



TESTIMONY OF
VIGNESH GANAPATHY
POLICY DIRECTOR, AMERICAN CIVIL LIBERTIES UNION OF KANSAS

KANSAS SPECIAL COMMITTEE ON ELECTIONS

OCTOBER 27, 2017

- WRITTEN TESTIMONY ONLY -

The American Civil Liberties Union (ACLU) of Kansas is a non-partisan, non-political membership organization dedicated to preserving and strengthening the constitutional liberties afforded to every resident of Kansas. We work to preserve and strengthen our constitutional rights and freedoms through policy advocacy, litigation, and education. We proudly serve over 30,000 supporters in Kansas and represent more than 1.6 million supporters nationwide.

The ACLU of Kansas is neutral on ranked choice voting, which would replace Kansas’s “first-past-the-post” elections with a system in which voters would rank their choices, creating an instant runoff when no candidate receives more than 50 percent of the first-choice votes.

Although we strongly support the goals of ranked choice voting—fairer elections and greater choice—we are neutral on ranked choice voting in Kansas because:

- **Ranked choice ballots have suppressed voter turnout, especially among those segments of the electorate that are already least likely to participate.** Ranked choice voting (RCV) has resulted in decreased turnouts up to 8% in non-presidential elections. Low-propensity voters are already less likely to participate in elections that do not coincide with congressional or presidential races. By adding additional steps to voting, RCV exacerbates this tendency, making it less likely that new and more casual voters will enter into the process. Moreover, RCV exacerbates economic and racial disparities in voting. Voting errors and spoiled ballots occur far more often. In Minneapolis, for example, nearly 10% of ranked choice ballots were not counted, most of these in low-income communities of color. Other municipalities have seen similar effects.
- **Particularly at a time when citizen participation in Kansas has fallen due to restrictive and confusing policies, ranked choice voting is unnecessary.** Due to arduous documentary proof of citizenship requirement and confusing registration process, tens of thousands of Kansas citizens have been unable to cast a ballot, or have avoided the polls all together,. As a result, Kansas has voter participation in the bottom half of states nationally. While we applaud efforts to motivate citizens to participate through fairer elections and greater integrity, RCV would only add confusion to an already uncertain election system in the state.

- **Kansas should pursue efforts to encourage citizen participation in elections through simple, common sense reforms such as election-day registration and permanent advance ballots.** States across the country have enacted election-day voter registration, and seen increases in turnout over 10%. Counties across the state already do it by allowing a voter to re-register and cast a provisional ballot if they are already registered in another county. And although Kansas citizens can already vote by mail, voters must renew their status each year in a long, complicated process. No Kansas citizen should have to choose between going to work and casting a ballot. We have the opportunity to cut the red tape and unnecessary obstacles, making it easier to vote by mail. These simple reforms would provide greater access to the polls for members of the military, the elderly, young people, voters of color, low-income Americans, and busy professionals.

Despite the fact that we support the goals of ranked choice voting, there are more effective ways to encourage citizen participation and strengthen our elections. Therefore, we are neutral on ranked choice voting in Kansas.