

The League of Women Voters has two Distinct Roles:

- **Voter Service**

Impartial, Nonpartisan Information (Candidate Forums & Pros and Cons)
Never supports or opposes any candidate or political party.

- **Action/Advocacy**

Advocates for or against particular policies about areas of public interest which we have studied and have adopted positions in the public interest



Today, we are engaged in Voter Service.
Please check out www.VotersEdge.org for more info.

2021 CA RECALL ELECTION

League of Women Voters – Southwest Santa Clara Valley

August 14, 2021

Sponsored by

LWV Santa Clara County

**LWV Cupertino/Sunnyvale, LWV Los Altos/Mountain View, LWV Palo Alto, LWV San Jose/Santa Clara
& LWV Bay Area**



Moderator - Eleanor Yick

- Please keep yourself muted during the webinar.
- Please type all your questions in the Chat room.
- These questions will be reviewed by the hosts, possibly grouped together, and then presented to one or both of our speakers **after both presentations.**

Speaker - Ann Ravel

Ann Ravel was the County Counsel for Santa Clara County from 1998-2009. In 2009, she was appointed by Eric Holder as Deputy Assistant Attorney General in the Civil Division of the Department of Justice overseeing Torts and Consumer Litigation.

In 2011, she was appointed by Governor Jerry Brown as the Chair of the California Fair Political Practices Commission, and in 2013, she was nominated by President Obama, and unanimously confirmed by the US Senate, as Commissioner of the Federal Election Commission, serving until 2017.

She is presently the Director of Policy on Digital Deception at DeCode Democracy/ MapLight.



RECALL ELECTIONS

Ann Ravel

League of Women Voters – Southwest Santa Clara Valley
Vice President of Program

August 14, 2021



Why Doesn't the LWV Endorse or Oppose a Recall Election?

- “A recall is a valid electoral pathway and therefore the League cannot comment as per our impartial, non-partisan policy.” In other words, members acting in their capacity as League members are advised to stay neutral on the recall.
- “A recall is different from a referendum, in that referendums deal with an issue and is a space that the League is allowed to take a position on. We don't engage in recalls because they deal with candidates, and the process is legally valid. The League would only comment if the process were not valid or if the campaign engaged in questionable practices to qualify.”

- Ashley Raveche, League of Women Voters of California Deputy Director of Social Policy



History of US Recalls

- Previous to the Gray Davis recall in 2000, only 21 legislators in US history had ever faced recalls, and only 13 of those attempts were successful.
- Local jurisdictions have had more recall elections than at the State level.
- In California:
 - Insufficient signatures caused the failure of three recalls that were launched against Gov. Ronald Reagan between 1967 and 1972
 - Governor Jerry Brown had 8 recall petitions against him that failed for the same reasons

History of US Recalls

Only 2 US Governors have ever been recalled:

- Lynn Frazier, of North Dakota in 2021
- Gray Davis, 2003

(In 2000, the Davis recall was floundering until Darrel Issa contributed nearly \$2 million to keep the petition drive going)

History of US Recalls

- The recall first appeared in Colonial America, in 1631, in the laws of the General Court of the Massachusetts Bay Colony, allowing an elected body to remove another official.
- The recall itself dates back to the Constitution of Athens.
- In 1988, Governor Evan Meacham of Arizona was approved for recall, but he was impeached and convicted prior to it getting on the ballot.
- In many states, specific grounds are required for a recall - either some form of malfeasance, or misconduct in office that must be identified and in some cases proven by the petitioners. This is not required in California.

History of California Recalls

- **1913**: a judge in San Francisco was recalled
- **1928**: and LA City Council member
- **1932**: 3 LA Judges
- **1938**: LA Mayor
- **1986**: Supreme Court Chief Justice Rose Bird, Cruz Reynoso, and Joseph Grodin
- **1995**: State Assemblyman Paul Horcher
- **1995**: State Assembly Speaker Doris Allen
- **2003**: Gray Davis
- **2012**: 3 Fullerton City Council members
- **2018**: Superior Court Judge Aaron Persky (over his sentencing decision in People v. Turner)
- **2018**: State Senator Josh Newman (over his vote to raise the gas tax)
- **2020**: 2 Santa Cruz City Council members, for workplace misconduct



Unsuccessful Recalls and Attempts

Unsuccessful Recalls

- **1983**: SF Mayor Dianne Feinstein
- **2008**: State Senator Jeff Denham
- **2009**: SJ City Council member Madison Nguyen

Unsuccessful Attempts to Qualify Recall Elections

- **1966**: Attempted recall of all 7 Judges of the California Supreme Court
- **1992-3**: Governor Pete Wilson, Assembly Speaker Willie Brown, and Preside Pro Tem of the Senate, David Roberti
- **2010**: LA Mayor Antonio Villaraigosa

California Recall Procedures

- California Constitution - Article II, Sections 13-19, and Elections Code Section 11000 Et seq provide the requirements for recalls

State Officers

1. A Notice of Intention to circulate a recall petition must contain
 - the name and title of the official
 - the reasons for recall in 200 words or less
 - the names and addresses of all the proponents (must be at least 10)
 - and the mechanism for the official to file an answer.

This notice must be published at least once in a newspaper of general circulation.

2. The notice must be served and filed with the Secretary of State and with the officer sought to be recalled

State Officers

3. The proponents must file the Notice of Intention, including the addresses and signatures, and Proof of Publication with the Secretary of State, as well as two copies of the proposed recall petition. The Answer of the “Recallee” of no more than 200 words, must be filed within 7 days of the filing of the notice, must be filed With the SOS and one of the proponents. And the Political Party preference of the Recallee must be stated in order to appear on the ballot.

The proponents then must prepare the recall petition for circulation.

The official top founders must be disclosed.

The signers must provide their names, addresses and city.

The Circulators of the Petition must also file a Declaration of Circulator, with their identifying information and the dates that signatures were obtained.

How the Numbers of Signatures Required to Place on the Ballot is Determined

STATEWIDE OFFICERS

- 12% of the last vote for office, obtained from at least 5 different counties, and equal to at least 20%
- 1% of the last vote for the office in each of the 5 counties.

STATE SENATORS, ASSEMBLYMEMBERS, MEMBERS OF THE BOARD OF EQUALIZATION, AND APPELLATE JUDGES

- Must equal at least 20% of the last vote for the office

LOCAL OFFICERS

- The Notice of Intention, Service, and Publication are the same, except that the filing officer is the local elections official.



Determining the Numbers of Signatures Required

If an officer of a city, county, school district, county board of education, or local voting district, is sought to be recalled, the number of signatures must be equal in number to not less than the following percentage of registered voters in the district:

- A. 30% if registration is less than 1,000
- B. 25% if registration is less than 10,000 but at least 1,000
- C. 20% if registration is less than 50,000 but at least 10,000
- D. 15% if registration is less than 100,000 but at least 50,000
- E. 10% if the registration is 100,000 or above.

Determining the Numbers of Signatures Required

If a Judge of a superior is sought to be recalled, valid signatures must be equal to 20% of the last vote for the office.

If the office did not appear on the ballot previously, signatures must be at least 20% of the votes cast in the jurisdiction for the countywide office which had the least number of votes in the most recent general election in the county.

The Vote

If one-half or more of the votes on a recall proposal are **YES**, the officer is removed and if there is a candidate, the candidate with the highest number of votes is the successor to the unexpired term of the recalled officer.

Campaign Financing aspects of the Recall

- The Proponents and Opponents to the recall can receive unlimited contributions, and the committees can make unlimited expenditures on the recall itself. Recalls are considered to be in the same category as ballot measures, and therefore there are no limitations on the amount of money in the campaigns.
- The candidates to replace the Governor, should he be recalled, however, are subject to the same contribution limitations that are in place for State Gubernatorial candidates.

Special Considerations

A justice of an Appellate Court will be appointed by the Governor to replace a recalled justice.

In a recall of the Governor or Secretary of State, the recall duties must be performed by the Lt. Governor or Controller.

A state officer who is not recalled must be reimbursed by the State of the election expenses legally and personally incurred.

Some Local Recalls Being Sought 2021

- Nancy O'Malley, Alameda County DA
- Four of the Los Gatos-Saratoga Union High School District Board members
- Michelle Maginot and Bridget Watson, Sunnyvale School District
- Lori Cunningham, Cupertino Union School District
- Mount Diablo Unified School District
- Bill Wilson, Fremont Union High School District Shasta County Board of Supervisors
- Chesa Budin, DA San Francisco
- San Ramon Valley Unified School District

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Speaker - Shannon Bushey

Shannon Bushey is a life-long resident of Santa Clara County. She is the Registrar of Voters for the County of Santa Clara and has worked for the County for over 31 years. As a public servant, she has dedicated her career to helping Santa Clara County residents. As she said, "I love elections. Many people take the right to vote for granted, and we in the ROV family hope to change that perspective."

Bushey oversaw the development and implementation of the County's electronic filing programs that made it more convenient for candidates to meet the financial reporting requirements that give the public quicker access to their data. She also, very successfully, led our County through the recently adopted Voter's Choice Act. The ROV scheduled numerous public and online events for the public to learn about this new way of voting. Santa Clara County has one of the highest voting percentages in the state - thanks to the Registrar of Voters, her department and its work with many community organizations.

Registrar of Voters Shannon Bushey has been designated as a Certified Elections/Registration Administrator (CERA), the Election Center's highest professional achievement! Shannon is committed to fair, inclusive, accurate, and transparent elections.





sccvvote.org

(866) 430 - VOTE (8683)



Voter's Choice Act

- A new voting model that modernized elections by allowing the voter to choose when, where and how to vote
- Implemented in the 2020 Primary Election
- Every registered voter receives a Vote by Mail (VBM) ballot
- Vote Centers Countywide
- Vote at any Vote Center





Gubernatorial Recall Election

Key Dates



- County Voter Information Guide (CVIG) Mailing
- Vote by Mail (VBM) Ballot Mailing: **August 16 – September 7**
- In-person Early Voting at the Registrar of Voters' Office:
8am – 5pm, Monday - Friday, August 16 – September 14
- Remote Accessible Vote by Mail Ballots: **August 16 – September 14**
- Ballot Drop Off Boxes: **August 16 – September 14**





Gubernatorial Recall Election

Key Dates



- Last Day to Register to Vote: **August 30**
- Conditional Voter Registration: **August 31 – September 14**
- Weekend Voting at the Registrar of Voters' Office:
 - 9am – 5pm, Saturday, September 4 & Sunday, September 5**
 - 9am – 5pm, Saturday, September 11 & Sunday, September 12**
- Vote Centers Open: **9am – 5pm, September 4 – September 13**
7am – 8pm, September 14

 Ballots must be postmarked by **September 14** and received at the ROV by **September 21**



Register to Vote

- Online registration: <https://RegistertoVote.ca.gov>
- Paper registration
- Check your voter registration status:
<http://VoterStatus.sos.ca.gov>
- Make your plan to vote!





Voting by Mail



- Convenient way to vote
- Receive ballot/instructions/postage paid return envelope/list of vote centers & ballot drop boxes
- “I Voted” sticker





Gubernatorial Recall Election

Contest #1: Question

On the ballot, there are two contests regarding the recall of the governor. You may vote on both contests or on just one. The recall question is:

VOTER-NOMINATED OFFICES / CARGOS NOMINADOS POR LOS VOTANTES	
STATE / ESTADO	
Shall GAVIN NEWSOM be recalled (removed) from the office of Governor? ¿Debería ser destituido (removido) GAVIN NEWSOM del cargo de Gobernador?	
	YES/SÍ <input type="radio"/>
	NO/NO <input type="radio"/>

If more voters mark “**Yes**” than “**No**” on the recall question, the governor will be **removed** from office. **LWV** If more voters mark “**No**” than “**Yes**”, the governor will **remain** in office.



Gubernatorial Recall Election Contest #1: Question

2021 CA RECALL

The ballot will ask:
Do you want to recall the governor?

Yes **No**

If more than 50% the Governor
WILL be recalled.

If more than 50% the Governor
will **NOT** be recalled.






Gubernatorial Recall Election

Contest #2: Candidates



The second contest will list the names of candidates running to replace the governor if he is recalled. If the governor is recalled, the candidate who receives the most votes will be elected as the new governor.

- The contest for Governor is a voter-nominated office
- You may choose any candidate running for a voter-nominated office, regardless of the party you or the candidate prefers
- For this election, there may be multiple candidates with the same party preference within the same contest
-  Voters may vote for one candidate only



Gubernatorial Recall Election Question & Candidates

#2021CARECALL

The California 2021 Recall Election ballot will ask



**Do you want to
recall the governor?**



**Who do you want
to replace him?**

Your answer to one won't impact the other!





How to mark your Ballot



- **Fill in the Oval** to the right of your selection **completely**
- Use a black or blue ink pen. **NO RED INK**
- Do not use check marks, X's, lines or circles
- No personal info or identification marks on your Official Ballot



Write-In Voting:

- Print the name of the qualified write-in candidate in the blank space provided
- Fill in the oval completely to the right of the write-in space
- Do not write in a candidate name already printed on the ballot





When you're done Voting

- Information on how and where to return your ballot is included in your voting materials
- Place ballots in envelope
- Complete address & signature
- Authorize someone to return your ballot





VOTER AUTHORIZATION:

Complete box ONLY if this ballot is hand delivered by someone other than the voter.

I am unable to return my ballot in person and hereby authorize the following person to return it in my place.

AUTORIZACIÓN DEL VOTANTE:

Complete esto ÚNICAMENTE si esta boleta será entregada personalmente por otra persona que no sea el votante.

No puedo regresar mi boleta en persona y autorizo a la siguiente persona para entregarla en mi lugar.

Jane Dough

Print Name of the Person Returning Ballot / Nombre de la persona que está entregando la boleta

Jane Dough

Signature of person returning ballot / Firma de la persona que está entregando la boleta

Wife

Relationship to Voter / Parentesco con el Votante

↓ SIGNATURE (REQUIRED) / FIRMA (REQUERIDA) ↓



Joe Dough



Signature must be in voter's own handwriting. (Do not print)
El votante debe firmar con su puño y letra. (No use letra de molde)

1555 Berger Dr, San Jose CA 95148 11/1/2020

Residence address as registered in Santa Clara County Date / Fecha
Dirección residencial tal como está registrado en el Condado de Santa Clara

IMPORTANT: Failure to SIGN the declaration will invalidate your ballot. Warning: Voting more than once in the same election is a crime.

IMPORTANTE: Si no FIRMA la declaración, invalidará su boleta. Advertencia: Votar más de una vez en la misma elección es un crimen.



SCLA0120R002 - BRM ES

After you have voted your ballot: Place ballot inside this return envelope, seal it, sign name, print residence address as shown on your voter registration card and enter the date above.

Después de haber votado en su boleta: Coloque la boleta dentro de este sobre de retorno, ciérralo y firme, imprima el domicilio de residencia tal como se indica en su tarjeta de registro y ponga la fecha.



Returning your VBM Ballot

- Mail your ballot – no postage required
- Any ballot drop box
- Any vote center
- Track your ballot: **WheresmyBallot.sos.ca.gov**



QUESTIONS?

Nonpartisan Election Information

- Santa Clara County Registrar of Voters:
<https://sccvote.sccgov.org/register-vote>
- Voters Edge: check out your personal ballot:
<https://votersedge.org/ca>
- LWV CA Recall Election Toolkits:
<https://docs.google.com/document/d/1leYoBySPyaNR5jBooeclwS5YVYkan-L69TCAftWzw8E/edit?usp=sharing>

REMEMBER TO VOTE BY SEPTEMBER 14, 2021



Check out More News and Upcoming Events from our Local Leagues !

<https://my.lwv.org/california/southwest-santa-clara-valley/calendar>

<https://my.lwv.org/california/santa-clara-county/calendar>





Connect with us!

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