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- Traditional two-round runoff elections provide one solution, but create problems for campaign financing, voter turnout and election administration costs.
- Instant runoff voting (IRV) is a well-tested voting method designed to ensure that winners have majority support without the need for a second runoff election.
- IRV has been approved for use by voters in several major cities, including San Francisco, and has the endorsement of such political leaders as Howard Dean and Jesse Jackson Jr.
- Most voting equipment needs modifications to run IRV elections; the time to seek those modifications is now, *before* contracts for new machines are signed, not in post-contract negotiations where for-profit voting equipment vendors historically over-charge millions of dollars for modifications.

Every year, millions of American voters are effectively disenfranchised in elections where candidates who are strongly opposed by a majority of voters end up winning office, because two or more candidates representing ideologically similar groups of voters divide their support. A classic example was in 2000, when the combined vote for Al Gore and Ralph Nader was a majority nationally and in Florida. Despite a majority of the nation voting left-of-center, the resulting President was right-of-center, triggering the all-too-common debate about "spoilers" in elections. Our antiquated plurality voting rules are the real spoiler whenever three or more candidates run. They create a perverse twist: voting for your favorite candidate can lead to the election of your least favorite candidate. Providing the means to express one's real views and ensuring majority rule are basic requirements of democracy. The plurality voting system now used often results in the disenfranchisement of the ideological majority.

Traditional runoff elections provide one solution, but create problems for campaign financing, voter turnout and election administration. Runoff elections have long played a key role in all levels of American politics. In what we call "conditional runoffs," all candidates face off in an initial round of voting. If one candidate receives a particular threshold of support (usually an absolute majority of valid votes, but sometimes lower, such as North Carolina's 40% requirement), that candidate is declared the winner. If no candidate reaches this threshold, the two candidates with the most votes advance to a second, decisive runoff election. In "unconditional runoffs," as common in many nonpartisan elections, the top two candidates advance to a second round of voting regardless of the outcome in the first round. The goal of runoffs is democratic, but the means is awkward. Candidates must raise a second round of campaign cash. Voter turnout often drops steeply in one of the rounds of voting, typically the final decisive round. Election administration costs are high.

Instant runoff voting (IRV) is a well-tested voting method designed to ensure that winners have majority support without the need for a second runoff election. Rather than voting for a single candidate, voters may rank candidates in order of choice. These rankings allow votes to be redistributed from eliminated candidates to remaining candidates until a majority winner is determined. Invented by an American, recommended in Robert Rule's of Order and used for national elections in Ireland and Australia and for nominating candidates at Utah Republicans' state conventions, IRV is a sensible option in federal primary and general elections, as it will elect a majority choice even when there are

than two candidates. The case for IRV is clearest as an alternative to traditional runoffs because it eliminates their voter turnout disparities and administrative costs and burdens; Louisiana and Arkansas already use IRV ballots for overseas military voters in many runoffs.

IRV has been backed by voters in several cities, including San Francisco, and has the endorsement of such leaders as Howard Dean and Jesse Jackson Jr. The case for IRV gained new momentum that led to three state pro-IRV laws in 2005 after San Francisco's highly successful IRV elections in 2004. In an exit poll only 13% of voters preferred the old runoffs and that voters of all races and ethnicities handled IRV ballots well. Winners received far more votes than they would have won under the old law, while several major media outlets commented on how IRV led to less negative campaigning. These results help confirm several arguments made for IRV:

- IRV eases burdens on election administrators by eliminating an unnecessary election and allowing them to focus resources on fewer races. Runoffs are costly, with a \$12 million price tag in a city like New York. IRV likely will save San Francisco more than \$15 million over the coming decade.
- IRV maximizes turnout. Turnout dropped in all but two federal primary runoffs between 1994 and 2004, with an average decrease of 34%. Former Arkansas Secretary of State Sharon Priest in 2002 recommended IRV for her state's judicial elections to boost turnout.
- IRV cuts campaign costs. A legislator testifying to Congress in 1985 said, "Elections under the runoff provision are like a gun fight at the OK-Corral. By the time you shoot your way through the first election, you're all out of ammunition – with another election to go just for the nomination."
- IRV elections are less negative and polarizing than runoffs. 2001 mayoral elections in Los Angeles, New York and Houston are examples of how conditional runoff can increase racial tensions.

These voting equipment modifications also allow for other democratic voting methods, particularly the choice voting method that is an ideal way to elect more people of color and women without legal problem associated with race-conscious districting where racial minorities are dispersed.

Most voting equipment needs modifications to run IRV elections; the time to seek those modifications is now, before contracts for new machines are signed, not in post-contract negotiations where for-profit voting equipment vendors historically over-charge millions of dollars for modifications. Federal standards [Volume 1, Section 2.2.8.2] require voting equipment vendors to report on the compatibility of their equipment with IRV. Now some counties and states are moving to require vendors to be ready to run IRV elections; in California, for example, Alameda, Mendocino, Santa Clara counties all required machine compatibility with IRV in recent request for proposals, and the state's Help America Vote Act committee strongly urged vendors to provide IRV-ready equipment. States should require vendors by 2008 to meet a clearly defined standard for being ready to run IRV elections. Voting equipment should have to store ballot images of each voter's rankings and either prevent voters from casting invalid votes (overvote, skipped ranking, listing the same candidate more than once) or notify voters of errors). All the major vendors can run ranked voting elections, but none have made it part of their basic system. Failing to require them to do in your state *before* contracts with machine vendors are signed will mean that instant runoff voting will effectively be *blocked* from being implemented by prohibitive costs. Given the federal government's one-time grants of money to states to upgrade equipment, many states and counties are making purchases now. Groups backing these modifications include Common Cause, the Lawyers' Committee for Civil Rights, the National Asian Pacific American Legal Consortium, Demos and the Puerto Rican Legal Defense and Education Fund. The time to secure public interest voting machines is now.

For more information, visit www.fairvote.org/machines
