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Testimony on SB 791, March 16, 2021

By Pedro Hernandez, FairVote Senior Policy Coordinator

Dear Chair Rob Wagner and Senate Rules Committee:

I am writing to express FairVote support for SB 791 regarding ranked choice voting in primary and general elections in state elections, as well as in county and city elections. This bill will improve Oregon democracy by offering voters more choice on their ballot, and upholding the principles of representative democracy.

FairVote, is a national nonpartisan organization that educates and advocates for electoral systems reform to improve democracy in our elections. We are seen as the leading national resource on ranked choice voting (RCV).

I am based in San Francisco, where RCV has been used since 2004 to elect the Mayor, 11 County Supervisors, City Attorney, District Attorney, Public Defender, Treasurer, and Sheriff. In San Francisco, RCV replaced two-round elections, or “runoff” elections that resulted in expensive and painfully negative campaigns. In fact, the San Francisco Ethics Commission which promotes ethical behavior in local government, noted that under the previous runoff system, independent expenditure spending quadrupled in the weeks between the general election and runoff.¹

The reform also chills divisiveness for the sake of divisiveness. This is because candidates might have to reach beyond their base in order to win, and that will mean appealing to be the second and third choice candidates of voters who might align with a different candidate. It’s a reform that forces deliberation of ideas. What we have seen is that under RCV, the candidates who win are the ones who are meeting voters where they are.

Research also shows that RCV has tended to result in greater election rates for candidates of color, especially women of color.² In fact, in the past decade, women have won 48% of all municipal ranked choice elections.³ As of April 2020, nearly half of all mayors (46%) and 49% of all city council seats decided by RCV are held by women.

Voters like it, too. In a official report outlining the *first* experience of RCV in San Francisco, the Department of Elections stated that, “87% of the voters surveyed indicated that they understood RCV either “perfectly well” or “fairly well.”⁴ Understanding of RCV is comparable to plurality, and

¹ San Francisco Ethics Commission Resolution, adopted unanimously on June 23, 2003, *available at* <http://archive.fairvote.org/sfrcv/ethicsresolution.htm>.

² Sarah John, Haley Smith, Elizabeth Zack, *The alternative vote: Do changes in single-member voting systems affect descriptive representation of women and minorities?*, Electoral Studies, Volume 54, 2018, Pg 90-102, ISSN 0261-3794, *available at* <https://doi.org/10.1016/j.electstud.2018.05.009>.
<https://www.sciencedirect.com/science/article/abs/pii/S0261379417304006>.

³ Represent Women, *In Ranked Choice Elections, Women Win, RCV in the United States: A Decade in Review* (2020) *available at* https://www.representwomen.org/research_voting_reforms.

⁴ City and County of San Francisco, *Implementation of Ranked-Choice Voting, November 2, 2004 Municipal Election*, *available at* <https://votingsystems.cdn.sos.ca.gov/vendors/ess/rcv-final-report.pdf>

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better than top-two.⁵ a study published in Social Science Quarterly surveyed voters across jurisdictions on voter comprehension issues and found no evidence of race or ethnic bias in understanding of RCV.⁶

Ranked Choice Voting continues to be a very popular reform. After San Francisco, Berkeley, Oakland, and San Leandro adopted the reform. In Oakland, it was also expanded to school board elections and replaced plurality elections. Just last November, the City of Albany adopted ranked choice voting with support from 73% of voters.

Just in the past 12 months:

- Five Democratic presidential primaries and caucuses relied on RCV ballots, including the Hawaii Democratic primary, with remarkably high (over 99.8%) rates of valid ballots and high voter use of rankings.
- Maine and Alaska have adopted RCV for all future presidential elections, and Maine used it successfully in November 2020;
- All six cities voting on RCV passed it, by an average victory margin over 20%.
- Several new cities are starting using RCV, including New York City for two city council vacancy elections this month and its primaries in June.

In total, we approximate that there are nearly 10 million eligible voters in RCV jurisdictions. Ranked Choice voting is also used across the globe -- by every voter in Australia, Ireland, New Zealand, Northern Ireland, and Scotland.

Supporters of different types of reform want you to believe that RCV will lead to issues including “ballot exhaustion” -- which is a ballot that did not indicate a finalist on their ballot, or that the “wrong winner” is elected. In reality, RCV has actually decreased the undervote in San Francisco elections -- in other words, voters who previously did not vote in the Supervisor contest, were now voting on the RCV supervisor contest. Further, every RCV election in the Bay Area so far has produced a “true” Condorcet winner.⁷

The most powerful aspect about RCV is that it offers voters greater choice, allows voters to truly express themselves through their preferences, choose one person, or stop ranking. Contrary to opponents’ misleading claims, RCV empowers voters.

Voters in jurisdictions with RCV rank their ballots, and a share of the ballots that are exhausted are actually “voluntarily exhausted” meaning the voter just decided to stop ranking. However, between 2004-16 the median percentage of exhausted ballots in elections that went to multiple rounds was 12% -- meaning that 88% of voters counted in the final decisive round. In total, we see 5% exhausted ballots in RCV ballot contests.

I’ll also mention that the Ranked Choice Voting Resource Center is a terrific resource for election administrators looking for information and guidance on conducting a RCV election.

⁵ Eagleton Poll (2014) available at <https://www.fairvote.org/2014-survey-results>.

⁶ Donovan, T., Tolbert, C. and Gracey, K. (2019), *Self-Reported Understanding of Ranked-Choice Voting*, Social Science Quarterly, 100: 1768-1776, available at <https://doi.org/10.1111/ssqu.12651>.

⁷ FairVote, *Every RCV Election in the Bay Area So Far Has Produced Condorcet Winners* (2017), available at https://www.fairvote.org/every_rcv_election_in_the_bay_area_so_far_has_produced_condorcet_winners.