

## LAST CALL ON THE RECALL

Last month, we did a brief review of the history of the gubernatorial recall in California. Now, Californians are unavoidably marching toward a date on the calendar with each passing minute: Tuesday, Sept. 14.

Obviously, this message is not aimed at those of you who have already mailed in your ballot. We hope, at the very least, you voted “No” on Question #1, and the Fresno County Democratic Party thanks you for that. This message is aimed at those of you whose ballot is still sitting on the kitchen table. This message is designed to cut straight through any confusion you have regarding the Fresno County Democratic Party’s position and recommendation. It’s this simple: “Vote No & Go!” This means: We recommend you vote “No” on Question #1 and not respond to Question #2.

Officials in the leadership of the Fresno County Democratic Party explain their rationale for recommending that voters, after voting “No” on Question #1, should ignore Question #2, this way: It’s a pointless argument. It’s that simple.

To bring a bit more clarity to the issue, let’s go back briefly to what happened in 2003, when Governor Gray Davis was recalled and replaced by movie star Arnold Schwarzenegger. In that 2003 recall, Schwarzenegger received 48% of the vote (1% more than when Governor Davis was reelected in 2002), and Lt. Governor Cruz Bustamante, a last-minute addition to the list of candidates in Question #2, received 31%.

In mid-August, KGO-TV/ABC 7 reporter Liz Kreutz caught up with Bustamante, to ask him how he voted *this* time. According to Kreutz, Bustamante left the second question blank in the current recall election, saying: “I couldn’t find anybody who was worthy of my vote.” He further stated that he believes “there’s no need for a legitimate Democrat to be on the second question” because he thinks that Gov. Newsom will win the recall “handily.”

Although we respect Bustamante’s optimism, the truth is: This recall election is the Democrats’ election to lose if registered Democrats are complacent and/or divided. Remember: Governor Newsom must obtain 50% + 1 of “No” votes to remain in office.

More pertinent history: According to the California Secretary of State’s office, since the recall initiative became part of the California Constitution in 1913, there have been 179 attempts to recall elected officials in California. In that 108-year period, six incumbents in elected office in California have been recalled, including Governor Davis in 2003 and 29th District State Senator Josh Newman in 2018.

Newman defeated his Republican opponent, former state Assembly Member Ling Ling Chang, in 2016 by only 2,500 votes to win the seat. The following year, Newman provoked the ire of right-wing Republicans in his senatorial district, which covers part of Southern California’s Inland Empire, because of his vote in favor of the increase in the state gasoline tax.

In the June 2018 recall: Although 42% of the voters wanted Newman to remain, 58% of the voters did not, and he was replaced by Chang, who had a small percentage, but legally the plurality (top vote-getter), with 34%, out of a field of six candidates. In 2020, Newman defeated Chang to regain his seat in the State Senate. That was a sweet victory, indeed.

So, why bother writing about Newman? How does that compare to Schwarzenegger’s win in 2003? Because Schwarzenegger won the recall in 2003 by more votes than Davis won reelection the previous year. That thwarted any court challenges that the recall was unconstitutional, although there have been such court challenges in the past. In Newman’s case: Was it right that he was defeated in the 2018 recall by someone who received fewer votes than he did in the previous general election?

That brings us back to the constitutionality of the California recall. On Aug. 14, two Californians filed an 11th-hour lawsuit in the U.S. District Court, Central Division, challenging the constitutionality of the current California gubernatorial recall, saying that it violates the U.S. Constitution. We imagine that a ruling against the Sept. 14 recall election at this

point has about a snowball’s chance in hell of occurring in enough time to stop the recall.

In late August, essays in the *New York Times* and *Los Angeles Times* by legal scholars strongly argue against the recall’s constitutionality for the same reason cited in State Senator Newman’s recall in 2018: Because the incumbent could be replaced by a candidate who received fewer votes.

Here’s the bottom line: This is a recall election between Governor Newsom and extreme right-wing Trumpian gadabout Larry Elder, who leads the pack of opponents in the polls of prospective voters—a list that, again, looks like the bar scene in the first *Star Wars* movie—with only 18%, at this writing.

Democrats: Do you really want a Trumpian takeover of California—someone who would rescind mask and vaccine mandates in the middle of a pandemic? Someone who denies the role that humans play in climate change? Someone who is accused by a former fiancée of brandishing a gun during a heated argument (according to Politico)? Do you really want to trust the management of the world’s fifth largest economy to the likes of someone like Elder?

Can you imagine the “end zone” dance the MAGA crowd would do? It would be like the Taliban’s takeover of Afghanistan. The MAGA crowd is doing this because they know they can’t win a legitimate fair and regular election for Governor in California.

Should Gavin Newsom prevail on Sept. 14, as we hope he will, we believe he should initiate a commission to make recommendations on reforming the recall initiative in California’s constitution, which is widely agreed to be flawed and as having a low bar to qualify for the ballot.

Ultimately, being in elected office boils down to skillfully and knowledgeably managing risk. Considering his faults, Governor Gavin Newsom has done this well. In the last 18 months, his proactive stance on managing the Covid-19 pandemic likely saved thousands of lives and prevented thousands more hospitalizations.

Again, the Fresno County Democratic Party’s recommendation on the recall election on Sept. 14: Vote No & Go! Remember: Your ballot must be postmarked by Tuesday, Sept. 14, if you choose to place it in the U.S. Mail. No postage is required. Better yet, drop your ballot in one of many safe and secure drop boxes. Check the Registrar of Voters’ website for locations.

## REDISTRICTING FOLLOW-UP

The redistricting process is well under way at all levels of elected governance in California. It’s easy to think of this process as mundane and that the public has no bearing on the outcome. Nothing could be further from the truth. This is an opportunity for community groups to make their desires and opinions known about how and where district lines should be drawn for elected office at many levels. This is an opportunity for traditionally marginalized groups to have their say. The process is not over yet.

At the state level, the 14-member independent California Citizens Redistricting Commission still has meetings on the calendar and opportunities for input. Phases 1 and 2, Education and Activation, respectively, have been completed. For more information on how you can participate in Phase 3, the Line Drawing phase, visit [www.wedrawthelinesca.org](http://www.wedrawthelinesca.org).

For the Fresno County Board of Supervisors redistricting effort, meetings for public input are ongoing. Meetings for public input are on the calendar for September and October, prior to the process of adopting the new supervisorial district lines. For a full list of Fresno County redistricting hearings, visit [www.co.fresno.ca.us/resources/redistricting/calendar](http://www.co.fresno.ca.us/resources/redistricting/calendar).

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