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## **INDEPENDENT VOTERS APPLAUD GOP RETREAT FROM EFFORT TO CLOSE SOUTH CAROLINA PRIMARIES**

IndependentVoting.org, a national association of independent voters and a defender of South Carolina's open primary system, cleared an important hurdle Friday, when the South Carolina Republican Party withdrew from a lawsuit to close the state's primary elections.

The suit would also require all voters to state their party affiliation. South Carolina has had open primaries for decades, since the end of the Jim Crow era. Attorneys for the state Republican Party filed a stipulation of withdrawal with Judge Mary G. Lewis in the U.S. District Court for South Carolina, Greenville Division. The State Republican Party had joined the Greenville County organization in June 2010 in legal action to declare South Carolina's open primary system unconstitutional. This withdrawal leaves the Greenville GOP as the sole plaintiff in the case.

"We're glad to see the State Republican Party come to its senses," said Jackie Salit, President of IndependentVoting.org, one of the intervenors in the litigation. "Locking out independent voters to control nominations sends the wrong message. I invite the State GOP to now join our coalition of intervenors which is asking the Court to lay this reactionary boondoggle to rest."

Harry Kresky, attorney for the intervenors added, "This development calls into question the legitimacy of the entire suit. Greenville County Republicans can't claim to speak for Republican Party voters across the entire state."

A diverse coalition formed to intervene as defendants in opposition to the lawsuit. The coalition included: 13 members of the South Carolina Legislative Black Caucus, all Democrats; IndependentVoting.org, a national organization of independent voters; the South Carolina Independence Party; the Columbia Tea Party; the Progressive Network and the Constitution Party.

In March of 2011, the court issued an initial ruling that South Carolina's open primary system was constitutional, but the plaintiffs were granted the opportunity to conduct discovery and take the case to trial. Law professor Paul Finkleman, based in Albany, New York, submitted an expert report on behalf of the intervenors showing that closing the primary would return the state to the days of Jim Crow when African American voters were denied full participation in the primary of the then dominant Democratic Party.

"I am pleased to see the state party do the appropriate thing and withdraw from the suit," said State Representative Joe Neal, an intervenor in the case.

The case is scheduled for trial on August 21<sup>st</sup>.

"Across the country, voters are concerned about partisanship and are registering their protest against it by becoming independent," said Wayne Griffin, chairman of the South Carolina Independence Party. "Those independents need to have the right to participate in every part of the electoral process." Gallup reports that 40% of Americans consider themselves independent.

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