Terry W. Reilly

TO: Elections Commission

Date: 4/21/10

From: Terry Reilly

Number of pages including cover: 7

Regarding: Negative Campaigns

Dear Election Commission,

Reports have shown RCV has not impacted negative campaigning in San Francisco.

Sincerely yours,

Terry Reilly

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S.F. supervisor tallies held until voting done

Wyatt Buchanan, Chronicle Staff Writer
Wednesday, November 5, 2008

(11-05) 00:12 PST SAN FRANCISCO -- San Francisco voters appeared on their way Tuesday to keeping the current political makeup of their Board of Supervisors, as they chose new leaders in three critical races, while two incumbents who faced no significant opposition held onto their seats.

Supervisors Ross Mirkarimi in District Five and Sean Elsbernd in District Seven won big in their bids for re-election Tuesday night. With 100 percent of the precincts counted, Mirkarimi won with 77 percent of the vote. Elsbernd was leading with 73 percent on the vote with 93 percent of precincts counted, guaranteeing both another four years in office.

In three hotly contested races between moderate and more liberal candidates, the further left candidates appeared to be holding on to the seats vacated by three termed-out supervisors of the same political faction.

A moderate victory in two or more would mean a board more aligned with the mayor. That is something absent in city politics since 2000, when several of the termed-out supervisors - like Aaron Peskin, Jake McGoldrick and Gerardo Sandoval - were first elected, but more liberal candidates were leading in all three of those districts.

The final outcome may not be known for several days, however, because of San Francisco's ranked-choice voting system, which ensures a candidate with more than 50 percent of the vote wins without a runoff. The winner will depend on who voters picked as their second and third choices.

Several rounds of ballot counting are necessary before elections officials can declare a winner.

With 100 percent of the vote counted, Eric Mar was leading in District One, which covers the Richmond, with 42 percent of the vote. The more moderate Sue Lee was in second with 32 percent of the vote.

In District Three, which covers North Beach, Chinatown, Telegraph Hill and Russian Hill, David Chiu led with 39 percent of the vote with 100 percent of precincts reporting. Joseph Alioto Jr. was in second with

23 percent of the vote. Chiu claimed victory in front of supporters Tuesday night.

District 11, which was the clearest battleground between moderate and more liberal forces, John Avalos, a former aide to Supervisor Chris Daly, was leading with 29 percent of the vote with 97 percent of precincts counted. Ahsha Safai, a former aide to Mayor Gavin Newsom, had 24 percent of the vote.

Incumbent Supervisor Carmen Chu was just above the 50 percent mark with 95 percent of the vote counted. Challenger Ron Dudum had 36 percent of the vote.

The incumbent winners expressed their gratitude to the city's voters.

"I'm excited and very much look forward to the next four years," said Elsbernd, who called his expected victory "a ratification of the previous four years."

Mirkarimi, who is expected to become the first Green Party candidate re-elected to office in the city, also said his win was "evidence of a strong first term."

"I'm absolutely proud to be (District Five's) representative and shall continue to vigorously champion the needs of the people of the district and San Francisco."

The election and months-long campaigns of the host of candidates has "illustrated the San Francisco political community's maturity vis-a-vis ranked-choice voting," said Alex Clemens, a political consultant who is not working for any of the candidates. Clemens maintains a Web site that has been closely following the various races for months.

While he has seen more candidates explicitly run for second-place spots, Clemens said predictions that this system would lead to less expensive and less hostile campaigns did not come to pass this cycle.

The final expenditures have yet to be calculated, but the cost of the races citywide - including soft-money donations - is likely to be in the several millions of dollars. Negative attack ads have proliferated in the three battleground districts.

Despite the contentious campaigns, both Mirkarimi and Elsbernd said they expect a fresh sense of collegiality to accompany the new board, whoever ends up winning.

"Hopefully we will move beyond the politics of personality to the politics of public policy," Elsbernd said.

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http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2008/11/05/BA7013RAEC.DTL

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S.F. ranked-choice voting slow, confusing

C.W. Nevius, Chronicle Columnist
Thursday, November 6, 2008

(11-05) 20:28 PST -- In most cities, when the election is over the candidates hold a party. In San Francisco they hold their breath.

"I have had so many people come up to me today and say, 'I'm so sorry you lost,' " said supervisor candidate Mark Sanchez.

Actually, Sanchez hasn't lost - at least not yet.

Two days after the election, he's still locked in a close race with opponent David Campos in District Nine, which covers parts of the Mission and Bernal Heights. Because of the city's complicated ranked-choice voting procedures, in which voters pick a second and third candidate to avoid costly runoff races, election officials aren't expected to have results in some supervisor races until Friday.

Is this really the best way to run an election? Although experts say ranked-choice voting is here to stay, it has so many negatives that it is hard to believe this is the best we can do. The system encourages wheeling and dealing among candidates, allows someone who did not gain a majority of the votes in the first round to win, and doesn't create a head-to-head runoff between the two top candidates.

Besides that, it is incredibly confusing.

"It's kind of like democracy or socialism," said political strategist Alex Clemens. "In the abstract they are all perfect. In reality the complexities are burdensome."

Ranked-choice voting is one of those cutting-edge innovations that this city loves. It was national news in 2004 when San Francisco became the first major metropolis to try the concept. At the time it was suggested that it would work so well that the idea would sweep the nation. So far it has swept over to Oakland (which adopted ranked-choice procedures but didn't use them in this election) but it hasn't exactly set the country ablaze.

On Tuesday, every city voter was allowed to vote for three candidates. If no one gets a 50 percent majority of the voters' top choices, the candidate with the fewest votes is eliminated. The second choices of voters who picked the eliminated candidate are then figured in.

Have I lost you yet?

The process continues, eliminating the lowest candidate and transferring the backup votes until someone gets 50 percent and is declared the winner.

Former Mayor Willie Brown is no fan of the procedure.

"It has clearly been designed by the left to have this very small majority win," Brown said. "I say if you're for majority rule, you're for majority rule."

Brown is among those who would like to see elections go back to the old way. If no candidate got a majority, a runoff election was held between the two top vote-getters.

Unfortunately, runoff elections had their problems, too.

"We had them in December, it was around Christmas, and nobody voted," Brown said.

A better suggestion, he thinks, is a runoff after the first of the year. That idea isn't problem-free. It means more delay and extra cost of putting on yet another election.

Brown is not impressed with that argument.

"That's BS," he said. "You can't overspend in the perfection of democracy."

In ranked-choice elections, the candidates with better name recognition often prevail in the second and third rounds of vote counting. Campos, who is currently leading Sanchez, knows his ranked-choice history. In 1984, former Supervisor Ed Jew won the election in the heavily Asian Sunset District even though he trailed Ron Dudum after the second round.

"The way we understand that experience," Campos said, "you had a non-Chinese candidate running against a Chinese candidate. We don't feel that will be the case here."

What he means is that he, Sanchez, and Eric Quezada are expected to split the Latino vote. That leaves the door open for what critics say is one of the flaws of the system - it encourages secret deal making.

"Two of the (other) candidates, Eric Storey and Tom Valtin, approached me and said they would support me with their second and third choice," Sanchez said. "And then Quezada, who is more left than Campos, said he'd support me, too. It was definitely done informally, but (ranked choice) does provide that opportunity."

So does that mean that Sanchez is poised for a come-from-behind victory? It is certainly possible. District Nine is the closest race this year, and Quezada has more than 3,000 votes that could be reassigned.

But the reality is Jew's comeback was unusual. In most situations, the person who gets the largest number of votes in the first place ends up winning.

"The reality is, in ranked-choice elections," said political consultant David Latterman, "the way to win the election is to get the most votes."

So the day after the election Sanchez was cleaning up a few things at his campaign headquarters, waiting for election officials to run through the second and third choices. Campos said he was doing pretty much the same thing - just waiting.

Would you rather see that, or a slam-bang runoff between two evenly-matched candidates in an election that really meant something?

C.W. Nevius' column runs Tuesday, Thursday and Saturday. E-mail him at cwnevius@sfchronicle.com.

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Question 5: In the voters' eyes, did RCV reduce the level of negative campaigning?

Table 5A: PERCEPTION OF NEGATIVE CAMPAIGNING UNDER RCV: Estimated percentage responses to Question 22 from the combined and weighted sample of election-day and absentee non-first-time voters who said they voted in the Board of Supervisors election.

Question 22: "***Thinking just about the campaign for the Board of Supervisors in your district, was it more or less negative than in past elections: More negative than past elections, no difference, less negative than past elections?***"

Response	Estimated Percent
More negative	18.3%
No difference	62.6%
Less negative	19.1%
Total:	100.0%
Weighted N:	2602 (Unweighted N: 2487)

Answer: No, on the whole, at least in this particular election. About as many sample voters (18.3%) said campaigning in their district was actually more negative than in past elections as those who said it was less negative (19.1%). More than three out of five voters, however, observed no difference in the level of negative campaigning. This is a disappointing finding for IRV advocates like me, but the chips fell that way. At least one local political observer has suggested that the campaigns run against incumbents in districts 1 and 11 were unprecedented in their viciousness and overall negativity, and that results for these two districts should be omitted from the calculations to yield a fairer, more accurate picture of RCV's overall civilizing effects. Table 5B below does just that, with results that are certainly (although not