

# Applying Ranked Choice Voting to Congressional Elections

## *The Case for RCV with the Top Four Primary and Multi-Member Districts*



Rob Richie, FairVote

# American Exceptionalism: Inescapable Realities for Reformers

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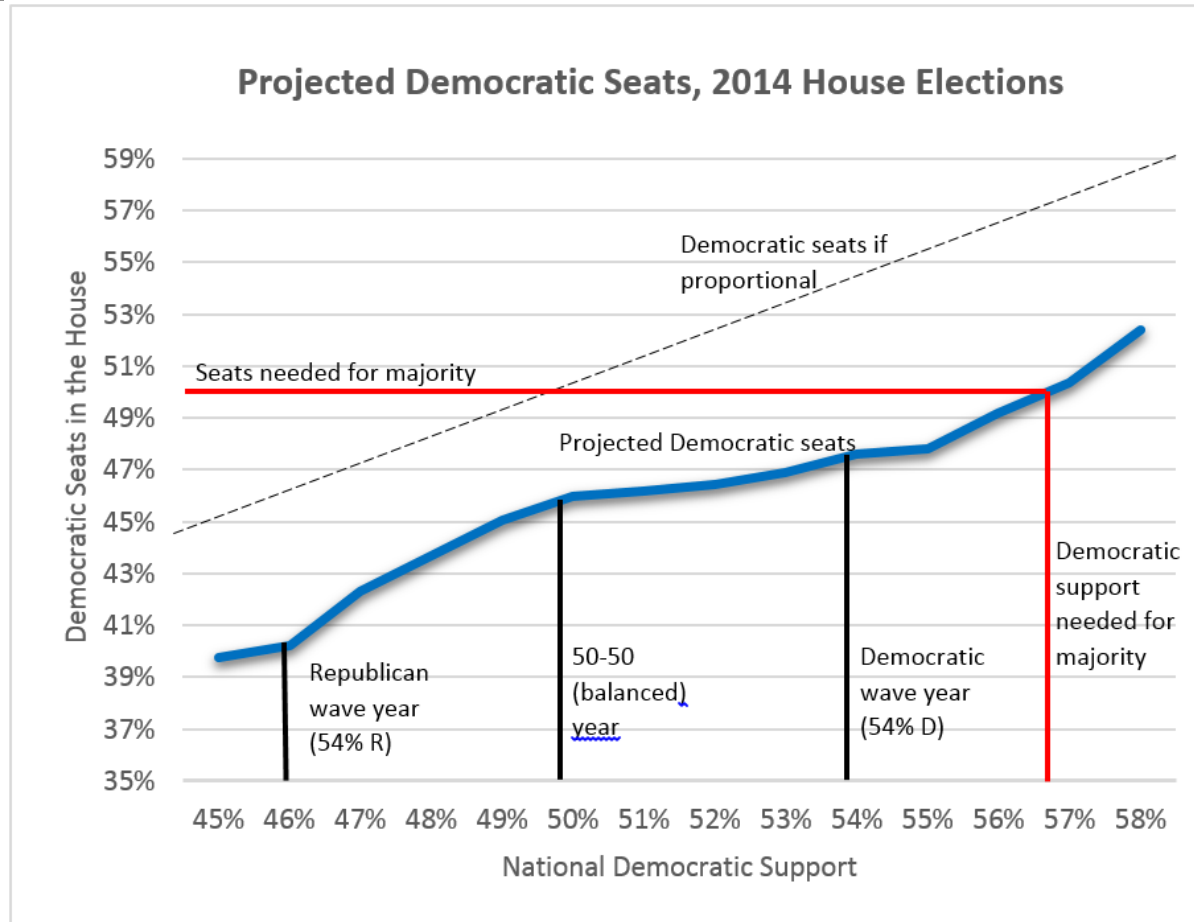
- **Presidential system:** Checks and balances here to stay
- **Government-funded primaries & two-party system:**  
More attention to primaries than general elections
- **Pride:** “Nothing to learn from other nations”

# *Where We Are: Winner-Take-All Breakdown*

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- **Voters' partisan rigidity:** Growth / Extension to more elections
- **Partisan skew in U.S. House elections:** 55% of national vote not enough for Democrats to retake House in '14
- **Disconnections that may not be sustainable**
  - Approval of Congress vs. likely >98% incumbent retention rate
  - Unaffiliated voters vs. increasing partisanship
  - Growing racial diversity vs. resistance to accommodate it

# Partisan Skew in House Elections

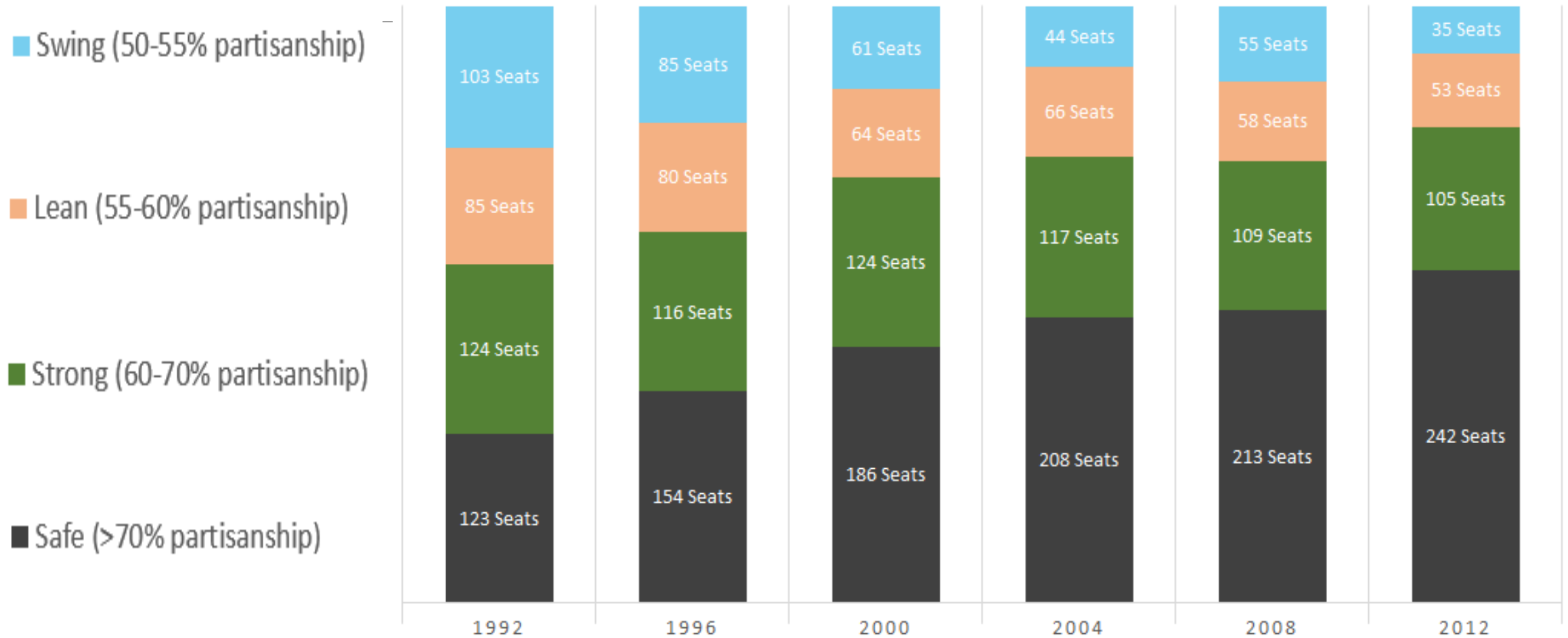


# 2014 Projections by Competitiveness: Big GOP Edge in Nationally Even Election

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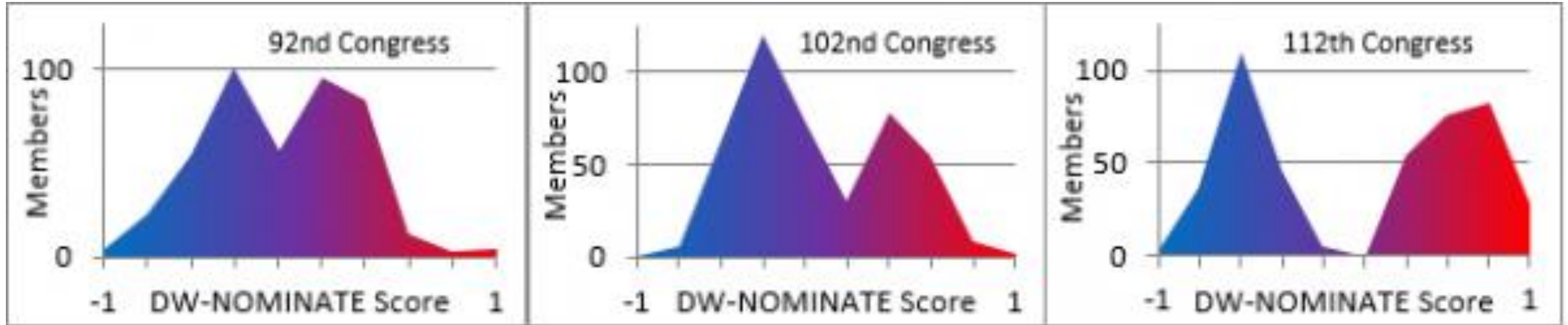
<b>Safe Republican:</b>	202	<b>Safe Democratic:</b>	152
<b>Likely Republican:</b>	16	<b>Likely Democratic:</b>	13
<b>Lean Republican:</b>	12	<b>Lean Democratic:</b>	16
<b>Toss Up (Slight R):</b>	6	<b>Toss Up (Slight D):</b>	18
<b>TOTAL REPUBLICAN</b>	236	<b>TOTAL DEMOCRATIC</b>	199

# Partisanship & Rise of Safe House Seats



# Moderates Nearly Extinct in House

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DW-NOMINATE scores measure the ideological locations of Members of Congress

# Increase of Heavily Partisan States: Presidential Elections, 1984 - 2012

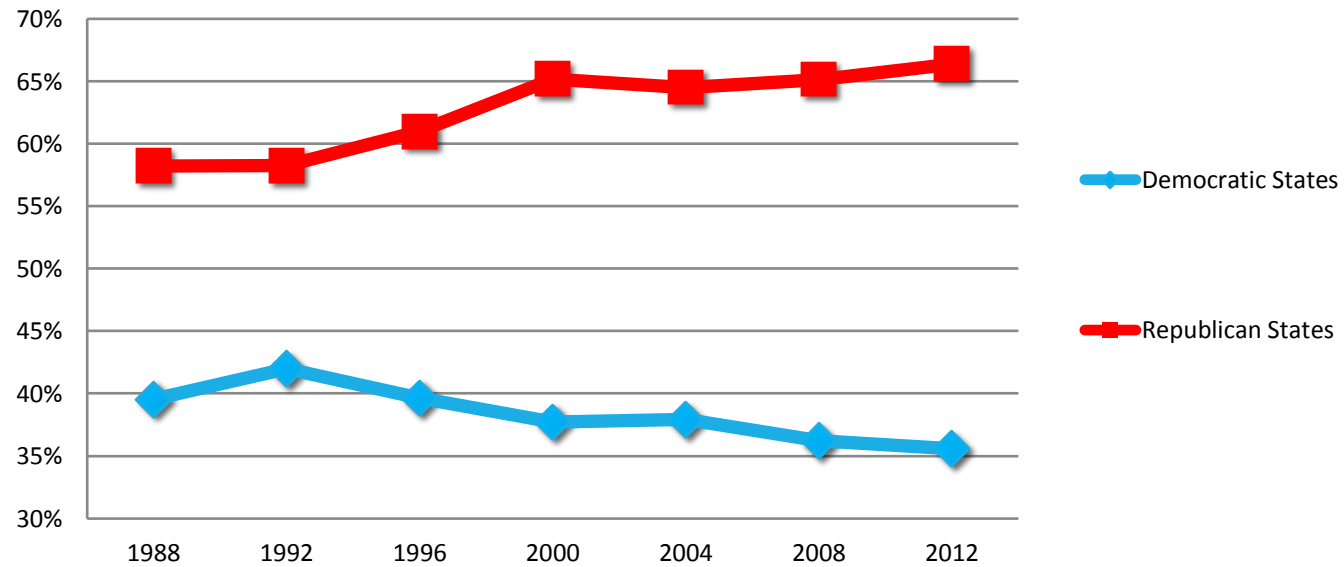
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<b>Year</b>	<b>Landslide States (&gt;58%)</b>	<b>Total Electoral Votes</b>
<b>2012</b>	25	247
<b>2008</b>	26	275
<b>2004</b>	20	163
<b>2000</b>	20	166
<b>1996</b>	13	90
<b>1992</b>	5	20
<b>1988</b>	8	40
<b>1984</b>	9	44



# A Growing Partisan Divide

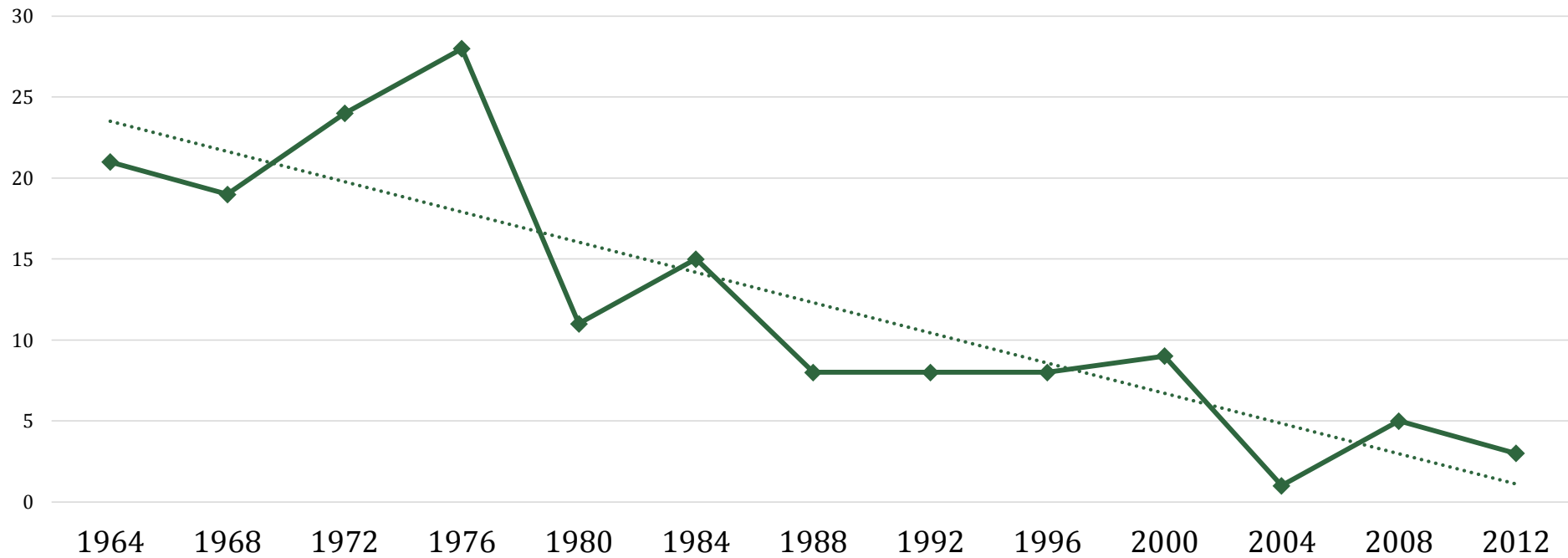
**Average Presidential Election Partisanship of the  
10 Most Democratic and Republican States**



# Partisanship: Growing Voter Rigidity



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**Number of States Shifting Partisanship 5% or more between Presidential Elections (1960-2012)**



# Partisan Rigidity in the U.S. House

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- House Districts with mismatch between party and partisanship
  - **1993: 113**  **1997: 93**  **2013: 26**
- Seat gains in 2012 largely limited to one's own partisan turf
  - 0 Democrat gains in the **201 districts** w/ GOP partisanship > 54%
  - 0 GOP gains in the **275 districts** w/ GOP partisanship < 57.7%

# States as Laboratories of Polarization

## Rising Partisanship Down Ballot

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- **34 states: Same party has monopoly control & won state in presidential election**
  - 40 state have monopoly state gov't / 45 have monopoly in state legislatures
  - Southern transformation
    - 1991: All 28 legislative chambers run by black-white Democratic coalitions.
    - 2014: Only 3 (in KY & WV) – rest are under Republican, nearly all-white control
- **Partisan patterns in state legislative races**
  - North Carolina : 118 of 120 House winners in 2012 in districts favoring party
  - Oregon: Democrats won 0 of 32 legislative districts won by Romney

# Time for Reform: So where are reformers?

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- **Electoral reformers:** Money in politics & boosting turnout
- **Minority voting rights:** Voting Rights Act & voter suppression
- **Pundits:** Enchanted with gerrymandering & closed primaries

# FairVote: Focus on Structural Reforms

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- **Presidential Elections:** National Popular Vote plan for president
  - State-based plan has great promise to win by 2020
- **Single-Winner Elections:** Ranked Choice Voting
  - Winning in cities & poised to win in states / Top Four model
- **Multi-Winner:** Ranked Choice Voting (“single transferable vote”)
  - Opportunities in voting rights cases / Focus on U.S. House

# Why Focus on Ranked Choice Voting?

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- **American values:** Choice is power. Ranking is freedom
- **Candidate-based:** *Allows* parties, but does not *depend* on them
- **Bottom up solution to gerrymandering:** Contrast with top-down
- **Addresses problems w/voter turnout and money in politics**
- **Extends the sphere:** Candidates need more votes to win /  
Our parties and legislatures more fully represent their “big tents”

# ..... And Toronto Mayor Rob Ford: Posterchild for Plurality Voting Defects





# How Ranked Choice Voting Wins Today

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- **Replacing two-round elections:** Saves money, maximizes turnout
  - Wins in Minneapolis, San Francisco, Oakland & Memphis / NY City in 2014?
- **Avoids “spoilers”:** Insiders may back RCV after 3<sup>rd</sup> party vote-splits
  - Ralph Nader in 2000 / GOP in Alaska / Dems in Maine, Vermont, & Minnesota
  - Toronto’s Rob Ford, currently tied in 2014 election polls with 31%
- **Voting Rights Act:** Section 2 and state VRA cases
  - Growing wins for related systems of cumulative voting & limited voting

# Overcoming Barriers to RCV

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- Election administration obstacles ending
- “Complexity” argument losing force over time
- “Tipping point” of use weakening local opponents
- Growing civic group interest sustaining wins
- Funders starting to take notice

# The Promise of Top 4 Primaries

## *Example of Top Four Ballot*

Fill in only ONE oval per candidate.  
Fill in only ONE oval per choice.

	1st Choice	2nd Choice	3rd Choice
<b>Vaccarino, Donald X.</b> Libertarian Libertarian Party Endorsed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Rosenberg, Uwe</b> Republican Republican Party Endorsed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Knizia, Reiner</b> Republican	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Wallace, Martin</b> Democrat Democratic Party Endorsed Working Families Party Endorsed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

# Top 2 Primaries: What's Right -- and Wrong

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- **All voters can vote in primary elections they pay for....** But at cost of party association being weakened
- **Results in more competitive general elections ....** But only in rare and perverse instances when only one party is on general election ballot. Split votes often keeps out viable candidates.
- **Ensures majority winner in November....** But by eliminating all but two candidates in low-turnout, unrepresentative primaries

# Why Top 4 Primaries With RCV

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- **Opens general elections:** Weakens primary voters' grip. Analogous to ending "sore loser laws."
- **Better on the terms of advocates of Top 2:** Avoids 1-party general elections and shutting out of independents even as it increases elections with multiple candidates of majority party
- **Compared to 1-round RCV:** Fits with American ethos of "2nd look." Can see where candidates stand & zero in on the "finalists." Allows simple, ballot design, with 3 rankings. Option to use RCV in opening primary vote as well when bigger field.
- **Upholds association:** More ballot information helps voters

# Top 2 at Work in California, 2012

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- Potential split votes in 92 of 154 Top 2 primaries
  - Congressional District 31 example: Obama wins 58%, but only 2 R's on general election ballot due to split vote in primary
- Only 1 independent made November ballot in district where at least 1 Democrat and 1 Republicans ran in primary
- On average, it took > 25% of vote to advance in June, yet turnout in November was more than twice as high

# California: Contrasting Top 2 & Top 4 *2012 U.S. House Elections*

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	<b>Top Two</b>	<b>Top Four (projected)</b>
<b>Both major parties in general election</b>	41	45*
<b>Intraparty race in general election</b>	8	<u>43</u> *
<b>Independent candidates in general election</b>	4	<u>22</u> *

\* Limited in part by number of candidates from this category on primary ballot

# Washington: Contrasting Top 2 & Top 4 *U.S. House Races, 2008-2012*

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	<b>Top Two</b>	<b>Top Four (projected)</b>
<b>Both major parties in general election</b>	26 / 27	26 / 27
<b>Intraparty race in general election</b>	0 / 27	<u>25</u> / 27
<b>Independent or minor party candidate in general election</b>	1 / 27	<u>10</u> / 27



# Fixing the House Nationally: Multi-Member Districts & Ranked Choice Voting

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- **House elections demand national reform approach, not piecemeal:** Yet independent redistricting alone is inadequate and problematic
- **Long history of multi-member districts in House elections:** Can be mandated by Congress without constitutional amendment
- **Precedent** : Congressional mandates for districts in 1842 and 1967
- **Our solution:** RCV in multi-member Districts of 3 - 5 (in all states w/3 reps. Primaries: Use RCV as well and/or nominate from 1-seat districts

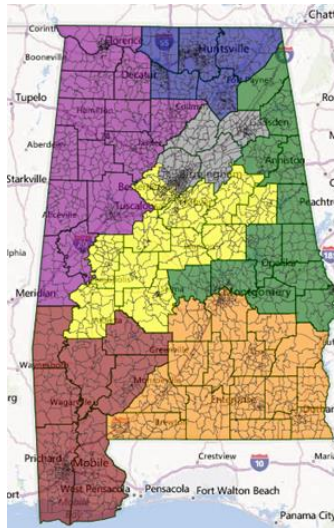
# Limits of Redistricting Reform: Alabama Simulation

**Current Plan**  
**6 R, 1 D**



District	Dem Part.
1	36%
2	35%
3	35%
4	23%
5	34%
6	23%
7	71%

**GOP Gerrymander if no VRA:**  
**7 R, 0 D**



District	Dem Part.
1	32%
2	31%
3	33%
4	39%
5	39%
6	40%
7	37%

**Independent Redistricting**  
**(no partisan considerations)**  
**5 R, 0 D, 2 ?**



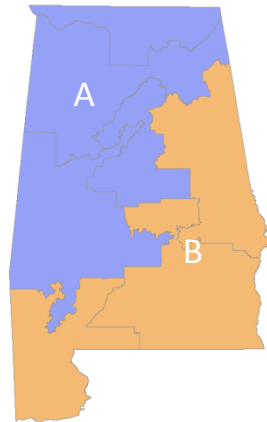
District	Dem Part.
1	35%
2	30%
3	50%
4	48%
5	31%
6	22%
7	32%

# RCV in Multi-Member Districts

## Fair Representation Voting

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### Alabama



District	# of Seats	Dem Part.	Black VAP
A	4	38%	24%
B	3	35%	26%

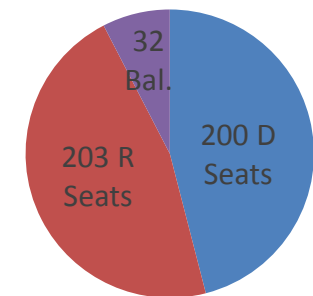
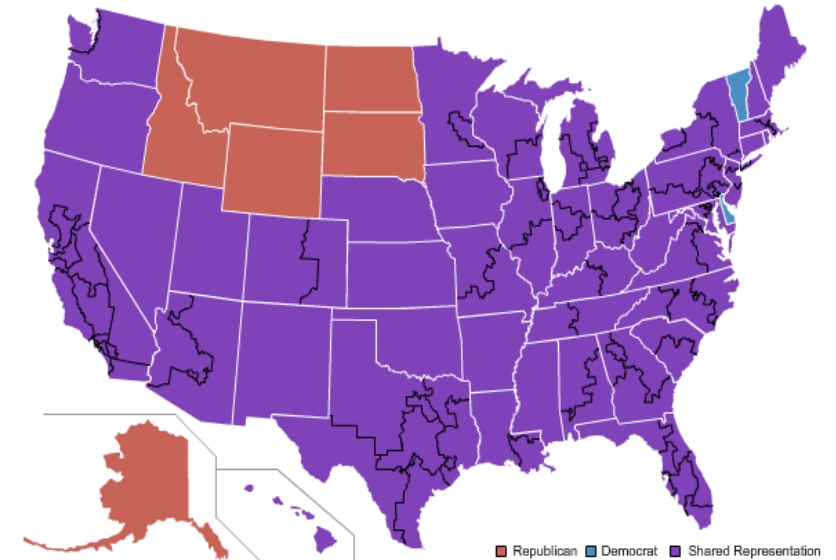
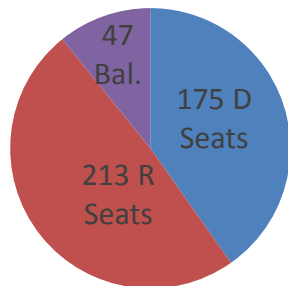
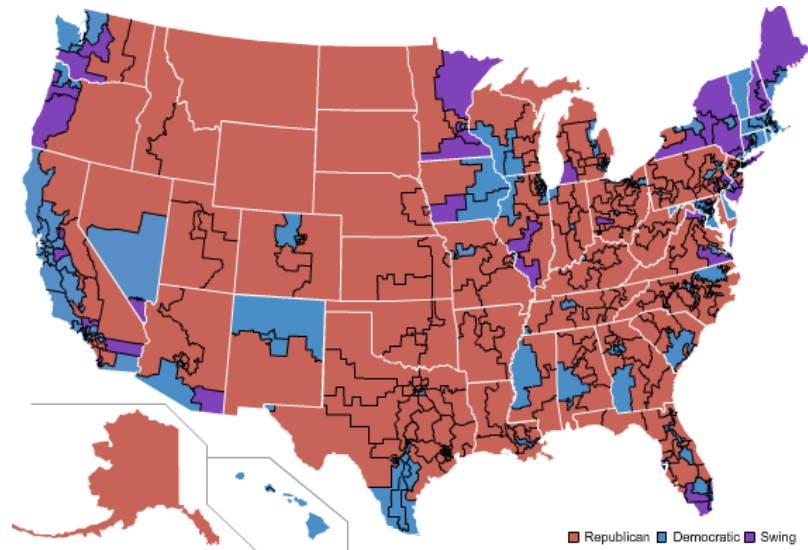
<b>Partisan Breakdown</b>	<b><i>Fair reflection:</i></b> 4 R, 2 D, 1 ?
<b>Competitive Districts</b>	<b><i>100% competitive:</i></b> All seats potentially competitive in every election
<b>Racial Representation</b>	<b><i>Better minority voting rights:</i></b> 2 black majority seats, 100% of voters can elect candidate of choice

# The Impact of Ranked Choice Voting in Southern States: Summary

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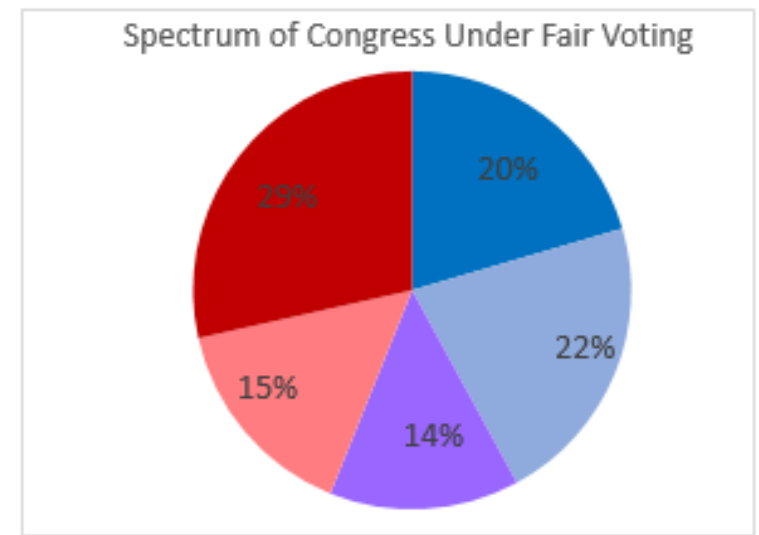
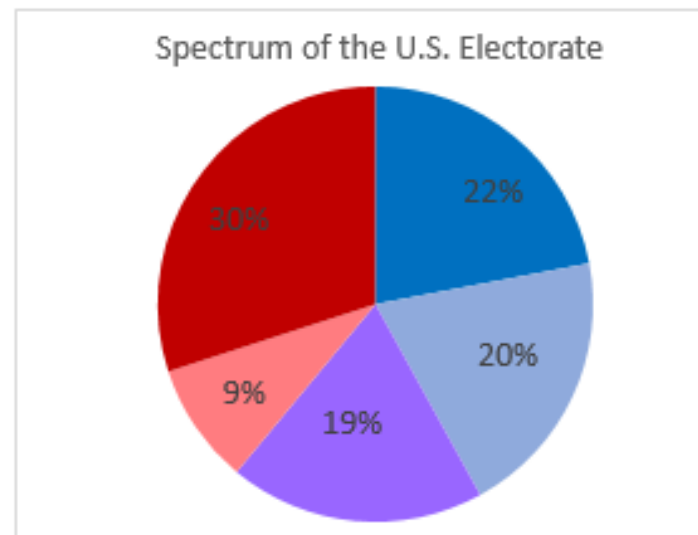
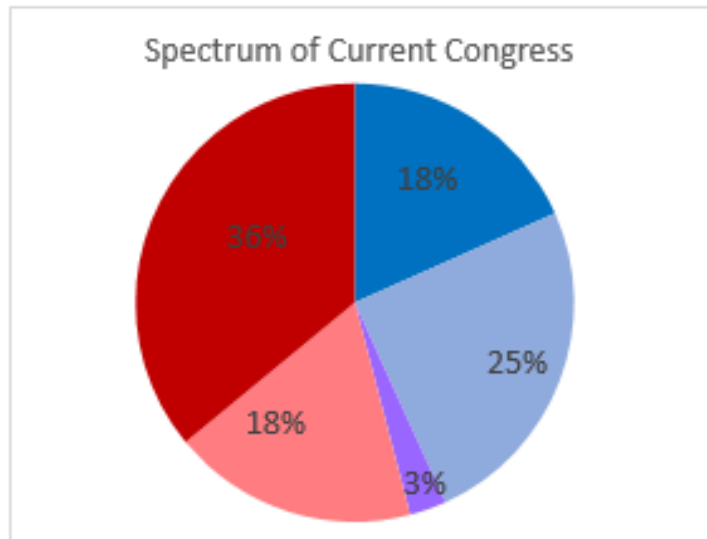
<b>Districting system</b>	<b>Democratic Seats</b>	<b>GOP Seats</b>	<b>Swing Seats</b>	<b>Black Majority Seats</b>
<b>Current Plan</b>	16	52	3	10
<b>RCV in MMDs</b>	25	39	7	16

# Success: Shared Representation and Partisan Fairness Nationwide



# Madisonian Representation w/RCV

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■ Strong Liberal

■ Moderate Liberal

■ Centrist

■ Moderate Conservative

■ Strong Conservative

# Roadmap for Reform

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- **Academic and editorial consensus:** Elite opinion shifts on the nature of our problem and the best way to solve it
- **Political players become allies:** Democrats (skew), Republicans (seeking real voter majority), independents and third parties
- **Activist coalition of reformers:** Money in politics, redistricting, civil rights, women's representation (*Representation2020.com*)
- **Outside developments create openings:** Other reform wins (NPV, Top 4) / 2-party system fraying (Americans Elect?) / Voting Rights Act transition / Ongoing government dysfunction