## STAFF REPORT

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| **Agenda Item:** |  | **Name:** | Brandi Vena |
| **Proposed No**.: |  | **Date:** | Updated February 11, 2019 |

**SUBJECT**

Ranked Choice Voting.

**BACKGROUND**

Ranked choice voting (RCV) is a system of voting that allows voters to rank all candidates for a single office in order of preference. If a candidate receives over 50 percent of the first choice preferences, that candidate will be declared the winner. If no one candidate receives over 50 percent of the first choice preferences, the candidate with the fewest first choice preferences is eliminated and voters who liked that candidate the best have their ballots instantly counted for their second choice preference. This process repeats and last-place candidates lose until one candidate reaches a majority and wins[[1]](#footnote-1).

When RCV is used to elect one candidate (instead of multiple candidates in a multi-member district) the result is similar to traditional runoff elections and, in those cases, the terms RCV and instant run-off voting are used interchangeably[[2]](#footnote-2). Because the analysis below pertains to elections for which only one candidate ultimately prevails the terms are comprehended interchangeably.

**SUMMARY**

***Where is it in use?***

Jurisdictions currently using RCV in primary and general elections include the following:

* Basalt, Colorado: Adopted in 2002 and will be used when three or more candidates run for mayor.
* Berkeley, California: Adopted in 2004 and has been used since 2010 to elect the mayor, city council and city auditor.
* Cambridge, Massachusetts: In use since the 1940s in multi-winner RCV form for the nine seat city council and six seat school board elected citywide. Multi-winner means the voting structure was used in a multi-member district. All nine seats for the city council in Cambridge are at-large positions.
* Carbondale, Colorado: Adopted in 2002 for mayor when there are three or more candidates.
* Minneapolis, Minnesota: Adopted in 2006 and used since 2009 in elections for 22 city offices, including mayor and city council in single winner elections and some multi-winner park board seats.
* Oakland, California: Adopted in 2006 and used since 2010 for a total of 18 city offices, including mayor and city council.
* Portland, Maine: Adopted in 2010 and first used in 2011 and 2015 for electing mayor.
* Maine: Adopted in 2016 and first used in June 2018 for all state and federal primary elections.
* San Francisco, California: Adopted in 2002 and used since 2004 to elect the mayor, city attorney, Board of Supervisors and five additional citywide offices.
* San Leandro, California: Adopted as an option in a 2000 charter amendment and used since 2010 to elect the mayor and city council.
* Santa Fe, New Mexico: Adopted in 2008 and used since March 2018 for mayor, city council, and municipal judge.
* St. Paul, Minnesota: Adopted in 2009 and used since 2011 to elect the mayor and city council.
* Takoma Park, Maryland: Adopted in 2006 and used since 2007 in all elections for mayor and city council.
* Telluride, Colorado: Adopted in 2008 and used since 2011 to elect the mayor when three candidates run, as in 2011 and 2015.

The following jurisdictions have adopted RCV and are awaiting implementation:

* Amherst, Massachusetts: Adopted in charter in 2018 with projected first use in 2021.
* Benton County, Oregon: Adopted by voters in 2016 for elected county offices including sheriff and county commissioner. It will be used in 2020.
* Las Cruces, New Mexico: Adopted by the city council in 2018 for all municipal elections beginning in 2019.
* St. Louis Park, Minnesota: Adopted in 2018 for municipal offices including mayor and city council. It will be used in 2019.
* Memphis, Tennessee: Adopted by voters in 2008 and approved again by voters in 2018. It will be used in 2019.

Jurisdictions using RCV for runoffs include:

* Arkansas: Adopted in 2005, first used 2006, and was extended to all local runoffs in 2007.
* Alabama: By agreement with a federal court, used in special election for U.S. House, 2013; became law for all federal primary runoffs in 2015.
* Louisiana: Adopted and used since the 1990s for state and federal general election runoffs; also includes out of state military voters.
* Mississippi: Adopted in 2014 for use in federal runoffs.
* South Carolina: Adopted and first used in 2006 for state and federal runoffs.
* Springfield, Illinois: Adopted in 2007 and used since 2011.

Finally, the following jurisdictions have adopted the voting structure as options but are awaiting implementation or other contingent measures before its use:

* Davis, California: Adopted in 2006 as an advisory referendum for fair representation form of RCV and awaiting state law change.
* Ferndale, Michigan: Adopted by voters in 2004, awaiting implementation readiness.
* Santa Clara County, California: Approved in charter by voters as option in 1998.
* Sarasota, Florida: Adopted by voters in 2007, awaiting implementation readiness.
* Utah: Several cities in 2018 acted to make RCV an option in 2019.
* Vancouver, Washington: Approved in charter by voters as an option in 1999, but it is not required to be used[[3]](#footnote-3). It is currently still an option under the city charter.

***Is there an impact on underrepresented populations?***

A 2016 study which analyzed the candidates running for office after the implementation of RCV in the cities of San Francisco, Oakland, Berkeley, and San Leandro, California found that the voting structure increased “descriptive representation for women, people of color, and women of color[[4]](#footnote-4).” Descriptive representation is the idea that a body of elected representatives should reflect the outward characteristics, such as such as occupation, race, ethnicity, or gender, of the populations they represent.

The study analyzed races in 11 California cities for various city-wide elected positions between 1995 and 2014, including the four California cities that implemented RCV and seven cities that did not implement the new structure but were similar in population size, racial makeup, and income. The seven non-RCV cities were Alameda, Anaheim, Richmond, San Jose, Santa Ana, Santa Clara, and Stockton, California[[5]](#footnote-5). The study measured the percentage of candidates who were women, people of color, and women of color as well as the percentage of winners who identified with those categories.

In a section of the study that did not control for differing characteristics of the cities, such as gender and racial demographics, median household income, education levels, partisanship, and others, researchers found the following:

* Although the percentage of female candidates running for election declined slightly after the implementation of RCV in the cities that had adopted it, the overall percentage of female candidates running for election was higher and declined less in those cities versus non-RCV cities;
* The percentage of candidates of color for elective office increased by five percentage points, and the percentage of female candidates of color increased by three percentage points, once RCV was implemented;
* The percentage of elective offices won by women increased slightly after implementation of RCV, while the percentage of elective offices won by women decreased over the same time period in cities that did not implement RCV; and
* The percentage of people of color winning elective office increased more than 18 points after implementation of RCV while the increase was three points over the same time period in cities that did not implement RCV[[6]](#footnote-6).

These findings were more pronounced for open seat races than in races where an incumbent ran.

In a section of the study that did control for the above-mentioned differing characteristics of the cities researchers found:

* Over time, there was a 26 percent increase in the probability of women being elected to office in cities that had adopted RCV and a 28 percent decrease in probability of the same outcome in non-RCV cities;
* Over time, the predicted probability of a woman of color being elected to office remained at 21 percent in RCV cities but declined from 19 percent to six percent in non-RCV cities; and
* There was a 5 percentage point increase in the percentage of female candidates of color running for office in RCV cities[[7]](#footnote-7).

***Is it legally allowable in Washington State?***

Under the King County charter, “the nominating primaries and elections for the offices of King County executive, King County assessor, King County council and King County prosecuting attorney shall be conducted in accordance with general law governing the election of nonpartisan county officers.[[8]](#footnote-8)”

Washington State law requires that primaries be held prior to a general election for partisan offices. Primaries can also be held for non-partisan offices except where two or fewer candidates have filed for the position[[9]](#footnote-9). In the primary, the names of all candidates that file for office generally will appear on the primary ballot, with the top two candidates advancing to the general election[[10]](#footnote-10).

State law does not prohibit the implementation of RCV by local jurisdictions; in 2006 Pierce County voters approved an amendment to the county charter authorizing RCV and the measure was subsequently implemented in the 2008 and 2009 general elections for county officers. The authorization was later repealed by the voters in 2009[[11]](#footnote-11). Additionally, City of Seattle voters could see a charter amendment on the ballot related to the adoption of RCV in 2019[[12]](#footnote-12).

Two bills were introduced during the 2018 state legislative session that would have expanded the use of RCV in the state. House Bill 2746 and Senate Bill 6402 would have allowed local jurisdictions to eliminate the primary for any partisan or nonpartisan single or multiple position office and would have allowed the governing body of a local jurisdiction to authorize a proportional voting system for any office with multiple positions[[13]](#footnote-13). Neither bill ultimately advanced through the legislative process.

***Update since January 23, 2019 meeting:***

The Charter Review Commission requested staff to do additional research on the question of whether RCV increases access to voting and on the differences between tabulation methods and ballot formats related to the structure.

1. Access to voting.

There were no studies found measuring voter access in relation to adoption of RCV. However, researchers found in a 2016 study that, while RCV did reduce the substantial drop typically found in voter participation in local primary and runoff elections in municipal elections, it did not appear to have a significant effect on voter turnout and ballot completion in general. The study was conducted comparing jurisdictions using RCV and those using plurality voting, both before and after RCV was adopted. A case study conducted by the same researchers in the city of Minneapolis also found no evidence that RCV lessened socioeconomic and racial disparities in voter participation[[14]](#footnote-14).

1. Tabulation methods.

There are different tabulation methods used under the umbrella term of RCV. Methods used include instant runoff voting (IRV), single transferable voting (STV), Condorcet voting, and Borda count.

1. IRV is a system of counting votes in which the ballots are counted in rounds simulating a series of runoffs until two candidates remain or until one candidate has a majority of all votes counting in that round. The candidate having the greatest number of votes is declared the winner.
	1. Positive attributes of IRV include that the voter only has to vote once and, because eliminations occur one-by-one, it ensures the strongest candidates are advancing, especially in cases where the second and third place candidates are close.
2. STV is a system often used for electing a group of candidates. Its structure is similar to IRV but it also has a second type of vote transfer which is used in situations where the purpose of the election is to establish proportional representation and a winning threshold has been established. Where a winning threshold has been established and a candidate received votes in excess of that threshold the surplus votes can be transferred to another candidate.
	1. Where an election is meant to establish truly proportional representation, say between political parties, STV is thought to be the best tabulation method.
3. Condorcet voting elects a candidate who beats all other candidates in pairwise elections. For example if there is a candidate A and a candidate B, if A is ranked higher than B on a majority of ballots, then A beats B, otherwise B beats A. The candidate who beats all other candidates in this way is the winner.
	1. A weakness of this tabulation method is that there is a possibility that no one candidate beats all other candidates when paired against each. There could be a tie at which point another type of voting would need to be used to break the tie[[15]](#footnote-15).
4. Borda count allows voters to rank each candidate, with their favorite at number one, but the votes are not transferable. The rankings are then turned into points. Candidates ranked last score one point, two for being next-to-last and so on. Points are added and the candidate with the most points is the winner[[16]](#footnote-16).
	1. This tabulation method is best used when there are a large number of candidates, the number of voters is relatively small compared to the number of candidates, or you need to rank all of the candidates instead of just picking a winner[[17]](#footnote-17).
5. Ballot formats.

The Center for Civic Design drafted a report in 2017 that presented best design practices for ranked choice voting ballots and instructions[[18]](#footnote-18). After testing four styles of paper ballot, the report found the following:

1. Ballots with a limited number of rankings to fit into a three-column optical scan layout, including ranking three (in one row) and six (in two rows), tested the best because the layout made it easier for voters to see the boundaries of each contest on a single row[[19]](#footnote-19).
2. Ballots with repeated blocks of candidates laid out in newspaper columns so that any number of candidates can be ranked tested the worst because it made it easier for voters to mistakenly vote for the same candidate twice[[20]](#footnote-20).
3. Paper ballots with a grid ranking were liked by test voters when spaced properly; however, it can become overwhelming where there are a large number of candidates[[21]](#footnote-21).
4. Paper ballots with handwritten rankings also tested well, although some test voters made mistakes by marking an “X” in the box in which the voter was supposed to have written the ranking[[22]](#footnote-22).

Finally, there have been other developments related to RCV since the last meeting of the commission: two bills have been introduced during the 2019 Washington State legislative session related to vote tabulation methods as options for local governments. Senate Bill 5708 and House Bill 1722 would allow certain local jurisdictions, including counties, to use ranked choice voting as a vote tabulation method in elections where there are more than two candidates competing. The bills would allow a local jurisdiction using ranked choice voting to eliminate the primary[[23]](#footnote-23). Neither bill has been scheduled for a hearing.

The King County Charter Review Commission has the following options going forward:

1. Take no action;
2. Direct staff to draft a ballot proposition that would amend the county charter by creating the option for the county to use RCV as a voting method; or
3. Direct staff to draft a ballot proposition that would amend the county charter by giving the King County council the option of putting forth its own ordinance to create an RCV voting method.
1. URLs: [www.fairvote.org](http://www.fairvote.org); [www.rcvmaine.com](http://www.rcvmaine.com) [↑](#footnote-ref-1)
2. URL: <http://www.ncsl.org/research/elections-and-campaigns/alternative-voting-systems.aspx> [↑](#footnote-ref-2)
3. <https://www.fairvote.org/rcv#where_is_ranked_choice_voting_used> [↑](#footnote-ref-3)
4. Sarah John, Haley Smith, and Elizabeth Zack, *The Impact of Ranked Choice Voting on Representation: How Ranked Choice Voting Affects Women and People of Color Candidates in California,* 1 (July 2016), available at <https://fairvote.app.box.com/v/RCV-Representation-BayArea> [↑](#footnote-ref-4)
5. *Id*., at 17. [↑](#footnote-ref-5)
6. *Id*., 18-22 [↑](#footnote-ref-6)
7. *Id*., 23-24 [↑](#footnote-ref-7)
8. [Section](https://kingcounty.gov/council/legislation/kc_code/03_Charter.aspx) 610 of the King County Charter [↑](#footnote-ref-8)
9. [RCW 29A.52](https://app.leg.wa.gov/RCW/default.aspx?cite=29A.52) [↑](#footnote-ref-9)
10. *Id*. [↑](#footnote-ref-10)
11. Dee Anne Finken, Clark County proponents say ‘yea’ to ranked-choice voting, The Columbian, December 2, 2018, <https://www.columbian.com/news/2018/dec/02/clark-county-proponents-say-yea-to-ranked-choice-voting/> [↑](#footnote-ref-11)
12. Daniel Person, Effort Afoot to Bring Ranked-Choice Voting to Seattle, Seattle Weekly, September 21, 2017, <http://www.seattleweekly.com/news/effort-afoot-to-bring-ranked-choice-voting-to-seattle/> [↑](#footnote-ref-12)
13. URL: <http://lawfilesext.leg.wa.gov/biennium/2017-18/Pdf/Bill%20Reports/House/2746%20HBA%20SEIT%2018.pdf> and URL: <http://lawfilesext.leg.wa.gov/biennium/2017-18/Pdf/Digests/Senate/6402.DIG.pdf> [↑](#footnote-ref-13)
14. David C. Kimball and Joseph Anthony, *Voter Participation with Ranked Choice Voting in the United States*, (October 2016), available at <http://www.umsl.edu/~kimballd/KimballRCV.pdf> [↑](#footnote-ref-14)
15. URL: <https://www.opavote.com/methods/ranked-choice-voting> [↑](#footnote-ref-15)
16. URL: <https://www.electoral-reform.org.uk/voting-systems/types-of-voting-system/borda-count/> [↑](#footnote-ref-16)
17. URL: <https://blog.opavote.com/2017/03/why-we-love-borda-count.html> [↑](#footnote-ref-17)
18. Whitney Quesenbery and Taapsi Ramchandani, *Best practices for ranked choice voting ballots and other materials* (February 28, 2017), available at <https://www.fairvote.org/rcv_ballot_design> [↑](#footnote-ref-18)
19. *Id*., 48-49. [↑](#footnote-ref-19)
20. *Id*., at 50. [↑](#footnote-ref-20)
21. *Id*., at 51. [↑](#footnote-ref-21)
22. *Id*., at 52. [↑](#footnote-ref-22)
23. URL: <https://app.leg.wa.gov/billsummary?BillNumber=5708&Year=2019&Initiative=false> [↑](#footnote-ref-23)