Comments by Michael Fletcher on HB1094/MC 9-25 (HB0423)

Unfavorable

My name is Michael Fletcher. I have been a resident of Montgomery County for 50 years. During this time, I have noticed the changes that our elected officials have made to our election system tend to diminish control of elections by local boards in favor of control by organizations with no accountability to the voters and whose methods are inscrutable to the voters. Examples are placing the responsibility for maintaining clean voter rolls with a third-party organization, ERIC, and counting our votes with programmable machines that nobody but the machine vendor can examine. The most recent example is the trend towards using Ranked Choice Voting (RCV) in our elections. RCV is a convoluted way to count votes that will require changes to the current system involving new computers and third party software developers taking further control of our voting operations. These same issues underly Approval Voting (AV) which HB1094 promotes.

Before I provide comments on these voting schemes, I have to ask, "What is the problem with our current system?" The recent bills promoting RCV, and now AV, provide no compelling reasons for expending the time and treasure to change the current voting system. The Fiscal and Policy Notes for HB0423/MC 1-24 addressing implementing RCV and AV in Montgomery County estimated a cost to the state of $240,000 for RCV and no cost for AV in fiscal 2026. The estimated cost to Montgomery County in fiscal 2026 would be $1,100,000 for RCV and $601,000 for AV. Additional costs are projected in later years. These expenditures are not justified.

Approval Voting

Approval Voting can lead to a situation where the candidate that a majority of voters consider its top choice could lose to a candidate that no voter considers his/her top choice. Each selection that a voter makes has equal weight so the voter cannot express a preference or differentiate between the candidates on the ballot. AV would force voters to vote for the candidates that they can tolerate, not the candidate that they want.

Under an AV system, it is apparent that selecting more than one candidate diminishes the chance that the voter's preferred candidate will win. Faced with this problem, voters will tend to select only one candidate, and thus the AV voting system reverts to the plurality voting system we have now.

Ranked Choice Voting

HB1094 seeks to clear the way for RCV in Montgomery County. RCV forces voters to rank all candidates, even candidates they never heard of or candidates that are anathema to them. Then the results of these selections are determined by another computer algorithm that generates a winner.

RCV is confusing and leads to voter disenfranchisement. During each round of ballot counting, some voters' choices will fall by the wayside, discarded, and those political voices, silenced. Despite spending millions to educate voters on RCV, New York City in its 2021 mayoral race, experienced massive chaos and confusion. So many minority voters' ballots were discarded that the head of the New York State NAACP said, "Ranked choice voting is not beneficial to minorities. It's voter suppression."

The RVC process would allow candidates to win without securing a majority of the votes. The election winner would govern without a mandate from the voters. The will of the voters would, therefore, be thwarted.

Instead of ballots being counted once, RCV ballots are counted repeatedly, creating opportunities for mistakes (and fraud) and making it nearly impossible to conduct a post-election audit. Conducting hand recount audits of ballots, as required by Maryland law (or by a risk-limiting audit) would be impossible.

RCV divorces candidates from the issues. When multiple names on a ballot must be ranked it, is virtually impossible for a voter to know the platform of each candidate. RCV thus becomes a pick-a-name process. This allows marginal policies to creep into the body politic.

RCV opens the door for political parties to manipulate election results by adding and removing candidates on the ballot.

Implementation of RCV has been shown to reduce voter turnout rates. The complexity of the system discourages new and infrequent voters from participating.

Although Montgomery County voters are accustomed to waiting for election results, using RCV to eliminate runoffs does not guarantee faster results because the multiple rounds of vote tabulation can substantially delay the determination of a winner and increase the cost of the election.

Conclusion

What you, as representatives of the voters in Montgomery County, should be doing (in addition to avoiding needless expenditure of taxpayer funds) is initiating legislation to return to the voting system we used when I moved to Montgomery County in 1975, i.e., local control of the voting system. That system was believed by the voters to be fair and accurate. Under the current system, an increasing number of voters are not sure if their votes are accurately counted. RCV and AV will only make this uncertainty grow.