

LWV Oklahoma Instant Runoff Voting (IRV) or Ranked Choice Voting (RCV) Study

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Instant Runoff Voting (IRV) or Ranked Choice Voting (RCV)

At the 2009 LWVOK Convention delegates voted on a study that would look at the possibility of using Instant Runoff Voting (IRV), sometimes called Ranked Choice Voting (RCV), in Oklahoma.

Instant Runoff Voting is also called Ranked Choice Voting (RCV) because the voter ranks the candidates on her ballot: first choice, second choice, etc. (Nobody has to rank more than one candidate.) In the first round of counting, the voters' first choice ranking are totaled. If any candidate has won a majority of the vote, that candidate wins. If not ballot rankings are used in a series of instant runoff elections in which the lowest polling candidate is eliminated in each round until someone receives majority vote.

Ten state Leagues have a consensus supporting Instant Runoff Voting and several other states in addition to Oklahoma are currently studying the feasibility of IRV for their state. We are asking the local Oklahoma Leagues to determine if they concur with the 10 state Leagues that support IRV.

The LWV OK asks its members to look at IRV to determine

- How IRV has worked in other localities
- How IRV would fit in with Oklahoma's election system
- If IRV is a way to increase fairness in elections
- If IRV would be good for Oklahoma.
- If IRV fits in with LWV goals to increase voter participation in the election process and to increase diversity of representation

To do this we will compare the systems used now in Oklahoma, plurality and two-round runoffs, with IRV.

Election Systems

Plurality: Oklahoma November statewide general elections use a plurality system. In a plurality system the candidate who receives the most votes wins. Thus the winner may not necessarily receive a majority of the votes. In November, after a partisan primary with a runoff, we elect our US congressional representatives, the Oklahoma Legislature, our Governor and other statewide officials as well as county elected officials and district judges by the plurality system. In Oklahoma the Governor has been elected without a majority of votes four times since 1970.

David Hall was elected with 48.4% of the vote in 1970

In 1986 Henry Bellmon was elected with 47.5% of the vote

Frank Keating was elected with 47% of the vote in 1994

Brad Henry was elected with 43% of the vote in 2002

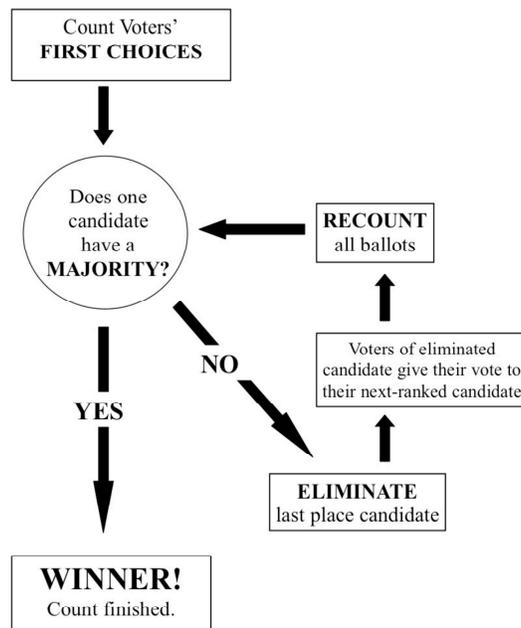
League members need to decide if it is important that a candidate always wins by a majority, 50%+1 vote.

Two-round Runoff: In Oklahoma, preceding the general elections, statewide partisan primaries are held with a two-round runoff vote. The first round is in July with the runoff, if necessary, in August. In the two-round runoff system if no candidate gets a majority (50%+1 vote) of the votes, all except the top two vote getters are eliminated. The remaining two candidates compete in a second election, usually one or two months later.

In Oklahoma many local elections for city officials and school boards use the two-round runoff vote, although some cities use a plurality vote to elect city officials.

Instant Runoff: In IRV, sometimes called ranked choice voting (RCV), voters rank the candidates on the ballot, marking their first, second, and third choices, depending on how many candidates are in the race. In round one, the first-choice votes are counted. If a candidate gets over 50% of the votes (a majority), he or she is declared the winner. If no one has a majority, the counting goes to the instant runoff. The candidate with the lowest number of first-choice votes is eliminated. The second place votes on the ballots of the eliminated candidate are added to the first place votes of the remaining candidates. If one of the remaining candidates gets a majority the election is over. If no one gets a majority, again the candidate with the fewest votes is eliminated and third choice votes of the eliminated candidate are transferred to the remaining candidates. This continues until a candidate has a majority. (See diagram)

Instant Runoff Voting Ballot Count Flow Chart



Places where IRV has been used:

Outside the US: Ireland, Australia, Papua New Guinea and other countries have used IRV successfully for years. An election was held in The United Kingdom in May 2011 to determine if IRV should be used there. IRV was defeated with 68% voting no.

In the United States: IRV has been used successfully in several cities in California including, since 2004, San Francisco. That city is expected to save at least \$25 million over the coming decade. According to Fair Vote members of minority groups in San Francisco and Oakland feel that IRV both increases their chances to win as well as increasing minority voter turnout. The mayor of Oakland, of Asian ancestry, attributes her election victory to IRV. Since 2002 the Utah Republican Party has used IRV at its state conventions for nominating candidates for congressional and statewide offices. Cities from Vermont to Massachusetts to North Carolina to Minnesota are using IRV. However a few cities have tried IRV and returned to their former voting method.

Louisiana, Arkansas and South Carolina have used IRV successfully for *overseas absentee balloting*. Often election boards, including those in Oklahoma, have not been able in the short period between a primary and runoff to print ballots and ship them overseas in time for the voter to fill in the ballot and ship it back to be counted on Election Day. The Justice Department has threatened to sue Oklahoma because overseas military did not receive absentee ballots in time to be marked and returned by Election Day to be counted in the runoff primary. Instant runoff ballots would eliminate that problem.

IRV is also used in *organizations*. The Heisman Trophy and the Best Movie Oscar are determined by ranked voting. Many businesses and organizations use IRV to elect their board of directors. IRV is used in student government elections at Oklahoma University. When Dolores Martin talked with the student government office she was told that the IRV worked well and that they had had no complaints. Many other student government organizations across the US use IRV.

Election System Evaluation by LWV Members

To begin the study each League needs to determine what is important to them in an election system and which election system comes closest to meeting the criteria. There is no such thing as a perfect election system and each of these election systems has flaws. In fact we learned from the LWV MN voting systems study that Kenneth Arrow in 1952 won the Nobel Prize in part for proving that there is no such thing as a perfect voting system.

The Oklahoma study committee has combined criteria used by the California League of Women Voters and the Arizona League of Women Voters in their studies for evaluating elections systems.

Each Local League and MAL's studying IRV should look at these criteria, discuss them, and decide which criteria are most important (perhaps the top 5 or 6). Please feel free to come up with different items that your League feels are important to an election system.

After determining the 5 or 6 criteria each League should then look at these criteria when considering the pros and cons of our present plurality elections, our present two-round runoff elections, and instant runoff elections. These considerations will be used **to** determine which voting system would be best for Oklahoma

Criteria for Evaluating Elections

A system should--

1. Increase voter participation
2. Raise the level of political campaigns / focus on issues
3. Promote openness and responsiveness between candidates & constituents
4. Discourage negative campaigning
5. Promote stable and effective government
6. Be easy to use, administer and understand
7. Encourage minority (racial, gender, economic) participation
8. Provide for a broad number of candidates for voters to choose from
9. Produce fair and accurate community representation
10. Encourage sincere voting as opposed to strategic voting
11. Reduce election costs
12. Encourage majority rule, ensure majority support for winner
13. Discourage fraud and political manipulation
14. Promote voter accessibility to the voting process
15. Reduce campaign costs to candidates
16. Have a proven track record
17. Provide fair and accurate party representation
18. Discourage extremism
19. Promote a healthy party system

Now that your League has determined the criteria most important for an elections system proceed to discuss the pros and cons of the three election systems keeping in mind the criteria your League thinks are most important. First here are some descriptions of terms used in talking about election systems.

Election System Terms

Several terms are used in describing election races including more than 2 candidates; **wasted vote**, **sincere vote**, **strategic vote**, and **spoiler candidate**. We hope the following will help you understand the terms.

Have you ever voted for someone just to be sure that a different candidate did not win? Political scientists use the term **strategic voting** to describe votes cast for a second choice candidate rather than the first choice to make sure that another candidate did not win. When you, as a voter, cast a vote for your most preferred candidate that is called **sincere voting**. If you vote for your favorite candidate, knowing that that candidate has no chance of winning, your vote is called a **wasted vote**. A minor candidate with little chance of winning but by being in the race and getting some votes spoils the chances of a candidate preferred by the majority is called a **spoiler candidate**.

For an example we will take you back to the 2000 Presidential election in Florida, a plurality election. A voter is getting ready to vote. After studying the candidates and their stands on the issues the voter ranks the candidates. Our hypothetical voter's first choice is Ralph Nader, her second choice is Al Gore and her third choice is George W. Bush. She realizes, looking at the polls, that her first choice Ralph Nader has no chance of winning. If she were to vote for him her vote would be "**sincere**", but since he has no chance of winning the vote would be "**wasted**." If she were to vote for Al Gore, her second choice, her vote would help Gore win and help defeat Bush. Voting for her second choice and not voting for her first choice would be a "**strategic vote**." She also realizes that a vote for Nader may spoil the chances of Gore winning. Candidates like Ralph Nader, who do not have a realistic chance of winning, are sometimes called "**spoiler candidates**" even if they do offer a valid and attractive choice.

Pros and cons of the three election systems:

Plurality: The candidate who receives the most votes wins, not necessarily a majority.

Pros:

- Voters find it easy to use. Easy to understand
- Election officials find it easy to administer. Officials know how to design the ballots, count the votes etc. Voting machines and other technologies are already in place so there would be no addition expense to keep using this system.
- Avoids expense of runoff.

Cons:

- Plurality is NOT majority rule. The winner need not have a majority of the votes. The LWV California in their study points out that Jesse Ventura was elected Governor of Minnesota despite the fact that almost 2/3 of the voters cast ballots for other candidates.

- It excludes minority parties (or discourages third party voters) from participation and representation. Supporters of third party candidates or independent candidates are often discouraged from voting for their candidate because their vote will be “wasted.”
- It is not responsive to public opinion by over-representing those that vote for the winner and under-representing, or excluding, those that do not.
- It may result in a winning candidate getting only a small minority of the vote. (Some candidates win due to the “spoiler effect” and have less *overall* support than the second-place candidate.)
- Voter may vote for her second choice, a candidate she feels has a better chance of winning or a better chance of defeating a candidate she dislikes.
- It augments disenchantment with government. When citizens know that an official was not elected by the majority they have less respect for the official and the government.

Two-round runoff: In this system a candidate must receive a majority of the votes cast to be declared a winner. If no candidate gets a majority in an election all but the 2 top vote getters are eliminated and a second election is held to determine the winner.

Pros:

- The winner is elected by a majority of those casting votes.
- Encourages sincere voting, not strategic voting; decreases the worry of wasted votes.
- Voters have the opportunity of basing their second of lesser choices on the results of earlier ballots.

Cons:

- Requires the cost of a second election both to the government holding the election and to the candidate paying campaign costs
Mardi Dixon in an interview with Shelly Boggs (Tulsa County) found that the cost of the 8-22-06 August runoff in Tulsa County was \$155,061.42. The estimate for the cost of the August 2010 primary was between \$850,000 and \$900,000. (We have other costs, if needed)
- Often turnout is lower in the second election. Due to the drop-off in turnout, the winner in the second round could receive fewer votes in the runoff than the loser received in the first round.

Statewide Oklahoma example of decreased turnout: (from OK Election Board web site)

In 2006 partisan primaries

Democratic primary:

257,403 Democratic voters cast ballots for Lieutenant Governor in the July primary,
176,626 Democratic voters cast ballots for Lieutenant Governor in the August runoff.

Republican primary:

178,985 Republican voters cast votes for Lieutenant Governor in the July primary,
130,037 voters cast ballots in the Lieutenant Governor race in the August runoff.

In 2010 partisan primaries (from OK Election Board web site)

Republicans had one statewide race in the August runoff primary: for Insurance Commissioner.

222,970 Republicans cast votes for insurance commissioner in July.

119,868 cast votes in the August runoff.

This is more than a 40% decrease in the number of voters. Did the winner obtain a majority? Comparing the votes by county, some counties with runoffs for legislative seats had a greater than 50% decrease in turnout in the August primary runoff compared to the July primary

Local:

Stillwater From Deanna Homer and Karen Melcher interview with Glenna Craig Payne County Election Office

Looking at races from the past 6 years in Stillwater the turnout for local races (City Council and School Board) was about the same for primary and runoff elections.

Variations occurred when charter changes or bond issues were on the ballot. There was no obvious drop in turnout for runoff elections. However, the turnout for all local elections was low. Most local elections in Stillwater consistently had about 2500 voters. A bond issue or charter change increased the number of voters by 1000 to 1500,

Delores Martin interview with Doug Sanderson (Oklahoma County)

The results from Oklahoma County also did not show a large decrease between the primary race and the runoff. Although in 2004 the partisan primary had a 26% turnout and the general election had an 18% turnout. (Some precincts have elected their OK House and OK Senate representatives in the primary leading to no runoffs while other precincts in the county have a runoff. This makes it difficult to determine the reason for the decrease in turnout. Is it lack of interest in the remaining races or no races on the ballot?)

- The delay causes the election to drag out over a month or so.

Instant Runoff Voting (IRV) or Ranked Choice Voting (RCV): Using IRV a candidate must receive a majority to win. The runoff election is held as the same time as the first election.

To help members understand LWV members will have a chance to vote using IRV. The group will count the ballots and determine the winner. We will have several ballots (the local study team will choose the ballot they feel is easiest to understand)

Pros:

- The majority of voters who cast ballots in the election choose the winner. *
- IRV encourages “sincere “ voting. Sometimes a voter feels compelled to vote for a “lesser evil” candidate instead of the one really preferred. In IRV voters who favor a candidate who they know cannot win can still vote for him or her, secure in the knowledge that when this candidate is eliminated their vote will be cast for their second choice. *

- IRV helps give independent voters a say. (Not relevant in nonpartisan elections such as school board)*
- IRV in absentee overseas ballot would eliminate the problem of runoff ballots not getting to election officials by Election Day.
- IRV reduces the problem of voters splitting their votes between two very similar candidates*
- Third parties feel that IRV would help their party. It gives third parties a chance to vote their first choice rather than "spoil" the chances of their second choice. IRV is supported by both the National Green Party and the National Libertarian Party.
- Some experts maintain the IRV may discourage negative campaigns and encourage more issue-oriented campaigns because candidates will try to be a 2nd choice, if not first. These 2nd place votes can prove to be the margin of victory.
- IRV is cheaper; it eliminates the cost of a runoff. Arizonans have learned that runoff elections for statewide office can be expensive. In 1988 voters passed a referendum requiring runoff elections for state executive offices. But when the ensuing runoff for governor in 1990 ran up a tab of \$2,650,000. ¹ Voters had second thoughts, and in 1992 repealed the measure. LWVArizona is actively supporting IRV.
- IRV eliminates the problem of reduced turnout in delayed runoff elections.

*These Pros also are true of delayed runoffs.

Con

- The first thing most critics say of IRV is that the ballot is harder to mark than that for plurality voting, in which the voter just makes one 'X' or some equivalent one step process. [IRV offers voters the option of 'ranking' the candidates, but does not require it.] Any ballot that asks more of the voter, than the one step, can be problematic. Dovetailing with this is that IRV is more administratively complex.
- Critics of IRV also express doubts about the ability of voters to form second or third choices easily, especially for the lower profile elected offices.
- Several candidates have said that 'delayed runoff' elections allow candidates a "second chance" to either "re-invent" themselves or to square off more directly against their opponents.
- This is a new system and may be hard to understand, especially by minorities and those whose first language is not English. (San Francisco State University has done research with San Francisco's IRV elections and found that minorities and those whose first

¹ Cost of election supplied by the AZ Research Library. Figures taken from the Joint Legislature Budget Committee, Appropriations Report/ Actual for fiscal year 1991 (time of runoff).

language was not English did not have more trouble than non-minority population. All groups benefited from ballot education)

- Requires the expense of changing voting machines. (Fran Roach from the Oklahoma Election Board office has assured Dolores Martin that the new machines being ordered in Oklahoma would be flexible enough to allow for IRV without great expense.)
- Requires the expense of voter education, staff education and, when compared to plurality elections, additional ballot printing.
- Would require changes in state statutes and city charters. (Suzanne Broadbent and Judi Johnson reviewed state election statutes and found nothing that prohibited instant runoff elections. Their review concludes that while there is nothing in current law that prohibits the use of instant runoff voting (or rank voting) from being used, it is not likely to be used unless the law (O.S. 26 Sections 1-102.2 and 1-102.3) is amended to include instant runoff/ranked voting as an option.
- It could aid in electing candidates outside the two major parties (seen as destabilizing).

Discussion and Possible Concurrence

After reading these pros and cons discuss with members:

1. Is the principle of majority rule (versus plurality) an important principle for an election system to adhere to? Why or why not?
2. How much education of the electorate would be necessary if IRV/RCV were to work in Oklahoma?
3. Would IRV/RCV increase fairness in elections?
4. Do you anticipate that IRV/RCV would have a positive effect on voter participation?
5. Should IRV/RCV be used in local (city or school board) elections in OK?
6. Should IRV/RCV be used in statewide partisan primary elections in OK?
7. Should IRV/RCV be used for the statewide general November elections?

Please have a member take notes on the discussion and send the notes along with whether or not the local League wants the LWVOK to support or reject the concurrence.

From the results of the discussion do you concur with the following statement *based upon the wording of the consensus of the League of Women Voters of North Carolina, adopted May 31 2008?*

In accordance with the League of Women Voters' position of promoting political responsibility through informed and active participation of citizens in government, the LWVOK will support legislation that assures that the candidate preferred by a majority of voters wins the election.

Specifically the LWVOK will support instant runoff voting (IRV) for all statewide and local elections

This report was prepared by:

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Sources of information

Oklahoma State Elections Board
Web-site
Interviews with Paul Zeriax and Fran Roach
County Election Boards
Web-sites
Interviews with Election Board Secretaries
Fair Vote
Study Materials from
LWV Minnesota
LWV Washington
LWV Arizona
LWV California
LWV Florida
LWV North Carolina

Wikipedia

To: IRV Study Committee Members,
From: Judi Johnson

This email is to report that a review of the Oklahoma constitution, state statutes, and administrative rules related to instant runoff voting (IRV) has been completed. Thanks to Suzanne Broadbent, attorney and Oklahoma County League member, for her efforts in completing this review. The review concludes that while there is nothing in current law that prohibits the use of instant runoff voting (or rank voting) from being used, it is not likely to be used unless the law (O.S. 26 Sections 1-102.2 and 1-102.3) is amended to include instant runoff/ranked voting as an option.

If it appears our consensus will be to recommend Oklahoma use instant runoff voting, we suggest having a meeting with the State Election Board for their review of the issues/changes needed to implement IRV.

Judi Johnson
OKC League Member

From Dolores Martin:

Karen--Today I talked with Doug Sanderson about Oklahoma County elections. He is the County Election secretary.

Much of the information is the same as you got from your interview at Payne County.

Whoever calls the election pays for it. If several entities share an election date the cost is shared and prorated according to the size of each group in the election. He said that there is seldom a runoff in a School Board election. Actually there was one this year in Oklahoma City. One man dropped out before the runoff, but the ballots were printed, his name was on it, and the election had to proceed.

He said that Oklahoma City elections have few runoffs because their elections are nonpartisan. There is rivalry, but no one runs as a Democrat. or Republican. Of course, everyone knows who is what, but it does seem to keep things quieter. Our city is run by a city manager as opposed to Tulsa which has a strong working mayor and those running do so as candidates for a political party.

In the 2004 state primary election held on July 27 there was a 26% turnout; the runoff held August 24 where the voters chose one state senator and three state house candidates had an 18%

turnout. This doesn't necessarily mean there was less interest in the runoff. There were far fewer people involved in the choices. In contrast the November election had a 67% turnout. We were choosing a president.

In 2008 the July primary had an 11% turnout; the runoff a 12% turnout, but the November election again pulled 67% of the voters to the polls. There just weren't as many voters who had anything at stake or anyone to vote for in the runoff.

Sanderson also said that the percentages themselves weren't really accurate. They are skewed by the fact that any list of voters has people on it who have moved, died, or maybe need to be purged for non-voting. Keeping up to date on the voting lists takes time. He also said that as far as money goes, Oklahoma does not spend a lot of money on elections. We do not have to hire many observers and precinct workers to work at the polls and that keeps costs down. He was very cooperative and said that if we needed more information he would be glad to help.

Incidentally, the reason I talked to him instead of the city attorney: when I called the city attorneys office they told me they didn't have anything to do with elections. They referred me to the city action line. The people at the action line sent me to the County Election Board, saying that they kept all the records for any election in the county.

I hope this helps. If you need any more information I'll be glad to help.

- Note from Karen

In a conversation with Fair Vote staff I learned the governor of Maine was elected by a plurality of Republicans in the primary. Now some Republicans in the Legislature feel that if there had been a runoff the governor would be someone who better represents the majority of Maine Republicans and they are working on legislation for runoffs. The Maine League of Women Voters, having recently come to a consensus supporting IRV, is lobbying for instant runoffs.