

Rebutting false and misleading testimony from RCV advocates.

False and misleading claims about Ranked Choice Voting are widespread and often repeated by people in highly trusted and respected positions. For this reason we reserve blame for the originators of misinformation and are understanding that mistakes happen. That said, electoral science is a field where there are hard facts, and we owe it to the voters to vet our sources, and our information. Note that Ranked Choice Voting is frequently referred to by its technical name, Instant Runoff Voting, in the research cited below.

Speakers: Senator Golden and Representative Rayfield.

False Statement: RCV would eliminate spoilers and vote splitting.

Correction: RCV does *not* eliminate spoilers or vote-splitting, and studies show that they can occur in 1 in 5 competitive elections, or more when there are more candidates in the race. RCV only eliminates spoilers in scenarios where the 3rd candidate was non-viable and was eliminated before all competitive candidates.

Citations:

- 1.) ["\[IRV\] can cause spoilers in up to 1 in 5 elections or worse when there are more candidates according to expert analysis."](#) Frequency of monotonicity failure under Instant Runoff Voting: Estimates based on a spatial model of elections. By Joseph T Ornstein, University of Michigan, Dept. of Political Science and Robert Z. Norman, Dartmouth College, Dept. of Mathematics, 2013.
- 2.) [IRV and the Center Squeeze Spoiler Effect.](#) Video clearly illustrates the exact scenario where this occurs. Video by Primer from Brilliant.
- 3.) "Cardinal voting methods are immune to vote splitting, since each candidate is rated independently of each other.^[5] Pairwise-counting [Condorcet methods](#) minimize vote splitting effects.^{[6][1]} Plurality-runoff voting methods (like [Exhaustive ballot](#), [Two-round system/Top-two primary](#),^[1] [Instant-runoff voting](#),^[5] [Supplementary vote](#), and [Contingent vote](#)) still suffer from vote-splitting in each round, but can somewhat reduce its effects compared to single-round plurality voting.^[6]" [Vote splitting article on wikipedia](#) with numerous citations.

Definitions: "Vote splitting" and "the spoiler effect" are often used interchangeably. Both refer to scenarios when a majority who would have otherwise won, lost an election because an additional candidate entered the race.

Speaker: Senator Golden

False Statement: RCV's vote count would give the winner a better idea of the constituency's politics.

Correction: In RCV elections not all rankings are ever counted or reported. Posted election results do not represent a complete data set. In contrast, in STAR Voting all data on every ballot and every vote is counted in both rounds.

Speaker: Representative Campos

Misleading Statement: STAR voting could fail to advance a candidate to the runoff despite being preferred by a majority of voters.

Correction: Rep Campos is correct that you can win without a majority in STAR, but it's important to realize that *no voting method, including RCV, can guarantee a majority*. A true majority does not always exist. STAR Voting elects majority preferred winners more often than RCV and when that is not possible STAR elects the candidate preferred over all others more often than RCV. *STAR Voting always advances the two highest scoring candidates overall, and then elects the majority preferred finalist*. Some voters may not have a preference between these finalists, but if they do it is ALWAYS counted.

This is in contrast to RCV, which often can elect candidates who were opposed by the majority. This is possible because not all votes are counted in the deciding round, and RCV guarantees a majority of non-exhausted ballots only. The research paper from the Maine Heritage Policy Center "A False Majority" includes the statistic that of elections where more than one round of tabulation was needed, RCV failed to elect a majority winner over 61% of the time. STAR Voting elects a winner who was preferred over all others at a much higher rate than RCV in practice and in simulations.

Citations:

1.) "In examining 96 ranked-choice voting races from across the country where additional rounds of tabulation were necessary to declare a winner ... the eventual winner failed to receive a true majority 61 percent of the time." Maine Heritage Policy Center: "A False Majority" Matthew Gagnon, Adam Crepeau, Liam Sigaud. 2020.

2.) "Ballot exhaustion ... means that the majority RCV arrives at is only within the remaining ballots rather than the original ballots." and "You see, any voting method that finds some way to knock out candidates until two remain will get a "majority". But that "majority" is contrived and merely a byproduct of having two candidates remaining." [The Limits of Ranked Choice Voting](#). Aaron Hamlin, Executive Director, The Center for Election Science. 2019.

3.) [Election Science](#). Equal Vote Coalition. Citing "[Range voting with mixtures of honest and strategic voters](#)" Dr. Warren Smith, Phd. This study demonstrates that Score + Top 2 Runoff resulted in Condorcet (beats-all) winners in 15,574 simulated elections while RCV only did so in 8,387. RCV came in 41st or 42nd place respectively depending on the accuracy metric used.

Speaker: Michelle Hicks, APANO

False claim: STAR would disenfranchise voters of color because some voters might give different scores to candidates even if they had the same opinion.

Correction: The facts and data on this actually make the opposite case. In STAR voting, regardless of the scores given, the runoff is binary and ultimately, every ballot is one equal vote. In STAR Voting the instructions are to give your favorite(s) 5 stars, give your last choice(s) zero stars, and to show your preference order and level of support. If I give a candidate a 3 and you do as well, that will always be counted the same. The system is not playing favorites.

Contrast this with RCV, where spoiled ballots disproportionately impact historically marginalized communities.

Citations:

- 1.) "Concerns about the fairness of IRV led at least four jurisdictions to repeal...Consistently, precincts where more African-Americans reside are more likely to collect overvoted, voided ballots. And this often occurs where more Latino, elderly, foreign-born, and less wealthy folks live." *Overvoting and the Equality of Voice under Instant-Runoff Voting in San Francisco*, California Journal of Politics and Policy. By Francis Neely and Jason A. McDaniel San Francisco State University. 2004.
- 2.) STAR Voting "[How to vote](#)" instructions. 2020.
- 3.) "[How STAR Voting Works](#)" Video. 2020.

Speaker: Colin Cole's testimony was almost entirely false on almost every point he made. Note that Colin Cole was or is a FairVote staffer and lobbyist.

False Statement: STAR Voting would hurt people of color. RCV would help people of color.

Correction: The hypothetical scenario described for STAR Voting is of a minority voter failing to maximize their vote by not scoring their favorite candidate as high as possible (i.e with a "5"). It is true that if a voter does not assign their favorite candidate a 5, their preference for that candidate is not weighted as heavily as a voter who gives their favorite a 5. However, this can be corrected by voter education, and as simply as printing on the ballot: "Give your favorite candidate(s) 5 stars and your least favorite(s) zero." In contrast, even when used correctly, RCV is known to have issues with suppressing the minority vote as their ballots are more likely to be exhausted when they support candidates from their community.

Citations:

- 1) "The NAACP Memphis Branch also has concerns about how voters could be further disenfranchised if their votes are thrown out as a part of the IRV process." [Media Statement On Instant Runoff Voting \(IRV\) - Deidre Malone, President, - NAACP, Memphis Branch](#).
- 2.) "The ACLU sees RCV as discriminatory ""RCV exacerbates economic and racial disparities in voting. Voting errors and spoiled ballots occur far more often. In

Minneapolis, for example, nearly 10% of ranked choice ballots were not counted, most of these in low-income communities of color." [ACLU of Kansas Testimony on Ranked Choice Voting](#).

2.) "Consistently, precincts where more African-Americans reside are more likely to collect overvoted, voided ballots. And this often occurs where more Latino, elderly, foreign-born, and less wealthy folks live." *Overvoting and the Equality of Voice under Instant-Runoff Voting in San Francisco*, California Journal of Politics and Policy. By Francis Neely and Jason A. McDaniel San Francisco State University.

Speaker: Colin Cole, FairVote Washington.

False Claim: RCV helps elect more women and People of Color but STAR would result in worse representation.

Correction: RCV advocates often cite a study showing that women and People of Color won at higher rates in the Bay Area after RCV was adopted. This is true, but *early data on STAR elections shows the same trend and there is no evidence which would suggest anything to the contrary*. This bad faith attack undermines the credibility of Colin Cole and the organizations he represents, FairVote Washington and More Equitable Democracy, not STAR Voting. This is particularly egregious because Cole was cited as the main advisor consulted by APANO and the coalition cited by Michelle Hicks.

The three reasons cited for *why* RCV would increase diversity in "Ranked Choice Voting and Historically Disenfranchised Voters" are 1. Eliminating primaries. 2. Allowing voters to support multiple candidates, and 3. Eliminating Vote-Splitting. The RCV bills proposed would not eliminate primaries, though the STAR bills would for non-partisan races. STAR and RCV both encourage voters to support multiple candidates. RCV doesn't actually eliminate vote-splitting, but STAR does.

Citations:

1.) "The spoiler effect makes elections gameable, and those who play the game best are more likely to win ... Politicos use the spoiler effect as justification for why newer candidates should not run at all or should wait their turn. Aspiring candidates face strong pressures to not run against politicians who they may need to work with in the future. The result is a glass-ceiling that keeps incumbents in power a remarkable percentage of the time." and "Studies on the [demographics of elected officials in the United States](#) show that white men held 62% of elected offices in 2019, despite comprising only 30 percent of the population. The reality is that voting [methods which give a strong advantage to those who are deemed most electable](#) will continue to uphold serious disparities in representation, regardless of public opinion." Wolk. 2019. [The Problem](#).

2.) "In this [STAR voting] election, candidates from historically marginalized communities did notably well. From a field of 100+ candidates, 20 diverse candidates (all but two,) won 25 of 39 delegate positions (64%.) Despite

comprising less than a quarter of all candidates, they won nearly 2/3 of the seats. Compared to previous elections this represents a significant increase in candidate diversity, with a number of former delegates winning reelection as alternates."

[Mult Dems Election Diversity Results](#). 2021.

3.) [Ranked Choice Voting and Historically Disenfranchised Voters](#). Utah Ranked Choice Voting.

Speaker: Blair Bobier

False Statement: The studies STAR Voting advocates cite were done by statisticians biased in favor of STAR.

Correction: Studies showing RCV doing only marginally better than the traditional primary and general election system, if at all, predate STAR Voting by decades in most cases. Every statistical analysis of voting methodology has drawn the same relative conclusions about the various voting methods and how they compare. These studies are exhaustively compiled in over 30 citations at the STAR Voting webpage on [Election Accuracy](#). Many of them predate the 2014 invention of STAR but make important inferences about RCV.

Citations:

1.) Merrill, Samuel (1984). [A Comparison of Efficiency of Multicandidate Electoral Systems](#). *American Journal of Political Science*

2.) This study shows the Primary + Top 2 general system and RCV coming in at 41st and 42nd place respectively. [Range voting with mixtures of honest and strategic voters](#). Dr. Warren Smith PhD, Princeton. The Center For Range Voting. 2000.

3.) [Ka-Ping Yee Diagrams](#) illustrate the behavior of election methods, given a fixed set of candidates in a two-dimensional preference space. 2005.

4.) ["Burlington Vermont 2009 IRV mayor election: Thwarted-majority, non-monotonicity & other failures"](#) from Dr. Warren Smith, PhD, Princeton. The Center for Range Voting

5.) ["Frequency of monotonicity failure under Instant Runoff Voting: Estimates based on a spatial model of elections"](#) from Dr. Joseph T Ornstein of the University of Michigan and Dr. Robert Z. Norman of Dartmouth College, 2013

6.) ["Voter Satisfaction Efficiency,"](#) from Harvard PhD in Statistics Dr. Jameson Quinn, who at the time was Vice Chair at the Center for Election Science which advocates for Approval Voting.

Note: None of these studies were conducted by STAR Voting advocates and all but the last study predate the invention of STAR. All show RCV coming in last place compared to other alternative voting methods.

Speaker: Blair Bobier.

False Statement: STAR is arguably unconstitutional.

Correction: STAR Voting is fully constitutional, guaranteeing an equally weighted vote, one person one vote, and meeting other criteria that are often encoded in state constitutions, including a win by a plurality (the candidate who receives the most votes wins.) Here in Oregon all voting reforms proposed are constitutional, but RCV is unconstitutional in Maine, and Massachusetts, and is not allowed by law in Washington, Texas, and other states. RCVs constitutionality issues include the facts that it does not offer an equally weighted vote, that not all votes are counted in the deciding round, that it finds a plurality winner in the first round and then adds in an number of other rounds which change the winner, and that it does not narrow it down to the top 2 candidates (required to eliminate vote splitting) before determining a winner. For these reasons those looking to make an example of Oregon should be wary of the reality that RCV is not scalable proposal, but that STAR Voting could be a viable option at every level of government.

Sources:

Speaker: Blair Bobier.

False Statement: The Independent Party of Oregon's primary conducted with STAR Voting failed. A majority didn't score multiple candidates.

Correction: The election was lauded as a success by voters and by the IPO's leadership. Elections officials did not receive a single question about how to vote or how STAR Voting works. With very little instruction voters filled out all ballots correctly. There were no spoiled or exhausted ballots.

All the races clearly picked the correct winners. The highest scoring candidates were also the Condorcet winners who were preferred over all others in all cases, despite the fact that the Secretary of State race was a stress test and was a good example of the type of election where both RCV and Plurality would have likely resulted in a spoiled election. The IPO SOS race had 6 competitive candidates, had no clear front-runners, and had a very lopsided field with 3 candidates from the Democratic Party. Senator Kim Thatcher, the winner, was given a non-zero score by a majority of voters and was preferred over all others in head-to-head match-ups. 57% of voters preferred a right leaning candidate over left leaning ones.

Citations:

- 1.) [Independent Party of Oregon STAR Voting Primary Spotlight on the Data: Secretary of State Election Results.](#)
- 2.) "There were three races in the Independent Party of Oregon Primary, including the Presidential Preference Poll. When we look at expressive voting across all three, 61.9% of voters gave scores to multiple candidates." [Independent Party of Oregon STAR Voting Primary: Spotlight on the Data](#)
- 3.) "Independent Party Primary STAR Voting Retrospective" [Video](#)