



Chris Jerdonek &lt;cjerdonek.sfgov@gmail.com&gt;

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**Fw: Incomplete Certification of Election Results, Correction Requested**

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Chris Jerdonek &lt;cjerdonek.sfgov@gmail.com&gt;

Sat, Dec 13, 2014 at 11:10 PM

To: cjerdonek.sfgov@gmail.com

----- Forwarded message -----

From: **Commission, Elections (REG)** <elections.commission@sfgov.org>

Date: Thu, Dec 4, 2014 at 11:57 AM

Subject: Fw: Incomplete Certification of Election Results, Correction Requested

To: "cjerdonek.sfgov@gmail.com" &lt;cjerdonek.sfgov@gmail.com&gt;

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**From:** David Cary <\*\*\*\*\*>**Sent:** Monday, December 1, 2014 2:37 PM**To:** SFVote (REG)**Cc:** Commission, Elections (REG)**Subject:** Incomplete Certification of Election Results, Correction Requested

To: San Francisco Director of Elections John Arntz

CC: San Francisco Elections Commission

Your certification of the November 4, 2014 election is legally deficient in that it does not include contest-level, round-by-round instant runoff voting vote totals as specified in San Francisco's charter. (Instant runoff voting is also known in San Francisco as ranked choice voting, and is subsequently denoted here by the acronym RCV.)

I am requesting that you issue an updated certification that certifies round-by-round vote totals and supporting ballot image files for each of the RCV contests that were part of the election, and that you forward that updated certification, inclusive of the round-by-round vote totals, to the San Francisco Board of Supervisors. I further request that the certification and supporting documents be made available on the department's website along with other results for the election.

My understanding is that this can be readily accomplished by the Department of Elections.

For the RCV contests, your first certification of November 21 violates the rights of voters who cast valid votes to have their votes be fully counted, fully reported, and fully certified. In the contest for District 10 Supervisor, your first certification suppresses vote totals for 1392 voters, about 9% of all voters who cast a valid vote in that contest. There is no way for the Board of Supervisors to determine who is the rightful winner of that contest based solely on your certification of vote totals.

Your certification appears to fully ignore all second and third choices, as marked. Second and third choices are integral components of an RCV contest and should be reflected in certified vote totals.

Your continuing and persistent unwillingness to certify second and third choices or their effects on vote totals in RCV contests is troubling. RCV votes are not second class votes and you need to stop your election administration practices that needlessly hide those votes.

Even for contests that only require a single round of RCV vote totals, your certified vote totals under-report the true RCV vote totals. That is because your certification appears to only report first choices as marked, while the San Francisco charter requires a first-round tally of effective first choices. The distinction is illustrated by a ballot with no candidates marked as the first choice, but with a second-choice candidate validly marked. Such a ballot would count in the first round of an RCV tally for the marked second-choice candidate because that candidate is to be treated as an effective first choice. However your certification does not appear to count such a ballot for any candidate.

It would be sufficient if your updated certification letter included round-by-round vote totals and ballot image files by reference. Files that are included by reference especially deserve to be made available on the department's website with other results for this election. If you want to explicitly list a single vote total for an RCV candidate in your certification letter, I recommend that you list the highest vote total that candidate received in any round and identify those vote totals as such. In contests that are decided by the first-round vote totals, that recommendation is the same as listing the first-round vote totals.

-- David Cary