

What's At Stake With the Recall of Governor Newsom

A Courage California explainer
of the recall, with a call to action.



What is a recall?

A recall is a way for voters to remove an elected official from office through a simple majority vote. California is one of 20 states that permits the recall process, and it has been used successfully in California only once before in 2003, when Governor Gray Davis was recalled (by 55.4% of participating voters) and voters elected Arnold Schwarzenegger to replace him (with 48.6% of the vote). Supporters of a recall only need to gather enough valid signatures from registered voters to equal at least 12% of the total vote count in the previous election for the office. In the case of Governor Newsom, that signature threshold is 1.5 million. Secretary of State Shirley Weber certified over 1.7 million recall petition signatures, which qualifies the recall for the ballot.

The recall ballot will ask voters only two questions. (1) Should Gavin Newsom be removed from office? and, (2) If Gavin Newsom is removed, who should replace him as governor? If over 50% of voters vote 'yes' on the first question, Governor Newsom would be removed and the candidate who receives the most votes on the second question will replace him, even if they do not have a majority of the votes. Gov. Newsom is barred from entering the race, so voters are required to select another candidate from the long list of individuals who will enter the race.



Who is behind the recall?

The recall effort was started by Orrin Heatlie, a retired sheriff's sergeant based out of Folsom, who was motivated to recall Newsom for his stance on protecting immigrants from ICE. He was joined by Mike Netter, a real estate businessman, who was motivated by his judgment that Kamala Harris was getting too big too quickly, and Randy Economy, a political consultant who worked with Trump.^{1,2} Several news outlet uncovered that the recall leaders aligned with problematic groups to gather signatures, including anti-vaxxers, QAnon, and white supremacists.^{3,4}

In-state funding in support of the recall has come primarily from dark-money organizations, including \$950,000 from the Rescue California PAC, chaired by Tom Del Beccaro, and \$500,000 from Prov. 3:9, LLC, headed by Thomas Liu. High-dollar individual donors include real estate developer Geoff Palmer (\$150,000), tech venture capitalist Chamath Palihapitiya (\$100,000), and failed Republican gubernatorial candidate and real estate executive John Cox (\$50,000). Out-of-state funding has had a similar right-wing lean, with \$75,000 from Arkansas-based HUCK PAC, founded by former Republican Governor Mike Huckabee; \$25,000 from Kansas-based Nevets, Inc.; and hundreds of smaller donations from individuals and organizations across the country.

The Republican Party has joined the recall effort at the state and national level as a last chance to get a Republican governor elected in California (46.1% of voters are registered as Democrat in the state, 24.2% as Republican, and 24.0% as No Party Preference), expand and motivate their base, and construct another anti-Democratic narrative of California (see [polling memo](#) to the California Republican Party).

In-State Funding In Support of the Recall

Rescue California PAC

\$500,000

Prov. 3:9, LLC

\$500,000

Geoff Palmer

\$150,000

Chamath Palihapitiya

\$100,000

John Cox

\$50,000

Out-of-State Funding In Support of the Recall

HUCK PAC

\$75,000

Nevets, Inc.

\$25,000

1 <https://www.politico.com/news/magazine/2021/03/19/gavin-newsom-recall-476746>

2 <https://www.sacbee.com/article250054594.html>

3 <https://www.latimes.com/california/story/2021-01-23/recall-newsom-effort-qanon-antivaxxer-extremist-ties>

4 <https://www.businessinsider.com/gavin-newsom-recall-california-people-behind-campaign-orrin-heatlie-2021-4>

Who is running to replace Governor Newsom?

Several Republicans have declared their candidacy, including former Olympic athlete and reality TV star Caitlyn Jenner, former San Diego Mayor Kevin Faulconer, former Republican gubernatorial candidate John Cox (who lost to Newsom in 2018 by 23.8%, nearly 3 million votes), and former adult film actress Mary Carey (who ran in the 2003 recall election, and for Lieutenant Governor in 2006).

No Democrats have declared their candidacy, though there is speculation that former Los Angeles Mayor Antonio Villaraigosa and former presidential candidate Tom Steyer are exploring runs. Democrats across a spectrum of moderate to progressive and across communities of identity have come out against the recall and against the idea of running a Democratic candidate on the ballot. This includes Senator Bernie Sanders, Senator Elizabeth Warren, Senator Alex Padilla, Senator Cory Booker, voting rights advocate Stacey Abrams, Congresswoman Karen Bass, Congresswoman Barbara Lee, Congressman Ro Khanna, and State Controller Betty Yee. There is likely no Democratic candidate who will be more progressive than Governor Newsom who will run and be able to win.

Candidates have until 59 days before the election – projected for October or November – to file the required paperwork to be on the ballot. They must either pay a filing fee of \$4,000 and submit 65 signatures of support or submit signatures from 7,000 supporters. If the Governor is recalled, the new governor would take office within 28 days of the Secretary of State certifying the election results.

Why is the recall happening now?

Recall supporters and mainstream media are spinning the recall as a “mandate” on Newsom and his handling of the state COVID-19 response. However, the language of the petition doesn’t speak to the pandemic at all, but instead refers to “foreign nationals, in our country illegally,” the high homelessness rates, Newsom’s halting of the death penalty, and taxes. The recall leaders and many of the most prominent supporters are using the recall as an opportunity to capitalize on dissatisfaction with Governor Newsom and to push a more dangerous anti-immigrant and anti-justice agenda and narrative.

Governor Gavin Newsom is up for re-election in 2022.



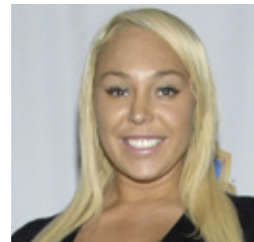
Former San Diego Mayor Kevin Faulconer



Former Republican gubernatorial candidate John Cox



Former Olympic athlete and reality TV star Caitlyn Jenner



Former adult film actress Mary Carey

What is at stake with the recall?

Everything we care about.

While Gov. Newsom has made mistakes over the course of his political career, he has demonstrated a commitment to issues that matter to the majority of Californians, including Medicare for All, LGBTQIA+ rights, criminal justice reform, and renter protections. These shared priorities allow progressive groups to strategically push for his administration to co-govern with us. Several partners, including Courage California, are currently in conversation with Newsom's staff and his anti-recall campaign team on policy priorities.

If the recall passes, California will most likely have a Republican governor. Similar to the successful 2003 recall, the election of a Republican governor will threaten any progressive gains made on the environment, immigration, criminal justice reform, and many other issues. Additionally, a Republican governor would make appointments in the case of any statewide office vacancies, including a Senate seat that would turn control of the Senate to Republicans.

Republicans, white supremacists, and extremists are using the recall election as a platform to promote a racist, xenophobic, and anti-justice agenda. This will help them build their base ahead of the 2022 election – in the hopes that even a failed recall will set them up for wins up and down the ballot next year – as well as recenter their toxic ideals in the mainstream narrative about California and the nation. Their base will be highly motivated to turn out for this special election, which means a small minority of Californians may set the agenda for the whole state if a broader set of the electorate does not turn out and vote.

Whether or not the recall succeeds, Republicans and extremists will use this as a playbook to recall any elected officials in California, as they already are with District Attorneys George Gascón (Los Angeles) and Chesa Boudin (San Francisco), and several local electeds (e.g., Riverside City Councilmember Gaby Plascencia, the first Latina to serve on the Council). In other words, recall elections will likely become a commonly deployed strategy to challenge and weaken any progressive elected, which will have a chilling effect on any progressive candidate pipeline.

Recall elections permit unlimited donations to campaigns in support of or in opposition to the effort. The recall essentially becomes another opportunity for the wealthy and corporations and special interests to influence our democracy at a scale progressive groups and leaders cannot match, in terms of money. These conservative forces were already rewarded for their investments and strategies in the 2020 elections – especially statewide propositions – and any progress they make in the recall election will fuel their 2022 plans.

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have a Republican governor.**

How can my organization get involved on the recall?

For general guidance on how organizations can engage in the recall, refer to Bolder Advocacy's resources, [Ballot Measures and Recalls: Basic Rules for 501\(c\)\(3\) Public Charities, 501\(c\)\(4\)s, and Unions](#) and [State Law Resource: California Campaign Finance and Ballot Measure Guide](#). Their resources and this part of the explainer based on their resources are not intended to provide legal advice or to serve as a substitute for legal advice. An organization should consult with their legal counsel before making any decisions or taking any actions.

Generally, 501(c)(3) organizations can support or oppose ballot measures. However, they cannot influence the outcome of a candidate election. It is high risk for a 501(c)(3) to take a position on the recall ballot measure, because essentially, the recall functions to replace the Governor. **However, there is nonpartisan recall election work that 501(c)(3)s can do.**

Some examples of 501(c)(3) permissible recall election work:

- Nonpartisan voter registration and turnout. Must be able to demonstrate that the areas and communities in which this work is done aligns with the organization's mission and targeting history.
- General voter education. Educating voters about candidates in a nonpartisan manner, such as questionnaires and voter guides, debates and forums. May also provide facts about voting.
- Candidate education. Educating candidates on your organization's issues and their importance. Use only what is already gathered, and only use new information if the organization has reason to do so. This education should be offered or made available to all candidates.

501(c)(3) organization staff and volunteers may engage in partisan political activity in their personal time and with personal resources.

501(c)(4) and union permissible recall election work:

- Support or oppose recall. Recall elections would count as political activity, which may subject (c)(4)s and unions to tax on expenditures made for political activities.
- Support or oppose recall replacement candidates. In accordance with federal or state campaign finance laws

Coalition work:

- When working in coalition with organizations with a variety of tax statuses, 501(c)(4) organizations may briefly mention their electoral goals, but cannot ask (c)(3)s to strategize on partisan activities or contribute in any way to the (c)(4) partisan goals.
- When working with an affiliated (c)(4), (c)(3)s need to determine if their activities are (c)(3)-permissible.

Please contact Bolder Advocacy's free technical assistance line for nonprofit advocacy organizations with any questions: 866-NP-LOBBY (866-675-6229) or advocacy@afj.org. *Para asistencia técnica gratuita en español para las organizaciones comunitarias dedicadas a la abogacía, comuníquese con Sarita: 415-528-3540 o sara@afj.org.*

WHAT YOU CAN DO NOW

WITH COURAGE



501(c)(4)s:

[Sign on](#) to Courage California's [joint statement](#) opposing the recall.

SIGN ON

Share a National Union of Healthcare Workers and Courage California [anti-recall petition](#). Contact Irene Kao if you are interested in joining the petition as a partner organization.

SHARE

+501(c)(3)s:

Join our [monthly statewide convenings](#) to learn more about the recall and other issues.

Look out for a forthcoming Courage recall communications toolkit for all partners.

Contact:

Irene Kao, Executive Director
irene@couragecampaign.org

A poster for Courage California's 2021 Statewide Convenings. It features a yellow background with a map of California. The text lists three events: "No to the Recall, Yes to Progressive Unity" on April 16, "From White Power to People Power" on May 21, and "2020 Reflections and 2022 Elections" on June 18. The registration link is couragecalifornia.org/convenings.

NO TO THE RECALL, YES TO PROGRESSIVE UNITY	April 16 10am-1pm
FROM WHITE POWER TO PEOPLE POWER	May 21 10am-1pm
2020 REFLECTIONS AND 2022 ELECTIONS	June 18 10am-1pm

REGISTER AT:
couragecalifornia.org/convenings

Wild Card Factors

Recall supporters are opportunistic about building momentum for the recall based on what Governor Newsom says and does. While many pundits are expecting Newsom to benefit from the state being further into COVID-19 recovery by the fall election, California is currently in a drought and in the beginning of wildfire season, which brings a great deal of uncertainty to what communities will be experiencing and how voters will be feeling across the state by election time.

Some analysis of the 2003 successful recall of Governor Gray Davis points to Democratic Lieutenant Governor Cruz Bustamante's candidacy in the election as a source of confusion for voters. In short, with a Democratic alternative to vote for, some analysts concluded that people who would have otherwise voted "No" on the recall, instead, voted "Yes." It is unclear how influential of a factor a Democratic candidate was, given that Governor Davis was recalled in a different political context, including a lower party registration margin (8.4% between Democrats and Republicans in 2003 and 22.3% in 2020) and a lower approval rating (24% compared to Newsom's 52%). However, any Democratic candidate(s) would lend more credibility to the recall and their supporters and heighten tensions with the Democratic party, which would have implications for both the recall and the 2022 election.



RECALL TIMELINE

2020

June 2020

Supporters of the recall started gathering signatures.

November 2020

Original deadline to submit recall signatures. Recall supporters successfully petitioned to get a 120-day extension, after gathering only 675,00 signatures by October. Mainstream media circulated photos of Governor Newsom at an unmasked group dinner at French Laundry, setting off a new wave of recall efforts.

2021

April 2021

Secretary of State Weber certified the recall petition signatures.

June 2021

Deadline for Californians to withdraw their signatures from the petition (June 8). Counties report back withdrawn signatures to SoS (June 22).

July 2021

The Department of Finance estimates the cost of the recall (current projection = \$400M for counties and the state).

August 2021

The Joint Legislative Budget Committee reviews and comments on the cost estimates. The lieutenant governor sets the date of the recall (within 60-80 days).

October/November 2021

Recall election

November/December 2021

Secretary of State certifies recall election results.

December 2021/January 2022

New governor sworn into office, 28 days after certification, if applicable.



At Courage, we speak truth to power, create tools, and provide a progressive digital community to help Californians effectively and courageously engage in the democratic process.

Courage California has a ballot measure committee, which enables us to receive and expend funds in opposition to the recall election. We also have a State PAC to receive and expend funds in support or opposition to state candidates.

Contact


Irene Kao
Executive Director
Courage California
irene@couragecalifornia.org



couragecalifornia.org

Courage California acknowledges our presence on the traditional and unceded territory of hundreds of First Nations who are the traditional caretakers of this land we call California. As visitors on this land, we pay our respects to the ancestors, elders, relatives and future generations.

Courage California is a 501(c)(4) nonprofit organization.



WE ARE BUILDING

A COURAGEOUS CALIFORNIA.