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TELEPHONE: (213) 978-1551

ERIC GARCETTI
MAYOR

EMPOWER LA
Department of
NEIGHBORHOOD EMPOWERMENT

20TH FLOOR, CITY HALL
200 NORTH SPRING STREET
LOS ANGELES, CA 90012

TELEPHONE: (213) 978-1551
TOLL-FREE: 3-1-1
FAX: (213) 978-1751
E-MAIL: EmpowerLA@lacity.org

GRAYCE LIU
GENERAL MANAGER

www.EmpowerLA.org

Department of Neighborhood Empowerment - Election Report Summary

The Department has submitted its Election Report to the City Council and has distributed the document to Neighborhood Councils by email, in response to City Council File 15-1022-S2. We recommended to continue the online voting and voter registration build out for the remaining 46 Neighborhood Councils to be administered for all Neighborhood Council elections in 2018.

We believe that having online voting and voter registration is critical to the expansion of the Neighborhood Council system so that we can engage more community stakeholders per our mission. We also made the following recommendations:

1. Voters would only need any type of picture identification to vote in any Neighborhood Council s/election where they would self-affirm the type of stakeholder they are without further documentation. The complexity of documentation voter verification in the Neighborhood Council system is simply unrivaled in any other type of government election and creates a barrier to engagement.

2. Voter age be lowered citywide to 16 years old where applicable. Neighborhood Councils with existing voting ages lower than 16 years old can maintain the younger age. Neighborhood Councils should be one of the first civics experiences for youth in Los Angeles. While it would be ideal for all Neighborhood Councils to have youth on their boards, at the very least, youth should be able to participate in elections where it will be their first opportunity to experience a local government election.

3. There should only be a maximum of 3 ballot types for every Neighborhood Council election. Currently, Neighborhood Councils range from 1 to 21 different ballot styles. We've seen such complexity cause confusion for both candidates and voters at elections, and hope that this change would assist in simplifying the process.

4. Per the request of Neighborhood Councils in post election town halls, EmpowerLA has asked for additional funding this and next fiscal year to expand our election outreach for the Neighborhood Council system so existing board members will not be expected to do extensive outreach to find people to run against them.

5. In election years, however, Neighborhood Councils should still set aside 20% of their funding for election outreach notifications and costs. Neighborhood Councils will still need to assist in notifying their community of candidate filing and of the election day as well as election days expenses even with EmpowerLA taking on a more robust election outreach role.

January 17, 2017

Honorable Members of the
    Los Angeles City Council
c/o City Clerk's Office
Room 395, City Hall
Los Angeles, CA 90012

**SUBJECT: REPORT BACK ON COUNCIL FILE 15-1022-S2 REGARDING ONLINE
VOTING PILOT FOR NEIGHBOHROOD COUNCIL ELECTIONS**

Honorable Members:

SUMMARY

The Department of Neighborhood Empowerment, in collaboration with the Office of the
City Clerk, conducted an online voting and voter registration pilot for 36 Neighborhood
Councils in the 2016 Neighborhood Council elections on the Everyone Counts platform.
The outcomes and recommendations are presented in this report.

The Department appreciates and thanks the Neighborhood Councils for participating in
the pilot, the Office of the City Clerk for their excellent work with candidate registration
as well as testing and development of the online voting platform and the Bureau of
Engineering for developing a crucial online address look up widget, all of which were
necessary to make this pilot possible.   Based on the following outcomes, the
Department recommends continued build out of the online voter registration and voting
platform for Neighborhood Council subdivision elections in April 2017 and all
Neighborhood Council elections from March to June 2018 with changes to election
outreach, board structures and voting requirements.

RECOMMENDATION

That the City Council adopt the following recommendations:

1. Instruct the Department of Neighborhood Empowerment and the Office of the
    City Clerk to continue the build out of Neighborhood Council voter registration
    and online voting platform to be available for 2 Neighborhood Council subdivision
    elections (Herman Neighborhood Council and Skid Row Neighborhood Council)

in April 2017 and to be completed for 96-98 Neighborhood Councils in time for the 2018 Neighborhood Council elections.

2. Instruct the Department of Neighborhood Empowerment to require picture identification along with self-affirmation of the stakeholder type (live, work, own real property or substantial and ongoing community interest stakeholder) to register to vote in order to make the voting process easier and for the voting age set by the Neighborhood Councils to be between 12 and 16 years old for their elections and selections citywide in order to encourage youth participation.

3. Instruct the Department of Neighborhood Empowerment to work with the Neighborhood Councils and the Board of Neighborhood Commissioners to change the individual Neighborhood Council voting requirements and, if necessary, the applicable Neighborhood Council board structures so that there are no more than 3 ballot types required for each Neighborhood Council election or selection in 2018.

4. Instruct Neighborhood Councils to set aside at least 20% of their yearly funding in election and selection years to notify stakeholders of candidate filing and of the election and to support any election day costs for location, refreshments and volunteers. This funding would be in addition to the citywide election outreach that will be conducted by the Department of Neighborhood Empowerment if such funding is allocated.

5. Instruct the Office of the City Administrative Officer to identify $342,000 in funding for the following election outreach and expansion of the online voting platform this current fiscal year to begin as soon as possible:
   a. $150,000 for continued build-out of online platform
   b. $90,000 for Printing and Binding
   c. $67,000 for As-Needed Staffing
   d. $35,000 for Office and Admin

BACKGROUND

Goals
For the 2016 Neighborhood Council online elections voting pilot, the Department of Neighborhood Empowerment (EmpowerLA) had the following goals:

1. Create a secure voter registration database on the Everyone Counts platform so that once voters are registered for the 2016 election, they will not have to re-register for subsequent Neighborhood Council elections.
2. Offer secure online and telephone voting on the Everyone Counts platform so voters could easily vote either in person at the polling location or from any computer, tablet or phone.
3. Increase voter turnout because of the ease of voter registration and voting.

Neighborhood Councils in the Pilot

Neighborhood Councils were provided the option of enrolling in the pilot, and 35 Neighborhood Councils initially elected to do so. Of the 35, 2 Neighborhood Councils, Greater Valley Glen Neighborhood Council and Central Alameda Neighborhood Councils, ultimately did not have an election because they had no contested seats, which resulted in a board affirmation instead. Another Neighborhood Council, Echo Park Neighborhood Council, was included in the pilot after the initial 35 because of fears of voter intimidation at the polling location. In total, 34 Neighborhood Councils conducted online voting elections in the pilot. Of these 34, 12 Neighborhood Councils also offered Interactive Voice Response (IVR), i.e., telephone voting. All 36 Neighborhood Councils had advanced voter registration available. Eighteen of the Neighborhood Councils verified voters through self-affirmation and 18 verified voters through documentation. See Attachment A for a summary of the 36 Neighborhood Councils in the pilot.

Voter Registration and Voting Processes

For Election Regions 1-4, which covered the North and South Valley, voters for the pilot Neighborhood Councils could only register online on the EmpowerLA website (empowerla.org/onlinevoting/) to vote either online or via telephone[1] if they wanted to vote before the polling date. The voter registration database was hosted on EmpowerLA's QuickBase case management system because the Everyone Counts voter registration database was not completed until June 2016. This delay was due in part to a later start for the online voting pilot because of the final contract approval date and in part to the complexity of connecting the Everyone Counts voter registration database to the online voting platform. Everyone Counts required the online voting platform to be completely separate from the voter registration database for security reasons.

Voters in Neighborhood Councils that required self-affirmation for voter registration had to still scan or take a photo of any picture identification with their name on it and upload the information to the voter registration portal. All self-affirmation voters for the pilot Neighborhood Councils had to provide photo identification at the polling location as well to check against the voter registration database to determine if they had already voted or registered. This requirement was to prevent voters from voting online and then coming to the polling location and voting again or vice versa.

Voters in Neighborhood Councils that required documentation for voter registration had to provide both picture identification and paperwork verifying the type of stakeholder they were in order to register to vote online or at the polling location. See Attachment B for a list of acceptable Qualifying Documents for Neighborhood Council Elections.

When EmpowerLA election staff received the voter registration documents, they would review for completion, and once verified, staff were instructed to delete the documentation from the database. Voter registrations with the same names and/or

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[1] Porter Ranch Neighborhood Council had the addition of Pop-Up Polls for voter registration before their election date because their election was moved from April to June due to the gas leak in the area.

email addresses were flagged for further review to determine their validity. Verified voters were downloaded from the QuickBase voter registration database daily and sent to Everyone Counts where they were entered into the online voting platform to be issued a unique user number and password to vote, which were then emailed to the voter. The average turnaround time from voter submission to verification was 5 calendar days and from verification to receiving a user number and password to vote was 2 calendar days.

Online voter registration was available by the first week of January 2016 and was open until 7 days before the Neighborhood Council's election day. This early close allowed staff the time to complete the verification process and to send the online voting credentials. Once online voter registration was closed, voters would have to go to the election day polling location to complete their voter registration to vote unless a Pop-Up Poll was offered for their Neighborhood Council the 7 days before the election day.

To vote, voters who received their online voting credentials from Everyone Counts, could cast their vote online from 3 weeks before the election day to the close time of the poll on the election day. If they did not want to vote online, they could go to the polling location the day of the election to cast their vote online or on a paper ballot. They could also cast their vote at a Pop-Up Poll if their Neighborhood Council offered one. The online voting experience was available in Spanish and English. In order to track the source of the votes and to control the close of online voting on the polling day,[2] Everyone Counts created 2 online voting accounts: one for the polling location and one for off polling site voting. Election staff had the ability to check Everyone Counts' staff database whether a voter had already voted online and to check off if a voter voted at the polls in order to ensure each voter had only voted once. How the voter voted was never visible online to staff as that information was encoded as soon as the vote was cast.

At the close of election day, election staff would work with Everyone Counts to compile an Unofficial Canvass of Votes that would combine the off polling site online votes, at poll online votes, at poll paper ballots and at poll provisional ballots. This list would be posted on the EmpowerLA website for public review and election challenges. If no election challenges were filed, a Final Canvass of Votes would be issued 5 days after the election day. If election challenges were filed, a Final Canvass of Votes would be issued once all election challenges were resolved. See Attachment C for more details in the Neighborhood Council 2016 Election Manual.

OUTCOMES

EmpowerLA partially met its goals for the pilot:

1. Create a secure voter registration database on the Everyone Counts platform so that

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[2] Election staff had to be able to delay the close of online voting ballot submission at the polling location in case there was a line at closing time. Election staff could let voters in line complete their voting processes, which would take them past the closing time. In these cases, the off polling site voting database would close on time, while the onsite polling voting database would close after the last voter finished casting their online ballot.

once voters are registered for the 2016 election, they will not have to re-register for subsequent Neighborhood Council elections.

Outcome: The Everyone Counts voter registration database has been created for 50 Neighborhood Councils[3] though it was only completed in time to test for several Neighborhood Councils. Verified voters from 2016 will be loaded into the voter registration database so they will not need to be verified again in 2018.

2. Offer secure online and telephone voting on the Everyone Counts platform so voters could easily vote either in person at the polling location or from any computer, tablet or phone.

Outcome: Voters had the ability to vote online securely and, for the most part, easily in person at the polling location or from any computer, tablet or phone once they received their voting credentials. For some voters, receiving voting credentials was a challenge as noted below in election issues.

IVR was offered in the pilot despite Everyone Counts recommendation that voting via touch tone phone was not easy to either set up or cast a ballot[4] because some Neighborhood Councils wanted a lower technology option for their voters. Of the 12 Neighborhood Councils that offered IVR, only 2 votes were cast. Due to the high work load to set up the IVR, which was handled by the Office of the City Clerk, and the low voter use, EmpowerLA does not recommend using IVR in the future.

3. Increase voter turnout because of the ease of voter registration and voting.

Outcome: Of the 34 Neighborhood Councils, 16 Neighborhood Councils had a voter increase from their last election or selection, ranging from 1 to 270 voters with the majority of the increase being less than 100 voters, but which resulted in mostly over 10% voter increase when compared to 2014.

These results confirmed that online voting, like any other type of voting platform, is heavily influenced by other factors other than the ease of voting, e.g. number of candidates, how much outreach was conducted, process for voter registration and whether there was a community issue or different factions driving an increase in election numbers.

Of the 25,571 votes cast in the 2016 Neighborhood Council elections, 34% of voters voted online and 34% of those online voters voted on their own devices.

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[3] Everyone Counts completed its voter registration database in June 2106 so it was only available for 3 Neighborhood Councils: Mid City, Empowerment Congress North and Empowerment Congress West. Per the contract with the City, Everyone Counts completed the voter registration and online voting platforms for 50 Neighborhood Councils. EmpowerLA selected the remaining 14 Neighborhood Councils for completion. See Attachment D for all 50 Neighborhood Councils for which the voter registration database and online voting platform are completed.

[4] Using IVR to cast a ballot on a touch tone phone can take 20 to 30 minutes or more because each candidate must be announced for every seat in order for the voter to select via touch tone.

ELECTION ISSUES

Aside from these outcomes, EmpowerLA identified the following issues for online voter registration and voting that were either addressed at the time of the occurrence or will need to be addressed for online voter registration and voting to be offered in the 2018 Neighborhood Council elections. See Attachment E for a more detailed summary of all the Neighborhood Council election results and issues.

1. Voters were reluctant to upload sensitive documents to complete voter registration online.

   Because of security concerns and/or the expressed disbelief of the type of documentation needed to verify stakerholdership to vote in Neighborhood Council elections, many voters did not complete their online voter registration, which resulted in more people voting at the polling locations than expected. Approximately 68% of the 5701 voters, who registered online, completed their registrations.

   Solution: EmpowerLA created the Pop-Up Polls once online voting moved out of the Valley in order to address this issue. Pop-Up Polls consisted of one or two staffers going to a field location where many stakeholders would hopefully be present to register and vote them there. These types of voting opportunities were really critical for some Neighborhood Councils to increase their voting numbers. Staff would review the documentation at the location and issue voting credentials then and there for the voter to cast their vote on either a tablet on the voter's smart phone. Pop-Up Poll locations were provided by the candidates all of whom were asked to provide a location by staff. For future elections, EmpowerLA recommends the Neighborhood Council provide Pop-Up Poll locations by board vote in their Election Stipulation Worksheets to avoid accusations of unfairness from some candidates who provided no locations about other candidates who may have provided multiple locations.

   In addition, voter registration should occur at Neighborhood Council events and meetings year long in partnership between EmpowerLA, Office of the City Clerk and the Neighborhood Councils. Several Neighborhood Council members could be deputized to assist in verifying voters. This idea was supposed to be implemented for the 2016 elections, but could not because of the delay in the voter registration database build out.

   Again, once voters are registered, they would not have to re-register again unless they moved, had a change in stakeholder status or the Neighborhood Council changed their voting requirements or board structure.

2. Some voters required more assistance than expected to complete online voting registration and voting.

While there were successes in voters using their own devices to vote and voting quickly at the polls online,[5] there were also challenges as some voters did not know how to use a tablet at the polls or had trouble submitting the online voting ballot on the Everyone Counts platform. The online voting ballot was one long ballot with every race on a single page, which had to be scrolled through, and any changes the voter made on the ballot started the scrolling from the top again. Once the voter reached the bottom of the ballot, some of them did not know to click submit. Some voters also wanted proof that they voted via email, but that was not possible because of the anonymity of the vote, which voters did not understand completely.

Also, there were voters who had trouble registering either because they tried to register multiple voters with one email account or had registered for the wrong type of stakeholder so they did not get the ballot they wanted or thought they could vote for in an election.[6] These actions caused complaints to staff that voters were not receiving their credentials or that online voting does not work.

Solution: When it was evident from the first election at Sylmar Neighborhood Council that voters were taking longer to vote because they were unfamiliar with either using a tablet and/or the online ballot, EmpowerLA created a "How-To" video and written instructions in multiple languages for using the tablet and working with the online ballot, which were posted in the voting booths. More education and instruction should be prepared in 2018 ahead of time to address the technological divide as well as to inform voters of general election information, including that voter registration information is considered public information, which many voters do not know. Education would also assist with voters trying to register multiple voters under one email and for voters who did not receive the ballot they were supposed to in a race to explain how to properly register to vote and the different Neighborhood Council ballots.

Extra voting time at the online polls was also due to voters not knowing how to input voter user identification and passwords. Having additional staff available to assist in addition to posted directions with pictures alleviated this issue.

EmpowerLA and the Office of the City Clerk have also discussed with Everyone Counts a change from the one page scrolling ballot to paginated ballots with a page for each race. Everyone Counts is now able to provide this improvement for all Neighborhood Council elections to make voting for each race and the final submission of the ballot clearer and easier. There are also additional technological improvements, such as a voting receipt with QRL code, to load ballots quicker at the polls, which also doubles as voting proof, and card swipe machines to make loading voter information faster instead of manually typing it in, which significantly slowed voter down registration at the polls. Having physical poll books, which list registered voters, would also assist in speeding up voter check-in on election day.

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[5] One particular great success at the polls in Sylmar Neighborhood Council was when a Spanish speaking voter brought her young child to assist her with translating the ballot. The voter was delighted to find, however, that the online voting portal was in Spanish so she was able to read and complete her ballot by herself.
[6] See Historic Cultural Neighborhood Council and Studio City Neighborhood Council respectively in Attachment E.

3. EmpowerLA initial voter registration and online voting policies and procedures needed to be updated in real time to address stakeholder elections issues.

In preparing for the 2016 Neighborhood Council elections, EmpowerLA was in unchartered territories in preparing its voter registration and online voting policies. While Everyone Counts provided their expertise, the many elections they have conducted were based on pre-existing voter registration databases of residents. Because of the diversity of Neighborhood Council stakeholders and because there were no existing registered voter databases, EmpowerLA worked with Everyone Counts to create an entirely new system.

While EmpowerLA election staff did their best to follow verification policies and procedures, excessive workload of verifying voters and following up on the many voters who did not provide all of the necessary documentation, caused staffing errors, which delayed the distribution of online voting verifications. In addition, not having a clear understanding of QuickBase led one staffer to provide the candidates of the Studio City Neighborhood Council with an internal list of the registered voters with links to sensitive documents. These documents were either pending for those voters who were still missing documents or should have been deleted upon verification, but had not been because of a misunderstanding of the EmpowerLA policies that these documents should be deleted immediately instead of at the end of the election.

Solution: While the EmpowerLA were updating procedures during the elections in an effort to address issues, after the elections, EmpowerLA has debriefed with the Neighborhood Councils, Office of the City Clerk and Everyone Counts to ensure better procedures for the 2018 elections now that we have foundational knowledge of where improvements have to occur. The error of the QuickBase voter database being shared with sensitive documents will not be possible on the Everyone Counts voter database because the documents and voter registration file are separated, which could not happen in QuickBase. Policies for following up on the handling and deleting of any sensitive information must also be implemented in 2018.

EmpowerLA and the Office of the City Clerk have decided that in order to increase efficiencies and to focus on our strong suits that EmpowerLA will focus strictly on election outreach and the Office of the City Clerk will focus on all election functions from voter registration to online voting.

4. More Neighborhood Council election outreach efforts are needed not only by the Neighborhood Council, but also by EmpowerLA, particularly for candidates.

In the 2016 elections, EmpowerLA staff encountered more resistance than in the past to Neighborhood Councils conducting election outreach. Many board members both during the elections and in post election town halls stated that it made no sense for them to conduct the outreach to find candidates to run against them. While EmpowerLA assisted in a citywide marketing campaign about Neighborhood Councils with bus benches, bus stops and banners, EmpowerLA does not have the

staffing or funding to launch a comprehensive campaign for each of the Neighborhood Councils individually.

Solution: Neighborhood Councils were asked by EmpowerLA to set aside at least 10% of their yearly allocation to spend towards election outreach and costs in 2016. Notification to stakeholders via mailers and online campaigns are critical to getting candidates, and such efforts are very costly. Even with a more robust citywide campaign by EmpowerLA, Neighborhood Councils should be required set aside election outreach funds along the lines of 20% of their yearly allocation for the 2018 elections.

EmpowerLA also requested in the current year budget proposal for funds to begin planning election outreach earlier since by the time EmpowerLA receives the funding and staffing in election fiscal years, there is not enough time for the Valley to receive the full benefit of the election outreach. In order to continue the build out for online voting and voter registration for Neighborhood Councils and begin the necessary election outreach preparations this fiscal year, EmpowerLA is requesting City Council to provide the following funds in the current fiscal year:

- $150,000 for continued build-out of online platform for 96 Neighborhood Councils this fiscal year
- $90,000 for Printing and Binding (bus benches, banners, signs, etc.)
- $67,000 for As-Needed Staffing
- $35,000 for Office and Admin (swag, pins, social media ads, etc.)

Everyone Counts has provided pricing for the 2018 Neighborhood Council elections that either administers an expanded pilot of the 50 Neighborhood Councils that are already built out or continues the building out to 96 Neighborhood Councils. There is also pricing for the 2020 election cycle that shows the ongoing costs to administer online voting and voting registration for 96 Neighborhood Councils. See Attachment F. EmpowerLA recommends continuing the building out of the online voting and voter registration for the remaining 46 Neighborhood Councils because of the time it takes to complete the build. Additional funding has been requested in the EmpowerLA

5. More uniformity in voting requirements is needed for Neighborhood Councils to be inclusive of all stakeholders.

Article IX, Section 900 of the Los Angeles City Charter states that "Neighborhood Council shall include representatives of the many diverse interest in communities..." After co-administering the past 3 election cycles with the Office of the City Clerk, EmpowerLA has determined that there needs to be more uniformity in voting requirements for Neighborhood Council elections to make participation easier for all stakeholders. See Attachment D for supporting information for these recommended changes:

   a. Having no more than 3 ballot styles for Neighborhood Council elections and selections – while every community is unique, the complexity and confusion of having upwards of 21 different ballot styles for some Neighborhood

Councils is not only hard for stakeholders to understand when they are trying to determine what ballot they qualify for, but also difficult to execute at the polling location for election staff.

b. Having a voting age minimum between 12 to 16 years old to encourage youth participation – Neighborhood Councils should be part of the first experience of civic engagement for youth in Los Angeles, but 32 Neighborhood Councils set their minimum voting age at 18 years old. This creates a situation where only some youth can participate in the Neighborhood Council system depending on the luck of where they are stakeholders. While a few Neighborhood Councils allow youth as young as 12 to vote in their elections, the voting age for all Neighborhood Councils should be lowered to at least 16 years old.

c. Voter documentation requirements should only be any type of picture identification and self-affirmation about the type of stakeholder the voter is – the majority of Neighborhood Councils (51) already use self-affirmation to verify that they can vote in a Neighborhood Council election. The requirement of the excessive documentation that is currently mandated in the remaining Neighborhood Council (45) elections has caused stakeholders to leave the polling location without voting or having to vote provisionally, including current and former City Councilmembers and other electeds. This documentation issue is, in the nationwide conversation of voter suppression, one of the most significant obstacles to overcome in engaging voters and one of the most significant tools for excluding voters. There are no federal, state, county, local or private elections that are as complex as the Neighborhood Council election documentation requirements. Keeping the picture identification is currently necessary to prevent double voting for online voting and polling locations. If another method can be identified, which only requires the initial picture identification to register, EmpowerLA recommends that option instead.

CONCLUSION

Neighborhood Councils average at least 40,000 in just residential stakeholders alone, not including the work, own real property and community interest stakeholders. Attempting to engage this many stakeholders in a 2 to 9 hours of at polls only election is impossible. Online voting and a voter registration database is the only cost efficient platform to connect Neighborhood Councils to an increased voter base of all ages, which should be the continuing election goal of every Neighborhood Council.

Please feel free to contact me directly if you have any questions relative to this report.

Sincerely,

Grayce Liu
General Manager
Department of Neighborhood Empowerment