



Primary Process Reform in California

Research Prepared for *California Forward*
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The overarching goal of *California Forward* is to improve the quality of life for all Californians by creating more responsive, representative and cost-effective government.

California Forward is pursuing this goal through issue-specific projects to improve California's political, fiscal and governmental systems. A bipartisan Leadership Council selects and guides projects, which link sound policy analysis and meaningful civic engagement to develop proposals and broad coalitions of support. Proposals pursue change through administrative action, legislation or ballot initiatives.

Through this public interest approach, *California Forward* is rallying the ambition, innovation and optimism of Californians to overcome the distrust and partisanship that have thwarted attempts to bolster democracy.

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Chapter Summaries

Chapter 1 The Problem and the Solution

California suffers from dysfunctional government. Legislators can no longer make timely decisions in the public interest. The reasons for this are many: gerrymandered districts, unlimited independent expenditures, appeals to ideological extremes and closed primaries that depress voter turnout and interest.

Reforming the primary process will not solve all these problems, but will bring more accountability to the process. Voters currently disenfranchised by closed primaries will be able to participate in primaries that count, as will independent voters, the fastest growing part of the California electorate.

Primary election reform will give voters more choices, which in turn can stimulate increased voter turnout. Having to appeal to a much broader base of voters should increase the responsiveness of legislators once they are elected, and candidates will have more opportunities to appeal to the growing independent electorate.

We argue that primary process reform, in particular the creation of a nonpartisan blanket primary in which all voters receive the same ballot, along with a top two runoff, is important for helping resolve these problems. The nonpartisan blanket primary is similar to the way California elects local government officials. It is modeled on the system now in use in Washington State that was found constitutional by the U.S. Supreme Court.

Chapter 2 California's Partisan Blanket Primary Experience: Proposition 198

In 1998 and 2000, California voters nominated partisan candidates using a *partisan* blanket primary that was created due to the passage of Proposition 198 in 1996. A *Los Angeles Times* exit poll from the 1998 primary election showed high voter approval of the system. Six of ten voters agreed with the statement that the partisan blanket primary provided them with more choices. Most voters liked the choice and fairness that the partisan blanket primary system offered. There was no difference between partisans in their approval of the partisan blanket primary nor did the exit poll show any differences among racial and ethnic groups.

An exit poll also was conducted in five Assembly districts in 1998. Results of this poll showed that voters crossed over between the two parties to maximize their votes. Research literature has shown that crossover voters cast “sincere” ballots and do not try to “raid” the other party. While a nonpartisan blanket primary will differ from the previous partisan blanket primary, the lessons learned from voter behavior in the partisan blanket primary indicate that voters will react positively to a nonpartisan blanket primary.

Chapter 3

Effects of a Blanket Primary on Legislators, Voters, Candidates and Parties

On the Legislature:

Legislators elected under Proposition 198 tended to be less ideologically rigid. They were more willing to cross party lines, more willing to take on entrenched interest groups and more pragmatic and flexible when it came to issues. Budgets were more often passed on time and there were more bipartisan coalitions.

On Voters:

Voters turned out in noticeably higher numbers in the 1998 and 2000 primaries than they have in elections since. As a result, the electorate was less polarized, more reflective of the state's politics and more willing to cast their ballot for problem solvers.

On Candidates:

Candidates campaigned to all the voters in their districts because they had to in the partisan blanket primary, not just to the most partisan voters as is the case today with closed primaries.

On Parties:

Washington State used the nonpartisan blanket primary in 2008. Candidates were allowed to express a party preference on the ballot, even though they were not party nominees. All statewide offices and all federal offices had a single "prefers Democrat" and "prefers Republican" on the general election ballot. The overwhelming majority of legislative contests involved candidates preferring these two parties, while only eight of 123 races (seven percent) involved two candidates of the same party.

Chapter 4

How Independent and Crossover Voters Can Change Electoral Outcomes

Crossover voters will affect outcomes in districts where there is a significant registration of both major parties, even if the district is generally safe for one party. Fifty-six of the 80 current Assembly districts show potential for high crossover voting. Twenty-four districts are heavily one party and in those districts, there is less crossover potential. Fifteen of those districts are even more strongly tilted to one party; here there will be little crossover and the potential is higher for a same party runoff under a nonpartisan blanket primary.

Californians are de-aligning from the two major parties. Over 20 percent of Californians register "independent." (Thirty-three of the 80 Assembly districts have a high concentration of independent voters, but independents are more than ten percent of registration in every Assembly district).

This report found 12 legislative districts where a same party top two runoff might have occurred in 2008.

Chapter 5

Minority Voters and Blanket Primaries

The June 1998 *Los Angeles Times* exit poll showed that minority voters approved of the partisan blanket primary and found it beneficial. Minority voters crossed over in the three races the exit poll examined: governor, attorney general and U.S. Senator. In some cases the crossover was to support voters of the same racial or ethnic identity, and the crossover in these races was relatively high.

The number of women and minority voters elected in 1998 and 2000 increased. Before the partisan blanket primary period, there were 27 women legislators, compared with 34 after the two cycles. There were 27 minority legislators before the partisan blanket primary compared with 35 after the blanket primary.

Chapter 6 Conclusion

Some of the problems with California's political system can be solved by primary election reform and the adoption of a nonpartisan blanket primary system. Its main benefits are:

- Voters now disenfranchised by the closed primary would have a reason to participate because they could choose from *all* of the candidates in a district.
- Independent voters will have greater reason to participate in primaries.
- More voters of all parties will participate.
- Candidates and elected officials will be forced to respond to a larger electorate.
- A top two runoff, which a nonpartisan blanket primary system produces, will provide more choice in the general election.
- Candidates would be protected from excessive influence by political parties or special interests.
- More representative, pragmatic, problem-solving legislators will emerge.

“If you can’t eat their food, drink their booze, and then vote against them, you have no business being here.”
—Speaker Jesse Unruh¹

“My method of delivering votes was the soul of simplicity. It was merely this: Select and elect. I simply selected those men I thought would be friendly to my clients’ interest. Then I saw that those men got elected to the Legislature.”
—Legendary lobbyist Artie Samish²

1 Cannon, Lou, *Ronnie and Jesse, A Political Odyssey*, Doubleday, 1969, page 101.

2 Samish, Artie, *The Secret Boss of California*, Crown Publishers, 1971, page 34.

The Problem and the Solution

1. The Problem

California’s Legislature is dysfunctional. Too few legislators are willing to follow Unruh’s credo and stand up to the interests who put them there. Too many are victims of modern day Artie Samishes. “Our democracy produces ideologically extreme legislators that can pass neither budget nor reforms, and we have no recourse in the current system to right these wrongs,”³ wrote *Sacramento Bee* columnist Dan Walters following the 2008 budget crisis.

Many blame the dysfunction on legislative rules. “To be fair, this is not the total fault of a dysfunctional Legislature. It’s because California is one of the few states that foolishly require a two-thirds legislative vote for passage of a budget or tax increase. That leads to minority tyranny and gridlock,”⁴ wrote *Los Angeles Times* columnist George Skelton. But the two-thirds budget rule dates to 1933, and the two-thirds tax rule to Proposition 13 in 1978. Over the decades, legislators operated within those rules to solve problems and produce budgets.

The underlying reasons for legislative dysfunction run deeper. The two-thirds rule illustrates the difficulty of legislating in a highly charged atmosphere, and term limits have denied legislators the independence that comes with long years in office. But public dissatisfaction with legislative performance has made it even harder to convince voters to provide legislators with longer terms or more powers. In 2008, a measure to lengthen term limits, Proposition 93, was defeated. In 2004, Proposition 65, a measure to waive the two-thirds rule met a similar fate, losing by 34 percent to 66 percent.

These results are hardly a surprise. The January 2009 Public Policy Institute of California survey found that only 21 percent of adults, and 15 percent of likely voters, approved the job the Legislature was doing. Only nine percent of likely voters approved of their job on state taxes and the budget, only 12 percent on jobs and the economy. “Approval of the Legislature has reached the record low first seen in September 2008 (21 percent) and is down 13 points since last January and 19 points since January 2007,” noted PPIC pollster Mark Baldassare in that report.⁵ Recently released polling from the PPIC in March showed that the Legislature’s approval has fallen even further since the January survey, to just 11 percent approval.⁶

The heart of the problem is how we elect our legislators. In 2000, the Legislature put a measure on the ballot to enact campaign limits. Today a legislator cannot receive more than \$3,600 from a single source. However, independent groups can make independent expenditures without limit. The result, as one might expect, is that independent groups have seen their power expand as they “select and elect” those people they want.

3 Walters, Dan, “State Budget Relies on Sham Revenue,” *Sacramento Bee*, September 16, 2008.

4 Skelton, George, “Legislators Act Like Zombies as States Fiscal Crisis Deepens Daily,” *Los Angeles Times*, December 11, 2008.

5 PPIC Statewide Survey, Californians and Their Government, January 28, 2009.

6 PPIC Statewide Survey, Californians and Their Government, March 2009.

Because of gerrymandered districts, almost all the action in any election year is concentrated in the party primaries. Thanks to term limits, one-third of Assembly districts and one-quarter of Senate districts are open every cycle. This is fertile ground for independent expenditures.

In the 2008 primary, independent groups spent \$11.8 million dollars supporting or opposing candidates. According to the California Fair Political Practices Commission, independent groups have spent \$99.9 million since 2001.⁷ The FPPC calls independent expenditures, the “giant gorilla of campaign finance.”

Independent expenditures are like set piece battles. Groups fight over a small number of districts, but often the battle is intense. The FPPC found that roughly 80 percent of independent expenditures in the 2008 primary were made in only ten legislative races. The largest amount was in the 25th State Senate district, where \$1.8 million was spent, followed by the 3rd Senate district (\$1.4 million) and the 8th Assembly district (\$1.1 million).⁸

These enormous amounts of money have their intended effect on legislators. Because an individual legislator must raise money in \$3,600 lump sums, they know they would be at a disadvantage if challenged in a primary by a candidate backed by one of the big money special interests. This is especially true in Democratic primaries, where almost all the independent expenditures occur as rival groups try to shape the majority party caucus.

This pressure is effective because the party primaries are closed. In a closed primary, only registered partisans can vote. An open primary is one where a voter chooses a party ballot and can only vote from that ballot. A partisan blanket primary is one where all candidates appear on the same primary ballot and voters can choose any candidate. The primary produces partisan nominations like we have currently. A nonpartisan blanket primary is one where voters can choose any candidate and then the two leading candidates from the primary run off against each other. Thus the nonpartisan blanket primary is a combination of a partisan blanket primary and the top two general election runoff currently used in local elections.

California’s closed primary provides fertile ground for special interest expenditures because the interest groups can effectively appeal to the most ideologically committed voters. This is true in both parties. California had an “open” partisan blanket primary for the 1998 and 2000 election cycles. This was due to the passage of Proposition 198 in 1996. Turnout in primaries has fallen significantly since the return of the closed primary in 2002. The voters who do turn out are the most ideologically committed and they vote for legislators who will battle first and foremost for ideological purity. With the closed primary, these are the types of legislators who are elected.

Table 1 shows, in bold text, voter turnout in the two primary elections under the partisan blanket primary (Proposition 198) and turnout in the years since.

7 “The state’s Fair Political Practices Commission has updated its report on independent expenditures to include spending in the June 2008 primary election, which totaled \$11,783,605. Combined with the \$88,088,500 spent on independent expenditures from January 1, 2001 through December 31, 2006, the total for all independent expenditures spent on behalf of state and legislative candidates is \$99,872,105.” California Fair Political Practices Commission press release, June 19, 2008.

8 *Ibid.*

TABLE 1		
Voter Turnout in Primary Elections: 1998-2008 (Partisan blanket primary are bolded)		
YEAR	TURNOUT OF REGISTERED VOTERS	TURNOUT OF ELIGIBLE VOTERS
1998 (Statewide)	42.5%	30.0%
2000 (Presidential)	53.9%	37.2%
2002 (Statewide)	34.6%	24.6%
2004 (Presidential)	44.3%	30.5%
2006 (Statewide)	33.6%	23.4%
2008 (Leg. and Congress)	28.2%	19.8%

One reason for lower turnout since the partisan blanket primary years is the failure of Decline to State (DTS) voters to participate in large numbers in the current primary system, as many are unaware that they can in some circumstances choose a major party ballot.⁹ Another reason is that the less ideologically committed partisan voters fail to participate in closed primaries. A final reason is voters in the non-dominant party in gerrymandered districts have little reason to participate in their party's primary, as their vote will not be seen as having impact in determining the outcome of many elections, especially legislative races.

In the June 2008 primary, only 29.7 percent of registered Democrats participated, only 32.8 percent of registered Republicans and only 13.9 percent of those registered Decline to State.¹⁰ While good information on DTS primary participation is difficult to obtain from previous elections, there are some available estimates that show how the partisan blanket primary affected DTS turnout. The Field Poll estimated just prior to the June 1998 partisan blanket primary "that about 825,000 or 14 percent of the total vote tomorrow will be made up of those registered as Decline to State or with one of the many minor parties. This is about double the proportion of votes cast by these voters in recent previous gubernatorial elections."¹¹

Data from Los Angeles County tells the same story. In Los Angeles County, 23.6 percent of DTS voters participated in the 1998 blanket primary and 32 percent participated in the March 2000 partisan blanket primary. But by June 2006, only 13.5 percent of DTS voters in Los Angeles County participated in that primary and only 10.7 percent of Los Angeles County DTS voters turned out for the June 2008 primary.¹²

The data show a clear picture: when DTS voters do not have many opportunities to cast an effective ballot in a primary election, they do not turn out to vote. In addition to the obstacles

9 In recent California primary elections, parties have determined whether they will allow DTS voters to participate in their primary. For example, in the June 2008 California primary, the American Independent, Democratic and Republican parties allowed DTS voters to participate in their primary. However, in the February 2008 presidential primary, only the American Independent and Democratic parties allowed DTS voters to participate in their primaries. No doubt these changes confuse DTS voters.

10 California Secretary of State, Statement of the Vote, June 4, 2008.

11 The Field Poll, "Primary Election Turnout Estimates," Monday, June 1, 1998, Release #1889, page 5.

12 Los Angeles County Registrar-Recorder/County Clerk, Past Election Results, various years, <http://rrcc.co.la.ca.us/elect/pastrslt.html-ssi>.

noted above, a mail-in DTS voter must request a partisan ballot from the county elections office, and a DTS voter on Election Day may not be told he or she can request a partisan ballot at the polls. These are further potential obstacles to DTS participation. As more and more Californians are registering as DTS, this means that a larger and larger segment of the California electorate does not participate in primary elections.

Furthermore, other survey evidence indicates that DTS voters are moderates; Mark Baldassare found that “Independents are more likely to be centrists and stay away from ideological labels, compared with registered Republicans and Democrats.” The January 2009 PPIC Poll examined California’s independent voters in detail. Their findings are included in Appendix 1. The PPIC findings show that changing the primary process allows more DTS voters the opportunity for meaningful primary participation. If they turn out to vote, it is likely that the primary election will have relatively fewer ideologically-focused voters.

“Lower turnout means less representative legislators and leads to dissatisfaction with legislators as a whole.”

Who does not vote in primaries? Voters in one-party districts with an already safe incumbent have less reason to turn out. But even in open districts, there is less reason to vote, especially if there is a single favorite for the nomination. That is often the case where the contest has already been decided by local power brokers. A closed primary makes it much easier to control the process and offer the voters only a single favored candidate. Voters not registered with the dominant party in one-party districts have less reason to vote, as they are effectively disenfranchised by the closed primary.

Who has reason to vote? Certainly ideological voters, since most candidates in a closed primary appeal to the hardest core of their party’s voters. In a Republican primary, the candidates are all expected to take “no new taxes” pledges; in a Democratic primary they are expected to oppose all cuts involving core Democratic constituencies. That is the road to success, often abetted by low turnout and independent expenditures. The result is a lack of legislators in the political center and an unwillingness or inability to forge compromise and do what legislators are supposed to do, namely to work together on critical issues, compromise where necessary to move forward and to legislate.

Lower turnout means less representative legislators and leads to dissatisfaction with legislators as a whole. Thus the closed primary is one factor contributing to the dysfunctional Legislature. The closed primary does not by itself create the problem, it must be seen in conjunction with massive independent expenditures as creating a climate where legislators cannot afford political independence from the power brokers who “select and elect” them.

2. Benefits of Changing the Primary Process

Here are the benefits of a nonpartisan blanket primary system:

- Voters now disenfranchised by the closed primary would have reason to participate because they could choose from among the candidates of the dominant party in a district even if they were not registered with that party. Even with Proposition 11’s promise to end gerrymandered legislative districts in 2011, most districts will remain dominated by one party because of the polarized nature of California’s political geography. And Proposition 11 does

not apply to Congressional districts.

- DTS voters will have greater reason to participate in primaries, and candidates will have more opportunities to appeal to these voters. Table 2 shows the steady growth in Decline to State voter registration over the past ten years, which would suggest a corresponding increase in turnout.¹³

TABLE 2	
Growth in Decline to State Voter Registration	
YEAR OF PRIMARY	DTS VOTERS' PERCENTAGE OF TOTAL REGISTRATION
1998 (Statewide)	12.4%
2000 (Presidential)	13.9%
2002 (Statewide)	14.8%
2004 (Presidential)	16.4%
2006 (Statewide)	18.5%
2008 (Leg. and Congress)	19.4%

While DTS voters are increasing in number and percentage of the electorate, their participation in primaries as a percent of the total is well below their percentage of the electorate. Given the ability to participate in a meaningful way, it is reasonable to expect their participation to increase.

- More voters of all parties will participate. A study of the 1998 partisan blanket primary showed significant crossover of voters to vote in the primary of the dominant party in a district.
- Legislators will be forced to respond to a larger electorate. It stands to reason that if the electorate is expanded, as a more open primary process will do, candidates will campaign to that larger electorate. This will result in legislators who are more responsive to the needs of opposite party members in their districts and to independent voters.
- A more representative legislature will emerge. Legislators will have less reason to be fearful of interest groups that can mount independent expenditure campaigns against them. The ability of interest groups to target independent expenditures to like-minded voters will be reduced because the electorate will be more diverse. Simply put, with a broader electorate, the ideological minority in a district will play a lesser role in nominating candidates.
- A nonpartisan blanket primary will provide voters more choice in the general election. Even without gerrymandered districts, most parts of California will still remain safe for one party. Under a closed primary, the ultimate winner is decided in the primary; in many cases, this results in uncontested or poorly contested general elections. Under the nonpartisan blanket primary, districts that now have uncontested or poorly contested general elections will see more competitive general elections, in some cases because the November election will involve two members of the same party in one-party safe districts. In Washington State,

¹³ California Secretary of State, Report of Registration, various years; California Secretary of State, Statement of the Vote, various years.

with the nonpartisan blanket primary runoff, eight of the 123 contested legislative races in 2008 involved two candidates of the same party.¹⁴ This meant voters in essentially one-party districts still had a meaningful choice in November.

- More pragmatic, problem-solving legislators will emerge. A number of legislators elected in the 1998-2000 partisan blanket primary years did attempt to work across the aisle. Some were defeated for higher office when the partisan blanket primary ended. It stands to reason that legislators will appeal more broadly to their constituents under a nonpartisan blanket primary than is the case with closed primaries. The result is likely to be more effective legislators.

There is already one attempt underway to return to a system similar to the one California had in 1998 and 2000: In February 2009, the Legislature enacted Senate Constitutional Amendment 4, a proposal to adopt a primary election process similar to that in Washington State, which was recently upheld by the U.S. Supreme Court. It will appear on the June 2010 ballot as Prop 14: Elections. Increases Right to Participate in Primary Elections. This proposal involves a nonpartisan blanket primary similar to Proposition 198, with what some call a “top two” runoff close to the way California local officials are now elected. It would apply to all state and federal partisan races, including the Legislature and U.S. Congress. It also would be possible to achieve these benefits with a nonpartisan blanket primary that only applied to the Legislature.

Appendix 2 discusses California’s two attempts at primary election reform, Proposition 198 passed in 1996 and Proposition 62, defeated in 2004, as well as the experiences in Washington and Oregon with primary reform proposals.

¹⁴ Washington Secretary of State, 2008 general election results.

Chapter 2

California's Partisan Blanket Primary Experience: Proposition 198

1. California Voters' Opinions on the Partisan Blanket Primary

Voters indicate that they generally value the goals of blanket primaries, especially since these primaries give voters a greater set of choices. Here is data from exit polling and a crossover voting analysis for the 1998 primary election, the first under Proposition 198's partisan blanket primary.

Voters in California had a very positive evaluation of the partisan blanket primary. The Los Angeles Times Poll interviewed voters statewide as they left polling places on June 2, 1998.¹⁵ The Times Poll asked voters to respond to four different statements about the blanket primary:

- The open primary allows me to vote for a candidate of my choice even if he or she is not in my party.
- The open primary is fairer because all voters can vote in candidate races.
- In a primary, only Democrats should vote for Democrats, etc.
- Ballot was too confusing/List of names too long.
- None of the above.

Table 3 shows the reaction of voters who were interviewed as part of this exit poll; the first column gives the responses from all voters, the next three columns by partisanship (Democrats, Independents, and Republicans), and the final four by ethnic group (whites, blacks, Latinos and Asians).

TABLE 3								
Voter Opinions of the 1998 Blanket Primary in California, LA Times Exit Poll								
"As you may know, this is California's first blanket or open primary in which voters may vote for any candidate running for office regardless of party affiliation." Do you think: (ACCEPTED ALL THAT APPLY)								
	ALL	DEM	IND	REP	WHT	BLK	LAT	ASN
The open primary allows me to vote for a candidate of my choice even if he or she is not in my party	60%	59%	59%	61%	62%	58%	56%	53%
The open primary is fairer because all voters can vote in candidate elections	31%	32%	33%	29%	30%	35%	34%	37%
In a primary, only Democrats should vote for Democrats, etc.	14%	15%	12%	16%	15%	16%	10%	11%
Ballot was too confusing/ List of names too long	8%	9%	8%	8%	8%	10%	8%	9%
None of the above	4%	3%	7%	3%	3%	5%	4%	5%

¹⁵ The Times Poll interviewed 5,143 voters as they left polling places on June 2, 1998. Interviews were conducted in 99 polling places statewide. For additional information about this poll, see: http://www.latimesinteractive.com/pdfarchive/stat_sheets/la-timespoll413ss.pdf.

Six of ten voters agreed that the partisan blanket primary provides them with more choices. About a third of voters in the sample thought that the partisan blanket primary was fairer than the closed primary, and few voters agreed with the two negative statements about the partisan blanket primary. Thus, in the full sample of voters who participated in the June 1998 partisan blanket primary in California, most liked the choice and fairness that the partisan blanket primary system offered.

Interestingly, the results are unaffected by partisanship, race and ethnicity. Republicans, Independents and Democrats, as well as white, black, Latino and Asian voters, are all in strong agreement that the partisan blanket primary provided them more choice and many of the voters in each of these groups saw that the partisan blanket primary was fairer. Few voters in any of these groups had a negative reaction to the partisan blanket primary.

Other voter evaluations of the 1998 partisan blanket primary were collected in a different exit poll, this one conducted in five selected Assembly districts in California. Here researchers posed a number of questions to voters as they left polling places in these Assembly districts on primary election day. The question began: “Now a few questions about the new “open primary” in which you just participated. Please indicate whether you agree, disagree, or don’t have an opinion about each of the following statements. Does the new open primary:

- n Give voters like you more choices?
- n Let you vote for candidates who will better represent your interests?
- n Make the candidates talk more about the important issues?
- n Make the candidates run less negative campaigns?
- n Make the candidates take more moderate positions on issues?
- n Make the election more interesting?”

Voters had the opportunity to answer agree, disagree, or don’t know to each of these questions.

Table 4 gives the responses to these six questions. These data make it clear that, in general, voters participating in the partisan blanket primary election had a positive evaluation. Over 80 percent felt that the partisan blanket primary let them vote for candidates who will better represent their interests and nearly 80 percent felt that the partisan blanket primary gave them more choices. A strong majority also felt that the partisan blanket primary made candidates talk more about important issues and that it produced more interesting elections. Nearly half of voters said that the partisan blanket primary led to less negative or more moderate campaigns.

TABLE 4			
Voter Opinions of the 1998 Blanket Primary in California, Assembly District Exit Poll			
	% AGREEING	% DISAGREEING	% DIDN'T KNOW
Gives voters more choices	77.1%	9.9%	13.0%
More representative candidates	80.2%	9.5%	10.3%
More substantive campaigns	70.4%	13.7%	15.9%
Less negative campaigns	49.8%	30.1%	20.1%
More moderate candidates	46.6%	26.1%	26.6%
More interesting elections	70.0%	14.8%	15.3%

Note: Due to rounding, some rows do not equal 100 percent.

In Table 5 are the same responses for the various racial and ethnic identities that were included in the exit poll study.¹⁶ Strong majorities agreed that the partisan blanket primary made for more representative candidates, that it gave voters more choices and that it provided for more substantive and interesting campaigns regardless of racial or ethnic identity. However, when it came to whether the partisan blanket primary lead to less negative campaigning or to more moderate campaigns, Latinos, Hispanics, blacks and Asians were more likely to see those positive benefits than were white voters surveyed in this exit poll.

TABLE 5				
Voter Opinions of 1998 Blanket Primary by Race and Ethnicity				
	LATINO	ASIAN	BLACK	WHITE
Gives voters more choices	70.4%	77.8%	77.7%	78.7%
More representative candidates	80.4%	81.2%	81.9%	79.7%
More substantive campaigns	72.7%	77.1%	77.9%	67.8%
Less negative campaigns	60.3%	53.9%	55.2%	46.1%
More moderate candidates	58.2%	54.1%	53.0%	40.2%
More interesting elections	70.9%	72.0%	65.7%	68.8%

Next, Tables 6 and 7 present the same survey questions by educational attainment and age. The responses by educational attainment are interesting, especially for perceptions of whether the partisan blanket primary provides for less negative and more moderate candidates and campaigns. The higher the educational attainment of a voter, the less likely they are to believe that the partisan blanket primary provides less negative campaigns and more moderate candidates. As eligible voters who have lower levels of educational attainment are less likely to turnout to vote, this implies that more open primary processes may draw a larger share of this segment of the electorate into the primary process, thus increasing voter turnout.

TABLE 6				
Voter Opinions of the 1998 Blanket Primary by Educational Attainment				
	HS OR LESS	SOME COLLEGE	COLLEGE GRAD	POST-COLLEGE
Gives voters more choices	73.3%	78.9%	76.8%	80.2%
More representative candidates	81.3%	83.5%	80.6%	73.6%
More substantive campaigns	73.9%	75.7%	68.4%	60.6%
Less negative campaigns	57.8%	53.5%	47.2%	35.9%
More moderate candidates	60.2%	46.8%	42.4%	34.2%
More interesting elections	74.8%	71.5%	67.7%	64.8%

16 The exit poll questionnaire asked each voter: “What is your racial or ethnic identity (check as many as apply).” Valid responses were White, Latino, Hispanic, African American, Asian American, Native American, or other racial or ethnic group. As the exit poll allowed each voter to express multiple identities, some voters are included multiple times in this table if they identified with more than one racial or ethnic group. In the case of those who identified as Hispanics or Latinos, their responses to this question could be combined; that would produce results that are qualitatively similar to what is reported here, because the percentages of Hispanic and Latino voters who agreed with each question are quite similar.

Conclusion:

California voters were strongly supportive of the partisan blanket primary in 1998, and large percentages believed it offered them more choices, a fairer system and gave them candidates more representative of their interests. This positive approval for the partisan blanket primary has remained over the years. In a March 2009 PPIC survey, 59 percent of likely voters expressed approval for a nonpartisan blanket primary with a top two runoff.¹⁷

“Racial and ethnic minority voters believed that a more open primary process brought them more choices, more representative and moderate candidates, less negative campaigns and a fairer system.”

Importantly, in the two California exit polls, there were appreciable numbers of racial and ethnic minority voters. It is very important to emphasize that both of these data sources indicate that racial and ethnic minority voters – Latinos, blacks and Asians – all saw the partisan blanket primary in very positive terms. Like white voters, they believed that a more open primary process brought them more choices, more representative candidates and a fairer system.

Furthermore, these data also indicate that racial and ethnic minority voters in California were more likely than white voters to also see two other benefits of the partisan blanket primary: That it made for more moderate candidates and less negative campaigns.

Racial and ethnic minority voters believed that a more open primary process brought them more choices, more representative and moderate candidates, less negative campaigns and a fairer system.

2. Crossover Voting in the 1998 Primary

The partisan blanket primary offered voters unique primary election choices. In the closed primaries prior to 1998, California voters could only participate in a particular party's primary election if they had indicated that party on their registration form. Only registered Democratic voters could cast ballots in the Democratic primaries, only registered Republican voters could cast ballots in the Republican primaries, and so on for the other parties. In the 1998 primaries, a registered Democratic voter could vote for a Democratic candidate in one race, a Republican candidate in another race, and so on.

One important question regarding the partisan blanket primary is the extent to which voters registered with one party took advantage of the opportunity to cast a ballot for candidates of a different party; another important question is the extent to which DTS voters, those who had not expressed a party affiliation when they registered, voted for Republican, Democratic, or other party candidates. This is called “crossover voting.”

There are many reasons why a party registrant might crossover in any type of blanket primary to support a candidate of another party in a particular race and those reasons depend on both the

¹⁷ PPIC Statewide Survey, *Californians and Their Government*, March 2009.

voter's preferences and the context of the race. Some crossover voters would be motivated to support another party's candidate for completely sincere reasons: they will want to crossover to support a well-regarded and well-known incumbent candidate running in the opposite party primary. Or they may be motivated to crossover and support a candidate of their choice because they find the background, traits or other attributes of the candidate compelling. Some important examples of such crossover voting behavior are instances where racial or ethnic minority voters would crossover to support a candidate in the other party's primary who shared their racial or ethnic identity.

Appendix 3 provides a detailed discussion of both the extent of crossover voting and an analysis on the motivations of crossover voters. To summarize that detailed discussion:

- Academic research has shown that voters did crossover in the partisan blanket primary (and that more generally voters crossover in open primaries). Importantly, this research literature has also found that most crossover voting is sincere, as voters crossover to support candidates they like. There is little evidence for so-called “raiding” or other forms of malicious crossover voting.
- Analysis of exit polling data in statewide races in 1998 shows that:
 - In the 1998 gubernatorial primary, according to one statewide exit poll, 88 percent of registered Democrats voted for a Democratic candidate and ten percent of registered Democratic voters in the exit poll sample crossed over to vote for a Republican candidate. On the other hand, 72 percent of Republican voters supported a Republican candidate, with nearly 26 percent of Republican voters crossing over to vote for a Democratic gubernatorial candidate. As discussed in Appendix 3, these crossover voting statistics for Democratic and Republican voters make sense.
 - In the U.S. Senate primary, most Democrats cast votes for a Democratic candidate (81 percent), with only 17 percent of Democrats crossing over into the Republican primary and three percent into some other party's primary. A nearly identical percentage of Republican voters (nearly 86 percent) cast ballots for a Republican candidate, with 12 percent of Republican voters voting for a Democratic candidate and two percent crossing into another non-major party's race. These crossover voting numbers make sense given the context of this race.
 - In the state attorney general's race, there were relatively competitive Democratic and Republican contests. More than eight in ten Democratic voters, and a similar percentage of Republican voters, cast ballots for candidates from their party. Fourteen percent of Democratic voters and 12 percent of Republican voters crossed over despite the competitive race in their own party's primary. Nearly 60 percent of DTS voters, however, participated in the Democratic primary; only about a third voted in the Republican contest. Minor party registrants split pretty evenly, with about a third participating in the Republican contest, a third in the Democratic contest and a third in a minor party primary.
- Analysis of exit poll data from five Assembly district races showed that voters crossed over in predictable ways, typically crossing over to cast ballots in more competitive primaries. In these five Assembly districts races, there was little evidence of malicious crossover voting.
- The evidence from both exit poll studies indicates that minority voters also took advantage of the opportunity the partisan blanket primary provided to crossover and vote for candidates of their choice.

Chapter 3

Effects of a Blanket Primary on Legislators, Voters, Candidates and Parties

1. Effects on the Legislature

The popular literature on blanket primaries stresses that they help “elect more moderate legislators.” Strictly speaking, this is neither the goal nor the effect. “Political moderate” is a term not easily defined. Generally, it is thought to be a legislator more willing to cross the aisle on major issues and work with the opposite party.

But that can easily include someone of strong philosophical beliefs. More precise terms than moderate are “pragmatic and less rigid.” There is evidence that legislators fitting this description were elected during the two cycles of the partisan blanket primary in California. For one thing, candidates had to appeal to independent voters and voters of the other party. Thus when they arrived in Sacramento, they were more accustomed to a variety of opinions, not just the narrower electorate that has been the case since.

They also were aware that re-election required a broader appeal than just the militant partisans among their constituents, so many tempered their behavior to strengthen their re-election chances.

The two cycles of the partisan blanket primary in 1998 and 2000 were very favorable to Democratic candidates and Democrats increased their numbers in both the Legislature and the congressional delegation, as well as winning the governorship and most statewide offices. However, Republicans did maintain one-third of each house.

So the political balance during the partisan blanket primary years was not unlike today. But there is evidence that more pragmatists were elected in those years. Thus opening the primary process, as Proposition 198 did, should lead to some number of more pragmatic legislators being elected.

The Democrats

The year 1998 saw the emergence of the Moderate Caucus among legislative Democrats. It was first headed by Assemblyman, now Congressman, Dennis Cardoza (D-Modesto). Later it was headed by Assemblyman Joe Canciamilla (D-Richmond), who had the reputation of being the most maverick of any member of the Democratic Caucus. Canciamilla made it clear that the Moderate Caucus would limit itself to business-related issues. “We don’t get involved in noneconomic issues,” he once said.¹⁸ In many cases since 1998, the moderate Democrats have worked with Republicans to change or kill legislation they view as harmful to job creation.

The “Mod Squad,” as they called themselves, broke with the larger Democratic caucus on some environmental and job-related issues. The group had a core membership of eight to 12 members in the early parts of this decade, but there are fewer today, especially in the Assembly. The membership was largely Central Valley legislators and Latinos from districts with large numbers of small business owners.

The Moderate Democrats grew out of the partisan blanket primary experience. In April 2000, the man described as “the ring leader of the Democrats pro-business caucus,”¹⁹ Robert Hertzberg, was elected

¹⁸ “Environmental Bills Suffer as Moderates Unite,” *Ventura County Star*, June 4, 2005.

¹⁹ “Speaker Hugsberg,” *California Journal*, June 2000, page 35.

Assembly Speaker. He served for two years and his speakership was generally viewed as a time of bipartisan cooperation in the Assembly. Speakers who followed Hertzberg were viewed as somewhat more partisan, and it was following Hertzberg and the demise of the partisan blanket primary that California began suffering its chronic budget battles.

The Republicans

Describing the 1998 legislative primary, the *California Journal* noted, “The blanket primary also may have helped produce more moderate candidates on the Republican side.”²⁰ Looking back over time that appears to have been the case.

Three Assembly Republicans elected in 1998 in the partisan blanket primary, Dick Dickerson (R-Redding), Anthony Pescetti (R-Elk Grove) and Mike Briggs (R-Fresno), later voted with the Democrats to pass a Gray Davis budget. All three were eventually driven from the Legislature and denied opportunities to move up in politics after the primary was once again closed, a signal to their colleagues not to cross the aisle and help majority Democrats pass legislation.

One Republican actually tried to forge a formal relationship with like-minded Democrats. Assemblyman Keith Richman (R-Northridge) worked closely with Assemblyman Canciamilla. Other pragmatists were elected under the partisan blanket primary, but their ability to affect legislation was diminished after the partisan blanket primary was overturned.

The partisan blanket primary also produced three Latino Republicans who won the GOP nomination in safe Republican districts. Only one, Senator Abel Maldonado (R-Santa Maria), is still holding office. The nomination of additional Latino Republicans in safe GOP districts ended after the primary was once again closed, although a Latina Republican, Assemblywoman Bonnie Garcia, did win three terms from a marginal district.

The two-year partisan blanket primary cycle saw the election of some pragmatists in both caucuses, but it did not dramatically change the Legislature. Most members remained committed to the political needs of their own party. But there were enough pragmatists that budgets were passed on time and members did manage to forge more bipartisan coalitions than are apparent today.

Analytical Research

Academic researchers also have looked at how primary processes affect legislative and candidate behavior. For example, Elisabeth Gerber and Rebecca Morton (1998) examined Americans for Democratic Action scores in U.S. House elections and found that winners in those races who ran in some type of open primary were typically more moderate than those who ran in a closed primary.²¹ Gerber, in a similar analysis that examined data from California in the wake of the 1998 partisan blanket primary, found evidence that it had a moderating effect, especially in legislative races.²²

²⁰ “Primary 1998,” *California Journal*, July 1998, page 9.

²¹ Elisabeth R. Gerber and Rebecca B. Morton, “Primary Election Systems and Representation,” *Journal of Law, Economics, and Organization*, 14, 2, 304-324, 1998. ADA scores are indices developed by Americans for Democratic Action, based on how members of Congress vote on a set of important key issues in each session; they are commonly used as measures of the ideological positions of members of Congress.

²² Gerber wrote in her conclusion: “The blanket primary seemed to make some difference in the competitive U.S. Congressional primaries, with moderates prevailing more often than extremists. And it clearly made a difference in the State Assembly races, leading to the nomination of a significantly greater number of moderates in 1998 compared to 1996.” See Elisabeth R. Gerber, “Strategic Voting and Candidate Policy Positions,” in Bruce E. Cain and Elisabeth R. Gerber, *Voting at the Political Fault Line: California’s Experiment with the Blanket Primary*, Berkeley, University of California Press, 2002, pages 192-213, quoted from page 210.

In a recent study, Betsy Sinclair and Michael Alvarez (2009) examined in detail how legislative behavior among California’s Assembly and Senate members might have changed as a result of the partisan blanket primary (1998-2000).²³ They use data from 1975 through 2006 and found that the partisan blanket primary appears to have produced legislators who were more likely to agree with other legislators, to compromise with other legislators and to have produced a higher rate of overall legislative agreement than found when the blanket primary was not in effect. Specifically, this research found that:

- The average rate of legislative agreement during the legislative sessions immediately following the partisan blanket primary is higher than during non-blanket primary sessions.
- The average rate of bipartisan agreement during the legislative sessions immediately following the partisan blanket primary is higher than during non-blanket primary sessions.
- Legislators elected during a partisan blanket primary year were more likely to agree with legislators who were not elected during such a year, relative to instances where neither legislator was elected in a partisan blanket primary year.

This research indicates that blanket primaries may facilitate the election of legislators who are more likely to compromise and agree with other legislators and is consistent with the findings on legislative behavior during the period of the partisan blanket primary discussed earlier.

2. Effects on the Voters

There is no question that voters liked the additional choices the partisan blanket primary provided them. In its post-election analysis of the 1998 primary, the *California Journal* wrote: “Widespread crossover voting marked California’s first ever blanket primary, providing the most dramatic change from primaries past. It took place at every level.”²⁴ The Journal went on to cite the *Los Angeles Times* exit poll showing that nearly a quarter of Republican voters cast a ballot in the Democratic primary for governor.

Higher interest was also noted by the Journal among minority voters. “The ’98 primary also marked another increase in Latino voting power. Latinos accounted for a record 13 percent of the vote, helping statewide candidates such as Democrats Cruz Bustamante and Diane Martinez win nominations for the lieutenant governor and insurance commissioner respectively.”²⁵

Crossover voting may have proven popular, but did not seem to affect many outcomes. The *California Journal* only cited one example in the 1998 statewide contests. “State Treasurer Matt Fong and businessman Darrell Issa ran about even among GOP voters, but Democratic voters opted for Fong by a two to one margin. Fong won nomination (to the U.S. Senate) by less than three percentage points.”²⁶ In the 2000 primary, a post-primary poll showed that two Republican Assembly candidates won the nomination with crossover votes while losing among voters of their own party.²⁷

There is no question that the partisan blanket primary brought more voters to the polls. Table 7 shows the turnout in the two cycles before the partisan blanket primary and in the cycles before and afterwards.²⁸

²³ Betsy Sinclair and R. Michael Alvarez, “Legislative Type and Behavior: The Blanket Primary Effect.” The University of Chicago, manuscript, February 23, 2009.

²⁴ *Ibid*, page 8.

²⁵ *Ibid*.

²⁶ *Ibid*.

²⁷ “Put a Blanket on Blanket Primaries,” *Los Angeles Times*, April 24, 2000, page B-7.

²⁸ California Secretary of State, Historical Voter Registration and Voter Participation in Statewide Primary Elections — 1914-2009.

TABLE 7			
Voter Turnout Before, During and After the Partisan Blanket Primary			
PRIMARY	REGISTERED	VOTES CAST	TURNOUT PERCENT
1990	12,981,429	5,386,545	41.5%
1992	13,569,248	6,439,629	47.5%
1994	14,171,411	4,966,827	35.0%
1996	14,523,363	6,081,777	41.9%
1998 (Blanket)	14,605,677	6,206,618	42.5%
2000 (Blanket)	14,631,805	7,883,385	53.9%
2002	15,280,808	5,286,204	34.6%
2004	15,091,160	6,684,421	44.3%
2006	15,668,439	5,269,142	33.6%
2008	16,123,787	4,550,227	28.2%

The relevant comparisons are the five non-presidential years prior to and following the partisan blanket primary: 1990, 1994, 2002, 2006 and 2008 (the presidential primary was separate in 2008). Turnout was 41.5, 35, 34.6, 33.6 and 28.2 percent in the non-blanket primary years and 42.5 percent in the partisan blanket primary year. In the closed primary presidential years, 1992, 1996, and 2004, the turnout was 47.5, 41.9 and 44.3 percent. In the presidential blanket primary year, it was 53.9 percent.²⁹

There also is academic research indicating that open primaries help produce a more representative electorate. Recent work by Karen Kaufman, James Gimpel and Adam Hoffman (2003), using exit poll data from 1998 and 2000, showed these effects. They concluded:

“Our results suggest that open primaries can result in a more ideologically moderate, and more ideologically convergent, electorate. Through the adoption of open primaries, Republicans’ primary electorates often wind up less conservative than their party following and Democratic electorates less liberal than theirs. These movements toward the ideological center certainly suggest that open primaries do conform to their founders’ intent, making for a primary electorate that is closer to the general electorate party following than traditional closed primaries.”³⁰

There is no question that the partisan blanket primary brought more voters to the polls.

3. Effects on Candidates

Candidates quickly adopted the new world of crossover voting, with specific appeals to crossover voters. The *California Journal*, in its 1998 post-primary analysis, noted, “The blanket primary changed campaign tactics and strategies. It caused candidates to engage in unprecedented tactical maneuvers. For instance,

²⁹ California Secretary of State, *Comparative Registration and Turnout in Statewide Primary Elections, 1994-2004*.

³⁰ Karen M. Kaufman, James G. Gimpel, and Adam H. Hoffman, “A Promise Fulfilled? Open Primaries and Representation.” *Journal of Politics*, 65, 457-476, 2003, quoted from page 471.

Republican candidates such as Assemblyman Rico Oller bought space on Democratic slate mailers; Democratic hopefuls such as Assembly candidate Frances Gracechild appeared on GOP slates.”³¹

The Gracechild race is an interesting example of the tactics employed in crossover voting. She was running in the 9th Assembly district, a safe Democratic seat. Her opponent, Sacramento City Councilmember Darrell Steinberg, was an overwhelming favorite. However, to appeal to Republicans to crossover in the primary, Gracechild highlighted her agreement with Republicans on gun issues and took money from the gun lobby. Steinberg made a major issue of this to Democratic voters. While some Republicans may have crossed over to vote for Gracechild, Steinberg easily won the party with 45 percent to only 13 percent for Gracechild.

So appeals to crossover voters may not always be successful, especially if they involve alienating your own political base.

The most controversial legislative primaries under the partisan blanket primary occurred in Orange County and involved two safe Republican districts. In 2000, GOP activist Jim Righeimer ran in the 67th Assembly district. He had been an active supporter of an anti-union ballot measure in 1998. Labor decided to defeat Righeimer and sent mailers in support of a more moderate Republican, City Councilman Tom Harman. Harman came out on top by 9,000 out of 72,000 votes cast in the primary. It is clear that Democrats crossed over to defeat Righeimer, who claimed he had actually received more Republican votes than Harman. He filed an unsuccessful lawsuit to be named the GOP nominee after the partisan blanket primary was declared unconstitutional.

The second controversial race involved pro-choice Republican Lynn Daucher, who defeated two pro-life Republicans in the neighboring 72nd district, again with crossover votes. This was not too much of a surprise; as the *California Journal* pointed out, she had outraised her opponents and the more conservative vote was split.³²

The two election cycle experiences with the partisan blanket primary show that some candidates were successful in forging coalitions and attracting crossover votes, but that other factors, such as divisions among base voters, affected the results. But all candidates were aware of the larger electorate in which they were running and of its impact in executing their campaigns.

4. Effects on the Parties in Washington State

The best test of the impact of the nonpartisan blanket primaries on political parties is the state that has actually used this system in an election, Washington State, where it was in effect for the 2008 election cycle. Washington voters have had long experience with the partisan blanket primary concept, but did not have experience with the nonpartisan blanket primary.

Impact on Statewide Candidates

In 2004, Washington had one of the closest gubernatorial contests in history, Democrat Christine Gregoire eked out a victory over Republican Dino Rossi by just 124 votes. The two met for a rematch in 2008. Ten candidates squared off in the nonpartisan blanket primary, but 95 percent of the voters opted for either Gregoire or Rossi. She led by a slight margin in the primary and won re-election by 53 to 47 percent in November’s top two runoff. It is clear that the blanket primary produced the two most popular and well-known candidates in the race for governor.

³¹ “Primary 1998,” *California Journal*, July 1998, page 9.

³² *California Journal*, 2000 Primary Election Report, April 2000, page 60.

The incumbent lieutenant governor, attorney general, secretary of state, state auditor and insurance commissioner sought re-election. Each received more than 50 percent of the vote in the primary and each was handily re-elected. The first-term state treasurer faced a Democratic primary opponent but prevailed. He defeated his Republican opponent in November. The incumbent Republican public lands commissioner faced a single Democrat in the nonpartisan blanket primary. He led by a slight margin in the August primary, but lost by a slight margin in November. The incumbent schools superintendent, a nonpartisan position, received only 39 percent in the nonpartisan blanket primary and lost in November.

Nothing about the nonpartisan blanket primary led to unusual or unqualified candidates or officeholders. As has always been the case in Washington, blanket primary results were somewhat predictive of the results in the general election.

Impact on Federal Candidates

Washington did not have a race for U.S. Senator in 2008. However, all nine members of the congressional delegation, six Democrats and three Republicans, sought re-election. Eight of the nine were in “safe” districts and these eight all received more than 50 percent in the blanket primary. In each case, the number two candidate was a member of the opposite party. The only hotly contested race was for the 9th Congressional district. Here, incumbent Republican Representative Dave Reichert outpolled his 2006 Democratic opponent, Darcy Burner, in the primary and he went on to win a narrow re-election in November.

As with statewide races, there were no unusual results in the federal races due to the nonpartisan blanket primary.

Impact on Legislative Candidates

Washington has an unusual system in that it has 49 legislative districts in which one state senator and two members of the House of Representatives are elected in each district. There were 123 legislative races, 98 for members of the House of Representatives and 25 for the Senate (not all Senate seats were up because senators serve four year terms).

Washington has a very heavily Democratic legislature with Democrats enjoying a 32 to 17 edge in the Senate and a 63 to 35 edge in the House. There was no major change in the makeup of the legislature in the 2008 election. Washington does not have term limits and all but 15 members of the legislature sought re-election. Only five legislators were defeated in the 2008 general election.³³

In Washington, candidates are not listed by party in the primary or the general election. They are allowed to express a preference for a political party or to show that they prefer no party. The Washington system does not nominate a party candidate for the general election. Senate Constitutional Amendment 4, which will appear on the June 2010 primary ballot, would enact a similar system in California. Lack of a party nominee is required to pass Supreme Court muster.

Eighty-seven of the 123 legislative contests involved one candidate who “prefers Democratic Party” and one who “prefers Republican Party.” Twenty-three candidates ran unopposed in the primary and general elections. Eight of the races involved two candidates of the same party and all eight were heavily one-party districts.

³³ “New Members for 2009 Session,” Washington State Legislature.

Five races involved Democrats not running against Republicans. In two cases the runoff was between “prefers Democrat” and “prefers no party.” One race was between “prefers Democrat” and “prefers Green Party;” one was between “prefers Democrat” and “prefers Libertarian Party;” and one was between “prefers Democrat” and “prefers Independent Party.”

Summary

It is obvious that voters in Washington were very satisfied with their incumbent officeholders. All statewide partisan officials won re-election except the Republican commissioner of public lands, and all but five legislators won re-election.

Washington has a stable political system and the voters wanted little change in 2008. In no way did the nonpartisan blanket primary harm the political parties. Both major parties had a “preferred candidate” in all statewide and federal races and in 87 of the 123 legislative races. In 23 legislative contests, there was no opposition and the incumbent legislator won re-election unopposed.

The Washington experience mirrors California’s experience in 1998 and 2000, although the California partisan blanket primary did include party nominees. In the 1998 primary race for governor, one major Republican and three Democrats ran. The fall runoff was between the two most popular of the gubernatorial candidates, Lieutenant Governor Gray Davis and Attorney General Dan Lungren, who were the obvious choices of Democratic and Republican voters.

However, in 2002, with the returned closed primary, incumbent Governor Davis manipulated the system to help nominate the candidate his political team felt would be easiest to defeat, businessman Bill Simon. Simon won the Republican primary that year against the early favorite, former Los Angeles mayor Richard Riordan. Davis spent \$10 million on ads attacking Riordan in the GOP primary and many observers credited these ads with Riordan’s defeat.³⁴

Davis won re-election that November, but voters were so angered by the choice and by Davis’ later conduct that they returned to something like the blanket primary in 2003 with the California governor’s recall. They elected Arnold Schwarzenegger governor in October 2003 without the benefit of any primary at all, choosing him from a list of more than 100 candidates who qualified for the recall ballot.

California voters themselves seem to be abandoning the two parties. They accounted for only 76 percent of registered voters in November 2008, the lowest percentage ever, and DTS registration, at 20 percent of the total, is the highest in its history. Voters are de-aligning from the major parties.

³⁴ “Cross Politicking: Did Gov. Gray Davis spend \$10 million attacking GOP candidate Richard Riordan so he could face the more conservative Bill Simon in November?” *California Journal*, April 2002, page 14.

Chapter 4

How Independent and Crossover Voters Can Change Electoral Outcomes

An important impact of the rise in DTS voters is that there are many districts in which these voters could determine which candidates make the general election in a nonpartisan blanket primary. There also are many districts in which voters crossing over from the opposite party could affect the outcome.

1. Crossover Voters

District lines will change in 2011. Thanks to Proposition 11 there should be no more gerrymanders, although there will still be many one-party districts. Compared to 1998, however, there are likely to be fewer districts that are so overwhelmingly one-party that crossover voters would not be a factor.

Here are the Assembly districts that have a majority registration (over 50 percent) of one party. All are Democratic and most are in the San Francisco Bay Area or Los Angeles County.

Republicans no longer have a single Assembly district with over 50 percent Republican registration:³⁵

50 Percent-Plus Assembly Districts: AD 6, 7, 9, 11, 12, 13, 14, 16, 18, 19, 23, 39, 42, 45, 46, 47, 48, 50, 51, 52, 55, 57, 58, 62.

In these 24 districts, crossover voters are likely to play a lesser role because each district is so overwhelmingly one-party. These districts may be described as “low crossover potential.” This does not mean there will be no crossover voting and, given the right circumstances, the crossover vote could prove to be important. But the demographics of these districts suggest this is less likely.

Within this group of districts there also are districts in which Republican registration is less than 20 percent. In these districts, there are too few voters for partisan crossovers to play a major role.

Here are the overwhelmingly one-party districts (all are Democratic; Republicans are less than 20 percent of registered voters):

Less than 20 Percent Republican Districts: AD 9, 12, 13, 14, 18, 23, 39, 42, 45, 46, 47, 48, 50, 51, 52.

These 15 districts may be described as “extremely low crossover potential.” However, these also are the districts with the greatest potential for a top two runoff of two members of the same party.

The remaining districts may be classified as “high potential crossover.” In these districts, no party has a majority of registered voters:

No Party Registration Majority: AD 1, 2, 3, 4, 5, 8, 10, 15, 17, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 43, 44, 49, 53, 54, 56, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80.

³⁵ All district registrations in this section are for the 15-day registration close. California Secretary of State, Report of Registration, October 20, 2008.

This is 56 of the 80 Assembly Districts. In these districts, crossover voters could play a key role in determining one or both of the top two candidates in a nonpartisan blanket primary.

2. Decline to State Voters

In the 2008 general election, DTS voters accounted for 19.91 percent of registered voters. Counting the members of the American Independent Party who registered that way to show their independence, this means that over one-fifth of California voters today think of themselves as independents.

The independent vote is spread throughout California; every Assembly district has at least 10 percent DTS registration. However, there are some concentrations of independent voters. Here are the Assembly districts where the DTS percentage is greater than its statewide registration:

20 Percent-Plus DTS Registration: AD 1, 6, 8, 12, 13, 14, 16, 18, 19, 20, 21, 22, 23, 24, 39, 40, 41, 42, 43, 44, 45, 49, 53, 60, 68, 70, 73, 74, 75, 76, 77, 78, 79.

Of these 33 Assembly districts, 27 are Democratic, only six are Republican. There is an interesting ethnic and geographic concentration. Districts with a high percentage of Asian voters have a high percentage of independents. The highest DTS registration is found in AD 31-San Francisco (31.7 percent), AD 20-Southern Alameda (27.5 percent), AD 22-San Jose (30.4 percent) and AD 49-Monterey Park (26.9 percent). All of these districts have a high Asian population.

Geographically, districts with high independent voters are found in the Bay Area counties of San Francisco, Alameda and Santa Clara; the western part of Los Angeles County and the San Gabriel Valley; southern Orange County and San Diego County. Interestingly, this includes the most Democratic part of California, San Francisco and Alameda Counties, and the most Republican part, Southern Orange and San Diego Counties.

But the differences ethnically and geographically are marginal. Independent voters are found throughout the state and with all voter and ethnic groups. And there is every reason to anticipate that the independent vote will continue to grow.

3. Same Party Runoffs

It is probable there will be some top two runoffs of members of the same party. This is most likely in overwhelmingly one party districts. Paul Mitchell, a political consultant, looked at primary election contests in 2008 and found 10 districts in which a nonpartisan blanket primary would have pitted members of the same party against each other. Interestingly, all these were heavily Democratic districts.

He listed the following districts as possible same party runoffs in 2008:

Senate:

- SD 3: Leno vs. Migden
- SD 9: Hancock vs. Chan
- SD 23: Pavley vs. Levine
- SD 25: Wright vs. Dymally

Assembly:

- AD 8: Cabaldon vs. Yamada
- AD 14: Skinner vs. Thurmond
- AD 19: Hill vs. Papan
- AD 46: Perez vs. Chavez
- AD 52: Hall vs. Harris-Forster
- AD 62: Carter vs. Navarro³⁶

Further analysis indicates that there are two additional Assembly races, AD 64 and AD 71, that also might have produced same party runoffs in 2008: Nestande vs. McCarthy and Miller vs. Blais. These are both Republican districts, and no Democrat filed in 2008.

This is twelve of the 100 legislative districts up for election in 2008. However, this list is not predictive; there is no way of knowing how many same party general elections will result under the nonpartisan blanket primary. In Washington State, there were eight same-party runoffs out of 123 elections.

It is important to note here that in some of these cases voters had no choice in the general election because there either was no or only token opposition in the June primary. This is the case in AD 14, 62, 64 and 71. In each of those cases, a nonpartisan blanket primary might have resulted in a general election providing more choices for voters than they have in the current system.

“The independent vote is spread throughout California; every Assembly district has at least 10 percent DTS registration.”

³⁶ Paul Mitchell study as quoted in *The Roundup*, February 20, 2009.

Chapter 5

Minority Voters and Blanket Primaries

1. Crossover by Minority Voters

The June 1998 *Los Angeles Times* primary exit poll showed that minority voters approved of the blanket primary and found it beneficial. The exit poll sample was large enough to look at whether minority voters crossed over in making their primary choices.

The exit poll data indicated that the partisan breakdown of the primary electorate was 48 percent Democratic, 40 percent Republican and 6 percent Decline to State. The poll also found that 69 percent of voters in the blanket primary were white, 14 percent were black, 12 percent were Latino and three percent were Asian.

Among white voters in the exit poll data, 39 percent were Democratic, 51 percent Republican and five percent DTS. Black and Latino voters were much more likely to be Democratic, with 78 percent of blacks being Democrats, seven percent being Republican and nearly ten percent DTS. Latinos in the exit poll data were 72 percent Democratic, 18 percent Republican and five percent DTS. Asian voters had a partisan breakdown much like that of white voters, as 36 percent of Asian voters were Democratic, 48 percent Republican and seven percent DTS.

Table 8 shows crossover voting by race and ethnicity. Thirteen percent of white Democrats crossed over in the gubernatorial primary, 19 percent in the Attorney General primary and 21 percent in the U.S. Senate primary. For white Republicans, the general range of crossover voting rates are similar, with ten percent crossing over in both the Attorney General and U.S. Senate races, and nearly a quarter crossing over to vote in the Democratic gubernatorial primary.

But black, and to some extent Latino, primary voters behaved differently than white voters in crossover voting. Black Democratic primary voters were less likely to cross over than white Democratic primary voters. But black Republican voters (only seven percent of black primary voters) crossed over in very high percentages: 25 percent of black Republican voters crossed over in the gubernatorial race, 36 percent crossed over in the U.S. Senate race and nearly 57 percent of black Republicans crossed over to support Democratic candidates in the attorney general race.

Latino Democratic voters were slightly more likely to cross over than were black Democrats. Nearly six percent of Latino Democratic voters supported Republican candidates in the gubernatorial race, while 11 percent crossed over in the attorney general's race and nearly 14 percent crossed over in the U.S. Senate race. Crossover rates among Latino Republicans were much higher, as a quarter or more of Latino Republican voters (only seven percent of the Latino electorate was Republican) crossed over to support Democratic candidates in each of the three primaries included in the exit poll. Nearly half (47 percent) of the Latino Republican crossover vote in the attorney general's race went to Charles Calderon, a Latino legislator running for the Democratic nomination.

TABLE 8				
June 1998 Crossover Voting by Race and Ethnicity				
White and Black Voters				
GUBERNATORIAL PRIMARY	WHITE VOTERS		BLACK VOTERS	
	DEMOCRATIC	REPUBLICAN	DEMOCRATIC	REPUBLICAN
Democratic Candidates	84.47%	24.72%	94.35%	24.78%
Republican Candidates	13.21%	73.46%	4.52%	75.22%
Other Candidates	2.31%	1.82%	1.13%	0.00%
U.S. SENATE PRIMARY	WHITE VOTERS		BLACK VOTERS	
	DEMOCRATIC	REPUBLICAN	DEMOCRATIC	REPUBLICAN
Democratic Candidates	76.41%	10.25%	91.94%	35.99%
Republican Candidates	21.29%	87.95%	7.11%	64.01%
Other Candidates	2.31%	1.79%	0.96%	0.00%
ATTORNEY GENERAL PRIMARY	WHITE VOTERS		BLACK VOTERS	
	DEMOCRATIC	REPUBLICAN	DEMOCRATIC	REPUBLICAN
Democratic Candidates	77.09%	9.76%	93.18%	40.65%
Republican Candidates	18.91%	86.41%	5.15%	56.6%
Other Candidates	3.99%	3.83%	1.67%	2.74%
Latino and Asian Voters				
GUBERNATORIAL PRIMARY	LATINO VOTERS		ASIAN VOTERS	
	DEMOCRATIC	REPUBLICAN	DEMOCRATIC	REPUBLICAN
Democratic Candidates	91.78%	31.93%	78.64%	37.77%
Republican Candidates	5.74%	62.01%	21.36%	62.23%
Other Candidates	2.48%	6.05%	0.00%	0.00%
U.S. SENATE PRIMARY	LATINO VOTERS		ASIAN VOTERS	
	DEMOCRATIC	REPUBLICAN	DEMOCRATIC	REPUBLICAN
Democratic Candidates	86.19%	26.75%	65.16%	10.82%
Republican Candidates	13.58%	70.57%	34.84%	89.18%
Other Candidates	0.23%	2.68%	0.00%	0.00%
ATTORNEY GENERAL PRIMARY	LATINO VOTERS		ASIAN VOTERS	
	DEMOCRATIC	REPUBLICAN	DEMOCRATIC	REPUBLICAN
Democratic Candidates	86.66%	25.76%	82.21%	24.37%
Republican Candidates	11.05%	62.75%	17.79%	73.34%
Other Candidates	2.3%	11.49%	0.00%	2.29%

Asian Democratic voters also took advantage of the opportunities for crossover voting: nearly 18 percent of Asian Democrats crossed over in the attorney general’s race, 21 percent in the gubernatorial race and over a third (35 percent) in the U.S. Senate race. Nearly 90 percent of the Asian Democrats who crossed over in the Senate race cast a ballot for Asian Republican Matt Fong. Also, Republican Asian voters crossed over in each of the three races to vote for Democratic candidates: 11 percent of Asian Republican voters crossed over in the U.S. Senate race, 24 percent in the attorney general’s race and nearly 38 percent in the gubernatorial race.

Thus racial and ethnic minority voters crossed over, in some cases at relatively high rates, and in at least two instances (Calderon and Fong) the opportunity to cross over allowed members of some racial and ethnic minority groups to vote for candidates of their own racial or ethnic identity – a choice they would not have had if the same primary election had been closed to crossover voters.

2. Impact on Women and Minority Candidates

The number of women and minorities elected to the legislature increased during the two cycles of the partisan blanket primary, with more women and minorities holding office after the partisan blanket primary than before. Appendix 4 lists women and minority legislators elected before and after Proposition 198.

Going into the 1998 election, there were 20 women in the Assembly and seven in the Senate. There also were 20 minorities in the Assembly and seven in the Senate.

Following the 2000 election, there were 24 women in the Assembly and ten in the Senate, and there were 26 minorities in the Assembly and nine in the Senate.

Also, in the 1998 primary, for the first time in California history, four Latinos won nomination for statewide office: Cruz Bustamante, lieutenant governor; Ruben Barrales, state controller; Diane Martinez, insurance commissioner; and Gloria Matta Tuchman, superintendent of public instruction.

Proposition 198’s blanket primary helped accelerate the trend to more woman and minority candidates being elected in the 1990s. It was a complement to the arrival of term limits and the 1991 Court-masters redistricting that led to more open and competitive districts during that decade.

“The number of women and minorities elected to the legislature increased during the two cycles of the partisan blanket primary.”

Conclusion

Our argument in this report is simple: Some of the problems of California's political system can be solved by primary election reform, in particular the adoption of a nonpartisan blanket primary system. One proposal for nonpartisan blanket primary reform will appear on the June 2010 statewide ballot in California and it involves a primary similar to the former partisan blanket primary, with a runoff similar to the way California local officials are now elected. Washington State adopted the nonpartisan blanket primary process in 2004 and had a positive experience with it in 2008.

Here are the benefits of the nonpartisan blanket primary:

- Voters now disenfranchised by the closed primary would have a reason to participate because they could choose from all of the candidates in a district.
- Independent voters will have greater reason to participate in primaries.
- More voters of all parties will participate.
- Legislators will be forced to respond to a larger electorate.
- A top two runoff, which a nonpartisan blanket primary system produces, will provide more choice in the general election.
- Candidates would be protected from excessive influence by political parties or special interests.
- More representative, pragmatic, problem-solving legislators will emerge.

California governance cannot help but benefit from expanded participation in the political process.

Nonetheless, there is little doubt that a nonpartisan blanket primary proposal will meet with criticism, in particular as it would change the dynamics of electoral politics in California's legislative races. Politicians who have been elected through the closed primary system we have today in California, and the political interests who support them, would presumably argue that it represents an attack on the political parties, that it would harm minor parties and that mischievous voters would crossover to wreak havoc in other party primaries.

It is always possible in politics that electoral reform can have unanticipated consequences and that strategic politicians and political interests may figure out ways to evade or work around the intent of reform. As we have argued in this report, we think that these negative consequences are unlikely to occur however, and that instead, we see substantial merit for the nonpartisan blanket primary in California.

Of course, the nonpartisan blanket primary differs from the partisan blanket primary that was used in 1998 and 2000 in California, and Washington is a state that differs in important cultural, social and political ways from California. But we believe that the lessons from both the partisan blanket primary period in California, and from Washington State, tell us much about what we can expect from a nonpartisan blanket primary in California. They tell us that the nonpartisan blanket primary will benefit voters, that it will change legislative behavior and that it will resolve some of the problems with politics as it is now practiced in California.

Appendices

JUST THE FACTS

CALIFORNIA'S INDEPENDENT VOTERS

JANUARY 2008

- **INDEPENDENT VOTERS HAVE INCREASED IN SIZE AND SHARE OF THE ELECTORATE.**
 Between the 1988 and 2004 presidential elections, the share of California voters registered as “decline to state” doubled (9% to 17.7%), while the share fell for Democrats (50.4% to 43%) and Republicans (38.6% to 34.7%). Since 1988, the absolute numbers have shrunk for Democrats (7.1 to 6.6 million) and Republicans (5.4 to 5.2 million), while the number of independents today has more than doubled (1.3 to 3 million), and their share of the electorate has grown (9% to 19.3%).
- **INDEPENDENTS ARE MORE YOUTHFUL, MALE, EDUCATED THAN PARTISANS.**
 Independents (23%) have more likely voters in the 18-24 year-old age group than Democrats (17%) or Republicans (14%), while Republicans (44%) and Democrats (42%) are more likely than independents (32%) to be age 55 and older. A slightly larger share of independents (59%) than Republicans (54%) are male, while the majority of likely voters among Democrats are women (58%). Independents (57%) are slightly more likely than Democrats or Republicans (53% each) to have college degrees.
- **INDEPENDENTS ARE CONTENT IN THEIR REGISTRATION STATUS.**
 Among likely voters, 47 percent of independents say they have always been independents, while half say they were previously registered with a major party (25% Democratic, 25% Republican). When asked what they would do if there were a political party that reflected their views, most independents (69%) say they would still prefer to remain unaffiliated with any specific party, while 31 percent would join that party. When it comes to independents’ major party leanings, the Democratic Party holds an edge over the Republican Party (43% to 30%), while 27 percent of independents volunteer a response that they lean toward neither party.
- **INDEPENDENTS ARE MORE POLITICALLY MODERATE THAN PARTISANS.**
 A plurality of independents (39%) consider themselves politically moderate, while equal shares consider themselves liberal (31%) or conservative (30%). Most Republicans call themselves conservative (67%), and most Democrats liberal (53%). Independents tend to support abortion rights, environmental policies, gay marriage, expanding health coverage, and giving illegal immigrants a chance to keep their jobs and apply for legal status. Independents’ views on fiscal and tax and spending issues fall between the more polarized views of Democrats and Republicans.
- **INDEPENDENTS HAVE DIVIDED LOYALTIES AND CAN INFLUENCE ELECTIONS.**
 While most partisans support their party’s officeholders, PPIC surveys show the political flexibility of independents: Most disapprove of Bush (R), approve of Schwarzenegger (R), and approve of Democrats Feinstein and Boxer. With less than a majority of California voters registered in either major party, independents play an increasingly important role in deciding statewide elections. For example, in the 2004 presidential election, Republicans and Democrats supported their party’s candidates. Because 56 percent of independents supported the Kerry-Edwards Democratic ticket, Kerry-Edwards beat the Bush-Cheney ticket in California by 10 points (54% to 44%). In the 2006 gubernatorial election, Republicans and Democrats supported their party’s candidates, while 54 percent of independents backed Schwarzenegger, who won his reelection (56% to 39%).

Appendix 2

Primary Reform: Lessons From Four Elections

1. Proposition 198, March 1996

On March 26, 1996, California voters passed Proposition 198, establishing the partisan blanket primary for all partisan offices, including president. They did this following a low-key campaign – virtually no money was spent on either side. The vote was 58 percent in favor, 41 percent opposed. The most prominent opposition was from the Democratic and Republican Party chairs who signed the ballot argument opposing the measure.

A few days before the election, the Field Poll asked voters their preferences on this measure. They found that awareness of the measure was extremely low, only 48 percent of likely voters were even aware the measure was on the ballot. (The controversial measures that year included measures on no fault automobile insurance and class action lawsuits, where awareness was 79 percent and 63 percent respectively.)

But Field found that 26 percent of voters were inclined to support the measure and 17 percent were opposed when read the ballot label. The “yes” vote increased to 62 percent after the official summary was read.³⁷

Field’s survey and the final results demonstrate that the key to victory was the way the measure was presented to the voters. The attorney general prepared a ballot title and summary reading:

ELECTIONS. OPEN PRIMARY. INITIATIVE STATUTE. Provides that all persons entitled to vote, including those not affiliated with any political party, shall have the right to vote at any election for any candidate regardless of the candidate’s political affiliation. Provides for a single primary ballot on which, under the appropriate title for each office, the names and party affiliations of all candidates are placed randomly and not grouped by political party.

This could not have been a better title and summary. It stressed all the points that survey research has consistently showed will induce voters to vote for primary reform: more choice, more candidates, more voters. Anything that appears to increase voters’ choice and provide more opportunities for voters to participate in the electoral process will find favor, as Proposition 198 proved.

It also used the words “open primary” to describe the measure, although strictly speaking Proposition 198 was a “partisan blanket primary,” not the traditional “open primary” where voters are only allowed to pick the ballot of any party. Nevertheless, the key point in the ballot argument in favor of the measure was: “The Open Primary will permit every voter to select the best candidate for each office, regardless of party affiliation.”³⁸

2. Propositions 60 and 62, November 2004

A recent attempt to return California to a nonpartisan blanket primary failed in November 2004. As with the success of Proposition 198 in 1998, the reasons for the failure involved how the measure was presented to the voters.

Proposition 62 was an initiative constitutional amendment written to meet the Supreme Court’s mandate that a blanket primary was constitutional only if there were no party nominees on the fall ballot. Proposition 62 would have established a nonpartisan blanket primary.

³⁷ Field Poll, Final Pre-Election Measure of Voter Awareness and Preferences on Seven Primary Election Ballot Provisions, March 23, 1996.

³⁸ California Ballot Pamphlet, Primary Election, March 26, 1996, page 34.

The Attorney General's title and summary read:

ELECTIONS. PRIMARIES. Requires primary elections where all voters may vote for any state or federal candidate regardless of how a voter or candidate is registered. Only the two primary election candidates receiving most votes for an office, whether they are candidates with “no party” or members of the same or different party, would be listed on general election ballot.³⁹

It is immediately apparent that this is not as favorable a title and summary as Proposition 198's. It does not stress the openness of the primary process or the additional choice. It talks about “how a voter or candidate is registered” not the additional voter choice. In describing the general election following a nonpartisan blanket primary, it leads with the word “only,” implying a diminution of choice.

Any aspect of the measure that seemed to restrict choice cost it support, any phrasing of the issues to increase choice increased support. Unfortunately for proponents of Proposition 62, the ballot title and summary did not stress additional choice, but the limitations of the nonpartisan blanket primary.

There was no campaign to speak of in favor of Proposition 62, despite the support of Governor Schwarzenegger. The measure lost by a vote of 46 percent in favor, 54 percent opposed.

A further complication factor for Proposition 62 was the presence of Proposition 60 on the ballot. Proposition 60 was a poison pill placed on the ballot by the Legislature specifically to kill Proposition 62 and it did the trick.

At the end of the 2004 legislative session, SCA 18 (Ross Johnson), a measure dealing with the sale of surplus property, was amended to stipulate that the Legislature shall provide for primary elections for partisan office and that any party has a right to have a party nominee on the general election ballot. Proposition 60's passage would automatically render Proposition 62 unconstitutional.

A challenge was brought in state court that Proposition 60 dealt with two separate issues, surplus property and primary elections. Rather than excluding Proposition 60 from the ballot, the 3rd District Court of Appeal divided the measure and Proposition 60 became a standalone measure dealing with primary elections. Its title and summary read:

ELECTIONS, RIGHTS OF POLITICAL PARTIES. Provides the right for a political party participating in a primary election for partisan office to also participate in the general election for that office.

The Legislature wrote this very favorable title and summary to encourage people to pass the poison pill. It was written in such a way as to present itself as defending the rights of political parties, obviously a popular notion.

Further, the measure appeared on the ballot with no real argument against it and voters were completely unaware that it was intended to kill off another measure. That is because as a legislative constitutional amendment, it appeared on the ballot before an initiative constitutional amendment, so the voters would vote on Proposition 60 before they saw Proposition 62.

And legislators were able to write both sides of the argument. Two legislators, Senator Bill Morrow (R-San Diego) and Assemblywoman Sarah Reyes (D-Fresno), did not vote for the measure and were assigned the duty of writing the opposing argument. While Proposition 60 proponents wrote a strong argument in its favor, opponents Morrow and Reyes wrote a weak argument in opposition. Their final sentence read: “Proposition 60 does no harm, but voters deserve more. Voters deserve permanent protection for our primary system.”⁴⁰

³⁹ California Ballot Pamphlet, General Election, November 2, 2004, page 28.

⁴⁰ California Ballot Pamphlet, General Election, November 2, 2004, page 18.

This confusing argument was intended to give voters no reason to vote against the measure and it did its job. Proposition 60 passed by 68 percent to 32 percent. It carried every county and there was no partisan or ideological difference in the vote. It received 71 percent in liberal Alameda County and 65 percent in conservative Kern County.

Proposition 62 actually did reasonably well despite the forces allied against it. It ran in the middle 40 percent range in most counties. It received 44 percent in liberal Alameda County and 46 percent in conservative Kern County. But voters do not vote twice to “solve” a problem. Having solved the problem of primary elections with Proposition 60, many confused voters saw no reason to vote for Proposition 62.

3. Washington and Oregon: Similar States, Different Results

In 2004, Washington voters enacted a nonpartisan blanket primary law by a wide margin. Four years later, voters in Oregon defeated nearly the same proposal, also by a wide margin. Washington and Oregon are generally viewed as near mirrors of each other, with similar politics and demographics. How then could the results on the same measure be so different?

Washington: Initiative 872, November 2004

As a result of the Supreme Court decision declaring California’s Proposition 198 unconstitutional in 2000, Washington State’s 70 year-old blanket primary also was unconstitutional. Voters had long favored the Washington system and the Legislature made an attempt to restore it. A nonpartisan blanket primary bill passed in 2003, but was vetoed by then-Governor Gary Locke.

However, in 2004, the Washington State Grange and other reform groups qualified a measure for the ballot, Initiative 872, and that fall the measure passed with nearly 60 percent of the vote. The measure was immediately challenged in court, but in March 2008, the U.S. Supreme Court declared it constitutional. The high court said the measure did not impose a severe burden on political parties’ associational rights. The new system was used in the August 2008 Washington State primary.

Under Initiative 872, the names of the top two candidates in the primary are placed on the general election ballot, but candidates are allowed to say “prefers Democratic Party” or “prefers Republican Party.” While the candidates are not official party nominees, the voter knows which party the candidate “prefers.”

It is no great surprise that Washington voters favored this system. They had long experience with the blanket primary and voted to bring back a system that they were familiar with. But one factor in the strong showing for Initiative 872 was the ballot title that voters saw when they went to the polls. It read:

Elections for partisan offices. Initiative Measure No. 872 concerns elections for partisan offices. This measure would allow voters to select among all candidates in a primary. Ballots would indicate candidates’ party preference. The two candidates receiving most votes advance to the general election, regardless of party.⁴¹

This ballot summary stressed the most popular aspect of the Washington system, the fact that voters could select among all candidates on the primary ballot. It was more direct and less confusing in describing the voters’ options than the title and summary for California’s Proposition 62.

Voters were surveyed in October 2008 after they went to the polls to participate in the first nonpartisan blanket primary established by Initiative 872. The Washington Institute for the Study of Ethnicity and

41 Initiative 872, Washington State Ballot, General Election, November 2004.

Race (WISER), a research center at the University of Washington asked, “Do you support or oppose the top two primary system in Washington State that allows the two candidates receiving the most votes in the primary, regardless of party, to participate in the general election?”

Sixty percent of voters responded affirmatively while 32 percent opposed the new system. Support for the system was bipartisan: It was supported by 61.1 percent of Democrats, 54.3 percent of Republicans and 62.3 percent of Independents. It was supported more strongly by blacks than whites, with 74.4 percent of blacks supporting the top two primary and 58.6 percent of whites. Support also was stronger among those with low incomes (69.7 percent supported among those with less than \$40,000 income, relative to 56.5 percent among those with greater than \$100,000 incomes) and the young (72.5 percent of those 18-34 supported the top two, relative to 59.1 percent among those over 65).⁴²

Oregon: Measure 65, November 2008

Having seen the success in restoring the Washington system, Oregon reformers went to the ballot with a very similar ballot measure in 2008, Measure 65. It was sponsored by a former Democratic Secretary of State, Phil Keisling, with support from a former Republican Secretary of State, Norma Paulus. It had the strong support of the state’s largest newspaper, *The Oregonian*, and the Oregonian’s top political writer, Jeff Mapes, wrote in August 2008 that the measure, “just might squeak through without any big-dollar campaign against it.”⁴³ Keisling said his private polling showed the measure should pass with 70 percent of the vote.

But on Election Day, Measure 65 lost. Only 34 percent of voters supported the measure and 66 percent voted against it. What happened? For one thing, the measure had a very confusing ballot summary, and was the last of 12 measures on the Oregon general election ballot. The ballot title and summary read:

CHANGES GENERAL ELECTION NOMINATING PROCESSES FOR MAJOR/MINOR PARTY, INDEPENDENT CANDIDATES FOR MOST PARTISAN OFFICES. A “Yes” vote changes general election nominating processes for most partisan offices. All candidates run in single primary, top two primary candidates compete in general election.⁴⁴

This confusing title was imposed by an Oregon Superior Court and replaced a more direct title originally prepared by the Oregon attorney general that read:

ESTABLISHES OPEN PRIMARIES. ELECTORS VOTE REGARDLESS OF PARTY AFFILIATION. TWO CANDIDATES PROCEED TO GENERAL ELECTION.

This version of the Oregon title contained language about giving voters additional choices. But the final version was far more confusing than the Washington title. And Oregon voters, unlike those in Washington, had no experience with the blanket primary concept.

There is another reason for the defeat in Oregon. Proponents constantly talked about Measure 65 being an “open primary.” Richard Winger, a strong opponent of nonpartisan blanket primaries, noted in his publication *Ballot Access News*:

Measure 65’s supporters may have injured their cause by consistently referring to it as “the open primary.” Since the ballot didn’t include that term, it is possible that some voters decided they wished to vote “Yes” on “the open primary” but when they read their ballot, they saw nothing about an “open primary.”⁴⁵

⁴² We thank Professor Matt A. Barreto, Acting Director of WISER, for providing us with these statistics from the October 2008 poll.

⁴³ “Open Primary Initiative May Skate Through Election,” *The Oregonian*, August 7, 2008.

⁴⁴ Measure 65, Oregon General Election Ballot, November 2008.

⁴⁵ “Oregon Voters Defeat Top-Two by 2-1 Margin,” *Ballot Access News*, Vol 24, No 8.

Given the confusing ballot title and the lack of any reference to additional voter choice, as well as proponents' mistaken use of the term "open primary," the Oregon results are probably not an accurate measure of real public opinion on this issue.

4. Summary

There are a number of lessons to be learned from examining these four election experiences:

- It is difficult to educate voters on this issue. Even in Oregon with a well educated electorate, voters were confused by Measure 65's title and did not realize that this was the "open primary" proponents had been talking about.
- Voters are highly influenced by the title and summary. If it induces a "yes" vote, they will vote yes, if they are confused they will vote no.
- Voters are most likely to vote "yes" if they see that the measure gives them more choice and opens up the political process.
- They are more likely to vote "no" the greater the emphasis on "only the top two candidates" in the general election.
- Voters bring no pre-conceived notions to this issue. Thus they can be easily swayed by a poison pill alternative.

Appendix 3

Detailed Crossover Voting Analysis

Motivations for Crossover Voting

The partisan blanket primary offered voters unique primary election choices. In the closed primaries prior to 1998, California voters could only participate in a particular party's primary election if they had indicated that party on their registration form. Only registered Democratic voters could cast ballots in the Democratic primaries, only registered Republican voters could cast ballots in the Republican primaries and so on for the other parties.

However, the partisan blanket primary allowed any registered voter, regardless of party registration, the opportunity to cast a vote for any candidate running in the primary, regardless of the candidate's party affiliation. This meant that in the 1998 primaries, for example, a registered Democratic voter could vote for a Democratic candidate in one race, a Republican candidate in another race and a Green candidate in a third race.

Thus one important question regarding the partisan blanket primary is the extent to which voters registered with one party took advantage of the opportunity to cast a ballot for candidates of a different party. Another important question is the extent to which DTS voters — those who have not expressed a party affiliation when they registered — voted for Republican, Democratic or other party candidates. This is called “crossover voting.”

There are many reasons why a party registrant might decide to cross over in a blanket primary, which depend on both the voter's preferences and the context of the race. Some crossover voters may be motivated to support another party's candidate for sincere reasons; for example, to support a well-regarded and well-known incumbent candidate running in another party primary. Or they may be motivated to cross over and support a candidate of their choice because they find the background, traits or other attributes of the other party's candidate compelling. One important example of such crossover voting behavior might be instances where racial or ethnic minority voters want to crossover to support a candidate in another party's primary who shares their racial or ethnic identity.

Other types of sincere crossover voting are those based on issue or ideological similarity. Consider a moderate Republican voter, faced with the choice between two very conservative Republican candidates, while in the Democratic primary a moderate Democrat is running against a very liberal Democratic candidate. In a closed primary, the moderate Republican has little choice if he or she wants to cast a ballot — he or she will only have the option of voting for one of the two conservative Republicans, even though the moderate Democratic candidate might better represent him or her ideologically. But in a blanket primary, the voter can crossover and vote for the moderate Democrat, thereby casting a ballot for a candidate who the voter believes will best represent the his or her interests if elected.

Crossover voting might also be strategic. These types of crossovers, often called “raiders,” are voters of one party who might crossover to cast a ballot in the other party's primary in a deliberate attempt to force the nomination in the other party of an inferior candidate.

For example, consider a context where a Democratic candidate is running with little significant opposition in the Democratic primary, but there are two Republican candidates running, one who has traits or issue positions that will make a serious challenger to the Democratic nominee in the general election, while the other Republican candidate has traits or issue positions that make that candidate less competitive against the Democratic nominee in the fall. In such a situation, Democratic “raiders” can crossover into the Republican primary and vote for the weaker Republican candidate — in an effort to strategically undermine the Republican primary and thereby set up a general election contest that might be more favorable for the Democrats.

However, political science literature finds little evidence of “raiding,” and given the size of California’s districts, it is very unlikely raiding by individual voters could have much impact on the election. Not surprisingly, there is little evidence that any “raiding” occurred in California’s experience with the partisan blanket primary. For example, a study by political scientists Anthony Salvanto and Martin Wattenberg, using absentee ballot-image data from Los Angeles County, reached this conclusion: “We found no evidence that crossover voting involved deliberate strategic attempts by voters to raid the opposite party by aiding its weakest candidate.”⁴⁶ PPIC’s Mark Baldassare reported: “As respondents told us in our focus groups and reiterated in preelection polls and exit surveys, they voted for the candidates they liked the best.”⁴⁷ Other studies have reached the same conclusions.⁴⁸

The *Los Angeles Times* 1998 primary exit poll looked at crossovers in three statewide races. Voters in 99 polling places statewide were interviewed as they left their polling places and a total of 5,143 voters participated in this exit poll. The exit poll asked voters how they voted in three statewide candidate races on the 1998 primary ballot: the gubernatorial race, the U.S. Senate race and the race for attorney general. The exit poll also asked voters to indicate which party they were registered with, as well as other demographic information.

Crossover Voting in the 1998 Gubernatorial Primary

In the 1998 gubernatorial primary, according to the exit poll, 88 percent of registered Democrats voted for a Democratic candidate and ten percent of registered Democratic voters in the exit poll sample crossed over to vote for a Republican candidate. On the other hand, 72 percent of Republican voters supported a Republican candidate, with nearly 26 percent of Republican voters crossing over to vote for a Democratic gubernatorial candidate.

These crossover voting statistics for Democratic and Republican voters make sense. The Democratic primary had three major primary contenders (Al Checchi, Gray Davis and Jane Harman), while the Republican primary had one primary candidate (Dan Lungren). Nearly nine of ten Democratic voters cast ballots for a Democratic candidate, in a primary where their votes mattered. A quarter of Republican voters, however, decided not to participate in the Republican contest – where their vote would not decide the outcome – but instead crossed over to cast a ballot in the Democratic context.

The Democratic crossover vote went almost exclusively to Lungren, who in the end won the primary decisively; nine percent of Democrats voted for Lungren in the exit poll and only one percent of Democratic voters supported another Republican candidate. As these Democratic crossover voters were voting for the decisive winner of the Republican nomination, it is difficult to believe

46 Anthony M. Salvanto and Martin P. Wattenberg, “Peeking Under the Blanket: A Direct Look at Crossover Voting in the 1998 Primary,” in Bruce E. Cain and Elisabeth R. Gerber, editors, *Voting at the Political Fault Line: California’s Experiment with the Blanket Primary*, Berkeley: University of California Press, 2002, pages 124 -140.

47 Mark Baldassare, *California in the New Millennium: The Changing Social and Political Landscape*, Berkeley: University of California Press, 2000, page 64.

48 For examples of the research literature of primary election voting before the 1998 California blanket primary, see Alan Abramowitz, John McGlennon, and Ronald Rapoport, “A Note on Strategic Voting in a Primary Election,” *Journal of Politics*, 43, 899-904, 1981; Ronald D. Hedlund, “Cross-Over Voting in a 1976 Open Presidential primary,” *Public Opinion Quarterly*, 41, 498-514, 1977-1978; Ronald D. Hedlund and Meredith W. Watts, “The Wisconsin Open Primary, 1968-1984,” *American Politics Quarterly*, 14, 55-73, 1986; Ronald D. Hedlund, Meredith W. Watts and David M. Hedge, “Voting in an Open Primary,” *American Politics Quarterly*, 10, 197-218, 1982; Patricia Southwell, “Open Versus Closed Primaries: The Effect on Strategic Voting and Candidate Fortunes,” *Social Science Quarterly*, 72, 789-796, 1991; Gary Wekkin, “The Conceptualization and Measurement of Crossover Voting,” *Western Political Quarterly*, 41, 105-114, 1988; Gary Wekkin, “Why Crossover Voters Are Not ‘Mischievous Voters’: The Segmented Partisanship Hypothesis,” *American Politics Quarterly*, 19, 229-247, 1991. In addition to the Salvanto and Wattenberg study cited above, there were two other studies in that same 2002 volume edited by Cain and Gerber that reached the same conclusion using polling data: John Sides, Jonathan Cohen, and Jack Citrin, “The Causes and Consequences of Crossover Voting in the 1998 California Elections,” pages 77-106; and R. Michael Alvarez and Jonathan Nagler, “Should I Stay or Should I Go? Sincere and Strategic Crossover Voting in California Assembly Races,” pages 107-123.

that these Democratic crossover voters were trying to alter the Republican race to nominate a weaker Republican candidate.

The Republican crossover vote is somewhat more difficult to analyze. Of Republican votes, 70 percent went to Lungren, 13 percent to Davis, eight percent to Checchi and five percent to Harmon. Davis won this primary handily, so it is hard to imagine that most Republican crossover voters, those who supported Davis, were trying to nominate a weak Democratic candidate. And if that was their intention, they were wrong, as Davis defeated Lungren in the general election.

It appears that most of the major party crossover vote must have been sincere in nature, with voters crossing party lines to support candidates they like for some reason, rather than voters crossing party lines to nominate a weaker candidate.

In the exit poll data, DTS and other party registrants make up a relatively small component of the overall sample, with about six percent of the sample being DTS voters and another six percent being other party registrants. While a small fraction of the exit poll sample (and the electorate), they also are quite interesting to study in detail, as these voters are those who are most adversely affected by a closed primary.

In the gubernatorial primary, nearly 71 percent of DTS voters cast ballots for Democratic candidates: 42 percent of the DTS vote went to Davis, 15 percent to Harmon and 13 percent to Checchi. Twenty-three percent of the DTS vote went Republican, with nearly 21 percent of DTS voters supporting Lungren. Most of the other party registrants participated in one of the two major party gubernatorial contests, with nearly 47 percent voting in the Democratic primary (24 percent of other party registrants supported Davis, 14 percent supported Checchi and nearly eight percent supported Harmon) and 29 percent voting in the Republican primary. Clearly the DTS and other party registrants took advantage of the crossover voting opportunities afforded by the blanket primary in 1998.

The *Los Angeles Times* exit poll also looked at the U.S. Senate primary. Here, most Democrats cast votes for a Democratic candidate (81 percent), with only 17 percent of Democrats crossing over into the Republican primary and two percent into some other party's primary. A nearly identical percentage of Republican voters (nearly 86 percent) cast ballots for a Republican candidate, with 12 percent of Republican voters voting for a Democratic candidate and two percent crossing into another non-major party's race.

The U.S. Senate race in 1998 had Democratic incumbent Barbara Boxer running essentially unopposed in the primary, while on the Republican side there were two major candidates (Matt Fong and Darrell Issa) fighting for their party's nomination. It is important to note that Democratic voters faced an interesting decision: Vote for their popular incumbent or her nominal opponent, or cross over to cast a ballot in the competitive Republican primary. Eight in ten Democratic voters cast a ballot for a Democratic candidate (with Boxer getting nearly 73 percent of votes cast by Democratic voters). Few Democrats crossed over into the Republican primary and ten percent voted for Fong with five percent voting for Issa.

The setting for Republicans was different; they had a competitive two-candidate race between Fong and Issa, but still nearly 12 percent of Republican voters crossed over to participate in the Democratic contest despite the Fong-Issa race in their own party primary. But since ten percent of Republican votes went to Boxer, and only about two percent to her Democratic Party opponent, it is likely that these Republicans were deciding to cross over to support a popular incumbent candidate they liked and not trying to manipulate the outcome of the Democratic race.

The DTS voters mostly supported the Democratic incumbent: almost 58 percent of DTS voters cast a ballot for a Democratic candidate and 51 percent of DTS voters supported Boxer. Thirty-seven percent of DTS voters cast ballots for a Republican candidate, with 22 percent supporting Fong and 13 percent supporting Issa. Most of the minor party registrants participated in one of the two major

party contests, with a third of them voting for a Democratic candidate and more than a third voting for a Republican candidate.

The exit poll also looked at the state attorney general's race, which had relatively competitive Democratic and Republican contests. More than eight in ten Democratic voters, and a similar percentage of Republican voters, cast ballots for candidates of their own party. Fourteen percent of Democratic voters and 12 percent of Republican voters crossed over despite the competitive race in their own party's primary. Nearly 60 percent of DTS voters participated in the Democratic primary and only about a third voted in the Republican contest. Minor party registrants split pretty evenly, with about a third participating in the Republican contest, a third in the Democratic contest and a third in a minor party primary.

Summary

The *Los Angeles Times* exit poll data helps illustrate that in 1998, voters throughout California took advantage of the opportunities that the blanket primary provided for crossing over to vote for candidates in the primary outside their party of registration. In most cases, the motivations of crossover voters were clear and seem to have generally been of sincere motivation.

Crossover Voting in the 1998 Assembly Races

In association with Jonathan Nagler, Michael Alvarez and Tony Quinn designed and implemented an exit poll of 3,000 California voters in five Assembly districts as they left the polls on June 2, 1998.⁴⁹ This exit poll sought to determine whether voters in those selected Assembly districts were behaving sincerely or strategically.⁵⁰

The five Assembly districts included in this study were selected to fit one of three types:

- n Type One: Competitive Primary in a Dominant Party in an Electorally Safe District.
- n Type Two: Competitive Primary in One Party in a Competitive District Likely to be Hotly Contested in the Fall.
- n Type Three: Majority-Minority District.

The intention in the Type One districts was to see whether voters in the non-dominant party would cross over to vote in the competitive primary of the dominant party. (The districts selected as Type One were AD 9 in Sacramento and AD 75 in San Diego County.) Type Two districts were selected to study if voters in the non-competitive party primary would cross over strategically. (The Type Two districts were AD 53 [Los Angeles County] and AD 61 [predominately San Bernardino County].) The Type Three district was studied to see how racial and ethnic minority candidates and voters reacted to the blanket primary system. (The district selected was AD 49 in Los Angeles County.)

In both Type One and Two districts, voters in the exit poll reported crossing over as expected.

- n Type One:
 - AD 9 was a safe Democratic seat. Republican voters crossed over to participate in the Democratic primary (28 percent Republican crossover, compared to five percent

⁴⁹ Tony Quinn assisted in the selection of Assembly districts for the exit poll; Michael Alvarez worked with Jonathan Nagler on the design, implementation and analysis of the exit poll data.

⁵⁰ For more details about this study, see R. Michael Alvarez and Jonathan Nagler, "California and the Blanket Primary," April 29, 1999.

Democratic crossover). Republicans knew that if they wanted to cast an effective vote in their Assembly race, they needed to crossover.

- AD 75 was a safe Republican seat (with three candidates running for the Republican nomination). Democratic crossover was high (41 percent of Democrats crossed over), while Republican crossover was low (nearly six percent). Democrats understood that they needed to crossover to cast an effective vote.

■ Type Two:

- AD 53 was a district that early in the election season looked like it would produce a competitive general election, and there was only primary competition on the Democratic side. Nearly 24 percent of Republican primary voters crossed over into the competitive Democratic primary, with most Democrats staying home (only about six percent of Democratic voters crossed over).
- AD 61 is another district that looked like it would have a competitive general election. There was a contested Republican primary, but in the end the Democratic primary was more closely contested than originally thought in 1998. Here, crossover voting rates were lower because voters tended to vote in their own competitive party primaries (15 percent of Republicans and nearly 11 percent of Democrats crossed over).

The Type Three district, the majority-minority district, provided an excellent opportunity to test for some types of racial and ethnic crossover voting. There was no strong contest in the Republican primary. However, the Democratic primary had five candidates, including politically prominent Asian and Latina candidates (Judy Chu and Gloria Romero). Given that there was virtually no Republican primary contest, nearly all Democratic voters in the exit poll sample reported voting in the Democratic primary (only two percent of Democratic voters crossed over), while there was very strong Republican crossover voting reported in AD 49 – nearly 86 percent of Republicans crossed over to vote in the Democratic contest. It is important to note that the exit poll data revealed that nearly 82 percent of Asian voters in AD 49 supported Chu in the primary, while a slight majority of those who identified as Latino or Hispanic supported Romero in the primary (approximately 51 percent). Thirty-eight percent of Asian voters in AD 49 crossed over, which accounts for the high overall level of crossover voting for Chu. In the AD 49 exit poll data, one-third of Republican voters were Asian, but only 11 percent of non-Asian exit poll participants reported voting for Chu. Thus in this district in 1998, the blanket primary allowed voters from racial and ethnic minority groups to cast ballots for their candidates of choice, regardless of the voter's or candidate's partisanship.

Why did voters decide to crossover in the 1998 blanket primary? The Assembly district exit poll included a series of questions that were posed to determine the motivations for crossover voting, particular “raiding.” In the Type One and Two districts, the incidence of raiding was extremely low, ranging from zero to five percent. It was clear that most crossover voters were voting for their most-preferred candidate. In AD 49, there were few voters who provided sufficient information to be classified as raiders, indicating that raiding was unlikely a factor in that primary election.⁵¹ There again most crossover voters were seeking to vote for a candidate they liked best.

⁵¹ Six Republican voters in the exit poll sample for AD 49 provided survey responses that allowed them to be classified as raiders, compared to zero Democratic voters. There were 78 Republican voters in the AD 49 sample providing responses on voting behavior, and only 24 who provided enough information to attempt an analysis of their motivations.

Summary

The Assembly District exit poll data show that voters did crossover in these races, generally in expected ways, and especially to cast more meaningful ballots in competitive races. The exit poll data also are consistent with other research on the motivations of crossover voters, showing that most crossover voting is sincere and that little “raiding” occurs.

Appendix 4
Women/Minority Legislators Before and After Proposition 198

1997 SESSION (LAST ELECTION BEFORE THE PARTISAN BLANKET PRIMARY)			
WOMEN		MINORITIES	
ASSEMBLY	SENATE	ASSEMBLY	SENATE
Virginia Strom Martin	Barbara Lee	Deborah Ortiz	Barbara Lee
Barbara Alby	Cathie Wright	Liz Figueroa	Richard Polanco
Kerry Mazzone	Hilda Solis	Mike Honda	Hilda Solis
Valerie Brown	Teresa Hughes	Cruz Bustamante	Teresa Hughes
Helen Thomson	Diane Watson	Nao Takasugi	Diane Watson
Deborah Ortiz	Betty Karnette	Tony Cardenas	Charles Calderon
Carole Migden	Dede Alpert	Antonio Villaraigosa	Ruben Ayala
Dion Aroner	<i>(Total: Seven)</i>	Louis Caldera	<i>(Total: Seven)</i>
Lynne Leach		Kevin Murray	
Liz Figueroa		Rod Wright	
Elaine Alquist		Diane Martinez	
Sheila Kuehl		Martha Escutia	
Diane Martinez		Edward Vincent	
Martha Escutia		Carl Washington	
Debra Bowen		Sally Havice	
Sally Havice		Martin Gallegos	
Grace Napolitano		Grace Napolitano	
Marilyn Brewer		Joe Baca	
Susan Davis		Rod Pacheco	
Denise Ducheny		Denise Ducheny	
<i>(Total: 20)</i>		<i>(Total: 20)</i>	

**2001 SESSION
(REFLECTING THE FINAL ELECTION WITH THE PARTISAN BLANKET PRIMARY)**

WOMEN		MINORITIES	
ASSEMBLY	SENATE	ASSEMBLY	SENATE
Virginia Strom Martin	Deborah Ortiz	Wilma Chan	Deborah Ortiz
Patricia Wiggins	Jackie Speier	Manny Diaz	Liz Figueroa
Helen Thomson	Liz Figueroa	Simon Salinas	Richard Alarcon
Carole Migden	Sheila Kuehl	Sarah Reyes	Richard Polanco
Dion Aroner	Gloria Romero	Abel Maldonado	Gloria Romero
Lynne Leach	Betty Karnette	Tony Cardenas	Ed Vincent
Wilma Chan	Debra Bowen	Dario Frommer	Kevin Murray
Barbara Mathews	Martha Escutia	Carol Liu	Martha Escutia
Ellen Corbett	Nell Soto	Gil Cedillo	Nell Soto
Elaine Alquist	Dede Alpert	Herb Wesson	<i>(Total: Nine)</i>
Rebecca Cohn	<i>(Total: 10)</i>	Rod Wright	
Sarah Reyes		Judy Chu	
Hannah-Beth Jackson		Marco Firebaugh	
Fran Pavley		Jerome Horton	
Carol Liu		Carl Washington	
Jackie Goldberg		George Nakano	
Judy Chu		Jenny Oropeza	
Jenny Oropeza		Sally Havice	
Sally Havice		Ed Chavez	
Gloria McLeod		Tom Calderon	
Lynn Daucher		Bob Pacheco	
Pat Bates		Gloria McLeod	
Charlene Zettel		Rod Pacheco	
Christine Kehoe		Lou Correa	
<i>(Total: 24)</i>		Charlene Zettel	
		Juan Vargas	
		<i>(Total: 26)</i>	

About the Authors

T. Anthony Quinn has more than 40 years of experience with California government, including serving as consultant to the California Assembly for elections and reapportionment, director of economic research in the California Department of Commerce, and a member of the California Fair Political Practices Commission. He holds a bachelor's degree from Georgetown University, a master's degree in journalism from the University of Texas, and a doctorate in government from Claremont Graduate University. Dr. Quinn was an expert witness in the federal litigation involving Proposition 198, and has testified in several court cases regarding election laws.

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