

# Voice for Democracy

Newsletter of Californians for Electoral Reform

Nov. 2014

## Ranked Choice Voting Elections in Bay Area

by Rob Richie

Bay Area voters in Berkeley, Oakland, San Francisco and San Leandro on November 4th elected 22 offices with ranked choice voting (RCV). Ballots are still being scanned as of this writing, but we already know important information about these elections. Here are highlighted facts, with many derived from analysis of ballot image data by volunteers with CfER.

**Two new mayors were elected, with Libby Schaaf winning in Oakland and Pauline Cutter winning in San Leandro:** Both women emerged from hotly contested mayoral races with big wins. Among ballots already counted, Schaaf defeats city councilor Rebecca Kaplan by a margin of 26% in the final "instant runoff" and defeats all other candidates by larger margins when compared one-on-one. Cutter defeats Diana Souza by 12% in the final instant runoff round.

**How Libby Schaaf won - and how she explains ranked choice voting:** FairVote has created a round-by-round visual demonstration ([tinyurl.com/onkmar8](http://tinyurl.com/onkmar8)) of Libby Schaaf's win. Schaaf embraced ranked choice voting in her campaign – as she explains in this video ([youtube.com/watch?v=t0xEaTyCEUA](http://youtube.com/watch?v=t0xEaTyCEUA)) – and ultimately secured the second or third choice support of more than three in ten of the backers of her six strongest opponents (that is, everyone who won more than 0.2% of first choices). That ability to connect with so many Oakland voters was fostered by the fact that ranked choice voting, as *East Bay Express'* Robert Gammon reported ([tinyurl.com/pvjnd8f](http://tinyurl.com/pvjnd8f)), led to a campaign that was exceptionally civil and almost completely devoid of independent expenditures despite the high stakes.

**Voters used their rankings in high numbers:** Voters have embraced the ranked choice ballot. Despite no government voter education efforts of note this year, 74% of Oakland voters ranked three different candidates (the maximum allowed) and another 11% of voters ranked two.

[Continued on page 2 \[RCV Elections\]](#)

## 2014 Experience with Top-Two

by Richard Winger

As of Nov. 17, with final results still pending, it appears that only three or four incumbents in the state legislature will be defeated for re-election, and no congressional incumbents will be defeated. All of the incumbents who were defeated, or who may be defeated, were in traditional Democrat-versus-Republican races, with the possible exception of one race. None of the defeated incumbents were in races involving two members of the same party, with the possible exception of the Assembly race in the 39th district, where the margin between the two Democratic candidates is now 235 votes, with more ballots still uncounted.

Proponents of top-two commonly argue that the overwhelming majority of U.S. House and state legislative districts are either strongly Democratic, or strongly Republican, and therefore general elections are virtually settled in advance. They thus denigrate the importance of a traditional general election (*i.e.*, a Republican-Democratic race), and argue that the chief benefit of a top-two system is to produce November races between two members of the same party. They maintain that general elections between two members of the same party give all voters in the district more meaningful choice, because the two candidates from the same party will be forced to appeal to voters of the other major party in order to increase their chances of winning.

Top-two proponents also say that November races with two members of the same party will increase the number of moderates elected, and shrink the number of office-holders who are "Tea Party" Republicans, or Democrats who always do the bidding of labor unions.

To test these hypotheses, the following charts provide a brief description of US House and state Senate same-party races:

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## RCV ELECTIONS (CONTINUED)

In all 22 elections well over 99% of voters have cast a valid ballot. In contrast, in the first use of the Top Two primary in Alameda County in June 2012, more than three percent of voters in Oakland and San Leandro invalidated their ballots in the U.S. Senate primary. Evidence suggests that it is the number of candidates that affects voter error, not the opportunity to rank candidates.

**Fewer voters skip city elections with RCV and turnout was at its highest in decisive elections:** Statewide and congressional elections typically drive voter turnout far more than city elections. This year, the nation is projected to have its lowest congressional election turnout since 1942, with some 37 percent of eligible voters casting ballots. But due to RCV races occurring only in the general election, all of the decisive elections in these Bay Area cities were when a larger, more diverse group of voters was participating, not the much lower, less representative turnout one sees in June primaries or most December runoffs.

Furthermore, when national and city elections are combined on the same ballot, many voters will skip past their local election. With RCV, however, voters are more engaged in city elections. They have more choices and they hear from more candidates. Consider that in the Oakland mayoral race, 98% at the polls voted for mayor – up from the 97% in the last non-RCV mayoral election won by Ron Dellums in 2006.

Over in San Francisco, the trend has been particularly pronounced in Board of Supervisors races, with about a third fewer voters now skipping city races. One of San Francisco's most diverse wards is District 10, which in 2014 was the only RCV election in San Francisco to require multiple rounds to determine a winner. Of those at the polls for governor, more than 95% voted in Malia Cohen's re-election – sharply up from the 89% who participated in 2010 and the 83% who voted in the district in the last competitive non-RCV election in the district back in 2000. (Note that once Cohen's race is extended one more round to two candidates, she secures 64% of the vote against Tony Kelly and 57% of all ballots counted in the initial round, but the tally was stopped as soon as she exceeded 50% of ballots.)

**What about the timing of the RCV tally?:** In 2012, in the midst of a presidential election with much higher turnout, both Alameda County and San Francisco ran the first ranked choice voting tallies by 9 pm on election night, using the same voting equipment as this year – any delays this year were not due to RCV in itself. Furthermore, any delay in knowing winners of the remaining close races is

exactly the same as in any close election – we simply need to get all the ballots reviewed and scanned before we know who has won a close election.

**Women won a large majority of the 22 RCV elections:** Women have a history of doing well in RCV elections. In Oakland this year, women came close to sweeping all eight RCV elections. Libby Schaaf won the mayor's race and women were the top three finishers in first choices. Women won the citywide auditor race, two of three Oakland city council seats being elected (incumbent Desley Brooks and newcomer Annie Campbell Washington, with Dana King narrowly losing in another open seat race), and all three school board elections ([tinyurl.com/mpb9jmq](http://tinyurl.com/mpb9jmq)) in open seat races.

In San Leandro, Pauline Cutter won the open seat race for mayor, defeating another woman who finished second. Women also won two of three city council seats, all of which were also open seats.

In San Francisco, all incumbents won easily in the five RCV elections for the Board of Supervisors and two citywide offices, including women in three of the five seats and one of two citywide offices. Berkeley had just three city councils seats up for election, with female and male incumbents retaining their seats, and an open seat won by a woman (Lori Droste) against a man in the final instant runoff round.

For more information on ranked choice voting in the Bay Area, visit FairVote ([tinyurl.com/os78zhx](http://tinyurl.com/os78zhx)), [SFBetterElections.com](http://SFBetterElections.com) and [OaklandRCV.com](http://OaklandRCV.com).

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([www.FairVote.org](http://www.FairVote.org))

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## Memorial

CfER notes with sorrow the passing of Dr. Peter John Arthur Gaposchkin. Peter had a strong interest in IRV and PR and was an early member of CfER.

Peter passed away September 30 in Berkeley due to injuries from a tragic accident. He was 74. Peter earned degrees from MIT and UC Berkeley and worked as an astrophysicist, database specialist and programmer analyst. He was also very active with community groups and in local politics.

A memorial service was held November 16 at the Berkeley Friends Meeting House. We offer our condolences to Peter's family.



## TOP TWO (CONTINUED)

Key: (I) = Incumbent (E) = Elected

## U.S. HOUSE RACES

Competition	Location	Candidates	Analysis / Comments
Dem – Dem	District 17 Santa Clara County	Mike Honda (I) (E)	Support from labor
		Ro Khanna	Support from business \$800,000 from PAC of Texan John Arnold
Dem – Dem	District 19 Santa Clara County	Zoe Lofgren (I) (E)	
		Robert Murray	Former Republican
Dem – Dem	District 34 Los Angeles County	Xavier Becerra (I) (E)	<i>No discernible ideology difference between candidates</i>
		Adrienne Edwards	Community organizer
Dem – Dem	District 35 San Bernardino and LA Counties	Norma Torres (E)	State Senator First member of Congress born in Central America
		Christina Gagnier	Attorney <i>No discernible ideology difference between candidates</i>
Dem – Dem	District 40 Los Angeles County	Lucille Roybal (I) (E)	<i>No discernible ideology difference between candidates</i>
		David Sanchez	
Rep – Rep	District 4 Sacramento suburbs and Sierra Nevada's	Tom McClintock (I) (E)	Deemed more conservative
		Art Moore	Retired military officer Endorsed by former Republican Governor Pete Wilson
Rep – Rep	District 25 Los Angeles County and the Ventura County	Steve Knight (E)	State Senator <i>Both candidates quite conservative</i>
		Tony Strickland	Former Assemblymember Breitbart blog opines Strickland is more moderate

## STATE SENATE RACES

Competition	Location	Candidates	Analysis / Comments
Rep – Rep	District 28 Riverside County	Bonnie Garcia	Former Assemblywoman Moderate \$663,000 donation from moderate Rep. C. T. Munger
		Jeff Stone (E)	County Supervisor Conservative
Dem – Dem	District 6 Sacramento	Richard Pan (E)	Assemblymember Business-friendly, support from medical professionals
		Roger Dickinson	Assemblymember Progressive, support from trial lawyers Labor split between the two
Dem – Dem	District 24 Los Angeles	Levin DeLeon (E)	Democratic Senate Majority Leader
		Peter Choi	CEO of a non-profit organization <i>No discernible ideology difference between candidates</i>
Dem – Dem	District 30 Los Angeles	Holly Mitchell (I) (E)	<i>No discernible ideology difference between candidates</i>
		Isidro Armenta	Education Policy Deputy
Dem – Dem	District 40 San Diego	Ben Hueso (I) (E)	Suffered bad publicity when arrested before election for DUI
		Rafael Estrada	Community organizer



**STATE SENATE RACES (CONTINUED)**

Competition	Location	Candidates	Analysis / Comments
Dem – Dem	District 26 Los Angeles	Ben Allen (E)	Santa Monica-Malibu School Board member
		Sandra Fluke	Attorney Deemed more progressive Gained fame when Rush Limbaugh called her a “slut”

In summary, the typical 2014 race between two members of the Democratic Party generally did not offer much ideological contrast. Usually, if two Democrats were in the general election, they were more or less equivalent on the “moderate” versus “extreme” spectrum, with the exception of the 6th District Senate race and the 17th District Assembly race. The races featuring two Republicans usually did offer ideological contrast, but in all cases with ideological contrast, the conservative Republican beat the moderate Republican. Therefore, the claims of Top Two supporters appear generally unsubstantiated when the November 2014 election is examined: same-party races do not threaten incumbents nearly as much as Democrat-Republican races; and same-party races do not generally lead to more moderate elected officials.

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Richard Winger is a CfER Board member and publisher of Ballot Access News ([www.ballot-access.org](http://www.ballot-access.org))

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**President’s Letter**

I wanted to give an update to some articles in the previous newsletter.

Governor Brown did indeed sign AB 2351, so the American Independent, Green, Libertarian, and Peace and Freedom parties will remain ballot-qualified through at least the November 2018 election.

The court in the Santa Clarita voting rights lawsuit case settled the “Legal Issue” of “May a California City adopt a cumulative voting method pursuant to a settlement of a lawsuit alleging violations of the California Voting Rights Act [CVRA]?” by determining that yes, it may. As a result, Santa Clarita will be going to cumulative voting in 2016. As Santa Clarita is a general law city, this may set a precedent for general law cities to go to cumulative voting or even a pure PR system without first becoming a charter city.

The Santa Clarita Community College District, the Newhall School District, and the Castaic Union School

District will also be switching to cumulative voting, either to settle or to avoid the prospect of CVRA lawsuits.

Escondido held their first district elections under its CVRA settlement. The incumbents were re-elected, including in the district (#1) that was supposed to be able to elect a Latino candidate. (The Latino candidate lost, 45.8% to the incumbent's 54.2%.) The voters also rejected a change to become a charter city, 37.2% to 62.8%.

Anaheim voted to move to district elections and increase the council from 4 (plus mayor) to 6 (plus mayor) beginning in November 2016. Both measures were placed on the ballot to settle their CVRA lawsuit.

Santa Barbara will have a hearing on a CVRA lawsuit in early December.

Two communities held elections whether to go to district elections in the absence of a lawsuit. Woodland passed Measure U 67.8% Yes to 32.2% No so will implement district elections beginning in 2016. Highland defeated Measure T 42.9% Yes to 57.1% No so will not be going to district elections.

Regarding the memorial announcement on page 2 for Peter Gaposchkin, CfER Board member Joan Strasser attended his memorial and offers these comments:

Peter is remembered by CfER as a long time member who attended many meetings and was deeply dedicated to the cause of proportional representation. He had an amazing memory for political history, kept abreast of legislation affecting electoral matters, and loved to talk about the possibility of one or another bill passing, or candidates' chances of winning who favored PR. People spoke fondly of Peter at his recent memorial at the Berkeley Friends Meeting House. Many at his service spoke of Peter's combination of intellectual brilliance and passion for social justice.

We will miss him.

I hope everyone has a healthy and happy holiday season and a Happy New Year.

– Steve Chessin, President



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November  
2014Published by  
Californians for  
Electoral ReformEditor: Jim Stauffer  
Proofreader: Steve ChessinDistribution:  
Richard Winger  
and Bob RichardContributors:  
Rob Richie,  
Richard Winger,  
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## About CfER . . .

Californians for Electoral Reform (CfER) is a statewide citizens' group promoting election reforms that ensure that our government fairly represents the voters. We are a nonpartisan, nonprofit organization with members from across the political spectrum. Since our founding in May of 1993, our numbers have grown from about two dozen to hundreds of members participating in local chapters across California.

### OUR ELECTORAL SYSTEM IS IMPORTANT

The method by which we vote has dramatic consequences, and nearly one third of the state's electorate consistently goes without a representative that speaks for them in Sacramento. The choice of electoral system can determine whether there will be "spoilers" or vote-splitting effects, majority sweeps of representation on city councils, or pervasive negative campaigning. The choice of electoral system determines whether minority perspectives or racial and ethnic minority groups receive fair representation or get shut out of the process entirely.

### CFER IS THE LEADING ADVOCACY GROUP FOR THESE REFORMS IN CALIFORNIA

CfER works for legislation that would allow cities and counties to adopt voting methods that allow people to rank their preferences when they vote. CfER also works with activists in its local chapters to enact fair election methods in cities and counties across the state.

For more information visit [www.cfer.org/aboutus](http://www.cfer.org/aboutus)

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