

Terry W. Reilly

TO: Elections Commission

Date: 4/21/10

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From: Terry Reilly

Number of pages including cover: 5

Regarding: Analysis of Chinese American Voter Education (CAVEC) Poll

Dear Election Commission,

When IRV was proposed, the complex voting scheme raised concern among the immigrant population. The CAVEC was very concerned it would confuse the chinese voters and raised concerns. CAVEC, a non-profit voter education group serving the immigrant community for over 40 years was attacked for doing so.

On the first election, CAVEC commissioned a poll which showed:

35% African Americans found RCV difficult to use

27% Asian Americans found RCV difficult to use

New America Foundation hailed these figures as "very positive".

CAVEC considered filing a Voting Rights lawsuit.

Sincerely yours,

A handwritten signature in black ink that reads "Terry Reilly". The signature is written in a cursive style with a large, looping initial "T" and "R".

Terry Reilly

The supporters of instant runoff voting promised that their system would reduce negative campaigning.

Well, hypocrisy rhymes with democracy.

IRV supporters are conducting a nasty campaign to smear the Chinese American Voters Education Committee, a group concerned about IRV's potential to confuse and disenfranchise more than 15,000 voters who use Chinese-language ballots.

CAVEC filed a complaint May 23 with California Secretary of State Kevin Shelley to prevent IRV's final certification for San Francisco's November election.

If Shelley certifies IRV, CAVEC will likely sue to halt the use of IRV in this fall's election.

For filing the complaint, CAVEC, a voter education and rights organization since the early 1970s, is being characterized as an unwitting stooge for Gavin Newsom's mayoral campaign and allies. Pro-IRV people contend that CAVEC and other groups are trying to deep-six IRV because they think it would weaken Newsom's mayoral candidacy.

Because of its tax-exempt status, CAVEC cannot endorse candidates, but the group can take a stand on voter-rights issues by, for instance, contesting IRV.

Pro-IRV forces promised that IRV would limit negative campaigning. Yet, hypocritically, they're conducting a smear campaign to discredit the nonpartisan CAVEC.

For example, the *Bay Guardian*, unabashedly advocating in its stories and editorial pages for IRV's implementation, published a July 2 story titled "Who's Fighting Election Reform?" The story said about CAVEC, "It's the same crew that backs Gavin Newsom for mayor."

In pro-IRV commentary published in the June 19 edition of *AsianWeek*, San Francisco Board of Education members Eric Mar and Mark Sanchez wrote that a "disinformation campaign has begun and unfortunately (CAVEC director) David Lee has become part of it."

In an attempt to show guilt by association, Mar and Sanchez described Lee's lawyers representing CAVEC in its complaint as "longtime associates of Willie Brown." Along with CAVEC, the A. Philip Randolph Institute (an African American voter-registration group) and San Francisco Democratic County Central Committee member Mary Jung co-signed the complaint.

David Lee hasn't taken this lying down.

In a July 11 *AsianWeek* rebuttal, Lee angrily chastised Mar: "Earth to Mar: It's not about your silly Willie (Brown) world conspiracy theories, it's about your misguided effort to screw Chinese Americans out of their votes in service of your political agenda and on behalf of your candidate, Tom Ammiano."

Weeks before, Lee demanded that the *Bay Guardian* "produce any evidence to support (the) groundless charge" of being aligned with Newsom, Mayor Willie Brown or a "political machine."

**CHECKS AND BALANCES:** The charges by pro-IRV advocates against CAVEC are ludicrous, given that executive director Lee is accountable to a three-member board of directors: lawyers Adrienne Tong and Douglas Chan, and Supervisor Fiona Ma.

The nonpartisan, nonprofit group can't support Newsom, given the internal checks and balances. Ma is supporting Susan Leal for mayor (Leal supports IRV). If CAVEC even tried to pull strings for Newsom, Ma would likely blow the whistle on any such activity.

At CAVEC's annual fund-raiser this spring, Newsom introduced the keynote speaker, Senator Dianne Feinstein. However, the committee also gave equal time to Leal, who was on stage to present an award.

One might contend that CAVEC could be a pro-Ma group. That hypothesis won't hold up, either. Board member Doug Chan endorsed one of Ma's opponents, businessman Ron Dudum, in the race for supervisor.

Meanwhile, board chair Adrienne Tong is a deputy city attorney who works for Dennis Herrera, who as city attorney is no longer able to endorse candidates for mayor.

**FULL DISCLOSURE:** I was chairman and director of CAVEC during the 1980s and in 1994. Now I'm the editor of *AsianWeek*, which supported IRV last year but recently editorialized that implementation should be deferred until 2004.

## **Poll Shows San Francisco Voters Like Ranked Choice Voting and Find It Easy to Use**

### ***CAVEC Exit Poll Survey Shows Positive Views That Cross All Racial and Ethnic Lines***

#### **Contact:**

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Steven Hill, Senior Analyst, 415-665-5044

San Francisco voters had a **very positive** introduction to their new ranked-choice voting (RCV) system, according to an exit poll survey of 2,108 San Francisco voters released by the **Chinese American Voter Education Committee** (CAVEC). Those respondents expressing an opinion about the system overwhelmingly expressed support for it, while similarly larger majorities found that the system was easy to use.

69% of those surveyed in CAVEC's survey expressed an opinion about RCV. Of these voters, fully 71% indicated they liked RCV, with most indicating they liked RCV "a lot." This support crossed all racial and ethnic lines:

- 83% of Latinos who expressed an opinion liked RCV
- 70% of whites who expressed an opinion liked RCV
- 72% of Asians who expressed an opinion liked RCV
- 62% of blacks who expressed an opinion liked RCV

The complete numbers were:

- Latinos: 48% liked RCV, 10% disliked it, 42% gave no opinion
- Whites: 52% liked RCV, 22% disliked it, 26% gave no opinion
- Asians: 46% liked RCV, 18% disliked it, 36% gave no opinion
- Blacks: 37% liked RCV, 22% disliked it, 40% gave no opinion

Despite the first RCV election taking place in a year with high voter turnout when most media attention was focused on the federal elections, only 18% of voters found the new system difficult to use. In every racial and ethnic group a majority of voters indicated the system was easy for them.

- Overall, 67% of voters found it easy to use, compared to only 18% who found it difficult. (The rest did not express an opinion.)
- 74% of Latinos found it easy to use, compared to only 14% who found it difficult.
- 71% of whites found it was easy to use, compared to 13% who found it difficult.
- 57% of blacks found it easy to use, compared to 35% who found it difficult.
- 59% of Asian Americans found it easy to use, compared to 27% who found it difficult.

Actual voting results based on ballot record images released by the Department of Elections and analyzed by the Center for Voting and Democracy indicate that most voters in the supervisor races made good use of their rankings. In the hotly contested District 1 race, for example, voters on average cast 2.52 rankings each. The number of rankings cast by voters was similar for supporters of different candidates, ranging from a low of 2.41 for the winner, McGoldrick, to a high of 2.69 for opponent Tuchow. Supporters of leading Asian candidate Lillian Sing ranked an average of 2.56 candidates.

Researchers at the Public Research Institute at San Francisco State University analyzed results from their exit poll about attitudes toward ranked choice voting. This study confirmed most of the positive results displayed in the CAVEC exit poll. View the results of the San Francisco State exit poll at [Ranked-Choice Voting in the San Francisco 2004 Election](#).

Back to [www.sfrcv.com](http://www.sfrcv.com)

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## SAN FRANCISCO

### Ranked voting troublesome for Chinese Survey finds S.F. bloc may not have understood process

Suzanne Herel, Chronicle Staff Writer  
Thursday, November 11, 2004

San Francisco's new ranked-choice system of electing local officeholders may have confused Chinese-speaking voters and resulted in them having less say in the election outcome, according to a voter education group.

A poll commissioned by the Chinese American Voters Education Committee found that Chinese-speaking voters reported more difficulty understanding the new ranked-choice ballots and that they more frequently than other groups failed to take advantage of the opportunity to vote for a second and third choice.

That means that if their first choice didn't win, they didn't get to weigh in further with their second and third choices being considered, said David Lee, the group's executive director.

"While some voters genuinely like this system and found it easy to use, some voters, in particular Chinese-speaking voters, had a very different experience," said Ben Tulchin of the polling firm Fairbank, Maslin, Maulin and Associates, which conducted the poll for the voter education group.

Proponents of ranked-choice voting, however, questioned the validity of the poll and the conclusions Lee is drawing from it.

"They don't know if people only ranked one candidate because that's what they wanted to do," said Steven Hill, whose Center for Voting and Democracy is a leading advocate for ranked-choice voting. "There's no evidence ... because their exit poll didn't ask why."

Hill said reports of some confusion were to be expected because the system was being used for the first time.

Still, Lee's group is using its findings in considering whether to file a voting rights lawsuit against the city or push for a repeal of ranked-choice voting. The system was approved by voters in 2002 and was used here for the first time Nov. 2 to elect seven district supervisors.

The ranked-choice voting method is designed to eliminate runoff elections, which can cost the city up to

