



Modernizing the Recall, Reclaiming California's Leadership in Innovative Democracy

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Overview and key points

1. The current system, when combined with an environment of deep polarization and rampant misinformation, makes a **mockery of majority rule**
2. Future recall elections, particularly in state legislative elections, could have **significant equity concerns** among voters of color, low-income voters, and younger voters
3. The current system is **archaic**, and does not reflect important innovations that California has made on electoral reform
4. California has the **chance to innovate and lead** once again
 - a. Menu of choices rather than 1 ballot measure
 - b. Sunset provisions, to avoid future problems of obsolescence



Current system - Gamesmanship and mockery of majority rule

- 1. Signature gathering requirements are sensitive to context**
 - a. Intense party polarization (including within party)
 - b. Intensification of opinion through social media echo chambers
 - c. Misinformation and disinformation can play a big role in signature gathering phase
- 2. Costs can be significant**
 - a. Monetary costs for more frequent elections
 - b. Free-for-all dynamic might force candidates to jump in, hurting chances in future elections
- 3. Mockery of majority rule**
 - a. Limits ability of representatives to enact the will of electoral majorities
 - b. Possible for incumbent with 45% to 49% support to lose, and be replaced by someone with support below 30%



Equity concerns

- 1. Voter turnout among young voters, voters of color, renters, low-income voters tends to be disproportionately lower in**
 - a. Midterm vs presidential elections
 - b. Primary vs general elections
 - c. Special elections
 - d. Off-cycle elections
- 2. Evidence of turnout in 2021 gubernatorial recall**
 - a. Worsening turnout disparities by race not evident*
 - b. Turnout disparity by age worse than in 2018
- 3. Turnout disparities likely worse for state legislative recalls**
 - a. Less news coverage, less advertising, less spending
 - b. Lower voter awareness, interest among lower-income, younger voters, voters of color



Current system is archaic

1. **Does not incorporate Top Two**
 - a. Helps ensure majoritarian rule in two-stage elections
2. **Does not incorporate instant runoff**
 - a. Helps ensure majoritarian rule in single-stage elections



With reform, we have an opportunity to innovate

- 1. Should consider multiple questions, not just one package**
 - a. Uncertainty in public opinion about particular provisions
 - b. One unpopular provision (now, or closer to Election Day) could sink the effort
 - c. Gives more opportunities for voters to deliberate and decide
 - d. In the spirit of 1911 (23 provisions, 22 passed given the spirit of reform)
- 2. Should consider sunset provisions**
 - a. Has been done for statutory initiatives before
 - b. Prevents us from burdening future generations with unintended consequences and outdated designs
 - c. Allows for learning, opportunity to make permanent in the future
 - d. Can help ease anxiety and reluctance by allowing for reversion to status quo after a set time period, say 10 years



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