



Peace and Freedom Party of California

Legislative Committee

Kevin Akin, Riverside; Mary Lou Finley, San Diego; Ernesto Huerta, Los Angeles; Dave Kadlecek, Vice Chair, Sacramento; Tom Lacey, San Francisco; John Reiger, Chair, Sacramento; Alice Stek, Los Angeles, C.T. Weber, Legislative Liaison, Sacramento

April 24, 2025

Honorable Assembly Member Carrillo
1020 N Street, Suite 5610
Sacramento, CA 95815

Subject: AB 868 (Carrillo) - OPPOSE - Primary elections: county officers: top two candidates.

Dear Assembly Member Carrillo;

The Peace and Freedom Party opposes AB 868, which would change elections for county officers from their current two round runoff system to a "top two" method similar to that used for almost all state and federal offices.

The bill addresses a real problem, that participation in statewide primary elections is generally much less than that in statewide general elections, with different demographics less representative of the population as a whole, and some local offices are decided in those lower turnout, less representative primaries. However, its proposed solution does not actually solve the problem and in some ways makes the problem worse. An actual solution to the problem would be a completely different bill.

The reason that a "top two" system doesn't solve the problem of low turnout, less representative primaries is that sometimes, maybe even often in races without an incumbent, the most significant decision is which two candidates make it to the runoff. For example, suppose a county is divided into two blocs, one with 65% support and one with 35% support, each of which almost always vote for their own members. If there are two or more candidates for District Attorney from the majority bloc and a single candidate from the minority bloc, the minority bloc candidate will make it through to the runoff as will one of the candidates from the majority bloc. Then in the higher turnout general election, the majority bloc candidate will handily defeat the minority bloc candidate, but the real decision was made in the lower turnout, less representative primary when one majority bloc candidate was picked to go through to the runoff.

The reason that moving to a "top two" system for county offices, especially one like that in AB 868 that can sometimes result in no primary election, would make things worse is that it would further reduce primary turnout, while still leaving some significant decisions to be made at the primary. Whenever a race is on the ballot, it can contribute to turnout for an election among people particularly concerned about that office or with strong feelings for or against one of the candidates, and the campaigns of the candidates also can increase participation. Removing races from the primary ballot, as AB 868 would do when there are two or fewer candidates qualified for the primary ballot, or significantly reducing candidates' incentive to campaign in the primary, as would be the case when there are two or fewer strong candidates on the primary ballot, will depress primary turnout. While the effect may be more significant in other, top of the

ticket contests, small negative effects from lower-interest county contests still impact the overall participation. What are real solutions to the real problem AB 868 purports to address? If the only concern were the election of county officers, then the best solution would be to use ranked choice voting in a single November election. This would be better than "top two" when there are more than two significant candidates and roughly equivalent when there are only one or two significant candidates. However, doing so would further reduce participation and interest in primary elections, making the decisions made then in other contests even less representative than they are now; what is really needed is to find some way to increase participation in primary elections so that decisions made then are as representative as those made in general elections. At the least, any tinkering with elections for county officials should not further reduce participation in primary elections, as changing county elections to "top two" would do.

The Peace and Freedom Party opposes AB 868. For more information on our position on this bill please email me at reigers@earthlink.net or Dave at dkadlecek@igc.org

Sincerely,

John C. Reiger

Legislative Committee Chairperson
Peace and Freedom Party of California

Dave Kadlecek

Legislative Committee Member
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