

**Additional follow-up support for HB 2004, Ranked Choice Voting**  
**House Rules Committee**  
**Second hearing date: March 21, 2023 (today)**  
**Follow-up testimony from Richard Fobes, “the VoteFair guy”**

Here are some follow-up comments based on watching the live feed of today's (March 21) second public hearing.

In today's testimony several people who oppose HB 2004 asked you to delay adopting HB 2004 because they claimed there was a lack of public support for ranked choice voting. Those people are failing to recognize that we, the voters, already have strongly expressed support for ranked choice voting.

Our support has been expressed in Portland, Corvallis, Eugene, and statewide. In the recent November election, the majority of voters in Oregon's largest city, Portland, expressed strong majority support for the Portland Charter Amendment, which adopts ranked choice voting as a key part of reforming Portland city government. In early 2022 Corvallis voters adopted ranked choice voting for their mayoral and city-council elections, and that's after several years of experience using ranked choice voting in their Benton County elections. During 2020 a few of us initiated the Ranked Choice Oregon ballot initiative ([http://www.rankedchoiceoregon.org/ballot\\_initiative.html](http://www.rankedchoiceoregon.org/ballot_initiative.html)) and we were successfully gathering signatures statewide in spite of the pandemic lockdown, but we hit the limit of what we could accomplish with zero funding, so that initiative did not progress to the next step. And the advocates of STAR voting in Eugene are successfully collecting signatures for their flawed STAR voting method – which they promote as a “better version of ranked choice voting” – because most voters are so anxious to abandon our exiting dysfunctional “choose-just-one” election system. These expressions of support for ranked choice voting throughout Oregon provide clear evidence that further delays are not what most voters want.

Even more voters became aware of the serious flaw in our current election system because of what happened in Oregon's recent 2022 gubernatorial election. Phil Knight (of Nike fame) and other campaign contributors gave money to the Republican candidate they wanted to win, and they also gave smaller amounts of money to Betsy Johnson to split votes away from the Democratic candidate. Their tactic almost worked. It almost allowed the Republican candidate to win in spite of being opposed by the majority of voters.

If anyone claims that ranked choice voting would have elected Betsy Johnson, they have not carefully read the contents of HB 2004. It wisely includes a provision that modifies the use of “choose-just-one” ballots in primary elections. Specifically, if the candidate who gets the most votes does not get at least half of their party's votes, then the candidate who gets the second-highest vote count also progresses to the general election. This means the November gubernatorial election would have included a second Democratic candidate and probably a second Republican candidate. The winner probably would have been either the second Democratic candidate or the second Republican candidate. That's because those candidates would have been viewed as “outsider” reform-minded candidates like Betsy Johnson, yet better able to implement some of the wise reforms that we, the majority of voters, want.

Some people who testified today claimed the counting of ranked choice ballots cannot be trusted because the counting must be done on a central computer that would be vulnerable to security weaknesses. Ironically many of the people who express this distrust also express distrust of our current election system, which also has the same vulnerability.

As Barbara Klein testified (on behalf of the League of Women Voters), the Ranked Choice Voting Resource Center provides federally certified, open-source, ranked choice voting software. And it's free! I don't like the fact that their software does not yet offer the option of correctly counting multiple marks in the same "choice" column, but this level of refinement can be implemented later. In the meantime that free software can be used to verify the correct outcome of any disputed election.

There was at least one reference to the flawed result in the recent Alaska special election. That unfairness happened because the candidate with the "fewest votes" is not always the "least popular" candidate. To remedy this unfairness, simply add a check for any "pairwise losing candidates." A useful analogy is that if a soccer league has a team that loses every one-on-one match against every other team still in the playoffs, that team deserves to be eliminated, even if a different team has the fewest number of "points."

As a reminder of what I've said in earlier testimonies, ranked choice **ballots** can be counted in ways that provide the same advantages the fans of STAR voting claim for STAR **ballots**. There is no need to switch to **rating** ballots. We can get the same advantages using **ranked** choice ballots.

Oregon HB 2004 is the best-designed election-method improvement I've seen in any state throughout the United States. Yes, it's even better than the election-method experiments I've seen in California, Maine, and Alaska. And I say this as someone who has been advocating election-method reform for the last three decades, starting while I lived in Corvallis. (I did all the coursework for a Masters degree in Atmospheric Science at Oregon State University, but "dropped out" because I saw the need for big innovations in creative problem solving, computers, and election methods.)

As I've explained in my earlier testimony, adopting ranked choice ballots now, and later refining the software to count all the marks on all the ballots, will create the tipping point that will propel civilization into a widely prosperous future.

Please recognize the huge benefits of sending this bill to the House. And please encourage your fellow legislators to pass it into law.

Any further delays will cause civilization to continue an economic decline that will persist until we abandon our primitive "choose-only-one" election method.

Richard Fobes

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