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In our opinion: IRV too risky

BY CHRIS TELESCA AND DON HYATT

The Cary Town Council is considering whether or not to be the subject of another election experiment with Instant Runoff Voting for the October 2009 election. It's time for Cary and the rest of North Carolina to say "no" to IRV.

Cary has participated in dubious election experiments before. In 2002, hundreds of votes were lost in the nation's first reported case of touch-screen voting machines failing to report election votes.

Even before Cary voted in May 2007 to pilot IRV, the State Board knew it was too risky to use in 2008 elections because state law and federal regulations require using only certified voting systems to tabulate IRV.

The 2007 Cary IRV pilot program was largely managed by IRV advocacy groups, with no advance guidelines. Some voter education volunteers admit deviating from Election Board instructions to create a more positive outcome on the exit poll surveys — also conducted by IRV advocates.

The Wake Board of Elections couldn't follow simple IRV hand tabulation procedures. Ballots were mis-sorted, simple calculator mistakes were made and a non-public recount turned up missing votes. The winner did not receive the 50 percent plus one vote majority advocates claimed IRV would ensure in a single election.

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There has been no analysis of the 2007 pilot. The proffered reason given for extending the pilot beyond 2008 was cost savings, even though fiscal studies done by other jurisdictions show IRV elections cost more than traditional election methods.

The original IRV pilot extension bill had the same flaws as the first pilot program. Election integrity groups requested an improvement which required "... the pilot program shall be conducted according to ... standards consistent with general election law ..." Unfortunately, this legislative requirement has not been met.

After passage, election integrity advocates pointed out how IRV conflicts with general election law not written with IRV in mind, and recommended ways to make IRV comply with general election law. The State Board ignored those recommendations and approved IRV guidelines that conflict with general election laws.

North Carolina and other states have laws requiring that votes be counted where cast until the count is completed to prevent ballot tampering. But State Board IRV guidelines call for partial ballot counting at polling places, then moving the ballots to a central location for further counting. The federal Help America Vote Act requires voters be notified of over-votes before a ballot is cast. Our voting system can't notify voters of second and third column over-votes on IRV ballots.

From early 2007 through January 2009, State Board members and staff claimed we needed federally certified software to automate IRV tabulations. The State Board recently developed automated procedures they now claim need no federal certification. Those procedures were developed with no input from election equipment vendor ES&S. Do the new IRV procedures violate any contracts, warranties or other agreements with ES&S? Will Cary voters be required to foot the bill in the event of election problems?

The Cary Town Council needs to vote "no" on another IRV pilot and keep traditional runoff elections if needed. Our legislature's Election Oversight Committee should study the 2007 IRV experiment and other IRV elections more fully before allowing any more communities to experiment with America's right to vote.

Chris Telesca lives in Raleigh. Don Hyatt lives in Cary.

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