Government of the District of Columbia
Advisory Neighborhood Commission 4B

[DRAFT] RESOLUTION #4B-20-1106

Calling for Ranked Choice Voting in the District of Columbia
Adopted November 23, 2020

Advisory Neighborhood Commission 4B (Commission) takes note of the following:

- Ranked choice voting is an electoral system designed to ensure elections are fair for all voters. Ranked choice voting allows voters to vote for one candidate or multiple candidates ranked in order of preference (first choice, second choice, third choice, etc.). If a candidate receives over 50 percent of first-choice votes, they win the election outright. If no candidate receives a majority of first-choice votes, the election is decided by an "instant runoff." The candidate who received the fewest votes is eliminated, and voters who selected that candidate as their top choice have their votes allocated to those voters' second choice. That process continues until a candidate wins with more than half of the votes. In comparison, most U.S. jurisdictions – including the District of Columbia – currently use what's known as the plurality system: the candidate with the highest number of votes wins. The current electoral system can create risk of spoiler candidates and votes based on electability rather than true preference. *See generally* Will Warren, *Washington City Paper*, "What Would Ranked Choice Voting Mean for Crowded D.C. Races?" (Nov. 2, 2020); Anna Purna Kambhampaty, *Time*, "New York City Voters Just Adopted Ranked-Choice Voting in Elections. Here's How It Works" (Nov. 6, 2019).

- Ranked choice voting is currently used in more than 19 localities, including Maine, a county in Oregon, and several cities (including Minneapolis, San Francisco, New York City, and Takoma Park). FairVote, "Where Ranked Choice Voting is Used." This year, five (5) state Democratic parties used ranked choice voting in presidential primary elections and caucuses, with high rates of success. *See* Deb Otis, FairVote, Ranked Choice Voting in 2020 Presidential Primary Elections (July 22, 2020) ("Results show that voters overwhelmingly took advantage of the option to rank candidates on the ballot, made very few errors, and turned out in large numbers."). And five (5) cities passed measures adopting ranked choice voting during the last election cycle.

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See Matthew Oberstaedt, FairVote, "Voters approve ranked choice voting in five cities" (Nov. 4, 2020) ("[Ranked choice voting] passed in Albany and Eureka, California; Boulder, Colorado; and Bloomington and Minnetonka, Minnesota. Voters in all five cities recognized that [ranked choice voting] is a simple change that can have a big impact. It makes our elections more engaging and their results more representative.").

- The DC Council has previously considered ranked choice voting, and although it has stalled in the past, there appears to be renewed support among current and incoming Councilmembers.

    - Councilmembers David Grosso (At-Large), Elissa Silverman (At-Large), and Mary M. Cheh (Ward 3) introduced, and Councilmember Charles Allen (Ward 6) co-sponsored, B21-0002, the "Instant Runoff Voting Amendment Act of 2015" on January 6, 2015. The bill would have changed the way votes are counted and winners are chosen in District elections for Mayoral, Council, and Attorney General contests by providing for an "instant runoff voting" or "ranked choice voting" system, where voters rank candidates by preference and the votes are counted in rounds. The bill was referred to the Committee on the Judiciary that day, but the Council took no further action.

    - Councilmembers David Grosso (At-Large), Elissa Silverman (At-Large), Brianne K. Nadeau (Ward 1), and Mary M. Cheh (Ward 3) introduced, and Councilmember Charles Allen (Ward 6) co-sponsored, similar legislation on October 8, 2019. B23-0491, the "Ranked Choice Voting Act of 2019" would require candidates for public office be elected using ranked choice voting and set a date and conditions for implementation of ranked choice voting in the District. The bill was referred to the Committee on the Judiciary and Public Safety that day, but the Council has taken no further action.

    - Councilmember-Elect Christina Henderson (At-Large) has indicated an intent to introduce ranked choice voting legislation. "The system isn't working," she said on *The Kojo Nnamdi Show.* "If we are going to continue to move forward with [public financing] to truly diversify the number of candidates . . . we need a different way of how we elect our folks." Editorial Board, *The Washington Post,* "This year's D.C. Council elections show why the city should adopt ranked-choice voting" (Nov. 11, 2020). Councilmember-Elect Janeese Lewis George (Ward 4) and Councilmember Robert C. White, Jr. (At-Large) have also indicated support for ranked choice voting.

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- Several organizations and other entities support ranked choice voting, including the DC Statehood Green Party, the Ward 3 Democrats, Advisory Neighborhood Commission 1C, and a coalition of organizations led by Rank the Vote DC, including the League of Women Voters of the District of Columbia, DC for Democracy, Jews United for Justice, Sunrise Movement DC, Persist DC, We Act Radio, and Delicious Democracy.

- Ranked choice voting offers a number of advantages.

    - Ranked choice voting dissolves concern about vote splitting among candidates and better reflect voter preferences, resulting in election of a candidate (or candidates) preferable to more voters. *See* Anna Purna Kambhampaty, *Time*, "New York City Voters Just Adopted Ranked-Choice Voting in Elections. Here's How It Works" (Nov. 6, 2019) ("The most notorious example of [a spoiler candidate] is the 2000 presidential election, when nearly 3 million mostly left-leaning voters cast their ballots for third-party candidate Ralph Nader. If ranked-choice voting had been in place at the time, Democrat Al Gore may have prevailed in the key state of Florida ...."). Moving away from speculation about "electability" allows voters to vote based on preference, including candidate values, platform, and character. In a crowded field, voters do not have to ask: "Do I vote for the person I think is best but I am worried won't win?" *See* Editorial Board, *The Washington Post*, "This year's D.C. Council elections show why the city should adopt ranked-choice voting" (Nov. 11, 2020). In the District of Columbia, the current electoral system frequently results in winning candidates who do not necessarily have majority support (*e.g.*, the November 3, 2020, election results for DC Council, At-Large, with Councilmember Robert C. White, Jr. receiving 25.85% of the vote and Councilmember-Elect Christina Henderson receiving 14.92% of the vote (as of November 12, 2020) among 24 candidates;[1] the June 2, 2020, election results for DC Council, Ward 2, with Councilmember Brooke Pinto receiving 28.38 percent of the vote, Patrick Kennedy receiving 24.96 percent of the vote, and Jordan Grossman receiving 21.54 percent of the vote among eight (8) candidates).

    - Ranked choice voting allows broader representation of voices and perspectives in our elections. California cities that have adopted

[1] The determination of a majority under a ranked choice voting system varies in multi-winner elections. For example, for the DC Council race for At-Large representatives, two seats were available in the November 3, 2020, election. Therefore, a majority would consist of 33 percent in a multi-winner ranked choice voting system. *See generally* FairVote, "Multi-Winner Ranked Choice Voting."

ranked choice voting saw an increase in the percentage of candidates of color running for office, as well as increases in the probability of women candidates and women candidates of color winning office. *See* Represent Women, *In Ranked Choice Elections, Women WIN* (July 2020) (finding finds that electoral outcomes for women and people of color are overall better in jurisdictions that have implemented ranked choice voting); Sarah John, Haley Smith, & Elizabeth Zack, 54 *Electoral Studies*, "The alternative vote: Do changes in single-member voting systems affect descriptive representation of women and minorities?" 90-102 (Aug. 2018) ("[M]y colleagues and I examined a large database of aggregate votes for candidates for local offices as well as demographic and social variables in these eleven Californian cities covering local elections from 1995 to 2014. We found that, when other variables were held constant, the adoption of the Alternative Vote increased the percentage of candidates of color from 17.2 percent to 25.6 percent.... When [Alternative Vote] was adopted in local elections in the Bay Area—and other variables were held constant—the probability of a female candidate winning increased from 40.2 percent to 44.6 percent, while in the control cities the probability decreased, this time from 39.8 percent to 28.6 percent."); FairVote, "Ranked Choice Voting and Racial Minority Voting Rights" (Nov. 2019) (demonstrating that people of color hold office at a higher rate under ranked choice voting than under the prior system, and that people of color win office more often since the adoption of ranked choice voting systems).

- Ranked choice voting encourages candidates to build coalitions and strengthen communities, instead of engaging in negative campaigning and sowing division. *See* Eamon McGinn, University of Technology Sydney, "Rating Rankings: Effect of Instant Run-off Voting on participation and civility" (Oct. 8, 2020) ("Text based sentiment analysis on mayoral debates, a new approach in this area, in a broader set of cities across the U.S. indicates that the introduction of IRV [instant run-off vote] improved the civility of debates with candidates substituting negative or neutral words for positive words."). Whereas "[a] lot of research shows that when you, as a candidate, go negative, you hurt public perceptions of yourself, but you do more damage to your opponent, and in plurality elections, this tradeoff can pay off, ... [i]t becomes much more costly to go negative [with a ranked choice voting system] since you risk losing your ability to pick up second-preference votes, and it actually does more harm than good." Anna Purna Kambhampaty, *Time*, "New York City Voters Just Adopted Ranked-Choice Voting in Elections. Here's How It Works" (Nov. 6, 2019) (quoting Larry Diamond, the former director of

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Stanford's Center on Democracy, Development, and the Rule of Law).

- Ranked choice voting encourages greater engagement from candidates and among voters. In jurisdictions that employ ranked choice voting, candidates are more likely to reach out to voters in-person than in cities that do not use ranked choice voting systems. In addition, voters in jurisdictions that use ranked choice voting are more likely to discuss politics with their families, friends or co-workers than voters in cities that do not use ranked choice voting systems. *See* Haley Smith, FairVote, *Ranked Choice Voting and Participation: Impacts on Deliberative Engagement* (June 2016) (involving a survey more than 4,800 likely voters in 21 cities after their local city elections indicating that likely voters in cities that use ranked choice voting systems are more absorbed and involved in their democracy and experience higher levels of deliberative engagement than in cities that use other common voting systems).

- Voters who have voted in ranked choice voting systems like ranked choice voting. Maine used ranked choice for the first time for statewide elections in 2018. An exit poll after their November 2018 general election showed 60.9% of respondents in favor of keeping or expanding ranked choice voting. FairVote, "Large Majority of Maine Voters Want to Keep Ranked Choice Voting and Find it Easy" (Nov. 15, 2018). Ninety-four (94) percent of Santa Fe voters reported feeling "very satisfied" or "somewhat satisfied" with their first use of ranked choice voting in 2018, as reported in an 2018 exit poll by FairVote New Mexico. FairVote, "Santa Fe Voters Support Ranked Choice Voting and Have High Confidence in City Elections" (Mar. 15, 2018). And in Minneapolis in 2017, 66% of voters reported support for continued use of ranked choice voting. FairVote, "Ranked Choice Voting in Minnesota: Summary of Post-Election Report by Minneapolis City Staff" (Mar. 2018). Voters understand and appreciate the option to rank their preferences, a natural way of increasing choice in our politics.

- Ranked choice voting, particularly when coupled with robust voter education and outreach, does not limit voter turnout. *See* Eamon McGinn, University of Technology Sydney, "Rating Rankings: Effect of Instant Run-off Voting on participation and civility" (Oct. 8, 2020) ("Analysis of the Minneapolis-St. Paul Metro Area, which has strong natural experiment characteristics, indicates that the introduction of IRV [instant run-off vote] caused a 9.6 percentage point increase in turnout for Mayoral elections, on average. The effect on turnout is larger for precincts that have higher poverty

rates."); Drew Penrose, FairVote, "2019 RCV Election Day Roundup" (Nov. 21, 2019) ("[T]he [ranked choice voting] elections in 2019 show positive trends in voter turnout and effective use of rankings by voters. Turnout was significantly higher or consistent with prior comparable elections in Las Cruces (NM), Eastpointe (MI), Cambridge (MA), Payson (UT), and Vineyard (UT)."); *see also* David C. Kimball & Joseph Anthony, University of Missouri-St. Louis, "Voter Participation with Ranked Choice Voting in the United States" (Oct. 2016) (involving study of voter turnout in 26 U.S. cities across 79 elections and finding the adoption of ranked choice voting is associated with a ten point increase in voter turnout compared to primary and runoff elections and no change in turnout in general elections).

- Ranked choice voting is easy and intuitive. While some critics have argued that ranked choice voting causes voter confusion, these critiques are not borne out in practice. Ranked choice voting proceeded "flawlessly in its uses last week in Maine, a county in Oregon and seven cities. Concerns of critics — that voters would be confused or the system too unwieldy to produce timely results — have not materialized." Editorial Board, *The Washington Post,* "This year's D.C. Council elections show why the city should adopt ranked-choice voting" (Nov. 11, 2020). *See also* Siyad Abdullahi & Anthony Newby, *MinnPost*, "Ranked-choice voting isn't likely to confuse anyone" (Feb. 27, 2015) ("The vast majority of Minneapolis voters in the 2013 election used the option to rank their choices, and liked it. That held true in the city's most ethnically diverse ward, Ward 5. (None of this was surprising to those of us who'd been paying attention: Four years earlier, a St. Cloud State University study reported that 97 percent of voters of color found using a ranked ballot simple — compared to a still-impressive 94 percent of white voters. 'Persons of color are more likely to understand how RCV functions better than white voters,' the authors wrote."). The City of Takoma Park has described its use of ranked choice voting as "less costly and stressful than having a run-off election." Position of the City of Takoma Park Testimony, Joint Priorities Hearing (Dec. 4, 2017).

- Advisory Neighborhood Commission 4B believes use of a ranked choice voting system for primary and general elections is in the best interest of our community. Ranked choice voting aligns our local voting method with our values of freedom, cultural innovation, meaningful representation, and racial equity. It is crucial that voters understand how to use a ranked choice voting ballot, understand their electoral system more broadly, and are able to cast a meaningful vote for the candidate (or candidates) of their choice.

RESOLVED:

- That Advisory Neighborhood Commission calls on the DC Council to re-introduce ranked choice voting legislation, hold public hearings, and pass ranked choice voting into law for implementation in the District's primary and general elections.

- That Advisory Neighborhood Commission 4B calls on Mayor Muriel Bowser to sign ranked choice voting legislation into law (when approved by the DC Council) and work with the DC Board of Elections to inform and educate the public regarding ranked choice voting.

FURTHER RESOLVED:

That the Commission designates Commissioner Erin Palmer, ANC 4B02 to represent the Commission in all matters relating to this Resolution.

FURTHER RESOLVED:

That, in the event the designated representative Commissioner cannot carry out their representative duties for any reason, the Commission authorizes the Chair to designate another Commissioner to represent the Commission in all matter relating to this Resolution.

FURTHER RESOLVED:

That, consistent with DC Code § 1-309, only actions of the full Commission voting in a properly noticed public meeting have standing and carry great weight. The actions, positions, and opinions of individual commissioners, insofar as they may be contradictory to or otherwise inconsistent with the expressed position of the full Commission in a properly adopted resolution or letter, have no standing and cannot be considered as in any way associated with the Commission.

ADOPTED by voice vote at a regular public meeting (notice of which was properly given, and at which a quorum of __ of nine members was present) on November 23, 2020, by a vote of __ yes, __ no, __ abstentions.

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