

**Evaluating Ranked Choice Voting
in the 2009 Minneapolis Elections:
A report for the Minneapolis Elections Department**

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June, 21, 2010 v. 2

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I. SUMMARY

On November 7, 2006, voters in Minneapolis by a 65% majority approved the use of ranked choice voting (RCV) as a method of tabulating votes for elections in city political races. RCV replaced a system often referred to as “first past the post” whereby the person receiving the most votes in an election for a specific office would win that office, regardless of the actual number of votes received, and whether that person garnered a majority or a simple plurality of the vote. The use of RCV (formally it was referred to as instant runoff voting or IRV by its supporters during the campaign to approve it) was meant, according to its supporters, to bring significant change to elections in Minneapolis.

On November 3, 2009, RCV was implemented for the first time as a voting mechanism in Minneapolis. Prior to that vote, Patrick O’Connor, the interim elections director for the City of Minneapolis, asked this research team to undertake an evaluation and produce a narrative of its implementation of RCV. The purpose of the evaluation was multifold, seeking to determine among others things: 1) Did RCV succeed in securing the goals and objectives of its supporters and citizens? 2) How well did the City of Minneapolis, and more specifically, the Elections Department, do in actually implementing RCV during the 2009 elections? 3) What lessons can be learned from the 2009 RCV implementation in terms of what the City did right and wrong and how can it improve in future elections? 4) Finally, what lessons can other cities such as St. Paul, which approved the use of RCV in 2009, learn from the 2009 Minneapolis experience as they move to adopt and implement RCV? In addition to the evaluation, this study aims to memorialize the RCV implementation, offering a record of what was done.

After a thorough review of the 2009 RCV implementation, several conclusions can be reached.

- It is inconclusive whether RCV achieved its stated goals of increasing voter turnout, encouraging more candidates to run, or promoting more support for third party candidates.
- While the City of Minneapolis saved money in not having to run a primary, the overall cost of the election increased because of the need to hand count ballots in the election and conduct public education.
- The City of Minneapolis generally did a good job in preparing for the implementation of RCV. It did that by developing a voter education program, creating a protocol for the hand counting, and providing training for election officials and judges.
- Based upon comparison to a previous election that looked at the number of spoiled ballots, there is no indication that voter confusion was a significant factor in the 2009 elections.
- Based upon a poll done for the City of Minneapolis by St. Cloud State University, voters in Minneapolis were generally pleased with RCV in 2009.

- Perhaps the single biggest criticism of the use of RCV in the 2009 elections was that some expressed concern that they did not know who won the election or the final results on election night.

While the 2009 elections did not produce any significant surprises or problems, that election may not have been a good test of RCV. The election had a low voter turnout of **21%** where most races, including that for mayor, were not that close or closely contested. Both of these factors may have made it easier to implement RCV than had there been close competitive elections with high turnout.

Going forward, interviews with election officials did indicate some concerns for the future for both Minneapolis and other communities contemplating the adoption of RCV.

- At present there are no vendors of election equipment that offer technology that can process RCV. In turn that means there are no federally-approved voting machines. So long as the number of communities using RCV remains small, there may be no market incentive to produce voting equipment that secures federal approval. As a result, for the foreseeable future Minneapolis and other cities implementing RCV will need to do hand counts of ballots.
- There are concerns in future elections that they might become more complicated to administer because of a dual election system in Minneapolis. The terms dual system indicates that city elections will employ RCV but county, state, and federal elections will follow other laws that adopt first past the post. Running two systems, along with primaries that may occur with non-city elections, run the potential of additional costs and confusion.
- Given that other cities in Minnesota, such as St. Paul, have adopted or may adopt RCV, there is a need for state law to provide uniform rules for how to implement it. The state needs to provide general uniformity so that the way RCV is designed and implemented, and ultimately how elections are administered and ballots counted, are the same across the state. Failure to provide such standards may lead to Equal Protection and Due Process issues under the Fourteenth Amendment.

II. METHODOLOGY

A. Overview

In the late spring 2009 the lead researcher (David Schultz) was approached by the interim Elections Director for the City of Minneapolis Pat O'Connor with the request to do an evaluation of the City's implementation of RCV in the 2009 city elections. Mr. O'Connor indicated that he was inviting several individuals or organizations to do the evaluation and that he would eventually select one to perform this service. This request came after the two individuals had met for the first time at the National Civic Summit in Minneapolis a few weeks earlier. The two individuals were on a panel together discussing RCV.

Subsequent to this request the research team of David Schultz and Kristi Rendahl interviewed with Mr. O'Connor and other members of the election staff. At that meeting they indicated that they wanted an unbiased evaluation both on whether RCV would meet the goals of its supporters when it was adopted, and also to assess the implementation of it by the Elections Department and the City in the 2009 elections. The evaluation was to examine all aspects of the implementation of RCV, with specific attention on indicating what the City did right, wrong, and how it could improve for the future. The research team explained its qualifications to undertake the task and described its workplan for the project.

Subsequent to this meeting Mr. O'Connor informed the research team that it had been selected to do the evaluation. The research team was also informed that St. Cloud State would be hired to survey city residents and candidates regarding their views on RCV in the 2009 election.

The agreement to do the evaluation came with several stipulations. First, there would be no compensation for doing this evaluation. The City was interested in receiving an impartial evaluation and in preserving an analysis for its future use and review, as well as for it to be made available for other communities to consider when contemplating the adoption of RCV for their elections. In turn, the researchers were interested in doing the evaluation even without compensation, because of both the academic and practical importance of doing this study. In addition, since there was no compensation was involved, that mitigated any concerns that the City might be purchasing a report biased in its favor.

As part of the agreement to do the evaluation, the City agreed to make all of its records, memoranda, and any other written material available for inspection and review by the researchers. The research team was also granted full access to interview any staff, election officials, judges, candidates, and anyone else involved with RCV. The team was also granted access to view and attend any meetings or other events involving RCV, along with being given access to the St. Cloud State survey results. Finally, the agreement was that the researchers would deliver this evaluation to the City with the latter given a full right to use this document as they deemed appropriate. The research team was also informed that it would retain the right to use this document and research for any subsequent scholarly use.

Initially Pat O'Connor proposed that the above terms be committed in a letter or memoranda. A letter was drafted by the research team and sent by Mr. O'Connor to the City's Corporation Counsel. Upon review and recommendation of the Counsel, the decision was not to enter into a formal written agreement. The concern expressed by Counsel (as explained to the research team by Mr. O'Connor) was that there was a concern that a formal written agreement might compromise the appearance of the integrity of the evaluation and that instead the research team should be left free to do its evaluation. However, all of the stipulations described above were still agreed upon by all the parties.

B. About the Researchers

David Schultz is a professor at Hamline University in the School of Business where he teaches classes in public policy and government ethics. He also teaches election law at the Hamline and University of Minnesota Law Schools. Professor Schultz has more than 20 years of teaching experience in political science and law, and he is the author of more than 25 books and 70 articles on various aspects of American politics and law. He has taught election law at the American University in Armenia and has performed several assignments for the U.S. State Department, lecturing on American politics in Europe. Professor Schultz is also past president of Common Cause Minnesota, and he also has worked in city government and served on several local government and nonprofit boards. David also does extensive training on ethics for many local governments.

Kristi Rendahl is an independent consultant to nonprofit organizations and a doctoral student of public administration. Ms. Rendahl lived and worked in the former Soviet Republic of Armenia for five years, and has worked with international organizations for nearly 15 years. Through her master's and doctoral studies in the Hamline University School of Business, Kristi has received the Wesley Award for Leadership and Service, the Vincent L. Hawkinson Scholarship for Peace and Justice, and a Holt Fellowship for global research. Recently, she was sponsored by Rotary International to participate in a professional exchange to Uganda and Ethiopia. Kristi has served on several local nonprofit boards of directors and volunteered as an election judge in both St. Paul and Minneapolis, including the first-time implementation of RCV in Minneapolis in 2009.

C. Research Bias and Conflicts of Interest

Professor Schultz has authored two op-eds arguing that RCV is constitutional. These op-eds were written in response to litigation challenging the constitutionality of RCV. He also briefly served on the FairVote Minnesota (FVM) Board of Directors for several months in 2007, and during the litigation challenging RCV in court, Professor Schultz was one of several individuals who offered legal advice to FVM in the preparation of its amicus brief. All of this was disclosed to Mr. O'Connor.

However, David Schultz was not involved in the campaigns either in 2006 in Minneapolis or St. Paul in 2009 to pass RCV. He did testify, at the request of the Minneapolis Charter Commission, about 10 years ago, regarding RCV and the Minnesota Constitution. He was similarly invited in 2008 to testify before the St. Paul Charter Commission on the same subject. Professor Schultz had no involvement with any of the post-2006 debates or discussion regarding RCV in Minneapolis.

Because of the concerns of either actual or the appearance of bias, the methodology for the research had Ms. Rendahl do most of the preliminary document examination and interviews. In some cases both researchers conducted joint interviews, and both also reviewed all documents. A first draft of this report, especially the part on the implementation facts, was drafted by Ms. Rendahl, subject to review by Professor Schultz. Both researchers agreed to all parts of the report. Moreover, the St. Cloud Survey was done completely independent of the research team

and no input was provided to either drafting the survey questions or in doing the analysis of the data by them. Finally, at no point was any of the report shown to any third parties, or were any third parties consulted in the drafting of this report, except for the purposes of gathering information for the evaluation. To the extent practical, the research team did its best to disclose and check any research biases.

D. Assessment of the Methodology

No problems were encountered in doing the research and evaluation for the study. As promised, the City granted the researchers full access to all documents and personnel involved in the implementation. Extensive interviews of candidates and City staff were performed by the research team, and they were given full access to the St. Cloud State survey. At no point was there any problem with securing the information promised and requested, and at no time did the two researchers reach contradictory conclusions or assessments of RCV implementation in Minneapolis.

III. BACKGROUND

A. What is RCV?

In November 2006, voters in Minneapolis adopted RCV as their preferred method for running elections and selecting candidates in their city. The decision to make this switch came as a result of several years of lobbying and mobilization by individuals and groups such as Fair Vote Minnesota (FVM). The voting mechanism that RCV voting replaced is known as first past the post (FPTP) or simple majority rule.

FPTP is a simple voting system. It states that whenever there is an election for a single member seat, such as for mayor or a city council seat, the candidate who receives the most votes wins the seat. Thus, in a two person race, the candidate who wins 50% of the votes plus one wins the race. In races with three or more candidates, the one who receives the most votes wins, even if that candidate wins less than 50% of the total vote. In non-single member races, such as where two candidates are to be elected, the top two vote getters are elected, again whether or not they receive more than 50% of the vote. In voting, citizens are allowed only one vote for each office holder to be selected. If voting for mayor, each eligible voter is allowed to cast one vote. In multi-member races, such as when citizens are allowed to elect two school board members, each voter is allowed to vote for up to two candidates. They may not cast more than one vote for a specific candidate. FPTP is often described as simple majority rule—yet, as noted above, there are no requirements for a candidate to receive a majority of the vote unless that is an additional stipulation imposed by law. Minneapolis prior to 2009 employed FPTP in all of its elections.

B. Criticisms

There are several criticisms of FPTP. One is that the lack of a majority requirement means that candidates elected in single member districts may take office even though only a plurality of voters cast ballots for them. The concern here is that candidates do not enjoy the legitimacy of majority support if they take office with less than 50% of the voters having supported them.

A second criticism is that FPTP creates disincentives for third party candidates to run for office and get elected. The reason for this is that voters, fearing that a vote for a minor or third party candidate would effectively result in the candidate they desire the least being elected. Thus, third party candidates are viewed as spoilers who voters are reluctant to support. For example, in the 2000 Florida presidential election, many argued that Ralph Nader was a spoiler. By that, some argued that votes cast for Nader came from otherwise Democratic votes that would have gone to Al Gore had the former not run. Thus, Nader votes effectively produced a victory for George Bush, the candidate some contend who was the last choice for Nader or Gore voters.

While there is mixed evidence that Nader served as the spoiler as described above, the argument is that in general voters will not vote their first choice (a third party candidate) if they perceive that the candidate does not have a real chance of winning, for fear that it would lead to the election of the candidate they least desire. This in turn means that it will be difficult for third party candidates to run, thereby insulating Republican and Democratic parties as the two major parties. Thus, FPTP decreases incentives for voting for third party candidates and effectively limits voters to a choice among the two major parties.

RCV is supposed to address many of maladies of FPTP. At its most basic, RCV involves three candidates, A, B, and C, all running in a single member district. Voters are asked to rank choice their candidates, indicating on a ballot who their first, second, and then third choices are. In order to be elected, a candidate needs to win 50% plus one of all the votes cast. Assume that there are 100 voters, one could have this scenario.

A receives 51 votes.
B receives 30 votes
C receives 19 votes.

Under this scenario, candidate A is the winner. However, assume a different situation where

A receives 45 votes.
B receives 30 votes
C receives 25 votes.

Under this scenario using RCV, no candidate is initially declared the winner. Instead, the candidate with the least number of votes—C—is dropped from the ballot and her votes are transferred to A and B based on the expressed preference of the voters when they ranked their preference for candidates. Whoever then receives 51 votes is declared the winner.

RCV does not give voters multiple votes; it merely allows voters to rank their candidate preferences. Votes are then transferred from voters' first choice to their second choice (or third if there are more candidates) until someone receives the 50% plus one votes. At no point does any individual voter receive more than one vote or have more than one vote counted in single-member districts.

C. Benefits of RCV

Advocates of RCV contend that this voting procedure is superior to FPTP. They argue first that RCV addresses the problem of candidates being elected with less than 50% of the vote by mandating a real majority to take office. This addresses the issue of minority (less than 50%) candidates taking office, thereby ensuring that majority rule is actually honored. Second, the argument is that RCV deals with the spoiler psychology. Specifically, because voters know that they can rank choice their candidate preferences they have a greater incentive to vote their first choice, even if a minor party candidate, because the candidate cannot be a spoiler. If no candidate in the first round of voting receives more than 50% of the vote then votes are transferred from one's first choice (a third party candidate, for example), to the remaining candidates. Assume for a voter her first candidate choice is C, second choice A, third choice B, and assume:

A receives 45 votes.

B receives 30 votes

C receives 25 votes.

Under this scenario, since C received the least number of votes, that candidate is removed from the ballot and votes for her are transferred to the voters second choice. In the case of the voter above, her vote would transfer to A. If enough second choice ballots from those who voted for C are transferred to A then A wins. If more second choices go to B, then B wins. There is no guarantee that a voter's second choice will win, but RCV supposedly creates an incentive to support one's first candidate choice and not view a ballot cast for her as a wasted vote.

As a result of RCV, voters are potentially encouraged to support third or minor party candidates, minority parties are therefore encouraged or given better opportunities to run and win, and voters are therefore given more choices beyond the two major parties.

There are also criticisms frequently directed against RCV. The first is that this voting mechanism is biased in favor of political parties on the left. Second, that this voting procedure is non-monotonic. Specifically, using RCV it is possible to vote in such a way that a specific voters' ranking that their candidate will yield election of a lesser-ranked or preferred candidate. Third, that RCV violates the one person, one vote standard for the counting of votes. In response, to these criticisms, there is no empirical evidence that RCV favors candidates of one political persuasion or another. Second, while RCV is non-monotonic, so is FPTP. Third, no

voters have their ballots counted more than once (by that, each voter gets only one vote per round counted in a single-member race) and there is no double counting of ballots.

IV. THE POLICY GOALS FOR RCV IN MINNEAPOLIS

A. RCV Goals in Minneapolis

Ascertaining the intent of the policymakers is central to policy evaluation. A standard measure of determining whether a policy has succeeded or met its objectives is to ask how well the goals of its framers were met. Comparing intent to the actual outcome or impact of the policy can clarify many issues, including explaining whether the policy succeeded, how well it was implemented, and if changes in the law are needed to achieve the objectives of policy makers.

But ascertaining intent is not always easy to determine. Policies can lack clear intent, have multiple goals, or otherwise not provide evaluators with definitive benchmarks for determining what its authors wanted. Ascertaining intent is difficult enough when seeking to understand what a specific body, such as a city council intended, especially when the debates and voters do not produce one voice, but it is even more difficult when policy is the product of multiple bodies and a citizen ballot initiative. This is the problem with RCV in Minneapolis.

The battle to bring RCV to Minneapolis began more than a decade before it was adopted in 2006. This was the third effort at a charter amendment after failed attempts in 1999 and 2001. At the forefront of these efforts to adopt RCV was FairVote Minnesota. Chronicling the history of RCV in Minneapolis is beyond the scope and purpose of this study. However, what is important to note is that the arguments of FairVote Minnesota, especially in 2006, are critical to understanding the policy goals of RCV.

New City Council members were elected in 2005, so FV reached out to all candidates and incumbents. The super majority endorsed IRV when entering office in 2006. Following that, FairVote Minnesota gathered 5,000 signatures on a petition to encourage City Council to support RCV. The council voted 11 to 1 in favor (one member was absent). The Charter Commission said no. The council voted 12 to 1 (Barb Johnson voted no) the second time. In November 2006, IRV passed 65% in a city vote.

Jeanne Massey, with FairVote Minnesota, spearheaded the 2006 RCV campaign. At the time that FairVote Minnesota was pushing for RCV it referred to it as Instant Runoff Voting (IRV). Among the arguments offered to support IRV at that time was the claim that it would eliminate the need for a primary and therefore save Minneapolis money by not having run a second election (J. Massey, personal communication, September 18, 2009).

In addition, FairVote Minnesota also described RCV as a way to address the spoiler issue, ensure that candidates in single member districts receive majority support, encourage the growth of third parties and break the monopoly of the two party system dominated by Democrats and Republicans, and as a way to give voters more choices. Overall, the stated goals of FairVote

Minnesota when promoting RCV significantly followed many of the arguments generally offered to support this voting procedure.

B. Defining the RCV Goals in Minneapolis

Given the important role of FairVote Minnesota in advocating for RCV, and given that these arguments dominated the City Council, Charter Commission, and ballot initiative debates (including in the media) in 2006, it is fair to assume that the policy intent of adopting RCV in Minneapolis included:

- Save money by eliminating an election primary
- Increase voter turnout
- Ensure that candidates in single member districts receive a majority of the vote
- Encourage voters to support third party candidates (spoiler vote issue)
- Encourage third party candidates to run for office and break the monopoly of the two party system.

These five policy goals will be the ones used to determine whether the intent or goals of RCV were secured during the 2009 elections.

V. POST-2006 LITIGATION

A. The Legal Challenge in Minneapolis

Once RCV was adopted by the voters in 2006, it had to be implemented. Preparation for implementation necessitated a strategy, and several factors complicated this. Perhaps the most pressing factor involved claims by some that RCV violated the United States and Minnesota Constitutions or state law. Specifically, the claims were that RCV violated the one person one-vote principle enunciated by the United States Supreme Court in cases such as in 377 U.S. 533 (1964) and *Reynolds v. Sims*, *Wesbury v. Sanders*, 376 U.S. 1 (1964). An additional constitutional claim was that the use of RCV constituted a double counting of votes and therefore was contrary to a Minnesota Supreme Court decision in *Brown v. Smallwood*, 130 Minnesota 492, 153 N.W. 953 (1915). Finally, there was also a statutory assertion that the City of Minneapolis lacked the home rule authority to adopt RCV for its own elections and that instead the use of it as specific voting procedure was preempted by state law.

These legal challenges were given credence from three sources. First, in 2007 after RCV was adopted by Minneapolis voters, the Minnesota Voters Alliance brought suit and initiated a facial challenge to RCV in district court in Hennepin County. Their legal arguments mirrored those noted above. Second, in an August 23, 2007 letter to Secretary of State Mark Ritchie, Attorney General Lori Swanson expressed its concern that RCV in Minneapolis was preempted by Minn. Stat. § 205.02, and contrary to the precedent in *Brown v. Smallwood*. Third, in 2007-8 residents of St. Paul sought to bring RCV to the voters in that city. When asked by its city council for an

opinion on RCV, then-city attorney John Choi in a letter dated June 18, 2008 also expressed concerns about its legality.

The importance of these three events was that the questions about the legality of RCV affected implementation because the City of Minneapolis had to defend against a lawsuit whose outcome was uncertain to some. This meant that while implementation plans would still be developed, legal uncertainty and lawsuits made it unclear if RCV could be implemented. Moreover, even if certain that RCV was legal, there was no sense of when the lawsuits would end, thereby complicating a strategy for determining when it could be first used in an election.

B. The Minnesota Supreme Court Upholds RCV

The issues surrounding the legality were resolved in two cases. On January 13, 2009, the judge in the Hennepin County case ruled in *Minnesota Voters Alliance v. City of Minneapolis* that RCV did not violate either the United States or Minnesota Constitutions and that it was not preempted by state law. The Minnesota Voters Alliance appealed the constitutional questions to the Minnesota Supreme Court and on June 11, 2009 the Court affirmed the Hennepin District Court opinion. According to the Court:

Finally, it is worth reiterating the comment of Justice Hallam dissenting in *Brown* on the role of this court in addressing a constitutional challenge of this type: “Many reasons might be given why this legislation should not have been passed by the people of Duluth. With its wisdom we are not concerned. The only question is whether this community had the constitutional right to adopt this plan of election.” 130 Minn. at 504, 30 153 N.W. at 958 (Hallam, J., dissenting). The voters of Minneapolis chose to adopt the IRV method. We conclude that this facial challenge to the constitutionality of the IRV method fails.

The significance of the Minnesota Supreme Court decision is that the constitutionality of RCV was clarified with the opinion, thereby allowing the City of Minneapolis to proceed in using it. Technically, since the City had not been enjoined or temporarily restrained from implementing it prior to the decision, had it done so and the courts had ruled against RCV the City might have been faced with the courts voiding the election and the need to run another one. Thus it made sense to delay actual implementation until legal challenges were addressed.

VI. IMPLEMENTATION ISSUES AND GOALS

A. Developing an Implementation Strategy

The timing of the Supreme Court decision in June 2009 meant that Minneapolis had barely five months to implement RCV for the November elections. City Council did not formally give the go-ahead to the Elections Department to proceed with RCV for November 2009 until after the Court decision. There was some criticism by RCV

supporters and among those in the Elections Department about the late decision to proceed with using the new election process with such a short notice. Thus, the compressed time frame to implement potentially could have caused problems. Fortunately, the Elections staff was preparing for implementation even during the litigation.

A second issue that emerged in implementation was the realization that the elimination of a primary in September meant that there would no disclosure of candidate finances right before it as required by state law. It appeared that no one had thought about this issue. City Council addressed this issue by mandating disclosure in city races that served as an equivalent for the state law.

The third issue that implementation faced was how to tabulate the ballots in a timely fashion. There were several problems here. First, no vendor was presently manufacturing voting machines that could tabulate RCV. This also meant that there was no federally approved equipment that could be used with RCV. Because of this, the ballots in the November 2009 elections would have to be counted by hand. This hand count had to be finished in time to allow for the Canvassing Board to meet, certify the election, and allow for candidates to take office in January 2010. Were there significant complications in hand counting, or if the process took too long, it would be difficult to meet this requirement.

Finally, the fourth implementation issue was voter education. Citizens needed to be educated regarding how to use RCV when casting their ballots. The concern was with minimizing spoiled ballots or misvotes not counted.

Thus, implementation of RCV for the 2009 elections had to meet three objectives.

- Prepare an appropriate hand count strategy for the ballots given that there were no machines available to do the tabulation.
- Educate the voters regarding RCV to minimize spoiled ballots or misvotes.
- Complete the ballot count in a timely fashion to allow candidates to take office in January 2010.

VII. IMPLEMENTING RANKED CHOICE VOTING

A. Dual-track Preparation

As noted above, once Ranked Choice Voting was adopted by the voters, the City of Minneapolis Elections Department embarked on a dual-track process of preparing for a regular election as well as a new type of election, in the event that the City Council would choose to postpone first-time implementation to a future election. In an initial review of the prospective issues for

implementation of instant runoff voting, the most obvious issue was the lack of approved voting equipment for RCV. At the request of the City Council, then-Elections Director Cynthia Reichert sent a Request for Proposals to several companies, but none were chosen. There simply was no market for their development, and the certification process is laborious and time consuming (C. Reichert, personal communication, September 18, 2009).

In the absence of such equipment, a hand-count method needed to be developed. Though not ideal, both elections staff, and City Council Member and Elections Committee Chair Elizabeth Glidden, noted that a hand-count would need to be developed in the event of a recount anyway. Additionally, she noted, if equipment had been available, it would have been politically difficult because it would have required a conversation about buying it (E. Glidden, personal communication, January 28, 2010). The possibility of a hand recount was fresh in the minds of elections staff as they were still wrapping up the Franken/Coleman Senate recount from 2008, but the processes and procedures developed for those recounts were not as developed in advance as implementation of RCV would require (G. Gelms, personal communication, October 6, 2009).

Also challenging was insufficient clarity within the ordinance. Though the ordinance applied to all municipal races, including single and multiple seat races, it did not address how to deal with one potential regarding multiple seat races, but eventually an ordinance addressed it. (G. Gelms, personal communication, October 6, 2009). Similarly, the Elections Department did not receive guidance from the Secretary of State regarding language on ballot. In lieu of advice, the Department and their legal counsel looked for the spirit of the law when reviewing statutes (G. Gelms, personal communication, December 11, 2009). During the planning process, the Department also “officially adopted Ranked Choice Voting as the name of the voting method to more accurately reflect the process voters use to rank candidates in single and multi-seat offices. In addition, ‘Ranked Choice’ did not imply ‘instant’ results from the process” (RCV Minneapolis Method Story, November 2009).

B. Test Election Results

In May 2009, a test election was conducted for the purposes of developing a first-draft ballot design; working with different draft versions of materials to be used by election judges in the polling place to help voters; kicking-off voter outreach efforts by inviting various groups to experience and share feedback on Ranked Choice Voting; and, developing the method for hand-counting the single seat and multiple seat offices to determine the winner(s) (RCV Minneapolis Method Story, November 2009).

The test election showed that the count would require 29-129 days, eight hours a day, six days a week. The Minneapolis City Council was not satisfied with those outcomes and asked that the process be redesigned to count ballots in a more timely fashion to ensure that candidates will be able to take office on time in January 2010. The test election also brought to light certain ballot design issues, which were later remedied. The Elections Department staff attended an election technology conference at the University of Minnesota, where they received good feedback on

ballot design that informed the final ballot (G. Gelms, personal communication, October 6, 2009).

C. Confirming November 3, Process

In June, after the test election, the City Council confirmed the Ranked Choice Voting election schedule, voting not to postpone implementation to a future election (RCV Minneapolis Method Story, November 2009). Through a lean process conducted in collaboration with an external consultant, the Elections Department made necessary modifications to the counting process in order to do more parallel processing to accelerate the process (G. Gelms, personal communication, October 6, 2009). The weeklong lean process resulted in the Minneapolis Method of hand-counting the ballots at the precinct level and using the precinct level data for analysis by office. Based on the Minneapolis Method, with a 70,000 voter turnout, it was estimated that hand-counting the 22 offices would take 37 eight-hour shifts with 102 election judges serving as counters and data entry staff (RCV Minneapolis Method Story, November 2009).

The biggest challenge to staff in meeting the November 3 election was the accelerated timeline, especially on the heels of the Senate recount. Elections staff member Ginny Gelms offered that an earlier test election and redesign process would have alleviated the pressure (G. Gelms, personal communication, October 6, 2009). Ultimately, the Elections Department said they chose the fairest design, which is also the most complicated (G. Gelms, personal communication, December 11, 2009). Staff determined that the best method to count the multiple seat offices that would comply with Minnesota law was the Weighted Inclusive Gregory Method, which could produce the same election results in a recount (RCV Minneapolis Method Story, November 2009).

A transition in leadership came at a difficult time, when former Elections Director Cindy Reichert resigned just months before the election (G. Gelms, personal communication, October 6, 2009). She was replaced by Patrick O'Connor, who served as Interim Elections Director through 2009. Additionally, the legal counsel assigned to the Elections Department left in July of 2009, while the Department was still navigating murky legal waters. The attorney who replaced her was new to elections, so she had a learning curve leading up to the election (G. Gelms, personal communication, December 11, 2009).

just weeks before the election, Gelms, shared many of the responsibilities for this election, in addition to her usual duties, said, “With elections we need perfection out of the box. The first time we’ll be in actual production is November 3 until the candidates are seated. The test election was not exactly a model. There is a physical challenge to this. The day after the election is just the beginning. Elections are normally high stress. That’s okay, because you know it’s over the next day” (G. Gelms, personal communication, October 6, 2009).

With five races on each precinct’s ballot with inconsistent boundaries for separating ballots – a total of 22 offices for precincts, park districts and city – parallel processing was more an issue

than resources, people or space. Additionally, counting ballots requires technical skills, and people with RCV experience were lacking. Gelms, whose responsibilities around the election were previously to test equipment (131 ballot scanners and 131 Automark machines) and supply the polling places, did not have prior experience with RCV either. She emphasized the issues of doing the usual amount of work and finding the right skill sets within a small department of four staff members and one director. Though the Department staffs up closer to elections, the hiring process alone is time-consuming, let alone training and supervision on a new type of election (G. Gelms, personal communication, October 6, 2009).

Understaffing is a perennial problem for elections departments, Gelms stated. When prioritizing, a recount is a remote possibility that is not planned for in detail, so this was a new production environment for the Elections Department. Normally, Gelms said, “An election is like a wedding. All of these resources go into a one-day event. The skill-set that goes into a 37-day event is different. There are special considerations for managing it... Elected officials don’t understand that elections staff work all year long. They need to understand what it takes to implement a whole new system” (G. Gelms, personal communication, October 6, 2009).

In the dialogue between the Elections Department and City Council, it became apparent that some elected officials did not understand what single transferable vote in a multi-seat race actually meant, despite having voted in favor of the ordinance. This relationship was complicated by external advocates of instant runoff voting – primarily, FairVote Minnesota—who requested responses to frequent inquiries. According to the staff, whenever they spoke of difficulties, they were seen by external and City Council advocates as opposed to RCV, obstructionists or “doing it wrong.” Eventually, staff felt heard when two City Council members who came to see the test election said, “This would have been valuable to see before making the decision” (G. Gelms, personal communication, December 11, 2009). Council Member Glidden echoed the sentiments regarding a tension between elections staff, the Council and advocates saying that change is hard and there were difficulties with the staff. She acknowledged that there could have been good reasons not to adopt RCV, but the City had a mandate from the voters to do it (E. Glidden, personal communication, January 28, 2010).

Gelms noted the uniqueness of elections work. “Elections is an industry held to a different standard. We need to be perfect out of the box” (G. Gelms, personal communication, October 6, 2009). Once the Elections Department was charged with implementing RCV in 2009, they defined success by the following measures:

- Count ballots accurately and in a timely manner to allow candidates to be seated on time
- Minimize spoiled ballots (voter confusion)
- Avoid litigation
- Satisfy candidates, staff, and voters with results

D. Voter Education

Voter education was a critical piece of implementing RCV. The City contracted with Tipping Point Strategies to develop and implement voter education strategies. The City addressed identity issues with Tipping Point (email addresses, for example) to avoid any appearance that they were advocates of RCV (J. Schwartau, personal communication, January 8, 2009). RCV information was provided through press releases to media outlets, direct mail, a City website and door-to-door information campaigns. Other efforts included a speakers' bureau, events, nonprofit outreach, candidate trainings, senior outreach, free advertising opportunities, posters throughout the cities, and print materials, also translated into Spanish, Somali and Hmong. According to Tipping Point's report, 500,000 contacts with residents were made over the six-month period. The associated expenses totaled just under \$60,000, which were covered in part by The Minneapolis Foundation (\$35,000) and in part by the City of Minneapolis (\$25,000) (RCV Education Outreach Report, December 29, 2009).

It is unclear how effective these educational programs were, especially in light of the increased percentage of spoiled ballots and voter errors in the 2009 election (see below). There is really no way to measure whether the educational programs decreased what could have been more confusion had the outreach not occurred, or if the training had any impact at all. It would have been good in the post election survey of voters if this subject had been addressed. But since it was not, any measurement of its effectiveness is conjecture.

E. Election Judge Recruitment, Hiring and Training

Another area of concern prior to and throughout implementation of RCV was the recruitment, hire and training of election judges. Former judges were concerned about confusion issues that may arise with a new system, especially since there were already confusion issues among elderly and English language learners. Additionally, some judges embraced RCV, while others refused to serve as a judge or instigated flare-ups during trainings. The Elections Department tried to avoid the slippery slope of debating the virtues of RCV by remaining politically neutral and administering the election well (C. Strong, personal communication, October 6, 2009).

The trainer's goal was to be absolutely clear about what the machines could and could not do. Given the newness of the method to both judges and voters, most of the training was spent on RCV, not the basics. The State Rule is that equipment must recognize errors and inform voters of the error. While the Rule defines what an error is in a traditional election, this method is not part of State statute. This gap caused the Department to consider whether a Charter City has the right to use a system that is not specifically addressed in State Statute (J. Schwartau, personal communication, January 8, 2010).

The election judge coordinator is responsible for achieving political balance in judges, which is normally challenging in Minneapolis because it is a heavily Democratic city. While a normal municipal election would hire 1,100 judges, the Elections Department needed to hire about 1,500

judges for the 2009 election. Of the 200 counter judges required, none had prior experience with RCV (C. Strong, personal communication, October 6, 2009).

The 2009 election was the first time that the Department was required to complete I-9 forms for all judges. It had previously been managed through the vendor system, and they were not required to be on the payroll. The Human Resources Department then decided that every judge is a new hire to be kept on the records for only about two months, so the paperwork may need to be filed every election. The paperwork requirements for new hires include a new W-4, new I-9, and copies of work eligibility forms (C. Strong, personal communication, October 6, 2009).

Another hitch in the timing of RCV implementation regarded training of election judges. While the Department begins recruiting judges in February, by state law they cannot begin training until 60 days before the election (J. Schwartau, personal communication, January 8, 2009). State law requires that judges be trained every two years, but due to the new type of election all judges had to attend the training in 2009, whether or not they had received the training in 2008 (D. Connors-Smith, personal communication, September 30, 2009). This translated into a greater number of trainings than would normally have been conducted in an odd-year election. And because many people re-schedule from earlier to later trainings, the classes were larger than average at 60-70 people per class (C. Strong, personal communication, October 6, 2009). Additionally, four sessions were added to train counter judges (J. Schwartau, personal communication, January 8, 2010).

F. Cost issues

One argument for implementing RCV was reducing the cost of elections by eliminating the primary election. This argument received a great deal of criticism before and after the election. Even City Council Member Glidden, also chair of the Elections Committee and early advocate for RCV, wished that it had not been used by advocates, because it was an objectively bad argument. The best argument, she said, is that more people participate, rather than just a few people voting at the primaries (Glidden, Jan 28, 2010).

Elections Department staff member Connors-Smith, at the request of former Director of Elections Susanne Griffin, was asked to calculate the cost of a primary election, at which time she estimated approximately \$200,000. The design and implementation of a new type of election, though, incurred significant expenses for new activities, including a lean process to redesign the hand count; hire of counting judges; space and equipment; and, outreach education (D. Connors-Smith, personal communication, September 30, 2009).

VIII. Election Day

A. Turnout and Reporting Results

There were a number of surprises that came out of the November 3, election. Most notably were the total ballots cast of 45,968 as compared to the planned for 70,000 voters. This allowed for a much faster counting process than anticipated. In addition, the time it required to reach proficiency for counting and analysis was over-estimated (W. Lee, personal communication, December 14, 2009). Despite the faster than anticipated official results, some did not like the idea of not knowing the results on election night. Council President Johnson said that she had won every precinct in the ward but did not know officially for three weeks. “I knew election night that I had about 47% and my opponent about 28%” (B. Johnson, personal communication, January 28, 2010).

Some of the negative repercussions from RCV, as noted by Elections Department staff, included the loss of two-dozen election judges who would normally have served, but who did not embrace the new system. In general, they saw a lower interest in serving as an election judge, which made recruitment difficult. Those who were successfully recruited and trained were genuinely caught off guard by the loss of votes in multi-seat races (J. Schwartau, personal communication, January 8, 2010).

Additionally, some were concerned that campaigns focused more on the process, or the “how” to vote, rather than the “why.” Some voters commented that there was plenty of information about RCV, but the actual issues were neglected. There are concerns for the future that voters will lose the discipline of voting in the primary. Stated more bluntly, City Council President Johnson thought that RCV “rewarded lazy people who only vote in the general” (B. Johnson, personal communication, January 28, 2010).

B. Confusion: Overselling RCV

A core concern of the Elections Department was that they felt RCV advocates were not fully truthful about the method. While it was promoted as a method to ensure majority threshold, that was the case primarily for single-seat offices. Multi-seat, on the other hand, is proportional representation. The League of Women Voters study looked only at single seat offices. Staff were discouraged that there was no vehicle to correct the information as presented by FairVote Minnesota. A compromise would have been to use RCV only for single-seat offices, but that would have undermined the argument of saving money by not holding a primary (staff, personal communication, January 9, 2010).

City Council President Barb Johnson wishes a group of people would work to put it on the ballot and get rid of it, but she is not planning to lead that charge. That would require either the Charter Commission’s approval, a petition of a percentage of number of voters in the last general election, or the City Council. “I hate it. If it were up to me, I’d do away with it” (B. Johnson, personal communication, January 28, 2010). Council Member Glidden, however, does not think

that anyone will try to rid the process, saying: “The momentum has come and gone.” She acknowledges that they may want to tinker with how the multi-seat races are conducted, but even that would require a huge, grassroots effort (E. Glidden, personal communication, January 28, 2010).

IX. OUTCOMES

The results from the 2009 election, certified on December 4, 2009, showed that the winning candidates for all offices were also the top vote-getters in the first round. In the single seat offices, 17 of 20 offices were decided in one round and three offices were decided in two rounds. All winning candidates surpassed the threshold. Conversely, just 1 of 5 of the winning candidates for multiple seat offices surpassed the threshold (RCV Minneapolis Method Story, November 2009).

A. Spoiled Ballots and Voter Error

While there were concerns about voter confusion leading up to the election, the worst fears were not realized. Of the 45,968 total ballots cast, there were 1,888 spoiled ballots and 2,958 voter error ballots (2009 Election Statistics, n.d.), which indicates ballots with voter errors specific to Ranked Choice Voting, including overvote, repeat candidate, skipped ranking and undervote (Minneapolis Method for Hand-Counting RCV Ballot Sorter & Counter, n.d.). Comparatively, during the general municipal election in 2005, there were 755 spoiled ballots of the total 70,987 absentee and in-person voters (Voter Turnout and Registration, 2005). In 2009, there was only one ballot cast that was totally defective and not counted. This was a ballot where no ovals were filled in and a handwritten essay written in red crayon on it. Excluded from this analysis are any ballots not counted due to failure to comply with the rules regarding absentee ballots. These ballots were not opened to ascertain voter intent.

The above numbers mean that in 2005 1.06% of all ballots cast were spoiled, as opposed to 4.1% in 2009. Explaining why the percentage of spoiled ballots increased is not clear. It is possible that voter confusion over RCV was a cause but there seems to be no specific answer. Additionally, 6.43% (2,958) of the ballots cast had errors specific to RCV. These ballots were ultimately counted because voter intent could be ascertained. However, there is concern that nearly 6.5% of the voters appeared not to cast a vote properly using RCV. Part of this might be due to undervoting—voters only intended to rank and vote for one or two candidates, and not three. However, this is not the case since the Elections Department deemed that ballots that were properly marked but with only two selections would not be counted as errors. There may also be other reasons for voter error, including specific voter confusion. Table I at the end of the report describes the ward and precinct location of spoiled ballots. A separate PDF file, prepared by the Minneapolis Elections Bureau (and not included in this report), compares spoiled ballots and voter error, by ward and precinct. As of the date of this report the Minneapolis Elections Bureau has not had the opportunity to research and categorize the different voter errors. Such a study should be done to develop an educational strategy for the future.

Another way to examine spoiled ballots and voter error is spatially. Table II provides a spatial breakdown and spoiled ballots and voter error by ward.

Table II
Spatial Distribution of Spoiled Ballots and Voter Error by Ward

Ward	Spoiled Ballots	Voter Error	Total	Percentage
1	148	250	398	8.20%
2	136	212	348	7.20%
3	94	173	267	5.50%
4	128	250	378	7.80%
5	151	315	466	9.60%
6	99	205	304	6.30%
7	184	345	529	10.90%
8	131	183	314	6.50%
9	95	137	232	4.80%
10	147	187	334	6.90%
11	156	172	328	6.70%
12	151	230	381	7.90%
13	268	299	567	11.70%
Total	1888	2958	4846	

Table II adds together spoiled ballots and voter error by ward and then divides by the total number of each for all of the wards. The table provides a spatial distribution of where spoiled ballots and voter errors were located. The table does not control for voter turnout (turnout percentages were not equal across wards). Assuming equal turnout across wards the total percentage of spoiled ballots and voter error should be 7.7% per ward. Clearly some wards deviated from this, with wards 7 and 13 having the highest percentages.

Table III compares the total percentage of spoiled ballots and voter errors by ward to total ballots cast by ward. Some wards, such as 5 and 7, had much higher percentages of spoiled ballots and voter errors than they should have had, given their respective shares of total ballots cast. The reasons for this are unclear.

Table III
Comparison of Spoiled Ballots and Voter Error to Ballots Cast

Ward	SP + VE percentage	Ballot Cast Percentage
1	8.20%	8.70%
2	7.20%	6.20%
3	5.50%	4.90%
4	7.80%	7.20%
5	9.60%	4.80%
6	6.30%	4.30%
7	10.90%	9.60%
8	6.50%	7.00%
9	4.80%	6.60%
10	6.90%	7.50%
11	6.70%	9.20%
12	7.90%	9.60%
13	11.70%	14.10%

While there is no indication that spoiled ballots and voter error ballots changed the outcome of any election in Minneapolis, combined the two accounted for 7.49% of all the ballots casts in 2007. There of course is concern whenever voters make mistakes in voting, but errors on nearly 7.5% of all the ballots cast are potentially troubling. Such a high error rate is significant enough that should it persist it could affect the outcome of elections in the future. While voter errors or mistakes are attributable to the voter and therefore do not necessarily rise to the level of legal or constitutional issues, these mistakes potentially are problems. Future implementation of RCV in Minneapolis needs to address the causes of these errors and seek to reduce them in future elections. These actions need to include better voter education, perhaps more testing and improvement of ballot design, or other measures. But a first step toward reducing errors would be gathering more information regarding the causes or explanations for the voter error.

Finally, there were over 200 unique write-in candidates, which added hours of analysis and demanded much of the three weeks of counting time. The frivolous write-ins, such as “The Lizard People”, were frustrating to the elections officials, because of the additional time required to count and report them. Those hours would add up fast in an election with a larger turnout (W. Lee, personal communication, December 14, 2009; staff, personal communication, December 11, 2009).

In sum, while the number of spoiled ballots and voter errors increased in 2009, there is no indication that voters were disenfranchised by RCV. There is also no indication of double-

voting or counting. This suggests that Equal Protection legal challenges, if filed, are unlikely to be successful.

B. Survey results

A survey showed that most voters – 8 of 10 – knew they would be asked to rank their vote choices. The most often cited sources of RCV information were the newspapers and television news. For most voters, they reported they understood how RCV functions perfectly well or fairly well. Overall, most voters found judges helpful. Older, better educated, wealthier, and persons of color found the judges more helpful than other categories of voters.

Of voters, 60% of the voters ranked some candidates, and of those that ranked candidates, almost all voters who ranked their vote choices found it simple to do so. Women seemed more likely to rank candidates, as were older voters, better educated voters, white voters and wealthier voters. The most frequent reason mentioned by voters who did not rank candidates was that they didn't know enough about the candidates to rank them. Eight of ten respondent voters were very confident or confident that votes would be counted accurately using RCV.

The data makes clear that a plurality (41 percent) prefers RCV and about a quarter of the respondent voters prefer the traditional system of voting. For an equal number of respondent voters, however, it doesn't matter which system is used. Almost six of ten voters responded that RCV should be used in the future.

Of the registered voters who did not vote, a plurality is regular voters but did not vote. About one-third is occasional voters and another one-third, never vote. The single one reason for not voting was lack of time. Others forgot about the election and simply do not care to vote in municipal elections. A majority said that they thought the voting process would be simple.

The survey of election judges found that almost all respondent judges (92%) felt their training for working a ranked choice vote election was excellent or pretty good. When the judges were asked if voters were very knowledgeable or knowledgeable about RCV when they arrived to vote, seven of ten said yes. Importantly, the judges noted that a quarter of the voters were not very knowledgeable or not at all knowledgeable. Almost one-half of the questions the judges received were about how to file out ballots and far less was about how votes were going to be counted, but a quarter of voters asked about both issues.

A survey of candidates found that six of ten respondent candidates think RCV should be used in future. Similarly, six of ten candidates report they prefer RCV to traditional methods of voting and more, 70 percent, see RCV as very fair to a fair way to count votes. One-half of the candidates thought RCV positively impacted their campaigns and more, 60%, saw it as advantage to candidacy, and 50% of the candidates adjusted their campaign strategy due to RCV. One-half of the candidates saw RCV as an advantage to political party (St. Cloud State University Survey Research Report, December 2009).

Elections Department staff members concluded that outside counsel for conducting public education and redesigning the count process was core to their success. They would also recommend to a normal, generalized elections office that they consider hiring a consultant with specific for implementation of ranked choice voting. This is challenging because the elections staff pool is small (G. Gelms, personal communication, October 6, 2009). They also heartily credited other City staff members for contributing to the success of their efforts (C. Strong, D. Connors-Smith, J. Schwartz, personal communication, January 8, 2010).

X. OPPORTUNITIES FOR IMPROVEMENT

A. The Voting and Tabulation Process

Certified election equipment is still not available for RCV, but some hope that the City of St. Paul's recent adoption of Instant Runoff voting will instigate conversations between Ramsey and Hennepin Counties and the Secretary of State in order to negotiate with vendors to develop equipment that will be compatible with more than one type of election (E. Glidden, personal communication, January 28, 2010). In the meantime, the Elections Department has proven that its counting procedures are good and the overall implementation can be improved through relatively minor modifications to the ordinance and process (C. Strong, D. Connors-Smith, J. Schwartz, personal communication, January 8, 2010).

Due to the number of frivolous write-in candidates, and the amount of time required to count them, a low-hanging fruit is to modify the ordinance to allow only declared write-in candidates. The amount of time required to count write-in candidates will only increase with more hotly contested elections, which means that without write-in reform future elections will demand even more time and resources. City Council Member Glidden does not think it will be a problem to modify the ordinance to address this issue (E. Glidden, personal communication, January 28, 2010).

Another important modification would be to eliminate the need for a hand-count when candidates readily meet the threshold as counted by the existing election equipment. In 2009, several of the races were easily determined in the first column machine count, but judges were required to hand-count them nonetheless.

In the next implementation of RCV, the Elections Department will re-allocate resources to have more people on data entry and analysis, allowing them to more quickly determine the results as they receive the data, rather than by a third special team (C. Strong, D. Connors-Smith, J. Schwartz, personal communication, January 8, 2010). One election judge felt that the training could be expanded to address the whole mechanism, and how the counting fits into the data analysis. "Even though they were both voters and elections officials, counters did not understand multi-seat system and defeat process. It was a missed opportunity for more people to really

understand the process... and give a good answer as an election official” (W. Lee, personal communication, December 14, 2009).

B. RCV in Future Elections

Another consideration for future elections is the development of guidelines for a combination special-general election. There is a domino effect in campaigns that could prove difficult for RCV implementation in special elections. For example, if a mayor resigns to be governor, a city council member runs for the vacant mayoral seat, and someone else runs for the vacant city council seat, it will be challenging to implement in a quick timeframe. There would be less time for staffing, training for counting, and managing logistics (C. Strong, D. Connors-Smith, J. Schwartau, personal communication, January 8, 2010).

A big change for future elections is that ballot instructions may be different for city elections, statewide primaries and general elections. As such, it will forever change how election judges explain the ballot. In 2010, there will be two different sets of rules. Elections Department staff would like to see uniform statewide developed (C. Strong, D. Connors-Smith, J. Schwartau, personal communication, January 8, 2010).

Other staff recommendations include a modification of procedures regarding I-9s for judges to reduce the paperwork burden on staff members (note: an I-9 exemption was approved by the City attorney in January of 2010) (J. Schwartau, personal communication, January 8, 2009); a modification of voter error rules to count the first column by machine, so if voters skip the first column, that office will not be counted; and, procurement of a work ready space to reduce logistics hassles.

XI. CONCLUSIONS

A. Elections Department

The goals of the 2009 election as defined by the Elections Department were fully achieved. They were able to count ballots accurately and in a timely manner to allow candidates to be seated on time. In fact, the results were certified weeks prior to their original goal. There was minimal voter confusion as evidenced by the relatively low number of spoiled and voter error ballots. There was no litigation following the election. And it is fair to say that most candidates, election judges, and voters were satisfied with the way RCV was implemented.

B. RCV Advocates

When evaluating the 2009 election on the basis of the original goals of proponents of RCV (Why RCV is Better, n.d.), it cannot be said that it fully achieved its goals. The benefits as outlined by FairVote Minnesota indicate that RCV “upholds the principle of majority rule.” This goal was achieved in single seat races, but not in multiple seat races.

Whether or not the system “eliminates ‘wasted’ votes” is difficult to say after just one, low-turnout election. RCV may have reduced the “spoiler” problem and it certainly gave voters more choices, though the number of frivolous write-ins was a burden on resources. RCV did not increase voter participation compared to participation in previous municipal elections, though it did not appear to be a primary cause of non-voting.

The system may have opened the political process to new voices, and promoted diverse representation, though it is difficult to assess after just one election. But even RCV opponent and City Council President Barb Johnson acknowledged that a bigger pool of candidates allows potential for candidates from minor parties (B. Johnson, personal communication, January 28, 2010). Council Member Glidden noted that three viable candidates would be necessary to show how RCV can really impact a race (E. Glidden, personal communication, January 28, 2010).

The goal of reducing negative campaigning and promoting civil, issue-oriented campaigns is similarly difficult to measure after one election. As indicated earlier, some suggest that the campaigns for this election focused heavily on the method and less on the issues, which is in fact contrary to the goal.

The anticipated advantage of combining two elections into one so that voters only have to make one trip to the polls may prove to be a disadvantage, as voters lose their discipline to vote in primaries or are generally confused by which system is to be used in a given year. The goal of combining two elections so that taxpayers have to pay for only one election was not secured, given the expenses that were incurred in preparing for and implementing a new type of election and hand count.

C. Critics

Critics of RCV contended that its implementation would lead to increased voter confusion, double counting of votes, and disenfranchisement. While the percentage of spoiled ballots increased in 2009 compared to 2005, and while there were unique voter errors in this election, there is no indication that RCV produced voter disenfranchisement or double counting. As noted above, only one opened ballot was not counted, and one cannot argue that it was unreadable due to issues associated with RCV. Finally, there is no indication that RCV ultimately altered the outcome in any of the elections.

XII. RECOMMENDATIONS

As a result of this study, several recommendations are offered.

- Determine the causes of increased spoiled ballots in the 2009 election.
- Analyze and catalogue the incidences and types of voter errors in the 2009 election
- Assess the success of the Tipping Point outreach program in terms of educating voters

- Develop appropriate educational programs and training to reduce spoiled ballots and voter errors.
- Encourage the adoption of state-wide rules and standards regulating RCV to ensure that communities across Minnesota follow the same procedures should these voting procedures be expanded to other jurisdictions.

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**Table I:
2009 Minneapolis Election Results**

Ward	Precinct	7 Am Pre-Registered	ED Registrations	Spoiled Ballots	Signatures on Roster	Accepted Absentee Ballots	Total Number Voting from results tape	Sum of Columns signatures & absentee	ED Registrations listed on envelope
1	1	960	4	9	227	5	232	232	
1	2	2694	24	20	586	43	630	629	27
1	3	2294	25	18	625	10	635	635	
1	4	2029	29	19	515	17	532	532	
1	5	1680	19	13	421	24	445	445	
1	6	2298	46	23	521	5	526	526	
1	7	1321	9	3	135	6	140	141	
1	8	1039	10	14	215	9	224	224	
1	9	1900	20	13	351	15	366	366	
1	10	1272	24	16	282	2	284	284	
2	1	1822	34	16	463	14	477	477	
2	2	2279	35	38	792	21	813	813	
2	3	2340	31	17	240	6	246	246	
2	4	1430	23	1	37	0	37	37	
2	5	2333	27	15	348	8	356	356	
2	6	1156	25	5	282	32	314	314	12
2	7	1813	25	5	137	5	142	142	
2	8	768	10	0	81	4	85	85	
2	9	1508	25	14	181	4	185	185	
2	10	1492	17	24	124	6	130	130	
2	11	2785	27	1	55	1	56	56	
3	1	2122	27	3	81	1	82	82	
3	2	1919	38	6	205	2	207	207	
3	3	2760	38	27	496	22	518	518	
3	4	2050	28	9	328	12	340	340	
3	5	1107	39	8	234	32	266	266	
3	6	2408	52	26	457	11	468	468	
3	7	1407	7	6	152	3	155	155	
3	8	1048	11	5	104	3	107	107	
3	9	899	9	4	111	2	113	113	
4	1	1685	15	19	404	15	419	419	
4	2	1193	14	9	197	24	221	221	
4	3	1271	24	16	316	7	323	323	
4	4	1776	22	15	553	8	561	561	
4	5	1036	8	4	200	2	203	202	
4	6	1956	35	17	374	9	383	383	

4 7	1425	18	15	357	9	366	366
4 8	2046	19	12	371	8	379	379
4 9	1829	21	13	271	4	275	275
4 10	1088	10	8	166	3	169	169
5 1	2243	30	29	397	6	403	403
5 2	965	9	2	140	4	144	144
5 3	1619	31	15	251	8	259	259
5 4	1349	28	20	343	6	349	349
5 5	1424	35	36	351	8	359	359
5 6	1851	28	21	223	26	249	249
5 7	1278	10	11	104	2	106	106
5 8	705	19	10	144	2	146	146
5 9	485	5	1	59	1	60	60
5 10	773	13	6	102	23	125	125
6 1	750	11	6	97	2	99	99
6 2	3275	69	24	532	9	541	541
6 3	2694	59	12	317	11	329	328
6 4	3534	55	16	398	16	416	414
6 5	1172	23	6	134	1	135	135
6 6	1133	14	13	116	0	116	116
6 7	612	23	12	109	21	129	130
6 8	1211	20	10	212	5	217	217
7 1	1947	11	0	585	19	603	604
7 2	1542	21	31	564	19	583	583
7 3	2480	35	29	498	31	529	529
7 4	1580	14	17	454	29	483	483
7 5	2260	38	7	334	11	345	345
7 6	2482	28	23	394	12	405	406
7 7	1936	19	12	286	10	296	296
7 8	3371	36	36	545	41	587	586
7 9	1508	17	3	168	11	179	179
7 10	2937	48	16	278	22	300	300
7 11	1306	23	10	211	9	220	220
8 1	1194	8	8	138	2	140	140
8 2	1639	26	11	327	6	333	333
8 3	1143	17	9	139	1	141	140
8 4	969	25	11	223	5	228	228
8 5	2148	23	17	341	11	352	352
8 6	2221	27	22	392	9	401	401
8 7	1442	16	11	395	6	401	401
8 8	1813	21	11	398	6	404	404
8 9	1421	11	8	296	7	303	303
8 10	2423	14	23	522	14	536	536
9 1	1368	22	12	260	11	271	271
9 2	1883	14	9	465	16	481	481
9 3	833	8	3	81	2	83	83
9 4	1045	14	2	133	3	136	136

9	5	1415	31	10	314	9	323	323
9	6	1563	43	10	374	8	382	382
9	7	915	22	13	234	2	236	236
9	8	2024	51	15	477	48	525	525
9	9	1551	22	11	407	8	415	415
9	10	1052	9	6	116	0	116	116
9	11	259	5	4	66	0	66	66
10	1	2230	46	12	365	7	372	372
10	2	2297	43	7	312	10	322	322
10	3	1812	22	24	411	9	420	420
10	4	1280	30	5	172	24	196	196
10	5	1099	17	13	135	3	137	138
10	6	2207	33	13	324	10	335	334
10	7	1802	28	9	313	5	318	318
10	8	1534	18	17	355	41	396	396
10	9	1557	41	10	306	3	309	309
10	10	1904	0	30	461	22	483	483
10	11	1329	14	7	136	6	142	142
11	1	2575	23	18	577	8	585	585
11	2	2106	14	17	545	13	557	558
11	3	1230	7	4	225	2	227	227
11	4	1753	41	11	179	84	264	263
11	5	2206	22	12	579	9	588	588
11	6	2346	11	13	434	15	448	449
11	7	2119	11	19	544	13	557	557
11	8	2962	12	44	659	19	678	678
11	9	2529	6	18	317	14	331	331
12	1	2438	32	26	610	12	622	622
12	2	2431	37	26	583	12	595	595
12	3	2189	23	23	570	12	582	582
12	4	1232	12	10	295	4	299	299
12	5	2314	22	14	600	11	612	611
12	6	1523	6	12	336	20	356	356
12	7	312	4	0	32	42	74	74
12	8	3222	41	25	666	12	678	678
12	9	1746	14	9	335	11	346	346
12	10	1495	7	6	230	10	240	240
12	11	1668	11	22	397	17	414	414
13	1	2002	17	12	330	15	344	345
13	2	2419	21	35	758	27	787	785
13	3	2168	24	15	509	15	524	524
13	4	2716	20	30	760	28	788	788
13	5	3161	21	55	856	30	886	886
13	6	2588	27	37	849	15	865	864
13	7	1041	12	9	311	12	323	323
13	8	1972	10	18	440	10	450	450
13	9	2498	12	18	516	19	535	535

13 10

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