

**Indiana Election Commission
Minutes
September 23, 2025**

Members Present: Beth Boyce, Chairman of the Indiana Election Commission (“Commission”); Suzannah Wilson Overholt, Vice Chair of the Commission; Karen Celestino-Horseman, member; John Westercamp, member; Dayna Colbert, Proxy for Commissioner Celestino-Horseman; Tony Overholt, Proxy for Commissioner Wilson Overholt.

Members Absent: None.

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

Others Attending: Mr. James Ake; Mr. Ray Anderson; Mr. Oliver Barie; Ms. Naomi Bechtold; Mr. Joseph Bookwalter; The Hon. Bruce Borders, Indiana State Representative; Mr. Alex Burton; Mr. John L. Couch; Ms. Brittany Doyle; Mr. Spencer Drumm, Voting System Technical Oversight Program (VSTOP); Mr. Michael Erler; Ms. Estela Espinosa; Mr. Greg and Ms. Mary Fehribach; Mr. Eric Griffin; The Hon. Earl Harris, Jr., Indiana State Representative; Ms. Linda Heitzman; Mr. David Horvath; Mr. Pablo Hurtado; Mr. Tom John; Mr. Zach Klutz; The Hon. La Keisha Jackson, Indiana State Senator; Mr. James McKanna; Mr. Evan McMahon; Mr. Tim McVey; Ms. Yvonne Metcalfe; Mr. Willie Montgomery; Mr. Jonathan Myers; Ms. Karla Lopez Owens; Mr. Stephen Perkins; Mr. Johannes Poulard; The Hon. Lonnie Randolph, Indiana State Senator; Mr. Greg Rathnow; Mr. Rick Ring; Mr. Keil Roark; Mr. Steven Uhey; Mr. Joshua Vergiels; Ms. Destiny Wells; Ms. Robin Williams; Ms. Sarina Williams; The Hon. R. Michael Young, Indiana State Senator; Ms. Megan Zwick.

1. Call to Order:

The Chairman called the September 23, 2025 meeting of the Commission to order at 10:00 a.m. EDT in Conference Room B, Indiana Government Center South, 402 West Washington Street, Indianapolis.

2. Transaction of Commission Business:

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

The following scrivener’s error is corrected:

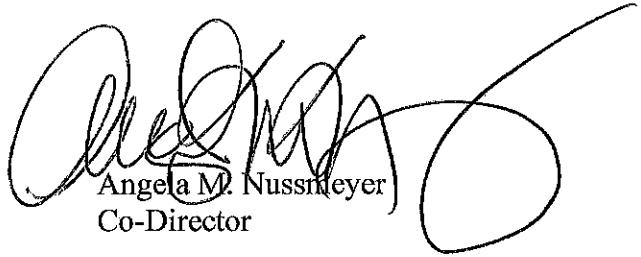
Page 187, line 11, replace “too to” with “to do”.

The Commission adjourned its meeting at 5:47 p.m. EDT.

Respectfully submitted,

J. Bradley King

J. Bradley King
Co-Director



Angela M. Nussmeyer
Co-Director

APPROVED:

Beth Boyce

Beth Boyce, Chairman

In the Matter Of:

INDIANA ELECTION COMMISSION PUBLIC SESSION

Transcript of Proceedings

September 23, 2025

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2 INDIANA ELECTION COMMISSION
3 PUBLIC SESSION
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7 Conducted on: September 23, 2025
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11 Conducted at: Indiana Government Center South
12 402 West Washington Street, Conference Room B
13 Indianapolis, Indiana
14
15

16 A Stenographic Record by:
17 Maria W. Collier, RPR, CRR
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1 APPEARANCES

2 INDIANA ELECTION COMMISSION:

3 Beth Boyce - Chairman

4 Suzannah Wilson Overholt - Vice Chairman

5 Tony Overholt - Proxy for Suzannah Wilson Overholt

6 John Westercamp - Member

7 Karen Celestino-Horseman - Member

8 Dayna Colbert - Proxy for Karen Celestino-Horseman

9

10 INDIANA ELECTION DIVISION STAFF:

11 Angela M. Nussmeyer - Co-Director

12 J. Bradley King - Co-Director

13 Matthew Kochevar - Co-Counsel

14 Valerie Warycha - Co-Counsel

15 Michelle Thompson - Campaign Finance Director

16 Abbey Taylor - Campaign Finance Director

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1 CHAIRMAN BOYCE: Okay. This meeting of the
2 Indiana Election Commission is officially called to
3 order. I first want to just really quick maybe
4 take a point and just introduce myself. And we
5 have another new member of the Commission. So I
6 just wanted to say hello. My name is Beth Boyce,
7 and I will be chairing this Commission now, so
8 happy to be here.

9 MR. WESTERCAMP: And I'm John Westercamp.
10 Thank you so much, and I'm happy to be here as
11 well.

12 CHAIRMAN BOYCE: So the following members of
13 the Commission are present: Myself, the chairman,
14 Beth Boyce; Suzannah Wilson Overholt, our vice
15 chairman; Karen Celestino-Horseman; and John
16 Westercamp. Indiana Election Division staff, we
17 have the co-directors, Brad King and Angie
18 Nussmeyer; co-general counsels, Matthew Kochevar
19 and Valerie Warycha. We also have with us our
20 court reporter, Maria Collier, from Stewart
21 Richardson Deposition Services.

22 Before we continue the meeting, I want to
23 remind everyone on behalf of the court reporter to
24 do the following: Identify yourself when beginning
25 to speak. Spell your name when identifying

1 yourself. Speak clearly and do not speak at the
2 same time as others.

3 Up next, the documentation of compliance with
4 Open Door Law. I request that the co-directors
5 confirm that the Commission meeting has been
6 properly noticed as required under the Open Door
7 Law, including new membership information
8 requirements which became effective July 1, 2025.

9 MR. KING: Madam Chairman, members of the
10 Commission, on behalf of myself and Co-Director
11 Nussmeyer, we confirm that this Commission meeting
12 was properly noticed in compliance with the
13 requirements of the Open Door Law.

14 CHAIRMAN BOYCE: Very good.

15 Next up, we'll go to the approval of the
16 September 30, 2024, Indiana Election Commission
17 minutes. I recognize the co-directors to present
18 the minutes of the referenced meeting.

19 MR. KING: Madam Chairman and members of the
20 Commission, Co-Director Nussmeyer and myself
21 reviewed the minutes of the Commission and
22 recommend them to you for your approval.

23 CHAIRMAN BOYCE: Great.

24 Is there a motion to approve each of the
25 minutes as presented?

1 VICE CHAIRMAN OVERHOLT: So moved.

2 CHAIRMAN BOYCE: Is there a second?

3 MR. WESTERCAMP: Second.

4 CHAIRMAN BOYCE: Any discussion?

5 Hearing none, all in favor say "aye."

6 VICE CHAIRMAN OVERHOLT: Aye.

7 MS. CELESTINO-HORSEMAN: Aye.

8 MR. WESTERCAMP: Aye.

9 CHAIRMAN BOYCE: Opposed "nay."

10 The "ayes" have it, and the motion to approve
11 each of the minutes is adopted.

12 Is there consent from each of the members to
13 authorize the Election Division to use our
14 individual signature stamps to document our
15 approval of the documents at this meeting?

16 VICE CHAIRMAN OVERHOLT: Yes, consent.

17 MR. WESTERCAMP: Yes.

18 MS. CELESTINO-HORSEMAN: Consent.

19 CHAIRMAN BOYCE: The Election Division is
20 authorized to act accordingly.

21 Next, we will move to the administration of
22 the oath. Any person who plans to testify at
23 today's meeting on any matter, please stand for the
24 administration of the oath.

25 I recognize Matthew Kochevar to administer the

1 oath.

2 MR. KOCHEVAR: Thank you, Madam Chair. I can
3 actually speak in the microphone and also stand up
4 at the same time.

5 So all those who plan to testify before the
6 Indiana Election Commission, please raise your
7 right hand and say "I do" after recitation of the
8 oath.

9 Do you solemnly swear, under the pains and
10 penalties of perjury, that the testimony you are
11 about to give to the Indiana Election Commission is
12 the truth, the whole truth, and nothing but the
13 truth? Please say "I do."

14 ALL: I do.

15 CHAIRMAN BOYCE: Very good. Thank you.

16 Next, we will go into the voting system
17 approval protocols report. The chair recognizes
18 the co-directors to provide a report regarding the
19 protocols for the Commission to consider
20 applications for approval of a voting system or
21 recertification of a previously approved voting
22 system.

23 The chair will then recognize representatives
24 of the Voting System Technical Advisory Program,
25 also known as VSTOP, to provide information

1 regarding the proposed addendum to the 2021
2 protocols adopted by the Commission at that time,
3 and the proposed 2025 protocols for voting system
4 approval.

5 MR. KING: Madam Chairman, members of the
6 Commission, Brad King, co-director. As the chair
7 indicated in her remarks, there is an existing
8 protocol adopted by the Commission regarding the
9 work of the VSTOP program in presenting
10 recommendations to the Commission regarding
11 approval of voting systems. That protocol was
12 adopted in 2021.

13 Since that date in particular, during the 2025
14 session, there were substantive changes made to the
15 laws governing the functioning of voting systems in
16 Indiana. The 2021 protocols reflect those changes,
17 and they are presented to the Commission today with
18 the understanding that the 2025 protocols, which
19 will be used for recertification of existing
20 systems or new systems going forward, will be
21 amended or will incorporate the changes made in the
22 2021 protocols as well.

23 And I'll defer to my counterpart, Co-Director
24 Nussmeyer, for further comments.

25 MS. NUSSMEYER: Thank you, Co-Director King.

1 I agree with all of his comments this morning.

2 I just want to be a little bit more specific
3 perhaps. The 2021 protocols are being amended,
4 which is in your binder this morning. They're
5 being amended primarily for two main reasons, and
6 that is the way that we elect school board
7 candidates. This past legislative session, school
8 board candidates were made potentially partisan. A
9 candidate can affiliate with the Democratic,
10 Republican, Libertarian party, with another minor
11 party, be an independent, or leave the field blank.

12 And so we wanted to ensure that the systems
13 that had been previously certified in 2021, as they
14 move forward with renewals for 2025 moving forward
15 for the next four years, could, in fact, make
16 school board races partisan and also accommodate a
17 blank field for the party affiliation, and that it
18 would also permit more than one candidate from any
19 political party to be presented under the school
20 board races. Specifically, let's say a school
21 board race is a vote-for-one race. Ordinarily that
22 would mean one Democrat, one Republican, one
23 Libertarian, and so forth on the ballot with the
24 exception of others, but under the new law, you
25 could have five Democrats running in a vote-for-one

1 race, ten Republicans running. And so we wanted to
2 confirm that the voting systems, as they move
3 forward, that we reviewed that.

4 There's also a law change from a couple years
5 ago where, if you have a specific type of school
6 corporation referendum question, a public question,
7 that if you moved out of the school corporation in
8 the final 30 days leading up to the election, you
9 have to be given a special ballot that excludes
10 that public question, but the voter can vote on all
11 the rest of the races.

12 And so it's substantially similar to what the
13 vendors would do in the primary for a 17-year-old
14 ballot where a 17-year-old who can be registered to
15 vote and vote in the May primary, they can nominate
16 candidates for the November election; they just
17 can't determine the fate of a public question, and
18 so then that public question has to be removed from
19 that special 17-year-old ballot. That was never
20 true for November until this law changed dealing
21 with school corporations, and so we just want to
22 confirm that that public question can be omitted as
23 a ballot style for the November election.

24 And then the 2025 protocols, for any type of
25 modification or new system certification after

1 renewal, then that has the amended version of the
2 2021 protocols, but also includes the optional
3 feature for optical scan voting systems to include
4 a ballot retraction feature for absentee ballots.
5 But that is in the 2025 protocol.

6 CHAIRMAN BOYCE: Okay. Are there any initial
7 questions for the co-directors?

8 If not, then the chair recognizes VSTOP for
9 further information regarding this matter.

10 MR. DRUMM: My name is Spencer Drumm,
11 D-r-u-m-m.

12 Good morning, everybody. VSTOP would like to
13 present the 2021 Amendment 1 protocol for the
14 Commission's approval. The main areas that have
15 been updated, going along with what was already
16 stated, include the school board party
17 designations, added test ballots, and a list of
18 recommended, but not required, special characters.
19 The vendors looking for recertification in 2025
20 must meet these new requirements, and we look
21 forward to VSTOP presenting recommendations on
22 these voting systems.

23 Thank you.

24 CHAIRMAN BOYCE: Okay. Based on this
25 information, I move that the proposed addendum to

1 the 2021 protocols be adopted to take effect
2 immediately.

3 Is there a second?

4 VICE CHAIRMAN OVERHOLT: Second.

5 CHAIRMAN BOYCE: Any further discussion?

6 MS. CELESTINO-HORSEMAN: I just have a quick
7 question to get something straight in my mind.

8 CHAIRMAN BOYCE: Sure.

9 MS. CELESTINO-HORSEMAN: So as far as the
10 ballot goes for the school districts -- is that
11 part of this?

12 MS. NUSSMEYER: Yes.

13 MS. CELESTINO-HORSEMAN: So as far as the
14 ballot goes for the school district, no one has to
15 go through a primary or are we talking about this
16 being a problem in the primary? Are we talking
17 about it being changed in general? So are you
18 going to have ten Democrats on a primary ballot or
19 ten Democrats in the general?

20 MS. NUSSMEYER: If I may, Madam Chair. No.
21 The law was written so that school board candidates
22 are still just elected in the November election.
23 They are not on the primary election ballot, and
24 straight party voting does not apply to them in
25 November.

1 MR. KING: Madam Chairwoman, I would agree
2 with Co-Director Nussmeyer regarding that.

3 CHAIRMAN BOYCE: Okay. With no further
4 discussion or questions, the question is on the
5 approval of the addendum to the 2021 protocols.
6 All in favor, signify by saying "aye."

7 VICE CHAIRMAN OVERHOLT: Aye.

8 MS. CELESTINO-HORSEMAN: Aye.

9 MR. WESTERCAMP: Aye.

10 CHAIRMAN BOYCE: Opposed "nay."

11 The motion is adopted, and the addendum to the
12 2021 protocols is adopted.

13 Okay. In keeping with the Commission's
14 actions in 2021, I move that the 2025 protocols for
15 voting system approvals be forwarded to each voting
16 system vendor to provide any response for
17 consideration by the Commission at its next
18 meeting.

19 Is there a second?

20 VICE CHAIRMAN OVERHOLT: Second.

21 CHAIRMAN BOYCE: Okay. Any discussion,
22 questions?

23 Hearing none, the question is on the
24 transmittal of the proposed 2025 protocols for
25 voting system approvals and that those be

1 transmitted to each voting system vendor with a
2 voting system currently approved for marketing and
3 use in Indiana. All in favor, signify by saying
4 "aye."

5 VICE CHAIRMAN OVERHOLT: Aye.

6 MS. CELESTINO-HORSEMAN: Aye.

7 MR. WESTERCAMP: Aye.

8 CHAIRMAN BOYCE: Opposed.

9 The motion is adopted.

10 MS. CELESTINO-HORSEMAN: I have a question.

11 What is the deadline for reply?

12 MR. WESTERCAMP: From the vendors?

13 MS. CELESTINO-HORSEMAN: Uh-huh.

14 CHAIRMAN BOYCE: Co-Director King.

15 MR. KING: Madam Chairman, Commissioner
16 Celestino-Horseman, as I recall, in 2021, there was
17 an approximately 30-day deadline for response, and
18 so again, in keeping with the past practices, it
19 would be a 30-days-from-today time period for
20 vendors to respond.

21 MS. CELESTINO-HORSEMAN: And is that contained
22 within the version that we're putting out for 2025
23 or is there separate notification that gets
24 provided to the vendors?

25 MR. KING: There would be separate

1 notification as a cover letter with the protocols
2 to say please respond by the specified date.

3 MS. CELESTINO-HORSEMAN: Okay. Thank you.

4 CHAIRMAN BOYCE: In keeping with what was done
5 in '21?

6 MR. KING: That's correct.

7 MS. CELESTINO-HORSEMAN: Very good.

8 CHAIRMAN BOYCE: Okay. The Commission has
9 completed the first portion of our agenda and will
10 begin its consideration of campaign finance
11 proceedings promptly at 1:30 p.m. Eastern Daylight
12 Time at this location, Conference Center Room B in
13 Indiana Government Center South at 402 West
14 Washington Street in Indianapolis, pursuant to the
15 notice given by the Election Division to campaign
16 finance committees.

17 MS. CELESTINO-HORSEMAN: Before we depart --
18 and I'm sorry to keep asking questions, but it's
19 been a while and I'm trying to get my mind wrapped
20 around it.

21 CHAIRMAN BOYCE: Well, we're new, so yes.

22 MS. CELESTINO-HORSEMAN: So when is the
23 deadline for approving the machines and then --
24 because if the deadline isn't met, then counties
25 are tied into -- correct me if I'm wrong, please,

1 someone, but counties are then tied into using the
2 voting machines without modification that had
3 previously been approved, and do we know whether
4 this is going to cause any kind of hardship on the
5 counties?

6 CHAIRMAN BOYCE: Co-Director King.

7 MR. KING: Madam Chairman, Commissioner
8 Celestino-Horseman, no, we are not aware of any
9 particular hardship that any county has identified
10 or, to my knowledge, any vendor, but perhaps VSTOP
11 would have more information based on their direct
12 contact with vendors regarding this process.

13 MS. CELESTINO-HORSEMAN: And so what are the
14 deadlines for having the modifications approved or
15 new equipment approved, new applications? Do we
16 even have time for any of that to be done this
17 year?

18 MR. KING: Yes. The short answer would be the
19 ultimate deadline is, of course, the May 2026
20 primary in which the voting systems will be used
21 and the early voting that precedes the primary
22 election date. So, for example, in November 2024,
23 Commissioners may remember that another vendor,
24 MicroVote Corporation, had a change that needed to
25 be implemented shortly before the November 2024

1 election, and the Commission did so, I believe, at
2 the last meeting in September 2024.

3 MS. NUSSMEYER: Just a point of clarification,
4 if I might, Madam Chair. So certification for
5 previously approved systems ends October 1st of
6 this year, so voting system vendors who want to
7 seek renewal of those systems to be able to market,
8 sell, or lease those systems would have to submit
9 an application before October 1st, pay a fee, and
10 then VSTOP can perform the testing.

11 And so the counties can continue using their
12 equipment. They're just considered legacy systems
13 that cannot be modified and they cannot be
14 marketed, sold, or leased. So October 1st just has
15 to deal with the certification and whether or not a
16 machine is legacy or not, even if, in a legacy
17 status, the counties can continue using those
18 systems.

19 And so the 2021 protocol that we amended this
20 morning -- or that the Commission amended this
21 morning, it allows VSTOP to perform the field tests
22 to move forward with those renewals of previously
23 certified systems. So that's one silo of voting
24 systems.

25 October 1, 2025, moving forward, that's what

1 the second protocol is for that we're seeking
2 vendor input on, and that will allow for any voting
3 system vendor to bring a new system forward or to
4 modify a renewed system, and that's the field test
5 that they will have to adhere to for VSTOP to be
6 able to test them under our state law.

7 So everything that's out in the field right
8 now can continue to be used, even in legacy status.
9 Once this body meets to renew those systems,
10 assuming a voting system vendor wants to renew
11 their old systems, then those will just be
12 certified for a new four-year term, and then
13 vendors can bring forward any modifications to
14 those systems after they're renewed or bring
15 forward a new voting system. I know we have one
16 new voting system that's kind of waiting in the
17 wings to be approved by the Commission under the
18 2021 protocols, but that's not out in the field
19 right now for any counties, so that's not an issue.

20 Does that answer your question?

21 MS. CELESTINO-HORSEMAN: So if you have a
22 legacy going forward, wouldn't that be -- and maybe
23 it's not going to be an issue. Is there anything
24 that a voting company is not going to seek renewal
25 of a certification?

1 MS. NUSSMEYER: I know that I'm personally
2 aware of one vendor that is not seeking
3 certification -- recertification of their system
4 because they're bringing forward a new system
5 before the end of the year for approval. But the
6 counties can continue using that older system; it's
7 just that that vendor can no longer market, sell,
8 or lease. They can still repair it. They just
9 can't come to us and seek modification for those
10 systems.

11 MS. CELESTINO-HORSEMAN: Okay. That answers
12 it.

13 MS. NUSSMEYER: I don't know if Co-Director
14 King has anything more to add.

15 MR. KING: No. I would simply add that,
16 again, there is no hard and fast deadline where a
17 county would be without the ability to use a
18 previously certified system.

19 CHAIRMAN BOYCE: Okay. I move that this
20 Commission meeting stand in recess until the time
21 that I previously had discussed.

22 Is there a second?

23 VICE CHAIRMAN OVERHOLT: Well, sorry. Before
24 we recess, I just wanted to comment on the way this
25 meeting was scheduled. So we've been in session

1 for 21 minutes and now we've got a three-hour --
2 over three-hour break. My understanding is we've
3 got a very heavy agenda this afternoon. I'm not
4 quite sure why it was structured this way, but it
5 seems that it would have been much more efficient
6 if we had just gone straight from this into the
7 campaign finance proceedings.

8 So going forward, if we could do that just
9 because if we're looking at -- because I have to
10 leave. I guess I'll say, I mean, I have a hard
11 stop at 5:15 tonight. I've got a proxy lined up.
12 I think Commissioner Celestino-Horseman has a hard
13 stop at 6:00 p.m. We know that these meetings,
14 they have gone until 8, 9 o'clock at night. So
15 here I thought we had a day, and now we've set it
16 aside. So if we could just -- whoever is in charge
17 of scheduling meetings, I know it's not the two of
18 us, but if we could take that into consideration
19 going forward, I'd appreciate that.

20 CHAIRMAN BOYCE: Absolutely.

21 MS. CELESTINO-HORSEMAN: And I need to
22 clarify. We think we have proxies set up. And
23 that's a problem because we're also well aware that
24 there are going to be many people coming from
25 around the state who we are expecting them to sit

1 until this ends, which could be six, seven hours.
2 But if they come at 1:30 and they decide to stay
3 and then I jump up and I have to leave at 6:00 and
4 we don't have the person, it's empty, the person
5 can't make it, then all these people that have been
6 sitting here waiting -- now, you're new. I know
7 you didn't know that, but I do think going forward,
8 I don't know, we can start these meetings in the
9 morning. I'm willing to come in the morning.

10 CHAIRMAN BOYCE: Sure. I would just comment,
11 obviously, as you both mentioned, I'm new, so some
12 of this, I think, was anticipation of having more
13 input this morning, maybe some time to allow for
14 that, and certainly, yeah, just wanting to be
15 prepared. So I will definitely take that into
16 consideration. And I agree we want to do this as
17 efficiently with respect to all the participants
18 and the staff as well, so duly noted.

19 MR. KING: Madam Chair, you still need a
20 second for the motion.

21 CHAIRMAN BOYCE: Yes. I was going to get back
22 to that.

23 VICE CHAIRMAN OVERHOLT: Second.

24 CHAIRMAN BOYCE: Okay. Any discussion?

25 Okay. Hearing none, all in favor say "aye."

1 VICE CHAIRMAN OVERHOLT: Aye.

2 MS. CELESTINO-HORSEMAN: Aye.

3 MR. WESTERCAMP: Aye.

4 CHAIRMAN BOYCE: Opposed "nay."

5 The "ayes" have it and the motion is adopted.

6 The Commission stands in recess until 1:30 p.m.

7 today.

8 (The Indiana Election Commission Public
9 Session was recessed from 10:24 a.m. to 1:30 p.m.)

10 CHAIRMAN BOYCE: Good afternoon. This meeting
11 of the Indiana Election Commission is called back
12 to order at 1:33 p.m. at the same location as this
13 morning.

14 The following members of the Commission are
15 present: Chair Beth Boyce; Suzannah Wilson
16 Overholt, Vice Chair; Members Karen
17 Celestino-Horseman and John Westercamp. Indiana
18 Election Division staff: Co-Director Brad King,
19 and Co-Director Angie Nussmeyer, I think, ran up to
20 get her phone, so she'll be back shortly;
21 Co-General Counsels Matthew Kochevar and Valerie
22 Warycha. The court reporter is here today, Maria
23 Collier, from Stewart Richardson Deposition
24 Services.

25 Before we continue the meeting, I want to

1 remind everyone on behalf of the court reporter to
2 identify yourself when beginning to speak, spell
3 your name when identifying yourself, speak clearly,
4 and do not speak at the same time as others.

5 First up, we have the ratification of campaign
6 finance settlement agreements. We'll have a
7 presentation by Ms. Taylor and Ms. Thompson. I
8 recognize the Election Division's campaign finance
9 staff, Ms. Taylor and Ms. Thompson, to present
10 information concerning several campaign finance
11 settlement agreements entered into on behalf of the
12 Commission.

13 MS. THOMPSON: Madam Chair and members of the
14 Commission, the first thing in your binder there is
15 a list of committees that are ready to ratify, that
16 have agreed to pay the settlement agreement and
17 waive a hearing.

18 CHAIRMAN BOYCE: So this is the first four
19 pages of this?

20 MS. THOMPSON: Correct.

21 CHAIRMAN BOYCE: Okay.

22 MR. WESTERCAMP: Can I just ask a question?

23 CHAIRMAN BOYCE: Sure.

24 MR. WESTERCAMP: In the future would it be
25 possible to see what the -- in the absence of a

1 settlement agreement, what the fine would otherwise
2 be with that information just for the members of
3 the Commission?

4 MS. THOMPSON: What the fine would be?

5 MR. WESTERCAMP: In the absence of --

6 MS. TAYLOR: That is the fine.

7 MS. THOMPSON: That is the fine.

8 MR. WESTERCAMP: Oh, okay.

9 MS. TAYLOR: That is the fine. Like you miss
10 \$50 per calendar day, here is the settlement
11 agreement, you can pay it and leave the hearing or
12 you can wait for a hearing.

13 MR. WESTERCAMP: Thanks for that
14 clarification.

15 CHAIRMAN BOYCE: So it is what it is.

16 Okay. Is there a motion to ratify the
17 campaign finance settlement agreements as
18 presented?

19 VICE CHAIRMAN OVERHOLT: So moved.

20 CHAIRMAN BOYCE: Is there a second?

21 MS. CELESTINO-HORSEMAN: Second.

22 CHAIRMAN BOYCE: Any discussion?

23 Hearing none, all in favor say "aye."

24 VICE CHAIRMAN OVERHOLT: Aye.

25 MS. CELESTINO-HORSEMAN: Aye.

1 MR. WESTERCAMP: Aye.

2 CHAIRMAN BOYCE: Opposed say "nay."

3 The "ayes" have it, and the motion to ratify
4 the agreements is adopted.

5 Next, we'll administer the oath. Any person
6 who plans to testify at today's meeting on any
7 matter, including candidate challenges and campaign
8 finance matters, please stand for the
9 administration of the oath.

10 MR. KOCHEVAR: All right. Good afternoon,
11 everyone. Please raise your right-hand. Please
12 say "I do" after recitation of the oath.

13 Do you solemnly swear, under the pains and
14 penalties of perjury, that the testimony you are
15 about to give to the Indiana Election Commission is
16 the truth, the whole truth, and nothing but the
17 truth? Please say "I do."

18 ALL: I do.

19 MR. KOCHEVAR: Thank you.

20 CHAIRMAN BOYCE: Very good. Thank you.

21 Okay. Next, we will get into the campaign
22 finance enforcement matters, an opportunity for
23 committees with representatives to present today
24 and accept reduced penalties.

25 I do think first we were going to go over and

1 give Michelle and Abbey a chance to comment on a
2 few issues.

3 MS. TAYLOR: Okay. Madam Chairman, members of
4 the Commission, we have seven committees who
5 notified us that we sent out the wrong notice in
6 December. In December, we -- I. I don't know what
7 I did. I did it. I will own it. I don't know how
8 I did it, but I managed to send out the notice for
9 the 2020 annual instead of the 2024 annual. So the
10 due date in the letter that we sent out to
11 candidates was due January 20th of 2021. The
12 deadline was January 15th or 17th of 2025.

13 Seven committees were like, Hey, we didn't
14 file on the 15th because your letter said the 21st.
15 So we've got seven committees that we would request
16 that you dismiss because we screwed that up. We
17 dropped that ball. I, Abbey Taylor, screwed that
18 up.

19 I'll give you the cause numbers.

20 2025-7683-262, Committee to Elect Tamie Dixon
21 Tatum; Cause No. 2025-7903-278, Committee to Elect
22 Ivan Ursery, II; 2025-7941-285, Committee to Elect
23 Tim R. Yocum State Representative District 42;
24 2025-7947-289, Whitmer for Indy; 2025-6822-210,
25 Committee to Elect John T. Young; 2025-7322-231

1 Friends of Edward Comstock; and 2025-7731-266,
2 Committee to Elect Mark Spelbring.

3 I have page numbers if you wanted to look at
4 those. Tell me what you want.

5 VICE CHAIRMAN OVERHOLT: So are you looking
6 at -- so they've moved to dismiss, and so what
7 you're seeking is our granting --

8 MS. TAYLOR: We're asking you to dismiss.

9 VICE CHAIRMAN OVERHOLT: You're asking. Okay.
10 So technically do we on the Commission need to make
11 a motion to dismiss? We would move to dismiss?

12 MS. NUSSMEYER: Yes.

13 CHAIRMAN BOYCE: Okay. Is there a motion?

14 MS. CELESTINO-HORSEMAN: I move that we
15 dismiss the seven cases which alerted us to the
16 fact that the letter we sent out informing them of
17 the deadline to file, we sent out the incorrect
18 deadline. It was not their fault, so therefore I
19 move that we dismiss those seven cases. They
20 timely notified us, and that was the important
21 part. They got back to us and asked the question.

22 CHAIRMAN BOYCE: Okay. Is there a second?

23 MR. WESTERCAMP: I'll second it. I have two
24 questions, though, anticipating discussion.

25 CHAIRMAN BOYCE: I was going to say

1 discussion.

2 MR. WESTERCAMP: Have the right notices been
3 sent out?

4 MS. TAYLOR: By the time we learned we sent
5 out the wrong notice, it was days ahead of the
6 deadline, so the mail was not going to get them out
7 anyway.

8 MR. WESTERCAMP: And is there any reason to
9 suspect there's others that we didn't catch than
10 the seven? We just want to ask that question.

11 MS. TAYLOR: We sent out roughly 4- to 500
12 notices with the wrong date. Seven committees let
13 us know that it was the wrong date. A handful of
14 others have called in like, Hey, is this the right
15 date or the wrong date, but they filed on time
16 because the deadline was -- it was well past 2021,
17 but I screwed up. I sent the wrong one out.

18 MR. WESTERCAMP: I appreciate that. I just
19 want to clarify.

20 VICE CHAIRMAN OVERHOLT: I imagine we might
21 hear from some more today.

22 MR. WESTERCAMP: Yeah. Okay. Fair enough.

23 CHAIRMAN BOYCE: Consistency will be
24 important.

25 MS. CELESTINO-HORSEMAN: And after we get the

1 second, then I'll make a comment.

2 VICE CHAIRMAN OVERHOLT: We have a second.

3 MR. WESTERCAMP: We have a second.

4 CHAIRMAN BOYCE: We have a second, so any more
5 comments?

6 MS. CELESTINO-HORSEMAN: And that's why I've
7 brung this motion. You know, if you get a notice
8 from a government agency or anyone to whom you may
9 have an obligation and it has a date that is
10 suspect in it, you cannot just simply sit back and
11 not do anything about it. You also have an
12 obligation. You've been notified that something is
13 due, you don't understand why they gave this date,
14 so you've got to call and ask. That's the way it
15 works in everything.

16 So this is an unfortunate situation. There
17 were seven groups that called and asked, so those
18 seven, because they took that initiative and
19 incentive, that's why I moved to dismiss the
20 complaints against them.

21 CHAIRMAN BOYCE: Sure. Great. So we have a
22 motion and a second. Any more discuss, questions?

23 Hearing none, all in favor say "aye."

24 VICE CHAIRMAN OVERHOLT: Aye.

25 MS. CELESTINO-HORSEMAN: Aye.

1 MR. WESTERCAMP: Aye.

2 CHAIRMAN BOYCE: Opposed "nay."

3 The "ayes" have it, and the motion is granted.

4 Okay. Before proceeding with campaign

5 finance --

6 MS. TAYLOR: There's one more.

7 CHAIRMAN BOYCE: I'm so sorry. You had one
8 more. I apologize.

9 MS. TAYLOR: I managed to screw up again in
10 2024 and had a stack of things on my desk that I
11 just let get buried. And there were five
12 Libertarian candidates who filed everything on time
13 on paper, but because I screwed up and let it get
14 buried, I didn't open their committees online, so
15 they couldn't get online to file their reports, and
16 they missed that reporting deadline.

17 We've got five of those that we're also
18 requesting you dismiss because we screwed that up.

19 2025-7957-294, Tim Cotton for Senate District 10;
20 2025-7959-295, Libby 4 Liberty; 2025-7961-296,
21 South Bend for Liberty; 2025-7958-425, Run with
22 Renholzberger; and 2025-7956-426, Ronnie the
23 Libertarian.

24 VICE CHAIRMAN OVERHOLT: May I ask a question?

25 CHAIRMAN BOYCE: Sure.

1 VICE CHAIRMAN OVERHOLT: So the issue was that
2 you didn't -- and you don't need to keep saying --
3 it's a new year, right? It's a new year. But so
4 for these, so they were -- the committees hadn't
5 been opened, so they couldn't file --

6 MS. TAYLOR: We didn't click accept online.
7 They did their part online. They filed the signed
8 paperwork. I did not go hit accept, so they
9 couldn't get online to file their post-convention
10 reports.

11 VICE CHAIRMAN OVERHOLT: So have they since
12 filed those reports?

13 MS. TAYLOR: Oh, yes.

14 VICE CHAIRMAN OVERHOLT: Okay. That was what
15 I wanted to know.

16 MS. TAYLOR: Yes. And some of these
17 committees are closed.

18 VICE CHAIRMAN OVERHOLT: Okay. Thank you.

19 CHAIRMAN BOYCE: Is there a motion to do the
20 same, I guess, then requesting to dismiss?

21 MS. TAYLOR: Dismiss on these five, yes.

22 MR. WESTERCAMP: So moved.

23 MS. CELESTINO-HORSEMAN: Was there a motion?

24 MR. WESTERCAMP: I just did.

25 CHAIRMAN BOYCE: Is there a second?

1 MS. CELESTINO-HORSEMAN: Second.

2 CHAIRMAN BOYCE: Having a motion and a second,
3 all those in favor say "aye."

4 VICE CHAIRMAN OVERHOLT: Aye.

5 MS. CELESTINO-HORSEMAN: Aye.

6 MR. WESTERCAMP: Aye.

7 CHAIRMAN BOYCE: Opposed "nay."

8 The "ayes" have it, and the motion is granted,
9 is passed.

10 Okay. Before proceeding with campaign finance
11 enforcement actions, we have customarily given any
12 committee present a final opportunity to pay a
13 reduced civil penalty by waiving the right to
14 present evidence and arguments to the Commission.

15 Of course, any committee is welcome to present
16 evidence and arguments for the proposed penalty to
17 be waived or reduced, but this has been an
18 opportunity for those who want to waive any
19 presentation and accept a reduced penalty without
20 making argument or presentation.

21 Therefore, I move the adoption of the
22 following arrangements: If this is the committee's
23 first violation, the arrangement is for the
24 committee to agree to pay 25 percent of the
25 proposed fine, plus mailing costs. If this is the

1 committee's second violation, the arrangement is
2 for the committee to agree to pay 50 percent of the
3 proposed fine, plus mailing costs. If this is the
4 committee's third violation, the committee would
5 agree to pay 75 percent of the proposed violation,
6 plus mailing costs. For purposes of this
7 arrangement, a previous settlement agreement
8 entered into by the committee will be counted as
9 one violation. Likewise, if more than one alleged
10 violation occurred on the same calendar day, that
11 group of violations shall be counted as one
12 violation.

13 That was a motion, so I would need a second to
14 this motion.

15 VICE CHAIRMAN OVERHOLT: Second.

16 CHAIRMAN BOYCE: Any discussion?

17 MS. CELESTINO-HORSEMAN: Madam Chair?

18 CHAIRMAN BOYCE: Yes.

19 MS. CELESTINO-HORSEMAN: Okay. I would like
20 to say we handle this every year, and we usually
21 pass this every year. So let me let you in on the
22 secret. This is the sweetest deal that you are
23 going to get today. You are not going to be
24 offered anything less unless you are found that you
25 didn't violate the campaign election law, and that

1 is pretty unlikely because that's what happens.

2 These rules, while difficult, while complex in some
3 cases, you are expected to know them.

4 So if you don't take this deal right now --
5 and you get a sweetheart of a deal, 25 percent of
6 the penalty if it's your first time, and if you
7 have one violation today, it will only count as one
8 violation in the future. If you have more than one
9 problem, if you've had more than one problem in the
10 past, we're willing to still give you a discount.

11 All that goes out the window as soon as this
12 opportunity is closed.

13 Now, let me tell you about some of the excuses
14 we do not follow, we don't allow. We have the
15 discretion. We are charged with enforcing the law,
16 and we have a certain amount of discretion. So
17 when we've had people come in and say, Oh, my God,
18 I had a heart attack and they had to amputate my
19 leg and it was 24 hours before my campaign finance
20 report was due, we have, upon occasion, let that
21 slide.

22 But we do not let slide typically things like,
23 The dog ate my campaign finance report, I forgot to
24 put it on my calendar, I didn't know it was due, I
25 thought my campaign treasurer did it, I thought

1 this got taken care of. No. The rules are the
2 rules and especially in this age and time right now
3 because campaign finance is coming under so much
4 scrutiny. And we administer these rules regardless
5 of your party, regardless of an elected position
6 you might hold or have been running for. It
7 doesn't matter. We try to be very uniform in the
8 administration of these rules.

9 So if you are so inclined to walk out of here
10 today or know at this very instant how much you're
11 going to have to pay, what you're going to be
12 responsible for, I encourage you to take the deal.
13 If you're one of those who's like, Hey, let's go
14 for the crapshoot, fine, but do not be disappointed
15 if you end up being socked for the whole amount or
16 more than what the deal is. Just wanted to make it
17 all very clear.

18 CHAIRMAN BOYCE: Thank you. Any other
19 discussion, questions?

20 If there is no further discussion, all in
21 favor say "aye."

22 VICE CHAIRMAN OVERHOLT: Aye.

23 MS. CELESTINO-HORSEMAN: Aye.

24 MR. WESTERCAMP: Aye.

25 CHAIRMAN BOYCE: Opposed say "nay."

1 The "ayes" have it, and the motion is adopted.

2 The Commission will begin with the committees
3 whose representatives are seated in the front row
4 of the room and ask those who wish to accept these
5 arrangements to please step forward and be
6 recognized to confirm the committee's acceptance of
7 the agreement.

8 VICE CHAIRMAN OVERHOLT: She said the front
9 rows.

10 CHAIRMAN BOYCE: Just the front few rows.

11 MS. CELESTINO-HORSEMAN: We appreciate you
12 being in a hurry, but ...

13 CHAIRMAN BOYCE: Okay. Remember that this is
14 not a time for anyone to make their case to ask for
15 a reduction or waiver of the proposed penalty.

16 Simply state your name, the name of the
17 committee, your own name as its representative, and
18 your enforcement action cause number if you have
19 that available for staff, and confirm verbally that
20 you are accepting this arrangement.

21 MS. ESPINOSA: My name is Estela Espinosa.
22 I'm secretary for Rios Committee.

23 CHAIRMAN BOYCE: Rios.

24 MS. THOMPSON: Madam Chairman, page 57, this
25 is Rios Committee, Cause No. 2025-7612-97. It has

1 a proposed civil penalty of \$300.66 and has not
2 been before the Commission before.

3 CHAIRMAN BOYCE: Okay. Page 57. So it would
4 be a first time --

5 MS. THOMPSON: First time.

6 CHAIRMAN BOYCE: -- agreement or arrangement,
7 which would be 25 percent.

8 MS. THOMPSON: Yes.

9 CHAIRMAN BOYCE: Okay.

10 VICE CHAIRMAN OVERHOLT: Plus mailing costs.

11 CHAIRMAN BOYCE: Plus mailing costs, yes.

12 VICE CHAIRMAN OVERHOLT: That's key. We
13 really focus on the mailing costs.

14 CHAIRMAN BOYCE: The 66 cents, really. Okay.
15 So just for clarification from maybe the staff, do
16 we take each one individually and vote on this?

17 MS. TAYLOR: Yes.

18 CHAIRMAN BOYCE: Okay. So in the case --
19 okay. Could you then confirm the reduction amount.

20 MS. TAYLOR: It should be \$75.66.

21 CHAIRMAN BOYCE: \$75.66. Okay. \$75.66.

22 THE REPORTER: Before you step away, could you
23 spell your name, ma'am.

24 MS. ESPINOSA: E-s-t-e-l-a, last name
25 E-s-p-i-n-o-s-a.

1 THE REPORTER: Thank you.

2 CHAIRMAN BOYCE: Okay. So it would be a total
3 fee of \$75.66.

4 MS. CELESTINO-HORSEMAN: Compared to the
5 original of 300, quite a deal.

6 CHAIRMAN BOYCE: Yeah. The penalty was
7 \$300.66.

8 So all those in favor signify by saying "aye."

9 VICE CHAIRMAN OVERHOLT: Aye.

10 MS. CELESTINO-HORSEMAN: Aye.

11 MR. WESTERCAMP: Aye.

12 CHAIRMAN BOYCE: Opposed.

13 Okay. Very good. Thank you.

14 MS. ESPINOSA: Thank you.

15 MR. HORVATH: Hello. David Horvath,
16 D-a-v-i-d, H-o-r-v-a-t-h, Friends of Scott Horvath,
17 and I've got a cause number. It's going to be
18 2025-7120-221.

19 VICE CHAIRMAN OVERHOLT: 31?

20 MS. TAYLOR: On page 123, Friends of Scott
21 Horvath, Cause No. 2025-7120-221. He has paid one
22 settlement agreement, so this is the second time
23 before the Commission with a proposed civil penalty
24 of \$1,000.73.

25 VICE CHAIRMAN OVERHOLT: He's got another one

1 on page 31.

2 MS. TAYLOR: He's got another one. Which one?

3 VICE CHAIRMAN OVERHOLT: 31. I was so proud
4 of myself.

5 MR. WESTERCAMP: That's very impressive.

6 MS. TAYLOR: Page 31, Cause No. 2025-7120-51,
7 with a proposed civil penalty of \$1,000.66. So the
8 grand total at 50 percent would be \$1,000 --
9 \$1,001.23 -- 33 cents.

10 MS. NUSSMEYER: \$1,001.32.

11 VICE CHAIRMAN OVERHOLT: Are you willing to
12 accept that deal?

13 MR. HORVATH: I'm sorry. What was --

14 VICE CHAIRMAN OVERHOLT: You're willing to
15 accept that arrangement, make that payment?

16 CHAIRMAN BOYCE: So you have two separate
17 cause numbers.

18 MR. HORVATH: Yes. We are finally disbanded.

19 CHAIRMAN BOYCE: So the total for the two
20 would be \$1,001.32.

21 MS. CELESTINO-HORSEMAN: So under the deal it
22 would have been \$2,000, plus it would have been
23 counted as two penalties, which meant in the future
24 that, if he had been cited again for another
25 penalty, he would have been on his third one, and

1 it would bump up the amount that he would have to
2 pay. So it gives the added advantage of only
3 having two complaints combined into one.

4 CHAIRMAN BOYCE: Any other questions,
5 thoughts?

6 I have a motion?

7 VICE CHAIRMAN OVERHOLT: I'd move approval of
8 the reduced penalty in the amount stated.

9 CHAIRMAN BOYCE: And a second?

10 MS. CELESTINO-HORSEMAN: Second.

11 CHAIRMAN BOYCE: All in favor say "aye."

12 VICE CHAIRMAN OVERHOLT: Aye.

13 MS. CELESTINO-HORSEMAN: Aye.

14 MR. WESTERCAMP: Aye.

15 CHAIRMAN BOYCE: Opposed "nay."

16 Okay. Very good.

17 MR. YOUNG: Madam Chair, since I'm on the
18 front row, may I ask a question of the board on
19 this?

20 CHAIRMAN BOYCE: On clarification of this
21 case?

22 MR. YOUNG: Yes, clarification because I think
23 I've got a partial thing, if he's finished.

24 CHAIRMAN BOYCE: Yes.

25 MR. YOUNG: Not yours. I'm sorry. Not yours,

1 it's on mine.

2 So there are --

3 THE REPORTER: Sir, can you identify yourself
4 for the record, please.

5 MR. YOUNG: Oh, I'm sorry. R. Michael Young,
6 Y-o-u-n-g.

7 There are some I would be more than happy to
8 take that agreement with, but there are four for
9 small amounts and the January filing that I would
10 want to make presentations. But on the other ones,
11 I don't have a problem with making that deal. So
12 when I come forward, should I point out then at
13 that point which ones I agree to as the offer that
14 you have --

15 CHAIRMAN BOYCE: Yes, right.

16 MR. YOUNG: -- and then just discuss the other
17 ones?

18 VICE CHAIRMAN OVERHOLT: Yeah. Just do it all
19 at once when you're --

20 MS. CELESTINO-HORSEMAN: Yeah, at the end of
21 the day.

22 MR. YOUNG: Yeah. That's fine. Okay. I just
23 wanted to make sure that we could separate those.

24 MS. CELESTINO-HORSEMAN: So I just want to
25 make sure I'm understanding. So what you're saying

1 is that you have -- I don't know how many you have
2 to deal with here today, all for your campaign.

3 MR. YOUNG: Yes.

4 MS. CELESTINO-HORSEMAN: So you have some that
5 you want to take the deal on and some that you have
6 questions on?

7 MR. YOUNG: Yeah, that I want to challenge.
8 Yeah, right.

9 CHAIRMAN BOYCE: I would suggest we'll do your
10 agreements now, and then we'll -- if you're
11 contesting something that you're saying --

12 MR. YOUNG: Are you going to do it row by row?

13 CHAIRMAN BOYCE: Yes.

14 MR. YOUNG: Okay. Let me get those gathered
15 as you finish the second row and do it.

16 MS. CELESTINO-HORSEMAN: Madam Chair, can we
17 ask Angie. I think she might have a thought as to
18 how that might cause some problems.

19 CHAIRMAN BOYCE: Procedural?

20 MS. NUSSMEYER: Well, I don't know if it's a
21 procedural issue, Madam Chair. It's just part of
22 it may be further waived or reduced from the plea
23 so the one lump that he wants to challenge, right,
24 would be at the end, but then you also have the
25 offenses that would be part of the plea agreement

1 that you might want to factor into what he may
2 present at the end.

3 So I think previously issues like this we've
4 generally handled at the end for the full
5 presentation rather than doing them piecemeal.

6 MR. YOUNG: Either way is fine with me,
7 however you choose to do so.

8 MS. CELESTINO-HORSEMAN: So, in other words, I
9 think what Angie is saying is that facts may be
10 presented in one of the ones that's waived then
11 have to be --

12 CHAIRMAN BOYCE: Sure. I mean, I would
13 probably argue you could consider the facts later
14 if we did it separately.

15 But, okay, why don't you just sit and we'll
16 just deal with yours --

17 MR. YOUNG: Okay. Thanks.

18 CHAIRMAN BOYCE: -- at the end -- or later
19 after we get into the next portion.

20 MS. NUSSMEYER: Madam Chair, if I might.

21 Maria, the first committee, was there a motion
22 and a second or just a vote? Could you look at the
23 record for us.

24 (Discussion held off the record.)

25 THE REPORTER: I am not seeing a motion and a

1 second.

2 CHAIRMAN BOYCE: Okay. So we'll go back. So
3 we took a vote, but, I apologize, there was not a
4 motion and a second. So this was on the first one,
5 which I think the last name was Rios, the committee
6 name. So if I could look for a motion to adopt
7 that, which, again, we already voted on, but we
8 need a motion and a second.

9 MS. CELESTINO-HORSEMAN: I move that we accept
10 the deal made with the Rios Committee.

11 MR. WESTERCAMP: Second.

12 CHAIRMAN BOYCE: Should we vote again?

13 All in favor say "aye."

14 VICE CHAIRMAN OVERHOLT: Aye.

15 MS. CELESTINO-HORSEMAN: Aye.

16 MR. WESTERCAMP: Aye.

17 CHAIRMAN BOYCE: Opposed "nay."

18 Thank you.

19 Okay. I'm sorry about that delay.

20 MR. BOOKWALTER: That's all right. Joseph,
21 J-o-s-e-p-h, last name is Bookwalter,
22 B-o-o-k-w-a-l-t-e-r, 2025-7916-365.

23 MS. THOMPSON: Madam Chairman, this is on
24 page 198, Bookwalter for Senate, Cause
25 No. 2025-7916-365, has a proposed civil penalty of

1 \$950.68. This committee has not been before the
2 Commission before.

3 CHAIRMAN BOYCE: Okay. So we're looking at a
4 25 percent.

5 MS. TAYLOR: Which would be -- total is
6 \$237.50.

7 CHAIRMAN BOYCE: Okay. So the fee was
8 \$950.68. A 25 percent of that would be \$237.50.

9 VICE CHAIRMAN OVERHOLT: Plus mailing costs.

10 CHAIRMAN BOYCE: Plus mailing costs.

11 MS. TAYLOR: \$238.18.

12 CHAIRMAN BOYCE: 238 -- what did you say?

13 MS. TAYLOR: 18 cents.

14 CHAIRMAN BOYCE: 18 cents. Okay. Is there a
15 motion and a second to accept this agreement?

16 VICE CHAIRMAN OVERHOLT: So moved.

17 MR. WESTERCAMP: Second.

18 CHAIRMAN BOYCE: All those in favor say "aye."

19 VICE CHAIRMAN OVERHOLT: Aye.

20 MS. CELESTINO-HORSEMAN: Aye.

21 MR. WESTERCAMP: Aye.

22 CHAIRMAN BOYCE: Opposed "nay."

23 Very good.

24 MR. BOOKWALTER: Thank you.

25 MS. NUSSMEYER: Madam Chair, if I might just

1 very quickly.

2 CHAIRMAN BOYCE: Yes.

3 MS. NUSSMEYER: For those of you taking the
4 plea agreement, you will not get a bill until the
5 Commission meets again, and there will be notice
6 mailed to you after the Commission adopts those.

7 So there's no payment expected today, and you won't
8 get information on how to pay it until the next
9 Commission meeting is scheduled to deal with
10 campaign finance matters.

11 MR. BOOKWALTER: Is there an option to pay
12 today?

13 MS. NUSSMEYER: There is not.

14 VICE CHAIRMAN OVERHOLT: But you don't have to
15 come back for that other meeting. You don't have
16 to come back.

17 MR. BOOKWALTER: Thank you.

18 CHAIRMAN BOYCE: Thank you.

19 Okay, sir.

20 MR. RANDOLPH: Good afternoon, Madam Chair.
21 My name is Lonnie Randolph. I'm here on behalf of
22 the Committee to Elect Lonnie Randolph,
23 Administrative Cause No. 2025-5719-397.

24 MS. TAYLOR: This is on page 214, Committee to
25 Elect Attorney Lonnie M. Randolph, Cause

1 No. 2025-5719-397. It is his fourth time before
2 the Commission for a proposed civil penalty of
3 \$1,000 and mailing costs of 73 cents.

4 MR. RANDOLPH: First time?

5 MS. TAYLOR: This is your second time before
6 the Commission, and you paid two settlement
7 agreements, so this is the fourth billing.

8 MR. RANDOLPH: I had one \$50 one. Is there
9 another one? That was from years ago.

10 CHAIRMAN BOYCE: It shows the dates.

11 VICE CHAIRMAN OVERHOLT: Since you've had, our
12 records show, four, if you want to come back and
13 plead your case, you can. But otherwise, right now
14 you either -- well, you don't really get a deal at
15 this point, so you can wait.

16 MR. RANDOLPH: I'm not denying this. I was
17 late for a supplemental report, so I have no
18 argument with that.

19 VICE CHAIRMAN OVERHOLT: So do you want to pay
20 the full? You'd have to pay the full amount then.

21 MR. RANDOLPH: For a supplemental report?

22 VICE CHAIRMAN OVERHOLT: Yeah.

23 CHAIRMAN BOYCE: Obviously the penalty
24 reflects the fourth.

25 VICE CHAIRMAN OVERHOLT: The fine is \$1,000

1 plus 73 cents in mailing costs.

2 MR. RANDOLPH: But the fine, \$1,000, based
3 upon, you said, four additional reports?

4 VICE CHAIRMAN OVERHOLT: No, no. So the terms
5 of the deals that we have, it's a 25 -- the
6 reductions are based on 25 percent if it's your
7 first violation, 50 percent if it's your second,
8 75 percent if it's your third, and after that there
9 are no reductions. So there's no discount.

10 MR. RANDOLPH: I'm aware of one other one
11 years ago where I missed a report, and I think I
12 paid \$50 by mail.

13 CHAIRMAN BOYCE: So it shows here in 2008 you
14 had a delinquency in '22, '23, and then this '24
15 supplemental.

16 MR. RANDOLPH: So I had three delinquencies.

17 CHAIRMAN BOYCE: So this is the fourth.
18 Sorry.

19 MR. RANDOLPH: So what's the penalty for this
20 one then?

21 CHAIRMAN BOYCE: So the total is the full
22 amount, which is \$1,000 and then the 73 cents of
23 the mailing cost.

24 MR. RANDOLPH: There's no percentage reduction
25 based on this agreement?

1 VICE CHAIRMAN OVERHOLT: No, because you've
2 had --

3 CHAIRMAN BOYCE: It's your fourth time.

4 MR. RANDOLPH: So there's no agreement then.

5 VICE CHAIRMAN OVERHOLT: Right.

6 CHAIRMAN BOYCE: The agreement is you have to
7 pay in full.

8 VICE CHAIRMAN OVERHOLT: That's why I said you
9 can either -- I mean, if you want to pay it,
10 although I don't know, as you heard from
11 Commissioner Celestino-Horseman, I'm not sure what
12 arguments you could have that would persuade us to
13 reduce it anyway.

14 MR. RANDOLPH: I did not come in here to make
15 an argument. I just came in to say, yes, I was
16 late and whatever fines, I'll probably pay it. So
17 what do I have to do now?

18 VICE CHAIRMAN OVERHOLT: Nothing actually.

19 CHAIRMAN BOYCE: Okay. So I think we should
20 look for a motion and a second to impose the full
21 fine, and then as Co-Director Nussmeyer said, you
22 will get further instructions in the mail as to how
23 and when to pay.

24 MR. RANDOLPH: Let me ask, can that fine be
25 paid out of the campaign funds that you have?

1 MR. KING: Yes.

2 CHAIRMAN BOYCE: Yes.

3 MR. RANDOLPH: Okay.

4 CHAIRMAN BOYCE: Okay. So let's have a motion
5 and a second.

6 MR. WESTERCAMP: I move that the full fine
7 plus mailing costs be imposed on the Randolph
8 campaign.

9 VICE CHAIRMAN OVERHOLT: Second.

10 CHAIRMAN BOYCE: Okay. All those in favor say
11 "aye."

12 VICE CHAIRMAN OVERHOLT: Aye.

13 MS. CELESTINO-HORSEMAN: Aye.

14 MR. WESTERCAMP: Aye.

15 CHAIRMAN BOYCE: Opposed "nay."

16 Okay. Thank you.

17 MS. CELESTINO-HORSEMAN: And thank you for
18 being so cooperative and not making everybody sit
19 here. We appreciate it very much.

20 MR. RANDOLPH: Like I said, I remember one.

21 MS. NUSSMEYER: Thank you, sir.

22 MR. RANDOLPH: Thank you very much. I
23 appreciate it.

24 CHAIRMAN BOYCE: Okay. Next.

25 MS. S. WILLIAMS: My name is Sarina Williams.

1 Sarina is S-a-r-i-n-a, Williams W-i-1-l-i-a-m-s,
2 and it's Sarina Williams for State Representative,
3 Cause No. 2025-7570-248.

4 MS. THOMPSON: Madam Chairman, this is on
5 page 137, Sarina Williams for State Representative,
6 Cause No. 2025-7570-248, has a proposed civil
7 penalty of \$350.73, has not been before the
8 Commission.

9 CHAIRMAN BOYCE: Okay. So this is your
10 first --

11 MS. S. WILLIAMS: Yes.

12 CHAIRMAN BOYCE: -- time, so this would be
13 25 percent of that total. Again, the fine is \$350
14 and the mailing cost is 73 cents.

15 MS. TAYLOR: 87.50.

16 MR. WESTERCAMP: Plus 73 cents.

17 MS. TAYLOR: \$88.23.

18 CHAIRMAN BOYCE: Okay. So the total penalty
19 \$87.50 and then the mailing cost of 73 cents, so
20 the total is \$88.23.

21 I would look for a motion and a second to
22 approve this agreement.

23 MR. WESTERCAMP: So moved.

24 MS. CELESTINO-HORSEMAN: Second.

25 CHAIRMAN BOYCE: All those in favor say "aye."

1 VICE CHAIRMAN OVERHOLT: Aye.

2 MS. CELESTINO-HORSEMAN: Aye.

3 MR. WESTERCAMP: Aye.

4 CHAIRMAN BOYCE: Opposed "nay."

5 Very good. Thank you.

6 MS. S. WILLIAMS: Thank you.

7 CHAIRMAN BOYCE: Okay. Next.

8 MR. ROARK: Hello. Name is Keil Roark.

9 Spelling is K as in Kilo, -e as in Echo, -i as in
10 Island, -l as in Lima; Roark, R as in Romeo, Oscar,
11 Alpha, Romeo, Kilo. And the committee is Kyle
12 Roark for Indiana.

13 MS. THOMPSON: What was the cause number?

14 MR. ROARK: Cause number is 2025-7614-98.

15 MS. TAYLOR: It's on page 57, Keil Roark for
16 Indiana, Cause No. 2025-7614-98, proposed civil
17 penalty of \$500 plus 66 cents. It is his first
18 time before the Commission.

19 CHAIRMAN BOYCE: Okay. So again we're at the
20 25 percent.

21 MS. TAYLOR: It would be \$125.66.

22 CHAIRMAN BOYCE: Yes. Okay. So it would be
23 \$125 penalty plus the 66 cents for the mailing
24 costs.

25 Do we have a motion and a second to approve

1 this agreement?

2 VICE CHAIRMAN OVERHOLT: So moved.

3 MR. WESTERCAMP: Second.

4 CHAIRMAN BOYCE: All those in favor say "aye."

5 VICE CHAIRMAN OVERHOLT: Aye.

6 MS. CELESTINO-HORSEMAN: Aye.

7 MR. WESTERCAMP: Aye.

8 CHAIRMAN BOYCE: Opposed "nay."

9 Very good. Thank you.

10 MS. CELESTINO-HORSEMAN: Thank you for your
11 service.

12 MR. ROARK: Thank you.

13 CHAIRMAN BOYCE: Okay. Next.

14 MS. WELLS: Hello. Cause No. 2025-7848-395,
15 committee Wells for Indiana, representative
16 candidate Destiny Wells here for a penalty for a
17 late supplemental. To my knowledge, it is my
18 first, and I'd like to accept the proposed
19 settlement of what I have been told is \$350, which
20 would amount to, with postage, \$88.23.

21 MS. THOMPSON: Madam Chairman, this is on
22 page 213, Wells for Indiana, 2025-7848-395, has a
23 proposed civil penalty of \$350.73, and this is her
24 first time before the Commission.

25 CHAIRMAN BOYCE: Okay.

1 MS. TAYLOR: Total would be \$88.23.

2 CHAIRMAN BOYCE: Okay. That includes the
3 73 cents?

4 MS. TAYLOR: Yes.

5 CHAIRMAN BOYCE: Okay. So with the fine plus
6 the mailing costs, the total would be \$88.23.

7 Do we have a motion and a second to approve
8 this agreement?

9 VICE CHAIRMAN OVERHOLT: So moved.

10 MR. WESTERCAMP: Second.

11 CHAIRMAN BOYCE: Okay. All those in favor say
12 "aye."

13 VICE CHAIRMAN OVERHOLT: Aye.

14 MS. CELESTINO-HORSEMAN: Aye.

15 MR. WESTERCAMP: Aye.

16 CHAIRMAN BOYCE: Opposed "nay."

17 Very good. Thank you.

18 MR. ANDERSON: Ray Anderson, R-a-y,
19 A-n-d-e-r-s-o-n, White County Democratic Central
20 Committee. I have a question. I have three of
21 them, so I think I heard this correct, it would be
22 all -- if I took the deal, because this is the
23 first, it would be all that combined, right?

24 CHAIRMAN BOYCE: I think so, yes.

25 MR. ANDERSON: Okay. Cause No. -- well,

1 there's three -- 2025-6219-129, -145, and -304. I
2 know it's going to make a mess there.

3 VICE CHAIRMAN OVERHOLT: That's okay. I've
4 given up trying to find them.

5 MS. TAYLOR: The first is on the bottom of
6 page 72, top of 73, \$1,000.66. The second is on
7 page 81, proposed civil penalty of \$1,000.66. And
8 the third is on page 166, and this one is proposed
9 civil penalty of \$300.73. This is the first time
10 before the Commission for this committee, so
11 25 percent is --

12 MS. NUSSMEYER: 575.

13 MS. TAYLOR: -- \$575 plus \$2 and something.

14 VICE CHAIRMAN OVERHOLT: That's adding all
15 three of them together?

16 MS. TAYLOR: Yes.

17 MS. NUSSMEYER: \$2.05.

18 MS. TAYLOR: So \$577.05 for the three.

19 MS. NUSSMEYER: Total for all three.

20 CHAIRMAN BOYCE: Okay. I'm sorry. Can you
21 say that again, the total.

22 MS. TAYLOR: \$577.05.

23 MR. ANDERSON: Yeah. This will be the last
24 time this happens, I tell you.

25 CHAIRMAN BOYCE: Okay. So with the three

1 cases here, the total, with the mailing costs, at a
2 25 percent agreement is \$577.05. Correct?

3 MS. TAYLOR: Yes.

4 VICE CHAIRMAN OVERHOLT: And that includes the
5 mailing cost?

6 MS. TAYLOR: Yes.

7 CHAIRMAN BOYCE: Okay. I need a motion and a
8 second to approve the agreement.

9 MR. WESTERCAMP: So moved.

10 CHAIRMAN BOYCE: Second?

11 VICE CHAIRMAN OVERHOLT: Second.

12 CHAIRMAN BOYCE: All those in favor say "aye."

13 VICE CHAIRMAN OVERHOLT: Aye.

14 MS. CELESTINO-HORSEMAN: Aye.

15 MR. WESTERCAMP: Aye.

16 CHAIRMAN BOYCE: Opposed "nay."

17 Very good. Thank you.

18 Next.

19 MR. ERLER: Hi. I'm Michael Erler, E-r-l-e-r,
20 treasurer of the Excellent -- I was -- Excellent
21 Government for Indiana PAC. I have five notices.

22 MS. TAYLOR: We've got to find page numbers,
23 so give us a second.

24 MR. ERLER: They all start with the same eight
25 digits. Can I read those once and then the other

1 four?

2 MS. THOMPSON: Yeah.

3 MR. ERLER: 2025-7200-150, -55, -347, -311,
4 and -227.

5 MS. TAYLOR: You've been before the Commission
6 three other times and paid a settlement agreement,
7 so I don't believe you're eligible for the
8 reduction. This is your fifth.

9 MR. ERLER: Really?

10 MS. TAYLOR: Yeah.

11 MR. ERLER: Okay. Yeah. No, I can't afford
12 75 percent. I thought I was the last man standing.
13 I didn't know there was -- it's been 20 -- it was
14 only a life for two months in 2019, total of 16,000
15 in and out. Are you sure?

16 VICE CHAIRMAN OVERHOLT: Well, the problem is
17 he's got others. He's been here.

18 Well, if you want to sit down, you can state
19 your case after we're done with the agreements.

20 MR. ERLER: I'll do that. Thank you.

21 CHAIRMAN BOYCE: Thank you.

22 Next.

23 MS. METCALFE: My name is Yvonne Metcalfe.
24 I'm here for Yvonne Metcalfe for State
25 Representative. Do you need my cause number?

1 CHAIRMAN BOYCE: Yes, please.

2 MS. METCALFE: 2025-7940-390.

3 MS. THOMPSON: 390?

4 MS. METCALFE: Yes.

5 MS. TAYLOR: Page 159, I think. No.

6 MS. NUSSMEYER: What's the page number again,

7 Abbey?

8 MS. TAYLOR: Hold on. There's not really
9 rhyme or reason to the -- I mean, there is but
10 sometimes there's not.

11 211. There you go. Yvonne Metcalfe for State
12 Rep, Cause No. 2025-7940-390, has a proposed civil
13 penalty of \$1,000.68, has paid one settlement
14 agreement, so this is the second time before the
15 Commission.

16 CHAIRMAN BOYCE: Okay.

17 MS. METCALFE: I've never been here before.

18 MS. TAYLOR: You paid a settlement agreement
19 for a late 2024 preprimary report.

20 MS. METCALFE: That's what this is for, right?

21 MS. TAYLOR: No. This is for the late
22 supplemental, CFA-11.

23 MS. METCALFE: Okay.

24 CHAIRMAN BOYCE: Okay. So a second time would
25 be 50 percent. So 50 percent of the fine, the fine

1 is \$1,000, so that would be \$500 plus the mailing
2 costs, so it would be \$500.68.

3 Okay. I need a motion and a second to approve
4 the agreement.

5 VICE CHAIRMAN OVERHOLT: So moved.

6 MR. WESTERCAMP: Second.

7 CHAIRMAN BOYCE: All those in favor say "aye."

8 VICE CHAIRMAN OVERHOLT: Aye.

9 MS. CELESTINO-HORSEMAN: Aye.

10 MR. WESTERCAMP: Aye.

11 CHAIRMAN BOYCE: Opposed "nay."

12 Thank you.

13 MR. HURTADO: Hi. My name is Pablo Hurtado,
14 and the cause is 2025-7308-62.

15 THE REPORTER: Could you spell your name,
16 please.

17 MR. HURTADO: P-a-b-l-o, H-u-r-t-a-d-o.

18 MS. TAYLOR: It's on page 38, Friends of
19 Pablo, Cause No. 2025-7308-62. Let me find the
20 second. He paid one settlement -- oh, no. He's
21 been before us one other --

22 CHAIRMAN BOYCE: This is the third?

23 MS. TAYLOR: There's two. I'm sorry. There's
24 two.

25 MR. HURTADO: Yeah. I got this letter. I

1 don't know if there was another letter sent for the
2 other one. I don't live at the house where it was
3 mailed because I don't live in Indiana anymore.

4 MS. CELESTINO-HORSEMAN: You said you no
5 longer live in Indiana. Is your committee closed?

6 MR. HURTADO: Yes, it's closed. Yeah, I
7 closed it this year, I believe. Yeah, I moved to
8 Wisconsin.

9 MS. CELESTINO-HORSEMAN: You closed it when?

10 MR. HURTADO: This year.

11 MS. TAYLOR: The other one is on page 128,
12 Cause No. 2025-7308-229, proposed civil penalty of
13 \$1,000 for a grand total of \$1,500 -- or \$1,501.13.
14 Half of that would be --

15 CHAIRMAN BOYCE: Well, this is the third time,
16 right?

17 MS. TAYLOR: No, this is the second.

18 CHAIRMAN BOYCE: Second, okay. So 50 percent
19 of that.

20 MS. TAYLOR: So \$751 --

21 MS. CELESTINO-HORSEMAN: Senor Hurtado, do we
22 have your mailing address currently?

23 MR. HURTADO: Pablo. And, yeah, it should be.
24 I have all my mail forwarded, and I have my address
25 updated, but I don't know if the tenant of my house

1 just didn't give me the other one. I don't know
2 when the other one was mailed out. My house, I
3 sold it to my dad, so he actually sent me a photo
4 of the one that came in that was the number I gave.
5 Do they get lumped like annually, so would that be
6 one and then the other, or would they get lumped
7 together?

8 MS. TAYLOR: They were in the same envelope.

9 MR. HURTADO: Oh, were they? Okay.

10 MS. TAYLOR: Yes.

11 MR. WESTERCAMP: Can I ask a point of
12 clarification?

13 CHAIRMAN BOYCE: Yes.

14 MR. WESTERCAMP: So it seems like there's
15 three different delinquencies listed in our folder.

16 MS. TAYLOR: This is the second time before
17 the Commission. The 2022 annual was heard at the
18 Commission hearing in September of '23, I believe.

19 MR. WESTERCAMP: Okay. Thank you. I just
20 wanted to be sure.

21 CHAIRMAN BOYCE: Okay. So, also, can you
22 remind me of this amount. So it's half.

23 MS. TAYLOR: Half is \$751.39.

24 CHAIRMAN BOYCE: Okay. So for the two, the
25 total of \$751.39.

1 Do I have a motion and a second to adopt the
2 agreement?

3 VICE CHAIRMAN OVERHOLT: So moved.

4 MR. WESTERCAMP: Second.

5 CHAIRMAN BOYCE: All those in favor say "aye."

6 VICE CHAIRMAN OVERHOLT: Aye.

7 MS. CELESTINO-HORSEMAN: Aye.

8 MR. WESTERCAMP: Aye.

9 CHAIRMAN BOYCE: Opposed "nay."

10 Thank you.

11 MR. HURTADO: Okay. Thank you.

12 MS. R. WILLIAMS: Good afternoon. My name is
13 Robin Williams, Robin Williams for Indiana. The
14 administrative cause number is 2025-7643-102. I am
15 a little mystified as to why I'm here because I
16 closed my committee at the end of my cycle in
17 January of 2023, so I'm not quite sure why I
18 received the notice.

19 MR. WESTERCAMP: Are you here to take a deal
20 or are you arguing a case?

21 MS. R. WILLIAMS: I am if there is something
22 to take a deal on. I'm not quite sure.

23 MS. CELESTINO-HORSEMAN: Is there an
24 infraction?

25 MS. NUSSMEYER: Let's see what's --

1 MS. THOMPSON: Madam Chairman, this is on
2 page 59. This is Robin Williams for Indiana, Cause
3 No. 2025-7643-102. It has a proposed civil penalty
4 of \$300.66, and this is her second time before the
5 Commission.

6 MS. TAYLOR: And the committee is closed.

7 CHAIRMAN BOYCE: It is closed.

8 MS. CELESTINO-HORSEMAN: And this was for
9 failure to file the annual report for 2023?

10 MS. TAYLOR: Yes.

11 MS. CELESTINO-HORSEMAN: And that was due in
12 2023?

13 MS. TAYLOR: Due in 2024.

14 MS. CELESTINO-HORSEMAN: '24. And that's due
15 even though the committee was closed? You still
16 have to file it?

17 MS. TAYLOR: It was not closed before that.

18 CHAIRMAN BOYCE: But since has been closed.

19 MS. TAYLOR: It has since been closed.

20 MS. R. WILLIAMS: It was my understanding that
21 it was closed when I turned in the report in
22 January 2023. That's what I thought.

23 VICE CHAIRMAN OVERHOLT: I think if you want
24 to argue that, you should probably wait.

25 Otherwise, what we're doing now, you'd be accepting

1 a deal for a second violation so \$150 plus mailing
2 costs. If you are trying not to pay anything, you
3 can sit down and wait and try to argue your case.

4 MS. R. WILLIAMS: Okay. Thank you.

5 CHAIRMAN BOYCE: Next.

6 MS. OWENS: Hi. I'm Karla Lopez Owens, and I
7 have two cause numbers. Should I just read them
8 off?

9 CHAIRMAN BOYCE: Sure.

10 MS. OWENS: The first one is 2025-7556-90, and
11 the second one is 2025-7556-246.

12 MS. TAYLOR: The first one is on page 53,
13 Karla Lopez Owens for State Senate District 46,
14 Cause No. 2025-7556-90, proposed civil penalty of
15 \$500. The second one is on page 136-137, Cause
16 No. 2025-7556-246, with a proposed civil penalty of
17 \$400.73. This is her first time before the
18 Commission.

19 CHAIRMAN BOYCE: Okay. So the two fines, one
20 is 500 and one is 400, so this would be a
21 25 percent.

22 MS. TAYLOR: That's \$225.

23 CHAIRMAN BOYCE: \$225.

24 MS. TAYLOR: So plus mail is \$226.39.

25 CHAIRMAN BOYCE: Okay. So plus the mail,

1 total fine \$226.39.

2 MS. OWENS: Thank you.

3 CHAIRMAN BOYCE: Do I have a motion and second
4 to adopt the agreement?

5 MR. WESTERCAMP: So moved.

6 MS. CELESTINO-HORSEMAN: Second.

7 CHAIRMAN BOYCE: All those in favor say "aye."

8 VICE CHAIRMAN OVERHOLT: Aye.

9 MS. CELESTINO-HORSEMAN: Aye.

10 MR. WESTERCAMP: Aye.

11 CHAIRMAN BOYCE: Opposed "nay."

12 Thank you.

13 Okay. In the next two rows --

14 MR. FEHRIBACH: Sorry.

15 CHAIRMAN BOYCE: Oh, yeah. Okay. Sure.

16 MR. FEHRIBACH: Just a question. We are not
17 objecting to anything, but it is going to be our
18 fourth time. And so the question is -- what we
19 have, we believe, is a fine, so we're not
20 objecting, but we'd be happy to help move --

21 CHAIRMAN BOYCE: So that's really what we did
22 at the beginning, right, is everybody that kind of
23 accepted the penalty?

24 MS. CELESTINO-HORSEMAN: Are you asking if
25 there's a deal, if it's your fourth time, you can

1 still make a deal?

2 MR. FEHRIBACH: I don't think there's a deal.

3 VICE CHAIRMAN OVERHOLT: I think he's trying
4 to leave. You're trying to say we'll pay it?

5 MR. FEHRIBACH: That's correct. I'm trying
6 to --

7 VICE CHAIRMAN OVERHOLT: Sorry, Mr. Fehribach,
8 just trying to --

9 MR. FEHRIBACH: Yeah. No, I understand. I
10 figured it was no.

11 CHAIRMAN BOYCE: So then you're good.

12 MR. FEHRIBACH: I'm good?

13 MS. CELESTINO-HORSEMAN: Can we say it on the
14 record again.

15 CHAIRMAN BOYCE: Okay. So, yeah, state your
16 name, spell your name so we can have this in the
17 record.

18 MR. FEHRIBACH: Greg and Mary Beth Fehribach.
19 And you want the cause number?

20 CHAIRMAN BOYCE: Please, yes.

21 VICE CHAIRMAN OVERHOLT: Probably spell your
22 last name for the court reporter.

23 MR. FEHRIBACH: Yeah, F-e-h-r-i-b-a-c-h.
24 Cause number is 2025-5555-335.

25 MS. THOMPSON: 335?

1 MR. FEHRIBACH: Yeah. And the first one was
2 in '09. I don't know if there's a difference
3 because some fall off. I didn't think so, but I'm
4 not --

5 MS. THOMPSON: Hoosiers for an Inclusive
6 Indiana?

7 MR. FEHRIBACH: Yes.

8 MS. THOMPSON: Okay. Cause No. 2025-5555-335,
9 has a proposed civil penalty of \$150.68, and this
10 will be their fourth time before the Commission.

11 MR. KING: Page number?

12 MS. THOMPSON: I'm sorry. 183.

13 CHAIRMAN BOYCE: So at this point obviously he
14 recognizes there is no deal, so should we just
15 adopt this at face value? And then understanding,
16 when you get information, you make the payment.

17 MR. FEHRIBACH: Absolutely.

18 CHAIRMAN BOYCE: Okay. So let's have a motion
19 and a second to reflect that.

20 MR. WESTERCAMP: So moved.

21 VICE CHAIRMAN OVERHOLT: Second.

22 CHAIRMAN BOYCE: Okay. All those in favor say
23 "aye."

24 VICE CHAIRMAN OVERHOLT: Aye.

25 MS. CELESTINO-HORSEMAN: Aye.

1 MR. WESTERCAMP: Aye.

2 CHAIRMAN BOYCE: Opposed "nay."

3 Very good. Thank you.

4 MR. FEHRIBACH: Thank you very much. And

5 total number is?

6 MS. THOMPSON: Total amount?

7 MR. FEHRIBACH: Yes, ma'am.

8 MS. THOMPSON: \$150.68.

9 CHAIRMAN BOYCE: Thank you.

10 MR. FEHRIBACH: Thank you all. Great seeing

11 you all.

12 MR. PERKINS: My name is Stephen Perkins,
13 S-t-e-p-h-e-n, P-e-r-k-i-n-s. I'm with Progressive
14 Democrats of LaPorte County. I have a file number,
15 but I don't have a case number. File number is
16 7949, and it's for a late filing of our first
17 report, so I believe we're eligible for --

18 MS. THOMPSON: What was the file number?

19 MR. PERKINS: 7949.

20 CHAIRMAN BOYCE: Just give us one second.

21 MS. THOMPSON: Progressive Democrats of

22 LaPorte County?

23 MR. PERKINS: That's correct.

24 MS. THOMPSON: Okay. Page 202, Cause

25 No. 2025-7949-372, has a proposed civil penalty of

1 \$650.68, and this is the first time before the
2 Commission.

3 CHAIRMAN BOYCE: Okay. So it would be --

4 MS. TAYLOR: \$162.50 plus 68 cents, \$163.18.

5 CHAIRMAN BOYCE: Okay. \$263.18 --

6 MR. PERKINS: Okay.

7 CHAIRMAN BOYCE: -- the 25 percent plus the
8 mailing costs.

9 Do we have a motion and second to approve this
10 agreement?

11 MS. TAYLOR: \$163.18.

12 CHAIRMAN BOYCE: Oh, I thought that's what I
13 said. I'm sorry.

14 MS. TAYLOR: I could be hearing things.

15 CHAIRMAN BOYCE: \$163.18, yes. Thank you.

16 Motion and a second, please.

17 MR. WESTERCAMP: So moved.

18 MS. CELESTINO-HORSEMAN: Second.

19 CHAIRMAN BOYCE: All those in favor say "aye."

20 VICE CHAIRMAN OVERHOLT: Aye.

21 MS. CELESTINO-HORSEMAN: Aye.

22 MR. WESTERCAMP: Aye.

23 CHAIRMAN BOYCE: Opposed "nay."

24 Very good.

25 MR. PERKINS: Thank you very much.

1 CHAIRMAN BOYCE: Thank you.

2 MR. VERGIELS: Good afternoon, everyone. My
3 name is Joshua Vergiels. That's Victor, Echo,
4 Romeo, Golf, India, Echo, Lima, Sierra. And I am
5 speaking to you today in regards to Cause
6 No. 2025-7701-297.

7 MR. McMAHON: Madam Chairwoman, while Abbey is
8 looking for that information, may I address the
9 Commission?

10 CHAIRMAN BOYCE: Yes. Can you please state
11 your name.

12 MR. McMAHON: Yes. My name is Evan McMahon,
13 E-v-a-n, M-c-M-a-h-o-n. I am the chairman of the
14 Libertarian Party of Indiana. In Mr. Vergiels'
15 documents, he's going to take the deal, but
16 something that I wanted to bring to the
17 Commission's attention is a problem with the
18 reporting system.

19 This was for a preconvention report. Our
20 Libertarian Party convention was in the end of
21 March of last year. His notice on the campaign
22 finance portal said the report was due March 31st.
23 He filed his report March 25th. It was actually
24 due in early February because it's due before the
25 convention, but the portal says March 31st. In

1 fact, even the notice that he received for this
2 hearing says it was because he failed to file his
3 report by March 31st even though he filed it on
4 March 25th.

5 This has been an ongoing issue for Libertarian
6 candidates where they log into the portal and they
7 see a date and they think that's when they're
8 supposed to file, and then they end up having to
9 come here to pay a fine. So I would like that to
10 be addressed.

11 CHAIRMAN BOYCE: What's the discrepancy of the
12 dates? I don't understand. This is my first
13 hearing, so why would it have been so different?

14 MS. TAYLOR: Okay. So Libertarians have a
15 whole separate universe of filing deadlines. They
16 know that. We know that. It's not the preprimary
17 report, so it's not like enter the report and go
18 ahead and assign it to all of the committees. We
19 have to do them one at a time.

20 This is on page 163. Sorry. We're getting
21 all over the place.

22 We have to individually assign the pre- and
23 postconvention reports to the Libertarian
24 candidates. There's no assigned committees like we
25 do for Democrat, Republican preprimary preelect

1 annual reports for all committees.

2 Our notes say that Mr. Vergiels created his
3 own report with the incorrect filing deadlines. He
4 says that the system created the report. There's
5 no way -- I have no idea how it went. It wouldn't
6 surprise me if the system created the wrong filing.
7 The system is 1997 technology, and it's just
8 plugging along barely making it up the hill.

9 Anyway, proposed civil penalty of \$1,000 with
10 a mail cost of 68 cents.

11 CHAIRMAN BOYCE: Well, it feels hard to want
12 to --

13 MR. WESTERCAMP: So you've requested the deal,
14 right?

15 MR. VERGIELS: Yeah. I'm not challenging that
16 it was late. I just want to make you guys aware
17 that there's conflicting information from the
18 Secretary of State's office.

19 CHAIRMAN BOYCE: Wait, so you knew it was
20 late?

21 MR. McMAHON: I just want to say to everybody
22 what I've said to others, that failing to meet the
23 deadline, it's your responsibility to know the
24 deadline. That's actually what I said to
25 Mr. Vergiels is it's our responsibility to know the

1 deadline, not to trust that the State is accurate
2 when reporting when it's due for us.

3 So it is late because of that, but it was late
4 because of a system error that is systemic for
5 Libertarian candidates, something that I wanted to
6 bring to the Commission so the Commission can maybe
7 ask the State of Indiana to update the software to
8 just within the last 15, 20 years would be great.

9 MS. NUSSMEYER: Madam Chair, if I might,
10 though, for Libertarian candidates, their
11 preconvention report is required if they have a
12 committee, but we also don't necessarily know
13 they're going to be a candidate at their
14 convention, so the ability for us to tell somebody
15 when a preconvention report is due is truly not
16 possible without someone telling us ahead of time
17 that this individual is going to file to run for
18 this office at the Libertarian Party convention.

19 So, yes, our 30-year-old campaign finance
20 software, that's woefully in need of complete rip
21 and replace. Until we get funded by the
22 legislature, the Secretary of State, that's not
23 going to happen. But part of the issue too stems
24 from the way the law is written and how pre- and
25 postconvention reports are done because we don't

1 have visibility to those candidates for the staff
2 to go in and assign those reports to those
3 individuals so that they get the correct deadlines.
4 It's just a --

5 MR. McMAHON: For clarification that's kind of
6 hard to understand is, Mr. Vergiels had a committee
7 open. He would not have had to file a
8 preconvention report if he didn't run for office.

9 MS. NUSSMEYER: Correct, right.

10 MR. McMAHON: But because he sought the
11 nomination at the convention and had the committee
12 open, he had to file a preconvention report. So
13 it's a lot of chicken-and-the-egg stuff that's kind
14 of crazy.

15 MS. NUSSMEYER: And the convention candidates
16 do not file with our office; they only file with
17 their respective political parties. So we don't
18 have visibility to know who filed to seek that
19 party's nomination.

20 MR. McMAHON: Technically, they can. I just
21 do it for them.

22 MR. VERGIELS: Yeah. But the case you
23 mentioned is exactly correct. I decided to seek
24 nomination at convention, so prior to that I was
25 not planning to seek nomination.

1 MS. NUSSMEYER: But you're not required to
2 file candidate paperwork ahead of your convention,
3 though.

4 MR. McMAHON: Correct.

5 MS. NUSSMEYER: So we would not --

6 MR. McMAHON: You would have no way of
7 knowing.

8 MS. NUSSMEYER: Yeah. Campaign finance staff
9 would have no way of knowing that he was a
10 candidate to tell him that a preconvention report
11 was due, and that is just a function of not just
12 the software, but the way the law is written and
13 how all these things come together.

14 CHAIRMAN BOYCE: Your party rules.

15 MR. McMAHON: No, it's not our party rules.
16 It's state law.

17 MS. TAYLOR: Yeah. We don't know
18 specifically, so I'm going to make up dates, but it
19 will be the correct months. The convention is in
20 March, we'll say March 10th, which means the
21 preconvention report would have been due
22 February 10th, the postconvention report would be
23 due March 30th. We don't get their candidate list
24 until March -- April 5th.

25 So after all of their reports were due,

1 everything was due, then we learned who their
2 candidates were, what committees were open before
3 the convention, and they had to file the
4 preconvention that we didn't know that they existed
5 until after the convention. Same with the
6 postconvention reports. So they get a bad deal out
7 of this because of the way the law is written. We
8 don't even know they're candidates until after
9 everything was already due.

10 MR. McMAHON: And just one other thing. The
11 staff at the Election Division is amazing. I tell
12 our candidates and our county parties all the time.
13 It's very nonpartisan even though they are
14 representatives of a party. They're very willing
15 to work with everybody. Abbey messages me all the
16 time, and I know I can come to her with any issue.

17 MR. VERGIELS: They've helped me out before.
18 It's just a confusing situation for everyone, I
19 guess.

20 MR. McMAHON: It's a bad state law.

21 MR. WESTERCAMP: I move to offer the deal for
22 this gentleman.

23 CHAIRMAN BOYCE: Okay. So now, yeah, let's
24 refocus here. So it's a \$1,000 fine.

25 MR. VERGIELS: Sorry.

1 CHAIRMAN BOYCE: No. This is my first
2 meeting, so I appreciate the information.

3 Okay. So it would be a 25 percent agreement,
4 so that's \$250 and 68 cents of mailing costs would
5 be the fine or part of the deal.

6 So I'll look for -- John, I think, just made a
7 motion to do that. Do we have a second?

8 VICE CHAIRMAN OVERHOLT: Second.

9 CHAIRMAN BOYCE: All those in favor say "aye."

10 VICE CHAIRMAN OVERHOLT: Aye.

11 MS. CELESTINO-HORSEMAN: Aye.

12 MR. WESTERCAMP: Aye.

13 CHAIRMAN BOYCE: Opposed "nay."

14 Very good. Thank you.

15 MR. McMAHON: Thank you.

16 MR. VERGIELS: Thanks very much.

17 MS. JACKSON: Good afternoon, Election
18 Committee. My name is La Keisha Jackson, L-a,
19 space, K-e-i-s-h-a Jackson. I'm here. My cause
20 number is 2025-7973-413, and I also have another
21 one that I don't have a cause number that took
22 place at the end of November of last year or
23 October of last year for failure to report large
24 campaign donation.

25 MS. TAYLOR: This is on page 222.

1 MS. THOMPSON: You had two?

2 MS. TAYLOR: Cause No. 2025-7973-413, proposed
3 civil penalty of \$100.73. This is her first time
4 before the Commission.

5 I don't know what a large contribution
6 delinquency -- there's not one associated with your
7 committee, as far as I'm aware.

8 MS. JACKSON: So I did receive a letter. Is
9 it not going to come back up? I thought we --

10 MS. THOMPSON: Did you receive two letters?

11 MS. JACKSON: No. I received a letter early
12 on, failure to file. You don't have it? I'd like
13 to merge them both together to get the 25 percent
14 at one time, if possible, please.

15 MS. TAYLOR: This is one we've not encountered
16 before.

17 MS. CELESTINO-HORSEMAN: Okay. So give us the
18 specifics.

19 CHAIRMAN BOYCE: Yeah. What's the second one?

20 MS. TAYLOR: So the second one is actually
21 two, so it would be three instead of two total.
22 She's entered contributions of \$1,000 or more into
23 the online filing database, which auto alerts you
24 that you then have to file a CFA-11 within
25 48 hours. She's got, sorry, three contributions

1 out there, so it would have been four total. She
2 did not file the CFA-11.

3 CHAIRMAN BOYCE: On any of the three?

4 MS. TAYLOR: None of them. Those large
5 contribution reports are still sitting in her
6 reports due section of the website but have not
7 been filed. But were they to be filed, it would be
8 \$1,000 apiece because they were due in 2024.
9 They're not filed, so we don't know that they're
10 late. She knows that they're entered and sitting
11 out there.

12 MS. JACKSON: I'm sorry. I thought I filed
13 them.

14 MS. THOMPSON: So we don't know that they're
15 late yet.

16 MS. TAYLOR: We don't know that they're late
17 yet.

18 MS. JACKSON: I apologize. I'm a new state
19 senator, and I ran three elections, and that was
20 confusion. And I didn't have any kind of coaching
21 on that and didn't even know I had to file those,
22 which is what the problem was, and so just trying
23 to rectify this as to what the issue is.

24 MS. CELESTINO-HORSEMAN: Let me ask you a
25 question. Let's say -- so she's got the CFA-11

1 notice she has to file. Let's say she never files
2 it.

3 MS. THOMPSON: We would never know.

4 MS. JACKSON: I'm just trying to be honest.

5 MS. CELESTINO-HORSEMAN: And we appreciate
6 that.

7 MS. JACKSON: That was told to me, but I took
8 an oath and I would not do that, so I filed it
9 anyway. That was told to me to do.

10 MR. KOCHEVAR: I'm sorry. I need to ask a
11 question of the staff. Yeah, but the CFA-11s,
12 those contributions are appearing in the next
13 standard report, either pre-election or annual
14 report.

15 MS. TAYLOR: Yes.

16 MR. KOCHEVAR: So why do we not know this?
17 The contributions are in there.

18 MS. NUSSMEYER: That report has to be filed,
19 Matthew, for them to know, but they would not know
20 right now.

21 MR. KOCHEVAR: The 2024 annual report, we've
22 crossed that deadline. You're saying there was
23 2024, so why don't we know? My question is, why
24 don't we know this right now? We've gone through
25 the 2024 election cycle. That's my question. I'm

1 really asking about the system. It's like the
2 contributions are in there, from what I'm
3 understanding. What am I missing?

4 MS. JACKSON: It probably wouldn't hit until
5 2025 because this was at the end of the last year
6 when I filed an annual.

7 MS. CELESTINO-HORSEMAN: No. What's happening
8 here is that he's talking about it gets put onto
9 your campaign finance report. You put it in there.

10 But that doesn't trigger as to when it was
11 filed, right, Abbey? It doesn't trigger -- she
12 puts it in her campaign finance report. That
13 doesn't trigger anything to go back and look when
14 it was filed since it was a supplemental thing.
15 CFA-11 was never filed, so that didn't trigger it.
16 So we have a loophole in the system, it sounds like
17 to me, that needs to be closed.

18 And we appreciate your honesty, by the way.

19 VICE CHAIRMAN OVERHOLT: To move on, though,
20 with today's agenda.

21 CHAIRMAN BOYCE: This isn't something that can
22 be addressed.

23 MS. NUSSMEYER: The first offense can be.

24 CHAIRMAN BOYCE: Only the one that we see
25 right here.

1 VICE CHAIRMAN OVERHOLT: Yeah.

2 MS. NUSSMEYER: Agreed.

3 CHAIRMAN BOYCE: Valerie?

4 MS. WARYCHA: Yeah. I don't think that's
5 right because notice hasn't been given yet, so I
6 would say that, if we haven't given notice, we
7 can't give a hearing yet under AOPA.

8 VICE CHAIRMAN OVERHOLT: Sorry.

9 MS. JACKSON: Is it possible that I just pay
10 the full amount and then do the 25 percent on the
11 next one, or I can't do that?

12 CHAIRMAN BOYCE: Since we don't have that in
13 front of us, I don't think that's appropriate to do
14 that. So I think at this point we just need to
15 deal with it's just a \$100 fine in front of us, so
16 that would be a 25 percent plus the mailing costs,
17 which is \$25.73.

18 MS. CELESTINO-HORSEMAN: But, Senator, when
19 you come back -- because if you file the CFA,
20 you're going to get pulled back and you'll be cited
21 for being delinquent. So when you come back,
22 remind everybody that you tried to come in here and
23 pay it early before it was even reported. Okay?

24 CHAIRMAN BOYCE: Okay. So do I have a motion
25 and a second?

1 MS. JACKSON: Would you give me the 25 percent
2 still or it would still be 100 percent?

3 MS. CELESTINO-HORSEMAN: I appreciate the
4 effort.

5 MS. JACKSON: I'm just not going to even
6 remind them. I'll take my 50 percent to the back.

7 CHAIRMAN BOYCE: Okay. So we need a motion
8 and second.

9 MR. WESTERCAMP: So moved.

10 VICE CHAIRMAN OVERHOLT: Second.

11 CHAIRMAN BOYCE: On the 25 percent agreement,
12 all those in favor say "aye."

13 VICE CHAIRMAN OVERHOLT: Aye.

14 MS. CELESTINO-HORSEMAN: Aye.

15 MR. WESTERCAMP: Aye.

16 CHAIRMAN BOYCE: Opposed "nay."

17 Very good. Thank you.

18 MS. JACKSON: Thank you.

19 CHAIRMAN BOYCE: Next.

20 MR. HARRIS: Good afternoon. I'm Earl Harris,
21 E-a -- Earl Harris, Jr. Sorry. E-a-r-l,
22 H-a-r-r-i-s, J-r. I'm here in the matter of the
23 Indiana Black Legislative Caucus PAC, and the
24 number is 2025-3908-137.

25 MS. TAYLOR: It's on page 77, Indiana Black

1 Legislative Caucus PAC, Cause No. 2025-3908-137,
2 has a proposed civil penalty of \$650.66, and this
3 is their 11th time before the Commission.

4 CHAIRMAN BOYCE: So I apologize. There's no
5 deal.

6 MR. HARRIS: This is my only time as the
7 chair, so I do not take responsibility for those.

8 Wow. Eleven?

9 CHAIRMAN BOYCE: You've got some work to do.

10 MR. HARRIS: I have some people to have
11 conversations with because they're causing me
12 grief. So I presume I can't work a deal.

13 CHAIRMAN BOYCE: I'm sorry. There are no
14 eleventh time deals.

15 MR. HARRIS: Yeah, I know. Doesn't it start
16 over at ten or something?

17 CHAIRMAN BOYCE: You wish.

18 MR. HARRIS: Yeah, I do.

19 CHAIRMAN BOYCE: Okay. So I think like the
20 one previous, it would just be with a fine, \$650
21 with the mailing cost of 66 cents so \$650.66.

22 So let's go ahead, since he's here, and vote
23 on just accepting that at face value there. If we
24 have a motion and a second.

25 MR. WESTERCAMP: So moved.

1 VICE CHAIRMAN OVERHOLT: Second.

2 CHAIRMAN BOYCE: All those in favor say "aye."

3 VICE CHAIRMAN OVERHOLT: Aye.

4 MS. CELESTINO-HORSEMAN: Aye.

5 MR. WESTERCAMP: Aye.

6 CHAIRMAN BOYCE: Opposed "nay."

7 Very good. Thank you.

8 MR. HARRIS: Thank you.

9 CHAIRMAN BOYCE: Next.

10 MS. BECHTOLD: Good afternoon. I'm Naomi
11 Bechtold. It's N-a-o-m-i, B-e-c-h-t-o-l-d. And
12 it's Bechtold for Indiana, and it's Case No. --
13 Cause No. 2025-6996-44.

14 MS. THOMPSON: -44?

15 MS. BECHTOLD: Yes.

16 MS. THOMPSON: This is on page 27, Bechtold
17 for Indiana, Cause No. 2025-6996-44, has a civil
18 penalty of \$1,000.66, and this is her first time
19 before the Commission.

20 CHAIRMAN BOYCE: Okay. So it would be a
21 25 percent agreement.

22 VICE CHAIRMAN OVERHOLT: So \$250.

23 CHAIRMAN BOYCE: Yeah, \$250.66.

24 Do we have a motion and a second?

25 MR. WESTERCAMP: So moved.

1 MS. CELESTINO-HORSEMAN: Second.

2 CHAIRMAN BOYCE: All those in favor signify by
3 saying "aye."

4 VICE CHAIRMAN OVERHOLT: Aye.

5 MS. CELESTINO-HORSEMAN: Aye.

6 MR. WESTERCAMP: Aye.

7 CHAIRMAN BOYCE: Opposed "nay."

8 Very good.

9 MS. BECHTOLD: Thank you.

10 CHAIRMAN BOYCE: Thank you.

11 MR. POULARD: My name is Johannes,
12 J-o-h-a-n-n-e-s, last name is Poulard,
13 P-o-u-l-a-r-d, and my committee is Johannes Poulard
14 for State Senate District 4. Cause number is
15 2025-7605-251.

16 I'll accept a 25 percent deal with just one
17 caveat. The post office in my area does not do a
18 good job. I never received the first notice, but I
19 got the notice that it was three days late and paid
20 it immediately -- or, say, declared it immediately
21 upon receiving the second notice. And this is my
22 campaign chairman, Jason Stratton. He can also
23 vouch for how poorly the post office in Michigan
24 City works.

25 MR. STRATTON: Yes, that is correct. I've had

1 similar experiences as a small business owner, and
2 they are abominable.

3 MS. THOMPSON: Madam Chair, this is on
4 page 139, Johannes Poulard for State Senate
5 District 4, Cause No. 2025-7605-251, has a civil
6 penalty of \$150.73, and this is their first time
7 before the Commission.

8 MS. TAYLOR: Grand total plus mail cost would
9 be \$38.23.

10 CHAIRMAN BOYCE: Okay.

11 MS. CELESTINO-HORSEMAN: Do you have -- I'm
12 sorry.

13 CHAIRMAN BOYCE: Go ahead.

14 MS. CELESTINO-HORSEMAN: Do you have an
15 alternative address that you want notices to be
16 sent to? Because what's going to happen today is
17 that you're going to take the deal and then they're
18 going to send you out a notification as to how much
19 is owed and where to pay. Is there another address
20 you want to send it?

21 MR. POULARD: I can give you my business
22 address, which is a box at the UPS Store.

23 MS. CELESTINO-HORSEMAN: Would that work
24 better for receiving and getting timely notice?

25 MR. POULARD: I would think so.

1 MS. CELESTINO-HORSEMAN: Okay. So if you can
2 get that --

3 MR. POULARD: I can give you that address
4 right now, if you like.

5 MS. CELESTINO-HORSEMAN: You can write it down
6 and give it to them, write it down with your name.

7 MR. POULARD: Okay.

8 MS. CELESTINO-HORSEMAN: And then give it to
9 them before you leave here.

10 MR. POULARD: I just used my physical address
11 when I filed my candidacy to show that I was --

12 CHAIRMAN BOYCE: So the 25 percent plus
13 mailing is \$38.23.

14 I need a motion and second to adopt this
15 agreement.

16 MR. WESTERCAMP: So moved.

17 MS. CELESTINO-HORSEMAN: Second.

18 CHAIRMAN BOYCE: All those in favor signify by
19 saying "aye."

20 VICE CHAIRMAN OVERHOLT: Aye.

21 MS. CELESTINO-HORSEMAN: Aye.

22 MR. WESTERCAMP: Aye.

23 CHAIRMAN BOYCE: Opposed "nay."

24 Very good. Thank you.

25 Next.

1 MR. MCKANNA: Hello. I'm James McKanna,
2 J-a-m-e-s, M-c-K-a-n-n-a. I'm representing the
3 Committee to Elect Andrew McNeil State
4 Representative. This is Cause No. 2025-7522-241.

5 MS. THOMPSON: This is on page 134, Committee
6 to Elect Andrew McNeil, Cause No. 2025-7522-241,
7 has a proposed civil penalty of \$400.73, and this
8 is their second time before the Commission.

9 CHAIRMAN BOYCE: Second time so that's a
10 50 percent deal, which is \$200 and 73 cents for the
11 mail.

12 We need a motion and a second to adopt this
13 agreement.

14 MR. WESTERCAMP: So moved.

15 VICE CHAIRMAN OVERHOLT: Second.

16 CHAIRMAN BOYCE: All those in favor signify by
17 saying "aye."

18 VICE CHAIRMAN OVERHOLT: Aye.

19 MS. CELESTINO-HORSEMAN: Aye.

20 MR. WESTERCAMP: Aye.

21 CHAIRMAN BOYCE: Opposed "nay."

22 Very good.

23 MR. MCKANNA: Thank you.

24 CHAIRMAN BOYCE: Thank you.

25 MR. MONTGOMERY: Hello. I'm Willie

1 Montgomery, W-i-l-l-i-e, M-o-n-t-g-o-m-e-r-y. I'm
2 Friends of Eric Walford. The cause number is
3 2025-7892-277.

4 MS. TAYLOR: That is page 153.

5 MS. THOMPSON: That's Friends of Eric Walford,
6 Cause No. 2025-7892-277, has a civil penalty of
7 \$1,000.73, and this is their first time before the
8 Commission.

9 VICE CHAIRMAN OVERHOLT: Oh, it's at the
10 bottom of 152.

11 CHAIRMAN BOYCE: Okay. I'm sorry about that.
12 We were hunting for it. Okay. So it's \$1,000, but
13 at 25 percent, 250 and 73 cents, \$250.73 for a
14 first time and a 25 percent agreement.

15 I need a motion and a second to adopt.

16 MR. WESTERCAMP: So moved.

17 VICE CHAIRMAN OVERHOLT: Second.

18 CHAIRMAN BOYCE: All those in favor say "aye."

19 VICE CHAIRMAN OVERHOLT: Aye.

20 MS. CELESTINO-HORSEMAN: Aye.

21 MR. WESTERCAMP: Aye.

22 CHAIRMAN BOYCE: Opposed "nay."

23 Very good. Thank you.

24 MR. MONTGOMERY: Thank you.

25 MS. HEITZMAN: Hello. I am Linda Heitzman,

1 H-e-i-t-z-m-a-n, representing Recenter Indiana, and
2 our administrative cause number is 2025-7729-320.

3 MS. THOMPSON: So there's two causes before
4 the Commission on this committee.

5 MS. HEITZMAN: Oh, I only have one notice.

6 MS. THOMPSON: So this is on page 66, the top
7 of 67.

8 MS. TAYLOR: And the other one is at the top
9 of page 153. No.

10 CHAIRMAN BOYCE: 175.

11 MS. TAYLOR: 175, yeah.

12 VICE CHAIRMAN OVERHOLT: What was the first
13 one?

14 MS. TAYLOR: 67.

15 CHAIRMAN BOYCE: Oh, I see.

16 MS. TAYLOR: It is their third time before the
17 Commission. Each fine is \$1,000, so the grand
18 total is \$2,000 and -- \$2,001.23, so 75 percent.

19 CHAIRMAN BOYCE: 75 percent of that.

20 MS. HEITZMAN: We were only aware of one time
21 before the Committee.

22 MR. WESTERCAMP: You had one settlement
23 agreement.

24 MS. HEITZMAN: What was the date of that
25 settlement?

1 CHAIRMAN BOYCE: It doesn't say.

2 MS. NUSSMEYER: There were four reports that
3 were delinquent, a 2022 pre-elect, a 2022 annual, a
4 2023 annual, and a 2024 pre-elect.

5 MS. HEITZMAN: We were not aware of all of
6 those. I'm the new treasurer, so...

7 VICE CHAIRMAN OVERHOLT: So there's no deal
8 available.

9 MS. NUSSMEYER: There is.

10 MS. TAYLOR: 75 percent.

11 VICE CHAIRMAN OVERHOLT: Sorry.

12 MS. TAYLOR: \$1,501.39 is 75 percent.

13 CHAIRMAN BOYCE: I'm so sorry. Can you say
14 that again.

15 MS. TAYLOR: 75 percent is \$1,501.39.

16 CHAIRMAN BOYCE: Thank you. Okay. So a
17 75 percent deal, \$1,501.39.

18 Do we have a motion and a second?

19 MR. WESTERCAMP: So moved.

20 VICE CHAIRMAN OVERHOLT: Second.

21 CHAIRMAN BOYCE: All those in favor say "aye."

22 VICE CHAIRMAN OVERHOLT: Aye.

23 MS. CELESTINO-HORSEMAN: Aye.

24 MR. WESTERCAMP: Aye.

25 CHAIRMAN BOYCE: Opposed "nay."

1 Very good. Thank you.

2 MS. HEITZMAN: Thank you.

3 MR. BURTON: Hello. Good afternoon. Alex
4 Burton, A-l-e-x, Burton, B-u-r-t-o-n, Alex Burton
5 for Indiana, and it is Cause No. 2025-7925-398.

6 MS. TAYLOR: It starts on page 215,
7 2025-7925-398, -399, -400, -401, -402, -403, -404,
8 and -405. This is the first time before the
9 Commission. I have not worked out the total.

10 MS. NUSSMEYER: Six total causes?

11 MS. TAYLOR: Eight causes so \$8,000,
12 25 percent is \$2,000 plus all of the mail costs.

13 MR. BURTON: So this was my first time running
14 for state office. I had been on city council, and
15 there were some -- all the reporting changes from
16 local to state really tripped us up, but I think we
17 have a handle on all the things now.

18 CHAIRMAN BOYCE: Okay. So we said eight
19 \$1,000 penalties.

20 VICE CHAIRMAN OVERHOLT: So it would be \$2,000
21 plus the mailing costs.

22 MS. TAYLOR: I believe it is \$2,005.84.

23 MS. CELESTINO-HORSEMAN: I think you got the
24 best deal of the day.

25 MR. BURTON: Yeah. Hopefully it's the first

1 and last time I'll be before you all. Thank you
2 all so much for understanding, and, again, my
3 apologies if this has caused such --

4 MR. WESTERCAMP: We haven't voted yet.

5 MR. BURTON: Oh.

6 MR. WESTERCAMP: Don't count your chickens.

7 VICE CHAIRMAN OVERHOLT: I'll move for
8 approval of the deal.

9 CHAIRMAN BOYCE: And we need a second.

10 MR. WESTERCAMP: Second.

11 CHAIRMAN BOYCE: All those in favor say "aye."

12 VICE CHAIRMAN OVERHOLT: Aye.

13 MS. CELESTINO-HORSEMAN: Aye.

14 MR. WESTERCAMP: Aye.

15 CHAIRMAN BOYCE: Opposed "nay."

16 Very good. Thank you.

17 MR. BURTON: Thank you all so much.

18 MR. UHEY: Good afternoon. This is Steven
19 Uhey, S-t-e-v-e-n, U-h-e-y. I'm the treasurer on
20 behalf of Hoosiers for Cochran, Administrative
21 Cause No. 2025-7806-270.

22 MS. THOMPSON: Page 150. This is Hoosiers for
23 Cochran, Cause No. 2025-7806-270, has a civil
24 penalty of \$300.73, and this is the first time
25 before the Commission.

1 CHAIRMAN BOYCE: Okay.

2 MS. NUSSMEYER: There's two.

3 MS. TAYLOR: Hold on. The other one is on
4 page 69, proposed civil penalty of \$50.66.

5 CHAIRMAN BOYCE: Oh, I see, at the bottom.

6 MS. TAYLOR: So total would be \$88.89 at
7 25 percent.

8 CHAIRMAN BOYCE: Okay. I'm sorry. Say that
9 again.

10 MS. TAYLOR: \$88.89. Sorry. I was doing the
11 math here.

12 CHAIRMAN BOYCE: Okay. So we have the two
13 cause numbers, and the total penalty would be -- at
14 a 25 percent rate would be \$88.89.

15 We need a motion and second.

16 MR. WESTERCAMP: So moved.

17 VICE CHAIRMAN OVERHOLT: Second.

18 CHAIRMAN BOYCE: All those in favor say "aye."

19 VICE CHAIRMAN OVERHOLT: Aye.

20 MS. CELESTINO-HORSEMAN: Aye.

21 MR. WESTERCAMP: Aye.

22 CHAIRMAN BOYCE: Opposed "nay."

23 Very good. Thank you.

24 Okay. So anybody else that's wanting to take
25 a deal? Okay. I wasn't sure how far back we had

1 gotten.

2 MS. DOYLE: I wasn't sure if we were doing
3 rows or not.

4 CHAIRMAN BOYCE: Yeah. This is perfect.
5 Anybody else over here?

6 Very good.

7 MS. DOYLE: Madam Chair, members of the
8 Commission, my name is Brittany Doyle,
9 B-r-i-t-t-a-n-y, Doyle, D-o-y-l-e. I'm here for
10 McCormick for Governor, Cause No. 2025-6797-414.

11 MS. TAYLOR: It's on page 223, proposed civil
12 penalty of \$1,000.78, and this is their fourth time
13 before the Commission.

14 MS. DOYLE: Oh. Is it because she just
15 changed the name of her committee when she ran for
16 governor?

17 MS. THOMPSON: Uh-huh.

18 MS. DOYLE: Okay. My apologies.

19 CHAIRMAN BOYCE: Well, we have, on the few
20 others that is that case where they have been here
21 four times, we voted on that. Are you going to be
22 arguing?

23 MS. DOYLE: I can.

24 MS. CELESTINO-HORSEMAN: Do you want to pay?

25 CHAIRMAN BOYCE: Do you want to pay the

1 penalty?

2 MS. DOYLE: No.

3 CHAIRMAN BOYCE: Okay. So at this point is
4 there anybody else that's interested in making some
5 sort of an agreement?

6 Okay. So now we'll move on to the next phase
7 of this hearing, adoption of campaign finance
8 hearing procedures. The remaining committees will
9 be called to permit the presentation of evidence in
10 these matters. Before doing so, I want to note
11 that, in the past, the Commission has followed
12 certain procedures for conducting campaign finance
13 hearings, and I move that the Commission use the
14 following procedures today:

15 A. When each campaign finance matter is
16 called, hearing will begin with recognizing
17 campaign finance staff to provide information about
18 the documents in this matter provided to Commission
19 members, including letters from committees, and the
20 notice given to the campaign committee.

21 B. Unless there is objection, the document
22 provided to the Commission by the Election Division
23 will be entered into record of this meeting.

24 After campaign finance staff completes
25 presentation, a representative of the committee

1 would be recognized first and may present their
2 case for no more than 5 minutes.

3 Commission members may ask questions during a
4 presentation, but the time spent answering these
5 questions will be not counted against a presenter's
6 time. The Election Division may signal the chair
7 when a presenter's time is up.

8 If the presenter offers additional documents
9 or other physical evidence not previously received
10 by the Commission, then the original must be
11 provided to Valerie on the Election Division to
12 preserve for the record.

13 If the Commission finds that a committee has
14 violated the campaign finance statutes, state law
15 requires a unanimous vote of all four commissioners
16 to waive or reduce the amount of the penalty set by
17 state law.

18 If the Commission makes the decision at this
19 meeting to either fine a committee or dismiss the
20 case against the committee, then the Election
21 Division will prepare a final order for the
22 Commission to approve at a later meeting. If a
23 committee is fined today, the committee will
24 receive a notice from the Election Division to pay
25 the fine after the Commission adopts the final

1 order. So it may be some time after today before a
2 committee will be required to pay the fine.

3 The Commission will recognize committees to
4 make a presentation beginning with the committees
5 seated in the front of the room. It's very helpful
6 if you can speak up and say the cause number or
7 numbers on your hearing notice so that the
8 Commission and staff can quickly look it up on the
9 spreadsheet. Remember to identify yourself when
10 you start speaking and to indicate if you took the
11 oath administered earlier in this meeting. If you
12 did not, I will ask Mr. Kochevar to administer the
13 oath to you.

14 Is there a second to this motion?

15 VICE CHAIRMAN OVERHOLT: Second.

16 CHAIRMAN BOYCE: Any questions or
17 clarifications from anyone?

18 Okay. If there's no further discussion, the
19 question is on the adoption of the motion. All in
20 favor say "aye."

21 VICE CHAIRMAN OVERHOLT: Aye.

22 MS. CELESTINO-HORSEMAN: Aye.

23 MR. WESTERCAMP: Aye.

24 CHAIRMAN BOYCE: Opposed say "nay."

25 The "ayes" have it, and the motion is

1 approved.

2 Okay. The Commission will proceed to open its
3 hearings on --

4 VICE CHAIRMAN OVERHOLT: Oh, I'm sorry. We
5 just -- would now be a good time to take a short
6 break?

7 CHAIRMAN BOYCE: I was kind of thinking the
8 same thing. Would it be appropriate if we just
9 took a five-minute break?

10 MR. KING: Yes.

11 CHAIRMAN BOYCE: Okay. I'm sorry for all of
12 you that are wanting to get this going. We're
13 going to recess for five minutes just to take a
14 quick bathroom break. Maybe all of us can benefit
15 from that. We will resume at this location. My
16 watch says 3:05, so we will resume at 3:10. Thank
17 you.

18 VICE CHAIRMAN OVERHOLT: Oh, we need a vote.

19 MS. CELESTINO-HORSEMAN: I move we take a
20 recess.

21 MR. WESTERCAMP: Second.

22 CHAIRMAN BOYCE: All in favor say "aye."

23 VICE CHAIRMAN OVERHOLT: Aye.

24 MS. CELESTINO-HORSEMAN: Aye.

25 MR. WESTERCAMP: Aye.

1 CHAIRMAN BOYCE: Thank you.

2 (Recess taken.)

3 CHAIRMAN BOYCE: Okay. We're going to go
4 ahead and get back started. Thank you. It was
5 actually seven minutes, so sorry. But we want to
6 go ahead and get started.

7 I think we will conduct ourselves the way we
8 were doing kind of working from the front of the
9 room back. So we will start up here in the front
10 with Mr. Young, if that's okay. As I mentioned
11 previously, Valerie will be our timekeeper, so it's
12 a five-minute time.

13 MS. WARYCHA: It will be loud, you can hear
14 it. I put it by the microphone.

15 CHAIRMAN BOYCE: And just to reiterate too, if
16 there are times when the presenter is stopped for
17 questioning or interaction, then the timer does
18 stop, so our time doesn't eat up into your time.
19 And obviously too, when you begin, just state your
20 name and spell it for --

21 MR. YOUNG: R. Michael Young, Y-o-u-n-g, and I
22 thank you, members, for this opportunity today.

23 First thing I have to do, I've got to blame my
24 treasurer for all this. He died during the
25 campaign and left me with it. I know it's not an

1 excuse, but that's part of the problem. And I'm
2 not here to make any excuses. I think I was here
3 once before back in the early '90s. I don't know
4 if you guys have got that, but --

5 CHAIRMAN BOYCE: Do you have a cause number?

6 MR. YOUNG: From back in the '90s.

7 CHAIRMAN BOYCE: No, no, from today.

8 MR. YOUNG: I do, but there are so many cause
9 numbers, I'm going to have to try to do these one
10 at a time for you.

11 MS. CELESTINO-HORSEMAN: Can I suggest we take
12 the ones that you want to take the deal on first
13 and knock them out of the way?

14 MR. YOUNG: Oh, sure. I'll do that.

15 CHAIRMAN BOYCE: That's a good point. And
16 then we can look you up here in our binder once we
17 have those numbers.

18 MR. YOUNG: Okay. The first one is an annual
19 report. I received the letter as well. Actually
20 my report was ready to file January 1st because it
21 was all done, but I waited to the date of the
22 letter. I had never filed a report before,
23 although we do do those things. The campaign
24 manager does it. So when I got the letter, I
25 thought the letter was correct on the date, and I

1 never checked into it or looked into it or made a
2 call. I just figured since I got it from the
3 office, it was the right date, and that's when I
4 filed it.

5 CHAIRMAN BOYCE: Can you give us that cause
6 number, please.

7 MR. YOUNG: I -- I --

8 MS. THOMPSON: Was that the annual report?

9 MR. YOUNG: Yeah, that's the -- there's no --
10 I didn't get a notice for that, but it's here,
11 so...

12 MS. THOMPSON: That's for the annual report?

13 MR. YOUNG: Huh?

14 MS. THOMPSON: For the annual report?

15 MR. YOUNG: Yes.

16 MS. THOMPSON: That was on page 97, Richard
17 Young, 2025-1907-174, the bottom of page, well, 97,
18 has a proposed civil penalty of \$250.73. This
19 would be his third time before the Commission.

20 CHAIRMAN BOYCE: Hold on a second.

21 MS. TAYLOR: The first time he was before the
22 Commission, the first time he came to the
23 Commission hearing, was in 1996. He did pay a
24 settlement agreement between 1996 and now. I
25 believe it was --

1 CHAIRMAN BOYCE: So the R. in your name stands
2 for Richard?

3 MR. YOUNG: Yeah. I didn't want anybody to
4 know that, but you said it.

5 CHAIRMAN BOYCE: Sorry.

6 VICE CHAIRMAN OVERHOLT: But you're Richard?

7 MR. YOUNG: Well, technically, but I'm
8 R. Michael. That's what I go. That's my campaign
9 and all that.

10 VICE CHAIRMAN OVERHOLT: Oh, okay.

11 CHAIRMAN BOYCE: But we're sure it's --

12 MS. TAYLOR: There were many Richard Youngs.

13 VICE CHAIRMAN OVERHOLT: Okay. Sorry. All
14 right. Just checking.

15 MR. YOUNG: So anyway, I got the letter like
16 everyone else, whoever got it, that number of
17 people, and I just waited to that date to file. I
18 thought I was following the law.

19 MS. NUSSMEYER: So, Senator, if I might,
20 you're saying that this first one is due to staff
21 error with the date on the letter, correct?

22 MR. YOUNG: I'm not trying to blame anybody.

23 MS. NUSSMEYER: No, no, no.

24 MR. YOUNG: I'm just saying on the date on the
25 letter, I went by the date on the letter.

1 MS. NUSSMEYER: Well, we handled those
2 differently at the beginning of the meeting today,
3 so I just wanted to draw that to the Commission's
4 attention if you wanted to consider that separate
5 from the other issues that he may bring before us.

6 MS. CELESTINO-HORSEMAN: I think what he's
7 saying is that he's going to go ahead and take
8 fault for all of them.

9 MR. YOUNG: Well, fault, I don't want to be at
10 fault for a fine for it.

11 CHAIRMAN BOYCE: I feel like --

12 MR. YOUNG: I'm agreeing I sent it on that
13 date, but I did it because of the letter.

14 CHAIRMAN BOYCE: I think the only difference
15 in those, and obviously the Commission members will
16 decide, but the seven that we dismissed contacted
17 the office and said, Hey, the date -- I mean, it
18 clearly said 2021, as the staff said earlier. So
19 in this case, you're saying the date was why you
20 didn't file it because of what the letter said.

21 MR. YOUNG: Yeah.

22 CHAIRMAN BOYCE: You just didn't contact
23 anyone to say, Hey, this seems wrong.

24 MR. YOUNG: No, I didn't because first time I
25 got a notice that we were doing this, first time I

1 had ever got a notice was on your letter of notice
2 of hearing that was sent out or signed August 18th.
3 So it was just a month before. I figured I'm
4 already coming so I'll just do them all together.
5 But that's the first notice I got. I did not get a
6 separate notice, as I did on other ones, for the
7 campaign report. First time, August 18th.

8 VICE CHAIRMAN OVERHOLT: So was the annual
9 report filed before the -- by the erroneous date in
10 the letter? I mean, I know the date in the letter
11 was, what, 2021, but the day of the month.

12 MS. TAYLOR: So the wrong 2021 date was
13 January 20th of 2021. He filed it January 19th of
14 2025.

15 CHAIRMAN BOYCE: And it was due, technically,
16 on the 15th.

17 MS. TAYLOR: It was due on the 15th, yes.

18 VICE CHAIRMAN OVERHOLT: I guess my thought is
19 I don't -- I understand that those other committees
20 contacted us, but he did file before that date, so
21 I would think it was reasonable for him to rely
22 on -- I mean, if I get something like that, I'll
23 assume the year is wrong and the date is right, or
24 the day, whatever.

25 CHAIRMAN BOYCE: So would it be best then on

1 these to take each one individually?

2 Okay. So on this first one then, the Cause
3 No. -174, for this annual, if we are going to go
4 that route, then we would need a motion and a
5 second to then dismiss this penalty.

6 VICE CHAIRMAN OVERHOLT: I'd move to waive the
7 penalty.

8 CHAIRMAN BOYCE: Waive. Sorry. I said
9 dismiss.

10 VICE CHAIRMAN OVERHOLT: I think in this case,
11 I'd move to waive the penalty.

12 MR. WESTERCAMP: I second that motion.

13 CHAIRMAN BOYCE: Okay. So we have a motion
14 and second. All those in favor say "aye."

15 VICE CHAIRMAN OVERHOLT: Aye.

16 MS. CELESTINO-HORSEMAN: Aye.

17 MR. WESTERCAMP: Aye.

18 CHAIRMAN BOYCE: Opposed "nay."

19 Okay.

20 MR. YOUNG: All righty.

21 CHAIRMAN BOYCE: Next.

22 MR. YOUNG: So that one's out of the way. The
23 second one that I agree to because it's my fault, I
24 messed up. You ever get that wake up in the
25 morning during your sleep and, Oh, dang, it I

1 forgot to do that. I forgot to do one, and it was
2 Cause -- trying to match these up. It's the one
3 for the settlement for due date October 17th for a
4 loan of mine for \$4,403. I think I did it the next
5 day or the day after.

6 VICE CHAIRMAN OVERHOLT: You don't have a
7 cause number for that?

8 MR. YOUNG: Well, I do.

9 VICE CHAIRMAN OVERHOLT: It would be very
10 helpful if you did.

11 MR. YOUNG: Okay. Yeah, here it is. It's
12 2025-1907-396.

13 MS. THOMPSON: That's on page 214. That
14 proposed civil penalty is 1,000 -- it should be
15 1,000 and 73 cents.

16 CHAIRMAN BOYCE: And this is the second time?

17 MS. THOMPSON: This is the third time.

18 MS. TAYLOR: One settlement agreement, one
19 time before the Commission, so this is the third.

20 MR. YOUNG: In 1996 and the spring of this
21 year; is that correct, if I may ask?

22 MS. TAYLOR: 1996 and I don't know when the
23 settlement agreement was.

24 MR. YOUNG: It would have been \$50, if I
25 remember. They weren't going to charge anybody at

1 that hearing, and I asked to be charged, so I think
2 it was \$50.

3 MS. CELESTINO-HORSEMAN: So it would be
4 75 percent of the 1,000; is that right?

5 CHAIRMAN BOYCE: So \$750.73.

6 MR. YOUNG: All right. And the last one --

7 CHAIRMAN BOYCE: Hold on one second.

8 MR. YOUNG: Oh, I'm sorry. I apologize.

9 CHAIRMAN BOYCE: Okay. So on this one then,
10 the Cause No. -396, the 75 percent would be \$750
11 and then a 73-cent mail cost.

12 So we have a motion and a second to approve
13 that?

14 MR. WESTERCAMP: So moved.

15 VICE CHAIRMAN OVERHOLT: Second.

16 CHAIRMAN BOYCE: All those in favor say "aye."

17 VICE CHAIRMAN OVERHOLT: Aye.

18 MS. CELESTINO-HORSEMAN: Aye.

19 MR. WESTERCAMP: Aye.

20 CHAIRMAN BOYCE: Opposed "nay."

21 Okay. Now, go ahead.

22 MR. YOUNG: Okay. And the second one is
23 for --

24 CHAIRMAN BOYCE: Third one.

25 MR. YOUNG: Yeah. I'm going to try to find

1 it. Yeah. Okay. It's 2025-1907-396.

2 CHAIRMAN BOYCE: That's the one we just did.

3 MR. YOUNG: Okay. Well, shoot.

4 MS. TAYLOR: -406, -407, -408, -409, -410,
5 -411, -412.

6 MR. YOUNG: You got me. This may have been
7 the one I didn't have a notice for. I knew there
8 was one of them.

9 MS. THOMPSON: Madam Chairman, these are on
10 page 219. I don't know which one.

11 CHAIRMAN BOYCE: And they're all \$1,000?

12 MS. TAYLOR: Yes.

13 MS. CELESTINO-HORSEMAN: Okay. So of these,
14 of the ones she just read, are you going to go
15 ahead and accept the deal for all of them?

16 MR. YOUNG: Yeah, I'm going to do that. What
17 happened, just as an explanation, there was a
18 problem with the balance when my treasurer died to
19 what I found out it really was, and so when I went
20 in to correct it, I had to go through all these
21 contributions and expenditures. I found the
22 contribution I forgot to make, but I did it.

23 I guess I didn't have to because, if I didn't,
24 nobody would have known I had gotten it, and I
25 guess I could have always blamed it on my

1 treasurer. But I'm a person you do what's right
2 even if no one is watching, and I knew it was going
3 to cost me some money, but that was the right thing
4 to do. And so I put that in there when I found it
5 and made the contribution on the date that I found
6 the error.

7 CHAIRMAN BOYCE: So there are six.

8 VICE CHAIRMAN OVERHOLT: I found seven.

9 CHAIRMAN BOYCE: Sorry. I might have missed
10 one.

11 MS. TAYLOR: There were nine total including
12 the annual, eight CFA-11s. We did one.

13 MS. CELESTINO-HORSEMAN: What he just
14 explained doesn't relate to these, right?

15 MS. TAYLOR: I believe it does. They're all
16 on the same --

17 MR. WESTERCAMP: What's the nature of the
18 violation that we're talking about?

19 MS. THOMPSON: These are all large
20 contributions.

21 MR. WESTERCAMP: Okay. Thank you.

22 MR. YOUNG: Yeah, it was a large contribution.
23 I think it was deposited on April the 26th, and
24 then I found it, that it wasn't reported in the
25 report somewhere in October.

1 MS. CELESTINO-HORSEMAN: So we're just talking
2 about --

3 MS. TAYLOR: October 27th through
4 November 1st.

5 CHAIRMAN BOYCE: And there are seven?

6 MS. TAYLOR: There are seven.

7 MR. YOUNG: If I might add, if it's okay, the
8 only thing I would ask for the Committee to
9 consider is this: I'm not trying for any excuses,
10 but the purpose of the campaign finance laws is to
11 report it so the other side knows what you're
12 doing. Well, that was on the 26th. I guess,
13 technically I had till the 28th to report it, so
14 29, 30 plus six, that's eight days. After that the
15 campaign was over. There was no reason -- nobody
16 could do anything with it because the campaign was
17 over.

18 And so when I found it, I reported it, and I
19 would just ask for consideration on this one only
20 because it was so close to the end of the campaign.
21 It was eight days and the campaign was over. There
22 was no campaign after that for the primary, so it
23 didn't make a difference to anybody. I broke the
24 rule. I got that. I reported it as soon as I
25 found it. But technically that's for during the

1 campaign so the other side knows what's going on.
2 There was only eight days they could have known
3 about it and used it, and I'm just suggesting,
4 since it was over, I would do the \$50 a day, which
5 is \$400.

6 MS. CELESTINO-HORSEMAN: Sir, I am confused
7 because I thought we were going to start with the
8 ones that you agreed to. So far --

9 MR. YOUNG: I agree to it. I agree to it.
10 It's a mistake. I made it. I'm just suggesting on
11 the penalty, which is in your discretion, that you
12 give some leniency and make it \$400 for the eight
13 days that I didn't report it.

14 MS. CELESTINO-HORSEMAN: Okay. And I totally
15 understand that, but as a lawyer -- you're a
16 lawyer, I'm a lawyer.

17 MR. YOUNG: My license is I'm retired.

18 MS. CELESTINO-HORSEMAN: Lucky you.

19 MR. YOUNG: So see how good I do now.

20 MS. CELESTINO-HORSEMAN: So, I mean, so where
21 do we draw the line, eight days out, ten days out,
22 14 days out, just wait till a day out it won't make
23 a difference? I mean, we can't be put into that
24 kind of position. It's either timely or it's not
25 timely --

1 MR. YOUNG: No. And I -- if I may respond.

2 MS. CELESTINO-HORSEMAN: Well, I was trying to
3 finish. It's either timely or it's not timely or
4 it is -- there's some outstanding just cause excuse
5 as to why it couldn't be done. But other than
6 that, what you're just saying is it was just a
7 little bit of harm maybe, so, yeah, I personally
8 would not be so inclined to grant that.

9 MR. YOUNG: If I may.

10 CHAIRMAN BOYCE: Sure.

11 MR. YOUNG: If I may, all I'm saying is that,
12 in fairness, under 3-9-4-19, you guys do have, and
13 we gave it to you to make these kinds of decisions
14 in these situations. And to me, I mean, I could
15 blame my treasurer. He's dead and I'd do it, but
16 I'm not going to do that. I take full
17 responsibility for that being late. I don't deny
18 it.

19 What I am suggesting is simply this: Since
20 you do have discretion based on circumstances, that
21 the purpose of the pre-election large contribution
22 thing is so the other side knows about it, and that
23 was for eight days, and there's nothing they could
24 do after the election on May 7th. There's nothing
25 they can do with it.

1 For me to be fined is your choice, but for me
2 to be fined, it doesn't affect the statute and the
3 reason why we put it there. It was to be done
4 before the primary so the other side knows it and
5 they can make, Hey here's a guy that took money
6 from this person and we want to report it or do
7 something with it. But after the election there's
8 nothing they can do with it because it's over, and
9 that's the only thing I say.

10 I know you've got the power to do that. I'm
11 trying to give you some circumstances which I think
12 are compelling that it would have made no
13 difference. It would have made no difference in
14 it, the eight days, but I'll take whatever you got.
15 I'm not trying to get out of anything. I'm just
16 suggesting to you that it's almost half of it,
17 almost half of it. It's \$1,000, and that's \$1,000
18 for a long time.

19 CHAIRMAN BOYCE: It's \$1,000 for each.

20 MR. YOUNG: Yeah, I know it. Yeah, this one's
21 worth \$1,000.

22 CHAIRMAN BOYCE: So \$7,000.

23 MS. CELESTINO-HORSEMAN: Yeah. This might --

24 MR. YOUNG: Yeah. No, I'm not taking them
25 together. I'm just only talking about this one.

1 MS. CELESTINO-HORSEMAN: So that's clear.

2 MR. YOUNG: This one, the agreement was
3 \$1,000. I'm only suggesting that \$400, to me, I
4 think appropriate based on what the purpose and the
5 intent of the campaign laws are. You guys do
6 whatever you want. I'm going to live with it. I'm
7 not going to get mad or upset or do anything. I'm
8 just suggesting that there is a reason to make a
9 fair imposition of the penalty based on the
10 circumstances. And so that's all I'm giving to
11 you. If you don't buy it, you don't buy it. So
12 there's nothing I can do about it.

13 MS. CELESTINO-HORSEMAN: So --

14 MR. WESTERCAMP: Does that conclude your
15 presentation?

16 MR. YOUNG: On those that I agreed that, hey,
17 I did something wrong.

18 MS. CELESTINO-HORSEMAN: So his total is
19 \$8,000?

20 MS. TAYLOR: 7,000.

21 MS. CELESTINO-HORSEMAN: \$7,000. Okay. So I
22 move -- what would the total be?

23 VICE CHAIRMAN OVERHOLT: So for clarification,
24 though, when you came up here at the beginning and
25 said there were some you wanted to take the deal

1 and some you wanted to discuss, what category do
2 these seven fall into?

3 MR. YOUNG: These are the ones that I wanted
4 to take the deal on with the explanation for the
5 Commission to consider. I missed all three of
6 those.

7 CHAIRMAN BOYCE: So that's a \$7,000 penalty,
8 so it's 75 percent of that.

9 MR. YOUNG: No. That's not \$7,000 for these
10 three.

11 MS. THOMPSON: No. Those were the ones he
12 took the 75 percent on, his annual report --

13 MS. CELESTINO-HORSEMAN: That's what I've been
14 trying to figure out is which ones --

15 MR. YOUNG: No, no, no.

16 CHAIRMAN BOYCE: We just went through -406,
17 -407 --

18 MS. THOMPSON: He's already done three of
19 them. We have --

20 MS. NUSSMEYER: We have not done three. We
21 have only done one, Cause No. -396, plus the one
22 that was waived.

23 CHAIRMAN BOYCE: I'm looking at Cause
24 No. -406, -7 --

25 MS. CELESTINO-HORSEMAN: Can you tell us,

1 which ones are you taking the deal on? What's the
2 cause numbers on those?

3 MR. YOUNG: Well, the one I didn't have the
4 cause number for. She gave it to you.

5 CHAIRMAN BOYCE: I'm looking at -6, -7, -8,
6 -9 --

7 MR. YOUNG: Well, those I have not -- -396,
8 that's the supplemental.

9 CHAIRMAN BOYCE: Got it. We've already done
10 that.

11 MR. YOUNG: Yeah. And then there's the --

12 VICE CHAIRMAN OVERHOLT: Then the one we
13 waived, which was.

14 MR. YOUNG: Yeah. That was on the campaign
15 supplemental that was due in January because of the
16 letter.

17 CHAIRMAN BOYCE: Yes. Okay.

18 MR. YOUNG: The other one was the one on the
19 large contribution for 4,400-and-some dollars, and
20 I said I'll take the fine.

21 VICE CHAIRMAN OVERHOLT: No, we haven't done
22 that.

23 MS. THOMPSON: We haven't done that.

24 VICE CHAIRMAN OVERHOLT: I think you're
25 lumping some together. We have in front of us --

1 MR. YOUNG: I'll let you guys tell me.

2 MS. CELESTINO-HORSEMAN: Which ones is he
3 taking the deal on? He has to identify those.

4 MR. WESTERCAMP: So I think we should -- just
5 as a point of clarification, it appears to me that,
6 while he's not argued his liability in this matter,
7 he is arguing what the consequence for that should
8 be. I think that is distinct from the other
9 individuals who have come forward today that didn't
10 try to dicker on the amount but just accepted the
11 deal.

12 And so I would say, based on the senator's
13 testimony today, he's accepted one deal. This
14 Commission has approved one deal. He's made an
15 argument to this Commission on a separate deal that
16 is not the 75 percent, and so I think it's up to us
17 to determine what the penalty should be based on
18 what you had said earlier today, Commissioner
19 Karen.

20 MS. CELESTINO-HORSEMAN: But here is the
21 question: Which one is he referring to?

22 CHAIRMAN BOYCE: Which one? Now I'm more
23 confused.

24 MS. CELESTINO-HORSEMAN: I have no idea what
25 he's saying as to -- you know, what he said is,

1 I'll take the deal, on whatever it is he's talking
2 about, but I think I need to negotiate it down
3 further. I've said I'm not going to go along with
4 that. I mean, it is what it is.

5 MS. NUSSMEYER: So, Senator, all day we have
6 had the annual report that the Commission has
7 waived. We have one late CFA-11 supplemental,
8 correct, that we did the 75 percent on with the
9 cause number of -396? We now have seven separate
10 cause numbers, all dealing with late large
11 supplemental campaign finance reports, the causes
12 ending with -406, -407, -408, -409, -410, -411,
13 -412. Each of those is \$1,000 and 73 cents for
14 mailing costs. Which of those seven causes are you
15 making the argument for right now?

16 MR. YOUNG: On those it's the one we just are
17 discussing, was just discussing.

18 MS. NUSSMEYER: If that was -396, we've
19 already discussed it and that is done.

20 MR. YOUNG: Oh, okay.

21 MS. NUSSMEYER: -396 is done. We're looking
22 at -406, -407, -408, -409, -410 --

23 MR. YOUNG: Now I'm confused.

24 MS. NUSSMEYER: -- -411, and -412.

25 MS. TAYLOR: Can we take a time out?

1 MS. CELESTINO-HORSEMAN: I was going to say
2 maybe we can proceed on to someone else and let him
3 work in the back, work to figure out what's going
4 on.

5 MS. TAYLOR: Yeah.

6 MR. YOUNG: Yeah. I'll do whatever you want.

7 CHAIRMAN BOYCE: So let's --

8 VICE CHAIRMAN OVERHOLT: I move to table this
9 particular hearing.

10 CHAIRMAN BOYCE: Okay. We have a motion to
11 table this issue and we'll revisit.

12 MR. YOUNG: Yeah. Okay.

13 CHAIRMAN BOYCE: Do we have a second?

14 MR. WESTERCAMP: Second.

15 CHAIRMAN BOYCE: Okay. Second. All in favor
16 say "aye."

17 VICE CHAIRMAN OVERHOLT: Aye.

18 MS. CELESTINO-HORSEMAN: Aye.

19 MR. WESTERCAMP: Aye.

20 CHAIRMAN BOYCE: Opposed.

21 Okay. So up next, we'll go to this -- oh,
22 yeah, probably you guys in the second row here.

23 UNIDENTIFIED SPEAKER: Do we all come up at
24 the same time?

25 CHAIRMAN BOYCE: We'll just do one at a time

1 since it's going to be a little bit longer. You
2 probably don't want to stand and wait.

3 MR. GRIFFIN: I've got all my paperwork. All
4 right. My name is Eric Griffin, E-r-i-c,
5 G-r-i-f-f-i-n, and I'm the chairman of the
6 South Bend Firefighters Political Action Committee,
7 Cause No. 2025-1871-329.

8 MS. THOMPSON: Madam Chairman, this is on
9 page 179. This is South Bend Firefighters
10 Political Action Committee, Cause
11 No. 2025-1871-329, has a proposed civil penalty of
12 \$1,000.68, and this will be his seventh time before
13 the Commission.

14 CHAIRMAN BOYCE: Okay.

15 MR. GRIFFIN: I do have some examples of just
16 our contribution record, our record of transactions
17 just to show you that we are on the up and up on
18 how we do things.

19 CHAIRMAN BOYCE: Valerie, will you --

20 MS. WARYCHA: I will.

21 CHAIRMAN BOYCE: Thank you.

22 MS. WARYCHA: Thank you.

23 MS. CELESTINO-HORSEMAN: Okay. First of all,
24 let me say thank you for your service.

25 MR. GRIFFIN: Absolutely.

1 MS. CELESTINO-HORSEMAN: I represent
2 firefighters, and I think it's a wonderful thing
3 you do.

4 But my question is, the documents that you've
5 just submitted, what's the purpose of those?

6 MR. GRIFFIN: So after receiving this letter,
7 I reached out to our state union for some advice
8 because I didn't really know what was going on here
9 or what --

10 MS. CELESTINO-HORSEMAN: Tom Hanify?

11 MR. GRIFFIN: Among the few, just to -- and
12 they were like, Well, bring as much evidence as you
13 can and just show them that you guys have your
14 stuff together, that it wasn't negligence, that it
15 was a simple mistake, which I consider negligence.

16 But we do keep extremely accurate records.

17 All of our contributions are made by our members,
18 and it's payroll deductions, so we know exactly how
19 much we have coming in. There hasn't been a lot of
20 action by us in some time, as, after talking to
21 Michelle over here, it looks like our last problem
22 was in 2003?

23 MS. THOMPSON: You paid a settlement in 2007,
24 but the last late report was in 2003.

25 MR. GRIFFIN: So, unfortunately, that was long

1 before I was even on the fire department. I was
2 unaware of any of that. But that's not an excuse
3 obviously.

4 We -- the political action committee didn't
5 really have a lot of stuff going on. Very early on
6 they revamped things, had some bad apples. So
7 since I took over, kind of forced into it as the
8 local president in '22, I believe, along with my
9 treasurer, this was the only mistake that's been
10 made, unfortunately. There's no really good excuse
11 for it. There's a series of events.

12 But as a good steward to my members, I just
13 wanted to come in and show you guys that we are a
14 well-functioning PAC. We believe we have all of
15 our records together. We did file the report as
16 soon as we found out that it had been missed. And
17 since then we've reached out to the state
18 secretary/treasurer looking for some advice, maybe
19 some ways we can do things differently. We have
20 quite a bit of backups put into place as far as the
21 reporting because I, admittedly, have a lot of
22 other things going on as far as the union goes, so
23 I relied on him to make those things happen. And
24 so I was not a good reminder on him, but we've had
25 like three or four different reminders put into

1 place. Everything is there.

2 I'm big on being held accountable, so I
3 wouldn't expect a waiver. But in good conscience,
4 I couldn't not come and try to seek some sort of
5 reduction just because it is -- the money that we
6 have in our PAC isn't put in there for anything
7 except for by our members on the fire department to
8 advocate for better working environments, safety,
9 and good wages and benefits. We only spend money
10 when it is to our local politicians. We don't do
11 anything really big. It's not that we don't have
12 the money. That's not the problem.

13 As I said, as a good steward to my members, I
14 wanted to vouch for our PAC and ask for some mercy
15 since, like I said, the last time we came before
16 the committee here I think I was still in high
17 school, so, you know, it's been a little while.
18 But I can assure you that we are on top of things
19 moving forward and we won't be making any more
20 mistakes.

21 MS. CELESTINO-HORSEMAN: I'm sure you can
22 understand that I don't think it was done
23 intentionally probably, but, you know, if you come
24 in and just say, well, cut us a break because we do
25 good things, we keep our books up, we do this and

1 that, then we have to do that for everyone, and
2 there's no incentive for people to properly follow
3 the law of campaign finance.

4 Plus, I see that you had delinquent reports in
5 '23, in '22, in '20, so this is not a new -- oh,
6 that's the wrong one?

7 VICE CHAIRMAN OVERHOLT: Well, but they were
8 in --

9 MS. CELESTINO-HORSEMAN: Oh, yeah, next page.
10 So 24 -- you hadn't had one since 2007. But quite
11 honestly, when PACs stick around long enough, it
12 will be repeated because it's easy over the years.
13 I mean, you started the first one 24 years ago, so
14 you're going to have that happen to you. But as
15 far as justification for us to deviate from the
16 law, I'm sorry, I don't think it would be
17 appropriate, though I still love firefighters.

18 MR. GRIFFIN: That's all right. Like I said,
19 I couldn't not come down and do it.

20 MS. CELESTINO-HORSEMAN: No, and you did a
21 fine job.

22 MR. GRIFFIN: Yeah. I'm just a fireman, so
23 it's kind of --

24 MR. WESTERCAMP: I move -- thank you. Our
25 time is now up, but I move to impose the full

1 amount of the penalty plus mailing costs for the
2 committee.

3 VICE CHAIRMAN OVERHOLT: Second.

4 CHAIRMAN BOYCE: Okay. We have a motion and a
5 second, so the proposed fine is \$1,000, mailing
6 cost of 68 cents.

7 All those in favor say "aye."

8 VICE CHAIRMAN OVERHOLT: Aye.

9 MS. CELESTINO-HORSEMAN: Aye.

10 MR. WESTERCAMP: Aye.

11 CHAIRMAN BOYCE: Opposed "nay."

12 Thank you.

13 MR. GRIFFIN: Thank you so much.

14 CHAIRMAN BOYCE: Be careful going home.

15 MR. GRIFFIN: Absolutely.

16 CHAIRMAN BOYCE: Now we'll go back over to
17 this side. If it's okay, I'm just going to go back
18 and forth, be the most fair, I guess.

19 MR. KLUTZ: Good afternoon, Commission. Zach
20 Klutz, K-l-u-t-z, with the Taft Law Firm. I'm here
21 on behalf and in accordance with the notice of
22 appearance I filed for Hanning & Bean Enterprises
23 for Administrative Cause No. 2025-417.

24 MS. THOMPSON: Madam Chairman, the little red
25 tab in the back of your book is excess

1 corporations.

2 CHAIRMAN BOYCE: Okay.

3 MS. CELESTINO-HORSEMAN: Zach, it's good to
4 see you again.

5 MR. KLUTZ: It's good to see all of you again,
6 staff and Commission.

7 MR. WESTERCAMP: Zach, it's odd not to see you
8 in deal context.

9 MR. KLUTZ: That's right.

10 MS. THOMPSON: For '22, red tab. Hanning &
11 Bean Enterprises, Inc., Cause No. 2025-417,
12 contributed to the Allen County Republican Party in
13 the amount of \$6,000. They've never been before
14 the Commission, and Allen County refunded the
15 contribution on 5/20/2022.

16 MR. KLUTZ: Thank you. If I might, I have
17 tabbed reports. It's just three pages I'd like to
18 present to you, and I'll walk through it with you.

19 Again, so our client is Hanning & Bean
20 Enterprises. It is a corporation subject to the
21 lower corporate contribution amounts. If you look
22 on Tab 1 at the very top, Hanning & Bean
23 Enterprises made a contribution in the amount of
24 \$6,000 to the Allen County Republican Party on
25 May 11th. This campaign contribution resulted --

1 or arose from the principal of Hanning & Bean
2 calling his staff and saying we've agreed to make a
3 contribution to the Allen County Republican Party
4 in the amount of \$6,000 by Hanning & Bean. The
5 treasury department then cut the check and sent it,
6 and it was reported on May 11th.

7 If you flip to Tab 2, on the 20th, our client
8 realized that the check came from Hanning & Bean
9 Enterprises as opposed to Hanning & Bean, LLC,
10 which is another entity that they have which is an
11 LLC that would not be subject to the \$6,000 limits.
12 So on May 20th, they called the Allen County
13 Republican Party and asked for a refund.

14 And then if you look at Tab 3, on the bottom,
15 you'll see that Hanning & Bean, LLC, the proper
16 entity that was always intended to give the
17 contribution, five days later made the
18 contribution.

19 This is the first time that this entity has
20 been before you. They did believe that, by
21 notating on the campaign contribution report
22 contribution returned on the expenditure and then
23 excess contribution, they deemed that to be a
24 self-report, I mean, calling it to your attention.
25 They didn't just say expenditure. They said this

1 was an excess contribution.

2 In addition, I've confirmed with Hanning &
3 Bean that they've put training in place for the
4 treasury group that, when contributions go out, the
5 check writers clarify is this Hanning & Bean
6 Enterprises or Hanning & Bean, LLC, to avoid this
7 situation in the past.

8 The reason I did not come up for the discount
9 of the plans is, I know there's been some turnover
10 on the board, but there is precedent on this board
11 under the following circumstances: If it's a
12 first-time violation, if it was voluntarily
13 disclosed and the contribution was returned before
14 we received notice from you all, which this is the
15 case, and if training occurred to mitigate this in
16 the future, that the fine has actually been waived.

17 So that is our request before you guys, and I
18 did pull the transcript for that precedent just so
19 you know I'm not making it up. I would not do that
20 to you anyway, but if you'd like that, we do have
21 that. I just feel like these circumstances fit the
22 prior precedent of this group.

23 MR. WESTERCAMP: So just to be clear, you
24 discovered it yourself, the Election Division staff
25 did not -- or your client discovered it, the

1 Election Division staff did not discover it, you
2 self-reported and cured?

3 MR. KLUTZ: Correct. This was discovered in
4 May, nine days after the contribution was made.
5 The report was not filed to even show you notice of
6 this until October of that same year, so about six
7 months later, seven months later -- six months
8 later, correct.

9 MS. CELESTINO-HORSEMAN: So the money was
10 returned and all of that. What's the complaint?

11 VICE CHAIRMAN OVERHOLT: Well, because --

12 MS. CELESTINO-HORSEMAN: What's the alleged
13 failure?

14 VICE CHAIRMAN OVERHOLT: Well, that it was in
15 excess.

16 MS. NUSSMEYER: Corporate contribution, excess
17 corporate contribution, but the result is it's not.

18 MS. CELESTINO-HORSEMAN: Yeah. I mean, it was
19 returned. Does the law not allow for receiving
20 that and then refunding it?

21 MS. NUSSMEYER: That's the question before
22 you.

23 VICE CHAIRMAN OVERHOLT: That's the point he's
24 making is that there's -- I mean, the law allows
25 for a penalty because of an excess contribution,

1 and then, yes, there have been hearings before
2 where this scenario has occurred, that a company,
3 an entity has realized that they made a
4 contribution, they contacted the committee, the
5 candidate, whatever, and said we need our money
6 back. And there are other times where it's the
7 candidate who has figured it out and has refunded
8 or paid the money back.

9 MR. KLUTZ: Correct, or there are scenarios
10 where we get a letter from you all saying there was
11 an excess contribution, then we return the money.
12 And here what we're trying to say is, within nine
13 days, we realized it came from the wrong entity, we
14 tried to make notations in the report to
15 self-report, and we reissued the checks from an
16 eligible entity.

17 MS. CELESTINO-HORSEMAN: So when did you get
18 the letter from the Election Division?

19 MR. KLUTZ: So this contribution was done in
20 2022, and we got the letter relatively recently in
21 this year.

22 VICE CHAIRMAN OVERHOLT: He's trying to be
23 nice, I can tell.

24 MR. WESTERCAMP: Mr. Klutz, what's our
25 precedent again? What was the outcome of the prior

1 case?

2 VICE CHAIRMAN OVERHOLT: Do you want me to say
3 it?

4 MR. KLUTZ: I've got it. It's a first-time
5 violation, the contributor -- the excess
6 contributor self-reported prior to receiving notice
7 of the violation, and processes were put in place
8 to eliminate the administrative error in the
9 future.

10 MR. WESTERCAMP: And the fine was waived?

11 CHAIRMAN BOYCE: And it was dismissed.

12 MR. WESTERCAMP: Or dismissed?

13 MR. KLUTZ: And the fine was unanimously
14 dismissed, correct.

15 MS. NUSSMEYER: Waived.

16 MR. KLUTZ: Or I'm sorry, waived.

17 MS. CELESTINO-HORSEMAN: I move the complaint
18 be waived.

19 MR. WESTERCAMP: Second.

20 CHAIRMAN BOYCE: We have a motion and a second
21 to waive the penalty.

22 All those in favor say "aye."

23 VICE CHAIRMAN OVERHOLT: Aye.

24 MS. CELESTINO-HORSEMAN: Aye.

25 MR. WESTERCAMP: Aye.

1 CHAIRMAN BOYCE: Opposed "nay."

2 Very good. Thank you.

3 MR. KLUTZ: Thank you very much.

4 MS. NUSSMEYER: And if I might, just for the
5 new commissioners, just background, Mr. Klutz is
6 correct. So what would typically happen with this
7 report -- or with this contribution made through
8 our office, once that pre-election report had been
9 filed in the system, Abbey and Michelle do look for
10 excess corporate contributions. That's when they
11 get a letter saying this is an issue, it's three
12 times the amount of the overage. That's the
13 distinction he was trying to draw is that, in May,
14 no report had been filed because the pre-election
15 report would not have been due until October.

16 CHAIRMAN BOYCE: Okay. Thank you.

17 MR. KLUTZ: Thank you.

18 MS. CELESTINO-HORSEMAN: When you say Abbey
19 has to look for over contributions, does the system
20 not automatically --

21 MS. NUSSMEYER: That one it does, right?

22 MS. THOMPSON: Yeah. Oh, yeah.

23 MS. NUSSMEYER: So this one it does.

24 MR. JOHN: Tom John, Taft Law, appearing on
25 behalf of MKM Architecture and accompanied by...

1 MS. ZWICK: Megan Zwick. That's M-e-g-a-n,
2 Z-w-i-c-k.

3 MS. THOMPSON: Madam Chairman, behind that
4 yellow -- red tab is 2023 excess corporations, and
5 this is MKM Architecture & Design, Cause
6 No. 2025-419, contributed to Doden for Indiana in
7 the amount of \$10,000 on two separate
8 contributions. They've never been before the
9 Commission. It was actually Doden of Indiana that
10 identified this and self-reported it to the Indiana
11 Election Division.

12 CHAIRMAN BOYCE: Okay. You can go ahead.

13 MR. JOHN: This is a similar case to what we
14 just heard actually. We have a -- and if you look
15 at Exhibit E, which is in the back of what you
16 have, MKM is not a frequent contributor. That is
17 actually pulled from the data where there are 12
18 over the life of what's in the portal, 12
19 contributions to campaigns, three to political
20 action committees over the last 20-plus years.

21 So we are dealing with a company that
22 occasionally gives, and they had made a commitment
23 to the Doden campaign to give contributions over a
24 three-year cycle, \$5,000 a year. One of those was
25 in June of 2023, and that is in Exhibit B there.

1 Then on December 4th, somebody was trying to get
2 ahead of the game and budgeting was going on and
3 they said, well, let's just send that other
4 contribution, not knowing any better.

5 And that contribution was flagged by the
6 campaign then as it was going through its process
7 of ensuring that everything was appropriate.

8 Frankly, they contacted me. I said we need to make
9 sure we disclose it. Unfortunately, it was after
10 the period of the filing, so you couldn't actually
11 do it on the filing that they were preparing at
12 that point.

13 So we included the memo that is Exhibit A in
14 the filing that was made, and the Doden campaign
15 included that in the filing in January of 2024.
16 And on January 9th, a day after the excess
17 contribution was located, it was refunded by the
18 campaign to MKM.

19 So similarly, we're dealing with something
20 that was identified, self-reported, and resolved
21 within a very short period of time thereafter. I
22 mean, the recorded date for the contribution is
23 December 4th, but I'll note that that was during
24 the holidays, right, so a lot of people were not
25 necessarily in the midst of going through all of

1 that stuff, and as they got to it after that, it
2 was realized and it was dealt with.

3 Also, Ms. Zwick can speak to there have been
4 processes put in place to ensure this won't happen
5 again. Even though they're relatively not frequent
6 fliers in the campaign contribution state, they
7 understand the severity and the importance of what
8 they're doing and are going to ensure through
9 processes to make sure that they will not have such
10 an occasion happen again where they would have a
11 violation like this.

12 So we would request that the fine be waived.
13 Obviously the statute gives this board, the
14 Commission, the ability to do that. Twenty years
15 or so ago, I did a few of those when I sat in your
16 seats, and obviously you just heard about a
17 precedent from 2018. So I think this is actually
18 exactly the sort of case where we would seek the
19 board's mercy on this matter and ask for waiver.

20 I'll have Megan speak to the processes and
21 what's been done to make sure this won't happen
22 again.

23 MS. ZWICK: So best practice at MKM is that we
24 stay neutral and we don't make these sorts of
25 political contributions. Instead, we encourage our

1 owners and all of our staff to make their own
2 individual contributions. But since that was my
3 oversight, we have put in place into our internal
4 payment system to not allocate more than \$5,000 in
5 a calendar year to the political contributions
6 general ledger account in our systems. And I know
7 it's technology. We can waive that. But we do
8 have a prompt to -- as a way to control equality of
9 what we're doing.

10 So from an internal standpoint, we have a
11 process, and we sort of monitor that. I am a
12 director of operations at MKM, and I work closely
13 with our CPA to ensure that nothing like this will
14 ever happen again.

15 MR. JOHN: And it's not possible now to issue
16 a check without your approval, right, or whoever is
17 in your position?

18 MS. ZWICK: Correct, yes. All checks written
19 from MKM bank accounts are processed through me, so
20 it's not like anybody can willy-nilly write a check
21 on their own accord. Everything has to be through
22 our internal payment system.

23 MS. CELESTINO-HORSEMAN: Now, this memorandum
24 that you've provided us, Exhibit A, was sent to the
25 co-directors of the Election Division on

1 January 16th of '24. You all discovered, from what
2 this memo says, that an over-contribution had been
3 made on January 8th of '24, and the only thing
4 about it is that the donation itself that was the
5 over-contribution was made on June 22nd, '23. So
6 it took about --

7 MR. JOHN: No, no. Sorry. What happened here
8 is there were two \$5,000 contributions. The one on
9 the 23rd of June was completely appropriate. It
10 was within the corporate limit.

11 CHAIRMAN BOYCE: But the second triggered.

12 MR. JOHN: It was the one in December that
13 triggered this.

14 MS. CELESTINO-HORSEMAN: Okay.

15 VICE CHAIRMAN OVERHOLT: But it was the
16 campaign that identified the issue, not MKM, right?
17 So this is very distinguishable from the previous
18 case because the previous case it was the donor
19 that recognized the problem and contacted the PAC
20 to which they made the contribution. In this case
21 it's the reverse, right?

22 MR. JOHN: That may be true, but oftentimes --
23 there have been a number of these that happened
24 over the years that those of you who have been
25 around know of.

1 VICE CHAIRMAN OVERHOLT: I've been here since
2 2012, so I'm well aware of those.

3 MR. JOHN: Yes. But --

4 VICE CHAIRMAN OVERHOLT: I'm just pointing out
5 that you said -- this is not identical.

6 MR. JOHN: It is not identical. I understand
7 that. But by the same token, oftentimes many of
8 those, I believe, were identified by campaigns, as
9 a practical matter, the ignorance that happens from
10 the people contributing.

11 And, frankly, it's -- I know I've got the
12 manual back there, right, but there are
13 distinctions between an LLC. It could be an LLC,
14 but is it a sub S or is it a partnership, and there
15 are a lot of traps for them, for the actual
16 contributors, particularly ones that don't do this
17 regularly. If I was here for a PAC that is giving
18 dozens of checks a year, of course, that would be
19 something that would be a little different. But,
20 in fact, we're talking about somebody that,
21 throughout the system, has never given more than
22 one campaign check a year except in this year in
23 2023.

24 Also, I'd note just as a matter of -- the
25 notice on this actually is -- it's an oddity

1 because it says for exceeding limits in 2024, which
2 is not actually what, I presume, was intended. But
3 if this were criminal, we'd probably be arguing
4 whether it's even had notice of it.

5 MS. CELESTINO-HORSEMAN: So the second page of
6 your Exhibit A, I'm looking at this list of Doden
7 for Indiana corporate overage notification history.
8 What does it mean at the very last one where it
9 says "Agreement completed"?

10 MR. JOHN: Because the Doden campaign had
11 asked their donors to frankly commit to a certain
12 amount each year just as a matter of a fund-raising
13 mechanism, frankly.

14 MS. CELESTINO-HORSEMAN: So this is asking for
15 the donation, but this is dated -- I'm not sure
16 that's right.

17 MR. JOHN: I'm sorry. Which exhibit are
18 you --

19 CHAIRMAN BOYCE: The second page.

20 MS. CELESTINO-HORSEMAN: The second page of
21 Exhibit A.

22 MR. JOHN: Oh, so that is just simply the
23 DocuSign that this was filed.

24 MS. CELESTINO-HORSEMAN: Right. I'm asking,
25 what's the "Agreement completed"?

1 MR. JOHN: Oh, well, that's -- anytime you do
2 DocuSign, this is the paper trail that DocuSign
3 produces as your electronic proof of what --

4 CHAIRMAN BOYCE: It has nothing to do with the
5 contribution.

6 MR. JOHN: It has nothing to do with the
7 contribution.

8 MS. CELESTINO-HORSEMAN: Just the filing of
9 the --

10 MR. JOHN: Sorry. Yeah, this --

11 CHAIRMAN BOYCE: Just the creation of this.

12 MS. CELESTINO-HORSEMAN: That's what I'm
13 wondering, yeah.

14 MR. WESTERCAMP: Okay. So it's not legally --

15 CHAIRMAN BOYCE: Right.

16 MR. JOHN: I'm sorry. I misunderstood what
17 you were -- this is simply a receipt to show that,
18 because it was filed electronically through a
19 DocuSign, that it's actually the signature that was
20 done.

21 MR. WESTERCAMP: I see.

22 CHAIRMAN BOYCE: Yeah, yeah, yeah.

23 MR. WESTERCAMP: Perhaps you answered this,
24 but I just wanted to clarify, there wasn't an
25 agreement between MKM and the Doden campaign for

1 subsequent contribution which would be in violation
2 of law, right?

3 MR. JOHN: No, no.

4 MR. WESTERCAMP: All right. That's fine.

5 MR. JOHN: They had committed in probably 2022
6 to give the campaign \$5,000 a year, and when we say
7 "agreement," it's not like there was a contractual
8 obligation.

9 MR. WESTERCAMP: Understood.

10 MR. JOHN: Just like anytime you often see in
11 political fund-raising somebody says, Hey, I'm with
12 you, I'll give you this much in this period of
13 time.

14 CHAIRMAN BOYCE: Okay. Any other thoughts,
15 questions?

16 If not, we need a motion.

17 MS. CELESTINO-HORSEMAN: Well, can I ask
18 another question?

19 CHAIRMAN BOYCE: Sure.

20 MS. CELESTINO-HORSEMAN: So, in other words,
21 in your case, going back to Suzannah's point, it
22 was the donor who discovered the error, not the
23 campaign?

24 MR. JOHN: No, it was the campaign.

25 MS. CELESTINO-HORSEMAN: It was the campaign.

1 Okay. So then they took action to deal with it,
2 self-reported, refunded, and all of that, right?

3 MR. JOHN: Yeah, in communication because,
4 honestly, they identified it, and I'm not sure they
5 knew that the client was a sub S. And so I think
6 they verified, realized it was a violation, and
7 then did it. So, I mean, it was in communication
8 with MKM throughout.

9 MS. CELESTINO-HORSEMAN: Do they now have
10 something in place that says, when they get the
11 donation in from obviously a business entity, to
12 ask them what corporate form they have?

13 MR. JOHN: Well, the campaign --

14 CHAIRMAN BOYCE: Is over.

15 MR. JOHN: -- didn't do that. Yeah, it's
16 over. But, yeah, and, in fact, that's what flagged
17 it, I think, is if there wasn't evidence or
18 notation of form, then the question was asked. The
19 question was asked, and that led to...

20 MR. WESTERCAMP: I would ask our former -- or
21 the commissioners who have been on for a little
22 longer than Beth and I, so there was a distinction
23 made between the donor and the campaign
24 self-reporting from a precedential perspective.
25 What's the significance or relevance of that for

1 the purposes of dismissal or waiver?

2 VICE CHAIRMAN OVERHOLT: Well, just what we've
3 done in the past was, if the party before us is the
4 one that self-disclosed, that's when we -- or
5 self-identified and then corrected it, took steps
6 to correct it, that's -- and, I mean, there have
7 been instances where it's the donor, but it's --
8 where it's been corrected and before us. But where
9 we've done a complete waiver, I think that's
10 generally the party before us, they discovered it,
11 disclosed it, took care of it. It wasn't that
12 someone had to bring it to their attention.

13 So in this case it's that someone had to bring
14 it to their attention, and it was then that entity,
15 so the campaign -- I don't even know who. The
16 campaign was the one that -- the campaign
17 identified it, and the campaign corrected it by
18 refunding it to them, but it wasn't MKM that really
19 actually took steps to correct the situation. So
20 that's just something we weigh in terms of the
21 waiver.

22 So it's -- I mean, because of that in this
23 case, I would not support waiving the penalty.
24 That doesn't mean I'm not amenable to kind of
25 reducing the penalty, but in this case I don't

1 think it -- it's not the same situation, and I
2 don't think I'd support waiver, complete waiver.

3 MR. WESTERCAMP: Thank you for the
4 clarification. I guess my perspective on this
5 matter is it wasn't brought to their attention by
6 the Election Division staff, and so we want to
7 encourage this sort of thing, I'm sure you would
8 agree. We want to encourage people to come forward
9 and self-report, so --

10 CHAIRMAN BOYCE: Either party to self-report.

11 MR. WESTERCAMP: Either party, yeah, anyone,
12 yeah. So I would be inclined to dismiss, but I
13 think I'm also open to do some sort of reduction.
14 I guess I'll ask the petitioner, if we were not
15 inclined to dismiss your case, what is it that you
16 would ask for specifically as a reduction?

17 MR. JOHN: Well, first of all, I would argue
18 this is appropriate, and I would argue it's
19 somewhat a distinction without a difference insofar
20 as if you're talking about self-reporting as making
21 sure it happens. So what if somebody called -- in
22 a different scenario, let's say there's an error
23 with the campaign finance report, which, once
24 again, if corrected before it's actually issued a
25 violation, if it's something that's amenable to --

1 MR. WESTERCAMP: Could I interrupt you?

2 MR. JOHN: Yes.

3 MR. WESTERCAMP: I'm going to make a motion to
4 waive or dismiss the --

5 MS. CELESTINO-HORSEMAN: I have a -- I think
6 it's excellent they self -- that they reported. I
7 think that's great. But what I do have a problem
8 with is this distinction. If the company had never
9 come back to them, and they had the obligation to
10 be checking for it -- and this campaign, by the
11 way, is still open. They may not be doing anything
12 right now, but it's still open. And so because --
13 the campaign committee has not been closed, I'm
14 told anyway.

15 So it's that first part of it. The campaign
16 should have been looking for it. It's the fact
17 that -- like the case we just did, they were a
18 little bit -- that one they looked for it and there
19 was tardiness, not much, but in there. This one,
20 the campaign didn't look for it at all.

21 MR. JOHN: No. The campaign did look for it.

22 CHAIRMAN BOYCE: No. The campaign -- it's the
23 opposite.

24 MR. JOHN: The campaign identified it.

25 MS. NUSSMEYER: The campaign identified it.

1 MS. CELESTINO-HORSEMAN: I know the campaign
2 identified it after the company notified them about
3 it.

4 MS. NUSSMEYER: No.

5 MS. CELESTINO-HORSEMAN: Okay.

6 CHAIRMAN BOYCE: I'm sorry. There's a motion.
7 Can you --

8 MR. WESTERCAMP: Yeah. I want to just for the
9 record move to dismiss this claim against the
10 campaign.

11 CHAIRMAN BOYCE: Waive.

12 MR. WESTERCAMP: Waive. My apologies. I move
13 to waive this violation against the campaign.

14 CHAIRMAN BOYCE: I'll second that.

15 VICE CHAIRMAN OVERHOLT: And could I just -- I
16 think what I would just say is that Ms. Nussmeyer
17 reminded me that actually I was wrong about what I
18 said about previously, so we have actually waived
19 the penalty in situations like this as well.

20 CHAIRMAN BOYCE: Okay. At this point we'll
21 take a vote on that motion. All those in favor of
22 waiving the penalty say "aye."

23 VICE CHAIRMAN OVERHOLT: Aye.

24 MR. WESTERCAMP: Aye.

25 CHAIRMAN BOYCE: Opposed.

1 VICE CHAIRMAN OVERHOLT: Karen?

2 MS. CELESTINO-HORSEMAN: Oh, I agree. I vote
3 for it.

4 CHAIRMAN BOYCE: Okay.

5 MR. JOHN: Thank you.

6 CHAIRMAN BOYCE: Very good. Okay. Now I'm
7 going to switch over here.

8 MS. TAYLOR: We're ready.

9 CHAIRMAN BOYCE: Well, he's going to have to
10 wait. You're going to have to wait a minute.

11 MR. YOUNG: Okay.

12 CHAIRMAN BOYCE: We're going to go with these
13 guys next.

14 Thank you for being patient.

15 MR. RATHNOW: Oh, yeah. Thank you guys. Good
16 afternoon. My name is Greg Rathnow, G-r-e-g,
17 R-a-t-h-n-o-w. I'm here with Rathnow for Indiana,
18 Cause No. 2025-6809-209.

19 MS. THOMPSON: That will be page 116. This is
20 Rathnow for Indiana, Cause No. 2025-6809-209. It
21 has a civil penalty of \$150.73. This is the first
22 time before the Commission.

23 MR. RATHNOW: Thank you. And so I'm just here
24 because I was one that received the letter that
25 said January 20th. I filed on -- I put it -- quite

1 frankly, I did not even notice that it said 2021.

2 I put January 20th in my calendar. I filed on
3 January 17th and got a notification immediately
4 that said I was late.

5 And at that time I reached out to co-counsel
6 and asked what to do, and their advice at that time
7 was hold on to your letters and present your case
8 before the Commission. So admittedly, I guess, I
9 didn't contact the right people to get put on the
10 list from earlier today, but I did reach out to
11 counsel.

12 VICE CHAIRMAN OVERHOLT: I'd move to dismiss
13 the penalty.

14 MR. WESTERCAMP: Second.

15 VICE CHAIRMAN OVERHOLT: Or waive, waive,
16 waive, waive, waive the penalty. Sorry.

17 CHAIRMAN BOYCE: I kind of like this. It's
18 going to be another action we're going to take.
19 No, I'm kidding.

20 Okay. There's been a motion and a second to
21 waive this penalty. All those in favor say "aye."

22 MS. CELESTINO-HORSEMAN: Aye.

23 MR. WESTERCAMP: Aye.

24 CHAIRMAN BOYCE: Aye.

25 Opposed.

1 VICE CHAIRMAN OVERHOLT: Oh, aye. Sorry.

2 CHAIRMAN BOYCE: Okay. Very good. Thank you.

3 MR. RATHNOW: Thank you so much.

4 MR. McVEY: Hello.

5 CHAIRMAN BOYCE: Hello.

6 MR. McVEY: Tim McVey, T-i-m, M-c-V-e-y, Cause
7 No. 2025-7894-384 and -387. I'm requesting a
8 waive. I'll just kind of go over just kind of a
9 time line of things that happened, maybe a short
10 time line. Beginning of April, I met with a
11 company --

12 CHAIRMAN BOYCE: Hold one second. We just
13 need to catch up with you here.

14 MR. McVEY: I'm sorry.

15 MS. TAYLOR: Page 208 and 210.

16 CHAIRMAN BOYCE: Okay. I think we are good
17 now.

18 MR. McVEY: Okay. So quick time line. The
19 beginning of April, I met with a company about
20 doing some mailers for my campaign. At that time
21 we scheduled for mailers to go out on April 15th
22 and April 20th.

23 Then I, at the same time, scheduled for
24 transfers from my personal bank account to be made
25 to my campaign bank account, and kind of out of

1 sight, out of mind. On the 11th of April, my
2 mother went to the hospital for pneumonia. On the
3 12th, my basement flooded and I had to create a
4 claim. I have both a bank statement for the
5 transfers that were made and the claim number for
6 the basement. And then on the 15th, my mother
7 passed away, which was the same date as my first
8 mailer was scheduled to go out and the same day as
9 the first transfer that was supposed to be made.

10 After that, it was just kind of my campaign
11 came to a halt because of my mother's death. I was
12 the oldest child, had to take care of everything,
13 completely spaced the fact that I had to file these
14 CFA-11 reports, and yeah. I eventually got one in
15 before the full fee amount hit, but the other one,
16 unfortunately, I didn't make it. So I'm just
17 asking for mercy for the fee to be waived. I have
18 my mother's death certificate too, but this is the
19 original copy.

20 MR. WESTERCAMP: Is there a reason why you
21 didn't take the deal? This is your first
22 violation, right?

23 MR. McVEY: Yeah, yeah. I wanted to see if I
24 could get the full amount waived for the
25 circumstance because I didn't -- I mean --

1 MS. TAYLOR: It's closed.

2 MS. CELESTINO-HORSEMAN: So when were the
3 reports due?

4 MR. McVEY: April 17th and April 22nd.

5 MS. TAYLOR: Yes.

6 MS. CELESTINO-HORSEMAN: Okay. Because then I
7 don't have any dates. And you filed them when?

8 MR. McVEY: I believe I filed them both --

9 MS. TAYLOR: May 8th.

10 MR. McVEY: Yeah, which would have been maybe
11 right after the election day when I closed my
12 campaign committee.

13 MS. CELESTINO-HORSEMAN: And --

14 VICE CHAIRMAN OVERHOLT: Do you have any funds
15 in your campaign account?

16 MS. TAYLOR: The committee is closed.

17 MR. McVEY: No. I closed the campaign account
18 as well.

19 MS. CELESTINO-HORSEMAN: So in that case is he
20 personally responsible?

21 MS. TAYLOR: I believe so, yes.

22 MR. WESTERCAMP: Do you have an LLC? Is the
23 campaign an LLC or is it a sole proprietorship?

24 MR. McVEY: It's solely me. I financed, did
25 everything on my own for the campaign, so...

1 MS. CELESTINO-HORSEMAN: So I'm with my
2 colleague over here. Why didn't you take the deal?
3 I mean, you knew you were late. You admit that you
4 were late, and you could have gotten it paid off
5 25 percent of that amount.

6 MR. McVEY: Right. I don't disagree.

7 MS. CELESTINO-HORSEMAN: And I appreciate,
8 very much appreciate, the tragedies that you've had
9 to deal with and your mind is in another state.
10 Did you have a treasurer?

11 MR. McVEY: No. It was me.

12 MS. CELESTINO-HORSEMAN: All right. Then, you
13 know -- and I'm sorry it was just you. They were
14 due -- what date did you say your mother died?

15 MR. McVEY: The 15th of April.

16 MS. CELESTINO-HORSEMAN: 4/15 and, yeah, two
17 days on that one and the 22nd on the other one.
18 And had she been ill before then?

19 MR. McVEY: No. It was unexpected.

20 MS. CELESTINO-HORSEMAN: You know, I wish you
21 had taken the deal. That's why we offer it is that
22 when people get -- because technically, under law,
23 while we have the discretion to adjust the amounts
24 like with the deal, we don't have any discretion to
25 determine if there has been a violation of the law.

1 And no matter what happened, there was a violation
2 of the law. So now our question is, we find that
3 there was a violation, how much do we assess to you
4 or do we waive the complaint.

5 MR. McVEY: I understand. I'm just asking for
6 the mercy.

7 MS. CELESTINO-HORSEMAN: I would move that we
8 give him the 25 percent penalty.

9 VICE CHAIRMAN OVERHOLT: I'd second that.

10 MR. WESTERCAMP: 25 percent penalty? Okay.

11 MS. CELESTINO-HORSEMAN: 25 percent penalty.

12 CHAIRMAN BOYCE: Okay. So that would be -- so
13 the one is 1,000, and the other one is 850.

14 MS. NUSSMEYER: \$462.50.

15 CHAIRMAN BOYCE: I'm sorry. Say that again.

16 MS. NUSSMEYER: \$462.50.

17 CHAIRMAN BOYCE: Okay. Is that --

18 MS. TAYLOR: \$463.86.

19 CHAIRMAN BOYCE: Okay. So there's been a
20 motion and a second to take it to the 25 percent
21 because this is your first time before the
22 Commission for a total of \$463.86.

23 All those in favor say "aye."

24 VICE CHAIRMAN OVERHOLT: Aye.

25 MS. CELESTINO-HORSEMAN: Aye.

1 MR. WESTERCAMP: Aye.

2 CHAIRMAN BOYCE: Opposed.

3 Thank you.

4 MR. McVEY: Thank you.

5 CHAIRMAN BOYCE: Yeah. You can go next, and
6 then we'll switch back over.

7 MR. BARIE: Good afternoon. Oliver Barie,
8 O-l-i-v-e-r, B-a-r-i-e, here on behalf of my client
9 Clean Slate Technology Group, Cause No. 2022-418.

10 MS. THOMPSON: That's behind your red tab.

11 This was Clean Slate?

12 MR. BARIE: That's correct.

13 MS. THOMPSON: Okay. The 2023 excess
14 corporation. This is Clean Slate Technology Group,
15 Cause No. 2025-418, contributed to Diego for
16 Indiana in the amount of \$9,000. Clean Slate
17 Technology Group self-reported this to the Indiana
18 Election Division.

19 MR. BARIE: Thank you. If I may, I believe
20 our case is most similar to the Hanning & Bean case
21 you heard previously today. We did self-report.
22 Upon Clean Slate's first contribution to Diego, I
23 was retained as counsel to advise them for going
24 ahead on campaign contributions.

25 When reviewing their first contribution, I

1 realized quickly that this was in excess of the
2 \$5,000 limit, and so I immediately counseled them
3 to self-report this violation. And we did so
4 within -- the formal self-report was in February,
5 but we contacted you folks, I think, about a month
6 to 45 days after the violation was realized and
7 since worked quickly with the Diego for Indiana
8 campaign account to amend the report and refund the
9 contribution.

10 MS. CELESTINO-HORSEMAN: Okay. So the -- and
11 you are with the --

12 MR. BARIE: I am counsel for Clean Slate
13 Technology Group.

14 MS. CELESTINO-HORSEMAN: Okay. So you
15 discovered the error -- the contribution was made
16 on 6/30/23?

17 MR. BARIE: That's correct.

18 MS. CELESTINO-HORSEMAN: And then in February
19 of '24, is that when you --

20 MR. BARIE: That's when we sent the formal
21 self-report letter. However, on August 7th, we
22 contacted -- August 7th of 2023, we contacted Diego
23 for Indiana campaign. And then, on August 8th, I
24 called, as counsel on behalf of CSTG, the Election
25 Division to ask -- to state the issue and the

1 violation and then also what next steps are and how
2 we work to rectify this immediately.

3 MS. NUSSMEYER: And if I might ask the staff,
4 they would have had a semiannual report due? If
5 the contribution was made on June 30, 2023, they
6 would have a --

7 MS. TAYLOR: The Diego committee, yes, had a
8 report due by July 15th, yes.

9 MS. NUSSMEYER: Okay. And then did you
10 identify the excessive --

11 MS. TAYLOR: That's not -- no. We wouldn't
12 have done it at that time.

13 MS. CELESTINO-HORSEMAN: So --

14 MS. NUSSMEYER: You would have done it at the
15 end of the year.

16 MS. TAYLOR: Yes.

17 MS. CELESTINO-HORSEMAN: So Diego for Indiana
18 committee included it in their July report?

19 MS. TAYLOR: I assume, yes.

20 MR. BARIE: Yes, July 17th.

21 MS. CELESTINO-HORSEMAN: So they didn't catch
22 it?

23 MR. BARIE: No, ma'am.

24 MS. CELESTINO-HORSEMAN: They didn't catch it
25 at all until --

1 MR. BARIE: Until we reported them -- or until
2 we called them and --

3 CHAIRMAN BOYCE: And it took until February?

4 MR. BARIE: It took some time to make contact
5 with the campaign account, with the Diego for
6 Indiana campaign.

7 MS. CELESTINO-HORSEMAN: Really?

8 CHAIRMAN BOYCE: What do you mean by that?

9 MR. BARIE: We did not get a call or an email.
10 The first contact response was February 7th I
11 received an email finally connecting me with the
12 treasurer that could help us rectify the reports.

13 CHAIRMAN BOYCE: So like six months later?

14 MR. BARIE: Yes.

15 MS. CELESTINO-HORSEMAN: And after that then,
16 do you know, did Diego go ahead then and report it?

17 MR. BARIE: Yes. Included in the packet I
18 think I provided --

19 CHAIRMAN BOYCE: Oh, sorry.

20 MR. BARIE: No. You're fine. You're fine. I
21 think it's the last -- towards the very end, the
22 last two pages, is the amended report where it
23 shows a refunded contribution.

24 MS. CELESTINO-HORSEMAN: I'm just a bit
25 perturbed because we have spent all day telling

1 everyone who's coming in here that you've got to
2 follow these rules, you've got to follow these
3 rules, and yet our chief election officer didn't
4 catch it and didn't respond to you for six months.
5 Now, that's not your problem, and I won't -- I will
6 stop there because the question before us today is
7 do we fine your company.

8 MR. BARIE: I'm simply outside counsel for the
9 company, just for the record.

10 MS. CELESTINO-HORSEMAN: What kind of work
11 does Clean Slate do?

12 MR. BARIE: Clean Slate -- that's a great
13 question. My understanding, and I am no expert,
14 they are behind-the-scenes software, so they work
15 with Amazon web services to put back-end technology
16 together. That is about as far as I could tell
17 you.

18 MS. CELESTINO-HORSEMAN: Well, you just said a
19 bunch of words, and I have no idea what you said.

20 MR. BARIE: That's kind of how I feel too.

21 VICE CHAIRMAN OVERHOLT: There's also a
22 substance abuse recovery business called Clean
23 Slate.

24 MR. BARIE: That is not my client.

25 VICE CHAIRMAN OVERHOLT: I just realized the

1 different --

2 MR. BARIE: And just for the record too, since
3 being retained as counsel, first and foremost, we
4 identified the issue. We reported it to you folks
5 right away. And since then, I have advised them
6 strictly that they are to use a subsidiary company
7 that they have that is an LLC, and I have advised
8 that going forward any contributions would be best
9 served through the LLC, as they do not have any
10 limits like a C corp.

11 MR. WESTERCAMP: Do we have any precedent on
12 these sorts of things where there's been a
13 significant delay after the contribution was made?
14 Just asking our previous members here, members who
15 have served a long time.

16 MR. KOCHEVAR: Madam Chair, members of the
17 Commission, yes, because it is contingent upon the
18 committee that received the contribution to give
19 the refund. There is no requirement for that
20 committee to ever give it back. The corporate
21 contributor can ask for it. A lot of the times for
22 folks who at least come up here, that's always been
23 a matter of course. Of course, that can happen at
24 any time. You've got to contact the treasurer, get
25 an agreement, get them to cut the check and send it

1 back.

2 So I can't point to anything definitive, and,
3 of course, I think anyone else who has been here
4 for some time, we could probably dig through
5 records and find that. But it's going to be based
6 on conversation that you have in getting the
7 chairman, the treasurer of that committee to agree
8 to refund that particular amount.

9 MR. WESTERCAMP: Thank you. Thank you for
10 that. And let me just ask a follow-up question,
11 which is, I understand it's a violation of the
12 donor making the excessive contribution, but are
13 you saying that the campaign doesn't have an
14 obligation to promptly return, or it does?

15 CHAIRMAN BOYCE: No.

16 MR. WESTERCAMP: It does not.

17 MR. KOCHEVAR: No. They have no legal
18 obligation to return it at all. They could say,
19 Yeah, thanks for letting us know, we're keeping the
20 money. That is a possibility. I don't know if
21 that's ever happened before. I cannot attest to
22 that, but I know legally --

23 MS. NUSSMEYER: Because the company is liable.

24 MS. TAYLOR: Correct.

25 MR. BARIE: Our initial request was a refund

1 of the overage, so \$4,000 because it was \$9,000.
2 Upon making contact, they said they were just going
3 to refund the entire contribution, which we said
4 that's fine, but that gave us the ability to then
5 formally self-report and tell you folks that this
6 happened, we are working to correct it, and we have
7 confirmation that we received the refund.

8 MS. CELESTINO-HORSEMAN: Regardless of whether
9 the campaign committee has to refund it or not,
10 does the campaign committee have an obligation to
11 let -- to file something that says I got over --

12 MR. KOCHEVAR: No.

13 MS. CELESTINO-HORSEMAN: Well, that is
14 absolutely ridiculous.

15 VICE CHAIRMAN OVERHOLT: That's the only thing
16 in our election law that is.

17 MS. TAYLOR: We found the one thing.

18 MR. KOCHEVAR: If I may too, and that's why --
19 I mean, you've heard about our system today and how
20 old it is and everything, but the one thing that
21 still does, I think, work with our system is that
22 it is still built to allow the statute to search
23 for the corporate entities, the ones that are held
24 to those contribution limitations and find them for
25 them to create these type of reports for you all.

1 MR. BARIE: And just for the full picture, I
2 know the CEO used his business corporate card
3 online to make this contribution, but for whatever
4 reason he told me he typed in the corporation name,
5 but he also typed in his first and last name as
6 CEO, and that is what showed up on the contribution
7 record.

8 CHAIRMAN BOYCE: His name?

9 MR. BARIE: Yeah, the first and last name. So
10 if you were just looking at it, you wouldn't see it
11 register contributed as a corporation. However, I
12 specifically asked my client, Did you do this
13 individually, did you do this through the company.
14 He said, We used a business card. I said, Are you
15 an LLC. They said no. I said, We have a problem.

16 MS. CELESTINO-HORSEMAN: Well, that's the
17 campaign's website, though, that you go to to make
18 the donation to, correct?

19 MR. BARIE: That's correct.

20 MS. CELESTINO-HORSEMAN: So they are the ones
21 that set that up, so if it's not coming up and
22 showing up, that is the campaign's way that they
23 have it set up.

24 CHAIRMAN BOYCE: But, I mean, they wouldn't
25 know what credit card you're using.

1 MS. CELESTINO-HORSEMAN: No, but the name that
2 it goes under. The credit card, you have to put
3 the user name, but this one they also asked for an
4 individual name who is making the donation, and in
5 this case they --

6 CHAIRMAN BOYCE: It came up as --

7 MS. CELESTINO-HORSEMAN: Yeah. So --

8 MR. BARIE: So for all those reasons, we're
9 asking for a waiver, given the precedent.

10 MS. CELESTINO-HORSEMAN: I'm still struggling
11 with this thing about not having to pay it back.
12 Do we have any idea how many people,
13 over-contributions have been made and how many
14 campaigns have gotten to keep that money?

15 MS. NUSSMEYER: No.

16 MS. CELESTINO-HORSEMAN: Why do we have the
17 law?

18 VICE CHAIRMAN OVERHOLT: I'm going to move
19 that we waive the penalty --

20 MR. WESTERCAMP: I'll second.

21 VICE CHAIRMAN OVERHOLT: -- because this seems
22 consistent.

23 MR. WESTERCAMP: Yeah. I'll second that.

24 CHAIRMAN BOYCE: Okay. We have a motion and a
25 second to waive the penalty. All those in favor

1 say "aye."

2 VICE CHAIRMAN OVERHOLT: Aye.

3 MS. CELESTINO-HORSEMAN: Aye.

4 MR. WESTERCAMP: Aye.

5 CHAIRMAN BOYCE: Opposed.

6 Okay. Very good.

7 MR. BARIE: Thank you, Commission.

8 MS. CELESTINO-HORSEMAN: Thank you for giving
9 us an interesting talking point.

10 MR. BARIE: We try.

11 MR. ERLER: Thank you. Again, Mike Erler,
12 Michael Erler, E-r-l-e-r, and it's for the
13 Indiana -- for the Excellent Government for Indiana
14 PAC. And you mentioned that we've had three
15 incidents, and I've checked with our chairperson.
16 Only he and I could have done that, I think.
17 Neither of us did. This PAC lasted about two
18 months, March and April of '19. We did our
19 pre-election after that.

20 CHAIRMAN BOYCE: Can you remind -- I'm sorry.

21 Excuse me. Can you remind us what page this is.

22 MS. TAYLOR: It starts on 33-34. They're on
23 three different pages, so we'll just start.

24 CHAIRMAN BOYCE: Okay. So it's Excellent --

25 MR. ERLER: I've got five, or is that not what

1 you mean?

2 MS. TAYLOR: Five pages. I'm sorry. Yes.

3 MR. WESTERCAMP: Is this the fourth time or
4 the fifth time?

5 MS. TAYLOR: This is the fifth time. Now, you
6 only have the last five listed because that's all
7 there is room for on the page.

8 MR. ERLER: Right. I wondered why.

9 CHAIRMAN BOYCE: Excellent Government for
10 Indiana. Okay.

11 MR. ERLER: Yeah. There were 14 of them
12 because we thought we had finalized it. We
13 disbanded it back right after that primary because
14 the fellows that were raising the money and the
15 candidates they were -- the PAC was supporting
16 didn't make it through the primary, so they
17 stopped. And we thought we marked our pre-election
18 2019 report as final, but we didn't. I can tell we
19 didn't. I looked at it.

20 Ever since, neither he nor I have heard
21 anything. This came to me this time. The envelope
22 actually had my address on it, and so I knew it.
23 This just came to me on the 4th. I was always
24 living there. Now, he, after that, moved to Utah,
25 came back here about a year ago, so I don't know if

1 that had anything to do with it. And we had a
2 P.O. Box, which maybe these were going to.

3 MS. THOMPSON: Probably.

4 MR. ERLER: But when you say we've already
5 done this three times, I looked at that. We
6 didn't.

7 MS. TAYLOR: So you paid a settlement
8 agreement on a 2018 report. The 2018 pre-election
9 report you paid \$100 settlement agreement. The
10 other three were June 24th of 2021, and that would
11 have been the 2019 annual, 2020 preprimary, 2020
12 pre-elect, late 2020 annual.

13 And then the next hearing was September 9th of
14 2022, and that was two more causes, which would
15 have been the 2021 annual and the 2022 preprimary.
16 There was a hearing September -- I'm sorry --
17 August 11th of 2023 and the next three causes,
18 which would have been the '22 pre-elect, the '22
19 annual, and the '23 pre-elect. Today's causes are
20 the '23 pre-elect, the '23 annual, the '24
21 preprimary, '24 pre-elect, and the '24 annual.

22 You got the notice at your house because your
23 committee failed to file reports for the last three
24 years and had a balance of \$1,000 or less and we
25 were going to administratively dissolve you. By

1 law, we mailed notice to the chair and treasurer.

2 You had a separate address listed to your home.

3 That's why --

4 MR. ERLER: That's the first I've heard of it.

5 What do you mean? There was no money in the

6 account after that. I mean, the final report

7 showed zero.

8 CHAIRMAN BOYCE: But you still have to file

9 even if there's no --

10 MR. ERLER: Well, I know. We didn't mark it

11 final. That was our mistake. But nobody, he nor

12 I, have heard anything since. There was no

13 connection.

14 MS. TAYLOR: The mail we've been sending to

15 the P.O. Box, if it wasn't checked closed, I mean,

16 we're --

17 CHAIRMAN BOYCE: There's no way for you to

18 know.

19 MS. TAYLOR: Right.

20 MR. ERLER: There's no what?

21 CHAIRMAN BOYCE: If you had a P.O. Box and

22 obviously mail was continuing to go there, from

23 their perspective, there would be no way for them

24 to know.

25 MR. ERLER: That got closed. I just can't say

1 when. But --

2 CHAIRMAN BOYCE: But then there was no
3 notification made, so obviously if mail is still
4 going there...

5 MS. TAYLOR: I mean, we have boxes upstairs of
6 returned mail. I'm happy to go grab the boxes and
7 we can all sing Kumbaya and look for them.

8 MR. WESTERCAMP: Just to be clear, though, it
9 is the committee's obligation to provide a notice
10 address.

11 MS. TAYLOR: Yes, correct, correct.

12 MR. WESTERCAMP: So if they've changed their
13 notice address --

14 CHAIRMAN BOYCE: You needed to let us know.

15 MR. WESTERCAMP: -- then you need to let the
16 Division know.

17 MR. ERLER: Yeah. But we thought we had
18 already filed our final. That's the problem.

19 MS. CELESTINO-HORSEMAN: And that's my
20 question. So when you say you thought you had
21 filed the final, did you think you had closed the
22 committee down?

23 MR. ERLER: Uh-huh.

24 MS. CELESTINO-HORSEMAN: And what steps did
25 you take to close the committee down?

1 MR. ERLER: Filed the final. There was no
2 money in the bank account, so....

3 MS. CELESTINO-HORSEMAN: So you just checked a
4 box -- all you had to do was check a box on the
5 final annual report and that would be it?

6 CHAIRMAN BOYCE: And until then you had never
7 gotten your mail?

8 MR. ERLER: I don't think that form had that,
9 but you were supposed to do something similar.

10 MS. NUSSMEYER: You're supposed to mark the
11 final disband box.

12 MS. CELESTINO-HORSEMAN: A final disband box.
13 Okay. So --

14 MS. NUSSMEYER: But they still had dollar
15 amounts.

16 MS. CELESTINO-HORSEMAN: You still have money
17 in the account?

18 MR. ERLER: No.

19 MS. NUSSMEYER: Yes. So the last report --
20 and, Abbey, correct me if I'm wrong. You're going
21 to look?

22 MS. TAYLOR: Well, it's in archives. It was
23 before 2018, so state archives has --

24 MS. NUSSMEYER: There's nothing on the
25 website? I thought if we were going to

1 administratively disband, it needed to be less than
2 \$1,000.

3 MS. TAYLOR: I have since loaded the
4 committees themselves since he got this notice.

5 MS. THOMPSON: So he has \$1,000 or less, we
6 were going to administratively --

7 MS. NUSSMEYER: Because the website --

8 VICE CHAIRMAN OVERHOLT: Guys, remember we've
9 a court reporter. You're talking over each other.
10 One of you -- sorry. I didn't mean to -- someone
11 can talk but one at a time.

12 MS. TAYLOR: Who has a laptop that allows
13 pop-ups because my phone won't --

14 MS. WARYCHA: I got you. What do you need?

15 MR. ERLER: There you go.

16 CHAIRMAN BOYCE: In an effort to keep this
17 moving, I think maybe we should do what we did with
18 Senator Young.

19 MR. WESTERCAMP: Well, so I know there's
20 two minutes left on the clock. Do you have any
21 additional evidence to present before this
22 Commission?

23 MR. ERLER: Seven checks came in in a 60-day
24 period. Four checks went out. They each total
25 sixteen six. It was zero after that. We filed our

1 pre-election after that, and we thought we were
2 good.

3 VICE CHAIRMAN OVERHOLT: And there's no
4 activity since then?

5 MR. ERLER: Exactly. I just did all 14
6 subsequent reports Sunday. Took about ten minutes
7 to do all of them. So we made the mistake of not
8 properly reporting that we had disbanded, granted,
9 but we never heard anything after that, didn't have
10 any basis on which to think we should do anything
11 else.

12 MS. TAYLOR: The last report filed was the
13 2019 pre-elect report filed October 17th of 2019,
14 and there was a zero dollar balance. He filed it
15 online and did not check the box that this is the
16 final report, but it was filed online.

17 MR. ERLER: Okay. I agree with all that.

18 MS. CELESTINO-HORSEMAN: Okay. I'd like to
19 make a motion. Since there's been nothing done
20 with this account, no money coming in, no money
21 going out, I would like to make a motion -- and his
22 failure is that he failed to check the box that
23 said disband the committee, which was obviously the
24 intent. So it's now been disbanded, there is no
25 committee, there's nothing going on, so I move to

1 waive the charges.

2 VICE CHAIRMAN OVERHOLT: I'd second that.

3 CHAIRMAN BOYCE: Any discussion?

4 MR. WESTERCAMP: I wouldn't be inclined to do
5 that given that this is the fifth violation that
6 this gentleman's committee has had before this
7 Commission. I understand that there's not been
8 money in and out, but there's no way for the public
9 to know what's happening unless there's actually
10 reports that are filed timely. I'm not inclined to
11 support --

12 MR. ERLER: May I ask something? These were
13 referred to as settlements?

14 CHAIRMAN BOYCE: We need to take a vote.
15 There was a motion and a second. So a motion and a
16 second to waive the fees.

17 MS. CELESTINO-HORSEMAN: Are we not having
18 discussion after the second? We can do discussion.

19 CHAIRMAN BOYCE: Okay. Go ahead. I'm sorry.

20 MR. ERLER: I think I heard it said that these
21 things that happened throughout the years --

22 MS. CELESTINO-HORSEMAN: So the five that
23 you're referring to -- the five that you're
24 referring to are the ones, the new ones or the
25 prior ones?

1 MS. TAYLOR: Old ones, '18 and '19, '18 and
2 '19 reports that were heard in '19 and '21, '22,
3 '23.

4 MR. WESTERCAMP: I'm just trying to be
5 equitable to folks that --

6 MS. CELESTINO-HORSEMAN: Sure. All right. I
7 want to amend my motion.

8 MR. WESTERCAMP: I'd like to make a motion
9 myself.

10 CHAIRMAN BOYCE: We have to vote on this one
11 before we can --

12 MS. CELESTINO-HORSEMAN: Or you can move to
13 amend that. It's on the floor, so -- but what is
14 his total owed right now as it stands?

15 MS. TAYLOR: There's five causes. They're
16 each \$1,000.

17 MS. CELESTINO-HORSEMAN: So that's \$5,000.

18 MS. TAYLOR: \$5,000 plus whatever the mail
19 cost is going from 66 cents to 78 cents.

20 MR. ERLER: And am I entitled to ask a
21 question after your second?

22 CHAIRMAN BOYCE: Not right now.

23 MS. CELESTINO-HORSEMAN: Do you want to amend
24 my motion?

25 MR. WESTERCAMP: I would be inclined to make a

1 motion to go full freight and impose the full
2 amount just because there's not been a compelling
3 reason to, other than the fact that there's not
4 been transactions happening, to make any sort of
5 discount to the amount given by law.

6 VICE CHAIRMAN OVERHOLT: Well, and if I -- so
7 we're still having discussion.

8 MR. WESTERCAMP: Yeah.

9 VICE CHAIRMAN OVERHOLT: So when we talk about
10 precedent, I know in the past where we have
11 committees that have disbanded that have for
12 whatever reason not -- I mean, I should say they've
13 been inactive but they hadn't closed their account
14 or they hadn't taken some other steps, and we have
15 said if you go and close the account, if you close
16 this committee, that we have waived the penalties
17 in those situations.

18 MR. WESTERCAMP: In full?

19 VICE CHAIRMAN OVERHOLT: Yes, we have.

20 MS. CELESTINO-HORSEMAN: And only because
21 their bank account had been closed by a certain
22 date. The committee, they weren't doing anything.
23 Nothing had been done after a date. And in this
24 case, like she said, we usually tell them go close
25 your committee by this date to show us that there

1 really is nothing here, but they've already done
2 it. They've already closed it.

3 Now, in light of the five prior violations
4 before all this happened, if you want to do a --
5 I'd be willing to do a reduction in fee to just
6 make the point in case they do this in the future
7 just to, I don't know, 250, 300.

8 MR. WESTERCAMP: A \$300 fine or \$250 fine?

9 MS. CELESTINO-HORSEMAN: Yeah, \$250 fine or
10 \$300 fine. We've waived everything in the past,
11 but we can. We have discretion.

12 MR. WESTERCAMP: I'd be interested in knowing
13 what our chair thinks because you haven't spoken
14 yet.

15 CHAIRMAN BOYCE: Well, I would probably be
16 inclined to vote for the waiving, not because I
17 don't think it's complete negligence that -- I
18 don't know if your address has changed. Obviously
19 we all move around. There's issues.

20 MR. ERLER: No. I was always here.

21 CHAIRMAN BOYCE: But that's not the
22 Commission's and the staff's problem when you
23 change your address and close a P.O. Box or
24 whatever. So I do think that that's on you and we
25 shouldn't have to adjust accordingly because

1 everybody has their own set of issues.

2 However, I think if it has been in the past to
3 waive, I agree. And there's no money, so it is you
4 personally then having to do this, so I would
5 probably be inclined to support waiving. To me,
6 the 250 or 300 seems very arbitrary to just pick a
7 number, and I don't like the way that feels, so,
8 yeah, I will probably vote for the motion that's on
9 the floor.

10 MS. CELESTINO-HORSEMAN: And then my question
11 is for one of our co-directors here. Does it take
12 all four of us? Brad's nodding his head. So we
13 all four have to agree. All four agree to waive,
14 all four agree to levy a fine.

15 MS. NUSSMEYER: Correct.

16 MS. CELESTINO-HORSEMAN: And what happens if
17 we don't have all four? Nothing happens?

18 MS. TAYLOR: No action taken.

19 MR. KOCHEVAR: Actually I will correct. It
20 takes three of you to levy a fine because that's
21 just by majority. Really you need three votes
22 under statute. To waive, because that's under the
23 3-9-4-18, the law says that all four members must
24 vote to waive or reduce the proposed penalty.

25 MS. CELESTINO-HORSEMAN: And so then if you

1 only have three -- and that's the vote that Brad
2 says everybody has to be onboard for, to waive
3 requires four, and if you only have three, then it
4 becomes -- if you only have three, then it becomes
5 a no action?

6 MS. TAYLOR: Yeah.

7 MS. CELESTINO-HORSEMAN: Which means nothing
8 happens with it?

9 MS. NUSSMEYER: The full fine.

10 MS. CELESTINO-HORSEMAN: We don't have to
11 bring him back or anything else? It just --

12 VICE CHAIRMAN OVERHOLT: No. The fine.

13 MS. NUSSMEYER: The fine still exists.

14 MS. CELESTINO-HORSEMAN: Oh, the fine still
15 exists. Okay. The full fine exists.

16 CHAIRMAN BOYCE: Then what, it comes up again
17 later?

18 MR. KING: If you choose to put it on the
19 agenda.

20 VICE CHAIRMAN OVERHOLT: Well, we probably
21 ought to vote.

22 MR. WESTERCAMP: Can I just ask one more
23 question?

24 CHAIRMAN BOYCE: Sure.

25 MR. WESTERCAMP: So this is back in 2019. How

1 are we dealing with this in 2025?

2 MS. NUSSMEYER: Because this committee was not
3 closed until recently, correct?

4 MS. TAYLOR: Last weekend.

5 MS. NUSSMEYER: Last week. The committee
6 stayed open the whole time. He filed the last
7 report in 2019 with a zero dollar balance, but he
8 failed to mark the final disband box, which is the
9 way they communicate -- committees communicate with
10 us that their committee is closed. We have no
11 other way of knowing.

12 VICE CHAIRMAN OVERHOLT: That's what makes it
13 for me.

14 MR. WESTERCAMP: And you say there has been
15 precedent where we have dismissed this where there
16 haven't been any transactions?

17 VICE CHAIRMAN OVERHOLT: Right, exactly, where
18 it's clear that the committee is not active, not
19 going to be active.

20 MR. WESTERCAMP: Then let's go ahead and vote.

21 CHAIRMAN BOYCE: Okay. There's a motion and a
22 second to waive all of the penalties. All those in
23 favor say "aye."

24 VICE CHAIRMAN OVERHOLT: Aye.

25 MS. CELESTINO-HORSEMAN: Aye.

1 MR. WESTERCAMP: Aye.

2 CHAIRMAN BOYCE: Opposed.

3 Okay.

4 MR. ERLER: Thank you very much. I tried to
5 get from the bank an archived record of the bank
6 account, and it's so old it's taking them a while
7 to grant.

8 CHAIRMAN BOYCE: Have a good evening.

9 MR. ERLER: Thank you.

10 CHAIRMAN BOYCE: Okay. Go ahead.

11 MR. AKE: Good afternoon. Thank you. My name
12 is James Ake, A-k-e. I'm a treasurer of a -- and
13 I'm the -- the matter -- the cause number -- got to
14 get my glasses -- is 2025-7767-122, and it's the
15 matter of Americans Against Progressive Elitist
16 Policies. And you have claimed that we failed to
17 report finance -- filing financing reports. The
18 issue is whether we should be assessed a civil
19 penalty for failing to file a campaign report with
20 the Indiana Election Commission. I'll just read
21 this, but I can shorten it up.

22 MS. CELESTINO-HORSEMAN: Wait a minute. Can
23 we get the page number?

24 MS. THOMPSON: The first one is on page 69,
25 American Against Progressive Elitist Policies.

1 MS. NUSSMEYER: Are there others?

2 MS. THOMPSON: Pretty much similar to the
3 other one, there's five of them.

4 MS. NUSSMEYER: Okay. So I'm sorry. Just,
5 Michelle, 2024 annual, 2024 pre-elect, 2024
6 preprimary, 2023 annual, 2023 pre-elect, those are
7 the five reports that you say were not filed on
8 time?

9 MS. THOMPSON: Let me check.

10 VICE CHAIRMAN OVERHOLT: I thought she meant
11 there were five causes.

12 MS. NUSSMEYER: There are five causes, but
13 those align with those reports.

14 MS. THOMPSON: Yes. Aligned with these
15 reports, correct.

16 MS. NUSSMEYER: And they were all \$1,000 plus
17 66 cents or 78 cents for mailing?

18 MS. THOMPSON: Yes.

19 MS. NUSSMEYER: Okay. Thank you. So we're
20 looking at a total fine of \$5,000 plus mailing
21 costs.

22 MR. AKE: And so the notice of hearing was not
23 sent to the resident agent of our corporation.
24 Also, the name actually is officially known as
25 Americans Against Progressive Elitist Policies,

1 Inc. The resident agent's office is at 136 South
2 Ninth Street, Suite 400, Noblesville, Indiana
3 46060. The notice was sent to 136 South Ninth
4 Street, Suite 42, Noblesville, Indiana, which was
5 not the address of either the chairman, treasurer,
6 or resident agent and apparently is a typographical
7 entry at the Secretary of State's office.

8 MS. CELESTINO-HORSEMAN: Okay. Can I just
9 stop you for a minute. Okay. So you send notices
10 to whomever is identified on the paperwork.

11 MS. THOMPSON: On the paperwork mailing
12 address.

13 MS. CELESTINO-HORSEMAN: Mailing address that
14 is provided by the campaign?

15 MS. THOMPSON: Correct.

16 MS. CELESTINO-HORSEMAN: So I'm unclear as to
17 why you think it has to be the registered agent.
18 The campaign declares who is supposed to be
19 receiving it.

20 MS. NUSSMEYER: It was a PAC.

21 MS. CELESTINO-HORSEMAN: I'm sorry, a PAC.
22 The PAC fills out the paperwork and says this is
23 who we want to receive this. So it's not like
24 service for a corp where you have to serve the
25 registered agent.

1 MR. AKE: I'm not disputing that. I'm just
2 stating the fact.

3 MS. NUSSMEYER: I'm sorry. May I just ask
4 again because I'm looking at the committee
5 information that's on our website. Where did you
6 say the notice was mailed to?

7 MR. AKE: The notice was sent to 136 South
8 Ninth Street, Suite 42, Noblesville, Indiana 46060.
9 Not the current notice. It was mailed -- the
10 current notice I got in August, when you sent out
11 the letter, was to my address at 19650 McDonald
12 Place.

13 MS. NUSSMEYER: Right. So the committee, just
14 so that you're aware, the PAC on the CFA-2
15 statement of organization did use the 136 South
16 Ninth Street, Suite 42, as the address for us to
17 communicate with you. And then I believe staff
18 just said that the committee was closed, and so, as
19 a result, information was sent to the treasurer's
20 address on file.

21 MS. THOMPSON: Again, this was when we were
22 going to administratively dissolve, so we sent it
23 to both chairman and treasurer.

24 MS. NUSSMEYER: Thank you.

25 MR. AKE: It is required to file -- let's see.

1 Okay. IC 3-9-5-1 provides that IC 3-9-5 applies to
2 political legal action committees. If required to
3 file a report, IC 3-9-5-2 requires --

4 MR. WESTERCAMP: Sir, can I interrupt you for
5 a moment. I want to see you succeed, and one of
6 the ways of that is that the members of this
7 Commission understand the argument you're making.

8 MR. AKE: Right, right, right.

9 MR. WESTERCAMP: So let me just interrupt you
10 and ask a question.

11 MR. AKE: Yes.

12 MR. WESTERCAMP: What is it that the
13 Commission has said that you violated that you
14 disagree with? Can you explain it to me?

15 MR. AKE: We had no expenditure -- well, under
16 Indiana code, there's a requirement that in the
17 aggregate, if activities exceeded \$100, that the
18 report would be required.

19 MR. WESTERCAMP: Okay.

20 MR. AKE: We did not take in any -- we did not
21 take in any receipts, we didn't open a bank
22 account, we never activated the committee, and we
23 never spent any money. So under the Indiana code,
24 we should not be fined for noncompliance because
25 there was no -- under IC -- under the codes in the

1 state of Indiana, we were not required to file any
2 reports. So that's --

3 MS. NUSSMEYER: If I might, just for your
4 background.

5 CHAIRMAN BOYCE: Sure.

6 MS. NUSSMEYER: So once the statement of
7 organization is filed, in this case the CFA-2, the
8 committee is open. And they are required, when a
9 committee is open, to file a report even if it's
10 zero dollars.

11 Now, for PACs, they have to report or itemize
12 on a report any contribution or expenditure in
13 excess of \$100. So you could have \$1,000 in
14 unitemized expenditures where they're not directly
15 tied to a name that you would not have to itemize
16 on Schedules A through whatever, A and B, right.
17 But if the committee took in no contributions, made
18 no expenditures, because they opened a committee
19 with the State, they are obligated to file a report
20 showing zero dollars raised or spent.

21 MS. TAYLOR: I was just going to say the
22 statement of organization, CFA-2, was filed with
23 our office October 25, 2022, and no subsequent
24 reports were ever filed in the last three years,
25 which is why we were going to close them. We

1 assume they have a zero balance because we don't
2 know any different, and they met the three-year
3 mark, and we were going to administratively
4 dissolve them.

5 MR. WESTERCAMP: Sir, did you ever file -- do
6 you agree with that statement? Did you ever file
7 anything?

8 MR. AKE: No, we did not file anything, and we
9 didn't take in any funds. We didn't solicit any
10 funds. And under -- the organization -- there's
11 some requirements here too to that, and you see it
12 in the letter. I'm not going to regurgitate what's
13 here.

14 MS. TAYLOR: They did close the committee last
15 weekend.

16 MR. AKE: When we were made aware of that,
17 then I contacted the office immediately, the
18 Commission immediately to resolve this.

19 MR. WESTERCAMP: What's the fine that's been
20 proposed?

21 MS. TAYLOR: \$5,000 plus the mail costs. And
22 the committee is closed. They closed it after he
23 received the notices.

24 VICE CHAIRMAN OVERHOLT: I'd move to waive the
25 fine because this seems consistent with whichever,

1 the one we heard that had a similar issue. Was it
2 just the last one?

3 CHAIRMAN BOYCE: I think so, yeah.

4 MR. WESTERCAMP: I'll second that.

5 CHAIRMAN BOYCE: Okay. So we have a motion
6 and a second to waive the penalties or the proposed
7 fines. All those in favor say "aye."

8 VICE CHAIRMAN OVERHOLT: Aye.

9 MS. CELESTINO-HORSEMAN: Aye.

10 MR. WESTERCAMP: Aye.

11 CHAIRMAN BOYCE: Opposed "nay."

12 Thank you.

13 MR. AKE: Thank you very much. I appreciate
14 your time today.

15 CHAIRMAN BOYCE: Yes. You can go next. Yeah.

16 MS. R. WILLIAMS: Okay. As stated previously,
17 my name is Robin Williams, Robin Williams for
18 Indiana. I ran for state representative in 2022.
19 I made the required report. I did appear once
20 previously. I think I was a minute late on my
21 report. It didn't go through the interwebs quickly
22 enough.

23 CHAIRMAN BOYCE: Hold on one second. Can you
24 remind us what page?

25 MS. TAYLOR: 59.

1 MR. WESTERCAMP: Thank you.

2 MS. R. WILLIAMS: Yes. I'm sorry. The
3 administrative number again is 2025-7643-102.

4 CHAIRMAN BOYCE: I'm sorry. Continue.

5 MS. R. WILLIAMS: I remember pointedly
6 dissolving the committee because at that time my
7 husband -- I was putting together the report. My
8 husband found out he had cancer, and so I decided
9 that I wouldn't be running again because I was
10 going to devote my time to making him well.

11 Unfortunately, that didn't happen. He died a few
12 months later. And by the nature of what I do as an
13 art curator and exhibition designer, I'm traveling
14 all the time. I was in Africa after that time.

15 So I don't know if I missed some kind of
16 notice saying that I needed to file another report,
17 because I thought that when you check the box and
18 you dissolve the committee that you didn't have to
19 file another report. So this is the first time I
20 received a notice, and that's why today I was kind
21 of mystified and confused as to why I was here.
22 But it was my understanding that I dissolved the
23 committee.

24 MR. WESTERCAMP: Is there money still in the
25 committee account now?

1 MS. TAYLOR: It is closed now.

2 MS. CELESTINO-HORSEMAN: Do you know when it
3 was closed?

4 MS. TAYLOR: Hold on. It was closed on
5 January 22nd of 2024, and that report was due
6 January 17th.

7 MS. CELESTINO-HORSEMAN: And the report was
8 due January 17th?

9 MS. TAYLOR: Yes.

10 MS. R. WILLIAMS: I submitted a report in
11 January '23 closing it at that time.

12 MS. TAYLOR: The report filed January 17,
13 2023, had a balance of \$4.13, and you cannot close
14 a committee with a balance.

15 MS. R. WILLIAMS: Okay.

16 MS. NUSSMEYER: So it gets a little confusing
17 because the report filed in January 2023 was for
18 2022. And so the report that was filed in
19 January 2024 to close the committee, that was
20 actually your annual for 2023, and that's the
21 report --

22 MS. TAYLOR: That had \$4.13.

23 MS. NUSSMEYER: Well, but 2022 annual is the
24 one that had the \$4 and change.

25 MS. TAYLOR: Yes.

1 MS. NUSSMEYER: The 2023 annual is what
2 brought us down to zero dollars and closed the
3 committee.

4 MS. TAYLOR: Yes.

5 MS. NUSSMEYER: And she did mark final disband
6 because I see it on there.

7 MS. TAYLOR: Yes, it is closed.

8 MS. NUSSMEYER: So that report to close it was
9 the one that was late.

10 MS. TAYLOR: Yes.

11 MS. NUSSMEYER: Thank you.

12 MR. WESTERCAMP: Is there a reason why you
13 didn't take the deal earlier? You've only had one
14 violation.

15 MS. NUSSMEYER: She tried.

16 MS. R. WILLIAMS: I tried to take it. That's
17 why I came up. I really didn't even know why I was
18 here.

19 CHAIRMAN BOYCE: I was going to say I think we
20 just needed a little more clarification.

21 MS. R. WILLIAMS: Sure.

22 MS. CELESTINO-HORSEMAN: I thought she said
23 she didn't want the deal and that she wanted to
24 present.

25 CHAIRMAN BOYCE: I think it was more of a

1 point of clarification.

2 MS. R. WILLIAMS: Right. I just wanted to be
3 very clear about what happened and why I thought it
4 was closed and I didn't have to make another
5 report.

6 CHAIRMAN BOYCE: So it would be 25 percent?

7 MS. CELESTINO-HORSEMAN: No. It's her second
8 visit so 50 percent.

9 CHAIRMAN BOYCE: Oh, I'm sorry. I saw that.

10 Okay.

11 MR. WESTERCAMP: I would move that we apply a
12 50 percent fine for this committee.

13 CHAIRMAN BOYCE: Okay. We have a motion.

14 MS. CELESTINO-HORSEMAN: Second.

15 CHAIRMAN BOYCE: And a second. The 50 percent
16 would be \$150, and the mail cost is 66 cents.

17 All those in favor say "aye."

18 VICE CHAIRMAN OVERHOLT: Aye.

19 MS. CELESTINO-HORSEMAN: Aye.

20 MR. WESTERCAMP: Aye.

21 CHAIRMAN BOYCE: Opposed "nay."

22 Okay. Very good. Thank you.

23 I'm sorry. I think I skipped you.

24 MR. BORDERS: The Senate always gets
25 preference over the House.

1 CHAIRMAN BOYCE: I'm sorry.

2 MR. WESTERCAMP: But you're the king.

3 CHAIRMAN BOYCE: Listen, I know who you are.
4 Somehow I overlooked you. That doesn't happen
5 often.

6 MR. BORDERS: Well, and actually I'm pretty
7 proud of myself. I can actually pronounce the
8 name --

9 MR. YOUNG: Can I ask a question real quick?
10 I am under the weather. If you're going to have
11 another meeting, I can go to that. I'm just not
12 feeling well.

13 CHAIRMAN BOYCE: We are not having another
14 meeting.

15 MS. NUSSMEYER: He can ask for a continuance.

16 CHAIRMAN BOYCE: Oh, that's true. If you'd
17 like to ask for a continuance -- I mean, you've
18 already been up twice, so everybody has been
19 waiting very patiently.

20 MR. YOUNG: Yeah. No, that's all right. I'm
21 just sick is all, so I can't do anything. I came
22 when I was sick because I wanted to get it over, so
23 I'll ask for a continuance then.

24 CHAIRMAN BOYCE: Do I need to have it --

25 MS. WARYCHA: I'll just have him write it down

1 so we legitimately have something, and I'll put it
2 on the record.

3 CHAIRMAN BOYCE: Okay. Perfect. Go ahead.

4 MS. NUSSMEYER: I'd ask him to step aside so
5 we don't have any obligation now.

6 CHAIRMAN BOYCE: Like close the matter or
7 table the matter?

8 VICE CHAIRMAN OVERHOLT: I thought we did
9 table it.

10 CHAIRMAN BOYCE: I thought we did table it.

11 MS. NUSSMEYER: Yeah, we did.

12 CHAIRMAN BOYCE: Because you made a motion.

13 MS. CELESTINO-HORSEMAN: So here's my
14 question: He just went over everything with her in
15 the back of the room.

16 MS. NUSSMEYER: Abbey's not going anywhere.
17 It's fine.

18 MS. TAYLOR: Yeah.

19 MS. CELESTINO-HORSEMAN: You've got it?

20 MS. TAYLOR: Yeah, and actually that will work
21 better for this.

22 MS. CELESTINO-HORSEMAN: Okay. Great.

23 CHAIRMAN BOYCE: Okay. I'm sorry. Go ahead.

24 MR. BORDERS: No, no. You're fine. You're
25 fine.

1 CHAIRMAN BOYCE: Thank you for everybody's
2 patience.

3 MS. CELESTINO-HORSEMAN: Do we need to make a
4 motion for him to untble?

5 CHAIRMAN BOYCE: No. We tabled it.

6 MS. NUSSMEYER: And we'll consider the
7 continuances at the end.

8 CHAIRMAN BOYCE: Perfect. Okay.

9 MR. BORDERS: My name is Bruce Borders. I
10 serve as a State Rep down in District 45, and I
11 believe what the allegation was in my situation
12 was, I think, a large contribution report.

13 MS. THOMPSON: Madam Chairman, page 94 and 95,
14 he's got two here.

15 MR. BORDERS: And the bottom line is that I
16 know in the past I think I've had one previous
17 violation. Does that sound reasonable?

18 MS. TAYLOR: This is your fourth.

19 MR. BORDERS: Okay. Well, who's counting?

20 MR. WESTERCAMP: You know, it's interesting,
21 no one has overestimated the number of times
22 they've been in front of the Commission today.

23 MR. BORDERS: I will ask, though, if you don't
24 mind, what was the previous? How many years ago
25 has that been?

1 MS. TAYLOR: 2008 was the most recent.

2 MR. BORDERS: All right. Well, and the reason
3 I share that, and there is a reason for sharing
4 that, that was back before we were doing -- we had
5 to file everything with computer. And that's a
6 game changer, and, in fact, that's one of the
7 things, as somebody who has been in many, many
8 campaigns, I can still remember when Peggy Mayfield
9 was introducing the legislation to have everything
10 done on computer. I was like, oh, man, you know.
11 But the thing about it in the past, if you did get
12 a contribution, a large contribution or whatever,
13 you can fax it in and, boom, it's done.

14 So what ended up happening, one of the two
15 contributions I got -- and particularly if you're
16 in a tough race, and some of you have may remember
17 I had a very interesting entertaining case on a
18 residency challenge from three years ago, and it
19 was very interesting. And, well, that individual
20 happened to run again, and it was -- so I knew it
21 was going to be a tough race with top tier
22 opponents, quite frankly.

23 So I actually did -- the reason that you all
24 even know that I did have the large contributions
25 is because I did submit those large contributions.

1 And then when I was talking to Michelle I think in
2 the final filing, I believe it was, she said, well,
3 you've got a couple of outstanding large
4 contributions here that you've not finalized, and I
5 didn't even realize.

6 Part of it is -- just to give you an idea of
7 an actual campaign day, you're up early that
8 morning. You're out going door to door. My days
9 always ended at 10:00 p.m. I would quit
10 campaigning at 9 o'clock because when you're
11 showing up at houses after 9 o'clock in the spring
12 and that late in the campaign, people think
13 you're -- just basically you're a stalker or
14 whatever. So 9 o'clock, that's about when the sun
15 was going down that late in the campaign. You get
16 home at 10:00.

17 I don't use this for responding to campaign
18 finance things and so forth from the HRCC. That's
19 not an excuse. It's just not comfortable for me to
20 do that. So when I get home from campaigning all
21 day, knowing that we're going to be out the next
22 day doing that, I'm looking to see did I get any
23 messages from HRCC, did I get any messages from the
24 state Republican committee, whether it be a mailer
25 or whatever. And so it's not like you necessarily

1 got a check in the mail and you go, I'm not going
2 to report this again. As Senator Young had shared
3 earlier, the primary purpose of that is so you're
4 not holding anything back from anybody.

5 Well, I did -- as soon as I got those notices,
6 I would go onto the computer, type in my password,
7 and as Michelle can also tell you, there are times
8 you can't even log into the system. It's tough at
9 times. I mean, it really is. There were times, if
10 you remember, that you actually had to go in and
11 reboot something just so I could even log in. And
12 that's not an excuse. I'm not looking to blame
13 anybody, but I'm just telling you that's the real
14 world of campaigning for office.

15 And so I did file those large contributions.
16 What I didn't realize is there was a final -- a
17 finalization that you had to do, which I was
18 thinking was like on your final campaign report or
19 whatever, and so I thought, okay, those are all
20 filed. And even when I was trying to reach some of
21 our finance people with the House Republican
22 Campaign Committee, they weren't able to be reached
23 because they were out going door to door. I
24 remember frequently they were in Sharon Nagle's
25 race and so forth up in -- well, not quite

1 northwest Indiana but the western side of the
2 state. And so reaching people can be really tough.

3 And so I just want you to be aware that the
4 bottom line is that, in my mind and in my heart, I
5 had filed, I had indeed filed those, and that's
6 why, again, you even were aware that those had been
7 filed. And what I hadn't done is gone to one more
8 page and done a finalization like you have to do on
9 a campaign finance report. And, again, not blaming
10 anybody, but it is a software issue. It's
11 something when you think -- and especially keep in
12 mind three years ago I never had any large campaign
13 finance reports to file, unfortunately. And so
14 this was the first time I had had those, you know,
15 to even do. Again, I thought that they were done.
16 And so when I filed them in there, they were kind
17 of hanging out there in no man's land.

18 So I am asking for a waiver. And you might
19 say, well, why didn't you take a deal. Well, I
20 felt like I had to explain my side of the story
21 just so you understood what really happened.

22 MS. WARYCHA: I'm sorry to interrupt. The
23 five minutes is up. I just didn't run the timer
24 quite as well because I was doing this continuance.
25 Sorry.

1 CHAIRMAN BOYCE: That's all right.

2 MR. WESTERCAMP: So let me ask you,
3 Representative Borders, if we're inclined to grant
4 the waiver, what do you think is a fair penalty to
5 impose?

6 MR. BORDERS: I mean, even -- I hate the fact
7 that it's a penalty because -- and I'm going to
8 answer with a political answer here, but it's a
9 sincere one. What happens is that, when an
10 opponent runs against you, they put you in an
11 orange jumpsuit and they put you behind bars. And
12 I'm serious. I'm just telling. If you don't
13 believe that talk to Brooks LaPlante, who paid for
14 his own signs.

15 So, I mean, 25 percent, I would love to see
16 that. I'd love to see nothing because, again, my
17 argument was that I did file them. I just didn't
18 realize there was another step that had to be done.

19 CHAIRMAN BOYCE: So what exactly happened?

20 MS. THOMPSON: He entered the contributions.

21 CHAIRMAN BOYCE: This came up earlier, I
22 think.

23 MS. TAYLOR: This came up with Senator
24 Jackson, who added the contribution and then didn't
25 file the report. It is a two-step process.

1 MS. THOMPSON: He just didn't go through with
2 it and hit the file button. He entered them in the
3 queue.

4 MS. CELESTINO-HORSEMAN: So you report it, and
5 then you have to --

6 MS. THOMPSON: There's another step that he
7 did not do.

8 MS. CELESTINO-HORSEMAN: The CFA?

9 MS. THOMPSON: The CFA, yes.

10 MR. BORDERS: But, again, I had never had -- I
11 had never had large contributions before since we
12 had gone to everybody having to upload it on the
13 software.

14 MS. CELESTINO-HORSEMAN: Okay. So let me --
15 by the way, I love your Elvis. I've seen it.

16 MR. BORDERS: Well, thank you. That right
17 there is worth a lot.

18 MS. CELESTINO-HORSEMAN: So but anyway, here
19 is the problem: Senator La Keisha Jackson --

20 VICE CHAIRMAN OVERHOLT: We didn't rule on
21 hers.

22 MS. CELESTINO-HORSEMAN: We didn't rule on
23 hers, but she knows that she's going to be
24 getting -- she's going to file the CFAs, and she
25 knows then that makes her filing late, so she's

1 going to get hit for that.

2 The CFA, as we've said here today, everybody
3 is presumed to know the law. CFA is a required
4 filing. I'm sure the page probably said next or
5 something, or go, but if it's a separate document
6 separate from what you file, then you're supposed
7 to know that. So that's the problem. And this
8 is -- you know, you were here. This is your fourth
9 time here, and so --

10 MR. BORDERS: This is only my first time here
11 since we've been filing it electronically.

12 MS. CELESTINO-HORSEMAN: But we take that into
13 account for everybody. They don't get that
14 distinction.

15 CHAIRMAN BOYCE: It doesn't reset whenever the
16 process changes.

17 MR. BORDERS: I understand, but it should.

18 MS. CELESTINO-HORSEMAN: Well, then you're the
19 legislator.

20 VICE CHAIRMAN OVERHOLT: We have some other
21 ideas for you too.

22 MS. CELESTINO-HORSEMAN: So how much is the
23 fine for total, \$1,200?

24 MS. NUSSMEYER: Plus \$1.36 for mailing.

25 MS. THOMPSON: \$1,300.

1 MR. BORDERS: May I throw one other little
2 caveat in there, though?

3 MS. THOMPSON: 94 and 95.

4 MS. TAYLOR: There's one on 94 and 95.

5 CHAIRMAN BOYCE: Yeah, because it's two 600s
6 and then the 100.

7 MS. NUSSMEYER: We missed that one. Sorry.

8 MS. CELESTINO-HORSEMAN: So it's \$1,300, and
9 he does not qualify for a discount, can't give him
10 the deal.

11 MS. THOMPSON: No. This is his --

12 MR. WESTERCAMP: So what if -- I move that we
13 just knock it down to \$1,000. There's no
14 substantial compliance under the law, but he did
15 attempt to do this. However, you have to file it
16 to file it. Whether you click two buttons or one,
17 you still have to do it. But I'm inclined to just
18 say let's just knock it down a little bit to \$1,000
19 and let it be there.

20 MS. CELESTINO-HORSEMAN: So what's going to
21 happen with -- let me ask a question here of the
22 staff. So the situation with Senator Jackson, when
23 she files the CF-4s, she's going to be coming here
24 the same way, right?

25 MS. TAYLOR: Yes.

1 MS. CELESTINO-HORSEMAN: Do we have
2 precedent -- because we are setting precedent. If
3 we have not done this before, we are setting
4 precedent today as to how we're going to be
5 handling this. So if we haven't done it before,
6 this is one -- you've been on here the longest, and
7 these people on the ends have been here forever, so
8 if we haven't done it before, then, first, do we
9 want to do that, and if we want to do that, how
10 much?

11 VICE CHAIRMAN OVERHOLT: It's a slippery
12 slope.

13 CHAIRMAN BOYCE: Yeah. I'm not supportive of
14 an arbitrary number. I just can't support that
15 because that, to me, opens you up to the
16 consistency issue because if you're just saying,
17 oh, let's make it a thousand dollars, well, when
18 this other gal comes back, like you said, I forget
19 how many she had --

20 MS. CELESTINO-HORSEMAN: Three or four.

21 CHAIRMAN BOYCE: Yeah. And then everything is
22 a little -- you can't compare any of these
23 situations. I think it's really hard to be
24 consistent, in my opinion.

25 MR. BORDERS: But I might mention I'm arguing

1 in my case, not hers.

2 CHAIRMAN BOYCE: Right. But I think in the
3 case of the Commission we have to consider this --

4 MR. BORDERS: Sure.

5 MS. CELESTINO-HORSEMAN: It's precedential.

6 CHAIRMAN BOYCE: Every case is different but
7 similar in some ways.

8 MR. WESTERCAMP: We're not bound by prior
9 decisions of this Commission, right?

10 MS. CELESTINO-HORSEMAN: No. We're bound by
11 the law. We have discretion --

12 MR. WESTERCAMP: Right.

13 MS. CELESTINO-HORSEMAN: -- on the amount of
14 fine, correct, Co-Director King? Right?

15 MR. KING: Commissioner, that's correct,
16 within the parameters by statute you have
17 flexibility.

18 MS. CELESTINO-HORSEMAN: Right. So we have
19 that flexibility, and so it's left up to us under
20 what circumstances do we exercise it. And in this
21 particular case, under these particular facts,
22 we've never done it before.

23 MR. KOCHEVAR: Well, yes, and I think,
24 Commissioner Celestino-Horseman -- excuse me. It's
25 late and I start to forget names. It's really

1 actually pinning on the point that I'm thinking
2 about, is that under statute you have the
3 discretion of lowering the proposed penalty to
4 whatever you want.

5 But we are under AOPA, and while I am not as
6 fluent in AOPA as others are, because it comes up
7 here in these meetings, I would still say that most
8 likely there is case law on being accused and
9 someone appealing a decision of this Commission to
10 a court on an abuse of discretion of the
11 administrative law judges or what have you. But
12 that would be the only thing I would mention, but,
13 again, I am not as familiar with AOPA as I am with
14 state election law.

15 VICE CHAIRMAN OVERHOLT: One of the standards
16 on judicial review is whether the decision is
17 arbitrary or capricious, right, and that's the
18 argument. So even though we're not necessarily
19 bound by what we do in the past, that's why we talk
20 about it so that we're just not kind of willy-nilly
21 changing things all the time. I mean, change can
22 be fine. I'm not saying we're willy-nilly changing
23 things.

24 MR. WESTERCAMP: Are we inclined to show any
25 judicial grace to Representative Borders today in

1 this?

2 MR. BORDERS: Absolutely.

3 VICE CHAIRMAN OVERHOLT: The more we talk
4 about it, no.

5 MS. CELESTINO-HORSEMAN: I don't think I'm
6 ready to descend down that slippery slope yet. We
7 haven't done it before, and so -- and I certainly
8 understand he's a nice guy, and he's been somewhat
9 entertaining, a nice break in our day and all that,
10 and I understand what you're saying. But I think
11 I'm going to make a motion. You can move to amend.
12 I'm going to move that the full fine be enforced on
13 this case, which is \$1,200 plus --

14 MS. NUSSMEYER: No. It's \$1,300.

15 MS. CELESTINO-HORSEMAN: I was just going to
16 say \$1,200 plus \$100 -- thank you -- plus --

17 MS. TAYLOR: \$2.04.

18 MS. CELESTINO-HORSEMAN: -- \$2.04 in postage.
19 So that represents both complaints that have been
20 filed -- three.

21 VICE CHAIRMAN OVERHOLT: I'd second that.

22 CHAIRMAN BOYCE: Okay. Any more discussion
23 amongst the membership?

24 MR. WESTERCAMP: I guess the only thing I
25 would say with respect to my distinguished

1 colleagues is, it seems to me a more egregious
2 thing where some of these committees have failed to
3 file altogether and we waived the fee entirely than
4 the case that's in front of us today.

5 So that's just my thinking on that is, when we
6 had some of these other petitioners that were up
7 here and they didn't check the box to close their
8 committee and there was a number of years that
9 passed and we didn't fine them anything, you know,
10 then I guess that's just my perspective on it, for
11 the benefit of others.

12 MS. CELESTINO-HORSEMAN: And I think the
13 distinction there is that those committees were
14 closed. They hadn't done anything since the date
15 of their last --

16 MR. WESTERCAMP: Well, they were closed. I
17 understand that.

18 MS. CELESTINO-HORSEMAN: Yeah. And they were
19 closed before the payment, I think, on all of them.
20 So in this case, the committee is still going.
21 Committee has been -- whether you had to file it by
22 computer or whatever, you've had to file that CFA
23 form for a while. And so I would -- and that's why
24 I say, you know, giving grace is -- I like to give
25 grace, but, you know, this is a brand-new area, and

1 it's an open committee, and so I just --

2 MR. BORDERS: I did file it, though. I did.

3 MS. CELESTINO-HORSEMAN: It deals with the
4 large campaign donations, which is something of
5 real interest to the public and everything.

6 CHAIRMAN BOYCE: Okay. So we have a motion
7 and a second to impose the penalty or the proposed
8 fines on all three of these cause numbers totaling
9 \$1,302.04.

10 All those in favor say "aye."

11 VICE CHAIRMAN OVERHOLT: Aye.

12 MS. CELESTINO-HORSEMAN: Aye.

13 CHAIRMAN BOYCE: Opposed.

14 MR. WESTERCAMP: No.

15 MS. CELESTINO-HORSEMAN: So we put it back on
16 the agenda for the next time.

17 VICE CHAIRMAN OVERHOLT: No, no, no. That's a
18 waiver.

19 MR. KOCHEVAR: If three people voted yes, you
20 can impose the penalty. You only need your three.

21 MS. CELESTINO-HORSEMAN: Oh, yeah, that's
22 right. I thought, damn, we're going to have to do
23 this again. Excuse the language.

24 CHAIRMAN BOYCE: Thank you.

25 MR. BORDERS: Thank you.

1 CHAIRMAN BOYCE: Thank you.

2 MR. COUCH: Can I go next?

3 CHAIRMAN BOYCE: Okay. Hold on. I've been
4 going back and forth.

5 MR. COUCH: I have a very -- I have a
6 contracted appointment I have to be at at
7 6 o'clock. I've got to be out of here like now.

8 CHAIRMAN BOYCE: Okay. I'll let you go next.

9 MR. COUCH: Appreciate it. Thank you very
10 much.

11 VICE CHAIRMAN OVERHOLT: Well, like I said,
12 I've got a proxy here.

13 MS. CELESTINO-HORSEMAN: There's mine.

14 VICE CHAIRMAN OVERHOLT: Tony is my proxy, so
15 what do I do? I've never had a proxy before. What
16 do I do?

17 MS. NUSSMEYER: It's already been filed, so
18 swap seats.

19 MS. CELESTINO-HORSEMAN: Okay. I'm going to,
20 since both of our proxies are here...

21 CHAIRMAN BOYCE: That's funny because I was
22 thinking you had cases and I was thinking I can't
23 let you cut. I thought that in my mind. I can't
24 do that.

25 (Discussion held off the record.)

1 CHAIRMAN BOYCE: Okay. We want the record to
2 reflect -- how do we do that?

3 MS. WARYCHA: Maria is on the record still,
4 so, Maria, we're subbing in two proxies.

5 Would you mind to each state and spell your
6 name. I'll start with you first, sir.

7 MR. OVERHOLT: Tony Overholt, O-v-e-r-h-o-l-t.

8 MS. WARYCHA: And he is serving as proxy for
9 Suzannah Wilson Overholt.

10 And then Karen Celestino-Horseman's proxy.

11 MS. COLBERT: Dayna Colbert, D-a-y-n-a,
12 C-o-l-b-e-r-t.

13 CHAIRMAN BOYCE: Perfect. Okay. Now, go
14 ahead. Sorry.

15 MR. COUCH: My name is John L. Couch, is how
16 my candidacy is -- on my candidacy, my campaign
17 finance is Couch for Indy, and I don't have my
18 cause number.

19 MS. THOMPSON: Madam Chairman, that's on
20 page 195, Couch for Indiana. That's 2025-7519-359.
21 He has a civil penalty of \$350.68, and this is his
22 first time before the Commission.

23 CHAIRMAN BOYCE: Thank you. Go ahead.

24 MR. COUCH: I filed my finance report before
25 the deadline, and then I received a notice that the

1 finance committee did not -- or finance department
2 didn't get it. So I went ahead and filed it right
3 away, and so -- but I filed it in time. I do not
4 know what happened.

5 The majority of time, when I have filed my
6 finance reports, I go in to the Secretary of
7 State's office and deal with Ms. Thompson.
8 However, this time I did not, but I did do it in
9 time, I did it correctly, and then I was notified
10 that it was not filed. I filed it again right
11 away.

12 And so my campaign has zero dollars. I
13 haven't taken money in, I haven't paid anything
14 out, and so I request that you dismiss this because
15 I have been on time with my finance reports before,
16 and I'm caught up until January 2026.

17 MS. NUSSMEYER: Abbey or Michelle, can you
18 confirm if the committee is open or closed?

19 MS. TAYLOR: The committee is open.

20 MS. NUSSMEYER: Thank you.

21 MS. TAYLOR: With a zero balance.

22 CHAIRMAN BOYCE: Okay. So this relates to the
23 preprimary report?

24 MS. TAYLOR: Yes, yes.

25 MS. NUSSMEYER: And Mr. Couch claims that the

1 report was filed on time. Does the system show --

2 MS. TAYLOR: I looked at the log, and the
3 system did not show Mr. Couch logging in between
4 January of 2024 and April 25th of 2024.

5 MS. NUSSMEYER: And the report was due?

6 MS. TAYLOR: April 17th, 18th, 19th.

7 MS. NUSSMEYER: Okay. Thank you.

8 CHAIRMAN BOYCE: Were you here earlier when we
9 were doing our deals? We just were curious why you
10 didn't take the deal.

11 MR. COUCH: Because I'd ask that this be
12 dismissed so, if there's any issues down the road,
13 it won't go against me.

14 CHAIRMAN BOYCE: Okay. So say that again
15 about the log-in. You didn't show that he had
16 logged in.

17 MS. TAYLOR: The log, the event log on the
18 online database, does not show anybody logging in
19 between January of '24 and April 25th of '24.

20 CHAIRMAN BOYCE: Okay.

21 MR. COUCH: I don't know what your log showed,
22 but I did file a report prior to the -- I filed my
23 reports. I've filed them on time. I do not know
24 what happened.

25 CHAIRMAN BOYCE: Okay.

1 MR. WESTERCAMP: I move to assess the penalty
2 in full.

3 MS. COLBERT: I second.

4 CHAIRMAN BOYCE: Okay. All those in favor --
5 we have a motion and a second to --

6 MR. COUCH: Hold on a second. People have
7 come up here and said they have zero dollars and --

8 MS. WARYCHA: I'm sorry, sir. You only get to
9 make a point whenever you have permission from the
10 chair. At this point they're in discussions, so
11 you'll have to give them --

12 CHAIRMAN BOYCE: Since there's been a motion.

13 MR. COUCH: I have zero dollars in my account.
14 I haven't had any money in my account --

15 MS. WARYCHA: Sir, we have to ask you to
16 please give the Commission a moment.

17 MR. COUCH: -- and you still want to charge me
18 \$350. I disagree with you. This Commission
19 refused to hear my complaint against Mike Pence and
20 Karlee Macer, but yet you're going to charge me
21 \$350. I filed on time.

22 MS. NUSSMEYER: Mr. Couch, if you don't like
23 the decision of the Commission, you can appeal it
24 to a court, but no vote has been taken. There's a
25 motion on the floor.

1 MR. COUCH: Well, I already have a civil suit
2 open against the State of Indiana, so I'll take it
3 back there, because I filed it on time. I have
4 worked with Ms. Thompson --

5 CHAIRMAN BOYCE: I don't know how the other
6 Commissioners feel just during this comment
7 section. I would have probably supported the
8 25 percent just because he hasn't been before us
9 before. So can you explain maybe why you're
10 thinking the full penalty, just because he didn't
11 take the deal?

12 MR. WESTERCAMP: You mentioned that he didn't
13 want it. He wanted to justify himself.

14 CHAIRMAN BOYCE: That's true. And others, I
15 think -- just in keeping precedent, others had come
16 up and said there were some issues or they had some
17 questions. Okay. That's fair.

18 MS. NUSSMEYER: And, Madam Chair, I might add
19 that even in these discussions from past Commission
20 meetings, the commissioners have sought to issue
21 the full fine or another partial fine, if that's
22 what they opted to do, to kind of fall in line with
23 that plea agreement, but ultimately it's your
24 decision.

25 CHAIRMAN BOYCE: Okay. Thank you.

1 Okay. Any more discussion, comments?

2 There's been a motion and a second to pursue
3 the proposed fine of \$350 and --

4 MR. COUCH: Well, you've made your decision.

5 CHAIRMAN BOYCE: -- the mail cost of
6 68 cents --

7 MR. COUCH: I disagree.

8 CHAIRMAN BOYCE: -- for a total of \$350.68.

9 MR. COUCH: How many of you guys are
10 Democrats?

11 CHAIRMAN BOYCE: All those in favor signify by
12 saying "aye."

13 VICE CHAIRMAN OVERHOLT: Aye.

14 MS. CELESTINO-HORSEMAN: Aye.

15 MR. WESTERCAMP: Aye.

16 CHAIRMAN BOYCE: Opposed.

17 MR. COUCH: See you in court.

18 CHAIRMAN BOYCE: Okay.

19 MR. MYERS: Do I get bonus points?

20 CHAIRMAN BOYCE: So I guess next time you're
21 sitting up front.

22 MR. MYERS: Yeah. Hi.

23 MS. TAYLOR: Thank you for your patience.

24 CHAIRMAN BOYCE: Yeah. Thank you for your
25 patience.

1 MR. MYERS: Thank you. My name is Jonathan
2 Meyers, J-o-n-a-t-h-a-n, M-y-e-r-s. I am the
3 current treasurer of the Third District
4 Congressional Committee. We have two matters. One
5 is 2025-4694-140, and --

6 CHAIRMAN BOYCE: Give us one second here to
7 find it.

8 MR. MYERS: Just don't want to waste all my
9 five minutes.

10 MS. WARYCHA: I'm paused. You're on pause.

11 MS. TAYLOR: That's on page 78.

12 MR. MYERS: And the second one is
13 2025-4694-333.

14 MS. TAYLOR: That's on page 182.

15 CHAIRMAN BOYCE: 182. Okay. Go ahead.

16 MR. MYERS: Okay. So I am the current
17 treasurer of the committee. I was elected
18 March 8th of this year, and we're trying to clean
19 up some stuff that happened previously.

20 So with respect to -140, our previous
21 treasurer was three days late filing. He was sick,
22 his wife had a stroke, and he has since passed
23 away, so I don't know what the exact circumstances
24 were as to why he was three days late.

25 Then on March 2nd of 2024, he passed away and

1 we as -- well, the committee at the time had
2 problems getting the records from his family and
3 got to the point where our vice chairman went to
4 the family, got the records. We still had time to
5 file the preprimary report on the 19th, but our
6 vice chairman's son then passed away a couple days
7 before the deadline, and so we were seven days late
8 on filing that report.

9 I would have taken the deal earlier and saved
10 my entire afternoon, but I didn't know what the
11 extent of the fines were nor whether we had any
12 prior situations that had come up before this.

13 MR. WESTERCAMP: What are you asking for
14 specifically?

15 MR. MYERS: So I would like you to consider
16 either waiving the fines or reducing the fines.

17 CHAIRMAN BOYCE: Okay. So you've been -- not
18 you specifically, but the committee has been before
19 the board.

20 MS. TAYLOR: They've been before the
21 Commission twice, and they've paid three settlement
22 agreements, so this is their sixth delinquency.

23 MR. MYERS: Do you know what years those were?
24 Just curious for my own...

25 CHAIRMAN BOYCE: There's a few listed.

1 MS. NUSSMEYER: 2018 pre-elect, 2021 annual,
2 2022 pre-elect, 2023 pre-elect, 2024 preprimary,
3 and one more in 2018.

4 MS. TAYLOR: It looks like there were some
5 before that, but we only go back to the five most
6 recent.

7 CHAIRMAN BOYCE: It's very difficult, I know,
8 when there's -- you know, it's different on a
9 campaign when it's typically the same people. I
10 know in this situation it's different because it's
11 rotating, and obviously with a death it makes it
12 even another complication, but...

13 MR. WESTERCAMP: Were there other members that
14 were available to step in? I mean, obviously,
15 there's --

16 MR. MYERS: Well, the chairman and vice chair
17 are here if you -- they have both been sworn in if
18 you have any specific questions for them.

19 MR. WESTERCAMP: This is your defense. Make
20 your best case to us now. If you've got something
21 to say, say it.

22 CHAIRMAN BOYCE: He's like, wow, I drew the
23 short stick on this one.

24 MR. MYERS: Would either of you like to say
25 anything?

1 MR. RING: Only that the last one --

2 MS. WARYCHA: Please say your name.

3 MR. MYERS: Come up here and state your name.

4 MS. WARYCHA: It's Rick Ring.

5 MR. RING: I knew I'd end up here sometime.

6 There is no defense actually.

7 CHAIRMAN BOYCE: State your name.

8 MR. RING: Rick Ring. I'm vice chair of
9 District Three Congressional Committee. No excuse
10 on the last one. I had taken over for Ron after
11 Ron passed away. We still don't have the stuff
12 that his family has. We had to close everything
13 out and refile. But then my son passed away so I
14 was, I think, four days late getting this one
15 filed.

16 CHAIRMAN BOYCE: And that was --

17 MR. RING: It would have in '24.

18 MR. MYERS: The 2024 preprimary.

19 CHAIRMAN BOYCE: I got you.

20 MR. RING: And I will say that the chair and I
21 had no knowledge of any of those that were before,
22 the previous. I had no idea that any of these
23 other ones were late. I thought the one with Ron
24 and this one were the only two we had.

25 CHAIRMAN BOYCE: Yeah. Well, I feel like I

1 wish I could say let's make you a deal, but in the
2 situation of this being the sixth time, I don't --
3 the precedent of the Commission doesn't allow for
4 that necessarily, which I'm sorry.

5 I don't know if the other members are --

6 MR. MYERS: We would take an unprecedented
7 deal.

8 CHAIRMAN BOYCE: Oh, I'm sure. This is my
9 first day and his too.

10 MS. COLBERT: I think in these current times I
11 would like to stick to a little bit of precedence.

12 MR. OVERHOLT: I think that's right.

13 CHAIRMAN BOYCE: Okay. So do we have a
14 motion?

15 MS. COLBERT: I'll make the motion to assess
16 the full fine.

17 CHAIRMAN BOYCE: Okay.

18 MR. MYERS: And could I ask, what is the full
19 fine?

20 CHAIRMAN BOYCE: Yes. Okay. So on cause
21 number that ends -333, it's \$400.68. So 400 is the
22 fine, 68 cents for the mailing. And on cause
23 number ending -140, it's \$200 and then 66 cents for
24 the mail. So it's a total of --

25 MS. COLBERT: \$601.34.

1 CHAIRMAN BOYCE: \$601.34. Okay. So we have a
2 motion. Do we have a second?

3 MR. OVERHOLT: I'll second.

4 CHAIRMAN BOYCE: And a second for the proposed
5 finding of \$601.34. All those in favor say "aye."

6 MR. OVERHOLT: Aye.

7 MS. COLBERT: Aye.

8 MR. WESTERCAMP: Aye.

9 CHAIRMAN BOYCE: Opposed.

10 Okay. Thank you.

11 MR. MYERS: You'll send us a bill?

12 MR. WESTERCAMP: There will be an order.

13 CHAIRMAN BOYCE: You'll get notice.

14 MR. MYERS: Great.

15 CHAIRMAN BOYCE: Thank you. Sorry. Thank you
16 for being so patient.

17 And you're the lucky last --

18 MS. NUSSMEYER: She bills by the hour.

19 CHAIRMAN BOYCE: The last hoorah.

20 MS. DOYLE: This is pro bono.

21 MS. TAYLOR: This is on page 223. This is
22 McCormick for Governor, Cause No. 2025-6797-414,
23 proposed civil penalty of \$1,000.78. It is their
24 fourth time before the Commission.

25 MS. DOYLE: Hi. Thank you, Commissioners.

1 Brittany Doyle, B-r-i-t-t-a-n-y, Doyle, D-o-y-l-e.

2 The penalty assessed against McCormick for
3 Governor is for a late file contribution report, a
4 CFA-11. The contribution in question was not a
5 contribution at all but rather a refund from a
6 vendor.

7 So if you look at page 2 of the packet that I
8 provided, the quarterly report that was filed by
9 the committee received funds of \$85,444.50 from
10 Sage Media Planning and Placement, and that is the
11 committee's -- was the committee's media buy vendor
12 for the '24 election cycle. In the second box on
13 that form, you will see that the committee noted
14 that there was a reimbursement from the vendor for
15 unused media ad buys, and that was sort of to
16 delineate that these funds were not a contribution
17 but rather a refund from the vendor of payments.

18 On the third page of your packet, I did pull a
19 list from the IEC website of all the disbursements
20 McCormick for Governor made to this vendor to
21 verify the refund. They were a substantial
22 payment, I think by 3.2 million.

23 In looking at the 2024 campaign finance
24 manual, it does define contribution as any donation
25 accepted by a candidate's committee and made for

1 the purpose of influencing an Indiana election. As
2 this was a vendor refund, these funds were not a
3 contribution made for the purpose of influencing an
4 election. And it was the committee's understanding
5 at the time that it accepted this refund that a
6 CFA-11 was not needed because it did not -- we
7 didn't believe that it followed the definition of a
8 contribution because it wasn't to influence an
9 election.

10 Additionally, page 4 of your packet, Sage
11 Media Planning and Placement is incorporated,
12 meaning that if this had been a contribution, it
13 would have absolutely violated the limits itself.

14 So the committee is asking that the Commission
15 waive this penalty in full.

16 CHAIRMAN BOYCE: Okay. So this one is
17 different.

18 MR. WESTERCAMP: Can the staff act as kind of
19 a proxy of a prosecutor? What's the State's case
20 against this campaign? I mean, I understand, I
21 think, a little better.

22 MS. TAYLOR: So they added the contribution to
23 the online site. They added the refund as a
24 contribution because it's income. There's no
25 other -- there's contributions and expenditures.

1 There's nothing else. So it's positive or it's
2 negative. And so it's coming into the account.
3 Yes, it's a refund, but they add the contribution.
4 It auto generates the, hey, you're a statewide
5 candidate, you've got to file this CFA-11 within
6 seven days. They didn't. They waited two and a
7 half, three months.

8 The only thing I can say is that on the other
9 side of this, being for like audit purposes, we
10 would not have pursued the audit because a refund
11 is not a contribution for audit purposes. It
12 wouldn't be above the contribution limits for a
13 corporation because it's a refund and not a direct
14 contribution.

15 MS. DOYLE: And if it's helpful, my
16 background, I do compliance for mostly applicable
17 party committees, but I work with the Federal
18 Election Commission, I work with several other
19 states, and I've never seen an instance where a
20 refund would require a large contribution, again,
21 because it's not considered a contribution.

22 MR. WESTERCAMP: I'm wondering -- I'm inclined
23 to table this particular matter and ask for
24 something in writing just because this is a little
25 bit nuanced, and I want to be sure that we're

1 actually following what General Assembly set forth
2 in statute.

3 Do other commissioners have strong opinions
4 about this particular case? I mean, to me, it
5 seems like it raises some novel legal questions.

6 CHAIRMAN BOYCE: Yeah.

7 MR. WESTERCAMP: So I'd like to be the
8 beneficiary of briefing on this from the campaign
9 and also the staff, if people were so inclined.

10 MR. KOCHEVAR: Commissioner, certainly,
11 because we would have to explain, and I don't know
12 if we can explain it in the time here or in this
13 context, better put in writing, but we need to go
14 through the discussion of what is the definition of
15 a contribution, including the -- which Brittany has
16 referred to that there are a number of pieces which
17 makes a piece of property a committee gets a
18 contribution as opposed to other income.

19 But we also have to discuss, though there
20 isn't a lot of statutes on this, what other
21 committees can get in the form of income because
22 other income must be reported because it is a
23 requirement of the Campaign Finance Act that, when
24 you file your campaign finance reports, you must
25 report the cash on hand.

1 And since -- this would go to a third part
2 then on how you can use campaign dollars, is that
3 campaign dollars can be used to be invested into
4 money market account or what have you, and then you
5 can get that income to use for political purposes.
6 And we would need to put that into our write-up to
7 you as well about how does that get done and how we
8 see in the past how that usually is going to get
9 reported, and probably, again, talk about the
10 delinquencies of our very old campaign finance
11 system.

12 MR. WESTERCAMP: I'd like to move to this
13 Commission that we table this matter pending
14 further briefing from the campaign and the staff on
15 the legal definitions that are at play from statute
16 and any other factual considerations we should
17 consider at the next meeting.

18 CHAIRMAN BOYCE: Yeah. So we have a motion to
19 table this just for further review. Do we have a
20 second?

21 MS. COLBERT: I'll second.

22 CHAIRMAN BOYCE: Okay. So we have a motion
23 and a second to table this issue for discussion at
24 an upcoming meeting, which will be advertised.

25 All those in favor say "aye."

1 MR. OVERHOLT: Aye.

2 MS. COLBERT: Aye.

3 MR. WESTERCAMP: Aye.

4 CHAIRMAN BOYCE: Opposed.

5 Okay. Thank you.

6 MS. DOYLE: Thank you very much.

7 CHAIRMAN BOYCE: Okay. So I think that's
8 everyone. Thank you for being so patient.

9 MS. DOYLE: No problem. Thank you all. I
10 appreciate your time.

11 CHAIRMAN BOYCE: Okay. So at this point there
12 is the matter of continuances. So would the
13 campaign finance staff identify any matters for
14 which a motion for continuance was received for
15 today's meeting.

16 MS. NUSSMEYER: Is this under the green tab?

17 MS. TAYLOR: There's no tab.

18 MS. THOMPSON: We just have a list of cause
19 numbers for you and names of committees.

20 MS. NUSSMEYER: Okay.

21 MS. THOMPSON: 2025-7783-167, Fight Back
22 Indiana has asked for a continuance; 2025-7838-292,
23 Jay County Democrats; 2025-7838-323, oh, another
24 Jay Democrats; 2025-7551-89, Grassroots PAC;
25 2025-7551-317, the second Grassroots PAC;

1 2025-7610-253 and -96, Martin Del Rio for Indiana,
2 he has two causes; 2025-7533-87, -316, and -242,
3 Indiana PA Political Action Committee;
4 2025-7923-324, -367, and -281, Jim for Indiana;
5 2025-7669-107, Citizens for Tim Radice;
6 2025-7944-1, Watermelon Jim for State Rep;
7 2025-7642-101, Committee to Elect Shemanski;
8 2025-7277-60, Hancock County for Progress, they
9 have five; 2023-7696-158 Jefferson County
10 Libertarian. This one at the very last meeting was
11 issued a final continuance grant. It was granted
12 for its last continuance. They again asked for a
13 continuance this meeting.

14 MS. NUSSMEYER: Michelle, could you remind us
15 what the Commission did. Well, they set a policy
16 at that Commission meeting that we gave them a
17 certain number of continuances and said that was
18 your final.

19 Co-Director King, do you recall or co-counsel?
20 We can go back and look under meeting minutes if we
21 have to pull that one out.

22 MS. TAYLOR: They have -- the Commission has
23 for the past several years granted two continuances
24 and on the second continuance said this is your
25 final continuance that we will grant. That was

1 what the Libertarian Party of Jefferson County was
2 given at the September of '23 hearing. They have
3 asked for now a third continuance on this cause
4 from 2022.

5 MR. KING: Madam Chairman, to address the
6 question posed, yes, I think the Commission's past
7 practice has been accurately stated with regard to
8 continuances in an initial continuance, which I
9 understand is the case for all the ones listed
10 except for the one committee identified --

11 MS. TAYLOR: We're not finished with them
12 either, but yes.

13 MR. KING: -- have been routinely granted.
14 However, in the case where a committee requests a
15 continuance after having been advised that the
16 continuance previously granted was final, I believe
17 the Commission has, at least on one occasion,
18 proceeded to find the committee in default --

19 CHAIRMAN BOYCE: Okay.

20 MR. KING: -- and impose the penalty.

21 CHAIRMAN BOYCE: Okay. Keep going with that
22 list, and then we'll come back to that one.

23 MS. THOMPSON: Okay. 2025-5475-187, Indiana
24 Speech, Language, and Hearing Association PAC;
25 2025-7150-393 and -394, Committee to Elect Reagan

1 Hatcher.

2 CHAIRMAN BOYCE: Okay. So on that list then
3 the only ones -- the only one that previously
4 requested a continuance was the one we just talked
5 about?

6 MS. TAYLOR: Yes.

7 CHAIRMAN BOYCE: Okay. So how about we take a
8 motion and a second to grant the continuances for
9 the group, and then we'll address the one, if
10 that's okay.

11 Is there a motion to grant the request for --

12 MS. NUSSMEYER: Madam Chair, if I might, I
13 don't know that you would want to consider the
14 whole group because that one is part of that group.

15 MS. THOMPSON: Hold on. I've got one more.
16 2025-1907, this was Senator Young for his seven,
17 -406, -407, -408, -409, -410, -411, and -412.

18 CHAIRMAN BOYCE: Okay. Well, I think, I mean,
19 obviously we're not doing it on the whole group
20 because we're going to approve all of those
21 excluding the Jefferson County Libertarians or
22 whatever it was you said.

23 MR. WESTERCAMP: So moved.

24 CHAIRMAN BOYCE: Okay. So we have a motion to
25 grant the continuances for all of those committees

1 excluding the one. Do we have a second?

2 MR. OVERHOLT: I'll second.

3 CHAIRMAN BOYCE: Any more discussion,
4 thoughts?

5 All in favor of the motion say "aye."

6 VICE CHAIRMAN OVERHOLT: Aye.

7 MS. CELESTINO-HORSEMAN: Aye.

8 MR. WESTERCAMP: Aye.

9 CHAIRMAN BOYCE: Opposed "nay."

10 Okay. So on the one, we need to probably look
11 up that cause number.

12 MS. TAYLOR: It is 2023-7696-158. It's on
13 page 3 of your spreadsheet.

14 CHAIRMAN BOYCE: Libertarian Party of
15 Jefferson County, \$350.

16 MR. WESTERCAMP: Madam Chair, I'd like to move
17 to deny the continuance on this matter.

18 CHAIRMAN BOYCE: Do we have a second?

19 MS. COLBERT: Second.

20 CHAIRMAN BOYCE: Okay. We have a motion and a
21 second to deny the request for continuance. All
22 those in favor say "aye."

23 VICE CHAIRMAN OVERHOLT: Aye.

24 MS. CELESTINO-HORSEMAN: Aye.

25 MR. WESTERCAMP: Aye.

1 CHAIRMAN BOYCE: Opposed.

2 Okay.

3 MR. WESTERCAMP: Do we need to vote to impose
4 penalty by default? Okay.

5 CHAIRMAN BOYCE: Okay. So I recognize the
6 campaign finance staff to present information
7 regarding campaign committees subject to
8 administrative dissolution by the Commission.

9 MS. THOMPSON: Madam Chairman, members of the
10 Commission, your little blue tab, these committees
11 can be administratively dissolved. They have not
12 filed a report in three years, and they have a
13 balance of less than 1,000. Both chairman and
14 treasurer have been notified.

15 CHAIRMAN BOYCE: Okay. I move the Commission
16 do the following: Make a finding that there is no
17 evidence that any of these committees continue to
18 receive contributions, make contributions, or
19 otherwise function as a committee; make a finding
20 that, according to the best evidence available to
21 the Commission, the dissolution of these committees
22 will not impair any contract or impede the
23 collection of a debt or a judgment by any person;
24 make a finding that the prudent use of public
25 resources make further efforts to collect any

1 outstanding civil penalty imposed against these
2 committees wasteful or unjust, and that therefore
3 the Commission administratively dissolve each of
4 these committees.

5 Is there a second?

6 MR. WESTERCAMP: Second.

7 CHAIRMAN BOYCE: Okay. Any discussion?

8 All in favor of the motion say "aye."

9 MR. OVERHOLT: Aye.

10 MS. COLBERT: Aye.

11 MR. WESTERCAMP: Aye.

12 CHAIRMAN BOYCE: Opposed.

13 Okay. Is anyone present -- okay. Obviously
14 no one is here. Is anyone present to testify on
15 any remaining campaign finance hearing scheduled
16 for today?

17 Seeing none, I declare the hearings on all
18 remaining campaign finance matters scheduled for
19 today closed, including the continuance that was
20 denied. Is there a motion to impose the entire
21 amount of the proposed penalty plus mailing costs
22 in all remaining campaign finance enforcement
23 actions?

24 MR. WESTERCAMP: So moved.

25 CHAIRMAN BOYCE: Is there a second?

1 MS. COLBERT: Second.

2 CHAIRMAN BOYCE: Further discussion?

3 All in favor of the motion say "aye."

4 MR. OVERHOLT: Aye.

5 MS. COLBERT: Aye.

6 MR. WESTERCAMP: Aye.

7 CHAIRMAN BOYCE: Opposed say "nay."

8 The "ayes" have it, and the motion to impose
9 the penalty is adopted.

10 I think maybe the last thing we want to
11 discuss is, for the convenience of the committees
12 granted continuances today on campaign finance
13 matters and to finalize the 2025 voting system
14 protocols after receiving feedback, I would ask if
15 Commission members would have availability to
16 attend meetings or to designate a proxy on the
17 following dates. And obviously, since you two are
18 proxies, we will communicate with them. The two
19 dates that I would like to propose are Tuesday,
20 October 21st. That would be the next meeting, at
21 1:30 p.m.

22 And then I had some flexibility on either
23 November 4th or November 6th. It would be a
24 Tuesday or a Thursday. And, honestly, we were
25 discussing this. There's obviously not an election

1 this year, but I know a few counties are having
2 special elections or referendums or whatever. So I
3 don't know if that would be of any consideration to
4 the body meeting, but either of those dates.

5 MR. WESTERCAMP: That works for me.

6 MS. NUSSMEYER: Madam Chair, I would add,
7 though, for 10/21, are you expecting to do stuff
8 with the 2025 VSTOP protocol? Was that the
9 intention? I thought I heard you say that.

10 CHAIRMAN BOYCE: I mean, as long as the report
11 from VSTOP is ready.

12 MS. NUSSMEYER: Right. Well, VSTOP sent us an
13 email this afternoon. They contacted the vendors
14 and asked for a feedback date of October 24th, so
15 that would be after the date of that meeting.

16 CHAIRMAN BOYCE: Okay. I would say we could
17 ask VSTOP to adjust accordingly. I mean, it's just
18 three days.

19 MS. NUSSMEYER: Right, but the Commission this
20 morning said that they would give the vendors
21 30 days to respond, and so the October 24th date
22 was 30 days from today's date, or thereabouts.

23 CHAIRMAN BOYCE: Can I decide later or do I
24 have to decide right now? Okay. We'll just keep
25 you posted.

1 MS. NUSSMEYER: Great. Thank you.

2 CHAIRMAN BOYCE: Okay.

3 MR. WESTERCAMP: Did you have a thought on the
4 second date?

5 CHAIRMAN BOYCE: I would prefer Tuesday just
6 based on my schedule. I just didn't know if the
7 idea of a few counties having a special election
8 mattered.

9 MR. WESTERCAMP: Would it be at 1:30 as well?

10 CHAIRMAN BOYCE: Yes. Both would be at 1:30.

11 MS. NUSSMEYER: Madam Chair, I will say on
12 special election days counties do reach out to us
13 with issues or problems, and depending on the
14 length of the meeting, if it goes past 6 o'clock
15 and counties are trying to close and they have to
16 access the Statewide Voter Registration System or
17 report election results, they oftentimes reach out
18 to us. So we may have to step out to assist those
19 counties.

20 CHAIRMAN BOYCE: Okay. I will confirm all of
21 that. As I said, that is why I had chosen two
22 because I wasn't quite sure if that would be a
23 factor.

24 The Indiana Election Commission has finished
25 its business for today. Is there a motion for the

1 Indiana Election Commission to adjourn.

2 MR. WESTERCAMP: So moved.

3 CHAIRMAN BOYCE: Those in favor say "aye."

4 MS. COLBERT: You need a second.

5 CHAIRMAN BOYCE: Oh, I need a second.

6 MS. COLBERT: Second.

7 CHAIRMAN BOYCE: All those in favor say "aye."

8 MR. OVERHOLT: Aye.

9 MS. COLBERT: Aye.

10 MR. WESTERCAMP: Aye.

11 CHAIRMAN BOYCE: Opposed "nay."

12 The "ayes" have it. The Indiana Election
13 Commission meeting is adjourned.

14 (The Indiana Election Commission Public
15 Session was adjourned at 5:47 p.m.)

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1 STATE OF INDIANA

2 COUNTY OF HAMILTON

3 I, Maria W. Collier, a Notary Public in and
4 for said county and state, do hereby certify that the
5 foregoing public session was taken at the time and
6 place heretofore mentioned between 10:00 a.m. and
7 5:47 p.m.;

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

12 IN WITNESS WHEREOF, I have hereunto set my
13 hand and affixed my notarial seal this 8th day of
14 October, 2025.

16 Maria W. Collier
17 
18 Maria W. Collier
19 NOTARY PUBLIC SEAL
20 STATE OF INDIANA
21 Commission No. NP0693933
22 My Commission Expires Dec. 5, 2032

21 My Commission expires:
22 December 5, 2032

23 Job No. 201873

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