# Impropriety in the East Bay DSA Delegate Election

By Proportional Election Group\*

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# INTRODUCTION

The modified Borda Count, used in the recent East Bay delegate elections, is not a proportional voting system, is prone to tactical voting manipulations and has an inherent bias towards majority voting blocs. The process by which this system was selected and implemented for use by EBDSA in June 2019 was not transparent or open to candidate or member debate. It created confusion, counting delays, and serious doubts about the legitimacy of our election results. The ultimate decision to use this method was made by one person, without oversight, membership input, or discussion. Taken as a whole, this series of events calls into question the democratic nature of our chapter and the legitimacy of our delegation at the DSA national convention. For these reasons, we bring these events to the attention of the national convention and hope that other chapters consider carefully the questions raised and policies discussed herein.

Information given to membership about the Borda count and how it works was misleading, particularly regarding the supposed "proportionality" of Borda and the consequences for short-balloting (leaving some candidates unranked). Insistence that these instructions be amended to inform voters of the consequences of not ranking all 63 candidates led to instructions being officially <u>emailed</u> to membership on June 15, the day before the election meeting, after many absentee ballots had already been completed.

<sup>\*</sup>The Proportional Election Group is a group of DSA members from various tendencies working for internal democracy and transparency within our local chapter and in DSA nationally. This group formed out of shared concerns regarding East Bay chapter's delegate election. Members who contributed to this public statement include: Karina S, Lawrence L, Sergio G, Ted F, Bonnie L, Steve W, Susan S, Eric G, Mike H, and Michael K.

Once the election results were in, it was clear that they'd shifted radically in comparison to the annual East Bay chapter convention election held just a month prior. 32 of Bread and Roses' 34 candidates were seated initially (one has since dropped out) and only 6 non-B&R candidates initially secured a seat from a field of 29 representing various slates and independent candidates. In comparison, 54.3% of the voters in the previous month's at-large Steering Committee election cast their first-rank vote for candidates on the Bread and Roses slate versus 43.6% for the Bloom slate- almost exactly the 57% to 43% voting power of their newly elected at-large representatives. Yet a month later, running against an even broader coalition, B&R secured almost 85% of the chapter's delegates.

The B&R majority Steering Committee has refused to release the raw election data to membership; this represents a change of policy from recent chapter conventions and previous year's delegate elections. Claims were made that releasing the data would compromise voter privacy; specifically, that if only one ballot ranked a person as #1, then people could assume that ballot belonged to that person. However, the fact remains that EBDSA uses secret ballots and voting data contains no identifying information. The consistent precedent of releasing voting data after every election means members could have had reasonable expectation that raw anonymous ballot data would be released.

A compromise suggestion that a limited group of chapter members be granted access to inspect the raw data without releasing it more widely were also rejected. A resolution to create an elections working group was passed but only after provisions to inspect data or in any way address the past election were removed from the text. There are members who can currently access this data - namely, the leadership members who are currently holding it, all of whom belong to the Bread and Roses caucus. Not one member of a minority slate or caucus or opposition group has been granted the privilege that current B&R leaders holding that data have. It is essential that others are able to inspect the raw data and report their analysis to the full membership.

In the absence of corroborating data, and with strong indicators to the contrary, Steering Committee members from the Bread and Roses caucus continue to insist that the voting system and the outcome are proportional though they offer no proof to support that claim.

The election process is a fundamental part of any democratic organization. An equitable and legitimate process confers onto elected officials duties that represent the voting rights of members. Any impropriety in the implementation of elections, whether through incompetence or malfeasance, or even perceived impropriety, can result not only in disunity but also calls into question the democratic nature of such an organization. This is doubly so in a volunteer organization where, if leaders and policies fail to secure the buy-in of significant minorities or opposition on basic questions of democracy and transparency, members are likely to leave or become inactive. Because it is not designed to produce proportional representation, Borda does a disservice to the democratic goals of multi-tendency organizations like DSA and should be prohibited for any DSA elections.

We are seeking fair representation at DSA's national convention. We are challenging the composition of the East Bay chapter's delegation in accordance with the National Convention Rules governing credentials challenges. Our challenge will be one of the first voting items at the convention. The Credentials Committee appointed by the National Political Committee will make a recommendation to the convention, but the delegates themselves will make the ultimate decision. You can sign up to support this effort here as we

work to reach as many delegates as possible before the convention, and if you have any questions or suggestions, you can write to us at <u>proportional.ebdsa@gmail.com</u>.

## **EVENTS, TIMELINE & EVIDENCE**

What follows is a detailed discussion of the events summarized above, with supporting links to documents, emails, and outside sources where relevant. The appendices include detailed explanations of how the Borda count works as well as mathematical and data analyses that support the main document, and additional information about concerning practices during the vote counting itself. Corrections or responses along with supporting evidence are welcome in the event that anything has been falsely reported here unintentionally. proportional.ebdsa@gmail.com

#### The Decision to Use the Borda Count

On May 18, 2019, East Bay DSA held its annual chapter convention, and the seven at-large positions of the 13-member Steering Committee were elected using the proportional ranked-choice system known as <u>Single Transferable Vote</u> (STV, also sometimes called a Hare system). This is the same system that had been used in the previous year's convention and was therefore familiar to membership when voting for multiple candidates. On May 18, Bread and Roses (B&R) secured 4 seats, while Bloom, a newly formed slate, secured 3 seats.

The delegate elections, set for June 16, came quick on the heels of East Bay's local chapter convention. This one month period between the elections allowed limited time for members to process new, unfamiliar voting procedures and organize responses to decisions made by leadership. Members had to prepare for their campaigns as well as organize against what they increasingly perceived to be anti-democratic policies set forth below.

On May 29 members first learned that B&R caucus members in the relevant leadership positions had decided to use a "first-past-the-post" system to elect our chapter's 38 delegates to the national convention. In an effort to push for a proportional system recommended by our national DSA guidelines, a group of members, mostly belonging to minority slates, met and discussed the possibility of petitioning, as per membership's prerogative (DSA bylaws Article VI. Section 3), for the use of an STV system. When the <u>petition</u> for a proportional ranked choice voting system based on DSA's National Bylaws began to circulate among a small group of members, some individuals also reached out personally to B&R leadership to express concerns about the proposed voting system. On Wednesday, June 5, it was announced via email that the election would be held using a modified Borda count. The plan to circulate the petition more widely was shelved.

The choice of Borda sounded good at first, but a deeper dive into the details of the system by concerned membership revealed problems, particularly for minority slates. Borda count is a ranked-choice voting system, and a preferential system, but is not a proportional system, it does not create proportional representation. The Borda system provides a disproportionate advantage to candidates running on numerically

larger slates, a disproportionate advantage to the largest voting bloc, and a possibility that a plurality can capture all seats within a multi-tendency election. Furthermore, Borda is described in <u>Wikipedia</u> as "highly vulnerable" to tactical manipulation. (See Appendix I)

It was later revealed in his own debrief to the incoming Steering Committee (June 22) that the outgoing steering committee co-chair, election committee chair, and Bread & Roses member (hereafter referred to as the election chair) chose the modified Borda count. Despite the existence of an elections committee, the election chair reported that he was left essentially on his own to decide all the important elements of the election process, as other members were unable to participate. He decided on the Borda count with brief consultation with only a couple other fellow Bread and Roses caucus members. No oversight or input from the general membership, or any member of a minority caucus, was sought in the selection of our chapter's voting system.

## Confusing Voter information and Unranked Candidates (Short-balloting)

Communications about the Borda system from leadership in official chapter emails also did a poor, and even misleading, job of explaining some important aspects of the Borda count. Particularly, the consequences for short-balloting (ranking only the candidates you are particularly interested in, and leaving others unranked) were only superficially addressed. This is especially relevant, since one of the stated reasons for NOT using STV was that it would be too much to ask members to rank people for all 38 delegate positions. In contradiction to this reason, for a ballot to have full impact with Borda count, a voter needs to rank all 63 candidates. This is clearly not an improvement.

Let's take a moment to explain the basics of the Borda count, and the short-balloting modification: Under Borda, in EBDSA's field of 63 candidates, a top ranking gives that candidate 63 points, second place gets 62, third 61 and so on. The initial email sent to membership stated that:

"Although you can, you do not have to rank all of the candidates. For example, if you only like 10 of the candidates, you can choose to only include those people 1-10 and leave out the rest. If you choose this method, all other candidates will be tied for eleventh place on your ballot."

It did not explain clearly what "being tied for eleventh place" means. The Borda Wikipedia page, linked to in the very same email, states that the most common method for dealing with <u>short balloting</u> is to assign 1 or 0 points to unranked candidates. In response to individual questions from confused members, leadership clarified in individual emails that they had chosen to do something quite different and that all unranked candidates would receive the same number of points as the rank at which the voter stopped ranking. So - if a voter only ranked 10 candidates, *all 53 unranked candidates would receive 52 points each* - severely diluting the voter's rankings since their 1st place and 11th through 63rd place would represent only a slight difference in preference. Indeed, mathematical analysis of the modified Borda Count, show <u>a non-linear</u> decrease in the voting power of a ballot as fewer candidates are ranked.

<sup>\*</sup>This both numbers for unseating and seating were initially at 9. This was based off of the proportionality extrapolation from the method we described in the main text. It is six on the Credentials Challenge that was submitted to the Credentials Committee and the national convention due to the fact that six alternate candidates could register and attend the convention. 4

The need to rank 63 candidates also put supporters of smaller slates at a serious disadvantage since **a Borda voter is literally forced to give points to their political opposition;** if you support a small slate you could end up giving more total points to the opposition than your own slate, while leaving your opponents off would give them even *more* points. A member suggestion was made to not award points for unranked candidates on ballots that ranked at least 38 candidates (the number of delegate seats being contested), as this would make vote tallying easier and quicker, and resolve certain member concerns, but that suggestion was also disregarded.

## **Proportional Representation**

**Proportional Representation**: A group of voting systems used in many democracies whose major goal is to ensure that parties and political groups are allocated seats in legislative bodies in proportion to their share of the vote (from <u>fairvote.org/glossary</u>).

At the first Steering Committee meeting after the delegate elections (June 22), the question was raised, "What is proportional? Proportional to what?" This is a valid question which we would like to address in a fairly simple manner. Proportional representation means that if a group/slate has 60% of the support of the chapter, that they should receive 60% of the delegates to the national convention. If another has 5% support, they should get 5% of the delegates.

Many of us rightfully bemoan electoral systems where the minority has no chance of having a voice because they have to gain 50%+1 of votes, as happens with a plurality, "winner take all", "first past the post" voting system - this is a particularly familiar issue to US voters who often look with envy at parliamentary systems where minority parties, with 10-15% of the vote, can still get seats in governing bodies.

It should be no surprise then, that DSA guidelines recommend the use of a proportional system for electing delegates to the national convention, because we should be doing better than the systems we aim to dismantle. The DSA Constitution Article V. Section 3 states that "Apportionment of delegates shall reflect the one-member, one-vote principle." The 2019 National Convention Rules also explain that, "Locals will be advised that delegate elections should use a proportional representation method of election", and of DSA Bylaws Article VI, Section 3, which requires that they use the Hare (STV) method upon petition.

#### In Appendix I below we conclusively demonstrate that Borda, under the conditions it was used in our chapter, could not possibly have produced proportional results, and that any and all statements asserting the system's proportionality in our recent election were false, whether knowingly or not.

The initial (June 5) email sent to membership did not explicitly misrepresent Borda as a proportional system. Instead it claimed that, "Borda Count is recommended because it tends to result in elections where the winners are 'broadly-acceptable' and more like consensus options." A member of leadership at the June 22 Steering Committee meeting asserted that Borda system implements a "different kind of proportionality." What either of those descriptions mean was never defined. Keep in mind that, under the above-proposed concept of proportionality, a slate with 20% support may *not* be "broadly acceptable" (is 20% broad? Is 30%? Is 40%?) yet, it would be *proportional* for them to have 20% of delegates.

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The June 15 email to membership also asserts that the modification penalizing short-balloting (see p.5 "Confusing Voter Information and Unranked Candidates") was chosen because Borda was susceptible to "bullet-voting" strategies otherwise. And this is true - bullet-voting is one of the several ways tactical voting can be employed under Borda. That email goes on to claim that, *without* the modification, "large slates can gain a major advantage by instructing their supporters to award zero points to anyone not running on their slate." This is also true. It is also true that a small slate might actually be able to gain fair representation by organized bullet-voting among *their* supporters. It is also true that there is *nothing* in this modified system to stop large slates from instructing their supporters to systematically bury certain candidates who are not on their slate, or who they particularly dislike, disproportionately tanking those candidates' rankings and eliminating the legitimate support they may enjoy. (See Appendix I). The June 15th email did not include any of these other nuances, and neither did the election chair in <u>responses</u> to a candidate's inquiry.

If a candidate/slate enjoys 20% of voter support, but a slate controlling 55% of voter support instructs voters to "bury" that candidate/slate, they could. **This is a violation of principles of proportionality. A large group's disciplined opposition to a smaller group eliminates that smaller group's proportional representation.** The large group essentially gets to override other minority voters' legitimate preferences and eliminate their proportional representation by voting not only *for* their own preferred candidates, but *against* their least preferred, something a small slate has no power to do under Borda.

We invite our elected leaders to engage further in this discussion by clarifying their ideas against the proposed definition above. We especially hope to spur an open, broad, civil, reflective debate among our entire general membership on the questions of proportionality, representation and democracy. Such a conversation has never been openly held among all members in our chapter since the membership boom of 2016-2017.

### To Fight Borda or Focus on Voter Outreach?

The possibility of resurrecting the petition idea was debated and though some people wanted to continue to push for the clearly proportional and familiar STV system, in the end, the view won out that the little time left before the election was better spent on campaigning. It was not felt there was sufficient time to mount an effective challenge.

As absentee ballots were being received and filled out, members independently organized to inform others of the poorly-understood consequences of short balloting. In these individual conversations, reactions ranged from "Rank every candidate? But I don't even know all of them!" to "You mean I have to vote for people I don't even support?". One member even pushed back when the modification was explained, asking "Are you sure?", and pointing to the <u>Wikipedia link</u> that leadership sent out, since it did seem to present an entirely different scenario. On the whole, it seemed that almost no one immediately grasped how unranked candidates were going to be scored in the modified Borda count.

Valuable time and energy were diverted from many minority candidates' preparations as they worked to push out information to membership, via one-on-one conversations and text chats, of this highly confusing aspect of Borda. Eventually, members implored leadership to clearly lay out information about short-balloting for membership. The result was an <u>email</u> sent out on Saturday, June 15, the day before the election meeting,

after many absentee ballots had already been completed. Members also independently organized to distribute <u>informational flyers</u> to attendees on the day of the convention. The late date of the email may have made a difference among the voters who did not receive full information prior to filling out their ballots. But we have no way to study that effect - even if the data had been released - since no effort was made to distinguish absentee from in-person ballots in the counting process.

In sum; in reaction to a potential petition for STV, leadership undercut the member-driven initiative for a proportional voting system by switching from first-past-the-post to a modified Borda count. This modified Borda count is a non-proportional ranked-choice voting system which was not immediately perceived as non-proportional. The character, modifications, and consequences of this system were poorly explained to voters, if not outright misrepresented.

## Election Results, Debrief & Data

At the June 22 Steering Committee meeting, part of the agenda was dedicated to a discussion of the delegate elections. There were two major elements to this discussion. First was a debrief by EBDSA the election chair and chair of elections committee. Second was the consideration of a resolution brought forth by recently elected SC members from the minority Bloom slate.

The debrief from the election chair made it clear that, due to various circumstances, he was left to deal with the selection our delegate system almost by himself. While the election committee was initially comprised of four members, they were all members of the majority voting bloc (B&R) and had zero minority representation or membership oversight. As time went on, all but one member dropped out of the committee until it was left to the election chair.

There is no way to know what is in anyone's heart, we can only examine their public words and actions: but this is where transparency and wide membership involvement are most important, because even if the member(s) involved in the decision making was/were entirely well-intentioned and tried their best to be totally fair to all, the perceived conflict of interest in this situation is problematic to a healthy democratic environment. And it remains a failure of democratic leadership to let a situation of such perceived conflict of interest place. Unconscious bias can still exist despite one person's best intentions. Concerns that arose quickly for minority members may sincerely not have occured to members thinking about the election from the perspective of a large dominant slate. Broad, open member participation and oversight is the solution. This would also have required a much longer timeline to allow open meetings for members to study and debate how best to run chapter elections.

In addition to repeating the claim that Borda is a proportional system, the election chair explained that the decision to reject STV was made on the understanding that it was uniquely vulnerable to manipulation by motivating members to get inactive or "paper" members to vote since "only a few votes" would be required to secure a delegate seat. Logic would dictate, however, that, if "only a few" votes would secure a seat, and all the candidates worked to activate paper members to vote, then, the necessary number of votes to secure a seat would rise as all those new voters flooded into the pool, completely defeating the initially perceived "low bar".

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Most importantly, if a certain number of votes in a pool secures a seat, then that candidate has earned that seat according to the basic principles of proportionality and "one member, one vote" laid out in national DSA guidelines (See PROPORTIONAL REPRESENTATION above). For example, if a group of 335 voters decides 38 delegate seats, each one of those seats represents the will of 9.5 voters (335/(38+1) + 1 = 9.56...). One seat would be proportional representation for those nine voting members.

In any event, the theory of exaggerated "paper member" activation was proven false in reality, as the election chair acknowledged that the Borda election in June showed a significantly higher number of absentee ballots than the STV chapter convention in May.

After the debrief, the resolution was discussed which was drafted by two SC members from the minority Bloom slate, in response to a member-initiated petition - presented to the SC - requesting the release of the raw, anonymous data, so it could be examined by an elections working group. The resolution included provisions both to form an elections working group to work on future elections and called for release and examination of the raw data, as per chapter precedent in all recent elections. Ultimately, the B&R majority SC amended the resolution so that even the elections working group could not get access to the voting data.

As mentioned in the summary, the justification given for withholding data was a concern over privacy, even though EBDSA uses secret ballots and the data contained no identifying information. Specifically, SC members claimed that in an election with so many candidates, if a particular ballot had one of the less prominent candidates ranked #1 it could be perceived (rightly or wrongly) to be that person's ballot and thereby violate their privacy. Why this should remain a concern if a small, multi-tendency group of members were designated to inspect data without releasing it publicly was not explained.

# CONCLUSIONS AND MOVING FORWARD

There is no perfect remedy for dealing with the serious errors on the part of EBDSA leadership in conducting this election. Some members who feel most disenfranchised as voters or defeated as candidates by the misuse of Borda feel that an appropriate remedy is to seek exclusion of the entire B&R slate from the East Bay delegation: a punitive measure aimed at chastening those who would play fast and loose with internal democracy, and hopefully inspire a recognition of the degree to which this has damaged relations within the chapter.

Although this argument carries some considerable weight we are pursuing a challenge to the Credentials Committee not to punish fellow chapter members, but in the sincere hopes of more democratic representation at the National Convention. Our goal is not to sow discord, but to uphold core democratic principles of mutual respect and transparency that should not be sacrificed to factional ambition. Challenging the credentials of the entire B&R slate would not produce a more representative East Bay DSA delegation. No one, in fact, is guestioning that B&R would most likely have gotten a majority of the delegate seats in a proportional election. We only ask for a fair and proportional representation.

Upon examination of the workings of Borda, and extrapolation from the May chapter convention elections, it is clear - and will remain so unless B&R can somehow demonstrate convincingly otherwise - that 85% of delegates is not B&R's fair share. Assuming a roughly 55% majority of support among chapter voters,

in line with May's voting data, and assigning Bread and Roses 4/7 of the delegates in line with the apportionment of at-large steering committee memberships under that election's proportional voting system, the Bread and Roses slate would be entitled to 22 delegates.

We will thereby ask, as imperfect as this solution may be, that six of their current delegates be removed, replacing them with the next six non-B&R alternates in the voting rankings.\*

To our own East Bay chapter, we hope this episode finally sparks a chapter-wide, open, inclusive, conversation about what we believe democracy is. Is democracy securing a vote by whatever means necessary and demanding everyone fall in line? Or is it an effort at inclusion, dialogue, reflection, education and purposeful reaching out across tendencies to build a stronger chapter that engages and learns from as many of its members as possible? And how do democratic ideals translate into the actual day-to-day workings of the chapter? We sincerely invite all our fellow EBDSA members to demand an open discussion of these ideals as soon as possible in a forum in which all will be welcome to participate, so we can heal and move forward as comrades.

# APPENDICES

Some of this section is mathematically dense but is extremely important. It serves as an analysis of the bias inherent to the modified Borda count as used in EBDSA's delegate election.

Please keep something in mind if parts of this may be difficult to follow: this information is the result of a lot of time and research and effort on the part of many people to make it as accessible as possible to the reader. Nothing even remotely resembling the following break-down was presented to members regarding this system. Prior to the election, though some members communicated with chapter leaders about the concerns that Borda was non-proportional, those concerns were dismissed. Concerned members were left with insufficient time to independently inform members themselves and mount an effective challenge to the Borda system, while also actually preparing delegate campaigns.

The bottom line is this: even outside of the poor explanations of Borda voting modifications and strategies, there are significant and valid concerns about the appropriateness of using the Borda count system in a delegate election of this type. This is especially so in an election with one numerically large slate dominating the field. We will enumerate and explain these below.

## Appendix I: Inherent Biases in Borda

#### To begin with, there are a couple of different inherent disproportionalities at play within Borda

Inherent Bias #1: Bigger slates with equal support get proportionally more delegates, just for running more candidates. This is a form of <u>strategic nomination</u> called *teaming* or *cloning*.

For example: In an election where group A and B compete for 30 seats, group A runs 40 candidates while group B runs 20 candidates. Both groups have the same support - 50% of the votes. Using modified Borda count will benefit the larger slate, which could secure around 20 spots (not the proportional 15).

This is because the 50% of voters who support group B with its fewer candidates still have to rank, and give points to, all 40 candidates on group A. The result is even worse if members of group B chooses to short-ballot. In effect, group B assigns points to twice as many members of their opposition as from their own slate. While, Slate A only has to rank 20 candidates of their opposition. **This is how modified Borda sucks votes away from small slates even if voter support for those slates is dead even.** This dynamic was noticed by some voters before the election, as can be seen in this <u>leaflet</u> explaining this very concern among some members of a minority caucus.

This graph also illustrates the effect of teaming. To analyze the effect of teaming, we analyze Borda's sensitivity to difference in slates size. On average a slate with 4 extra candidates would get 1 extra delegate, when the support for both slates is equal:



Inherent Bias #2 (Exaggerating results of voter favor): Among equally large slates, where one has a small advantage in voter support, the more popular group gets a disproportionately large number of extra delegates compared to their opponents.

For example: Let's consider two slates of 30, competing for 35 seats, where one (A) has 55% of the votes and the other (B) has 45%. In a proportional system, A gets roughly 20 and B roughly 15 delegates (Slightly more and slightly less than half). With Borda, group A will get 30 delegates since their majority support and tactical voting can lock in all or almost all of their 30 candidates for those 35 seats. That's 10 more than A's proportional 20, and group B is left with 5 (10 less than proportional). **Hence, with 55% of voter support, group A can get around 85% of the delegates.** 

This graph illustrates the extra number of seats a group can secure as a disproportionate function of how much support they have over 50%. As you can see, at a point just over 50% is where the most disproportionate result of extra delegates occurs. Borda is only proportional on the extremes when support for two groups is 50%-50% or 90%-10%.

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In sum: numerically large slates have a disproportionate advantage, and slates with even a slight lead in voter support have a disproportionate advantage. Both of these factors were present in the recent EBDSA elections, compounding the non-proportional nature of any results of a Borda vote. There was no way a modified Borda count election was going to result in proportional representation in EBDSA.

#### Borda is susceptible to manipulation through tactical voting

As we will demonstrate, <u>Borda is vulnerable</u> to, and has dynamics that encourage, tactical voting, as opposed to sincere or honest voting. As FairVote.org defines it, tactical voting is "when a voter votes for a candidate other than her sincere choice to prevent an unwanted outcome." Two types of tactical voting relevant to this discussion are *compromising* and *burying*.

- <u>Compromising</u>: voters can benefit by insincerely raising the position of their second choice candidate over their first choice candidate, in order to help the second choice candidate to beat a candidate they like even less (for example, if they suspect their sincere first choice doesn't have a good chance at winning and don't want to "waste" their vote).
- <u>Burying</u>: voters can give a more-preferred candidate an added advantage in the relative rankings by insincerely lowering another candidate.

While tactical voting is not an inherent bias, Borda has inherent bias that magnifies the effect of tactical voting as described above. This is because the extra voting power afforded to large slates and majorities in Borda allow them to exert disproportionate influence over opposition candidates' rankings.

The illustration of *both* dynamics used by <u>Wikipedia</u> is a hypothetical election for the capital of Tennessee, where polls indicate the two front-runners are Nashville and Chattanooga. Citizens of Knoxville might change their ranking to:

- 1. Chattanooga (compromising their sincere first choice, Knoxville)
- 2. Knoxville
- 3. Memphis (burying their sincere third choice, Nashville)

#### 4. Nashville

This tactical voting thereby exaggerates the preference between the perceived frontrunner candidates.

In a context like the recent EBDSA delegate elections, with a much larger field of candidates than this simple illustration, examples of tactical voting could include the following:

- Within the ranking of a voter's own slate's 30 preferred candidates, a voter might compromise their sincere first choice if they think that candidate is a shoe-in (on whom the extra points would be "wasted") and boost a less preferred candidate they still wish to support.
- After ranking all their preferred candidates, a voter may insincerely rank a candidate they have no wish to support (but who they think is a shoe-in) higher than a candidate they dislike less but that they think is more vulnerable in the rankings. This would confer "extra" points to a candidate they strongly dislike but figure they can't defeat and deny points to a candidate they dislike a bit less but who they think they can keep from placing.

# Repeat these tactical voting decisions over and over throughout the voting process and the final points tallies may be very far from a sincere expression of the voters' preferences.

In STV, on the contrary, there is really no tactical advantage to doing anything other than putting your favorite candidates first. If, for example, EBDSA had used STV and asked people to rank their preferences for 38 delegate seats (not all 63 candidates), people could really only focus on who they sincerely support, and would have had no disproportionate power to additionally destroy opponents who enjoy some significant (but minority) support among voters.

## Appendix II: Questionable Voting and Vote-counting Practices

In addition to the decision on what election system to use in the delegate election, there were a number of decisions made, and practices used in tallying the election, that can only be described as irregular. Overall, these points contribute to a worrying impression of carelessness on the part of our leadership in researching and implementing various aspects of our recent elections. *No fraud or tampering is being imputed to any individual involved in these activities.* 

 EBDSA leadership did not use OpaVote for tallying, as it had in the two most recent EBDSA elections, which would have aided in counting and potential data analysis. Vote counters entered rankings manually into a spreadsheet, created by and currently in the possession of the B&R members running the election. The given rationale for this decision included the assertion that OpaVote ballots could not be entered by

more than one team of vote-counters at the same time. This does not appear to be true; this <u>blog post on</u> <u>opavote's site</u> clearly suggests dividing the task of entering 200 paper ballots "into 4 groups of 50 and have 4 people enter them in parallel." Furthermore, after the data was collected in a spreadsheet it could be uploaded to OpaVote as a whole.

- 2. The choice to use paper ballots for an election involving 63 candidates resulted in serious delays in tallying. The recording of all the ballots' rankings required four sessions over four consecutive days. This is partly because there were so many candidates to rank but also because leadership chose not to use OpaVote, which would have allowed for quick and easy online voting with a simple drag-and-drop interface that eliminates ranking mistakes, and tallies votes in literally seconds when the election meeting is over. The delay in tallying also resulted in an unnecessarily long wait for candidates who faced deadlines to make travel and lodging reservations.
- 3. Ballot handling during the four sessions of counting did not appear to follow transparent safeguards or to track which ballots were absentee versus in person (relevant to questions later raised by the election chair himself about possible electoral manipulations). Without designated oversight, the elections committee chair checked in the absentee envelopes against a list of requested absentee ballots, opened the envelopes, and inter-mixed absentee ballots with in-person ballots. He took the ballots away, apparently home with him, after each session, and brought them back for the next session. Again, no misconduct is being attributed here, merely that normal oversight and safe-gaurds were simply not present. The result of mixing together ballots prevented the possibility of <u>particular post-election analysis</u>, in effect any differences in absentee versus in person ballots are permanently hidden from scrutiny.
- 4. Decisions for handling skipped, repeated, or incomplete rankings were done on the spot by the vote recorders, or later by the election supervisor. When these decisions were carried out, often the original paper ballots were modified to reflect them, leaving no clear record of the voter's original intent. In cases of illegible handwriting, vote counters also made decisions on the spot, and marked the rankings used on the ballot.
- 5. Some vote counters, who are willing to attest to this observation, noticed sets of ballots with identical rankings that appeared to have been filled out with the same handwriting. Without the ability to review the entire collection of ballots, the possible significance of this observation cannot be determined. This is especially concerning given the inability to compare absentee to non-absentee ballots.

<sup>\*</sup>This both numbers for unseating and seating were initially at 9. This was based off of the proportionality extrapolation from the method we described in the main text. It is six on the Credentials Challenge that was submitted to the Credentials Committee and the national convention due to the fact that six alternate candidates could register and attend the convention. 14