

# Race, Ethnicity, and California Prop 16

*Althea Nagai, Ph.D.  
Research Fellow*

Center for Equal Opportunity



Linda Chavez, Chair  
7700 Leesburg Pike, Suite 231  
Falls Church, VA 22043  
Phone 703-442-0066  
Fax 703-442-0449  
[www.ceousa.org](http://www.ceousa.org)

Table of Contents

Acknowledgments ..... ii  
Executive Summary..... 1  
Introduction ..... 2  
Further Analyses of Prop 16 Support and Counties’ Demographics ..... 4  
    Black Residents and County Support for Prop 16..... 4  
    White Residents and Prop 16 ..... 6  
    Hispanic Residents and County Support for Prop 16..... 8  
    Asian Residents and County Support for Prop 16..... 10  
    Education and Prop 16..... 12  
Conclusion..... 13

List of Figures

Figure 1 Percentage of Blacks in a County and Percentage Voting for Prop 16..... 4  
Figure 2 Percentage of Whites in a County and Percentage Voting for Prop 16 ..... 6  
Figure 3 Percentage of Hispanics in a County and Percentage Voting for Prop 16..... 8  
Figure 4 Percentage of Asian Residents in a County and Percentage Voting for Prop 16..... 10  
Figure 5 Percentage of College Graduates and Percentage Voting for Prop 16..... 12

List of Tables

Table 1 Counties with the Largest Support for Prop 16 and Blacks as a Percentage of County Residents..... 5  
Table 2 Counties with the Largest Support for Prop 16 and Whites as a Percentage of County Residents..... 6  
Table 3 Counties with the Largest Percentage of Hispanic Residents and Support for Prop 16..... 9  
Table 4 Counties with Largest Percentage of "Yes" Vote and Their Hispanic Populations ..... 9  
Table 5 Counties with the Largest Support for Prop 16 and Asians as a Percentage of County Residents..... 10  
Table 6 County with Largest Support for Prop 16 and Percentage with College Degree..... 12

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## Executive Summary

California voters overwhelmingly voted for Joe Biden in the recent election, 64% to 34%. To the surprise of California's elite, most also voted against Proposition 16, that would revise the state constitution and again allow the use of race and gender in university admissions, government hiring, and government contracting. Roughly 57% voted no on Prop 16, 43% voted yes.

The following study is a statistical summary of county-level demographic data and a county's support for Prop 16. It shows the following:

- There was *no correlation* between proportion of Hispanics and votes for or against Prop 16 (p. 8).
- Counties with greater percentages of blacks also had more support for Prop 16, but the statistical association was small (p. 4).
- Counties with proportionately more whites had more anti-16 voters (p. 6).
- There was a strong relationship between larger percentages of Asian residents and support for Prop 16 (p. 10). Many Asians were active on both sides of the Prop 16 movement.
- *The most robust relationship was between a county's percentage of college graduates and yes on 16, not race* (p. 12).

There were only 58 counties, limiting statistical analyses.

## Introduction

By a margin of 57% to 43%, California voters rejected Proposition 16, which would have allowed the state and local governments to use race and gender as factors in college admissions, government jobs, and state and local contracting.

Back in 1996, voters passed Prop 209 that prohibited the use of race and gender. Back then, California was a significantly less diverse. Whites were the majority<sup>1</sup> and Prop 209 won with 55% of the vote. Proposition 209 added Section 31 to the California Constitution's Declaration of Rights (Article 1 of the California State Constitution). Section 31 stated that the state government would not discriminate against or grant preferences based on race, sex, color, ethnicity, or national origin in government jobs, public education and awarding government contracts. It banned the use of race and sex in public university admissions.<sup>2</sup>

In 2020, Proposition 16, if passed, would have re-written the state constitution, to give back the power of government to use race and gender in awarding admissions, jobs, and contracts. Prop 16 supporters firmly believed that California voters, this time, would permit the state to use racial and gender preference. After all, there was large popular support for the Black Lives Matter movement, and California was now a majority-minority state. Of its 39 million residents, 39% in California are Hispanic, 37% are white, 15% are Asian, and 6% are black.<sup>3</sup>

Prop 16 had the backing of California's elite—its two U.S. Senators, (including of course vice-president elect Kamala Harris), many of its U.S. representatives, California's governor, the attorney general, many state and local politicians, professional sports teams, labor unions, the University of California's Board of Regents, the ACLU, and major media outlets such as the *New York Times*.<sup>4</sup> Many notables among the business elite donated millions of dollars to the cause, and activists significantly outspent the opposition, by roughly 14 to 1.<sup>5</sup>

Yet, voters rejected racial and gender preferences, by a margin of 57% to 43% (as of November 11, 2020). Moreover, since Biden decisively beat Trump in California (64% to 34%), a large percentage of Biden voters (roughly 33% by my projections and calculations), *also voted no on Prop 16*.

In its aftermath, California elites argued that the voters were confused because Prop 16 supporters did not reach enough underrepresented minorities (Blacks, Hispanics, Native Americans). By implication, they suffered from some form of false consciousness, not properly

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<sup>1</sup> "1996 Cal Facts: California's Population," [https://lao.ca.gov/1996/011696\\_calfacts/cf96ch2.pdf](https://lao.ca.gov/1996/011696_calfacts/cf96ch2.pdf).

<sup>2</sup> Ballotpedia, "Section 31," [https://ballotpedia.org/Article\\_I,\\_California\\_Constitution#Section\\_31](https://ballotpedia.org/Article_I,_California_Constitution#Section_31); "California Constitution, Declaration of Rights," [https://ballotpedia.org/Article\\_I,\\_California\\_Constitution](https://ballotpedia.org/Article_I,_California_Constitution)

<sup>3</sup> American Community Survey, 2018. <https://data.census.gov/cedsci/table?q=B03002&g=0400000US06&tid=A CSDT1Y2018.B03002&hidePreview=true>.

<sup>4</sup> Yes on 16, "Endorsements," <https://voteyesonprop16.org/endorsements/>.

<sup>5</sup> EdSource, "Yes on Prop. 16 has big fundraising lead in effort to restore affirmative action in California," October 30, 2020. <https://edsources.org/2020/yes-on-prop-16-has-big-fundraising-lead-in-effort-to-restore-affirmative-action-in-california/642647>

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understanding their own interests. At the same time, California elites had no trouble pushing whites and Asians to support Prop 16, running ads associating the anti-Prop 16 groups with white supremacists,<sup>6</sup> despite the fact that many anti-Prop 16 activists and donors were not white supremacists but Asian Americans.

With almost all votes counted, the statistics below summarize what I found regarding various county-level demographic variables<sup>7</sup> and voter support for Prop 16.<sup>8</sup> I was able to obtain and merge county-level data on racial/ethnic demographics with the county-level votes for Proposal 16.<sup>9</sup> I manually entered the latter and revised it as vote counts were updated, the last entries being on November 11, 2020.

County-level data show how widespread the anti-Prop 16 was.

- 52 counties voted No. Only 6 of the 58 California counties had majority support for Prop 16.
- Except for LA County, the pro-16 votes centered around the Bay area, with the largest percentage in San Francisco (64%), followed by Alameda (59%), Marin County (56%), San Mateo (51%), and Santa Cruz (52%).
- In LA County, the most populous county, 51% voted for Prop 16, despite a majority minority population (73% non-white, 27% white).

I was able to generate simple statistics at the county level, examining more closely the relationship (or the lack thereof) between race/ethnicity and Prop 16. I display the data as scatter plots and discuss the associations using a trendline (generated by a simple regression) and the r-squared. In a negative relationship, the trendline would go down. In a positive relationship, the trendline would go up. The correlation coefficient (represented as r) measures the strength of the relationship between variables, ranging from -1.00, indicating a perfect negative relationship, to 1.00, indicating a perfect positive relationship.

The r squared ( $r^2$ ) is the correlation coefficient squared and shows how well the trendline accounts for (predicts) the county-level percentage voting yes on Prop 16. (In the social sciences,

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<sup>6</sup> The Editorial Board, *Wall Street Journal*, “California’s Racial Scare Campaign,” October 25, 2020, <https://www.wsj.com/articles/californias-racial-scare-campaign-11603660881>. EdSource, “Yes on Prop. 16 has big fundraising lead in effort to restore affirmative action in California,” *ibid.*, Ashley Wong, *Sacramento Bee*, October 21, 2020, “Why some Asian Americans oppose the affirmative action measure on the California ballot,” <https://www.sacbee.com/news/california/article246562743.html>.

<sup>7</sup> Demographic data were calculated from various sites, including the 5-year American Community Survey and were aggregated here. California State Association of Counties, “Data-Pile Current County Data,” December 16, 2019. <https://www.counties.org/data-and-research>.

<sup>8</sup> Election data by county as of November 11, 2020 collected from the *New York Times*, “California Proposition 16 Election Results: Repeal Ban on Affirmative Action,” Last accessed November 12, 2020. <https://www.nytimes.com/interactive/2020/11/03/us/elections/results-california-proposition-16-repeal-ban-on-affirmative-action.html>

<sup>9</sup> County demographics were downloaded from State of California, Department of Finance, “Projections, Baseline 2019,” <http://www.dof.ca.gov/Forecasting/Demographics/projections/>. Election data were obtained online from the *New York Times*, “California Proposition 16 Election Results: Repeal Ban on Affirmative Action,” <https://www.nytimes.com/interactive/2020/11/03/us/elections/results-california-proposition-16-repeal-ban-on-affirmative-action.html>.

an r-squared greater than 0.5 is considered excellent, 0.25 is good, and 0.10 is modest, but these assessments are not concrete rules.)

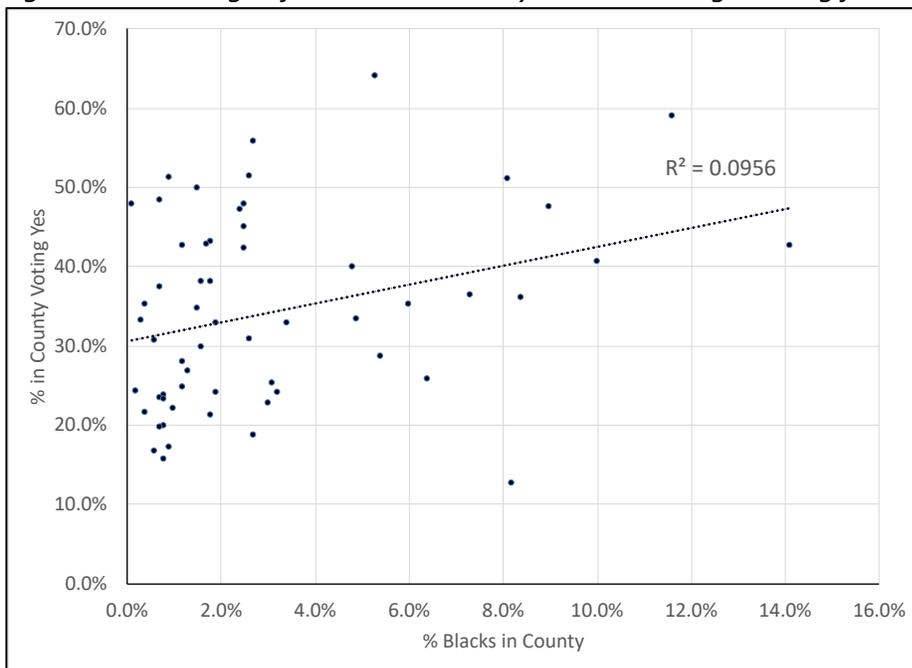
## Further Analyses of Prop 16 Support and Counties' Demographics

### Black Residents and County Support for Prop 16

Blacks make up 6% of California residents, and are the smallest of the four major racial/ethnic groups. The percentage of black residents in a county range from 15% in Solano to 0.1% in Alpine.

The scatter plot below (Figure 1) shows counties according to a county's percentage of black residents (the X-axis) and its percentage of votes for Prop 16. A bivariate (i.e., two-variable) regression analysis yields a linear model (i.e., the straight line in the graph) that best represents the relationship between the two variables.

Figure 1 Percentage of Blacks in a County and Percentage Voting for Prop 16



The graph shows that a county with a larger percentage of black residents had a greater percentage of yes votes for Prop 16. Statistical analyses show a positive (but small) relationship between the percentage of blacks in a county and that county's support for Prop 16, with a r-squared of roughly 0.10 ( $R^2 = 0.0956$ ).

But there were many counties with relatively few blacks and substantial support for Prop 16. The table below displays the counties with the largest percentage of votes for Prop 16 and the percentage of blacks in the county. Except for Alameda and Los Angeles, counties with the largest support for Prop 16 had populations of 5% black or less.

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*Table 1 Counties with the Largest Support for Prop 16 and Blacks as a Percentage of County Residents*

<b>County</b>	<b>% Yes</b>	<b>% Black</b>	<b>County</b>	<b>% Yes</b>	<b>% Black</b>
San Francisco	64%	5%	Los Angeles	51%	8%
Alameda	59%	12%	Sonoma	50%	2%
Marin	56%	3%	Mendocino	48%	1%
San Mateo	51%	3%	Alpine	48%	0%
Santa Cruz	51%	1%	Yolo	48%	3%

These counties help explain the small r-squared.

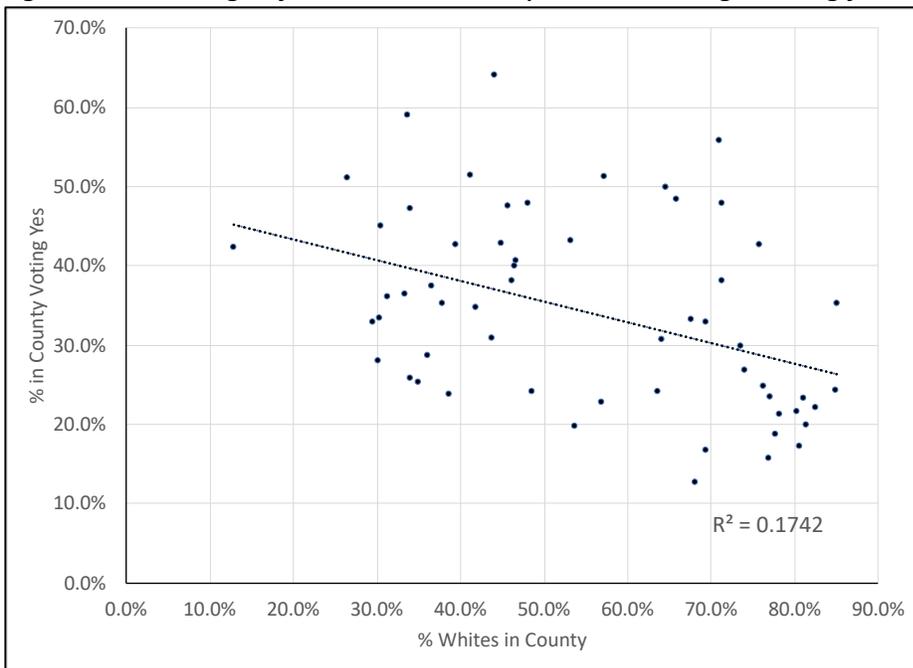
The opposite however was the case for whites in a county. The more whites in a county, the less the county's support for Prop 16.

*White Residents and Prop 16*

Unlike the 1990s, California is no longer a majority-white state. Today, whites make up 37% of California residents. White populations at the county level vary widely however. Whites comprise more than 80% of the population of seven counties (Nevada, Sierra, Plumas, Calaveras, Mariposa, Shasta and Trinity). The smallest percentage of whites was in Imperial County (13%).

The scatterplot below shows the larger percentages of whites and the declining percentage of yes votes for Prop 16. That is, statistically, the trendline shows that *the more whites in a county, the less the support for Prop 16*, with an r-squared of roughly 0.17 ( $R^2 = 0.1742$ ).

Figure 2 Percentage of Whites in a County and Percentage Voting for Prop 16



The table below highlights the notable exceptions to this negative relationship.

Table 2 Counties with the Largest Support for Prop 16 and Whites as a Percentage of County Residents

County	% Yes	% White	County	% Yes	% White
San Francisco	64%	44%	Los Angeles	51%	27%
Alameda	59%	34%	Sonoma	50%	65%
Marin	56%	71%	Mendocino	48%	66%
San Mateo	51%	41%	Alpine	48%	71%
Santa Cruz	51%	57%	Yolo	48%	48%

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Some of the counties with the largest percentage of whites were also those with the largest support for Prop 16. For example, Marin County is 71% white and 56% voted yes. Sonoma and Mendocino are roughly two-thirds white; 50% in Sonoma and 48% in Mendocino voted yes.

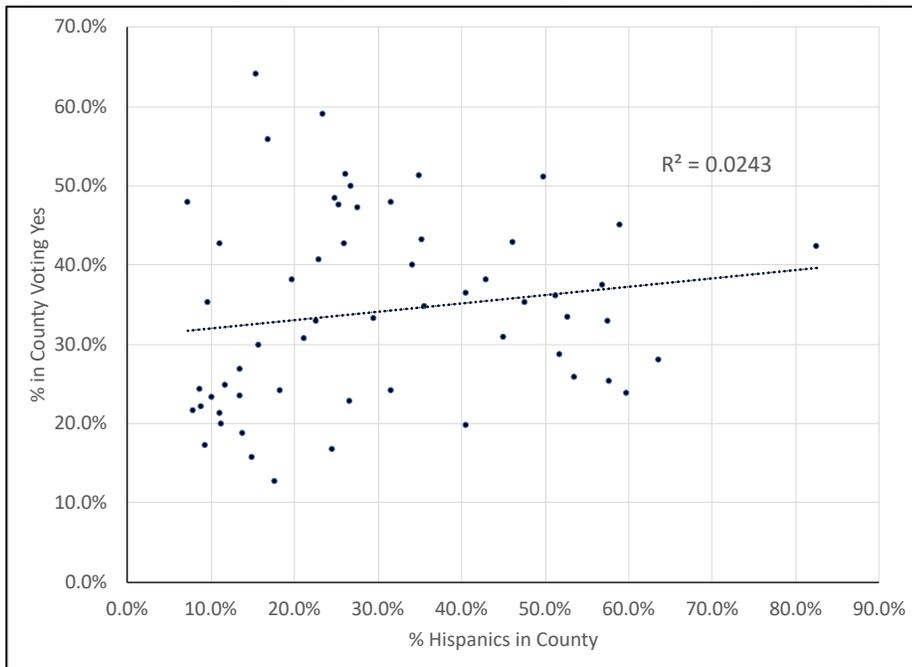
So the percentage of black residents predicts support for Prop 16, but the opposite is the case for whites. What about Hispanic residents and support for Prop 16? The next section presents my findings.

*Hispanic Residents and County Support for Prop 16*

Hispanics make up the largest racial/ethnic group in California. 39% of the state are of Hispanic background. Hispanics as a percentage of a county’s residents range from 82% in Imperial County to 7% in Alpine. The relationship between Hispanic residents and support for Prop 16 could have gone in two directions. More Hispanic residents could have resulted in greater support for Prop 16. Or more Hispanic residents could result in a negative relationship, where the greater the percentage of Hispanics in a county, the less the percentage voting for Prop-16 (in other words, a backlash).

But further analysis of county demographics found *no relationship between Hispanics in a county and voting for or against Prop 16.*

**Figure 3 Percentage of Hispanics in a County and Percentage Voting for Prop 16**



As Figure 3 shows, the data points (i.e., the counties, where each data point represents a particular county) are scattered all over the graph. The extensive “scatter” of data points (counties) on the graph is expressed statistically by a miniscule r-squared of 0.02 ( $R^2 = 0.0243$ ). It was not statistically significant.

The follow examples of the counties with the largest percentage of Hispanic residents illustrate my point.

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*Table 3 Counties with the Largest Percentage of Hispanic Residents and Support for Prop 16*

<b>County</b>	<b>% Hispanic</b>	<b>% Yes</b>	<b>County</b>	<b>% Hispanic</b>	<b>% Yes</b>
Imperial	83%	42%	San Luis Obispo	58%	33%
Tulare	64%	28%	San Benito	57%	37%
Colusa	60%	24%	Kings	54%	26%
Monterey	59%	45%	Fresno	53%	33%
Madera	58%	25%	Kern	52%	29%

These ten counties have the largest percentage of Hispanics in the state. None had a majority supporting Prop 16. The closest was Monterey. Hispanics make up 59% of residents; yes on 16 got 45% of the vote. Imperial County has the largest percentage of Hispanics (83%) but 42% of county voters voted yes on 16. Tulare County is 64% Hispanic; yes on 16 got 28% of the vote. Similarly, Colusa County is 60% Hispanic; 24% voted yes.

In contrast, of the 10 counties with the largest support for Prop 16 (see table below), San Francisco, Alameda, and Marin counties had the largest percentages voting for Prop 16, but had much smaller percentages of Hispanic residents compared to the state as a whole. And Alpine county, with only 7% Hispanics, had 48% voting for Prop 16. LA County had the largest percentage of Hispanics (50% of residents) and 51% of LA voters supported Prop 16.

*Table 4 Counties with Largest Percentage of "Yes" Vote and Their Hispanic Populations*

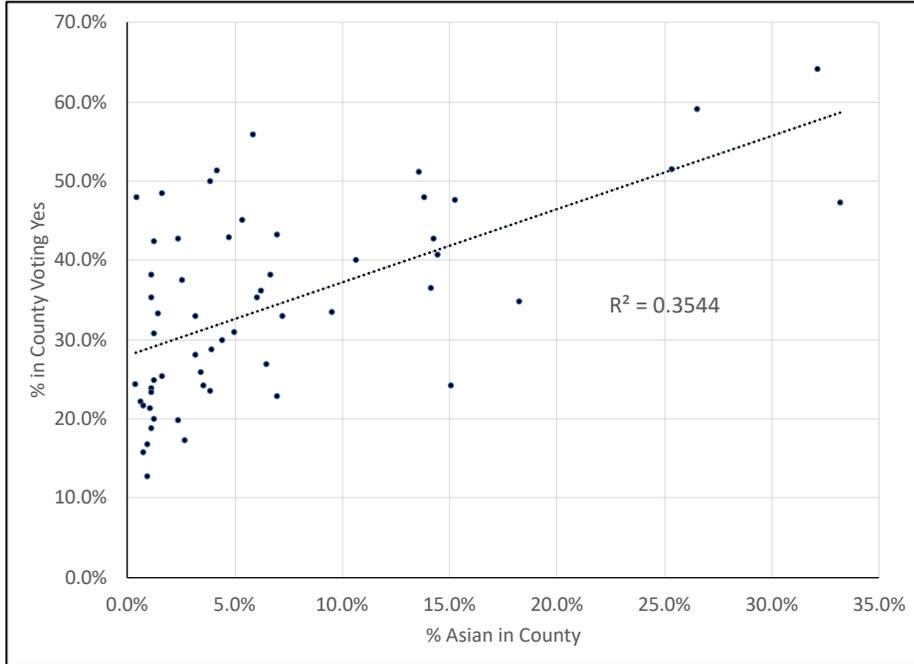
<b>County</b>	<b>% Yes</b>	<b>% Hispanic</b>	<b>County</b>	<b>% Yes</b>	<b>% Hispanic</b>
San Francisco	64%	16%	Los Angeles	51%	50%
Alameda	59%	24%	Sonoma	50%	27%
Marin	56%	17%	Mendocino	48%	25%
San Mateo	51%	26%	Yolo	48%	7%
Santa Cruz	51%	35%	Alpine	48%	32%

So, while there was little relationship between the percentage of Hispanic residents and support for or voting against Prop 16, is there evidence of a relationship between the percentage of Asians in a county and voting for Prop 16? I cover this material in the next section.

*Asian Residents and County Support for Prop 16*

Asians make up 15% of California residents. Santa Clara has the largest percentage of Asian residents (33%), followed by San Francisco (32%), and Alameda (27%).

*Figure 4 Percentage of Asian Residents in a County and Percentage Voting for Prop 16*



Statistical analyses found that in general, a county with a larger percentage of Asian residents also had a greater percentage of “yes” votes for Prop 16, and the relationship was statistically significant, with a moderate r-squared of 0.35 ( $R^2 = 0.3544$ ).

Since Asians were split on Prop 16, the data suggest a significant number of Asians were pro-Prop 16 and combined with other racial/ethnic groups to make up the “yes” vote in many counties. The table below displays the counties with the largest percentage of support for Prop 16 and their Asian populations.

*Table 5 Counties with the Largest Support for Prop 16 and Asians as a Percentage of County Residents*

County	% Yes	% Asian	County	% Yes	% Asian
San Francisco	64%	32%	Los Angeles	51%	14%
Alameda	59%	27%	Sonoma	50%	4%
Marin	56%	6%	Mendocino	48%	2%
San Mateo	51%	25%	Yolo	48%	14%
Santa Cruz	51%	4%	Alpine	48%	1%

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In three counties (San Francisco, Alameda, and San Mateo), a majority voted yes and had populations that were one-fourth Asian or more. In Marin and Santa Cruz, Asians made up less than ten percent of the population, but the majority voted yes. In LA County, Asians make up 14% of the county while more than half of the County supported Prop 16.

Unfortunately, the data cannot address the question of voter motive. How many voted for Prop 16 as a way of increasing underrepresented minorities in elite universities? How many voters in a county voted yes as an anti-Asian vote? Since Prop 16 would negatively impact the admissions of Asians to California's public universities, the data does raise the possibility that voting for Prop 16 was a way of containing the number of Asians at California's more elite universities such as Berkeley, UCLA, UCSD, and Irvine. An examination of California (and national polling) on individual attitudes towards racial preferences is beyond the scope of this memo.<sup>10</sup>

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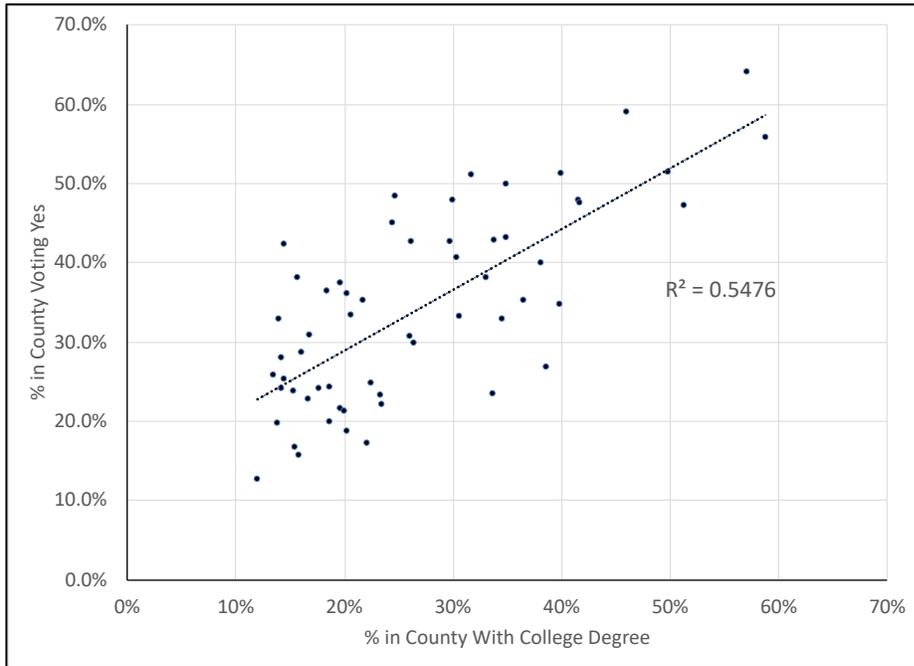
<sup>10</sup> Figuring out voter motives is impossible given the county-level data used here. To find out why individual voters supported Prop 16 or were anti-Prop 16, we'd have to use surveys, either of pre-election likely voters, or properly sampled post-election surveys of California voters, *not exit polling*. The majority of votes were mail-in ballots. Exit polling relies on in-person voters, a willingness to answer the poll, and a willingness to be truthful in response. Validity of exit polling in the election would be questionable.

*Education and Prop 16*

The real explanation for Prop 16 support is education, not race. Statistical data analysis of college education and yes on 16 shows that a college degree or more as the best predictor of Prop 16 support.

The scatterplot below shows a county’s percentage of college graduates and support for Prop 16. The percentage of college graduates has the largest correlation with yes on Prop 16, with an r squared of roughly 0.55 (R<sup>2</sup>=5476). This is a very robust association.

*Figure 5 Percentage of College Graduates and Percentage Voting for Prop 16*



The ten counties with the greatest support for Prop 16 also had some of the largest percentages of college educated. All were larger than the percentage in California as a whole (22%).

*Table 6 County with Largest Support for Prop 16 and Percentage with College Degree*

County	% Yes	% with College Degree	County	% Yes	% with College Degree
San Francisco	64%	57%	Los Angeles	51%	32%
Alameda	59%	46%	Sonoma	50%	35%
Marin	56%	59%	Mendocino	48%	25%
San Mateo	51%	50%	Alpine	48%	30%
Santa Cruz	51%	40%	Yolo	48%	42%

## *Conclusion*

Proponents of Prop 16 keep insisting that many (most?) voters failed to understand what the proposition would bring forth. With proper advertising, a better written proposition, and greater outreach to key groups, most voters, they claim, would turn around and support the re-introduction of racial, ethnic, and gender preferences.

Elite endorsements, donations, media coverage and other actions only highlight how racial preference issues are pushed by elites but rejected by the people. Roughly a third of California voters supported Biden but rejected Prop 16. County-level data analysis found the following:

- Counties with greater percentages of blacks also had more support for Prop 16,
- Counties with proportionately more whites had more anti-16 voters.
- There was *no correlation* between proportion of Hispanics and votes for or against Prop 16.
- There was a strong relationship between larger percentages of Asian residents and support for 16. While many Asians were active in the anti-16 movement, others were on the other side. Reasons for this are not evident from county-level data. It may suggest the extensive ethnic diversity among Asians and make generalizations more complicated. Pro-16 votes could also be related to anti-Asian bias. (But the data cannot show this, one way or another).
- The most robust relationship was between a county's percentage of college graduates and yes on 16.

In any case, over the past few years, many national and local polls have shown that Americans really dislike preferences based on race. Americans favor merit-based admissions, jobs, and contracts. Americans on the whole strongly believe in judging individuals as individuals not as representatives of racial/ethnic groups. Californians' decisive rejection of race-based government policies will hopefully inform the Supreme Court as it faces issues of racial preferences and anti-Asian admissions at Harvard and other elite universities.



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