



The League of Women Voters  
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Wednesday, March 1, 2018

Mayor Arreguín and City Council  
City of Berkeley

Re: Support for Supplementary MOU regarding ranked choice voting count

Honorable Mayor Arreguín and Members of the City Council:

The League of Women Voters of California supports “election systems for . . . single seat offices . . . that require the winner to receive a majority of the votes” in a single election, “such as [with] Instant Runoff Voting.”<sup>1</sup> Berkeley’s use of ranked choice voting meets this goal. However the reporting of the results of Berkeley’s ranked choice elections could be improved by requesting the Alameda County Registrar of Voters (“the Registrar”) to count runoff rounds up to the final two candidates in all elections. The League of Women Voters of Berkeley, Albany, and Emeryville (LWVBAE) asks you to submit this request to the Registrar by signing the attached supplementary memorandum of understanding prepared by FairVote.

The San Francisco Board of Elections has followed the practice of counting runoff rounds down to the final two candidates for the last several elections. LWVBAE has been informed by way of FairVote that this option is built into the counting software used by the Registrar, which is the same as used in San Francisco. The Registrar can activate this option at no extra cost.

Asking the Registrar to count votes until the final round with two candidates will help strengthen the use of ranked choice voting, which is the fairest and most inclusive method for filling an office. Supporting background for this request is available on the next page. The League is available for further discussion if that would be helpful.

Sincerely,

Adena Ishii  
President  
League of Women Voters of Berkeley, Albany, Emeryville  
[President@lwvbae.org](mailto:President@lwvbae.org)

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<sup>1</sup> <https://lwvc.org/position/election-systems>

## **Reasons for and League support of counting to a final round with two candidates**

Currently the Registrar stops the ranked choice count at the runoff round in which a candidate receives a majority of continuing votes, even if there are more than two candidates remaining. This can result in ambiguity regarding the size of the majority that supports the winning candidate. For instance, in the last Berkeley Mayoral election Mayor Arreguín was declared the winner with the support of 50.4% of the voters with three other candidates remaining. In a final round against one remaining candidate, Mayor Arreguín garnered 60.2% of the continuing votes. The percentage support for the winning candidate is the size of the voters' mandate for implementing the main policy positions put forward by that candidate. This accords with the League principle, "that responsible government should be responsive to the will of the people."<sup>2</sup>

Continuing the count through to a final round with two candidates also provides more accurate preliminary results regarding whether or not a race is close. This accords with the League principle "that democratic government . . . requires that governmental bodies protect the citizen's right to know by . . . making public records accessible." In the absence of such clarity in the preliminary data, the data that is released can engender lasting questions about the validity of the results.

Besides improving understanding of the voters' will, counting to the final round with two candidates will increase the number of candidates that win with the support of a majority of voters casting a vote rather than just those that have a vote continuing to the final round. Some votes do not continue to the final round because all of a voter's preferred candidates were defeated in earlier rounds due to the current three preference limitation (which will likely be substantially ameliorated by support for more rankings in the next election system acquired by the Registrar). Opponents of ranked choice voting use the phenomena of winning candidates not receiving a majority of all ballots cast as a reason to overturn the system. Those opponents consistently fail to point out that the same occurs in elections with a separate runoff because many voters do not participate in both the primary and the runoff.

In the 19th century, ranked choice was repealed by the electorate after specific appeals to prejudice against particular racial and political minorities that had first gained representation under ranked choice. The history of the use of ranked choice voting in the 20th century in numerous cities in the United States and its subsequent repeal in all but Cambridge, MA, suggests that continuing vigilance with regard to supporting the use of ranked choice in the 21st century is warranted.

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<sup>2</sup> <http://forum.lwv.org/member-resources/book/principles>