

1 [Recount of November 7, 2000 Election.]

2

3 **Resolution urging the California Secretary of State to use its authority under California**  
4 **Government Code Section 12172.5 to conduct a full and public recount of the**  
5 **November 7, 2000 San Francisco Municipal election.**

6

7 WHEREAS, The Secretary of State, over a six month period, conducted an  
8 investigation into allegations of misconduct within the San Francisco Department of Elections  
9 during the November 7, 2000 election; and,

10 WHEREAS, The Secretary of State's investigation included a review of the official  
11 Statement of Vote and the actual ballots in a random sample of 21 San Francisco voting  
12 precincts; and,

13 WHEREAS, In a November 21, 2001 statement, the Secretary of State found that in  
14 each precinct reviewed there was an average discrepancy of 8.8% between the number of  
15 ballots listed in the Statement of Vote and the number of ballots available for inspection; and,

16 WHEREAS, If similar findings were applied to all 647 precincts and all 324,031 votes  
17 cast, the discrepancies make it sufficiently likely that results of the November 7, 2000 San  
18 Francisco Municipal election were affected; and,

19 WHEREAS, The Secretary of State further stated that there is not sufficient enough  
20 evidence to determine whether the discrepancies are the result of intentional violations of law  
21 or whether they are the result of gross record keeping errors by the Department of Elections;  
22 and,

23 WHEREAS, California Government Code Section 12172.5 states, "The Secretary of  
24 State is the chief elections officer of the state, and shall administer the provisions of the  
25 Elections Code"; and,

1           WHEREAS, That under California Government Code Section 12172.5, the Secretary  
2 of State, in order to determine whether an elections law violation has occurred, may examine  
3 voted, unvoted, spoiled, and canceled ballots, vote-counting computer programs, absent  
4 voter envelopes and applications, and other elections related materials; therefore, be it,

5           RESOLVED, That the San Francisco Board of Supervisors urges the California  
6 Secretary of State to conduct a full and public recount of the November 7, 2000 San  
7 Francisco Municipal election; and, be it

8           FURTHER RESOLVED, That the clerk of the Board of Supervisors shall send a copy  
9 of this resolution to the Governor, California Secretary of State, and the San Francisco  
10 representatives in the Assembly and California Senate.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 012192

Date Passed:

Resolution urging the California Secretary of State to use its authority under California Government Code Section 12172.5 to conduct a full and public recount of the November 7, 2000 San Francisco Municipal election.

December 17, 2001 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 012192

I hereby certify that the foregoing Resolution was ADOPTED on December 17, 2001 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Willie L. Brown Jr.

Date: December 28, 2001

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Gloria L. Young
Clerk of the Board

File No.
012192