



Written Testimony of Chad Ennis
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Kansas House Committee on Federal and State Affairs
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Thank you for the opportunity to testify today on Senate Bill 368, a measure to ban the use of ranked-choice voting in Kansas. My name is Chad Ennis and I am Vice President of the Honest Elections Project. Prior to joining HEP, I served the state of Texas as the Director of the Forensic Audit Division of the Texas Secretary of State. In this role, I audited the process of election administration to ensure that localities were following Texas laws and good election practice.

Rank choice voting (RCV) makes the already difficult job of election administration even harder. That is why the Colorado County Clerks' Association [opposed RCV in Colorado](#) noting that it would "create a confusing scenario for voters" and a "complicated morass" of voting styles.

RCV's advocates ignore its major logistical hurdles, such as the long lines it creates in polling places. Voting lines are subject to many factors, including the number of polling locations, check-in stations, and voting machines. But another driver of lines is the amount of time a person spends voting. When a voter lingers in the booth, lines grow. In November 2022, voters in Harris County, Texas were faced with one of the longest ballots in the nation. The elections administrator estimated that each voter would take between [seven and ten minutes to vote](#).

This was without RCV. Imagine now if that same voter had to rank up to five candidates in every race. [Independent studies](#) have found that each candidate in an RCV election adds 12 seconds to voting. Accordingly, in a final five system, each RCV race will require an additional minute of voter time. The time to vote could easily double, swelling lines and potentially deterring voters.

RCV elections have been marred by weeks-long delays in declaring winners. For example, in [New York City's](#) 2021 Democratic Mayoral Primary it took 15 days to declare a winner. More recently, in [Alaska's](#) November 2022 General Election it took even longer to tabulate the votes and declare the winners. And these races were even not particularly close.

The truth is long wait times for results are inherent with RCV. Candidate elimination cannot begin until every ballot has been returned. That means that every provisional, mail, military, and absentee ballot must be returned and processed before tabulation can begin. Provisional ballots present problems, but mail-in ballots are much worse.

The delays get even worse if there are recounts. And RCV makes recounts and lawsuits more likely. Each round of elimination could be narrowly decided, and a mere change in the order in which low-ranking candidates are eliminated could change the outcome of the entire election.

RCV advocates often insist that election delays are mere nuisances, but they present real problems for election security and voter confidence. We count ballots on election night for a reason, as it denies bad actors an opportunity to stuff ballot boxes. The delays caused by RCV annihilate this



natural safeguard. Every extra day that ballots sit presents an opportunity for ballots to appear, disappear, or just get lost, and for public doubt to creep in.

RCV is confusing to voters. It has taken massive campaigns to educate voters, not on the candidates, but rather the simple mechanics of voting. [New York City](#), for example, spent \$15 million to educate voters on how to vote in the 2021 Democratic Primary. And Maine produced a [19-page manual](#) to explain their system.

Many noteworthy Democrats and advocacy groups agree that the complexity of RCV is bad for voters. Here are a few examples of how they have described the effect on voters:

- “Ranked choice voting is overly complicated and confusing. I believe it deprives voters of genuinely informed choice.” Jerry Brown, former Governor of California
- “Where it has been implemented, I am concerned that it has often led to voter confusion, and that the promise that ranked choice voting leads to greater democracy is not necessarily fulfilled.” Gavin Newsom, Governor of California
- “[Ranked choice voting] would make our system more confusing, error-prone, and exclusionary.” Steve Sisolak, Governor of Nevada
- “Ranked choice voting is not beneficial to minorities. It’s voter suppression...I hope that the courts see that ranked choice voting is not right for democracy.” Hazel Dukes, Past President of the NAACP

The problems of RCV were on full display in the [Alameda County, California](#) school board race. Initially, it appeared that the election had gone off without a hitch, the election was certified, and the “winner” was sworn in. However, weeks later independent researchers uncovered that there were errors in how the votes were tabulated and that the declared winner was, in fact, the loser. It turns out that over 200 voters did not include a first-choice candidate on their ballots. The tabulation machines were incorrectly programmed to reject these ballots entirely instead of moving the voter’s second choice to first place.

As a result, months of litigation ensued. Fortunately, the correct winner was eventually seated [four months](#) after the election.

The mistakes that led to this debacle would have been easily spotted in a traditional election, but they were missed because of RCV. The process is too opaque for even simple mistakes to be event.

RCV is complicated for both voters and elections administrators. It is simply too cumbersome to adopt.