



June 8, 2020

More Information Needed: Why Barrie Council shouldn't rush Ranked Ballots

Dear Mayor, Councillors, and City Staff

Engage Barrie is a collective that formed in 2019 to help foster an equitable community, mobilize and empower people, and build an engaged local democracy. We believe that the more people who share their ideas about our city, the more diverse, representative and equitable our municipal actions will become.

Engage Barrie supports all priorities listed in Barrie City Council's 2018-22 Strategic Plan, but especially the goal to "**Inspire Community Participation**" -- which is why we believe it is so important for Barrie to bring in Ranked Ballots for the next election, to fulfil your goal of helping everyone "get engaged and stay connected".

What Are We Asking For?

In reference to the Staff Report being submitted on June 8, we encourage Council to refer the Report back to Staff for a more fulsome examination of the issue. We believe the advice given in this Report is based on incomplete information, plus a great deal of misleading or incorrect information that seems to have been given to them. A deadline of early September, 2020 for the updated Report gives enough time to collect and evaluate more information, and still give Council and Staff enough time to implement the system (if Council decides to proceed) in time for the 2022 Municipal Election.

Reasons To Defer This Item

The Staff Report focuses almost entirely on the financial and technical aspects of switching to Ranked Ballots, without delving into the social and democratic effects of changing the ballot type (many of which, we've already addressed above). Yet if the costs projected are accurate, \$220,000 is not formidable — and in the words of one of our members "**what price are you willing to pay for more democracy?**"

Furthermore, while there are no references cited as to who provided Staff with some of the information presented in the Report, these sources have provided a great deal of erroneous and/or misleading information. We highlight a few select issues in our Attachment, but some of the most concerning problems are:

- Incorrect information about vendor capabilities, including Barrie's recent vendors, ES&S, and Simply Voting
- Incorrect information about software certification requirements
- Incomplete summary of Ranked Ballot usage in North America
- Missing information about Barrie's current use of runoff voting for Interim Council appointments, with 50% threshold
- Inaccurate description (contradicting collected data) of the London experience
- Incomplete investigation of all parameters/rationale involved in implementing Ranked Ballot Elections

Advantages of Adopting Ranked Ballots

(but there are many more, which we'd be happy to discuss!)

According to EKOS Research, there is a strong appetite for democratic change right now — especially after our current shortfalls have been revealed to all by the current pandemic. Their recent (April-May 2020) research has made it clear that the Public wants reforms which will enhance legitimacy, equality and good government, with the vast majority looking for a broad transformation of our society. The time is right for making change!

The research has clearly shown that moving to Ranked Ballots [Source: RaBIT]:

- Provides more choice for voters
- Discourages negative campaigning
- Eliminates vote splitting
- Reduces strategic voting, and
- Ensures candidates with the most support win

Studies further show that places with electoral systems that allow for greater choice than our first-past-the-post system better reflect the population within the composition of their elected bodies. This means more women get elected, more people of colour, people of different occupations and socio-economic backgrounds, and LGBTQ+ people, as only some examples. This leads to a diversity of ideas, better decision-making, and better economic, social and environmental policy outcomes.

Barrie Council has not been close to gender parity since the 1990s, and has in fact strayed further from parity since, along with declining voter turnout and other determining factors. Our current Council is only 18% female (9% before the Ward 3 by-election), and does not represent our city's wide diversity of cultural, economic and ethnic backgrounds. Voter turnout in Barrie was 40% in 2010 [Source: Simcoe.com], down by a quarter to less than 30% in 2018 [Source: City of Barrie]— we need to encourage more to participate in elections, by showing them their vote matters.

Ranked Ballots are the first step in real change — they're simple, easy to implement, and allow for greater engagement with the political system. They make elections (and Council) more open, accountable, democratic and equitable, and allow more voices to be heard.

And finally, as our city struggles to get appropriate powers and assistance from the Province, being able to say that over 50% of those who voted were in favour of the current Council gives you a stronger mandate from the Public, strengthening our legitimacy and power.

Moving Forward

While we recognize that cost is one of the parameters to consider when changing the ballot type, it shouldn't be the main one. The majority of the expense would likely be in educating the public about how ranked ballots work, and how they benefit the city. Engage Barrie has already been doing that, and is happy to continue to support Council in this way. With a strong core and an ever-growing mailing list, we're in a great position to spread the word — we would be happy to partner with the city in these communications. Leveraging the support and partnerships with community organizations enhances resilience for the future, as it establishes more capacity within the city and community to achieve positive outcomes — something recently demonstrated with the city's recent partnership with Barrie Families Unite in assisting the community through the COVID-19 pandemic.

Engage Barrie urges Council to move forward with implementing Ranked Ballots in time for the 2022 municipal election. Moving to ranked ballots is a way for Barrie City Council to signal its commitment to improving diversity and equality on Council to reflect the diversity seen in our community. Ranked ballots are the leading edge of increasing civic engagement and improving democracy, because it's the only tool the Province has given municipalities so far. We can switch for 2022 and lead, alongside London, Cambridge and Kingston... or we can be laggards.

We look forward to collaborating with you in empowering and engaging all Barrie residents!

Sincerely,

The Members of Engaged Barrie

Attachment: Selected Comments on Staff Report

Ranked Ballot Voting: Selected Comments on Staff Report

Absence of Discussion of the Advantages/Disadvantages of Ranked Ballot Elections vs. First-Past-The-Post

While the stated purpose of the report is “to provide members of council with information regarding ranked ballot elections”, the report does not answer the most important question: *Why are people asking for Ranked Ballot elections to be considered?*

From what has been shared in the report, it does not appear that an informed advocate of Ranked Ballot elections had been consulted, to understand the potential benefits of moving to a Ranked Ballot system.

Technical / Vendor Considerations

First off, the claims that it would be difficult to source a vendor who could provide the software to process ranked ballots is simply untrue. Companies like Dominion Voting, and our recently-contracted ES&S run the ranked ballot elections for our federal parties, with hundreds of thousands of votes calculated immediately — this has been done in Canada, repeatedly, for many years. This is proven technology, readily available. When one of our members reached out to ES&S to confirm, this is the response we received:

“Yes, the City of Barrie did use ES&S voting technologies in 2018 and had a successful election. Yes, ES&S technology is capable of running ranked ballot elections. We’ve run many ranked ballot elections over the years in Canada and the US.”

For Barrie’s recent Ward 3 by-election, the City used the services of Simply Voting — a company which publicly stated years ago that the system they use “has the capacity to administer ranked ballots” and that they “have experience administering this voting method”. When one of our members reached out to confirm, we received this response from them:

“Simply Voting supports ranked preferential balloting. We have a number of different counting methods available for results calculations as well (e.g. Borda Count, STV/IRV, Condorcet).”

To be clear: **the voting software providers the City has already contracted can readily and easily run a Ranked Ballot election for us.**

As to the claim that there is no election software certified with algorithms based on the Ontario Regulation, this is highly misleading, because Ontario has no system for certifying any election software (unlike the U.S.). As the City of London noted in its report on the 2018 election, “*there are no federal or Provincial standards to test voting and vote-counting equipment in Canada.*”

The Ontario Regulations for Ranked Ballot Elections are available online at www.ontario.ca/laws/regulation/160310 — nowhere in this document is the word “algorithm” used, and the only time software is mentioned is in “Matters to be considered by council”:

5. (1) Before passing a by-law with respect to ranked ballot elections, the council of a single-tier or lower-tier municipality shall consider the following matters:
1. The costs to the municipality of conducting the elections.
 2. The availability of technology, such as voting equipment and software, for conducting the elections.
 3. The impact the proposed by-law would have on election administration.

A list (below) of tabulators providing ranked voting systems to municipalities is kept by the Ranked Choice Voting Resource Centre (www.rankedchoicevoting.org) an organization that provides resources to municipal clerks, and there are many other resources available at www.fairvote.org.

NOTE: The information presented is for the voting system vendors with RCV capabilities as of 5/29/2019.

VOTING SYSTEMS CAPABILITY FOR RANKED CHOICE VOTING (RCV)									
Version Date: 5/29/2019	VENDOR	SOFTWARE/ELECTION MANAGEMENT SYSTEM (EMS) <i>Note: Version should be confirmed with vendor.</i>	VOTING EQUIPMENT COMPATIBLE WITH RCV	CAN SOFTWARE/EMS BE USED TO DESIGN RCV BALLOT?	TYPE OF RCV BALLOT DESIGN	MAXIMUM NUMBER OF RANKINGS	CAN SOFTWARE/EMS TABULATE RCV?	MULTI-WINNER RCV CAPABLE?	SUMMARY FROM APRIL 2018 RCV SYMPOSIUM
UNISYN VOTING									
	OpenElect	OpenElect OVO OpenElect FVT OpenElect OVI-VC OpenElect OVCS OpenElect OCS		Yes	Grid	3	Yes	Not currently	Unisyn's OpenElect was the first integrated VUSG certified voting system to support RCV (January 2010). OpenElect allows up to three rankings using a grid-style ballot. Both RCV and non-RCV contests can be placed on the same ballot through this system. Vote data is collected and cast vote records are uploaded into the tally system. The tally system allows the official to select rules for invalid rankings and tiebreaking. Current tabulation is for single-winner RCV, with multi-winner RCV under
HART INTERCIVIC									
	Verity (2.0 & higher)	Verity Scan Verity Touch Verity Touch Writer Verity Central Verity Duo		Yes	Grid (paper) EAC/AIGA touchscreen "Design for Democracy" (electronic ballots)	6	No Tabulates first round. Additional rounds must be tabulated with customized software or third-party software	Not currently	Hart's Verity system can be used to create and record a ballot with RCV contests. Verity Scan and Verity Central (paper ballot scanners), Verity Touch (DRE), and Verity Touch Writer (accessibility ballot marking) can process selections and record cast vote records for RCV contests. In the Verity Data software, the election official/user makes ballot design specifications and sets the voting logic for each contest, including a selection option for ranked choice. Additional election data entry allows the official to designate both RCV and non-RCV contests and determine the contest order. The system allows for up to six rankings in an RCV contest. The Verity system does not offer full RCV tabulation. The system provides vote tabulation for the first round of an RCV contest, then subsequent rounds must be tabulated by third-party software (detailed below) or by coordination with Hart InterCivic to create separate
ES&S									
	Electionware	DS200 DS450 DS850 ExpressTouch ExpressVote AutoMARK		Yes	Grid or Column	21 (portrait ballot) 23 (landscape ballot)	Yes Through ExpressRunoff (separate ES&S module)	Not currently	ES&S's Electionware election management system, and compatible equipment, offers RCV ballot design, capture, and tabulation. ES&S's system can produce a ballot with both RCV and non-RCV contests, for single-winner and multi-winner contests. Ballots can be in landscape or portrait layouts and use grid or column designs for RCV contests. Cast vote records can be exported for tabulation in the company's separate module, ExpressRunoff, which is currently limited to single-winner RCV. See "RCVRC Tabulator" below for information on tabulating multi-winner contests. Reports are generated showing round by round tabulation in an Excel spreadsheet and are time stamped. A comprehensive report may also be selected.
DOMINION VOTING									
	Democracy Suite (5.2 & higher)	ImageCast Evolution ImageCast Precinct ImageCast Central ImageCast Remote		Yes	Grid	10	Yes	Yes	Dominion Voting offers built-in RCV tabulation with its Democracy Suite software, beginning with Version 5.2, in combination with its ImageCast voting equipment. Dominion's system can produce a ballot with both RCV and non-RCV contests. The system allows for up to 10 rankings in a grid-style ballot. To tabulate, RCV ballot data from voting equipment is loaded into the Democracy Suite system with other election contest data. Using the built-in RCV tabulation software, officials select to run the RCV algorithm to generate real time results for single-winner or multi-winner RCV. The system can continually update the results as additional ballot data is added. Results reports are available round-by-

These are, of course, only the four major electoral tabulation companies — as with our recent contractor, Simply Voting, there are several companies with years of experience successfully running Ranked Ballot and other preferential voting Elections.

Claims of Delays in Tabulation

The assertion that a switch to Ranked Ballots would mean that *“the elected candidate in a race may not be determined on election night... it may take several days for results to be determined in any particular race”* is again completely unfounded.

With an electronic ballot (as we used in the Ward 3 by-election), results are instantaneous. The only reason why votes were delayed a few hours (not days) in the London Mayoral race was that the clerk decided to verify and announce every single round, one at a time — though there was no legislative requirement to do so.

Other Implementation of Ranked Ballots

The claim that only ten U.S. cities use ranked systems is false — a full list of U.S. cities and other jurisdictions using ranked voting systems can be found at www.fairvote.org/where_is_ranked_choice_voting_used. And of those U.S. municipalities not using ranked ballots, most

use a two-round run-off system, not first-past-the-post (FPTP). The “fringe system” is not ranked ballots, it’s our FPTP system.

In Ontario, London has already held a Ranked Ballot election, and Kingston and Cambridge have voted to adopt the system (also contrary to the Staff Report, Cambridge council has directed Staff to start the process for 2022).

Out of all 36 members of the OECD, we are the only country that uses FPTP for all three levels of government — majority voting is the most common election system in the world. It is used by all of our political parties in Canada, is recommended by the Roberts Rule, **and is even prescribed in Barrie’s own procedure bylaws** when Council fills a vacancy between elections:

“The following procedure shall be used for counting the votes:

... If the Candidate receiving the greatest number of votes cast does not receive more than one-half the votes... the Candidate or Candidates who received the fewest number of votes will be excluded from further consideration. The vote will be taken again... and, if necessary, more than once, excluding in each successive vote the Candidate or Candidates who receive the fewest number of votes. This process will be repeated until the Candidate receiving the greatest number of votes has also received more than one-half of the votes.”

Runoff voting is normal, common, and universally regarded as a more fair way to choose a single-winner election. Even Barrie’s own procedural bylaw acknowledges that. **If Council can choose a Councillor this way, why would you not allow the Public to choose a Councillor this way?**

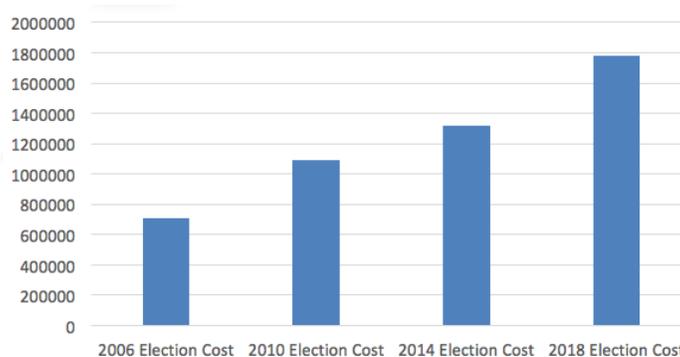
Referendum Hypotheticals

Profound changes in our electoral system have occurred at all levels of voting over the past 150 years, and none have ever required a referendum. As the Staff Report states, it is not required to change the type of ballot used, and would be an unnecessary expense and delay (especially with the EKOS research already available). As noted in the report, the two Ontario cities that did hold referenda both received majority votes for “yes”, and regardless of whether those referenda were binding, those cities have both moved forward to incorporate Ranked Ballots for their 2022 elections.

Description of The London Experience

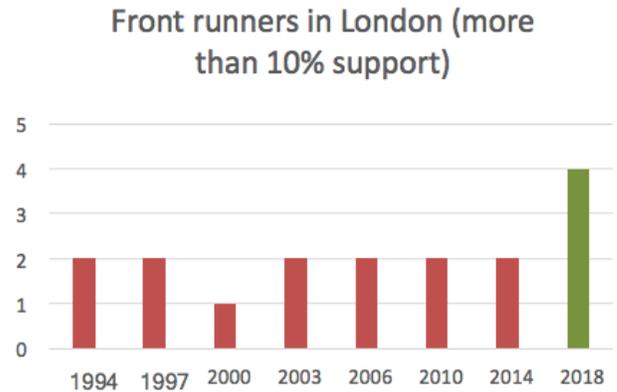
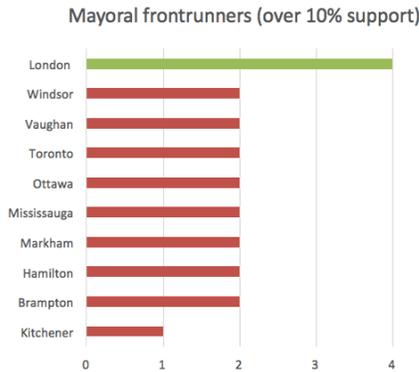
Again, with no references, we are uncertain of Staff’s source(s) of information regarding the 2018 London election, but there are a number of issues with the descriptions of this undertaking, as documented in the data collected by Unlock Democracy Canada. We would be happy to provide further details separately, but will touch upon a few issues here:

The attribution of the increase in election costs to the adoption of Ranked Ballots is misleading. As you can see in the graph below [Source: Unlock Democracy Canada], the growth in London’s 2018 election cost was completely in line with their typical cost increase, simply due to population growth and inflation. Furthermore, many of the Ranked Ballot election costs are one-time costs associated with electoral system transition and, realistically, are spread out over many elections just as any new technology would be.



Regarding the claim that “London’s ranked ballot system did not play a role in deciding election outcomes”, this misses the point of how Ranked Ballots work, and the benefits. A move to a ranked voting system doesn’t just change the math on election night — it can change who runs, how they run, who votes, and how they vote. At least one candidate has declared publicly that had it not been for ranked ballots, she likely would not have run — yet she became London’s first black female Councillor.

Unlock Democracy Canada has compiled data to show how unique London’s election was, with abnormally high numbers of front-runner candidates, which is atypical of mayoral races in other cities.



And while a municipality may not see a huge shift in the first ranked ballot election, municipalities that have been using them for two or more election cycles see the benefits Engage Barrie outlined in our letter. For example, in November 2013, Minneapolis used a ranked ballot in their municipal election for the second time. They elected a female mayor, 46% female Council, and their first Latino, Hmong, and Somali Councillors ever. [Source: RaBIT]

The claim that “It was reported [by whom?] that the negative campaigning between candidates was worse than in 2014” is not borne out by the feedback gathered post-election. The London mayoral race, in particular, has been noted for its civility. There were two illegal attack websites that were reported in the media, but they were not associated with any candidate — no candidate or campaign resorted to negativity, and with the OPP investigating now, such illegal actions are not likely to repeat.

Overall, the data from the London election shows that it went very smoothly, with very high participation rates, unseen levels of majority mandates, no technical glitches, a new council with better representation, and one with a much stronger mandate than either the Province or the City of Barrie.

Percentage of Councillors who Received a 50%+ Mandate in 2018

