

“Social justice should be the underlying goal of all humanity.”

-Alan V. Lowenstein, Institute Founder



February 28, 2025

Dear Governor Murphy,

We, the undersigned organizations, are writing to strongly urge you to conditionally veto [A5116/S4142](#), the ballot redesign bill. Although it is an improvement on the previous county line system, A5116/S4142 still fails to create a fair ballot for New Jersey voters.

By now, we all know the impact that New Jersey’s primary ballot design has had on New Jersey voters. For years, the undemocratic county line suppressed voter turnout by fueling voter disillusionment and distrust in the integrity of New Jersey’s democratic process.¹ Seeing uncompetitive primary races² and a lack of meaningful choices, voters, especially Black and other voters of color, have come to believe that election results in New Jersey are a foregone conclusion.³ Among these voters, New Jersey has earned a reputation as a state where “[p]arty insiders, elected officials, and power players”—not the voters—“pick our representatives for us.”⁴

We can clearly see the impact of widespread disillusionment in New Jersey’s declining voter turnout. In 2016, with no Senate race on the ballot, 25% of New Jersey voters voted in the primary election. In 2020, that decreased to 24%, and last year, with an open U.S. Senate seat and presidential balloting, for the 2024 primaries, a mere 14% of registered New Jersey voters turned out to the polls. Our ballots should not contribute to voter alienation.

After years of being beholden to the county line, the District Court and Third Circuit decisions in *Kim v. Hanlon* have finally given us the opportunity to create a fair primary ballot in New Jersey.

As New Jersey designs a new ballot, the question we should ask is how can we be the *most* voter friendly—not what can we get away with?

Ignoring significant opposition and hours of testimony from advocates and members of the public, the Legislature has fast-tracked a bill that tries to get away with too much.

In addition to creating a mini-bracket of joint petition candidates reminiscent of county line bracketing and retaining an outdated manual draw system, A5116/S4142 also introduces unnecessary number-letter markers, removes the ability for voters to elect state committee members, and eliminates good practices on uniformity around font and formatting requirements statewide.

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do social justice.

Taken together, the bill once again allows for the creation of a ballot that can be used to influence voters, as opposed to a neutral, impartial and fair ballot that allows voters to choose their candidates without interference.

It is the job of incumbent candidates—not of the ballot—to make sure their constituents know that they are currently serving them. So why does even this *new* ballot design allow parties to tip the scales of elections? It simply shouldn't be this hard.

The first step to counteracting the widespread voter disillusionment and distrust in New Jersey is to give voters a fair and impartial ballot that allows them to truly vote the way they intend.

This bill does not give voters that fair chance. That is not to say that with a few amendments, it couldn't.

On behalf of New Jersey voters and New Jersey democracy, we urge you to issue a conditional veto on A5116/S4142—striking the joint petition bracketing and number-letter markers on the ballot, requiring uniform good practices around font and formatting, and reinstating the right of people to vote for their state committee party members—and finally help us create a fair ballot in New Jersey.

Sincerely,

Action Together New Jersey
American Civil Liberties Union of New Jersey (ACLU-NJ)
Asian American Pacific Islanders of New Jersey (AAPI NJ)
AAPI of East Brunswick
Barnegat Democratic Club and Bus for Progress
The Bayard Rustin Center for Social Justice
CAIR Action NJ
Camden We Choose Coalition
The Citizens Campaign, Inc.
Clean Water Action
Climate Revolution Action Network
College Democrats of America
The College Democrats of New Jersey
Communication Works of America (CWA) District 1
CWA Local 1032
CWA Local 1037
CWA Local 1081
Democratic Club of Berkeley Heights
Democratic Club of Waretown
Democratic Coalition of New Jersey
Democratic Coalition of Ocean County
Fair Ballot Alliance NJ
Faith in New Jersey
Food & Water Watch

Gloucester County NAACP
Good Government Coalition of New Jersey
Indivisible
Indivisible Cranbury
Indivisible Garden State Values
Indivisible Rahway
Kitty Gritty JC Social Club
Lacey Democrats
Laundry, Distribution & Food Service Joint Board, Workers United/SEIU
LD1 Democrats
League of Women Voters of New Jersey
Long Valley Indivisible
Make the Road Action New Jersey
Maplewood Democratic Committee
National Council of Jewish Women, Essex County
New Brunswick Area NAACP
New Jersey Alliance for Immigrant Justice
New Jersey Appleseed Public Interest Law Center
New Jersey Black Empowerment Coalition
New Jersey Citizen Action
New Jersey Harm Reduction Coalition
New Jersey Institute for Social Justice
New Jersey Policy Perspective
New Jersey Resistance
New Jersey Voters Want More Say
NJ 11th for Change
NJ Communities United
NJ Working Families Party
NJ21st.com
NOW NJ
Ocean County Democrats
Ocean County National Organization for Women
Ocean County Young Democrats
OneNJ7
Our Revolution NJ
Peaceful Minds Have
Piscataway Progressive Democratic Organization
Rutgers American Association of University Professors (AAUP-AFT)
Rutgers Adjunct Union (PTLFC-AAUP-AFT)
Salvation and Social Justice
SEIU New Jersey State Council
SOMA Action
South Jersey NOW Alice Paul Chapter
SPAN Parent Advocacy Network
Sweep New Jersey
Teaneck Peace and Justice Vigil
Trenton Makes Indivisible

Unitarian Universality FaithAction NJ
Voters Choice
VoterChoiceNJ
Voters of Watchunghills
Watu Moja
Westfield 20/20
Wind of the Spirit Immigrant Resource Center
York Street Project

¹ In general, voter disillusionment and frustration leads to lack of trust in the government, the electoral system, and voting, which in turn leads to low rates of voter engagement. See *Why voting-eligible citizens sat out the 2020 election*, PUBLIC WISE RESEARCH (June 10, 2022), <https://publicwise.org/publication/why-voting-eligible-citizens-sat-out-the-2020-election/>.

² In 2021, only 10% of New Jersey’s legislative positions were contested in the primaries. Two years later, after redistricting, that percentage of contested primaries in the state increased only minimally—to 11.3%, one of the lowest percentages in the country. Colleen O’Dea, *Will the new Legislature be any more diverse than the last?*, N.J. SPOTLIGHT NEWS (Jan. 9, 2024), <https://www.njspotlightnews.org/2024/01/how-diverse-is-njs-221-legislature/>.

³ The skepticism is warranted. No incumbent state legislator on the county line has lost a primary in New Jersey since 2009, and only two incumbent congressional legislators on the county line have lost a primary in the state in the last 50 years. JULIA SASS RUBIN, *TOEING THE LINE: NEW JERSEY PRIMARY BALLOTS ENABLE PARTY INSIDERS TO PICK WINNERS*, N.J. POLY PERSPECTIVE (June 29, 2020), <https://www.njpp.org/publications/report/toeing-the-line-new-jersey-primary-ballots-enable-party-insiders-to-pick-winners/>. In the last 20 years, only 3 of 209 incumbent legislators in competitive primaries who ran on the county line in all of the counties in their districts have lost their primaries. It is nearly impossible for an incumbent to lose when running on the line. *Id.* Further, the county line gives candidates, on average, a 38-percentage point advantage over candidates who are not on the line. This advantage, in primary elections with low voter turnout and narrow margins, is nearly insurmountable. Colleen O’Dea, *Understanding the party line in NJ*, N.J. SPOTLIGHT NEWS (Dec. 4, 2023), <https://www.njspotlightnews.org/2023/12/understanding-the-party-line-in-nj/>.

⁴ Charlene Phelps & Joe Marchica, *How can we fix New Jersey’s fixed primary elections?*, N.J. MONITOR (Mar. 11, 2022), <https://newjerseymonitor.com/2022/03/11/how-can-we-fix-new-jerseys-fixed-primary-elections-opinion/>.