

New Voting System for Feb 2 Special Election

Big changes are coming to the NYC election process. Are voters ready?

Starting in 2021, New York City voters will use a process called Ranked Choice Voting (RCV) for local primary and special elections for Mayor, Comptroller, Borough President, and City Council.

RCV is not a new system. It's used in countries worldwide and United States municipalities in many states, such as Colorado, Florida, Massachusetts, Michigan, Minnesota, Maryland, and more. Even New York used a form of RCV for Board of Education elections in past years.

The first new election to use RCV will be the February 2 special election in Council District 24. Voters in Kew Gardens, Fresh Meadows, Hillcrest, Jamaica Estates, Briarwood, and part of Jamaica will be choosing a replacement to finish ex-Councilmember Rory Lancman's term. Lancman left the Council to work in Governor Andrew Cuomo's administration as the state's first Special Counsel for Ratepayer Protection.

To ensure full voter participation in the election, Agudath Israel of America is working to educate voters on RCV.

How the system works now

Currently, a voter sees a choice of candidates for an office and casts a ballot for one person. The votes are counted, and the candidate who earned the most votes wins the office. However, that person may not have a **majority** of the vote. For example, if five people run for mayor, the results could look like this: Candidate 1: 35%, Candidate 2: 21%, Candidate 3: 20%, Candidate 4: 14%, Candidate 5: 10%. While Candidate 1 won the most votes, he doesn't have a majority, meaning more than 50%. The more candidates that run, the more likely that the winner will NOT have a majority.

Some elections require a majority vote (or minimum vote) to win. For example, New York State Election Laws require that a mayor, public advocate, or comptroller candidate must earn 40% of the vote in the primary election. If no candidate wins a majority the first time, a run-off election is held between the top two finishers.

How RCV works

With RCV, voters rank up to five candidates on the ballot. They assign their favorite candidate the number 1, their next favorite number 2, and so on up to five choices. The ranking process is fairly intuitive; people naturally rank their choices all the time, whether they're discussing an election or deciding what to eat for dinner.

Sample Ballot:

New York City Council					
Rank up to 5 candidates. Mark no more than 1 oval in each column.	First Choice	Second Choice	Third Choice	Fourth Choice	Fifth Choice
	1st	2nd	3rd	4th	5th
Candidate A Party	<input type="radio"/>				
Candidate B Party	<input type="radio"/>				
Candidate C Party	<input type="radio"/>				
Candidate D Party	<input type="radio"/>				
Candidate E Party	<input type="radio"/>				

The Board of Elections (BOE) then counts the votes to find a majority (50%+1) winner. If one candidate wins a majority of first-choice votes, the election is done. If not, the candidate with the lowest vote count is eliminated from the race.

Candidate	First-choice results	Second-choice results
Candidate A	35%	37%
Candidate B	26%	27%
Candidate C	17%	21%
Candidate D	12%	15%
Candidate E	10%	N/A

In the example above, Candidate 5 would drop out. Voters who chose Candidate 5 as their first choice now have their votes distributed to their second-choice candidates. That could change the results to look like this: Candidate 1: 37%, Candidate 2: 27%, Candidate 3: 21%, Candidate 4: 15%. Notice that Candidate 5's 10% is now distributed among the other contenders, narrowing the gap between Candidates 1 and 2. Since there is still no majority, the elimination process would continue until one candidate earns 50%+1.

Pros and Cons of RCV

Proponents of RCV list several benefits to the system:

One, it may save voters and the city time and money by removing the need for run-off elections. Run-off elections cost the city millions and usually have extremely low voter turnout.

Two, they say it leads to more democratic representation. Currently, two-thirds of candidates win the primary election without a majority vote. It also bypasses the "spoiler effect" where a rival contender splits the most popular candidate's vote.

Three, it discourages negative campaigning since candidates want to be second or third choices for other nominees' supporters.

On the other hand, detractors worry about educating voters on how to use the new system. Improperly filled ballots can be disqualified, disenfranchising voters. Some council members say that the campaign finance board isn't allocating enough money to reach voters.

Particularly at risk are the elderly, non-native English speakers, and minorities. Many of these voters don't have internet access and won't be seeing the digital educational campaigns. And due to Corona, reaching voters in person, especially elderly ones, is extremely difficult.

In light of these concerns, Agudath Israel is addressing voters' common questions about the process:

Must a voter rank the full five candidates?

No, a voter can choose to rank between one and five candidates on the ballot. As long as a first-choice candidate is selected, the ballot is valid.

Does RCV give each voter more than one vote?

No, each voter still has only one vote. That one vote goes to the voter's first-choice candidate. If the first-choice candidate is eliminated, the vote transfers to the second-choice candidate. The vote can continue to transfer if candidates are eliminated, but it never applies to two candidates at once.

Can a voter rank the same candidate more than once?

Yes, but it won't help or hurt the candidate. The voter's one vote goes to the first-choice candidate only. If that first choice is eliminated, only then will a second choice be considered. In this case, the voter's second choice candidate is eliminated since it was the same as the first choice, and the voter's vote is no longer counted.

Will choosing a 2nd (or 3rd, 4th, or 5th) place option hurt a voter's first-choice candidate?

No. A voter's vote will only transfer to another candidate if the first-place candidate is eliminated.

Will RCV delay election results?

No. The Board of Election will release unofficial first-round results on election night. However, there will still be a seven-day delay after the election for the final tally, but that's due to counting absentee ballots, not to RCV.

Does the Board of Elections have the computers ready for an RCV election?

Yes, the computers that it already has can read the RCV ballots.

Do absentee ballots work in an RCV election?

Yes, a voter requests, fills out, and sends in an absentee ballot the same way as in a regular election.

How will voters know what to do at the election on February 2?

Both government offices and private organizations such as Agudath Israel are stepping up efforts to educate voters through flyers, mailing, posters, billboards, and websites in multiple languages. There will also be detailed instructions at the polling locations and on the ballot itself.

RCV voting is now the law in NYC; the February 2 election is only the first. In the words of R' Yeruchim Silber, Director of New York Government Relations at Agudath Israel, "While we have some concerns with Ranked Choice Voting, Agudath Israel has a responsibility to educate and inform our constituents in order for them to be able to vote responsibly and have their votes count."