

TOWN OF ARLINGTON
MASSACHUSETTS

REPORT OF THE
ELECTION MODERNIZATION COMMITTEE



TO THE
SPECIAL TOWN MEETING
NOVEMBER 2020

The Election Modernization Committee (EMC) was created by a vote of Town Meeting at the Annual Town Meeting in April 2019. It held its first meeting on August 29, 2019 and met on ten occasions thereafter. Those meetings featured wide-ranging discussions on the state of elections in town and potential ways in which they might be improved.

The EMC recommends three articles for consideration by Town Meeting:

- **Article 9: Extension of the Committee.** We propose to (1) extend the committee until 2022, (2) increase the size of the committee by two, and (3) extend voting privileges to all members of the committee.
- **Article 12: Consolidation of Town Meeting Member Elections.** We propose home rule legislation to improve the process for filling vacancies by electing all town meeting members, both for full terms and any vacancies for partial terms, in a single contest on the ballot. The four candidates receiving the most votes will be elected for a full term, and the next-highest vote-gettings would win any open two-year and one-year seats.
- **Article 13: Ranked Choice Voting.** We propose home rule legislation to adopt ranked choice voting for all elected town offices other than Town Meeting Member. Ranked choice voting has the potential to (1) ensure that winning candidates have broad support; (2) encourage a larger and more diverse set of candidates; (3) promote minority representation; (4) boost voter turnout; (5) reduce strategic voting; and (6) foster civil campaigns.

In addition to these articles, the EMC is pleased to report on two additional activities:

- **Public forum on the impact of COVID on elections.** We provided public forums to address the concerns about the safety and accessibility of the June town election.
- **Town Survey on Election Issues.** We worked with Envision Arlington to survey residents about their experiences with, and opinions about, elections in town.

Respectfully submitted,

James O’Conor, Chair	<i>Appointee of the Town Moderator</i>
Adam Badik	<i>Designee of the Democratic Town Committee</i>
Juliana Brazile	<i>Town Clerk</i>
Joseph Curro	<i>Designee of the Select Board</i>
Greg Dennis	<i>Appointee of the Town Moderator</i>
Sean Harrington	<i>Designee of the Republican Town Committee</i>
Walter Horn	<i>Appointee of the Town Moderator</i>
William Logan	<i>Designee of the Board of Registrars</i>
Maxwell Palmer	<i>Appointee of the Town Moderator</i>
Paul Parravano	<i>Designee of the Disability Commission</i>
Juhan Sonin	<i>Appointee of the Town Moderator</i>
Jennifer Susse	<i>Designee of the School Committee</i>
Lesley Waxman	<i>Appointee of the Town Moderator</i>

Article 9: Extend the Life of the Committee

After just a few meetings of the EMC, it became clear to EMC members that there were too many potential topics for discussion for them all to be addressed in a satisfactory way in eight months. We also wanted sufficient time to receive and digest the results of the questions we added to the Envision Arlington survey. Lastly, we wanted enough time to help see through the implementation of any structural changes we recommended for town elections.

However, we did not want to extend the life of the committee without settling the question raised at the 2019 spring Town Meeting as to whether some members should remain in an ex-officio role without voting privileges. On the one hand, the EMC contains several elected officials, and some felt a level of discomfort with the idea of their voting on the rules determining their own election. On the other hand, others believed it only fair that those who are expected to show up and deliberate should ultimately be given a right to vote.

To resolve these competing interests, our motion proposes to increase the size of the EMC by two, neither an elected official, and extend voting privileges to everyone. Our proposal gives one of those additional seats to a designee of the League of Women Voters and the other to a town resident under the age of 25 to be appointed by the Select Board.

Article 12: Consolidation of Town Meeting Member Elections

The EMC discussed the current process for filling Town Meeting Member vacancies. Today, when a Town Meeting Member resigns mid-term, the remainder of that term is filled at the next annual town election with a separate contest on the ballot. As a result, it is common to see a separate race for a 1-year or 2-year seat on the ballot in addition to the race for the regular four seats for 3-year terms. In the case of multiple vacancies, there may be up to three contests on the ballot to elect Town Meeting Members: for 1-year, 2-year, and 3-year seats.

The committee identified two negative features of this current process:

1. *Strategic nomination.* When someone wants to run for Town Meeting for the first time, in the presence of a vacancy, they are asked for which term they want to nominate themselves. For many, the term length is inconsequential: they just want to be on Town Meeting. As a result, which term the person chooses, or is encouraged to choose by others, becomes a tactical question. All other things being equal, the EMC felt any level of gamesmanship in electoral outcomes is undesirable.
2. *Inconsistent outcomes.* It is not uncommon to see someone lose a race for Town Meeting despite having more votes than someone who wins a seat of a different term length. For example, someone may place fifth in the 3-year seat contest with, say, 100 votes, while on the same ballot someone else wins a 1-year seat with a couple write-in votes. Or the reverse can

occur: someone loses a 1-year seat with 100 votes, while someone else snags fourth place in the 3-year contest with only a handful of votes. The EMC felt that the candidates who register the most support should win.

To improve the process for filling vacancies, the EMC has proposed home rule legislation that all open Town Member seats in a precinct, the four regularly open seats and all vacant seats, be elected in a single contest on the ballot. Voters would be instructed to vote for a number of candidates up to the total number of seats to be filled. The top four vote-getters would win the 3-year seats; the next-highest vote-getters would win any open 2-year seats; and the next-highest after that any open 1-year seats. If there is a tie that affects the division between terms, the Town Meeting Members from the precinct vote on who gets which term, in the same manner they can vote to appoint someone to a pre-election vacancy today.

This process is followed today by other towns, including Lexington and Stoughton. It is also the process that all towns, including Arlington, follow today when precinct lines are redrawn. If any Arlington precincts are redrawn after the 2020 census is complete, state law requires that all 12 Town Meeting Members in the precinct be reelected in a single contest on the ballot, with the highest vote-getters winning the 3-year seats, and so on, just as prescribed in the main motion. It also uses the same tie-breaking mechanism as proposed by the motion.

Article 13: Ranked Choice Voting

For single-seat elections, Arlington currently uses a voting method known as "plurality voting" or "first past the post," in which voters may make only one choice on the ballot. For multi-seat elections, we use a method known as "block voting" or "plurality at-large," in which voters have as many votes as there are seats to be elected. In recent years, an increasing number of communities in Massachusetts and around the country have replaced both these methods with ranked choice voting for their local elections instead.

A sample ranked choice voting ballot is shown below. Voters are free to only mark a first choice, just as they can today, but would also have the option of ranking backup choices — a second choice, a third choice, and so on — as many or as few as they like.

The votes are counted in rounds, until the number of candidates left standing equals the number of seats to be elected. Every ballot initially counts as one vote for the top-ranked candidate on the ballot. In a single-seat election, the candidate with the fewest votes is eliminated in each round, and each person who voted for that defeated candidate has their vote count instead for their next choice that is still in the running. When there are only two candidates remaining, the candidate with the most votes — necessarily a majority of the votes in the final round — wins. For a video demonstration, see this [video by Minnesota Public Radio](#) or this [one from CPG Grey](#).



A. To vote, fill in the OVAL ○ to the right of the candidate of your choice like this ● .

B. If you wrongly mark, tear or spoil the ballot, return it and get another.

- Rank candidates in order of preference.
- Fill in the ① next to your first choice.
Fill in the ② next to your second choice.
Fill in the ③ next to your third choice.
- Do not fill in more than one oval per candidate. Do not fill in more than one oval per column.
- Ranking a 2nd, 3rd, etc. choice candidate will not hurt your first choice candidate.

	1st Choice	2nd Choice	3rd Choice
Candidate 1	①	②	③
Candidate 2	①	②	③
Candidate 3	①	②	③

Counting a multi-seat race is similar but with an additional step. Just like a single-seat election, if your favorite candidate is defeated, your vote counts for your next choice instead. But in addition, if your favorite candidate has *more* than enough votes to guarantee them a seat, then the fraction of your vote that your favorite candidate doesn't need to win counts towards your next choice as well. In this way, RCV prevents you from wasting your vote on a candidate that has definitely lost *or* on a candidate that has definitely won. For a video demonstration of a multi-winner count, see this [video by Minnesota Public Radio](#) or this [one from CPG Grey](#).

The new voting machines Arlington recently purchased, the ImageCast Precinct model manufactured by Dominion Voting, supports ranked ballots. This same model is used for ranked choice voting elections in six cities around the United States today.

The EMC believes ranked choice voting would offer the following six key benefits to Arlington town elections:

1. *Majority rule.* In any single-seat race with more than two candidates, vote-splitting may cause someone to be elected who is the last choice of a majority of voters. For example, if 60% of voters strongly prefer candidates *A* or *B* to candidate *Z*, a result of 35% for *A*, 25% for *B*, and 40% for *Z* would split the majority and cause *Z* to be elected. Ranked choice voting would reflect the majority sentiment and elect *A*. In a multi-seat race, ranked choice voting similarly

ensures that the majority always wins at least half the seats.

2. *Larger and more diverse set of candidates.* Due to the threat of vote-splitting, some candidates have chosen to not run for town office at all. They didn't want to be a "spoiler" that caused the frontrunner they liked best to lose. This "spoiler effect" helps perpetuate a sense of "wait your turn" politics that can discourage non-traditional candidates from throwing their hat in the ring.

By removing vote-splitting, ranked choice voting has had a positive impact on the diversity of candidates that run and ultimately win office. In the Bay Area of California, adoption of RCV appears to have [increased the rate at which women candidates and candidates of color win office](#). The number of candidates of color winning office has seen a [particularly dramatic increase](#), from 38% prior to ranked choice voting, to 62% as of November, 2016.

3. *Minority representation.* Under our current method of block voting, multi-seat elections tend to over-represent the majority viewpoint, leaving minority views excluded entirely. Consider a 3-seat race today where 55% of voters vote for *A*, *B*, and *C*, and 45% of voters vote for *D*, *E*, and *F*. The result would be the election of *A*, *B*, and *C*, leaving the 45% minority with no representation. Under ranked choice voting, the majority would still win a majority of (two of) the three seats, and the minority would win the remaining seat. RCV ensures both majority rule *and* minority representation.

The exclusion of minority voices under block voting has come under heightened legal scrutiny in recent years, and in several instances has been found to violate the federal Voting Rights Act for its [disproportionate negative impact on communities of color](#). While the traditional remedy for such situations has been a move to district elections, ranked choice has been increasingly proposed and adopted as a superior fix, because unlike district-based solutions, its success [does not rely on the geographic segregation of minority communities](#).

4. *Boost voter turnout.* Turnout in municipal elections nationally has been [on the decline for more than 40 years](#). Ranked choice voting won't necessarily reverse this long-standing trend, but there's reasons to believe it will help. By encouraging more candidates to run, each of those candidates will likely pull their own bases of support and personal contacts to the polls.

That said, research in this area has not yet reached a firm conclusion as to RCV's impact on turnout: a [2016 study](#) found no substantial impact, while a [study from this year](#) found it increased turnout in Minneapolis by 9.6%, with the increases concentrated in the areas of highest poverty. Internationally, we do know that countries that adopt more representative voting methods tend to see [about 2-7% higher turnout](#) over those that use plurality voting.

5. *Prevent strategic bullet-voting.* Our current system of block voting for multi-seat elections often introduces strategic considerations into how one votes. In a 3-seat race, you are allowed

up to three votes, but it may be in your self interest to only use two of their votes or even "bullet vote" for just one, even in cases where you like multiple candidates in the race.

The dilemma stems from the fact that each additional vote you use decreases the odds that your more-preferred choice wins. In ranked choice voting, a vote for a second choice never hurts the odds an earlier choice wins. To be clear, voters are still free to only mark a first choice, but there will cease to be any strategic advantage to doing so.

6. *Foster civil campaigns.* Campaigns in Arlington haven't been particularly nasty, but the EMC believes that even a modest increase in campaign civility would be beneficial. Under ranked choice voting, candidates have an incentive to reach out beyond their base, to pick up second and third choice from supporters of their opponents. Studies have confirmed an increased level of [campaign civility](#) and [positive rhetoric](#) in ranked choice voting elections.

The task of filling out the ballot appears to be a simple-enough task for voters in practice. The rate of spoiled ballots is [no higher in RCV elections compared to plurality elections](#). A [2017 survey of Minneapolis voters](#) found more than 90% of voters found RCV "simple." In a [2018 survey by the League of Women Voters of Maine](#), more than 90% of voters rated their experience with ranked choice voting as "excellent" or "good." Note that, unlike today, the instructions for the voter as to how to fill out the ranked ballot would not change depending on the number of seats to be filled.

Public Forum on the Impact of COVID on Elections

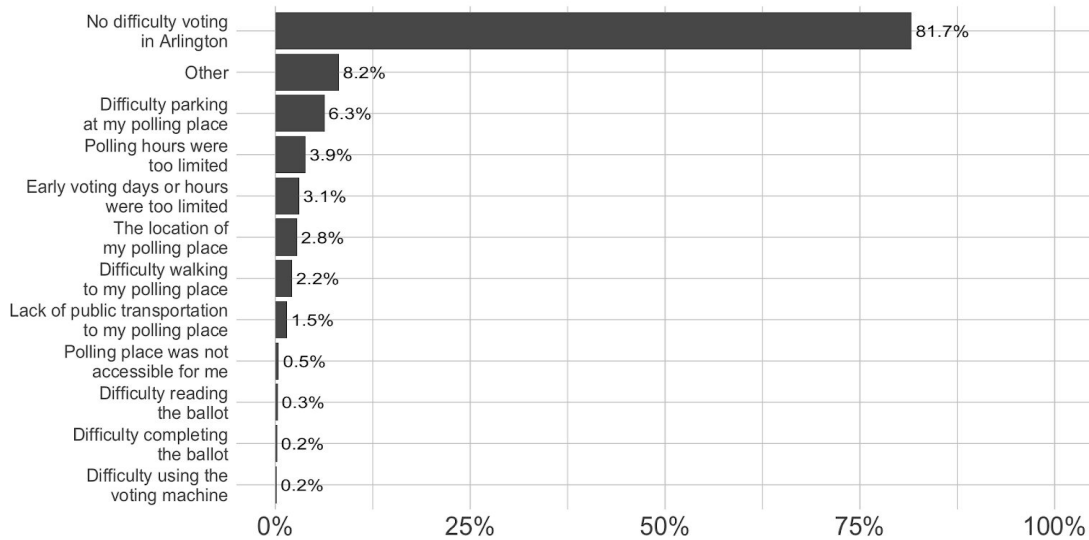
As we are all aware, the onset of COVID delayed both the 2020 Annual Town Election and Annual Town Meeting from April to June. In the runup to the June election, many residents expressed understandable concerns as to how the election would be conducted in a safe and accessible way.

To address these concerns, the EMC repurposed its April and May 2020 meetings to help answer the public's questions. In the April meeting ([video recording](#)), residents were able to pose questions about election operations to the acting Town Clerk Janice Weber. In the May meeting ([video recording](#)), we heard about additional election plans from the Town Manager Adam Chapdelaine, and the public was able to ask additional questions of him, as well.

Town Survey on Election Issues

The EMC worked with Envision Arlington to draft and add a series of questions about the state of elections in town to their [2019 Town Survey](#). We hope to use this information to offer suggestions to the Town Clerk, and to propose additional warrant articles in 2021.

Issues Voting at Polling Place?



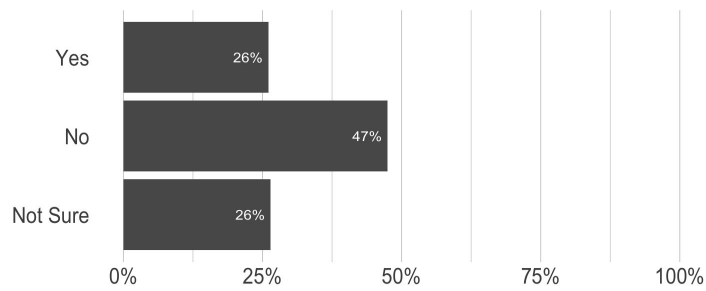
Most residents, 82% reported that they have “No difficulty voting in Arlington.” Six percent reported difficulty parking at their polling place, four percent reported that the polling hours were too limited, and three percent said that the early voting days or hours were too limited.

There were two polling locations, however, that were potentially of concern. One in five residents who vote at the Pierce School (precincts 17, 19 and 21) and Chestnut Manor (precincts 7 and 9) report difficulty voting due to poor parking, limited transit options, lack of walkability, or other issues with the polling place location, with the primary issue being parking. Less than five percent of voters at other polling locations reported transportation or location issues, although at the Bracket School (precincts 12 and 14) voters who do not drive noted difficulty walking up the hill.

Besides problems with transit to, walking to, or parking at their polling location, commentators noted occasional long lines during national elections, inadequate snow removal on handicap ramps, broken machines, difficulty getting an absentee ballot, and accidentally being removed from the rolls. Others mentioned not knowing that a local election was happening, or having enough information about the candidates.

About 10% of those offering comments mentioned their frustration that non-citizen residents are not able to vote in local elections. Last spring Arlington’s Town Meeting voted 72% to give these resident aliens (e.g., green card holders) the ability to vote in local elections. The article is an example of a Home Rule Petition, which means it will need to be approved by the State House before Arlington can implement the rule change.

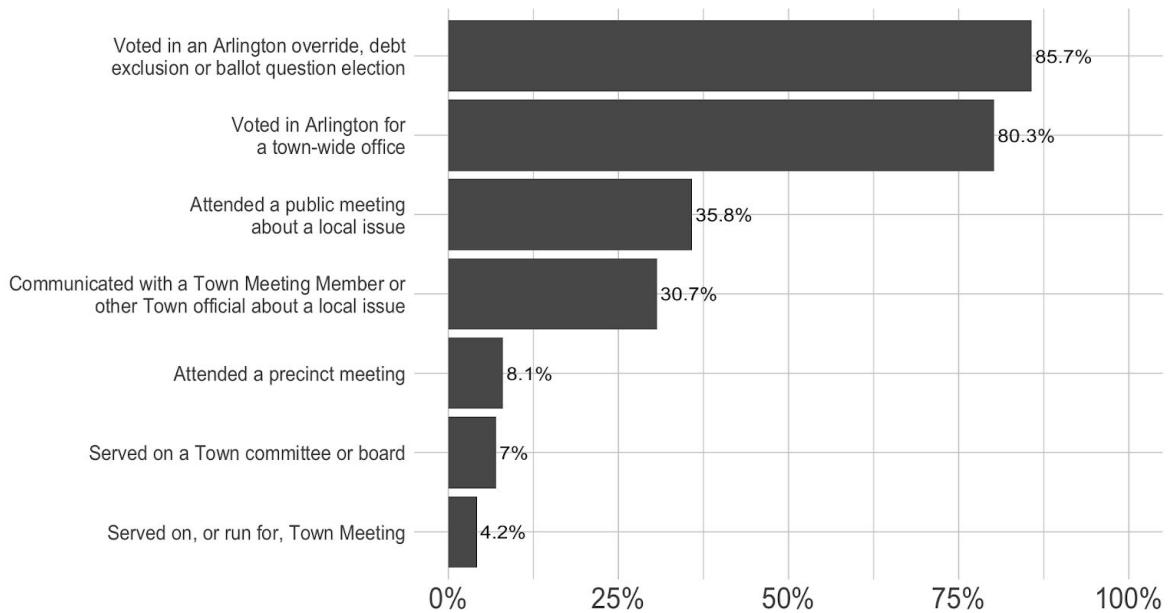
Lower the Voting Age?



"Yes" combines support for lowering the voting age to 16 or to 17.

Perhaps the clearest result from the survey is that lowering the voting age to 16 or 17 is unpopular, with only 26% of respondents in favor, 47% opposed, and the remaining respondents unsure of their views.

Involvement in the Last Two Years



Note, that the people who answered this survey tend to be more engaged than the general population. Although fewer than 20% of registered voters voted in the 2019 town election and fewer than 16% voted in the 2018 town election, over 80% of survey respondents reported voting in a town election in either 2018 or 2019, with 86% reporting voting on the June Debt Exclusion/Operating Override. Additionally, 36% of survey respondents reported attending a public meeting, 31% reported communicating with a Town Meeting member or other Town Official in the last two years, and 7% reported serving on a town board or committee.