

IN THE SUPREME COURT OF THE STATE OF IDAHO

RAÚL R. LABRADOR, in his official
capacity as the Idaho Attorney General,

Petitioner,

v.

IDAHOANS FOR OPEN PRIMARIES,
a coalition of community groups and civil
organizations that includes: RECLAIM
IDAHO, IDAHO CHAPTER OF
MORMON WOMEN FOR ETHICAL
GOVERNMENT, and VETERANS FOR
IDAHO VOTERS,

Real Parties in Interest- Respondents,

and

PHIL MCGRANE, in his official
capacity as the Idaho Secretary of State,

Respondent.

Docket No. 52089-2024

DECLARATION OF JEREMY GRUBER

Jeremy Gruber, JD
Senior Vice President
Open Primaries
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My Background

1. My name is Jeremy Gruber, and I am the SVP of Open Primaries and the Open Primaries Education Fund.

2. I am a lawyer admitted to the New York Bar in 1998.

3. I have served in a leadership role for Open Primaries since spring 2015.

Prior to that I have served in the leadership role of a variety of civil rights and public policy organizations.

4. I attended Brandeis University and graduated cum laude with a bachelor's degree in politics in 1993. I earned my J.D. from St. John's University School of Law in 1997.

5. I am an elections and election law expert specializing in independent voters, discrimination law and privacy, with wide-ranging experience in advocacy, public policy, and public affairs work.

6. I am often called upon by state legislatures and policymakers to assist in the development of new laws and policies on primary election reform. I have testified before more than a dozen state legislatures, authored hundreds of articles and am regularly featured in the media as an expert on these topics.

Open Primaries

7. Open Primaries is an independent (c4) nonprofit organization with supporters in all 50 states that was founded in 2009. Its sister organization, the Open

Primaries Education Fund, was established in 2020. It is the only organization in the country dedicated exclusively to primary election reform and its staff are experts on and long time leaders of reform on the subject of primary elections. Its mission is to both educate voters and policymakers about the primary election system and its deficiencies and advocate for more open primary systems across the country.

Statement

8. There are a wide variety of forms of open primary elections that vary state by state. There is no generally accepted terminology for different forms of open primary elections and modest differences in terminology among experts are common. As a result, classification of particular state systems can have slight variations.

9. However there are six general open primary models that exist. Please refer to our attached submission for a deeper explanation of these models and which states employ them. The top four open primary with ranked choice voting currently being debated in Idaho is one of these models.

10. The one common feature of every open primary system is that they allow every registered voter to participate regardless of political affiliation. Therefore because of the complexity and variety of systems we regularly refer to all of them as open primary systems in generalized discussion and detail their specific variations under the appropriate circumstance.

11. I declare under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

EXECUTED ON this 30th day of August, 2024.

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Jeremy Gruber