.

15 CHAIRMAN SMITH: Thank you.  
16 Mr. Vis, I'm going to give you the ability to  
17 have the last word here, unless there's any  
18 comments based on comments from the Board.

19 MR. VIS: Thank you, Mr. Chairman.  
20 This is as well a first for me to be before  
21 you. I appreciate the time. As I reflected,  
22 in 2008, I was in Ms. Jostes's shoes and can  
23 appreciate the emotion, especially with that  
24 election year, this past one. With that being  
25 said, I'm going to object, just for the

1 record, as to the second prong of this trial.  
2 I did not have notice that this would be an  
3 allegation. One of the things that I  
4 appreciate that we've been talking about is  
5 what good can come out of this. I think for  
6 everyone to know what it is they're being  
7 charged with is prudent. I think the second  
8 thing we've all heard from this that needs to  
9 be incorporated in the training, and it was  
10 for me in 2008, was that when you do approach  
11 somebody in line, you identify your position.  
12 If we take a look at the statute, which has  
13 been cited here, it says that if you interfere  
14 with an election or an election worker, you  
15 can be charged with these felonies. Go down  
16 the list. A member of a county board of  
17 elections. Well, if John Reed shows up in  
18 Cedar Lake and he walks in wearing his  
19 beautiful lavender shirt and I'm in line --

20 MR. REED: Lilac.

21 MR. VIS: Lilac. And he starts  
22 telling me that I need to take off my shirt  
23 that says Vote For Joe Lipon -- it's a shirt I  
24 have at home from my youth when I helped  
25 somebody run for office, but he doesn't

1 identify that he's an election worker and I  
2 just look at him in his lilac shirt, I'm not  
3 going to know. And I think it's already been  
4 stated by Mr. Tolbert that the evidence is  
5 weak. The evidence is not only weak, it's  
6 nonexistent, respectfully.

7 Ms. Jostes has indicated he didn't  
8 look up at her, she didn't identify herself,  
9 and on top of that, while she said he couldn't  
10 wear it, she didn't state the reason why. I  
11 think an integral part moving forward -- and I  
12 understand that there's the disagreement and  
13 the rudeness here. We've all learned from  
14 that. But I think an integral part moving  
15 forward is to reflect and educate those who  
16 are going to be in her position moving forward  
17 to do that.

18 So we take a look at the statute,  
19 and it says with the intent to obstruct or  
20 interfere with an election worker. There's  
21 been nothing proved that he knew she was an  
22 election worker. He didn't interfere with her  
23 job, because she was telling him to remove it  
24 and he did do it. From what I'm hearing from  
25 the Board, there's similar other instances

1 where you have deduced that that wasn't  
2 interference. So to do it now, I'm starting  
3 to question what is the motive as to what  
4 we're doing here.

5 MR. REED: I feel like it's to the  
6 extent it's a Republican police officer.

7 MR. VIS: Well, when you say that  
8 it's a --

9 CHAIRMAN SMITH: I'm going to call  
10 that out of order.

11 MR. REED: Oh, you can do that,  
12 I've got everyone testifying --

13 CHAIRMAN SMITH: If you think  
14 there is --

15 MR. REED: -- as to what this --

16 CHAIRMAN SMITH: If you don't  
17 think I'm carefully weighing this and you're  
18 implying that my vote is because of what this  
19 gentleman's job and partisanship is, I  
20 disagree with that. I find that to be totally  
21 out of order.

22 (Inaudible; talking in unison.)

23 MR. VIS: So, Mr. Chairman, the  
24 law states with the intent to obstruct or  
25 interfere knowingly or intentionally. And if

1 the petitioner herself indicates he didn't  
2 know who she was and didn't look at her and  
3 she never identified herself and the  
4 respondent has identified he wasn't aware  
5 until he was told by a different poll worker,  
6 then you don't have knowingly. All we have is  
7 holding my client to the standard of being a  
8 police officer.

9           As anybody knows me when I talk to  
10 police officers is I like to cite to Paul  
11 Harvey. Paul Harvey has a great three and a  
12 half minute quote, and we should all take a  
13 look at it this afternoon. We expect a police  
14 officer to be a saint 24 hours a day, but Paul  
15 Harvey also identifies there can be moments  
16 where they can be sinners, where they can lose  
17 their temper. My challenge and my question to  
18 you is, this 20 seconds that we've been  
19 discussing, which my client has apologized  
20 for, are we going to say he was intentionally  
21 hell bent on interfering with the election and  
22 Ms. Jostes?

23           I think he wants to take back  
24 those moments and wished he would have looked  
25 her in the eye, but to say he intentionally

1 interfered with her, I don't think that has  
2 been shown at all, and it's actually been  
3 acknowledged by other counsel that's been  
4 testifying here earlier today, Mr. Tolbert,  
5 that it's weak, if anything. So I'd like to  
6 leave you with that. Thank you.

7 CHAIRMAN SMITH: Thank you,  
8 Mr. Vis. Any questions of Mr. Vis based on  
9 his comments?

10 MR. BROWN: Mr. Chair.

11 CHAIRMAN SMITH: Clerk Brown.

12 MR. BROWN: The reason why the  
13 motion was put out is based on the I.C. code.  
14 As you know, as a board we've always tried to  
15 be fair regardless of what party, and as long  
16 as I've been on this Board I have never heard  
17 anyone say that. So I guess Mr. Reed is very  
18 passionate today, but we're trying to work  
19 within the law itself. So I'd like to defer  
20 this to the next meeting so we can get some  
21 more information because --

22 MR. MELLON: Mr. Chairman.

23 CHAIRMAN SMITH: Let's let Clerk  
24 Brown finish.

25 MR. BROWN: Because there is going

1 to be a vote on this matter, but we're not  
2 going to go back and forth because you feel  
3 one way because the law that I understand, you  
4 know, we need to have a common ground on this  
5 decision. You can bring up other cases all  
6 you want. The reality is, this case is  
7 different from the other cases.

8 CHAIRMAN SMITH: So, Clerk Brown,  
9 if I understand you right, you're asking that  
10 the Board take the matter under advisement?

11 MR. BROWN: Yes.

12 CHAIRMAN SMITH: So there's a  
13 motion to take the matter under advisement.  
14 Is there a second?

15 MR. REED: Second.

16 CHAIRMAN SMITH: Seconded by  
17 Mr. Reed, motion by Clerk Brown. All those in  
18 favor of taking this matter under advisement  
19 signify by saying aye.

20 (Board members saying "aye" in  
21 unison.)

22 CHAIRMAN SMITH: Any opposed?

23 MR. MELLON: Opposed.

24 CHAIRMAN SMITH: Motion carries,  
25 four/one. So, just so the parties know,

1 Ms. Jostes, I know you are working out of  
2 state. You do not have to come back. All  
3 right? You do not have to come back. You are  
4 welcome to come back if you'd like. Same  
5 thing to Mr. Vis, you're welcome to come back,  
6 and Mr. Allande, you don't have to come back.  
7 It's up to you. You're welcome. It's a  
8 public meeting, but I don't want you to feel  
9 that you have to if you don't want to. But  
10 the Board will make a decision in the future,  
11 it sounds like.

12 All right. I want to thank both  
13 parties. I want to thank Mr. Vis for coming.  
14 Ms. Jostes, I want to thank you for your  
15 service to the county and to the state and to  
16 the country for working as an election  
17 officer. Mr. Allande, I want to thank you for  
18 your service to the people of Cedar Lake as a  
19 police officer. Mr. Vis?

20 MR. VIS: Just recognizing that  
21 this may get appealed, I also want to preserve  
22 for the record an objection that there was a  
23 significant amount of conversation amongst the  
24 tribunal. I don't know if it was reflected  
25 with our court reporter here, but for the

1 record, I am objecting to those conversations  
2 not being reflected actively on the record,  
3 and I'd be remiss as an attorney for my client  
4 if I didn't do that for him. For the record,  
5 I wanted to put that out there.

6 CHAIRMAN SMITH: Noted.

7 MR. VIS: Thank you.

8 CHAIRMAN SMITH: All right. I  
9 think this matter is concluded. Thank you.

10 MR. VIS: Thank you.

11 CHAIRMAN SMITH: Show it deferred  
12 and under advisement.

13 (Inaudible; talking in unison.)

14 CHAIRMAN SMITH: Jessica.

15 MS. MESSLER: I apologize, did we  
16 make an official motion?

17 CHAIRMAN SMITH: Yes, I'm sorry.  
18 For the record, Clerk Brown made a motion to  
19 defer -- I'm sorry, to take the matter under  
20 advisement, Mr. Reed seconded it, and the  
21 motion carried four/one.

22 MS. MESSLER: All right. Thank  
23 you.

24 CHAIRMAN SMITH: One no. All  
25 right. I don't see any other Old Business

1 before the Board.

2 The next matter of New Business is  
3 CFA Matters, and I do see -- I thought I saw  
4 Lori here. I don't see Juanita.

5 MS. FAJMAN: We have Kelley.

6 CHAIRMAN SMITH: Kelley, how are  
7 you. We have Kelley and Lori here. All  
8 right. So, CFA Matters, we have D-E-L CFA  
9 2024 Annual Committee Reports, under Tab 5.  
10 We have it in front of us. Lori, do you want  
11 to set the record for us what we have here?  
12 Delinquent 2024 annual reports.

13 MS. O'DEA: That's right,  
14 Delinquent 2024 annual reports for regular  
15 party committees.

16 CHAIRMAN SMITH: And would you  
17 like the Board to consider the two upfront  
18 first or did you want to have the Board impose  
19 the recommended fines and waivers as  
20 presented?

21 MS. O'DEA: I would defer to the  
22 Board. They can do whatever they feel is the  
23 right thing to do based on the information in  
24 front of them.

25 CHAIRMAN SMITH: These are your

1 recommendations. All right. Is anybody here  
2 for either the Gary Republican Central  
3 Committee, the Munster Democratic Precinct  
4 Organization, the Merrillville/Ross Township  
5 Democratic Precinct Organization, Cedar  
6 Lake/Hanover -- I know you guys are here, or  
7 the Winfield Township Democratic Precinct  
8 Organization? Just Cedar Lake is here?

9 All right. Let's take you guys  
10 first since you're here, and if you can come  
11 up and identify yourselves. I know you've  
12 been here the last couple of meetings. Just  
13 for the record, this is the Cedar Lake/Hanover  
14 Democratic Precinct Organization, 45-12535.  
15 It is under the Never Received category. Yes,  
16 sir, your name and your position?

17 MR. BIEL: Jeff Biel, and I'm the  
18 chairman of the precinct organization for  
19 Cedar Lake.

20 CHAIRMAN SMITH: All right. Go  
21 ahead.

22 MR. BIEL: First of all, I'd just  
23 like to apologize that the report was not  
24 filed, but I do have evidence that it was  
25 filed on 1-10-25. It was faxed to the

1 commission here and then we just -- it's also  
2 been emailed. So we have it here also.

3 CHAIRMAN SMITH: John, do you want  
4 see what he has there?

5 MR. REED: Yes.

6 CHAIRMAN SMITH: Lori, do you have  
7 any record of those dates? Do you have it as  
8 being received?

9 MS. O'DEA: I'm happy to check the  
10 file. We may have made a mistake and we can  
11 revisit that.

12 MR. REED: It says, To CFA at Lake  
13 County, 10:32 a.m. This says April 15th.

14 MS. DICKSON: Well, we had to  
15 resend it again today.

16 MR. REED: Oh, you had to resend  
17 it to them?

18 MS. DICKSON: Well, we had to  
19 resend it because you said you didn't get it,  
20 so.

21 MR. REED: Well, we said we didn't  
22 get it a long time ago.

23 CHAIRMAN SMITH: Mr. Biel, do you  
24 have anything that shows you sent it on the  
25 10th of January?

1 MR. BIEL: We have a confirmation.

2 MS. DICKSON: See, she's in the  
3 hospital. She's been in bed for quite a long  
4 time.

5 CHAIRMAN SMITH: Who is that  
6 that --

7 MS. DICKSON: Tracy Haskell.  
8 She's our treasurer. So when we tried to get  
9 ahold of her, she had to get out of bed, go to  
10 a file and try to get this. So she faxed us  
11 what she filed on 1-10-25. So she emailed it  
12 to us and said that she had filed it then, and  
13 then she just wanted us to see what it was she  
14 filed.

15 MR. MELLON: But do you have any  
16 evidence that she did that?

17 CHAIRMAN SMITH: Is it signed on  
18 the 10th or what is the date of the --

19 MS. DICKSON: Well, that's a good  
20 question. Hold on. I'm not really good with  
21 this. I'm being honest with you.

22 CHAIRMAN SMITH: You're doing  
23 good. And, I'm sorry, while you're looking,  
24 do you mind just --

25 MS. DICKSON: I know. You need my

1 name.

2 CHAIRMAN SMITH: Yes.

3 MS. DICKSON: I'm sorry. Mary  
4 Joan Dickson, D-I-C-K-S-O-N, Cedar Lake 2.

5 CHAIRMAN SMITH: And do you have a  
6 position in the organization?

7 MS. DICKSON: No, just someone who  
8 cares.

9 CHAIRMAN SMITH: That's okay.  
10 It's important. We appreciate that.

11 MS. DICKSON: I can't get it on  
12 here, I'm sorry.

13 CHAIRMAN SMITH: That's okay. So  
14 you believe you filed it on January 10th?

15 MR. BIEL: Yes.

16 CHAIRMAN SMITH: Okay. Lori, do  
17 you need time to check into this?

18 MS. O'DEA: I would like to check  
19 into it, if we could maybe defer it to next  
20 month?

21 MR. MELLON: I think that would be  
22 good.

23 CHAIRMAN SMITH: Okay. So it  
24 looks like -- we want to keep you out of  
25 having to pay a fine, if we can. So if you

1 don't mind, Lori, I'm sure, will be in touch  
2 with you. Do you know how get ahold of  
3 Mr. Biel?

4 MS. O'DEA: Yes.

5 CHAIRMAN SMITH: Okay. So Lori  
6 will be in touch with you and I'm sure she'll  
7 update us.

8 MR. MELLON: Mr. Chairman?

9 CHAIRMAN SMITH: Mr. Mellon.

10 MR. MELLON: I'll make a motion to  
11 defer this to the next meeting, but can I also  
12 put a caveat on there that if we do find that  
13 we were in error on that, that the staff has  
14 the authority to correct the error as  
15 appropriate?

16 CHAIRMAN SMITH: I think that's  
17 fair.

18 MR. MELLON: So we don't have to  
19 drag you back here.

20 MS. DICKSON: Oh, we'll be back.

21 CHAIRMAN SMITH: Okay. Motion to  
22 defer, with the caveat that they may not have  
23 to come back if Lori figures out that it was  
24 our error.

25 MR. MELLON: Yes.

1 MR. BROWN: Second.

2 CHAIRMAN SMITH: Seconded by Clerk  
3 Brown, motion by Mr. Mellon. Any discussion?  
4 Hearing none. All those in favor signify by  
5 saying aye.

6 (Board members saying "aye" in  
7 unison.)

8 CHAIRMAN SMITH: Motion carries  
9 and it is deferred. Thank you, Mr. Biel.

10 MS. DICKSON: Thank you.

11 CHAIRMAN SMITH: Thank you for  
12 coming. All right. Anybody else here as to  
13 the other parties I listed? Okay. Seeing  
14 none. Is there a motion to waive and/or  
15 impose the recommended fines as presented?

16 MS. CANDELARIA REARDON: I move we  
17 waive the fines, but which ones?

18 MR. MELLON: Mr. Chairman?

19 MR. REED: Maybe the motion should  
20 be to accept the staff recommendations.

21 MS. CANDELARIA REARDON: There you  
22 go. Accept the staff recommendations, is the  
23 motion.

24 CHAIRMAN SMITH: Thank you. We  
25 have a motion to accept the staff

1 recommendations.

2 MR. MELLON: I'll second that,  
3 Mr. Chairman.

4 CHAIRMAN SMITH: We have a second  
5 by Mr. Mellon, motion by Ms. Candelaria  
6 Reardon. Any discussion? Hearing none. All  
7 those in favor signify by saying aye.

8 (Board members saying "aye" in  
9 unison.)

10 CHAIRMAN SMITH: Any opposed?

11 (No immediate response.)

12 CHAIRMAN SMITH: That motion  
13 carries. All right. Yes, Mr. Mellon.

14 MR. MELLON: Mr. Chairman, just  
15 for clarification, taking the staff  
16 recommendations except for Cedar Lake.

17 CHAIRMAN SMITH: Right.

18 MS. FAJMAN: What about the  
19 Winfield one, because they have not filed  
20 their report yet. So the recommendation was  
21 originally 300, but I thought at the last  
22 meeting you guys were just doing the thousand.  
23 So the 300 is not accepted? It's just setting  
24 the \$1,000 fine?

25 MR. MELLON: Yes.

1 MS. FAJMAN: Just as a side note,  
2 I don't know that they necessarily got  
3 notification. We had a county meeting, and I  
4 believe he has moved out of the county. So I  
5 don't know that there was --

6 MR. MELLON: They may have to  
7 do --

8 MS. FAJMAN: There may not be  
9 service on this committee.

10 MR. MELLON: -- a reorganization.  
11 And I apologize, we're just having a  
12 conversation, Mr. Chairman, but, again, the  
13 goal will be to impose that thousand dollar  
14 fine, and then once they turn in their report,  
15 then they're waived back to the recommended  
16 fine.

17 CHAIRMAN SMITH: Ms. Brandenburg,  
18 let me ask this question of you -- and this is  
19 a technicality, but we just want to make sure  
20 Ms. Candelaria Reardon understands. A couple  
21 meetings ago we were told that we needed to  
22 make a motion to impose the fine and then make  
23 a motion to --

24 MS. BRANDENBURG: Reduce it, yes.

25 CHAIRMAN SMITH: -- reduce it as

1 recommended.

2 MS. BRANDENBURG: And I believe  
3 the language was in the interest of justice or  
4 furthering those interests, essentially, yes.

5 CHAIRMAN SMITH: So do we need to  
6 do that properly and then --

7 MS. BRANDENBURG: Yes.

8 CHAIRMAN SMITH: Okay. So let's  
9 let Mr. Mellon make the first motion regarding  
10 imposition and then you can make your motion  
11 about recommendations. So, Mr. Mellon, would  
12 you please make that motion?

13 MR. MELLON: Okay. So we're going  
14 to handle these separately. Under the Never  
15 Received category, item Winfield Township  
16 Democratic Precinct Organization, I make a  
17 motion to charge a \$1,000 fine for never  
18 receiving their report.

19 CHAIRMAN SMITH: Do we have to do  
20 them --

21 MS. FAJMAN: The Cedar Lake, that  
22 one was deferred.

23 CHAIRMAN SMITH: No, Winfield was  
24 deferred.

25 MR. MELLON: Cedar Lake was

1 deferred.

2 CHAIRMAN SMITH: Can we do them  
3 all?

4 MS. BRANDENBURG: I think you  
5 could make a single motion as to all of them  
6 to implement the required statutory fine and  
7 then you could make a motion to reduce  
8 accordingly.

9 CHAIRMAN SMITH: So, Mr. Mellon,  
10 would you --

11 MR. MELLON: Yes, so I'll make a  
12 motion to implement the maximum civil penalty  
13 under the statute for each of these, with the  
14 exception of Cedar Lake, which has been  
15 handled separately.

16 MS. CANDELARIA REARDON: Second.

17 CHAIRMAN SMITH: We have a motion  
18 by Mr. Mellon to impose the maximum civil  
19 penalty under the statute, seconded by  
20 Ms. Candelaria Reardon. Any discussion?  
21 Hearing none. All those in favor signify by  
22 saying aye.

23 (Board members saying "aye" in  
24 unison.)

25 CHAIRMAN SMITH: Any opposed?

1 (No immediate response.)

2 CHAIRMAN SMITH: That motion  
3 carries. Ms. Candelaria Reardon.

4 MS. CANDELARIA REARDON: I make a  
5 motion to accept the staff recommendations  
6 with regard to -- the Never Received?

7 CHAIRMAN SMITH: All of them.

8 MR. MELLON: Well, with the  
9 exception of Cedar Lake.

10 MS. CANDELARIA REARDON: With the  
11 exception of Cedar Lake.

12 MR. MELLON: Winfield Township and  
13 Cedar Lake.

14 MS. CANDELARIA REARDON: Winfield  
15 Township and Cedar Lake.

16 CHAIRMAN SMITH: All right. And  
17 because the imposition of that fine would  
18 be --

19 MS. BRANDENBURG: Unjust.

20 CHAIRMAN SMITH: -- unduly  
21 burdensome and unjust?

22 MS. CANDELARIA REARDON: Correct.

23 MR. BROWN: Second.

24 CHAIRMAN SMITH: All right. Thank  
25 you. Any discussion on that? Hearing none.

1 All those in favor signify by saying aye.

2 (Board members saying "aye" in  
3 unison.)

4 CHAIRMAN SMITH: Any opposed?

5 (No immediate response.)

6 CHAIRMAN SMITH: That motion  
7 carries unanimously.

8 The next matter before the Board  
9 is CFA Matters: Arthur Santos.

10 MS. O'DEA: Mr. Santos is not here  
11 in the room today. He did ask to be put on  
12 the agenda for your consideration in reducing  
13 his thousand dollar imposed fine for his  
14 previous delinquency. However, he's not here.

15 MR. MELLON: Mr. Chairman, I make  
16 a motion to defer to a future meeting.

17 CHAIRMAN SMITH: Okay. Motion to  
18 defer. Is there a second?

19 MR. REED: Second.

20 CHAIRMAN SMITH: Seconded by  
21 Mr. Reed, motion by Mr. Mellon, to defer  
22 Mr. Santos's CFA matter to a future meeting  
23 when he is advised to show up or else. Any  
24 further discussion? Hearing none. All those  
25 in favor signify by saying aye.

1 (Board members saying "aye" in  
2 unison.)

3 CHAIRMAN SMITH: Any opposed?

4 (No immediate response.)

5 CHAIRMAN SMITH: That motion  
6 carries.

7 Next is Legal Notice of Election  
8 and Early Voting Published. And I think we  
9 have --

10 MR. REED: Motion to accept the  
11 legal notices from The Times and The Post  
12 concerning the referendum.

13 CHAIRMAN SMITH: We have a motion  
14 to accept.

15 MS. CANDELARIA REARDON: Second.

16 CHAIRMAN SMITH: Seconded by  
17 Ms. Candelaria Reardon, motion by Mr. Reed.  
18 Any discussion?

19 (No immediate response.)

20 CHAIRMAN SMITH: All those in  
21 favor signify by saying aye.

22 (Board members saying "aye" in  
23 unison.)

24 CHAIRMAN SMITH: Any opposed?

25 (No immediate response.)

1                   CHAIRMAN SMITH: That motion  
2 carries.

3                   That takes us to the VVSTOP Audit  
4 Update. I can indicate to the Board that we  
5 have before us a resolution. Are we  
6 considering this?

7                   MS. MESSLER: Yes.

8                   CHAIRMAN SMITH: It doesn't have a  
9 number on it, but I'm sure we will number it.

10                  MS. MESSLER: Apologies. The one  
11 you have in your packet has the correct  
12 information on it. So, whoever has it.

13                  MR. REED: I've got it. It says,  
14 2025-08.

15                  MS. MESSLER: Yes.

16                  CHAIRMAN SMITH: Okay. We do have  
17 a number. Thank you. 2025-08 is entitled a  
18 resolution of the Lake County Elections Board,  
19 and it relates to Lake County being --  
20 determined that it would be appropriate for us  
21 to be a designation as a post-election audit  
22 counted by VVSTOP.

23                   Is there a motion to approve  
24 Resolution 2025-08 as presented?

25                  MR. MELLON: So moved,

1 Mr. Chairman.

2 CHAIRMAN SMITH: Motion by  
3 Mr. Mellon. Is there a second?

4 MS. CANDELARIA REARDON: Second.

5 CHAIRMAN SMITH: Seconded by  
6 Ms. Candelaria Reardon. Any discussion? I  
7 just want to thank both Michelle and Jessica  
8 for their work on this. I think it's great  
9 that we're going to be an audit county again.  
10 It shows the state that Lake County is doing  
11 the right thing on this. So I appreciate  
12 that.

13 All right. Any other discussion?  
14 Hearing none. All those in favor signify by  
15 saying aye.

16 (Board members saying "aye" in  
17 unison.)

18 CHAIRMAN SMITH: Any opposed?

19 (No immediate response.)

20 CHAIRMAN SMITH: Resolution  
21 2025-08 is passed.

22 County Authorization is the next  
23 matter of New Business. Remove entry from  
24 SVRS. Jessica or Michelle? Jessica.

25 MS. MESSLER: Basically, what this

1 was, was someone ended up putting all question  
2 marks in for all of the entries. So it's just  
3 an authorization to remove that.

4 CHAIRMAN SMITH: And you'd like us  
5 to approve it?

6 MS. MESSLER: Yes, please.

7 CHAIRMAN SMITH: All right. Is  
8 there a motion to approve?

9 MR. BROWN: Motion to approve,  
10 Mr. Chair.

11 CHAIRMAN SMITH: Motion to approve  
12 by Clerk Brown.

13 MR. MELLON: Second.

14 CHAIRMAN SMITH: Seconded by  
15 Mr. Mellon. All those in favor of approving  
16 to remove entry from SVRS signify by saying  
17 aye.

18 (Board members saying "aye" in  
19 unison.)

20 CHAIRMAN SMITH: Any opposed?

21 (No immediate response.)

22 CHAIRMAN SMITH: That motion  
23 carries. Is there any other New Business?  
24 Hearing none.

25 Any Correspondence?

1 (No immediate response.)

2 CHAIRMAN SMITH: Counsel Report.

3 Ms. Brandenburg?

4 MS. BRANDENBURG: No.

5 CHAIRMAN SMITH: Mr. Tolbert?

6 MR. TOLBERT: Nothing.

7 CHAIRMAN SMITH: Thank you, as  
8 always, for your legal counsel, especially  
9 today.

10 MR. TOLBERT: I don't feel good.

11 CHAIRMAN SMITH: I appreciate it.

12 MR. REED: Isn't this country  
13 based on vigorous debate? I love a vigorous  
14 debate.

15 MR. MELLON: A bunch of big babies  
16 out there. Mike got his feelings hurt.

17 (Inaudible; talking in unison.)

18 CHAIRMAN SMITH: All right. Are  
19 there any Purchase Orders? There are.

20 MS. MESSLER: Yes.

21 CHAIRMAN SMITH: I'll entertain a  
22 motion to approve the purchase orders as  
23 presented.

24 MS. CANDELARIA REARDON: So  
25 moved.

1 MR. REED: Second.

2 CHAIRMAN SMITH: Is there any  
3 discussion on the purchase orders?

4 MR. REED: I had one question.  
5 The \$100 per, it says, for the iPads from  
6 Knowink, 58,000 bucks, is that the maintenance  
7 contract or is that a license of some kind?

8 MS. FAJMAN: I believe that is the  
9 yearly maintenance, annual licensing contract.  
10 Annual licensing is what it's listed as.

11 MR. REED: Okay. And that's  
12 normal, that's part of the contract for --

13 MS. FAJMAN: Every year, and then  
14 we're only going to activate, I think, what we  
15 need.

16 MR. REED: And this 580 iPads, I  
17 didn't know if that number was right.

18 MS. FAJMAN: Based on the  
19 inventory, it would be right.

20 MR. REED: Okay. That's all I  
21 have.

22 CHAIRMAN SMITH: Thank you. We  
23 have a motion and a second on approval of the  
24 purchase orders. All those in favor of  
25 approving them as presented signify by saying

1 aye.

2 (Board members saying "aye" in  
3 unison.)

4 CHAIRMAN SMITH: Any opposed?

5 (No immediate response.)

6 CHAIRMAN SMITH: That motion  
7 carries.

8 The next meeting of this Board is  
9 May 3, 2025, and that's a Saturday, Inspector  
10 Saturday, at 10:00 a.m., right here in the  
11 Commissioners Courtroom.

12 Is there any Public Comment?

13 MS. FAJMAN: Just FYI for the  
14 Board, the Board meeting will be here and then  
15 for our training, because this is such a small  
16 election with only 49, we will be doing the  
17 training session down in the auditorium, and  
18 that's where we'll be releasing the materials  
19 also. It's all right down there in Building  
20 B. So the inspectors won't be having to go  
21 back and forth in the building, they can  
22 simply come in, go to training, pick up their  
23 materials, and go.

24 MR. MELLON: What happened to your  
25 voice? Are you okay?

1 MS. FAJMAN: Just been out in the  
2 cold a little bit. I feel great, just no  
3 voice.

4 MR. MELLON: That's weird.

5 MS. FAJMAN: Allergies, probably.

6 CHAIRMAN SMITH: All right. Any  
7 other Public Comment?

8 (Inaudible; talking in unison.)

9 CHAIRMAN SMITH: There being no  
10 further Public Comment, I'll entertain a  
11 motion to adjourn.

12 MR. MELLON: So moved.

13 MR. BROWN: Second.

14 CHAIRMAN SMITH: All those in  
15 favor signify by saying aye.

16 (Board members saying "aye" in  
17 unison.)

18 CHAIRMAN SMITH: We are adjourned  
19 at 12:03.

20 (Proceedings concluded.)

21 \* \* \*

22

23

24

25

1 STATE OF INDIANA)  
2 )SS:  
3 COUNTY OF LAKE )

5 BEFORE THE LAKE COUNTY BOARD OF  
6 ELECTIONS AND REGISTRATION  
7 CROWN POINT, INDIANA

8 REPORTER'S CERTIFICATE

9 I, Beth A. Barnette, CSR and Notary  
10 Public, do hereby certify that I reported in machine  
11 shorthand the foregoing proceedings had in the  
12 above-entitled matter, at the time and place herein  
13 before set forth; and I do further certify that the  
14 foregoing transcript, consisting of one hundred  
15 thirty-five (135) typewritten pages, is a true and  
16 correct transcript of my said stenographic notes, to  
17 the best of my ability.

18 Signed this 8th day of May,  
19 2025.

20  
21 

22 \_\_\_\_\_  
23 BETH A. BARNETTE, CSR  
24 Notary Public  
25 My Commission Expires: 06/13/30

BOARD MEETING

	<b>2024-10</b> 6:14	<b>58,000</b> 133:6	126:5 128:10, 14	<b>adjourned</b> 135:18
<b>\$</b>	<b>2025</b> 81:9 134:9	<b>580</b> 133:16	<b>accepted</b> 122:23	<b>advised</b> 127:23
<b>\$1,000</b> 122:24 124:17	<b>2025-08</b> 129:14,17,24 130:21	<b>5th</b> 28:22	<b>account</b> 69:19 70:22	<b>advisement</b> 112:10,13,18 114:12,20
<b>\$100</b> 133:5	<b>24</b> 41:1 42:4 56:5 105:20 110:14	<b>6</b>	<b>accurate</b> 9:11 28:16 29:13, 19 44:22,23 83:19 85:19	<b>advocating</b> 70:19 71:18 85:14
<b>1</b>	<b>24/7</b> 51:7	<b>6</b> 95:11	<b>acknowledged</b> 111:3	<b>affecting</b> 104:6
<b>1-10-25</b> 116:25 118:11	<b>2nd</b> 7:16	<b>7</b>	<b>act</b> 47:12 64:15	<b>afternoon</b> 110:13
<b>100</b> 83:19	<b>3</b>	<b>7</b> 79:25	<b>acting</b> 45:1	<b>age</b> 56:3
<b>10:00</b> 134:10	<b>3</b> 134:9	<b>70s</b> 47:9	<b>action</b> 89:14	<b>agenda</b> 6:1 79:13 80:1 127:12
<b>10:11</b> 28:22	<b>3-14</b> 93:4	<b>8</b>	<b>actions</b> 71:20	<b>aggressive</b> 20:9
<b>10:32</b> 117:13	<b>3-14-3-16</b> 75:20 89:2	<b>8:00</b> 41:14	<b>activate</b> 133:14	<b>agree</b> 58:24 82:8,23 88:14 89:17 102:19
<b>10th</b> 117:25 118:18 119:14	<b>3-14-3-4</b> 70:9, 15 76:6 77:7 92:12 93:6	<b>8:23</b> 11:18	<b>actively</b> 114:2	<b>ahead</b> 32:17 35:9 44:13 52:2 53:24 54:11 55:16, 18 57:11 58:4 59:16 60:8,18 116:21
<b>110</b> 46:13	<b>3-15-3-4</b> 93:2	<b>8:34</b> 33:19	<b>add</b> 74:12,14 79:11 89:23 102:20 104:15	<b>ahold</b> 118:9 120:2
<b>12:03</b> 135:19	<b>30</b> 52:10	<b>9</b>	<b>address</b> 98:18	<b>alerted</b> 104:3
<b>15th</b> 117:13	<b>300</b> 122:21,23	<b>A</b>	<b>addressed</b> 99:16	<b>Allande</b> 6:15, 18,21 7:15,16 8:8,19 17:16 33:23 40:20,
<b>16</b> 81:10	<b>4</b>	<b>a.m.</b> 11:18 28:22 117:13 134:10	<b>addressing</b> 71:17	
<b>17</b> 81:9	<b>41</b> 27:12	<b>ability</b> 102:1 106:16	<b>adjourn</b> 135:11	
<b>18</b> 81:9	<b>45-12535</b> 116:14	<b>absolute</b> 64:7		
<b>2</b>	<b>49</b> 134:16	<b>absolutely</b> 94:16 98:12 99:11 104:23		
<b>2</b> 119:4	<b>5</b>	<b>abusive</b> 19:18		
<b>20</b> 110:18	<b>5</b> 7:13 41:5 115:9	<b>accept</b> 121:20,22,25		
<b>2008</b> 26:16 106:22 107:10				
<b>2024</b> 7:13 41:5 115:9, 12,14				

BOARD MEETING

<p>21 47:2,14,23 48:1 49:7 50:6,23,25 51:5,9,18,22 52:8,15,21 53:5,14 54:13,19 55:7,11,24 56:6,10,16, 20,23 57:2,7, 10,13 58:8,13 59:7,17 60:10,19 61:2,4,17 62:1 67:14 68:2,7 76:19 83:1 96:1 113:6,17</p> <p><b>allegation</b> 107:3</p> <p><b>Allergies</b> 135:5</p> <p><b>allowing</b> 100:25</p> <p><b>America</b> 41:22</p> <p><b>Americans</b> 41:6</p> <p><b>amount</b> 113:23</p> <p><b>amounts</b> 88:8</p> <p><b>and/or</b> 121:14</p> <p><b>Angerman</b> 103:1</p> <p><b>annual</b> 115:9, 12,14 133:9, 10</p>	<p><b>anybody's</b> 51:24</p> <p><b>anymore</b> 62:19 80:10</p> <p><b>apologetic</b> 72:8</p> <p><b>Apologies</b> 129:10</p> <p><b>apologize</b> 38:7 46:10,14 52:12 77:25 78:16 89:5 100:7 114:15 116:23 123:11</p> <p><b>apologized</b> 64:9 110:19</p> <p><b>apology</b> 47:6 72:7 78:16 105:21</p> <p><b>apparently</b> 39:14 60:1</p> <p><b>appealed</b> 113:21</p> <p><b>appeared</b> 11:19</p> <p><b>apple</b> 68:20</p> <p><b>approach</b> 27:15 107:10</p> <p><b>approached</b> 15:7 16:9 25:10 27:22 29:10 35:21</p> <p><b>approaches</b> 48:23</p> <p><b>approval</b> 133:23</p>	<p><b>approve</b> 129:23 131:5, 8,9,11 132:22</p> <p><b>approving</b> 131:15 133:25</p> <p><b>approximately</b> 33:19 41:11</p> <p><b>April</b> 117:13</p> <p><b>area</b> 30:6,12 41:12 48:18 50:1</p> <p><b>argue</b> 65:14 73:4 93:25</p> <p><b>arguing</b> 95:20</p> <p><b>argument</b> 10:12,13 53:12 67:19 68:11 77:16 84:7 93:17</p> <p><b>arguments</b> 96:23</p> <p><b>arm</b> 58:22</p> <p><b>arrest</b> 55:10 86:16</p> <p><b>Arthur</b> 127:9</p> <p><b>article</b> 28:2</p> <p><b>aspect</b> 19:17 20:24 70:16 73:9 74:7 75:21 76:5,6, 10,12 95:24</p> <p><b>assemble</b> 8:22</p> <p><b>assume</b> 57:6 63:4,5 83:9</p>	<p><b>assuming</b> 53:15</p> <p><b>assumption</b> 82:17</p> <p><b>attached</b> 8:7 41:19</p> <p><b>attacking</b> 19:20</p> <p><b>attempted</b> 26:17</p> <p><b>attend</b> 7:18 38:17</p> <p><b>attending</b> 105:24</p> <p><b>attention</b> 18:10 42:25 44:10 54:14 66:13</p> <p><b>attorney</b> 53:6 84:15 96:15 114:3</p> <p><b>attorneys</b> 8:2 83:3</p> <p><b>Audio</b> 10:23, 25</p> <p><b>audit</b> 129:3,21 130:9</p> <p><b>auditorium</b> 134:17</p> <p><b>authority</b> 55:23 56:1,13 59:24 60:7 62:12 76:21 101:21 105:9 120:14</p> <p><b>authorization</b> 130:22 131:3</p>	<p><b>Avenue</b> 41:10</p> <p><b>aware</b> 8:14 22:16 41:25 53:3 105:8 110:4</p> <p><b>aye</b> 92:7 112:19,20 121:5,6 122:7,8 125:22,23 127:1,2,25 128:1,21,22 130:15,16 131:17,18 134:1,2 135:15,16</p> <hr/> <p style="text-align: center;"><b>B</b></p> <hr/> <p><b>babies</b> 132:15</p> <p><b>back</b> 24:4,7,9 33:2 45:6,23 46:9 50:21 54:1 59:20 60:10 63:4 64:18 71:23 78:8 99:1 110:23 112:2 113:2,3,4,5,6 120:19,20,23 123:15 134:21</p> <p><b>bad</b> 64:17 102:11</p> <p><b>badge</b> 15:20 16:11,12,25 17:18,25 20:12 32:13, 14,24 33:25 34:7,13,19</p>
---	---	--	---	--

## BOARD MEETING

35:5 36:16 51:20,23 54:10 58:3 59:6,9,15 60:18,22 62:11 74:25 101:23,24 105:4	<b>beginning</b> 49:8 <b>behalf</b> 7:1 38:7 80:7 <b>behaved</b> 105:22 <b>behavior</b> 10:14 39:11 51:14 52:12 62:17 73:24 74:3,8 99:4, 15,19,20 102:7 106:12 <b>believed</b> 23:3 46:20,21 <b>believes</b> 69:19 102:5,7 <b>benefit</b> 71:14 <b>bent</b> 110:21 <b>Bid</b> 6:2 <b>Biel</b> 116:17,22 117:23 118:1 119:15 120:3 121:9 <b>big</b> 82:25 102:2 132:15 <b>bigger</b> 23:21 <b>bit</b> 11:20 16:9 27:9 48:12 65:6 74:15 79:12 135:2 <b>bite</b> 68:20 <b>blowing</b> 11:20 <b>blue</b> 41:23 <b>board</b> 6:11 7:22 8:3,6,19	9:24 13:2 14:7 26:7 28:16 33:18 36:25 37:24 39:5 42:17 47:2 68:3 72:21 74:20 76:2 78:10 80:10,14 81:22 83:14 84:12 85:3,9 87:3,6 88:5 90:8 93:16 94:24 95:19 98:2,7,18 99:10 102:5, 7,18 103:23 106:18 107:16 108:25 111:14,16 112:10,20 113:10 115:1, 17,18,22 121:6 122:8 125:23 127:2, 8 128:1,22 129:4,18 130:16 131:18 134:2, 8,14 135:16 <b>Board's</b> 75:22 85:25 95:5 <b>body</b> 44:25 <b>book</b> 104:14 <b>booth</b> 41:9 42:6 48:14 50:4 <b>bothered</b> 47:19 49:1	<b>bounds</b> 96:11 <b>Brandenburg</b> 8:4 9:20 10:24 11:3 26:2 70:10 75:19 83:7 86:3 89:5,9, 13,17 94:13 95:7,8 96:12 123:17,24 124:2,7 125:4 126:19 132:3, 4 <b>Brandenburg'</b> <b>s</b> 86:6 <b>bring</b> 9:4 103:9 112:5 <b>bringing</b> 82:7 102:24 <b>brought</b> 82:4, 6 84:20 87:12 94:18 96:18 105:4 <b>Brown</b> 21:10, 11,12 47:3,4, 5,15,24 48:2 49:14 50:9 91:7,8,19,21 92:4,5,11,16, 17,21,24 93:2,23 96:6, 7,8,13 111:10,11,12, 24,25 112:8, 11,17 114:18 121:1,3 126:23 131:9, 12 135:13 <b>bucks</b> 133:6	<b>buffed</b> 70:24 <b>building</b> 23:20 24:14, 16,18 25:15 134:19,21 <b>bunch</b> 132:15 <b>burdensome</b> 126:21 <b>Business</b> 6:1 114:25 115:2 130:23 131:23 <b>busy</b> 15:2 101:12 105:25 <b>button</b> 26:18 27:17 48:11 <hr/> <b>C</b> <hr/> <b>call</b> 11:22 15:17 18:6 22:16 32:7, 11,15,17,19 33:3,7 39:20 44:12,13,15, 17,19 52:2 53:24 54:11 58:2,4,19 59:15 89:25 91:1,2,24 103:23,25 109:9 <b>called</b> 14:20 18:22 19:25 27:1 42:5 106:10 <b>calling</b> 11:14 32:22 57:14
--	---	---	--	---

BOARD MEETING

<p>59:8 105:25 106:9</p> <p><b>calm</b> 32:5 47:13,24 49:5</p> <p><b>calmed</b> 21:13</p> <p><b>Candelaria</b> 22:12,14 51:1,4,12,19 52:4,9,18 91:9,10 92:6, 7 93:9,11,24 104:18,20,22 121:16,21 122:5 123:20 125:16,20 126:3,4,10, 14,22 128:15, 17 130:4,6 132:24</p> <p><b>candidate</b> 26:21 28:12, 13 30:22 41:20 42:2 53:12 60:3 86:18,23</p> <p><b>candidate's</b> 19:8</p> <p><b>capacity</b> 45:1 47:18,20</p> <p><b>car</b> 15:9 27:21 29:12 61:3</p> <p><b>care</b> 14:3,9</p> <p><b>career</b> 105:13 106:2</p> <p><b>carefully</b> 109:17</p> <p><b>cares</b> 119:8</p>	<p><b>carried</b> 114:21</p> <p><b>carries</b> 92:10 112:24 121:8 122:13 126:3 127:7 128:6 129:2 131:23 134:7</p> <p><b>case</b> 8:24 14:2 63:20 80:24 112:6</p> <p><b>cases</b> 112:5,7</p> <p><b>category</b> 116:15 124:15</p> <p><b>caveat</b> 120:12,22</p> <p><b>Cedar</b> 9:9 40:22 54:21 61:4 71:8 107:18 113:18 116:5, 8,13,19 119:4 122:16 124:21,25 125:14 126:9, 11,13,15</p> <p><b>cell</b> 29:1</p> <p><b>Central</b> 116:2</p> <p><b>cents</b> 67:3</p> <p><b>CFA</b> 115:3,8 117:12 127:9, 22</p> <p><b>Chair</b> 47:3 92:11 96:6 111:10 131:10</p>	<p><b>chairman</b> 6:5, 9 7:4,8,9,25 8:9,13 9:6,13, 19 10:3,4 11:4,15,25 12:6,14,19,24 13:7,10,14, 19,24 14:12 15:22,24 16:1,7 17:15, 23 18:3 19:1, 2 20:2,5,8 21:8,11,23 22:1,4,12,20 23:2,7,10,13, 14 24:7,17,22 25:9,15,18, 22,25 26:4,9, 12 28:21 34:10 35:7,8 36:11 37:10, 13,18,25 38:25 39:13 40:5,10,15 47:1,4 50:24 51:2,3 52:20, 24 53:19,23 54:8,15,20 55:2,8,12,17, 21,25 56:8, 11,17,21,24 57:4,8,11,23 58:10,14,18 59:3,11,19 60:9,15,24 61:9,24 62:2, 3,24 63:8,12, 13 64:25 65:3,12 67:4, 10,18,22,25 68:5,9,13,21, 25 69:4,7,25</p>	<p>70:6,13,24 71:23 72:12, 13,17 74:13 75:17 76:22 77:16,20,24 78:2,6 79:9 80:9,13 81:1, 7 82:10,12 83:22 84:4, 18,23 86:1 88:12,16 89:1,7,18 90:1,3,24 91:12,17,20 92:9,15,22 93:1,5,10,12, 13,21 94:7,11 95:6 96:7,21 97:11 98:1,14 99:6,8 100:3 101:6,15 102:21,22 104:10,17,19, 20 106:15,19 109:9,13,16, 23 111:7,11, 22,23 112:8, 12,16,22,24 114:6,8,11, 14,17,24 115:6,16,25 116:18,20 117:3,6,23 118:5,17,22 119:2,5,9,13, 16,23 120:5, 8,9,16,21 121:2,8,11, 18,24 122:3, 4,10,12,14,17 123:12,17,25 124:5,8,19,23</p>	<p>125:2,9,17,25 126:2,7,16, 20,24 127:4, 6,15,17,20 128:3,5,13, 16,20,24 129:1,8,16 130:1,2,5,18, 20 131:4,7, 11,14,20,22 132:2,5,7,11, 18,21 133:2, 22 134:4,6 135:6,9,14,18</p> <p><b>challenge</b> 101:21 110:17</p> <p><b>chance</b> 7:23 16:3,5 66:2</p> <p><b>change</b> 16:21 18:14,17 27:22 33:9 52:10 93:15 99:21 106:8,9</p> <p><b>changed</b> 38:21 46:5</p> <p><b>changing</b> 106:8</p> <p><b>characterizati on</b> 60:7</p> <p><b>charge</b> 36:6 50:19 80:5,6 84:17 124:17</p> <p><b>charged</b> 38:15 80:20 84:19 107:7, 15</p> <p><b>charges</b> 81:3</p>
---	---	--	--	---

BOARD MEETING

<p><b>check</b> 117:9 119:17,18</p> <p><b>checking</b> 11:8</p> <p><b>chest</b> 30:6</p> <p><b>chose</b> 39:6</p> <p><b>chute</b> 23:17 24:17,19,25 25:19 26:1,3 48:17 73:23 76:15,17 86:17,24 89:4</p> <p><b>citation</b> 70:7</p> <p><b>cite</b> 110:10</p> <p><b>cited</b> 107:13</p> <p><b>civil</b> 64:19 125:12,18</p> <p><b>claiming</b> 19:19</p> <p><b>claims</b> 97:13</p> <p><b>clarification</b> 122:15</p> <p><b>clarify</b> 52:22</p> <p><b>classify</b> 62:8</p> <p><b>cleaning</b> 11:10</p> <p><b>clear</b> 25:10 53:8 75:14,16 76:18 88:11 90:4 96:14 101:16</p> <p><b>clerk</b> 21:11 22:9,10,22 47:4 56:14 91:20 92:16 93:2 96:7 111:11,23</p>	<p>112:8,17 114:18 121:2 131:12</p> <p><b>clerks</b> 17:8</p> <p><b>client</b> 37:22 38:6,8,14,18 65:16 80:8 84:16 110:7, 19 114:3</p> <p><b>clients</b> 40:1</p> <p><b>close</b> 20:12, 16</p> <p><b>closed</b> 68:14</p> <p><b>closely</b> 94:25</p> <p><b>clothing</b> 28:3 31:8</p> <p><b>cocaine</b> 54:23 55:3,4,5,10 61:8 71:3</p> <p><b>code</b> 70:9 104:14 111:13</p> <p><b>cold</b> 135:2</p> <p><b>Columbus</b> 27:12 41:10</p> <p><b>commendably</b> 75:24</p> <p><b>comment</b> 50:12,14 94:9,17 134:12 135:7, 10</p> <p><b>comments</b> 80:14 106:18 111:9</p> <p><b>commission</b></p>	<p>117:1</p> <p><b>Commissioner</b> 13:23 96:22 97:2 103:25</p> <p><b>Commissioners</b> 134:11</p> <p><b>committee</b> 115:9 116:3 123:9</p> <p><b>committeeman</b> 48:8</p> <p><b>committees</b> 115:15</p> <p><b>common</b> 112:4</p> <p><b>company</b> 9:15 41:4</p> <p><b>complainant</b> 6:16 98:15</p> <p><b>complaint</b> 6:5,13 7:12 8:7 10:2 20:23 21:1 22:18 40:7, 11,12 65:2 68:18 69:16 77:3 79:20 81:17 82:5, 14,16 87:10 90:10,20,23 91:13,15,23 93:22,23 98:11,21 100:15 102:25 103:9</p> <p><b>complaints</b> 62:15 100:16 106:5</p>	<p><b>completely</b> 104:12</p> <p><b>complied</b> 19:14 63:24 64:1 74:21,23 75:3 76:21 87:22 97:15</p> <p><b>comply</b> 23:11 25:12 36:5 63:19 64:3 66:10 74:17 97:20</p> <p><b>complying</b> 22:17 73:6 87:16</p> <p><b>component</b> 69:21 77:4 88:15 89:16 103:16 105:7</p> <p><b>components</b> 76:23 81:25</p> <p><b>compose</b> 16:3,8</p> <p><b>concerned</b> 47:9,16 91:16</p> <p><b>concluded</b> 114:9 135:20</p> <p><b>confirmation</b> 118:1</p> <p><b>confronted</b> 74:18 87:20</p> <p><b>confusion</b> 48:13</p> <p><b>connection</b> 75:12</p> <p><b>consequences</b> 95:11</p>	<p><b>consideration</b> 95:5 127:12</p> <p><b>considered</b> 13:17 48:6 95:22</p> <p><b>consistent</b> 75:23</p> <p><b>constantly</b> 48:10 49:22</p> <p><b>constitutes</b> 28:6</p> <p><b>construction</b> 41:4</p> <p><b>contact</b> 29:15 32:2 39:3 45:3 53:16</p> <p><b>contemporaneous</b> 9:25</p> <p><b>context</b> 85:15</p> <p><b>continue</b> 9:3 31:6 100:25 104:25</p> <p><b>continued</b> 15:18 29:18 67:9 69:12</p> <p><b>continues</b> 97:1 103:22 105:19</p> <p><b>contract</b> 133:7,9,12</p> <p><b>contradictory</b> 57:24</p> <p><b>conversation</b> 48:6 49:13,16 64:20 83:4 84:1 85:15 87:22 113:23</p>
--	--	--	--	--

BOARD MEETING

123:12	<b>Correspondence</b> 131:25	<b>curtness</b> 72:4	<b>deal</b> 101:9	<b>delinquency</b> 127:14
<b>conversations</b> 114:1	<b>counsel</b> 111:3 132:2,8	<b>cussing</b> 19:22	<b>dealt</b> 63:14	<b>Delinquent</b> 115:12,14
<b>copious</b> 95:3	<b>counted</b> 129:22	<b>D</b>	<b>debatable</b> 64:2	<b>deliver</b> 38:9
<b>copy</b> 8:10,16 40:6	<b>country</b> 113:16 132:12	<b>D-E-L</b> 115:8	<b>debate</b> 132:13,14	<b>demand</b> 64:10
<b>corner</b> 25:7	<b>county</b> 15:18 18:6,7 32:11 33:18 107:16 113:15 117:13 123:3, 4 129:18,19 130:9,10,22	<b>D-I-C-K-S-O-N</b> 119:4	<b>decided</b> 52:10 97:20	<b>Democratic</b> 9:9 116:3,5,7, 14 124:16
<b>cornerstone</b> 97:25	<b>couple</b> 26:24 79:7,14 116:12 123:20	<b>Dain</b> 40:20	<b>deciding</b> 95:1	<b>Democrats</b> 64:14
<b>Corporal</b> 61:4	<b>court</b> 13:12 36:19 73:19 80:23 82:20 113:25	<b>dangerous</b> 97:3	<b>decision</b> 14:6 112:5 113:10	<b>demonstrated</b> 44:25
<b>correct</b> 6:3,4, 15 23:11,12 25:14,17 27:2,3,5,6 28:12,25 29:14,16,20, 22,23 30:5,8, 9,19,23,24 31:2,10,11, 14,19,20,24 32:8,20,21 33:5,20,21 35:18,22,23 36:1,3,7,8 37:17 49:7 58:7 73:22,24 75:25 76:2 82:18 83:21 120:14 126:22 129:11	<b>Courtroom</b> 134:11	<b>Dark</b> 41:23	<b>deduced</b> 109:1	<b>Demonstrating</b> 20:21
<b>corrected</b> 74:4,8 78:24	<b>cover</b> 15:9 43:7	<b>dashboard</b> 54:22 61:10	<b>deescalate</b> 67:2	<b>deny</b> 65:2 98:4
<b>correction</b> 100:9	<b>covered</b> 46:6	<b>date</b> 9:4 11:4 118:18	<b>defend</b> 79:19 80:4 84:16 87:4	<b>denying</b> 39:9
<b>corrections</b> 100:7	<b>crass</b> 64:11	<b>dated</b> 7:12,16 28:21	<b>defendant</b> 81:4	<b>Department</b> 40:23 61:5
	<b>created</b> 73:10	<b>dates</b> 117:7	<b>defending</b> 80:21,23	<b>depiction</b> 34:18
	<b>credibility</b> 66:20 78:22 87:24	<b>daughters</b> 49:2	<b>defense</b> 54:18	<b>Deputy</b> 96:22 97:1 103:24
	<b>cursing</b> 66:18	<b>day</b> 11:6,11, 16,17 14:14, 17,19,21 15:1 17:4 27:15 28:17,18 35:20 41:7,12 56:3 74:20 75:3,24 77:9, 11 82:12 86:13 88:7 89:4 95:16 97:17,25 100:23 101:2, 18 102:1,6,19 110:14	<b>defer</b> 111:19 114:19 115:21 119:19 120:11,22 127:16,18,21	<b>describe</b> 23:18
	<b>curt</b> 62:17	<b>days</b> 79:14	<b>deferred</b> 38:5 114:11 121:9 124:22,24 125:1	<b>description</b> 34:16
			<b>defining</b> 89:9, 10	<b>designated</b> 76:17
				<b>designation</b> 129:21
				<b>determine</b> 10:7 12:10 85:3

BOSS REPORTERS

(219) 769-9090 6 Index: conversations..determine

BOARD MEETING

<b>determined</b> 85:9 129:20	<b>discussion</b> 64:4 65:13 69:8 72:20 73:3 74:6 83:24 90:25 91:21 93:11 94:1,12 98:20 99:25 121:3 122:6 125:20 126:25 127:24 128:18 130:6, 13 133:3	15,16,18 25:3,6,7,13	78:12,24 79:17 85:7,22 86:14 87:18, 21 88:7 89:4 92:13 93:7,22 95:25 96:22, 24 97:2 99:3, 13 101:2 103:19,23,24 104:25 106:24 107:14 108:1, 20,22 110:21 113:16 128:7 134:16	<b>eliminate</b> 12:2
<b>Dickson</b> 117:14,18 118:2,7,19,25 119:3,4,7,11 120:20 121:10	<b>disingenuous</b> 75:1	<b>doors</b> 11:21 23:20	<b>electioneering</b> 10:7,9 19:5,6 21:1 28:6 36:7 62:7 63:15 64:4 69:13,17,20 73:13,25 74:9,16 75:18,19,21 76:3,4,14 77:1 79:19 80:1 82:1 83:12,17,24 86:3,4,17,22 87:1,15 88:2, 14,22 89:3 90:11,13,17 91:16,23 99:14 104:15	<b>email</b> 7:15,21 28:14,15 33:20 82:15
<b>difference</b> 38:10 39:25	<b>dismiss</b> 68:18 69:3 73:11 77:3 78:11 90:9,23 91:15,22	<b>drag</b> 120:19	<b>elections</b> 21:24 27:8 36:23 37:6 49:24 107:17 129:18	<b>emailed</b> 117:2 118:11
<b>differently</b> 60:12	<b>dismissing</b> 89:16 90:19	<b>driving</b> 71:4	<b>element</b> 86:5 94:25 95:4	<b>emotion</b> 106:23
<b>difficult</b> 51:7	<b>dismissive</b> 61:13,15 65:18,22 66:24 71:15	<b>duly</b> 7:10		<b>encountered</b> 42:9 71:7
<b>difficulty</b> 9:7	<b>dismissiveness</b> 101:21	<b>duties</b> 14:16 77:9,23 97:22	<hr/> <b>E</b> <hr/>	<b>encourage</b> 27:16
<b>directing</b> 70:1	<b>displayed</b> 19:7	<b>duty</b> 76:10		<b>end</b> 78:21
<b>disagree</b> 50:9 72:6,11 109:20	<b>displaying</b> 50:3	<b>ear</b> 75:5		<b>ended</b> 87:16 90:25 131:1
<b>disagreement</b> 73:3 77:15 94:5 95:17 96:3 108:12	<b>documents</b> 8:18 37:15	<b>earlier</b> 57:25 64:1 111:4		<b>ends</b> 102:17
<b>disagrees</b> 88:22	<b>dollar</b> 123:13 127:13	<b>early</b> 48:9 128:8		<b>endure</b> 101:20
<b>disbelieve</b> 66:19	<b>door</b> 23:22 24:2,6,12,14,	<b>easy</b> 13:5		<b>enforce</b> 26:17,20 42:6
<b>discharge</b> 76:9 77:22		<b>educate</b> 51:21 108:15		<b>engage</b> 50:12 61:18,21 66:12,17
<b>discharging</b> 77:9		<b>effect</b> 24:24		<b>engaged</b> 49:12,15 50:16 83:11 96:23
<b>discomfort</b> 101:2		<b>effing</b> 19:23, 24 32:18		<b>engaging</b> 52:5 65:18 66:1
<b>discuss</b> 87:14		<b>effort</b> 105:5		<b>entered</b> 41:12
<b>discussing</b> 110:19		<b>election</b> 6:1 9:24 10:17 11:6,11,16,17 14:17,18,21 15:1,5 16:10 17:4,17 33:18 64:6 65:1 68:19 69:22 70:12 74:1 75:3,8 76:8 77:2,6,10		<b>entertain</b> 65:6 68:16 91:1 132:21 135:10

BOARD MEETING

<b>entire</b> 52:25	<b>evidentiary</b> 82:21	<b>eye</b> 29:15,21 32:2 45:2 53:15 110:25	115:5 122:18 123:1,8 124:21 133:8, 13,18 134:13 135:1,5	107:15
<b>entirety</b> 73:12 90:10,20,23	<b>evolve</b> 105:20	<b>eyes</b> 32:6	<b>fan</b> 66:8 82:25	<b>felony</b> 95:11
<b>entitled</b> 6:14 129:17	<b>exacerbated</b> 34:25	<b>F</b>	<b>fate</b> 75:9	<b>felt</b> 20:6
<b>entrance</b> 23:16	<b>exact</b> 80:18 100:11,12	<b>face</b> 15:21 18:1 20:12,13 30:6 44:24 51:24	<b>father</b> 47:8	<b>female</b> 43:1,2 45:11
<b>entries</b> 131:2	<b>EXAMINATIO N</b> 26:13 40:16	<b>facing</b> 18:9 62:6	<b>favor</b> 112:18 121:4 122:7 125:21 127:1, 25 128:21 130:14 131:15 133:24 135:15	<b>feverish</b> 99:25
<b>entry</b> 24:6,12, 14,16,18 25:3 130:23 131:16	<b>exception</b> 125:14 126:9, 11	<b>fact</b> 9:1 49:17 62:25 66:16 70:21,22 87:11,17 88:1 90:11,12 97:1	<b>file</b> 117:10 118:10	<b>figure</b> 101:8
<b>Equipment</b> 6:1	<b>exchange</b> 72:5 73:10	<b>facts</b> 70:21 76:17 82:16	<b>filed</b> 20:25 81:17 82:13 116:24,25 118:11,12,14 119:14 122:19	<b>figures</b> 120:23
<b>eradicated</b> 74:10	<b>exhibited</b> 102:8	<b>factual</b> 85:20	<b>filing</b> 93:21,23	<b>files</b> 117:10 118:10
<b>error</b> 120:13, 14,24	<b>expect</b> 55:25 56:12 110:13	<b>failing</b> 70:2	<b>finally</b> 32:3	<b>file</b> 117:10 118:10
<b>escalated</b> 66:12	<b>expecting</b> 101:13	<b>fails</b> 91:13	<b>find</b> 48:7 50:13 63:23 74:15,25 80:24 109:20 120:12	<b>file</b> 117:10 118:10
<b>essentially</b> 10:1 124:4	<b>experience</b> 48:8 65:20	<b>failure</b> 7:18	<b>finding</b> 93:21,23	<b>filed</b> 20:25 81:17 82:13 116:24,25 118:11,12,14 119:14 122:19
<b>establishing</b> 83:4	<b>experienced</b> 46:11	<b>fair</b> 9:20 30:3, 14,17 74:11 111:15 120:17	<b>February</b> 38:14	<b>find</b> 48:7 50:13 63:23 74:15,25 80:24 109:20 120:12
<b>event</b> 20:24	<b>explain</b> 14:14 58:1	<b>fairly</b> 8:21 29:3 102:6	<b>feel</b> 17:15 20:2,8 21:14 58:1 59:13 61:10,12,14 87:14 90:6 95:15 98:24 103:8 106:6 109:5 112:2 113:8 115:22 132:10 135:2	<b>fine</b> 14:4 18:18 21:19 38:2 67:16,19 88:1 101:5 119:25 122:24 123:14,16,22 124:17 125:6 126:17 127:13
<b>eventually</b> 73:6 74:4	<b>explaining</b> 17:24	<b>FAJMAN</b> 10:23 11:6,17 12:3 17:6,12 22:9 25:21 40:8 91:3,5,7, 9,11,25 92:2, 4,6,8 103:18	<b>feeling</b> 66:5	<b>find</b> 48:7 50:13 63:23 74:15,25 80:24 109:20 120:12
<b>everyone's</b> 50:3	<b>explanation</b> 39:22		<b>feelings</b> 132:16	<b>fine</b> 14:4 18:18 21:19 38:2 67:16,19 88:1 101:5 119:25 122:24 123:14,16,22 124:17 125:6 126:17 127:13
<b>evidence</b> 13:18 33:16 68:10,12 85:5,10 94:21 97:23 108:4,5 116:24 118:16	<b>express</b> 31:21		<b>feet</b> 58:19,21, 25 59:4	<b>find</b> 48:7 50:13 63:23 74:15,25 80:24 109:20 120:12
	<b>extended</b> 24:4		<b>felonies</b> 103:6	<b>fine</b> 14:4 18:18 21:19 38:2 67:16,19 88:1 101:5 119:25 122:24 123:14,16,22 124:17 125:6 126:17 127:13
	<b>extent</b> 109:6			<b>find</b> 48:7 50:13 63:23 74:15,25 80:24 109:20 120:12
	<b>extremely</b> 62:9			<b>fine</b> 14:4 18:18 21:19 38:2 67:16,19 88:1 101:5 119:25 122:24 123:14,16,22 124:17 125:6 126:17 127:13

BOARD MEETING

<b>finish</b> 65:5 78:3 111:24	114:21	<b>give</b> 12:22 16:2,5 28:1 36:2 39:12 66:15 71:2 81:22 96:10 98:17 106:16	<hr/> <b>H</b> <hr/>	<b>Harvey</b> 110:11,15
<b>five-two</b> 59:1	<b>fourth</b> 11:13	<b>giving</b> 87:3	<b>half</b> 45:21 110:12	<b>Haskell</b> 34:9 36:16,20 118:7
<b>flag</b> 58:12,21	<b>frame</b> 67:8	<b>goal</b> 75:25 123:13	<b>hallway</b> 23:21	<b>hat</b> 27:16
<b>flagrant</b> 63:17	<b>fraud</b> 80:25	<b>good</b> 21:22 48:2 59:23 64:16 78:17 87:3,5 94:6 95:15 96:18 99:11 107:5 118:19,20,23 119:22 132:10	<b>Hammond</b> 26:17	<b>heads</b> 64:20
<b>flaunt</b> 59:24	<b>free</b> 58:1 90:6	<b>grab</b> 29:12	<b>hand</b> 7:6 80:12 89:21	<b>heard</b> 47:15 73:11 79:16 80:3 98:8 102:17
<b>flaunting</b> 60:7	<b>fresh</b> 29:4	<b>grabbed</b> 18:7	<b>handle</b> 124:14	<b>heard</b> 13:17 14:3 28:9 31:22 54:17 76:10,16 83:20 95:12 97:6 98:20 107:8 111:16
<b>flip</b> 15:8 29:11 33:11 35:24 44:7	<b>front</b> 23:20 58:7,8 115:10,24	<b>great</b> 14:5 41:22 110:11 130:8 135:2	<b>handled</b> 75:24 125:15	<b>hearing</b> 6:12 9:3 65:5 68:14 108:24 121:4 122:6 125:21 126:25 127:24 130:14 131:24
<b>flipped</b> 18:15 33:4 45:17	<b>fully</b> 61:2	<b>ground</b> 112:4	<b>handling</b> 75:22	<b>hearings</b> 84:25
<b>floor</b> 14:13 72:14,23	<b>fundamental</b> 59:12 93:15	<b>group</b> 15:2	<b>happen</b> 21:18 66:4,20 99:3, 5 101:23 103:1,7,23	<b>hearsay</b> 87:23
<b>fluid</b> 84:24	<b>furthering</b> 124:4	<b>guess</b> 12:19 14:7 18:24 19:17 20:23 30:17 59:12 67:6 68:19 72:1 76:22 82:25 111:17	<b>happened</b> 13:3 14:14,23 18:4,9 29:4 42:17 43:3 44:6 45:9,19 60:11,14 98:23 101:18 102:19 134:24	<b>heated</b> 103:19
<b>focus</b> 77:11	<b>future</b> 9:4 48:21 99:20 113:10 127:16,22	<b>guessing</b> 41:15 87:23	<b>happening</b> 34:16	<b>held</b> 22:5 51:13 102:13
<b>focused</b> 88:9	<b>FYI</b> 134:13	<b>guys</b> 13:5 64:16,17 116:6,9 122:22	<b>happy</b> 117:9	<b>hell</b> 110:21
<b>follow</b> 39:6 106:4	<hr/> <b>G</b> <hr/>		<b>hard</b> 62:10	<b>helped</b> 107:24
<b>forever</b> 62:4	<b>game</b> 13:16		<b>harm's</b> 103:20	<b>heroin</b> 71:5
<b>forgotten</b> 11:7	<b>Gary</b> 71:8 116:2		<b>harp</b> 62:4	
<b>form</b> 7:12 39:9 72:25 80:22 103:21	<b>gender</b> 105:9		<b>Harris</b> 30:19 43:23	
<b>formal</b> 78:16	<b>general</b> 105:10			
<b>formally</b> 64:9 102:25	<b>generally</b> 47:11 85:9 96:9			
<b>forward</b> 44:11 95:2 106:5 108:11,15,16	<b>gentleman</b> 26:18			
<b>found</b> 34:9 52:13	<b>gentleman's</b> 109:19			
<b>four/one</b> 112:25				

BOARD MEETING

<p><b>hey</b> 16:14 33:11 55:2 61:15 71:12 85:10</p> <p><b>hidden</b> 17:10</p> <p><b>high</b> 48:25</p> <p><b>higher</b> 104:2</p> <p><b>hold</b> 51:16 65:4 118:20</p> <p><b>holding</b> 110:7</p> <p><b>home</b> 51:10 107:24</p> <p><b>honest</b> 118:21</p> <p><b>honesty</b> 63:1</p> <p><b>hope</b> 56:6,9 64:23 105:18 106:13</p> <p><b>horrible</b> 64:11,22</p> <p><b>horrifying</b> 62:17</p> <p><b>hospital</b> 118:3</p> <p><b>hour</b> 45:21 101:4,7</p> <p><b>hours</b> 33:15, 19 34:15 110:14</p> <p><b>house</b> 51:10</p> <p><b>huge</b> 66:8 106:1</p> <p><b>hundred</b> 41:13 44:23 46:2,14 53:5 83:10</p>	<p><b>hung</b> 100:19</p> <p><b>hurt</b> 132:16</p> <p><b>hypothetical</b> 54:25</p> <hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p><b>I.C.</b> 92:12 93:2 111:13</p> <p><b>idea</b> 12:12 43:25 44:2 45:16 46:23 50:8 59:23 62:11 78:17 97:23</p> <p><b>identified</b> 30:10 43:10 60:13 110:3,4</p> <p><b>identifies</b> 104:1 110:15</p> <p><b>identify</b> 16:10 34:23 60:16 61:6 71:11 103:13 107:11 108:1, 8 116:11</p> <p><b>ignorance</b> 54:17</p> <p><b>ignoring</b> 83:1</p> <p><b>ilk</b> 71:8</p> <p><b>immediately</b> 60:22 74:20</p> <p><b>impeded</b> 105:23</p> <p><b>impetus</b> 100:6,8</p>	<p><b>implement</b> 125:6,12</p> <p><b>implies</b> 35:14</p> <p><b>implying</b> 12:15 109:18</p> <p><b>important</b> 14:2 65:25 119:10</p> <p><b>impose</b> 115:18 121:15 123:13,22 125:18</p> <p><b>imposed</b> 127:13</p> <p><b>imposition</b> 124:10 126:17</p> <p><b>impression</b> 53:11 66:15 99:18</p> <p><b>inappropriate</b> 46:17 101:19 102:11</p> <p><b>inaudible</b> 13:21 55:1 58:23 67:24 71:6,25 88:18 94:10 104:9 109:22 114:13 132:17 135:8</p> <p><b>incident</b> 9:22, 24 10:5 11:1 29:4 33:15 34:15 97:4</p> <p><b>incidents</b> 103:10</p>	<p><b>include</b> 40:6</p> <p><b>included</b> 7:15</p> <p><b>incorporated</b> 107:9</p> <p><b>incorrect</b> 90:7</p> <p><b>increased</b> 103:5</p> <p><b>Independent</b> 30:22</p> <p><b>Independents</b> 64:15</p> <p><b>Indiana</b> 70:8</p> <p><b>indicating</b> 6:2 9:10</p> <p><b>individual</b> 96:4,25 97:1 100:17</p> <p><b>individuals</b> 93:18</p> <p><b>inference</b> 76:7</p> <p><b>inflamed</b> 35:1</p> <p><b>influence</b> 74:5</p> <p><b>inform</b> 51:21</p> <p><b>information</b> 81:22 96:10 111:21 115:23 129:12</p> <p><b>initial</b> 32:5 74:6 101:3</p> <p><b>initially</b> 19:12 64:9 74:23</p> <p><b>input</b> 65:16</p>	<p><b>inquire</b> 71:13</p> <p><b>inside</b> 15:8 22:25 23:23 29:11 31:9 33:2,12 35:17,25 44:8 45:15,18 48:14,17 57:21 61:16</p> <p><b>inspector</b> 14:20 16:16, 17,18 17:2,7, 21 18:12,13 22:2,22 26:16,22 27:1,7 30:8, 11 33:8,24 43:16 45:25 52:6,12 56:14 60:1 97:22 134:9</p> <p><b>inspectors</b> 134:20</p> <p><b>instance</b> 95:16</p> <p><b>instances</b> 108:25</p> <p><b>instantly</b> 57:21</p> <p><b>integral</b> 108:11,14</p> <p><b>intended</b> 97:18</p> <p><b>intent</b> 108:19 109:24</p> <p><b>intention</b> 12:25</p>
--	---	--	--	--

BOARD MEETING

<b>intentionally</b> 109:25 110:20,25	<b>intimidating</b> 105:10,23	38:14 117:25 119:14	14:13,18 16:2,12,16, 20,25 17:19 18:2,5 19:9, 15,22 20:4,7, 10,14,19 21:2,9,16,25 22:3,6,10,19 23:1,6,9,12, 19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	<b>Kelley</b> 115:5, 6,7
<b>interact</b> 53:17 56:2	<b>intimidation</b> 79:2 83:12,17 84:3,11 85:17 101:20 104:4 105:2	<b>Jason</b> 7:14 33:23 40:20	18:2,5 19:9, 15,22 20:4,7, 10,14,19 21:2,9,16,25 22:3,6,10,19 23:1,6,9,12, 19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	<b>kind</b> 13:22 14:13 19:4, 17,18 21:15 27:9 45:2,3, 10 49:12 50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
<b>interaction</b> 51:15 52:25 79:1	<b>introduce</b> 61:3	<b>Jay</b> 45:14	19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
<b>interest</b> 124:3	<b>introduced</b> 45:24	<b>Jeff</b> 116:17	19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
<b>interests</b> 124:4	<b>inventory</b> 133:19	<b>Jessica</b> 6:3 8:5 89:23 104:10 114:14 130:7, 24	19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
<b>interfere</b> 107:13 108:20,22 109:25	<b>ipads</b> 133:5, 16	<b>Joan</b> 119:4	19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
<b>interfered</b> 111:1	<b>irrelevant</b> 104:13	<b>job</b> 36:22 49:18 51:7,8 70:5,17 72:9 73:2,5,16 77:17 79:3 85:3 87:3,5 95:15 97:17, 24 99:23 100:23 102:1 108:23 109:19	19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
<b>interference</b> 69:22 77:5 79:16 88:8 92:13,18 93:6 94:23 109:2	<b>issue</b> 8:24 44:22 45:3 49:15,16 50:1 59:20 64:3 69:19,23 88:6,23 94:20 100:19,20	<b>Joan</b> 119:4	19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
<b>interferes</b> 70:11 76:8	<b>issued</b> 39:10	<b>jobs</b> 94:3 97:10	19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
<b>interfering</b> 95:25 110:21	<b>issues</b> 62:6 67:8 69:15 87:7	<b>Joe</b> 31:18 44:1 107:23	19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
<b>interjecting</b> 77:25	<b>item</b> 8:25 31:8 79:25 124:15	<b>John</b> 107:17 117:3	19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
<b>intimations</b> 46:11		<b>Johnson</b> 31:19 44:1	19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
<b>intimidate</b> 51:21 101:22 105:5	<b>J</b>	<b>joking</b> 81:20	19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
<b>intimidated</b> 20:3,6 21:14 85:24	<b>jacket</b> 15:9 29:12 96:23 97:5	<b>Jostes</b> 6:14, 17,19 7:2,14, 20,24 8:2 9:10,12,15,22 12:25 13:4	19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
	<b>January</b> 7:16		19 24:5,9,15, 21 25:2,14,17 26:5,15 30:11 36:12,17,21 37:1,11,14,17 46:10 56:17 68:6,8 75:24 77:8 86:12 87:18 98:4, 15,22 101:3, 8,17 108:7 110:22 113:1, 14	50:21 60:3 63:5,9 67:18 69:12,18 79:8 88:13 104:2 133:7
			<b>K</b>	
			<b>Kamala</b> 30:18 43:23	<b>Knights</b> 27:11 41:10
				<b>knowing</b> 31:2 53:10 75:21 76:5,6,10 86:5 88:15 95:23
				<b>knowingly</b> 70:11,23 71:21 72:9, 10,11 76:7 77:12,18 88:20 89:3 94:22,23 95:24 100:17 109:25 110:6
				<b>Knowink</b> 133:6
				<b>knowledge</b> 63:6

BOARD MEETING

<hr/> <b>L</b> <hr/>	78:13,24 82:20 85:7 86:21 91:16 96:17,20 99:13 102:8,9 109:24 111:19 112:3	<b>lesson</b> 105:18 106:14 <b>letter</b> 38:6,22 86:21 <b>letters</b> 38:21 <b>level</b> 10:17 12:11 39:4 62:12 69:24 77:2 95:11 <b>lever</b> 103:11 <b>levers</b> 103:8, 11 <b>license</b> 133:7 <b>licensing</b> 133:9,10 <b>lift</b> 32:6 <b>likes</b> 8:6 <b>lilac</b> 107:20, 21 108:2 <b>lines</b> 10:16 16:19 23:24 41:16,17 78:17 <b>Lipon</b> 107:23 <b>list</b> 107:16 <b>listed</b> 121:13 133:10 <b>listen</b> 12:8,9 16:5 62:23 64:19 <b>listening</b> 75:5 <b>lists</b> 7:14 <b>literally</b> 97:9 <b>living</b> 40:21	62:19 <b>location</b> 37:3 40:25 <b>long</b> 14:16 23:21 28:10 41:16,17 42:19 65:11 89:21 94:13 111:15 117:22 118:3 <b>looked</b> 29:22, 25 30:4,6 32:4 45:10 57:15,17 69:15 94:25 110:24 <b>Lori</b> 115:4,7, 10 117:6 119:16 120:1, 5,23 <b>lose</b> 78:21 105:13 110:16 <b>lot</b> 40:1 62:5 71:10 72:4 <b>loud</b> 18:11 <b>love</b> 73:10 132:13 <b>lovely</b> 95:14 <b>luck</b> 94:6 <b>lying</b> 52:1	11:12 24:1,13 <b>made</b> 22:18 29:15,21 32:1 33:6 50:12,14 67:19 68:15 75:13,16 84:7 99:17,18 106:1 114:18 117:10 <b>Madison</b> 7:13 <b>mail</b> 9:23 10:24,25 11:8 13:1 33:17 80:25 <b>mails</b> 11:10 <b>maintenance</b> 133:6,9 <b>major</b> 6:2,7 <b>make</b> 8:14 11:22 13:8 22:15 24:11 26:6 41:22 45:2 53:7,15 63:21 65:2 66:23 67:7,8, 11,13 68:1,25 69:2 72:18 76:24 78:16 81:3,5 82:17 85:13,19 89:11,15 90:7 91:14 92:12 94:8 96:13,16 98:5 100:6,8 113:10 114:16 120:10 123:19,22 124:9,10,12,
	<b>labeled</b> 17:22 30:7 <b>lady</b> 35:21 47:6 57:16 66:19 75:10 97:12 <b>Lake</b> 9:9 33:18 40:22 54:21 61:4 71:8 107:18 113:18 116:8, 19 117:12 119:4 122:16 124:21,25 125:14 126:9, 11,13,15 129:18,19 130:10 <b>Lake/hanover</b> 116:6,13 <b>language</b> 19:18 21:3 124:3 <b>lanyard</b> 16:11, 24 17:7 <b>lapel</b> 52:7 <b>late</b> 13:16 <b>lavender</b> 107:19 <b>law</b> 10:17 13:13 17:25 23:5 31:13,15 39:15 53:25 54:17 55:6 63:19 64:6 65:1 68:19	<b>lead</b> 80:3 <b>leads</b> 23:21 61:21 <b>leaning</b> 13:20, 25 <b>Leann</b> 103:1 <b>learn</b> 33:22,25 34:7 35:11 106:13 <b>learned</b> 9:2 28:9 34:12 35:2,4 76:19 105:18 106:14 108:13 <b>leave</b> 11:9 49:10 51:9 52:17 111:6 <b>left</b> 22:15 33:17 42:21 44:3 45:4,22 57:17 58:9,11 <b>legal</b> 94:15 96:9,11 102:3,15 128:7,11 132:8 <b>legislature</b> 103:3,4	<hr/> <b>M</b> <hr/>	
		<b>machine</b> 21:21 31:23 <b>machines</b>		

BOARD MEETING

<p>16 125:5,7,11 126:4 127:15</p> <p><b>making</b> 33:3 68:23 97:10 106:8,9</p> <p><b>male</b> 43:1</p> <p><b>man</b> 97:13</p> <p><b>mandated</b> 39:10</p> <p><b>mandatory</b> 40:4</p> <p><b>March</b> 81:9</p> <p><b>marked</b> 61:3</p> <p><b>marks</b> 131:2</p> <p><b>Mary</b> 119:3</p> <p><b>materials</b> 79:25 134:18, 23</p> <p><b>matter</b> 15:15 96:25 112:1, 10,13,18 114:9,19 115:2 127:8, 22 130:23</p> <p><b>matters</b> 6:11 75:23 89:19 115:3,8 127:9</p> <p><b>maximum</b> 125:12,18</p> <p><b>meaning</b> 31:7</p> <p><b>meat</b> 102:14</p> <p><b>meet</b> 40:2</p> <p><b>meeting</b> 69:14 79:15,23 80:16 82:7,11</p>	<p>105:17 111:20 113:8 120:11 122:22 123:3 127:16,22 134:8,14</p> <p><b>meetings</b> 38:5 116:12 123:21</p> <p><b>Mellon</b> 10:4 11:25 12:21 13:23 15:24 16:1,4,8,13, 17 19:1,2,3, 10,16 20:11, 17,22 21:6 34:10,22 35:3,13 38:24,25 39:1 58:24 62:2,3 63:12,13,14 66:17 67:18, 20 68:15,17, 23 69:2,8,25 70:16 71:22 72:1,13,15, 22,24 73:17 74:3 77:13,24 78:4,7 81:12, 16 82:3,12,24 83:8,21,25 84:6 88:21 89:22 90:5, 12,19,22 91:5,6 92:2,3, 19 93:12,13, 14 96:21 97:7 99:6,8,9 100:5 101:14 111:22 112:23</p>	<p>118:15 119:21 120:8, 9,10,18,25 121:3,18 122:2,5,13, 14,25 123:6, 10 124:9,11, 13,25 125:9, 11,18 126:8, 12 127:15,21 129:25 130:3 131:13,15 132:15 134:24 135:4, 12</p> <p><b>Mellon's</b> 69:18 86:2,7 94:17</p> <p><b>member</b> 74:20 107:16</p> <p><b>members</b> 59:25 112:20 121:6 122:8 125:23 127:2 128:1,22 130:16 131:18 134:2 135:16</p> <p><b>memorabilia</b> 15:5 95:20</p> <p><b>memory</b> 29:5</p> <p><b>mention</b> 86:2</p> <p><b>mentioned</b> 37:15 56:25 57:5 79:23,24 85:21</p> <p><b>Merrillville/ ross</b> 116:4</p>	<p><b>messing</b> 42:19</p> <p><b>MESSLER</b> 6:4,7 40:9 104:12 114:15,22 129:7,10,15 130:25 131:6 132:20</p> <p><b>met</b> 51:15,16 75:9</p> <p><b>Michelle</b> 8:5 17:3 80:11 89:20,23 91:2 102:25 130:7, 24</p> <p><b>middle</b> 63:9</p> <p><b>Mike</b> 63:10 65:8 70:1 84:1 132:16</p> <p><b>mind</b> 53:3 105:12 118:24 120:1</p> <p><b>minute</b> 15:23 110:12</p> <p><b>minutes</b> 12:10 52:10 80:17 81:9</p> <p><b>mischaracteri zes</b> 55:14</p> <p><b>misdemeanor s</b> 103:5</p> <p><b>misphrased</b> 100:7</p> <p><b>missing</b> 73:8</p> <p><b>mistake</b> 106:2 117:10</p>	<p><b>moment</b> 74:18 75:1 100:24</p> <p><b>moments</b> 110:15,24</p> <p><b>month</b> 119:20</p> <p><b>morning</b> 27:14 28:15, 24 37:5 49:1 53:9</p> <p><b>morphed</b> 98:11</p> <p><b>motion</b> 65:2, 4,13 67:13 68:15,17,24 69:1,2,8 72:19 73:11 76:25 90:2,4, 5,8,16,21,22 91:12,15,17, 21,22 92:9, 10,12,16,21 93:2 96:9,16 111:13 112:13,17,24 114:16,18,21 120:10,21 121:3,8,14, 19,23,25 122:5,12 123:22,23 124:9,10,12, 17 125:5,7, 12,17 126:2,5 127:6,16,17, 21 128:5,10, 13,17 129:1, 23 130:2 131:8,9,11,22 132:22</p>
--	---	--	---	---

BOARD MEETING

133:23 134:6 135:11	<b>needle</b> 106:5		12 88:8	93:7 95:12,25
<b>motions</b> 96:20	<b>neighbor</b> 30:16 45:12 49:19 57:18 75:7,8,11,14 87:21	<hr/> <b>O</b> <hr/>	92:13,18 93:3,6,20 94:6,23 97:25 100:20 105:2	102:8,9 105:19 109:6 110:8,14 113:17,19
<b>motive</b> 109:3	<b>nice</b> 50:11	<b>O'DEA</b> 115:13,21 117:9 119:18 120:4 127:10	<b>obstructs</b> 70:11 76:8	<b>officer's</b> 76:9
<b>move</b> 21:19 95:1 103:8, 10,12 121:16	<b>nonexistent</b> 108:6	<b>oath</b> 12:2	<b>occasion</b> 82:9	<b>officers</b> 40:3 71:10 102:13 110:10
<b>moved</b> 123:4 129:25 132:25 135:12	<b>normal</b> 133:12	<b>object</b> 54:5 55:13 60:6 106:25	<b>occupation</b> 41:3	<b>official</b> 17:17 39:18 45:1 114:16
<b>movie</b> 26:20	<b>note</b> 123:1	<b>objecting</b> 114:1	<b>occur</b> 76:14	<b>one-page</b> 38:13
<b>moving</b> 6:13 38:2 106:5 108:11,14,16	<b>Noted</b> 114:6	<b>objection</b> 14:11 98:8 113:22	<b>occurred</b> 21:4	<b>opened</b> 32:24 51:22,24
<b>multiple</b> 100:16	<b>notes</b> 95:3	<b>objectionable</b> 12:11	<b>odd</b> 35:12 39:11	<b>opens</b> 25:6
<b>municipal</b> 49:23	<b>notice</b> 7:16,17 17:14 107:2 128:7	<b>objective</b> 70:20	<b>offenses</b> 103:5	<b>opinion</b> 50:15 95:13 101:18
<b>Munster</b> 116:3	<b>noticed</b> 25:8	<b>obligated</b> 38:19	<b>offered</b> 94:21	<b>opportunity</b> 12:9,17,23 14:1 28:2 36:2,6 41:7 52:11 87:4 98:5,18
<hr/> <b>N</b> <hr/>	<b>notices</b> 128:11	<b>observed</b> 33:4	<b>office</b> 18:22 63:17 78:12, 19,22 79:6 83:5,15 107:25	<b>opposed</b> 112:22,23 122:10 125:25 127:4 128:3,24 130:18 131:20 134:4
<b>names</b> 19:25	<b>notification</b> 123:3	<b>obstruct</b> 108:19 109:24	<b>officer</b> 8:7 34:19 35:5 38:9 39:14 40:22 42:5 47:8,11,21 50:17 51:13, 25 52:2 55:22 59:13,22 69:22 70:12 71:8,9,12 74:2 75:9 76:9,19 77:6, 10,11 85:23 87:19 92:14	<b>options</b> 78:10
<b>national</b> 49:23	<b>notified</b> 19:6 40:11	<b>obstructing</b> 72:10 77:18, 21 95:24		<b>order</b> 72:18 98:6 109:10,
<b>nature</b> 10:1	<b>November</b> 7:13 28:22 41:5	<b>obstruction</b> 69:21 70:3,17 72:8 73:1,5, 10,13 76:6,12 77:5,14 79:16,20 80:2,16 81:11 82:1,5 84:7,8,		
<b>necessarily</b> 10:16 14:8 71:11 98:4 123:2	<b>nuance</b> 73:8			
<b>needed</b> 101:1 123:21	<b>number</b> 32:24 34:1,7,13,19 36:16 38:4 87:4,5 129:9, 17 133:17			
<b>needing</b> 13:1				

BOARD MEETING

<p>21</p> <p><b>ordered</b> 38:11</p> <p><b>orders</b> 132:19,22 133:3,24</p> <p><b>organization</b> 116:4,5,8,14, 18 119:6 124:16</p> <p><b>originally</b> 22:18 122:21</p> <p><b>owe</b> 105:20</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>packet</b> 84:12 129:11</p> <p><b>pad</b> 22:7</p> <p><b>paraphernalia</b> 41:18</p> <p><b>part</b> 20:23 36:24 65:5 68:14 70:23 74:15 77:12 82:11 102:4, 15 108:11,14 133:12</p> <p><b>parties</b> 6:24 7:7,18 63:20 72:22 98:8 99:17 112:25 113:13 121:13</p> <p><b>partisan</b> 78:20</p> <p><b>partisanship</b> 109:19</p>	<p><b>party</b> 9:9 15:15 70:19 111:15 115:15</p> <p><b>passed</b> 130:21</p> <p><b>passionate</b> 111:18</p> <p><b>past</b> 78:9 88:5 94:24 95:19 106:24</p> <p><b>path</b> 39:7 78:20</p> <p><b>patient</b> 98:16</p> <p><b>patiently</b> 98:3</p> <p><b>Paul</b> 110:10, 11,14</p> <p><b>pay</b> 54:14 106:2 119:25</p> <p><b>paying</b> 18:10 42:25 44:9 66:13</p> <p><b>Pedro</b> 26:18</p> <p><b>penalized</b> 39:8</p> <p><b>penalty</b> 125:12,19</p> <p><b>people</b> 15:3 23:24 39:2, 20,25 47:21 48:11,14 49:24 53:1 56:1,12 59:25 60:25 62:18 64:17,23 77:15 78:15, 25 86:15 87:3</p>	<p>97:10 100:25 103:12 106:1, 10,11 113:18</p> <p><b>percent</b> 41:13 44:23 46:2, 13,14 53:5 66:2 83:10,19</p> <p><b>perception</b> 46:18</p> <p><b>Perfect</b> 59:2</p> <p><b>performing</b> 14:16 97:22</p> <p><b>person</b> 18:21 21:12 22:7,24 27:18 42:24 43:10,21 48:9,15 53:10 62:11 74:19, 23 77:18 82:13,15 83:11 89:2</p> <p><b>personal</b> 65:19</p> <p><b>personally</b> 102:10</p> <p><b>petitioner</b> 6:16 14:1,8 110:1</p> <p><b>phone</b> 11:22 18:7,8,12,20 22:16 29:1,18 30:1 32:4,6 33:3,6 42:20, 25 44:19 57:6 65:17,24 71:15</p> <p><b>phones</b> 62:20 64:21</p>	<p><b>phrase</b> 54:17</p> <p><b>physically</b> 17:20</p> <p><b>pick</b> 134:22</p> <p><b>picked</b> 18:22</p> <p><b>picture</b> 8:23 31:9</p> <p><b>place</b> 7:11 10:8,9,13,14 12:1 16:18 20:25 22:25 23:16,17,23 25:20 26:17 31:10,17 37:3,4 54:2 56:13 57:20 62:18 64:8 70:3 73:14,24 75:15 77:14 93:20 94:2,5, 6 99:25 100:13,15 103:13</p> <p><b>plain</b> 54:23</p> <p><b>play</b> 8:6 12:15,17,22 13:1 14:7</p> <p><b>playing</b> 14:4</p> <p><b>pocket</b> 20:15 45:7 59:9</p> <p><b>point</b> 18:11,19 21:19 25:4 29:15,21,24 30:2,3,14,25 32:1,3 33:13 42:23 43:9,20 44:4,16,21,24 46:15,18</p>	<p>49:10 53:4 54:12 57:6 58:6,16 59:5 62:8,10 64:24 66:23 67:7 70:18 71:19 72:18 81:6,23 82:25 83:10 86:2,6,7,19 94:4 96:14 104:13</p> <p><b>pointed</b> 15:4 86:4</p> <p><b>police</b> 15:17, 19,20 19:24 32:7,11,16, 17,18,20,22 34:19 35:5 40:22 44:12, 13,15,17,19 45:6 47:7,8, 21 50:17 51:13,25 52:2 53:25 54:11 55:22 57:15 58:3,4 59:8, 10,13,15,16, 22 60:4,18,23 61:1,5 71:12 83:13 101:24 102:12 103:25 104:2, 3 105:19 109:6 110:8, 10,13 113:19</p> <p><b>polite</b> 64:2</p> <p><b>politely</b> 56:22</p> <p><b>political</b> 48:13</p> <p><b>politics</b> 62:14</p>
--	---	---	--	--

BOARD MEETING

<p><b>poll</b> 22:7 43:15,18 45:24 51:16 53:2 76:19,20 95:14,20 96:4 100:10 101:17 103:2, 10 105:5 110:5</p> <p><b>polling</b> 16:18 22:25 23:16, 17,23 26:16 31:17 37:3,4 54:2 56:13 57:20 73:23 75:15 94:5 103:13</p> <p><b>polls</b> 45:13 89:4 106:12</p> <p><b>poorly</b> 103:3</p> <p><b>position</b> 14:15 16:15 17:7 55:23 56:13 70:25 105:9 107:11 108:16 116:16 119:6</p> <p><b>positions</b> 22:5</p> <p><b>Post</b> 128:11</p> <p><b>post-election</b> 129:21</p> <p><b>postpone</b> 10:20 12:22</p> <p><b>potential</b> 6:25 78:23 87:13 99:12</p> <p><b>potentially</b></p>	<p>10:10 74:9 76:16</p> <p><b>practice</b> 86:7, 12</p> <p><b>precedent</b> 93:15 94:18 95:22 97:3 105:16</p> <p><b>precinct</b> 48:8 116:3,5,7,14, 18 124:16</p> <p><b>prefer</b> 66:15</p> <p><b>preferred</b> 37:23</p> <p><b>present</b> 7:21 8:18 37:19,23 68:10 76:11, 13</p> <p><b>presented</b> 115:20 121:15 129:24 132:23 133:25</p> <p><b>preserve</b> 113:21</p> <p><b>pretend</b> 66:3</p> <p><b>pretty</b> 20:16 32:5 84:24</p> <p><b>prevent</b> 94:2 100:22,24</p> <p><b>prevented</b> 70:4 73:2,16 77:17 97:16</p> <p><b>preventing</b> 79:2</p>	<p><b>previous</b> 127:14</p> <p><b>prior</b> 8:8 41:2</p> <p><b>problem</b> 48:16 71:1 76:1,2,16 78:8 102:2</p> <p><b>problems</b> 11:12 101:10</p> <p><b>procedure</b> 6:6 27:25</p> <p><b>proceed</b> 14:10</p> <p><b>proceedings</b> 39:17,18 135:20</p> <p><b>process</b> 6:2 19:21 77:19, 21 78:9</p> <p><b>profession</b> 49:4</p> <p><b>professional</b> 47:20 50:16</p> <p><b>professionally</b> 49:3 51:17</p> <p><b>prohibitions</b> 41:25</p> <p><b>prong</b> 107:1</p> <p><b>properly</b> 17:16 72:20 124:6</p> <p><b>prosecuted</b> 83:16</p> <p><b>prosecutor</b> 76:3 81:2,3 85:6 87:2</p>	<p>92:23 93:8 95:2,9 96:25 106:7</p> <p><b>prosecutor's</b> 63:16 78:12, 19,22 79:6 83:5,15</p> <p><b>prosecutors</b> 83:3</p> <p><b>proved</b> 108:21</p> <p><b>provided</b> 85:20</p> <p><b>prudent</b> 107:7</p> <p><b>public</b> 59:25 113:8 134:12 135:7,10</p> <p><b>Published</b> 128:8</p> <p><b>pull</b> 54:20,21 59:15 60:17, 22,25</p> <p><b>pulled</b> 15:20 17:24 30:1 32:12,14 44:14 54:10 58:3 59:8 61:5,7 86:15 102:10</p> <p><b>purchase</b> 132:19,22 133:3,24</p> <p><b>pursued</b> 76:2</p> <p><b>put</b> 15:20 17:8,25 20:11 27:21 32:3 33:16 43:7</p>	<p>45:6 66:16 70:25 71:16 86:12 103:20 111:13 114:5 120:12 127:11</p> <p><b>putting</b> 12:13 131:1</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p><b>quasi</b> 78:10</p> <p><b>question</b> 15:25 16:6 19:3 34:11,24 35:7,9 54:9 59:12 60:8 77:8,10 88:11 90:1 99:10,14 100:21 109:3 110:17 118:20 123:18 131:1 133:4</p> <p><b>questioned</b> 63:22</p> <p><b>questioning</b> 48:24</p> <p><b>questions</b> 6:10 21:9 26:5,7,10,24 36:10,12,13 37:11 46:25 47:2 50:25 52:21 53:21 54:16 67:14, 23 68:2,6 111:8</p> <p><b>quick</b> 65:9</p>
---	---	--	---	---

## BOARD MEETING

<b>quickly</b> 29:3	122:6 123:20	<b>recommended</b>	81:20 83:18	<b>referred</b> 81:2
<b>quote</b> 31:7	125:16,20	115:19	84:2,9,20	92:25 95:21
110:12	126:3,4,10,	121:15	88:10,12,13,	<b>referring</b> 79:4
	14,22 128:15,	123:15 124:1	19,24 89:1,2,	<b>reflect</b> 59:21
<b>R</b>	17 130:4,6	<b>record</b> 6:23	11,15,18,25	108:15
	132:24	7:10,11 8:20	90:15,21	<b>reflected</b>
<b>raise</b> 7:5	<b>reason</b> 48:19	10:5 32:24	91:3,4,14,21,	106:21
46:13 47:21	61:5,7 66:19	33:17 40:19	25 92:1 93:24	113:24 114:2
49:8 95:9	83:23 85:17,	52:23 53:8	97:4,9,12	<b>refused</b> 25:11
<b>raised</b> 31:23	21 94:18	54:6 55:20	98:2,10	63:19
46:17 47:17	108:10	58:17 64:9	102:20,22,23	<b>regard</b> 87:25
49:10,11	111:12	79:22 80:15	107:17,20	95:23 126:6
62:14	<b>rebuttal</b> 9:4	85:13 88:11	109:5,11,15	<b>regretted</b>
<b>raises</b> 47:11	<b>recall</b> 30:4	107:1 113:22	111:17	52:13
<b>raising</b> 47:10,	41:11 42:11	114:1,2,4,18	112:15,17	<b>regular</b> 47:22
17 48:5	54:13	115:11	114:20 117:5,	48:10 115:14
<b>reached</b> 37:7	<b>received</b> 8:8	116:13 117:7	12,16,21	<b>relates</b> 91:23
<b>reacted</b> 59:18	27:4 38:7,14	<b>recording</b> 8:1	121:19	129:19
<b>read</b> 70:13	116:15 117:8	9:2,21,22,25	127:19,21	<b>releasing</b>
79:12 82:11	124:15 126:6	<b>reduce</b>	128:10,17	134:18
83:23 84:4,10	<b>receiving</b>	123:24,25	129:13	<b>relevance</b>
88:19,20	124:18	125:7	132:12 133:1,	34:11,12,14
<b>reading</b> 79:20	<b>recharacteriza</b>	<b>reducing</b>	4,11,16,20	35:7
<b>real</b> 49:20	<b>tion</b> 54:6	127:12	<b>refer</b> 63:16	<b>relevant</b> 8:24
65:9 86:25	<b>recognize</b>	<b>Reed</b> 10:21,25	78:11,18 79:6	<b>rely</b> 13:11
88:6 90:4	27:11	12:4,6,7,16	85:5 87:1	<b>remember</b> 9:8
97:2 102:2	<b>recognized</b>	16:23 17:3,	92:22 93:7	57:1,2 84:2
<b>reality</b> 64:16	19:13 53:2	10,13 23:13,	95:2 96:24	<b>remiss</b> 114:3
112:6	<b>recognizing</b>	14,15,25	<b>reference</b>	<b>remove</b> 19:11
<b>Reardon</b>	113:20	24:11 25:19,	38:4	27:16,17 44:7
22:13,14	<b>recommendati</b>	24 34:20	<b>referenced</b>	108:23
51:1,3,4,12,	<b>on</b> 122:20	36:14,18,24	81:12,14	130:23 131:3,
19 52:4,9,18	<b>recommendati</b>	37:8 52:22,	<b>references</b>	16
91:9,10 92:6,	<b>ons</b> 116:1	24,25 53:6,18	81:10	<b>reorganization</b>
7 93:9,11,24	121:20,22	59:1 61:7	<b>referendum</b>	123:10
104:18,21,22	122:1,16	65:6,8,15	128:12	
121:16,21	124:11 126:5	69:6,8 71:5	<b>referral</b> 76:3	
		74:12,13,14	83:2 84:22	
		75:13 79:11,	95:9	
		24 80:11,19		

### BOSS REPORTERS

(219) 769-9090 17 Index: quickly..reorganization

BOARD MEETING

<p><b>rephrase</b> 90:6</p> <p><b>replied</b> 19:12</p> <p><b>report</b> 11:14, 23 12:1 14:24 18:23 98:23 99:4,5,11 104:25 116:23 122:20 123:14 124:18 132:2</p> <p><b>reportable</b> 21:4</p> <p><b>reported</b> 21:5 99:24</p> <p><b>reporter</b> 36:19 73:19 113:25</p> <p><b>reporting</b> 9:23 11:1 99:23</p> <p><b>reports</b> 115:9, 12,14</p> <p><b>representative</b> 6:19</p> <p><b>Republican</b> 109:6 116:2</p> <p><b>Republicans</b> 64:14</p> <p><b>request</b> 39:9 83:1</p> <p><b>requested</b> 25:12 35:24 38:12,16,23 39:1,3,23 40:2,12</p> <p><b>require</b> 86:5</p> <p><b>required</b> 39:23 125:6</p>	<p><b>requires</b> 76:7</p> <p><b>resend</b> 117:15,16,19</p> <p><b>reserve</b> 9:1</p> <p><b>resolution</b> 129:5,18,24 130:20</p> <p><b>respect</b> 39:5 47:7 49:14 50:2,17 56:1, 4,15 69:18 96:19</p> <p><b>respected</b> 95:22</p> <p><b>respectfully</b> 108:6</p> <p><b>respondent</b> 7:14 110:4</p> <p><b>response</b> 26:8 37:12 45:25 46:3 53:22 68:4 82:22 122:11 126:1 127:5 128:4,19,25 130:19 131:21 132:1 134:5</p> <p><b>responsibility</b> 49:5,18 50:20</p> <p><b>rest</b> 26:6</p> <p><b>restrict</b> 42:13</p> <p><b>restricted</b> 42:1</p> <p><b>retained</b> 8:21</p> <p><b>reveal</b> 10:11</p>	<p><b>review</b> 28:14</p> <p><b>revisit</b> 117:11</p> <p><b>RICO</b> 80:23</p> <p><b>rigid</b> 86:25 87:9</p> <p><b>rise</b> 64:24 77:1</p> <p><b>rises</b> 10:17 64:5 69:24</p> <p><b>road</b> 38:21</p> <p><b>role</b> 105:19</p> <p><b>roll</b> 91:2,24</p> <p><b>room</b> 23:22 24:1,2,13 25:3,6,13,21, 23,24 26:3 33:6 34:3,5 64:24 127:11</p> <p><b>rope</b> 24:19</p> <p><b>ropes</b> 24:3</p> <p><b>rude</b> 10:14 56:18 61:25 62:8,9,16 65:19 79:1 99:15</p> <p><b>rudeness</b> 64:7 66:18 72:3 73:4 95:16 108:13</p> <p><b>rules</b> 62:23,25</p> <p><b>ruling</b> 72:18</p> <p><b>run</b> 107:25</p>	<p style="text-align: center;"><b>S</b></p> <p><b>saint</b> 110:14</p> <p><b>Santos</b> 127:9, 10</p> <p><b>Santos's</b> 127:22</p> <p><b>Saturday</b> 14:21 27:5 134:9,10</p> <p><b>saved</b> 11:1</p> <p><b>scared</b> 20:10 104:5</p> <p><b>Screaming</b> 97:7</p> <p><b>seconded</b> 69:7 72:20 91:20 93:10 112:16 114:20 121:2 125:19 127:20 128:16 130:5 131:14</p> <p><b>seconds</b> 110:18</p> <p><b>send</b> 103:24</p> <p><b>sense</b> 27:9 96:16</p> <p><b>separate</b> 74:1</p> <p><b>separately</b> 124:14 125:15</p> <p><b>served</b> 26:16 40:24 47:8</p>	<p><b>service</b> 26:15, 23 27:1 47:7 51:6 113:15, 18 123:9</p> <p><b>serving</b> 42:4</p> <p><b>session</b> 134:17</p> <p><b>set</b> 6:23 55:15 115:11</p> <p><b>sets</b> 64:16</p> <p><b>setting</b> 122:23</p> <p><b>shape</b> 39:8 72:25 80:22 103:21</p> <p><b>share</b> 42:17</p> <p><b>she'll</b> 120:6</p> <p><b>sheet</b> 38:13</p> <p><b>sheriff</b> 86:16 95:20</p> <p><b>sheriff's</b> 96:23 97:5</p> <p><b>shirt</b> 8:23 15:8 16:22 17:1 18:15,16,17 19:7 23:4 29:11 33:9,12 35:17,24 41:21 42:14, 22 43:7 44:7 46:5,8,23 52:11 57:19 60:20 61:20, 21 86:18,22, 23 97:13 107:19,22,23 108:2</p>
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## BOARD MEETING

<b>shoes</b> 106:22	<b>simple</b> 49:20	14:12 15:22	17,20 92:8,9,	64:12 99:21
<b>shook</b> 105:25	<b>simply</b> 49:19	16:1,7 17:15,	15,22 93:1,5,	<b>sort</b> 12:13
<b>shoulder</b>	89:10 134:22	23 18:3 19:2	10,13 94:11	19:18,20
33:11 42:21	<b>single</b> 125:5	20:2,5,8 21:8,	95:6 96:7	20:24 64:4
<b>show</b> 7:9	<b>sinner</b>	11,23 22:1,4,	98:1,14 99:8	<b>sorts</b> 103:10
10:15 28:21	110:16	12,20 23:2,7,	100:3 101:6,	<b>sounding</b>
48:15 49:11,	<b>sir</b> 55:3	10,14 24:7,	15 102:22	98:25
24 52:1 97:24	116:16	17,22 25:9,	104:10,17,20	<b>sounds</b> 14:4
114:11	<b>sister</b> 36:23	15,18,22,25	106:15 109:9,	113:11
127:23	<b>sit</b> 59:21	26:4,9 28:21	13,16 111:7,	<b>speak</b> 7:23
<b>showed</b> 32:14	64:18 79:21	35:8 36:11	11,23 112:8,	49:2,4 80:7
35:4 58:5	83:5 84:25	37:10,13,18,	12,16,22,24	98:13
<b>showing</b> 45:5	86:20	25 38:25	114:6,8,11,	<b>speaking</b>
<b>shown</b> 111:2	<b>sites</b> 48:9	39:13 40:5,	14,17,24	48:24 50:19
<b>shows</b> 94:22	<b>sitting</b> 15:2	10,15 47:1,4	115:6,16,25	<b>specific</b> 34:18
107:17	42:19 54:22	50:24 51:3	116:20 117:3,	36:22 37:2
117:24	62:20 98:16	52:20,24	6,23 118:5,	<b>specifically</b>
130:10	<b>situation</b>	53:19,23	17,22 119:2,	75:20 81:10
<b>shut</b> 62:22	39:2,6 46:9	54:8,15,20	5,9,13,16,23	<b>speculate</b>
<b>side</b> 6:20	47:25 50:8,17	55:2,8,12,17,	120:5,9,16,21	74:7 84:21
85:14 123:1	64:23 71:16	21,25 56:8,	121:2,8,11,24	<b>speculation</b>
<b>sign</b> 104:7	87:13 100:12	11,17,21,24	122:4,10,12,	75:10
<b>signed</b> 118:17	<b>situations</b>	57:4,8,11,23	17 123:17,25	<b>speculate</b>
<b>significant</b>	79:8 86:8	58:10,14,18	124:5,8,19,23	74:7 84:21
96:5 113:23	95:18 100:17	59:3,11,19	125:2,9,17,25	<b>speculation</b>
<b>signify</b> 112:19	<b>slammed</b>	60:9,15,24	126:2,7,16,	75:10
121:4 122:7	20:17	61:9,24 62:2	20,24 127:4,	<b>spoke</b> 19:13
125:21 127:1,	<b>slogan</b> 28:8	63:13 65:3,12	6,17,20	21:13
25 128:21	<b>small</b> 79:12	67:4,10,18,	128:3,5,13,	<b>spot</b> 27:12
130:14	134:15	22,25 68:5,9,	16,20,24	80:18
131:16	<b>Smith</b> 6:5,9	13,21,25	129:1,8,16	<b>spring</b> 80:25
133:25	7:4,8,9,25	69:4,7 70:6,	130:2,5,18,20	<b>staff</b> 6:10 40:6
135:15	8:9,13 9:6,13,	13 72:13,17	131:4,7,11,	120:13
<b>signs</b> 42:11	19 10:3 11:4,	74:13 75:17	14,20,22	121:20,22,25
<b>similar</b> 10:1	15 12:6,14,	76:22 77:20	132:2,5,7,11,	122:15 126:5
108:25	19,24 13:7,	78:2,6 80:9,	18,21 133:2,	<b>standard</b>
	10,14,19,24	13 81:1,7	22 134:4,6	27:25 51:14,
		82:10 83:22	135:6,9,14,18	16 55:15
		84:4,18,23	<b>smoothed</b>	110:7
		86:1 88:12,16	21:15	
		89:1,7 90:3,	<b>society</b> 62:19	
		24 91:11,12,		

BOARD MEETING

<b>standards</b> 82:21 104:2	105:3,15,16 106:3,4 107:12 108:18 125:13,19	84:13	<b>SVRS</b> 130:24 131:16	88:18 89:6 94:10 103:12 104:9 105:15 107:4 109:22 114:13 132:17 135:8
<b>standing</b> 25:7 66:8	<b>statutory</b> 125:6	<b>stuff</b> 27:10 48:14	<b>swearing</b> 57:1,3	<b>tape- recording</b> 10:22
<b>staring</b> 64:20	<b>stemmed</b> 85:16	<b>submission</b> 28:16	<b>sweatshirt</b> 27:18,20 43:7	<b>target</b> 82:15
<b>start</b> 14:15 45:3 53:12 60:22 65:21 66:1 71:13 79:4	<b>step</b> 50:21 104:2	<b>submit</b> 36:6	<b>switch</b> 19:11	<b>taught</b> 28:1
<b>started</b> 15:19 24:2,3,5,18, 19,20 56:4 57:13 60:20	<b>stepped</b> 11:19,21	<b>submitted</b> 38:18	<b>swore</b> 56:25	<b>technicality</b> 123:19
<b>starting</b> 109:2	<b>stick</b> 87:10	<b>subpoena</b> 38:18 39:10	<b>sworn</b> 7:6,7, 10 102:8	<b>technically</b> 88:3
<b>starts</b> 61:19 107:21	<b>sticker</b> 52:6	<b>subpoenas</b> 38:10	<b>system</b> 100:15	
<b>state</b> 29:17 30:3 31:13,15 40:18 55:5 80:15 108:10 113:2,15 130:10	<b>stock</b> 66:16	<b>subsequent</b> 7:17	<b>T</b>	<b>telling</b> 31:13 32:19 49:9 61:19,22 64:21 66:25 74:16 107:22 108:23
<b>stated</b> 43:13, 15 108:4	<b>stood</b> 46:19 96:2	<b>suggest</b> 48:21	<b>T-SHIRT</b> 33:4	<b>tells</b> 74:22
<b>statement</b> 63:21 82:21 83:13,19 96:2	<b>stop</b> 43:9 66:14	<b>suggestion</b> 13:9	<b>Tab</b> 115:9	<b>temper</b> 110:17
<b>states</b> 109:24	<b>stopped</b> 97:21	<b>summary</b> 78:3	<b>table</b> 33:8 64:5	<b>tend</b> 47:24 48:15
<b>stating</b> 82:16	<b>stories</b> 19:4	<b>support</b> 48:15 49:25 64:13	<b>takes</b> 94:1,5 129:3	<b>terms</b> 85:19 95:1
<b>statute</b> 73:18 75:18 76:5 77:7 79:21 80:1,2 81:11 85:2,8,18,22 86:4 87:11,13 88:4 94:19	<b>story</b> 26:22	<b>supported</b> 53:11	<b>taking</b> 10:8,9 62:18 72:21 87:6 112:18 122:15	<b>terrible</b> 66:21 93:19
	<b>straight</b> 24:12	<b>supporter</b> 30:19 31:19 43:24 44:1	<b>talk</b> 18:24 80:15 83:6 88:24 110:9	<b>testified</b> 75:16
	<b>stressful</b> 101:12	<b>supporting</b> 30:22 60:2 66:7	<b>talked</b> 81:24 82:5 83:2 85:16 94:19	<b>testify</b> 79:18
	<b>strict</b> 82:20	<b>supposed</b> 63:22 84:13	<b>talking</b> 13:21 18:21 30:25 55:1 58:23 65:17 66:14 67:24 71:6, 17,25 80:19	<b>testifying</b> 7:1 109:12 111:4
	<b>struck</b> 35:12	<b>surprise</b> 26:19 81:24		<b>testimony</b> 8:19 37:19
	<b>struggle</b> 106:11	<b>surrounded</b> 69:13		
	<b>struggling</b> 102:3			
	<b>studying</b>			

BOARD MEETING

<p>55:14 57:24 59:5 76:18 83:20 87:6 95:13 96:1</p> <p><b>text</b> 34:3,5</p> <p><b>thing</b> 8:17 47:9,16 69:10 71:2 93:19 98:11 99:4,24 100:12 104:15,24 105:11 107:8 113:5 115:23 130:11</p> <p><b>things</b> 25:11 38:8 49:5 60:11 62:5 66:11 72:4 73:5 78:13 79:4,8 80:21 84:14,24 101:1 102:24 103:1,7,14 105:17 106:6 107:3</p> <p><b>thinking</b> 62:20</p> <p><b>thinks</b> 66:6</p> <p><b>thought</b> 17:14 54:3 60:2,17 67:20 80:15 115:3 122:21</p> <p><b>thousand</b> 122:22 123:13 127:13</p> <p><b>threw</b> 85:25 95:4</p>	<p><b>throw</b> 51:24 101:24</p> <p><b>Thursday</b> 80:25</p> <p><b>ticket</b> 40:3</p> <p><b>time</b> 8:22 14:19 18:13 23:3 26:25 41:12 47:6 50:20 52:5 59:17 69:16 73:20 79:9,17 89:21 93:25 99:15 104:6 106:21 117:22 118:4 119:17</p> <p><b>times</b> 9:17 49:9 63:15 69:12 71:10 84:24 128:11</p> <p><b>tiny</b> 17:11</p> <p><b>title</b> 36:22</p> <p><b>today</b> 6:25 7:19 59:6,21 79:18,25 80:4 82:8 83:20 86:11 94:21 95:13 96:1 97:2 100:1 102:17 111:4, 18 117:15 127:11 132:9</p> <p><b>today's</b> 56:3</p> <p><b>Tolbert</b> 13:8, 10,11,15,22 63:11 65:7,10 67:5,6,16 69:9,10 70:8,</p>	<p>15,18 71:7 73:15,18,21 74:11 75:4 79:22 81:5,7, 8,13,14,18,21 85:12 87:12 93:4 94:8,13, 16 108:4 111:4 132:5, 6,10</p> <p><b>told</b> 24:23 44:8 53:2 66:9 86:9 103:19 110:5 123:21</p> <p><b>tolerated</b> 99:20</p> <p><b>tone</b> 19:17 48:25 49:3</p> <p><b>top</b> 108:9</p> <p><b>Total</b> 41:1</p> <p><b>totally</b> 101:19 109:20</p> <p><b>touch</b> 120:1,6</p> <p><b>touched</b> 33:10</p> <p><b>town</b> 9:11</p> <p><b>township</b> 17:21 116:4,7 124:15 126:12,15</p> <p><b>tracked</b> 35:6</p> <p><b>tracking</b> 6:6 100:15</p> <p><b>Tracy</b> 34:9 36:16,20 118:7</p>	<p><b>train</b> 48:18</p> <p><b>trained</b> 103:15 104:7</p> <p><b>training</b> 14:22 22:21,23 27:4 28:10 42:8 103:18 107:9 134:15,17,22</p> <p><b>transcript</b> 82:11 84:5,10</p> <p><b>treasurer</b> 118:8</p> <p><b>treat</b> 64:17</p> <p><b>treated</b> 102:5 103:3</p> <p><b>treating</b> 62:18</p> <p><b>treatment</b> 88:6</p> <p><b>tremendous</b> 99:22</p> <p><b>trial</b> 80:22 107:1</p> <p><b>tribunal</b> 55:20 113:24</p> <p><b>true</b> 82:17,18</p> <p><b>Trump</b> 31:7 41:21</p> <p><b>truth</b> 83:9,10</p> <p><b>Tuesday</b> 28:22</p> <p><b>turn</b> 45:14 61:16 123:14</p> <p><b>turned</b> 29:22 33:7 35:17 57:15,21</p>	<p><b>type</b> 101:20</p> <p><b>typically</b> 76:1</p> <hr/> <p><b>U</b></p> <hr/> <p><b>Uh-huh</b> 19:9, 15 22:19 23:1 29:6 31:3 36:17 55:7 56:10</p> <p><b>ultimately</b> 62:7</p> <p><b>unable</b> 97:24</p> <p><b>unanimously</b> 127:7</p> <p><b>unaware</b> 8:11 9:3</p> <p><b>uncomfortabl e</b> 15:21 20:24 48:25</p> <p><b>underage</b> 40:3</p> <p><b>understand</b> 8:1 21:6 26:25 35:20 39:25 44:21 72:2 76:15,25 86:19 87:20 94:20 102:16 108:12 112:3, 9</p> <p><b>understandin g</b> 28:5 34:12 86:8 87:6 90:5</p> <p><b>understands</b> 39:17,18 90:8 123:20</p>
--	--	--	--	--

BOARD MEETING

<b>understood</b> 23:4 38:19	38:11	113:5,13,19, 20 114:7,10	77:19,21 128:8	<b>warned</b> 23:8
<b>unduly</b> 126:20	<b>vicinity</b> 11:19	<b>visible</b> 103:14	<b>VVSTOP</b> 129:3,22	<b>warranted</b> 93:19
<b>unequivocal</b> 64:7	<b>video</b> 10:10, 19,21	<b>vocation</b> 38:9	<hr/> <b>W</b> <hr/>	<b>watcher</b> 43:18
<b>uniform</b> 61:3	<b>view</b> 54:23	<b>voice</b> 9:23 10:24,25 11:8,9 13:1 30:15 31:22, 23 33:17 43:1,2,10 46:13,17 47:10,12,17, 18,21 48:5 49:8,10,11 62:14 134:25 135:3	<b>wait</b> 50:4 73:19	<b>weak</b> 95:4 108:5 111:5
<b>unison</b> 13:21 55:1 58:23 67:24 71:6,25 88:18 94:10 104:9 109:22 112:21 114:13 121:7 122:9 125:24 127:3 128:2, 23 130:17 131:19 132:17 134:3 135:8,17	<b>viewpoint</b> 46:20	<b>vote</b> 23:24 26:18 37:5 41:7 42:2 48:22 52:16 91:1,2 98:9 100:25 107:23 109:18 112:1	<b>waited</b> 42:16 45:21	<b>wear</b> 15:13,14 28:11 31:16 42:21 43:5 45:14 46:8 57:19 61:19, 20 108:10
<b>unjust</b> 126:19, 21	<b>vigorous</b> 132:13	<b>voter</b> 54:3 73:22 76:1 77:6 83:12,16 84:3,11 85:16,23 93:7	<b>waiting</b> 98:3	<b>wearing</b> 15:5 27:18 41:18 42:1,13 95:19 107:18
<b>unknowingly</b> 71:1	<b>violated</b> 85:11	<b>voters</b> 101:10 105:24	<b>waive</b> 121:14, 17	<b>weighing</b> 87:24 109:17
<b>update</b> 120:7 129:4	<b>violating</b> 23:4 63:18 88:4	<b>voted</b> 45:22	<b>waived</b> 123:15	<b>weight</b> 101:25
<b>updates</b> 6:3,8	<b>violation</b> 10:18 63:18 64:6 65:1 68:19 77:2 78:12,23,24 85:4,7 91:16 95:10 97:19 99:13	<b>voter</b> 54:3 73:22 76:1 77:6 83:12,16 84:3,11 85:16,23 93:7	<b>waivers</b> 115:19	<b>weird</b> 62:5 72:4 135:4
<b>upfront</b> 115:17	<b>Vis</b> 6:18,22 7:3 8:9,11,16, 20 12:8 14:6, 11 26:9,11,14 28:23 34:14, 24 35:10,15, 16 36:9,12,13 37:18,21 38:3 39:24 40:14, 17 46:24 54:5 55:13,19 58:17,20 59:2 60:6 65:15 68:9,12 72:12 80:7 84:15 97:11 98:3 106:16,19 107:21 109:7, 23 111:8	<b>voting</b> 21:20 24:1 25:13 27:12 31:10, 22 37:3 41:9, 12 42:5,13 48:9,14,16 50:2 70:4	<b>walk</b> 53:25 54:1	<b>weirdest</b> 55:19
<b>upset</b> 46:16 103:2			<b>walked</b> 18:7 29:25 45:10 60:12	<b>welcoming</b> 44:19
<b>upsetting</b> 100:24			<b>walking</b> 45:12 57:14,16,18 58:5	<b>whip</b> 51:23
<hr/> <b>V</b> <hr/>			<b>walks</b> 107:18	<b>whipped</b> 51:20
<b>verbally</b> 19:20			<b>wallet</b> 32:10, 25 44:14 45:6	<b>Wicker</b> 41:10
<b>versus</b> 6:14			<b>wanted</b> 13:25 22:15 44:3 45:4 46:6 52:15,16 53:7 65:14 67:7 69:11 85:18 89:11 104:13 114:5 118:13	<b>wife</b> 66:9
				<b>wind</b> 11:20
				<b>Winfield</b> 116:7 122:19 124:15,23 126:12,14

BOARD MEETING

<p><b>Wisconsin</b> 9:16,18</p> <p><b>wished</b> 110:24</p> <p><b>witnesses</b> 6:25 8:23 9:5 37:16 87:25</p> <p><b>woman</b> 62:13</p> <p><b>wondering</b> 51:5</p> <p><b>word</b> 61:12 79:16 82:18 84:3 106:17</p> <p><b>wore</b> 41:21 96:22</p> <p><b>work</b> 9:14 36:23 37:6 45:16 50:21 96:19 97:15 99:1,2 100:2, 10,25 103:9 104:25 106:11 111:18 130:8</p> <p><b>worked</b> 21:23 27:8 41:4 46:7 50:7 52:14 57:20 75:15 97:14</p> <p><b>worker</b> 16:10 51:16 53:2 76:20 79:17 87:21 88:7 95:14 96:4 100:10 101:17 105:5 107:14 108:1, 20,22 110:5</p>	<p><b>workers</b> 15:3 48:18 86:14 95:20 96:24 103:2</p> <p><b>working</b> 45:13 53:4 56:12 63:7 75:2 103:12 113:1, 16</p> <p><b>works</b> 9:10</p> <p><b>worn</b> 31:9</p> <p><b>worried</b> 21:17</p> <p><b>worse</b> 66:2</p> <p><b>worst</b> 97:5</p> <p><b>wrapped</b> 23:23</p> <p><b>wrong</b> 25:20 34:20,22 64:12</p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p><b>year</b> 106:24 133:13</p> <p><b>yearly</b> 133:9</p> <p><b>years</b> 26:22 40:24 42:4,12 50:15 56:5 79:7 105:20</p> <p><b>yelling</b> 15:19 18:1 97:8</p> <p><b>yellow</b> 104:7</p> <p><b>yesterday</b> 8:21</p> <p><b>young</b> 47:6 57:16 62:13</p>	<p>75:10</p> <p><b>younger</b> 45:11</p> <p><b>youth</b> 107:24</p> <hr/> <p style="text-align: center;"><b>Z</b></p> <hr/> <p><b>zip</b> 29:12</p>
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# Item Cover Page

## ELECTIONS AGENDA ITEM REPORT

**DATE:** May 20, 2025

**SUBMITTED BY:** Jessica Messler,Elections

**ITEM TYPE:** Minutes

**AGENDA SECTION:** APPROVAL OF MINUTES

**SUBJECT:** **Board Meeting Minutes - May 3, 2025 (Inspector Saturday)**

**SUGGESTED ACTION:**

---

**ATTACHMENTS:**

# Item Cover Page

## ELECTIONS AGENDA ITEM REPORT

**DATE:** May 20, 2025

**SUBMITTED BY:** Jessica Messler,Elections

**ITEM TYPE:** Minutes

**AGENDA SECTION:** APPROVAL OF MINUTES

**SUBJECT:** **Board Meeting Minutes - May 6, 2025 (Election Day)**

**SUGGESTED ACTION:**

---

**ATTACHMENTS:**

# Item Cover Page

## ELECTIONS AGENDA ITEM REPORT

**DATE:** May 20, 2025

**SUBMITTED BY:** Jessica Messler,Elections

**ITEM TYPE:** Elections Agenda Item

**AGENDA SECTION:** OLD BUSINESS

**SUBJECT:** **Election Equipment Bid Process**

**SUGGESTED ACTION:**

---

**ATTACHMENTS:**

# Item Cover Page

## ELECTIONS AGENDA ITEM REPORT

**DATE:** May 20, 2025

**SUBMITTED BY:** Jessica Messler,Elections

**ITEM TYPE:** Elections Agenda Item

**AGENDA SECTION:** OLD BUSINESS

**SUBJECT:** **Complaint Tracking Procedure**

**SUGGESTED ACTION:**

---

**ATTACHMENTS:**

# Item Cover Page

## ELECTIONS AGENDA ITEM REPORT

**DATE:** May 20, 2025

**SUBMITTED BY:** Jessica Messler,Elections

**ITEM TYPE:** Elections Agenda Item

**AGENDA SECTION:** OLD BUSINESS

**SUBJECT:** **Jostes v. Allende - Cont.**

**SUGGESTED ACTION:**

---

**ATTACHMENTS:**  
[2025 05 20 2024-10 JOSTES v ALLENDE.pdf](#)



LAKE COUNTY BOARD OF ELECTIONS AND REGISTRATION

COMPLAINT FORM

PLEASE PRINT CLEARLY

2024-10
JOSTES v ALLENDE

Date of complaint: 11/5/24

Date of Incident: 11/5/24

Complainant (person submitting the complaint):

Complainant name (may not be anonymous) Madison Jostes

Phone 219 798 0826 Email madisonpj20@gmail.com

Complainant address City Zip

Respondent (person complaint is against):

Respondent name Jason Allende

Phone Email

Respondent address City Zip

Please list any known Indiana Code (Title III) violations:

Signature of Complainant

Summary of incident (attach additional pages, documents, or evidence for consideration by the LCBER):

Incident w/ Voter
\* See attached email

## Michelle Fajman

---

**From:** Madison Jostes <madisonpj20@gmail.com>  
**Sent:** Tuesday, November 5, 2024 10:11 AM  
**To:** Michelle Fajman  
**Cc:** Angerman, LeAnn J; tracylhaskell@gmail.com  
**Subject:** HT-1 Incident with Voter

### External Email

Do not click any links or open attachments unless you know and trust the sender and are expecting this message.

Hi Michelle,

My name is Madison Jostes and I am the inspector for Hanover Township 1 in Cedar Lake at Knights of Columbus.

There was a voter in line for CL3 and I noticed that he was wearing a "TRUMP Make America Great Again" shirt. I approached him and asked him if he could go to the bathroom and flip his shirt inside out or go grab a jacket from the car and zip up. He said "I'm not doing that" and continued looking at his phone, and would not look at me. I said because he is on the ballot and any item of clothing that has a name or a picture cannot be worn inside of the voting place. I told him he gets to have his voice heard when he gets to the voting machine and he raised his voice and said "what are you gonna do about it?" I said I can call the police and I can call county. He said, still yelling, "go ahead, call the police. I am the police!" and pulled out his badge and shoved it in my face so I said fine I'm going to call County. I spoke to someone for a brief minute but then CL3 inspector came over after that and got him to change his shirt inside out because she's his neighbor.

His name is Jason Allende and he is a Cedar Lake Police officer. Badge 37.

If you need to call, my number is 219-798-0826.

Thank you!  
Madison Jostes



# LAKE COUNTY BOARD OF ELECTIONS AND REGISTRATION

---

Date: January 2, 2025

To:

**JASON ALLANDE**  
**13517 Schneider Ct**  
**Cedar lake, IN 46303**

To Whom It May Concern,

The Lake County Board of Elections and Registrations has placed an election complaint in which you are named as a respondent or witness in on the agenda for the board meeting on January 21, 2025 at 10:00am in the Commissioner's Courtroom on the 3<sup>rd</sup> floor of the A Building of the Lake County Government Complex. **Your attendance is requested.**

You may be allowed to provide additional information or documents at the hearing. If you will be providing any additional documentation, please provide the information in person, by fax, or by email at least 3 days prior to the board meeting, if possible. If you are permitted to provide additional documentation at the hearing, please provide ten copies for members, attorneys, directors, and for the file.

Respectfully,  
Lake County Board of Elections and Registration  
2293 N. Main St., Ste. A-205  
Crown Point, IN 46307  
(219) 755-3795 (phone)  
(219) 755-3801 (fax)  
Encl. Original Complaint

**COPY**



## LAKE COUNTY BOARD OF ELECTIONS AND REGISTRATION

---

Date: January 2, 2025

**MADISON JOSTES**  
**7410 W 143RD LN**  
To: **CEDAR LAKE, IN 46303**

To Whom It May Concern,

The Lake County Board of Elections and Registrations has placed your election complaint on the agenda for the board meeting on January 21, 2025 at 10:00 a.m. in the Commissioner's Courtroom in the A Building of the Lake County Government Complex. Your attendance is welcome and encouraged.

You may be allowed to provide additional information or documents at the hearing. If you will be providing any additional documentation, please provide the information in person, by fax, or by email at least 3 days prior to the board meeting, if possible. If you are permitted to provide additional documentation at the hearing, please provide ten copies for members, attorneys, directors, and for the file.

Respectfully,

Lake County Board of Elections and Registration

2293 N. Main St., Ste A-205

Crown Point, IN 46307

(219) 755-3795 (phone)

(219) 755-3801 (fax)

**COPY**



# LAKE COUNTY BOARD OF ELECTIONS AND REGISTRATION

Date: March 7, 2025

**JASON ALLANDE  
13517 SCHNEIDER CT.  
CEDAR LAKE, IN 46303**

To:

To Whom It May Concern,

The Lake County Board of Elections and Registrations has placed an election complaint in which you are named as a respondent or witness in on the agenda for the board meeting on March 18, 2025 at 10:00am in the Commissioner's Courtroom on the 3<sup>rd</sup> floor of the A Building of the Lake County Government Complex. **Your attendance is requested.**

You may be allowed to provide additional information or documents at the hearing. If you will be providing any additional documentation, please provide the information in person, by fax, or by email at least 3 days prior to the board meeting, if possible. If you are permitted to provide additional documentation at the hearing, please provide ten copies for members, attorneys, directors, and for the file.

Respectfully,  
Lake County Board of Elections and Registration  
2293 N. Main St., Ste. A-205  
Crown Point, IN 46307  
(219) 755-3795 (phone)  
(219) 755-3801 (fax)  
Encl. Original Complaint

**COPY**



# LAKE COUNTY BOARD OF ELECTIONS AND REGISTRATION

---

Date: March 7, 2025

**MADISON JOSTES  
7410 W. 143RD LN.  
CEDAR LAKE, IN 46303**

To: \_\_\_\_\_

To Whom It May Concern,

The Lake County Board of Elections and Registrations has placed your election complaint on the agenda for the board meeting on March 18, 2025 at 10:00 a.m. in the Commissioner's Courtroom in the A Building of the Lake County Government Complex. Your attendance is welcome and encouraged.

You may be allowed to provide additional information or documents at the hearing. If you will be providing any additional documentation, please provide the information in person, by fax, or by email at least 3 days prior to the board meeting, if possible. If you are permitted to provide additional documentation at the hearing, please provide ten copies for members, attorneys, directors, and for the file.

Respectfully,

Lake County Board of Elections and Registration

2293 N. Main St., Ste A-205

Crown Point, IN 46307

(219) 755-3795 (phone)

(219) 755-3801 (fax)

**COPY**

# Item Cover Page

## ELECTIONS AGENDA ITEM REPORT

**DATE:** May 20, 2025

**SUBMITTED BY:** Jessica Messler,Elections

**ITEM TYPE:** Elections Agenda Item

**AGENDA SECTION:** NEW BUSINESS

**SUBJECT:** **CFA Matters - James Piggee for Calumet TWP Board Member**

**SUGGESTED ACTION:**

---

**ATTACHMENTS:**

[James Piggee Disband.pdf](#)  
[Findings and Order James Pigeo.pdf](#)



**REPORT OF RECEIPTS AND EXPENDITURES  
OF A POLITICAL COMMITTEE**  
State Form 4606 (R15 / 5-19)  
Indiana Election Division (IC 3-9-5-14)

**(CFA-4)  
Summary Sheet**

**INSTRUCTIONS:** Please type or print legibly in **BLACK INK** all information on this form. For assistance in completing this form, see instructions on the reverse side.

<b>FILE NUMBER</b> 45-13033
<b>TOTAL PAGES IN ENTIRE CFA-4 REPORT</b>

IS THIS AN AMENDMENT?  Yes  No

**COMMITTEE INFORMATION**

1. Full Name of Committee (as on Statement of Organization) <input type="checkbox"/> Check if this is a new name. Coach James Piggie	
2. Acronym or Abbreviated Name (if any) W	3. Committee Telephone Number (219) 302-4044
4. Mailing Address (Address where all campaign finance correspondence is received.) <input type="checkbox"/> Check if this is a new address. 601 TATS ST	
5. City, State, ZIP Code GARY IN 46404	6. Party Affiliation (if applicable) Democratic

**CANDIDATE INFORMATION (For Candidate's Committees Only)**

7. Full Name of Candidate (Include any nickname.) James Piggie (Coach)	8. Party Affiliation or If Independent Candidate Dem.
9. Office Sought (Include district number, if any. Not required for exploratory committee.)	10. County of Residence Lake

**TYPE OF REPORT** **CONVENTION CANDIDATES ONLY**

11. Check one: <input type="checkbox"/> Pre-Primary <input type="checkbox"/> Pre-Election <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Nomination <input type="checkbox"/> Other <input checked="" type="checkbox"/> Final / Disbands Committee (Lines 18, 19, and 20 must be "0".) <input type="checkbox"/> Outgoing Treasurer (Within ten (10) days amend Statement of Organization.)	Check one: <input type="checkbox"/> Pre-Convention <input type="checkbox"/> Post-Convention
--	---

12. Reporting Period (mm/dd/yy): From: 10/15/22 Through: 12/31/22	<b>COLUMN A This Period</b>	<b>COLUMN B Year to Date</b>
13. Cash on hand and investments at the beginning of this reporting period.	0	0
14. Cash on hand and investments January 1, current year.		0

**CONTRIBUTIONS AND RECEIPTS**

(Note: these amounts include in-kind contributions and loans, as well as cash contributions.)		
15a. Itemized (Use Schedule A.)	0	0
15b. Unitemized	0	0
15c. Add lines 15a and 15b in both columns. <b>SUBTOTAL</b>	0	0
16. Add lines 13 and 15c in Column A and lines 14 and 15c in Column B. <b>TOTAL</b>	0	

**EXPENDITURES**

(Note: These amounts include in-kind expenditures and loan repayments.)		
17a. Itemized (Use Schedule B.) (Public Question: use Schedule C.)	0	0
17b. Unitemized	0	0
17c. Add lines 17a and 17b in both columns. <b>SUBTOTAL</b>	0	0
18. Cash on hand and investments at close of this reporting period (Subtract 17c from 16 in both columns.) <b>TOTAL</b>	0	0
19. Debts OWED BY the committee (Use Schedule D.)	0	
20. Debts OWED TO the committee (Use Schedule E.)	0	

**CERTIFICATION**

I CERTIFY THAT I HAVE EXAMINED THIS STATEMENT. TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS TRUE, CORRECT AND COMPLETE.

Signature of Treasurer James Piggie	Title Member	Date (mm/dd/yy) 3-14-23
Signature of Candidate (if applicable)		Date (mm/dd/yy)

**FOR OFFICE USE ONLY**

scan       
centcom       
review       
book       
bb     

**WARNING:** Any information contained in this report may not be copied for sale or used for any commercial purpose. (IC 3-9-4-5) A person who knowingly files a fraudulent report commits a Level 6 felony. (IC 3-14-1-13) A person who fails to file a complete or accurate report as required by the Indiana Campaign Finance Law commits a Class B misdemeanor, (IC 3-14-1-14) and may be subject to civil penalties. (IC 3-9-4-16, IC 3-9-4-17, IC 3-9-4-18)



## LAKE COUNTY BOARD OF ELECTIONS AND REGISTRATION

---

March 15, 2023

45-13033  
JAMES (COACH) PIGGEE FOR CALUMET TWP BOARD MEMBER  
601 TAFT ST  
GARY, IN 46404

### **Findings and Order**

This matter came before The Lake County Board of Elections and Registration at the Board's Meeting of March 14, 2023. The Board, after considering evidence in this case, now finds as follows:

### **Findings**

#### **JAMES (COACH) PIGGEE FOR CAL TWP BOARD**

Is a committee and was required to file a 2022 Annual report by noon, January 18, 2023 pursuant to (IC 3-9-5-3.)

1. The Committee did not file its 2022 Annual report by the deadline listed above.
2. The maximum civil penalty under law for a late report under these circumstances is One Thousand Dollars (\$1,000.00) or (\$50.00 X number of days late) pursuant to IC 3-9-4-17.
3. The Lake County Election Board finds that the maximum civil penalty permitted by law should be imposed.
4. The Lake County Election Board finds, by unanimous vote of its entire membership that imposition of the maximum civil penalty, in this case, would be unjust under the circumstances and finds that the NEW civil penalty should be reduced to \$ WAIVE
5. If the new civil penalty listed above is not paid in full within thirty (30) days, the committee is subject to civil litigation.
6. The Lake County Election Board further finds an outstanding balance of \$ 150

**ORDER**

**45-13033 JAMES (COACH) PIGGEE FOR CAL TWP BOARD**

**NEW FINE \$ WAIVE (PER #4 IN FINDINGS)**

**OUTSTANDING BALANCE \$ 150 (PER #6 IN FINDINGS)**

**TOTAL DUE: \$ 150 (PER #4 & # 6 IN FINDINGS)**

Any outstanding balance contained in Finding #6 is herein reaffirmed.

The above findings and the board meeting minutes are incorporated herein by reference.

SO ORDERED, THIS THE 14<sup>th</sup> DAY OF MARCH, 2023.

**Board members:**

**/S/ Kevin C. Smith**

**/S/John Reed**

**/S/ Michael Brown**

**/S/ Michael Mellon**

**/S/ Bob Tribble**

**Director**

**Assistant Director**

**Michelle R. Fajman**

**LeAnn J. Angerman**

# Item Cover Page

## ELECTIONS AGENDA ITEM REPORT

**DATE:** May 20, 2025

**SUBMITTED BY:** Jessica Messler,Elections

**ITEM TYPE:** Elections Agenda Item

**AGENDA SECTION:** NEW BUSINESS

**SUBJECT:** **2025 Election Certification**

**SUGGESTED ACTION:**

---

**ATTACHMENTS:**  
[2025 05 20 Election Certification.pdf](#)

# CEB 9 - County Election Report for Lake

*Draft*

## For the 2025 Lake County School Corporations Special Election Conducted on Tuesday, May 6, REGISTRATION AND TURNOUT:

1. Number of registered voters in **county** for this election (Note: If the election was held only in part of the county, the number of registered voters in that part of the county for this election): **57859 \***
2. Number of voters voting *in person at the polls on Election Day*: **3104**
3. Number of all voters voting *absentee including by mail, travel board, in-person, and military and overseas (UOCAV 1601*
4. Total number of voters who voted in this election (auto-calculated as #2 + #3): **4705**

## ABSENTEE VOTING

5. Please enter the number of absentee ballots that were rejected (exclude UOCAVA): **0**
- 5(a). Please enter the number of absentee ballots Not Received (Not returned to your county by the deadline): **12**

### UOCAVA (Voters using the Federal Postcard Application and Federal Write-In Absentee Ballots)

6. The combined total number of absentee ballots sent by county to military and overseas voters: **1**
7. Total number of ballots in #6 returned by these voters. (Include any Federal Write-In Absentee Ballots, counted, because a UOCAVA did not return an official county ballot.): **1**
8. Total number of ballots in #7 counted: **1**

## PROVISIONAL BALLOTS:

9. Total number of provisional ballots cast by voters that are registered in the county, counted by county election **0**
10. Total number of provisional ballots cast by voters that are registered in the county, not counted by county election bo **0**
11. The total number of provisional ballots cast by voters in the county in this election  
(System calculated as #9 + #10): **0**
- 11(a). The total number of provisional ballots cast by non-registered voters in the county: **0**

## ELECTION BUDGET AND EQUIPMENT:

12. BUDGETED cost for this election. Estimate if necessary: **100,000**
- 13(a). Provide the following information for the Election System Type:

Election System Type	System Service Manufacturer	Voting System Model
Direct Recording Electronic Voting	MicroVote	EMS 4.3
Optical Scan Ballot Tabulator	MicroVote	EMS 4.3
ADA Compliant Ballot Marking Device	MicroVote	EMS 4.3
Election Management System	MicroVote	EMS 4.3
Hand Counted Paper Ballot	NO	

13(b). Name the System Service Manufacturer used by the County in this Election **MicroVote**

13(c). Describe any discrepancies with your voting system during the election if your County:  
**none**

13(d). Name the Election Pollbook system service provider and the system model used by the county in this election:

System Service Provider	System Model Number(s)
KNOWiNK LLC	PollPad 2.5

13(e). Name the EPB System Service Manufacturer used by the County in this Election: **KNOWiNK LLC**

## CEB 9 - County Election Report for Lake

### ENCLOSURES:

14(a). Describe any malfunction or other problem with your voting system during the election. If your county did not experience any problems, please input "None" in the text box below.   **none**

14(b). If you will be sending additional information on the malfunctions to IED, how will it be sent?   **No Malfunction**

15. How will you be submitting Certified & Final Precinct Level Results for your county to IED? (Please use the Voter Status Counts by Precinct and Split report from SVRS):   **Electronic Submission**

16. Do you need to amend your Voter Status Counts?:   **No**

17. If you will be sending any additional information to the Election Division, how will it be sent?   **Electronic Submission**

18. Please enter the name, title and mailing address for your county election board members.

Title	Name	Party Name	Address & Street	City, State, and Zip	E-mail Address	Phone Number
Election Board Chairman	KEVIN SMITH	Democratic	2293 N MAIN STREET	CROWN POINT IN 46307	ksmith@smithsersic.Com	2197553795
Clerk/Secretary of the Election Board	BROWN MIKE	Democratic	2293 N MAIN STREET	CROWN POINT IN 46307	brownmx@lakecountyin.org	2197553000
Election Board Member	JOHN REED	Republican	2293 N MAIN STREET	CROWN POINT IN 46307	JPRATLAW@AOL.COM	2197553795
Election Board Member	MICHAEL MELLON	Republican	2293 N MAIN STREET	CROWN POINT IN 46307	MIKE@Acbanker.COM	2197553795
Election Board Member	MARA CANDELARIA-REARDON	Democratic	2293 N MAIN STREET	CROWN POINT IN 46307	bdtrib@att.net	2197553795

### SIGNATURES

Clerk/Secretary of the Election Board:

Date:

Election Board Chairman:

Date:

Election Board Member:

Date:

(Below signatures are for Lake County Board of Elections and Registration only)

Election Board Member:

Date:

Election Board Member:

Date:

**Statements of the Circuit Court Clerk for  
State of Indiana (CEB-25)**

**COUNTY OF LAKE - Partial Count**

**Crown Point Community School Corporation Public Question**

'Yes' responses	2,687 ;	'No' responses	555
	Total Number of Votes		3,242

**School City of Hobart Public Question**

'Yes' responses	1,188 ;	'No' responses	274
	Total Number of Votes		1,462

This form CEB-25 was generated on Thursday, May 8, 2025

# Item Cover Page

## ELECTIONS AGENDA ITEM REPORT

**DATE:** May 20, 2025

**SUBMITTED BY:** Jessica Messler,Elections

**ITEM TYPE:** Purchases

**AGENDA SECTION:** PURCHASE ORDERS

**SUBJECT:** **PO 2505174**

**SUGGESTED ACTION:**

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**ATTACHMENTS:**  
[2025 05 20 PO 2505174.pdf](#)



# Item Cover Page

## ELECTIONS AGENDA ITEM REPORT

**DATE:** May 20, 2025

**SUBMITTED BY:** Jessica Messler,Elections

**ITEM TYPE:** Purchases

**AGENDA SECTION:** PURCHASE ORDERS

**SUBJECT:** **PO 2505925**

**SUGGESTED ACTION:**

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**ATTACHMENTS:**  
[2025 05 20 PO 2505925.pdf](#)



# Item Cover Page

## ELECTIONS AGENDA ITEM REPORT

**DATE:** May 20, 2025

**SUBMITTED BY:** Jessica Messler,Elections

**ITEM TYPE:** Purchases

**AGENDA SECTION:** PURCHASE ORDERS

**SUBJECT:** **PO 2505861**

**SUGGESTED ACTION:**

---

**ATTACHMENTS:**  
[2025 05 20 PO 2505861.pdf](#)

