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Judy Price - City Council 12/2/16 - #5 15-1022-S2

The integrity of all elections depends on the verifiability of the election. In the case of the Neighborhood Councils who had online voting, that was virtually impossible.

I made a Public Records Act request for all ballot registration forms for both the poll and online voting for the Studio City Neighborhood Council election.

I obtained copies of the paper registration and ballots filled out at the poll but I was told there was no record of the online registrations, only a spreadsheet of the names of the voters. In other words, no record of the specific ballots received by the voter or their proof of eligibility, making it impossible to validate the election outcome.

I've provided for you copies of the final correspondence I had with DONE which pretty much sums up the results of my 3 months of back and forth.

California law prohibits casting a ballot over the Internet with the primary purpose of safeguarding elections in the digital age. Until paperless electronic voting can guarantee the integrity of elections, it is imperative that Neighborhood Councils be afforded the same protection under California law.

And thanks to Councilmember Krekorian for bringing these two motions forth, a giant step in the right direction.

#5 15-1022-S2

From: Judy Price <judyprice1127@aol.com>**To:** jeff.brill <jeff.brill@lacity.org>

Cc: mike.fong <mike.fong@lacity.org>; thomas.soong <thomas.soong@lacity.org>; ncsupport <ncsupport@lacity.org>; Grayce.Liu <Grayce.Liu@lacity.org>; Jay <Jay@empowerla.org>; sgrest <sgrest@aol.com>; tommeredit <tommeredit@aol.com>; tom <tom@empowerla.org>; stephen.box <stephen.box@lacity.org>; Leyla.Campos <Leyla.Campos@lacity.org>; christopher.garcia <christopher.garcia@lacity.org>; mayor.garcetti <mayor.garcetti@lacity.org>; Richard.Llewellyn <Richard.Llewellyn@lacity.org>; Councilmember.Krekorian <Councilmember.Krekorian@lacity.org>; areen.ibranossian <areen.ibranossian@lacity.org>; Councilmember.Wesson <Councilmember.Wesson@lacity.org>; Deron.Williams <Deron.Williams@lacity.org>; mike.n.feuer <mike.n.feuer@lacity.org>; elise.ruden <elise.ruden@lacity.org>; Commission <Commission@empowerla.org>; commissionerlenshaffer <commissionerlenshaffer@gmail.com>; ethics.commission <ethics.commission@lacity.org>; Shannon.Hoppes <Shannon.Hoppes@lacity.org>; Holly.Wolcott <Holly.Wolcott@lacity.org>; Darren.Martinez <Darren.Martinez@lacity.org>

Subject: Re: PRA Request of April 12, 2016**Date:** Fri, Jul 1, 2016 7:06 pm

Hi Jeff,

Thank you for the clarification regarding when the 90 day period starts for retaining election records. This is contrary to previous practices when neighborhood councils held the records for 90 days after their own election. But in the final analysis, it doesn't really matter, does it? The records are kaput!

I am astounded that DONE/City Clerk claim that no online registration forms for voters still exist. They had to exist as some point as that's what a voter filled out online in order to be certified to vote and in which categories for them to receive the ballots. I'm not asking for paper registration forms, but the pdf for each. If the Candidate registration/filing forms were available on pdf, why aren't the voter registration forms? Quite simply, the spread sheet doesn't cut it. It is not what the voters actually provided/claimed as far as eligibility to vote in the various categories.

I am also puzzled as to why it has taken so long for this to be acknowledged to me. My PRA request was on April 12 following the April 7 SCNC election. When were these records removed from the electronic database and why?

As far as SOP for removing sensitive information once a voter (I think you mean candidate) is verified, the documents are supposed to be held for ten days to allow for challenges to the eligibility of a candidate. I know of at least one individual who requested this information within the 10 days and was told they were not held due to the "sensitive" information. These claims that they were no longer available proved to be untrue when Jay Handal emailed all of the candidates' documents to anyone who had registered to vote online. Also, in one of my PRA requests, I received records where Eric Preven requested candidate filing forms on Lisa Sarkin and several others. In addition to their candidate filing forms, their "sensitive" information documents were also provided to Preven. I have the actual proof of this.

If this is what online voting is about, I think it would be deemed illegal. Election verification is a fundamental right of the citizenry and this has been circumvented by DONE and the City Clerk in the Neighborhood Council elections.

I had hoped for a better result so I'll now have to consider my options. I am far from closing the chapter on the improprieties of the SCNC election.

Sincerely,

Judy Price

—Original Message—

From: Jeff Brill <jeff.brill@lacity.org>**To:** Judy Price <judyprice1127@aol.com>

Cc: Mike Fong <mike.fong@lacity.org>; Thomas Soong <thomas.soong@lacity.org>; done ncsupport <ncsupport@lacity.org>; Grayce Liu <Grayce.Liu@lacity.org>; Jay Handal DONE <Jay@empowerla.org>; jay handal <sgrest@aol.com>; Thomas Meredith <tommeredit@aol.com>; tom <tom@empowerla.org>; Stephen Box <stephen.box@lacity.org>; Leyla Campos <Leyla.Campos@lacity.org>; Christopher Garcia <christopher.garcia@lacity.org>; Mayor Garcetti <mayor.garcetti@lacity.org>; Richard Llewellyn

<Richard.Llewellyn@lacity.org>; Council Member Krekorian <Councilmember.Krekorian@lacity.org>; Areen Ibranossian <areen.ibranossian@lacity.org>; Councilmember Wesson <Councilmember.Wesson@lacity.org>; Deron Williams <Deron.Williams@lacity.org>; mike.n.feuer <mike.n.feuer@lacity.org>; Elise Ruden <elise.ruden@lacity.org>; commission@empowerla.org <Commission@empowerla.org>; Leonard Shaffer <commissionerlenshaffer@gmail.com>; Ethics Commission <ethics.commission@lacity.org>; Shannon Hoppes <Shannon.Hoppes@lacity.org>; Holly Wolcott <Holly.Wolcott@lacity.org>
Sent: Fri, Jul 1, 2016 4:29 pm
Subject: Re: PRA Request of April 12, 2016

Good Afternoon Judy,

I apologize for not responding formally to you sooner.

I am aware that Christopher Garcia responded to you on June 28th. However, as a follow-up to, listed below is additional information that may help on closing this request:

- According to the manual, the 90 day period begins after the LAST election, meaning last weekend.
- As to receiving documents, you received all registrations both Departments had in hand. Electronic registrations are done online and only a computer spreadsheet of the date was available. This was already sent to you via spreadsheet. There are no paper registrations for online.
- The Department is unaware of any forms provided to Mr. Preven and know that the SOP is to delete sensitive information of verification once the voter is verified.

I hope this helps.

Please let me know if you need anything else.

Thank you

Jeff

On Mon, Jun 27, 2016 at 7:28 PM, Judy Price <judyprice1127@aol.com> wrote:

Dear Jeff,

First, I want to say that I know you're not responsible for not providing the documents in my PRA request of April 12. You are the messenger who depends on others to follow the law and provide the materials. Specifically, my comments are directed at Jay Handal, Stephen Box, and Grayce Liu.

With that said, I've lost all patience and demand answers as to why I have not received the documents. There is a 90-day window that ALL election materials are to be held and that date is now less than 2-weeks away. Therefore, it is imperative that no election documents be destroyed and specifically that the electronic files of the online materials not be destroyed until my PRA request is fulfilled.

To reiterate for the umpteenth time, I have not received the online voter registration forms filled out by the voters and the online candidate filing forms filled out by the candidates. I have only the paper registration forms filled out at the polls. I want to PiperTech on April 29, 2016 to review the voter registration forms as scheduled with Jay Handal. Upon learning that I could also obtain copies for a charge, I returned on Monday, May 2 with a check. When the online materials were not available on April 29, I asked for them and Jay indicated he'd have them on Monday. On Monday, they were still not provided and Jay stated that Christopher Garcia was out so he didn't have them yet and would follow-up and let me know. I'M STILL WAITING! The Excel list recently provided is not even close to fulfilling my request. That list of names of those who voted or attempted to vote online does not provide the registration forms they filled out which includes the information they provided to meet the eligibility requirements for the ballots requested. Honestly, this should be easy to provide since it's already stored electronically.

It should be noted that thru a PRA request he made, Eric Preven received specific candidates' online registration forms and the actual documentation the candidates provided as proof of eligibility. If this material could be provided to Preven, why can't I receive it too? I discovered this thru a separate PRA request I made regarding Preven and it was in the materials provided to me.

I hope that I'm proven wrong about my suspicions of intentional delays and avoidance. The amount of time that

has passed without results is quite puzzling.

Here is a copy of my original request and the status of each item:

Request made April 12, 2016:

- 1) all registration forms filled out by voters, including both online and at the poll. **(Online registration forms still not provided - this should be the actual forms filled out by voters, not an Excel sheet with the list of names)**
- 2) all poll worker notations on registration forms, or separately noted, of what documents were used as proof of eligibility. **(Poll registration forms provided on May 2, 2016 - documents shown as proof not always identified on registration forms, if noted at all - a clear violation of election protocols)**
- 3) all ballots filled out by voters for both online and at the poll, including provisional. **(Ballots cast at polls provided on May 2, 2016 - Actual Online ballots still not provided - Update: upon review, what was provided on 5/19/16 was an Excel voter registration list and the ballots they received. It does not satisfy the request to see the actual ballots. The Excel list is not proof of the actual ballots cast)**
- 4) the registration filing forms for all candidates **including** the documentation they provided as proof of eligibility. **(Online candidate registration forms and documentation still not provided)**

In the event my PRA request is not honored as required by law, I intend to pursue the legal remedies available. I have already been in discussions to that end. I hope we can conclude this without any further action necessary.

Sincerely,

Judy Price
[\(818\) 787-9946](tel:8187879946)

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Jeffrey S. Brill
Senior Management Analyst II

**Department of Neighborhood Empowerment
200 North Spring Street, 20th Floor
Suite 2005
Los Angeles, CA 90012
Office: (213) 978-1482
Fax: (213) 978-1571**

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