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# Voter Turnout in Primary Elections

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## Summary

In June 2010, California voters passed Proposition 14 to authorize a new “top-two” primary election system. Previously, those registered with a party could only vote in that party’s primary, though independents were usually allowed to choose a primary they wanted to join for that election. Now under the top-two system, voters can vote for any candidate from any party, and the two candidates who receive the most votes, regardless of party affiliation, compete against each other in the fall general election.

California’s first experience with the top-two election system came in 2012. To the surprise of many, turnout was the second lowest on record. This has raised a host of questions about the new reform and about turnout in primary elections in general. Turnout issues are especially important for the top two. It makes it easier for candidates to build different coalitions of support, some of them across parties, making the complexion of the primary electorate potentially more important. It also sets the agenda for the fall election much more forcefully than the old system did. Only two candidates will advance, and they are not even guaranteed to be from different parties. As a result, who votes in primary elections and who does not has suddenly taken on a new urgency.

In this report, we examine voter turnout in California’s primary elections, both over time and in relation to other states. We discuss the factors influencing voter participation, policies that might improve turnout, and the ramifications of voter participation in primary elections, both generally and more specifically in the case of the new top-two primary system. We arrived at the following conclusions:

- California’s turnout in primary elections has been declining over time, but remains one of the highest of any state.
- California’s primary electorate is not representative of the general electorate. It is older and less likely to be either Latino or Asian American. It is also typically more Republican, and this partisan bias interacts with the top two to create or prevent same party contests in the fall, where the outcome might be different had the primary electorate looked more like the general. The bias has already strongly contributed to one same-party contest in a competitive seat, and may lead to others in the future.
- Compared to turnout in general elections, primary turnout is driven far more by the dynamics of individual candidate races and the presence or absence of initiatives on the ballot. This helps explain the lower turnout in 2012, since the presidential contests had been decided by the time California held its primary. The influence of initiatives also suggests that California’s recent decision to move all citizen initiatives to the general election ballot might depress primary turnout.
- Although turnout in 2012 was low, the top two may increase primary participation on balance since independents now receive the same ballot as everyone else by default. This has made it easy for them to make choices in the legislative and congressional races covered under the top two, since they no longer need specifically request a ballot that includes those contests. However, in the general election, another key feature of the reform appears to have discouraged vote choice, as many voters skipped the contests on the ballot where two Republicans or two Democrats faced off against each other.
- Contrary to some expectations, the new registration reforms in California—online registration and same-day registration—may not increase voter turnout in the primaries; these two reforms do not appear to have boosted primary participation in other states.

The top-two system currently bans independent or write-in candidacies in the fall election. Given the partisan and demographic biases of the primary electorate and the aggressive way in which the top-two primary winnows the field, it would seem prudent to have some option for a candidacy that could serve as a safety valve in the case of strange or unexpected outcomes in the primary.

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Technical appendices to this paper are available on the PPIC website:  
[www.ppic.org/content/pubs/other/514EMR\\_appendix.pdf](http://www.ppic.org/content/pubs/other/514EMR_appendix.pdf)

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# Introduction

California launched a new open primary election system in 2012. Under the old system, voters who were registered with a party received a ballot that included only the candidates of that party, while voters registered as independents (officially known as “decline to state”) could request a ballot for a particular party if the party decided to admit independents in that election. The downside of this system was that registered partisans in primary elections were able to vote only for candidates who were members of the same political party as themselves, and independents were often locked out of the vote entirely.

Under the new “top-two” primary system, every voter receives the same ballot and can vote for any candidate from any party for any office. The two candidates who receive the most votes (again, regardless of party) move on to the fall run-off election. In essence, the new system converts the primary into a first-stage general election, introducing the novel possibility of competition in the fall between candidates of the same political party.

Many had hoped that the additional choices offered to voters in the top two system would encourage participation in primary elections. Instead, turnout in the June 2012 primary was one of the lowest on record. Many questions have been asked in the wake of this outcome, while other questions that should have been asked have not been forthcoming. Was this low turnout brought on by the top-two system? What are the political consequences of lower turnout in the primary? Will California’s recent voter registration reforms—online registration and same-day registration—encourage participation in the primary stage?

Strong turnout in primaries has always been important (for one thing, smaller electorates are presumed to favor ideologues). Yet in a more traditional primary system—including the one which the top-two system in California replaced—voters are presented with limited choices. For example, a registered Republican can vote only for a member of the Republican party, no matter what the office might be. From a candidate’s perspective, this makes it difficult to build a coalition that reaches beyond core party identifiers. It also means that any differences between the partisan make-up of the primary electorate earlier in the year and the general electorate in the fall will have no consequence for candidate races, since the top vote-getter within each party always advances to the fall election.

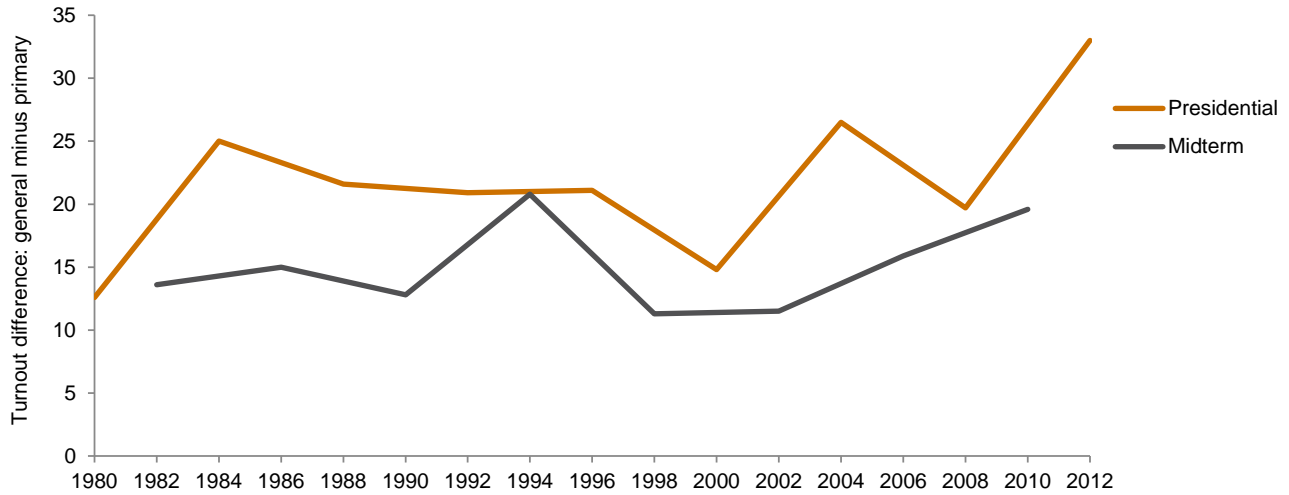
The new top-two primary system has altered this situation. Voters can now cross party lines to support candidates for reasons of ideology, personality, cultural affinity, or anything else they deem relevant. This greatly expands the number of theoretically possible coalitions, making the composition of the electorate more important. The partisan composition becomes especially relevant compared to the old system, because the top two candidates always advance, even if they are of the same party.

This report addresses these issues and others while exploring the topic of turnout in primary elections and the role of the top-two primary system. We begin by examining California’s turnout in primary elections, both over time and in relation to the experiences of other states. We then discuss the impact of open primaries on turnout in primary elections in other states, and some special effects that the top two has had on participation in California. We also look at the demographic and partisan differences between the primary and general electorates and the problems these differences create for the top-two system. Finally, the report looks at whether the new registration reforms are likely to have any impact on primary turnout moving forward. We conclude with thoughts on policy changes: both those that may be necessary, and those that probably are not.

# California's Primary Turnout in Perspective

Was the low turnout in California's 2012 primary a result of the top-two primary, an aberration, or neither? Figure 1 shows the gap between turnout in California's primaries and general elections as a share of all eligible voters; larger gaps indicate primary turnout is falling farther behind. We show this information for presidential elections, as well as for midterm elections when no presidential contest is on the ballot. It is clear that the gap has been growing, at least over the past few election cycles. (Figures B1 and B2 in Appendix B indicate that turnout has been declining in California's primaries for decades, although it has only recently grown worse relative to turnout in the general election.) While it may be too soon to consider this a clear trend, there is no question that voter turnout in primary elections has been heading in the wrong direction in recent years.

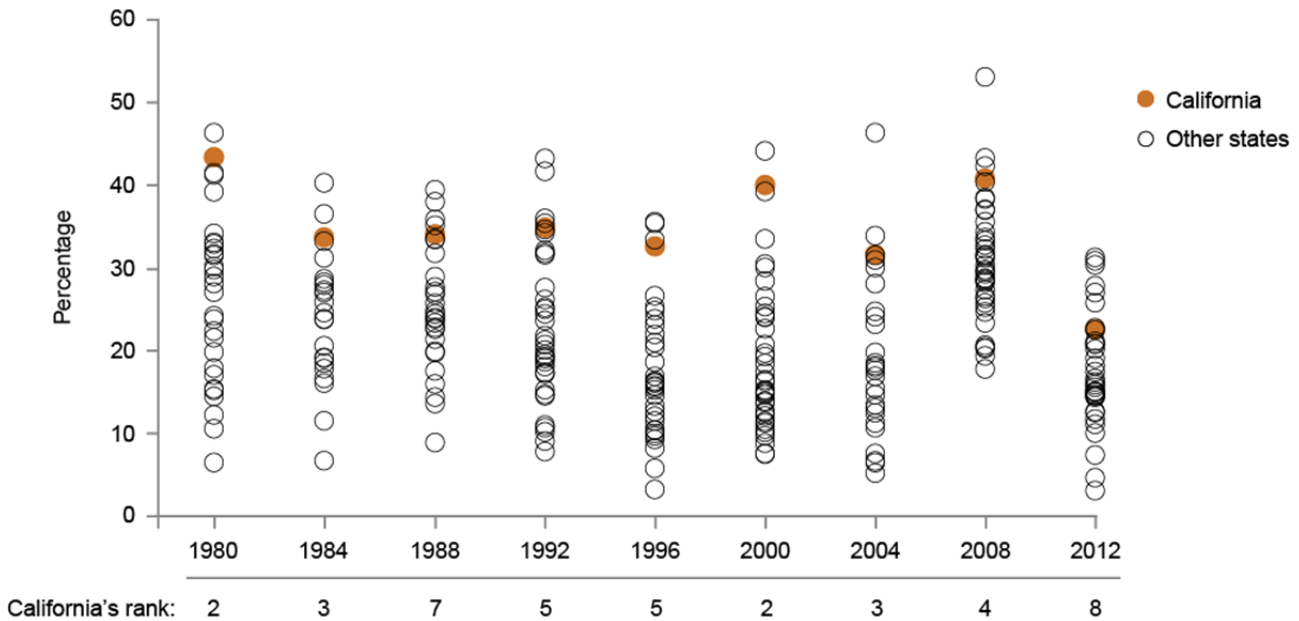
**FIGURE 1**  
The gap between general and primary election turnout has been growing



SOURCE: California Secretary of State.

At the same time, California's primary turnout has been and continues to be among the highest in the nation—always in the top ten among states (Figure 2). And while California's position slipped somewhat in 2012, it was still one of the best in the country. Thus, California's primary turnout would seem to be only a relative problem in terms of voter participation within the state.

**FIGURE 2**  
**California's primary turnout has been high compared to other states**



SOURCES: United States Elections Project (eligible voters, 1980-2012); National Conference of State Legislatures (ballot measure outcomes); Congressional Quarterly Voting and Elections Collection (election outcomes); various secretaries of state (election outcomes data).

It is difficult to say why turnout in the state's primary has been higher than in most other states. In many ways, California's demographic profile points toward lower turnout: the state's population is highly diverse and mobile and includes significant pockets of poor and less-educated residents. In fact, California's general election turnout is only average and, over time, has been slipping compared to other states (McGhee, 2014).

Election dynamics may explain some of the difference. Research has generally shown that, all else equal, closer general elections (including closer initiative campaigns) generate higher turnout (Geys, 2006; Tolbert et al., 2009; Childers and Binder, 2012). Our analysis suggests the same is true for primary elections. In fact, the dynamics of individual campaigns explain more of the turnout in primary elections than in general elections. In general elections, differences between states tend to be relatively fixed over time, with turnout rising and falling across *all* states from one election to the next, mostly in response to the presence of a presidential contest on the ballot. Primary elections are far more idiosyncratic; turnout is harder to predict and varies more in response to the competitive dynamics of the races on the ballot (see analysis in [Appendix A](#)).

If competitive, high-profile elections matter, then they ought to be drawing people to the polls in California. Some states have mixed caucus and primary systems that limit voter choices, or they do not conduct certain high-profile state contests, such as the election of a governor, in the same year as federal contests for the presidency or the U.S. Senate. Such is not the case in California, and our statewide primary elections for governor, U.S. Senate, and president have been slightly more competitive than those in other states. Even over time within California, turnout has been higher in years when our primary elections have been more competitive. For example, turnout was high in 1998, when there was a hotly-contested gubernatorial primary, and in the presidential primary of 2008, when both parties featured very competitive presidential contests. And California has experienced lower voter turnout in those elections that have not included highly competitive contests. For example, the 2008 election featured a separate June primary for all contests *except* the nomination for president, and turnout was the lowest on record. A similar case can be made for the

June 2012 primary: Although the presidential contest was on the ballot, neither the Democratic nor the Republican nominations were in doubt at the time.

More important, California has been one of only seven states to regularly place direct democracy measures on the primary ballot.<sup>1</sup> It has also used this option far more often, averaging nine measures per primary election compared to three or fewer for all other states. Over the past 30 years, California's primary turnout has been, on average, about 10 points higher than in the rest of the nation. The presence of initiative campaigns on the ballot appears to account for about half of this difference. Neither the closeness of the initiative contest nor the number of initiatives on the ballot seems to matter as much as the simple fact that at least one initiative is present on the ballot.<sup>2</sup> In contrast, while candidate competition explains a lot of the ups and downs across states and over time, it does not help explain California's unusually high primary turnout. California's candidate campaigns are only marginally more competitive than those in other states, not enough to explain the difference.

The effect of initiative campaigns deserves close consideration because of a recent policy change. The California Legislature, through SB 202 in 2011, offered a new interpretation of the state constitution and declared that all citizen initiatives must appear on the general election ballot.<sup>3</sup> As a result, the June 2014 primary will be the first in decades that does not include a statewide citizen initiative. However, the June ballot will not be devoid of all ballot measures: The legislature has placed two of its own proposals on the ballot, and it is possible that these two will be enough to draw voters to the polls. However, our analysis suggests that should future primary elections fail to include any initiatives on the ballot, primary turnout is likely to be between three and seven percentage points lower than it might otherwise be.<sup>4</sup>

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<sup>1</sup> The other states are Maine, Missouri, Nebraska, North Dakota, Oklahoma, and Oregon.

<sup>2</sup> These conclusions are based on a regression of primary turnout on the margin of victory in all initiative, presidential, gubernatorial, and U.S. Senate campaigns. The model also included dummies for the presence of each type of campaign, and fixed effects for states and years. Details of the model are available in [Appendix B](#). We also tried running the model with the number of initiatives in addition to the simple dummy for presence or absence, but this variable's coefficient was small, statistically insignificant, and bearing the wrong sign, while the dummy remained strong and significant. This suggests that it is the presence rather than the number of initiatives that matters.

<sup>3</sup> Ballot measures have long appeared on primary election ballots, although prior to 1972 they would appear on the ballot as "special" elections that just happened to coincide with the scheduled primary election. In 1972, the Secretary of State issued an opinion interpreting a key passage in the constitution as allowing initiatives to appear on the primary ballot. This interpretation was occasionally questioned in succeeding years, including by Chief Justice Rose Bird in *Brosnahan v. Eu* [(1982) 31 Cal.3d 1 ], where she argued in a footnote that the matter deserved revisiting. For a brief discussion of the history, see the bill analysis accompanying SB 202, available at [www.leginfo.ca.gov/pub/11-12/bill/sen/sb\\_0201-0250/sb\\_202\\_cfa\\_20110909\\_230915\\_sen\\_comm.html](http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0201-0250/sb_202_cfa_20110909_230915_sen_comm.html).

<sup>4</sup> This estimate is derived from the 95% confidence interval around the "ballot measure election" coefficient in Model 3 of Table B1. The estimated effect of a ballot measure election, according to that model, is 5.13 +/- 1.76.



# Open Primaries and Turnout

California's top-two primary system was adopted in part to encourage more voters to come to the polls. Yet turnout in 2012 was very low – the lowest, in fact, of any presidential primary in 90 years. As noted above, there are reasons to believe that this was at least partly due to low-key contests among the candidates for president and the U.S. Senate. But was it also an indictment of relying on open primaries to increase turnout? It certainly seems unlikely that expanding the primary electorate to include independents would actually *discourage* turnout. In California's case, the change in the format of the primary was not as significant as it might at first appear, since independents were allowed some participation in primaries before 2012. Nonetheless, the question remains: Do open primaries have any consistent effect on turnout?

Our analysis suggests that open primaries have not been associated with higher turnout in the states that have used them over the past 30 years, at least in the cases where “open” meant any system that allowed independents to participate in some way in the election. While this curious result is fairly robust, we should be cautious about extrapolating too much from it. Part of the explanation is that independents do not participate as often in primary elections in the first place.<sup>5</sup> In California, where the rate of independent registration is about average for the nation as a whole, independents have never amounted to more than 14 percent of primary voters over the past five election cycles. And independents appear to represent an even smaller share of all registrants in closed primary states, meaning more of the electorate is composed of partisan voters who are more dependable about showing up at the polls.<sup>6</sup> Thus, in open primary states, the potential electorate is much larger because independents can participate, but those extra potential voters do not turnout to vote at the same rates; in closed primary states, the potential electorate is limited to partisan voters, but there are relatively more of them and they are more reliable at showing up. The two differences may neutralize each other and suggest no effect on turnout from open primaries.

If overall turnout is about the same under an open primary, turnout *volatility* is higher. In closed primary states, fixed differences between states explain much of the electorate's size: States with high turnout in one election tend to have high turnout in the next. By contrast, the turnout in open primary states varies from election to election. The dynamics of competition appear to explain a lot of this difference: Once they are factored in, turnout in open primary states becomes about as predictable as in states where primaries are closed.<sup>7</sup>

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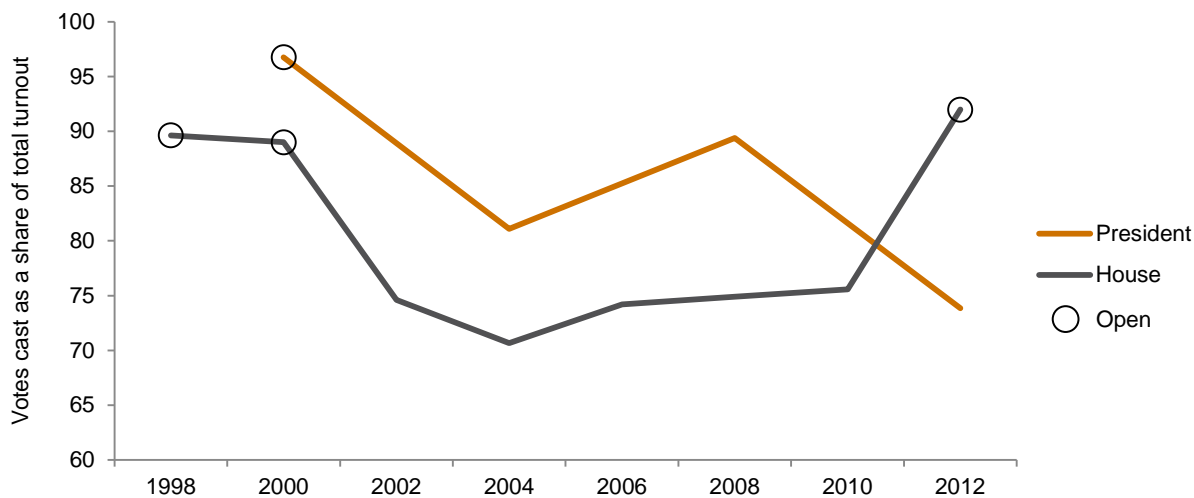
<sup>5</sup> Developing a full explanation of the result is complicated by data limitations. While there has been considerable experimentation with open primaries at the legislative and congressional level (McGhee et al. 2014), that experimentation has often been concerned with the degree of openness rather than whether independents are allowed to participate at all. Moreover, there has been far less experimentation at the presidential level, and often by only one party in a particular state. Thus, the temporal variation necessary to explore the effect of independent participation is less available. Finally, there is always the possibility that political parties have been willing to hold an open primary only when an election is not in doubt, which would likely result in a low turnout even though the system was more inclusive. Pulling apart this sort of selection effect is ultimately impossible with the data at hand.

<sup>6</sup> Many states with open primaries do not report registration by party, so there is no way to determine exactly how many independent registrants there might be if those states suddenly decided to force their citizens to choose. However, the independent registration rate in the open primary states with party registration is almost twice as high as in closed primary states (which need party registration in order to determine eligibility). This is true whether independent registration is calculated as a share of total registrants (31% vs. 16%) or total eligible voters (23% vs. 12%).

<sup>7</sup> These conclusions are based on a comparison of the difference in model fit between a null model with only state and year fixed effects and one with measures of competition included, and doing so separately for open and closed primary states. For closed primary states, the adjusted R<sup>2</sup> was 0.59 for the null model and 0.64 for the full model, while the standard error of the regression was 5.60 for the null model and 5.23 for the full model. For open primary states, the adjusted R<sup>2</sup> was 0.45 for the null model and 0.62 for the full model, while the standard error of the regression was 6.69 for the null model and 5.62 for the full model. Thus, the full model explained about the same amount in both cases, but the null model was weaker for open primaries, suggesting that campaign dynamics account for a larger share of the variance in those states. As a placebo test

Do these conclusions about open primaries extend to California’s new top-two primary? While the top-two system is “open” in the sense that it allows independents to participate, it also goes further by giving independents the same ballot as everyone else by default. This makes it far easier for independents to participate in candidate contests; and in this respect, the open system more closely resembles the “blanket” primary California used in 1998 and 2000 than it does other types of open primary systems. By contrast, the “semi-closed” system California used between 2002 and 2010 required independents to request a ballot from one of the major parties if they wanted to vote for a partisan candidate. Only about half of the independent voters took advantage of this option (McGhee, 2010). Figure 3 illustrates this difference in response: During the “semi-closed” years, the share of ballots with a vote for president or U.S. House of Representatives was notably lower than in the years of the blanket or top-two primaries.<sup>8</sup> Note also the divergence in 2012, when voting for the House of Representatives shifted to the top-two system while the presidential primary remained in the semi-closed system. Voters in 2012 actually ended up casting fewer votes for president than for the House, a remarkable outcome given the relative profile of the contests. With only one election under the new system, it is not clear that this pattern will persist, but it is worth noting.

**FIGURE 3**  
Independents have cast more votes under the blanket and top-two primary systems than under the semi-closed system



SOURCE: California Secretary of State.

In sum, there is no clear evidence yet that open primaries produce a significantly higher turnout, partly because independents constitute such a small share of the primary electorate. However, on this first occasion of its use in California, the state’s particular approach to the open primary, in which independents received the same ballot as all other voters, did appear to get independents to cast more votes for the races other than president covered under the new system. Thus, the reform’s impact on the number of votes cast in an election may be quite positive. The true effect of the open primary in California will likely grow clearer as voters become more familiar with the reform and campaign consultants find better ways to mobilize voters under the new system.

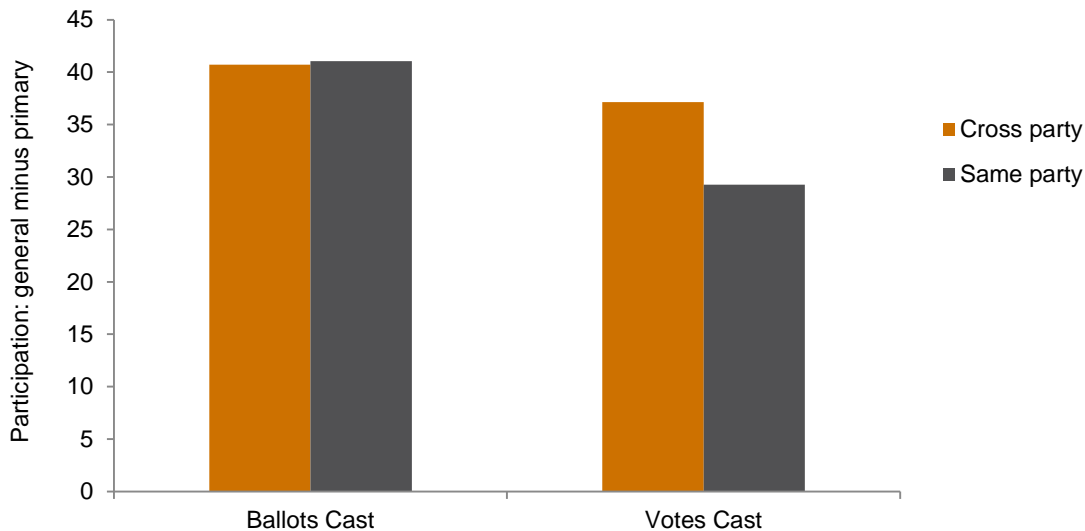
we ran the same analysis on general elections, where independents are always allowed to participate. We found virtually no difference between open and closed primary states. Model specifics are available in [Appendix B](#).

<sup>8</sup> Independents received a presidential ballot in 2000 and were allowed to vote for a candidate, but their votes were not counted in determining the outcome of the race. These votes are included in the 2000 presidential calculation for Figure 3.

Higher primary turnout was not the only goal of California’s new system. It was also meant to provide a better set of choices for the general election in heavily partisan districts where the fall outcome is typically a foregone conclusion. The new system led to same-party contests in the general election in 27 of these “safe-seat” districts, and many of these races ended up being quite competitive. In fact, about one-third of the same-party races were decided by less than 10 points, while only 15 percent of the races between candidates of different parties had less than a 10-point spread.

But this competition between same-party candidates did not lead to more votes in same-party contests in the fall. Quite the opposite: Between the primary and general elections, same-party contests gained 8 percent fewer votes than cross-party races.<sup>9</sup> As just noted, this was not because the same-party contests were less competitive (see Table B5 in Appendix B for more evidence on this point). Nor was it because the type of districts with same-party contests had lower turnout in the fall for other reasons. In fact, the increase in the percentage of *ballots* cast was identical on average in both same-party and cross-party races; the only difference was the number of *votes* cast in the same-party races (Figure 4). Put differently, the electorate consistently voted for candidates running for higher offices, such as the U.S. Senate and the president, but often skipped same-party races further down the ballot. Since we don’t have data on individual voter decisions, it’s not possible to say anything about the characteristics of the voters who skipped these contests, but we can confidently say that, on balance, fewer felt the need to offer a vote in those races.

**FIGURE 4**  
**Voters casting ballots often skipped same-party contests**



SOURCES: Political Data Incorporated (ballots cast); California Secretary of State (votes cast).

NOTE: Results are for races that either became or failed to become same-party races by fewer than five percentage points, in order to account for other differences between same-party and cross-party districts. Numbers also reflect changes from the primary to the general election to further account for the possibility of different average turnout in the types of districts more likely to have same-party races.

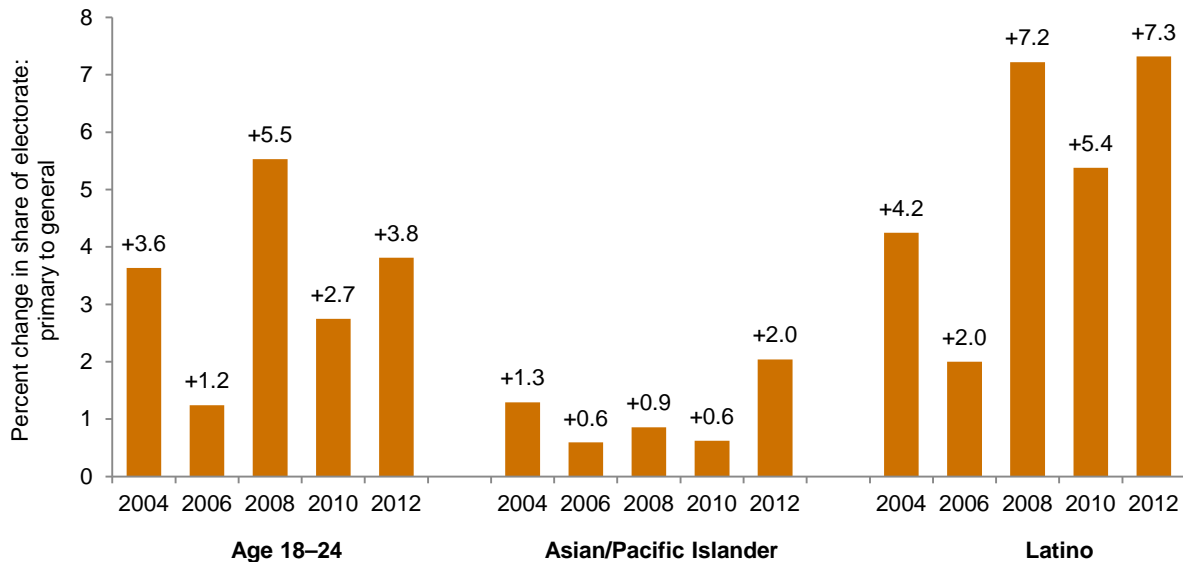
<sup>9</sup> These estimates are derived from a regression discontinuity analysis. Many fall contests became same-party contests by a razor-thin margin in the primary, raising the prospect that the same-party outcome was effectively random in those cases. We leveraged this fact, using the margin by which a seat became same-party (or did not) as the forcing variable which assigned a fall contest to same-party status. The result of this analysis suggested that the number of votes as a share of total registered voters was 8 percent lower in same-party contests, a statistically-significant difference. We used software from Rocio Titiunik to implement a randomization inference approach to calculating standard errors, choosing a margin of five percentage points above or below the threshold for the sake of analyzing the results. Details of these estimations are available from the author on request. For details on the randomization inference method, see Cattaneo et al. (2013).

# How Do Primary and General Electorates Differ?

Thus far we have shown that turnout in California’s primary elections has been declining over time relative to turnout in the general elections, and that the state’s new open primary system may not be able to reverse this trend. Is the smaller electorate that turns out in the primary simply a microcosm of the larger one that turns out in the fall?

In terms of basic demographics, there is little question that primary electorates have included fewer young people, Latinos, and Asian Americans than the general electorate in the fall (Figure 5). The difference is largest for Latinos, whose share of the electorate has been about seven percentage points higher in the two most recent fall presidential elections. But there are clear differences for young people and Asian Americans as well.<sup>10</sup> To the extent that these groups might support different candidates for office—either of different parties or within the same party—these variations in turnout are important. In fact, there may be many more differences between the primary and general electorates than discussed here, but these are just the differences indicated by the data available in the voter registration file.<sup>11</sup> Even within demographic groups, those who vote in the primary might differ on policy issues or general ideology.

**FIGURE 5**  
Fall electorates have generally been younger and more diverse than primary electorates



SOURCES: Statewide Database (2004-2012 primary electorate); Political Data Incorporated (2012 general electorate).

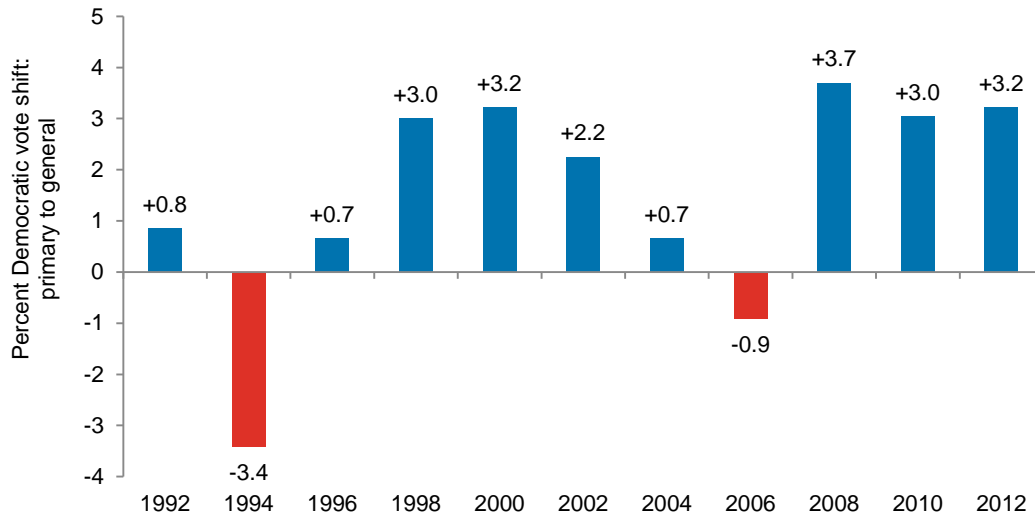
Partly because of the demographic differences highlighted above, there are also partisan differences between the primary and general electorates. The fall electorate has been notably more Democratic than the primary

<sup>10</sup> These differences in magnitude are mostly a function of the size of each group. Proportional to size, the differences in turnout between primary and general elections are similar across all three groups. However, since the difference in each group’s share of the electorate is what matters for election outcomes, we illustrate the respective shares in Figure 5.

<sup>11</sup> The only other demographic category for which we have data across all five of these election cycles is gender, and it shows no difference between primary and general electorates. Other important demographic variables, such as education, income, or certain racial categorizations (African American, white) are not available in the voter registration file.

electorate in six of the last eleven election cycles, and at least slightly more Democratic in all but two (Figure 6). The difference is about 3 percentage points for a seat balanced perfectly between the two parties in the primary stage.<sup>12</sup> These estimates are based on the actual votes cast, so they incorporate any effects from the growing population of independent registrants.

**FIGURE 6**  
**Fall electorates have typically voted more Democratic than primary electorates**



SOURCE: California Secretary of State.

This primary-to-general shift in partisan turnout explained about 92 percent of the variation in fall outcomes in 2012, missing the actual result by an average of only 5 percentage points.<sup>13</sup> This is remarkably accurate considering the radical winnowing of the candidate field between the two sets of elections. It suggests party loyalties still played a large role under the top-two system in its debut.

In the past, the consequences of this partisan shift have been minimal for candidate races, because every party that ran at least one candidate in the primary could be assured of a place on the fall ballot.<sup>14</sup> But the top two primary upends this logic. There is no guarantee now that any party will be present in the fall—only that the top two vote getters will advance. It is entirely possible that the difference between the primary and general electorates will end up closing off the possibility of a cross-party contest in the fall where one might otherwise have occurred. Since the fall electorate is more Democratic than the primary electorate, this difference in turnout should usually produce more same-party contests between Republicans and fewer

<sup>12</sup> The shift is smaller as political seats become more heavily Democratic. While there are more voters of every partisan stripe in the general election, the relative increase for Democrats, and especially for Independents, is much higher than for Republicans. As a result, the percentage of fall voters who are Democrats is usually about as large as in the primary, while the percentage of Independents is much higher and the percentage of Republicans much lower. In heavily Democratic seats, there are relatively fewer Republicans to produce this discrepancy, so the change between the primary and the general elections is smaller.

<sup>13</sup> To calculate this number, we regressed the partisan vote in the primary on the party registration of voters in the primary electorate, and then predicted fall outcomes with this equation, using the party registration from the fall electorate. Thus, the method assumes that the relationship between party registration and party voting is the same in both the primary and general election, and the only difference is the partisan composition of the voters. We then calculated the difference between this prediction and the actual fall outcome, and treated that as the residual for the calculation of an R-squared statistic. For the purposes of this calculation, we included only those races with at least one candidate from each major party printed on the ballot in both the primary and fall election, which eliminated 41 races.

<sup>14</sup> This was true even for the blanket primary in 1998 and 2000, which was otherwise quite similar to the top-two primary. Indeed, the fact that every party is represented in the fall in a blanket primary is the main difference between the two systems.

between Democrats than would otherwise be the case (although in at least one election in Figure 6, the opposite would have occurred).

How large is this effect? We can simulate how the primary electorate in 2012 might have voted had it had the same partisan composition as the general electorate in 2012. The result is that there would be very little change in the total number of same-party contests, but there would be a significant shift in their partisan complexion: The simulation produces three same-party Republican races and 26 Democratic races, compared to the nine Republican and 19 Democratic that actually occurred. As in the case of the same-party races, the districts where the same-party status was most likely to change were almost exclusively “safe” for one party, so the partisan outcome in the fall contest was not in doubt regardless. The one exception is Congressional District 31, where the actual fall contest pitted two Republicans against each other in a seat that was otherwise ripe for a competitive race. In this seat, the simulation suggested a 97 percent chance that a Democrat would have faced off against a Republican if the primary electorate had been more representative of the fall electorate.

We have already noted that the absence of ballot measures from the primary ballot may affect turnout in future primaries. Will it also exacerbate the partisan bias of the primary electorate? It turns out that over the 11 election cycles in Figure 5, there is little or no relationship between the size of the increase in the primary to general turnout and the size or direction of the partisan shift (see Figure B3 in [Appendix B](#)). For example, the primary with the best turnout relative to the general election (1998) saw a partisan difference of 3 percent, compared to 3.7 percent for the primary-to-general with the worst gap (2008).

However, for the five recent elections for which we have data on demographics, a higher primary-general increase in turnout does correspond with a larger increase in turnout by young people and Latinos (the relationship for Asian Americans is more mixed; see Figure B4 in [Appendix B](#)). Because this evidence is based on such a limited number of election years, we should treat it as tentative. But it does seem as though lower primary turnout corresponds with an older, less-diverse electorate, without necessarily making it more Republican.

# Electoral Reform and Primary Turnout

California has recently passed two important voter registration reforms meant in part to encourage more turnout in state elections. The first, online registration, was authorized first by SB 381 in 2008, and then expedited by SB 397 in 2011.<sup>15</sup> This reform allows users to enter voter registration information on-line and, with a keystroke, complete the process, eliminating pen and paper transactions. The new system was used heavily in its inaugural election in 2012. The second reform, “conditional” voter registration, was established by AB 1436 in 2012. It allows residents to both register and vote on any day after the traditional registration deadline, up to and including Election Day itself. The main constraint is that valid conditional registration must take place at a county registrar office. This option will not be available until 2016 at the earliest, but many observers are eagerly anticipating a significant impact once the system is implemented.

Several existing analyses of these reforms suggest that they have not had, and may not have, much impact on general election turnout, although a variety of administrative effects have been and could be significant (McGhee, 2014). We conducted a similar analysis of primary turnout across the nation over the past 30 years and found no effect of these reforms. Online registration might have increased primary turnout about two percentage points for states that have adopted the reform, but the increase is well within the margin of error. Moreover, primary turnout has been, if anything, slightly *lower* in the states where election-day registration has been used, although this likely says more about the particular states and years where the system has been adopted than the causal effect of election-day registration itself. Thus, it seems doubtful that the new reforms will significantly increase California’s primary election turnout.

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<sup>15</sup> SB 381 authorized an online registration system, but made it conditional on completion of the state’s VoteCal database of voter registration records merged with Department of Motor Vehicle files. VoteCal has since become delayed until 2015 at the earliest, so SB 397 authorized the Secretary of State to use a different process to implement an online registration system.



## Conclusions and Policy Directions

This report has looked at the causes and consequences of turnout in California’s primary elections. Turnout in primaries has, in fact, declined over the past few decades, even in comparison with turnout in the general election; and there are reasons to believe that turnout will continue to fall, since initiatives may no longer appear on the primary ballot.

Furthermore, key policy interventions intended to boost primary turnout may not have much effect. California’s new top-two primary failed to produce the increase in turnout that many had hoped for, and there is little evidence that open primaries in other states have fared any better. Independents appear to be fickle primary voters, inclined to participate only when a ballot includes a close race. Recent efforts to increase turnout by making registration easier—such as online and same-day registration—also appear to have no meaningful impact on primary turnout.

On the other hand, the top-two system may encourage those independents who do vote in the primary to make choices in candidate contests for State Legislature and U.S. Congress, since they now receive the same ballot as everyone else by default. When the weak effect on turnout is combined with the positive effect on down-ballot voting, the net effect of the top-two primary on participation is probably positive.

Moreover, it would be counterproductive to increase primary turnout by repealing SB 202 and once again permitting citizen initiatives on the primary ballot. California has always placed far more initiatives on the primary ballot than other states. The clear differences between the primary and general electorates documented in this report should raise equity concerns about this practice. It seems inappropriate to allow a subset of the electorate to decide major policy questions for the rest of the state.

Of course, the cost of a more representative electorate for initiative questions may be a smaller primary electorate for candidate races. But does that matter? The state’s primary turnout has been falling, to be sure, yet even with the decline it remains among the highest in the nation. And it is worth noting that research on primary turnout and polarization has found no real link between the two, at least in the case of U.S. Senate elections (Hirano et al., 2010). Thus, lower turnout is not necessarily producing more radical representation.

That said, lower turnout may produce an older and whiter electorate than would otherwise be the case, affecting the choice of candidates advancing to the fall contest. And even though lower-turnout primaries do not seem to consistently benefit one party or the other compared to higher-turnout primaries, the lower turnout in primaries *as a whole* does produce a fairly consistent Republican tilt (although one election cycle in our analysis had a primary electorate that skewed toward the Democratic candidates). This bias creates some problems for the top-two primary system, which winnows the field much more aggressively than the old system, and without regard to party. There has already been one competitive seat with a same-party contest in the fall, and we have shown that the outcome almost certainly would have been different if the fall electorate had shown up earlier in the primary. Although such outcomes will probably never be common under the top two, the fact that one already happened in the first election under the new system suggests it may easily happen again.<sup>16</sup> Moreover, it appears these same-party contests are of less interest to voters on average than are races between two candidates of different parties. The prospect that the skewed primary electorate might lead to more

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<sup>16</sup> The major parties can certainly try to address this problem more informally by restricting the number of candidates within their party. For example, if only one Democrat had run in Congressional District 31 instead of the four who actually did, the Democratic vote would likely not have been split between so many candidates and there would have been a cross-party contest in the fall. But there are no certain methods of clearing a candidate field in American politics. Encouraging major party donors and officeholders to coordinate their efforts on the behalf of one candidate will often work to discourage others, but sometimes it will not. It would be useful to have a safety valve that would allow a party to place a candidate directly on the fall ballot in case such coordination fails.



same-party contests in competitive seats, or even that such an outcome might occur in a statewide race, should not be dismissed.<sup>17</sup>

One possibility worth exploring would be to allow more than two candidates in the fall contest, at least in some cases. At present, the top-two primary system bans more than two candidates in the fall, including independent candidacies or write-ins. In other states, this sort of provision is often called a “sore loser” law because it supposedly prevents a losing primary candidate from entering the race in the fall election and wreaking havoc for the sake of ego or revenge. While there may be a public interest in preventing too many such candidacies—especially under a system like the top two that is so committed to a two-candidate fall race—it might also be prudent to have a way of avoiding same-party contests when they might not reflect the choices general election voters would like to see. A write-in option, or the option to launch an independent petition-drive candidacy, could provide a sort of “safety valve” in cases of such unexpected outcomes, while also ensuring that most races would still pit only two candidates against each other. Indeed, California law already allows for both options in presidential contests (California Elections Code, Sec. 8300 and 8600).

The effects of such a change could extend beyond candidate competition. While research suggests that closed primaries do not increase polarization (McGhee et al., 2014), recent research has suggested that “sore loser” laws *have* increased polarization by preventing candidates with broader appeal from running directly in the fall (Burden et al., 2014). We should be cautious about concluding too much from this research, since it did not look strictly at the top-two system (nor could it, given the data available). But it offers some suggestion that an independent or write-in option (allowing for a safety valve candidacy) might not only enable the system to address quirky outcomes but also advance the cause of moderate representation that the top-two system was meant to promote.<sup>18</sup>

The specifics of such a change would be important. The requirements for either a write-in or an independent candidacy option would need to be set quite high to ensure that these options would be used only in cases where the potential demand for another candidate was strong. For example, it currently takes 40 signatures to be a write-in candidate on the primary ballot (and have one’s votes counted), and it takes one percent of all registered voters in the last election to be an independent candidate for president. This second number, though much higher, may still be too low to serve as a proper barrier in the context of the top two. Something closer to the signature requirement for initiatives—for example, 5 percent of the last vote for the office in question (Assembly, State Senate, Congress, or statewide race)—may be closer to the mark. Regardless, further exploration of the idea would be needed to assess its viability.

Should the idea be worth pursuing, however, it would not require the extra hurdles of a state constitutional amendment. The bans on write-ins and independent petition candidates are statutory provisions that were added by the legislature through SB 6 (2009), so they could be changed through another bill passed by the legislature or a statutory initiative placed before the voters.

In sum, turnout in California’s primaries is falling but remains high compared to the rest of the nation. The interventions proposed to increase turnout may not prove particularly effective, although the top-two system appears to have already encouraged more participation by independents in the primary candidate contests. The most serious consideration moving forward is what to do about the interaction between the differences in the primary and general electorates under the top-two system.

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<sup>17</sup> Note that this possibility differs from an uncontested race, where no candidate comes forward in the first place. Uncontested races are much more a product of political dynamics, while the sort of anomalous same-party races described here are largely a product of the mechanics of the top-two system. Put differently, an uncontested race will always have the same outcome, regardless of the primary system in use.

<sup>18</sup> This approach might also help manage cases where a candidate for a top-two office dies during the course of the election season. Existing law provides no means of replacing such a candidate; the candidate’s name remains on the ballot, and if that candidate is ultimately “elected,” a special election is immediately called to fill the vacancy (California Election Code 8803(b), 8805(b)).

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