



June 28, 2024

**VIA Online Portal to Author & Assembly Committee on Appropriations**

The Honorable Josh Newman  
California State Senate  
1021 O St. Suite 6520  
Sacramento, CA 95814

**Re: SCA 1 (Newman) - Elections: recall of state officers – CO-SPONSOR AND SUPPORT**

Dear Senator Newman:

The League of Women Voters of California and California Common Cause are pleased to co-sponsor SCA 1, to ensure that recall elections for statewide and legislative offices in California are democratic, fair, and free from political manipulation. Our organizations support electoral methods that promote high participation, engage historically underrepresented voters, have clear rules, and in which winners are required to receive a majority of the votes for single seat offices. Those fundamental goals are eroded by the way recall elections currently operate in California. SCA 1 would maintain voters' power to hold officeholders accountable and remove those who betray the public trust, while eliminating the gamesmanship that allows the recall to be used to undercut the will of the majority.

**The Two-Question Ballot.** Under current law, an off-cycle special election may be held for a recall, in which voters are presented with two questions - whether an officer should be recalled and who should replace the officeholder. While the first question requires a majority vote to remove the elected official, the second question allows a replacement candidate to be chosen by a slim plurality. Our state's most important leaders can therefore be picked at low-turnout elections with non-representative electorates, and replacements can be put into office with low plurality support, rather than a majority of voters in the election. Furthermore, voters have expressed deep confusion as to whether they are permitted to vote for a replacement candidate if they vote "no" on the first question. The perplexing system can cause people to refrain from answering the second question, thereby disenfranchising voters, and contributing to an undervote for replacement candidates.

Senator Josh Newman

Page 2

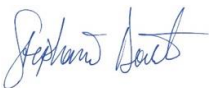
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SCA 1 would remove the second question from the ballot for all statewide and legislative recall elections and require that in the event of a successful recall, a replacement candidate is selected with majority support in a separate, subsequent election. If the Governor were recalled, the Lieutenant Governor would temporarily succeed the Governor, which aligns with the Lieutenant Governor's duties in other contexts. If the recall occurs in the first two years of the Governor's term, the replacement election would be consolidated with the next statewide primary election and subsequent statewide general election. If the recall is successful in the last two years of the Governor's term, the Lieutenant Governor would serve as governor for the remainder of a recalled governor's term. For other statewide officers, the Governor would appoint a replacement for the remainder of their term, which is the current process if they resign or leave office for some other reason. For state legislators, the position would be left vacant, as it would if they resigned or left office for some other reason, until a special election can be held.

**Choice of Replacement Candidates.** Current law prohibits a state officer who is the subject of a recall election from being a candidate for successor. Therefore, a replacement candidate can win office with a plurality of far fewer votes than an incumbent who was recalled by a slim majority of votes. This counterintuitive scheme denies people the ability to vote for their true choice of candidate and undermines the public's confidence in elections. SCA 1 would allow the recalled officer to run in the replacement election for the vacant office and require a majority vote to win.

The League of Women Voters of California and California Common Cause are co-sponsoring the constitutional amendment proposed by SCA 1 because it would retain access to the recall, but in a way that should ensure recall outcomes are democratic and broadly supported and will help to eliminate recalls that are frivolous or degrade democratic legitimacy.

Sincerely,



Stephanie Doute  
Executive Director  
League of Women Voters California



Jonathan Stein  
Executive Director  
California Common Cause