Upcoming June Ballot Features
Open Primary Initiative

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

- The reform and its context
- Legal issues
- Crossover voting
- Moderation and other effects
- Conclusions
TTVG Removes Party Boundaries for Candidates and Voters

- 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

- 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

- 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

Candidates

Voters
Blanket Primary Keeps Boundaries for Candidates
TTVG Removes All Boundaries

Candidates

Voters

D D D R R

D D D R R

D D D I I

D D D I I

D D D I I

D D D I I

D D D I I

D D D I I
Arguments for TTVG

■ 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

- 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

- 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

- 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

Intent to vote/did vote in:
- Democratic primary
- Republican primary
- Neither/nonpartisan primary

Percent of decline-to-state voters

PPIC Statewide Survey

Secretary of State (actual returns)

2004
2006
2008 presidential primary
2008 legislative primary
Blanket Primary Showed Patterns in Crossover Voting...

- 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

- 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?

- 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

Assembly

Blanket primary

Chamber of Commerce rating


More conservative

Democrats

Republicans

More liberal
Senate Chamber of Commerce Scores Show Little Change

- Median
- Range

**Senate**

Chamber of Commerce rating

- Blanket primary
- Republicans
- Democrats

More conservative

More liberal

Year:
- 1996
- 1998
- 2000
- 2002
- 2004
- 2006

Values:
- 0
- 10
- 20
- 30
- 40
- 50
- 60
- 70
- 80
- 90
- 100
Effect Is Also Small Outside California

- 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

- 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

- 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

- 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

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.

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Open Primaries

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