

Rita C. Villa

January 30, 2017

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

**RE: Report back on Council File 15-1022-S2 in the January 17, 2017 letter of Grayce Liu,
General Manager of the Department of Neighborhood Empowerment, (the "Letter")**

Dear City Council Members:

Response to recommendations by number in the Letter.

1. On line voting is currently not legal in the State of California. No further on line voting should take place until the State of California declares it is legal. (California Elections Code Section 19217)
2. A fundamental underlying the provision of the City Charter is that the neighborhood councils should be autonomous. The City of Los Angeles is made up of many different communities and the neighborhood council system was formed to permit grass roots governance with recognition of those differences. It was not meant to be a one size fits all approach. There are some Neighborhood Council areas where the NC may believe it important that it is important to have voting with documentation. DONE should not have the right to mandate that all NC's use self- affirmation just to eliminate one of the areas that they were not able to effectively deal with in the last election. That decision should be made at the NC level. Those NC's that wish to require documentation should be allowed to do that and DONE should have procedures in place to properly handle that. Proper procedures should have been in place in the last election. The fact that they were not was very evident in the Studio City Election. Procedures should be developed to properly handle the documentation. Mandating the elimination of the need for documentation is not dealing with the problem.

Changing the age for the youth seat to 12 is not a tenable suggestion. Most NC board meetings take place at night. Many SCNC board meetings do not end before 10PM. It is not reasonable for children at the age of 12 to be out at that hour of the night when they generally have school the next day. Many adults have difficulty understanding the complex land use, transportation and governmental ordinance issues taken up by the neighborhood councils. Most 12 to 15 year-old children would not understand them.

Rita C. Villa

Page 2
City Council Members
January 30, 2017

3. Mandating that the structure of all NC boards to be changed so that there are no more than 3 types of ballots is again not in accordance with the intent of the City Charter. On page 9 of the Letter EmpowerLA acknowledges that the City Charter requires NC's to include representatives of the many diverse interests in communities. Each NC has a right to decide what makes sense for their community. This is again an attempt to enforce a one size fits all approach on the NC's by changing the voting requirements to make it easier for EmpowerLA to administer elections rather than establish proper procedures to address the desires of the individual NC's.
4. There should be no mandate on the amount that an NC has to spend on its elections. Each NC should be allowed to decide how it wants to spend its funds.
5. No funding should be authorized for the expansion of the online voting platform at this time. When the State of California has determined that on-line voting is legal, then a request for funding should be made.

Comments related to the BACKGROUND section of the Letter.

The goals of EmpowerLA were not met based upon the results of the SCNC election.

1. **Create a secure voter registration database.** The voter registration database was not secure. In fact there was a complete breach of voter security over the SCNC voter database as EmpowerLA released the entire voter database including all of the back-up documentation for every registered voter to the public. This security breach when discovered was reported by me and it took over 13 hours for me to get EmpowerLA to disable the links to the voter's confidential data. The stakeholders had been told that their confidential documentation would be destroyed once the voter's credentials had been verified but clearly that was not what took place. In fact, even after we had been told that the links were disabled when a stakeholder experienced identity theft, we discovered that they were still active and had not been disabled. The SCNC reported this again and the links were finally properly disabled. Stakeholders have experienced identity theft and one stakeholder has notified me that she continues to get notices that attempts are being made to compromise her identity.

Further, as acknowledged on page 5 of 10 of the Letter, the Everyone Counts voter registration database was completed after the SCNC election took place. The database was not completed until June 2016 so that the database was only available for 3 of the 50 NC's for which a database has been created. This goal was clearly not met.

Rita C. Villa

Page 3

City Council Members

January 30, 2017

2. **Offer secure on line and telephone voting on the Everyone Counts platform so voters could easily vote either in person at the polling location or from any computer.** As explained in item 1 above, the system was not secure. Further, the system was not easy to use and often required more than one phone call to get the voter registration process completed. For many of our stakeholders, the process was an abject failure and they were never able to register on line. As a result, stakeholders who had counted on using the on line system to vote and who were not able to come to the polls because the on line system failed them were actually disenfranchised by the process. Since the Everyone Counts platform was not even in use for 47 of the 50 NC's for which a database was subsequently created, and the system used was neither easy to use nor secure, this goal was not met.

3. **Increase voter turnout:** The voter registration process was not easy and did not operate effectively. Based upon the EmpowerLA report, for the SCNC there were 367 voters in 2014 vs 390 in 2016. This was an increase of only 23 voters. Of the 34 NC's using on line voting only 16 had an increase in voter turnout and for most of them the increase was not significant. Clearly the benefit of online voting was marginal at best and the cost of the development of the online voting system is not supportable in relationship to the benefit, if any, of the online voting. How many hundreds of thousands of dollars EmpowerLA spent in this initial online voting experiment was not included in the report however on page 2 of 10 of her letter Grayce Liu is requesting another \$342,000 to continue the buildout of the online voting platform. California Elections Code Section 19217 states:

"A voting system shall comply with all of the following:
(a) No voting system or part of a voting system shall be connected to the Internet at any time.
(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.
(c) No voting system or part of a voting system shall receive or transmit wireless communications or wireless data transfers."

Until such time as the California Elections Code is changed to legalize online voting, no further funds should be expended for online voting.

Very truly yours,



Rita C. Villa, Studio City Neighborhood Council Board Member
SPEAKING PERSONALLY