Testimony Against HB 2004 and HB 3509

To the Oregon House Committee on Rules,

My name is Sass and I'm a resident of Eugene, OR. I am submitting this written testimony to request that the Oregon state legislature **not** pass bills HB 2004 and HB 3506, which establish Ranked Choice Voting (RCV) for various elections.

First and foremost, I ask that the legislature recognize that **there is massive citizen interest to leverage the initiative petition process to change our voting method** as evidenced by [IP 2024-011 STAR Voting for Oregon](#), which is currently collecting signatures. **The legislature should allow the people of Oregon to decide what they want their voting process to look like instead of mandating their own version of the reform.**

Beyond requesting that the legislature does not pass these bills, I regretfully must also request that the legislature does not refer these bills to the ballot. This request is due to the way that RCV is often sold to the public. Unfortunately, there's a ton of misinformation floating around about how RCV works. RCV advocates tend to explain RCV in a way that obscures its true mechanics. The obfuscation is rarely intentional, instead being packed into talking points that are fed to well-intentioned advocates. (The original source of disinformation can be traced back to a single individual whose name is unimportant for the purposes of this testimony.) Given that context, we need to set the record straight if we hope to make an informed decision relating to RCV.

Under Ranked Choice Voting, voters rank candidates. Equal ranks are not allowed. Candidates left blank are ranked last. Votes are counted in rounds. In each round, your vote goes to the highest ranked candidate remaining on your ballot, if any; otherwise, your vote is discarded. If a candidate has a majority of remaining votes in a round, they are elected; otherwise, the remaining candidate with the fewest remaining votes is eliminated.

Note that RCV only counts remaining votes for remaining candidates. If all of the candidates you ranked are eliminated before the final round, then your vote is no longer counted in any capacity in the final tally. This is in stark contrast to our current Choose One Voting where your vote is always counted and included in the tally, affecting the percentages of the vote each candidate receives, even if your vote did not help determine who won. It is through this process of eliminating voters that RCV claims to always elect a majority winner, a claim commonly given to RCV advocates to repeat. If we take a closer look, we quickly realize this isn't true. [A study of 96 RCV elections by the Maine Heritage Policy Center found that 61% of them did not elect a candidate with a majority votes.](#) And we understand this dilemma more naturally by realizing that no voting method can guarantee a majority winner in a single election with more than two candidates because a majority winner does not always exist.

This convoluted counting system creates additional issues we don't experience with our current way of voting.

Because votes are counted in a multitude of separate rounds and the numbers needed for each round are entirely dependent on the outcome of the previous round, RCV elections cannot be counted in the same simple fashion as our current Choose One Voting. [The number of data points needed to determine a winner can actually exceed the number of voters in a precinct or even in an entire election!](#) This means that **all of the RCV ballots need to be collected to a central location before any meaningful counting can begin.** In addition to delays and new logistical difficulties, as Maine and Alaska experience, **it also amplifies the impact of mistakes and creates opportunities for scaled election attacks.** We've already seen the complicated centralized counting procedure for RCV impact recent elections in [New York City](#) and [Alameda County](#), including the certification of the wrong candidate as the winner in a school board race.

Another consequence is a problem unique to RCV for single-winner voting methods: **votes actively backfiring.** This is a wild mechanic that can and does happen in real RCV elections.

In the August 2022 Alaska Special General Election, there were three candidates: Democrat Mary Peltola, moderate Republican Nick Begich,

and further right Republican Sarah Palin. RCV was used and elected Peltola. Over 34,000 voters ranked Palin first and Begich second, indicating they felt Peltola was the worst candidate in the race. **If 6,000 of those voters had instead ranked Peltola first, then Peltola would have lost.**

That is exactly as crazy as it sounds, but [it's factually true](#), and it's all because of how the RCV tally works. If those voters had not ranked Palin first — either by ranking another candidate first or simply not voting at all — then Palin would have been eliminated in the first round instead of Begich, sending Begich to the final round where the second-choice votes from Palin voters would have transferred and elected Begich instead of Peltola, a preferred outcome for those Palin voters.

There are many other issues with Ranked Choice Voting, but the course of action the legislature should take is simple and clear: **allow the voters to decide what voting method they would like to use through the ballot initiative process.** The current initiative for [STAR Voting](#) does not have any of these issues while better fulfilling the promises Ranked Choice Voting continually fails to deliver on.

Thank you for your time.

Sincerely,
Sass