



Testimony on SB560 HD1 Relating to Elections
By Rob Richie, FairVote Action President, March 20, 2021

Dear Chair Nakashima and the House Committee on Judiciary & Hawaiian Affairs:

I am writing to express FairVote Action's support for SB56 HD1 regarding ranked choice voting (RCV) in certain vacancy elections. This bill would mean that, in a crowded field to fill a vacancy, a representative winner will be selected without the risk of vote-splitting. With SB560 HD1, voters are able to participate in one decisive election. Given the bill's narrow scope, it would be straightforward to implement with Hawaii's current voting equipment, and the affected contests are focused on specific instances in Hawaii's elections where RCV will increase 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, 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 a large majority of voters using rankings. Three Republican state conventions used RCV for key contests as well.
- 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 four city council vacancy elections this spring and its primaries in June; [exit surveys](#) after the first two special elections are very encouraging for voter reaction to their new system.

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

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receives more than half of the first choices, they win, just like any other election. If not, 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 court in Maine in 2018 and 2020. RCV is already used in one state and 21 cities, and will be used in the next election in another 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 RCV races for US Senate and U.S. House 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 in 2018 found that over 60% of voters want to keep RCV 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 and keeps growing in popularity. 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 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.

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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. 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 HD 1. The bill 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 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 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%	<i>Defeated</i>
	16,260 votes	18,831 votes	
Will Hoar Independent	2.4%	<i>Defeated</i>	
	6,753 votes		



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March 20, 2021

TO: Honorable Chair Nakashima and JHA Committee Members

RE: SB 560 HD1 Relating to Ranked Choice Voting

Support for hearing on March 23

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 HD1 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.

Thank you for your favorable consideration.

Sincerely,

John Bickel, President



Statement Before The
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Tuesday, March 23, 2021

2:00 PM

Via Video Conference, Conference Room 325

in consideration of
SB 560, HD1
RELATING TO RANKED CHOICE VOTING.

Chair NAKASHIMA, Vice Chair MATAYOSHI, and Members of the House Judiciary & Hawaiian Affairs Committee

Common Cause Hawaii supports SB 560, HD1, 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.

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, HD1, and Common Cause Hawaii respectfully urges the committee members to pass SB 560, HD1 out of your Committee. If you have further questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii

SB-560-HD-1

Submitted on: 3/21/2021 8:54:08 AM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan B Roberts Emery	Green Party Hawai'i	Support	No

Comments:

The Green Party of Hawai'i is steadfast in our support of SB560 HD1 , and would again like to ask for a Yes vote, on SB560.

SB560, Ranked Choice Voting in special federal elections and special elections of vacant county council seats is an easy transition to Ranked Choice Voting for all elections. We would love to see Hawai'i join with the 30 jurisdictions that have already adopted some form of RCV. Let us be on the right side of history by standing united in passing positive election reform to gain back the confidence of the Hawai'ian voter.

We thank you for your Yes vote on SB560 HD1.

Mahalo Nui Loa,

Susan RobertsEmery

Green Party of Hawai'i



Young Progressives Demanding Action
P.O. Box 11105
Honolulu, HI 96828

March 22, 2021

TO: HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
RE: Testimony in support of SB560 HD1

Dear Representatives,

Young Progressives Demanding Action (YPDA) **supports** SB560 HD1, which would implement Ranked Choice Voting (RCV) for special federal elections and special elections of vacant county council seats.

While we know this measure is intended to test RCV, we wholeheartedly endorse amending this bill to broaden the range of electoral situations in which RCV would be utilized.

RCV is simply a different method for tallying votes in a democratic election. RCV uses multiple rounds of tallying to weed out candidates without broad support, resulting in an elected candidate that is closest to what the majority of voters want.

With RCV, voters can rank candidates in order of preference. This ranking means that voters won't have to worry about "wasting" their vote on a candidate who may be more appealing, but has a low chance of winning—especially in a crowded race. If your favorite candidate has limited support, your vote will still count for your next choice.

This has the added benefit of giving candidates more incentive to run campaigns based on their values, encouraging diversity. It also encourages candidates to engage with the supporters of other candidates who might then rank them as their second or third choice—which can be critical to winning. In this way, the candidate who emerges victorious is guaranteed to have the broadest possible support every time.

We know RCV works because it's been successfully used in some other jurisdictions for a long time. The Democratic Party of Hawai'i successfully used RCV in its most recent Presidential Preference Poll. YPDA has used RCV for our board elections for several years now as well.

For more information, and some fun videos—one of which YPDA produced—visit fairvote.org/hawaiircv2020

Mahalo for the opportunity to testify,

Will Caron
Board President & Secretary, 2020–2021
action@ypdahawaii.org

SB-560-HD-1

Submitted on: 3/19/2021 3:06:03 PM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaikea K. Blakemore	Individual	Support	No

Comments:

Support

SB-560-HD-1

Submitted on: 3/19/2021 3:26:05 PM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	Individual	Support	No

Comments:

Aloha Representatives,

I support SB 560 HD 1.

Mahalo for your consideration,

Michael Golojuch, Jr.

SB-560-HD-1

Submitted on: 3/20/2021 2:45:05 PM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
tlaloc tokuda	Individual	Support	No

Comments:

Aloha JHA Committee Members,

- 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.
- 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.
- 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.
- RCV will require voter education to implement successfully. We hope 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.

Mahalo for your consideration,

Tlaloc Tokuda

Kailua Kona, HI 96740

SB-560-HD-1

Submitted on: 3/20/2021 3:00:34 PM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Best	Individual	Support	No

Comments:

This reform will result in fair & efficient elections that are positive & inclusive and will increase voter turnout.

I've been hoping for such a reform & appreciate it being considered.

Mahalo

SB-560-HD-1

Submitted on: 3/20/2021 10:20:36 PM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ramona Hussey	Individual	Support	No

Comments:

Aloha Representatives,

I support SB 560 which calls for Ranked Choice Voting (RCV) in a very limited number of elections. This is a good start to a great idea. The Green Party of Hawaii already uses this for its officer elections, and I believe the Democratic Party has also used it for its internal elections. It's not confusing at all because the system automatically ranks the winner. Let's pass this bill and let voters see how simple it really is.

Thank you for your time.

Mahalo, Ramona Hussey

SB-560-HD-1

Submitted on: 3/21/2021 2:13:22 PM

Testimony for JHA on 3/23/2021 2:00:00 PM

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

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi and Committee on Judiciary and Hawaiian Affairs,

Please support SB560 HD1.

Rank Choice Voting (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.

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.

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.

RCV will require voter education to implement successfully. We hope 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.

Mahalo,

Caroline Kunitake

SB-560-HD-1

Submitted on: 3/21/2021 5:39:04 PM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
laurie boyle	Individual	Support	No

Comments:

As a resident of Hawai'i island, i support sb560 for the simple reason that if a voter's 1st choice isnt a winner, her/his nexf choice would count, thereby providing incentives for the voter to select the best candidate, not necessarily the one likely to win. This will level the field of candidate opportunities creating a much more fair and inclusive election.

SB-560-HD-1

Submitted on: 3/21/2021 6:58:38 PM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Lynn Dickerson	Individual	Support	No

Comments:

Giving voters a chance to expand the yes/no nature of democratic voting, where winner takes all, is a preferable scenario. Ranked voting is a fantastic innovation that can allow us to have an even more nuanced way of participating in democracy.

SB-560-HD-1

Submitted on: 3/21/2021 8:41:02 PM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Yulia Muzychenko	Individual	Oppose	No

Comments:

I oppose

SB-560-HD-1

Submitted on: 3/22/2021 6:27:18 AM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Morgan	Individual	Support	No

Comments:

Ranked Choice Voting (RCV) promotes positive, inclusive and fair elections, which encourages a diversity of candidates, as well as increased voter participation. I would like Hawaii elections to use RCV to be innovative and fair. Please support SB560.

SB-560-HD-1

Submitted on: 3/22/2021 6:45:27 AM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
David Anderson	Individual	Support	No

Comments:

Rank Choice Voting (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.

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.

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.

RCV will require voter education to implement successfully. We hope 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 in support of this bill.

SB-560-HD-1

Submitted on: 3/22/2021 8:41:26 AM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Larry Meacham	Individual	Support	No

Comments:

Testimony SUPPORTING SB 560, HD 1 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 and encourages higher turnout.

Over 30 jurisdictions use RCV, which helps us have fair and efficient elections.

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-HD-1

Submitted on: 3/22/2021 9:13:34 AM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew Crossland	Individual	Oppose	No

Comments:

Ranked choice voting will only result in further manipulation of elections.

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. Mark M. Nakashima, Chair
Rep. Scot Z. Matayoshi, Vice Chair

DATE: Tuesday, March 23, 2021

TIME: 2 pm.

SB 560 RELATING TO RANKED CHOICE VOTING

Bart Dame in **SUPPORT**

I have read through the testimony from the several hearings and would like to address some of the points that have been raised by them.

I am testifying as an individual, but my views have grown out of my experiences, including as an Official Election Observer for six years in the Counting Center operations of the state Office of Elections in the Capitol basement. I also was one of those who spearheaded the successful effort to require voting machines in Hawaii provide a Voter-Verifiable Paper Audit Trail.

Since a lot of testimony has alluded to the use of Ranked Choice Voting (RCV) in the 2020 party-run Democratic Presidential Primary, I think it is relevant that I was deeply involved in the decision to use RCV, in working with a vendor to design the ballot and voting process and I served as a monitor of the vote count. In addition, I was chosen by then chair Kate Stanley to make the case for RCV to the Rules and Bylaws Committee to allow us to use RCV. We were the first state party to win such approval. Eventually, RCV was used in 4 additional states in the Democratic presidential primary process.

I can be available to answer questions on our experience, either in this hearing or in conversations outside this hearing for those wanting to know more. I have attached the results from our presidential primary from the First Congressional District for those wanting to see how the multiple rounds of voting are carried out, candidates eliminated and their votes transferred to other candidates according to the will of each voter.

SB560 has a very MODEST and PRACTICAL focus. It has been NARROWLY TAILORED to fix a specific problem that occurs in a only a small number of elections. It would apply to special elections to fill a vacant seat in the US Congress or in a City (or County) Council seat. Because there is a need to fill a

vacant seat in Congress or a county council quickly, we have been using a single round of voting, with no opportunity for a run-off vote. Ranked Choice Voting, also known as “Instant Run-off Voting,” provides for all voters to participate in the final selection of the winning candidate without the delay of having to hold a second election.

For me, the central POLICY question is:

Do we want a voting process that allows for a run-off between leading candidates?

Or do we WANT a voting process that increases the odds for a less popular candidate to win in a crowded, splintered field?

Those who have submitted testimony opposing this bill who have openly stated that the candidates they support have a better chance of winning when there is no run-off election and there is a crowded field. Look at their testimony. They actually do “Say the quiet part out loud.” They prefer an undemocratic voting system because they know their candidates are not popular enough to win an election if voters are given a final choice between the top vote-getters.

The next question is whether RCV is too complicated for voters to understand, or to implement or to verify the accuracy and integrity of the count.

The recent experience of the Democratic Party of Hawaii’s use of Ranked Choice Voting is, I think, helpful here. When we first started talking about RCV, our top officers had trouble learning how to explain it simply to other party members. Ballot design and clear instructions make it easy for voters to understand how to mark the ballot according to their preferences. Even if they do not fully understand how the votes are counted in each round, candidates eliminated and votes transferred to other candidates, it is easy for voters to mark the ballot to show their preferences. First choice, candidate X, second choice Candidate Y, third choice Candidate Z. They may have problems in deciding WHICH candidate they prefer, but a RCV ballot is MUCH better at allowing them to express their choice than the simpler, traditional First Past the Post simple plurality ballot. Especially in a crowded field of candidates.

Please see **ATTACHMENT B** for evidence the use of Ranked Choice Voting in the recent Hawaii Democratic Presidential Primary resulted in FEWER spoiled ballots than have recent special elections to fill vacant Congressional seats.

The current elections system vendor used by the State of Hawaii, Hart-InterCivic, has experience running RCV elections using certified software and equipment. As do the other major voting system contractors.

We do not have to debate the virtues of RCV as a system for running all elections. But it is clearly well suited for the specific circumstances of special elections to fill congressional and county council vacancies.

Thank you for this opportunity to testify.

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
Transferred Votes		4	15	34	106	159	206	286	485	853
VOID	30	30	30	30	30	30	30	30	30	30

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

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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 - STATEW.
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

SB-560-HD-1

Submitted on: 3/22/2021 12:23:38 PM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Elisabeth Green, MS	Individual	Comments	No

Comments:

Open source Ranked Choice Voting will put an end to partisan fever, mob rule, “splitting the vote” and “spoiling the election” and will begin the healing of those pressured to vote for “the lesser of the evils.” <http://fairvote.org> I am trying to protect your brain and integrity from the mob mentality of the ballot bullies. They feel free to thwart anyone who questions their morality, since Dont you know theres a war going on? cuts off all moral debate at the outset. <https://www.bennet.senate.gov/public/index.cfm/2020/2/bennet-king-phillips-introduce-bill-to-promote-ranked-choice-voting> This past election, many people frequently pressured me to vote for one of the two white men who opposed my values. Many of my anti-abortion friends said that they were coerced to vote for the wars and abortions that Biden and Trump forced us to pay for. At present, the federal Medicaid program mandates abortion funding. <https://www.aclu.org/other/public-funding-abortion> Warmongers conceal their experiments on humans to prevent moral embarrassment. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7375525/#__ffn_sectitle Camb Q Healthc Ethics. 2014 Apr; 23(2): 220–230. Open source Ranked Choice Voting encourages voting with calm, integrity, trust, confidence, fairness, and independent thought. May you choose healthy influence and sustainable government. The legislation posted at https://www.capitol.hawaii.gov/session2021/bills/SB560_.HTM is flawed and should be replaced by standard open source ranked choice voting legislation. At least, the legislators should make the following amendments.

Define "vote total" as the result of adding up the number of voters who listed that candidate at any rank.

Specify that a voter may not list a candidate at more than one rank.

(a) should read, "Any federal election shall be conducted by ranked choice voting."

(4)(B) is not a true statement. It should read, "If there are more than two continuing candidates, the last-place candidate is not included in the subsequent round begins.

(c) All candidates who tie for the most votes in one round shall be the only candidates included in the subsequent (the first "tie-breaker") round.

(d) should state, "The office of elections may not modify a ranked-choice voting ballot or tabulation without further legislation."

(1) should be deleted.

(2) should be deleted.

§11-112(a) should state, "The ballot shall contain the names of the candidates, their party affiliation or nonpartisanship in partisan election contests, the offices for which they are running, and the district in which the election is being held. In races with three or more candidates, the voter may vote for all candidates by ranking them sequentially from the most favored to the least favored."

(g) should state, "The ballot must include the definitions and other information about ranked choice voting as described in section 11- ."

"§11-151 should state, "Vote count. Each contest of three or more candidates shall be conducted by ranked choice voting pursuant to section 11- ."

My analysis ends there because I should be paid for this work. Please hire me to analyze legislation.

Elisabeth Green, resident of Hilo, HI for business purposes until May 11, 2021, or thereafter.

SB-560-HD-1

Submitted on: 3/22/2021 2:42:54 PM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
ALICIA SMITH	Individual	Oppose	No

Comments:

I oppose ranked choice voting and urge Hawai'i's legislators to support Clean Elections by returning to:

- 1) in person voting only.
- 2) with paper ballot,
- 3) with voter id,
- 4) paper ballots tabulated at each precinct by precinct workers,
- 5) on 1 day designated as State Election Holiday. One holiday for all constituents to vote, and
- 6) stringent requirements for verification of voter registration with id and citizen documentation to vote in person and by absentee ballot.
- 7) Precinct workers could be 16 year olds and by doing so would prepare them for the responsibility of voting when they are 18 years of age.
- 8) In addition, Hawai'i public schools must provide Civics and Constitution curriculum as mandated in accordance with receiving Federal funds. Curriculum must be in accordance with Truth, historical accuracy free of critical race theory, inclusive of biblical references, Federalist papers, and open discussion free of harrassment as established by our Founding Fathers.

I urge Hawai'i legislators to support integrity in clean elections for "One Legal Person, One Legal Vote".

SB-560-HD-1

Submitted on: 3/23/2021 12:51:10 PM

Testimony for JHA on 3/23/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Adriel Lam	Individual	Oppose	No

Comments:

I stand in opposition to this bill. Rank-choice voting will add even more confusion to an already convoluted system of voting. Current laws aren't even being followed as recent as the 2019 legislation on mail-in voting. Multiple statutes of the 2019 law were violated but nothing was done to remediate or correct it. Newer laws will not improve the voting climate in Hawaii, trust in government will. Please fix existing voting laws and restore the integrity of the vote.

Restore poll voting, and voter ID. It ensures one person, one vote, not one person with bag of ballots from multiple voters and non-voters.