To: San Francisco Elections Commission
Cc: Director John Arntz
From: David Cary
Date: August 16, 2015
Subject: Certification of RCV vote totals

Please require that the certification of RCV tally vote totals and their supporting detail be part of the election plan for this November's election. As an example, an adequate certification would satisfy:

1. For each RCV contest:
a) The round-by-round, contest-level vote totals for all qualified candidates are certified and directly listed or included in a referenced attachment.
b) The contest cast selection record file (a.k.a. ballot image file) is certified with a reference to a long-term URL on a departmental web site holding that file.
2. The certification letter and its attachments are published on a departmental web site so that the certification is as easy to find as any other final election results.
3. Any certified totals of first choices as marked are clearly identified as such.

This is in contrast to past certification practices, such as in 2014, that did not certify any RCV tallies. Instead, the certification treated RCV contests as if they were not RCV contests and only totals of first choices as marked were certified. Totals of first choices as marked completely ignore marked second and third choices and can grossly understate the number of votes a candidate ultimately receives in an RCV tally.

The past certification practices can be particularly misleading and confusing when the RCV winner, the candidate who receives the most votes in the RCV tally, is not the candidate who received the most total first choices as marked.

The certification letter for the November, 2014 election was not published on a departmental website where it could be easily found. For RCV contests, the certification fell well short of its claim of presenting a complete record of the tabulation of all votes recorded.

As a recent example, the 2014 contest for District 10 Supervisor required more than one round in the RCV tally in order to determine the winner. However the vote totals of the RCV tally were not certified. The totals that were certified were not identified as being only totals of first choices as marked. Malia Cohen was certified as receiving 7,141 votes, yet she received 7,176 votes in the first round of the RCV tally and won with 7,719 votes.

Totals of first choices as marked are only precursors to the real RCV vote totals in
the first round of an RCV tally. The first-round vote totals represent effective first choices, effective in the sense that they have been adjusted for skipped rankings, as required by charter section 13.102, subdivision (a). First-round vote totals represent the type of first choice referred to in that section's subdivision (c) and so are what the charter specifies for use in determining whether there is a firstround winner or which candidate(s) will be eliminated next.

As the nominal capstone to the election process, the certification of vote totals is an important work product of an election official and carries significant legal implications. San Francisco's past certification practices for RCV do not adequately fulfill the requirements of state law as properly applied to RCV, nor do they support a sufficient level of transparency and accountability necessary for trustworthy elections.

The election plan that has been submitted for your approval would allow these inadequate certification practices to continue without change.

The Elections Commission should no longer approve the continuation of these past certification practices. Instead, the Elections Commission should insist on improvements, such as those outlined above.

Attachments:

1. Final but uncertified RCV candidate vote totals for District 10 Supervisor contest, November, 2014
2. Election certification letter (District 10 Supervisor contest on page 5), November, 2014
3. Certified Statement of Vote, 3 pages for District 10 Supervisor contest, November, 2014

November 4, 2014 Final, Uncertified
Candidate Vote Totals, RCV Tally
Board of Supervisors District 10

|  | Round 1 |  | Round 2 |  |
| :--- | ---: | ---: | ---: | ---: |
|  | Votes | $\%$ | Votes | $\%$ |
| SHAWN M. RICHARD | 995 | $6.46 \%$ | 0 | $0.00 \%$ |
| MALIA COHEN | 7,176 | $46.58 \%$ | $\mathbf{7 , 7 1 9}$ | $\mathbf{5 1 . 7 2 \%}$ |
| ED DONALDSON | 809 | $5.25 \%$ | 0 | $0.00 \%$ |
| MARLENE TRAN | 2,725 | $17.69 \%$ | 2,947 | $19.75 \%$ |
| TONY KELLY | 3,701 | $24.02 \%$ | 4,259 | $28.54 \%$ |

November 21, 2014
Honorable Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, California 94102

## November 4, 2014 - Consolidated General Election Certification of Election Results

I, John Arntz, Director of Elections for the City and County of San Francisco, certify that I have canvassed the votes cast at the Consolidated General Election held on Tuesday, November 4, 2014, within the City and County of San Francisco, in the manner required by Division 15 of the California Elections Code.

I certify that I began the canvass immediately upon the close of the polls on November 4, 2014, and as a result of the tabulation of all votes recorded, present a complete record entitled "San Francisco Official Statement of Vote - Consolidated General Election - November 4, 2014." I also declare that the number of ballots in said election was 231,214.

On this day, November 21, 2014, I certify that the results of each of the races as shown in the following Final Summary Report of the Consolidated General Election of November 4, 2014, are true and correct.

## BALLOT MEASURES

Following are the vote counts for each of the ballot measures for which the Board of Supervisors, as required in the California Elections Code Section 15400, declares the results.

## Statewide Propositions

I certify that on Proposition 1: "Water Bond; Funding for Water Quality, Supply, Treatment, and Storage Projects," the following votes were cast:

| YES | 169,102 | $76.79 \%$ |
| :--- | :--- | :--- |
| NO | 51,115 | $23.21 \%$ |

I certify that on Proposition 2: "State Budget; Budget Stabilization Account, Legislative Constitutional Amendment," the following votes were cast:

| YES | 161,903 | $75.60 \%$ |
| :--- | :--- | :--- |
| NO | 52,266 | $24.40 \%$ |

I certify that on Proposition 45: "Healthcare Insurance; Rate Changes, Initiative Statute," the following votes were cast:

| YES | 130,824 | $60.29 \%$ |
| :--- | :--- | :--- |
| NO | 86,154 | $39.71 \%$ |

I certify that on Proposition 46: "Drug and Alcohol Testing of Doctors; Medical Negligence Lawsuits, Initiative Statute," the following votes were cast:

| YES | 75,043 | $34.41 \%$ |
| :--- | :--- | :--- |
| NO | 143,037 | $65.59 \%$ |

I certify that on Proposition 47: "Criminal Sentences; Misdemeanor Penalties, Initiative Statute," the following votes were cast:

| YES | 177,354 | $80.09 \%$ |
| :--- | :--- | :--- |
| NO | 44,076 | $19.91 \%$ |

I certify that on Proposition 48: "Indian Gaming Compacts; Referendum," the following votes were cast:

| YES | 90,219 | $45.17 \%$ |
| :--- | :--- | :--- |
| NO | 109,510 | $54.83 \%$ |

## Local Ballot Measures

## Bond

I certify that on Proposition A: "San Francisco Transportation and Road Improvement Bond," the following votes were cast:

| YES | 157,562 | $71.87 \%$ |
| :--- | :--- | :--- |
| NO | 61,657 | $28.13 \%$ |

## Charter Amendment

I certify that on Proposition B: "Adjusting Transportation Funding for Population Growth," the following votes were cast:
YES
132,650
61.39\%
NO
83,413
$38.61 \%$

I certify that on Proposition C: "Children's Fund; Public Education Enrichment Fund; Children and Families Council; Rainy Day Reserve," the following votes were cast:

| YES | 159,800 | $74.44 \%$ |
| :--- | :--- | :--- |
| NO | 54,880 | $25.56 \%$ |

I certify that on Proposition D: "Retiree Health Benefits for Former Redevelopment Agency and Successor Agency Employees," the following votes were cast:
YES
NO

117,283
91,680
56.13\%
43.87\%

## Ordinance

I certify that on Proposition E: "Tax on Sugar-Sweetened Beverages," the following votes were cast:

| YES | 123,475 | $55.59 \%$ |
| :--- | :--- | :--- |
| NO | 98,625 | $44.41 \%$ |

I certify that on Proposition F: "Pier 70," the following votes were cast:

| YES | 158,729 | $72.85 \%$ |
| :--- | :--- | :---: |
| NO | 59,149 | $27.15 \%$ |

I certify that on Proposition G: "Additional Transfer Tax on Residential Property Sold Within 5 Years of Purchase," the following votes were cast:

| YES | 100,776 | $46.09 \%$ |
| :--- | :--- | :--- |
| NO | 117,887 | $53.91 \%$ |

I certify that on Proposition H: "Requiring Certain Golden Gate Park Athletic Fields to be Kept as Grass With No Artificial Lighting", the following votes were cast:

| YES | 98,555 | $45.19 \%$ |
| :--- | :--- | :--- |
| NO | 119,519 | $54.81 \%$ |

I certify that on Proposition I: "Renovation of Playgrounds, Walking Trails, and Athletic Fields," the following votes were cast:

| YES | 120,884 | $55.21 \%$ |
| :--- | :--- | :--- |
| NO | 98,057 | $44.79 \%$ |

I certify that on Proposition J: "Minimum Wage Increase," the following votes were cast:

| YES | 174,143 | $77.43 \%$ |
| :--- | :--- | :--- |
| NO | 50,771 | $22.57 \%$ |

## Declarations of Policy

I certify that on Proposition K: "Affordable Housing," the following votes were cast:

| YES | 143,582 | $65.56 \%$ |
| :--- | :--- | :--- |
| NO | 75,430 | $34.44 \%$ |

I certify that on Proposition L: "Policy Regarding Transportation Priorities," the following votes were cast:

| YES | 79,417 | $37.06 \%$ |
| :--- | :--- | :--- |
| NO | 134,878 | $62.94 \%$ |

## ELECTIVE OFFICES

The following are the vote counts for State Offices:
I certify that in the contest of Governor, the following votes were cast:
EDMUND G. "JERRY" BROWN 196,745 88.15\%
NEEL KASHKARI $26,442 \quad 11.85 \%$
I certify that in the contest for Lieutenant Governor, the following votes were cast:
RON NEHRING
33,589 15.60\%
GAVIN NEWSOM
181,717 84.40\%

I certify that in the contest for Secretary of State, the following votes were cast:
ALEX PADILLA
162,575 78.50\%
PETE PETERSON
$44,537 \quad 21.50 \%$

I certify that in the contest for State Controller, the following votes were cast:
ASHLEY SWEARENGIN
38,730
$18.52 \%$
BETTY T. YEE
170,385
81.48\%

I certify that in the contest for Treasurer, the following votes were cast:

| JOHN CHIANG | 175,961 | $83.94 \%$ |
| :--- | :--- | :--- |
| GREG CONLON | 33,665 | $16.06 \%$ |

I certify that in the contest for Attorney General, the following votes were cast:

| RONALD GOLD | 34,870 | $16.21 \%$ |
| :--- | :--- | :--- |
| KAMALA D. HARRIS | 180,253 | $83.79 \%$ |

I certify that in the contest for Insurance Commissioner, the following votes were cast:

| TED GAINES | 31,775 | $15.62 \%$ |
| :--- | :--- | :--- |
| DAVE JONES | 171,711 | $84.38 \%$ |

I certify that in the contest for Board of Equalization, District 2, the following votes were cast:
FIONA MA
169,455
83.52\%
JAMES E. THEIS
33,430
16.48\%

I certify that in the contest for Superintendent of Public Instruction, the following votes were cast:

TOM TORLAKSON
109,199 69.75\%
MARSHALL TUCK
46,408
29.64\%

WRITE-IN
946
0.60\%

I certify that in the contest for State Assembly, District 17, the following votes were cast:
DAVID CAMPOS
60,416
48.94\%
DAVID CHIU
63,041
51.06\%

I certify that in the contest for State Assembly, District 19, the following votes were cast:
RENE PINEDA
19,295
$21.97 \%$
PHIL TING
68,150
78.03\%

The following are the vote counts for Congressional Offices
I certify that in the contest for United States Representative, District 12, the following votes were cast:
JOHN DENNIS
32,197
16.75\%
NANCY PELOSI
160,067
83.25\%

I certify that in the contest for United States Representative, District 14, the following votes were cast:
ROBIN CHEW
4,913
20.46\%
JACKIE SPEIER
19,105
79.54\%

The following are the vote counts for Local Elective Offices:
I certify that in the contest for Member, Board of Supervisors, District 2, the following votes were cast:

| JUAN-ANTONIO CARBALLO | 4,090 | $20.68 \%$ |
| :--- | :--- | :--- |
| MARK E. FARRELL | 15,546 | $78.61 \%$ |
| WRITE-IN | 141 | $0.17 \%$ |

I certify that in the contest for Member, Board of Supervisors, District 4, the following votes were cast:
KATY TANG
14,981
96.70\%
WRITE-IN
511
3.30\%

I certify that in the contest for Member, Board of Supervisors, District 6, the following votes were cast:

| JANE KIM | 8,827 | $67.42 \%$ |
| :--- | :--- | :--- |
| MICHAEL NULTY | 1,467 | $11.21 \%$ |
| DAVID CARLOS SALAVERRY | 1,210 | $9.24 \%$ |
| JAMIE WHITAKER | 1,458 | $11.14 \%$ |
| WRITE-IN | 119 | $0.91 \%$ |
| WRITE-IN RODNEY HAUGE | 11 | $0.08 \%$ |

I certify that in the contest for Member, Board of Supervisors, District 8, the following votes were cast:

| TOMMY BASSO | 1,574 | $5.35 \%$ |
| :--- | :--- | :--- |
| GEORGE DAVIS | 1,372 | $4.66 \%$ |
| JOHN NULTY | 1,359 | $4.62 \%$ |
| MICHAEL PETRELIS | 2,004 | $6.81 \%$ |
| SCOTT WEINER | 22,854 | $77.67 \%$ |
| WRITE-IN | 261 | $0.89 \%$ |

I certify that in the contest for Member, Board of Supervisors, District 10, the following votes were cast:

| MALIA COHEN | 7,141 | $46.49 \%$ |
| :--- | :--- | :--- |
| ED DONALDSON | 793 | $5.16 \%$ |
| TONY KELLY | 3,688 | $24.01 \%$ |
| SHAWN M. RICHARD | 986 | $6.42 \%$ |
| MARLENE TRAN | 2,704 | $17.60 \%$ |
| WRITE-IN | 48 | $0.31 \%$ |

I certify that in the contest for Assessor-Recorder, the following votes were cast:

| CARMEN CHU | 148,795 | $98.05 \%$ |
| :--- | :--- | :--- |
| WRITE-IN | 2,966 | $1.95 \%$ |

I certify that in the contest for Public Defender, the following votes were cast:
JEFF ADACHI
WRITE-IN
149,869 $98.26 \%$
2,647 1.74\%

I certify that in the contest for Member, Board of Education, the following votes were cast:

| STEVON COOK | 50,559 | $11.71 \%$ |
| :--- | :--- | :--- |
| LEE HSU | 34,442 | $7.98 \%$ |
| TREVOR MCNEIL | 50,642 | $11.73 \%$ |
| HYDRA MENDOZA | 52,998 | $12.28 \%$ |
| EMILY M. MURASE | 80,877 | $18.74 \%$ |
| MARK MURPHY | 25,050 | $5.80 \%$ |
| SHAMANN WALTON | 71,629 | $16.60 \%$ |
| JAMIE RAFAELA WOLFE | 27,727 | $6.42 \%$ |
| DENNIS YANG | 36,535 | $8.46 \%$ |
| WRITE-IN | 1,154 | $0.27 \%$ |

I certify that in the contest for Member, Community College Board (Four-Year Term), the following votes were cast:

| WENDY ARAGON | 57,299 | $14.24 \%$ |
| :--- | :--- | :--- |
| DAN CHOI | 22,283 | $5.54 \%$ |
| BRIGITTE DAVILA | 70,588 | $17.55 \%$ |
| ANITA GRIER | 61,524 | $15.29 \%$ |
| JOHN RIZZO | 64,220 | $15.96 \%$ |
| RODRIGO SANTOS | 49,114 | $12.21 \%$ |
| THEA SELBY | 76,038 | $18.90 \%$ |
| WRITE-IN | 1225 | $0.30 \%$ |

I certify that in the contest for Member, Community College Board (Two-Year Term), the following votes were cast:

| AMY BACHARACH | 64,188 | $45.56 \%$ |
| :--- | :--- | :--- |
| THOMAS MOYER | 19,217 | $13.64 \%$ |
| WILLIAM WALKER | 56,628 | $40.20 \%$ |
| WRITE-IN | 845 | $0.60 \%$ |

I certify that in the contest for BART Director, District 8, the following votes were cast:

| JAMES FANG | 34,259 | $41.68 \%$ |
| :--- | :--- | :--- |
| NICK JOSEFOWITZ | 41,993 | $51.09 \%$ |
| FLASH GORDON | 5,609 | $6.82 \%$ |
| WRITE-IN | 337 | $0.41 \%$ |

The following are the vote counts for Judicial Offices:
I certify that in the contest for the Associate Justice of the Supreme Court, (GOODWIN LIU), the following votes were cast:

| YES | 105,088 | $\mathbf{8 2 . 2 1 \%}$ |
| :--- | :--- | :--- |
| NO | 22,738 | $17.79 \%$ |

I certify that in the contest for the Associate Justice of the Supreme Court, (MARIANO-FLORENTINO CUÉLLAR), the following votes were cast:

| YES | $\mathbf{1 0 2 , 7 4 8}$ | $\mathbf{8 3 . 3 8 \%}$ |
| :--- | :--- | :--- |
| NO | 20,477 | $16.62 \%$ |

I certify that in the contest for the Associate Justice of the Supreme Court, (KATHRYN MICKLE WERDEGAR), the following votes were cast:
YES
99,044
82.53\%
NO
20,967
17.47\%

I certify that in the contest for the Presiding Justice, Court of Appeal, District 1, Division 1, (JIM HUMES), the following votes were cast:

| YES | $\mathbf{9 3 , 2 4 5}$ | $\mathbf{8 1 . 5 2 \%}$ |
| :--- | :--- | :--- |
| NO | 21,143 | $18.48 \%$ |

I certify that in the contest for the Associate Justice, Court of Appeal, District 1, Division 1, (KATHLEEN M. BANKE), the following votes were cast:

| YES | $\mathbf{9 4 , 9 5 4}$ | $\mathbf{8 3 . 6 1 \%}$ |
| :--- | :--- | :--- |
| NO | 18,615 | $16.39 \%$ |

I certify that in the contest for the Presiding Justice, Court of Appeal, District 1, Division 2, (ANTHONY KLINE), the following votes were cast:
YES
91,662
81.13\%
NO
21,319
18.87\%

I certify that in the contest for the Associate Justice, Court of Appeal, District 1, Division 2, (THERESE M. STEWART), the following votes were cast:

| YES | $\mathbf{9 5 , 2 9 3}$ | $\mathbf{8 4 . 1 0 \%}$ |
| :--- | :--- | :--- |
| NO | 18,012 | $15.90 \%$ |

I certify that in the contest for the Associate Justice, Court of Appeal, District 1, Division 3, (STUART R. POLLAK), the following votes were cast:

| YES | $\mathbf{9 0 , 3 4 9}$ | $\mathbf{8 0 . 8 1 \%}$ |
| :--- | :--- | :--- |
| NO | 21,457 | $19.19 \%$ |

I certify that in the contest of Associate Justice, Court of Appeal, District 1, Division 3, (MARTIN J. JENKINS), the following votes were cast:

| YES | $\mathbf{9 0 , 0 3 2}$ | $\mathbf{8 1 . 8 6 \%}$ |
| :--- | :--- | :--- |
| NO | 19,956 | $18.14 \%$ |

I certify that in the contest for the Presiding Justice, Court of Appeal, District 1, Division 4, (IGNAZIO JOHN RUVOLO), the following votes were cast:

| YES | $\mathbf{8 9 , 0 1 9}$ | $\mathbf{7 7 . 6 8 \%}$ |
| :--- | :--- | :--- |
| NO | 22,712 | $20.33 \%$ |

I certify that in the contest for the Associate Justice, Court of Appeal, District 1, Division 5, (MARK B. SIMONS), the following votes were cast:

| YES | $\mathbf{9 0 , 6 5 4}$ | $\mathbf{8 2 . 0 2 \%}$ |
| :--- | :--- | :--- |
| NO | 19,878 | $17.98 \%$ |

I certify that in the contest for the Associate Justice Court of Appeal, District 1, Division 5, (TERENCE L. BRUINIERS), the following votes were cast:

| YES | $\mathbf{8 6 , 0 5 7}$ | $\mathbf{7 9 . 0 5 \%}$ |
| :--- | :--- | :--- |
| NO | 22,813 | $20.95 \%$ |

I certify that in the contest for Judge of the Superior Court, Office No. 20, the following votes were cast:

| DANIEL A. FLORES | $\mathbf{8 8 , 2 5 7}$ | $\mathbf{5 9 . 6 9 \%}$ |
| :--- | :--- | :--- |
| CAROL KINGSLEY | 59,598 | $40.31 \%$ |

In witness whereof I hereby affix my hand and seal this 21st day of November, 2014

> John Arntz, Director of Elections




