

FRANK T. MARTINEZ
CITY CLERK

KAREN E. KALFAYAN
EXECUTIVE OFFICER

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

OFFICE OF THE
CITY CLERK

ROOM 360, CITY HALL
LOS ANGELES, CA 90012
(213) 978-1020
FAX (213) 978-1027

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Honorable Members
Los Angeles City Council
Room 395, City Hall
200 N. Spring Street
Los Angeles, CA 90012

OPTIONS FOR CONDUCTING LOS ANGELES MUNICIPAL ELECTIONS

Dear Honorable Members:

Executive Summary

On August 14, 2007, the Los Angeles City Council adopted the City Clerk's 2007 Municipal Elections After Action report and directed the City Clerk to report back on various options for improving the administration and voter turnout for municipal elections (reference CF No. 07-1100-S12). Our review ranged from fundamental changes to our voting methodology to more incremental changes and included: Election Day Registration; allowing persons to serve as poll workers in lieu of jury service; improvements in polling place and poll worker recruitment programs; altering municipal election dates/days; Vote-By-Mail centered elections; and Instant Runoff Voting. For each voting option under review we analyzed the advantages and disadvantages, any legal issues/barriers that must be addressed, logistical and infrastructure changes/investments required for implementation, and cost implications. For several of these options we have included specific recommendations for the City Council's consideration. It should be noted that the recommendations relating to alternative voting methodologies would impact the conduct of elections for the Los Angeles Unified School District and therefore any required Charter amendment(s) would have to be placed before the voters of the school district as well as the City of Los Angeles.

Our analysis included review of academic studies and other research material, site visits to jurisdictions already employing a specific voting system/methodology, discussion with and receipt of input from community based and voting advocacy organizations (via two workshops, a formal survey, review of draft reports and public testimony at the June 13, 2007 Rules and Government Committee), discussions with voting system vendors, and review with the City Attorney relative to legal issues. The City Clerk's Election Division staff then compiled a series of reports on each of the voting options under consideration and presented those to City Clerk executive management. This report represents a



summary of the extensive research compiled by the Election Division staff over a four-month period.

This report consists of five components:

- The cover report that summarizes our findings and contains specific recommendations for City Council action.
- Exhibit I – A set of recommended guiding principles for the introduction of significant changes in voting systems and/or methodologies.
- Exhibit II – A set of two summary “abstracts” for both the Vote-By-Mail centered and Instant Runoff Voting election options under consideration in this report.
- Exhibit III – Los Angeles Votes Committee, “Elections Options” Survey Results Report.
- Exhibit IV – Resource listing for additional information on various election options under consideration.

Since the City Council’s direction of August 14, 2007, two developments have occurred which significantly impact the election options under consideration. The first development is the assigning of the responsibility for conducting Neighborhood Council board member elections to the City Clerk. Along with this responsibility came the allocation of five additional regular staff positions that can be utilized to support municipal elections when they are not engaged in Neighborhood Council elections. This additional staffing represents a major “down payment” on our efforts to improve the institutional stability of the City Clerk’s Election Division by reducing our reliance on temporary staffing for section supervisory positions.

The second development is the decision by the Secretary of State to deny certification, in its current configuration, of the County of Los Angeles’ new vote tally system (GEMS II) that had been developed under a joint partnership agreement with the County and City of Los Angeles and the voting system vendor. The long term future of the GEMS II project is now in serious jeopardy and it is also clear that, regardless of the final decision on GEMS II, it will not be available for the City of Los Angeles’ 2009 municipal elections. The City of Los Angeles is now working with the Secretary of State to obtain an extension of the certification of our current legacy voting system for use in 2009 while we explore the lease and/or purchase of an alternative certified voting system.

The GEMS II decision represents both a significant challenge and an opportunity for the City of Los Angeles. On the one hand, undertaking the implementation of a significant change in our voting methodology (such as Vote-By-Mail centered or Instant Runoff Voting) while dealing with the more immediate and fundamental issue of ensuring that we have a certified voting system for 2009 may prove unworkable. On the other hand,

the adoption of an alternative voting system (with greater flexibility than the GEMS II/InkaVote Plus system) could facilitate transition to a different voting methodology.

In developing the specific recommendations contained in this report, several issues were given great weight, including: 1) the continuing instability in the area of voting systems technology; 2) the fact that many community based and voting advocacy groups, although generally supportive of innovative voting systems and/or methodologies, raised significant concerns that major changes in voting systems and/or methodologies could adversely impact certain segments of the voting community; and 3) the significant logistical, training and voter education investments required to implement fundamental changes in voting systems and/or methodologies in an election jurisdiction the size of Los Angeles. Reflective of these issues, our recommendations can be viewed as falling into two basic categories. One set of recommendations involves support of legislation and programs to improve the administration of municipal elections under our current voting systems and methodologies. The second set of recommendations involves seeking voter approval to establish the legal authority and requirement to implement more fundamental changes in voting systems and methodologies when conducting Special Elections to fill specified vacancies.

Recommendations

That the City Council:

1. Support the introduction and adoption of legislation at the State level that would allow for Election Day Registration subject to the following conditions:
 - a) That the same basic voter registration requirements be applied to Election Day registrants as persons registering at other times;
 - b) That the option be offered at each polling place in addition to specified government offices;
 - c) That the legislation be adopted as a State mandated program with funding made available to support an additional poll worker dedicated to the Election Day Registration function; and
 - d) That the ballots of such voters be processed as provisional ballots.
2. Support the introduction and adoption of legislation at the State level that would establish a voluntary program to allow persons who serve as poll workers in any Federal, State or local election in a given calendar year to be excused from jury service for up to one year upon submission of proof of poll worker service.
3. Direct the City Clerk to work with the Los Angeles Unified School District to develop a “system wide” school polling site program; and further request that the Mayor’s Office facilitate the development and coordination of such a program.

4. Direct the City Clerk to work with the Los Angeles Unified School District to develop a "system wide" Student Poll Worker program; and further request that the Mayor's Office facilitate the development and coordination of such a program.
5. Direct the City Clerk to monitor the Secretary of State voting system certification program and the voting system selection determinations made by the County of Los Angeles and report back to the City Council whenever significant developments in those areas occur.
6. Direct the City Clerk, within the context of its election year budget; to explore the possibility of setting up grant funding opportunities for community based organizations to conduct nonpartisan/impartial get-out-the-vote programs and to augment recruitment of poll workers and polling sites in underserved communities.
7. Request the City Attorney to draft and present to the City Council the necessary ballot resolutions and ordinances required to place a Charter amendment(s) before the voters at the November 4, 2008 State General Election which would require the City Clerk to utilize a Vote-By-Mail centered election (coupled with Voting Centers) to conduct a Special Election called to fill a vacancy in a Council Office or a Los Angeles Unified School District Board Office where that Special Election will not be consolidated with a regular State or municipal election.
8. Request the City Attorney to draft and present to the City Council the necessary ballot resolutions and ordinances required to place a Charter amendment(s) before the voters at the November 4, 2008 State General Election which would require the City Clerk to utilize an Instant Runoff Voting system, with the option to rank up to three candidates, under the following circumstances:
 - a) To conduct a Special Election to fill a vacancy in a Council Office or a Los Angeles Unified School District Board Office where that Special Election will not be consolidated with a regular State or municipal election.
 - b) That the City of Los Angeles has implemented a Secretary of State certified voting system that supports Instant Runoff Voting or that such a system is readily available on a contract/lease basis.
9. Request the City Attorney to consult with the City Ethics Commission to determine if any changes are required in the City of Los Angeles Campaign Finance program to accommodate an Instant Runoff Voting model election; and, if necessary, to draft and present to the City Council the necessary ballot resolutions and ordinances required to place a Charter Amendment(s) before the voters at the November 4, 2008 State General Election to amend the City of Los

Angeles campaign finance laws to accommodate an Instant Runoff Voting election used to fill specified vacancies.

Discussion

Municipal Elections Review Process

Pursuant to the City Council's direction of August 14, 2007, the City Clerk's Election Division conducted an analysis of the various options for conducting municipal elections as well as related suggestions for improving our current operations. This analysis included reviews of reports/analysis from academics, community based voting advocacy organizations, and election administrators; site visits to election jurisdictions who have implemented or are in the process of implementing some of the proposed alternative voting methods (e.g. San Francisco for Instant Runoff Voting; Oregon and Washington for Vote-By-Mail centered voting); presentations by voting system vendors of available technology; review of the Election Division's existing procedures and logistical support operations; and consultation with the City Attorney's office regarding any legal issues related to proposed changes in municipal election operations. In addition to informing the specific recommendations of this report, this analysis process also helped to develop our principles for implementing new voting systems and/or methodologies (see Exhibit I).

In addition to the staff analysis, we also sought input from the community through our Los Angeles Votes Committee (LAVC) that is made up of various community based voting advocacy organizations. Through the LAVC we reached out to some 120 community members representing various community based organizations to participate in completing a survey regarding the major options for conducting municipal elections. Ultimately, 12 community based organizations completed the survey or submitted written comments and a summary of the survey is presented with this report (see Exhibit III). Several of these community based organizations also participated in two workshops hosted by the Election Division to discuss and review the various election options. Prior to submission of this report a draft was provided to these community members for review and comment.

Finally, prior to submission of this report, a draft was provided to the Chief Legislative Analyst, the City Administrative Officer and the City Attorney for review and comment. The collective input from community based voting advocacy groups; City departments and our Election Division staff analysis supported the final recommendations contained in this report.

Election Administration and Voter Turnout

One of the main reasons for reviewing various options for conducting future municipal elections in Los Angeles was the very low voter turnout in the 2007 municipal elections (10.26% in the Primary and 6.7 % in the General). However, our analysis indicates that there are many factors that influence voter turnout in any given election and election

administration is only one of those factors and certainly not the most significant. The number of competitive races, the number and type of ballot measures, media coverage, socio-economic demographics and voting history of the jurisdiction all impact voter turnout. A comparison of various elections administered by the City and County of Los Angeles, all of which have virtually the same election administration elements, shows a wide variety in voter turnout. If election administration were the driving force in voter turnout, one would expect turnout in various City and County of Los Angeles elections to remain fairly constant.

The historically low voter turnout in the 2007 municipal elections can be primarily attributed to the lack of high profile competitive candidate races or controversial measures on the ballot. In the Primary election, of the eight Council District races on the ballot five ran unopposed. In the General election the only items on the ballot were two School Board races and one Community College District race. This can be compared to the 1993 City of Los Angeles General election that featured a runoff race for the Office of Mayor that resulted in a 44.96% voter turnout rate within the City of Los Angeles.

Whether or not election administration significantly influences voter turnout in a given election, the City Clerk has the responsibility for ensuring that municipal elections are conducted in a manner that facilitates voter participation. Accordingly, the recommendations contained in this report seek to strengthen election administration to minimize problems that could negatively impact voter participation.

Continuing Uncertainty For Voting Systems In California

As part of the Secretary of State (SOS) comprehensive review program of voting systems used in California, the new vote tally system (GEMS II) developed by Premier Election Services (formerly Diebold) for the County and City of Los Angeles was submitted for review. As previously reported, the GEMS II vote tally system would have allowed for full integration with the InkaVote Plus (Help America Vote Act (HAVA) compliant) equipment that had already been deployed by both the County and City. Further, when completed, the County and City would have had the exactly the same voting equipment and vote tally system that would support consistency of the voting experience and mutual support between the County and City.

Toward the end of 2007, the SOS completed its comprehensive review of the GEMS II vote tally system, and based on its review declined to certify the system for use in California. After meeting with the County and Premier, it is not clear whether further modifications to GEMS II will be pursued in order to obtain certification from the SOS. What is clear is that, regardless of the final decision on GEMS II, it will not be available for the City of Los Angeles' 2009 municipal elections. The City's current vote tally system (called VOTEC) is some 20 years old and its administrative certification terminated on December 31, 2007.

After meeting with representatives of the SOS, the City Clerk will now pursue a parallel strategy of requesting an extension of the administrative certification of our current

voting system for use in 2009 while we explore (via release of a Request For Proposal) the lease and/or purchase of an alternative certified voting system. As noted in the Executive Summary above, the SOS decision on GEMS II may make undertaking the implementation of a significant change in our voting methodology (such as Vote-By-Mail centered or Instant Runoff Voting) while dealing with the more immediate and fundamental issue of ensuring that we have a certified voting system for 2009 unworkable. However, the adoption of an alternative voting system (with greater flexibility than the GEMS II/InkaVote Plus system) could facilitate transition to a different voting methodology in the future.

As we explore alternative voting systems, it is important to remember that the adoption of any voting system other than one that can be used by the County has serious implications for the potential loss of the benefits of a consistent voting experience for voters and poll workers, emergency backup, staff cross training, shared facilities and logistical support infrastructure, etc. In addition, under current State and Federal guidelines, the City is not eligible for State or Federal voting system replacement funding and therefore would most likely have to debt finance the purchase of any new voting system not jointly purchased with the County.

During the City Council's August 14, 2007 discussion of the City Clerk's 2007 Municipal Elections After Action report, we were asked to include in our review the potential for voting via the Internet in municipal elections. There have been some limited attempts to initiate Internet voting on a pilot project basis (e.g. for military personnel stationed overseas), however, these efforts have been largely abandoned. The increasing concern over the security of computer based voting systems at polling places (as evidenced in the findings of the SOS's comprehensive voting systems review project), suggest that we are unlikely to see any significant move towards Internet based voting in the near future. There are significant concerns related to Internet voting involving balancing the voter's right to anonymity with the need to guard against multiple voting or other forms of voting fraud; protecting the entire system against computer hacking; and ensuring equal access across all segments of the voting population.

Current Voting Model For Los Angeles Municipal Elections

The City's municipal elections, including the consolidated election jurisdictions of the Los Angeles Unified School District (LAUSD) and the Los Angeles Community College District (LACCD), represent the second largest election jurisdiction in California with some 2 million registered voters, over 2,000 voting precincts, some 8,000 poll workers and an operating budget of approximately \$17 million. In our view, the fundamental challenges that face the City Clerk's Election Division can be grouped into the following categories.

Inadequate Number of Permanent Staff Positions: The reliance on a very small core of 30 regular City employees (professional, clerical and systems staff classifications), supplemented by hundreds of as-needed temporary employees during the height of election season, to manage the entire election process does not provide sufficient

institutional stability for a unique function within our municipal government. To provide some perspective on this understaffing, the County Registrar-Recorder Office, which manages an election jurisdiction roughly twice the size of our election jurisdiction, has some 268 permanent staff positions dedicated to election administration. Even accounting for the fact that the Registrar-Recorder conducts more elections on a year round basis and is also responsible for the voter registration process, the understaffing of the City Clerk's Election Division is quite clear.

The Increasing Difficulty In Securing Sufficient Polls and Recruiting, Training and Deploying Poll Workers: The City's municipal elections rely on the establishment of relatively small neighborhood based voting precincts with a maximum of 1,250 registered voters and an average voter registration figure of 860. Some 8,000 volunteer poll workers must then be recruited, trained and deployed for each 15 hour Election Day. Having consistent, adequately sized and American's with Disabilities Act (ADA) compliant polls as well as a sufficient number of well-trained poll workers is a fundamental requirement for conducting well-run elections under the neighborhood voting precinct model. However, over the last two decades it has become increasingly difficult to meet this fundamental requirement. Among the many factors influencing this issue, those commonly cited include: socio-economic changes that have limited the number of adults not working outside of the home (and thus able to work as poll workers or use their homes as polling places); security concerns related to opening facilities as polling places; and facilities lacking sufficient space or infrastructure to support the modern polling place requirements.

Increasing Complexity Of Election Operations: The complexity of election operations has dramatically increased since the Presidential elections of 2000 and the continuing evolution of voting regulations and operations has yet to stabilize. Examples include: providing HAVA compliant voting equipment at every polling place that will alert voters to potential ballot errors and allow the visually impaired to vote independently; continuing instability in the area of approved voting equipment; implementation of statewide voter registration verification requirements; the requirement to count and track Vote-By-Mail ballots by voting precinct; increased use of provisional voting; and the increased scrutiny on the Voting Rights Act language assistance requirements. This complexity places additional pressure on poll workers and logistical support personnel and also exacerbates the problem of insufficient permanent staff noted above.

Challenge of Providing Multiple Voting Options: In an effort to provide the most accessible election process, both the City and County of Los Angeles provide multiple options for voting including: at polls voting on Election Day; a very liberal Vote-By-Mail program consistent with California election law; and most recently an Early Voting option at selected voting centers around the City. Each of these voting methods requires staff, equipment and a logistical support infrastructure that often create competing demands on the City Clerk's Election Division.

As noted in the Executive Summary, the City Clerk's Election Division has recently been allocated an additional five regular positions to help administer Neighborhood Council

board member elections and these positions will be available to assist in the City's regular municipal elections. The increase in regular staff positions will improve the operations of the City Clerk's Election Division by strengthening the direction and management of our major functional divisions. Many of the other improvements to our current election operation (e.g. additional automated systems equipment) will be handled within the context of finalizing the Fiscal Year 2008-09 municipal election budget. However, beyond these internal initiatives, this report contains a series of recommendations that will also improve the conduct of municipal elections and help address some of the challenges noted in this section.

A. Election Day (also called Same Day) Voter Registration

Voter registration was designed to serve two basic purposes. First, registration regulates access to voting and helps reduce incidents of voter fraud. The registration process allows election administrators to verify a person's eligibility to vote, which is contingent upon a person's residence, age and citizenship. Once a person has registered to vote, an election administrator can ensure that only one ballot is issued to and received from the voter. Secondly, voter registration provides election administrators with information necessary to complete various administrative tasks, such as assigning voters to voting precincts, generating voter rosters, delivering Vote-By-Mail ballots, etc.

Overall, voter registration helps prevent fraud and allows the election administrators to organize the election. However, concerns have been expressed that the imposition of a registration deadline (in the case of California elections – 15 days before Election Day) places an arbitrary obstacle before potential voters. The registration process and deadline requirements can disproportionately impact new citizens, mobile segments of the voting population that move into a new jurisdiction, lower-income voters, and those with lower levels of education that may have more difficulty accessing the registration process. Studies have also shown that due to increased media coverage and campaign activities in the week immediately preceding an election, interest in an election often rises after the registration deadline has passed, thus giving the unregistered voter no opportunity to participate.

Efforts have been made to address these concerns. For example, the United States Congress enacted the National Voter Registration Act (the NVRA or "Motor Voter" Act) in 1993, which allows voters to register at their local Department of Motor Vehicles, libraries, disability centers, and by mail. The NVRA was intended to make registration widely available through common venues that are easily accessible to the public. Despite these efforts to make voter registration widely accessible, some potential voters find that they are unable to participate in an election because they have either not registered or failed to re-register.

One solution to the issue of the voter registration process creating a barrier to participation is Election Day Registration, that allows a person to register to vote at their polling place or at a designated government office on the day of an election and to cast a ballot. According to the U.S. Census Bureau's Current Population Survey of 2004, 6.4%

of the population registered to vote on Election Day. Currently, seven states allow Election Day registration: Idaho, Maine, Minnesota, Montana, New Hampshire, Wisconsin, and Wyoming. A majority of these seven states have consistently had higher voter turnout than the rest of the nation, by as much as 12 percentage points. Although these States have a history of high voter participation even prior to the adoption of Election Day Registration, the majority of research indicates that new Election Day Registration programs are associated with a sustained increase in voter turnout of about 3 to 6 percentage points, depending on the scope of the election.

Thirteen states, including California have in the past rejected Election Day Registration. In November 2002, California voters soundly rejected Proposition 52, which would have implemented Election Day Registration in the State. Recently, on October 11, 2007, Governor Arnold Schwarzenegger vetoed Assembly Bill 355, which would have enabled new citizens to register and vote on Election Day. The Governor cited logistical and security concerns as justification for rejecting the bill.

Although the rules governing Election Day Registration differ from state to state, the overall process remains the same. First, a person wishing to register to vote on Election Day must go to either their assigned polling place or to a designated government office to be processed. Next, a person must provide valid photo identification or other documentation establishing identity and/or residency. The registration clerk will then check a registration database for any duplicate registration records and verify that the voter has not cast a ballot or been issued an absentee ballot. Then, once the registration has been processed, the voter will cast a provisional ballot, which will be verified during the canvass of ballots. Finally, the voter is sent a non-forwardable postcard to verify the existence of the voter's address. Unless the postcard is returned as undeliverable the ballot will be counted.

Voter registration is handled by the County Registrar-Recorders under State law. Thus, any change in the voter registration process will require State legislative action or a Statewide vote of the people. Balancing security concerns against imposing too great a documentation standard on Election Day registrants and/or creating post election verification processes that cannot be completed in time to include the ballot in the certified election is the challenge for creating the legislation to establish an Election Day Registration program in California. Accordingly, we are recommending that the City support the introduction and adoption of legislation at the State level that would allow for Election Day Registration subject to the following conditions: a) that the same basic voter registration requirements be applied to Election Day registrants as persons registering at other times; b) that the option be offered at each polling place in addition to specified government offices; c) that the legislation be adopted as a State mandated program with funding made available to support an additional poll worker dedicated to the Election Day Registration function; and d) that the ballots of such voters be processed as provisional ballots.

B. Poll Worker Service in Lieu of Jury Service

A motion (Hahn-LaBonge CF No. 07-1210) considered by the City Council in conjunction with the City Clerk's 2007 Municipal Elections After Action report, proposes to allow citizens to perform poll worker duty in lieu of jury service. The regulations governing jury service are contained in the California Code of Civil Procedure and the California Rules of Court. Under current State law, a person can be excused from jury service only for undue hardship. Any change to this provision to exempt citizens from jury service as a result of serving as a poll worker would require State legislative action to amend the California Code of Civil Procedure.

A similar proposal (Assembly Bill 1660) was introduced during the 2001-2002 session of the California State Assembly. AB1660 would have allowed an eligible person who served as a poll worker at a national, statewide, or local election to be excused from jury service for a period of one year after their participation as a poll worker. This bill was not adopted.

Since the time that AB 1660 was introduced, the Los Angeles County court system has introduced the one-day or one-trial system that appears to have been well received and somewhat lessened the challenge in obtaining sufficient numbers of jurors. Thus, proposals to allow persons serving as poll workers to be excused from jury service may be viewed more favorably than at the time AB 1660 was considered.

It should also be noted that jury service and poll worker service are quite different and one or the other may have greater appeal to certain persons. Unlike jury service that does not require special training, poll workers must attend a two-hour training session on a separate date prior to an election. Currently, jurors in Los Angeles County are offered one-day jury service. This means that a person would report one day and be released from jury service for an entire year if they were not selected to serve on a trial. This one day of reporting is similar to a typical work-day schedule of 8 hours. On the contrary, poll workers generally serve some 15 hours including setting up the polls at 6 a.m. for the 7:00 a.m. start of voting to closing out of the polls after voting terminates at 8 p.m. Finally, many persons receive their regular pay from their employers during jury service while poll workers do not get paid from their employers but receive a stipend (which may be greater or lesser than their regular pay).

Any legislation to allow for poll worker service to exempt a person from jury service, would also have to establish guidelines for proof of poll worker service that would be accepted by the Courts, determine the period of excuse from jury service based on the number of times poll worker service is performed, the type of elections that would qualify for the exemption, etc.

Although it is not clear what the overall impact of a poll worker service in lieu of jury service program would have on poll worker recruitment, it seems reasonable to offer the citizens of Los Angeles multiple options for providing public service. Accordingly, we recommend that the City support the introduction and adoption of legislation at the State

level that would establish a voluntary program to allow persons who serve as poll workers in any Federal, State or local election in a given calendar year to be excused from jury service for up to one year upon submission of proof of poll worker service.

C. System Wide Polling Site Program with LAUSD

As noted in the City Clerk's June 4, 2007 Municipal Elections After Action report, obtaining adequately sized, appropriately located and ADA compliant polling places with adequate parking for some 2,000 voting precincts continues to present a major challenge for the City Clerk's Election Division. In recent election cycles we have increased the stipend for polling place rental (now set at \$50 per election), established our Mobile Operation Polling Places (MOPPS) that can be deployed on site when a polling place cancels just before Election Day, prioritized the use of public buildings and provided our polling place locations to the Departments of Public Works and Water and Power to avoid construction and to the Department of Transportation which has implemented a "holiday parking" enforcement policy (i.e. relaxed) around polling places.

In spite of the above efforts, some ongoing trends and other recent developments have hindered the recruitment of polling places including: there are fewer private homes available as more and more families have all adult members working outside of the home and many facilities (especially schools) have increased security measures (such as limiting access and parking) which makes those facilities unworkable as polling places.

After the March 6, 2007 Primary Nominating Election, two motions were introduced dealing with the issue of polling places. One motion (LaBonge-Rosendahl/CF No. 07-0704) cited the need for convenient polling places to improve voter turnout and directed the City Clerk to work with various City departments and governmental agencies to increase the number of and convenience of polling places. The second motion (Hahn-LaBonge/CF No. 07-0910) cited the problems with changing polling places after the Official Sample Ballot has been mailed and requested that such changes be avoided unless an emergency exists and, if such a change is required, that adequate notice and signage be provided.

Pursuant to the aforementioned motions and our ongoing post election cycle improvement efforts, we have analyzed our profile of polling places and have determined that increasing the number of schools utilized as polling places could have a dramatic impact on improving the consistency and stability of the polling places in municipal elections. Even though local schools have traditionally been used as polling places, in 2007 only 24% of our polling places were schools. In terms of LAUSD, of their some 861 unique school locations we used approximately 293 (34%) for polling sites. Contributing to the lower than optimum use is our current practice of contacting and negotiating with each school principal to attempt to secure the school for a polling site. Accordingly, we are recommending the establishment of a formal partnership between the City and LAUSD to secure all available schools and other LAUSD facilities for use as polling sites on a system wide basis.

We believe such a program would create benefits for both City municipal elections and the LAUSD in the following areas:

- If all available schools could be used as polling sites over 50% of actual voting locations would be secured up-front and remain consistent from one municipal election cycle to the next.
- Generally, all school sites already comply with the ADA and other polling place facility requirements.
- Since municipal elections include the LAUSD elected board member offices, greater stability in election administration supports the elected legitimacy of those offices.
- Such a program would build on the evolving partnership that the Mayor's office has initiated with LAUSD. Accordingly, we are recommending that the Mayor's Office be requested to assist in the coordination and development of the program.
- Coupled with the Student Poll Worker Program (see below), the use of schools as polling sites offer an excellent educational opportunity for exposing and integrating students into the democratic process.

D. System Wide Student Poll Worker Program with LAUSD

An important component of our poll worker recruitment effort is our "STAR" Student Poll Worker program, which involves the placement of eligible high school students at polling places (up to two per polling site) throughout the election jurisdiction. For the 2007 municipal elections an average of 2,400 students worked the polls on Election Day. The student poll workers have improved our polling site operations by increasing the number of bilingual poll workers and assisting the other poll workers with the set up of the electronic voting equipment. It should be noted that because the continued availability of students from one election cycle to the next is not guaranteed (or even probable), it is likely that we will be recruiting a new group of student poll workers for each election cycle. However, we hope that these students, when they finish their schooling and begin their working careers, will return and become part of the regular returning cadre of experienced poll workers.

However, as in the case of polling sites, our current practice is to recruit the student poll workers through each individual school. We believe that a system wide approach fully supported by the LAUSD elected and executive leadership could expand and strengthen the program. In addition, a great educational opportunity exists by empowering students to be directly involved with supporting the democratic process. Further, student involvement could also have a multiplier effect in the broader community resulting from the students' communications with family and friends. Accordingly, we are recommending that the City Council direct the City Clerk to work with the LAUSD to develop a system wide Student Poll Worker program. As with the polling site program,

we are further recommending that we take advantage of the Mayor's evolving partnership with LAUSD by requesting that the Mayor's Office assist in the development and coordination of such a program.

E. Directly Funding Non-partisan/Impartial Get-Out-The-Vote Program

The James Irvine Foundation as part of its California Votes Initiative has recently released a study analyzing the success of various voter mobilization efforts in terms of motivating infrequent voters to participate in an election (see www.irvine.org). The Irvine Foundation conducted the study of nonpartisan voter outreach activities conducted prior to the June and November 2006 elections in the San Joaquin Valley and parts of Southern California. Their initial round of research reveals five best practices: door-to-door canvassing followed by telephone calls to voters expressing interest; use of local volunteers; information-rich interactions (as opposed to brief messages); improved voter targeting; and timing the outreach to the period within a month of the election.

Traditionally, the City Clerk's Election Division has concentrated on performing the administrative tasks associated with conducting an election and left voter mobilization to the various campaigns and the media. Of course our Multilingual Outreach Unit and media relations staff work with community groups and the media to improve overall awareness of an upcoming election, but we have not directly engaged in get-out-the-vote programs. As part of its consideration for taking steps to improve voter turnout, we are recommending that the City Council direct the City Clerk to explore the potential of directly funding nonpartisan/impartial get out the vote programs. These programs could also augment poll worker and polling site recruitment efforts in underserved communities. We realize there are several policy, financial and legal issues to consider including:

- Are there sufficient funds to support the program?
- What safeguards would have to be established to ensure that the efforts are truly nonpartisan/impartial and do not benefit one candidate or ballot measure over another?
- Even if the City were to embark on such a program should it be housed in a different department than the City Clerk, to ensure that no claim of bias can be lodged against the officials tasked with conducting the election and counting the votes?
- An alternative program to consider would be a greatly expanded (including funding and staffing) media outreach campaign directly administered by the City Clerk's Election Division.

Changing the Dates/Days of the City's Municipal Elections Or Consolidating Municipal Elections with State and Federal Elections

A motion (Garcetti-Greuel, CF No. 07-1100-S10), considered in conjunction with the City Clerk's 2007 Municipal Elections After Action report, requested that we review the possibility of consolidating the City's municipal elections with the Federal and State elections conducted by the County of Los Angeles. In reviewing this issue we also took the opportunity to look at weekend voting; establishing a holiday for Election Day and other related topics.

A. Consolidating Municipal Elections with State and Federal Elections

Due to the greater public interest in elections featuring high profile offices such as the President and Governor, the State and Federal elections conducted by the County in the even numbered years consistently have significantly greater voter turnout than the City's municipal elections. There can be little doubt that if the City's municipal elections were consolidated with the State and Federal elections, that overall voter turnout would increase. However, due to the issues cited below, that have been previously reported, we are not recommending that the City pursue consolidation at this time.

- The County's InkaVote Plus voting system cannot accommodate the City's regular candidate municipal elections on the current ballot without having to move to a second ballot. This raises several issues for the County in terms of cost, logistics, etc. In fact, the Board of Supervisors has a standing policy to disapprove the consolidation of any additional regular local municipal candidate elections on to the regularly scheduled Federal and State elections and we have recently confirmed with the County Registrar-Recorder that they would not support such a consolidation request. However, as noted above, if the non-certification of the GEMS II voting system leads the County to the adoption of an alternative voting system (with greater flexibility than the GEMS II/InkaVote Plus system) this could allow for consolidation. The City Clerk will monitor this situation and report to the City Council when significant developments occur.
- As an alternative to full consolidation, some advocates have offered the alternative of conducting a "concurrent" election on the same day as the Federal and State elections. A concurrent election involves each jurisdiction conducting their own separate election on the same day but sharing polling sites (e.g. voters are mailed separate sample ballots, voters vote at different tables in the polling place, Vote-By-Mail voters must vote separately for each election, ballots are tallied and results released separately, etc.). The City Clerk strongly opposes this approach due to costs, logistical coordination challenges and potential voter confusion.
- A change in the timing of municipal elections would require a Charter amendment and such an amendment would have to have a future effective date to allow for

sufficient transition time and to resolve issues relating to the impact on term limits; fund raising windows; establishing a new candidate filing process; etc.

- The City conducts elections under Federal and State law as well as the City Charter and Election Code whereas the County conducts elections under Federal and State Law. Although basically consistent there are differences and once consolidated City elections would essentially be conducted under Federal and State law.
- If municipal elections are turned over to the County we will no longer be in a position to make decisions that impact costs. Such decisions as the type of voting system, number and location of early voting sites, polling place consolidations, staffing, poll worker pay, etc. will be decided by the County. In addition, since we currently share costs with LAUSD and LACCD, we have to look at the net real costs of currently conducting elections versus what the County would charge the City.
- A decision to consolidate municipal elections with State and Federal elections cannot be made on an "experimental basis." If the City were to stop conducting elections for a period of time, it would be extremely difficult and costly to re-constitute that function if at some future point if we wanted to re-assume responsibility for conducting elections.
- Based on the California Elections Code, City municipal election contests (such as Mayor) would appear toward the end of the ballot after Federal, State, and County races.
- The potential impact on City elected officials wanting to run for Federal, State or County office while still in (or retaining) their current City office should be recognized.
- There would be fewer elections available to place measures before the voters - and those available would likely include State measures that could negatively impact the City measures.

B. Weekend Voting

In terms of voting on some other day than a Tuesday (a work day), the only alternative that would appear to have any potential for impact would be to move voting to the weekend (simply moving election day from one work day to another does not seem worth the effort). There are several jurisdictions around the Country that do hold elections on Saturday such as Hawaii and the City of New Orleans and there are other countries such as France, Japan and Mexico that do schedule elections on either Saturday or Sunday. Our review of the data suggests that weekend voting has mixed results in terms of voter turnout. At this time the City Clerk does not recommend changing Election Day to another day of the week for several reasons.

- Either Saturday or Sunday voting will conflict with the religious obligations of some segment of the population. Alternatively, having voting on both days raises issues of costs, ballot and voting results security, polling place and poll worker availability, etc.
- Weekend voting would raise costs (at a minimum) in terms of overtime pay for employees.
- Weekend voting (even the single day model) could actually increase problems in terms of polling place and poll worker availability.
- A liberal Vote-By-Mail program, employer sanctioned "time-off for voting programs," and the initiation of Early Voting programs already provide voters who have scheduling conflicts on Election Day with reasonable alternatives.

C. Establishing a Holiday for Election Day

Our review of voter turnout data shows that of the nine States that have designated Election Day (for State elections) as a legal holiday, eight of those States have turnout near or above the national average. However, for a local municipality to declare a City holiday would not have much impact unless other governmental agencies and the private sector honored the declaration. Additionally, unless a culture of voting was developed in connection with the holiday it could simply become another day off from work. It appears that this is an issue that should be looked at only if local elections are ultimately consolidated with Federal and State elections.

Vote-By-Mail (VBM) Centered Elections Coupled With Voting Centers [see Exhibit II (a) for additional details]

The use of the VBM option (also called absentee voting) by voters in the City's municipal elections, has continued to increase over time: from 15% in 1989, to 22% in 1997, to 28% in 2005, to the current usage of 46% (Primary) and 58% (General) in 2007. Other jurisdictions experience even higher usage of this voting method. Since 2001, any voter can apply for permanent absentee voter status in which they are automatically sent a VBM ballot for each election without having to submit an election specific application. 195,000 voters (approximately 10%) in the City's municipal election jurisdiction currently have this status. An additional 30,000 to 40,000 voters generally apply for a VBM ballot each election. In addition to the high percentage of voters using this option in the 2007 City municipal elections, the VBM voters had a return rate (in effect the turnout percentage) of 34% as compared to the single digit turnout for the at polls voters.

Several election jurisdictions have or are considering transitioning to all VBM elections. The State of Oregon conducts all VBM elections, and the majority of the State of Washington elections are VBM with full statewide implementation scheduled for 2008. Locally, the city of Burbank has recently conducted an all VBM election. In Denver

Colorado, VBM elections have been conducted which show promise of increasing overall participation and also reducing the participation gaps between various segments of the voting community (see www.commoncause.org). Pursuant to Department of Justice (DOJ) staff, the DOJ has not taken a position regarding the fundamental ability of all VBM elections to comply with the Voting Rights Act (VRA). However, they confirmed that measures must be taken to assure equal access for all voters.

Proponents for all VBM elections cite several benefits including: voter convenience; unhurried voting process (where the Sample Ballot and other material can be consulted while voting); greater procedural integrity as the signature of each voter is checked before the ballot is counted; better control over the election process since all ballot preparation, the issuance of the ballots, and the handling and counting of voted returned ballots are done under the close supervision of elections officials. With the continuing difficulty in recruiting poll workers and polling places, the increasing complexity of polling place operations and the concerns regarding voter turnout, the City should consider the possibility of transitioning to VBM centered municipal elections.

However, in considering VBM centered municipal elections we must recognize the concerns raised by voting rights advocates and the public with regard to removing an option for voting still used by the majority of voters in most elections (in person voting at neighborhood polling places) and the concerns regarding the differing impact that VBM centered municipal elections might have on the various diverse voting communities within the City's municipal election jurisdiction. In fact, several members of the LAVC expressed specific concerns on the potential negative impact of VBM centered municipal elections on minority voters in terms of: those voters requiring language assistance (that can now be obtained at the polling place); the historically lower usage of the VBM option by minority voters; the extent to which a voter education program could be designed to effectively reach all our diverse voting communities; the integrity of the voter registration file in terms of a very mobile population; uneven mail service in certain parts of the community; the type of ballot and related ballot materials to be utilized; and the impact on disabled voters.

To address the potential problems associated with VBM elections, our proposal contains two key mitigating approaches. First we are recommending that the VBM election process be coupled with the establishment of voting centers and other voter assistance support operations throughout the election jurisdiction. Second, we are recommending that we first try the VBM/Voting Centers model in a single Council District office or LAUSD office where a stand-alone Special Election has been called to fill a vacancy.

A. Voting Centers and Voter Assistance Support Operations

Coupling a VBM centered municipal election with an expanded voting center program (similar to our current Early Voting program) supported by additional voter assistance tools could serve to mitigate potentially negative impacts on various segments of the voting community. The VBM/Voting Center model would have the following general features (more specific details and resource requirements would be developed upon

approval to proceed with this model). These features mirror many of the ideas identified as best practices in the Common Cause analysis (see web site cited above).

- Implement a multi-language, multi-media voter education program designed to reach all segments of the voting population.
- All registered voters (regardless of active status) would automatically be sent a complete VBM package so that they could vote and return their ballot (postage paid) directly to the City Clerk. Multi-lingual assistance materials would be included.
- A significant number of Voting Centers (approximately 100 for a full City election) would be set up throughout the jurisdiction (opening two weeks before the election and operating through the end of election day) to allow any voter who does not wish to vote by mail to instead utilize the in person Voting Centers option. Voters could also drop off their completed VBM ballots at the Voting Centers and obtain assistance if required.
- With 100 Voting Centers (as opposed to 2,000 neighborhood voting precincts), it should be possible to: 1) house all the Voting Centers in large well equipped facilities; 2) establish long term leasing arrangements with the facilities to promote consistent use from election to election; 3) strategically locate Voting Centers to ensure close proximity and easy access to communities that do not traditionally use the VBM option; provide state of the art voting equipment at each of the sites (such equipment is now available to assist the visually impaired and to handle all language requirements); provide equipment at the Voting Centers that can interface with the ballot tracking system to prevent double voting; and 4) ensure that the sites are adequately staffed with well trained poll workers that can provide assistance to a full range of voters.
- Utilize voting materials (including ballots) most appropriate for the in home voting experience. Also, utilize return ballot envelopes designed to secure, in the most efficient and user-friendly manner possible, all the information required to confirm the voters' identity and eligibility to vote.
- Work closely with the US Postal Service to ensure delivery of ballot materials.
- Establish multi-lingual phone banks, translated web sites and other voter assistance support programs.
- Establish transparent ballot tracking programs so that the public, candidates and other interested parties can confirm receipt of the returned ballots by the election officials.
- Work closely with appropriate authorities to investigate any instances of voter fraud or the interference with the delivery of election materials.

B. Utilizing VBM/Voting Centers Election Model To Fill Specified Vacancies

Implementing a hybrid VBM/Voting Centers model for municipal elections would represent a major change in the conduct of municipal elections in Los Angeles. Thorough planning and sufficient resources would be required to ensure a smooth transition to this new voting model. Conducting such an election on a single Council District office or LAUSD office basis (with an appropriate number of Voting Centers based on the size of the district) would be far more manageable and allow election officials to implement and analyze the effectiveness of the various mitigation measures noted above.

The City Attorney has advised that, even for the limited purposes of filling specified vacancies, amending the Charter and changing the City's Election Code would be necessary to establish the legal authority and requirement for conducting a VBM/Voting Centers model election. Any Charter amendment must also include express language to establish the legal authority to conduct LAUSD Special Elections utilizing this voting methodology. In addition, great care should be given to clearly establishing in the Charter language the specific circumstances under which this election methodology would be required to be implemented.

Advocates of VBM voting often note the potential for reducing costs since the neighborhood polling places and the logistical infrastructure required to support their operation would no longer be needed. However, implementing the mitigation measures cited above along with a comprehensive voter education program could in fact equal or exceed the costs of supporting neighborhood polling places. Again, utilizing the VBM/Voting Centers model for filling specified vacancies would provide valuable insight into cost issues.

Of course, one downside to this approach is that we cannot predict with certainty when, or if, the conditions will arise that mandate the use of the VBM/Voting Centers model.

Instant Runoff Voting (IRV) [see Exhibit II (b) for additional details]

IRV (a version of which is also called Ranked Choice Voting - RCV) is a method of voting that produces winners with majority support in a single election. Voters rank candidates in order of preference: a first ranking for their favorite candidate, a second ranking for their next favorite, and so on. If a candidate wins a majority of first-choice rankings, he or she wins the election (the same as Los Angeles elections operate now). If not, the "instant runoff" begins in an automated fashion within the vote tally system.

The candidate with the fewest first-choice rankings is eliminated, and voters for the eliminated candidate have their ballots counted immediately for their second-ranked candidate - i.e. the candidate they would have supported if forced to return and vote again in a traditional two-round runoff. All ballots are recounted (within the vote tally system), and if a candidate has a majority, that candidate is the winner. If not, the process is repeated until one candidate has majority support and is declared the winner.

A motion (Huizar-Garcetti, CF No. 07-1378), considered in conjunction with the City Clerk's 2007 Municipal Elections After Action report, requested that a thorough analysis of IRV/RCV be included in the comprehensive review of the various options available for the conduct of future municipal elections. This instruction is consistent with and continues the analysis that the City Clerk has been conducting of the implementation of IRV/RCV in the City and County of San Francisco that has now been in use since 2004.

The proponents of IRV/RCV cite several benefits including: eliminating the costs of conducting runoff elections; vacant offices could be filled sooner; negative campaigning would be reduced since the candidates must consider all the rankings of voters when conducting their campaigns; so called strategic voting (not voting for your true choice because you do not think the candidate has a chance of winning), vote splitting among similar candidates, and so called "spoiler" candidate impacts would be reduced; higher voter turnout would occur since the single election will produce a winner and voters and mobilizing organizations can concentrate on that single election; the candidates' campaign costs of the runoff election (for non-partisan offices) would be eliminated; and the candidate ultimately selected more truly represents the preference of the people since the candidate must demonstrate both committed support (their first place votes) and broad appeal (their second, third, etc. place votes).

Besides San Francisco, IRV/RCV has been used for decades in various countries around the world. Interest in the IRV/RCV model appears to be gaining momentum in the United States and, besides San Francisco, several other jurisdictions have actually conducted IRV/RCV type elections including: Burlington, Vermont; Takoma Park, Maryland; and Cary and Hendersonville, North Carolina. In addition, the States of South Carolina, Arkansas, and Louisiana use IRV/RCV for their overseas voters. Several other jurisdictions have passed legislation providing for the use of IRV/RCV (e.g. Oakland, Berkeley, San Leandro, California; Minneapolis, Minnesota; Pierce County, Washington; Sarasota, Florida; and Aspen, Colorado). Pursuant to Department of Justice (DOJ) staff, the DOJ has not taken a position regarding the fundamental ability of IRV/RCV elections to comply with the Voting Rights Act (VRA). However, they confirmed that measures must be taken to assure equal access for all voters.

One could debate some of the claims of the proponents in terms of voter turnout or the ultimate type of campaigning that will evolve under IRV/RCV or whether the system is fundamentally more reflective of the will of the people. However, there are certain benefits that seem clear: once the initial costs of transition/implementation are covered cost savings will occur by eliminating the second runoff election; vacancies can be filled more quickly under this system; and reducing the number of elections should reduce so called voter fatigue. The fundamental policy question remains, however, as to whether the time between the Primary and General elections is valuable in allowing the voters to gain additional information to better evaluate the two remaining candidates and allowing the remaining two candidates to focus their message to better reach the voting public.

Unlike the VBM centered municipal elections model discussed above, IRV/RCV does not remove a voting option and can be used in both Vote-By-Mail and at polls voting

environments. However, some of our LAVC advisory committee members did express concerns regarding the potential impact of implementing IRV/RCV on the various diverse voting communities within the City's municipal election jurisdiction. Specifically, concerns were expressed on the ability to develop and implement a voter education program to effectively reach all segments of our diverse voting communities and ensure full access to the new voting methodology. It should be noted that studies by the Public Research Institute-San Francisco State University of the IRV/RCV elections conducted by San Francisco from 2004 through 2006 show broad understanding and approval of IRV/RCV among San Francisco voters although there are some differences among various socio-economic groups (see Exhibit IV (d)).

Accordingly, as with the hybrid VBM/Voting Centers model, we are recommending that we first try IRV/RCV elections in a single Council District office or LAUSD office where a stand-alone Special Election has been called to fill a vacancy. As implemented in San Francisco, we are recommending an IRV/RCV model that allows the voter to rank up to three candidates in order of preference. The three-rank/choice model is recommended as it should ease ballot space and design issues; simplify any required manual recounts and facilitate use of lessons learned from San Francisco. Even if used for the limited purpose of filling specified vacancies, the following key issues will need to be addressed.

- The implementation of IRV/RCV will have to be accompanied by a significant multi-language, multi-media voter education program designed to reach all segments of the voting population as well as a significant poll worker and staff training program.
- IRV/RCV will require new voting equipment and/or ballots and a new vote tally system that would allow for the ranking of candidates and will require modification to existing procedures and materials. The current InkaVote Plus system cannot realistically accommodate IRV/RCV. It should be noted that as of the writing of this report, there are no IRV/RCV systems fully certified (without significant operating conditions) in California. There are some new IRV/RCV capable vote tally systems in various stages of certification review and it is anticipated that at least some of these systems could be available for use as early as mid-2008.

As noted earlier, selection of an alternative more flexible voting system could facilitate implementation of IRV/RCV. The City Clerk is currently pursuing a parallel strategy of requesting an extension of the administrative certification of our current voting system for use in 2009 while we explore (via release of a Request For Proposal) the lease and/or purchase of an alternative certified voting system. It is our intention to structure the RFP to solicit proposals from the vendor community to include voting systems that have the capacity to support IRV/RCV type elections in addition to the traditional voting method. It should also be noted that the eventual savings that would accrue from moving to an IRV/RCV type system would present an opportunity to recoup the investment in any new voting system.

If the City has not yet implemented an IRV/RCV capable voting system at the time an opportunity arises to conduct an IRV/RCV election, an alternative approach would be to lease the system from a vendor (along with securing appropriate vendor support). A pre-qualification process to establish the vendor to be utilized would facilitate the use of this alternative.

- Review should be conducted as to the possible impact on the City's campaign finance regulations that may need to be adjusted to reflect a single election.
- Beyond the voter education program, the City will have to establish an effective education campaign for candidates and the media to ensure understanding of IRV/RCV. Accompanying this education program will be the establishment of procedures and systems to ensure full transparency of the vote tabulation and reconciliation process.

B. Utilizing IRV/RCV Election Model To Fill Specified Vacancies

Implementing an IRV/RCV model for municipal elections would represent a major change in the conduct of municipal elections in Los Angeles. Thorough planning and sufficient resources would be required to ensure a smooth transition to this new voting model. Conducting such an election on a single Council District office or LAUSD office basis would be far more manageable and allow election officials to test and analyze the effectiveness of various implementation measures.

One of the major advantages of the IRV/RCV system cited by its proponents is the fact that vacancies can be filled faster. In the past we have actually extended a vacancy period when calling a Special Election to take advantage of a regularly scheduled election. The availability of the IRV/RCV option would allow us to avoid extended periods of non-representation.

The City Attorney has advised that, even for the limited purposes of filling specified vacancies, amending the Charter and changing the City's Election Code would be necessary to establish the legal authority and requirement for conducting an IRV/RCV election. Any Charter amendment(s) must also include express language to establish the legal authority to conduct LAUSD Special Elections utilizing this voting methodology. Implementing this voting methodology may also require a Charter amendment and ordinance change relating to the City's campaign finance laws that are tied to the primary and runoff election format. In addition, great care should be given to clearly establishing in the Charter language the specific circumstances under which the IRV/RCV election model would be required to be implemented.

One of the major advantages of IRV/RCV is the cost savings obtained by not conducting the runoff election. The funds saved could be used in securing any required equipment, modifying procedures and implementing a comprehensive voter and poll worker education program. Using IRV/RCV election model for filling specified vacancies would provide valuable insight into cost issues.

Of course, as with the VBM/Voting Centers proposal, one downside to this approach, is that we cannot predict with certainty when, or if, the conditions will arise that mandate the use of the IRV/RCV model.

Conclusion

As a result of our comprehensive review of voting options for conducting future City of Los Angeles municipal elections, we have offered a set of recommendations that seek to improve the poll worker and polling place core components of our election administration program. These components are the foundation of our current neighborhood voting precinct-based election model and are also the components that are most stressed at this time. Some of these recommendations made can be accomplished within the existing resources of the City Clerk's election year budget and would not require changes to the City Charter or Election Code. However, the recommendation to allow poll workers to be excused from jury service would require changes in State law.

We have also included a recommendation that seeks to remove the barrier to voter participation resulting from the pre-election voter registration deadline. Adoption of such an Election Day Registration program would require changes in State law and would result in additional costs for election administration.

Another recommendation would provide funding for community based organizations to engage in direct, non-partisan/impartial voter mobilization efforts and to augment poll worker and polling site recruitment in underserved communities. Key to this recommendation is securing adequate funding and establishing safeguards to ensure that the programs are truly impartial.

The final set of recommendations involves seeking voter approval for amendments to the Charter that would establish the legal authority and requirement to implement, on a limited basis, more fundamental changes in voting systems and methodologies; specifically Vote-By-Mail/Voting Centers elections and Instant Runoff Voting/Ranked Choice Voting elections. Critical to these recommendations is the establishment of the specific circumstances and requirements under which these voting methodologies would be used. Given the size and particular demographic characteristics of Los Angeles municipal elections, the actual experience of conducting a VBM/Voting Centers and/or Instant Runoff Voting/Ranked Choice Voting election of a manageable size should provide the necessary assurance required to undertake a significant change to our fundamental method of voting in the future.

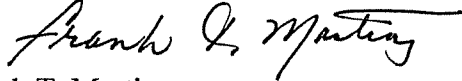
Fiscal Impact

Placing Charter amendments before the voters at the November 4, 2008 State General Election to allow for Vote-By-Mail/Voting Centers and/or Instant Runoff Voting/Ranked Choice Voting method elections to be used for Special Elections to fill vacancies in City Council or School Board offices would cost approximately \$2.5 to \$3 million in General Fund expenditures. However, if other measures were already being placed before the

voters, then the incremental cost of adding these measures would range from \$200,000 to \$300,000. Adoption of the other recommendations contained in this report will not require a General Fund allocation or will be handled within the City Clerk's Fiscal Year 2008-09 municipal election operating budget.

If you have any questions regarding this report, please contact me directly or my Executive Officer, Karen Kalfayan, at (213) 978-1020.

Sincerely,



Frank T. Martinez
City Clerk

Cc: Thomas Saenz, Legal Counsel to the Mayor

EXHIBITS

Exhibit I – A set of recommended guiding principles for the introduction of significant changes in voting systems and/or methodologies.

Exhibit II – A set of two summary “abstracts” for both the Vote-By-Mail centered and Instant Runoff Voting/Ranked Choice Voting election options under consideration in this report.

Exhibit III – Los Angeles Votes Committee, “Elections Options” Survey Results Report.

Exhibit IV – Resource listing for additional information on various election options under consideration.

EXHIBIT I

PRINCIPLES FOR INTRODUCING NEW VOTING SYSTEM/METHODOLOGY

- Any voting system/methodology under consideration should: protect the voters' fundamental right to vote and to have their votes counted accurately; foster transparency and understanding; ensure voter access; and support efficient administration by the election administrators.
- In considering any significant change in voting systems and/or voting methodologies, sufficient lead-time must be provided to allow for: development and adoption of the legal infrastructure required to support the proposed voting system/methodology; the acquisition and implementation of the necessary equipment and logistical infrastructure; and the development and roll out of a comprehensive staff and voter education program.
- A comprehensive voter education program that recognizes and is designed to reach the diverse voting communities within the entire voting jurisdiction must accompany the implementation of a new voting system/methodology.
- It must be recognized that the implementation of a new voting system/methodology may have differing negative impacts on the diverse voting communities within the voting jurisdiction; and appropriate mitigation measures must be implemented to address any such negative impacts.
- The voting equipment used should be the voting equipment most appropriate for the type of voting methodology to be employed.
- The sophistication of a voting system must be balanced with the ability to actually deploy, utilize and support the system on the ground in real life circumstances.
- Although it is instructive to analyze the experience with various voting systems/methodologies used in other voting jurisdictions; it is important to remember that the unique characteristics of each voting jurisdiction must be taken into account (e.g. size, geography, socio-economic diversity, language requirements, etc.).
- If a program is established so that the election administrator can use an alternative voting system/methodology on a Pilot Project basis (e.g. Vote-By-Mail centered or Instant Runoff Voting), the conditions dictating the use of the alternative must be clearly defined and objective to avoid any undue political influence regarding the use or non-use of the voting alternative.
- The adoption of a particular voting system/methodology may impact other programs (e.g. Instant Runoff Voting impacting campaign finance programs) and those linkages must be understood, and program impacts dealt with as necessary, prior to the adoption of a new voting system/methodology.
- Adoption of one voting system/methodology may complicate adoption of another innovation (e.g. the adoption of Instant Runoff Voting by the City of Los Angeles may complicate any move toward consolidating municipal elections with County of Los Angeles State elections).

Title: Vote-By-Mail/Voting Centers Model for Municipal Elections

Issue/Proposal:

The Vote-By-Mail/Voting Centers model is designed to address the increasing difficulty of obtaining sufficient numbers of polling places and poll workers; the complexity of polling place operations; and the current usage of the Vote-By-Mail option by a significant number of voters while mitigating some of the negative aspects associated with eliminating neighborhood polling places. The Vote-By-Mail/Voting Centers model for municipal elections would provide that every voter in the jurisdiction's voter registration file would automatically be sent a complete package necessary to vote (i.e. sample ballot, ballot, postage paid return envelope, instructions, multi-lingual instructions on how to obtain assistance/materials in languages other than English, etc.). Those who have signed up for non-English voting materials covered under the Voting Rights Act would receive their materials in the requested language. In addition to the Vote-By-Mail (VBM) option, strategically located Voting Centers would be established for in-person voting, ballot drop off locations, and for obtaining assistance. Other voter support mechanisms would be put in place including multi-lingual telephone and web site assistance.

Advantages (for voters):

- Provides a choice to voters to select their preferred method of voting (VBM or Voting Center)
- Voters will receive ballot materials with information provided in all required languages.
- Voters can cast their ballots at their convenience.
- Voters can take time to study issues and make informed choices. This includes limited English-proficient voters who may desire more time to complete their ballots.
- More stringent controls can be implemented by election officials to verify a voter's eligibility and validity (e.g. signature verification for all ballots).
- Proponents cite increased voter participation over traditional voting.

Advantages (for election officials):

- VBM jurisdictions cite lower costs over traditional voting.
- VBM jurisdictions cite increased voter participation over traditional voting.
- Election Officials have greater window of time to process ballots.
- Voter records are easier to keep maintained; undeliverable mailings reveal outdated registrations.
- Greater procedural integrity by means of signature and voter address verification.
- Greater control of processes; ballot preparation, ballot issuance, handling, ballot inspection, and counting of voted ballots performed under close supervision of election officials.

- Reduced recruitment requirements, reduced dependency on thousands of volunteer poll workers and polling places.
- Minimized logistical problems on Election Day.
- Election results would be available sooner.

Implementation Challenges:

- A Charter amendment will be required to permit the City's conduct of VBM centered elections.
- Changes to City Election Code will be required regarding specific administrative procedures and deadlines.
- Voter's reluctance to apply postage to return ballot (interpreted by some as a "poll tax").
- Comprehensive voter education program will be required.
- Potential for adverse impact to minority voters needing language assistance (which is currently provided by neighborhood poll workers).
- Potential negative impact on disabled voters who need special equipment to vote.
- Ensuring integrity of voter registration files for a mobile population.
- Dependency upon another government agency to maintain voter registration files.
- Uneven mail service by United States Post Office to certain areas.
- Investment required in updated VBM processing technology.

Mitigation Of Implementation Challenges:

- Implement a multi-language, multi-media voter education program designed to reach all segments of voters.
- All voters would receive a complete VBM package (including Multi-lingual assistance materials) so that they could vote and return their postage-paid ballots to the City Clerk.
- Voter Centers would be set up throughout the jurisdiction two weeks prior to and through Election Day to allow any voter to vote in person at a Voting Centers. These centers can also serve as drop-off points for voted VBM ballots, or to provide voter assistance as needed.
- Having 100 Voting Centers (instead of over 2,000 voting precincts) would permit large, well-equipped facilities, establish long term leasing arrangements promoting consistent use from election to election, provide state-of-the-art voting equipment at each site, and ensure sites are adequately staffed with well-trained poll workers.
- Provide voting materials designed for in-home voting.
- Utilize return ballot envelopes designed to secure all information required to confirm voter identity and eligibility while keeping voters secure from identity theft.
- Establish multi-lingual phone banks, translated web sites and voter assistance programs.
- Establish transparent ballot tracking programs so that the public, candidates, and interested parties can confirm receipt of the returned ballots to election officials.
- Work with appropriate authorities to investigate any instances of voter fraud, voter coercion, or interference with delivery of election materials.

- Use the VBM centered election on a smaller scale so that election officials can gauge the effectiveness of those mitigation measures noted above.
- Partner with the County to ensure registration updates are performed quickly and without undue expense to the City.
- Acquire necessary equipment to permit efficient, accurate handling of a VBM centered election (including mailing, sorting, scanning, and tallying equipment).
- In concert with USPS, institute ballot-tracking measures. This will track each phase in a mailed ballot's disposition, it will reveal whether a ballot has been given to the carrier for delivery, and when the voted ballot was received by election officials. This tracking system will help to reveal uneven delivery areas.
- Provide web sites and telephone lines for voters to obtain language assistance, receive election information, and inquire of the status of their ballots, in all required languages.

Fiscal Implications:

- Proponents of "pure" VBM model (without early voting centers) estimate 30-40% savings over traditional election model.
- Early Voting Centers, depending on the number provided, *may* increase overall cost to conduct a VBM election when compared to the traditional model.
- Voter education and outreach efforts would increase over current expenditures especially during initial years of implementation. These increases would fund voter education programs for the general population, with specific programs designed for Limited English Proficiency voters, voters with handicaps, and voters requiring other types of assistance.
- Large expenditures would be necessary to supply early Voting Centers with voting equipment and trained staff, to provide inserting and sorting capability for VBM ballots, to implement ballot scanning and new tally equipment, to provide for new styles of ballots, and to redesign mailing items to be utilized with new equipment
- Some savings would be realized by reductions in poll worker and polling place recruitment and staffing, reductions in supplies and assemblies needed, reductions in supply depots needed, and reductions in logistics expense to transport supplies and equipment.
- Postage budgets would be increased to provide complete ballot packages to all voters, and would include translations of voting materials for those needing it. Return postage would be provided to ensure greater voter participation.

Title: Instant Runoff Voting for the City of Los Angeles' Municipal Elections

Issue/Proposal:

Instant Runoff Voting (IRV) [a version of which is also called Ranked Choice Voting (RCV)] is a method of voting that produces winners with majority support in a single election. Voters rank candidates in order of preference: a first ranking for their favorite candidate, a second ranking for their next favorite, and so on. If a candidate wins a majority of first-choice rankings, he or she wins the election (the same as Los Angeles elections operate now). If not, the "instant runoff" begins in an automated fashion within the vote tally system.

The candidate with the fewest first-choice rankings is eliminated, and voters for the eliminated candidate have their ballots counted immediately for their second-ranked candidate - i.e. the candidate they would have supported if forced to return and vote again in a traditional two-round runoff. All ballots are recounted (within the vote tally system), and if a candidate has a majority, that candidate is the winner. If not, the process is repeated until one candidate has majority support and is declared the winner.

Advantages:

Based on the City Clerk's Election Division analysis, we recognize several clear advantages of the IRV/RCV system:

- The IRV/RCV structure eliminates the costs to the City election jurisdiction associated with runoff elections, including, but not limited to:
 - Costs of conducting a runoff election
 - City personnel hours required to conduct a second election
 - Matching fund expenses for candidate campaigns.
- To the extent that the City itself would be able to conduct fewer elections, IRV/RCV should help to reduce voter fatigue.
- Because winners are necessarily determined in a single election, IRV/RCV provides representation faster when filling an existing vacancy.
- A single election date provides more flexibility in choosing the date for an election since you do not have to also schedule a runoff election.

The following have also been cited as advantages of IRV/RCV by proponents (but can be viewed as still under review by others):

- The IRV/RCV format leads to increased voter participation since the single election will produce a winner and voters and mobilizing organizations can concentrate on that single election.
- So called strategic voting (not voting for your true choice because you do not think the candidate has a chance of winning), vote splitting among similar candidates, and so called "spoiler" candidate impacts would be reduced since voters have the freedom

to rank candidates in order of preference and those subsequent rankings will ultimately be counted if their first preference is eliminated.

- The IRV/RCV format leads to less negative campaigning since candidates must also seek for secondary support from voters supporting their rivals.
- Proponents argue that IRV/RCV produces winners who more accurately reflect the will of the majority of the voters since they require sufficient core support to avoid early elimination and enough broad support to win a majority of the votes through the instant runoff rounds.

Implementation Challenges:

- IRV/RCV is practically and logistically incompatible with the City's current InkaVote Plus voting system. Accordingly, to implement IRV/RCV, the City would need to acquire new voting and tally systems. This would affect and require changes to:
 - All voting equipment, including: at-precinct ballot readers for HAVA requirement for second-chance voting compliance, ballots, tally system, etc.
 - Existing touch screen or audio ballot booth units required for HAVA compliance to accommodate visually impaired voters.
- Assuming (should the City attempt to implement IRV/RCV) the County will not implement IRV/RCV before the City, the City would have a significantly different system than County of Los Angeles. This would mean that unlike the current process of mimicking County procedures for voter and poll worker convenience, there would no longer be reciprocity between the two agencies. This could lead to both voter and poll worker confusion. Additionally, the County could no longer serve as the City's backup support system.
- There is currently no (unconditionally) certified IRV/RCV system in California although there are IRV/RCV capable systems under some stage of certification that could be available as early as mid-2008.
- IRV/RCV implementation will require comprehensive voter outreach. San Francisco spent approximately \$1.70 per voter, which for the City's jurisdiction would be approximately \$3.4 million.
- Introducing IRV/RCV as the voting system for the City of Los Angeles would require a Charter amendment authorizing the City and LAUSD to use IRV.
- The City would be required to renegotiate with LAUSD and LACCD regarding its administration of their elections. LACCD has expressed interest in using IRV/RCV as a cost-saving method, but has not yet definitively agreed to conduct its elections using IRV/RCV.
- Currently the City consolidates portions of its elections with other cities in its election jurisdiction as a means to decrease cost and decrease voter confusion (that is these cities actually run the election and provide results to the City). If IRV/RCV were implemented for City elections, these outside cities would no longer be able to perform this function, as the City's voting methodology would be different.

Mitigation of Implementation Challenges:

- Due to current difficulties with certification of the City’s vote tally system, the process for acquiring a new voting system is scheduled to occur in the near future. Accordingly, this provides the City Clerk’s Election Division with an opportunity to negotiate a contract that requires the winning vendor to provide for the option of conducting IRV/RCV within its proposed voting system.
- As with the implementation of any new voting system, introducing IRV/RCV to the City’s voters would require an extensive voter outreach campaign. This cost is inevitable regardless of whether the new voting system contains an IRV/RCV component or not. Furthermore, the City could work closely with jurisdictions that have implemented IRV/RCV (e.g. San Francisco) and voter advocacy groups to determine what the most effective means of communication were through the IRV/RCV implementation process.
- Both LAUSD and LACCD have expressed interest in exploring cost-reducing measures for the conduct of elections. IRV/RCV is a proposal on the table currently being examined by both entities.
- A possible mitigation measure would be to use the IRV/RCV method elections to fill vacancies since this would allow for a manageable size election and gain the benefit of faster representation.

Fiscal Implications:

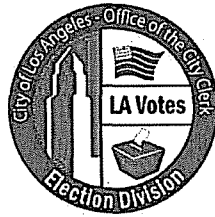
The following is an approximation of the major costs directly stemming from potential **full** IRV/RCV implementation. The items listed are one-time costs for setting up and introducing IRV/RCV in the City of Los Angeles. These figures are approximations only and not inclusive of all elements of the City’s elections that would be impacted.

| POTENTIAL COST OF FULL IRV IMPLEMENTATION | |
|--|-----------------------|
| Voting System Component | Potential Cost |
| IRV Compatible Voting System | \$25,990,000 |
| IRV Compatible Tally System (Purchase) | \$1,120,000 |
| IRV Compatible Central Count Machines | \$480,000 |
| Voter Outreach (@ \$1.70/voter) | \$3,400,000 |
| TOTAL | \$30,990,000 |

As there are many variations across voting system vendors regarding IRV/RCV systems, these figures are approximations obtained and extrapolated from meetings with voting system vendors. These figures do not represent the estimates of actual Requests for Proposals (RFPs) and should only be used as a guide.

Based on this approximation, the City would recoup its one time investment in approximately 4 election cycles after which the City would begin realizing savings in the neighborhood of \$8 million per regular election cycle. In addition, the City would save on the cost of conducting runoff elections for any Special Elections called to fill vacancies.

In addition, if the City can partner with the County of Los Angeles in the purchase of a new voting system then HAVA and State voting system replacement funds could be available to offset the costs. If this were the case, then the City would begin realizing a net savings immediately upon implementation.



LOS ANGELES VOTES COMMITTEE
"Election Options" Survey Results Report

Executive Summary

Background

The Office of the City Clerk – Election Division conducted an *Election Options Survey* to obtain community members' feedback on six different election models for the City: Vote-By-Mail/Early Voting (VBM/EV), Instant Run-Off Voting (IRV), Enhancements to the Current Election Model, Alternative Voting Days, Same Day Registration, and Consolidation with the County.

Approximately 120 community members were invited to a presentation of election options reports at the Los Angeles Votes Committee (LAVC) meeting. LAVC is a voter outreach advocacy group that meets quarterly. It convenes community organizations and other voter engagement advocates to discuss the election process, pollworker and polling places needs, review translations, exchange election information for the public, and provide feedback on outreach efforts. Of those invited, a total of 12 organizations participated in the survey. These organizations include community-based organizations (CBOs), voter advocacy organizations and government organizations.

Level of Support for Election Options

There is no one election option that is strongly supported or preferred to another option by the organizations. Overall, the organizations mildly to strongly support three options: Vote-By-Mail/Early Voting (VBM/EV), Enhancement to the Current Model, and Instant Run-Off Voting (IRV). Both the VBM/EV and Enhancements to the Current Election Model options have the highest percentage of mildly to strongly support with 50% each. While the VBM/EV and Consolidation with the County options have the highest percentage of mildly to strongly oppose with 17% each. Consequently, the VBM/EV option has the highest percentage of strongly support at 33% yet it is also the only option that is strongly opposed at 17%.

Shared Comments

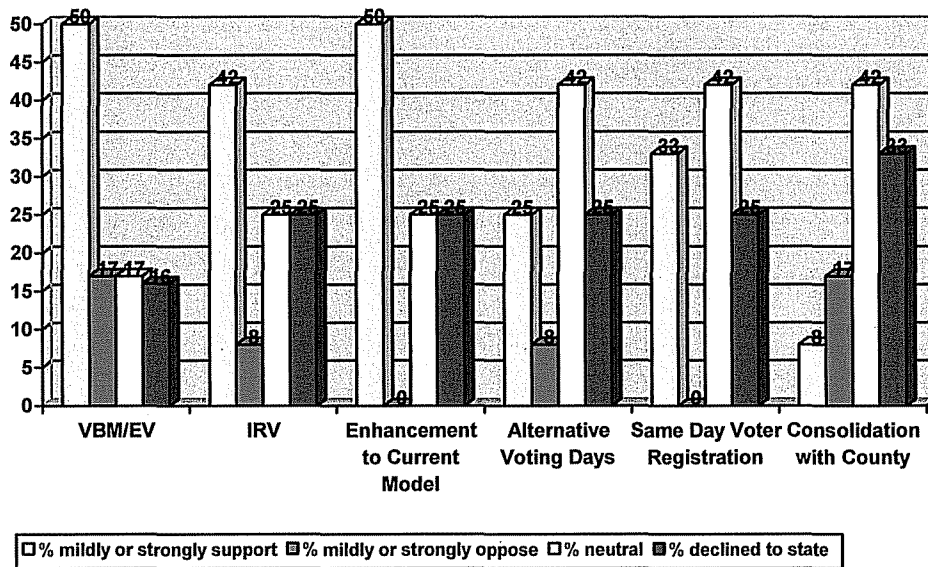
In general, organizations suggested both pros and cons for City Clerk's implementation for each option. The majority of the organizations feel that regardless of which election model the City chooses, an extensive voter outreach and education campaign is necessary to launch the new model successfully. Organizations also expressed that the limited English proficient (LEP) voters are most likely to be negatively affected by any

election model changes without proper voter education and outreach campaign. Lastly, several organization expressed they had difficulty providing focused comments due to lack of specifics on procedures and implementation each of the election options.

Conclusion

The Office of the City Clerk – Election Division will continue to collaborate with LAVC members and the community at large to incorporate community feedback on various election options. Special attention would be given to the positive and negative impacts on different communities, necessary programmatic components and principles for successful implementation of each election option, and development of voter outreach programs.

| Level of Support ¹ | Strongly Oppose | Mildly Oppose | Neutral | Mildly Support | Strongly Support | Declined to State |
|-------------------------------|-----------------|---------------|---------|----------------|------------------|-------------------|
| VBM/EV | 17% | 0% | 17% | 17% | 33% | 16% |
| IRV | 0% | 8% | 25% | 17% | 25% | 25% |
| Enhance. to Current Model | 0% | 0% | 25% | 33% | 17% | 25% |
| Alternative Voting Days | 0% | 8% | 42% | 8% | 17% | 25% |
| Same Day Registration | 0% | 0% | 42% | 8% | 25% | 25% |
| Consolidation with County | 0% | 17% | 42% | 8% | 0% | 33% |



¹ Percentages have been rounded off to the nearest whole number.

I. Background

- A. The Office of the City Clerk – Election Division conducted an *Election Options Survey*² to obtain community members' feedback on six different election models for the City. These options include: Vote-By-Mail/Early Voting (VBM/EV), Instant Run-Off Voting (IRV), Enhancements to the Current Election Model, Alternative Voting Days, Same Day Registration, and Consolidations with the County.

The purpose of the survey and research of these election options is to:

- i. Assess impact on different communities.
- ii. Obtain guidelines and principles that may be necessary to implement such options, and to obtain community feedback.

This report will summarize the survey results and discuss participating organizations' comments.

B. Los Angeles Votes Committee (LAVC)

LAVC seeks to provide a space to convene, facilitate transparent elections and incorporate community voices in all aspects of City administered elections.

LAVC is a voter outreach advocacy group that meets quarterly. It convenes community organizations and other voter engagement advocates to discuss the election process, pollworker and polling places needs, review translations, exchange election information for the public, and provide feedback on outreach efforts. Currently, over 100 community members are on the mailing list and receive notices of upcoming meetings. Approximately 20 representatives of these community-based organizations (CBOs) regularly attend meetings.

C. Survey Collection

At the October 25, 2007 LAVC meeting, the Election Division presented three draft reports on VBM/EV, IRV, and Enhancements to the Current Election Model and explained the purpose of the survey. In addition, Alternative Voting Days, Same Day Voter Registration, and Consolidations with the County were other options included in the survey. Committee members who RSVPed were emailed the survey prior to and after the meeting. They were given a total of 4 weeks to complete the survey and return it via email or fax; a 2-week initial deadline combined with an additional 2-week extension.

In an attempt to obtain as many surveys as possible from various community organizations and voter advocacy groups, the Election Division sent the survey with copies of the draft reports via email and followed up with reminder emails and phone calls.

² Exhibit 1: Election Options Survey

D. Participating Organizations

Approximately 120 community members³ were invited to a presentation of election options reports at the LAVC meeting. Of those invited, 12 organizations⁴ responded to the *Election Options Survey*. These organizations include community-based organizations (CBOs), voter advocacy organizations and government organizations.

- i. Asian Pacific American Legal Center (APALC)
- ii. Central American Resource Center (CARECEN)
- iii. Center for Asian Americans United for Self Empowerment (CAUSE)
- iv. California Common Cause
- v. Californians for Electoral Reform (CfER)
- vi. City of Claremont
- vii. League of Women Voters Los Angeles (LWV)
- viii. Little Tokyo Service Center (LTSC)
- ix. Los Angeles Voters for Instant Runoff Elections (LAVoteFIRE)
- x. National Association of Latino Elected and Appointed Officials Educational Fund (NALEO)
- xi. New America Foundation
- xii. Santa Clara County Asian Law Alliance (ALA)

E. Presentation of Survey Results

Results for six different election options were analyzed, organized and presented in the following steps. First, the results are grouped by each election option. Second, for each election option there were three components: level of support, shared comments and selected feedback. Shared comments include comments that were *repeated at least once* by another organization but not necessarily by all organizations. Selected feedback includes comments, suggestions and different views provided by organizations that were *not necessarily shared* by another or all organization.

II. Election Options Ranking

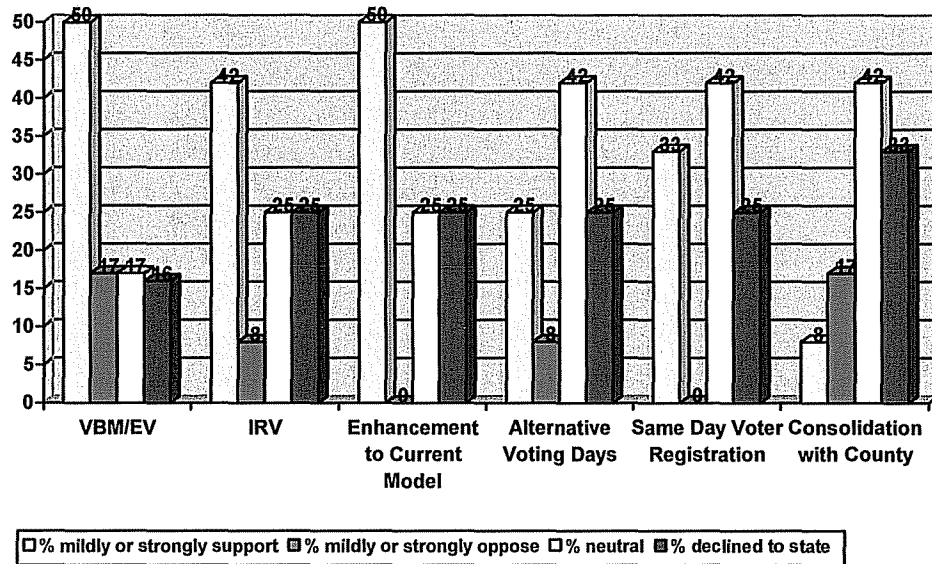
Level of Support for Each Option

| Level of Support ¹ | Strongly Oppose | Mildly Oppose | Neutral | Mildly Support | Strongly Support | Declined to State |
|-------------------------------|-----------------|---------------|---------|----------------|------------------|-------------------|
| VBM/EV | 17% | 0% | 17% | 17% | 33% | 16% |
| IRV | 0% | 8% | 25% | 17% | 25% | 25% |
| Enhance. to Current Model | 0% | 0% | 25% | 33% | 17% | 25% |
| Alternative Voting Days | 0% | 8% | 42% | 8% | 17% | 25% |

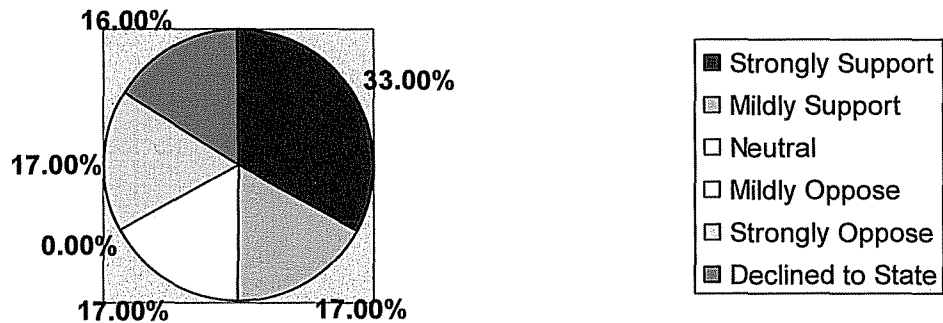
³ Exhibit 2: Presentation Invitation List

⁴ Exhibit 3: Participating Organizations List

| | | | | | | |
|---------------------------|----|-----|-----|----|-----|-----|
| Same Day Registration | 0% | 0% | 42% | 8% | 25% | 25% |
| Consolidation with County | 0% | 17% | 42% | 8% | 0% | 33% |



III. Vote-By-Mail/Early Voting Option



Level of Support

VBM/EV Question #1: Is the organization in favor, neutral or opposed to the VBM/EV option? Please explain.

A. Shared Comments

LAVC members generally support the VMB/EV option. It has one of the highest percentages of support at 50%. This percentage is the sum of organizations that mildly support and strongly support at 17% and 33%, respectively. In total, 33% of the organizations are neutral or declined to state.

It is important to note that it is also the only option that is strongly opposed (17%) by organizations.

Some organizations felt that there is no conclusive evidence that VBM/EV affects turnout. However, organizations in support of VBM/EV option are in support because they believe: 1) it may increase voter turnout; 2) it may lower election cost; and 3) it may make elections more convenient and easier for voters.

Some of the organizations recommended the City to conduct VBM/EV as a pilot program prior to launching it citywide. This pilot program may be applied to special elections, limited precincts or alternate between all VBM in one election and poll-site based voting in another election to compare intra-precinct turnout. Another suggestion is to switch to all VBM/EV once a certain threshold number or percentage of VBM ballot registration is met as in the case of Denver.

Several organizations suggested the City to conduct further research and observe other jurisdictions that conducts all VBM elections such as Seattle, Washington, Oregon, Burbank and Denver. Moreover, it was suggested that the City review how these jurisdictions conduct outreach. This review should include what and how they spend their outreach budget, methods used to reach voters, and how to target communities (e.g. U.S. Census data).

Additionally, organizations highly recommended the City launch an extensive voter outreach and education campaign to inform and familiarize voters with new election procedures if the VBM/EV option were to be implemented.

B. Selected Feedback

Other concerns include:

- i. Certain Latino communities live in areas where there are problems with postal service. They often fail to receive in a timely or consistent manner, especially if they live in gated communities. Therefore, they mistrust the US Postal Service and may be reluctant to support the VBM option. Furthermore, these communities may not be technically savvy. Hence, the City needs to provide technical assistance and education for the voters to feel comfortable.
- ii. VBM reduces opportunities for voters to vote on-site and also reduces opportunity for voters to have frontline interaction with bilingual pollworkers or people that can answer basic questions about election procedures.
- iii. Unlike VBM, voting at a polling location allows voters to check if they over-voted by the use of Precinct Ballot Reader (PBR), a component of the InkaVote Plus utilized by the City.

VBM/EV Q#2: If adopted, would the VBM/EV option affect either positively or negatively

the community(ies) you serve? (i.e. ballot access, fair representation, turnout rates for LEP voters, new voters, voters with disabilities, etc.)

A. Shared Comments

Overall, organizations reported both potentially positive and negative impact on the communities. This impact varied greatly based on the specific communities served.

Organizations in support stated, VBM/EV option may make it easier and more convenient for voters because they do not have to go vote at a polling place. Some Asian and Pacific Islander (API) organizations argue VBM increases voter turnout among certain API communities. This may be due to language support, ability to vote at their own pace with out pressure, and family assistance.

Opposing organizations stated that there is a potential for the VBM/EV option to negatively impact new voters, voters with disabilities and especially LEP voters. These organizations have varying concerns including Voting Rights Act compliance, lower voter turnout, and potential disenfranchisement of voters.

One of the concerns raised by organizations is the City's logistical ability to comply with Section 203⁵ of the Voting Rights Act, as follows:

- i. In an all-mail election, the City would either need to send multilingual materials to every voter in the City in all seven languages, or mail notices to all voters informing them of their right to request translated materials. If the City does the latter, there is a negative impact on LEP voters who fail to request translated materials and have to rely on English language materials to cast their vote. This is in contrast to a polling place system where voters can pick up translated materials on Election Day even if they did not request them in advance. Even if the City does the former, LEP voters are unable to receive in-person assistance from bilingual pollworkers that they could receive in a polling place system.
- ii. Currently there are no jurisdictions that conducts all VBM elections and have §203 requirements.

Other organizations argue that VBM/EV option may decrease voter turnout. They argue that Latino voters tend to participate less in VBM in comparison to

⁵ Section 203 requires all election information that is available in English must also be available in certain minority languages. Language minorities are limited to American Indians, Asian Americans, Alaskan Natives, and Spanish-heritage citizens. A jurisdiction is covered under §203 if the number of U.S. citizens of voting age in a single language group is: more than 10,000 or more than 5% of all voting age citizens, on an Indian reservation and exceeds more than five percent of the voting age population, and the illiteracy rate of the group is higher than the national illiteracy rate.

the general voters. This may be due to unfamiliarity with the VBM voting procedure and extra steps necessary to apply for VBM.

Some organizations argue that switching to all VBM/EV options may disenfranchise voters. Given the City of Los Angeles is not the Registrar of Voters; the City must rely on the Los Angeles Registrar-Recorder/County Clerk (RR/CC) to update the Voter Information Management System (VIMS). It is solely up to RR/CC to process and update VIMS (e.g. new voter registration, re-registration, language requests, etc.) correctly and in timely manner. This is particularly of concern considering some Asian American and Latino ethnic groups have high rates of mobility and therefore they not be able to receive VBM materials in the mail. As one of mitigating tools, the City needs to provide voting centers to accommodate voters who are not able to vote by mail. Currently, these voters may vote provisionally at polling places.

In regards to voters with special needs, VBM may have both positive and negative impact. Although VBM/EV may appear easier for voters with disabilities to vote from home, certain disabilities require technical assistance that VBM does not allow. For example, voters with mobility impairments may find VBM more helpful, however, those who are visually impaired may find VBM a hindrance. This may make it difficult for voters to vote independently and in private. Mobile-Operating Polling Places (MOPP), regular voting centers, and Touch Screen equipment may be used to alleviate such challenges. While wary of VBM, voters with disabilities generally have a positive response to MOPPs and voting centers.

It is recommended that a reasonable system with positive support is necessary to prevent disenfranchisement. In general, early voting and voting centers, especially with bilingual pollworkers are viewed as positive support. However, some organizations feel the change would fundamentally be too much of a risk. These organizations expressed various supports such as bilingual pollworkers, hotlines and voting centers, while helpful, may not be enough to mitigate the potentially high risk transition.

B. Selected Feedback

Some organizations feel that the potential impacts may be both negative and positive.

Positive Impacts:

- i. VBM/EV option may be less costly and therefore shift the funding to other aspects of election operation (e.g. outreach, voter education, MOPP, translations, etc.).
- ii. VBM/EV increases accessibility for LEP voters because voters sign up for VBM and request translated materials all at once when they register to vote.

- iii. Shift to an all VBM option may make registration a one step process as opposed to a multi-step process. Ultimately it may change the way people think about voting.

Negative Impacts:

- i. Conversely VBM may not have cost savings to the City when taken into account the amount of extensive outreach required.
- ii. Switching to all VBM option is limiting. Need to make more options available to voters rather than limiting them.

VBM/EV Q#3: If adopted, are there any programmatic components of the VBM/EV option that you would like to make certain are included?

A. Shared Comments

Generally, organizations expressed that if the VBM/EV option is adopted, the City should launch an extensive voter education and implement a ballot-tracking system that is accessible and free of charge to the voters.

The City should adopt an extensive voter education campaign (including in-language media PSAs, voter pamphlets in seven languages, and grants to community organizations) to educate voters on the new voting system and how it works. The City should increase language operator hotlines to handle voters with questions in regards to the new voting system.

Organizations agreed to conditional support only if the City were to implement a reasonable system that does not disenfranchise voters. They suggested mobile voting centers, voting centers (polling places) and early voting centers. These voting centers should be equipped with Touch Screen equipment, audio booths, knowledgeable pollworkers and, preferably, bilingual pollworkers. MOPPs should be located near voters with disabilities or the senior citizen centers. Furthermore, the City should advertise and inform voters of these voting centers' operating dates and locations.

The City should increase ballot security by implementing a ballot tracking system. This tracking system should track VBM envelope/ballot receipt, replacement ballot receipt, signature verification, and signature rejection. The tracking system should be free to the voters who wish to confirm and track their ballots via Internet and phone.

B. Selected Feedback

Some of the suggestions by the organizations include:

- i. Difficult to provide focused comments. Need more specifics (e.g. procedures, implementation plans, outreach plans, voting systems, etc.) to assess how each election option may affect the communities.
- ii. Move from InkaVote ballot to full-faced ballot. InkaVote ballot poses too many problems. It is difficult for voters to vote from home.

- iii. Early voting centers would allow administrators to utilize public spaces, specialized and knowledgeable pollworkers; improving the quality of voter assistance and ultimately voter experience.
- iv. Voting centers (MOPPs and polling places) can be strategically placed, especially in disenfranchised communities.
- v. Provide secure ballot drop-off locations for those who are concerned with the Postal Service.
- vi. Ballots should be sent and received directly by the Election Division or under a system that allows the Division to track and verify that the ballots are entered into the count.
- vii. Provide return postage for ballot.
- viii. Transition to all VBM/EV option would be an opportune time to move to IRV, especially if changing to a full-faced ballot.

VBM/EV Q#4: If adopted, are there any principles that should guide the development and implementation of the VBM/EV program?

A. Shared Comments

Some of the organizations feel that, if adopted, the main goal of the VBM/EV option should be about increasing voter turnout.

B. Selected Feedback

In addition to aiming for an increase in voter turnout, some organizations suggested:

- i. VBM option should result in cost savings for the City.
- ii. Increase ballot drop-off sites (i.e., early voting sites, specified drop sites, polling places on Election Day, and the Office of the City Clerk). An equal amount of effort should be applied in recruiting these drop-off sites as is done currently (consider traffic, transit times, distance, bicycle friendly, and elevation change) for the selection of polling sites.
- iii. Ensure voter privacy (i.e., outer envelopes to conceal all voter information including signature).
- iv. Foster good working relationship with the US Postal Service or other private postal service to ensure accurate and efficient delivery of election materials.
- v. Develop and implement a plan to prevent fraud, voter coercion, and misappropriation of ballots (e.g. signature verification).
- vi. Apply same election model to the City's entire election jurisdiction including LAUSD and LACCD.

VBM/EV Q#5: What kind of voter education programs will need to be implemented in order to adequately inform the average voter in the community(ies) you serve about the new VBM/EV Option?

A. Shared Comments

In general, organizations suggest that the City launch an extensive voter

education campaign to inform voters and encourage voter participation. Such campaign should include in-language media PSAs, voter pamphlets in federally-mandated languages, materials in easy-to-understand terms, and grants to community organizations for collaboration efforts.

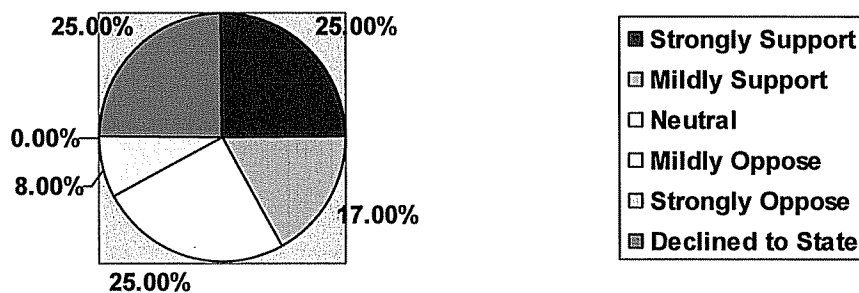
Organizations explained that different strategies used in different ethnic communities may dictate who is more likely to vote VBM. According to some API organizations, unlike other LEP communities, outreach efforts to API voters are typically targeted to geographic concentration of population. Often, outreach by CBOs to API voters includes a *combination* of the following for each voter as opposed to registration alone: voter registration, VBM request, and translated materials. Some argue that API voters prefer to vote at home because they are not sure that materials in their specific language are available at their polling places.

B. Selected Feedback

Some of the suggestions by organizations include:

- i. Assess the best means of disseminating information and conducting voter education (and how people gather information) to the voters (e.g. City-provided free Wi-Fi, advertising on buses, orchestrated word-of-mouth, public libraries, community centers, “reminders” on candidate campaign materials, etc.).
- ii. Send customized maps and directions (with transit suggestions) to help voters get to drop-off sites.
- iii. Conduct bike tours of various drop-off sites.
- iv. Provide voter education to newly naturalized voters who are not familiar with voting process.

IV. Instant Run-Off Voting (IRV)



IRV Q#6: Is the organization in favor, neutral, or opposed to IRV? Please explain.

A. Shared Comments

The organizations generally support the IRV option. In total, 42% of

organizations either mildly or strongly support IRV. This percentage is the sum of organizations that mildly support and strongly support at 17% and 25%, respectively. However, 50% of organizations are either neutral or declined to state. The majority of organizations are supportive of IRV only if this option increases voter turnout and lowers election administration costs. Additionally, some CBOs stated they would support IRV only with an extensive voter education and outreach campaign.

The majority of the organizations stated that it was difficult to provide comments. They stated more research data and specifics on IRV election (e.g. procedures, implementation plans, outreach plans, voting technology, etc.) are needed to assess how IRV may affect their communities, ultimately their level of support on this election option.

Organizations mostly agreed that an extensive voter outreach campaign would be necessary to launch the new voting system effectively. Some of the suggestions included:

- i. Conduct face-to-face meetings with CBOs and voters.
- ii. Conduct voter education and outreach in all languages. LEP voters would have the most difficulty transitioning to a new voting system.
- iii. Voters may be confused about rank-choice voting for candidates or issues.
- iv. Voters may be concerned that their vote will not be counted.
- v. Focus voter education on how to vote by rank choice.
- vi. Develop an in-language technical support – use simple non-technical language.
- vii. Set aside a budget solely dedicated to voter outreach for an effective campaign.
- viii. Initial voter education campaign may be costly but it is an one-time outlay for voter education.

Organizations strongly recommended the City study and observe San Francisco's outreach efforts used to launch IRV.

- i. Conduct face-to-face meetings with San Francisco election administrators and outreach staff.
- ii. Assess how their model would translate into an area as large as Los Angeles.
- iii. Review outreach budget and assess how it was utilized (e.g. advertisements, media, etc.).

Supporting organizations argue IRV:

- i. May increase voter turnout.
- ii. Has cost-saving benefits due to the elimination of run-off elections.
- iii. Enables formation of block votes.
- iv. Prevents vote splitting among minority candidates.

Organizations expressed concerns regarding:

- i. Voter turnout is unclear.
- ii. Not feasible to transition to IRV without purchasing an entirely new voting technology.
- iii. Unclear how and what kind of voting system (i.e. voting technology) would be used and therefore, unclear how it would impact the communities.
- iv. Research is based on jurisdictions that differ from the City of Los Angeles which is non-partisan municipality. Unclear if and how a different system may be required for the City (i.e., San Francisco is a combined county/city, Australia votes on a party platform).
- v. Research and data on IRV is limited which makes it difficult to assess the potential impact.
- vi. Need more data on mixed elections and mixed jurisdictions.
- vii. May be no cost-savings due to extensive outreach needed to launch a new voting system and technology, especially in all languages.

B. Selected Feedback

The organizations in support of IRV option state that IRV is ideal because it:

- i. Decreases voter fatigue.
- ii. Decreases negative campaigning.
- iii. Ensures voters “top choice” and fairness.
- iv. Addresses voter confusion and voter drop-off that often occurs with the runoff elections, particularly in minority and low-propensity voters.
- v. Focuses attention of voters and campaigns on a single election.
- vi. Had positive reception (in San Francisco) by LEP voters.
- vii. Is not difficult to grasp the concept – marking the ballot.
- viii. May not skyrocket voter turnout but will enhance.

Some of the concerns raised by organizations include:

- i. Extensive voter education campaign.
- ii. Ballot style that would accommodate multi-languages.
- iii. Ballot style that is clear and easy to understand.
- iv. Impact on VBM voters unclear.

Some concerns organizations raised about the draft report on IRV:

- i. Tally algorithm is simpler than reported.
- ii. Vote tabulation information is misleading.
- iii. Unfairly propagates some anti-IRV misinformation.
- iv. Report is confusing and unclear.

| |
|---|
| IRV Q#7: If adopted, would IRV affect either positively or negatively the community(ies) you serve? (i.e. ballot access, fair representation, turnout rates for LEP voters, new voters, voters with disabilities, etc.) |
|---|

A. Shared Comments

The majority of the organizations expressed mild to strong support of IRV with an extensive voter education and outreach campaign.

Given the potential impact on LEP voters, an extensive voter education and outreach campaign is necessary to implement IRV. Additionally, IRV may ultimately empower voters if voter turnout increases.

B. Selected Feedback

Many organizations feel that the potential impacts may be both negative and positive:

Positive impacts:

- i. Decrease voter fatigue by the elimination of runoff election.
- ii. Decrease voter confusion by elimination of runoff election.
- iii. Increase voter participation by concentration of voter education and campaigning to a single election.
- iv. Improve representation due to candidates elected by a greater percentage of voting population.
- v. Increase minority and LEP voter turnout.
- vi. Cost savings for the City and candidates.
- vii. Reduces negative campaigning and encourages candidates to focus more on issues.

Negative impacts:

- i. New voters may be intimidated and confused by the larger ballot that is more comprehensive and complicated.
- ii. LEP voters' ability to understand ranked voting depends on voter education campaign and may need substantial voter information.
- iii. Increased voter confusion, especially with seniors who are not good with changes.
- iv. Impact on voters with special needs unclear.

IRV Q#8: If adopted, are there any programmatic components of IRV that you would like to make certain are included?

A. Shared Comments

The majority of the organizations suggested that the City must implement an extensive voter outreach and education campaign. This should include hotlines (seven languages), in-language media, PSAs, voter pamphlets, and grants to community organizations. The voter education campaign must include clear, concise description and instructions on IRV procedures. The education and outreach campaign should aim for all communities, including communities of color, LEP communities, youth, low-income communities, and voters with special needs.

B. Selected Feedback

Some of the suggestions include:

- i. Change from the current InkaVote ballot.
- ii. Convert to "full-faced ballot" which all candidates and measures are printed onto the ballot.
- iii. Consider larger ballot to accommodate multiple languages.
- iv. Consider purchasing new scanning equipment as jurisdictions that have successfully implemented IRV use a full-faced ballot.
- v. Conduct additional pollworker training.

There are conflicting suggestions on setting limits on the number of ranked choices:

- i. Allow voters to rank all candidates – preferred over to a limitation on number of rankings.
- ii. Limit ranking to be no more than 3 candidates.
- iii. Allow voters to rank at least 3 candidates.

IRV Q#9: If adopted, are there any principles that should guide the development and implementation of the IRV program?

A. Shared Comments

The majority of the organizations did not provide comments nor are there any shared comments.

B. Selected Feedback

Some of the suggestions by the organizations are as follows:

- i. Implement the current election administration principles and guidelines to IRV.
- ii. Launch a pilot project to test its feasibility.
- iii. Implement IRV in all elections administered by the City Clerk – municipal, LACCD, and LAUSD.
- iv. Allow as many candidate rankings as possible, if not all candidates.
- v. Allow write-ins at any ranking.
- vi. Post ballot samples on the web.
- vii. Show round-by-round elimination of candidates both jurisdiction-wide and by precinct.
- viii. Implement voter education that includes, but is not limited to: detailed instructions, description of IRV voting procedures, how to rank candidates, ballot description, and candidate elimination process.

IRV Q#10: What kinds of voter education programs will need to be implemented in order to adequately inform the average voter in the community(ies) you serve about IRV?

A. Shared Comments

The majority of the organizations suggest that the City should develop and implement an extensive voter education and outreach campaign. Such

campaign should inform and explain to voters how to use IRV and what the ballot looks like.

The campaign should include in-language media PSAs, voter pamphlets, in-language workshops/community forums, collaboration with CBOs, educational mailers, City Clerk's website, and print media.

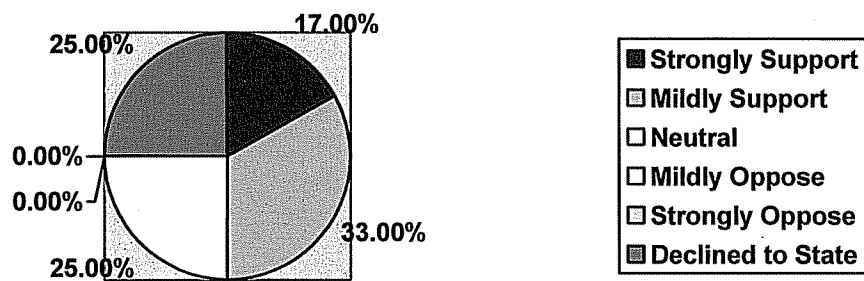
Additionally, the City should review San Francisco's IRV outreach program. In particular, the City should examine how much of San Francisco's budget was spent on outreach and how it was spent.

B. Selected Feedback

Some of the suggestions by organizations are as follows:

- i. Use simple analogies like choosing a favorite ice cream flavor or songs when creating voter informational materials.
- ii. Develop outreach materials with colorful and eye-catching graphics.
- iii. Targeting specific ethnic or language minorities for official additional instructions may raise suspicions or be seen as patronizing.
- iv. Conduct exit-poll surveys in nonpartisan primaries to assess how many voters know about IRV rules.
- v. Assess most effective method of disseminating election information and how voters collect information such as City's free Wi-Fi, bus advertisements, orchestrated word of mouth, or "reminders" from candidates.

V. Enhancements to the Current Election Model



Level of Support

Current Model Q#11: Is the organization in favor, neutral, or opposed to the Enhancements to the Current Election Model option? Please explain.

A. Shared Comments

The organizations generally support Enhancements to the Current Election Model option. In total, 50% of the respondents support the option mildly (33%) or strongly (17%). However, 50% of the organizations are either

neutral or declined to state. Overall, any enhancements to the current model are viewed as positive.

The organizations supportive of this option are in favor because it: 1) has the potential to improve the current election administration; 2) is important to increase well trained pollworkers (especially bilingual pollworkers); 3) increases voter outreach; and 4) may increase transparency and accessibility for voters.

B. Selected Feedback

Comments from organizations varied as follows:

- i. Any enhancement to InkaVote system must be treated as a transitional system only, not as a permanent solution.
- ii. The City must have the resources to run secure, accurate, transparent and accessible elections for all.
- iii. Unable to evaluate the specifics but appreciate the concerns for need of permanent staff to provide knowledge and consistency.

Current Model Q#12: Does the Current Election Model affect either positively or negatively the community(ies) you serve? (i.e. ballot access, fair representation, turnout rates for LEP voters, voters with disabilities, etc.)

A. Shared Comments

The organizations expressed both the positive and negative impacts in the communities they serve. However, there are no general consensuses or commonly shared comments.

B. Selected Feedback

The organizations feel that the enhancements may or may not positively affect the communities.

Positive impacts include:

- i. Increase in voter outreach, education, voter mobilization, language support may motivate and increase voter participation.
- ii. Improvements to voter outreach, voter mobilization, and language support may increase voter participation and motivate voters.
- iii. More resources in regards to money, staff and bilingual pollworkers may increase voter turnout.

Negative impacts include:

- i. InkaVote ballot is difficult for voters to use and prone to voter errors.
- ii. Voters do not understand what they are voting on.
- iii. Lack of IRV makes it wasteful to vote and dissuades potential candidates from running for office.
- iv. Confusing to hold elections on non-marked "Election Day" on ordinary calendars.

- v. Current election model is too expensive and has extremely low voter turnout.

Current Model Q#13: If adopted, are there programmatic components of the Enhancements to the Current Election Model that you would like to make certain are included?

A. Shared Comments

The majority of the organizations did not provide comments nor are there any commonly shared comments.

B. Selected Feedback

Organizations stated the following in regards to pollworkers:

- i. Increase the number of, and improve means of recruiting bilingual pollworkers.
- ii. The City may be competing with CBOs for the same pool of volunteers (e.g. canvassing, exit polls, poll monitoring, etc.).
- iii. CBOs may not be able to recruit pollworkers for the City due to their own limited resources.
- iv. Recruit senior citizens, emancipated youth, or probation camps as pollworkers and to work in elections.
- v. Recruit City employees⁶ as pollworkers.
- vi. Outreach to organizations such as AARP, AFL-CIO, SEIU, Boys & Girls Club, etc.
- vii. Improve pollworker recruitment and training in addition to providing cell phones for the pollworkers to communicate with the Election Division on Election Day.
- viii. Bilingual pollworkers must be trained to be able to explain complicated processes in a simplistic way.

Organizations expressed the following in regards to the Enhancements to the Current Election Options Report:

- i. Reword or clarify some of the language in the report. The current language contains City jargon and therefore difficult for lay people to understand.
- ii. Language used to describe reclassification (*Senior Election Clerk* to *Clerk Typist* or *Program Aid*) is confusing and misleading for those who are not familiar with "City-speak."
- iii. Clarify terms – non-City person may not understand the difference between the classification terms such as *Election Clerk* (as-needed seasonal position) versus *Clerk Typist* (permanent position).

⁶ The City currently has the City Employee Pollworker Program (CEP) which recruits and trains city employees to work as pollworkers. However, there is limited number of CEP participants due to restrictions (e.g. department workload, funding source requirements, etc.).

The suggestions by the organizations varied and are as follows:

- i. Increase resources to assist LEP voters in all languages.
- ii. Include voter outreach – language assistance, comprehensive booklets, polling places, voting options, collaboration with non-partisan CBOs to increase voter turnout.
- ix. Improve precincting – ensure proper distribution of voters by precinct and advertisement of polling places.
- x. Secure more permanent staff to help provide continuity with staffing and procedures.
- xi. Implement flexible employment with other City Departments.
- xii. Refrain from any decision making until the completion of the Secretary of State's Top-to-Bottom Review.
- xiii. Do not include new construction to fence off or block off canvass observers in any way.
- xiv. Changes in election procedures to allow observers to get closer to the ballots to increase trust.
- xv. Allow observers to walk among all tables or install TV camera and microphones at each table, connected to a wall monitor for observers.

Current Model Q#14: If adopted, are there any principles that should guide the development and implementation of the Enhancements to the Current Election Model?

A. Shared Comments

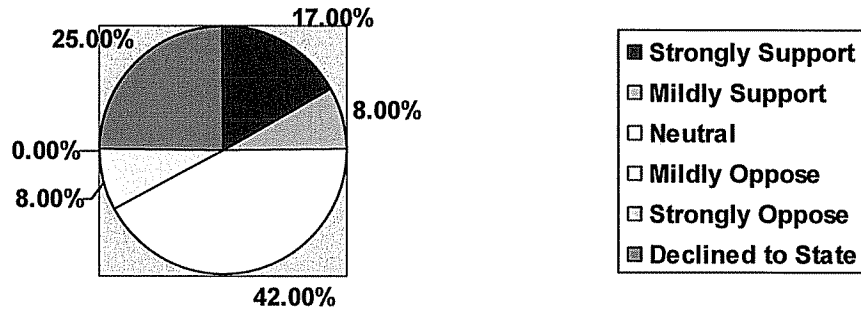
Although there is no general consensus, some organizations feel that the goal in enhancements to the current election model should focus on an increase in voter turnout.

B. Selected Feedback

The organizations provided a wide range of suggestions:

- i. Include voter education program that begins with developing extensive pollworker training.
- ii. Better trained pollworkers would be better equipped to assist the average voter understand the voting process and be an available resource to voters.
- iii. Create a pollworker training steering committee with CBOs to further develop the pollworker training program.
- iv. Evaluate whether election processes, equipment and facilities effect voter turnout.
- v. Assess if these enhancements would increase election awareness and make it more accessible for voters.
- vi. The City should raise the budget and spend the resources needed to administer proper elections.
- vii. Increase efficiency, quality of service at polling places and effective troubleshooting.
- viii. Develop a plan to transition from the InkaVote Plus system to a better accessible, user-friendly accurate voting system.

VI. Alternative Voting Days



Level of Support

Q#15: Do you have any concerns with holding municipal elections on days other than Tuesdays, i.e., Alternative Voting Days?

A. Shared Comments

67% of the respondents are neutral or declined to state regarding the Alternative Voting Days option. A total of 25% of the respondents either mildly or strongly support this option, while only 8% of the organizations mildly oppose.

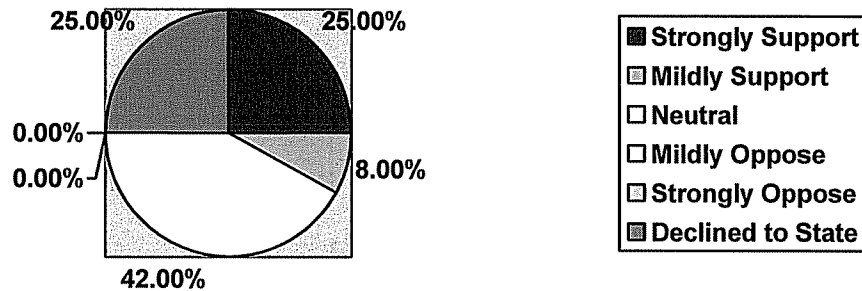
Organizations stated alternative voting day may not increase voter turnout. Currently the City provides early voting option that allows alternative voting days. However, it is not used by a significant number of voters.

B. Selected Feedback

The comments by organizations are varied, as follows:

- i. Change to another day would continue to remain unmarked on ordinary calendars.
- ii. Weekend may be practical for voters because they have more free time during the weekend.
- iii. Weekend voting may seem easier for voters, however, may be more difficult for both voters and pollworkers due to childcare issues, religious obligations, weekend obligations, etc.
- iv. Any change in voting days would require massive advertising.
- v. Provide early voting option for voters.
- vi. Established voting day (Tuesday) is part of civic culture and change in date may reduce voter turnout.

VII. Same Day Voter Registration



Level of Support

Q#16: Do you have any concerns with the same day voter registration?

A. Shared Comments

While some of the organizations are in support of Same Day Voter Registration (33%), the majority (67%) of the organizations is neutral or declined to state a position. However, the organizations suggest that the City develop procedures and guidelines to process same day registered voters.

The organizations in support of Same Day Voter Registration believe it would increase voter turnout. They stated that this option provides an opportunity for eligible citizens who are not registered to vote, as follows:

- i. Allows voters whose interest peaked recently due to campaign advertisements and media.
- ii. Motivates new voters to become active voters.
- iii. Prevents voters from being turned away at polling places who are otherwise eligible to vote.

B. Selected Feedback

In regards to concerns of increased pollworker responsibilities, which may result in decreased number of pollworker sign-ups, organizations made the following suggestions:

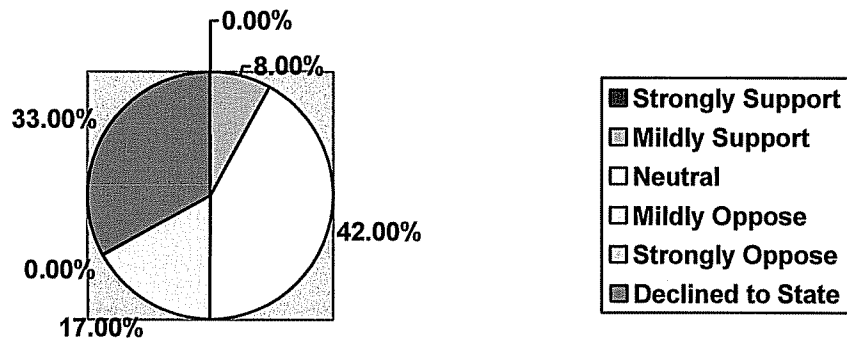
- i. Provide incentives such as a credit in electricity, water and gas, or being excused from jury duty (Pollworker service in lieu of jury duty⁷ requires amendments to the California legislation and Court Rules.).
- ii. Increase stipend, which may be especially appealing to senior citizen pollworkers.
- iii. Utilize more City employees as pollworkers.

⁷ Per Council's request, the Election Division submitted a separate report on feasibility of creating a pollworker service in lieu of jury duty program.

Concerning Same Day Voter Registration, the organizations stated the following:

- i. May promote fraud, hence, there has to be security measures (e.g. take pictures of registrants and have them vote provisionally).
- ii. A significant increase in the number of same day registered voters may increase the canvass period and voter verification period.
- iii. Same Day Voter Registration must be conducted in a non-discriminatory basis.
- iv. Increase outreach and pollworker training to accommodate a potential increase in voters at polls or newly registered voters.

VIII. Consolidation with LA County



Level of Support

Q#17: Do you have any concerns with consolidating Municipal Elections with the County of Los Angeles?

A. Shared Comments

75% of the respondents are either neutral or declined to state a position on consolidating Municipal Elections with the County of Los Angeles. This option also has one of the highest percentages of organizations in opposition at 17% - the other option being the VBM/EV option.

Concerns shared by the organizations are as follows:

- i. Ballots may be extremely long and overwhelming for the voters.
- ii. City's contests would be at the end of the ballot and voters may be discouraged to vote up to the end of the ballot.
- iii. Local issues and candidates may be "lost" or ignored compared to more highly publicized state-wide contests.

B. Selected Feedback

The organizations feel that consolidating Municipal Elections with County of Los Angeles conducted elections may both positively and negatively impact the City's voter turnout.

Positive impact:

- i. May increase voter participation given that there is higher voter turnout for the County Elections.
- ii. Move to November may encourage voters, as voters already associate November as an election month.
- iii. Consolidation on the odd-numbered years, which the County runs UDEL and other local elections, may demand less resources on the County and therefore more feasible.
- iv. Increase in cost savings for the City and use of the County's voting machines and pollworkers.

Negative impact:

- i. Local issues may get limited attention compared to state and federal issues.
- ii. Voters discouraged from long ballots may not necessarily increase voter turnout for Municipal Elections or its contests.

Table of Exhibits

Exhibit 1: Election Options Survey

Exhibit 2: LAVC Contact List

Exhibit 3: List of Participating Organizations

Exhibit 4: NALEO Educational Fund Letter



EXHIBIT III (a)

"Election Options" Survey

Thank you for taking the "Election Options" Survey. Please complete the survey to the fullest extent possible. All completed surveys must be submitted by **Thursday, November 8, 2007**. Please submit the survey electronically via e-mail to Sunny Cho, Project Coordinator, at sunny.cho@lacity.org.

Background

Organization Name: _____

Tax Status: 501(c)3 501(c)4 Other: _____

Type: Local National

Geographic Communities Served in the Los Angeles Area: _____

Ethnic Communities Represented (if any): _____

Special Needs Voters Served (if any): _____

Organizational Programs Voter Registration Get Out The Vote (GOTV) Voter Advocacy Voter Education
Select all that apply

Election Options

Please indicate your level of support for each of the following election options.

- 1 = Strongly Oppose
- 2 = Mildly Oppose
- 3 = Neutral
- 4 = Mildly Support
- 5 = Strongly Support

| | 1 | 2 | 3 | 4 | 5 |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Vote-By-Mail/Early Voting Option | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Instant Run-Off Voting Option | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Enhancements to the Current Election Model Option | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Alternative Voting Days Option | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Same Day Voter Registration Option | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Consolidation with LA County Option | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Vote-By-Mail/Early Voting Option

1. Is the organization in favor, neutral or opposed to the Vote-By-Mail/Early Voting option? Please explain.

2. If adopted, would the Vote-By-Mail/Early Voting option affect either positively or negatively the community(ies) you serve? (i.e. ballot access, fair representation, turnout rates for LEP voters, new voters, voters with disabilities, etc.)

3. If adopted, are there any programmatic components of the Vote-By-Mail/Early Voting option that you would like to make certain are included?

4. If adopted, are there any principles that should guide the development and implementation of the Vote-By-Mail/Early Voting program?

17. Do you have any concerns with consolidating Municipal Elections with the County of Los Angeles?

Submit by Email

Print Form

Reset Form

City of Los Angeles
Office of the City Clerk - Election Division

Office of the City Clerk - Election Division 555 Ramirez St., Space 300, Los Angeles, CA 90012 Phone: (213) 978-0444 Fax: (213) 978-0376

<http://cityclerk.lacity.org/election/index.htm>

Stop

Presentation Invitation List

| | |
|-----|--|
| 1. | Mr. Jimmy Valentine, Esq., Executive Director African American Voter Registration Education Project |
| 2. | Mr. Anthony Jackson, Job Developer Arc Mid-Cities |
| 3. | Ms. Jacquelyn Maruhashi, Attorney at Law Asian Law Alliance |
| 4. | Mr. Charles Chang, Executive Director Asian Pacific American Dispute Resolution Center |
| 5. | Mr. Joel Gutierrez, Programs Coordinator Asian Pacific American Dispute Resolution Center |
| 6. | Mr. Eugene Lee, Esq., Project Director - Voting Rights Project Asian Pacific American Legal Center |
| 7. | Ms. Karin Wang, Esq., Vice President of Programs Asian Pacific American Legal Center |
| 8. | Ms. Miriam Cho Asian Pacific Community Services |
| 9. | Ms. Haera Kim, Parent Specialist Asian Pacific Family Center-East Asian CHAP |
| 10. | Mr. George Yin, Attorney at Law Burke, Williams & Sorensen, LLP |
| 11. | Ms. Jenny Heng Cambodian American Association |
| 12. | Mr. Jess Angulo, Founder Camp Fundamentals |
| 13. | Ms. Kathy Hassan, Director of Administration Center for Asian Americans United for Self Empowerment |
| 14. | Ms. Elda Martinez, Community Outreach & Education Coordinator Central American Resource Center |
| 15. | Mr. Sergio Barahona, Program Director Central American Resource Center |
| 16. | Ms. Victoria Lopez, Civic Participation Program Assistant Central American Resource Center |
| 17. | Mr. Ray Guerrero, Employment Specialist/Facilitator Chicana Service Action Center, Inc. |
| 18. | Ms. Colleen Seto, Development Manager Chinatown Service Center |
| 19. | Mr. Lawrence Lue, Executive Director Chinatown Service Center |
| 20. | Ms. Merriam Soong, Communications Manager Chinatown Service Center |
| 21. | Ms. Linh Duong, Public Relations Director Chinese American Museum |
| 22. | Ms. Samantha Chong, Social Events Coordinator Chinese American Service Alliance |

Exhibit 2: Presentation Invitation List

| | |
|-----|--|
| 23. | Ms. Elizabeth Wong, Executive Director Chinese Chamber of Commerce of Los Angeles |
| 24. | Mr. Peter Yao, Mayor Pro-Tem City of Claremont |
| 25. | Ms. Deanna McNeally City of Los Angeles Department of Disability |
| 26. | Ms. Patricia Villaseñor, Deputy Director of Field Services City of Los Angeles Human Relations Commission |
| 27. | Ms. Ana Martinez, Community Organizer Coordinator Clinica Monseñor Oscar A. Romero Community Center |
| 28. | Ms. Xiomara Corpeno Coalition for Humane Immigrant Rights of L.A. |
| 29. | Ms. Kathy Feng, Executive Director Common Cause |
| 30. | Ms. Marcy Koukhab Common Cause |
| 31. | Ms. Margarita Calderon Congress of U.S. Mexican Women Voters |
| 32. | Mr. Jorge Fernandez, Pro-Secretary Consejo de Federaciones Mexicanas en Norte America |
| 33. | Mr. Federico Garcia Consejo de Federaciones Mexicanas en Norte America |
| 34. | Mr. Randy Ertll, Executive Director El Centro de Accion Social, Inc. |
| 35. | Ms. Mercedes Ramirez El Cucuy Foundation - El Cucuy Help Center |
| 36. | Ms. Victoria Chavez-Calderon, President Federacion de Clubes Michoacanos En California |
| 37. | Dr. Jose Maldonado Filipino American Community of Los Angeles, Inc. |
| 38. | Mr. Manicito Santos Filipino American Community of Los Angeles, Inc. |
| 39. | Ms. Susan Dilkes, Executive Director Filipino American Service Group, Inc. |
| 40. | Ms. Bernie Targa Filipino American Service Group, Inc. |
| 41. | Mr. Darren Kameya, Attorney at Law Garcia Calderon Ruiz, LLP |
| 42. | Ms. Nora Mosqueda, Vice President of Communications and Outreach Greater Griffith Park Neighborhood Council |
| 43. | Mr. Howard Youngkyong, Organizer Industrial Areas Foundation |
| 44. | Ms. Jennifer Kenyon, Development Specialist International Rescue Committee |
| 45. | Mr. Gerald Kato Japanese American Citizens League |

Exhibit 2: Presentation Invitation List

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|-----|---|
| 46. | Ms. Hiromi Ueha, Volunteer Japanese American Citizens League |
| 47. | Mr. Todd Sato, Pacific Southwest District Japanese American Citizens League |
| 48. | Ms. Grace Yoo, Executive Director Korean American Coalition |
| 49. | Mr. Peter Chang, Executive Director Korean American Family Service Center |
| 50. | Mr. Dong Cho, Secretary General Korean American Federation of L.A. |
| 51. | Ms. Yu Kim, Project Coordinator Korean American Museum |
| 52. | Mr. Il Kang, Executive Director Korean Chamber of Commerce of L.A. |
| 53. | Ms. Hyepin Im, President Korean Churches For Community Development |
| 54. | Mr. Jin Kim, Executive Director Korean Churches For Community Development |
| 55. | Mr. Howard Kim Korean Community Service |
| 56. | Mr. Sae Chang, Consulate Korean Consulate General in L.A. |
| 57. | Mr. Ben Ho Korean Culture Center |
| 58. | Ms. Kuk Lee Korean Education Center |
| 59. | Ms. Erin Pak, Chief Executive Officer Korean Health Education Information and Research Center |
| 60. | Ms. Hope Kein, Director, Social Services Korean Health Education Information and Research Center |
| 61. | Ms. Stella Yun, Manager, Clinic Korean Health Education Information and Research Center |
| 62. | Mr. Dae Yoon, Executive Director Korean Resource Center |
| 63. | Ms. Hee Yoon, Program Director Korean Resource Center |
| 64. | Ms. Jane Park, Program Assistant Korean Studies Institute, University of Southern California |
| 65. | Ms. Katherine Reuter, Development Officer Korean Youth Community Center |
| 66. | Mr. James Kim, Community Economic & Business Development Project Koreatown Multi-Purpose Senior Center |
| 67. | Mr. Peter Park, Executive Director Koreatown Multi-Purpose Senior Center |
| 68. | Ms. Joanne Kumamoto, President Kumamoto Associates |

Exhibit 2: Presentation Invitation List

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|-----|--|
| 69. | Ms. Noemi Soto LA Causa Youth Build |
| 70. | Ms. Alma Flores Latino Association of Merchants and Residents of South Central |
| 71. | Ms. Natasha Saelua, Program Coordinator Leadership Education for Asian Pacifics |
| 72. | Ms. Frances Talbott-White, LWVC Smart Voter Southern California Liaison League of Women Voters |
| 73. | Ms. Jean Thompson League of Women Voters |
| 74. | Mrs. Diane Talamantez, Director of Human Resources and Admin. Services Legal Aid Foundation of Los Angeles |
| 75. | Mr. Takao Suzuki, Project Manager Little Tokyo Service Center |
| 76. | Ms. Mizue Kamitsubo, Community Organizer Little Tokyo Service Center |
| 77. | Ms. Lan Gieng Los Angeles Chinatown Business Council |
| 78. | Mr. Al Renner Los Angeles Community Garden Council |
| 79. | Ms. Merce Gillo, Programs Manager Los Angeles County Filipino American Association |
| 80. | Mr. Ricardo Pulido, Community Outreach Organizer Los Angeles Unified School District |
| 81. | Ms. Martha Pelayo, Business Development Specialist Los Angeles Youth Opportunity Movement |
| 82. | Mr. Fermin Rodriguez, Paralegal Mexican American Legal Defense and Education Fund |
| 83. | Mr. John Trasviña, President, General Counsel Mexican American Legal Defense and Education Fund |
| 84. | Ms. Morna Ha, Program Associate National Association of Korean American Service and Education Consortium |
| 85. | Mr. Efrain Escobedo, Director of Voter Engagement National Association of Latino Elected Officials Educational Fund |
| 86. | Mr. Josué Marcus, Program Coordinator National Association of Latino Elected Officials Educational Fund |
| 87. | Mr. Gautam Dutta, Deputy Director, Political Reform Program New America Foundation |
| 88. | Mr. David Yim, Program Director Older Adults Program |
| 89. | Ms. Marianne Foong, Executive Director Orange County Asian American and Pacific Islander Community Alliance |
| 90. | Ms. Stacey Toda Organization of Chinese Americans/Greater Los Angeles |
| 91. | Ms. Heng Foong PALS for Health |

Exhibit 2: Presentation Invitation List

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|------|---|
| 92. | Mr. Michael Sarmiento Pilipino Worker's Center |
| 93. | Ms. Strela Cervas, Community Organizer Pilipino Worker's Center |
| 94. | Mr. James Johnson, Director Political and Legislative Affairs, Service Employees International Union |
| 95. | Ms. Cathe Moody, Human Resources Generalist PRIDE Industries |
| 96. | Mr. Carlos Vaquerano, Executive Director Salvadorian American Leadership Educational Fund |
| 97. | Ms. Delmy Ruiz, Program Manager Salvadorian American Leadership Educational Fund |
| 98. | Ms. Becky Villaseñor San Fernando Valley Neighborhood Legal Services, Inc. |
| 99. | Ms. Dorothy Gangoing Search to Involve Pilipino Americans |
| 100. | Ms. Gerlie Collado, Special Events Manager Search to Involve Pilipino Americans |
| 101. | Ms. Lolita Lleda Search to Involve Pilipino Americans |
| 102. | Mr. Michael Nailat Search to Involve Pilipino Americans |
| 103. | Mr. Gregorio Daniel, Field Representative/Organizer Service Employees International Union, CLC. |
| 104. | Ms. Tanzila Ahmed, Executive Director South Asian American Voting Youth |
| 105. | Mr. Hamid Khan South Asian Network |
| 106. | Ms. Nirva Parikh South Asian Network |
| 107. | Ms. Mabel Meza, Job Developer/Life Skills Counselor Southern California Alcohol and Drug Programs, Inc. |
| 108. | Ms. Aggy Barbero, Volunteer and Outreach Coordinator Southern Christian Leadership Conference of Greater Los Angeles |
| 109. | Ms. Nanci McMurray, Mediation Coordinator Southern Christian Leadership Conference of Greater Los Angeles |
| 110. | Mr. Antonio Gonzales, Executive Director Southwest Voter Registration and Education Project |
| 111. | Mr. Martin Rodriguez, Field Organizer Southwest Voter Registration and Education Project |
| 112. | Ms. Linda Horner, Senior Project Director Streetlights |
| 113. | Ms. Nongyao Varanond, Executive Director Thai Health and Information Services |
| 114. | Ms. Michele Siqueiros, Associate Director The Campaign for College Opportunity |

Exhibit 2: Presentation Invitation List

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|------|---|
| 115. | Mr. Duk Kim, Rev./Pastor The Council of Korean Churches in Southern California |
| 116. | Dr. Elder Moon Chung, President The Oriental Mission Church |
| 117. | Mr. Carlos Ardon, Manager, Civic Community Programs The Salvadorean-American Leadership and Educational Fund |
| 118. | Ms. Susan Christensen, Business Development Manager Venturi Staffing Partners |
| 119. | Mr. Javier Vera, Account Coordinator Venturi Staffing Partners |
| 120. | Mr. Richard Truong Vietnamese Association of San Fernando Valley |
| 121. | Mr. Serafin Espinoza, Community Services Supervisor Villa-Parke Community Center |
| 122. | Ms. Betty Ariston, Program Manager Weingart Center Association |
| 123. | Ms. Celia Brugman, Program Director William C. Velasquez Institute |
| 124. | Dr. Geraldine R. Washington, President NAACP |

Participating Organizations List

- i. *Asian Pacific American Legal Center (APALC)*
 - a. Description¹: APALC is the nation's largest legal organization serving the Asian and Pacific Islander (API) communities. Some of the program areas include policy analysis and advocacy for civil rights, voting rights, and immigrant rights in addition to direct legal services and education.
 - b. Geographical Areas Served: Los Angeles County
 - c. Ethnic Communities Served: Asian and Pacific Islander American
 - d. Programs: GOTV, voter advocacy, voter education

- ii. *Central American Resource Center (CARECEN)*
 - a. Description: The mission of CARECEN is to empower Central Americans by defending human and civil rights, working for social and economic justice and promoting cultural diversity. Some of the program areas include educational and cultural enrichment, immigration and legal services, and citizenship and civic participation.
 - b. Geographical Areas Served: West Lake, Pico-Union, MacArthur Park, Korea Town, Historic Filipino Town
 - c. Ethnic Communities Served: Latino

- iii. *Center for Asian Americans United for Self Empowerment (CAUSE)*
 - a. Description: nonprofit
 - b. Geographical Areas Served: Chinatown, Thai Town, and Downtown
 - c. Ethnic Communities Served: Chinese, Vietnamese, Thai
 - d. Programs: voter registration, GOTV, voter education

- iv. *California Common Cause*
 - a. Description: California Common Cause works in collation with other advocacy organizations to make government more accountable to the people. It is engaged in a wide range of issues including campaign finance reforms, ethics and accountability in government and election reform.
 - b. Geographical Areas Served: statewide

- v. *Californians for Electoral Reform (CfER)*
 - a. Description: CfER is a nonpartisan organization that aims to promote the implementation of election methods such as instant runoff voting and forms of proportional representation. One of their accomplishments is a successful campaign in 2002 to bring Instant Runoff Voting to San Francisco.
 - b. Geographical Areas Served: statewide
 - c. Programs: voter education

¹ Organizations descriptions are compiled from the organizations' website.

Exhibit 3: Participating Organizations List

vi. *City of Claremont*

- a. Description: The City of Claremont is located 30 miles east of downtown Los Angeles. It is a general law city that uses the council-manager form of government. The City government is comprised of a five-member elected City Council, citizen representatives, and a City Manager who is hired by and responsible to the City Council. General municipal elections are held in March of odd-numbered years.
- b. Geographical Areas Served: San Gabriel Valley, City of Claremont
- c. Programs: voter registration

vii. *League of Women Voters Los Angeles (LWV)*

- a. Description: LWV is a nonpartisan political organization that encourages informed and active participation in government. It influences public policy through education and advocacy. Additionally, it does not support nor oppose any political party or candidate.
- b. Geographical Areas Served: Los Angeles, Agoura Hills, Beverly Hills, Calabasas, Culver City, San Fernando, Westlake Village and West Hollywood
- c. Programs: voter registration, GOTV, voter advocacy

viii. *Little Tokyo Service Center (LTSC)*

- a. Description: LTSC is a nonprofit charitable organization serving Asian Pacific Islanders throughout Los Angeles County who are in need, especially those facing language or cultural gaps, financial need, or physical disabilities. Some of the program areas include community and economic development, senior services, immigrant services, special needs program, education, and API Older Adults Task Force.
- b. Geographical Areas Served: Little Tokyo
- c. Ethnic Communities Served: Japanese, Korean
- d. Programs: voter education

ix. *Los Angeles Voters for Instant Runoff Elections (LA VoteFIRE)*

- a. Description: LAVoteFIRE is a countywide civic improvement project. Its goal of LAVoteFIRE is to give people the opportunity to vote on simple city and county charter amendments that would improve future elections by making them Instant Runoff elections.
- b. Geographical Areas Served: Los Angeles County
- c. Programs: voter advocacy, voter education

x. *National Association of Latino Elected and Appointed Officials Educational Fund (NALEO)*

- a. Description: NALEO Educational Fund is the nation's leading organization that promotes the full participation of Latinos in the American political process, from citizenship to public service.
- b. Geographical Areas Served: Entire LA County

Exhibit 3: Participating Organizations List

- c. Ethnic Communities Served: Primarily Latino
 - d. Programs: Voter Registration, Get Out the Vote (GOTV), Voter Advocacy, Voter Education
- xi. New America Foundation*
- a. Description: The New America Foundation is a nonprofit, post-partisan, public policy institute. Some of its programs include political reform, health, education, fiscal and health policy, and committee for a responsible federal budget.
 - b. Geographical Areas Served: Southern California
 - c. Programs: voter registration, voter advocacy, voter education
- xii. Santa Clara County Asian Law Alliance (ALA)*
- a. Description: ALA is a community law office that provides legal services to the Asian/Pacific Islander community in the Santa Clara County. Some of the programs include legal services, community organizing and educational programs.
 - b. Geographical Areas Served: Santa Clara County
 - c. Ethnic Communities Served: limited English speaking
 - d. Programs: voter advocacy, voter education

EXHIBIT III (d)

Exhibit 4
NALEO Educational Fund Letter

Approximately 120 community members were invited to participate in the Election Options survey. Of these, only 12 organizations opted to participate in the survey, one of which submitted a letter in lieu of responding to the survey. The following letter is the NALEO Educational Funds response.



Founder Emeritus

Hon. Edward R. Roybal (Ret.) †

Board of Directors

- Hon. Rafael Anchia, Chair
Texas State Representative
- Mr. Peter R. Villegas, Treasurer
Washington Mutual
- Ms. Rita DiMartino, Secretary
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- Hon. Andres Ayala, Jr.
Connecticut State Representative
- Mr. Andrew Baldonado
Anheuser-Busch Companies, Inc.
- Hon. John Bueno, **NALEO President**
Former President Pro-Ten, Pontiac, MI
- Ms. Ivelisse R. Estrada
Univision Communications Inc.
- Dr. Henry L. Fernandez
USA Funds
- Hon. Cynthia Matus-Morris
Patagonia School District, AZ
- Hon. Peter Rivera
New York State Assembly
- Mr. Guillermo Rodríguez, Jr.
- Hon. Rosemary E. Rodríguez
Denver City Council, CO
- Hon. Lucille Roybal-Allard
Member of Congress, CA
- Mr. Art Ruiz
State Farm Insurance Company
- Hon. Mary Rose Wilcox
Maricopa County Board of Supervisors, AZ

Board of Advisors

- Hon. Anibal Acevedo Vilá
Governor, Commonwealth of Puerto Rico
- Hon. Carol Alvarado
President, Hispanic Elected Local Officials National League of Cities
- Hon. Joe Baca
Chair, Congressional Hispanic Caucus
- Hon. Maria Calix
Los Angeles County School Districts Organization
- Hon. Adolfo Carrión
Borough President, The Bronx, NY
- Hon. Pedro Colón
Wisconsin State Representative
- Hon. Steve Gallardo
Arizona State Representative
- Hon. Pete Gallego
*Texas State Representative
Chair, Mexican American Legislative Caucus*
- Hon. Gerri Guzman
*City Treasurer and School Board Member
City of Montebello, CA*
- Hon. Mary Herrera
Secretary of State, NM
- Hon. Ray Martinez
Chairman, Governor's Minority Business Council, CO
- Hon. Felix Ortiz
President, National Hispanic Caucus of State Legislators
- Hon. Lilliamae Ortiz
Chair, National Hispanic Caucus, NSBA
- Hon. Pearl Quiñones
*School Board Member
Sweetwater Unified School District, CA*
- Hon. Juan Ramos
Councilman-at-Large, Philadelphia, PA
- Hon. Eliezer Rivera
*Commissioner
New Hampshire Postsecondary Education, NH*
- Hon. Fernando Treviño
School Board Member, East Chicago, IN
- Hon. Don Francisco Trujillo II
Deputy Secretary of State, NM
- Hon. Juan Zapata
Florida State Representative

Executive Director

Mr. Arturo Vargas

† deceased

December 24, 2007

The Honorable Frank T. Martinez
City Clerk
Piper Technical Center
555 Ramirez Street, Space 300
Los Angeles, CA 90012

Dear City Clerk Martinez:

On behalf of the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund, I am writing to provide our perspectives on the issues raised by the drafts of three reports on Los Angeles City elections prepared by your office in response to a request by the Los Angeles City Council. We are submitting this letter as an elaboration of our responses to the Elections Report Survey circulated by your staff, so that we can provide the nuanced responses necessary to address some of the questions raised. This letter sets forth our perspectives on the following issues covered by your survey:

VOTE-BY-MAIL/EARLY VOTING OPTION

Because the materials provided by your office only include a draft outline of the report on the Vote-by-Mail/Early Voting Option, it is not yet clear how the City would envision the specific implementation of this option in City elections. Thus it is difficult for us to provide a specific evaluation of the City's plans. However, we have reviewed other proposals for Vote-by-Mail (VBM) elections, and we believe the concerns that we have expressed about those proposals are very relevant to any VBM plan that would be adopted by the City. In general, we believe that there is a significant risk that VBM elections would have a detrimental impact on the electoral participation of Latinos and other ethnic populations in the City, particularly if those elections restricted the number of places that voters could cast their ballots on Election Day. Based on our work with Latino voters, we are concerned about the following issues with regard to the implementation of VBM elections:

I. The benefits offered by polling site voting: Under Section 203 of the Voting Rights Act of 1965, Los Angeles is required to provide language assistance to Latino voters who have limited English proficiency, as well as five other language minority groups. Under Section 203, Los Angeles must provide this assistance throughout the election process, which includes translated election materials and bilingual pollworkers where needed to ensure that language-minority voters have an effective opportunity to vote.

WWW.NALEO.ORG

□ 1122 W. Washington Blvd., 3rd Floor
Los Angeles, CA 90015
(213) 747-7606
Fax (213) 747-7664

□ 600 Pennsylvania Avenue, SE
Washington, DC 20003
(202) 546-2536
Fax (202) 546-4121

□ 1314 Texas Ave., Suite 1630
Houston, TX 77002
(713) 228-6400
Fax (713) 228-0606

□ 110 Wall Street, 16th Floor
New York, NY 10005
(212) 480-1918
Fax (212) 480-1697

Los Angeles' Latino electorate includes a significant number of young voters and naturalized U.S. citizens who are not yet fully familiar with the voting process. Because of their lack of experience with voting procedures, many Latino voters have basic questions about casting their ballots. These voters rely heavily on pollworkers, who serve on the "frontlines" at polling sites and can provide immediate assistance. The presence of translated election materials at polling places, such as instructions about voting procedures and notices about voters' rights, is also of great value to voters who are not yet fully proficient in English. If polling site voting is restricted, many Latinos will not have easy access to the information they need to cast their ballots.

In this connection, we also do not believe that there currently is a feasible and cost-effective method of ensuring that the City of Los Angeles meets its Section 203 obligations to provide all language minority voters with translated election materials in a VBM election. We understand that the City currently meets those requirements by providing translated materials at the polling place in all of the Section 203 required languages. In a VBM election, it is unclear how the City would ensure that language minority voters received the materials they needed in the mail, unless the City mailed every single voter a ballot in every single language required by Section 203, which is likely to be prohibitively expensive.

Additionally, polling site voting offers voters a greater opportunity to detect and correct errors on their ballots than VBM procedures. In order to meet the federal election voting system requirements of the Help America Vote Act of 2002 (HAVA), Los Angeles County is using new voting technology that is capable of notifying voters if they have either failed to vote for offices on the ballot, or voted for multiple candidates for one office ("overvoting"). While the City is not subject to HAVA requirements for its elections, we understand it generally uses the same system that the County uses. With this system, voters can quickly correct overvotes, and have the opportunity to confirm whether they intentionally failed to cast a vote for a particular office. Even under circumstances where a voting system may be used that does not have error notification capabilities, pollworkers will often remind voters of the need to check to see if their ballots have been completed correctly. If voters have made mistakes on their ballots, they can immediately correct their errors at the polling place, and if necessary, obtain a new ballot to cast their vote. In contrast, in all-mailed ballot elections, voters are less likely to discover mistakes on their ballot. Under California absentee voting procedures, if voters need to obtain a new ballot to correct a voting error, they are required to send in a statement to their elections official that they have destroyed their original ballot, a process which is far more cumbersome and time-consuming than the immediate replacement that occurs at polling sites.

We know that many VBM proposals try to make some provision for polling site voting by requiring jurisdictions to provide an "appropriate" number of polling places at "convenient" locations, as well as an "appropriate" number of locations for voters to drop their ballots off with election officials. However, it is unclear how election officials will determine what number of locations are "appropriate" and what locations are "convenient." In addition, any consolidation of polling sites into a smaller number of polling locations will mean that voters from several different precincts could be casting ballots at the same location. If the precincts combined at each location did not have identical ballots, the city would need to create separate polling areas for voters from different precincts. This could result in confusion for voters if they encountered difficulties determining the correct area to vote.

As discussed in Section V below, we believe that California Latino voters are much more likely than non-Latinos to cast their ballots at polling sites (as opposed to voting by absentee ballot). We do not believe there has been sufficient research on Latino experiences with absentee voting to precisely identify the factors that explain this difference. Thus, we do not believe policymakers or election officials have sufficient information to determine how to best configure polling site locations in a VBM election to safeguard against any detrimental impact on Latino participation.

II. Problems with mail delivery service: Some of the voters we work with report that they live in areas where there are problems with mail service, and that they often fail to receive mailed materials in a timely or consistent manner. As a result, these voters do not trust the mail service, and are likely to lack confidence in using the mail to submit their ballot materials. As discussed in more detail below, voters who do not receive their materials in the mail would likely have to go through a somewhat complex process to request their materials. We believe that mail delivery problems, and voters' concerns about the reliability of mail service could result in preventing or deterring some voters from casting ballots in a VBM election.

III. Problems with voter registration databases: Through our work with Latino voters and our *VE-Y-VOTA* hotline, we have learned that there are a variety of problems with the process of entering and updating information about voter registration in the databases maintained by California counties, including the database of Los Angeles County, which contains the registration information on the city's voters. Several callers to our *VE-Y-VOTA* hotline reported problems that appear to be a result of deficiencies in the management of voter registration databases. In some cases, voters failed to receive sample ballots or other election materials prior to Election Day. In other cases, voters who had registered to vote, or who had provided updated information about their registration status (such as a change-of-address), found that counties had no record of their registration or their updated information. In a few cases, voters showed up at their precincts to vote and learned that their names had been dropped from the registration rolls for no apparent reason.

We believe that there must continue to be improvement in the management of Los Angeles County's voter registration databases and state voter registration procedures to prevent the recurrence of the problems we learned about through our *VE-Y-VOTA* hotline. These problems are particularly acute for Latino voters in Los Angeles, because they tend to move frequently, and often find that their change-of-address information is not updated in a timely way in county registration databases. We believe that California and Los Angeles County are making significant progress in addressing these issues through the implementation of its HAVA-compliant statewide voter registration database, and the implementation of new regulations governing database management procedures. However, until these challenges are fully addressed, there is still a significant risk that many Los Angeles voters will fail to receive their ballots at their proper addresses in an all-mailed ballot election. Currently, voters who experience problems with their voter registration records can cast provisional ballots; in some cases, the County actually resolves such problems directly with voters at their polling site. However, it is unclear what procedures the City would use for voters in a VBM election who fail to receive a ballot – if the City follows the state absentee ballot procedures, voters would have to submit a statement to their election officials. As is the case with voters who need replacement ballots because of voting errors, polling site voting provides a more simple and accessible process for addressing problems that result when voters do not receive election materials in the mail.

IV. Resources needed to conduct voter outreach and education about new election procedures: The implementation of VBM elections represents a dramatic change in election procedures for most Los Angeles voters, who can currently choose between voting at a polling site and absentee voting. There is likely to be widespread voter confusion if the city institutes VBM elections. Without a comprehensive program of voter education and outreach, there is a risk that many voters will fail to return their ballots because they are not aware of the significant reduction in opportunities for polling place voting. We believe that when the City evaluates the costs of instituting VBM elections, it must take into account the expenditures needed to conduct a robust and effective voter education program.

V. Lack of definitive research on the impact of VBM elections on the voter participation of Latinos and other ethnic populations: We are also concerned that we simply do not have sufficient information about the impact of VBM elections on the participation of Latinos and other ethnic populations. While there have been some studies on the use of absentee ballots by different groups of voters, there has not yet been definitive research on all-mailed ballot elections in jurisdictions that have the ethnic diversity of Los Angeles. If the City implements VBM elections, we cannot currently predict whether the elections will enhance or impair opportunities for participation by the state's voters.

We do have some data on Latino voters' experiences with absentee voting in the November 2006 elections that raise questions about Latino participation in all-mailed ballot elections. Using data from county voter files, we have conducted an analysis of November 2006 polling site and absentee voting in five California counties with significant Latino populations – Fresno, Los Angeles, Orange, Riverside, and San Bernardino Counties. According to U.S. Census data, these counties are home to 61% of the state's Latino population.

When we examined polling place and absentee voting in these counties, we found that Latinos were far less likely to vote absentee than non-Latinos – only 21% of the Latinos who cast ballots voted absentee compared to 39% of non-Latinos. In the counties which were more rural, and where greater absentee voting might be expected because of the distance required to travel to polling sites, Latinos did have somewhat higher absentee voting rates than the five-county average – 31% in Riverside County and 26% in San Bernardino County. However, even in these counties, there was still a significant difference between Latino and non-Latino absentee voting. In Riverside County, 49% of non-Latinos voted absentee, and in San Bernardino, 42% of non-Latinos voted absentee.

We do not believe that there has been sufficient research that would explain the factors responsible for the differences between Latino and non-Latino absentee voting rates in California. If the City implements VBM elections without a thorough understanding of these factors, we incur a significant risk of creating election procedures that could result in decreased Latino participation. We also do not have the information necessary to make informed choices about the best kinds of outreach, voter assistance and polling site configuration policies that would safeguard against this decline.

VI. Need for more thorough analysis of potential cost-savings of all-mailed ballot elections: Proponents of VBM elections claim that jurisdictions will be able to realize significant cost-savings if they substantially reduce the number of polling sites. However, our review of research on election costs suggests that the impact of reducing the number of staffed polling sites is quite complex, and could vary greatly depending on several factors, including the number of staffed polling places or

drop-off locations that are maintained in the jurisdiction, and the scope of the voter education and outreach activities which are conducted by the jurisdiction. In this connection, we are aware of a 1987 Federal Election Commission report that notes that the per-vote costs for processing absentee ballots are several times the cost for ballots cast at the polls. We acknowledge that VBM ballot proponents contend that the cost-savings realized by reducing polling sites would offset the potentially greater voter processing costs, but we believe that there needs to be more thorough analyses of VBM elections that take into account the full array of factors that would affect the expenses incurred by jurisdictions. We hope that your study will thoroughly examine this issue when it presents data on the costs of VBM elections.

We understand that proponents of VBM elections hope to increase voter participation by making voting more convenient for the electorate. However, voters who prefer to cast their ballots by mail before Election Day can do so already under California's absentee voting procedures, which are among the least restrictive in the nation. Our current election procedures in some California jurisdictions offer a wide range of voting options. Voters can mail in their ballots, cast votes at early voting locations, or vote at their polling sites on Election Day. For the reasons set forth above, we are extremely concerned about election system that would significantly reduce the options available to voters.

Ultimately, we believe that polling place voting provides many voters with a greater opportunity to avoid or correct voting errors, and to obtain the assistance they may need to cast their ballots. We are also concerned about making dramatic reductions in the number of polling places when there are so many unanswered questions about the impact of all mailed-ballot elections on the participation of California's diverse electorate. Because we believe that VBM create a significant risk of making our democracy less accessible and inclusive, we are generally opposed to VBM proposals.

INSTANT RUN-OFF VOTING

We have the following concerns about the adoption of Instant Run-Off Voting (IRV) in City elections:

I. Resources needed to conduct voter outreach and education about new election procedures: As is the case with VBM elections, the implementation of IRV presents a dramatic change in election procedures for Los Angeles voters, and will require a comprehensive program of voter outreach and education. IRV is an extremely complex system, and its adoption would create challenges for Los Angeles' Latino electorate, which as noted above, includes a significant number of young voters and naturalized U.S. citizens who are not yet fully familiar with the voting process. We have seen the research that suggests that voters in the City of San Francisco generally became familiar with IRV and were able to understand it when voting. We would note that San Francisco conducted a very comprehensive education and outreach campaign when it adopted IRV, and based on conversations with election officials and San Francisco community representatives, we understand that the campaign included components involving face-to-face meetings in ethnic communities where language minority voters had an opportunity to ask specific questions about using IRV. We would question whether this kind of outreach could be conducted feasibly in a city as diverse and geographically dispersed as Los Angeles. We strongly recommend that when the City provides estimates of the kind of outreach effort needed to effectively implement IRV,

that it take into account the costs involved in providing voter education that includes a local, face-to-face outreach component throughout the City

II. Voting Technology Needs for IRV: We understand that neither the InkaVote ballot style currently used by the city nor its ballot tabulation technology can feasibly accommodate an IRV election. Thus, adoption of IRV would essentially require the City to either purchase new voting technology for use in city elections, or convince Los Angeles County to purchase such technology. Considering the current uncertainty around the certification of voting systems in California, as well as the time and resources needed to purchase and deploy new technology, we believe that the adoption of IRV would pose a major operational challenge for the city.

III. Uncertainty about Impact of IRV on Voter Turnout: We would finally note that one of the main claims proponents of IRV make is that its adoption will significantly increase voter participation in City elections. After our review of the research, we still do not believe that there is definitive evidence that the adoption of IRV alone would result in higher turnout rates in Los Angeles elections. From our experience working with Latino voters, we believe that there are a variety of complex factors that affect turnout, including the type of candidates that are running, the issues addressed by the candidates or the media attention given to the races at stake, the outreach conducted by both the City and non-profit voter engagement organizations, and the overall political climate surrounding the election. The research we have seen on IRV does not yet fully address the complex effects of all of the foregoing factors, and thus, we think it would be premature to conclude that the mere adoption of IRV causes higher election turnout. Thus it does not seem clear that the somewhat speculative benefits of adopting IRV would outweigh our very real concerns about the need for enhanced voter outreach in an IRV election, and our voting technology concerns.

In evaluating the impact of IRV on Los Angeles, we would recommend that the City be cautious in relying too heavily on research that focuses on the experience of San Francisco with this voting system. Most of the San Francisco research examines voters' perceptions of IRV, and their own assessments of its accessibility. While this research has some value, we believe that there needs to be far more extensive statistical research that actually looks at voters' files and explores turnout rates, and the extent to which there is undervoting by under-represented groups in various parts of the city. We believe this research is necessary to help dispel our concerns that that Latinos and other language minority voters would face challenges in casting informed ballots in IRV elections.

ENHANCEMENTS TO THE CURRENT ELECTION MODEL

We are generally supportive of the enhancements proposed in the study, and we particularly commend the efforts to provide more capacity for voter education and pollworker recruitment.

ALTERNATIVE VOTING DAYS, SAME DAY VOTER REGISTRATION AND CONSOLIDATION WITH LOS ANGELES COUNTY

I. Alternative Voting Days

We generally understand “alternative voting days” to involve making Election Day either a holiday, or setting aside a day on the weekend for voting. We have some concerns about this approach. First, scheduling Election Day on a day when many businesses will not be open could pose challenges for parents who need child care, which could make it more difficult for them to cast a ballot. In addition, some of the facilities currently used as polling sites, such as schools, would not be open on a weekend or a holiday.

In our discussions with some state and local election officials, we have heard that scheduling Election Day on a holiday or weekend might increase the turnout of voters who have challenges getting to the polls on workdays. However, these officials agree that merely changing the day of the election would not be sufficient in and of itself to increase turnout; instead, they believe that this change would need to be accompanied by a comprehensive campaign of voter outreach and education that would help build a culture and “celebration of participation” associated with an Election Day holiday to enhance voter engagement.

II. Same Day Voter Registration

We believe that same day voter registration (SDVR) could significantly increase Latino voter participation if implemented fairly and effectively. SDVR allows citizens who become interested in participating in the final weeks before an election to register at their polling sites on Election Day. In states where SDVR has been adopted, it has been particularly helpful for young voters and those who move and need to re-register between elections. There are many of these citizens in Los Angeles’ Latino community, and SDVR could enhance their access to the electoral process.

However, we also believe that the City must work carefully and closely with private organizations if we are to realize the full potential of SDVR. Our recommendations for the proper implementation of SDVR include:

- The City Clerk officials must establish procedures to ensure that any proof of residency or identification requirements imposed for SDVR are fair, and are enforced in a non-discriminatory manner that does not result in Latino and other immigrant voters being harassed or discouraged from participating in the electoral process. Private organizations should play a key role in working to monitor compliance with these procedures and to educate voters about their rights if they experience problems at polling places.
- There must be strict compliance by the City with the VRA’s language assistance provisions in the implementation of SDVR.

- The City Clerk must ensure that there is a public education and outreach campaign specifically targeted to the Latino community about the availability of SDVR and the procedures and requirements for utilizing the process. City officials must actively recruit and train bi-lingual pollworkers to carry out EDR at polling places in Latino and other immigrant communities. They should work closely with community-based organizations in their outreach and pollworker recruitment efforts.

III. Consolidating Municipal Elections with Los Angeles County

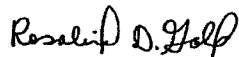
We believe that consolidating municipal elections offers some benefits to the City by allowing cost and resource sharing that will alleviate some of the challenges the City faces in obtaining polling sites and recruiting pollworkers. However, there are several issues the City will encounter if it consolidates its elections. In this discussion, we would like to distinguish between the concept of consolidation as running concurrent elections – the City holding its elections on the same day as the County’s but operating them separately – from the concept of ballot and operational consolidation – where city offices appear on the same ballot as the County’s. We have far greater concerns about concurrent elections that we do about ballot-consolidated elections. In concurrent elections, the City would need to establish a separate table or area in each polling site to provide voters separate City election materials. This could lead to voter confusion, and could prevent the city from realizing some savings in the resources needed to recruit pollworkers.

In ballot-consolidated elections, we would just raise the question of the impact of such consolidation on increasing the size of the ballot and the length of voting materials. Insofar as voters tend to vote less for offices or measures which appear “down ballot,” this might decrease the number of votes cast for municipal matters. However, it unclear whether this potential decrease would be offset by the fact that more voters would cast ballots because municipal “Election Day” occurred on the same day as the vote for county, statewide or federal matters. We suggest that the City review any research that exists on this issue as part of its election study.

In conclusion, we want to commend your office for your thorough approach in evaluating the issues presented by the City Council, and encourage you to contact us if you have any additional questions about this letter.

Thank you for your attention to these issues, and we look forward to continuing our work together in the future.

Sincerely,



Rosalind Gold
Senior Director, Policy, Research and Advocacy

Exhibit IV (a)

LIST OF REFERENCES: ELECTION (SAME) DAY REGISTRATION

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