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Memo to LA City Council: No Rush to OK Online Voting for Skid Row NC Elections

GENERAL JEFF / 27 FEBRUARY 2017



SKID ROW POLITICS-LA City Council will soon decide whether to activate or delay online voting for the upcoming Skid Row Neighborhood Council (SRNC) subdivision vote.

With so many underlying factors, one thing is definitely for sure, this decision will greatly influence the outcome of this grassroots, community-led effort.

Skid Row has thousands of homeless residents without access to computers which greatly limits their participation in online voting. On the other hand, potential opponents of a Skid Row NC are more likely to have access to computers, cell phones, wi-fi tablets and other online options with electronic voting capability.

City Council voted in June, 2016 to temporarily delay online voting, mostly because of the significantly-flawed Studio City Neighborhood Council online voting process. (It should be noted that the online voting option in NC elections was a brand-new pilot project for 2016 NC elections.)

Initially it was thought that there was plenty of time to correct those flaws prior to the 2018 NC elections.

But suddenly, it became apparent that the 2017 neighborhood council subdivision elections would also be included within the previously established timeframe for corrective online voting. (There are two communities vying to become newly-formed NC's -- Skid Row in Downtown and Hermon in Northeast LA.)

The City's Department of Neighborhood Empowerment (DONE) reported to City Council in January, 2017 stating they would be able to meet City Council deadlines and encouraged the re-instatement of online voting. (DONE was also hoping to receive over \$340,000 in funding for the pilot program's corrections.)

While it is unclear if City Council is willing to allocate the requested amount of money, there's another problem: City Council isn't close to reaching it's final decision, mostly due to its legal obligation to give the new system a test-run prior to a final vote, also known as, "due diligence."

What's even more problematic is the fast-approaching subdivision election dates which have already been selected by the City: April 6 for Skid Row and April 8 for Hermon. These subdivision elections are less than 40 days away.

Is that really enough time to allow for adequate outreach to all potential voters?

The Skid Row Neighborhood Council Formation Committee says "No!"

As SRNC-FC Chair, I have officially filed a letter with the City Clerk's office this week supporting the City Council motion to suspend NC online voting and also extend the delay beyond the upcoming subdivision vote, which is scheduled to happen only a little more than a month from now.

Council File 15-1022 (S)(2), moved by Councilmember Krekorian and seconded by Council President Wesson, was originally filed in June, 2016 shortly after the April, 2016 Studio City NC elections which had online voting woes that included widespread failure to safely secure the personal data of voters. Also, DONE's

January, 2017 report to City Council included an admission that “voters were reluctant to upload sensitive documents to complete voter registration online.”

Furthermore, Skid Row NC-FC’s letter to extend the delay includes the following points of contention:

“With said SRNC-FC subdivision election vote being arguably the most important vote in the history of our Skid Row community...our outreach efforts are severely compromised as long as the status of online voting remains pending, which thereby prohibits any type of realistic implementation of outreach strategies to ensure as high voter turnout as possible.”

Another point seemingly laid the groundwork for “possible civil litigation.”

Not only should the Skid Row NC-FC do outreach to potential voters within the Downtown Los Angeles NC boundaries (whom they seek to subdivide from,) they also need to reach out to potential voters within the Historic Cultural NC (because the HCNC boundaries overlap with the “natural boundaries” Skid Row NC-FC applied for.)

This thereby means that the maximum outreach campaign area where the Skid Row NC-FC has to “shake hands and kiss babies” spreads all across Downtown, from areas around Dodger Stadium over to the 10 freeway (north and south) and from the LA River to just past the 110 freeway near Good Samaritan Hospital in City West (east and west.)

And this has to be done in a little more than 30 days?

How can this be a fair and square democratic process?

The only solution that makes sense is for City Council to further delay the online voting option for the unusually-close subdivision elections and instruct DONE to instead have the online voting option comfortably ready for the NC elections in 2018.

And after researching California State Law, Election Code 19217 *clearly* speaks to this matter in a way that our City Council should heed:

Section 19217 - A voting system shall comply with all of the following: ⁽⁶⁰⁴¹⁾

(a) No voting system or part of a voting system shall be connected to the Internet at any time. ⁽⁶⁰⁴²⁾

(b) No voting system or part of a voting system shall electronically receive or transmit election data through an exterior communication network, including the public telephone system, when the communication originates from or terminates at a polling place, satellite location, or counting center. ⁽⁶⁰⁴³⁾

(c) No voting system or part of a voting system shall receive or transmit wireless communications or wireless data transfers. ⁽⁶⁰⁴⁴⁾

Also:

Section 19210 - The governing board may adopt for use at elections any kind of voting system, any combination of voting systems, any combination of a voting system and paper ballots, provided that the use of the voting system or systems involved has been approved by the Secretary of State...

It is quite apparent that *no* correspondence and/or determination by the Secretary of State can be located anywhere in Council File 15-1022(S)(2) regarding online voting in neighborhood council subdivision elections.

The Skid Row Neighborhood Council Formation Committee has laid out its case. Now, it's all on City Council to decide!

(General Jeff is a homelessness activist and leader in Downtown Los Angeles. Jeff's views are his own.) Edited for CityWatch by Linda Abrams.