

DRAFT MEMO

TO: Prospective Burlington Mayoral Candidates
FROM: Jo LaMarche, Assistant City Clerk and Director of Elections
DATE: January 3, 2006
RE: Information about new voting system

In March 2005, the people of Burlington adopted a new voting system for mayor: instant runoff voting (IRV). Since some of you may be developing campaign strategies or literature prior to the January 30 petition deadline I am writing to all prospective candidates for mayor I am aware of now, rather than waiting until your candidacy is official. I am writing for several reasons:

1. To invite you to attend a presentation for prospective candidates and campaigns on IRV at City Hall on **<January XX, 2006>**;
2. To describe how the new system works, including how voters fill out ballots, how votes are tallied, and how the election is administered;
3. To offer some information about campaign strategies under IRV;
4. To provide information about campaign materials that have been used in places that use IRV and IRV-like systems; and
5. To provide you with some early drafts of educational materials including a lengthy FAQ (frequently asked questions) list with answers and a graphic that shows voters how to mark their ballot.
6. To invite you to contact my office if you have any questions about the new system.

Below I expand on each of these points.

1. Your campaign is invited to attend a presentation for candidates and campaigns on IRV at City Hall on **<January XX, 2006>**;

The short presentation will allow lots of time to ask election officials about any aspect of the IRV election.

There will be a test election that the public is invited to participate in and observe on **<January XX, 2006>**. Members of the public will have the opportunity to fill out actual ballots, feed them into the scanners, and observe the uploading of election data and the tallying of IRV results.

2. Voting in, tallying and administering IRV elections

a. How voters fill out ballots

On the ballot, voters get to rank candidates in order of choice. They mark their 1st choice by filling in the oval in the 1st choice column next to their favorite candidate, their 2nd choice by filling in the oval in the 2nd choice column next to their 2nd choice candidate, and so on. Voters are free to rank as many or as few candidates as they like, but they are not allowed to mark more than one candidate in a column or more than one choice in a row. (see the enclosed "Do, Do NOT" graphic)

Voters have incentive, however, to continue ranking candidates until they are indifferent about the remaining candidates. Ranking more candidates cannot hurt a voter's favorite choice. Instead, it serves to preserve that voter's power in the event that her favorite choice is eliminated in an instant runoff.

b. How ballots are tallied

First, the number of first choices received by each candidate is tallied. If one candidate is the first choice of a majority (over 50%), that candidate is elected. However, if no candidate receives an initial majority, an instant runoff count is done. The candidate with the fewest votes is eliminated, and all ballots are recounted by computer as one vote for the highest-ranked candidate on the ballot who is still in the race. The process of eliminating candidates and recounting the ballots continues until two candidates remain. This procedure takes less than a minute using Choice Plus Pro software, but it can also be done manually or on any spreadsheet program. Once there are only two finalists, the one with the most votes is then declared elected.

c. How the election is administered

The voting equipment and the basic form of the ballot have not changed: voters fill out paper ballots and feed them into an optical scan voting machine called the Accu-Vote, which Burlington has used since <1988?>.

When voters receive their ballot they will also receive a one-on-one explanation of how to use the IRV ballot. The Accu-Vote tabulator will be programmed to notify voters if they make errors on the ballot and give the voter the opportunity to correct the error. In the IRV race for mayor, if a voter picks two or more candidates for a particular choice or ranks the same candidate more than once, the Accu-Vote will return the ballot to the voter, display a message describing the error, and give the voter the opportunity to change the vote, fill out a new ballot or submit the ballot "as is."

Each voter's ranking will be stored on a memory card in the Accu-Vote. At the close of polls, the tabulators and memory cards will be transported to city hall, where the data on the memory cards will be read into the election software. At that point, a report will be generated that shows 1st choice totals for mayor and results in all other races (candidate races and ballot questions.)

The copies of the ballot images from each precinct will be copied on to a floppy disk, and the data will be transferred to a personal computer with IRV tallying software. Copies of the ballot images and software will be available to any Burlington resident. That software will tally all votes according to Burlington's election rules and produce a round-by-round report of vote totals for all candidates until just two candidates remain, with the one receiving the most votes being elected.

3. Some information about campaign strategies under IRV

This office is not normally in the business of providing campaign advice. But since we are all entering an unfamiliar landscape, we have assembled some generic advice from experts who are familiar with IRV elections in San Francisco and a related ranked ballot system used in Cambridge, MA. You may find the following advice useful, but you are wholly responsible for how you use the information. You are free to use any legal strategy that you like.

a. Winning an IRV election requires either:

1. At least 50% of the first choices, or
2. In the event no candidate is the first choice of a majority, resulting in an instant runoff tabulation, receiving one of the top numbers of first choices, and enough 2nd and lower choices from voters who preferred defeated candidates, to get and/or stay ahead of all other candidates until there are just two candidates left and the election count is over.

Thus, successful candidates will gain a large number of 1st choices but also be ranked 2nd or 3rd on enough ballots from voters who preferred losing candidates to hit 50%. An important question to ask yourself is, “How can I get 2nd and 3rd choice votes from people who rank other candidates as a 1st choice?”

b. Candidate advice

You need 1st choices, so don't just say “vote” for candidate X, as voters may consider that they have voted for you if they rank you 2nd or 3rd. While a candidate may indeed need some second and lower rankings in order to ultimately win, it is first preferences that are the main determinant of which candidates get into the final runoff count. Second and third preferences MAY be necessary, but FIRST preferences are ALWAYS essential. You should say “Rank Candidate X #1,” or “Give your 1st ranking to candidate X.” Note the photos below of campaign posters from Cambridge, MA, which has used a related voting method with rank-choice ballots since the 1940s. They urge voters to rank that candidate number 1 (see enclosed campaign poster photos). With IRV it is impossible for a candidate to win with just second choices ... even if every single voter ranks that candidate second, he or she cannot win.

If you're not certain you can win by receiving over 50% of the 1st choices, pursue 2nd and 3rd choices by reaching out to supporters of your opponents. Be creative: there's no magic formula for this.

c. Why “bullet voting” can't help your election (and why it doesn't hurt you if your supporters rank other candidates 2nd or 3rd)

Some candidates may have the mistaken impression that if their supporters rank a second or third choice, this might somehow dilute the strength of that voter's first preference or somehow hurt the chances of that favorite candidate getting elected. That dynamic CAN happen under SOME voting methods that use rank-choice ballots (such as Borda). But that is not the case with instant runoff voting (IRV). With IRV, ranking alternate choices can never hurt the chances of the first choice marked on the ballot.

If a voter has ranked you first, that ballot will ONLY count as a vote for you and provide no benefit to any other candidate, as long as you have any chance of being elected. The alternate choices marked on a ballot are ONLY considered IF you, as their first choice candidate, have already been eliminated and are not in the runoff count. If you have been eliminated, it obviously can't help or hurt you if your supporters ballots indicate alternate choices for the runoff count.

d. Why urging voters to “bullet vote” may hurt your chances

You will need a lot of first choice rankings to win outright, or to make it into a runoff count. However, if there is a runoff count (meaning no candidate got 50%), you will also need the second or even third choice rankings from voters who preferred another candidate as their first choice. If your campaign urges your supporters NOT to rank alternate choices, you run the risk of discouraging voters who support those other candidates from ranking YOU as an alternate choice as well – a sort of natural quid pro quo retaliation.

Some campaigns may see a strategic value in actively encouraging voters to rank a particular other candidate second as a way of suggesting that supporters of THAT candidate might be wise to rank YOU as their second choice. Such “you-scratch-my-back-I scratch-yours” strategic alliances are common in nations using IRV. However, even if no such alliance is agreed to, a campaign would be wise to not risk insulting their supporters by asking them to throw away their runoff votes (the effect of not ranking back-up choices).

e. Every voter gets one vote, and no more, with IRV.

Some people who do not fully understand IRV suggest it gives some voters two votes, but not others. This is false. Each voter has one vote that counts for one candidate in each round of counting.

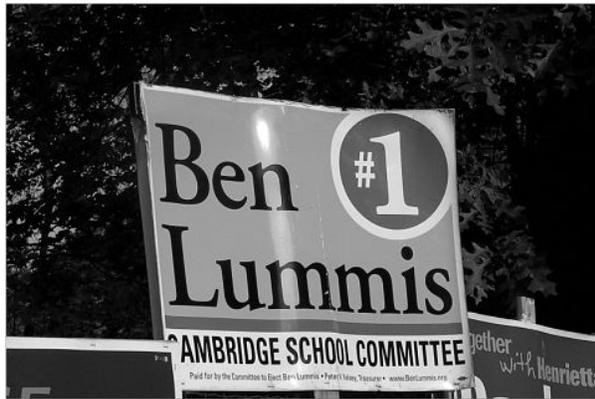
Here is the explanation the judge in Michigan wrote in his decision upholding IRV (called Majority Preference Voting or MPV) there:

"Each voter has the same right at the time he casts his or her ballot. Each voter has his or her ballot counted once in any count that determines whether one candidate has a majority of the votes. . . .

"Under the 'M.P.V. System' [IRV], however, no one person or voter has more than one effective vote for one office. No voter's vote can be counted more than once for the same candidate. In the final analysis, no voter is given greater weight in his or her vote over the vote of another voter, although to understand this does require a conceptual understanding of how the effect of a 'M.P.V. System' is like that of a run-off election. The form of majority preferential voting employed in the City of Ann Arbor's election of its Mayor does not violate the one-man, one-vote mandate nor does it deprive anyone of equal protection rights under the Michigan or United States Constitutions."

4. Information about campaign materials that have been used in places that use IRV and IRV-like systems:

In Cambridge, Massachusetts, which uses a ranked ballot system similar to IRV, every campaign sign has the numeral, '1,' on it to ask people for their 1st choice ranking. Here are some examples from the November 2005 municipal elections:



Because the idea of ranking candidate is new to Burlington voters but has been used in Cambridge for over 50 years, you may wish to remind voters on your campaign literature to rank candidates and to show them how it will look on the ballot. This office will provide each candidate with a graphic that you can use in your own campaign literature that has a sample ballot with your name having a first choice oval filled in.

You want people to rank you #1, and if they won't do that, to rank you #2, or even #3. "I want your #1 ranking. But if you are committed to another candidate, please consider giving me your #2 ranking"

You may wish to publicly disclose your personal #2 and #3 rankings or even explicitly request supporters of those candidates to rank you as #2 or #3.

5. Please contact my office if you have any questions about the new system.

Enclosed you will find:

- a. A list of questions and answers about IRV. This information is posted on the city's web site, with an easy to remember web address of www.BurlingtonVotes.org
- b. An early draft of an educational poster that explains to voters how to mark their IRV ballot, using "Do" and "Do NOT" graphics.

6. Please contact my office if you have any questions about the new system.

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Enclosures: Frequently asked questions
How to vote graphic