

Flaws in Draft Academic Paper on Ranked Choice Voting in San Francisco

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Given that use of ranked choice voting is relatively new in contemporary American elections, its effects should be studied in a responsible and scientifically rigorous manner. A draft paper released in March 2014 by San Francisco State University professor Jason McDaniel did not meet those standards. It drew sweeping conclusions from a small data set and overlooked evidence contradicting those conclusions.

We initially wrote this response and shared it with Professor McDaniel in April 2014. To his credit, Professor McDaniel promptly removed his draft from SSRN. However, it had already been [widely disseminated](#) by a particularly vociferous opponent of ranked choice voting, and McDaniel continues to reiterate its conclusions, so we are keeping this response available online.

Ranked Choice Voting, Racial Minorities, and Voter Turnout

[Ranked choice voting](#) (RCV, also called “instant runoff voting” and “preferential voting”) is an increasingly common voting method around the world and in the United States. Rather than limit voters to indicating support for one candidate, RCV enables voters to rank candidates in order of preference. These rankings then maximize the number of voters in any given election who help elect a top-ranked candidate. RCV is a form of majority voting when electing one candidate, as one cannot win in the first round of counting without a majority of votes. When used to elect more than one candidate it is a form of fair representation voting, as multi-seat RCV lowers the percentage of voter support needed to win. Both one-seat and multi-seat forms of RCV tend to result in less polarizing campaigns and ensure that decisive outcomes will take place when voter turnout is highest.

Many American cities that hold elections with ranked choice voting have experienced significant increases in racial minority representation. [In 2013](#), for example, four cities held contested RCV elections. Minneapolis (MN) elected its first-ever Latino, Somali and Hmong American city council members. St. Paul (MN) elected its first Hmong American to its city council. Cambridge (MA) elected its first Arab American and first Latino city councilors and has had continuous African American representation on its council for decades, despite having an African American population of less than 12%. An Asian American woman won a special election to the San Francisco (CA) Board of Supervisors in 2013; today, sixteen of San Francisco’s eighteen offices elected by RCV are held by people of color, up from nine when elections were held without RCV. [Denise Munro Robb’s scholarly study](#) found that RCV in San Francisco leads to “increasing minority representation and greater participation rates at the ballot box,” particularly in contrast with the low turnout runoff elections previously held for the Board of Supervisors. RCV elections in Oakland find similar encouraging outcomes.ⁱ

These results are consistent with past RCV election outcomes in American cities. A [2008 study](#) by FairVote and the New America Foundation found that racial minority voters have consistently made effective use of RCV ballots. From 1910 to 1960, for example, when the multi-seat form of RCV was adopted and used in two dozen cities – including Cincinnati, Cleveland, and New York City – people of color reliably increased their representation. One year after adopting RCV for mayoral elections in 1974, Ann Arbor (MI) elected its first-ever African American mayor in an election where his victory depended on second choices from his defeated opponents. New York City’s 32 community school boards were elected through the multi-seat form of RCV from 1969 to 1999. They were consistently the most representative elected bodies in New York City, and in 1999 the Department of Justice denied preclearance when the state legislature passed legislation to switch to a non-RCV system that could be run on the city’s old lever machines.ⁱⁱ

Professor McDaniel's Misleading Draft Study

Given this history, it was surprising when Professor McDaniel in March 2014 posted his [draft study](#) on SSRN (since withdrawn) that examined voter turnout in the five San Francisco mayoral elections from 1995 to 2011, and purported to show a negative impact of RCV on people of color and voters who are young or less well-educated. After political scientist Seth Masket mentioned RCV favorably in a [Brookings Institution analysis](#), McDaniel had tweeted at him: "Surprised by your mention of RCV. Currently working on two papers that indicate reasons to be concerned w RCV." Masket then wrote a [follow-up blog](#) highlighting McDaniel's findings without skepticism.

We are far more skeptical about this draft study. The paper has been withdrawn, but we see a vigorous rebuttal as necessary due to its early dissemination. In his conclusion, McDaniel had written "even the most well-intended reformers often fail to anticipate the deleterious effects that changes to the rules of voting and elections can have on political participation." As the main group that has researched and advocated for RCV, we take this challenge personally. McDaniel's findings do not provide anywhere near sufficient evidence to warrant his conclusion that RCV "appears to exacerbate turnout disparities related to age and education" and works instead "to the advantage of sophisticated voters."

To be sure, RCV's implementation in San Francisco can be improved. For example, we would like to see voters able to rank more than three candidates, as a majority of voters are clearly ready to do so in the most high-profile elections. We would like a cleaner ballot design, with candidates listed only once and columns to indicate rankings positioned closer to each other – both changes being already done in cities with better voting equipment. We would like to see more voter education focused on the reason voters may want to rank candidates, not just on how to do so.ⁱⁱⁱ

But we utterly reject McDaniel's central thesis. Under RCV, voters retain the ability to vote as they have before by indicating as their first choice which candidate they like best. They also are able to rank back-up candidates in order of preference. Professor McDaniel's hypothesis for how RCV supposedly reduces turnout is that RCV imposes higher "information costs" on voters, both through its use of "more complicated ballots" and by making "the process of candidate evaluation ... more challenging." His claim seems to be that voters who otherwise would have voted in the election found the prospect of a new opportunity to rank candidates in order of preference so burdensome that they opted to abstain instead. This causal mechanism seems unlikely and is not backed by the facts as we interpret them.

The Overlooked Context of Recent San Francisco Elections

The primary flaw in McDaniel's analysis is that he draws general conclusions from an examination of only five elections for one office in one city (San Francisco mayoral elections in 1995, 1999, 2003, 2007, and 2011), each of which had very different dynamics and fields of candidates. The first three elections were decided in runoffs, the 2007 RCV election was barely contested (incumbent mayor Gavin Newsom received 74% of the vote and the next-highest finisher only 6%), and the 2011 RCV election that featured an incumbent who won by more than 19% in the final RCV round of counting.

The wholly uncompetitive nature of the 2007 election overshadows any possible effect of the city's switch to RCV starting in 2004. Therefore, McDaniel's entire analysis hinges on the 2011 mayoral election – the only mayoral election in San Francisco where ranked choice voting has been a factor.

But McDaniel miscategorizes the election and ignores a range of factors that clearly affected turnout patterns. First, he treats the 2011 election as an open seat race, with a number of candidates more or less on even footing. In fact, the 2011 election had incumbent Mayor Ed Lee, who had been appointed following Mayor Newsom's resignation. After his appointment, Lee quickly became popular with the people of San Francisco, with a [78% job approval rating](#) before the election that would typically lead to an easy incumbent win. Indeed, an [October 2011](#) poll showed Lee with a "massive lead," with a level of first choice support more than three times that of any of his top challengers.

The 2011 election did feature several other strong, qualified candidates, all of whom anticipated an open seat election when they filed. But Mayor Lee broke a pledge not to run and entered as a candidate in August 2011. At that point, he immediately became the unambiguous frontrunner and never lost that status. As an incumbent whom three-quarter of voters thought was doing a good job, his only real electoral liability was the reversal of his pledge not to run. Having a frontrunning incumbent whom most voters wanted to stay on as mayor, but whom some voters didn't want to reward for breaking his pledge not to run, is hardly a combination of factors likely to generate high turnout. Given the importance of the 2011 election in McDaniel's paper – that is, it is the only RCV election he can examine with any real meaning – it is disappointing that he did not discuss these vital particulars.

It is even more problematic that he considered only the handful of five San Francisco mayoral elections, considering the preponderance of data on other RCV elections in San Francisco that is now available. McDaniel overlooks a large number of contested RCV elections in San Francisco, including the even-year RCV elections to the Board of Supervisors in 2004, 2006, 2008, 2010, and 2012, where winners consistently earned more votes than under the prior non-RCV runoff systems. He also overlooks all the non-mayoral runoffs that, held previous to implementation of RCV, resulted in large declines in voter turnout. He similarly ignores the evidence of voters handling RCV well in the many other U.S. cities that have conducted RCV elections during this time period.^{iv}

Furthermore, despite the turnout decline from 2003, the city's 42% turnout among registered voters in the 2011 San Francisco election was the second highest of the most recent mayoral elections in the 22 largest cities in the United States (see [FairVote's voter turnout analysis](#)). Turnout in 2011 was lower than the mayoral elections in 2003 and mayoral elections in the 1990's, to be sure, but that may well have been primarily a reflection of a disturbing trend of declining turnout in major city elections across the United States during the same period, few of which use ranked choice voting.

Consider Los Angeles, which uses McDaniel's apparently preferred system of two-round runoff elections. In 2001, 37.7% of registered voters turned out to vote. In 2005, turnout was 33.9%. But in 2009, turnout fell to a mere 17.9%. The 23.4% turnout in a hotly contested 2013 runoff in an open seat race was barely half of San Francisco's 2011 turnout in which a popular incumbent won with relative ease. Yet Professor McDaniel never accounts for national declines in municipal election turnout when considering the effect of ranked choice voting on turnout in San Francisco.

Ranked Choice Voting and Racial Minority Turnout

The most inflammatory claim made by McDaniel is that ranked choice voting led to a decline in African American turnout from the pre-RCV elections to the post-RCV elections in San Francisco. But throughout all five of San Francisco's mayoral elections since 1995, there is one clear pattern: turnout among a given racial minority group rose when a viable candidate from the group was on the ballot, and declined

when one was not. Turnout among African American voters fell significantly after the 1999 mayoral election, for example, because the 1999 election featured San Francisco's last African American mayor, Willie Brown, who won hard-fought runoffs in both 1995 and 1999.

To McDaniel's credit, he does include an "in-group candidate" variable. But since there has yet to be an RCV election with a viable African American in-group candidate in San Francisco – in 2007 and 2011 the top African American candidate won a paltry 1.3% of the vote – any conclusions about RCV's effects on black turnout drawn from this data are dubious at best (p-value < .05 or no).

In almost an exact mirror of declining African American turnout, Asian American turnout skyrocketed between pre-RCV elections and 2011, when Chinese American incumbent Lee defeated Latino candidate Dennis Herrera in the final count, with two other Chinese Americans (Board of Supervisors president David Chiu and state senator Leland Yee) among the four top vote-getters. Indeed, the top seven mayoral candidates in 2011 were Asian American and Latino, which also helps explain the decline in white voter turnout. Turnout among Latinos was higher in 2011 than in any other recent mayoral election, including the 2003 runoff that featured a Latino candidate.

Errors and Omissions

The paper makes several more key factual inaccuracies and omissions. These include:

Inexplicable conclusions: The full findings of McDaniel's analysis are contained after his endnotes in Table 3 of the paper. When taken at face value, they make no sense in terms of his thesis. McDaniel's most touted claim, for example, is the negative correlation between ranked choice voting and African American voter turnout, but he actually found a significant positive correlation between ranked choice voting and African American voter turnout for voters over the age of 65. He also found a negative correlation between ranked choice voting and white voters, but no significant correlation for Asian or Latino voters, suggesting that ranked choice voting somehow has an inexplicable bias in favor of Asian and Latino voters. The best explanation for these results is that the small data set is only giving McDaniel noise and other idiosyncrasies of these elections, to which he is then fitting a preconceived story.

Misreading reasons for overvotes: Despite an earlier email exchange with FairVote's Rob Richie on this very issue, McDaniel fails to note that San Francisco voters, especially low-income voters, made overvote errors in the June 2012 U.S. Senate primary without RCV that invalidated more than five times as many ballots as were invalidated in the comparably contested RCV mayoral elections in San Francisco in 2011 and in Oakland in 2010. McDaniel suggests (and Masket repeats) that RCV ballots cause voters to make more errors, but does not control for the number of candidates on the ballot – with a greater number of candidates resulting in more opportunities for error regardless of whether RCV is used.

Ignoring lessons from undervotes: If it were true that RCV ballots were off-putting to certain categories of voters, then it would follow that in high-profile elections in November of even years for president and governor, more voters would choose to not vote in down-ballot RCV races than would choose to undervote if those elections had not used RCV. Yet the use of RCV in fact has seemingly *reduced* the number of undervotes in Bay Area cities.

Consider that in the 11 elections for non-RCV Board of Supervisors races that went to runoffs in 2000-2002, the median percentage of all voters at the polls who failed to cast a valid vote in the first round

was 14.5% (presumably due largely to undervotes, although the available data does not make that distinction). In the 16 comparably contested RCV races for the Board of Supervisors that required multiple rounds of counting to determine winners in 2004-2012, the median percentage of voters at the polls who failed to cast a valid vote was only 9.7%.

We've seen the same pattern in RCV elections and non-RCV elections in the East Bay as well. In November 2010, Oakland voters had a ballot with hotly contested elections for governor, Senate, and statewide ballot measures at the top of the ticket. Yet only 2.01% of Oakland voters skipped the RCV mayoral race and only 2.3% failed to register a valid vote. In a similarly contested pre-RCV June 2006 race, with much less interesting races at the top of the ticket and a smaller overall electorate, 2.9% of voters failed to cast a valid vote. The same pattern holds true in mayoral elections in Berkeley in 2008 (without RCV and 2012 (with RCV).

Ignoring non-mayoral elections: McDaniel looks solely at elections for mayor. The office of mayor happens to be the only office where turnout in runoff elections for that office is likely to be maintained or increased from the first round. Because he ignores all other offices where turnout in runoffs is almost certain to go down if held separate from a mayoral runoff, McDaniel fails to mention the [evidence](#) from San Francisco Elections Commission member Chris Jerdonek showing steep declines in turnout in San Francisco runoffs for non-mayoral offices – and with far less racially representative electorates as well. In the 16 Board of Supervisors RCV elections that had multiple rounds of counting to determine winners in 2004-2013, the median percentage of first round votes that counted for a candidate in the final round was 80%. In the 11 Board of Supervisors elections that had runoffs in 2000-2003, the median percentage of first round votes that counted in the final round was 60%.

Conclusion

Isolating the sources of fluctuations in turnout is difficult in light of the multitude of variables at play, especially when looking at only five elections for a single office in a single city. Applying statistical tests using such limited data cannot result in high confidence that any turnout differences were due to the introduction of RCV and not due to statistical noise or just plain coincidence. Indeed, the possibility that these findings are produced instead by a litany of confounding variables is reinforced when considering their implausibility when taken as a whole. His conclusions are farfetched when compared against the alternative hypothesis that this data is just too full of noise from other factors to be useful on its own.

We want to underscore that ranked choice voting, just like every other voting method, is not perfect. We also would like to see improvements in how RCV is implemented in San Francisco. But to dismiss RCV based on a small handful of complex cases is absurd. We urge Professor McDaniel in future drafts of his paper to correct his errors and exaggerated claims and to engage with the more nuanced realities of ranked choice voting in San Francisco.

ⁱ After implementing ranked choice voting for the first time in 2010, Oakland (CA) elected its first female and first Asian American mayor; of Oakland’s 18 offices elected by RCV, all but two were won with more votes than in the preceding non-RCV election.

ⁱⁱ This objection was the last time the DOJ denied Section Five preclearance for any election change in New York, underscoring how rare such objections are. RCV’s value for representation of New York City voters of color – with school board elections regularly electing more than one racial minority group in diverse electorates, typically in close correlation to the eligible voter population – was not fully appreciated due to relatively low turnout (elections were held on their own in May) and many parents unrealistically wanting the school boards to accurately reflect the racial demographics of parents rather than eligible voters.

ⁱⁱⁱ We would also like to have cities with nonpartisan elections consider allowing candidates to indicate political associations on the ballot. In San Francisco, candidates can already indicate their job on the ballot. We think it would be more instructive to voters if those candidates had the option to list one endorsement from a group or individual, as proposed by UC Davis law professor Christopher Elmendorf.

^{iv} Adding to the evidence of RCV’s positive impact in U.S. elections is [a major new study](#) on RCV elections undertaken by a team of scholars led by the University of Iowa’s Caroline Tolbert and Western Washington University’s Todd Donovan



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