

Ballot Simplification Committee

Appeal to Recall Measure Regarding Chesa Boudin*

Thank you very much for your work and service on the Ballot Simplification Committee. I am writing on behalf of the campaign against the Recall of the District Attorney.

There is still one section we would like to appeal:

The City would hold an election for District Attorney, at the earliest, as part of the November 8, 2022, regular election.

It is likely that an election for District Attorney would **not** be held on November 8, 2022. The appointed District Attorney would only appear on the November 8, 2022, ballot if appointed by the mayor 120 days before the November 8, 2022 election, which is July 11, 2022.

We have reviewed the last five primary elections and, in each election, the time it took to communicate a final vote count to the Board of Supervisors would have pushed the certification past July 11, 2022. Also, even if a vote count happens sooner than in the past, there is no requirement that the mayor appoints immediately after the certification process is completed.

The only way the mayor would be compelled to appoint before July 11, 2022, is if results from the election are communicated to the Board before June 22, 2022. Just 15 days after the election. Remember, vote-by-mail ballots postmarked on or before 8:00 p.m. on Election Day can arrive up to **7 days** after Election Day and still be counted.¹

Finally, the Board of Supervisors does not meet on July 5, 2022, which narrows the timeline for certification of the election.

Since the committee did not agree with our original suggestion of eliminating the election date, we propose the following language.

The City would hold an election for District Attorney at a subsequent election, depending on when an appointment is made.

Thank you very much for your work and your consideration.

Jim Ross

¹ <https://www.sos.ca.gov/elections/voter-registration/vote-mail#vote-by-mail>