

**ST. JOSEPH COUNTY, INDIANA ELECTION BOARD**  
**RESOLUTION NO., 2017-01**

WHEREAS, the St. Joseph County Election Board (the "Election Board") is charged with the responsibility of conducting elections in St. Joseph County; and

WHEREAS, Title 3 of the Indiana Code (the "Election Code") governs the operations of elections in Indiana; and

WHEREAS, Ind. Code § 3-7-27-6(c) states that the county voter registration office shall, with regard to voter registration information concerning voters of the county on a computerized system, act in accordance with a nondiscriminatory uniform policy adopted by the county election board; and

WHEREAS, Ind. Code § 3-7-27-6(c) further states that such a policy must either permit a person to duplicate or obtain a duplicate copy of this electronically stored voter registration information – or – not permit the person to duplicate or obtain a duplicate copy of the electronically stored information; and

WHEREAS, the St. Joseph County Election Board believes that there exist important concerns with instituting obligations on a wholly separate county board, namely the St. Joseph County Board of Voter Registration, to expend public funds appropriated to it and utilize its public employees to conduct information searches and redact documents that may not otherwise be permitted under the Indiana Access to Public Records Act, namely Ind. Code § 5-14-3-3(f); and

WHEREAS, the St. Joseph County Election Board believes that there exist important concerns with requiring the St. Joseph County Board of Voter Registration to risk potentially disclosing personal, private information with respect to registered voters in St. Joseph County; and

WHEREAS, the St. Joseph County Election Board believes that, accordingly, there exist important concerns with requiring the St. Joseph County Board of Voter Registration to potentially risk harming the personal privacy and personal security of registered voters in St. Joseph County; and

WHEREAS, the St. Joseph County Election Board also, however, believes that there are countervailing concerns that counsel in favor of permitting disclosure of otherwise available voter registration information in a convenient manner from a local public agency that has limited jurisdiction over this information, such as the St. Joseph County Board of Voter Registration; and

WHEREAS, Ind. Code § 3-7-26.4-4 and Ind. Code § 3-7-26.4-8 permit the Indiana Election Division to provide parts and reports from the voter registration information from the

computerized statewide voter registration list to all persons, so long as those parts and reports do not include the following information with respect to registered voters:

- (a) Social Security Number;
- (b) Date of birth;
- (c) Gender;
- (d) Telephone number or electronic mail address;
- (e) Voting history;
- (f) A voter identification number or another unique field established to identify a voter; and
- (g) The date of registration of the voter; and

WHEREAS, Ind. Code § 3-7-26.4-5 permits the Indiana Election Division to provide parts or reports from the voter registration information from the computerized statewide voter registration list concerning information other than lists of registered voters; and

WHEREAS, Ind. Code § 3-7-26.4-10 restricts the use of a compilation of information received from the Indiana Election Division under Ind. Code § 3-7-26.4-1 *et seq.* to non-commercial political uses; and

WHEREAS, the St. Joseph County Election Board at times has the need to use voter registration information from the computerized statewide voter registration list as provided to the St. Joseph County Election Board by the St. Joseph County Board of Voter Registration for use of such information, parts, lists, and/or reports exclusively for election administration purposes.

NOW, THEREFORE, BE IT RESOLVED, by the St. Joseph County Election Board as follows:

1. The Election Board declares and adopts the policy that, pursuant to Ind. Code § 3-7-26.4-6(c), a person or entity regardless of identity, class or status may obtain from the St. Joseph County Board of Voter Registration certain information, parts and reports or compilations thereof from the Indiana Statewide Voter Registration System ("SVRS") with respect to registered voters of St. Joseph County, Indiana as follows:
  - (a) The St. Joseph County Board of Voter Registration shall provide information from SVRS to an individual to permit the individual to confirm the voter registration status of the individual and the location of the polling place for the individual's precinct.

- (b) The St. Joseph County Board of Voter Registration may provide parts and reports from SVRS concerning voter registration information other than lists of registered voters.
- (c) After a person or entity files a request with the St. Joseph County Board of Voter Registration for electronically stored voter registration information, the St. Joseph County Board of Voter Registration shall provide a compilation of the voter registration information from SVRS to the person or entity regardless of identity, classification, or status, so long as those parts and reports do not include the following information with respect to registered voters:
  - (i) Social Security Number or any part thereof;
  - (ii) Date of birth;
  - (iii) Gender;
  - (iv) Telephone number or electronic mail address;
  - (v) Voting history;
  - (vi) A voter identification number or another unique field established to identify a voter;
  - (vii) The date of registration of the voter.
- (d) Notwithstanding Paragraph 1(c) above, the St. Joseph County Board of Voter Registration may provide information without redaction to the St. Joseph County Election Board upon request. The St. Joseph County Election Board may not use any compilation of voter registration information received from the St. Joseph County Board of Voter Registration from SVRS for any purpose other than the administration of elections in St. Joseph County and may not under any circumstances distribute or release any compilation of voter registration information received from the St. Joseph County Board of Voter Registration from SVRS to any other person or entity.
- (e) A request submitted to the St. Joseph County Board of Voter Registration for electronically stored voter registration information from SVRS must be on the state-prescribed form (VRG-24), in the form of an original, with a wet-ink signature. No scans of requests will be accepted.

- (f) In responding to a request for electronically stored voter registration information from SVRS, the St. Joseph County Board of Voter Registration shall provide compilations in Adobe .pdf format.
  - (g) A person or entity who receives electronically stored voter registration information from the St. Joseph County Board of Voter Registration may not use the information for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by the request to any other person for these purposes. Use of such information received from the St. Joseph County Board of Voter Registration in connection with the preparation or publication of information in a manner contrary to this policy may be prohibited from the St. Joseph County Board of Voter Registration from obtaining a copy or any further data from the St. Joseph County Board of Voter Registration.
  - (h) This policy of the St. Joseph County Election Board is intended to address only public records requests addressed to the St. Joseph County Board of Voter Registration for electronically stored information, data, and/or parts, reports or compilations thereof, extracted from the Indiana Statewide Voter Registration System (“SVRS”) on-demand concerning registered voters of St. Joseph County as maintained and accessible by the St. Joseph County Board of Voter Registration, and only to the extent contemplated by Ind. Code § 3-7-27-6(c). This policy expressly does not affect or address any other obligations, requirements or powers of the St. Joseph County Board of Voter Registration as provided pursuant to the Indiana election Code or any other law of the State of Indiana or the United States. This policy is not intended to address other public records requests addressed to the St. Joseph County Board of Voter Registration under Ind. Code § 5-14-3-1 *et seq.*
- (2) In the event that the policy described in Paragraph 1 becomes no longer effective as a result of a preliminary or final finding or order of a court that the policy described in Paragraph 1 is discriminatory, non-uniform, or otherwise unlawful, it shall be the policy of the St. Joseph County Election Board that the St. Joseph County Board of Voter Registration may not permit a person to duplicate or obtain a duplicate copy of voter registration information or parts, reports and compilations from the Indiana Statewide Voter Registration System (“SVRS”) with respect to registered voters of St. Joseph County, Indiana, as specifically authorized under Ind. Code § 3-7-27-6(c).

- (a) The policy described in Paragraph 2 above is effective immediately upon a preliminary or final finding or order of a court that the policy described in Paragraph 1 above is discriminatory, non-uniform, or otherwise unlawful.
- (b) The alternative policy described in Paragraph 2 above is intended to address only public records requests addressed to the St. Joseph County Board of Voter Registration for electronically stored information, data, and/or parts, reports or compilations thereof, extracted from the Indiana Statewide Voter Registration System ("SVRS") concerning registered voters of St. Joseph County as maintained and accessible by the St. Joseph County Board of Voter Registration, and only to the extent contemplated by Ind. Code § 3-7-27-6(c). This policy expressly does not affect or address any other obligations, requirements or powers of the St. Joseph County Board of Voter Registration as provided pursuant to the Indiana Election Code or any other law of the State of Indiana or the United States. Such policy is not intended to address other public records requests addressed to the St. Joseph County Board of Voter Registration under Ind. Code § 5-14-3-1 *et seq.*

ADOPTED AND APPROVED at a meeting of the St. Joseph County Election Board on the 22 day of May, 2017.

ST. JOSEPH COUNTY ELECTION BOARD  
*M. Catherine Fanello*  
*Gregory S. Wain*  
*Ken Huttel*

CIRCUIT COURT  
2017 MAY 23 P 3:12  
ST. JOSEPH COUNTY CLERK