

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

2006 JUL 29 PM 4:17

CITY OF OAKLAND
AGENDA REPORT

TO: Rules and Legislation Committee
FROM: Councilmembers Pat Kernighan and Nancy Nadel
DATE: June 29, 2006
RE: Report on Pros/Cons of Preferential Voting/Instant Runoff Voting (IRV)

SUMMARY

The Rules and Legislation Committee has requested a report detailing the Pros and Cons of Instant Runoff Voting (IRV) prior to referring an IRV charter amendment to the full Council for its consideration and action.

BACKGROUND

Instant Runoff Voting (IRV), also known as Preferential Voting or Ranked Choice Voting, is an election method that allows voters to rank the candidates so that a majority winner can be determined in one election. All the first choices are tallied. If any candidate receives a majority (more than 50%) of the first choices, that candidate is elected. If no candidate receives a majority, the "instant runoff" begins. The candidate receiving the fewest first choices is eliminated, and the voters of the eliminated candidate now cast their vote for their next-ranked candidate. All ballots are recounted in the instant runoff and the process continues, round by round, until some candidate wins a majority.

On November 7, 2000, the City of Oakland passed Measure I, which amended the Charter to provide for special elections to fill City Council vacancies. The measure also provided that alternative legal voting methods, including instant runoff voting (called preference voting in the Charter), shall be used to the greatest extent feasible to increase voter participation.

On December 12, 2000, the City Council adopted a motion to establish an Elections Task Force to advise the Council and make recommendations on alternative voting procedures.

On January 17, 2002, the Elections Task Force submitted its report to the Rules and Legislation Committee (see Attachment A). The report recommended in part that Oakland eliminate its spring Nominating Election by consolidating all elections for municipal office during the November General Election and using preferential voting (IRV) in that election.

On March 5, 2002, the City of Oakland passed Measure H, which amended the Charter to provide for special elections and, if necessary, runoff elections to fill Mayoral vacancies by majority. The measure also gave the City Council authority to provide for preferential voting (IRV) in those elections.

On March 12, 2002, the City Attorney wrote a letter to the City Council concluding that Oakland can legally institute a preferential voting system for its City elections upon enacting the necessary regulations (see Attachment B).

On June 23, 2005, the Rules and Legislation Committee received an informational report from the Office of the City Clerk on progress in the County and elsewhere on the use of IRV (see Attachment C).

Other jurisdictions in the Bay Area have passed IRV legislation. On November 7, 2000, the City of San Leandro passed Measure F, which amended their Charter to require that candidates receive more than 50% of the vote to be elected. Measure F allowed the use of either a two-election runoff or an instant runoff system. On March 2, 2004, the City of Berkeley passed Measure I, which amended their Charter to allow the City Council to establish by ordinance an IRV system for city offices.

The City and County of San Francisco also passed IRV. On March 5, 2002, San Francisco voters passed Proposition A, which amended their Charter to implement IRV for most city offices, including Mayor and Board of Supervisors. IRV has been used twice on November 2, 2004 and November 8, 2005 to elect both citywide and district-based offices. San Francisco will next use IRV in the November 2006 election.

From June 2005 to January 2006, various City Clerks, elected officials, and interested citizens met as an IRV Task Force with the Alameda County Acting Registrar to develop a plan for IRV. On June 8, 2006, the Alameda County Board of Supervisors voted to approve a contract with Sequoia Voting Systems, Inc. The contract specifies that Sequoia shall provide IRV to the County for use in County cities by November 2007 (see Attachment D).

ANALYSIS

Currently, many Oakland elections are decided during the low turnout June Nominating Election. Supporters have suggested that by eliminating the low turnout primary and using IRV during the high turnout November General Election, more voters will have a say in the final outcome. Over the past eight election cycles, voter turnout has consistently been higher in the General than in the Primary, ranging from 23% to 96% higher (source: City Clerk and Registrar of Voters web sites):

Year	Primary	General	% Increase
1990	71,836	103,287	43.8%
1992	71,889	140,919	96.0%
1994	66,276	107,692	62.5%
1996	73,549	123,215	67.5%
1998	86,337	106,240	23.1%
2000	92,509	132,701	43.4%
2002	70,193	95,550	36.1%
2004	86,231	150,146	74.1%
			55.8%

Moreover, there are strong indications that the increases in voter participation are significantly greater in areas of the city where minority and immigrant populations predominate (see Attachment E).

Supporters have also stated that special elections to fill Council vacancies were won with less than 50% of the vote, even though a majority is required for all other Oakland elections. This has happened two times since the passage of Oakland's Measure I:

Date	Candidates	Top Vote-getter
4/17/2001	4	33.2%
5/17/2005	9	28.8%

Supporters have cited the savings in having just one election. The City Clerk has estimated that a citywide runoff costs between \$0.75 and \$1.20 per registered voter. Therefore, the City would save between \$140,000 and \$225,000 per citywide runoff avoided, and less for each district runoff avoided.

Opponents have stated that IRV is confusing to voters. San Francisco State/Public Research Institute conducted a study using exit poll data after San Francisco's first IRV election in November 2004 (see Attachment F). The study concluded, in part, that the wide majority of voters said they understood RCV fairly well or perfectly well (polling place = 86%, absentee = 89%). Levels of understanding were high across the City, with only 13% and 12% of Asian and White voters reporting a lack of understanding, with African Americans (23%), Latinos (20%), and voters of "Other" racial/ethnic groups (17%) a bit lower. Voters with little education and low income were more likely to report a lack of understanding.

Opponents have cited voter education costs. San Francisco spent \$750,000 on voter education for November 2004 (about \$1.75 per voter for 430,000 registered voters – see Attachments G and H). For November 2005, San Francisco spent \$250,000

(about \$0.60 per voter). Oakland has approximately 190,000 registered voters. Scaling these costs for Oakland would amount to approximately \$330,000 for voter education the first time IRV is used and \$110,000 the second time.

PRO/CON SUMMARY

Here is a summary of Pro/Con arguments about IRV. These are taken from the analysis above and also compiled from *Behind the Ballot Box: A Citizen's Guide to Voting Systems* (see Attachment I).

Pros:

- Provides for majority winners in a single election, including in special elections
- Races will always be decided in a single November Election when voter turnout is highest, rather than in the June Primary when turnout is lowest
- Candidates don't need to raise as much, since there is only one election
- Saves tax payer money by eliminating the need to administer and pay for runoff/second elections, after education efforts for the first two elections
- Eliminates 5-month waiting period, which currently results when a candidate wins in June
- Prevents 'spoiler' candidacies in first-round election and in special elections
- Voters can vote more sincerely
- Gives voters more preferences
- Less negative campaigning characteristic of one-on-one runoffs
- May encourage more coalition-building and finding common ground among candidates seeking second choices
- Easier to administer, since it involves running only one election instead of two

Cons:

- Unfamiliar to voters, which initially could affect voter participation
- Lack of understanding may affect lower income and non-English speaking communities more
- Voter education campaign is necessary and costs money
- Initially some changes to election administration that will require training and adapting to the new method

CITY COUNCIL COURSE OF ACTION

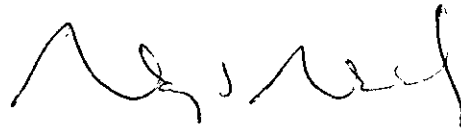
The City of Oakland must pass a charter amendment in order to implement Instant Runoff Voting for all municipal elections. For IRV to take effect with the November 2008 election, the City Council must place a charter amendment before the voters in November 2006. To place the amendment on the November 2006 ballot, the City Council must take action before its summer recess.

In addition, the City will need to implement a voter education plan prior to implementation of IRV.

Respectfully submitted,



Pat Kernighan
District 2 City Councilmember



Nancy Nadel
District 3 City Councilmember

Attachments:

- A. Elections Task Force Report
- B. City Attorney Letter
- C. City Clerk Informational Report
- D. Purchase Agreement Between Alameda County and Sequoia Voting Systems, Inc.
(Table of Contents & Page 27 only)
- E. Report on Increase in Voter Turnout by Race/Ethnicity
- F. San Francisco State/Public Research Institute Study
(Intro Pages and Pages 1-4; for full report, go to
http://pri.sfsu.edu/reports/SFSU-PRI_RCV_final_report_June_30.pdf)
- G. San Francisco Press Release on IRV Outreach Campaign
- H. Ranked-Choice Voting Explained (San Francisco's Educational Voter Pamphlet)
- I. *Behind the Ballot Box: A Citizen's Guide to Voting Systems* (Pages 49-55)

CITY OF OAKLAND
Agenda Report

FILED
OFFICE OF THE CITY CLERK
OAKLAND

02 JAN -3 PM 12:15

TO: Rules and Legislation Committee
FROM: Elections Task Force
DATE: January 17, 2002

RE: Report And Recommendations From The Elections Task Force Regarding
Alternative Voting Methods And Proposed Changes For Future Municipal
Elections

BACKGROUND AND SUMMARY

At its meeting of December 12, 2000, the City Council adopted a motion to establish an Elections Task Force. The Task Force was directed to: 1) advise the City Council on alternative voting procedures and implementation for the April 17, 2001, special election; and, 2) evaluate voter turn-out and make recommendations on alternative voting methods and procedures for future general and special elections. On May 29, 2001, the City Clerk presented an informational report to the City Council evaluating the costs and voter turn-out in the District Six special election. This report addresses alternative voting methods and procedures for future elections.

Based on the analysis below, the Task Force recommends that the City Council direct the Office of the City Attorney and the Office of the City Clerk to prepare all necessary legislation and procedures in order to:

1. Implement a system of "mail ballot" voting in all future special elections and, as soon as practicable, incorporate preferential voting in conjunction with the mail ballot system; and,
2. Eliminate Oakland's March Nominating Election by consolidating all elections for municipal office during the November General Election using a system of preferential voting.

The Task Force also recommends that the City continue its "early voting" and voter outreach programs for all future special elections.

DISCUSSION AND ANALYSIS

A. Current Election Process

For many years, Oakland held its elections annually. Between 1910 and 1988, Oakland held a nominating election in April, and any run-off election in May, in every odd-numbered year. In June, 1988, Oakland voters passed Measure L which

consolidated its elections with statewide elections. Under the current system, Oakland's nominating election is held in even-numbered years on the first Tuesday in March and any run-off election, if necessary, on the first Tuesday after the first Monday the following November.

Voters can vote by absentee ballot available 29 days before the election, or vote at the polls on Election Day. In addition to regularly scheduled elections, City Council vacancies are now filled by special election following the passage of Measure I in November, 2000. The first special election called under Measure I was held in District Six on April 17, 2001.

B. Problems With The Current Election Process

The current system of relying on registration and polling-place voting for both a primary and a general election held eight months apart discourages full voter participation in electing City representatives and causes undue expense and confusion for City candidates and voters alike.

1. The Primary/General Election System

Every candidate seeking elected office for the City of Oakland faces the prospect of conducting two separate campaigns: One for the primary election in March, and possibly one in the general election the following November if no candidate receives a majority of votes cast in the primary election. For voters, it may be difficult to understand why they need to vote twice for their choice of candidates. The current system has obvious flaws:

It discourages full participation: The primary/general election system asks voters to participate in the election for City offices twice, and occasionally after their preferred candidate failed to survive the primary. Many voters often vote in only one of two elections, creating a partial disenfranchisement of certain groups of voters. For example, in the November 2000 general election, 114,601 voters or 62% of registered voters of Oakland turned out to vote for the Councilmember-at-large position. Unfortunately, only 76,323 voters or 43% of the registered voters voted in the March primary election, during which the choices were narrowed from five to two candidates. The result is that less than half of the registered voters determined the choice of candidates from which the majority of voters would choose during the general election.

It depletes public resources: The current primary/general election system requires taxpayers to pay for two separate elections to elect Oakland representatives. The City spent \$152,735.14 for the administration of the March 2000 primary election and an additional \$106,479.00 for the November 2000 general election. Voter groups that raise money and recruit volunteers for voter registration and education are asked to do so twice.

It is expensive to finance campaigns: For most, the expense of running a single election campaign for office is daunting. The prospect of having to raise up to \$90,000 for a City Council district race (assuming voluntary expenditure limits are accepted) is a formidable barrier, especially for non-incumbents and those who do not have personal financial resources. In Oakland, a candidate may have to raise this kind of money twice within an eight-month period, doubling the time and expense of an election campaign. Moreover, the City of Oakland now provides limited public financing for campaigns. The primary/general election system will undoubtedly make the cost of this program more expensive, or limit the amount of funds available to participating candidates.

It creates long lame-duck incumbencies: In the case where an incumbent is not returning for another term (either because of a loss in the primary or decision not to seek re-election), a winner in a primary election must wait ten months before taking office. During the long lame-duck period, the policies on which the elected candidate sought office and received support may not be articulated or implemented. The lame-duck incumbent holds office for ten months during which he or she may have less incentive to be accountable to voters.

2. The Voter Registration System

Much criticism has historically been directed at the current voter registration system. It requires voters to perform an administrative task before the actual effort of voting. The system disenfranchises voters who miss the deadline for registration.

3. The Absentee Voting Process

After a voter has registered, the voter must apply for an absentee ballot in order to vote at home, or travel to a polling place on a workday to endure a process of waiting in line, verification and punch-hole voting. For a voter not educated in the process of absentee voting, the task of voting can be inconvenient and confusing. The benefits of absentee voting are available only to those who are educated on the process.

C. Local Proposals For Improving The Current Election Process

1. Implement Mail Ballot Voting In Oakland Special Elections

Mail ballot only voting, in which each registered voter is essentially an "absentee" voter, is used extensively in the United States for both regular and special elections. The State of Oregon's Vote-By-Mail system is perhaps the most well known, having been used there for local and special elections since 1987, and now being used for all elections.

In the Vote-By-Mail system, voter information material, secrecy envelopes and return envelopes are mailed to every registered voter 2 1/2 weeks before Election

Day. Voters fill out the ballots, place them in the secrecy envelopes, place the secrecy envelopes in the return envelopes (which they must sign as they are registered), and then drop the ballots off at a convenient drop site or mail them to the elections office.

Mail ballot voting systems are popular with both the voting public and with elections officials. It has a number of advantages: it is less expensive, requires the recruitment and training of fewer elections workers, avoids typical Election Day problems at polling places (opening late, voters' names not on the rosters, poll workers unable to handle problems), and improves the integrity of the election (the signatures of all voters are verified in mail ballot voting as opposed to precinct voting; mailed ballots are non-forwardable so records are more accurate).

Brad Clark, Registrar of Voters for Alameda County calculates that the April 17, 2001 Special Election to fill the District 6 Council seat would have cost at least \$25,000 less to run if it had been conducted by mail ballot voting. Similarly, the Registrar of Voters of Multnomah County, Oregon, reports that voting by mail saves from 25-35% of the cost of an election conducted using polling places.

The results of a study done in Oregon help answer some of the concerns raised about using mail ballot voting systems. Following the January, 1996, use of mail ballot voting in a special statewide election to fill a vacancy in Oregon's U.S. Senate seat, a study was performed by the Department of Political Science at the University of Oregon, using a telephone survey of 1225 people. The findings demonstrated:

- An overwhelming majority (76.5%) of the 1225 respondents favored mail ballot voting over polling place elections.
- A statistical profile of Oregon's "Vote-By-Mail" voters suggests that they closely resemble the traditional voters who vote in both polling place and mail elections. The candidate preferences, as reflected in both general election and primary vote, were nearly identical for both types of voters.
- The slight differences that do exist between vote-by-mail voters and traditional voters are varied. In contrast to traditional voters, vote-by-mail voters were:
 1. more likely to be a member of a minority race;
 2. more likely to be a single parent;
 3. younger;
 4. more likely to be registered as an independent;
 5. more likely to have moved in the past two years;
 6. more likely to be students and less likely to be retired;
 7. more likely to be paid by the hour rather than on salary or commission; and,
 8. slightly less educated and informed about Oregon politics;

Task Force Recommendation: *The Task Force recommends that mail ballot voting be implemented in all Oakland special elections. A total vote by mail system for all elections would require a change in state law. However, Oakland can legally institute its own changes in local special elections.*

2. Implement Preferential Voting In Future General And Special Elections

Preferential voting is a system that produces a majority winner in a single election. It eliminates the need for a second runoff election, and it shortens the length and cost of campaigns. Preferential voting allows voters to indicate their first, second and third choice for an elected office.

Under the preferential voting system, winning still requires a majority vote (50% + 1), but if no candidate receives a majority of the first choices, the rankings are used to conduct the runoff instantly. Ballots are counted in rounds, and in each round, each ballot counts as one vote for the voter's favorite candidate who is still in the race. If no candidate is elected in a round, the candidate with the fewest votes is eliminated, and another round occurs.

Charter amendments to allow the use of instant runoff voting have been adopted by the voters in Santa Clara County, CA, Vancouver, WA, and San Leandro, CA. Measure I, adopted by more than 70 percent of Oakland voters, authorizes the use of a preferential voting system in special elections. This system could be implemented as soon as the county completes its acquisition of new electronic voting equipment. Combining preferential voting with a single general municipal election in November would additionally achieve a number of significant goals:

- It would determine a majority winner in a single election when voter turnout is highest.
- It would eliminate long "lame-duck" periods, reduce the length of campaigns, and lessen the need for candidates to raise campaign funds.
- It would save the cost of the March municipal primary election.

Task Force Recommendation: *The City Council should direct the City Clerk and the City Attorney, in consultation with county election officials, to develop all needed legislation and procedures for implementing instant runoff voting for future special and general elections. Amendments to Charter Sections 1100 and 1101, and Municipal Code Section 3.08.140, may be required to implement this recommendation.*

3. Eliminate Oakland's March Nominating Election By Consolidating All Elections For Municipal Office During The November General Election Using A System Of Preferential Voting.

Under the Oakland City Charter, members of the City Council and the Mayor are required to commence their terms of office on the first Monday in January following their election. Since the change of Oakland's nominating election to coincide with the statewide primary election held in March of every even-numbered year, the Task Force questions whether it is appropriate for a candidate to be elected in March but wait until the following January to commence his or her term.

The 10-month waiting period arises in two situations: 1) when an incumbent seeks re-election in March and the challenging candidate wins a majority of the votes cast; or 2) when there is no incumbent and one of the candidates wins outright. (The 10-month period is arguably less of a problem in those cases in which the March election results in a November "run-off" because it provides additional time for the candidates to continue their campaigns.) Establishing a preferential voting system in the March elections, without changing the date which terms of office begin, would only create more situations in which the 10-month waiting period would arise. Conversely, eliminating the March election and establishing a preferential voting system in the November election would avoid multiple elections for the same office and would allow the elected candidate to take office within approximately two months of the election.

***Task Force Recommendation:** Oakland should coordinate its general municipal election with the statewide general election in November and establish a preferential voting system to apply in that election. Amendments to Charter Sections 1100 and 1101, and Municipal Code Section 3.08.140, may be required to implement this recommendation.*

4. Increase Voter Outreach

The recent District Six special election was unique in a number of ways. It was the first time a city council vacancy was filled by special election, the first time a touchscreen electronic voting system was used in an Oakland election, and the first time early voting sites had been established in a particular district. Because of these "first time" events, Task Force members and the Office of the City Clerk made an extraordinary effort to inform and educate voters. This effort included mailing two fliers, purchasing television spots, producing 30 and 60 second public service video announcements in three languages, posting information to the City's web page, issuing media alerts, sponsoring numerous candidate forums, demonstrating the touchscreen electronic voting system and conducting a press conference.

This extensive outreach effort had several benefits:

- It served as a constant reminder to District Six voters that an election was forthcoming;
- The candidate forums gave voters the opportunity to hear the candidates and make informed decisions at the polls; and
- Voters were able to use and experience the new touchscreen system in an user friendly environment.

The cost for this outreach effort was \$28,951.85. Compared with other special elections in which the voters of District Six voted, voter turnout for the April 17, 2001, special election was relatively high at 21.32 percent. In assessing the outreach efforts described above, the Task Force determined that the most effective methods were the direct mailing of fliers and the public service announcements, both of which could be utilized in future special elections for approximately \$15,000.

Task Force Recommendation: *The Task Force believes that continuous voter outreach and education for special elections is a productive tool for increasing voter turnout, and that the City Council should appropriate sufficient funds for every special election for direct mailing of fliers and public service announcements.*

5. Early Voting For Elections

Oakland recently conducted its first special election in which voters were permitted to vote at four designated polling places prior to Election Day. While overall voter turnout was slightly higher than in past special elections, approximately two-thirds of the cost of the election itself (excluding outreach efforts) was spent to maintain four early voting sites open a total of nine days. In addition, only five percent of the vote was cast at an early voting site. These low early voting figures contrast with much higher figures for jurisdictions in which early voting has been practiced over time, in which approximately one-third of the votes are cast at early voting sites.

Task Force Recommendation: *Oakland should continue to use early voting in special elections, but should experiment with the hours, days, and number of sites to determine a proper balance between the expense and the increased turnout. The Task Force recommends that early voting be conducted only during the weekend immediately preceding Election Day. The early voting sites should be at locations normally open to the public on weekends, such as libraries, parks, or shopping malls.*

Oakland should support and encourage Alameda County to appropriate the funds necessary to permit same-day registration and voting during the overlap between the early voting period and the registration period. (Currently early voting can start almost a month before the election day, but the deadline for registration is fifteen days before election day.)

Oakland should encourage the Registrar of Voters to use early voting in general elections, provided that the early voting sites are chosen so that Oakland residents have access equal to that of residents of other parts of the county.

6. Electronic Voting

Electronic voting machines were used in Oakland for the first time during the District Six special election. From all accounts, electronic voting was well received by voters, who required only a moderate amount of help from election officials. The electronic voting machines provided other advantages as well. They allowed voters to review their choices and to make corrections before submitting. They also facilitated early voting procedures, including early voting access in neighborhood locations. The machines eliminate many of the problems associated with the current punch-card technology. The problems with this old technology are well known and in fact are a matter of national concern.

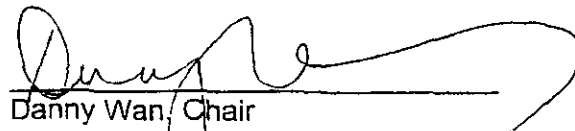
The principal roadblock to immediate adaptation of electronic voting is cost. Alameda County is currently negotiating with a vendor of electronic voting machines to acquire the equipment in time for the March, 2002, election.

Task Force Recommendation: *The Oakland City Council should communicate its support for the acquisition of electronic voting machines to the Alameda County Board Of Supervisors.*

FISCAL IMPACTS

Because this report recommends that the Offices of the City Clerk and City Attorney prepare appropriate legislation and procedures, there are no known fiscal impacts at this time.

Respectfully submitted,



Danny Wan, Chair
Elections Task Force

Participants in the Elections Task Force:

Ceda Floyd, City Clerk
Marjo Keller, Office of the City Clerk
Mark Morodomi, Office of the City Attorney
Michelle Abney, Office of the City Attorney
Dan Purnell, Exec. Director, Public Ethics Commission
(continued on next page)

Participants in Elections Task Force (continued)

Laurie DeVarney, Office of Communication and Mass Media
Pat Kernighan, Chief of Staff for Councilmember Wan
Alice Spearman, League of African-American Voters
Carl Washington, League of African-American Voters
Bonnie Hamlin, League of Women Voters
Gen Katz, League of Women Voters
Betty Colquhoun, League of Women Voters
Judi Bank, League of Women Voters
Jim Ferguson, Common Cause
Crayton Bedford, Common Cause
Dave Kadlecek
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CITY OF OAKLAND



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March 12, 2002

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HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council:

Subject: Elections Task Force Report and Recommendations
Regarding Alternative Voting Methods and Proposed
Changes for Future Municipal Elections

I. INTRODUCTION

The recommendations of the Elections Task Force are on the City Council's March 12, 2002. This memorandum responds to the Elections Task Force's request that the City Attorney review the legality of a preferential voting system. The Task Force made the request in light of an October 30, 2001 letter from Alameda County Registrar of Voters which stated that there are "no laws, regulations or rules in the State of California detailing the procedures for conducting preferential elections."

II. BACKGROUND

In the absence of state regulations, can the City of Oakland legally institute a preferential voting system for City elections?


III. ANSWER

The City may legally conduct its own election instituting a preferential voting system upon enacting the necessary regulations.

IV. DISCUSSION

Any absence of state regulations should not legally bar Oakland from instituting a preferential election system on its own. Article 11, Section 5 of the State Constitution empowers chartered cities, such as Oakland, to provide for the "conduct of city elections" and grants "plenary authority" to provide "the method by which . . . the several municipal officers and employees whose compensation is paid by the city shall be elected or appointed" "Plenary authority" means complete, unqualified or full authority.

Respectfully submitted,


for JOHN A. RUSSO
City Attorney

Attorney Assigned:
Mark Morodomi

Attachment C

**CITY OF OAKLAND
AGENDA REPORT**

OFFICE OF THE CITY CLERK
OAKLAND

2005 JUN -9 PM 4:47

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Office of the City Clerk
DATE: June 23, 2005

RE: **Informational report on Preference Voting/Instant Runoff Voting (IRV)**

SUMMARY

On November 7, 2000 the voters of the City of Oakland passed Measure I amending the Charter and requiring that vacancies on the City Council be filled by holding a Special Municipal Election. The amendment also included language stating that alternative legal voting procedures shall be used to the greatest extent feasible to increase voter participation in special elections including but not limited to mail ballot voting, electronic voting, preference voting and extended voting period. The City of Oakland has held two special elections to fill Council vacancies and have used the following alternative voting procedures: electronic voting & extended voting period for the April 2001 District 6 election resulting in a turnout of 21.32% and mail ballot voting for the May 2005 District 2 election resulting in a turnout of 34.5%.

Many of the voters in Oakland have inquired about and advocated for the use of preference voting also known as Instant Runoff Voting (IRV) as the means for voting and tallying the ballots at special elections. The City Council has requested an informational report on this matter.

FISCAL IMPACT

Since this report is informational only, no fiscal impacts are included.

BACKGROUND

Instant Runoff Voting (IRV) is a method of counting ballots that allows voters to rank their candidate choices and the votes are tallied by choice selection. IRV requires a candidate to receive a 50% plus one vote (majority) to be elected. All the first choices are tallied and if a candidate receives the majority the candidate is elected. However, if the first choices are tallied and no candidate receives a majority, the candidate receiving the fewest first choice votes is eliminated and each vote for that candidate is given to

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the next preferred choice on the voter's ballot. This process continues until a candidate receives the majority vote required to be elected.

Currently in Alameda County the cities of Oakland, Berkeley and San Leandro have provisions in their charters that allow for the use of IRV.

Berkeley would use the voting method in lieu of costly run-off elections. The charter also requires that a system for IRV be established first and that all voting equipment and procedures are technically ready to handle IRV.

San Leandro requires that a run-off election be held when a candidate does not receive 50% plus one vote at the municipal election; that a run-off system be established by the Council and that the run-off system may include mail ballots, and instant run off voting when the technology is available to the city or special run-off election.

Oakland requires that Council vacancies be filled by special election and that alternative voting methods be used including but not limited to mail ballot voting, electronic voting, preference voting and extended voting period.

Representatives from these three cities have been meeting with the Alameda County Registrar of Voters and Diebold Systems, the company responsible for the county's voting equipment, to discuss the various options and ways to move forward in meeting the requirements of each city's charter. The following suggestions have come out of these preliminary discussions:

Seek and secure official guidelines and procedures from the state as a blue print to follow when developing the program.

Work collectively on developing an IRV system for Council approval that will meet each city's need and be easy for voters to understand.

Contact other cities and counties that have expressed an interest in IRV elections and get their input.

These meetings will continue to be held as a means of being proactive concerning this issue and the increasing interest from the public for the use of IRV.

At the state level, Senator Debra Bowen, Chair of the Senate Committee on Elections, Reapportionment and Constitutional Amendments introduced SB 596 that would permit jurisdictions to conduct a local election using a preference voting method as specified

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and authorized within the text of the bill. This bill is currently in Committee and was most recently amended on April 28, 2005.

Instant Runoff Voting (IRV) is used in many places around the world such as: Australia, Bosnia, Fiji, Papua New Guinea, The Republic of Ireland, London, Malta and Sri Lanka. In the US cities such as Ann Arbor (MI), New York and Yonkers (NY) have also used IRV. In the Bay Area, the City and County of San Francisco developed and implemented an IRV system with the help of the Election Systems & Software Company. This system was approved by the state's Voting Systems & Procedures Panel and was successfully used in their November 2004 Elections. In February 2005 this system was recertified for use once again only in San Francisco through the end of the year (2005). Post election studies have shown that the majority of voters made the transition to rank choice voting with little problem.

Many jurisdictions throughout the state want to use IRV. However, there is also a need for a uniform definition of what IRV is and for uniform procedures and guidelines to be written to allow election officials greater statutory guidance when it comes to implementing this system.

KEY ISSUES

The following items would need to be considered in the discussion regarding IRV for the City of Oakland:

Developing and establishing Instant Runoff Voting procedures, rules and guidelines


Amendments to the City Charter and Oakland Municipal Code to reflect the established procedures, rules and guidelines

Voter Education Program

Request for State Certification of IRV procedures, programs and guidelines

Possible separate contract with a voting systems vendor if the Registrar of Voters is not able to accommodate Oakland's system

Costs to develop and implement the system


RULES & LEGISLATION
CMTE

JUN 23 2005

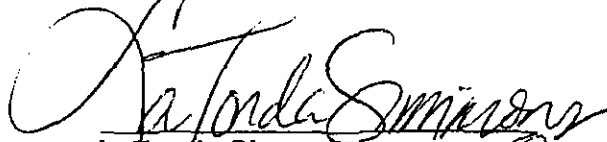
RECOMMENDATION AND RATIONALE

The City Clerk recognizes the importance of Instant Runoff Voting to many voters and voting advocates in the City of Oakland, Alameda County and the State of California. Staff from the City Clerk's office will continue to meet with City, County and State officials to resolve the issues. No action is requested of Council at this time.

ACTION REQUESTED OF COUNCIL

Accept this informational report.

Respectfully submitted,



LaTonda Simmons
City Clerk, Office of the City Clerk

Prepared by: Marjo Keller
Deputy City Clerk
Elections & Compliance

**APPROVED AND FORWARDED TO THE
RULES AND LEGISLATION COMMITTEE:**



OFFICE OF THE CITY ADMINISTRATOR

6
RULES & LEGISLATION
CMTE
JUN 23 2005

**PURCHASE AGREEMENT
BETWEEN
COUNTY OF ALAMEDA
AND
SEQUOIA VOTING SYSTEMS, INC.**

C-2006-163

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Schedule 1	Description of Equipment, Software, and Pricing
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Schedule 3	Additional Services
Schedule 4	Delivery Terms
Schedule 5	License Agreement
Appendix A	License Fee

permitted by law, that any action brought by either party with respect to this Agreement shall be brought in a court of competent jurisdiction within said County.

40. RELATIONSHIP OF THE PARTIES

The County and Sequoia agree that under this Agreement:

- A. Both parties are independent contractors;
- B. Neither party is a legal representative, agent or partner of the other;
- C. Neither party will represent or act on behalf of the other, unless otherwise agreed to in writing; and
- D. Both parties are free to enter into similar agreements with others and to market its products and services to others.

41. NO THIRD PARTY BENEFICIARIES

Sequoia and County agree that this Agreement is for the benefit of the parties hereto and is not intended to confer any rights or benefits on any third party, and that there are no third party beneficiaries of this Agreement or any part or specific provision of this Agreement, and no third party shall have any right to enforce this Agreement or any provision hereof.

42. INSTANT RUNOFF VOTING

Sequoia will develop and provide all necessary software, firmware and/or upgrades to provide an Instant Runoff Voting model to Alameda County specifications for County cities for the November 2007 election at a cost not to exceed \$350,000.00.

The County and Sequoia will draft a separate contract for the Instant Runoff Voting development.

43. NEW BALLOT

Upon County request, Sequoia will develop and deliver, at no cost to the County, a "square" voting position Optech ballot upon a one hundred fifty (150) day written notice from the County.

44. BALLOT PRINTING

Alameda County may choose any certified ballot printer to produce its election ballots.

45. BALLOT ON DEMAND

Sequoia will provide onsite consulting support, totaling no more than 40 hours, to the County to aid in the design, set up, and certification of Ballot on Demand printing within the County's current office space to be completed by January 1, 2008. The costs for these onsite consulting services are included herein.



June 29, 2006

Increase in Voter Turnout in Oakland from Spring Primary to November General in 2004 by Certain Census Tracts*

The chart below shows the percent increase in the number of voters participating in the November 2004 General Election compared to the March 2004 Primary Election, in different parts of Oakland. In each row, we show the total percent increase in those census tracts that are predominantly, or more than 60%, of the indicated race or races. Citywide in 2004, voter turnout increased 74%. Note that a percent increase of 100% means that voter turnout doubled.

% Increase	Race/Ethnicities	# Census Tracts
118.9%	Latino and Asian/Pacific Islander	13
98.7%	Latino and African-American	52
98.4%	African-American and Asian/Pacific Islander	42
96.8%	African-American	20
95.4%	Asian/Pacific Islander	2
95.0%	Non-Caucasian	76
88.4%	Latino	2
73.3%	Citywide (all races/ethnicities)	106
65.2%	Caucasian and African-American	69
52.1%	Caucasian and Asian/Pacific Islander	32
50.5%	Caucasian and Latino	26
45.4%	Caucasian	17

We used voting age population data from the US Census 2000 dataset. "Latino" means "Hispanic or Latino." The other racial/ethnic categories do not include Latinos so that, for example, "African-American" means "Non-Hispanic African-American." The numbers in the right-hand column indicate how many census tracts met the 60% cutoff. This gives an idea of the sample size of each row. Oakland has 106 census tracts in all. The rows in the chart are not mutually exclusive categories.

To determine the turnout in each census tract, we started with the Statement of Votes available from the Office of the County Registrar. These turnout numbers are reported by "consolidated precinct." We then apportioned the turnout in each consolidated precinct into the precincts they contain using precinct voter registration totals. Finally, we added up the turnout for the precincts in each census tract to obtain the tract totals.

*For more information on the methodology of this study or for the raw data, you may contact Christopher Jerdonek (FairVote) at jerdonek@fairvote.org. Nicolas Heidorn and Dave Kadlecek from Oakland IRV also worked on this research project.

Public Research
Institute

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<http://pri.sfsu.edu>

An Assessment of
Ranked-Choice Voting in the
San Francisco 2004 Election

Final Report

MAY 2005

Francis Neely
Assistant Professor of Political Science

Lisel Blash
Senior Researcher, Public Research Institute

Corey Cook
Assistant Professor of Political Science

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EXECUTIVE SUMMARY¹

Purpose

In the November 2004 General Election, the city of San Francisco used a new voting system for electing its Board of Supervisors. This system, Instant Run-off Voting or Ranked-Choice Voting (RCV), was used in seven of the city's eleven districts. The purpose of this study is to evaluate this transition in election systems by gauging the ease or difficulty with which voters expressed their preferences on the new form of ballot. This assessment considers three main indicators:

- Whether voters knew they would be asked to rank candidates before coming to the polls,
- Whether they indicated they understood RCV after having used it, and
- The degree to which they reported using the full function of the ballot by ranking three choices.

Methodology

Two main sets of voters were surveyed for this study: those who cast their ballots in person on Election Day, and those who voted with an absentee ballot submitted through the mail.² Additional exit poll surveys were collected in several select neighborhoods, over-sampling Asian-Americans, African-Americans, and Latinos (special neighborhoods sample).

- The sample design for the basic sample at the polling places involved a purposive sample of three precincts per district, chosen by how well they represent their districts overall. A total of 2,847 surveys were collected from this sample. Response rates by precinct varied from 22%-53%.
- The sample design for the special neighborhood sample involved a purposive sample of two precincts per district, six precincts in all, chosen for their geographic location and their high concentration of Asian-Americans, African-Americans, and Latinos. Altogether, 543 surveys were collected, with response rates by precinct ranging from 23%-47%
- The sample design for the absentee survey involved a simple random sample of some 1,167 absentee voters. These voters were mailed a comparable version of the survey intended for absentee voters. This mail-out yielded 217 completed surveys for a response rate of approximately 19%.
- The questionnaire was designed to pursue the primary research question of how easy or difficult it was for voters to use the RCV system. It consisted of two sides of an 8 ½ x 14" sheet of paper and approximately 26 questions. It was available in English, Spanish and Chinese.
- A team of 110 student surveyors were deployed to the polling places of the selected precincts on Election Day. Interviewers worked in pairs and surveyed voters in six hour shifts from either 7:00 a.m. to 1:00 p.m. or 2:00 p.m. to 8:00 p.m. Because of known interviewer effects, each pair included one female and one male. Interviewers who spoke Spanish or Cantonese were chosen for precincts with large concentrations of residents

¹ Unless noted otherwise, the figures in the Executive Summary refer to polling place voters.

² We recognize that this excludes a small proportion of voters, such as those who vote early at City Hall.

speaking those languages, and efforts were made to recruit African-American students to survey in primarily African American precincts.

Prior Knowledge of Ranked-Choice Voting (RCV)

- Over two-thirds (69%) of polling place voters and over three-fifths (63%) of absentee voters knew before voting that they would be asked to rank candidates on the Board of Supervisors (BOS) ballot
- About half (51%) of the first-time voters and 41% of “occasional” voters were not aware that they would be asked to rank candidates.
- Those with less prior knowledge of RCV tended to be the least educated, voters whose first language is something other than Chinese or English, and those whose race or ethnicity is something other than Asian or White.

Overall Understanding of RCV

- The wide majority of voters said they understood RCV fairly well or perfectly well (polling place = 86%, absentee = 89%).
- Levels of understanding were lowest among voters with little education and low income.
- African Americans (23%), Latinos (20%), and voters of “Other” racial/ethnic groups (17%) were more likely to report a lack of understanding than were Asian (13%) or White (12%) voters.
- Differences in understanding between African Americans and voters of other races and ethnicities were more pronounced once education, prior knowledge of RCV, and voting habits were considered.
- Prior knowledge significantly lessened the potential for language-based difficulty in using the RCV ballot.
- Asian-Americans living in Chinatown appear to have had more difficulty understanding RCV than did Asians living elsewhere; by contrast, Latinos in the Mission appear to have had less difficulty than Latinos elsewhere.
- Reported levels of understanding of RCV were related to voters’ general dispositions toward change and difficulty making a first choice among BOS candidates.

Use of the Ranked-Choice Ballot

- Most polling place (59%) and absentee (60%) voters reported ranking three candidates; about one-fourth said they voted for only one (23% polling place, 24% absentee).
- The prevalence of ranking three candidates was lowest among African Americans, Latinos, voters with less education, and those whose first language was not English.
- Nearly two-thirds (64%) of those who knew of RCV prior to coming to the polls ranked three candidates versus 47% of those who were unaware of the new development.
- Sixty-three percent of those who understood RCV at least “fairly well” ranked three candidates, while only 36% of those who did not understand it entirely or at all ranked three candidates.

- Voters were most likely to rank three candidates in District 5 (76%) and least likely in District 2 (46%).

Other Questions

- The most common sources of information about RCV were newspapers, the DOE's literature or website, and television.
- Forty-six percent (46%) of polling place respondents felt that they were *more* likely to vote for their most preferred candidate under the new system, 3% felt that they were *less* likely to vote for their most preferred candidate, and the majority (51%) said there was no difference. Among absentee voters, 42% said they were more likely to vote for their most preferred candidate, 3% said less likely, and 56% reported no difference.
- Among polling place voters, 29% said they felt less like their vote was wasted, 7% said they felt more like it was wasted, and 64% noted no difference. Among absentee voters, 20% said "less," 7% said "more," and 74% said "no difference."
- Voters were split on whether the BOS campaigns were more or less negative in this election versus past elections (14% said more negative, 15% said less negative).
- Thirty-two percent (32%) of polling place voters said they gather more information for this election compared to past elections, 8% said they gathered less, and 53% said there was no difference. Absentee voters were a bit less likely to report gathering more information (24%), while 5% said they gathered less, and 68% reported no difference.

Opinion about RCV

- A majority of polling place voters (61%) preferred the RCV system; 13% preferred the Runoff system. Opinions were more positive among absentee voters (77% preferred RCV and 11% preferred Runoff).
- About one if five voters (19%) who came to the polls opposing RCV now prefer it to the Runoff system, while 4% of those who supported RCV now prefer the Runoff.
- Among voters who had no clear prior opinions about RCV, 52% now prefer it to the Runoff system, compared to 12% who now prefer the Runoff system.

INTRODUCTION

This report assesses the transition in election systems used for the San Francisco Board of Supervisors (BOS) elections. It examines the seven districts in which an Instant-Runoff system, called Ranked-Choice Voting (RCV) in San Francisco, was used for the first time in the fall, 2004 election. The primary purpose of the study is to gauge the ease or difficulty with which voters expressed their preferences on the new form of ballot. We consider three main indicators: (1) Whether voters knew they would be asked to rank candidates before coming to the polls, (2) Whether they indicated they understood RCV after having used it, and (3) The degree to which they reported using the full function of the ballot by ranking three choices.

We examine these questions by considering groups who might have had more difficulty than others. Those include groups based on language, race and ethnicity, age, education, and income. In addition to the primary question, we take up several additional queries. We explore differences across the seven BOS districts, and test expectations about the potential for changes in the electoral environment with the advent of RCV.

The two principal investigators are Francis Neely and Corey Cook, both assistant professors of political science at San Francisco State University (SFSU). Lisel Blash of the Public Research Institute at SFSU managed the study through all phases, from its inception to this report. Elizabeth Troast of the Public Research Institute served as research assistant on the project and assisted with implementing data collection and data management. John Rogers, Jim Wiley and others at the Public Research Institute at SFSU were integral to the success of the study. In addition, Richard DeLeon, professor of political science at SFSU contributed much, including invaluable advice on design and implementation, and the precinct sample demographic indices. Finally, the study could not have been conducted without the conscientious efforts of student volunteers who collected the exit poll data, and assisted with the mail-in absentee survey and data entry.

This study was funded by the City and County of San Francisco and the College of Behavioral and Social Sciences at San Francisco State University.

METHODS

Study Design

We surveyed voters to pursue the questions outlined above. Our goal was to draw inferences to two main populations of voters: those who come to the polling place on Election Day to fill out and cast their ballot, and those who vote with an absentee ballot submitted through the mail.³ In addition, we collected extra exit poll surveys in several select neighborhoods, oversampling Asian-Americans, African-Americans, and Latinos. Our two main samples, then, are what we call the basic sample of the exit poll, and the mail-in survey of absentee voters. We call the third set of data the special neighborhoods sample and treat it separately, drawing inferences only to those groups in those neighborhoods.

Sample Design

Exit Poll Samples: To produce the most useful data with limited resources, a purposive sample design was used. The basic sample includes three precincts per district, twenty-one precincts in all, chosen for how well they represent their district. The special neighborhood sample includes two precincts per district, six precincts in all, chosen for their geographic location and their high concentration of Asian-Americans, African-Americans, and Latinos.

Basic Exit Poll Sample: Two steps were taken to produce the basic sample. First, we used census data to identify precincts that resemble the overall demographic nature of a BOS district. Ten demographic indicators were used to build an index that captures the nature of the precinct in terms of race and ethnicity, income, home ownership, age, and education. These indicators were standardized and combined to create an aggregate measure of how demographically typical a precinct is in relation to the BOS district. Precincts were sampled that best reflected the overall nature of the district.

The second step of purposive sampling was to consider the ideology of the precincts. This was done to avoid sampling precincts that are ideologically extreme, compared to the rest of the district. We especially wanted to avoid collecting data in a precinct that was unusually approving or disapproving of the RCV reform. To avoid this, we plotted the demographic indicator against an ideological measure of progressivism--Richard DeLeon's Progressive Voting Index. If the most demographically representative precinct was also one of the most ideologically extreme, it was excluded. Otherwise, the precincts were chosen on their demographic typicality.⁴ The following precincts are in the basic sample, ranked by how well they reflect their district's demographics.

³ We recognize that this excludes a small proportion of voters, such as those who vote early at City Hall.

⁴ We coordinated our efforts with others in the area in order to avoid polling at a precinct where another study was polling. We excluded several precincts from the sample in order to accommodate a study organized by the Chinese-Americans for Voter Education Committee (CAVEC). We do not believe this compromised the quality of our sample.

Supervisor Matt Gonzalez
President, Board of Supervisors



City Hall—Room 282
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

FOR IMMEDIATE RELEASE
July 21st, 2004

Contact: Dave Grenell, Legislative Aide for Supervisor Matt Gonzalez
415.554.7632
David.Grenell@sfgov.org

**SAN FRANCISCO BEGINS IMPLEMENTATION OF HISTORIC ELECTION REFORM WITH
INSTANT RUNOFF VOTING**
(Also Known As "Rank Choice Voting")

What: Press conference to discuss San Francisco's implementation of I.R.V. and the Department of Elections campaign to educate voters on the new voting system
Where: City Hall, Room 278
When: 11am, Thursday July 22, 2004

San Francisco voters are used to voting for their first and only choice for elected officials running for public office. As of Nov 2nd, they will be able to vote for their first, second and third choices in a strict elections in a system which, if instituted nationally, would eliminate the so-called "spoiler effect". Matt Gonzalez, President of the Board of Supervisors as well as other City Officials and public representatives will hold a press conference on Thursday, July 22 at 11:00 am in City Hall, Room 278 to discuss the new voting system as well as the Department of Elections' program to educate voters on the new system.

The implementation of Instant Runoff Voting in San Francisco represents a historic moment in United States voting history and potentially creates tremendous inroads towards giving voters greater power to express their will at the ballot box. Commenting on the implementation and future of Instant Runoff Voting, Supervisor Gonzalez said, "This is enormously important and could have an effect on national elections. What happened in Florida in 2000 could not have happened if I.R.V. had been used."

On July 12th, the Voting Systems Panel of the Secretary of State voted unanimously to accept the final test results from a federal laboratory which certified that San Francisco's voting equipment has been modified to run Instant Runoff Voting elections. This was the final "condition of certification" for Instant Runoff Voting, a allows voters to rank their ballots, marking a first choice, a second choice and a third choice. Voters approved the new system when they passed Proposition A in March of 2002, enacting the Instant Runoff Voting System, which has now obtained official certification from both the state and federal authorities.

The Board of Supervisors has allocated \$750,000 to the Department of Elections for the purpose of public education. The Department of Elections has drafted a citywide plan and allocated \$225,000 to various community organizations, including an ethnic media coordinator and a grants administrator who will assist with community education and outreach.

#####

Phone: (415) 554.7630 Fax: (415) 554.7634

What is ranked-choice voting?

Ranked-choice voting allows San Francisco voters to rank a first, second, and third choice candidate for a single office. This makes it possible to elect local officials by majority vote without the need for a separate run-off election.

Who is elected using ranked-choice voting?

Starting in November 2004, San Francisco will use ranked-choice voting to elect most local officials. Ranked-choice voting does not affect the election of State and federal officials or the adoption of ballot measures.

How does ranked-choice voting work?

To start, every voter's first-choice vote is counted. Any candidate who receives a majority (*more than 50%*) of the first-choice votes is declared the winner. If no candidate receives more than 50% of the first-choice votes, a process of eliminating candidates and transferring votes begins:

- **First**, the candidate who received the fewest number of first-choice votes is eliminated from the race.
- **Second**, voters who selected the eliminated candidate as their first choice will have their vote transferred to their second choice.
- **Third**, all the votes are recounted.
- **Fourth**, if any candidate receives more than 50% of the votes he or she is declared the winner. If no candidate receives more than 50% of the votes, the process of eliminating candidates and transferring votes is repeated until one candidate has a winning majority.



The Ranked-Choice Ballot

This brochure shows a sample ranked-choice ballot. This fall, the exact ballot you will see at the polling place will be on the Department's website and in your voter information pamphlet.

How To Find Out More

For more information on ranked-choice voting please contact the Department of Elections.

Stop by: The Department of Elections
City Hall, Room 48
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

Call: English: (415) 554-4375
Chinese: (415) 554-4367
Spanish: (415) 554-4366
TDD: (415) 554-4386

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Ranked-Choice Voting Explained



Attachment H

Marking the Ranked-Choice Ballot

First Column

Select your first-choice candidate by completing the arrow pointing to your choice.

Second Column

To indicate a second choice, select a *different* candidate in the second column by completing the arrow pointing to your choice.

Third Column

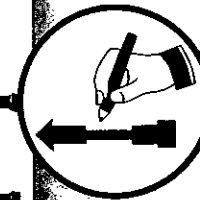
To indicate a third choice, select a *different* candidate in the third column by completing the arrow pointing to your choice.

Keep In Mind

Your second choice will be counted only if your first-choice candidate has been eliminated. Your third choice will be counted only if both your first-choice and second-choice candidates have been eliminated.

If you select the same candidate in more than one column, your vote for that candidate will count ONLY ONCE.

MEMBER, BOARD OF SUPERVISORS MIEMBRO, CONSEJO DE SUPERVISORES 市參議員 DISTRICT 00-DISTRITO 00-第00選區 1	MEMBER, BOARD OF SUPERVISORS MIEMBRO, CONSEJO DE SUPERVISORES 市參議員 DISTRICT 00-DISTRITO 00-第00選區 2	MEMBER, BOARD OF SUPERVISORS MIEMBRO, CONSEJO DE SUPERVISORES 市參議員 DISTRICT 00-DISTRITO 00-第00選區 THIRD CHOICE TERCERA SELECCIÓN 第三選擇 Vote for One/Vote por Uno/票選一人
ELEANOR ROOSEVELT 愛麗諾·羅斯福 Incumbent Titular 現任者	ELEANOR ROOSEVELT 愛麗諾·羅斯福 Incumbent Titular 現任者	ELEANOR ROOSEVELT 愛麗諾·羅斯福 Incumbent Titular 現任者
CESAR CHAVEZ 西薩·舍瓦茲 Labor Organizer Organizador Laboral 勞工組織者	CESAR CHAVEZ 西薩·舍瓦茲 Labor Organizer Organizador Laboral 勞工組織者	CESAR CHAVEZ 西薩·舍瓦茲 Labor Organizer Organizador Laboral 勞工組織者
WALTER LUM 沃爾特·林 Publisher Editor 出版商	WALTER LUM 沃爾特·林 Publisher Editor 出版商	WALTER LUM 沃爾特·林 Publisher Editor 出版商
JOHN HANCOCK 約翰·漢考克 Physician Médico 醫生	JOHN HANCOCK 約翰·漢考克 Physician Médico 醫生	JOHN HANCOCK 約翰·漢考克 Physician Médico 醫生
MARTIN LUTHER KING, JR. 小馬丁·路德·金 Minister Pastor 牧師	MARTIN LUTHER KING, JR. 小馬丁·路德·金 Minister Pastor 牧師	MARTIN LUTHER KING, JR. 小馬丁·路德·金 Minister Pastor 牧師
ANNA MAE PICTOU AQUASH 安娜·梅·皮克投·阿夸施 Indigenous Rights Organizer Organizadora para Derechos Indigenas 土著權益組織者	ANNA MAE PICTOU AQUASH 安娜·梅·皮克投·阿夸施 Indigenous Rights Organizer Organizadora para Derechos Indigenas 土著權益組織者	ANNA MAE PICTOU AQUASH 安娜·梅·皮克投·阿夸施 Indigenous Rights Organizer Organizadora para Derechos Indigenas 土著權益組織者
WRITE-IN / NO LISTADO / 寫入	WRITE-IN / NO LISTADO / 寫入	WRITE-IN / NO LISTADO / 寫入



Complete the arrow as shown here.

Write-In Candidates

If you wish to vote for a qualified write-in candidate for any of your three choices, write the person's name on the blank line provided **and complete the arrow** pointing to your choice.

Douglas J. Amy

*Behind the Ballot Box:
A Citizen's Guide to Voting Systems.*

Praeger: Westport, Connecticut.
2000.

pp. 49-55

time, for example, that in the first round of voting Pike received 34% of the vote, Chou 28%, Kleinberg 27%, and Royce 11%. This system would eliminate Kleinberg and Royce, even though it is conceivable that Kleinberg might beat Pike in a runoff.

Advocates of TRS acknowledge that this possibility exists. However, they point out that it could occur only in very special circumstances. Such a rare problem should not, they argue, be considered a serious drawback. They also point out that such candidates would have lost in plurality voting as well.

*Spotlight on the Debate 3.5
Can One Person Represent a District?*

In all single-member district systems, the elected official is considered to represent everyone in the district. He or she is "their" representative in the legislature and is there to fight for their interests. But critics argue that while officials like to claim to represent all the people in a district, they do not. Officials primarily represent the people who voted them into office. Conservative Republican voters will hardly feel represented by a liberal Democratic legislator who is voting against everything they hold dear. And some constituents may feel uncomfortable approaching a representative of a different political persuasion. Critics suggest that no one official can ever effectively represent all the different constituents in a single-member district, because constituents inevitably have opposing views on many important issues, such as abortion, taxes, and military spending.

Advocates of single-member districts respond that people in a geographical district often can be viewed as a whole—that they have shared interests in such issues as a clean environment, a healthy economy, and an efficient government. In these areas, the official can represent the interests of all of his or her constituents. In addition, representatives see it as their responsibility to be open to the concerns of all citizens, irrespective of the party to which they belong. Officials argue that they try to keep in touch with all elements of their district constituency and that they welcome communication with all their constituents.

MAJORITY SYSTEMS: INSTANT RUNOFF VOTING

Instant runoff voting is also known as IRV and *majority preferential voting*. In Australia, where this system is used to elect the lower house of parliament, it is called the *alternative vote*. Although primarily used abroad, IRV was invented in the 1870s by a professor at the Massachusetts Institute of Technology.

Like two-round voting, this system was developed to ensure that the winning candidate enjoys the support of the majority of the voters in the district. It was also thought to be an improvement over the two-round system because it does not require a separate election—it provides

Attachment T

Official Ballot Municipal Elections	
DIRECTIONS TO VOTERS Do not use X marks. Mark your choices with NUMBERS only. Put the figure 1 opposite your first choice, the figure 2 opposite your second choice, the figure 3 opposite your third choice, and so on. You may make as many choices as you please. Do not put the same figure opposite more than one name.	City Council Candidates District One
	Stan Pike (Democrat)
	Nina Kleinberg (Republican)
	Thomas Chou (Independent)
	Edward Royce (Libertarian)
	Write-In
To Vote for a Write-In Candidate: Next to the name you have written in, put a number that represents your choice for that candidate.	

an "instant" runoff. In this way, proponents of IRV claim that it has the advantages of the two-round system and avoids many of its disadvantages.

How It Works

In IRV voting, as in plurality voting, all candidates are listed on the ballot. But instead of voting for only one candidate, voters rank the candidates in the order of their preference. This ranking process is illustrated in Ballots 3.2 and 3.3. On Ballot 3.2, voters simply write a 1 next to their first choice, a 2 next to their second choice, and so on. Ballot 3.3 is an AccuVote ballot, which allows ballots to be scanned and tabulated by computer; it is similar to the standardized tests used in schools. On this ballot, voters fill in numbered boxes to indicate their ranking of the candidates.

The counting of the ballots is also different from that in plurality voting. First, all the number-one preferences of the voters are counted. If a candidate receives over 50% of the first-choice votes, he or she is declared elected. If no candidate receives a majority, then the candidate with the fewest votes is eliminated. The ballots of supporters of this defeated candidate are then transferred to whichever of the remaining candidates they marked as their number-two choice. (It is as if you told the supporters of the last-place candidate, "Your candidate cannot possibly win, so which of the remaining candidates would you like your vote to go to?") After this transfer, the votes are recounted to see whether any candidate now has a majority of the vote. The process of eliminating the lowest candidate and

Official Ballot Municipal Elections					
INSTRUCTIONS TO VOTERS Mark Your Choices by Filling in the Numbered Boxes Only Fill in the number one <input type="checkbox"/> box next to your first choice; fill in the number two <input type="checkbox"/> box next to your second choice; fill in the number three <input type="checkbox"/> box next to your third choice; and so on. You may fill in as many choices as you please. Fill in no more than one box per candidate. Fill in no more than one box per column.	Candidates for City Council District One	<i>Only one vote per candidate Only one vote per column</i>			
	Stan Pike (Democrat)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nina Kleinberg (Republican)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Thomas Chou (Independent)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Edward Royce (Libertarian)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Write-In	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To Vote for a Write-In Candidate: Next to the name you have written in, mark a numbered box to indicate your choice of number for that candidate.		Do Not Use Red To Mark Ballot			

transferring his or her votes continues until one candidate receives a majority of the continuing votes and wins the election.

This transfer process is illustrated in Table 3.5. In this hypothetical election, no candidate receives over 50% of the vote in the first round. So the lowest candidate—Royce—is eliminated and his ballots are transferred to their second choices. Of Royce's supporters, 1,000 gave Chou as their second choice, and 6,000 indicated Kleinberg as their second choice. The new totals show that no one yet has a majority, so Chou is eliminated. Of Chou's votes, 4,000 are transferred to Kleinberg and 5,000 are given to Pike. (If some of Chou's ballots had listed Royce as the second choice, they would have been transferred to their third choice, since Royce had been eliminated.) After this latest transfer it is clear that Kleinberg now has over 50% of the vote and she is declared the winner. As this example illustrates, this system essentially operates as a series of runoff elections, with progressively fewer candidates each time, until one candidate gets a majority of the vote.

Advantages Specific to This System

Majority Rule

Like the two-round system, IRV helps eliminate the problem of winners' garnering only a plurality of the vote. The transfer process usually assures

Table 3.5
Transfer Process in Instant Runoff Voting

Candidates & Parties	First Count	Second Count		Third Count	
	Original First Choice Votes	Transfer of Royce's Votes	New Totals	Transfer of Chou's Votes	New Totals
Stan Pike (Dem.)	43,000	+0	43,000	+ 5,000	48,000
*Nina Kleinberg (Rep.)	42,000	+ 6,000	48,000	+ 4,000	52,000
Thomas Chou (Ind.)	8,000	+ 1,000	9,000	-----	-----
Edward Royce (Libert.)	7,000	-----	-----	-----	-----

*Winning candidate.

that the winning candidate will have the support of the majority of the voters, thereby increasing the political legitimacy of elected officials. Again, however, there is no guarantee that other violations of majority rule at the legislative level, such as manufactured majorities, will not occur.

Elimination of Spoilers

Under IRV rules, third-party or independent candidates cannot inadvertently (or intentionally) throw the election to one of the major party candidates, as can happen in plurality voting. These candidates may take some votes away from a major party candidate in the first count, but this will not allow another candidate to slip into office with a plurality of the vote. And in subsequent counts these votes are likely to be transferred to the most preferred major party candidate.

More Sincere Votes

Unlike plurality voting, IRV does not discourage sincere votes for third-party and independent candidates. Supporters of such candidates need not fear that their votes will automatically be wasted. In the race shown in the ballots, supporters of the independent Chou can vote sincerely for their candidate, secure in the knowledge that if Chou cannot win, their vote will be transferred to their next preferred candidate.

Small Increase in Effective Votes

Like the two-round system, IRV ensures that at least 51% of the vote will be effective, and that result may sometimes be better than the result

of a plurality election. Nevertheless, as a winner-take-all system, IRV still ends up wasting large portions—up to 49%—of the votes. Again, this contrasts with proportional representation systems, in which often as few as 10% to 15% of the votes are wasted.

Wider Range of Voter Choice

IRV tends to give voters a wider range of choices among candidates than may be found in many plurality elections. More independent and third-party candidates are likely to run because the wasted vote and spoiler problems are less severe. But while more such candidates might run, their chance of winning would still be relatively small in a system that eventually requires a majority of the vote to win.

Cheaper Than Second Ballot

IRV is also designed to overcome several of the disadvantages of two-round runoffs. For example, IRV avoids the higher expenses associated with having a second election—so there is a significant cost savings for both governments and candidates.

No Drop in Turnout

IRV also prevents the drop in voter turnout that plagues two-round elections. In fact, IRV tends to encourage higher turnout. This system gives voters more choices and allows them to vote sincerely for the candidates they most prefer, and this serves as an incentive to go to the polls, especially for minor party supporters.

Less Negative Campaigning

Some experts maintain that IRV may have the added benefit of discouraging negative campaigns and mud slinging. In this system, candidates can benefit from being the second choice of voters. Often these transfer votes can prove to be the margin of victory. But if candidates viciously attack their opponents, they risk alienating these possible supporters. In the example, it would not be a good strategy for Kleinberg, the Republican candidate, to sling mud at Royce, the Libertarian candidate, since it is likely that Kleinberg might otherwise receive many of Royce's transfer votes. So under IRV, it pays for candidates to spend less time on negative campaigning and more on discussions of their own policies and values.

More Political Cooperation

Some political scientists believe that IRV may be beneficial in situations in which there are deep political, religious, or racial divisions.¹⁰ It has been promoted in such countries as Northern Ireland and Fiji, which have suffered from such long-standing divisions. This characteristic of IRV is due to its tendency to encourage candidates to seek not only the votes of their

supporters, but also the second preferences of others. IRV requires that a winning candidate have a broad appeal in order to gain the majority of votes needed to win. So instead of focusing on the narrow issues attractive to only one group of voters, candidates could be moved to make broader, more centrist appeals that would attract the maximum number of first and second-preference votes. In Australia, for instance, major parties have sometimes waged campaigns explicitly designed to increase their attractiveness to supporters of particular minor parties. In this sense, IRV may foster more cooperative and less divisive politics.

Disadvantages Specific to This System

Just as most of the advantages of instant runoff voting are attributable to its unique process of transferring votes, most of its specific disadvantages are associated with this unique procedure as well.

Unfamiliar to Voters

IRV would be a new and different system in most American jurisdictions, and voters would have to become familiar with this method of casting ballots. Some spoiled ballots would probably be inevitable when this new system was first used. However, most experts agree that American voters are unlikely to have much trouble learning the process of ranking candidates on the ballot. Other Western countries that use this system have not encountered voter confusion. In any case, a voter education effort would certainly be necessary to ensure a smooth transition to such a system.

Administrative Complexity and Expense

Election administrators would have to adapt to this new system and learn to master the process of transferring the ballots. In addition, if the ballots were counted by hand, then the transfer process could take some time. For a statewide election, it might take several days to collect all the ballots and to accomplish the transfer process manually. This process would take longer than a plurality vote, but it would still be shorter than a second (runoff) election. It would be similar to the time it takes to conduct a recount in a very close election.

The delay caused by hand counting could be eliminated with the use of voting machines. Computer-readable ballots or touch screen voting machines would enable the transfer process to take place very quickly. However, an expense would often have to be incurred to purchase the voting technology that could handle IRV.

Guarantee of Majority of Continuing Votes Only

Some critics point out that instant runoff voting only guarantees that the winner will receive a majority of the "continuing" votes, not a majority of

the votes that were originally cast. IRV votes can become eliminated or "exhausted" if voters fail to mark enough preferences or if their only remaining preference is for a candidate who has already been eliminated. For example, if 1,000 of the voters who originally supported the independent candidate, Chou, did not mark any number-two preferences, then their ballots could not be transferred when Chou was eliminated. This would mean that a winning candidate would only have to garner a majority of the 99,000 continuing votes, not a majority of the original 100,000 votes that were cast.

Advocates of IRV maintain that this is hardly a major problem, and that even when it occurs, the winner still has more voter support than most nonmajority winners produced by plurality voting. They also argue that this possibility can be minimized by voter education campaigns that stress the importance of marking as many preferences as possible on the ballot. Australia has taken a somewhat different approach in its IRV elections: It requires voters to rank *all* the candidates running for office. This does help to minimize "exhausted ballots," but some reformers consider this too drastic a solution for what might only be an occasional problem.

Lack of Monotonicity

Some mathematically inclined critics of IRV point out that it can be *nonmonotonic*: In some circumstances more first-place votes may hurt, rather than help, a candidate's chances of being elected. This complicated paradox involves a situation in which a candidate's receiving more votes can change the order in which other candidates are eliminated, with the result that their votes are transferred in ways that ultimately help a rival of the first candidate.¹¹

While it is clear that nonmonotonicity can theoretically occur in an IRV election, most experts believe that the conditions required for this paradox to occur are so special that it would be an extremely rare occurrence. One statistical study found that if IRV-like elections were held throughout the United Kingdom, a nonmonotonic result would occur less than once a century.¹²

MULTIMEMBER DISTRICT PLURALITY OR AT-LARGE VOTING

This system is unique among plurality-majority systems in that it uses multimember districts instead of single-member districts. For that reason political scientists often refer to it as *multimember district plurality* voting. Internationally it is often called *block voting*. As noted earlier, many representatives to state legislatures and even the U.S. Congress were at one time elected in multimember districts—often small two- or three-seat districts. Ten states still use some of these districts for state legislative elections.