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Testimony – Charter Revision Commission Hearing in Staten Island, May 14

Good evening. My name is Jack Noland. I testified at the start of this round of public hearings two weeks ago, in Queens, and I'm very thankful to have the opportunity now, at the final hearing, to again lend my support for ranked choice voting in New York City elections. I want to take the time to thank all of you serving on the commission, and all of the commission staff, for your essential work to improve our government and our city.

At its heart, the way we elect our officials is essential to the way our government functions. This commission has the almost unprecedented opportunity to present voters with a bold reform primed to address a number of the issues we face in that space right now. We're lucky, in a sense, that the deficiencies with our elections are so clear.

For example, since 2009, when more than two candidates have run in municipal primaries, the winner has advanced with less than 50 percent of the vote almost two-thirds of the time. In 7 percent of multi-candidate primaries, we saw candidates win with less than 30 percent of the vote.¹ The Democratic runoff for public advocate in 2013 saw just 7 percent turnout and a \$10.4 million price tag.² That's more than \$50 per vote cast.

As you know, ranked choice voting has not been raised to gird against hypothetical issues. These are problems we have grappled with for a while, and ones we will likely face again, especially in a year like 2021. 70 percent of our city council seats will be open, along with the mayor and comptroller's offices. Here, on Staten Island, as you know, we'll see open races for Borough President and two of the three city council seats.

We know New Yorkers want to throw their hats in the ring—this year's special election for public advocate should be our guide. And that's a good problem to have. But one reason Public Advocate Williams, just elected under the current system, has spoken out in favor of ranked choice voting is that a majority winner is good for voters and officials alike. Let's give officeholders a clear mandate and the public the right to feel represented. Building a broader base means building a stronger constituency – and it increases the incentives to run civil, issue-oriented campaigns.

And voters feeling truly heard in our political process is crucial to our system functioning properly. Accountability depends on representation. It's why I'm here tonight, speaking to you, and it's

¹ Common Cause New York, [analysis](#) of city elections data.

² 2019 NYC Charter Revision Commission, [Preliminary Staff Report](#), April 2019.

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something we can truly offer to New Yorkers with ranked choice voting. We have the opportunity to learn from election administrators around the country who have successfully implemented RCV, and I would encourage you to continue to reach out to them. By allowing voters to rank a slate of candidates in all our city elections, we can greatly reduce ballot exhaustion, increase representation, eliminate costly runoffs, ensure broader support for the officials taking office, and eliminate the spoiler effect. We have a unique opportunity, and I urge the commission to give New Yorkers the chance to help solve our problems by placing ranked choice voting on the November ballot. Thank you.



**Girls for Gender Equity Testimony
The New York City Council's
2019 Charter Revision Commission -
Policing Related Recommendations
Delivered by: Andrea Alejandra Gonzales
May 14, 2019**

Good evening everyone, my name is Andrea Alejandra Gonzales, I am indigenous Latina activist and a Staten Islander since the age of 2. Before I begin my testimony, I would like to thank Communities United for Police Reform and Girls for Gender Equity for the opportunity to speak to my fellow Staten Islanders about my experiences. As we all know, we have a large population of police officers living on Staten Island; they are members of our community and we as a community need to hold everyone to the same standard of conduct. We are here today to discuss the proposed revisions to the City Charter, specifically to recommend changes that would increase safety for all New Yorkers by holding all community members accountable for their actions.

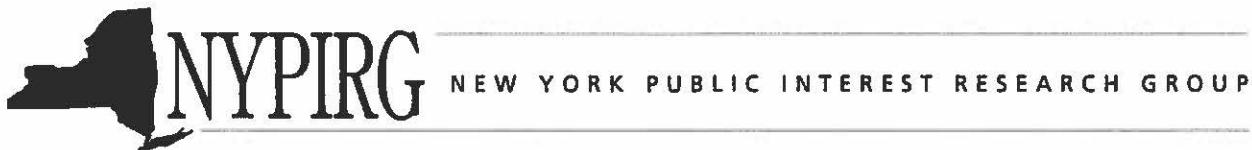
More and more often on the news, we are seeing cases where police officers are using extreme forms of violence against community members. We know that the cases we hear about in the news are just the tip of the iceberg and that there are day-to-day interactions with officers that dehumanize our communities. Many of these interactions result in traumatization and can lead to

death. We suggest that in these cases of misconduct, the Civilian Complaint Review Board, also known as the CCRB, be able to determine the discipline in the cases that they prosecute and to include related misconduct. Currently, the Commissioner gets to decide the discipline which allows for corruption and the obstruction of justice. We also believe that in cases when the commissioner does deviate from recommended discipline, the commissioner should be required to make a publicly available statement that explains his reasoning for deviation.

Another measure we recommend to increase transparency and accountability, is that the CCRB have oversight of peace officers, which includes school safety agents, within the charter. In cases in which students have negative experiences with school safety agents, the CCRB would be unable to investigate therefore, we need to include language including all peace officers, with whom we interact with more often. Students within our public education system depend on this change; there are more school safety agents in schools than social workers which results in police interactions when they are not necessary. Police presence in NYC public schools often traumatize students and make them feel criminalized and unsafe in their school environments which are meant to be safe spaces. I have been in public schools since kindergarten, and I know first hand the impact of police officers. My younger sister is still in the public schools system and deserves to learn in an environment where all safety agents will be held accountable for any misconduct.

In order to have a just, and safe society we must strive to hold all members of our city accountable; there is no one above the law, and these recommendations enforce that belief.

Community members should be able feel safe in their homes and streets at all times, by holding those who enforce the law accountable, we can protect everyone better.



**TESTIMONY
OF THE
NEW YORK PUBLIC INTEREST RESEARCH GROUP
BEFORE THE
2019 NEW YORK CITY CHARTER REVISION COMMISSION
REGARDING
REFORMS TO THE NEW YORK CITY CHARTER
Staten Island, NY
May 14, 2019**

Good evening. My name is Tousif Ahsan and I am the Civic Engagement Coordinator at the New York Public Interest Research Group (NYPIRG). NYPIRG is a statewide non-partisan, not-for-profit research and public education organization. We help to bring the voices of everyday New Yorkers to public policy debates to strengthen democracy, enhance the rights of consumers and voters, and protect the environment and public health.

NYPIRG applauds the Council for initiating this process to review the New York City Charter. As you mention on your website, the Charter has been in place for nearly three decades and a review – and improvements – are important to the ability of the City to meet the needs of all New Yorkers today and tomorrow.

We appreciate this opportunity to share our thoughts on a number of the proposed revisions to the New York City Charter covered in the April 2019 Preliminary Staff Report. Specifically, we will provide input on the Elections and Redistricting, and Governance topics.

We look forward to working with the Commission in an effort to make the City Charter a model for civic involvement and substantive impact; a blueprint for democracy that will stimulate similar actions at the state and national levels.

ELECTIONS AND REDISTRICTING

Institute Ranked Choice Voting

Ranked Choice Voting or RCV is a modern way of conducting elections that is being adopted by counties and states all across the country with overwhelmingly positive results. RCV has shown to increase voter turnout, it produces more diverse candidates for office, and it also solves the problems that are associated with runoff elections.

All over the country places that have implemented RCV are seeing the highest voter turnout they've experienced in years.¹ There are many theories for why RCV encourages voter turnout and one idea is the concept of ballot expression and voter anxiety. In a multi-candidate race with an all or nothing ballot some voters find it so difficult to decide who to cast their vote for, that

¹ "Vote for Me! For Second Place, at Least?", *New York Times*, June 9, 2018,
<https://www.nytimes.com/2018/06/09/opinion/ranked-choice-voting-maine-san-francisco.html>

they end up not voting out of frustration. Perhaps they believe one candidate is more aligned with their beliefs, while they believe another candidate is a compromise who is more likely to win. RCV allows voters to express the nuance of their political beliefs much more completely and voters respond well to a system that makes it feel like they're being heard. Rather than being forced to vote strategically, people can vote their conscious without feeling that they're throwing their vote away.

New York City struggles to get voters to the polls. In 2018 the voter turnout for New York City was 38% whereas turnout outside the city was closer to 50%.² This is concerning because last year was a particularly good year for voter turnout. New York City consistently brings down the statewide average for voter turnout and RCV has shown the ability to get people excited about elections and go to the polls.

After implementing RCV, more women and people of color have run for office and won their elections. A study conducted on the Bay Area of California has found that candidates of color have nearly doubled their success rate in those races and women have increased their success rate by 25%.³ Additionally, RCV encourages broader outreach than traditional elections. The goal of a first-past-the-post system is to simply garner enough votes to win while RCV requires candidates to reach out to communities beyond their base. This is because RCV rewards majority support and consensus rather than a plurality strategy which can succeed by targeting the most traditionally active voters. Communities that have been ignored by previous outreach efforts cannot be treated the same way under RCV. RCV has produced more diverse candidates and engaged more diverse communities and as a result we see more democratic representation in the halls of government.

In addition to promoting campaign practices which reach out to the most diverse swath of voters, currently, there is simply not enough time for the Board to certify contestants for a run-off, print the appropriate ballots, mail them to voters who have requested absentee ballots and expect that they will be received, completed and postmarked by election day.

This is not a solution in search of a theoretical problem. According to the Board of Elections, there are currently more than 31,500 permanent absentee voters in the city who are automatically mailed ballots each election. An additional 2,700 military voters also received absentee ballots last year. Additionally, many thousands of voters who anticipate being out of town on election day request absentee ballots every year. In low turnout elections such as a municipal run-off, these absentee voters can easily be the margin of victory or defeat.

While this would represent a change in the voting procedures, the system has been successfully used in federal and state elections in South Carolina, Louisiana and Arkansas, and in municipal elections elsewhere. NYPIRG supports the institution of Ranked Choice Voting in primary elections for municipal offices.

² Ben Brachfeld, "Voter Turnout Booms in New York", November 7, 2018, <https://www.gothamgazette.com/state/8056-voter-turnout-booms-in-new-york>.

³ Fair Vote, "Ranked Choice Voting and Racial Minority Voting Rights: An Analysis of Representation of People of Color in the Bay Area", April 2018, <https://fairvote.app.box.com/s/npiujexebhl8ari7c61v90af3wwwfqvq>.

Timeline for Special Elections

The Board of Elections has testified that that it does not have sufficient time to prepare for a special election.⁴ This may increase the likelihood of lower turnout and technical issues. It has also meant that the City's special elections rules are not in line with State requirements. For state elections, New York requires the BOE to determine the candidates 53 days before the election and that ballots are mailed to military voters 43 days before the election. The City has a range of 40 to 50 days to fill a vacancy for the offices of the Public Advocate, Comptroller, a Borough President, or a Council Member and approximately 60 days for the Mayor.

Allowing the Board of Elections to sufficiently prepare for a special election makes sense. Unifying State and City timelines may also create efficiencies for special elections which occur at similar times for multiple levels of government. NYPIRG supports this recommendation while urging the Commission seek the broadest consultation to finalize timeline ranges.

Enhance the Independence of the Redistricting Process and Shift the Redistricting Timeline

Soon, the New York City Mayor and City Council will create a Redistricting Commission to review the population changes and make recommendations on how best to adjust the boundaries of City Council districts. The Redistricting Commission has 15 members, eight of whom are appointed by City Council, and seven of whom are appointed by the Mayor.

The City Charter sets a system of criteria that the Commission must follow (in addition to other federal and state requirements). New York City's current redistricting system is considered to be legally sound and reasonable – particularly in contrast to the state. However, NYPIRG urges additional reforms be added.

NYPIRG urges that independence of the Redistricting Commission's membership be strengthened. The current Redistricting Commission's membership is chosen directly by elected officials. We believe that there is too close a connection between those who draw the lines and those who appoint them.

NYPIRG supports a recommendation that 1/3, or five, of the members including the Chair and the Executive Director of the Redistricting Commission be appointed by the Campaign Finance Board. This will create a necessary buffer between the Council and Mayor and Redistricting Commission members who draw the lines.

NYPIRG urges that the criteria for drawing lines be strengthened. Currently Chapter 2-A, Section 52-f prohibits the drawing of districts to favor or oppose any political party; this provision should be expanded to prohibit the drawing of district lines that favor or oppose an incumbent legislator, or any presumed candidate for office.

⁴ Charter 2019 Staff, "Preliminary Staff Report", April 2019,
<https://static1.squarespace.com/static/5bfc4cecf7fde7d3719c06/t/5cc20da7085229f4fc80ffc/1556221355492/Preliminary+Staff+Report.pdf>

NYPIRG also urges that the variation in the population of Council districts be held to the Congressional standard (essentially equal), while adhering to the requirements of the Voting Rights Act. Representative democracy is most fair when each elected legislative official represent the same number of constituents. Lastly, the plan should have to be approved by 11 of 15 Redistricting Commission members instead of the current nine.

Additionally, the Staff Report suggests shifting the redistricting timeline to provide Council candidates with their traditional petition period. NYPIRG agrees with this suggestion but we also urge the Commission to consider the above changes to ensure that the redistricting process is more transparent and has community input. New Yorkers deserve an unbiased, non-partisan approach to creating their City Council districts and the Commission has the opportunity to enshrine these principles in the Charter.

GOVERNANCE

Strengthen the Independence and Breadth of the Conflict of Interest Board

The Charter requires that members of the Conflict of Interest Board be:

"chosen for their independence, integrity, civic commitment and high ethical standards. No person while a member shall hold any public office, seek election to any public office, be a public employee in any jurisdiction, hold any political party office, or appear as a lobbyist before the city."

Given that the Mayor, with the consent of the Council, chooses the Board members of an ethics watchdog with jurisdiction over those same individuals, NYPIRG urges additional steps to further ensure Board members' independence.

The first step would be to ensure a guaranteed budget for the COIB. While the Independent Budget Office has a guaranteed budget the COIB does not. A guaranteed budget is necessary because otherwise the COIB can be underfunded or defunded by the very offices it is supposed to watchdog and this relationship severely undermines its independence. NYPIRG recommends the Charter be amended to guarantee the budget of the COIB.

The COIB membership should also include at least two of whom should not be, or within the prior five years shall not have been, enrolled in the same political party as the Mayor. Two members should be from the political party whose candidate for governor in the most recent gubernatorial election received the largest number of votes and two of the party conferences whose candidate for governor in the most recent gubernatorial election received the second largest number of votes. One member should not be affiliated with either major political party.

No member of the Board should have held office in any political party organization, have been a state officer or employee or have been engaged as a lobbyist within three years of appointment or at any time during their term. The chair shall be elected by the commission members from among its members.

The Staff Report recommended that the Commission explore changing the structure of the COIB to include representation from the other two citywide offices: Public Advocate and Comptroller. NYPIRG supports this change but urges further reform. Currently the Mayor has majority appointment power and even if these changes were instituted that would still be true. The COIB cannot independently oversee the actions of the Mayor unless their majority appointment power is taken away. NYPIRG urges that the Commission explore ways in which the COIB appointment powers can be redistributed so that those who are overseen by the COIB are not in a position where they hold majority appointment power.

Post-Employment Lobbying

The Charter limits the influence of former government employees and elected officials by banning them from lobbying the City agency which employed them for 1 year following the end of their service. The state has a stricter post-employment lobbying policy that institutes a 2-year ban.

The Staff Report states that there is public perception that lobbying by former government employees and elected officials results in undue influence on our government and undermines our democracy. This perception speaks to a reality of government corruption. New Yorkers are right to worry as the government-to-lobbyist pipeline is a clearly documented phenomenon. The power these lobbyists wield should be limited so that they don't overshadow the influence of regular New Yorkers.

NYPIRG supports the Staff's recommendation that the Commission explore ways in which the City's post-employment lobbying policy be strengthened by looking towards the State's stricter model including the implementation of a 2-year ban. Additionally, the definition of "lobbying" or in this case "appearance" should be examined so that it is sufficient to cover all forms of lobbying.

Increase Transparency for the Corporation Counsel

The Corporation Counsel is the Head of the New York City Law Department which is an executive agency. However, the Corporation Counsel also functions as the attorney and counsel for City agencies as a whole. The Staff Report examines two aspects of the Corporation Counsel for consideration when it comes to Charter amendments.

The first is appointments. The Mayor is the sole office that has appointment power for the Corporation Counsel. However, the Staff Report states that because the Corporation Counsel's role covers various City officials and agencies the appointment process should be expanded to include representation from other offices. While the Staff recommends that the Commission consider amending the appointment structure to include advice and consent from City Council, NYPIRG recommends keeping the accountability and power of the Corporation Counsel within the Mayor's domain because ultimately it is an executive agency that is closely tied with that office.

Second, the Staff Report asks for more transparency for the conflict of interest process. When two city offices or agencies engage in legal action against each other, the Corporation Counsel consults an internal process for resolving this conflict of interest and determining who they will

represent based on their deliberations. The Staff asks that this process be made transparent by proclaiming the rules that they use to determine what is a conflict of interest and NYPIRG agrees with this recommendation.

Strengthen the Office of the Public Advocate

The Public Advocate was meant to act as a watchdog on Mayor's office alongside the Comptroller. However, the Public Advocate has never been seen as a co-equal check to the Mayor in the same capacity as the Comptroller. There are structural reasons for why this is the case as the Comptroller has access to powers and privileges that the Public Advocate lacks. There has been a great deal of discussion over what to do with this problem and two broad solutions have been proposed: either strengthen the office or get rid of it. NYPIRG believes that the Public Advocate plays a critical role in acting as a check on the Mayor's power and functioning as an ombudsman for New Yorkers and so we urge the Commission to strengthen the office so that the Public Advocate may better serve in this capacity.

The staff recommends to the Commission that they should explore ways to empower the Public Advocate compel officials and agencies to answer questions that may aid in investigations that serve the public. NYPIRG recommends that the Public Advocate be granted subpoena power in order to fulfill this function. Currently the Comptroller has this power and in order for the Public Advocate to act as a co-equal check on the Mayor it should have access to this power as well.

Another barrier for the Public Advocate is its lack of a guaranteed budget. Without such a guarantee the Public Advocate is at the mercy of the Mayor and City Council. This represents a clear conflict of interest since the Mayor is the office the Public Advocate is supposed to watchdog. While the City Council's role in the budget can protect the Public Advocate the office of the Public Advocate has still been historically underfunded. NYPIRG recommends that the Charter be amended to provide a guaranteed budget for the Public Advocate.

Finally, NYPIRG recommends that the Commission explore ways to increase the Public Advocate's oversight role through additional appointments to other entities such as the Planning Commission or the Landmarks Preservation Commission.

Thank you for the opportunity to provide testimony.



New York City Charter Revision Commission

May 14, 2019

Redistricting Reform

Good evening. I am Theresa Thanjan, Manager of Member Engagement NYC at the New York Immigration Coalition. Thank you for the opportunity to testify, and thank you also to the commission's staff for all their work on the preliminary staff report. NYIC will submit a longer written testimony for the record, but tonight I want to speak specifically about redistricting.

New York City has one of the model redistricting processes in the country. The existing requirements for diverse representation on the districting commission, as well as clear directives to produce fair and effective representation of racial and language minority groups provide a solid framework. However, our redistricting process can still be improved.

Previous commissions reached beyond the minimum requirements outlined in the charter, and their best practices should be codified. This includes specific language around transparency of meetings and data, and strengthening language related to the fairness of drawing of lines. Lastly, the charter must expressly prohibit the drawing of district lines based only on the population of citizens, rather than the total population of those residing within New York City.

Drawing Lines Based on Total Population

In a 1966 case, the Supreme Court left it up to the states to draw state-level district boundaries based either on the entire population counted by the census, or by excluding populations ineligible to vote, such as non-citizens and children. Only 10 states legally permit excluding certain populations during the apportionment process. New York is one of them.

In 1969, New Yorkers approved a statewide ballot measure defining “inhabitants, excluding aliens” to mean “the whole number of persons.” It can be argued this change prohibits non-citizens from being excluded from the total population count for the purposes of redistricting. However, the phrase “inhabitants, excluding aliens” still appears 10 times under multiple sections of the state constitution related to apportionment. Furthermore, the language of the 1969 ballot measure reads that “[f]or the purpose of apportioning senate and assembly districts...” Thus, it applies only to state, not local district lines.

Unfortunately, Missouri and several other states have shown interest in excluding non-citizens from the apportionment process. Although highly unlikely to occur in New York City, excluding non-citizens (16.3% of New York City’s population) during the drawing of district lines is technically legal. The charter should expressly forbid this.

Fairness Language

Currently, the charter prohibits separating concentrations of voters of the same political party (known as “cracking”) and requires “keep[ing] intact neighborhoods and communities with established ties of common interest and association, whether historical, racial, economic, ethnic, religious or other.” These provisions are strong and far exceed those of many other redistricting commissions. We do however, recommend adding language prohibiting a practice known as “packing,” the inverse of “cracking,” in which of voters of one political party or group are intentionally placed within the fewest districts possible for the purpose of reducing voting power.

The Charter should also be clear that district boundaries shall not be drawn to advantage or disadvantage any incumbent, candidate, political party, or political group.

Public Meetings and Transparency of Decisions and Materials

Currently, the commission is required to hold “one or more public hearings not less than one month before it submits its plan to the city council” and “shall make its plan available to the public for inspection and comment not less than one month before the first such public hearing.” The districting commission should follow the practice of *this* charter commission and be required to hold at least one public

hearing in each of the five boroughs. This ensures a minimum level of opportunity for the public to meaningfully engage the districting commission, provide testimony, and hear from other community members.

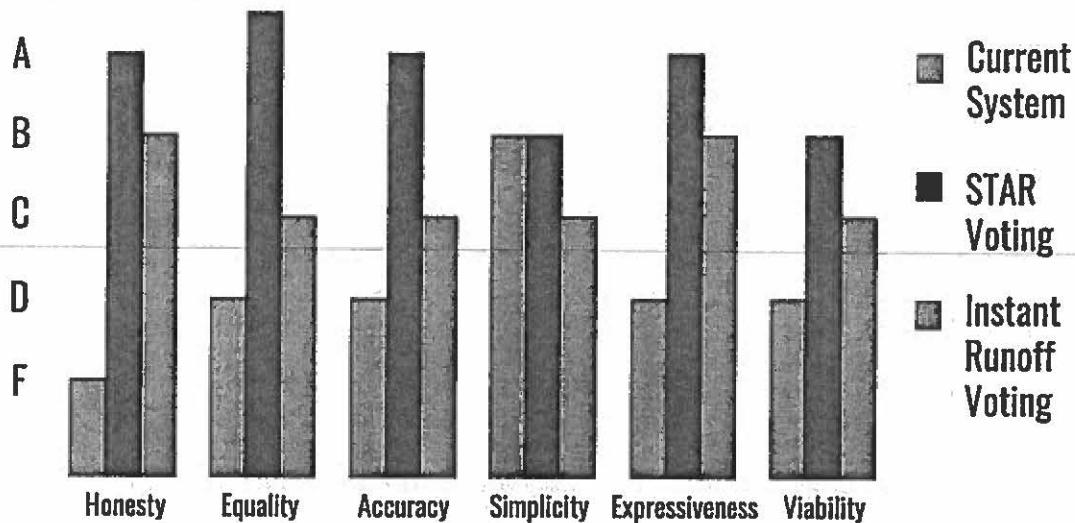
Except those relating only to personnel matters, the charter should be clear that all meetings and hearings should be open to the public, held with adequate public notice, offer simultaneous interpretation for limited English proficient residents, and ensure all venues are in compliance with the Americans with Disabilities Act. Finally, the charter should specify that all materials, notes, and supporting data should be made publicly available, including online, within 72 hours in human and machine-readable formats.

Thank you again for the opportunity to testify and for your consideration of these recommendations.

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Comparing Voting Systems

A Report Card : Our Current System, STAR Voting, and Instant Runoff Voting



Disclaimer : Systems are complex. Some criteria are multi-faceted. Grades are subjective.

THE OPTIONS: 3 VOTING SYSTEMS UNDER CONSIDERATION IN OREGON

Our Current Voting System, known as Plurality or First Past The Post, is used in the vast majority of the USA and many places around the world. Each person votes for one candidate only. The candidate with the most votes wins. (Factors like the electoral college complicate the process but you get the idea.)

STAR Voting is a new proposed system where voters use a 5 star ballot to give each candidate a score from 0-5 to show their preferences. The two highest scoring candidates are finalists. The finalist that was preferred by more voters wins.

Instant Runoff Voting (IRV) is the most common method for counting Ranked Choice Voting (RCV) style ballots. Ranked Choice Voting is technically a family of voting systems but the term is often used to describe Instant Runoff Voting specifically. Voters rank candidates on the ballot

in order of preference: 1st, 2nd, 3rd and sometimes more. If a candidate has a majority of first choice votes, that candidate wins. Otherwise, the candidate with the fewest first choice votes is eliminated. If your first choice is eliminated, your vote goes to your next choice if they haven't been eliminated yet, and the process repeats in rounds until one candidate has a majority.

HONESTY - Encourages and rewards honest voting:

Current System: Only voters who prefer the front-runners should vote honestly. Since barely half of voters in the US are actually registered major party this is a fail. (1.) Many voters have to be strategically dishonest to optimize their vote because honest voting can backfire. **GRADE: F**

STAR Voting: With STAR Voting you can and should vote honestly and vote your conscience. Dishonest voting strategies are largely ineffective and likely to backfire. **GRADE: A**

IRV: Most voters can safely vote honestly, but for some it's not safe to rank your favorite first. If your favorite is pretty strong but you're not sure they can win you might be better off marking a front-runner as your first choice. You can always vote your conscience if there are only 2 viable candidates but the more viable candidates there are, the more you should consider voting strategically. **GRADE: B**

EQUALITY – Fair, equal, and impartial. Doesn't give anyone an unfair advantage.

Current System- Two similar candidates can split supporters between them and both lose, even if one or both had support from a majority. Because of vote splitting any voter who likes more than one candidate is at a huge disadvantage as is any candidate who is similar to their opponent. Furthermore, closed partisan primaries further disadvantage 3rd parties and candidates who are not incumbents or deemed "electable". **GRADE: D**

STAR Voting- STAR Voting eliminates vote splitting by allowing voters to support multiple candidates, and then counting all that ballot data at once. This gives each voter a mathematically equally weighted vote. Any way I fill out my ballot you can fill yours out in an equal and opposite fashion so that our votes cancel each other out. This is one of the few systems that doesn't give some voters or candidates an unfair advantage. **GRADE: A+**

IRV- The ranked ballot is somewhat more fair than our current system because it mitigates vote splitting but in IRV not all those rankings are actually counted. Advocates say that in IRV if your first choice is eliminated, your next choice will be counted, but for many voters this isn't true. It depends on the order that your candidates are eliminated in. By the time your first choice is eliminated your 2nd and 3rd choices may already be gone. This means that some voters get more say than others. Not fair and not equal. **GRADE: C**

ACCURACY – The candidate that best represents the electorate wins:

Current System- Plurality is the least accurate voting system out there. It only gives accurate results if there are 2 candidates in the race and even then it's likely that those candidates don't represent everyone. Elections often fail to elect the candidate with the most support and there is a high danger of vote splitting, i.e. The Spoiler Effect. This drives dishonest voting, which is an even bigger threat to accurate results. **GRADE: D**

STAR Voting- STAR Voting gives the most accurate, representative results of any voting system tested when voters are honest. Even if voters are dishonest and strategic, Voter Satisfaction Efficiency (2.) simulations show that results are still significantly more accurate than the other methods described here. STAR Voting picks the candidate that best represents the will of the electorate. **GRADE: A**

IRV- IRV is about ½ way between STAR Voting and our current system in terms of accuracy. It gives accurate results for elections with only 2 viable candidates, but can fail to elect the candidate who was preferred over all others in up to 1 in 5 elections or worse when there are more candidates according to expert analysis. (3.) **GRADE: C**

SIMPLICITY - User friendly for voters and elections officials.

Current System-This is about as simple as it gets in theory, although the need for strategic voting can make it hard to decide who to vote for, even if you know who you like. A primary and then a general election are needed. **GRADE: B**

STAR Voting- 5 star ratings are very intuitive. Explaining how the scores are counted is pretty simple but understanding how the runoff works and the implications takes thinking it through. A primary is unnecessary and tabulation only takes two rounds. STAR Voting uses a simple enough algorithm that hand recounts can be done and basic addition is all that's required. STAR is user friendly for elections officials because it's precinct summable. **GRADE: B**

IRV- Ranking candidates is intuitive, voters only need to vote once, and there's usually no primary, but understanding how candidates are eliminated can get quite complicated if you look at the details. The multiple tournament style runoff rounds require an algebraic algorithm to tabulate. Understanding the election results can also be challenging as the order of elimination doesn't always match who had more support. Ballots can't be processed locally and must be tabulated in a central location which can be a huge logistical challenge. Hand recounts are difficult, especially on larger scales. **GRADE: C**

EXPRESSIVENESS - Voters can express their full opinion

Current System- Because we can only vote for or support one candidate, this is the least expressive system possible. At least we get a vote. **GRADE: D**

STAR Voting- Voters give each candidate a score from 0 through 5 and can show how much they like each candidate as well as who they prefer to who. If they don't have a preference voters can give the candidates the same scores. All the info you give on your ballot will be counted. **GRADE: A**

IRV- Voters can rank 3 or more candidates but you are unable to show ties or show how much you actually like each. Not all the rankings you give will be counted, depending on the elimination process. **GRADE: B**

VIABILITY - Has a good chance of being passed and not being repealed:

Current System- Plurality, aka First-Past-The-Post is the most used election system in the world but it is extremely unpopular! Many people are trying to repeal and replace it with something better and many have succeed. Now that we have technology to help count ballots there's no reason to have an unrepresentative and archaic voting system. It should be illegal. **GRADE: D**

STAR Voting- STAR Voting is the new and improved hybrid of RCV and Score Voting. It hasn't been adopted for governmental elections yet, but analysis is very promising and all available evidence shows that it will outperform the voting systems in use currently. Most voting machines would need a software upgrade and the code and programing is simple and doable. Many state constitutions require a "win by plurality" which STAR offers. The fact that STAR Voting has perfectly equally weighted votes could make it the gold standard for one-person-one-vote. These two things make STAR Voting widely constitutionally viable. Precinct summability means that STAR Voting scales well and is a viable option for national elections.

GRADE: B

IRV- IRV is used by countries like Australia and Ireland and in cities around the US. It was recently passed by Maine and also in Corvallis, OR. and it has some momentum. IRV was recently repealed in Burlington, Vermont and four other cities (4.), in part because of its problems with the spoiler effect, logistical challenges with the complex algorithm, and non-precinct summability. Failed election reform is arguably worse than none at all because it makes it harder to implement future reforms in those places. Another concern is that widespread misconceptions about IRV make it a bad stepping stone reform: Many people falsely believe and state that it is safe to vote your conscience, that if your favorite is eliminated your next choice will be counted, and that it solves the spoiler effect, even though these claims are false. IRV consistently advertises more than it delivers. IRV is unconstitutional in many places because of rules around win by plurality one-person-one-vote. **GRADE: C**

SOURCES:

- (1.) "29% of voters were registered Dem. and 26% Rep. at the beginning of the last election cycle with 42% Ind." Democratic, Republican Identification Near Historical Lows.
<http://www.gallup.com/poll/188096/democratic-republican-identification-near-historical-lows.aspx>

(2.) **VSE-Sim.** Voter Satisfaction Efficiency, or VSE, is a measure of the accuracy of a election method which uses thousands of simulated elections with honest and strategic voters who cluster on issues in a realistic way. <http://electology.github.io/vse-sim/VSEbasic/>

(3.) “[IRV] can cause spoilers in up to 1 in 5 elections or worse when there are more candidates according to expert analysis.” Frequency of monotonicity failure under Instant Runoff Voting: Estimates based on a spatial model of elections. By Joseph T Ornstein, University of Michigan, Dept. of Political Science and Robert Z. Norman, Dartmouth College, Dept. of Mathematics

https://www.researchgate.net/publication/258164743_Frequency_of_monotonicity_failure_under_Instan

(4.) “STV/IRV was used in roughly two dozen US cities in the early 1900’s and repealed in all of them except for Cambridge, MA. In the modern era it was repealed in Ann Arbor, MI in 1976, then these four places in the past decade: Burlington, Vermont. Cary, North Carolina. Pierce County, Washington. Aspen, Colorado.”- Clay Shentrup, co-founder of the Center For Election Science

This blog post was originally written by Sara Wolk as part of the Portland chapter of RCV-OR's analysis of voting systems.

Written February 2017. Edited 3/20/18.



[Equal Vote](#) [STAR Voting](#) [Instant Runoff Voting](#) [Ranked Choice Voting](#) [Approval Voting](#) [Center for Election Science](#)

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My name is James Lane. I'm a lifelong New Yorker and a member of the Green Party. I have run for office as a Green Party candidate three times (twice for Public Advocate and once for congress right here in Staten Island).

I am here to strongly support the effort to institute Ranked Choice Voting for ALL NEW YORK CITY ELECTIONS and MOST IMPORTANTLY for the GENERAL ELECTIONS.

As a Green Party candidate I have seen first hand how broken and undemocratic our current winner-take-all electoral system is and how the corporate media outlets collude with the two major parties to keep alternative voices silent. As a candidate for Public Advocate from a legitimate party with a statewide ballot line, I was intentionally excluded from televised debates and from most corporate media reporting in all three of my campaigns.

When I ran for Congress, in a special election with only three candidates, I attended every public forum possible, yet my name was often excluded from the newspaper and television stories about those events. A system that allows monied interests to shut out alternative voices and candidates is NOT a democratic system!

Voter turnout in New York City and all across our country is embarrassingly low, yet other than "VOTE SHAMING", the two major parties have done very little to figure out why the public is not voting. Low voter turnout is NOT the fault of us as individuals! Instead, it is the fault of a system that is completely controlled and corrupted by wealthy donors and corporate interests. The people of our city know that their votes don't matter at all. THAT IS WHY THEY DON'T VOTE!

Poll after poll shows that the public wants more voices, more choices, and definitely more parties! The systematic strangling of our democracy is exactly what has brought us to a climate catastrophe with less than 12 years to figure out how to turn the tide for survival.

Many others have testified to all the legitimate research showing that RCV increases voter turnout, that it assures candidates are elected with a clear majority of support, that it ensures that candidates work for their constituents as opposed to their corporate contributors, and that it eliminates the need for expensive runoffs, etc.

But the most important problem that RCV can fix is the fear of "VOTE SPLITTING". In every one of my campaigns, I talked to many supporters who wanted to vote for me, or

who wanted to vote for other Green Party candidates, but who were afraid that by doing so, they would cause the victory of another candidate they were really afraid of.

We need to free voters from this cycle of fear. We MUST champion a system where the people can freely vote FOR the candidates that align with their morals and values instead of being forced to "hold their noses" as they vote for candidates they don't like, simply to avoid the victory of candidates they like even less.

This commission has the power to give disenfranchised communities, unaffiliated voters, and alternative parties a chance to have a REAL voice and run candidates on a more even playing field. It would be tragic to waste that opportunity.

There is nothing to fear with Ranked Choice Voting....unless you fear REAL democracy.

The movement for REAL democracy is coming WHETHER THIS COMMISSION VOTES FOR IT OR NOT. The public is quickly losing patience for corruption. So why not let New York be a heroic leader in this movement and not a just an eventual follower? New Yorkers deserve to vote their hopes and their dreams NOW. Our climate is telling us we don't have time to waste.

Thank you for allowing me to testify.

James Lane
Brooklyn, NY

Statement in Support of an Elected Civilian Review Board

5/13/2019

Andrew Smith

Shop Steward

Local 1503, DC37, AFSCME

Thank you, Madam Chair,

My name is Andrew Smith. I am an AFSCME Shop Steward, in DC37's Local 1503. I speak to you tonight as a union activist and in support of the proposal for an Elected Civilian Review Board.

I want to begin by telling you what some unions are doing about police violence.

In recent years the International Longshore and Warehouse Union filed a lawsuit to stop police violence.

Here in New York, DC37's Local 375 organized a demonstration with 450 participants to protest police violence.

The Chicago Teachers Union supported a proposal for an Elected Police Accountability Council.

My own Local 1503 of DC37 voted by overwhelming majority to support an Elected Civilian Review Board. Local 1503 also donated \$1,000 to the Campaign for an Elected Civilian Review Board. I assure you it is a lot of money for us. We are very conscious of where our union dues come from, and where they go: in this case to printing the brochures and posters you see in the hall here tonight and have seen in all your hearings this year.

Police accountability is a union issue because we are among those targeted by the police and we want it to stop.

Unions in New York are diverse, much more than people generally think. We are made-up for the most part of racial, ethnic and national minorities. It is our source of strength and solidarity. Unfortunately, it means that most of our members - and their families, and their communities - are vulnerable to police violence. We thus have a deeply personal reason to demand police accountability.

There is also a historical reason. We know that any day bosses can call on the police to bust our organizing, to break up our strikes and other demonstrations of workers' power. And even if nowadays police presence is

generally there to "keep us in line," we know that in the past police have broken demonstrations with arms, indiscriminately shooting down dozens of unionists at a time - as in the Haymarket Riot, the Ludlow Massacre, the Homestead Strike, the Pullman Walkout, the Colorado Labor Wars. We know about this history, we know that the police are armed and dangerous, and we know that ultimately they are not on our side.

So, we have good reason to use our power to push for greater accountability.

I urge the Commission to put the proposal for an Elected Civilian Review Board on the ballot for this November.

Thank you.

Good evening. My name is Candace Carponter, and I am currently chair of the Green Party of Brooklyn and a delegate to the Green Party of New York State. I was so excited to learn that one of the issues on the Charter Commission's agenda is reform of the election system in New York City, and in particular, Ranked Choice Voting. I want to personally thank you for the time you have taken exploring this particular issue.

I know that you all know and have learned a lot during the course of these hearings, and have heard from many folks who know far more about RCV than I do, including some very knowledgeable members of the Green Party in Brooklyn. So I won't bother telling you what you already know. I will just share with you my personal perspective as to why RCV is superior to our current system, and why it should be used in all elections – primaries, special and General elections.

I was a life long democrat, but I grew disillusioned with having to vote for a candidate who I didn't support, for fear of "throwing away my vote" and voting for the candidate I really believed in. The last time I was faced with that dilemma was the mayoral race in 2013, where I supported John Liu, but the very publicized word was that he couldn't win, and that voting for him could actually put the less desirable of the frontrunners in office. I wondered how many in that election didn't vote for John who would have had they not been confronted with that dilemma.

Not shortly thereafter, I switched my affiliation to the Green Party, primarily because I wanted to vote my conscience. But it has been tough – I cannot tell you how many times I have supported the candidate whose politics I believe in, only to be chastised and ridiculed by friends and colleagues for throwing away my vote, or worse, voting for the spoiler. It is exhausting to have to constantly defend from such unfair accusations, and it is enough to dissuade anyone from voting at all.

And as you all know, voter participation sinks lower every year, and I can't help believe this is a primary reason. Who wants to expend energy voting for someone they don't believe in?

It is time for this to change, and I firmly believe that allowing voters to vote their conscience will change the face of politics in this City, give New Yorkers a reason to get out and vote, and allow for the best person to win. And as a New Yorker, I hope that we are in the forefront of that movement which I will believe will quickly spread across the country because of our example – to truly allow every voice to be heard. We as New Yorkers can push that revolution, to help ensure that our government in a true democracy, not one in name only.
