CACTUS: 
Citizens’ Assembly for Critical Thinking about the United States

Eastern Kentucky University

Spring 2008

Final Report and Recommendations

Final Report Committee Members: Brandon Ayers, Jeffery Brock, Rachel Chambers, Keith Justice, Bryan Richards, and Jordan Yurt
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FOREWORD

The road to this first CACTUS Final Report began with the release of another Final Report in December, 2004—that of British Columbia's Citizens' Assembly on Electoral Reform. In a happy coincidence, I visiting British Columbia at the time and learned of this through newspaper accounts, and was fascinated enough to pursue it further. One thing led to another, and together with Glenn Rainey, my husband and colleague, I co-authored three conference papers on that Assembly. When Ontario convened its Citizens' Assembly, we continued our research, comparing the two bodies.

Meanwhile, I began thinking of ways to incorporate a citizens' assembly based on the Canadian model into the classroom. In another stroke of good luck, the EKU Quality Enhancement Plan committee developed a plan to promote the development of students who are “informed, critical, and creative thinkers who communicate effectively,” and sought faculty proposals for ways to meet this goal. This struck me as the perfect match for a model citizens' assembly, the QEP Committee agreed, and thus CACTUS was born.

It was truly exciting for me to experience EKU’s first CACTUS, to witness students interact as citizens, become informed, deliberate with civility, and arrive at their decision. CACTUS included a diverse group of students with a range of majors including political science, elementary education, sociology, fire protection, police studies, physics, anthropology, psychology, broadcasting, public relations, and undeclared. There were twenty men and nine women, ranging from freshman to senior. They were kept busy! Besides being Assembly members they also had to play student roles, with textbook, quizzes, exams, and a paper. At the same time we tried to help them bond them into a group through ceremonial activities such as opening each session with the national anthem, and “fun stuff” such as pizza, t-shirts, cookie ballots for choosing weekly refreshments, and other ways to create group spirit.

Apart from some minor editing, this report was written by CACTUS members and coordinated by student facilitator Rachel Chambers. Because our timetable was dictated by the academic semester, it was written and compiled under considerable time pressure, but provides a very good description of the decision-making process and the Assembly’s final decision. It, of course, cannot begin to reflect all the hard work and commitment that went into CACTUS by our leadership team (including my Co-Chair Joe Gershtenson, Project Coordinator Paula Wilder, and facilitators Kristeena Winkler, Alan Hurst, and Rachel Chambers), and the members of CACTUS themselves!

Jane Rainey, CACTUS Project Director and Co-Chair

This Final Report is both a first and a last. It is a last in the sense that it is the culmination of the Spring 2008 offering of POL 301: CACTUS. It records the structure and processes of that course and the ultimate decisions and actions that the students
produced. At the same time, this Final Report is a first. It is the final report of the first CACTUS. As this implies, CACTUS is envisioned as an ongoing endeavor and this is not intended to be the last final report.

I feel privileged to be involved with CACTUS and my gratitude goes out to Jane Rainey for presenting me with this opportunity. CACTUS is Jane’s brainchild and she devoted countless hours to seeing it to fruition. In designing and proposing the project, Jane had the foresight to realize that the Assembly would function better with two faculty members at its helm, and I was fortunate enough to be invited to be her co-chair. I appreciate the invitation and I am certainly glad I accepted. I have grown as a professor through my involvement with CACTUS and I look forward to future assemblies.

In looking ahead to future assemblies, it is my hope that we have groups of members that are as enthusiastic and enjoyable as the members of our first assembly. It is the members (students) that are the heart and soul of CACTUS and, ultimately, CACTUS is designed to benefit them. I feel that the members of the first CACTUS became more “informed, critical, and creative thinkers” through their participation and that future EKU students can experience similar enhancement by signing on to be members of CACTUS.

Joe Gershtenson, CACTUS Co-Chair

THANKS TO:
The CACTUS Team

Guest presenters:
The Honorable Trey Grayson, Secretary of State, Commonwealth of Kentucky
Dr. Gary L. Gregg, Director, The McConnell Center for Political Leadership, University of Louisville
Dr. John Heyrman, Associate Professor and Chair, Department of Political Science, Berea College
Dr. Sara Zeigler, EKU Department of Government
Dr. Glenn W. Rainey, Jr., EKU Department of Government
Dr. Steve Barracca, EKU Department of Government
Tom Martin, adjunct professor, EKU Department of Government

Support of public hearings:
Dr. Kendra Stewart and students in her American presidency class
Dr. Lynnette Noblitt and students in her expert witness class
Jerry Thomas, EKU Department of Government
Tom Parker, EKU Department of Government

Guest musicians:
Dr. Joseph VanFleet and EKU Trumpet Choir

Our own musicians:
Nick Goodman, Thomas Eva, Vincent Campbell
Logo Designer:
Angela Friend

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Dr. Onda Bennett, Dean, University Programs
University Programs staff
EKU Center for Kentucky History and Politics
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I. Introduction to CACTUS

Citizens’ assemblies are a new experiment in democratic decision-making. They are based on the idea that citizens, given adequate education and information, can deliberate and reason together, and make informed political decisions on a consensual basis. Eastern Kentucky University’s Citizens’ Assembly for Critical Thinking about the United States (CACTUS) is a model citizens’ assembly intended to provide students with the opportunity and guidance to become more politically informed and engaged and to apply the skills of critical and creative thinking to their roles as citizens in American democracy.

The mission of CACTUS is to contribute to EKU's Quality Enhancement Plan by helping students become politically informed, critical, and creative thinkers who communicate effectively about issues of civic and political importance. Through this mission CACTUS hopes to achieve the goal of conducting a semester-long model citizens' assembly in which students become more civically engaged citizens while earning three hours of general education, major, or elective credit in POL 301. To help CACTUS participants, in their dual role as students and citizens, they must keep in mind specific objectives to explore all aspects of an issue of public policy; evaluate various ways of addressing the issue; expand their thinking to develop ideas for how to best address the problem; and express their positions, through debate and deliberation, on the basis of shared knowledge and a commitment to achieving consensus as to a solution.

CACTUS met weekly during Spring Semester, 2008, 1:25-4:10 Wednesdays, to learn, consult, debate, and seek consensus about whether to change the way we elect the President. The main question posed to the Assembly was: “Is it time to change the way we elect the President of the United States?” From that question additional question arose
like: “Should we do away with the Electoral College?; Should primaries be restructured?; and Are ‘faithless electors’ an accident waiting to happen?” These questions filled the minds of the Assembly members as they anticipated the first meeting of EKU’s CACTUS.

II. “We the People” - CACTUS Membership and Introductory Phase

A group of students from Eastern Kentucky University have elected to take a class where they are no longer considered students and “transformed into citizens” (Dr. Jane Rainey). Their task is to choose a new system in which to elect the President of the United States of America. If they are not satisfied by any of the current suggested systems, the Citizens’ Assembly for Critical Thinking about the United States, “CACTUS”, may either choose to reform the current Electoral College or devise a completely new system of their own.

Since the Election of 2000 between the current President of the United States, George W. Bush, and former Vice President Al Gore, people have not been satisfied with the current Electoral System. The electors, large and small states, delegates and super delegates, Florida, Michigan, Ohio, are voting for someone to vote for you, Republicans and Democrats. People want just the popular vote to elect the President rather than voting for electors from each state, etc. It has all been said. The people of this country are not happy with the system. CACTUS gave the opportunity to college students to make their voices and opinions be heard.

On January 9, 2008, the group of students walked into the Assembly Hall in Combs Building, Grise Auditorium, without a clue of what they were all getting into. The ideas and mission of the Spring 2008 CACTUS was presented to the students. It was met with great enthusiasm by the students. At that time, these Eastern Kentucky University
college students were transformed from students to citizens of the United States charged with satisfying the Electoral System.

CACTUS was formed from funds provided by the Quality Enhancement Plan Committee (QEP). As a part of the Southern Association of Colleges and Schools (SACS) re-accreditation process, a Quality Enhancement Plan is a carefully designed and focused university-wide initiative to improve student learning. The QEP process provides an opportunity for everyone to talk and work inclusively to positively enhance student learning. The professors of CACTUS chose electoral reform based on the QEP because it enforces critical thinking as well as the qualities that go with it.

As the CACTUS members entered their first session they were handed the Mandate for CACTUS 2008. This mandate served as a guideline for decision making and development throughout the Assembly’s session. The contents of the mandate are below:

**CACTUS Mandate 2008**

**A. The 2008 Citizens’ Assembly for Critical Thinking about the United States (CACTUS)** must study models and proposals for electing the President of the United States and the Vice-President, and recommend whether the process, including the current “electoral college” method of electing these officials as described in the U.S. Constitution, Article II and Amendment XII, should be retained or another method should be adopted.

**B. In carrying out this mandate, the Assembly must:**

- become well informed as to the current method and possible alternative methods;
o consult with other citizens in the Eastern Kentucky University community of students, faculty, and staff and provide them the opportunity to make submissions to CACTUS in writing and/or orally at public hearings;

o develop in detail two alternative methods and debate and decide between them;

o re-examine the current system and then debate and decide between it and the chosen alternative.

C. If the Assembly recommends adoption of a new system for electing the President and Vice-President, the new system must be described clearly and in detail and its superiority to the present system and to the other alternative considered must be explained in the final report and if a Constitutional amendment would be required, proposed language for the amendment must be included.

D. If the Assembly recommends to keep the current system, a final report must be written explaining the reasons for this decision and the superiority of the current system to the two alternative models developed by the Assembly.

E. The recommendation described in section A must

o be limited to the way in which votes cast by the people become translated into a choice of President and Vice-President of the United States and

o take into account the potential effect on the federal division of powers, the political party system, and the effective governance of the United
States, and be consistent with the basic principles of representative democracy.

F. Issues that arise in deliberations or public hearings that are beyond the scope of the mandate but that the Assembly believes to be relevant to the process may be addressed in the final report.

G. Whether or not the Assembly chooses to replace or alter the current system, they must produce a clearly-worded referendum question to this effect to be voted on by the university community.

H. The Assembly must make its decision and approve a referendum question no later than April 23, and must complete and approve its final report no later than April 30.

The referendum question must be posted no later than April 30, 2008, and voting will continue through May 8, 2008. The decision of the voters shall be announced at the last meeting of the Assembly on May 9, 2008.

The Assembly was chosen on a different basis from Assemblies that CACTUS is modeled after. The Assembly served as a general education course that provided three credit hours for its members. Beginning in the Fall 2007 semester, coordinators promoted the Assembly throughout campus to draw an array of students that would be interested in the topic: “Should the Electoral College be kept, changed, or abolished?” As a result, the members of CACTUS were self selected, but also represent different backgrounds, majors, and viewpoints.

In order to aid in the proceedings of CACTUS, several leaders were necessary to ensure that the mandate of the Assembly was followed and a goal was achieved. The
instructors, Dr. Jane Rainey and Dr. Joseph Gershtenson served as Co-Chairpersons to the Assembly. They led plenary sessions and facilitated plenary discussion. Facilitators were chosen from a group of upperclassmen majoring in Political Science. The CACTUS facilitators, Rachel Chambers, Alan Hurst, and Kristeena Winkler, facilitated group discussion in small groups during the Learning and Deliberation Phases, as well as headed committees of the Assembly. Graduate student and project coordinator, Paula Wilder, fulfilled duties in a facilitator role, but was also responsible for administrative duties of CACTUS.

**Membership** - The CACTUS Membership included the following members:

- Amos, Tyler
- Ayers, Brandon
- Bigler, Frank
- Campbell, Vincent
- Caudill, Ryan
- Clements, Cameron
- Faulkner, Jeffery
- Goodman, Nicholas
- Hurst, Alan- Facilitator
- Moody, Ashley
- O’Nan, John
- Richards, Bryan
- Rose, Ryan
- Smith, Jonathan
- Ansell, Becky
- Benca, Michael
- Brock, Jeffery
- Cathers, Christina
- Chambers, Rachel- Facilitator
- Eva, Thomas
- Gerstenson, Joseph- Chair/Professor
- Hoskins, John
- Keeton, Amanda
- Morgan, Breanna
- Rainey, Jane- Chair/Professor
- Rogers, Andrew
- Royalty, Amanda
- Stewart, Derek
III. Learning Phase

During the Learning Phase of CACTUS, members received a comprehensive crash-course of the current Electoral System in the United States as well as various other electoral systems proposed and currently in use in other parts of the world. This particular phase spanned over several meetings that included guest speakers, group discussions, and Assembly-wide informational sessions. As a result, members became more widely informed about the various systems of election and electoral politics. “I feel like an electoral expert!” exclaimed CACTUS Assembly member Brandon Ayers after the final learning session.

There are three ways of reforming the Electoral College: the District Plan, the Proportional Allocation and the National Bonus Plan. The three alternative systems that could be adopted if the Electoral College was to be abolished include the National Popular vote with a plurality rule, a National Popular vote with a majority rule and a National Popular vote with a majority rule in Instant Run-off.

In order to change the Constitution, Congress has to propose a 2/3 vote for each house and the state legislatures have to have a ¾ vote of approval. According to a Realist, the reason the Electoral system hasn’t been changed is because it is just too hard to pass an amendment. The reason the Elitists say is that it hasn’t been changed because people with power don’t want it to change. They are comfortable with the Electoral College and don’t want it to change. Pluralists say that the Electoral system allows
groups to compete and prevents a broad social movement from taking place. The
Functional people don’t see the system as being “broken” and therefore it doesn’t need to
be fixed. (Paul D. Schumaker and Burdett A. Loomis, eds, Choosing a President

The National Popular vote Effort would cause each state to pass a law so that
whoever wins the nationwide vote would receive all of our electoral votes. In 2001, 61
percent of the American population had supported the Direct Popular vote on a national
district. This plan is full of both pros and cons. The pros include it being easy to understand
for the general population, every single vote would count, and it would force the
candidates in the general election to focus more on the small states.

The cons are that this would make it easier for third parties to be noticed which in
turn could cause the winner to win without having the majority of the population’s vote
which could then compromise the legitimacy of his win. States might even lower the
voting age in order to gain more votes, more say in the election process

Another alternative to replacing the current election system is the Run-off election
when there is no popular vote majority. With this plan, a candidate with at least 40
percent of the popular vote would be the winner. The problem with this plan is that it
might lower voting turnout and would force the candidates to spend more money as they
continue for campaign.

With an Instant Runoff, the candidates are ranking by the voters. Still, this plan
can be too complicated. The “Yes” voting system allows the voters to simply vote yes for
whoever they would feel comfortable as the President. They are allowed to say yes for
more than one candidate. NOTA are another voting system that gives the option for None
Of The Above. Obviously the main problem with this is what would happen if that option wins.

Instead of outright abolishing the Electoral College, there are several reform plans that have been brought to the Assembly’s attention. The Automatic Plan would simply get rid of the electors and allow the popular vote of each state decide which candidate gains their state’s vote. The advantage with this plan is that it makes the general elections “appear” to be more population based and it would eliminate the possibility of a faithless elector even though never before has a faithless elector changes the outcome of an election. The problem this plan could is that it doesn’t proportionality change the votes awarded to the candidate. Also, if there is still no majority, Congress would vote and decide the winner.

The Proportional Plan would split the vote proportionally among the candidates. This works at best if you used real numbers instead of people, but rounding may make a difference when figuring our the percentage that each candidate would get. This plan would cause less of a gap between the population’s vote and the Electoral Vote. With the National Bonus Plan, the Electoral College would be unchanged. The difference though is that the winner of the popular vote would gain an extra 102 bonus votes. This would prevent from another 2000 election happening.

IV. Small Groups

Assembly members participated in small group discussions during the learning phase in order to solidify their opinions and understanding of the Electoral College, and different electoral system. Members were assigned to amongst four groups headed by a facilitator. Each week members were randomly reassigned to different groups and
different facilitators in order to allow the Assembly to attain a sense of community and hear different opinions and perspectives. The success of the Assembly at large depended on the success of the work of the small groups. Each session of the Assembly at-large began with a brief overview and learning section for the member to contemplate. Then the Assembly broke into groups to further discuss the introduced topic in depth. After the topic was discussed in small groups, the Assembly reconvened and presented their opinions and ideas about the learning concepts. The purpose of small groups was to allow Assembly members to achieve a sense of comfort in their learning and allow for member who would not normally speak in the general session of the Assembly to be heard.

The learning topics for small group discussion are included below for each session of the learning phase:

January 16: Groups discussed proposed operating procedures for the remainder of the Assembly sessions. They were presented with these preliminary proposed operating procedures:

A. Commonsense and reasonableness in conduct of meetings.

B. Informal, decision by consensus where possible. No “Roberts Rule”

C. “Nothing is decided until everything is decided.”

D. A quorum will be 50%.

E. The Chair can summarize a consensus position and that will hold unless someone requests a vote. A consensus means a position the majority supports or can live with. The Chair may also decide that a vote is warranted.
F. Votes will be by show of hands except where the formal decisions described in the charter are involved, in which case they will be by secret ballot.

G. The Chair only votes in case of a tie.

H. Make-up of discussion groups will change each week.

The small groups accepted the preliminary list and also proposed these additional operating procedures.

a. Be open minded and willing to listen.

b. Be willing to admit you are wrong or accept logic of the other side.

c. Don’t take challenges personally.

d. Try not to offend; challenge ideas, not people or personalities.

e. Pull your own weight with discussion.

f. Have a positive attitude and have fun.

g. Encourage participation and individual contact.

h. Respect the timeline; don’t lose sight of the task.

i. Know there are no experts within the group and it is ok to make a mistake.

j. Encourage each other.

k. Listen, don’t interrupt (listening is the most important factor in group work).

l. Agree to disagree.

m. Think before you speak.

n. Do not rush to conclusions.

January 23: Groups discussed the following questions:

What is the best way to choose nominees for President?
Should this be left to political parties or to states or should a method be required in the Constitution?

What about independents (non-party members) who want to run for president?

Should we have one national primary? Regional primaries? Or state primaries and caucuses like we have now?

Should New Hampshire and Iowa always go first?

Small groups came to a consensus on whether or not the constitution should say something about nominations.

January 30: Groups looked at values that would be desirable in a presidential election system. The groups were presented with sixteen values and their definitions, they included: simplicity, quick results, fair representation, legitimacy, the “federal principle,” two-party system, majority rule, multiple parties, original intent, minority rights, practicality, voter-friendliness, youth involvement, voter choice, effective governance, and tradition. Groups were charged to choose the top 3 values that are most important and choose which values they thought to be not important at all.

The results:

Most Important Values: Legitimacy (4 groups), Equal representation (3 groups), Original Intent-With Adaptations (2 groups), Voter-friendliness (1 group), Simplicity (1 group), Voter Choice (1 group).

Least Important Values: Tradition, including original intent (3 groups), Practicality (2 groups), Quick Results (1 group), Minority Rights (1 group), Two-Party System (1 group), Promoting Multiple Parties (1 group), Majority Rule (1 group).

February 6: Groups discussed: Direct Popular Vote, Direct Popular Vote with a Run-Off if no majority on first ballot, Popular Vote with only 40%+ win needed to avoid a run-off,
and the Instant Run Off. Also, group members collectively compiled a list of characteristics and qualities an American President should possess.


February 20: Groups discussed Presidential and Parliamentary systems and planning for public hearings.

February 27: Groups discussed guidelines and publicity for public hearings.

V. Public Hearings Phase

The Public Hearings Phase commenced on March 19, 2008. Before the Assembly began the public hearings phase, members met in separate groups and each group discussed what guidelines they thought should be put in place during the public hearings phase. A plethora of guidelines were proposed for speakers to follow, in order to make this phase flow smoothly and to allow maximum opportunity consider time restraints. As a result of the suggestions in small groups, the Public Hearings Committee and facilitator Kristeena Winkler developed a guidelines and procedure handout for the speakers and assembly members. The Committee also developed questions for student panels of Assembly members to ask presenters about their specific ideas. These guidelines were enforced by facilitators and those who spoke along with the assembly members adhered to each of these guidelines as well.

The document regarding as produced in a memo read as follows:

Guidelines:

1. Each speaker will be given a 10 minute time limit in which they may speak before the assembly.
2. This 10 minute time period will include time at the end of each presentation for a short Q and A session with a panel of Assembly members and the Assembly at Large.

3. If you wish to have a handout of any form to accompany your presentation please have it emailed to Kristeena Winker no later than midnight the day before you are scheduled to speak or you may provide your own copies for the Assembly on the day you are scheduled to speak.

4. To make sure the time of presenters and Assembly members is used most efficiently please arrive a few minutes before the half-hour block you are scheduled to speak in.

5. Your presentation should include information on your view on how best to elect the President of the United States. Additional information that you may consider incorporating into your presentation includes but is not limited to: the feasibility of your plan, whether or not your plan has been used elsewhere in the world, what the results of the usage of this plan has been elsewhere, do you support or condemn the current Electoral College method of election.

6. Each speaker will be asked to state their name and the name of the organization, if any that he or she represents at the start of his or her presentation before describing his or her view on the presidential election process.
7. All participants are welcomed to stay beyond their scheduled times to listen to other speakers.

The Public Hearings Phase of CACTUS provided the assembly the opportunity to hear from the public in regard to the Electoral College. In these hearings, those who spoke before the assembly had the chance to not only voice their opinions about the Electoral College, but they could also describe any inefficiency they felt there were in the system. After voicing their opinions they could discuss a variety of options in regard to what they felt should be changed or not changed with Electoral College. Meaning, they could choose for the Electoral College to remain unchanged, discuss or propose reform options, or recommend abolishing the Electoral College.

CACTUS assembly members benefited from the public hearings phase in a number of ways, considering the diverse range of speakers that spoke with the assembly. There were scholars in the area of political science, professors whose teaching focused on the Electoral College, expert witnesses, and persons from the general public. This wide variety of speakers allowed the assembly to contemplate different ideas and different views that would be comparable to the public. The overall general opinions in regard to the current system ranged from leaving it as is to reforming the Electoral College to abolishing it for a popular vote. Abolishing the Electoral College was the most popular opinion from the speakers, especially those who were from the general public and were less informed than the general assembly members. This was especially beneficial to the assembly, because many felt satisfying the general public and making it understandable was the most important. Based on what was said in the assembly, it was clear most of those from the general public weren’t informed well in regard to the Electoral College.
and their judgments. This made making the final decision understandable as more of a priority than previously expected because for a system to work, one must understand what they’re doing and how they’re participating in the system.

VI. Deliberation Phase

On April 2, 2008 the Assembly formally began the deliberation phase, and it first began to discuss the possibility of reforming the Electoral College. The Assembly broke into small groups to discuss this matter and reported back in the joint session of the Assembly. Group one decided upon the District Plan because they felt that it was a fitting compromise between the popular vote and the Electoral College. Their second choice was the National Bonus Plan. They decided that the Neo-Wilson Plan would not be accepted by the small states. They made note that a Constitutional amendment would be hard to get but thought it was the best plan. The second and third groups were noted as creating two different compromise plans.

Group Two wanted to use the Automatic Plan and then the electoral votes would be proportionally allocated to the candidates. Then, whoever won the national popular vote would then receive a bonus of 50 or 60 extra electoral votes, a definite number was never decided upon but it was decided that the number would not be enough to let the popular vote alone decide the winner but enough to help the candidate who won the popular vote and make the candidates to take note of it.

Group Three decided to keep use the automatic plan as a base too but they wanted to increase the number of electors. They felt the current number was too small to represent the will of the people. They also wanted to proportionally allocate the electoral votes. They as well had a bonus for the popular vote winner but it wasn’t enough for the
national popular vote winner alone to win. Both of the groups felt that the District Plan was not the way to go due to the posing threat of gerrymandering.

The last group favored the Automatic plan and proportional allocation because they allowed for the emergence of third parties.

In the end, the groups did come to a sort of consensus on the following points:

1. The Elimination of the Winner take all system at the state level
2. Faithless electors are not a real problem
3. The Assembly should eliminate the human electors to appease the general public.

On April 9, 2008 the Assembly reconvened and discussed alternatives to the Electoral College. The findings with every group was that many Assembly members liked the National Popular Vote with a run-off in no majority is reached. One exception was a group that preferred the yes vote system. Tyler Amos also suggested his own idea of cumulative voting using Poker Chips. Each voter is given ten chips and they put them into each candidate’s boxes that they liked. The heaviest box won.

Votes were also conducted on proposals that had been suggested, Winner take all beat proportional 13 to 10. The district plan winner take all won with 16 votes compared to state proportional’s 5 votes. The Automatic District Plan won 15 votes to the Automatic plans 8 votes. The automatic District plan also beat out human electors 15-6. Also the idea of the Yes vote and the Poker chips were not ruled out.

On April 16, 2008 the Assembly addressed the issue of the drawing of the districts and split into different groups and deliberated. And the Assembly suggested the idea of virtual districts, Parallel Lines, and the idea of a bipartisan or independent
On April 23, 2008 the Assembly finally decided to use the bipartisan commission to draw the districts and decide for a contingency plan that would ultimately let a joint session of congress decide vote with every member getting one vote. They would do this for the President and the Vice President. Then the Assembly voted in a decision to choose the Reform Plan over the Replacement Plan by a vote of 18-8. Then we finally chose to vote whether we wanted the Reform Plan or to keep the Electoral College the way it was. In the end the Reform Plan won 18 to 7 ballots.

VII. Final Decision

As the Assembly’s job ended, there were just few items left to finalize. After some tough deliberations, the Assembly had finally drafted two plans: a reform plan and an alternative plan respectively we named them the Automatic-District Plan and the Direct Popular Plan. Each plan has its version of what the system should contain. In the Automatic-District Plan, the official change is fourfold. In respect, we concluded that if this provision were voted for, it would best serve the public. This plan calls for keeping of the Electoral College as a whole and ends the “human elector” element. We will keep the number of votes for each state awarded by the Electoral College, but in a sense, it is only the number. We also devised that a system of districts will be implemented to award the electoral votes from the House of Representative membership and the two (2) Senatorial seats will be awarded to the winner of the popular vote within the state. Each district is established from the existing House districts. To acquiesce to
some of the Assembly members’ concerns, the districts should be created by an independent commission to alter the districts when the census is issued for gerrymandering. With this plan, the Assembly felt that a Contingency plan was needed. The Assembly felt that the current Contingency plan is inadequate in representation. We devised that the Contingency plan would be a meeting of the full Congress if there is no majority within the Electoral College and each member of the Congress would vote for the President from the top two (2) vote receivers. We also devised that the full Congress would also vote upon the Vice President and they would come from the top two (2) vote getters as well.

The Assembly also voted upon and created the replacement plan. This plan calls for the complete abolishment of the Electoral College. In its stead, the Direct Popular vote system will take its place. The person with the majority of the votes will be the President and if there is no majority a run-off, election will be held two (2) weeks later with the top two (2) vote receivers.

After the Assembly finalized the two plans, we were instructed to vote on which system is better. By a secret, or Australian, ballot the assembly voted. However, before we voted officially, we debated which one would be the best. There were many who opposed the Automatic-District Plan and advocated for the Direct-Popular Plan because it gave the people what they really wanted. Some people in defense of the Automatic-District Plan stated that the full implementation might cause problems, but that gradual ascension to the Direct-Popular vote system is the overall goal for the future. Then we voted and when the results came back, the system that would go up against the Electoral College is the replacement plan of Automatic-District plan.
After reviewing the fundamental principles of the Electoral College, we discussed the pros and cons of the College system. After some peoples advocating for the system, we voted again. The Electoral College v. the Automatic-District Plan results came back, and the overall winner with a majority of the votes going to the Automatic-District plan.

VIII. Referendum

On April 30th, the Assembly drafted a Referendum Question to pose to Eastern Kentucky University’s Students in a campus-wide vote. The Referendum Question read: “Should the United States change to an Automatic-District electoral system as recommended by Eastern Kentucky University’s Citizens’ Assembly for Critical Thinking about the United States?”

The referendum question was forwarded to the campus community on Friday May 2. That day an email was sent by the Institutional Research office to all students, faculty, and staff alerting them to the referendum and inviting them to participate via a “Zoomerang” link. The email had the subject line “EKU: Is it time we change the way we elect the President of the United States?” The body of the email contained a brief explanation of the recommendation being forwarded by CACTUS, a link to an earlier version of this final report, and a link for casting a vote on the referendum. The text of the email was as follows:

One program within the EKU Quality Enhancement Plan (QEP) is CACTUS. The members of EKU's first CACTUS (Citizens' Assembly for Critical Thinking about the United States, POL 301) have carefully deliberated about the issue for electing the President and have concluded that our current Electoral College is not the best electoral system for the
United States. We feel the "winner-take-all" system for allotting electoral votes whereby the candidate receiving the most popular votes in a state receives all of the state's electoral votes in unnecessary and we propose that states instead use the "district plan". In this plan, the candidate receiving the most popular votes in a state would be awarded two electoral votes while the state's remaining electoral votes would be awarded to the candidate receiving the most popular votes in each of the state's congressional (U.S. House) districts (see example below). Furthermore, we decided that the electors in our current system are obsolete and should be replaced with numbers. Finally, our proposal changes the "contingency plan" that provides the process for choosing a president when no candidate receives a majority of the electoral votes. Rather than having just the House of Representatives (with each state getting one vote) pick a president under these conditions, we propose giving each member of Congress (both House and Senate) a vote.

We believe that this "Automatic-District Plan" offers a significant improvement over the current electoral college system. Most notably, we believe that it would enhance representation of the electorate and add legitimacy to the president while still preserving a commitment to the country's heritage, including our commitment to federalism.

For additional information about CACTUS and our decision, please see the draft of our final report.

Example: Kentucky has six congressional districts and eight total electoral
votes. Suppose in the 2008 election Candidate A wins the state and beats Candidate B in four of the state's six districts while Candidate B wins the other two districts. Under our plan, Candidate A would receive six electoral votes and Candidate B would receive two (while under the current system Candidate A would get all eight of Kentucky's electoral votes). In addition to the email, announcements about the referendum were placed on both the EKU main webpage and the EKU ITDS (Information Technology & Delivery Services) main webpage.

Voting on the referendum closed at noon on Wednesday May 7. A total of 380 votes were cast. Of those, 266 (70%) were cast in favor of the referendum while the remaining 114 (30%) opposed the reform proposed by CACTUS.

IX. Creative Ideas Produced by Assembly Members

During the Deliberation Phase of the Assembly, several members developed ideas of their own reforms or considered creative ideas regarding systems of elections. This section identifies several ideas that were posted on the Discussion Board for the Assembly.

Nick Goodman’s Plan- This was posted by Nick on the Discussion Board 4.2.08:

Over the course of the semester I've come up with a plan for reform of the Electoral College, which is not only practical, but it is politically feasible. It takes bits and pieces from most other reform plans that have been introduced in the text book.

First we need to greatly increase the amount of electoral votes. 538 Electoral College ballots are not enough to accurately represent the will of a population as large as
the United States. Since this number is pretty arbitrary we can decide what is appropriate
during deliberation.

Second, we get rid of electors. In a day and age of mass media muck raking, trying to get
any story they can, we know more about current candidate’s dogs, and priests, than we
did about some past presidents there is no need to add another step, between election
day and becoming the incumbent. Furthermore this eliminates the potential for faithless
voters to throw an election. I know it hasn't happened, but it could. Third, we split up the
amount of electoral votes according to the next population census by state. Fourth, on
Election Day, electoral votes would tally proportionally in each state.

I've also been tossing around the idea of a conditional two vote bonus for
candidates that receive a majority in any given state. This could be something small like
two electoral votes. This is optional; we can discuss the potential pros and cons of this
idea in deliberation.

I know that this creates a de-facto popular vote, and I struggled with this idea
because I thought that it might be a weakness, but after the public hearings phase I
realized that it was one of the major strengths of the system. Its strong because we
wouldn’t have to abolish the electoral college, therefore we wouldn't need an amendment
to the constitution, making the process of implementing this plan much simpler.

I like this system because it allows the opportunity for third parties to have some
representation during the general election. I know that this creates the potential for the
president to be elected by a plurality, however I feel that the exaggerated majorities
created by the current Electoral College, allow presidents delusions of the majority of the
population being behind their actions. I feel that a president elected by a plurality will
understand that the country is watching, and their job is in jeopardy, if they don't do what the public feels is best.

**Jeffery Brock’s Plan** - During Deliberation, the notion of gerrymandering if the Assembly chose a District plan was presented. Jeffery proposed a creative solution to this problem. This was posted on the Discussion Board on 4.22.08:

> Personally I think gerrymandering isn't a big issue, I believe that it will become the equivalent of a faithless elector to our current system. In the end though it seems to big issue to some so it need to be addressed. I think that the only way to do it is to one compromise and allow states to draw their own lines so federalism to remain in tact and in return the 2 senate seat vote will be a mandatory part of plan that all states accept.

> I think that we should set some guidelines or suggest some for the states and in them make a special committee for the state legislation made up of 3 Democrats and 3 Republicans and independents if available. Their job would be to draw the districts and then they submit the plan to a joint session of the said state legislature. They must approve and if they feel that their is a discrepancy they can send it back and change committee members but the ratio must remain in tact being 3 democrats and 3 Republicans this way the districts are drawn favorably and fair. Also the districts can only be redrawn after the census is released every ten years. This plan upholds the 3 and all of our values and I think it needs consideration.

> I think the computer program to draw the districts will one be too expensive and two it could be tampered with and could be another form of Gerrymandering. I also don't like the ideal of virtual districts. Let me know what you think.

**Poker Chip Plan- Tyler Amos**
At a point in the duration of choosing a reform plan, Assembly member, Tyler Amos devised a spin-off of “yes” voting. He called it the Poker Chip Plan. In his plan, each voter is given ten chips and they put them into each candidate’s box that they liked. The heaviest box won. Many Assembly members favored this idea and were quite intrigued by the thought of it. Dr. Rainey even found that this type of “cumulative voting” had been practiced in municipal races in Alabama and Illinois sans poker chips. Although the plan was innovative, it did not receive ultimate support by the Assembly as they used their critical thinking skills to evaluate its feasibility in the United States’ presidential election.