

Submitted on June 14, 2022

#### Recommendations for Multnomah County Electoral Reform:

1. Adopt STAR Voting for all candidate elections.
2. Eliminate the primary election for local races.
3. If Multnomah County is not ready to recommend STAR Voting, do not put forward a recommendation for voting reform at this time. Allow the local reform movement to lead on this issue through the ballot initiative process.

#### Proposal Description and Rationale:

1. Equal Vote strongly encourages the Multnomah County Charter Reform Commission to recommend STAR Voting for county elections. With STAR Voting voters score candidates from 0 up to 5 stars, showing preference order and level of support for their candidates. STAR Voting is tallied in two rounds, a scoring round and an automatic runoff. In the first round the two highest scoring candidates are determined. In the automatic runoff the finalist who was preferred by more voters wins. For multi-winner elections the process can be repeated until all seats have been filled.

With STAR Voting if a voter's favorite is unable to win, their vote will automatically go to the finalist they prefer, ensuring that it's safe to vote their conscience and that their vote can still make a difference. STAR Voting empowers voters, incentivises more positive campaigns, helps combat polarization, reduces the influence of money in politics, and produces more representative results, electing majority preferred winners with strong popular support whenever possible.

STAR Voting does not require centralized tabulation, is compatible with key election officiation and auditing protocols required by Oregon law, and will allow Oregon to remain a leader in election integrity, with a modern voting method that can scale and be adopted by neighboring jurisdictions without increased risk of errors, delays, or other election officiation issues that may be more likely to occur with Ranked Choice Voting.

2. STAR Voting produces highly accurate results even with larger fields of candidates, allowing Multnomah County to skip the primary and just host a single November election for local races. The STAR Voting method allows factions or coalitions of voters to support as many candidates as necessary to prevent vote-splitting and the spoiler effect from distorting results. This addresses a root cause underlying gatekeeping and hostility towards new candidates, reduces barriers to entry, and further lowers the expected cost for candidates to run for election. Money saved in election hosting costs will help offset the cost to transition to the new system. General elections consistently have higher turnout than primaries which translates to more representative results.
3. The Portland Charter Commission is poised to move forward with a recommendation for a version of Ranked Choice Voting which has been shown to ignore many of voter's rankings and waste votes in such a way that the system routinely gives some voters more voting power than others. Ranking candidates honestly can cause votes to literally backfire, ironically helping to elect a voter's worst case scenario. This is especially likely

to occur in the competitive types of elections we know will be common here. Studies on the method's accuracy consistently show that the RCV system is almost as likely as the current system to yield unrepresentative winners. This is not what equitable representation looks like.

Furthermore, RCV requires centralized tabulation, which is incompatible with Oregon election law for jurisdictions that span county lines. We do not believe this proposal can be implemented at the city or state levels without the passage of a statewide legislative bill, which is unlikely to be politically viable and which would undermine our election integrity by removing requirements for local tabulation at the county level.

RCV and centralized tabulation of ballots would erode trust in our elections, would make our elections less transparent, and has the potential to increase the risk of serious errors such as we saw in the recent New York City mayoral election's rollout of RCV, where the New York Board of Elections did not realize that over 135,000 extra "test" ballots had been accidentally added to the count. The error was not caught until after preliminary results had been published and it was not the board of elections, but a candidate, who caught the error by comparing their internal exit polling records with the official tally. Final results were not certified until 14 days after the polls closed.

Though this error was ultimately resolved with a costly full recount, the election was a perfect example of a number of other issues with the RCV system itself. In the final tally it was revealed that over 140,000 ballots had been exhausted, (exhausted ballots are not able to be counted in the final tally), significantly more than the win margin. This is especially concerning because analysis suggests that there was vote-splitting between Maya Wiley and Katherine Garcia, both of whom may have had stronger majority support than the winner, ex NYPD officer Eric Adams. Because Garcia wasn't eliminated until the last round, voters who ranked Garcia 1st choice were unable to have their 2nd choices counted (and these 2nd choices strongly favored Wiley.) On average over 10% of ballots in competitive RCV elections are unable to be counted in the final round, even if those voters did rank multiple candidates. As expected, due to the large field of candidates in NYC the percentage of ballots unable to be counted in the final round was over 15%.

Bringing the focus back to Oregon, the Gresham Charter reform commission is currently considering a recommendation for STAR Voting, which is currently legal for use in Oregon at any level, which is tabulated at the local level using basic addition, and which does not have these issues.

Multnomah County includes both of these jurisdictions, but having ranked and 5 star races on the same ballot would be confusing to voters and so the choice you make will be pivotal. If Multnomah moves forward with a recommendation for RCV it could undermine and derail local, grassroots reform efforts, including upcoming ballot initiatives and referrals currently underway at the local and state levels.

For this reason, we recommend Multnomah County either lead on this issue with a recommendation for STAR Voting, or not put forward any recommendation for voting reform at this time. When we look at outcomes, the Multnomah County Commission is currently the gold standard for equitable representation and every seat is currently held by a woman, a person of color, or a representative of both of these communities, which is not

to be taken for granted in a country where women and people of color are still grossly underrepresented in elected office in general. This is not an accident. Our district based system with a nonpartisan primary and top two general election is not perfect, but peer review has consistently shown that this model outperforms larger or at-large districts and that the top two system at least eliminates vote-splitting in the general election. Both of these factors make Multnomah County elections more affordable, and more accessible for historically marginalized candidates to compete in with a more level playing field. This is why Multnomah elected officials are blatantly more diverse than both Portland and statewide elected officials.

The idea that any reform would be better than what we have now is a gross oversimplification of a complex field and getting this choice wrong has the potential to set back representation and the electoral reform movement significantly at a pivotal moment.

Much of the commission's time has been dedicated to necessary decisions regarding internal commission processes. This has left a very compressed timeline and too many issues to cover in depth with the remaining time.

Voting reform is a very in-depth and technical subject, and as the commission has seen, many conflicting claims have been made. A number of the proposals under consideration may have opposite or counter-intuitive implications than advocates claim depending on how they are combined. We need to make sure we avoid unintended consequences from well-intentioned reforms that could actually end up hurting historically marginalized groups.

Sara Volk on behalf of Equal Vote