

Member, Board of Supervisors
District 3



City and County of San Francisco

AARON PESKIN

March 1, 2022

Betty Packard, Chair
Ballot Simplification Committee
C/o Department of Elections
publications@sfgov.org

Chair Packard and Ballot Simplification Committee Members:

I hereby write to request reconsideration of one key piece of the approved digest for the measure titled "Recall Timelines and Vacancy Appointments," namely clarification that **a recall election may not be held within 12 months of the next scheduled election for that office.**

At Tuesday's hearing, the Ballot Simplification Committee declined a suggestion made by my staff during public comment that the digest be amended to provide this clarification and suggested that it was better addressed in the context of a ballot argument. For the following reasons, I respectfully disagree.

First, the 12-month window is an **objective standard set forth in the proposed Charter amendment** itself, here:

(2) no recall petition shall be submitted to the Director of Elections within 18 months before a regularly scheduled election for the office held by the elected official sought to be recalled, in order to ensure that no recall election may be held, pursuant to subsection (b), within 12 months of that regularly scheduled election. [Emphasis added.]

Second, **failure to include mention of the 12-month window will tend to confuse voters.** Indeed, the reason that the 12-month window was included in the Charter Amendment was precisely to avoid this confusion. If the goal is to provide clarity to voters, the draft digest should include mention of the 12-month window.

By contrast, **the 12-month window provides clarity that the 18-month window lacks.** To that end, the practical impact of the proposed Charter Amendment is far more important for voters to understand than the highly technical submission deadline, which triggers a deadline for the Director of Elections to certify signatures, *and then* an election within 120 days. The 18-month submission deadline invokes a highly technical explanation of that series of events, when the practical impact is the same.

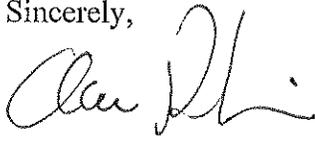
Lastly, **including the 12-month window is an issue of fairness.** Failure to mention the 12-month window will tip the scales in favor of those who will seize on "18 months" as a means of

distorting the practical impact, when the practical impact – as set forth in the actual language of the measure – is that recalls may not be held 12 months prior to a general election for that seat.

For the above reasons, I am requesting removal of the 18-month submission deadline and replacement with the 12-month practical impact on when recall elections may be held. Alternatively, I would at a minimum request inclusion of both the submission deadline *and* the 12-month restriction on when recall elections may be held.

Thank you for your consideration of this request for reconsideration and for your ongoing public service.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Peskin', with a stylized flourish at the end.

Aaron Peskin

Cc: John Arntz, Director, Department of Elections
Deputy City Attorney Andrew Shen