

Submitter: Mark Osterloh
On Behalf Of:
Committee: House Committee On Rules
Measure: HB2004

Testimony opposing Ranked Choice Voting for Oregon
21 March 2023

My name is Mark Osterloh. I am a retired physician with law and pharmacy degrees. Before moving to Eugene, Oregon fourteen years ago I lived in Arizona where I held leadership roles and was extensively involved in the enactment of laws creating public funding of political campaigns, establishment of an independent redistricting commission, and increasing the income level from 33% to 100% of the federal poverty level to qualify for Medicaid health care coverage.

I am here to urge the Oregon legislature to NOT enact Ranked Choice Voting (RCV) (aka Instant-Runoff Voting) into law. I know you are being subjected to a full court press campaign to hurriedly enact Ranked Choice Voting. This is too important a change to rush into without the legislature first pursuing an in depth study of alternative voting methods. Ranked Choice Voting has serious flaws including not counting some votes, potential occurrence of the “spoiler” effect, some candidates being disadvantaged, complicated counting requiring multiple elimination rounds, and the requirement for centralizing tabulation of ballots. Since the tabulation has to be done in a central “black box” computer, public suspicions will be heightened and the lure for nefarious actors to hack into the computer program will be high.

If you look up “Instant-Runoff Voting” in Wikipedia you will see that the first sentence under “History” states “This method was considered by Condorcet as early as 1788, though only to condemn it, for its ability to eliminate a candidate preferred by a majority of voters.” At that time people traveled in horse drawn carriages. Today, people travel in cars, planes, and spaceships. Science, experience, and inventions have progressed. Now there are much better voting systems in existence.

Spoilers have affected both Republicans and Democrats. In 1992 Ross Perot took votes away from George H.W. Bush allowing Bill Clinton to win. In 2000 Ralph Nader took votes away from Al Gore allowing George W. Bush to win.

Some jurisdictions enacted Ranked Choice Voting and subsequently repealed the law due to unsatisfactory results. These include Burlington, Vermont; Cary, North Carolina; Pierce County, Washington; Aspen, Colorado; Ann Arbor, Michigan; Sunnyvale, California; Hendersonville, North Carolina; and Eastpointe, Michigan. The Maine Supreme Judicial Court ruled that Ranked Choice Voting is unconstitutional.

I am an advocate for STAR Voting (Score Then Automatic Runoff) that has been shown by numerous voting system researchers to be the best voting system in existence. STAR Voting was created at a national voting conference held at the University of Oregon on October 4, 2014 in Eugene, Oregon which was attended by Rob Richie the President and CEO of FairVote which is aggressively pushing Ranked

Choice Voting around the country including here in Oregon. So why hasn't FairVote come around to accepting that someone has "created a better mouse trap?" The reason is that FairVote is a big money making organization with a lot of salaried individuals, reputations, and egos that feel threatened. A similar situation likely occurred in the past when the automobile first came on the scene. Horse drawn carriage manufacturers undoubtedly felt threatened and likely doubled-down in badmouthing the automobiles and singing the virtues of their product.

You can see more in-depth explanations and scholarly articles detailing the flaws inherent with Ranked Choice Voting, and superiority of STAR Voting at our website starvoting.org

Thank you for your time and consideration of this important matter.

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