



September 13, 2019

Honorable Gavin Newsom
Office of the Governor
1303 10th Street, Suite 1173
Sacramento, CA 95814

RE: SB 212 (Allen) - Elections: Local Voting Methods SUPPORT

Dear Governor Newsom,

On behalf of the following civil rights and good government organizations, we write to urge you to sign Senate Bill 212 (Allen), which will authorize general law cities, counties, and school districts to use two additional voting methods for their local elections, if they so choose: the top-two runoff and ranked choice voting (RCV). SB 212 simply gives local jurisdictions access to solutions that charter cities in California are already using to address the turnout disparities of traditional runoff elections, vote splits, and the spoiler effect in plurality-winner voting.

We also support this bill because it authorizes more representative voting systems that may result in local governing bodies that better reflect the diversity of our communities and state, bringing us closer to the goal of a California for All.

At a time when voting rights are under attack nationally, California has an opportunity to lead in the fight to strengthen democracy and expand voting rights and diverse representation. SB 212 contributes to those worthy goals by putting power in the hands of voters, where it belongs.

SB 212 is targeted at fixing several longstanding problems in California. Right now, in all counties except for San Diego and San Francisco, candidates can be elected during low-turnout primaries, with a number of recent county elections producing turnouts of less than 15%. Certain demographics of voters are impacted by this more than others. A 2014 study by the Public Policy Institute of California (PPIC) found that:

"[T]here is little question that primary electorates have included fewer young people, Latinos, and Asian Americans than the general electorate in the fall. The difference is largest for Latinos,

whose share of the electorate has been about seven percentage points higher in the two most recent fall presidential elections."¹

To fix this problem, SB 212 would provide an option to use the top-two runoff or ranked choice voting, to ensure that candidates for county office are only elected during the November general election, when turnout is highest.

General law cities and schools are required by state law to use plurality voting, which can result in unrepresentative candidates being elected due to vote splitting when there are multiple candidates running for one seat. Plurality voting methods to elect multiple candidates at-large are also well known to exclude minority voters from access to representation. In many cases, where minority communities are geographically concentrated and can be drawn into a district, transitioning to district elections is the best way to empower that community. However, where minority communities are geographically dispersed, majority-minority or minority opportunity districts may not be possible. In these situations, multi-seat ranked choice voting, or proportional representation, may provide better opportunities for these groups to elect a candidate that represents their community.

SB 212 provides another tool to the civil rights community. By codifying RCV in state law, general law cities can have greater flexibility to adopt a system that will facilitate more representative outcomes that work for them. Ranked choice voting has a long history in U.S. elections and a strong record for representative outcomes. It is already being implemented as a voting rights act remedy in Eastpointe, Michigan, and has been authorized under the Federal Voting Rights Act in Lowell, Mass. SB 212 also requires that the adoption of RCV be followed by community outreach and education before the switch in election system.

SB 212 ensures that these solutions are only used where voters want them: any change in local voting system could only be adopted by a vote of the local electorate.

As California continues to lead the way in strengthening our democratic institutions, the people of California also deserve a local government that works for them. For these reasons, we strongly urge you to sign SB 212, which puts the power of self-determination back in the hands of our communities.

¹ Eric McGhee, *Voter Turnout in Primary Elections*, PPIC, May 2014, pg. 12 available at https://www.ppic.org/content/pubs/report/R_514EMR.pdf

Should you have any questions, please feel free to reach out to Nicolas Heidorn, with FairVote, at 510-798-3425 or nheidorn@fairvote.org.

Sincerely,



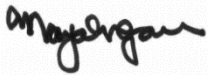
Pedro Hernandez
Senior Policy Coordinator
FairVote



Carol Moon Goldberg
President
League of Women Voters




Jonathan Stein
Voting Rights Program Manager
Asian Americans Advancing Justice
Asian Law Caucus



/s/ Maya Ingram
Legislative Attorney
ACLU of California



Alex Kaplan
Policy Director
Represent.Us



Steve Chessin
President
Californians for Electoral Reform