



AMERICANS FOR DEMOCRATIC ACTION

**OFFICERS**

John Bickel, President  
Alan Burdick, Vice President  
Dave Nagajji, Treasurer  
Doug Pyle, Secretary

**DIRECTORS**

Melodie Aduja  
Juliet Begley  
Stephanie Fitzpatrick  
Jan Lubin  
John Miller  
Jenny Nomura  
Stephen O'Harrow  
Lyn Pyle

**MAILING ADDRESS**

P.O. Box 23404  
Honolulu  
Hawaii 96823

February 19, 2021

TO: Honorable Chair Rhoads & Judiciary Committee Members

RE: SB 560 Relating to Ranked Choice Voting

Support for hearing on February 24

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support SB 560 as it would establish ranked-choice voting for special federal elections and special elections of vacant county council seats. First-past-the post elections where there are a number of candidates from one Party and only one candidate from a second Party give the advantage to the minority Party candidate; this is not democratic. This bill sets up a more democratic system. We may even want to think about using it in primary races. Alaska has adopted a version for their general elections.

Thank you for your favorable consideration.

Sincerely,

John Bickel, President



Statement Before The  
**SENATE COMMITTEE ON JUDICIARY**

Tuesday, February 24, 2021

9:45 AM

Via Video Conference

in consideration of  
**SB 560**  
**RELATING TO RANKED CHOICE VOTING.**

Chairs RHOADS, Vice Chair KEOHOKALOLE, and Members of the Senate Judiciary Committee

Common Cause Hawaii supports SB 560, which establishes ranked choice voting (RCV) for special federal elections and special elections of vacant county council seats.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening democracy through voting modernization efforts such as adopting RCV.

RCV is a simple electoral reform that ensures fair and efficient elections. In a traditional election, the candidate with the most votes wins, even if they do not receive a majority of the votes. This means voters often feel disengaged and are left to choose between the “lesser of two evils,” or vote for the candidate they feel has the best chance of winning, rather than supporting their favorite candidates.

RCV promotes positive, inclusive and fair elections, which encourages a diversity of candidates. The Hawaii Democratic Party’s Party-Run Presidential Primary employed RCV in 2020. There are 30 jurisdictions that are using or have adopted some form of RCV. See [https://www.fairvote.org/data\\_on\\_rcv#research\\_snapshot](https://www.fairvote.org/data_on_rcv#research_snapshot).

With RCV, voters rank candidates from favorite to least favorite. On Election Night, first choice votes are counted to determine who voters like the best. If a candidate receives a majority of votes, they win. If no candidate receives a majority, the candidate with the fewest first-choice rankings is eliminated. If your favorite candidate is eliminated, your vote is instantly counted for your next choice. This repeats until one candidate reaches a majority and wins.

In RCV elections, you always get to vote for your favorite candidate, even if they do not have a good chance of winning. If your favorite candidate gets eliminated, then your vote immediately counts for your next choice. You can truly vote your conscience without worrying about wasting your vote. Ranking your 2nd, 3rd, and 4th choices will never hurt your favorite candidate. It simply amplifies your voice in the process.

Cities that have RCV elections have seen a steady increase in voter turnout. When voters feel their vote will matter, they turn out in greater numbers.

In RCV elections, candidates often need 2nd and 3rd choice votes to win a majority of the vote. As such, they will ask for your first-choice vote, but if another candidate is your favorite, they will also ask for your second and

third choices. Candidates are not likely to get your second or third choice vote if they have been engaging in negative “mudslinging” personal attacks against your favorite candidate.

RCV will require voter education to implement successfully. Common Cause Hawaii hopes that the Office of Elections and Clerks’ Offices are provided with sufficient public education tools to implement RCV and will work cooperatively with the community to disseminate information about RCV.

Thank you for the opportunity to testify in support of SB 560, and Common Cause Hawaii respectfully urges the committee members to pass SB 560 out of your Committee. If you have further questions of me, please contact me at [sma@commoncause.org](mailto:sma@commoncause.org).

Very respectfully yours,

Sandy Ma  
Executive Director, Common Cause Hawaii



49 South Hotel Street, Room 314 | Honolulu, HI 96813  
www.lwv-hawaii.com | 808.531.7448 | voters@lwv-hawaii.com | @LWVHawaii on Facebook

## COMMITTEE ON JUDICIARY

Wednesday, February 24th, 2021, 9:45am, via Videoconference  
SB 560, RELATING TO RANKED CHOICE VOTING

### TESTIMONY

Janet Mason, Legislative Committee, League of Women Voters of Hawaii

Chair Rhoads, Vice-Chair Keohokalole, and Committee Members:

**This bill would establish ranked choice voting for special federal elections and special elections of vacant county council seats. The League offers comments only on this bill because this year we are focusing our efforts on the urgent need to pass Automatic Voter Registration. This priority is motivated by the League's goal of increasing voter turnout - for us, that means putting registration first in 2021.**

This bill proposes a limited introduction of ranked choice voting – i.e., only for special Federal elections and for special elections of vacant county council seats, not regular primary elections, or regular general elections. The limited scope of this bill is a good idea.

Ranked choice voting allows voters to choose their candidates in order of preference, by marking candidates as their first, second, third, and subsequent choices, followed by tabulation of votes in rounds, with the lowest-ranked candidates eliminated in each round until there is a candidate who receives the majority of the votes (more than 50%) in a final round and is declared the winner.

The League remains keenly interested and committed to an electoral system in which the number of seats held by members of a political party in a legislative body (such as the U.S. Congress or the Hawaii County Council) is determined directly by the number of votes candidates receive in an election. Ranked Choice Voting has the potential for producing a better representative result supporting this objective - one where the winner actually receives the majority of votes.

However, our experience with voter education, including our recent efforts with Vote by Mail, informs us that adoption of any significant change to how a voter casts their ballot must be accompanied by a comprehensive, well-funded program of public voter education. Adoption of Ranked Choice Voting as outlined in this without such educational efforts risks voter confusion which would far outweigh the benefit.



49 South Hotel Street, Room 314 | Honolulu, HI 96813  
[www.lwv-hawaii.com](http://www.lwv-hawaii.com) | 808.531.7448 | [voters@lwv-hawaii.com](mailto:voters@lwv-hawaii.com) | @LWVHawaii on Facebook

The League is aware of the use of Ranked Choice Voting by the Hawaii Democratic Party in its 2020 Presidential Primary<sup>1</sup>, the adoption of it for state and federal races in Alaska last fall,<sup>2</sup> the adoption of it for Presidential and U.S. Senate seats in Maine's 2020 elections<sup>3</sup> and a rise in its use in municipal elections throughout the country.<sup>4</sup> In the past four years Hawaii legislators have also introduced similar proposals to change our electoral system for certain races. We note that there were seven parties represented in Hawaii's general election and think ranked choice voting would probably help our emerging parties gain a foothold.

We urge additional planning of an experiment in ranked choice voting. We are not certain which Hawaii races would constitute a good experiment. Obviously, it is appropriate for races where there are many political candidates, but this method may not be a good match for elections where the voter chooses two candidates from among a larger slate of candidates, with the top two vote-getters the winners (such as our Office of Hawaiian Affairs (OHA) elections). Another remaining question is whether the current provisions of Hawaii's Constitution (and the provisions of Hawaii County's charter as relevant) already permit ranked choice voting, or whether a Constitutional amendment (or County charter amendment) would be necessary. Another consideration is cost<sup>5</sup>

The passage of Voting by Mail took more than eight years and by necessity included a state-funded education and awareness program - one we were happy to help develop. The continued advocacy and experimentation with Ranked Choice Voting is its own education program - but nothing can replace a voter education program supported by the state government. Should Ranked Choice Voting be adopted for use in elections run by the state or county, we must apply lessons from Vote by Mail and educate, educate, educate. Our voters deserve to know how their vote will be counted should the legislature change the method of tabulation, and why such a change was made. Only through such efforts can those benefits be realized.

Thank you for the opportunity to submit testimony.

---

1. Shikina, Rob. "Joe Biden Wins Hawaii Democratic Presidential Primary With 63% of Ranked-Choice Votes". *Honolulu Star-Advertiser*, 23 May 2020. <https://www.staradvertiser.com/2020/05/23/breaking-news/joe-biden-wins-hawaii-democratic-presidential-primary-with-63-of-ranked-choice-votes/>, accessed 19 February 2021.

2. Bohrer, Becky, "Alaska Voters Narrowly Approve Initiative Changing Elections". Associated Press. <https://apnews.com/article/election-2020-alaska-legislature-state-elections-general-elections-387ba5f6b3ab79bb841bc5c29c8bceee>, accessed 19 February 2021. Of note, Alaska now joins Maine as the second state to adopt RCV at this level of elections.

<sup>3</sup> <https://apnews.com/article/election-2020-senate-elections-voting-maine-united-states-355f2859cf5dabf25bb0bb953f9c66bd>

<sup>4</sup> "Ranked Choice Voting". National Conference of State Legislatures. <https://www.ncsl.org/research/elections-and-campaigns/ranked-choice-voting636934215.aspx>, accessed 19 February 2021.

<sup>5</sup> See, for example <https://www.rcvbloomington.org/news/does-ranked-choice-voting-cost-more>.



Testimony on SB560 Relating to Elections  
By Rob Richie, FairVote Action President, February 17, 2021

Dear Chair Karl Rhoads and the Senate Judiciary committee:

I am writing to express FairVote Action's support for SB560 regarding ranked choice voting in certain vacancy elections. This bill would mean that even in a crowded field, such as those often seen in special elections, a representative winner will be selected in the election without the risk of vote-splitting. All voters are able to participate in a single, decisive election. SB560 is straightforward to implement with Hawaii's current voting equipment and its scope of affected contests addresses specific instances in Hawaii elections where ranked choice voting would clearly provide greater assurance of a representative outcome.

FairVote Action is a national nonpartisan organization that educates and advocates for electoral system reforms that improve democracy in our elections. We work closely with FairVote, our 501-c-3 partner organization at [FairVote.org](http://FairVote.org), which I have led as executive director and now president and CEO since 1992. We are seen as a leading national resource on ranked choice voting (RCV).

In recent years, RCV has made major progress. Just in the past 12 months:

- 1) Five Democratic presidential primaries and caucuses relied on RCV ballots, including the Hawaii Democratic primary, with remarkably high (over 99.8%) rates of valid ballots and high voter use of rankings.
- 2) Maine and Alaska have adopted RCV for all future presidential elections, and Maine used it successfully in November 2020;
- 3) All six cities voting on RCV passed it, by an average victory margin over 20%.
- 4) Several new cities starting using RCV, including New York City for two city council vacancy elections this month and its primaries in June.

SB560 would improve elections by upholding the principles of majority rule and representative democracy. SB560 will ensure that elections are won with majorities without the need for costly runoff elections. In RCV elections, voters each have one vote, but earn the right to have a backup to their voice. To vote, voters rank candidates in order of choice: they pick their first choice and have the option to pick backup preferences second, third and so on. All first choices are counted. If a candidate receives more than half of the first choices, they win, just like any other election. If not,

# FairVote

## ACTION

the candidate with the fewest votes is eliminated, and voters who picked that candidate as 'number 1' will have their votes count for their next choice. The process continues until two candidates remain. Winners with RCV will always have a majority of the vote when matched head-to-head against their final opponent. These winners usually win the most first choices as well. When a candidate initially in second place wins, RCV has prevented an unrepresentative outcome due to the majority splitting the vote.

RCV's simplicity, representative outcomes, and positive experience for voters have made it increasingly popular. Recommended by Robert's Rules of Order and used in hundreds of association elections, RCV is fully constitutional and has been universally upheld in federal court, including in the 9th Circuit Court of Appeals and in federal district courts in Maine in 2018 and 2020. RCV is used in one state and 21 cities, and will be used in the next election in a second state and at least eight more cities.

In 2018, Maine became the first state to adopt RCV for use at the state and federal level, including in the seven-candidate Democratic primary and four-candidate Republican primary for governor in June and in the U.S. Senate and two U.S. House elections in November. (See results of one race on final page.) Despite RCV being introduced to voters without any government money for voter education, Maine voters responded well to the system. More votes were cast in the Democratic primary than any in state history, and voter turnout also increased in November. The percentage of Maine voters who skipped the US Senate and U.S. House RCV races in 2018 and 2020 has dropped sharply from recent elections for those offices without RCV. Voter error was miniscule -- more than 99.8% cast valid ballots. A Bangor Daily News exit survey found that over 60% of voters want to keep RCV for congressional elections and a majority to extend it to governor; a huge majority of voters reported it was easy to vote with RCV.

This first use in Maine mirrors what we have seen elsewhere. As implementation of RCV becomes straightforward and candidates adjust to the new rules, RCV consistently works well. Among examples: 1) in San Francisco in June 2018, more city voters chose to cast an RCV ballot for mayor than a non-RCV ballot for governor and U.S. Senator; 2) in Santa Fe's first use of RCV in March 2018, voter turnout was sharply up from its comparably contested mayoral election in 2014, 99.9% cast valid ballots, more than three in five voters ranked all five candidates, and RCV results were released on election night; 3) in Minneapolis, a comprehensive city staff report on the November 2017 election provided a range of evidence on how well voters are using RCV and that fewer than one in five voters would prefer not voting with RCV.

# FairVote

## ACTION

Scholarly research about older elections is encouraging as well. In 2013 and 2014 for example, the Rutgers-Eagleton poll conducted a study examining the experiences of voters in RCV and non-RCV cities in seven cities, including four in California. 84% of voters reported understanding RCV; indeed, more voters understood RCV thoroughly than they did plurality voting (limited to one preference). More voters also understood RCV than California's top two runoff system. Majorities of voters across all seven cities supported keeping their RCV system.

The issue of RCV has come before the legislature in Hawaii in previous years. However, the evidence has never been so strong that voters like and use RCV well and the roadmap to implementing RCV smoothly and efficiently, as detailed by the Ranked Choice Voting Resource Center at [RCVResources.org](http://RCVResources.org). RCV is an elegant, intuitive solution to the problems seen in crowded vacancy elections. It is proven in practice, with more communities interested in its benefits each year.

Importantly, Hawaii election officials seem ready to implement the provisions of SB560. SB560 addresses the specific problem of fair outcomes in vacancy elections. Several winners of vacancy elections in the past decade have won with well under half the votes cast. Limiting voters to one choice in crowded vacancy election fields in fact can be seen as a literal form of voter suppression. Consider that in high-profile races with RCV, nearly nine in ten voters will indicate at least a second choice as a backup -- like in the recent mayoral elections in Santa Fe and San Francisco and in the Democratic primary for governor in Maine, where more than three times as many voters chose to rank at least six of the seven candidates as chose to rank only one. Yet Maine's old rules and Hawaii's current plurality system forces everyone to be limited to one preference.

Thank you for this opportunity to testify, and please don't hesitate to contact me at [rr@fairvote.org](mailto:rr@fairvote.org) or (301) 270-4616 if you have any questions.

See links to:

- Report [RCV in 2020 presidential primaries, including in Hawaii](#)
- Summary of [scholarly analysis of ranked choice voting](#)
- Link to the [final report](#) of the New York City charter commission that passed RCV 13-1 before voters in November 2019 supported it with 73% of the vote

*Attached: Sample RCV ballot and election outcome from Maine elections in 2018*





**Ranked Choice Voting Ballot: Maine Democratic 2018 Primary for Governor**

Here is the ballot used in Maine for its Democratic primary election in the governor in 2018 that resulted in the nomination of Janet Mills. Turnout hit an all-time high, and more than three times as many voters chose to rank at least six candidates as only one.

Governor	1st Choice	2nd Choice	3rd Choice	4th Choice	5th Choice	6th Choice	7th Choice	8th Choice
Cote, Adam Roland Sanford	0	0	0	0	0	0	0	0
Dion, Donna J. Biddeford	0	0	0	0	0	0	0	0
Dion, Mark N. Portland	0	0	0	0	0	0	0	0
Eves, Mark W. North Berwick	0	0	0	0	0	0	0	0
Mills, Janet T. Farmington	0	0	0	0	0	0	0	0
Russell, Diane Marie Portland	0	0	0	0	0	0	0	0
Sweet, Elizabeth A. Hallowell	0	0	0	0	0	0	0	0
Write-in	0	0	0	0	0	0	0	0

**RCV Election Example: Maine Congressional Elections, 2018**

Maine, 2nd U.S. House District Ranked choice Voting Election, November 2018			
Candidate	Round 1	Round 2	Round 3
Jared Golden Democrat	45.5%	46.2%	50.5%
	128,999 votes	130,182 votes	139,231 votes
Bruce Poliquin Republican	46.4%	47.1%	49.5%
	131,631 votes	132,505 votes	136,326 votes
Tiffany Bond Independent	5.7%	6.7%	Defeated
	16,260 votes	18,831 votes	
Will Hoar Independent	2.4%	Defeated	
	6,753 votes		

# TESTIMONY

The Libertarian Party of Hawaii  
c/o 1658 Liholiho St #205  
Honolulu, HI 96822

RE: SB560 to be heard on Wednesday, February 24, at 9:45AM by video conference

## **Support**

To the Senate Committee on Judiciary

The National Libertarian Party has long used a ranked system to select its presidential nominees and party officers. I think this idea is worth a try. I would suggest more input in the planning and set up of any new idea for our state with the leadership of various political parties who may have useful insight into this process. If we want this to work, we should be getting all the knowledge we can.

Very Truly Yours;



Tracy Ryan  
Chair, The Libertarian Party of Hawaii

**SB-560**

Submitted on: 2/19/2021 11:06:29 AM

Testimony for JDC on 2/24/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
cheryl B.	Individual	Comments	No

Comments:

Comments: IT would seem that in our islands this would be a good choice?

**SB-560**

Submitted on: 2/20/2021 10:29:49 AM

Testimony for JDC on 2/24/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wendy Arbeit	Individual	Support	No

Comments:

I support this measure because, as Common Cause puts it, "You can truly vote your conscience without worrying about wasting your vote."

**SB-560**

Submitted on: 2/20/2021 5:52:58 PM

Testimony for JDC on 2/24/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara Best	Individual	Support	No

Comments:

This would insure fair & efficient elections, be more inclusive, encourage diversity of candidates. Please provide public education to implement this.

**SB-560**

Submitted on: 2/20/2021 8:13:32 PM

Testimony for JDC on 2/24/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Caroline Kunitake	Individual	Support	No

Comments:

Dear Chair Rhoads, Vice Chair Keohokalole, and Committee on Judiciary,

Please support SB560.

- RCV is a simple electoral reform that ensures fair and efficient elections. In a traditional election, the candidate with the most votes wins, even if they do not receive a majority of the votes. This means voters often feel disengaged and are left to choose between the “lesser of two evils,” or vote for the candidate they feel has the best chance of winning, rather than supporting their favorite candidates.
- RCV promotes positive, inclusive and fair elections, which encourages a diversity of candidates. The Hawaii Democratic Party’s Party-Run Presidential Primary employed RCV in 2020. There are 30 jurisdictions that are using or have adopted some form or RCV. See [https://www.fairvote.org/data\\_on\\_rcv#research\\_snapshot](https://www.fairvote.org/data_on_rcv#research_snapshot).
- With RCV, voters rank candidates from favorite to least favorite. On Election Night, first choice votes are counted to determine who voters like the best. If a candidate receives a majority of votes, they win. If no candidate receives a majority, the candidate with the fewest first-choice rankings is eliminated. If your favorite candidate is eliminated, your vote is instantly counted for your next choice. This repeats until one candidate reaches a majority and wins.

Thank you for your time and attention to this issues. I appreciate the opportunity to provide testimony in support of this bill.

Mahalo,

Caroline Kunitake



**SB-560**

Submitted on: 2/21/2021 6:54:23 AM

Testimony for JDC on 2/24/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Anderson	Individual	Support	No

Comments:

Ranked Choice Voting is a simple electoral reform that ensures fair and efficient elections. In a traditional election, the candidate with the most votes wins, even if they do not receive a majority of the votes. This means voters often feel disengaged and are left to choose between the “lesser of two evils,” or vote for the candidate they feel has the best chance of winning, rather than supporting their favorite candidates.

RCV promotes positive, inclusive and fair elections, which encourages a diversity of candidates. The Hawaii Democratic Party’s Party-Run Presidential Primary employed RCV in 2020. There are 30 jurisdictions that are using or have adopted some form or RCV.

With RCV, voters rank candidates from favorite to least favorite. On Election Night, first choice votes are counted to determine who voters like the best. If a candidate receives a majority of votes, they win. If no candidate receives a majority, the candidate with the fewest first-choice rankings is eliminated. If your favorite candidate is eliminated, your vote is instantly counted for your next choice. This repeats until one candidate reaches a majority and wins.

RCV will require voter education to implement successfully. It is hoped that the Office of Elections and Clerks’ Offices are provided with sufficient public education tools to implement RCV and will work cooperatively with the community to disseminate information about RCV.

Thank you for the opportunity to submit testimony on this bill.



**SB-560**

Submitted on: 2/21/2021 3:42:33 PM

Testimony for JDC on 2/24/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Golojuch Jr	Individual	Support	No

Comments:

Aloha Senators,

I support SB 560.

Mahalo,

Michael Golojuch, Jr.

**SB-560**

Submitted on: 2/22/2021 8:06:25 AM

Testimony for JDC on 2/24/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Larry Meacham	Individual	Support	No

Comments:

Testimony SUPPORTING SB 560, Ranked Choice Voting

Thank you for the opportunity to offer testimony.

Ranked choice voting offers a solution to the problem of someone in a multi-candidate race getting elected with only a small plurality of the voters. This is a particular problem in special elections without primaries. In one notorious Honolulu City Council race, a candidate was elected with only 18% of the vote. He was a disaster.

In Ranked Choice Voting, voters rank the candidates in their order of preference. If someone gets more than 50% of the vote, they win. If nobody gets 50%, the candidate with the fewest first choice votes is eliminated, and those votes go to whoever those voters said was their second choice candidate. This continues until someone gets 50%. This ensures that whoever is the most popular candidate overall wins.

This will also require some education from the Office of Elections, similar their successful program on mail-in voting in 2020.

Thank you for the opportunity to offer testimony.

**SB-560**

Submitted on: 2/22/2021 9:24:08 AM

Testimony for JDC on 2/24/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Edward B Hanel Jr	Individual	Support	No

Comments:

Ranked Choice Voting (VRC) promotes voter participation. Support the bill for that reason along.

Concur with Common Cause Hawaii comments. Support passage,

**SB-560**

Submitted on: 2/22/2021 11:38:57 AM

Testimony for JDC on 2/24/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
laurie boyle	Individual	Support	No

Comments:

I support SB560 for the reasons of providing more fair and balanced elections, especially with greater numbers of candidates. This helps create elections with diverse candidates.

Mahalo for your attention.

**LATE**

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair

DATE: Wednesday, February 24, 2021  
TIME: 9:45 a.m.

**SB 560 RELATING TO RANKED CHOICE VOTING**

Bart Dame, Testifying as an Individual, in **STRONG SUPPORT**

SB560 has been narrowly tailored to fix a problem that occurs in a small number of elections, namely special elections to fill a vacant seat in the US Congress or in a City (or County) Council seat. The counties and State currently use an all mail-in voting system where all candidates run against each other in a “first past the post,” single round vote where whichever candidate receives the most votes wins the election outright. Every other election held in Hawaii uses a two-step election. A primary is held and the winners advance to face off against each other in the general election, unless, in certain, non-partisan races, a candidate wins a majority in the first round, in which case they win outright.

Special elections need to be conducted quickly and there is great pressure to keep the cost down. So following the normal, two-step process of voting as we do with a primary, then a runoff election, is not practical. This has been a NECESSITY, but it is not a VIRTUE.

Ranked Choice Voting is well-suited for exactly this type of election. It allows for a quick, mail-in election and provides a RUN-OFF so the winner is chosen based upon the preferences of all voters. Another name for RCV is “Instant Run-Off Voting” which emphasizes this desirable feature.

I AM TESTIFYING IN FAVOR OF RANKED CHOICE VOTING FOR THESE NARROW AND SPECIFIC ELECTIONS. To fix this specific and anomalous type of a rushed election. I am not prepared to argue that Ranked Choice Voting is preferable for all elections. But it definitely is preferable for the elections where it would be employed under this bill.

There are been multiple references to the use of the Democratic Party of Hawaii in our 2020 party-run presidential primary. While I am speaking as an individual, I was deeply involved in the decision to use RCV for our primary, in getting

approval from the DNC and was a witness to the processing of the ballots and tabulating of the votes.

We chose to use RCV for VERY PRACTICAL REASONS. We had a very large number of candidates at the time we started planning. We wanted to avoid large crowds and long lines at the walk-in voting sites we intended to hold prior to COVID. And we wanted voters to be comfortable to mail in their ballot early rather than hold on to it out of concern the list of available candidates might shrink by the time of the vote. A RCV ballot gave the voter confidence if their first choice candidate were to drop out, their vote would automatically go to their second choice.

It has been argued that RCV is so confusing to voters that it will result in a large number of spoiled ballots. The DPH presidential primary experience should resolve such doubts. We had a total of 35,044 ballots cast, with only 68 ballots that were spoiled, invalidating the vote. ONLY .19% of our ballots were spoiled and invalidated. That compares favorably with the number of spoiled ballots in elections conducted by the State and county election officials in regular elections.

I have attached evidence of the incidence of over-votes and under votes in regular elections.

I have also attached the results of the May 2020 Democratic Party Presidential Primary in a format that demonstrates how the votes were calculated with each round of counting, which candidate received the fewest votes and was eliminated and where those votes were transferred. It should help lawmakers, and interested observers, better understand how this works in practical terms.

Thank you for this opportunity to testify. Again, I think SB560 is a modest, narrowly tailored bill that fixes an unjustifiable weakness in the voting system currently used to fill vacancies in Congress and county councils. I urge its passage.

#### ATTACHMENTS:

A: Chart showing the rounds of vote counting for the 2020 Democratic Presidential Primary in Hawaii, using RCV

B: Chart Showing Rate of “Voided” or “Spoiled” Votes Cast in the 2003 and 2010 Hawaii Special Elections to Fill a Congressional Vacancy

# ATTACHMENT A

## Democratic Party of Hawaii Party Run Presidential Primary First Congressional District Results by Round

Ballots mailed: 31,836    Ballots received: 14,613    Turnout: 45.90%

	Round 1	Round 2	Round 3	Round 4	Round 5	Round 6	Round 7	Round 8	Round 9	Round 10
Joseph R. Biden	8585	8586 +1	8588 +2	8601 +13	8612 +11	8686 +74	8729 +43	8885 +156	8991 +106	9315 +324
Michael R. Bloomberg	262	262	266 +4	267 +1	270 +3	278 +8	286 (X) +8	0	0	0
Pete Buttigieg	153	153	153	159 +6	159 (X)	0	0	0	0	0
Tulsi Gabbard	446	446	446	447 +1	449 +2	456 +7	475 +19	485 (X) +10	0	0
Amy Klobuchar	34	34	34 (X)	0	0	0	0	0	0	0
Deval Patrick	4 (X)	0	0	0	0	0	0	0	0	0
Bernie Sanders	4054	4055 +1	4057 +2	4061 +4	4066 +5	4086 +20	4141 +55	4174 +33	4322 +148	4716 +394
Tom Steyer	15	15 (X)	0	0	0	0	0	0	0	0
Elizabeth Warren	738	738	740 +2	746 +6	747 +1	769 +22	813 +44	832 +19	853 (X) +21	0
Andrew Yang	186	187 +1	191 +4	192 +1	193 +1	206 (X) +13	0	0	0	0
Uncommitted	106	106	106	106 (X)	0	0	0	0	0	0
Exhausted	0	1 +1	2 +1	4 +2	87 +83	102 +15	139 +37	207 +68	417 +210	552 +135
	14583	14583	14583	14583	14583	14583	14583	14583	14583	14583
<b>Transferred Votes</b>		<b>4</b>	<b>15</b>	<b>34</b>	<b>106</b>	<b>159</b>	<b>206</b>	<b>286</b>	<b>485</b>	<b>853</b>
VOID	30	30	30	30	30	30	30	30	30	30

(X) = Eliminated, votes redistributed in the next round

 MERRIMAN RIVER GROUP  
888-450-VOTE • www.merrimanriver.com

This shows the results of votes cast in Congressional District 1. Slightly more votes were cast in CD 2, but following a similar pattern. The red numbers have been added to show exactly which votes were transferred, and to whom, after a candidate was eliminated.

# ATTACHMENT B

## RATE OF VOIDED VOTES IN HAWAII CONGRESSIONAL SPECIAL ELECTIONS

January 4, 2003  
SPECIAL ELECTION TO FILL  
VACANCY CAUSED BY DEATH  
OF REP. PATSY MINK

SPECIAL ELECTION - STATE OF HAWAII - STATEWIDE  
January 4, 2003  
U.S. Representative, Dist. 2  
Final Report

U.S. Representative, Dist 2		
	91 of 91	100.0%
CASE, Ed (D)	33,002	43.2%
MATSUNAGA, Matt (D)	23,050	30.2%
HANABUSA, Colleen (D)	6,046	7.9%
MARUMOTO, Barbara C. (R)	4,497	5.9%
McDERMOTT, Bob (R)	4,298	5.6%
HALFORD, Chris (R)	728	1.0%
KALOI, Kimo (R)	642	0.8%
CARROLL, John (Mahina) (R)	521	0.7%
FASI, Frank F. (R)	483	0.6%
MCNETT, Mark (N)	449	0.6%
RATH, Jim (R)	414	0.5%
HAAKE, Richard H. (R)	212	0.3%
SECRETARIO, Nelson J. (R)	208	0.3%
ANDERSON, Whitney T. (R)	201	0.3%
KEAULANA-DYBALL, Moana (N)	91	0.1%
NIKHILANANDA, Nick (G)	75	0.1%
COLE, Brian G. (D)	69	0.1%
KAAPU, Kekoa D. (D)	68	0.1%
MALLAN, Jeff (L)	58	0.1%
MATAAFA, Sophie (N)	52	0.1%
FAIRHURST, Doug (R)	38	0.0%
GAGNE, Mike (D)	35	0.0%
GOLOJUCH, Carolyn Mart (R)	29	0.0%
GOODWIN, G. (Iimz) (G)	27	0.0%
PAYNE, Richard (Rich) (R)	25	0.0%
WEATHERWAX, Clarence H (R)	25	0.0%
ANAND, Kabba (N)	24	0.0%
VIERRA, Dan (N)	22	0.0%
SABEY, John L. (R)	20	0.0%
ROCCO, Pat (D)	19	0.0%
RUSSELL, Bill (N)	18	0.0%
SPARKS, Steve (N)	17	0.0%
WONG, Solomon (N)	16	0.0%
REYES, Art P. (D)	15	0.0%
BRITOS, Paul (D)	13	0.0%
HARLAN, S.J. (N)	11	0.0%
COLLINS, Charles (D)	10	0.0%
RANDALL, John (Jack) (N)	9	0.0%
TATAII, Steve (D)	9	0.0%
RETHMAN, Mike (R)	8	0.0%
TURNER, Marshall (N)	8	0.0%
JENSEN, Herbert L. (D)	6	0.0%
GANO, Alan R. (N)	3	0.0%
ROWLAND, Bartle Lee (N)	3	0.0%
BLANK VOTES	647	0.8%
OVER VOTES	107	0.1%

May 22, 2010  
SPECIAL ELECTION TO FILL  
VACANCY CAUSED BY THE  
RESIGNATION OF REP.  
NEIL ABERCROMBIE

U.S. REP DISTRICT I SPECIAL VACANCY ELECTION - State of I  
May 22, 2010  
SUMMARY REPORT  
\*\*NUMBER 2\*\*

Congressional District I		
	98 of 98	
(R) DJOU, Charles	67,610	39.4%
(D) HANABUSA, Colleen	52,802	30.8%
(D) CASE, Ed	47,391	27.6%
(D) DEL CASTILLO, Rafael (Del)	664	0.4%
(N) STRODE, Kalaeloa	491	0.3%
(N) BREWER, Jim	273	0.2%
(D) LEE, Philmund (Phil)	254	0.1%
(R) COLLINS, Charles (Google)	194	0.1%
(R) AMSTERDAM, C. Kauai Jochanan	170	0.1%
(D) BROWNE, Vinny	150	0.1%
(N) TATAII, Steve	125	0.1%
(R) CRUM, Douglas	107	0.1%
(R) GIUFFRE, John (Raghu)	82	0.0%
(N) MOSELEY, Karl F.	80	0.0%
Blank Votes:	135	0.1%
Over Votes:	889	0.5%

← VOIDED  
← VOTES

In a special election, when there is only one item on the ballot, both over-votes and blank votes should be considered as void votes.

Votes are also spoiled or voided for other reasons, such as a failure to sign a security envelope, But we do not have easy access to the total number of spoiled, voided votes conducted by state and county election officials.

In the Hawaii Democratic Party. run Presidential Primary, using Ranked Choice Voting, only 0.19% of the ballots were voided.

← VOIDED  
← VOTES