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Voting Fights

After a recount and voter-fraud investigation, Chinatown gets a neighborhood council

by Christine Pelisek

The first meeting of the newly elected Historic Cultural Neighborhood Council (HCNC) did not begin with a tribute to democracy. After all, some community members believe the Chinatown-area election was, to put it mildly, a farce. "If you want to sit there and lie, this is your choice," an angry Catherine Vu said at the start of last week's meeting at Maryknoll Japanese Catholic Center. "If you are sitting on this board, you don't belong there."

Two LAPD officers hung out in the back of the hall. "We have been stripped of our rights," said businessman Larry Wong, through an interpreter. "This is another form of discrimination. This is nothing but a fight for power from the groups up here."

It took months of investigating, and a recount, to figure out who won each of the 33 seats. But people are still fuming over the results. Some dismiss it as just politics as usual in Chinatown.

Problems began early on Election Day last November 14, when 2,267 voters made their way to the First Chinese Baptist Church in Chinatown to elect members of the communities of Chinatown, Arts District, El Pueblo de Los Angeles, Little Tokyo, Solano Canyon and Victor Heights/ Forgotten Edge. Two candidates had to be physically removed, one for allegedly telling a voter how to vote and the other for attempting to steal ballots. Charges of fraud and improprieties included photocopying ballots and stuffing ballot boxes.

"The only time I went inside was to vote, and I noticed that I was the only candidate on the street and the other candidates were inside," said former Chinatown candidate Henry Leong, who was vying for a nonprofit seat. "I didn't think that was right. Suffice it to say, it was a real zoo in there."

Once the votes were counted, Chinatown candidates had swept 10 of the 12 at-large seats, including all six seats set aside for nonprofit groups, as well as the youth, senior, business, general and resident representative seats.

A week later, the city-run Department of Neighborhood Empowerment (DONE) and the League of Women Voters agreed to hold a recount after the HCNC's Interim Council alleged that candidates were bullying voters to support a particular slate, and that somehow 135 more ballots than stakeholders were cast. "The fraudulent activity was totally blatant," said HCNC interim president George Yu, who won his seat that night as a nonprofit representative. "Those responsible didn't care if they were caught."

The Interim Council alleged that Don Toy, a newly elected Chinatown-resident candidate and a longtime activist, actually lived in Monterey Park and should have been disqualified. Toy insisted he lived in Chinatown.

"We are taking one charge after another and trying to figure out which ones are urban myths and which ones aren't," said Greg Nelson, general manager of DONE.

Toy, who is one of the founders of Teen Post, a nonprofit youth organization in Chinatown, and is the Chinatown representative for the Community Redevelopment Agency, blamed DONE for not monitoring the election, bullying and keeping him and other candidates in the dark about it.

Some blame the tension on two factions fighting for control of Chinatown: one led by Toy, a well-known player in Chinatown politics; and the other led by Interim Council president Yu, the recently elected executive director of the Chinatown Business Improvement District and former property manager of Chinatown's Far East Plaza, and members of the business community, including Kim Benjamin, a newly elected business representative of Chinatown.

"It is simply a matter of two different groups in Chinatown that haven't had a great love for each other," said Dominic Ehrler, former treasurer of the HCNC's interim board and newly elected business representative for Victor Heights. "And each side is accusing the other of cheating and irregularities."

On December 20, more than a month after the election, DONE responded to nine challenges and concluded that there was no cause to dismiss the election results. In addition, the League of Women Voters did not find any "stuffing of ballot boxes." However, 135 ballots were disqualified because 118 voters failed to provide an address that qualified them as stakeholders, and 17 youth voters under the age of 18 failed to provide a parental-consent form. Another 43 ballots were discarded the night of the election because they were unauthorized copies or contained too many votes. Don Toy and two other candidates from other communities were disqualified, but were given the opportunity to disprove DONE's findings.

Last Wednesday, DONE reinstated Toy to the board after he produced two handwritten rental receipts with an address in Chinatown, different from the address he originally provided to DONE, which was Cathay Manor, a senior-citizens' home. Nelson said that a written receipt is acceptable. "We accept things at face value, then it is open to public scrutiny," said Nelson. "There is an element of trust we are extending to the neighborhood councils. If you are looking for loopholes, they are there to be found. But if you are, you are going to ruin it for everybody."

One of the most controversial rulings toppled five of the six top finishers in the nonprofit category from Chinatown and distributed them among the remaining five communities. As a result, all but one Chinatown candidate lost his or her seat, even though each Chinatown candidate beat out his community competitor by more than 700 votes.

"It makes a mockery out of our democratic process," said Catherine Vu, who lost her nonprofit seat.