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# CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

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May 10, 2010

Assembly Member Mike Eng  
P.O. Box 942849  
Sacramento, CA 94249-0049

Dear Assembly Member Eng:

The Elections Legislative Committee of the California Association of Clerks and Election Officials reviewed **AB 2732**, regarding the use of Instant Runoff (aka Ranked Choice) Voting in special vacancy elections. While Instant Runoff Voting is touted as a cost savings, it only results in savings if the election in which it is used requires a run-off to determine the winner. It is impossible to determine in advance of the election whether or not a runoff election will be necessary, but, if selected, Instant Runoff Voting costs will be incurred regardless.

The savings are not as clear cut as one might be led to believe. In order to conduct an Instant Runoff election, jurisdictions would have to purchase new voting equipment, or at least purchase costly upgrades to software. Currently, as you are certainly aware, there is only one voting system conditionally certified to tally Instant Runoff Voting elections. While proponents of Instant Runoff talk of new systems on the horizon, there is no way to predict when such systems may be federally and state certified for use in California. Voter education would also be costly, and there may be other additional costs for the election, including an additional ballot card (or page) and additional postage for vote by mail ballots. Because the bill is written as an option, there is no mandate, and therefore, no reimbursement for costs.

Instant Runoff Voting is very difficult to audit. Performing the one percent manual tally on an Instant Runoff election will add complexity, confusion and additional costs. A voter requested manual recount would also be very complex for an Instant Runoff election – and although voter requested recounts must be paid by the requestor (unless the outcome is changed) the process would be grueling.

Further, it must be stated that Instant Runoff Voting is anything but instant. Before any distribution of the "second round" of votes can begin, all votes must be counted for the first round. This can take weeks of verification and processing vote by mail ballots received too late to be included in the election night totals. Provisional ballots also must be individually investigated prior to approval for processing. Only once all ballots have been tallied, and the results compared, will it be known whether or not a second round of attributing votes is needed.

It is our understanding that other jurisdictions that had switched to Instant Runoff Voting are now switching back, having found it to be an unwieldy, costly experiment that did not produce the desired outcomes. For the reasons stated above, CACEO has voted to **Oppose AB 2732**. If you have any questions, please feel free to contact me at the Sonoma County Clerk-Recorder-Assessor's Office (707) 565-1876.

Very truly yours,

Janice Atkinson  
Correspondence Secretary  
California Association of Clerks  
and Election Officials

- c: Assembly Member Paul Fong, Chair, Assembly Committee on Elections and Redistricting
- Senator Loni Hancock, Chair, Senate Committee on Elections, Reapportionment and Constitutional Amendments
- Deborah Seiler, Co-Chair, CACEO Elections Legislative Committee
- Jill Lavine, Co-Chair, CACEO Elections Legislative Committee
- Barry Brokaw, Sacramento Advocates