Follow-up support for HB 2004, Ranked Choice Voting
House Rules Committee
Hearing date: March 16, 2023 (yesterday)
Follow-up testimony from Richard Fobes, "the VoteFair guy"

Here are some follow-up comments based on watching the live feed of yesterday's (March 16) public hearing.

Concerns about an election involving different voting-system vendors are valid. However, these special cases are easy to resolve.

In the technical realm, there are standard "interchange formats" (such as "Election Markup Language") that allow systems from different vendors to share ballot data using export and import processes.

In the practical realm, it's easy to add wording that gives permission to do "batch eliminations." This means that calculating the exact elimination sequence among clearly unpopular candidates does not need to be a requirement. (They can be eliminated together in the first round of elimination.) This flexibility dramatically reduces the amount of ballot data that needs to be shared between systems from different vendors.

If each vendor's system gets the same result based on the same full ballot data, that yields the official election result. If the results are different, an audit is needed to determine the correct result.

The comment from Robert Close about better vote-counting systems is valid. Yet for now it's far easier to make one simple change to the described version of ranked choice voting. Specifically the term "pairwise comparison" can be defined. (It's the count of voters who support one specific candidate over another specific candidate, the count of voters who have the opposite preference, and the count of voters who did not express a preference between those two candidates.) Then it's easy to add a sentence that gives permission to the Secretary of State to use the pairwise comparison counts when resolving a close election contest between the top two or three candidates (after the clearly less-popular candidates have been eliminated). Also this wording can be used to cover the case of different voting-system vendors yielding conflicting results.

Another wording refinement is to establish a prerequisite of funds for training election workers before adopting ranked choice voting for elections that involve cross-vendor coordination. In the meantime, ranked choice voting can be adopted for the elections that do not involve such complications.

The other significant concern expressed yesterday is about ballot real estate (the amount of extra paper and ink needed). This concern also is easy to resolve. Simply allow, and count, multiple marks in the same "choice" column. (For example, just 6 or 7 columns can handle 20 or more candidates.) My earlier testimony clarifies why fewer choice columns should be used, and how to do this counting.

In contrast, the FairVote organization calls such marks an "overvote," and they want to dismiss ballots when an "overvote" is reached. That interpretation either wastes ballot space (by requiring more "choice" columns), or it fails to allow a voter to **fully** rank all the candidates. In either of these cases the cost of voter education increases because voters must be taught to avoid "overvotes."

If a voting-system vendor claims their software cannot be modified to count multiple marks in the same "choice" column, the bill's wording can include a provision that allows such marks to be considered only during an audit, or only when the election has a narrow margin of victory. (Pairwise comparisons are not "confused" by multiple marks in the same choice column.)

As you can see, a few small wording refinements can overcome all the reasonable objections against ranked choice voting as described in HB 2004.

For the bigger perspective, consider that the people who yesterday testified against HB 2004 are afraid of change in the same way that priests in Europe during the 900's (AD) were afraid of "Arabic numerals." In that case there were decades of delay until a new Pope demonstrated he could use the digits zero through nine to calculate numbers much faster than the Italians who were still using Roman numerals. That was the "tipping point" that transformed Europe from Medieval times into the Italian Renaissance (and then the Scientific Revolution and the Industrial Revolution). That shift happened because Arabic numerals made it easy for banks to cross-check money transfers using paper documents. That innovation put highway robbers out of business because buyers and sellers no longer needed to carry coins, jewels, and precious metals. The resulting increase in travel between cities dramatically increased economic prosperity for everyone (including former highway robbers who previously had limited job opportunities).

Today we are at a similar tipping point. Today's version of highway robbers are **unethical** business owners who extract extra money from our wallets in ways that most voters dislike. Our use of primitive vote-counting methods makes it easy for them to arrange for a politician to get "primaried" if that elected politician votes in favor of a legal reform that reduces income to that **unethical** business owner. As a clear example, the owner of a business that sells lots of ammunition for use in assault weapons gives lots of money to the NRA (and then to politicians) to protect the freedom of white males to carry assault weapons in public. As this example illustrates, our primitive election system is part of a bad feedback loop that's causing lots of unnecessary suffering. (See http://www.votefair.org/full_versus_partial_democracy.png)

It's time for Oregon to once again lead the way into a better future.

Clarification: In case any business owner mistakenly believes I'm characterizing them as a modern-day "highway robber" I should clarify that I'm pro-business. (I'm a big fan of the business books by Clayton Christensen.) My goal is to stop **unethical** business owners from stealing extra money from our wallets. That will leave more money available to buy what **other** businesses sell. This change will create a good feedback loop that will widely increase economic prosperity for everyone in Oregon.

Richard Fobes

The VoteFair guy, and author of *The Creative Problem Solver's Toolbox*