At a time when the nation is questioning the security of electronic voting machines, the Benjamin Harrison Presidential Site is looking back at the equipment and devices used in the past to allow citizens to cast their ballots and have their voices heard.

The exhibit, "Protect the Vote!" at the historic Benjamin Harrison Presidential Site in Indianapolis explores the development of the attitudes and innovations that shaped how Americans voted in the past and how those votes were counted. Ballot boxes, sample ballots, voting booths and all the apparatus – like a canvas bag used to collect and identify whether the ballots were valid or spoiled – show visitors how the technology of the day was implemented into the election process.

Explaining the history behind the many artifacts on display, Charles Hyde, president and CEO of the Benjamin Harrison Presidential Site, said the exhibit tells the fascinating story of how Americans have worked to have a representative form of government.

“Leveraging technological innovation to help ensure fair and free elections has been fundamental to our system of self-government over the past two centuries,” Hyde said. “It goes hand-in-hand with expanding voting rights and inspiring public confidence in the mechanism by which they choose their public officials.”

A counterclockwise walk around the exhibit ends with an interactive display of two types of voting booths used in the 2000 presidential election. Alongside Indiana’s 500-pound voting machine that Indiana used for nearly 50 years.

Opponents say measure steps on local county prosecutors’ discretion

Despite opposition from nearly all of the organizations and individuals who testified, a bill that would allow the attorney general to appoint a special prosecutor over certain cases that a local prosecutor declines to prosecute advanced out of an Indiana Senate committee.

Senate Bill 436, authored by Sen. Mike Young, R- Indianapolis, passed out of the Senate Corrections and Criminal Law Committee on Jan. 28 with a 6-3 vote. Young, who chairs the committee, did not receive any Democratic support for his bill, and one Republican voted against the measure.

Calling the legislation a response to “social justice prosecuting,” Young said his bill would allow the Office of the Attorney General to appoint a special prosecutor only if a local elected prosecutor “has announced as a matter of policy that the prosecuting attorney will not enforce all or part of a criminal statute enacted by the General Assembly,” or if “the attorney general has determined that a prosecuting attorney has categorically elected not to enforce all or part of a criminal statute enacted by the General Assembly.”

The original language of the bill gave the AG – currently Republican Curtis Hill – concurrent jurisdiction in counties. But an amendment adopted Jan. 28 instead gives the OAG the authority to appoint a special prosecutor qualified under current law, a change Young said was made to “soften the blow” for prosecutors.

Before a special prosecutor could be appointed, the Attorney General’s Office would first have to determine, based on a reasonable belief, that a local prosecutor is refusing to prosecute a certain category of law. The local
and because of rule-making authority. Others, like Marquette University Law School Professor Chad Oldfather, worry about the cultural impact of sports metaphors on the legitimacy of the legal system itself. Professor Oldfather complains in recent years that a better sports analogy for judges would be skating and gymnastics, where they are actually called "judges" and, like our legal jurists, require a level of practice and proficiency in the sport itself. Third Circuit Court of Appeals Judge Theodore M. McKee also believes that, "...the public's readiness to embrace that metaphor may chill honest discussion of the role of judges and thereby move us farther from the principle of objective adjudication rather than result in cases closer to the facts..." Finally, Professor Michael P. Allen of Stetson University College of Law provides a limited defense of the judge-umpire analogy. He writes that, although analogies have drawbacks, it's worth risk- ing the comparison of judges and umpires... (in)formation of the appropriate role of a judge in American constitutional democracy." Hmm.

I like calling balls and strikes as much as anyone. But basketball referees are the better analogy to judicial referees.

• Out of bounds = badgering a witness
• Traveling = hearsay
• Charging/offensive foul = improper closing argument
• Traveling = hearsay
• Clean blocked shot = objection sustained
• Goal tending = objection overruled
• Fouls in the act of shooting = improper closing argument
• Referees blow the whistle, it means a timeout.

This is the Bill I don't mind if prosecutors have discretion based on an individual case. ... But there's a growing trend where prosecutors simply aren't prosecuting crimes as a whole as a policy.

Sen. Mike Young, R-Indianapolis

"This bill is truly unbelievable! If SB 436 is signed into law, the AG can go into your county, supersede your local elected official and make you pay for all of it," she said. "What is even worse? Not one person testified in favor of this bill, and yet it was still approved.

"... SB 436 creates a political circus by allowing the AG to negate the policies of local prosecutors with whom they disagreed. ... Under this bill, the AG can completely ignore the votes of Hoosiers and throw aside prosecutorial discretion."

Tallian urged Hoosiers to call their lawmakers in opposition of the "state-sanctioned takeover of your local elected officials."

Tallian, Sen. Lonnie Randolph, D-East Chicago, and Sen. Eric Koch, R-Bedford, voted against the measure. Koch said he doesn't support social justice prosecution, but he has concerns about stepping on prosecutorial discretion.

Though Glick supported the bill, she said dislikes it "intensely." Even so, she continued, the measure focuses on "rogue" prosecutors, so she believes its language can be improved. Sen. Justin Busch, R-Fort Wayne, echoed her thoughts.

Though the Marion County Prosecutor's Office did not testify at the committee meeting, Prosecutor Mears released a statement saying SB 436 a "thinned veiled effort" to avoid discussion on the disparate impact of current marijuana laws.

Current AG Hill has also clashed in the past with elected local Democratic prosecutors who said they would not defend 2018's Senate Enrolled Act 340, which required providers to report "all abortion complications." A federal judge blocked the law from taking effect.