

# Open Primaries

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# Upcoming June Ballot Features

## Open Primary Initiative

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- “Top two vote getter” (TTVG)
- Removes restrictions on cross-party voting
- Affects all state and federal races, except presidential
- Principal goal: moderate representation



# Outline

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- The reform and its context
- Legal issues
- Crossover voting
- Moderation and other effects
- Conclusions



# TTVG Removes Party Boundaries for Candidates and Voters

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- All candidates of all parties on one ballot
- Regardless of party
  - Voters choose any candidate
  - Two candidates with most votes advance
- There will always be a fall run-off



# TTVG Much Less Restrictive Than Current System

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- Semi-closed (2002-present)
- Primaries open only to voters registered with that party
- Parties do not have to allow decline-to-state voters
  - But with one exception, they always have



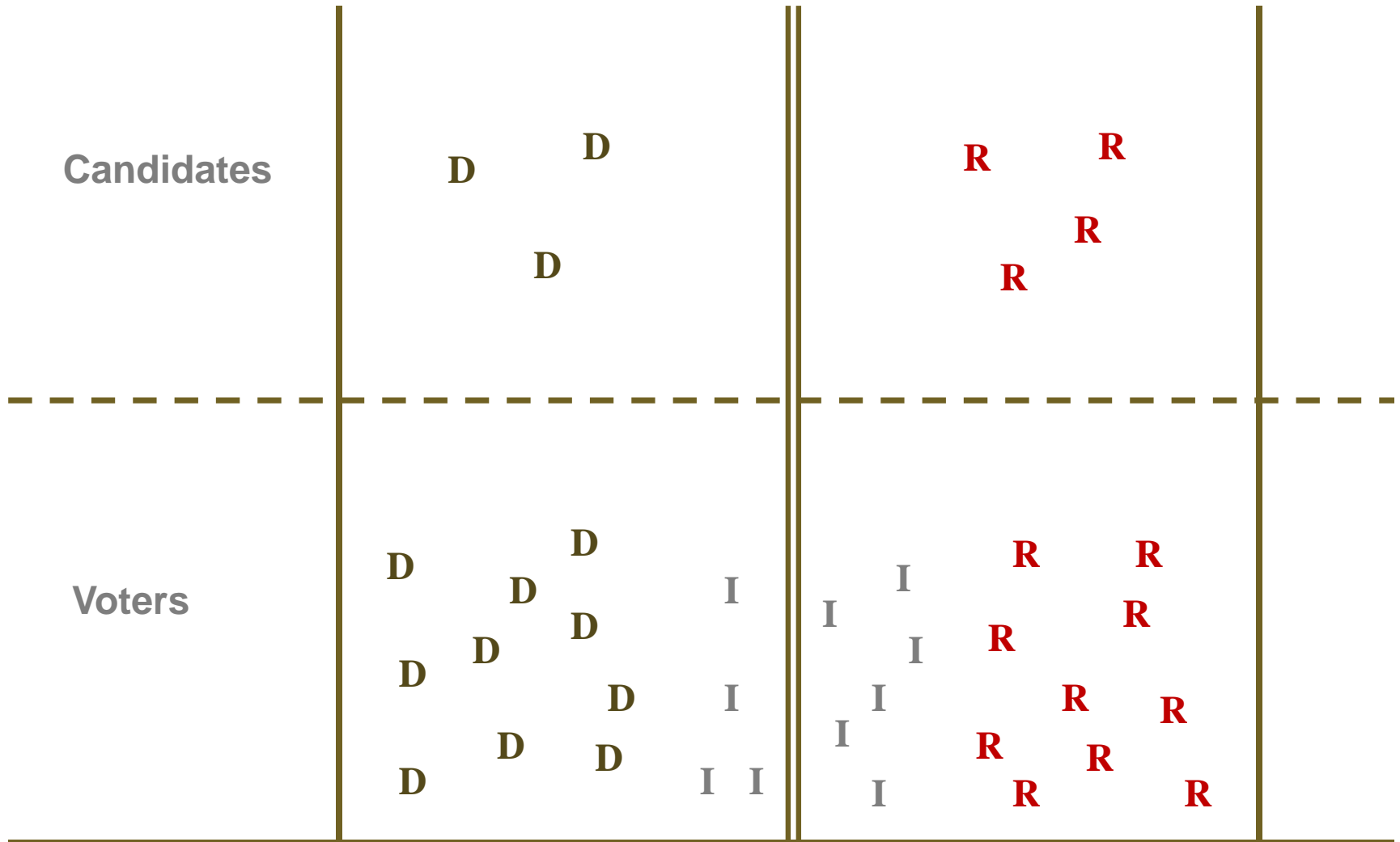
# TTVG Differs from State's Previous Primary System

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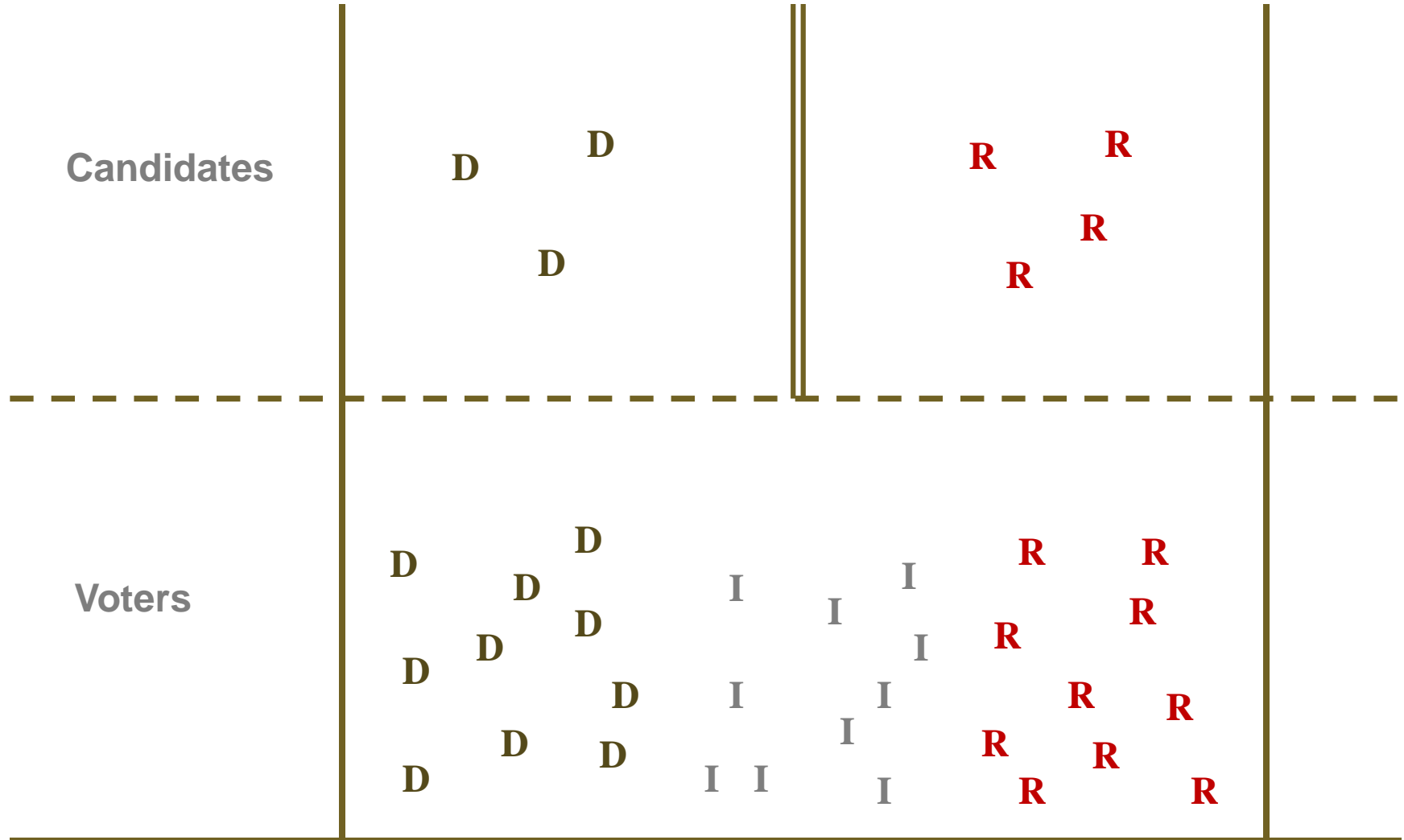
- Blanket primary (1998 and 2000)
- Top vote-getter within each party advanced
  - *Voters* could vote for any candidate
  - *Candidates* only ran against others from the same party
- Every party holding a primary had a candidate on the fall ballot



# Current, Semi-closed System Keeps All Party Boundaries



# Blanket Primary Keeps Boundaries for Candidates



# TTVG Removes All Boundaries

Candidates

D D R R  
D R

Voters

D D D I I I R R  
D D D I I I R R  
D D D I I I R R  
D I I I R R R



# Arguments for TTVG

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- Moderate representation
  - Voters will cross party lines to support moderates
- Competitiveness
  - Wider range of candidates will run and compete for votes
- Turnout
  - More voters will have a say, so more will participate



# Arguments against TTVG

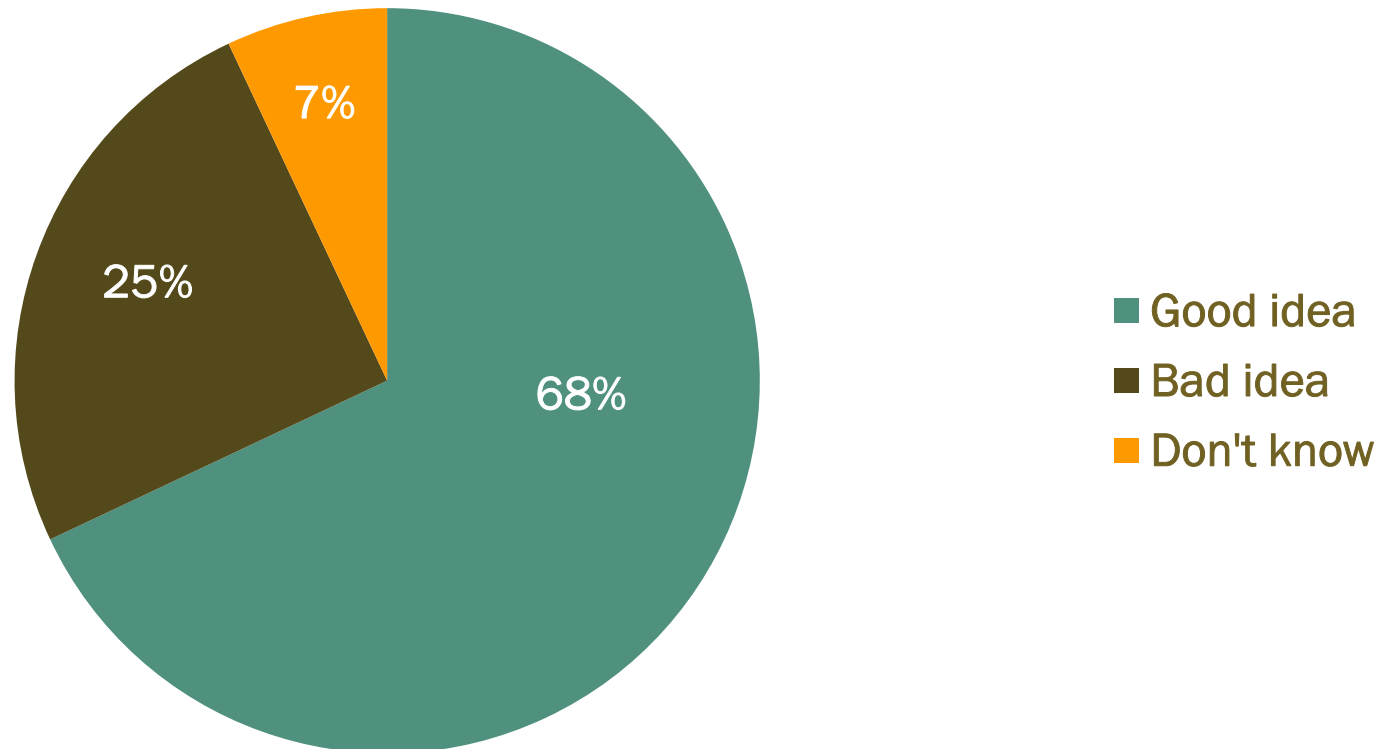
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- Party autonomy
  - Parties no longer choose own nominees
  - “Raiding”: voters may cross over to sabotage a party’s chances
- Limited choice in the fall
  - Small parties will rarely advance
  - Same-party run-offs
- Power vacuum
  - Other interests will fill gap left by parties



# PPIC Statewide Survey Shows Strong Support for TTVG Concept

“Some people have proposed changing California’s state primary elections from a partially closed system to a system where registered voters could cast ballots for any candidate in a primary and the top two vote-getters—regardless of party—would advance to the general election. Do you think this is a good idea or a bad idea?”



PPIC Statewide Survey, September 2009



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# Blanket Primary Found Unconstitutional

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- California's blanket primary struck down by U.S. Supreme Court in 2000
- Ruling relied on “freedom of association”
  - Non-members could help decide a party's nominee
  - Forces an association



# TTVG Less Likely to Meet the Same Fate

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- U.S. Supreme Court upheld Washington's TTVG law in principle
- Critical change: candidates only indicate a party "preference"
  - Assumes voters will not consider preference to be sign of association
- California copied Washington and followed the Court's decision wherever possible



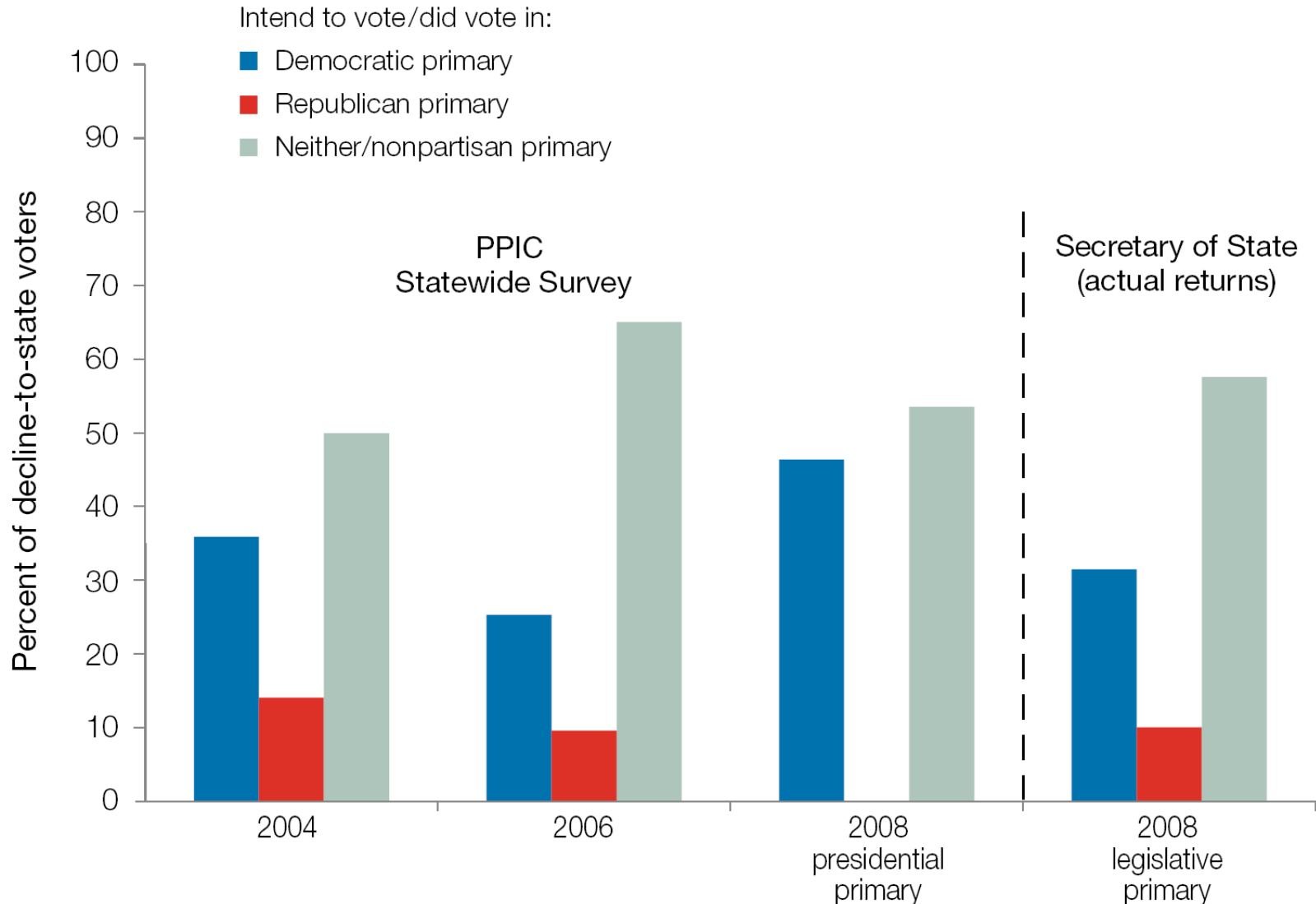
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# Currently, Independents Don't Cross Over



# Blanket Primary Showed Patterns in Crossover Voting...

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- Sometimes high
  - Republicans in heavily Democratic districts or Democrats in heavily Republican districts
  - 27% of voters in 2000 presidential
- “Raiding” was rare
  - Voters mostly chose candidate they liked best
- Visibility was critical
  - Voters attracted to high-profile candidates and races
  - Incumbency and money will remain central



# ...But Outcomes Rarely Changed

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- To change outcomes:
  - Vote gap between candidates must be small
  - AND
  - Crossovers must vote differently than partisans



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# Did the Blanket Primary Affect Moderation?

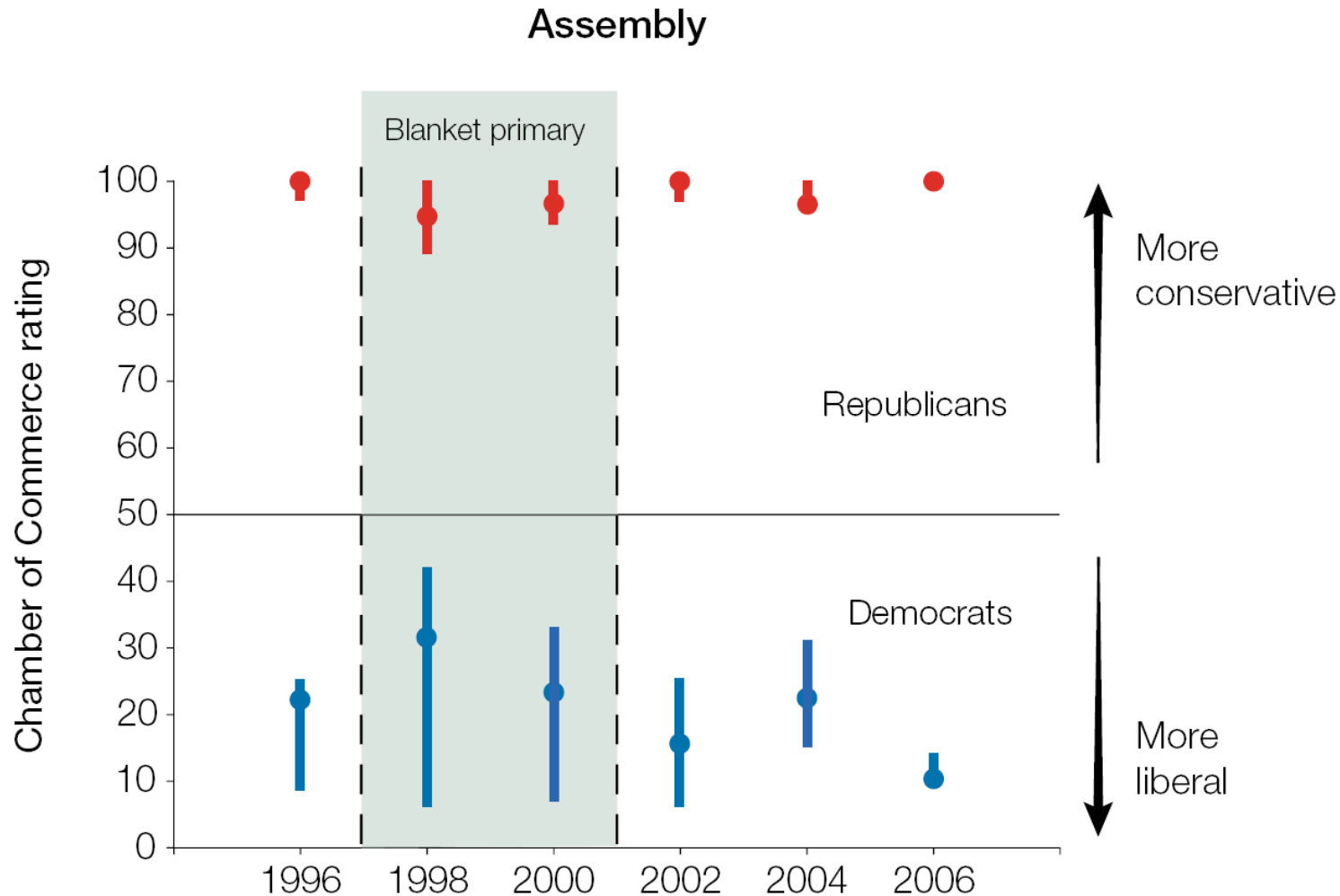
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- Assembly: somewhat more moderate
  - Especially among Democrats
- Senate: no change
- House: slight effect among Republicans



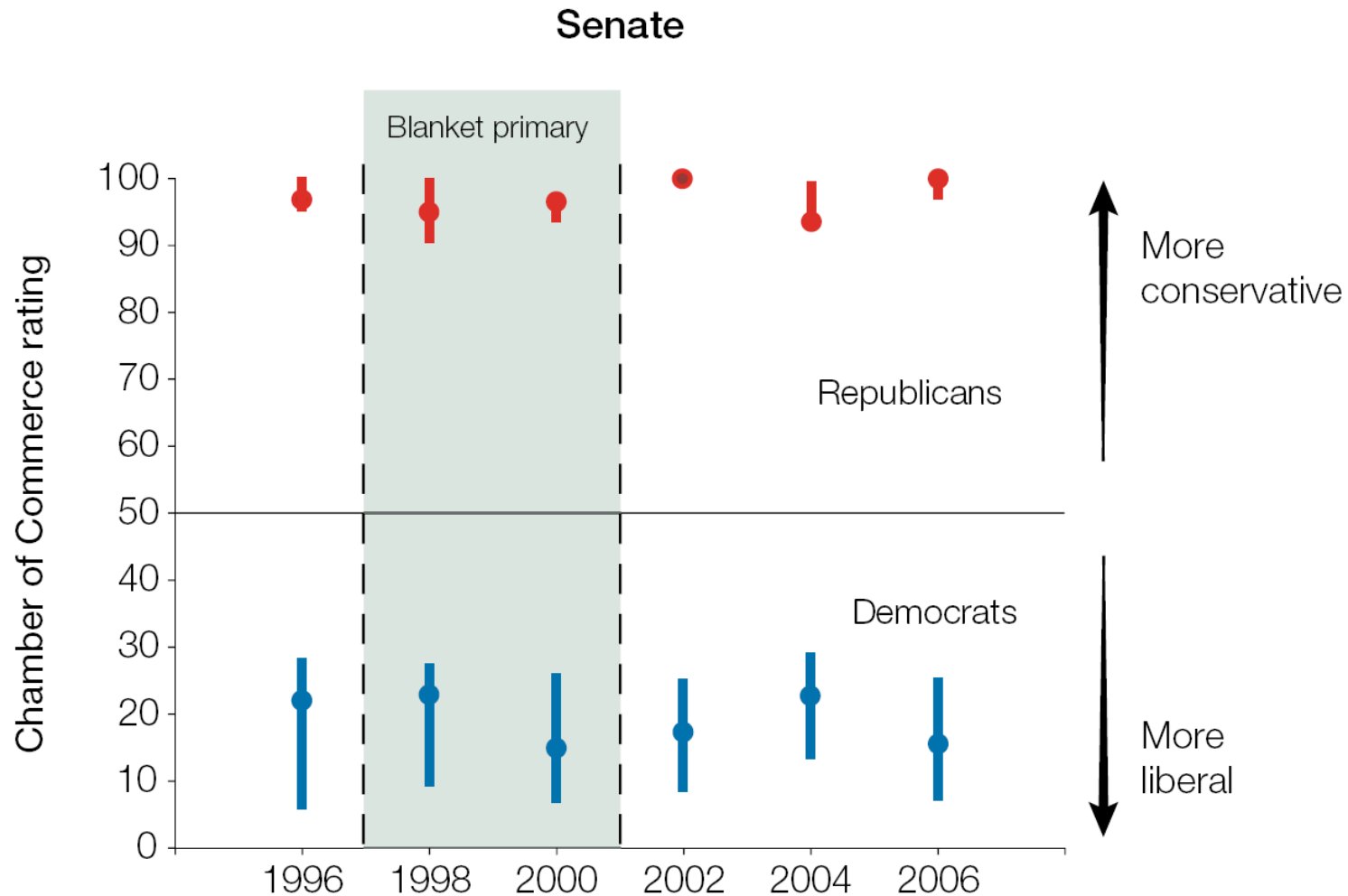
# Assembly Chamber of Commerce Scores Show Some Effect

● Median | Range



# Senate Chamber of Commerce Scores Show Little Change

● Median | Range



# Effect Is Also Small Outside California

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- Other states have experimented with different primary systems
  - Effects are weak or inconsistent
- One exception: “truly” nonpartisan systems



# No Strong Effects on Turnout, Competition, or Spending

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- Higher turnout: some evidence under the blanket primary
- More competition: no evidence in California (blanket) or Washington (TTVG)
- Increased spending: no evidence under the blanket primary



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# TTVG Effects Likely To Be Noticeable But Modest

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- Crossovers high, but only in some races
- More moderation, but not by much
- Turnout slightly higher
- Probably no effect on campaign spending or competition



# Effects May Grow Over Time

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- Incumbency advantage might allow effects to build over time
- Behavior might change as voters and candidates grow accustomed to the system



# Notes on the use of these slides

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These slides were created to accompany a presentation. They do not include full documentation of sources, data samples, methods, and interpretations. To avoid misinterpretations, please contact:

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Thank you for your interest in this work.

February 2010

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