Testimony from:
Deb Otis

In SUPPORT of S.32

February 7, 2023

Vermont Senate Government Operations Committee

Dear Committee Members,

I am writing to express FairVote Action's support for S.32 regarding ranked choice voting in presidential nominations. This bill will improve Vermont's presidential elections by ensuring fairer, more representative outcomes in crowded primaries. Further, ranked choice voting will: (1) help parties nominate more consistently viable candidates who bring the party together; (2) accommodate voters having more choices on their ballots; (3) promote more positive, issues-focused campaigns; and 4) create a more level playing field for female candidates and candidates of color.

FairVote Action is a national nonpartisan organization that educates and advocates for electoral system reforms that improve our elections. We are seen as a leading national resource on ranked choice voting (RCV).

Approximately 13 million voters in 63 jurisdictions across the U.S. vote using ranked choice voting (RCV). It has become the fastest-growing and most bipartisan electoral reform in the country. Just since 2020:

- Five Democratic presidential primaries and caucuses used RCV ballots in the 2020 presidential election.
- The Virginia Republican Party used RCV in 2021 to nominate candidates for statewide office and went on to sweep the offices of governor, lieutenant governor, and attorney general. They also used RCV in 2022 to nominate four congressional candidates. The Indiana GOP also used RCV in their 2020 nominations.
- Voters approved RCV ballot initiatives in 18 cities and counties between 2020 and 2022, as well as in the states of Alaska and Nevada.
- Legislatures in nine states have passed RCV bills, including "local options" legislation that allows municipalities in Maine, Utah, Virginia, and Colorado to begin using RCV.

RCV would be an ideal choice for both parties in Vermont's presidential primary in 2024. RCV lets primary voters navigate a crowded field, ensures every voter's voice is heard even if their first-choice candidate withdraws just before the primary, and incentivizes presidential candidates to speak to issues important to Vermont voters in order to build the broadest coalition of support.

The voter experience is simple. In RCV elections, voters rank candidates in order of choice: their first choice, second choice, third choice and so on. Voters don't have to rank more than one candidate, but if they do, the later rankings act as "backup choices."

Ranked choice voting is particularly well-suited for elections with crowded fields. Presidential primaries tend to have large fields of candidates, and the fields are volatile as candidates drop out mid-cycle. In the 2020 Democratic presidential primaries, 3 million votes went to candidates who dropped out before primary day. Voters who voted early or voted by mail were most impacted because they cast their ballots before they knew which candidates would drop out before their state voted. Ranked choice voting makes more votes count. If a voter's first choice is withdrawn, their ballot counts for their highest-ranked active choice.

Ranked choice voting works well for elections where multiple candidates earn delegates, like presidential primaries. The typical version of RCV used around the U.S. elects a single candidate. However, most presidential primaries are "multi winner" elections, where all candidates over a certain threshold earn convention delegates. In primaries that award delegates to multiple candidates, voters whose first choice withdraws from the race or falls well below the delegate threshold have their vote count for their highest-ranked active choice instead. This prevents "wasted votes."

Five state Democratic parties used RCV for presidential primaries in 2020, including Kansas, Alaska, Wyoming, and Hawaii for all voters and Nevada for early voters only. Voters in these states took advantage of the opportunity to rank multiple candidates, made very few ballot errors, and turned out in large numbers. In a year when 3 million early voters in states without RCV cast ballots for presidential candidates who had already withdrawn by the time ballots were counted, RCV made more votes count.[1]

RCV offers voters greater choice, creating space for both voters and candidates to express a wide range of views. Voters may rank as many or as few candidates as they like but, in practice, most voters choose to use multiple rankings in order to express their full preferences. Typically, over 70% of voters choose to rank multiple candidates.[2] In highly competitive or highly publicized elections, the rate is even higher. For example, 90% of voters who have used RCV for presidential primaries ranked multiple candidates.

Voters like and understand RCV. Exit polling results find that voters in RCV cities overwhelmingly report that they like RCV and prefer it to their previous voting method.[3] Exit polling in Utah found that 81% of first-time RCV voters found RCV easy to use and 88% were satisfied with the method they used to cast their ballot.[4] In New York City, 95% of poll respondents found the ballot simple and 77% want to keep using RCV.[5] In Alaska, 92% of

[1] Ranked Choice Voting in 2020 Presidential Primary Elections. FairVote. (2020). Available at https://www.fairvote.org/ranked_choice_voting_in_2020_presidential_primary_elections
[2] Data on Ranked Choice Voting. FairVote. (2021). https://www.fairvote.org/data_on_rcv#research_ballotuse
[3] FairVote. 2020. Exit Surveys: Voters Evaluate Ranked Choice Voting. https://fairvote.app.box.com/s/hlzeu53uw0nrw9yzhbjk4flx2uf9x4fg
[4] Survey shows positive response to ranked choice voting. The Daily Herald. (2021). https://www.heraldextra.com/news/local/2021/nov/18/survey-shows-ranked-choice-voting-got-positive-response-in-pilot-test/
[5] Rank the Vote NYC Releases Edison Research Exit Poll on the Election. Rank the Vote NYC. (2021). http://readme.readmedia.com/RANK-THE-VOTE-NYC-RELEASES-EDISON-RESEARCH-EXIT-POLL-ON-THE-ELECTION/17989282?utm_source=newswire&utm_medium=email&utm_campaign=media_pr_emails

voters said they received instructions on how to rank their choices and 79% said RCV was "simple."[6]

Research shows that RCV decreases negative campaigning because candidates need to reach beyond a single base in order to win. Sometimes, this means appealing to be the second or third choice of voters who support a different candidate as their first choice. Studies have found that candidates use more positive language in debates,[7] voters in RCV cities perceive less negativity compared to voters in non-RCV cities,[8,9] and newspaper articles in RCV cities are more positive than in non-RCV cities.[10] In primary elections, this decrease in negativity directly helps the party to unify behind their eventual nominee.

Recent research has found that RCV tends to result in greater election rates for women and candidates of color.[11,12] A 2021 FairVote report also found that voters of color are more likely to rank multiple candidates on their ballots.[13] This has played out in practice in cities across the country – the first-ever majority-female City Council and second Black Mayor in New York City, the first all-female City Council in Las Cruces, New Mexico, the first Alaska Native member of Congress, and the first City Councils in Minneapolis and Salt Lake City that are majority people of color.

The issue of RCV has come before the legislature in Vermont in previous years. With so many more prominent examples of its impact and new understanding of how to administer RCV effectively, the evidence has never been so strong that voters like RCV and engage with the ranked ballot, parties can produce strong nominees with RCV, and implementation is a smooth process.[14,15] In most cities using RCV, preliminary results are produced on election night or the day after – the same timeline as in single-choice elections.

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[6] Alaska Exit Poll Results – New Election System. Patinkin Research Strategies. (2022). https://alaskansforbetterelections.com/wp-content/uploads/2022/11/Patinkin_Alaska_Exit_Poll.pdf

[7] Effect of Instant Run-off Voting on Participation and Civility. McGinn, E. (2020). http://eamonmcginn.com.s3-website-ap-southeast-2.amazonaws.com/papers/IRV_in_Minneapolis.pdf

[8] Socioeconomic and Demographic Perspectives on Ranked Choice Voting in the Bay Area. John, S. & Tolbert, C. (2015). https://fairvote.app.box.com/v/perspectives-on-rcv-bay-area

[9] Santa Fe Voters Support Ranked Choice Voting and Have High Confidence in City Elections.FairVote. (2018). https://fairvote.app.box.com/v/SantaFeExitReport

[10] Using Campaign Communications to Analyze Civility in Ranked Choice Voting Elections. Kropf, M. (2021). https://www.cogitatiopress.com/politicsandgovernance/article/view/4293

[11] In Ranked Choice Elections, Women Win, RCV in the United States: A Decade in Review. Represent Women. (2020). https://www.representwomen.org/research_voting_reforms.

[12] The alternative vote: Do changes in single-member voting systems affect descriptive representation of women and minorities? John, S., Smith, H., & Zack, E. (2018). https://www.sciencedirect.com/science/article/abs/pii/S0261379417304006

[13] Ranked Choice Voting Elections Benefit Candidates and Voters of Color. Otis, D., Dell, N., Zawora, C., & Danaf, O. (2021) https://www.fairvote.org/report_rcv_benefits_candidates_and_voters_of_color

[14] Additional resources on RCV implementation are available from the Ranked Choice Voting Resource Center at www.RCVReources.org.

[15] Ranked Choice Voting in Practice: Implementation Considerations for Policymakers. NCSL. (2022). https://www.ncsl.org/elections-and-campaigns/ranked-choice-voting-in-practice-implementation-considerations-for-policymakers

FairVote Action is available to answer any other questions from the committee or provide additional data. FairVote Action can also advise the legislature as it deems fit and be a resource for RCV implementation. You can reach me at deb@fairvoteaction.org and my FairVote Action colleagues at info@fairvoteaction.org.

Thank you for the opportunity to testify.

Sincerely,

Deb Otis

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