

On March 4, 2014, Councilmember David Grosso introduced three bills in an effort to allow more residents to engage and participate in the democratic process. Here we answer some frequently asked questions regarding the bills, the ["Instant Runoff Voting Amendment Act of 2014,"](#) the ["Open Primary Elections Amendment Act of 2014,"](#) and the ["Clean Hands Elections Reform Amendment Act of 2014."](#)

**INSTANT RUNOFF VOTING AMENDMENT ACT**

**What is instant runoff voting (IRV)?**

Instant runoff voting is also referred to as “ranked choice voting”. It is a method of casting and tabulating votes whereby the voters rank candidates according to their order of choice and counting proceeds in rounds in which candidates are eliminated.

**How many candidates can I rank?**

In the bill Grosso introduced, voters will have the opportunity to rank up to three candidates. In other jurisdictions, we have seen that anything more than that can complicate the tabulation process.

**Can I still write in a candidate?**

Absolutely. IRV in no way interferes with a voter’s ability to cast a vote for a write-in candidate of their choice.

**How does the ballot tabulation work?**

In every round, each ballot is counted as one vote for the highest ranked advancing candidate. *If two or fewer continuing candidates receive votes in a round,* the candidate with the most votes is elected. *If more than two continuing candidates receive votes in a round,* the candidate with the fewest votes is eliminated, and a new round begins. Any voter who ranked the eliminated candidate as their first choice shall have their vote added to the total of that voter’s next ranked choice.

YOUR BALLOT	ELECTION ROUND <sub>1</sub> RESULTS	
Obama - 3	Obama - 520	Dodd would be eliminated & in the next round, your vote would be added to Clinton.
Clinton - 2	Clinton - 600	
Biden -	Biden - 449	
Dodd - 1	Dodd - 60	

Your vote for Clinton would be of equal weight in Round 2 as your vote in Round 1. Think Iowa caucuses for presidential election. Candidates are always asking if they can be your number 2 or 3 because with a crowded field it is unlikely someone will get the majority in Round 1.

**How would this work for our At-Large elections for Council?**

In each round, each continuing ballot must be counted as one vote for its highest ranked continuing candidate. If the number of continuing candidates is equal to or less than one more

than the number of offices to be elected, the candidates with the most votes are elected. *(PLAIN ENGLISH EXAMPLE – If you have two open seats and three candidates, the two candidates with the most number of voters are elected.)* If the number of continuing candidates is greater than one more than the number of offices to be elected, the candidate with the fewest votes is eliminated, and a new round begins. Any voter who ranked the eliminated candidate as their first choice shall have their vote added to the total of that voter’s next ranked choice at an equal weight. *(PLAIN ENGLISH EXAMPLE – If you have two open seats and 8 candidates, rounds will continue until there are 3 candidates left.)*

**Does this violate the “one person, one vote” principle?**

It does not. In every round, every person gets an equal vote. Instant runoff voting has been affirmed in court as meeting this very principle.

**When would IRV start in D.C. if the bill passes?**

Not until the first election in 2016 (primary or special election).

**What are the benefits to IRV?**

The potential benefits to the District through instant runoff voting are immense.

- We can expect higher voter turnout as voters will be free to mark their ballot for the candidate they truly prefer without fear that their choice will help elect their least preferred candidate.
- We can expect positive and more widespread campaigning since candidates will be seeking second-choice and third-choice votes from voters.
- And most importantly, instant runoff voting ensures that the elected candidate has a true majority support.

**Who would instant runoff voting help in this mayoral primary election?**

Nice try. No comment.

CLEAN HANDS ELECTIONS REFORM AMENDMENT ACT

**What does the Clean Hands Election Reforms bill do?**

This legislation requires each candidate for election to the office of Mayor, Attorney General, Chairman of the Council, member of the Council, or member of the Board of Education, to first obtain a clean hands certification from the Office of Campaign Finance prior to obtaining ballot access for any election. This certification shall provide that:

1. The candidate owes no outstanding taxes, fines or fees to the District.
2. The candidate’s previous campaign or political committee owes no outstanding taxes, fines or fees to the District.

**What if a candidate is in a payment plan or contesting a particular fine or fee?**

As long as the Office of Campaign Finance can certify with the Office of Tax and Revenue that a candidate is in fact on a payment plan or has already begun the proceedings to contest the fine or fee, the candidate shall receive the “clean hands” certification.

**Would this bill require a Home Rule change?**

It’s possible. The General Counsel’s office is looking into this point further.

**Why is this bill necessary?**

Currently, the Office of Campaign Finance has no real enforcement authority when it comes to election and campaign finance rules (unless the violations are so egregious they are elevated to the level of the U.S. Attorney’s Office). Your campaign can rack up \$15,000 worth of fines today and in four years you are eligible to run again without any requirements that you pay off your previous campaign’s fines. If a “clean hands” certification was required for every election, candidates may pay closer attention to the law since there are immediate consequences for failure to act.

**Would this law negatively impact any current elected official?**

I do not know the specifics of individuals campaign finance situations. The legislation was co-introduced with Grosso by 5 members of the Council (Wells, McDuffie, Cheh, Bowser, Bonds).

OPEN PRIMARY ELECTIONS REFORM AMENDMENT ACT

**What does this bill do?**

This legislation would allow any qualified voter to change their party affiliation up until and on Election Day for the purposes of voting in a primary. Currently, voters cannot change their party affiliation 30 days prior to an election.

**A voter still has to affiliate with a party?! Is this really an “open primary”?**

You’re right; it’s not. A true open primary (or blanket primary as it is called), by definition, would allow any qualified voter to vote in any primary election of his or her own choice (provided they only vote in one). However, this system was challenged in court in California and Washington state, and in 2000 the Supreme Court ruled this kind of open primary as unconstitutional.

**Are there other options?**

Absolutely. D.C. could move to non-partisan elections in which there is only one primary (even though this currently happens) and all candidates regardless of party preference are on the same ballot. Or the Democratic Party in D.C. can choose to change its rules to allow unaffiliated voters to vote in their primary – this doesn’t require initial legislative action, by the way. The bill Grosso introduced is a way to start the conversation. He prefers non-partisan elections, especially for elected offices like Attorney General.

**How many voters would this bill impact?**

Currently, there are almost 76,000 unaffiliated voters registered in the District of Columbia. Unaffiliated means not registered with any party – green or otherwise.

**Would open primaries really help?**

It allows more people to be engaged in the process. For example, in South Carolina, where Democrats often can't field statewide candidates and Republicans control the legislature handily, their primaries are open. The elections outcomes are not always changed, but all voters get their say (if they choose). If nothing else, open primaries coupled with instant runoff voting would make our elections more competitive. Right now, campaigns are essentially a "race to the base." As the number of unaffiliated voters in the District continues to grow, these reforms can help to ensure that candidates are being elected who truly have the support of the majority of constituents in D.C.