Testimony to 2019 NYC Charter Revision Commission
On Ranked Choice Voting in Elections

May 9, 2019

Good evening, Chair Benjamin and members of the 2019 Charter Revision Commission. My name is Tom Speaker, and I am a Policy Analyst at Reinvent Albany. Reinvent Albany is a watchdog organization that advocates for open and accountable government in New York.

Reinvent Albany urges the Commission to propose a robust Ranked Choice Voting process in New York City. One state and eleven cities, including San Francisco and Minneapolis, already have Ranked Choice Voting, and it is proven and effective. New York City voters should have the same opportunity to have their preferences known.

We believe a robust Ranked Choice Voting process will:

- Apply RCV to all offices.
- Apply RCV to all elections.
- Limit the number of rankings on the ballot to three.
- Implement an instant runoff rather than a hybrid version of RCV.

RCV means a more representative democracy
Reinvent Albany supports RCV for many reasons: RCV will save voters millions of dollars by sparing them the cost of a runoff election. It may reduce polarization by encouraging candidates to run more positive campaigns. We believe that RCV's greatest benefit is that it creates a democracy in which more voters have a say in who becomes their elected representative.

Ideally, in a democracy, an elected official represents the will of the maximum possible number of individuals in his or her constituency. But under our current voting model, a small plurality is empowered to select a candidate. We've seen this in numerous cases in New York City: In the 2013 primaries, out of 51 Democratic races with 20 open seats,

eight candidates won their primaries with less than 40% of their vote.[1] In the 2017 Democratic primaries, four out of 10 open seats were won by candidates with less than 40% of the vote.[2] In those races, the winning candidate was not the first choice of more than 60% of voters. If those 60% of voters were allowed to state their second or third choice, the winning candidate would better reflect the wishes of more of the electorate and voters will feel more included in an election's final outcome. Implementing RCV is particularly important given that 35 City Council seats will be open in 2021. As an increasing number of citizens are running for office, it is likely that many Council races will be multi-candidate.[3]

Apply RCV to all offices
Reinvent Albany believes Ranked Choice Voting should be applied to every city office: City Council races, Borough President races, Public Advocate, Comptroller, and Mayor. Some have proposed only applying RCV to citywide races, as this would help the city avoid the downsides of runoff elections, which cost the city millions and tend to have much lower turnout than in general elections. RCV is certainly relevant to citywides, but it's arguably even more relevant to local primaries: In the 2013 elections cited earlier, 11 of the Democratic races had 5 or more candidates. This suggests that Ranked Choice Voting is just as applicable, if not more so, to Council and Borough President races.

Apply RCV to all elections
Reinvent Albany also supports implementing Ranked Choice Voting across all elections. Though general elections tend to feature smaller pools of candidates, the benefits of RCV for primary elections also apply to general elections. For example, party nominees in a general election will be encouraged to reach out beyond their party to appeal more broadly to voters. Limiting RCV to special and primary elections also appears to reinforce a two-party system – voters are often reluctant to support a third party for fear of spoiling the election, thus are more likely under the current system to vote for a candidate from the two major parties.

Some have raised concerns about fusion voting and the general election. We believe the City clearly has the authority to create a ballot which conforms with its legal right to

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[1] http://www.nyccfb.info/PDF/per/2013_PER/2013_PER.pdf

[2] https://cityandstateny.com/articles/politics/campaigns-and-elections/new-york-city-2017-primary-election-re sults.html

[3] https://www.washingtonpost.com/news/monkey-cage/wp/2018/10/17/in-the-2018-midterms-many-more-pe ople-are-running-and-far-more-seats-are-contested-than-weve-seen-for-a-generation/?utm_term=.8167aa dd8e3c

establish the mode of selection of its officers under the Municipal Home Rule Law. The City has designed ballots for nonpartisan special elections, and it can design ballots that accommodate Ranked Choice Voting and fusion voting. We have seen no evidence presented that forbids the City from designing ballots and do not believe this is a valid excuse for opposing the adoption of RCV.

Finally, limiting RCV to specials and primaries would be counterproductive. Asking voters to use different voting systems for different offices and elections fosters confusion.

Limit the number of rankings

Ranked Choice Voting will be a significant change for New York City, and to ensure the new ballot process does not overwhelm voters, the Charter Commission should allow voters to rank a maximum of three candidates.

One consistent theme in RCV ballot design research is that new RCV voters favor simplicity. A 2017 study by the Center of Civic Design for FairVote and the Ranked Choice Voting Center gave voters the option of using a Rank 3 system, a Rank 6 system, a grid system, or hand-written ballots. Among the optical-scan ballots, voters overwhelmingly preferred to rank three.[4] More recent research from the Center suggests voters are open to ranking 5 to 8 candidates.[5] Reinvent Albany believes in the early going, it is better to be on the safe side, and limit the number of choices to three. In future elections, the number could be raised, but keeping the system simple in its initial stages will help ensure its future success.

We strongly oppose the use of a "grid" ranking system, which voters in studies have consistently found frustrating. In another 2017 Center for Civic Design study, 63% found a grid system the hardest to use.[6]

Redistribute votes one-by-one

In our view, it would be better to implement an RCV system that eliminates one candidate each round and assigns their votes to the next-ranked candidate on each ballot. We believe this is better than a hybrid system that eliminates all but the top two after the first round of votes are tabulated, then has those two candidates receive the remaining ranked votes. This tally may be easier for the public to understand, but such a system may undercut the benefits of traditional RCV, which still allows for candidates to

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[4] https://drive.google.com/file/d/0B3K2g6lIQMWsYkEzSkgtWHBQVDg/view
[5] https://civicdesign.org/wp-content/uploads/2017/07/Introducing-RCV-Ballots-18-0803-FNAL.pdf
[6] https://civicdesign.org/wp-content/uploads/2017/07/RCV-Denver-Research-Report_18-0104-FINAL.pdf

rise from third to first place after several rounds. Candidates could also campaign differently if they simply wanted to finish first or second, rather than be ranked the highest on all ballots.

We urge the Commission to be bold in its proposals and create a Ranked Choice Voting system that applies to all elections and offices. The 2010 and 2018 Charter Revision Commissions reviewed the idea and did not act. One of the aims of the Charter Revision Commission is to build a city that allows for more New Yorkers to have a say in the decisions that impact their lives the most, and Ranked Choice Voting is one of the best ways of achieving this goal.

We thank you for your time, and welcome any questions you may have.