

ATTACHMENT C: ELECTION CHALLENGES

Any stakeholder who voted in an applicable Neighborhood Council Subdivision Election may file a challenge to the conduct of that election no later than 5:00 p.m. on the 3rd business day after the first posting of unofficial results by filing an election challenge on the EmpowerLA Election Challenge Portal <http://empowerla.org/election-challenge-process/>. Instructions on how to file a challenge and challenge processing are provided on the Portal. If you do not have access to a computer, please call EmpowerLA at (213) 978-1551 for assistance.

WHAT ARE THE CHALLENGE REQUIREMENTS?

A written challenge request must meet the following requirements:

1. Identify the basis for the challenge to the election.
2. Identify the person(s) issuing the challenge and their contact information.
3. Identify up to 3 witnesses and provide their statements via a Witness Statement Form provided on the EmpowerLA Election Challenge Portal.
4. Provide all supporting documentation, including any witness statements (none will be accepted after the request is filed).
5. The supporting documentation must prove that the alleged challenge is not only valid, but would also have made a difference in the election outcome. Challenges without such supporting documentation will automatically be rejected.

ATTENTION!

ALL OF THE SUBMITTED INFORMATION IS PUBLIC INFORMATION AND WILL BE LISTED ON EMPOWERLA'S WEBSITE, EVEN IF THE CHALLENGE IS WITHDRAWN.

HOW WILL CHALLENGES BE PROCESSED?

If the requirements are met, election challenges will be processed and reviewed by EmpowerLA and the City Clerk, and if applicable, resolved by the Neighborhood Council Grievance Panels.

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WHAT CAN BE CHALLENGED IN A SUBDIVISION ELECTION?

The following is a list of challenges that EmpowerLA and the City Clerk will and will not process:

Challengeable:

- Incorrect Ballots
- Electioneering
- Ballot Duplication
- Explicit use of City logo(s) for campaign materials by the Subdivision Formation Committee and/or Neighborhood Council (including LA City logo, City Clerk logo, EmpowerLA logo, Neighborhood Council logo, and any other City department logo)
- Use of Neighborhood Council funds to endorse a position against funding policies
- Americans with Disabilities Act (ADA) Accessible Facility (if curbside voting was not available)
- Multiple Voting - any voter who casts multiple ballots in one Neighborhood Council election illegally

Any area not listed above is non-challengeable, including, but not limited to:

- Lack of outreach (outreach performed by a Neighborhood Council, the Department, or any other City entity)
- Published articles (challenges based on election information published in media such as the internet [including blogs], newspaper[s], or any other type of media)
- Translated Election Material
- Information Forums
- Polling Place Location Selection
- Change of Polling Place Location
- Email Forwarding of Neighborhood Council "Get Out To Vote Material"
- Ballot Design
- Neighborhood Council Endorsed Election Procedures/Policies
- Neighborhood Council Bylaws (Received from the Department by deadline)
- Neighborhood Council Endorsed Polling Place or Pop Up Poll Suggestions
- Stakeholder Qualifications to Vote (Neighborhood Council Bylaws)
- Department Approved Outreach Material
- Campaign Expenditure(s)
- Poll Workers or Poll Worker Bias
- Use of Police and/or Security at Polling Place
- Voter Intimidation
- Error in Voting Instructions
- Lack of Necessary Voting Materials
- Voters Threatened by Stakeholders
- Electioneering by Stakeholder(s)
- Voter Instructions
- Known factors prior to Election Day (such as: a member of the Formation Committee or Neighborhood Council works at the location, language translators, etc.)

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- Language assistance or lack thereof at Polling Place
- Use of LA City logo, City Clerk logo, EmpowerLA logo, or Neighborhood Council logo when it is used on a website as identification purposes for an active link to click through to the City, EmpowerLA or Neighborhood Council website, social media page, etc. for more information
- Endorsements and Sample Ballots created by and/or distributed by stakeholders or a member of the Formation Committee or Neighborhood Council that ask voters to vote for a specific position (i.e. yes for subdivision or no for subdivision)

Challenge Remedies

If a challenge is found to be valid, remedies will be narrowly interpreted to affect only the voters or position affected. Redoing the entire Neighborhood Council Subdivision Election is not a remedy unless the challenge affected every ballot. Remedies can include, but are not limited to, letters of correction/reprimand, disqualification of voters, Neighborhood Council funding penalties and referral to the City Attorney's Office for criminal prosecution.