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September 11, 2015

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

SUBJECT: REPORT BACK ON COUNCIL FILE 13-1364, ITEMS 7 AND 18

Honorable Members:

As requested by your Honorable Body, this Office has prepared and now transmits for your consideration, findings from the City's 2015 Municipal Elections as they relate to Council File 13-1364, Items No. 7 (Election Code Change to allow acceptance of Vote-By-Mail ballots postmarked on Election Day and received within three days after the election) and No. 18 (pre-paid, first class postage for returned Vote-By-Mail ballots).

BACKGROUND

The instructions in Council File 13-1364 stem in part from the recommendations issued by the City of Los Angeles Municipal Election Reform Commission (CLAMERC) in its report dated June 5, 2014. The commission was charged with studying the City's declining voter participation and with developing recommendations to address the problem. Both of the subjects of this report, providing postage paid return ballot envelopes to Vote-By-Mail (VBM) voters and permitting VBM ballots postmarked by Election Day and received within three days after the election to be counted (PM+3) were among CLAMERC's recommendations. The latter recommendation was based on Sate Senate Bill 29 which provided the same provision for state elections and which was chaptered on September 26, 2014

Per Council's instructions, the City Attorney drafted an ordinance in October 2014 to modify the City's Election Code to allow PM+3. The ordinance, which amended Election Code Sections 1014 and 1018, was approved by Council on November 12, 2014 and became effective on May 17, 2015. Election Code changes cannot take effect until six months after ordinance approval. The timing did not allow for this policy implementation during the City's Primary Nominating Election but worked well for the General Municipal Election.

Council's instruction that the City Clerk provide postage paid return ballot envelopes did not require Election Code changes and this resulted in a faster procedural change which was incorporated in both the Primary and General Elections.

SUMMARY

The objective behind PM+3 was to minimize the number of disenfranchised voters who's VBM ballots would have arrived too late to be counted. The move to provide postage paid return ballot envelopes was also an effort to engage VBM voters, especially younger generations who may not be accustomed to having to buy postage stamps and mail items via the United States Postal Service. The goal of both recommendations was to achieve a higher Vote-By-Mail return rate during the 2015 municipal elections.

FINDINGS

PM+3

The table below suggests that PM+3 had a positive impact on the number of ballots counted. During the Primary Election and in prior election years, VBM ballots received after 8:00 p.m. on Election Day were labeled "Too Late" and were not counted. During the 2015 General Election the number of ballots labeled "Too Late" dropped considerably, allowing an additional 829 ballots to be counted.

| ELECTION | Ballots Returned | Too Late | % Too Late |
|----------------------------------|------------------|----------|------------|
| Primary 2007 | 83,593 | 2,126 | 2.54% |
| General 2007 | 77,888 | 1,392 | 1.79% |
| Primary 2009 ¹ | 114,537 | 1,892 | 1.65% |
| Primary 2011 | 132,502 | 2,372 | 1.79% |
| General 2011 | 97,001 | 1,115 | 1.15% |
| CD15 Primary 2011 | 8,510 | 67 | 0.79% |
| CD15 General 2012 | 8,848 | 182 | 2.06% |
| Primary 2013 | 187,130 | 1,491 | 0.80% |
| General 2013 | 212,202 | 2,180 | 1.03% |
| LAUSD1 General 2014 ² | 19,964 | 204 | 1.02% |
| Primary 2015 | 133,128 | 3,869 | 2.91% |
| General 2015 | 62,829 | 245 | 0.39% |

¹No 2009 General Election

²LAUSD1 Primary consolidated onto County Primary

Postage Paid Ballot Return Envelopes

The table below suggests the postage paid ballot return envelopes did not provide enough of an incentive for voters to return their ballots. Both the 2015 Primary and 2015 General elections saw decreases in the return rate of VBM ballots.

| VOTE-BY-MAIL BALLOT STATISTICS | | | | | |
|-----------------------------------|-------------------|---------------------|----------------|------------------------|------------------------|
| RECENT ELECTIONS | Ballots Mailed | Ballots Returned | Return Rate | | |
| Primary 2011 | 432,371 | 132,502 | 30.65% | | |
| General 2011 | 415,045 | 97,001 | 23.37% | | |
| Primary 2013 | 663,097 | 187,130 | 28.22% | | |
| General 2013 | 739,147 | 212,202 | 28.71% | | |
| POSTAGE PAID ELECTIONS (2015) | | | | Change from 2011 | Change from 2013 |
| Primary 2015 | 723,727 | 133,128 | 18.39% | 12.26% | -9.83% |
| General 2015* | 321,458 | 62,829 | 19.55% | -3.82% | -9.16% |

* LACCD had no races in the General Election.

CONCLUSION

The implementation of PM+3 had an immediate positive impact on the total number of ballots cast in the 2015 General Election. Implementation of postage paid return envelopes, however, did not produce the desired effect of an increase in the ballot return rate. Having implemented this feature for only one election cycle, the results may not be entirely conclusive. The 2017 Municipal Elections may provide a different result, since the elections will include city-wide offices which tend to generate greater voter response.

If you have any further questions regarding the information provided herein, please feel free to contact me.

Sincerely,

Gregory R. Allison

for Holly L. Wolcott
City Clerk

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EXE-036-15