

August 5, 2010

Long Beach City Council

Dear Councilmembers and other public servants,

Here are several editorials and articles from across the country from cities that have experienced, adopted and in many cases repealed Instant Runoff Voting.

A lot has happened since your last meeting in October when you discussed IRV. Pierce County, and Burlington VT have since repealed IRV. Aspen CO voters rejected IRV after one election, and Cary, NC no longer uses IRV after the council decides to to experiment with it again.

Sincerely yours,

A handwritten signature in cursive script that reads "Terry Reilly". The signature is written in black ink and is positioned below the "Sincerely yours," text.

Terry Reilly



Tacoma, WA - Monday, September 14, 2009

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Results are in: 63 percent disliked Ranked Choice Voting

Auditor defends ranked choice

JOSEPH TURNER; joe.turner@thenewstribune.com

Last updated: December 6th, 2008 01:45 AM (PST)

Pierce County spent a lot of money on a new voting method for a few county offices in November's election, and most voters didn't like it a bit.

Auditor Pat McCarthy said ranked-choice voting will cost county taxpayers about \$1.7 million, which is half of the overall \$3.4 million it cost to put on the 2008 general election.

Although Pierce County voters changed the county charter last year to allow the new voting method, it appears they've changed their collective mind. Two of three voters who responded to a survey were opposed to the concept.

"It was overwhelming," McCarthy told members of the state Senate Government Operations and Elections Committee on Friday. "The majority did not like it."

That was based on nearly 91,000 voters who filled out a questionnaire that accompanied mail-in ballots.

Ranked-choice voting, sometimes called instant runoff voting, allowed voters to indicate their first, second and third choice in a race. If no candidate gets more than 50 percent of the total number of votes in the first round of counting, the second choice on ballots of the last-place candidate are then counted. That continues until one candidate finally gets a majority.

McCarthy, who won a close election in a four-way race for county executive, joined election officials from Yakima and Chelan counties to give state lawmakers a report on the election. The state used online voter registration, and 37 of the 39 counties – all but King and Pierce – conducted their elections entirely by mail.

Pierce was the only county to use ranked-choice voting, and for only a few county races. Pierce voters got a second, conventional ballot to vote for president, governor, Congress and local races.

McCarthy said she considered the election "an amazing success," even though she didn't care much for the new method. She said the computer system and algorithms worked and that most voters understood how to fill out the ballots.

State Sen. Pam Roach, R-Auburn, a committee member, took issue with that assessment.

"How can you say it was a success when voters didn't know who the executive was for two weeks?" Roach asked. "That absolutely was a disaster."

Processing ranked-choice ballots did slow down the tally, McCarthy said, but the method had nothing to do with how close the races were. Her own race for executive wasn't decided until three weeks. But McCarthy pointed out that a couple of legislative races were so close that even using conventional voting methods, they

required a recount and weren't decided until earlier this week.

The decision to adopt the new voting method was approved by 53 percent of voters. McCarthy said she thinks voters were eager to switch to something else because they were still angry about the previous election when they were forced to pick a Democratic, Republican or other political party's slate of candidates.

She said she hopes the County Council will give voters a chance to reconsider the charter amendment that created ranked-choice voting.

Susan Eidenschink, treasurer of the Tacoma-Pierce County League of Women Voters, blamed the long lines at the polls on Election Day on McCarthy's decision to have fewer polling places.

"We're interested in seeing it expanded," she said of ranked choice. "We feel it definitely deserves more of a trial than this one election."

Krist Novoselic, chairman of FairVote, echoed that sentiment. The former Nirvana bassist is now a local government official in rural Wahkiakum County and said he's worked to get Memphis, Tenn., and Telluride, Colo., to try ranked-choice voting.

Committee chairwoman Sen. Darlene Fairley, D-Lake Forest Park, said she's been listening for years to people and groups who are supporters of the new voting method, but she has no interest in seeing it extend beyond the borders of Pierce County.

"I'm with those folks who said they were confused," Fairley said.

"This sounds just insane," said Sen. Eric Oemig, D-Kirkland, a committee member.

Joseph Turner: 253-597-8436

blogs.thenewstribune.com/politics

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This blog offers readers a behind-the-scenes glimpse of The News Tribune's opinion sections. We post observations, our editorials prior to publication, commentary we can't fit into the print edition and interesting ideas we've come across. Staff bloggers are Patrick O'Callahan, Cheryl Tucker and Kim Bradford; guest bloggers are Karen Irwin, Michael Allen, Richard Davis and David Seago.

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POLITICAL AND POLICY COMMENTARY

Julie Anderson for Pierce County auditor

POSTED BY PATRICK O'CALLAHAN ON OCTOBER 19, 2009 AT 8:07 PM [SHARE THIS](#)

This editorial will appear in tomorrow's print edition.

A funny thing happened to the Pierce County auditor's office in the two years since citizens voted to make it nonpartisan: It seems to have become more partisan than ever.

Its current occupant, Jan Shabro, was appointed by the Republican majority on the County Council early this year after former Auditor Pat McCarthy was elected county executive.

In appointing Shabro, the council rebuffed the Democratic Party's nominees – which included Shabro's chief challenger, staunch Democrat Julie Anderson. The contest this year looks as partisan as any in the past.

Perhaps it's understandable that the Republicans and Democrats want to keep their stamp on the office. The auditor gets to print her name on every ballot sent out, which is a nice way to pick up name familiarity. That makes the position a good springboard to higher office, as McCarthy's election demonstrated.

Still, the county's chief elections officer ought to be more than nominally nonpartisan, if only to avoid the perception (inaccurate so far) that a particular party has its thumb on the scale when the ballots are counted. Running elections is pure administrative work, as are licensing, animal-control and the other responsibilities of the office. There's no liberal or conservative way to chase pit bulls.

Looking at this choice in terms of administrative experience, we think Anderson has the advantage.

A former lawmaker and County Council member, Shabro has impressive credentials as a legislator. Anderson – a member of the Tacoma City Council – has worked as an administrator in state government and as a director of nonprofit organizations. She has displayed a formidable attention to detail that would serve her well as auditor.

The third candidate in the race, Will Baker, deserves special mention. He's been arrested many times for disrupting public meetings, and he's been convicted of disorderly conduct.

He's made a hobby of running for office, and we would ordinarily regard his candidacy as a joke. Under ranked-choice voting, however, he could conceivably win if he garners enough second-choice votes. Not all diehard Republicans and Democrats are aware of Baker's past, and some might choose him over the better known candidate from the other party. When he ran for state auditor as a Republican in 2004, he won a dismaying one-third of the total vote.

Another perennial candidate with no apparent qualifications, Dale Washam, managed to get himself elected assessor-treasurer on an RCV ballot last year. The assessor-treasurer's office is now in predictable disarray. Let's not repeat the mistake with a candidate who, unlike Washam, actually has a criminal record.

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Opinion of the News Tribune, IRV has elected Perennial Candidates with no apparent qualifications (elected with 37% support)

Pierce voters nix 'ranked-choice voting'

by David Ammons | November 10th, 2009



It was widely advertised as the latest cool thing in voting – “ranked-choice voting” or “instant-runoff voting.”

Just three years ago, Pierce County voters, responding to a proposal from the charter review commission, approved this new system for all county elected officials except judges and prosecutors. This system, used rather than the Top 2 Primary, essentially combines the primary and general. Voters pick their favorites for each office, ranking their choices 1-2-3. Candidates who win strictly on first-place ballots are declared elected. If no one does, then second and third choices are apportioned out. The factoring is done by a computerized algorithm.

It has always been kinda confused to explain, but advocates believed it would be

extremely popular and then possibly catch on elsewhere. Its biggest usage was last year when a new County Executive and other offices were filled this way, running in tandem with the regular state primary and general elections.

It went downhill from there. Voters participating in an auditor’s survey said by a 2-to-1 margin that they didn’t like the system. And this year, it was back on the ballot –and voters have thrown it out by a 71-29 margin.

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Nearly \$3M cut in Pierce County Council's 2010 budget

Nov 10 2009

The Pierce County Council this evening adopted a 2010 county budget that cuts nearly \$3 million and puts \$1.5 million into reserves. The council's \$269.3 million general-fund budget is \$1.4 million less than the \$270.6 million proposal it received from the County Executive in September. Of the \$2.9 million in reductions councilmembers achieved, \$1.9 million came from the Planning and Land Services Department (PALS). To help further prepare for more possible budget reductions next year, an amendment asks the executive to report by Jan. 31 on how to lower 2010 general-fund expenditures both by 1 percent and by 3 percent.

Councilmembers decided not to use cash reserves to help balance the budget; the County Executive's proposal pulled \$1 million from the county's savings account, also known as general fund balance. **Voters' repeal of Ranked-Choice Voting last week also freed-up \$500,000 that would have been needed to implement the voting system for the 2010 election.** The budget also dedicates \$150,000 in the auditor's budget to retain poll voting in Pierce County

On the public safety and criminal justice front, the jail budget was reduced by \$85,000, Superior Court increased by \$80,000, the Prosecuting Attorney's Office received \$190,000 more and District Court was increased by \$50,000.

The council budget explores consolidating county departments. One amendment asks the executive to report back by June 30 on the feasibility of combining the Human Resources, Budget and Finance, Facilities, Risk Management and Information Technology departments into one General Services Division. Another amendment asks for a report by June 30 on making PALS a part of the Public Works & Utilities Department, which administers the county's roads, utilities, ferries and airports.

More information on the budget is available at <http://www.piercecountywa.gov/council> .

For earlier Index coverage of the Pierce County budget process, click on the following links:

1. Home stretch for Pierce County budget process -- <http://tacomadailyindex.com/portals-code/list.cgi?paper=88&cat=23&id=1658084&more=0>
2. Budget shortfall forces Health Department closures in 2010 -- <http://tacomadailyindex.com/portals-code/list.cgi?paper=88&cat=23&id=1660230&more=0>

IRV does job, but not necessarily better

The Burlington Free Press - Burlington, Vt.

Date: Mar 10, 2009

Start Page: A.6

Section: Opinion

Text Word Count: 510

Document Text

There's a lot to make you wonder about the instant-runoff voting system employed in the Burlington mayor's race.

One thing is clear: the winner. The tally on Town Meeting Day shows Mayor Bob Kiss won a second term, and no one should question the legitimacy of the results simply because they dislike IRV or the winner. **But claims that the winner of the IRV race won with the backing of the majority of the voters is valid only with mental contortions worthy of the Cirque du Soleil.**

Let's look at some numbers.

Kiss was the first pick of 29 percent of voters, and in that category trailed Kurt Wright who was had 33 percent of the first-place votes. Kiss was declared the winner after the third choices on ballots were counted with 4,313 votes vs. Wright's 4,061 votes. Kiss' take was 51.5 percent of the number of votes counted in the last round, but just over 44 percent of all votes cast in the mayor's race.

To say that the winner of this IRV election won with a majority is to say that some people's votes don't count. And to say that the results truly show whom the majority of voters want as their mayor is, at best, a stretch.

Here are more numbers.

A majority of people who cast ballots on Town Meeting Day picked Andy Montroll as either their first or second choice for mayor, according to a Free Press analysis of the ballots. Not all the second-place votes were counted because some of them were on ballots that had Kiss or Wright first, and in the final tally, each ballot is counted only once.

Then there's the argument that IRV allows an election to be settled at one go, avoiding the expense of a run-off at a later date. Those who back IRV also argue that run-off elections typically attract far fewer voters.

If low participation is reason enough to avoid a runoff election, than recent turnout would argue that we do away with local elections all together in many towns.

In some parts of the world, people are willing to risk their lives to exercise their right to vote. And in some parts of the world, we are putting our troops in harms way to bring that right to people in foreign lands.

Yet here at home, too few people can be bothered to cast a ballot in local elections, arguably the vote that has the most direct impact on our lives, and in many communities, the vote in which we cast ballots for friends and neighbors. That is something to be ashamed of.

IRV works the way it was designed to work, and accomplishes its purpose in avoiding a runoff in an election in which no candidate garners a majority of the votes. All the candidates knew how instant run-off works before the vote, and Bob Kiss won re-election fair and square under the rules for Burlington's election.

IRV has its advantages, but spare us the crowing about IRV being a superior form of democracy.

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Abstract (Document Summary)

There's a lot to make you wonder about the instant-runoff voting system employed in the Burlington mayor's race.

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COPY OF ARTICLE THAT APPEARED IN THE DECEMBER ISSUE OF NORTH AVENUE NEWS

Repeal of Instant Runoff Voting, by John Ewing, Linda Chagnon, Dave Hartnett, Sam Osborne and Chuck Seleen

On December 29 at City Hall we announced the filing of petitions with over 2000 names for the repeal of Instant Runoff Voting. The petitions require that the March ballot at the City's Annual Meeting contain an article that would return the voting system to that which was in effect until 2006.

Until 2006 the election of mayor required the winner to obtain at least 40% of the vote, with one runoff election between the top two candidates if that percentage was not achieved. This is the same system used for the election of city councilors and school board members, and is the system commonly used across Vermont.

In 2005 there was a campaign to adopt Instant Runoff Voting ("IRV"). This system asks voters to designate their various choices for Mayor on one ballot. For example, if there are 5 candidates as in the 2009 election, voters may mark their ballots with five preferences shown on one ballot.

IRV has been adopted in only a handful of municipalities, and several of those have already repealed it because of voter confusion and diminished voter participation.

We feel that when voters approved IRV in 2005 that there was no clear understanding as to how it would work. In fact, in practice it has proven to be a convoluted system and it seems that most voters still do not have a clear understanding. We have heard many voters say that they distrust the system and simply will not continue to vote under this method which can produce some odd results.

Besides the lack of understanding, it has led to a "gaming" of the system. Parties will sometimes advise their constituents to vote their preferences in a certain way so that their candidate will win. This type of "strategic" voting is disruptive of the voters' will.

The selection of a mayor who is recognized as a leader is vital for Burlington. Under the IRV system of voting it is more likely that a winning candidate with a low percentage of first place votes will lack the confidence of the citizens.

There was little constructive debate when IRV was adopted in 2005. It is time that we had that debate. We hope that the ballot item in March to repeal IRV will generate healthy discussion. Our hope is that the voters will vote to return to the simpler, straight forward method which served the City voters well over many years.

This article was authored by the persons who conducted the Press Conference at City Hall on Dec. 29 to announce the filing of the petitions.

Vermonters should consign IRV to the ash heap of electoral history

By *Opinion* on March 5, 2010

*Editor's note: This opinion piece is by **Chris Roy**, a Republican candidate for Secretary of State.*

On Town Meeting Day, Burlington voters ended their experiment with instant runoff voting (IRV). Efforts to apply IRV to statewide elections should likewise be abandoned.

For those unfamiliar with IRV, instead of selecting a single candidate, IRV voters rank multiple candidates in preferred order. If no candidate receives a majority after counting first choices, the second choice of those who supported candidates with fewer votes are added to their totals. If no candidate reaches a majority after this round, additional candidates with lower vote totals are knocked out, with their supporters' second, third, and fourth choices being applied until one emerges with "majority" support.

The theory is that this process of conducting hypothetical "instant runoffs" best reflects the intentions of the voters. In practice, IRV fails.

After approving IRV, Burlington voters have twice elected Progressive Bob Kiss mayor. In 2006, he received 39% support after tallying first-choice votes, and eventually won after two more rounds of IRV.

In 2009, Kiss was again elected, this time after four rounds of IRV. Democrat Andy Montroll received more combined first- and second-choice votes than any other candidate. Republican Kurt Wright had the most votes through the first and second rounds. Mayor Kiss only received 29% first-choice votes as an incumbent and yet, after four rounds, he emerged the winner.

Besides this unexpected outcome, more problems arise when IRV is employed in the real world. First, candidates are competing not only for first-choice votes, but also to be the second choice of voters who may prefer other candidates. Thus, Burlington's mayoral "debates" in 2009 focused on ways candidates agreed with each other. Voters were asked to rank multiple candidates while being denied the opportunity to explore distinctions between the candidates as is the case in traditional campaigns. Traditional campaigning would have been more likely to raise tough questions about the status of Burlington Telecom that might have avoided the crisis that arose after the mayoral election.

Second, IRV's counting of votes involves computers, proprietary algorithms, and a lack of transparency. I observed the IRV "tally" in Burlington and watched as officials from various wards entered carrying black suitcases like government agents in a spy movie. The suitcases were plugged into a central computer, and each "round" of voting was displayed on a screen with the press of a key.

Third, allowing supporters of less popular candidates to have two, three or four votes skews the outcome in favor of their preferences. In contrast, a true runoff between Candidate A and Candidate B allows voters to focus on a clear choice.

In the wake of their real-world experience, Burlington voters rejected IRV and returned to a traditional method of electing mayors. Burlington's adoption and rejection of IRV parallels similar voter rejection in cities that previously approved IRV, including Aspen, Colo., and Ann Arbor, Mich.

StarTribune.com



Kummer wins Park Board seat without a majority

Candidate is first under ranked-choice voting to be elected without support from a majority of voters.

By **STEVE BRANDT**, Star Tribune

Last update: November 19, 2009 - 12:26 AM

Carol Kummer won the Nokomis-area Park Board seat, election results released Wednesday show, making her the only single-seat candidate elected without a majority in the new Minneapolis ranked-choice voting system.

Incumbent Kummer amassed 46 percent of the vote to almost 42 percent for Jason Stone in a replay of their 2005 finish. Her election without a majority occurred because 957 ballots, or 12 percent of those cast, were exhausted. That means either the voter didn't list a second or third choice, or the candidate the voter listed was eliminated from consideration.

"I guess I can win under two systems," she quipped afterward, referring to her 2005 victory under traditional voting rules. Kummer, 69, attributed her win to her

emphasis on trying to get park improvements in her district, which includes such popular parks as Minnehaha Falls and Pearl Park. Stone couldn't be reached.

Before the election season, Kummer had planned to step down. But when the successor she supported decided not to run just before the filing deadline, Kummer filed again. Voters disregarded the long list of Stone endorsements by elected officials, many living outside the district, ranging from Mayor R.T. Rybak to former Vice President Walter Mondale.

Kummer widened the 2-percentage-point gap she had over Stone in first-choice votes alone. She said that's because supporters of Steve Barland, the third-ranking candidate and a veteran youth coach, also liked her support for playing fields.

Also winning in Wednesday's results were Scott Vreeland, for the Park Board seat southeast of downtown, with 72 percent support, and Gary Schiff in the Ninth Ward, with 60.7 percent. Results aren't official until certified by the city canvassing board, which is expected after Thanksgiving. Election officials have now finished the release of results of single-seat contests for the council and Park Board, with the lopsided mayoral

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News and commentary about elections, voting and politics

May 17, 2009

[Cary NC tries IRV, then says 'no more'](#)

Posted in [Elections](#), [IRV](#), [IRV in Cary NC](#) tagged [Elections](#), [IRV](#), [IRV in Cary NC](#) at 2:09 pm by bluebanshee

Cary NC is one of a handful of jurisdictions across the US that have experimented with Instant Runoff Voting (IRV). It has often been touted by IRV proponents as a huge success story.

But Cary NC is no longer an IRV jurisdiction and IRV supporters just don't talk about it any more — because the Cary City Council voted recently against continuing with the pilot program that had seen put in place for the 2007 election cycle.

So just what is IRV? How does it differ from 50%+1 elections used in the majority of jurisdictions in the US? Wikipedia describes IRV as

a [voting system](#) used for [single-winner elections](#), in which [voters](#) rank candidates in an order of preference. If no candidate is the first preference of a [majority](#) of voters, the candidate with the fewest number of first preference rankings is eliminated and that candidate's ballots are redistributed at full value to the remaining candidates according to the next ranking on each ballot. This process is repeated until one candidate obtains a majority of votes among candidates not eliminated.

If it sounds complicated it is because IRV adds complexity to the voting process and non-transparency to the counting process. Many voters come into the voting booth with only one strong preference and don't want any of the other candidates to have a chance. IRV forces these voters to vote for their preferred candidate only and eliminate participation in later counting rounds — or try to vote strategically for the other candidates in such a way as to ensure their preferred candidate's victory. Not necessarily intuitive or easy since the way the second and third round votes count is dependent on the elimination of some candidates in the first round, which will not be apparent at the time the voter is marking his ballot. Voting then becomes a guessing game. In a traditional runoff election the voter at least knows which candidates are still in the mix and can cast a ballot accordingly.

The counting of IRV is complex — the elimination of some candidates at the end of the first round means that second choice votes are transferred to other candidates. If a third round is required the elimination and transfer process continues. The average voter has to place great trust in the reliability of the counting algorithm in a way far beyond what is necessary in plurality voting. So the counting is opaque and non-transparent — a kind of voting voodoo with election officials in the role of witch doctor producing the magical results. If one believes strongly that the average voter should be able to understand and observe the counting of votes in a democracy, then IRV fails to meet this standard.

So what actually happened in Cary during the 2007 pilot program that led the City Council to vote against continuing with the pilot IRV program sponsored by the State Board of Elections? Some local observers provide this synopsis of the problems in a recent Op-Ed. <http://www.carynews.com/113/story/12323.html>

The 2007 Cary IRV pilot program was largely managed by IRV advocacy groups, with no advance guidelines. Some voter education volunteers admit deviating from Election Board instructions to create a more positive outcome on the exit poll surveys — also conducted by IRV advocates.

The Wake Board of Elections couldn't follow simple IRV hand tabulation procedures. Ballots were mis-sorted, simple calculator mistakes were made and a non-public recount turned up missing votes. The winner did not receive the 50 percent plus one vote majority advocates claimed IRV would ensure in a single election.

With this track record it is no wonder that the Cary City Council voted not to continue the pilot program but

let's see what Cary Council members had to say about their recent 4/30/2009 vote.
<http://irvbad4nc.blogspot.com/2009/05/instant-runoff-voting-retreats-in-north.html>

The meeting can be viewed and listened to at the Cary Town Government website. The discussion and vote regarding adopting the plurality election method began around 1:20. Here are some excerpts from comments made by Council Members Don Frantz and Jack Smith:

1:26 Don Frantz

*"One of the reasons I called for change to plurality is because we'd have a public hearing and hear what citizens had to say about it. ... **Most people said they preferred that we stick with what we've got. ... Stick with our traditional non partisan...** I highly agree that if we pursue change in our election, that we do it in a non election year. Number one, just to avoid any perception issues...*

When our town agreed to IRV in 2007, it was kind of rush job..There was a lot of pushback, the public wasn't involved ...

We're on a deadline now, I think this is something we've got to study

When we look at doing something differently, there has to be a reason... whats Cary going to get...how is this going to make things better, Regarding plurality, IRV... I can't see how it makes our elections better other than saving money

I hope all of us don't mind paying more to get a little better product..

*I like the fact that that traditional elections, no matter how many candidates you have in the race, the top two have a month to go at it. You might have your favorite, it doesn't make the instant runoff... you didn't know who to rank... but once you know who the top two candidates are... **I don't think it's that broke... I don't think we really need to focus on fixing it...***

1:35 Jack Smith:

*"..I thought that the feedback was pretty balanced ..I didn't see it overwhelming one way or the other... when you considered Cary citizens.. The important point is that.. we have two years to do some real in-depth studying...get some legitimate polling that's not biased by out of city groups...get some feedback on our surveys, and do this in a calm reasonable manner, **Yes there may be cost issues but is a practice that we've been doing this for many years, it does determine a clear winner, a 50%+1 winner....and I think it's the right thing to do at this time...***"

One final thought: Let's remember that Cary is the city with the most Ph.D.s per capita in the U.S. for towns larger than 75,000 people. If IRV is not easily understood and embraced by such a highly educated electorate it is hard to see how it will be widely adopted across the U.S.

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 **Re: Oct 6 2009 Election Predictions**

Quote:

Originally Posted by **ncary42long** 

Don F, would you reconsider IRV again if Jennifer loses the runoff, knowing that she would have had a greater chance of winning this election with it? Just curious.

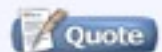
Ruth

Why ask me? Ask all of council as we are the ones who decided to not utilize IRV in Cary elections.

But my answer is "no". I do not like instant runoff voting and have given my reasons as to why many times. I'll take integrity in elections over funny math and 30% voter confusion any day.

You also assume the initial results would be the same if IRV had been utilized. I don't believe that would be the case.

Don



Cary Town Council District B Representative Don Fratz commenting on experience with IRV in Cary NC.

FOR IMMEDIATE RELEASE

September 8, 2008

CONTACT: Jennifer Stein (623) 930.2958
Marketing/Communications Department

UNOFFICIAL ELECTION RESULTS FOR CITY OF GLENDALE

GLENDALE, Ariz. – According to unofficial results provided by Maricopa County Elections Department, Glendale voters re-elected 15-year Mayor Elaine Scruggs, Councilmember Joyce Clark from the Yucca District to a fourth term and Councilmember Phil Lieberman from the Cactus District to a fifth term in the September 2 primary election. In the Sahuaro District, Steve Frate, who ran unopposed, will serve a third term.

Proposition 404, a measure proposing a ranked choice voting system, was rejected by voters with 8,540 or 65 percent of votes against it and 7,046 or 45 percent of votes in favor.

The city of Glendale plans to adopt the official canvass of votes on Tuesday, Sept. 16.

For more information, visit www.glendaleaz.com/election

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Council rejects proposed charter

By David Giuliani

The Charter Commission, which has been drafting a new constitution for the city of Las Vegas, has been getting mixed messages from the City Council.

Everyone involved in the drafting of the charter agrees on one thing: Winners of mayoral and council races must have the support of a majority of voters.

But they part ways over how to make this happen.

Last month, the council voted 2-1 in favor of instant runoffs, in which voters rank candidates in a single election. That results in a candidate with a majority, the idea's supporters contend.

However, the council last week rejected a proposed charter with instant runoffs, with a majority saying they opposed the idea and preferred holding separate runoff elections.

What changed?

At last month's meeting, Councilman Cruz Roybal was absent. Last week, he joined Councilman Morris Madrid in rejecting a charter that included instant runoffs. Mayor Tony Marquez, who hadn't previously stated his position, broke a council tie against the charter.

The other two council members, Andrew Feldman and Diane Moore, argue that instant runoffs eliminate the costs of having subsequent runoff elections. Yet such elections have the same result — majority winners.

Under the instant runoff system, if no candidate receives a majority, the candidate with the fewest number of votes is eliminated. Each ballot would then be tallied again, counting the vote from each ballot for the highest-ranked candidate — a process that would continue until a candidate gets a majority.

At least week's meeting, Madrid contended that instant runoffs would be hard for voters to understand and questioned what would happen if someone gave two candidates a top ranking or ranked everyone the same.

He also wondered if voters for the lowest-ranked candidate would have their ballots thrown out.

Feldman responded that they would be, which prompted several audience members to say Feldman was wrong. Such ballots wouldn't be thrown out under instant runoffs — just their top-ranked candidates.

Madrid said the confusion made his point. If supporters of instant runoffs couldn't understand it, others shouldn't be expected to, he said.

Feldman then asked for a five-minute recess so that he could consult with supporters of the instant runoff. The other council members granted his request.

When the council reconvened, Feldman asked that Rick Lass, an activist on voting issues, speak to the council about instant runoffs. Madrid opposed Feldman's request, and the mayor wouldn't allow Lass to speak.

“If elected officials can’t understand this and we need to take five minutes for a clarification, the common citizen may also be confused,” Madrid said.

After the council rejected the charter, the mayor said the commission had time to redraft the charter to include separate runoff elections. The commissioners are likely to act quickly; they need to meet deadlines so that the charter is on the ballot for the March 2 municipal election.

The current charter has existed since the uniting of the two Las Vegases nearly four decades ago.

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- Janet Urquhart/*The Aspen Times*

[JANET URQUHART](#)
THE ASPEN TIMES

ASPEN, CO COLORADO,

Aspen's instant runoff voting quick but confusing

ASPEN — Aspen chose a mayor and two City Council members Tuesday in an election that left plenty of voters confused at the polls and equally mystified as the ballots were tallied in televised proceedings late into the evening.

The city's first use of instant runoff voting, which eliminated the need for a June runoff election, got mixed reviews at the polls. And the whirlwind runoffs after three hours of tallying votes left plenty of observers at a loss to explain exactly how the results were tabulated.

The election also produced at least one challenge, though it wasn't the runoff aspect that spurred the objection.

Before the polls closed Tuesday, local resident Jim Perry challenged 801 absentee ballots that were cast in the City Clerk's Office in advance of the election. He said the ballot box in the clerk's office was not sealed and claimed those who cast the ballots did not affirm themselves as qualified voters, as required by state law. Perry was a poll watcher, appointed by mayoral candidate Marilyn Marks.

City Attorney John Worcester said Perry was misinterpreting the state statute, which allows a challenge to an individual voter at the time a vote is cast.

"It's not the challenge he's intending — to a class of votes he believes were derived illegally.

"He can go to court if he wants," Worcester said.

Marks, who raised a number of concerns with instant runoff voting, and said the city's test of the system on Monday was inadequate, said early in the evening that she was unsure if she'd challenge the new system.

"Even if I win, I might still challenge it — it's so messed up," she said.

Voters apparently found the runoff ballots — which asked them to rank the four mayoral candidates and nine council candidates in order of preference — confusing. There were 168 spoiled ballots Tuesday; two is typical, said City Clerk Kathryn Koch.

Voters exiting Aspen's Precinct 1 polling place Tuesday afternoon voiced decidedly mixed views on their first experience with instant runoff voting, or IRV. Some called the method confusing and others objected to a process that encouraged them to vote for candidates they didn't actually want to win.

To ensure their ballot counted with each round of a runoff, voters were better off ranking all of the candidates rather than just those they hoped would prevail. Some mistakenly believed they were required to rank all of the candidates.

Election judge Cindy Christensen reported plenty of miscues, including voters who forgot to cast a vote on the Aspen Art Museum question, placed at the bottom of the one-page ballot, apparently because they got caught up in ranking up to nine City Council candidates. Others gave both of their top picks for the council a No. 1 ranking, which invalidated the ballot.

“We’ve had quite a few spoiled ballots,” she said. Voters had up to three tries to fill out a ballot the scanning machine would accept. No one had required all three attempts by late afternoon, though, getting it right on the second try – usually after the first ballot was rejected because a voter ranked both of their top council choices as No. 1 picks instead of ranking one first and one second.

“I hate it. It’s very confusing,” said one voter emerging from Precinct 1 who declined to cast runoff votes. Instead, she voted for one mayoral candidate and her two choices for the two open council seats.

Others did the same, squandering their say in the runoff, should their top picks fail to win a seat.

Mark Lee said he voted for just one mayoral candidate and two council candidates, though he prefers instant runoff voting to returning to the polls in June for a runoff election.

“I know who I want and I don’t like any of the others,” he said, explaining why he didn’t rank candidates beyond the minimum.

“I didn’t like it,” said another woman. “I just want to vote for who I think is it. I didn’t like voting this way.”

Lisa Yorker cast votes for two council candidates along with her top pick for mayor, plus a runner-up candidate in the mayoral race, but said she’d rather select from runoff candidates in a separate election.

“I just like that process. I don’t know why,” she said.

But Linda Girvin said she preferred IRV to a separate runoff election in June.

“I think it’s a good idea,” she said. “I hate that runoff stuff.”

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Ranked-Choice Voting and Flawed Ballots Tax San Francisco's Election



By Kat Zambon, electionline.org
November 09, 2007

Rules requiring hand-inspection, confusion over ranking could delay results for weeks

This article was posted at electionline.org and is reposted here with permission of the author.

Rules requiring manual checks of every ballot before counting stemming from concerns over vote counting systems were expected to make this city's municipal elections more complicated than usual. Maybe not quite this complicated, though.

Because of high numbers of ballots needing to be remade before they can be tabulated, getting official results in this week's vote could take weeks.

John Arntz, the city's election director, said at a press conference this week that officials have had to remake 94 percent of absentee ballots cast before they can be counted, because of casting errors, confusion about ranked-choice voting, incorrect pencil or ink and other problems. An informal survey of poll workers indicated that ballots cast on election day at precincts could be similarly flawed.

When a ballot needs to be remade, election officials pull it aside and one election official fills in a new ballot while another official watches. Those two election officials then give the old ballot and the remade ballot to a different pair of election officials who ensure that the new ballot reflects the voter's intentions and code the new ballot so it can be traced back to the original.

While the task of remaking ballots is not unusual, some questioned whether the ranked-choice system, which requires voters to put the names of three candidates on the ballot, made sense in this particular election.

Kim Alexander, president of the **California Voter Foundation**, said she wasn't surprised that so many ballots have needed remaking, noting that there were three places on the ballot to rank candidate choices for the sheriff's race, in which only two candidates were running and the district attorney race in which Kamala Harris ran unopposed.

"I did not understand that," she said. "I was confused looking at the ballot in San Francisco and I imagine a lot of voters would be too."

Poll workers deployed around the city noticed the same thing.

Nick Andraide, a poll worker from Noe Valley at Eureka Playground in the Castro said that as many as a third of ballots cast were initially rejected by the ballot counter because the voter failed to rank three choices. When poll workers explained to the voter why the ballot was rejected, every voter either asked the poll worker to override the counter and let them cast their ballot the way they marked it or they marked the same candidate for all three choices.

Jay Bordeleau, an election inspector at Notre Dame Des Victoires in Union Square concurred.

"There are a lot of people who only mark one [candidate] or the same person three times," he said.

The ballot remaking comes at the direction of Secretary of State Debra Bowen (D) who has expressed concerns that San Francisco's ranked-choice voting (RCV) system by ES&S may not be able to read all ballots cast by voters. Ballots that don't have three choices marked for the mayor's race or are marked with an instrument other than a number 2 pencil or a pen with black or dark blue ink need to be remade.

Remaking ballots is already an accepted practice in some California counties that use the AutoMark ballot marker, said John Gideon, co-director of **VotersUnite**.

"I think that somewhere along the line, election administrators have to be trusted to do the right things and I think this is one of those cases," he said.

Since election officials aren't allowed to count ballots until they inspect the ballots and remake them if necessary, unofficial election results released Tuesday night only included the estimated 44,000 absentee ballots received before election day.

Steven Hill, director of the political reform program at the **New America Foundation**, said he also wasn't surprised by the high percentage of remade ballots. Hill worked on a study to estimate how many ballots would have to be remade in San Francisco by examining an election with similar characteristics and found that more than 60 percent of the ballots would have had to be remade in the election he studied. Hill predicted that about 70 percent of ballots cast at the polls will have to be remade.

While perhaps the most challenging and time consuming, remaking ballots is not the only challenge facing the elections department as they work in 24 hours a day to count the vote.

While San Francisco voters have used RCV before, confusion remains. "People get confused when their ballot comes back, [they ask] 'what do I do?'" Bordeleau said.

Geraldine Lum, a poll worker at Maria Manors in downtown San Francisco was careful not to tell voters how to vote.

"They know what they want, if they want to vote they'll vote but we can't tell them what to do," she said.

Voters also questioned the value of ranked-choice voting. Andraide said that when he told the voters ranked-choice voting was useful because it eliminated the need for a runoff election, voters told him there wouldn't be a runoff. "

"I guess it's useful when there's a lot of candidates," Wendy Lee, a voter from the Mission said after turning in her absentee ballot at City Hall, but "I don't want to vote for a second one, I want this one."

While he ranked three choices in the mayor's race, Allan Rosenberg, a photographer voting on Russian Hill said, "I don't find it satisfying that I have to make a second choice."

"Would you accept a second choice photograph? Why would I accept a second choice candidate?" he asked.

As confused as the vote has been, it could have been worse.

Poll workers around the city described turnout as low, which may be partly attributed to a **decrease in registered voters**.

"This is what constitutes a big rush," said Mary Dolan, a poll worker from the Tenderloin, "three people at once."

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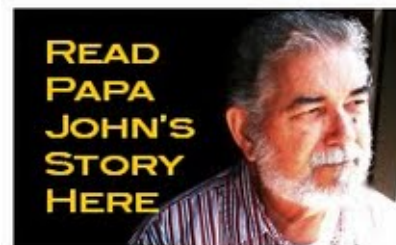
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member of the legislature not only does Hayashi apparently enjoy tapas and a big plate of paella, but also has a taste for fine dining, too. Six of the gifts reported involved dinners at Spataro, which according to the Bee is a popular schmoozing spot for legislators to be wined and dined by outside interests. Corbett, on the other hand, had very little in terms of gifts, but her staff and a guest received concert tickets from AT&T valued at over \$250. Normally, this is not notable, but the act of currying favor with family members of candidates is becoming a growing issue, according to the Bee. Gifts given to friends and family of legislators are not subject to reporting rules thereby circumventing the rule allows lobbyist to give up to the legal limit of \$420.

Rep. **Pete Stark** is casting a long shadow on the future passage of health care reform in America, but he may be looking to push for a nip and tuck on Sen. **Harry Reid's** so-called "botax" plan to tax elective plastic surgeries to help fund its \$894 billion legislation. The proposed 5 percent tax would raise \$5.8 billion over the next ten years and that's just from **Kenny Rogers**. Reid's amendment may not survive the mending process between the bill sponsored by Stark and passed last month in the House along with various bills floating around the Senate. Critics say the proposal disproportionately affects woman and may force customers to cheaper, but unsafe procedures in foreign countries. The American Society of Plastic Surgeons say over 70 percent of those who go under the knife earn less than \$90,000 a year and that's where Stark enters the equation. During the previous campaign finance period ending in 2008, Stark received \$20,000 from the same plastic surgeons lobby. Stark's office did not respond to questions about his opinion of Reid's proposal. Stark has received over \$100,000 from health-related industries this year alone, according to **OpenSecrets.org**, but not surprising. Stark chairs the House Ways and Means Committee on Health so it would make sense for the health care industry to flock to him.

What's in a name? The term "Instant Runoff Voting" or IRV is no longer the chosen phrase among proponents of the election system favored by some San Leandro leaders. It is now Ranked Choice Voting (RCV), thank you, and goes by a slew of other monikers--alternative voting, preferential voting and Ware's Method--among others. The City of San Francisco also prefers the term Ranked Choice Voting since its implementation in 2004. **San Francisco State Political Science Professor Rich DeLeon** says the use of IRV is a bit of a misnomer since it does not fully guarantee a majority winner. Under the system, if there are not enough ballots fully ranked, it is possible to exhaust all the votes before a majority is reached. RCV, on the other hand, does a better job of describing the system where voters attach preference for their first, second and third choice to produce a majority winner.

Women hold three of the six council seats and five of the seven spots on the school board, but this wasn't always the case. San Leandro has always been ahead of the gender curve when it comes to women in government, but that hasn't stopped the old boy network from trying to thwart progress. There is an interesting background story to today's discussion of Ranked Choice Voting. Call it the *Corbett Rule*. In 2000, the city charter was changed to require elections be decided by a



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Jim Gehrz, Star Tribune

PMA sign and American Flag directed voters to the Ward 7 polling place at the Jones Harrison Residence in Minneapolis.

By **ANDY CILEK** and **MATT MARCHETTI**

Last update: March 3, 2010 - 7:37 PM

Readers of the Star Tribune need to be informed about the errors in Tim Penny's recent opinion piece supporting instant-runoff voting ("Instant-runoff voting fits the times in this state," Feb 13). Penny argues that IRV produces majority winners, helps third parties and prevents votes from being wasted.

Leaving aside the questionable assertion that a "plurality" winner is somehow inferior to a "majority" winner, Penny and others evidently do not understand IRV enough to recognize how the recent Minneapolis Park and Recreation Board District 5 race contradicts their assertions.

The city's elections shows that Carol Kummer won with 46.13 percent of the total

ballots cast. The majority of voters did not cast their ballots for Kummer, because a considerable number did not cast votes for either of the finalists. Only one candidate was listed on 44 percent of the ballots, and less than one-third of the ballots had all three preferences filled in.

So much for the view that citizens are clamoring to vote for a long list of candidates. Clearly, IRV does not guarantee a true majority winner.

Penny claims that IRV "could guarantee a more meaningful role for third parties in America." This assertion exposes IRV for what it is: an interference with the vote-counting process by those who failed in the political debate. The vote tabulation should not favor any group of voters.

Penny states that IRV allows voters who prefer candidates with little chance of winning to avoid "wasting" their ballots by enabling them to eventually vote for the winner or the second-place finisher. Yet analysis of the individual ballots from the Park Board District 5 shows there were 52 voters who filled in their allowed three choices with the three least popular candidates, leaving them no way to express their preference between Kummer and Jason

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Stone, who came in second. These voters were effectively prevented from voting in the final round where the winner was determined. These are truly "wasted" ballots, and they don't occur in a normal election, because in normal elections every voter is allowed to participate in the final tally.

The city of San Francisco is currently being sued in federal court to prevent its further use of IRV precisely because it caused this kind of electoral harm there.

Even more important than these defects in IRV is the impact it has on the individual right to vote. Mathematicians, voting experts and the Minnesota Supreme Court have recognized that in IRV a voter cannot be sure that his or her vote for a candidate will help, rather than hurt, that candidate. In IRV, a voter can actually harm his preferred candidate simply by ranking him first instead of second.

In a recent IRV election in Aspen, Colo., council candidate Michael Behrendt was defeated by 75 of his own supporters. Two independent analysts calculated that if Behrendt had had the foresight to ask those 75 supporters to rank him second instead of first, he would have won.

This well-known perversion of the vote counting arises because IRV does not just "add up" the votes for all candidates at once, as is done in normal voting. Rather, IRV eliminates candidates and then counts the second choices on the ballots that preferred those eliminated candidates. The problem arises because some second choices are counted (those on ballots whose first choice was eliminated) and other second choices are not counted (those on ballots whose first choice has not been eliminated).

Close races (precisely the ones for which IRV is touted as an improvement), therefore, can be decided by which (or whose) second choices are counted. When voters rank a particular candidate first, they are not just adding to that candidate's final total. In addition, they may be affecting which candidate is eliminated next and therefore whose second choices will be counted.

In some close races, when voters rank a less-preferred choice first, they keep that less-preferred candidate from being eliminated and thereby change which second choices are counted. The resulting new second choices may be more favorable to their preferred candidate, but there is no way for them to know that when they cast their vote.

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IRV thus disenfranchises voters by putting them in the position of not knowing if they are helping or hurting the candidate they support. In short, IRV is a harmful intrusion of politics into the vote-counting process.

Andy Cilek, Eden Prairie, and Matt Marchetti, North St. Paul, are directors of the Minnesota Voters Alliance, a citizens' group focused on election issues.

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The Free Press

MANKATO — It is called the most interesting and popular new idea in election reform. It was tried in Minneapolis last November and before that in other U.S. cities, as well as in other countries including Australia, Ireland and Scotland. It is Instant Runoff Voting, or IRV, and some want to see it implemented in Minnesota statewide elections.

It works like this: Voters rank their candidate preferences. If in Round One a candidate doesn't receive a majority, the candidate ranked lowest is eliminated and his or her second-place choices are divided among the rest. The process continues until, eventually, someone emerges with the majority of assigned votes.

No need for a second election. A saving of time and/or money. No need for a drawn-out recount, such as occurred in the 2008 Senate marathon between Al Franken and Norm Coleman, for instance.

Easy solutions to confusing, complicated or otherwise messy elections have led to many other popular cures, of course, ranging from Internet voting to vote-by-mail, looser or stronger controls on absentee and overseas ballots, more stringent controls for counting ballots in recounts, voting machines, punch systems, et al. Instant Runoff Voting (also called Ranked Choice), fans say, is easy to use, gives all candidates a chance to shape the outcome, encourages a more positive tone to campaigning and ends a frustrating trend where winners win with less than 50 percent of the total.

In reality, however, all those arguments in IRV's favor are suspect. Ranked choice voting advocates say it promises to break a cycle of Minnesota governors getting less than 50 percent of the vote, but it doesn't really. Assigning second-place votes of eliminated candidates to other candidates makes the eventual winner no more decisively victorious than before. What's more, the jury's still out on whether voters understand the system; a certain amount of ballots can be expected to yield only one mark, so is that because the voter doesn't have a second choice or because he/she doesn't understand the concept?

A Minnesota Public Radio/University of Minnesota poll showed that 56 percent of Minneapolis voters preferred IRV after the November election, but non-voters were shown to be somewhat unimpressed. It is also difficult to see how third-party candidates fare any better under the system.

It's important to point out here that no electoral system is perfect, and IRV may be no better or worse than others. But before accepting something entirely new, we must be sure the perceived flaws in any new method don't compromise the overall need to ensure fair and accurate counts.

One fact remains in U.S. elections, and ever more so today due to a habitually divided electorate — the sorting out process takes time, takes money, and can be quite messy. There is no easy way to fix a fractured electorate often choosing between more than the usual Republican or Democrat-approved offerings. In 2010, chances are Minnesota will pick another governor (our last governor to win a real majority was Arne Carlson in 1994) with less than 50 percent of the vote.

We can live with that. We may have to live with that.

Second, one can only imagine the time and expense involved if a statewide recount of IRV is ever required – an outcome that is easily foreseen given IRV’s lack of transparency.

Meanwhile, the Vermont House has referred H.396 to the Government Operations Committee. This bill would apply IRV to the election of Vermont’s governor. Statewide use of IRV would implicate the preceding problems experienced in Burlington, and three more concerns.

First, it would be a substantial burden to ask Vermont’s municipalities, from Bennington to Canaan and all towns in between, to administer a computer-based voting system that imposes logistic and technological burdens on local election officials. **Not surprisingly, most town clerks have opposed IRV.**

Second, one can only imagine the time and expense involved if a statewide recount of IRV is ever required – an outcome that is easily foreseen given IRV’s lack of transparency.

Third, one of the primary arguments in favor of IRV is that it avoids the cost of a runoff election. Under Vermont’s Constitution, however, any gubernatorial election not resulting in a majority winner goes to the Legislature where, traditionally, the voters’ plurality choice has been respected.

Vermonters should take the lesson learned by Burlington voters to heart, and consign IRV to the ash heap of electoral history.



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Ranked-choice voting in San Leandro hits a snag

San Leandro to revisit the item on April 19

By Jason Sweeney
The Oakland Tribune

Posted: 04/07/2010 12:00:00 AM PDT
Updated: 04/07/2010 06:48:18 AM PDT

SAN LEANDRO — The switch to a ranked-choice voting system went from "go" to "no go" after a City Council member changed her vote during what was expected to be the routine passage of consent calendar items.

With the council deadlocked 3-3 and the switch to ranked-choice voting effectively negated, Mayor Tony Santos suspended the vote Monday night so that the council could revisit the item at its next meeting on April 19.

The City Council voted 5-2 to adopt ranked-choice voting Jan. 19, pushing the municipal elections back from June to November and eliminating the need for runoff elections. But at a March meeting, when the item was on the consent calendar to be routinely passed, Vice Mayor Joyce Starosciak, who is running for mayor, pulled it out for further discussion.

Three council members were absent at that meeting, and Mayor Tony Santos delayed the discussion until Monday night so that the missing council members could participate.

But on Monday, the voting dynamic changed.

Santos, Councilman Jim Prola and Councilwoman Ursula Reed voted in favor, while Councilman Bill Stephens and Starosciak voted against, in a replay of their votes in January. **But Councilwoman Diana Souza, who had voted for ranked-choice in January, switched her vote, explaining that she needed to further understand the matter.**

Michael Gregory, who had voted in January to approve ranked-choice, was absent.

Souza said she was unsure about

ranked-choice voting when she voted for it in January.

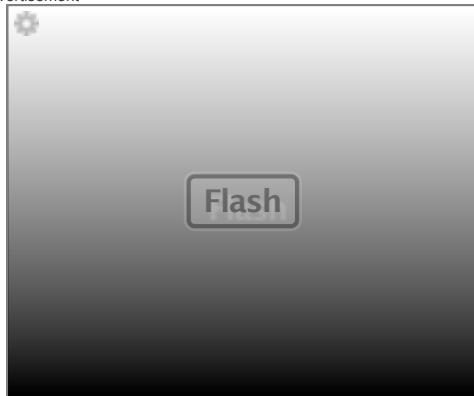
She explained that she was swayed by the audience, which overwhelmingly spoke in support of switching to the new system. But afterward, she felt that the audience had been stacked with "special interests."

"It became apparent that the voice of the audience that evening was not the voice of residents that I've come into contact with in San Leandro. I think a politician's role is not to push a personal agenda but to listen to the voice of the people," she said, adding that her constituents felt ranked-choice was confusing and would discourage voters, and they doubted cost-savings estimates.

Santos used a section of the City Charter that empowers him to suspend the vote until the next meeting, when Gregory is scheduled to be present.

"I'm the first mayor to suspend the vote of the council," Santos said. "When you go through this whole process that we went through and then change your vote at the last minute, it's ludicrous, to be blunt."

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The city has entered into agreements with the Alameda County and with the cities of Berkeley and Oakland to share the costs of the election in November.

If the council does not approve ranked-choice voting, the municipal election still would be held in November, but a runoff would occur most likely in 2011 if any candidate does not receive a majority.

Jason Sweeney covers San Leandro. Contact him at 510-293-2469.

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IRV is verified confusion

Published: Sunday, November 1, 2009 at 4:30 a.m.

86/14 is not always a good number. If 86 percent of high school students choose oranges and 14 percent choose apples for dessert, that's a good number. However, if 86 percent of the bridges in the state are sound and 14 percent are inferior, that's not a good number.

Which leads us to the question, why have election officials concluded that a pilot program, Instant Runoff Voting (IRV), is a good decision when 14 percent (or more) of the voters in Hendersonville's 2007 election found it confusing? Aren't clarity and confidence two requirements of an election system that should never be compromised?

In a traditionally conducted election primary, it's easy to determine the top two candidates just by counting the votes. Contrast that simplicity with IRV, which might be described as the political equivalent of musical chairs.

Using IRV, voters are asked to rank candidates in order of preference. IRV is really a tally-and-elimination scheme, re-tallying without re-voting, and repeating until a majority of votes are reshuffled into one pile.

If no one wins the "first" round of voting, then all candidates are eliminated except for the top two.

Counting and distribution is where the problem begins. History has determined that votes not counted on election night are sometimes prone to disappearance. For that reason, a state statute says, "Vote counting at the precinct shall occur immediately after the polls close and shall be continuous until completed." This was not the case in the Hendersonville 2007 election.

Any time a voter makes a selection that can affect the outcome of an election, it is a vote, not a preference. Third- and fourth-round votes cast in Hendersonville's 2007 election were not openly reported to the public because they were never counted. It's a bad practice for government to keep any expression by voters secret. Distributing remaining IRV votes is confusing, relies on more complex technology, makes audits

and recounts more prohibitive, and can even change the outcome of an election away from the voter's original intent.

In the Cary experiment, the winner of an "instant runoff" in the District B Town council contest took office with less than 40 percent of the first-choice votes cast and less than 50 percent of the votes of people who showed up on election day. (ncvoter.org)

In Hendersonville, no meeting was held to get voter input or educate the voters before IRV was implemented, and over 33 percent of voters arrived without knowing it was an IRV election. The average voter has to place great trust in the reliability of the IRV counting method. Perry Woods, a Raleigh-based political consultant, says, "Ranked choice voting violates a key principle in electoral confidence, and that is simplicity. If the desire is to eliminate runoff elections, than a plurality election will produce the same result as an IRV race in virtually every instance without the added confusion or risk."

IRV procedures as proposed will compromise the integrity of elections. Since state voting machines lack instant runoff voting capability, the State Board of Elections put together an uncertified "work-around," using a spreadsheet program, circumventing the legal method of manually sorting and counting "paper trails." Experts say this method is error prone and risky.

The cost savings IRV advocates tout are minimal and don't compensate for the erosion of transparency. Political Scientist Tony Gierzynski said it quite clearly: "Let's get right into it: instant runoff voting is not good. It's not good because it suffers from three fundamental problems: it discriminates against classes of voters by adding complexity to the ballot: it has a very real potential to produce perverse outcomes or voting paradoxes that are not majoritarian; and it fails to address the real problem that arises when multiple parties compete in a two-party system..." (3/12/09, vermontdailybriefing.com).

Can we really justify a voting system that is confusing, difficult to calculate, prone to error and fails to count every vote? Third, fourth and more place votes aren't "backup" votes as some IRV proponents define them, they're your votes and if your vote isn't counted, it doesn't count.

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IRV: Does It Help or Hurt?

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By Shane D'Aprile

Rob Ritchie has been on the front lines of the fight to promote IRV since 1992, the year Reform Party presidential candidate Ross Perot garnered 19 percent of the popular vote against Bill Clinton and George H.W. Bush, without carrying a single state. To many Republicans, Perot was a spoiler, siphoning votes away from Bush to the benefit of Clinton. Given the setup of the Electoral College, there wasn't a chance in hell Perot could actually win the White House. Ritchie says it captures the problem with America's electoral system: Voters are discouraged from expressing a real preference for fear that their vote will become meaningless, or end up helping elect their least favored candidate. It's just one of many problems Ritchie says IRV elections avoid.

Ritchie is the executive director of Fair Vote, the organization leading the national charge for IRV. The group funds efforts to promote the system in cities across the U.S., with satellite offices in at least six states including California, Minnesota and North Carolina. Ranking candidates, Ritchie says, avoids the defects inherent in plurality voting: Winners in traditional elections can emerge with less than a majority of the vote, "spoiler" candidates can swing the race to one candidate and that the vast majority of races encourage negative campaigning. IRV races, according to Ritchie, are cleaner, simpler and—best of all—save millions of taxpayer dollars by avoiding primaries and the two-person run-off system used in most major cities. By making it critical for candidates to do more than just get voters' first choice—remember you want as many second choice supporters as possible—Ritchie says IRV creates an incentive to run cleaner and less negative campaigns.

Those are all claims IRV opponents relish the chance to pick apart. IRV opposition is found in a fairly small but passionate group which attacks IRV from just about every possible angle. From a technical perspective they find flaws with balloting, counting and they play up the potential for odd election outcomes with IRV. Within the so-called "election integrity" movement, which pushes for a verified paper trail in elections, IRV is practically public enemy number one with opponents worried about the lack of voting machine equipment available to count IRV ballots.

Opponents also level attacks over ideology, claiming IRV is nothing more than a left-wing "snow job" to ensure the election of more progressive candidates in cities across the country. Former Minnesota DFL strategist and staunch IRV opponent Chuck Repke calls its supporters "the classic limousine liberals who have always been telling us what's best."

The perception that the system is largely promoted from the left flank exists because it's—for the most part—true. Among supporters of IRV, progressive candidates and organizations greatly outnumber conservatives. The cities, which have implemented the system so far, all number among the major "liberal enclaves in the U.S.," says Hamline University Professor David Schultz, who is studying Minnesota's IRV elections.

There are some vocal Republican supporters—last month, former Republican state Sen. George Pillsbury penned an op-ed in the Minnesota Post expressing his support for IRV—but as the debate expands, the ideological lines are likely to harden, making it tough for IRV proponents to have the sort of the debate they'd like. "The joke is



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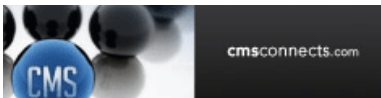
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that the system is basically like a grad student's wet dream," says Latterman, who thinks IRV is being promulgated mainly by left-wing activists. "It's all about ideology, not about democracy." And Latterman's a Democrat.

While Ritchie denies that IRV proponents are driven by ideology, he does admit the system needs to be seen as more expansive for it to effectively move forward. One possibility is that just as Green Party spoiler candidates led to many progressives getting on board, Tea Party spoilers could have the same effect on Republicans in some states if that dynamic plays out the way some in the GOP fear.

In Minnesota, Schultz says the early results of his analysis of the 2009 elections don't look promising for either side. Schultz says he hasn't found any evidence the system enhanced turnout or voter participation, which was low even for an off-year election. Nor is there evidence it encouraged any meaningful third-party participation. The other problem was that nearly half of the voters who cast a ballot said they didn't even bother to employ the ranked choice system—they cast a vote for just a single candidate in the race for mayor. (Mayor R.T. Rybak won re-election with 74 percent of the vote in the first counting.)

On the flip side, says Schultz, he hasn't found much evidence to suggest the top concerns of IRV opponents were born out either. There was not any significant increase in spoiled ballots, which he takes to mean voters understood the system fairly well. And a Minnesota Public Radio News/University of Minnesota poll from just after Election Day found that a majority of voters liked the new system—56 percent said they preferred IRV to the city's old system. The poll also found a major partisan divide in opinions on IRV. A full 67 percent of Republicans said they preferred party primaries, compared to 33 percent of Democrats and just 30 percent of independents.

The one dynamic at work in Minneapolis that appears to also hold true in San Francisco is that incumbents have fared well under IRV. Name recognition is even more critical in an IRV contest, argues consultant David Latterman, and since IRV's implementation in 2004, not a single incumbent supervisor running for reelection has lost.

San Francisco-based Democratic consultant Jim Ross, who has run several races for the city's board of supervisors, calls ranked choice "the incumbent protection act." He's a bit kinder to the system than Latterman, but he says ultimately **San Francisco provides no evidence that the system holds the benefits backers say it does.**

So on the question of whether or not the system works, it may still be too early to tell. **Despite what backers of IRV say, the results in San Francisco don't really support the return to purity and fairness in elections they claim IRV provides. It's next to impossible to find an example of a race where an underdog was able to capture the attention of voters and surge to victory. Since adopting ranked choice voting, turnout has remained relatively flat. There's also not much evidence that negative campaigning has abated to any significant degree.**

But San Francisco is its own political animal, and it's a city where the only real political competition is between the far-left and the not-so-far-left. In short, it just may not be able to offer a true test of IRV.

Shane D'Aprile is senior editor at Politics magazine.

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Joe Soucheray: In the case of instant runoff voting, cheaters really do win

By Joe Soucheray

Updated: 12/05/2009 10:55:45 PM CST

It was tucked away on the inside pages of the paper a few days ago, an unfortunate placement for a story so steeped in political intrigue and duplicity, alarm and fury. The supporters of instant runoff voting, the so-called Better Ballot Campaign, lost in a courtroom against Chuck Repke's opposing group No Bad Ballots, which had argued that the supporters of IRV had cheated.

And they did cheat. They were found by administrative law judges Kathleen Sheehy, Cheryl LeClair-Sommer and Barbara Neilson to have violated Minnesota election laws by knowingly making false claims for endorsement of their vote-position.

The Better Ballot Campaign sent out mailings to 40,000 households claiming endorsement of its position by the Minnesota and city DFL, by the Minnesota League of Women Voters and by political figures including Barack Obama, who happens to be president, John McCain and Ralph Nader, none of whom had given written permission for their endorsement, thus the violation of state law.

The group was fined \$5,000.

"In my more than 30 years in politics," Repke said, "I've never seen such a successful group of liars."

Repke, remember, is a veteran liberal political activist who has more than willingly placed himself at odds with the same people he has been working with since he pounded his first campaign sign into the ground.

"How any liberal DFLer can look at IRV and not know that it is going to be an election process poorly understood by so many voters only makes me think it had become a religion to these people," Repke said.

This is the last paragraph of the report issued by the judges:

"Accordingly, the panel has concluded that the Respondent made knowingly false claims that the Minnesota DFL and the League of Women Voters 'endorsed' the St. Paul ballot question and that it failed to obtain written permission from the national political figures before using their names as supporters of the ballot question, in violation of Minn. Stat. 211B.02. The panel has concluded that these violations, which were reflected in approximately 40,000 pieces of campaign literature, were multiple and deliberate. They were made despite the clarity of the statutory prohibitions, and the Respondent remains completely unapologetic. The timing of these mailings made it difficult for opponents to respond before the election and created an unfair advantage. These false claims of support or endorsement likely influenced some voters, but the impact on the election cannot be quantified on this record. Under all the circumstances, the panel believes a fine in the amount of \$5,000 is the appropriate penalty."

In other words, it is further corroboration that you could put "DFL" behind anything proposed in this city — for instance, let's eliminate Saturday from the

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week and go to six days — and it will pass, but that couldn't really be quantified in such a way as to overturn the election results.

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Repke contended all along that DFLers who opposed IRV are now seen or thought to be complicit in the mischief compelled by the illegal mailings. That is especially irritating to a guy who calls himself a political mechanic and one who insists he would not do such a thing to any candidate he engineered or represented.

"If I would have had \$20,000, I could have won the case," Repke said. "But I didn't have any money. I wanted to present voters and ask them, one by one, how they were influenced by the literature."

I didn't know he was looking for money. I wouldn't have been good for the \$20,000, but I would have pitched in. The entire episode of opposing IRV has found me on the same team not only with Repke but also with the likes of Dave Thune.

"I was hoping for it to be sent to the county attorney for a misdemeanor case, that if convicted the results could have been thrown out, but no such luck," Repke said. "We won, but they get to keep the election victory."

Ellen Brown, who coordinated the St. Paul Better Ballot campaign, said, "We're sorry that we made the mistake." She also said they don't have \$5,000 in the group's account and isn't sure how that will affect payment of the fine.

"They will probably stiff the state," Repke said.

Joe Soucheray can be reached at jsoucheray@pioneerpress.com or 651-228-5474. Soucheray is heard from 2 to 5:30 p.m. weekdays on

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