

April 4, 2017

Chair and Members
Corporate Services Committee
City Of London

Re: Ranked Ballots – **VOTING SHOULD NOT BE A SKILL TESTING QUESTION**

At the municipal level, ranked ballots seem to be a solution looking for a problem. While there may be merits where there are political parties and a desire for proportional representation, it is unclear what compels London to move to ranked ballots.

Evidence from two US municipalities that have used this system, Minneapolis, MN and Cambridge, Massachusetts, indicates that few, if any, of the suggested benefits of Ranked Ballots will materialize. It is often cited that Ranked Balloting will always give a 50% + 1 winner. However, in the 2013 election in Minnesota, in two of the 13 council races and the race for Mayor, the victor **won with less than 50%+1. Ranked balloting is no guarantee of a “majority winner.”**

First, let me turn to the claims made for ranked ballots included in the materials distributed by staff at a poorly attended open house at the Medway Arena.

1. Reduces Strategic Voting - DISAGREE

I argue that ranked ballots **increase** strategic voting. In the days of two councillors in each ward, “plumping” your ballot by voting for only one candidate was possible and used frequently on the campaign trail. This also applied to voting for the four positions on Board of Control. Candidates can encourage their supporters to give an opponent a low rank as a strategic measure.

Under ranked balloting, it would be possible to urge a voter to only vote for you as #1 on the ballot. Or in the case where the voter is not favourably predisposed, you can always remind them, ‘you know, you can rank me as your second choice then.’ This is supported in a 2014 Master’s Thesis (Mauter, Erica L., "Ranked Choice Voting in Minneapolis 2013 Elections" (2014). *Master of Arts in Organizational Leadership Theses*. Paper 21. *St. Catherine University in St. Paul, MN.*) http://sophia.stkate.edu/maol_theses/21/

2. Reduces Negative Campaigning – IS THIS A PROBLEM IN LONDON?

While this may be the case in other jurisdictions, particularly American, I have not seen this as a problem in London.

3. The winning candidate may better reflect the desires of the majority of voters – MAYBE

There may be some merit in this. However, in the Minneapolis examples, the winning candidate has been the person with the most 1st place votes in all cases since it adopted Ranked Balloting. The use of Ranked Balloting has not changed the election outcomes.

4. Encourages more candidates to remain in the race – HAS NOT BEEN AN ISSUE IN LONDON

Not sure why this is even listed as a pro in favour of ranked balloting. Realistically, if you are not the first or second choice, it is unlikely you are going to win.

Now let's examine the reasons given in the City handout for opposing Ranked Ballots.

1. There is no proven and tested method of tabulating Ranked Choice ballots – TRUE

You are certainly looking at being a pioneer in this. I do not envy City staff having to find a vendor or having to write and test software internally to meet a hard deadline of the 2018 election. Do you feel lucky? The City of Minneapolis first moved to ranked ballots in 2009 after a 2006 referendum. Yet, for its 2009 election, they had to **hand count** the ballots.

2. Results could take longer to determine – TRUE, but may be a minor issue

Unless of course, you are hand counting the ballots. Or that the election is invalidated and a new election is required. While that may be a good thing for sitting councillors, it is not good for democracy.

3. Developing new technology and creating new ballots will raise the cost of the election – TRUE

However, if it improves something about democracy, it will be worth the cost. However, I repeat, what is the deficiency you are trying to fix?

LET ME EXPLORE POSSIBLE DEFICIENCIES THAT PROPONENTS HAVE CLAIMED RANKED BALLOTING WILL IMPROVE

IMPROVED VOTER TURNOUT – UNCLEAR THE WINNER ALWAYS GETS AT LEAST 50% plus 1 - NO

Based on data from Minneapolis and Cambridge, ranked balloting does not necessarily result in high voter turnout, nor does the winner always receive at least 50% plus 1.

If you really want 50%+1, go to a run-off election. However, I would point out that in cities where this is done, such as Chicago, the voter turnout in the run-off election falls dramatically.

Experience in the use of Ranked Ballots can only be sought outside of Canada. I cite two US examples. Keep in mind that in the US, voters are required to pre-register or register on election day, meaning the people who vote are already somewhat engaged because they have taken the positive step to register.

CAMBRIDGE, MASSACHUSETTS

Cambridge Massachusetts has had ranked ballots for 70 years. Voter turnout has declined since the 1980s (except for a bump in 2003). Voters do not directly elect a mayor and they vote every two years to fill 9 seats. <http://cambridgecivic.com/?p=3304>

MINNEAPOLIS, MINNESOTA

In Minneapolis, Ranked Balloting was introduced for its 2009 municipal election for all offices on the ballot. It was ratified by 65% of voters in a referendum (see wording in Appendix B) in 2006 that had a much higher turnout (120,000 votes) than the 2005 municipal election (only 30% of voters voted in 2005 – about 71,000 ballots cast) or the 2013 civic election. The decision was taken to court and finally approved in early 2009.

As in London, Minneapolis voters go to the polls every four years. A mayor is directly elected along with 13 Ward Councillors. Also on the ballot are Park Board, School Board, Board of Estimation and Taxation, as well as any ballot questions.

Importantly, unlike the proposal for London, all the positions are Ranked Ballot. In London, the School Board elections will not be by Ranked Ballot. This may result in voter confusion.

The main rationale for changing to ranked balloting in Minneapolis was to eliminate the primary election that preceded the general election. It was hoped that Ranked Ballots would reduce the power of the party machines by increasing the number of candidates. In this Minneapolis succeeded but London does not have the problem of party politics or primary elections.

Minneapolis adopted the new system in time for the 2009 city election. As proposed in London, voters are given the choice to rank up to three choices.

In 2009, Mayor R.T. Rybak was in the middle of an easy romp to his third straight victory – he won by 40 points – and hardly anyone noticed the change in election procedures. In fact, the voter turnout in 2009 was a mere 20%. (In 2005, it was 30%). Only two of the 13 Council races did not meet the 50% threshold on the first ballot. In both cases, the candidate with the most first places votes won.

In 2013, Mayor Rybak announced he was not going to run for a fourth term, throwing the door open to an avalanche of candidates. The 2013 voter turnout was 33%, still less than London. <http://theuptake.org/2014/11/25/special-report-ranked-choice-voting-the-minneapolis-experiment-2/>

A promise that Ranked Balloting upholds the principle of majority (50%+1) rule fell flat as the eventual winner of the Mayor's race (37 candidates started, two dropped out) under the system received 49.0%. The winner was declared in the 34th round after two days of vote tabulations. She was also the leader after the first round with 36.5% of the vote.

https://en.wikipedia.org/wiki/Minneapolis_mayoral_election,_2013
<http://vote.minneapolismn.gov/results/2013/2013-mayor-tabulation>

The eventual winner, Betsy Hodges, pointed out how Ranked Balloting increased candidates' efforts to get voters to vote strategically:

Ranked choice voting was just crucial in terms of our overall strategy and certainly crucial when it came to the end," she said. "And we had a ranked choice voting strategy from day one. I started asking for second choice votes from day one – and third choice for that matter, and the indignity of asking for a third choice vote wore off after a while because it was necessary - it was necessary in the end." (<http://theuptake.org/2014/11/25/special-report-ranked-choice-voting-the-minneapolis-experiment-2/>)

Of the 13 Minneapolis Council races in 2013, only three did not meet the 50% threshold on the first count. In all three cases, they were open seats. And in EVERY case, as in the Mayor's race, the person leading in the first round was the winner. **Significantly and contrary to the information on this topic on London's web site, in two of the three races, the winner did not achieve 50% + 1.** This is because some ballots become "exhausted."

(See Appendix A which summarizes the results of the 2009 and 2013 elections and explains how a ballot becomes exhausted).

Following the 2009 election, a business school professor at Hamline University in St. Paul, Minnesota was retained to do a review of the election and the impact of ranked order balloting. scorevoting.net/MinneapolisRCVreptJune2010.pdf

His conclusions:

- It is inconclusive whether RCV achieved its stated goals of increasing voter turnout, encouraging more candidates to run, or promoting more support for third party candidates.
- While the City of Minneapolis saved money in not having to run a primary, the overall cost of the election increased because of the need to hand count ballots in the election and conduct public education.

- The City of Minneapolis generally did a good job in preparing for the implementation of RCV. It did that by developing a voter education program, creating a protocol for the hand counting, and providing training for election officials and judges. **(ed. Minneapolis has voter information in 11 different languages).**
- Based upon comparison to a previous election that looked at the number of spoiled ballots, there is no indication that voter confusion was a significant factor in the 2009 elections **(ed. It should be noted that all offices used ranked ballots which will not be the case in London as the School Boards will not be using Ranked Ballots).**
- Based upon a poll done for the City of Minneapolis by St. Cloud State University, voters in Minneapolis were generally pleased with RCV in 2009.
- Perhaps the single biggest criticism of the use of RCV in the 2009 elections was that some expressed concern that they did not know who won the election or the final results on election night.

*“While the 2009 elections did not produce any significant surprises or problems, that election may not have been a good test of RCV. The election had a low voter turnout of **21%** where most races, including that for mayor, were not that close or closely contested. Both of these factors may have made it easier to implement RCV than had there been close competitive elections with high turnout. “*

APPENDIX A – MINNEAPOLIS, MN CITY ELECTION RESULTS, 2009 AND 2013 BY WARD *(shaded refers to where newcomer beat incumbent)*

Ward	2009				2013			
	Seat open?	#running	Ranked vote #1 of winner	% on 2 nd RV	Seat open?	#running	Ranked vote #1	% on 2 nd RV
1	Y	5	50.3%			3	71.8%	
2		2	84.0%			2	78.7%	
3		5	65.9%			4	60.0%	
4		4	46.8%	52.7%		3	54.6%	
5		5	47.0%	52.1%	Y	4	40.3%	52.6%
6		6	52.8%			6	61.1%	
7		3	68.2%			0	80.5%	*
8		5	74.0%			0	84.2%	*
9		4	60.7%		Y	6	37.3%	47.6%#
10	Y	4	72.2%			4	62.4%	
11	Y	3	63.6%			3	63.5%	
12		4	64.3		Y	5	52.1%	
13		3	69.2		Y	5	41.4%	48.4%#

*write-ins, over and under votes are counted

Exhausted Ballots - If a voter uses all of his or her three rankings on candidates who don't have a chance of winning, that ballot will exhausted and not be a 'continuing' ballot. So it's possible that the winner may end up with a majority that is less than the majority of all voters who initially voted, but it is still a majority of continuing ballots. Because not all third choices are counted, the final winner can still have less than 50% + 1.

The instructions to voters on the Minneapolis web site read as follows:

“Rank your top three choices in the columns below, by moving from left to right. Your ballot will count for your 2nd choice only if your 1st choice is eliminated, and it will count for your 3rd choice only if your first two choices are eliminated.”

<http://vote.minneapolismn.gov/rcv/HOW-RCV-WORKS>

APPENDIX B – WORDING OF MINNEAPOLIS REFERENDUM ON RANKED BALLOT

A PROPOSAL TO USE INSTANT RUNOFF VOTING IN MINNEAPOLIS ELECTIONS

Should the City of Minneapolis adopt Single Transferable Vote, sometimes known as Ranked Choice Voting or Instant Runoff Voting, as the method for electing the Mayor, City Council, and members of the Park and Recreation Board, Library Board, and Board of Estimate and Taxation without a separate primary election and with ballot format and rules for counting votes adopted by ordinance? Yes / No

The Minneapolis Charter Amendment for Instant Runoff Voting passed 78,741 (64.95%) to 42,493 (35.05%).

Submitted by:
Sandy Levin
59 Longbow Road
London, N6G 1Y5