



The League of Women Voters of Oregon is a 101-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

April 7, 2021

To: [Representative Mark Meek](#), Chair
[House Special Committee On Modernizing the People's Legislature](#)

Re: Hearing on Ranked Choice Voting

Chair Meek, Vice-Chair Wallan and committee members,

The League of Women Voters (LWV) at the national and state levels has long been interested in electoral system reforms as a way to achieve the greatest level of representation. In Oregon, we most recently conducted an in-depth two-year [study](#) (2016) to update our Election Methods Position. That position was (in part) the basis for a similar update to the LWV United States position in 2020.

In League studies around the nation, our current system (called either 'plurality' or 'First Past the Post') where 'whoever gets the most votes wins' has been found the least-desirable of all electoral systems. The Oregon position is no different. It further lays out criteria for best systems; and states our support of Ranked Choice Voting (RCV).

Several of the related criteria are:

- Encouraging voter participation and voter engagement.
- Encouraging those with minority opinions to participate.
- Promote sincere voting over strategic voting.
- Discourage negative campaigning.

For multi-seat elections (a.k.a. at-large or multi-winner elections), the LWV Oregon position currently supports several systems. "For single-winner systems, the League supports ranked-choice voting"... although we could possibly support other alternative voting methods that meet the position's criteria.

Locations which use RCV are now so numerous and amassing so quickly, it's difficult to keep a stable list, but one can visit the 'where used' section at the **Ranked Choice Voting Resource Center**: [WHERE IT'S USED - Ranked Choice Voting \(rcvresources.org\)](#)

We trust that the Modernizing the People's Legislature committee will hear about many benefits of RCV. We will summarize our view of some of those, as well as address several criticisms often stated by opponents that we believe are *overstated or inaccurate*.

Benefits to the Oregon voters if RCV were adopted include the points below.

1. RCV provides 'back-up' choices, giving voters more options of candidates who they wish to support (expressing their rankings 1-2-3 etc.).
2. Based on its use in other areas, RCV demonstrates that it curtails negative campaigning.
3. RCV allows voters to honestly express their votes without fearing they might waste their vote if they choose their favorite candidate, who has a lesser chance of winning.
4. RCV avoids "vote splitting" when candidates sharing similar opinions divide the support of voters sharing those same opinions, causing both candidates to lose out.
5. Where appropriate, the RCV system could save money by combining an expensive, low-turnout primary election with single, high-turnout general elections conducted with RCV.

6. The multi-winner version of RCV (called Proportional RCV or Single Transferable Vote), would improve voter choice by offering a pool of candidates in jurisdictions where elections for multiple identical positions, like city councilors, are currently elected by arbitrary “position numbers,” artificially constraining voter choices.

Responding to points of opposition upfront

Majority rule. Some opponents state that RCV does not always accomplish a majority winner. At the same time, some opponents state that a majority-winner is not necessarily as important as *satisfaction of the voter*; the League disagrees. Voter satisfaction may be hard to quantify. The League believes that for a single winner, the threshold of a majority (50% + 1 vote) is highly desirable and the best of standards. RCV (single winner type) guarantees a majority win in the FINAL round of active ballots (ballots that continue to display back-up choices). This functions like a delayed runoff, except voters need not return to the polls. (When Proportional RCV is used in multi-winner elections, the winning threshold is different, with results “proportional” to groups of like-minded voters.)

RCV is too difficult. When confronted with the ‘difficulty’ of RCV, one older woman reported to the League that “I learned to count 1-2-3 in kindergarten.” For the voter, it is not much more difficult than counting 1-2-3 or picking your favorite flavors of ice cream. And over the past decade, with improvement in services, support and machinery, it is less difficult for election officers as well.

(The national **RCV Resource Center**, staffed with former Election Officers, is designed specifically to aid election administrators. Additionally the center has guidance on ballot design for elections officials.)

Below you can see “Proof in the details” showing a small slice of actual data analysis which demonstrates our contention that RCV is not too difficult.

One person, one vote violation. RCV does not violate one-person-one vote, and there have been numerous court cases to justify this statement. Similar to a delayed runoff, it is “one-person, one-vote, per one-round.” The voter’s favorite choice remains their favorite choice while still in the race; otherwise their back-up choice will be counted.

RCV ballots become “exhausted.” Just as voters do not always return to the polls for a delayed runoff, they do not always choose to rank extra back-up choices. This is the voter’s choice. A ballot that *runs out of choices* is called “exhausted.” Refer to the section below on “Data of Exhausted Ballots” that frames this concern with real-world experience (and demonstrates generally no more than 15% exhausted ballots, as compared to much larger drops in turnout with delayed runoffs).

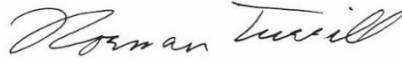
Paradox in election results. Yes and No. Opponents are right to point out that like ALL voting systems, RCV can have a flaw. It is rare, despite claims otherwise, but it is mathematically possible, and theoretical models often point to this. Technically it is called Monotonicity. It is difficult to explain in ‘plain language’ but it amounts to an election where 3 candidates are neck-in-neck AND their supporters then split their 2nd or 3rd choices roughly evenly. These backup choices can shift the election. (Note that getting more first choices can’t cause a candidate to lose.) One real election – for mayor in Burlington Vermont – has been repeatedly used to show this problem, although Burlington has recently re-established RCV. Opponents claim that this paradox can happen frequently, up to 15% based on models, but a 2020 paper, using *empirical data* contradicts that frequency. See: “[Lack of Monotonicity Anomalies in Empirical Data of Instant-runoff Elections](#),” Journal of Representative Democracy, Adam Graham-Squire (High Point Univ.); Nick Zayatz (High Point Univ.); the paper found only one such anomaly out of the 100 elections studied.

Strategy in voting. In practical terms, with RCV there is no advantage in voting for any candidates other than your favorites – in order of preference. **It pays to vote sincerely.** There is NO benefit or roadmap for using strategy. Only after the election is over, and results determined, can tactics of “what if....” be evaluated (in regard to the paradox above). At that time of course, no strategy can be applied. Voters would have to know ‘unknowable’ information ahead of time.

The LWV has a long history of educating and advocating for voters. We believe that our electoral system is an important avenue to achieve the most meaningful representation for Oregon voters. Further, we think that RCV would be a practical, time and location-tested system offering a straight-forward approach and minimal disadvantages.



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CC: [Senator Michael Dembrow](#), [Senator Jeff Golden](#), [Representative Dan Rayfield](#), [Representative Wlnsvey Campos](#), sponsors of RCV bills.

Further information:

See the 2020 report "[Our Common Purpose](#)" from the **American Academy of Arts and Sciences**, developed after their 2-year bipartisan commission on the **Practice of Democratic Citizenship** exploring weakness and vulnerabilities in our civic life. RCV is listed as their #3 and #4 'solutions' from the list of 31 reforms.

Proof in the details regarding ease of the RCV ballot. In Maine's first RCV statewide races, error rates were very low and counted ballots high. Example, in their CD-2 primary, 99.5% of votes were counted as cast. The four Democratic state legislative primaries (that required rounds of counting) all had fewer than 15 over-votes, each with an error rate below 0.25%.

California has had jurisdictions using RCV for a longer time, and their numbers are also good. Information was collected in San Francisco from 2004-2016. In "*November 2004, upon adoption of RCV, San Francisco State University Professors Francis Neely, Corey Cook, and Public Research Institute Senior Researcher Lisel Blash evaluated the transition from delayed runoff elections to RCV by gauging the ease or difficulty with which voters expressed their preferences on the new RCV ballot. The study collected 2,847 surveys, and asked voters in English, Spanish, Chinese and Cantonese about their experience with a ranked ballot. Additionally, 86% of polling place voters, and 89% of absentee voters said they understood RCV fairly well or perfectly well.*" Many also preferred it - 61% of polling place voters, and 77% of absentee voters preferred RCV over their former runoff system. That same study also showed very little error of over-votes (depending on the number of candidates), the error rate was from 0.1% to 1.1%. These numbers appear to remain consistent around the country and are little different than traditional elections. In 2019, according to the RCV Resource center's analysis of 10 RCV elections, the means of ballot errors were between 0.13-0.24 percent.

Data of Exhausted Ballots. Maine held statewide RCV races in 2020. Despite an effort in the general election by one party's campaign to 'rank only one' 92% of ballots remained active in the final round, for an 'exhausted' ballot rate (decline in participation) of only 8% between the first and final rounds (CD-2).

In addition to the CD-2 race, five other RCV races required multiple rounds to determine a majority winner. Every other contest was a Democratic primary (state-level legislative office). In each case, over 75% of voters used multiple rankings, producing majority winners. This indicates that they found the ranked ballot easy to use. In the 2016 San Francisco races – 84% of valid ballots were active in the final round (16% 'exhausted'). **FairVote** (national organization) states that comparing the same races in 2000-2004 (before implementing RCV), the "*exhausted voters were more than twice the share of exhausted votes,*" when an average of only 62% returned to the polls vs the 84% of active RCV ballots.

According to analysis of ten elections in 2019 by the RCV Resource Center, data indicated "a large majority of voters rank winners at the top of their ballots and ballot exhaustion rates are relatively low." Excluding blank ballots they stated no more than 15% of ballots were 'exhausted' in these races (nationwide).