

TESTIMONY FOR SB 137

Ohio Senate General Government Committee

Tuesday, December 12, 2023

Frank Strigari

Opportunity Solutions Project

Chairman Rulli, Ranking Member DeMora and members of the Senate General Government Committee, my name is Frank Strigari, and I am testifying on behalf of Opportunity Solutions Project (OSP). OSP is a non-partisan, non-profit organization that, among other things, advocates for election integrity reforms across the country. Thank you for the opportunity to testify today in support of SB137.

I would like to first start out by commending Senators Gavarone and DeMora for bringing forward this bipartisan legislation. In such politically charged times, it is gratifying to see a Republican and Democrat join together to work on elections legislation. In fact, even though some may find this hard to believe, there is growing bipartisan support across the country for preventing the adoption of ranked choice voting, which is what SB137 is all about. For example, Democrats in the District of Columbia and Republicans in Florida, Tennessee, Idaho, Montana and South Dakota have all recently banned ranked choice voting in their respective jurisdictions. Although voters in Nevada will consider a ranked choice voting ballot question in 2024, several top Democratic officials in the state oppose it. Finally, while Republican-led legislatures approved proposals to ban it in Arizona and North Dakota, those bills were vetoed by, respectively, a Democratic and Republican governor.

On the flip side, there are a couple states that for some reason have chosen to adopt ranked choice voting. Not surprisingly, these states are already feeling the effects of this flawed voting method. For example, Maine was the first state to use ranked choice voting in a highly contested congressional race in 2018. In the end, **8,253 voters** (approximately 5% of the total votes cast) showed up on Election Day, cast their ballots, only to have them discarded. That same year, in the Maine Gubernatorial Democratic primary, nearly **9,000 voters** (7%) had their ballots removed from the final vote tally. Just recently in a congressional special election in Alaska in 2022, nearly **15,000 ballots** were tossed from consideration. This includes more than **11,000 ballots** that were trashed because they voted for only one Republican candidate and no one else. Fortunately, Democratically controlled Arlington, VA realized their own folly and scrapped their ranked choice voting system for the November 2023 general election. They did that after more than 60% of Arlington voters came out opposed to having to use the same ranked choice voting system in the June 2023 primary election.

I give you this backdrop from across the country to provide greater context to what SB137 is all about. Ultimately, the bill is pretty simple: it prohibits the adoption of ranked choice voting in this state, except for a local government that uses its home rule authority to adopt a ranked choice voting system. And if a local government chooses to do that? SB137 would require that local government to forfeit its local government funds provided by the State of Ohio. I want to stress that second part because there appears to be some confusion in certain news outlets in Ohio about what SB137 actually does. In an editorial piece from July of this year, an editorial board in Ohio wrote the following:

"In what can best be described as a publicity stunt, a Republican lawmaker from Bowling Green has moved ahead briskly to

introduce a bill to ban ranked choice voting in Ohio -- violating (once again) the home rule powers the Ohio Constitution guarantees the state's cities, villages, and charter counties."

Let me be clear, SB137 does **NOT** violate the home rule authority of any city, village or charter county in this state. In fact, it does quite the opposite. If a local government foolishly chooses to adopt a ranked choice voting system, SB137 permits that, and simply says that the particular local government forfeits its ability to receive local government funds from the State of Ohio. If, as this news outlet suggested, the General Assembly tried to expressly ban local governments from adopting ranked choice voting, such a law would run afoul of what the Ohio Supreme Court instructed us way back in 1923. That year, the Court held that the City of Cleveland's ranked choice voting system for municipal elections (back then, it was called a "proportional representation system of voting") was properly enacted pursuant to the City's home rule authority.

If you take the time to do a deeper dive into that court case, what becomes evident is that ranked choice voting actually has a rather checkered history in Ohio. Even more importantly, Ohioans have previously tried, and later rejected, ranked choice voting in various parts of the state. After a brief stint of ranked choice voting systems popping up across the state, Ashtabula was the first to repeal its ranked choice voting system in 1929. Two years later, in November of 1931, voters in Cleveland repealed their ranked choice voting system (i.e., the issue of the 1923 Ohio Supreme Court case). The final dagger came in 1957 when voters in Cincinnati repealed their ranked choice voting system. Although the issue resurfaced in 1988 as a ballot measure in Cincinnati, voters rejected the re-adoption of ranked choice voting.

Yet, here we are again in 2023, and there is movement in Ohio and in other states to try and uproot our election system and adopt one that has – in Ohio at least – historically been kicked to the curb by voters. Proponents try to suggest that ranked choice voting would somehow benefit minority communities. I guess they must not have talked to their friends at the NAACP. Just 2 years ago, Hazel Dukes, president of the New York chapter of the NAACP, said that "ranked choice voting is not beneficial to minorities. It's voter suppression."

In the end, ranked choice voting is nothing more than a fad. If you've never seen a ranked choice voting ballot, I urge you to review the attached examples. The ballots are confusing, complex, and force voters to rank candidates they would never otherwise support. And if they don't? Their votes will be thrown in the trash if no candidate receives a majority of the vote. Plus, ranked choice voting leads to delayed results lasting weeks, or even months. Does all this sound like a solution to restore civility? Certainly not.

For all these reasons, we strongly urge the Senate to pass SB137.

I am happy to answer any questions the Committee may have.

2013 Minneapolis Mayoral Ballot (40,495 possible combinations of candidates)

EXHIBIT

MAYOR Rank your first, second and third choice candidates in the columns below. One to be elected. 2nd Choice, if any Must be DIFFERENT 1st Choice 3rd Choice, if any Must be DIFFERENT 1 2 from your 1st choice Select One from your 1st and 2nd choices. Select One Select One JEFFREY ALAN WAGNER JEFFREY ALAN WAGNER JEFFREY ALAN WAGNER CHRISTOPHER CLARK CHRISTOPHER CLARK CHRISTOPHER CLARK 0 0 Libertarian Party MARK ANDREW Libertarian Party MARK ANDREW Libertarian Party MARK ANDREW 0 CAM WINTON **CAM WINTON** CAM WINTON JOHN CHARLES WILSON JOHN CHARLES WILSON JOHN CHARLES WILSON Lauraist Communist NEAL BAXTER **NEAL BAXTER NEAL BAXTER** JAYMIE KELLY JAYMIE KELLY JAYMIE KELLY Stop Foreclosures Now ALICIA K. BENNETT Stop Foreclosures Now ALICIA K. BENNETT Stop Foreclosures Now ALICIA K. BENNETT Democratic-Farmer-Labor Democratic-Farmer-Labor Democratic-Farmer-Labo MIKE GOULD MIKE GOULD MIKE GOULD TROY BENJEGERDES TROY BENJEGERDES TROY BENJEGERDES Local Energy/Food **OLE SAVIOR OLE SAVIOR OLE SAVIOR** KURTIS W. HANNA KURTIS W. HANNA KURTIS W. HANNA ABDUL M RAHAMAN "THE ROCK" ABDUL M RAHAMAN "THE ROCK" ABDUL M RAHAMAN "THE ROCK" **BILL KAHN BILL KAHN** BILL KAHN Last Minneapolis Mayor STEPHANIE WOODRUFF Last Minneapolis Mayor STEPHANIE WOODRUFF Last Minneapolis Mayor STEPHANIE WOODRUFF JOHN LESLIE HARTWIG JOHN LESLIE HARTWIG JOHN LESLIE HARTWIG DAN COHEN Independent DAN COHEN DAN COHEN Jobs Downtown Casino BOB "AGAIN" CARNEY JR Jobs Downtown Casino BOB "AGAIN" CARNEY JR Jobs Downtown Casino BOB "AGAIN" CARNEY JR JAMES EVERETT JAMES EVERETT JAMES EVERETT DON SAMUELS DON SAMUELS DON SAMUELS 0 BETSY HODGES **BETSY HODGES BETSY HODGES** Democratic-Farmer-Labor RAHN V. WORKCUFF Democratic-Farmer-Labor RAHN V. WORKCUFF RAHN V. WORKCUFF Independence Party Independence Party Independence Party **BOB FINE BOB FINE BOB FINE** Democratic-Farmer-Labor MARK V ANDERSON MARK V ANDERSON MARK V ANDERSON GREGG A. IVERSON GREGG A. IVERSON GREGG A. IVERSON 0 Democratic-Farmer-Labor EDMUND BERNARD BRUYERE Democratic-Farmer-Labor EDMUND BERNARD BRUYERE EDMUND BERNARD BRUYERE 0 Legacy-Next Generation Legacy-Next Generation CAPTAIN JACK SPARROW CAPTAIN JACK SPARROW CAPTAIN JACK SPARROW JACKIE CHERRYHOMES JACKIE CHERRYHOMES JACKIE CHERRYHOMES CHRISTOPHER ROBIN ZIMMERMAN CHRISTOPHER ROBIN ZIMMERMAN CHRISTOPHER ROBIN ZIMMERMAN CYD GORMAN CYD GORMAN CYD GORMAN Police Reform JOSHUA REA JOSHUA REA JOSHUA REA 0 MERRILL ANDERSON MERRILL ANDERSON MERRILL ANDERSON DOUG MANN DOUG MANN DOUG MANN Green Party JAMES "JIMMY" L. STROUD, JR. Green Party JAMES "JIMMY" L. STROUD, JR. Green Party JAMES "JIMMY" L. STROUD, JR. The People's Choice The People's Choice TONY LANE TONY LANE TONY LANE Socialist Workers Party Socialist Workers Party Socialist Workers Party

Source: MPRNews; Minnesota Secretary of State

2018 Maine General Election Sample Ballot

-----SS District 4 SR District 119 Piscataquis District 1 State of Maine Sample Ballot General Election, November 6, 2018 for Abbot, Blanchard Twp, Guilford, Monson, Parkman, Sangerville, Shirley, Willimantic Instructions to Voters To vote, fill in the oval like this To rank your candidate choices, fill in the oval: In the 1st column for your 1st choice candidate.
In the 2nd column for your 2nd choice candidate, and so on. Continue until you have ranked as many or as few candidates as you like. Fill in no more than one oval for each candidate or column. To rank a write-in candidate, write the person's name in the write-in space and fill in the oval for the ranking of your choice. 1st Choice Choice Choice Choice U.S. Senator 3rd 2nd tth Brakey, Eric L. 0 0 0 0 Auburn Republican King, Angus S., Jr. Brunswick 0 0 0 0 Independent Ringelstein, Zak Yarmouth Democratic 0 0 0 0 0 0 0 0 Write-in Choice 1st Choice Choice Choice Choice Rep. to Congress 4th Bond, Tiffany L. Portland Independent 0 0 0 0 0 Golden, Jared F. 0 0 0 0 0 Lewiston Democratic Hoar, William R.S. Southwest Harbor Independent 0 0 0 0 0 Poliquin, Bruce Oakland Republican 0 0 0 0 0 0 0 0 0 0 Write-in **Turn Over for Additional Contests**

Source: Maine Secretary of State

Oakland 2022 Mayoral Election Sample Ballot

Fill in no more than 1 oval per candida	PARA ALCALDE te / No liene más de 1 óvalo po	candidato			SUE OF
	1st Choice 1ra. Selección	2nd Choice 2da. Selección	3rd Choice 3ra. Selección	4th Choice 4ta. Selección	5th Choice 5ta. Selección
SENECA SCOTT Small Business Owner Pequeño Empresario	0'	0	0'	0	0
GREGORY HODGE Non-Profit Executive Elecutivo de Organización Sin Fines de Lucro	0'	O ²	0,	0	0
LOREN MANUEL TAYLOR Councilmember/Small Businessperson Miembro del Concelo/Fequeño Empresario	0'	O²	0'	0	0
PETER Y. LIU Entertainer Artista de Entretenimiento	0'	0'	0'	0	0
SHENG THAO Dakland City Councilmember Miembro del Concejo Municipal de Oakland	0'	O²	0'	0	0
IGNACIO DE LA FUENTE Business Solution Strategist: Estratega de Soluciones Empresariales	0'	0,	0'	0	0
ALLYSSA VICTORY VILLANUEVA Civil Rights Attorney Abogada de Derechos Civiles	0'	O²	0'	0	0
JOHN REIMANN Refred Carpenter Carpintero Refrado	0'	O'	0'	0	0
TYRON C. JORDAN Legal Assistant Asistente Legal	0'	0	0,	0	0
TREVA D. REID Councilmember/Senior Caregiver Miembro del Concejo/Cuidadora de Ancianos	0'	0	0'	0	0
Write-in / Por Escrito	0'	O²	0'	0	0

Alaska 2022 Special General Election Sample Ballot



State of Alaska Official Ballot August 16, 2022 Special General Election

House District 1

500

PLEASE NOTE: A candidate's designated affiliation does not imply that the candidate is nominated or endorsed by the political party or group or that the party or group approves of or associates with that candidate, but only that the candidate is registered as affiliated with the party or group.

SPECIAL GENERAL ELECTION - RANKED CHOICE VOTING INSTRUCTIONS

- Rank as many or as few candidates as you like.
- Completely fill in no more than one oval for each candidate or column.
- For your 1st choice, fill in the oval in the 1st choice column.
- For your 2nd choice, fill in the oval in the 2nd choice column.
- For your 3rd choice, fill in the oval in the 3rd choice column, and so on.
- If you make a mistake, you can ask for a new ballot.



General Election	State of Alaska Official Ballot House D November 8, 2022 Judicial				
OCHERI Election					
PLEASE NOTE: A candidate's designated affiliation does not imply that the can party or group or that the party or group approves of or associates with that can as affiliated with the party or group.					
Instructions: Do not use red ink or a pencil to mark your ballot. Rank as many or as few candidates as you like. Completely fill in no more than one oval for each candidate or column. For your 1st choice, fill in the oval in the 1st choice column. For your 2nd choice, fill in the oval in the 2nd choice column. For your 3rd choice, fill in the oval in the 3rd choice column, and so on. If you make a mistake, you can ask for a new ballot.		0 0 0			
United States Sen	ator				
	1st Choice	2nd Choice	3rd Choice	4th Choice	5th Choic
Murkowski, Lisa (Registered Republican)	01	O 2	O 3	0	(
Tshibaka, Kelly C. (Registered Republican)	0'	O 2	0,	0	(
Chesbro, Patricia R. (Registered Democrat)	0'	0'	\circ	0	(
Kelley, Buzz A. (Registered Republican)	01	O 2	0,	0	(
Write-in:	01	O 2	O 3	0'	(
United States Represe	entative				
	1st Choice	2nd Choice	3rd Choice	4th Choice	5th Choic
Palin, Sarah (Registered Republican)	0'	○ ²	0,	0'	(
Peltola, Mary S. (Registered Democrat)	0'	O 2	0,	0	(
Begich, Nick (Registered Republican)	0'	\bigcirc ²	0,	0'	(
Bye, Chris (Registered Libertarian)	0'	○ ²	0,	0	- (
Write-in:	0'	O 2	0,	0	(
Governor / Lieutenant 0	Governor				
	1st Choice	2nd Ghoice	3rd Choice	4th Choice	5th Choic
Pierce, Charlie / Grunwald, Edie (Registered Republican)	0'	O 2	0,	0,	(
Walker, Bill / Drygas, Heidi (Nonpartisan)	0'	O'	○ ³	0	(
Dunleavy, Mike / Dahlstrom, Nancy (Registered Republican)	0'	O 2	0,	0	(
Gara, Les / Cook, Jessica A. (Registered Democrat)	0'	O'	0,	0'	(
Write-in:	01	O 2	0,	0	(
State Senator District H					
	1st Choice	2nd Choice	3rd Choice		
Claman, Matt (Registered Democrat)	0'	○²	ं		
Costello, Mia (Registered Republican)	0'	0'	O 3		
Contains, mile (registered repaired)	1	2	O 3		
Write-in:	0		4.7		
			**		
Write-in:	ct 15	2nd Choice	3rd Choice	4th Choice	
Write-in:	1st	2nd Choice	3rd Choice	4th Choice	
Write-in: State Representative Distri	1st	2nd Choice	3rd Choice	4th Choice	