



**Testimony of Jeremy Gruber, Senior VP, Open Primaries**

**State Government Committee Hearing on Election Law Legislation  
April 30, 2019**

**SB300– Pennsylvania Open Primaries**

My name is Jeremy Gruber and I am the Senior Vice President of Open Primaries. Open Primaries is a national non-profit organization dedicated to more open and inclusive election systems.

I want to thank Senator Folmer and the members of the State Government Committee for the opportunity to submit testimony on SB 300- a bill sponsored by Senator Scarnatti that would open primary elections in the state of Pennsylvania to registered independent or unaffiliated voters.

There are 786,000 registered independent voters in the state of Pennsylvania that are currently barred from participating in the state’s closed primary elections by virtue of their registration status. Independent voters are the fastest growing group of voters in the state by far; their numbers have more than doubled in just the last ten years. <sup>1</sup>

That’s more registered voters than the entire voting population of neighboring Delaware. Independent voters are often the second largest group of voters by county in the state. Denying the fastest growing group of voters in the state the franchise is simply unsustainable.

Pennsylvania is far from alone in experiencing a historic shift in voter affiliation. Independents - now 44% of voters nationwide<sup>2</sup> - are the fastest growing segment of voters in most states. Independent voters come from all backgrounds and have beliefs that span the ideological spectrum.

Growing numbers are young and from communities of color. 50% of millennials, 37% of Latinos, and 35% of African-Americans between the ages of 18 - 34 identify as independent. 49% of Iraq and Afghanistan veterans are independent voters. <sup>3</sup>

With most elections often decided in the primary, primary election votes are often the most meaningful. The exclusion of growing numbers of voters from round one of the electoral process had been identified as a key driver of the hyper-partisanship at every level of government today. More open primary systems are associated with increased competition and accountability and a marked increase in voter turnout.

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<sup>1</sup> Pennsylvania Department of State website. See: <https://www.dos.pa.gov/>

<sup>2</sup> Gallup Survey, April 2019 <https://news.gallup.com/poll/15370/party-affiliation.aspx>

<sup>3</sup> Pew Research <http://www.pewsocialtrends.org/2014/03/07/millennials-in-adulthood/>

IAVA Annual Member Survey 2014

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A recent report<sup>4</sup> from the Bipartisan Policy Center found that in the 2018 primary cycle, states with open primaries had an average turnout of 23.9 percent, compared with 18.6 percent for states with closed primaries. Pennsylvania's voter turnout in the 2018 primary was up 3% from the last midterm primary election in 2014 and still remains well below the national average at 18%.

38 states have some form of open primary. Forms of open primaries vary slightly by state but there are two general models. SB 300 encapsulates the most common form of open primary by far, where independent voters are allowed to choose the ballot of either the Democrat or Republican Party in the primary. Registered members of the parties can only vote in their party primary.

By contrast, three states-California, Washington and Nebraska have adopted a nonpartisan or "top two" primary where all candidates are on a single ballot, all voters vote, and the top two vote getters advance to the general election.

Some have raised the question of whether open primaries can be subject to strategic voting. Voters vote the way they do for many different reasons, some rational and some not as rational. We rarely question the motivations of voters except in instances where we hope to exclude them.

In the case of open primaries, though, the research is both extensive and definitive. Strategic voting does not happen in any meaningful way in the United States; whether in open primary elections OR in closed primary elections-the form that Pennsylvania already conducts.<sup>5</sup> The vast majority of states in the U.S. today have been able to adopt open primaries-red states, blue states and purples states-without incident.

Some have also raised the question of why independent voters should be afforded the right to vote in private party elections. It's akin to having a member of the Elks Club vote in the election of the Lion's Club they argue.

But primary elections are anything but private. Primary elections in the state of Pennsylvania cost taxpayers \$20 million dollars every election year. They are held in government buildings, run by government employees and administered by the Secretary of the Commonwealth, yet they remain closed to many of the taxpaying citizens that fund them

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<sup>4</sup> Bipartisan Policy Center, 2018 Primary Election Turnout and Reforms, November 2018.  
<https://news.gallup.com/poll/15370/party-affiliation.aspx>

<sup>5</sup> See for example: R. Michael Alvarez and Jonathan Nagler, *Analysis of Crossover and Strategic Voting*, Social Science Working Paper, California Institute of Technology.

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That's why 70% of Americans, including supermajorities of Democrats and Republicans now support open primaries.<sup>6</sup> And that's why SB 300 is such an important bill. Everyone benefits from a healthier, more inclusive political system that encourages competition. Instead of lagging behind the rest of the nation, Pennsylvania has the opportunity to lead. SB 300 would let all voters vote, and give Pennsylvanians more inclusive and democratic elections.

Thank you again and I'm happy to answer any questions the Committee may have.

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<sup>6</sup> AP NORC Poll <http://www.apnorc.org/projects/Pages/HTML%20Reports/the-frustrated-public-americans-views-of-the-election-issue-brief.aspx>