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DO WORDS REALLY MEAN THINGS? HABITUAL VOTERS AND THE  
FRAMING EFFECTS OF BALLOT LANGUAGE

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DO WORDS REALLY MEAN THINGS? HABITUAL VOTERS AND THE  
FRAMING EFFECTS OF BALLOT LANGUAGE

A THESIS APPROVED FOR THE  
DEPARTMENT OF POLITICAL SCIENCE

BY

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To my wife Leslie, and my son Jack, who for better or worse are being pulled along on this journey with me; to the search for knowledge and truth, and to the One without whom none of these things would be possible.

S.D.G.

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# Abstract

In recent years, researchers have begun to give attention to the way referendum ballot measures are written, however the few studies that have been done to date have produced mixed results. One variable that appears underutilized is voter experience. It has been suggested that voters in states where referendum questions regularly appear on the ballot may develop cognitive skills which mitigate framing effects. This theory would seem to depend more on whether individuals actually do vote, as opposed to the mere existence of a favorable state electoral environment.

Using a survey experiment, I attempt to discover the extent to which habitual voting may alter the effects of framing in the language of ballot measures. The treatments are related to two state questions which appeared on the ballot in the recent general election in Oklahoma. The findings provide important insight into whether differences in ballot language might have a significant impact on the outcome of referendum elections.

# Chapter 1

## Introduction

The alleged dangers of direct democracy have been debated since the founding of the United States, and this discussion carries on into the current time whenever the subject of referendum<sup>1</sup> elections is raised. All 50 states, to one degree or another, place questions of constitutional or statutory change before their voters on election day. The information citizens receive from their state government is paramount regarding the nature of the proposal, as well as the effects of the change both for them personally, and for their state as a whole. As such, it is vitally important that, to the extent possible, official language be kept free of manipulation for political ends.

While much scholarship in recent years has been devoted to the study of framing effects in news media and electioneering, relatively little attention has been given to the way ballot measures are written. Most studies that

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<sup>1</sup>The terms “referendum” and “initiative petition”, and their variants, have different legal connotations related to the process by which the issue in question reaches the electorate. I explore these differences more in Chapter 2. However, for simplicity’s sake, I use the terms interchangeably in this text to refer in general to any constitutional or statutory change placed before the voters of a state.

have been undertaken, which are specifically related to ballot language, have shown either mixed or inconclusive results. However, some threads of findings have emerged which may reveal important factors that have the potential to affect election outcomes. For example, it has been argued by some that citizens who are politically savvy, or who are avid consumers of news and policy analysis, should tend to rely less on the wording of a ballot title and more on their own knowledge of the issue in question. In fact, one such study provided the genesis for this current project. Burnett and Kogan (2012) found that voters in states with high levels of referendum election activity exhibited a lower level of sensitivity to changes in the wording of ballot propositions. They posited that individuals in these high-volume states might develop language parsing and discernment skills, which allow them to circumvent or disregard confusing, assumptive, or manipulative language which may appear on the ballot. The converse, of course, is that other voters who are less well informed, or for whom political news only holds a passing interest, may be more apt to respond either positively or negatively to differences in language framing.

The so-called “sophisticated voter” is, to many scholars, a fantastical beast (Lupia 2006). The question of how best to measure the knowledge and attentiveness of the electorate has been the subject of some considerable debate (Lupia 1994; Druckman 2001). One variable that appears to be underutilized is the sophistication of, or the habits of, the voter as it pertains to their ability to sift through loaded language and make an informed decision on election day. Burnett and Kogan’s (2012) study mea-

sured sophistication at the aggregate state level, and it therefore rested on the assumption that the electorate as a whole gains experience because of the electoral culture in certain states. They also differentiated between those states which permit initiative petitions, as opposed to those which restrict direct democracy to legislative or statutory referrals.

My aim with this project was to move the unit of analysis down to the level of the individual voter, as I believe this has the potential to provide more informative measures. If experience is the key to mitigating framing effects, then the phenomenon should be observable no matter where the individual resides. A voter in a state in which relatively few state questions are proposed, but who gets out and votes each time one is presented, may develop the same level of knowledge as one who only votes occasionally, but with many opportunities. Further, ballot language wording is a factor that cuts across the various state procedural laws which reflect differences in how propositions reach the electorate in the first place. Whether ballot measures are placed before voters by the citizens themselves, or by the legislature, a ballot title and summary must still be written. Thus, in any state in the union, at any given time, there will be a number of experienced and non-experienced voters. It therefore seems readily apparent that how often an individual votes is an important variable to consider when modeling framing effects.

## 1.1 Structure of Thesis

The recent 2016 state question campaigns in Oklahoma presented an excellent real-world basis for an experiment to test the above phenomena. I chose two of the ballot measures set before the voters; first, the Education Sales Tax (referred to colloquially as State Question 779 or the “Boren tax”), and second, a constitutional repealer related to the use of state property for religious purposes (State Question 790 or the “Ten Commandments monument” question). Each of these involves a change to Oklahoma’s Constitution, but for purposes of analytical contrast, they address vastly different policy areas. The remainder of this paper follows the procedure which I undertook in designing and implementing the research design, and in data collection and analysis.

In Chapter 2, I outline the state of current scholarship in framing and voter sophistication as they relate to ballot wording. I then describe the project as consisting of two stages: a content analysis of the campaigns and arguments for and against each question, and a survey experiment used to test the framing effects. The importance of this line of inquiry lies in the procedures by which ballot propositions are brought before the electorate. By using the various legal processes available to either craft or challenge ballot titles, interest groups favoring a particular proposition are often able to insert their preferred frame into the language of the measure. This is particularly true of initiative measures. Therefore, I first ascertained the general frames of the opposing sides’ positions, and then determined the specific arguments underlying each as well as the target audience. In Chap-

ter 3, I provide historical background and details of the content analysis, as well as a description of the frames chosen for the second stage.

Chapter 4 contains the quantitative analysis of data from the survey experiment, which involved 502 respondents obtained through the Amazon Mechanical Turk service. I outline the nature of the treatments and the implementation of the survey, and then proceed to show the results. In both cases, I find no evidence that habitual voting mitigates the framing effects of ballot language. Chapter 5 concludes the matter, where I discuss some of the implications of the findings, both for policymakers and future researchers.

# Chapter 2

## Background and Design

### 2.1 The Process of Direct Democracy

The modern methods of direct democracy saw their first use during the Progressive Era (cir. 1890-1920), as a means of countering the perceived domination of state legislatures by moneyed interests. Many of the Western states had these processes enshrined in their constitutions in the early part of the 20th Century. One of the most well-known initiative petitions, California's Proposition 13, serves well as an example of the power of the citizens to enact far-reaching change. By way of this act, the voters of California took control of their property tax laws, which they saw as excessive and the result of mismanagement by their state's government. The passage of Proposition 13 began what is often termed a "taxpayer revolt" across the country. However, the unintended consequences for the state of California's revenue and budgeting procedures manifested themselves dur-



ing the recession of the early 1990s, and are still being felt to this day. In this way, the success of Proposition 13 also serves as a warning: voters can easily become short-sighted and create more problems than they solve.

There are two general types of public referendum employed by the several states. The first is the *legislative referendum*, where the state legislature passes a resolution placing an issue before the voters. Ordinarily this will involve an amendment to the state's constitution, but in some states the legislature may determine that certain statutory changes are so important or far-reaching that a vote of the people is desired. Occasionally there are certain categories of legislation (such as tax increases) which by state law must be approved by a majority, or supermajority, of voters before it may become effective.

The second type is the *initiative petition*, the purest form of direct democracy, whereby an interested group of voters gather signatures for a policy proposal and submit them to a state's election board (or other agency) for approval in an upcoming election. The minimum number of signatures required for inclusion on the ballot is normally set by statute as an absolute amount, or as a percentage of registered voters measured by a date certain. In some states the subject matter of initiative petitions is limited to constitutional amendments or to certain types of enactments; in others, the public may place any proposal before the electorate so long as the appropriate number of signatures is obtained.

Both varieties of referendum are, as one might expect, subject to the same influences of parties or interest groups as is the legislative process it-

self. As a method of agenda-setting, certainly this is true of ballot measures created by the legislature. The restrictions that state laws place on the procedures for initiative petitions serve to mitigate this aspect somewhat, however it remains the case that many propositions allegedly submitted by “the voters” are in actuality driven by activist groups who are often adept at manipulating the process to their own advantage. Conversely, organized efforts to oppose ballot initiatives are common with regard to all but the least controversial questions. A well-crafted campaign has the potential to turn the electorate against a measure which would otherwise be considered beneficial to a large majority of voters.

Besides spending money on a media campaign, one of the primary avenues that interested parties can use to influence the outcome of a referendum is the wording of the ballot measure itself. Usually called the “title” or “summary” (or sometimes “gist”), it is a one or two paragraph description of the nature and intended purpose of the proposal, which is printed on the election ballot to inform the voters of the content of the proposition. Disagreements over ballot wording regularly play out in state courts, and in some cases the Attorney General of a state is tasked with re-writing ballot language to conform to state law requirements or court orders. This can, of course, cause the process to be politicized even more than it already may be.

It may seem readily apparent that how a proposal is written can potentially have a significant impact on how the electorate perceives the resulting outcome of the policy change which is being considered. In fact, for some

time such an effect has been assumed to exist by both scholars and political operatives, and this is the main reason that interested parties will go to great lengths to ensure that “their” version of the propositional language is the one that eventually is placed before the voters. In order to more fully explore the nature of this phenomenon, I now turn to an examination of current scholarship on framing as it relates to ballot measures.

## 2.2 Concepts of Framing Effects

The effects of psychological processes related to words and language has been studied extensively in the social sciences for the past several decades. Beginning with Tversky and Kahneman’s (1981) seminal works on Prospect Theory, and how individuals make choices based on perceived outcomes, scholars have examined the formation of opinions and attitudes of voters with respect to whether media or party emphasis on specific aspects of a given policy proposal can alter an individual’s viewpoint in a significant way. Voters are often said to have policy *preferences*, that are developed through individual experiences over time, and to which the government should be responsive in a liberal democracy (Miller 1992). Alternatively, one can characterize an opinion as merely an *attitude*, which is accessed by the individual based on readily available heuristics at the time a question is asked, and which may be subject to radical change depending upon the *framing* of the question and how often the individual is exposed to one frame rather than another (Bartels 2003; Zaller 1992).

In the political context, a *frame* refers to the characterization of a given policy issue, and the particular emphasis given through the method of presentation and the language used to describe the problem or the arguments of the opposing sides. Framing effects occur when small or subtle changes in the way an issue is presented produce differences in the opinions of individuals (Chong and Druckman 2007; Scheufele and Tewksbury 2007). These differences, and the consequences thereof which manifest themselves in the voting booth, may be inconsequential, or they may be significant enough to affect the outcome of an election. Framing effects may be designed to change responses to queries (such as those on a survey), or they may be strong enough to change attitudes about an issue (Iyengar and Kinder 2010), and they may either be intentional or unintentional.

It will be useful in the following analysis to organize the concept of frames into discrete subsets, as the usefulness and effects of frames can be differentiated across multiple situations and motivations. We might, therefore, speak of three different types; the first being the *frame of reference*, by which I mean the foundational or “starting point” with which an individual begins to form a belief around a particular issue. The second is the *frame in communication* (defined below), and the third can be described as *frame of argument*; in other words, the characterizations of the facts and issues that an individual uses to support his or her position or belief in any given context.

For our present purposes, we are most interested in frames in communication. These are the words and phrases, the images, and the style of

presentation of a particular message, which whether intentional or not, have the propensity to alter or bias the way an individual cognitively processes the information transmitted (Druckman 2001). The effect occurs when the message of the frame overcomes what Chong and Druckman (2007) call “moderator variables”, such as personal predispositions, or social or peer group pressures. Framing effects can be either positive (reinforcement of a pre-existing belief), or negative (changing the way an individual thinks about an issue or policy preference). It is important to note that framing need not change an individual’s underlying belief system in order to produce a change in opinion. Often, it is sufficient if the message causes the recipient to adjust the level of importance or weight that they place on the issue in question (Nelson, Oxley, and Clawson 1997; Nelson and Oxley 1999).

It is usually necessary to distinguish framing from two other similar yet distinct phenomena: priming and agenda setting. Both are related to the overall concept of media influence on public opinion and the behavior of voters. “Agenda setting” in this sense occurs when media outlets decide which major policy areas should be the focus of their news broadcasts or analysis pieces. Public opinion as to the relative importance of these issues tends to be affected by this practice (McCombs 2014). “Priming” refers specifically to the media’s characterization of issue criteria by which the performance of public officials should be judged. The analysis of effects related to these three phenomena is often similar (see, e.g., Goidel, Shields, and Peffley 1997).

More recently, framing has been studied as an explanatory variable contributing to the outcome of referendum elections. It has been suggested that the rhetorical framing of ballot measures may play a role in public support, because the language of the initiative itself may limit the ability of campaigns to effectively communicate their policy preferences to the voters (Smith and Herrington 2000). Others have found that voters in states where the initiative petition is available (see above) are often more adept at sorting through the campaign rhetoric and making informed policy decisions (Burnett and Kogan 2012). Though scholars seem to agree that something significant occurs when ballot language is altered, there remains considerable disagreement regarding the size and situational context of the framing effect. For instance, Binder, Childers, and Johnson (2015) availed themselves of a natural experiment and discovered that, where two different versions of two separate ballot measures were inadvertently presented to voters, the effect of alternate framing varied with the intensity level of the public discourse (as measured by campaign expenditures and media coverage). Still, it seems that the way a ballot measure is worded has the potential to change the result of an election, especially if the margin is otherwise close (Hastings and Cann 2014).

## **2.3 Voter Sophistication and Habits**

Normatively speaking, framing effects have the potential to be either positive or negative. There appears to be, however, a sense in which framing

effects are generally seen as a bad thing, so much so that researchers who study them often choose to additionally address the matter of how they can be minimized. There is something of a consensus among scholars that one way to reduce the effectiveness of manipulative language is to increase the information level or sophistication of the electorate as a whole. It follows, then, that any attempt to engage this problem must first begin with the question of how to best define the “informed voter.”

Voters receive information about election choices from a variety of sources, but those may differ depending upon the type and character of the election in question. In a campaign for public office, the primary locus of information dissemination is the candidate themselves and/or their campaign staff. Whether door-knocking, participating in a “town hall” style meeting, or in advertising, the candidate is nearly always front and center. The reasons are of course obvious; the candidate stands a much better chance of winning if the voters know who they are and have a positive opinion about them. Personal contact is generally the best way to achieve this goal. Party organizations and voter guides usually provide a secondary level of information, as well as a baseline heuristic for voters who lack the time or desire to engage with campaign literature in depth, or to check up on a candidate’s policy background.

Referendum elections, where there are no candidates and no parties, present a different set of problems. Often it is incumbent upon the members of the electorate to do their own “homework” and discover the pros and cons of a measure for themselves. Some interest groups, as well as

some states, do produce voter guides with information on proposed measures, and although there is some evidence that such documents are useful in increasing voter knowledge, their overall effectiveness has not been widely confirmed (see e.g., Primo 2013). Additionally, in these types of elections, one might assume that media advertising may have a strong influence on voter opinion, both during the campaign and at the ballot box. Interestingly, Bowler and Donovan (2002) conducted a study in which they found that, where voters have strong pre-existing preferences, the ability of campaign advertising to sway the outcome of referendum elections is minimized. However, as I discuss in Chapter 3, the results of the election for State Question 779 may operate as a counterfactual on this point.

The overall information level of a given voter can be characterized as a combination of preferences obtained through socialization, such as ideology and party identification, and issue knowledge obtained through education and news attentiveness. This latter category was analyzed by Zaller (1992) in the formulation of his Receive-Accept-Sample (RAS) model of messaging. Zaller found that public opinion is shaped primarily by an individual's cognitive awareness and prior attitudes toward the issue in question; and further, that a positive correlation exists between awareness and the stability of one's opinions. As applied to referendum elections, the RAS model would indicate that a highly attentive voter should possess a greater ability to decide upon support for a ballot measure, with less reference to the rhetoric surrounding the campaign, or the messaging contained in the ballot language itself.



This concept has been extended to the realm of attentiveness, or information level, as a function of political knowledge. The most pliable voters tend to be those who know something about the political landscape, but who are in the middle range of sophistication (Zaller 1996). It therefore becomes incumbent upon the researcher to categorize the electorate in terms of how much they know about the political world. Measures such as this that are related to how much a voter knows about political “facts” do have their detractors, however. For instance, Lupia (2006) suggests that survey questions which test the respondent on political knowledge are a form of elitism, and that in the arena of referendum elections, issue proxies (such as interest group endorsements) provide sufficient information for an acceptable level of voter competence.

Yet, for an individual to become a skilled voter, it stands to reason that they must actually *vote* repeatedly. If it is the case that voters develop “experience” at the task of analyzing and deciding on public policy, then we should observe a decreasing framing effect as the number of votes cast by the individual increases. Those who go to the polls with knowledge of what to expect, and having already made up their minds on a particular policy issue, should be much less likely to be swayed by the wording they encounter as they mark their ballot. Therefore, for the current project, I propose measuring voter sophistication with reference to how often a given individual has voted in past elections. Previous research seems to indicate a potential relationship between a high level of referendum activity and increases in voting habits and competence (Tolbert, McNeal, and Smith

2003; Tolbert and Smith 2005). Recent studies have also found that voters in states with active referendum procedures gain the ability to “practice” analyzing ballot measures and assessing their desirability as changes in public policy (Burnett and Kogan 2012). A logical extension of this idea would be to test whether an operationalized variable or index of habitual voting shows a significant effect when alternative frames are used in ballot questions.

This line of inquiry generates implications for the health of democracy as well. Does framing result in citizen incompetence, or does it affect public opinion, but in a rational way? Druckman (2001) argues that citizen incompetence may manifest under certain conditions when framing effects are present, but at other times may be lessened or eliminated. Others argue that high-salience campaigns may be beneficial for voter competence, and that scrutiny of ballot language by courts or regulatory authorities should be increased only when the public is less likely to receive heuristic cues from sources such as campaign literature or the news media (Burnett and Kogan 2015). One might therefore deduce that framing effects vary with the intensity of the campaign, as found by Binder, Childers, and Johnson (2015). By including state questions in this study with differing levels of campaign intensity, I intend to provide an empirical analysis of this phenomenon as well.

## 2.4 Research Design

The general election of November 8, 2016 provided a rich environment for observation of how the parties to a referendum campaign use rhetorical devices when presenting their positions to the public. In Oklahoma, there were no less than seven state questions on the ballot, with policy proposals related to farming rights, criminal justice, education funding, liquor laws, and church-state relations. In order to analyze how diverse demographics and voter habits might alter the effectiveness of campaign and ballot framing, I chose two very different propositions upon which to focus. The first is State Question 779, which proposes a Constitutional amendment creating a one penny sales tax to fund public school districts and higher education. The second, State Question 790, repeals a section of the Oklahoma Constitution which prohibits public money or property from being used for the benefit of religion or religious institutions.

These policy areas are distinct enough that the amount of covariance between support for one as compared against the other should be minimized. Stated differently, the voter who supports public funding for education does not necessarily favor or disfavor public resources being used for the benefit of religious organizations. To the extent that covariance is an issue, the inclusion of ideology and party identification as control variables should be sufficient to account for it. There are two reasons for this. First, sales tax policies tend to be cross-cutting issues, affecting both sides of the political spectrum equally, whereas opinions on matters of religious liberty seem to fall more along ideological lines. Second, though admit-

tedly there is some antagonism toward public education among the more conservative members of religious groups in Oklahoma, to date there is no evidence that this attitude has translated to concrete action against state funding of public schools. It is more likely that religious voters are more conservative in general, and therefore might not be disposed to support a tax increase of any kind; again, any relationship of this nature should be captured by the aforementioned control variables.

Each of these State Questions also poses a slightly different set of research problems. As a legislative referendum, SQ 790 did not result from an organized effort to obtain public signatures before being presented as a ballot measure. As such, the YES campaign lacked the underlying grass roots infrastructure that might have generated solidly discernible frames well before the final month of the election cycle. It is true that, during the Summer and Fall of 2015, the underlying issue of the Ten Commandments monument received extensive news coverage because of the controversial nature of the Oklahoma Supreme Court decision which required its removal. However, very little of that discourse has remained salient into the 2016 election cycle, having been overshadowed by the state's budget woes and the continued economic downturn in the energy industry.

Conversely, SQ 779 is derived from an initiative petition drive that received no small amount of media attention when it was proposed in the Spring of 2016. The educational budget crisis in Oklahoma was well covered in print and broadcast media as well as on the Internet. To increase the probability of capturing all of the relevant and salient campaign frames

for both questions, I decided to concentrate on the final two-month period prior to the election, from September 8 through November 8. This range should contain the highest levels of communication from both campaigns, and consequently the best chance of obtaining a sufficient sample.

From the outset, because of the nature of the problem and the type of data available, I determined that a mixed methodology would be optimal for this particular study. The project can be seen as divided into two distinct stages. In Stage One, I adopt a grounded theory approach to analyzing the content of campaign literature and media coverage of the public debate surrounding each State Question. Engaging the study of campaign frames with no preconceived notions of what those might entail, and letting the data provide the basis for theoretical formulation, should result in a better understanding of not just the effects of the campaign and ballot frames, but also of the worldview and strategies of the parties involved. Determining cause and effect is important from a deductive point of view, but the addition of an inductive paradigm creates a more complete and robust analysis of the reasons behind the cause, which are often more instructive (see Corbin and Strauss 2015). Stage Two consists of a randomized survey experiment based on the theories developed in Stage One. The results are analyzed quantitatively and, to the extent possible, compared with the outcome of the real-world election.

### 2.4.1 Stage One: Content Analysis

For the first part of the study, I collected campaign literature from each of the YES-NO organizations as well as interest groups and individuals who personally endorsed one side or the other. These included statements from websites, opinion-editorial pieces in local news outlets, and broadcast advertisements. I also reviewed media coverage from the relevant period (approximately two months prior to the election), in the form of articles from newspapers in the state's major metropolitan areas, and from some of the smaller towns in more rural areas. An attempt was made to roughly equalize the media sources between those that lean conservative and those that lean liberal, and those to whom no bias is generally attributed. Media reporting was essentially descriptive of the arguments put forth by each campaign and categorization was relatively smooth. The various editorials helped to distill the major points of each policy position and to demonstrate the general worldview of each side of the argument. It is difficult to quantify a preferred sample size with this method; instead, it is preferable to use repeated content as a check for relative exhaustion of sources. When the same arguments or frames begin to repeatedly appear with no novel language used, it can be concluded with a reasonable degree of certainty that the probability of finding more useful data is minimal.

To obtain a sufficient sample of the news media material, I first conducted a Lexis-Nexis search of the Oklahoma media database using the terms "State Question 779" and "education sales tax" for the first question, and "State Question 790" and "Ten Commandments monument" for

the second. Following that, I searched the same terms with state-specific indicators using Google. I also examined the websites of the Daily Oklahoman, Tulsa World, Lawton Constitution, Journal Record, and Oklahoma Gazette. Through these searches I was able to obtain a number of articles from local and regional news sources around the state, in addition to the major outlets. Local newspapers in Oklahoma tend to share content with each other through a centralized clearinghouse, so some duplication was anticipated. This material was then subjected to a content analysis, using axial and selective coding methods. In the first pass, I focused on words and phrases which constituted discrete arguments either for or against the proposal. I then re-visited each set of documents and attempted to create broad categories in which to classify the policy focus of each side's contentions.

### **2.4.2 Stage Two: Survey Experiment**

Data collection for the ballot language experiment was accomplished through an online survey using Amazon's Mechanical Turk crowd labor service. The requirements for taking part in the research were simply that the individual must have been at least 18 years of age and an eligible voter in U.S. elections. In order to obtain a sample of sufficient size, I did not restrict the participant pool to persons residing in Oklahoma. The survey pre-test contained a series of demographic and policy preference questions, the latter included as decoys to draw the individual's focus away from the primary subject of the survey. The respondents were then asked to read two

randomized treatments in the form of descriptive language, similar to that commonly used in referendum ballot titles. One of each of the randomized elements mirrored the actual ballot language of either SQ 779 or SQ 790, with all references to Oklahoma removed and the content generalized to any state. The other side of each randomization contained language which I created, based on the campaign frames derived from the content analysis in Stage One.

A brief word is appropriate here about the use of the Mechanical Turk (usually abbreviated as MTurk) service for academic research. Some scholars argue that, because of the somewhat unusual composition of the MTurk user base, the use of convenience samples from this group limits the generalizability of survey results. However, recent studies have cast doubt on this assessment, and in fact it appears that samples drawn from MTurk workers behave similarly to (Paolacci, Chandler, and Ipeirotis 2010; Casler, Bickel and Hackett 2013), and in some cases better than (Berinsky, Huber, and Lenz 2012), other types of convenience samples. Also, while it is well known that MTurk workers vary from the general population in several key demographics, careful attention to these factors through the use of control variables and weighting can serve to limit the effects of the differences (Levy, Freese, and Druckman 2016). In addition, it has been shown that the use of MTurk for survey experiments (particularly those involving framing effects) is unlikely to generate results that are significantly different from those of a general population sample (Mullinix et al. 2015). I have included the demographics of the sample used in Chapter 4.



Following each treatment, the respondents were asked follow-up questions corresponding to the dependent variables which I intended to measure. The questions referred to *overall support* for the proposition, *activism* (whether the respondent would be willing to engage in political activity either for or against the proposition), and *elected official support* (whether they would vote to re-elect someone who was in favor of the proposition). Because the dependent variables are dichotomous, I used a standard logit model to estimate the regression coefficients.

Before discussing the results of the survey experiment, I first proceed to a description of the historical context and the policy space occupied by each state question. I then move to the content analysis itself, including an exploration of the various argument frames used by the campaigns, as well as coverage by media outlets. Chapter 3 closes with a brief section explaining the method of formulating the treatments used in the survey.

# Chapter 3

## Campaign Analysis

Before undertaking the survey experiment which is at the heart of this project, I found it advisable to establish the parameters of argumentation employed by the various parties who had a particular interest in the outcome of the election. This is preferable to creating hypothetical scenarios out of whole cloth, not only for reasons of generalizability of the findings, but also because it is often difficult to make false wording sound legitimate and realistic, and not give the participants the clear impression that they are acting as test subjects. In addition, basing the treatments on real-life policy proposals lends them a semblance of importance which should increase the seriousness with which the participants consider their responses. For each question which follows, I provide background information, describe the content of the campaigns and media coverage, and discuss the actual outcome of the election.

## 3.1 A Question of Education Funding

### 3.1.1 Policy Timeline

Education funding in Oklahoma has experienced a somewhat checkered past. Prior to the 1970s, local property taxes were the primary source of revenue for Oklahoma school districts. Over a period of approximately 20 years, an effort was made to equalize funding for urban and rural schools, and in order to accomplish this goal, school revenues were shifted from local sources to state appropriations. In 1985, two-thirds of statewide school funding came from the state.<sup>1</sup>

The publication of *A Nation At Risk* in 1983<sup>2</sup> created a nationwide focus on educational reform in general. Oklahoma policymakers became convinced that the consequences of doing nothing would mean that Oklahoma would fall behind unless the State Department of Education was given more control over educational standards and teacher credentials. At the same time, a downturn in state tax revenue in the late 1980s prompted a reassessment of the funding stream for public schools at all levels.

Public support for a complete overhaul of education policy continued to build throughout this period, culminating in the closest historical analogue to the proposals contained in the current SQ 779. The Oklahoma Education Reform Act, known colloquially as House Bill 1017<sup>3</sup>, went into

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<sup>1</sup>McKean, Kathleen. *Educational Reform in Oklahoma: A Review of Major Legislation and Educational Performance Since 1980*. OK Policy Institute 2013.

<sup>2</sup>National Commission on Excellence in Education, April 1983.  
<http://www2.ed.gov/pubs/NatAtRisk/index.html> (last accessed Nov. 12, 2016).

<sup>3</sup>OK Session Laws 1989, 1st Extr. Sess., HB 1017.

effect in 1990 with much fanfare and the virtual certainty that the state's educational funding problems were behind it, and that modernization and centralization would ensure a quality public education system for decades to come. Unfortunately, the promises and hopes of that major legislation were dashed by the late 1990s. From that point, what had become a robust funding stream for K-12 education began to suffer a slow decline. State appropriations dropped precipitously due to revenue shortfalls which occurred in 2002-2003<sup>4</sup>. A change was needed, and a contemporaneous Gubernatorial election provided the vehicle for it.

Brad Henry was elected Governor of Oklahoma in 2002 by running on a platform with education as its centerpiece, and at the top of the agenda was the passage of a bill authorizing the first lottery in the state's history. Governor Henry even characterized the measure as an "education lottery" and the eventual ballot titles of the implementing referenda reflected this purpose. State Questions 705 and 706 passed by approximately two-thirds majorities,<sup>5</sup> yet on the same ballot, another proposal loomed. SQ 712, which enacted the State-Tribal Gaming Act, allowed Native American tribal governments to establish casinos and other gambling operations on Indian land. The measure passed by a margin of 60% to 40%.<sup>6</sup>

This new focus on gambling as a source of education revenue was certainly controversial, especially given the highly conservative and religious

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<sup>4</sup>McKean, 2013.

<sup>5</sup>Oklahoma Secretary of State, <https://www.sos.ok.gov/gov/questions.aspx> (last accessed Nov. 12, 2016).

<sup>6</sup>Ibid.

nature of the Oklahoma electorate.<sup>7</sup> Each new law required a portion of the proceeds to be funneled to the Department of Education for distribution to school districts. However, there is some indication that, beginning in FY 2014, the level of funding provided by these sources had begun to destabilize. The amount received per district is very small and there has been very little political will to make the necessary legislative changes that might increase appropriations to the schools.<sup>8</sup>

Along with common education, higher education has likewise suffered from a lack of governmental attention. In 2014, continued funding reductions prompted University of Oklahoma President David Boren to speak out against the Legislature and the Governor's office, and their apparent singular focus on cutting taxes at the expense of the state's education system.<sup>9</sup> This disconnect between the policy views of educators and state government leaders, along with revenue failures in fiscal years 2006, 2010, and 2014-15, have re-ignited the desire among university and school district officials to once again address the matter of education funding reform. In point of fact, the current landscape is very much like that of the late 1980s, and as will be seen below, the proposed solution is likewise similar.

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<sup>7</sup>Pew Research Center, *Religious Landscape Study*.2014. <http://www.pewforum.org/religious-landscape-study/state/oklahoma/> (last accessed Nov. 12, 2016).

<sup>8</sup>Cameron, Alex. "Oklahoma's Education Lottery: Underperforming or Undercut?". News9.com. 2014. <http://www.news9.com/story/26869050/oklahomas-education-lottery-underperforming-or-undercut> (last accessed Nov. 12, 2016).

<sup>9</sup>Archer, Kim. "OU President David Boren slams Governor's proposed funding cuts for higher education." *Tulsa World*. 2014. [http://www.tulsaworld.com/news/education/ou-president-david-boren-slams-governor-s-proposed-funding-cuts/article\\*710598d8-02fd-5bdd-ad45-80e6c1a6c631.html](http://www.tulsaworld.com/news/education/ou-president-david-boren-slams-governor-s-proposed-funding-cuts/article*710598d8-02fd-5bdd-ad45-80e6c1a6c631.html) (last accessed Nov. 25, 2016).

As provided by Oklahoma law, the proponents of the initiative petition composed a provisional ballot title and submitted it along with the language of the proposed amendment. As part of the referendum process, the Oklahoma Office of Attorney General reviews all proposed ballot titles for compliance with state law requiring that the voters be sufficiently informed of the actual effect of the question to be decided. Then-Attorney General Scott Pruitt and his staff examined the proposed wording and re-wrote the ballot language. Subsequent to publication by the Oklahoma Secretary of State, OCPA Impact, a conservative public policy advocacy organization, filed a challenge to the ballot wording with the Oklahoma Supreme Court.<sup>10</sup>

The Court ruled that the ballot title did not meet the legal requirement and rewrote the language a second time. The final version read as follows:

This measure adds a new Article to the Oklahoma Constitution. The article creates a limited purpose fund to increase funding for public education. It increases State sales and use taxes by one cent per dollar to provide revenue for the fund. The revenue to be used for public education shall be allocated: 69.50% for common school districts, 19.25% for the institutions under the authority of the Oklahoma State Regents for Higher Education, 3.25% for the Oklahoma Department of Career and Technology Education, and 8% for the State Department of Education. It requires teacher salary increases funded by this measure raise teacher salaries by at least \$5,000 over the salaries paid in the year prior to adoption of this measure. It requires an annual audit of school districts' use of monies. It prohibits school districts' use of these funds for increasing superintendents' salaries or adding superintendent positions. It requires

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<sup>10</sup>*OCPA Impact, Inc. v. Sheehan*, 2016 OK 84, 377 P.3d 138.

that monies from the fund not supplant or replace other educational funding. If the Oklahoma Board of Equalization determines funding has been replaced, the Legislature may not make any appropriations until the amount of replaced funding is returned to the fund. The article takes effect on July 1 after its passage.

Similar to House Bill 1017, the measure initiated a tax increase with the resulting revenue placed in a special purpose fund. Constitutional limitations on appropriations would theoretically prevent the Legislature from raiding the fund to support other programs. Despite the best efforts of the proponents, State Question 779 failed by a margin of 60% against.<sup>11</sup>

### **3.1.2 The Campaigns**

The YES on 779 campaign centered around two primary themes: *children are our future* and *retaining good teachers*. Within these general categories, various policy frames were used such as providing reading programs for low income children, college and CareerTech (vocational) tuition, and increasing teacher salaries. Table 3.1 lists some of the words and phrases used to code each frame.

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<sup>11</sup>Oklahoma State Election Board, [https://www.ok.gov/elections/support/20161108\\_seb.html](https://www.ok.gov/elections/support/20161108_seb.html)

Table 3.1: Words and Phrases – Education Sales Tax

YES campaign	
<i>Children/future</i>	Class size
	Dollars per child
	Days in School
	Literacy programs
	High School graduation rates
	College Tuition
	Career Tech funding
<i>Teacher retention</i>	Shortage/Crisis
	Salary increase
	Constitutional lockbox
NO Campaign	
<i>Tax increase</i>	Too high
	Reduce overall tax income
<i>Policy failure</i>	Responsible budgeting
	Threats to municipal funding
	Government waste
	Repeat of HB 1017

The teacher retention frame often included a description of the situation as a “crisis”, or some similar type of dramatic terminology. An excerpt from the YES campaign website will serve as an example:



Why is the ballot measure needed?

This effort is needed because there is a teacher shortage crisis in Oklahoma. Oklahoma teachers have not had a raise in nearly a decade and the state ranks 48th in teacher pay. Teachers are fleeing to states bordering Oklahoma for better pay and leaving the profession altogether...<sup>12</sup>

The children/future frame appeared in multiple editorials as well, for instance:

In the absence of solutions our children suffered. Voters should be disturbed to learn that every Oklahoma student from the fifth grade down has experienced nothing but state budget cuts throughout the course of their education.<sup>13</sup>

Often both frames were combined in a single plea for support, along with the ancillary argument that doing something is better than doing nothing:

That means public school classes are closed on Fridays in nearly a third of the public school districts in the state. It means that class sizes are high and rising. It means that experienced Oklahoma teachers are giving up hope and leaving for other states; young teachers are never willing to consider starting careers here. It means that involved parents are increasingly unwilling to send their children to public schools, creating a self-perpetuating chain reaction of low expectations, low morale and low achievement. SQ 779 won't solve those problems, but without it, they will only grow worse.<sup>14</sup>

Emotional appeals of this kind are often effective, especially given the generally non-partisan nature of education as a conceptually important pol-

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<sup>12</sup><http://yesfor779.org/faqs/> (accessed Nov. 2, 2016).

<sup>13</sup>Owens, Ryan. "SQ 779: Our kids are worth the penny". *Norman Transcript*, October 12, 2016.

<sup>14</sup>Ed. Staff. "Tulsa World endorsement: State Question 779 is the state's best hope to change the education funding trajectory". *Tulsa World*, October 23, 2016.

icy area. Where the politically left and right mindsets differ is usually in the implementation. It is often taken to be axiomatic (though not without controversy) that the worldview of the left has the expansion of “top-down” government as its central priority. The method of solving societal problems by creation of new legislative or bureaucracy-based programs is the driving force behind many of the more prominent liberal policy initiatives. The supporters of 779 also used the children/future frame to argue against the opposition’s condemnation of a tax increase; a common repeated slogan of the campaign was, “our kids are worth the penny”.<sup>15</sup> The YES campaign enlisted the help of well-known Oklahoma personalities such as President Boren, and musician Toby Keith, to create television and radio advertisements in support of the measure.

In contrast, the viewpoint of the political right tends toward smaller and “bottom-up” government, with solutions implemented at the local level wherever possible. In this vein, the NO on 779 campaign focused on the *policy failures* of the current system of education funding, and the argument that the paradigm of statewide *higher taxation* is merely more of the same. Consider the following language drawn from an op-ed piece by an opponent of the proposal:

This will be an extremely regressive, antifamily tax. Increasing sales taxes by \$420 per household will hurt young families already struggling the most to raise children. Oklahoma is one of the few states that do not exempt groceries from sales tax. Having antifamily taxes is horrible public policy.

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<sup>15</sup>YES on 779 television advertisement, <https://www.youtube.com/watch?v=A9BEIRcXJG8> (accessed Nov. 16, 2016).

SQ 779 does not address inefficient administration of our schools. Over the past 20 years, while the number of students has increased 14 percent, the number of administrative personnel has increased 34 percent. Reducing this staffing level to be proportionate with student increases would fund \$99 million for teachers' raises.<sup>16</sup>

In addition, the Mayor of the town of Weatherford spoke out on behalf of the Oklahoma Municipal League. Here, the taxation and policy failure frames are used in conjunction:

The state of Oklahoma state sales tax rate is currently at 4.5 percent. You couple that with counties and cities rates and you start pushing double digits in a hurry. There are currently 54 municipalities in the state with a combined sales tax rate (state, county & municipality) that are over 10% and two that are over 11%. There is a finite amount of sales tax to be had regardless of what the need may be. Funding education with a state sales tax increase is not the way to solve this situation. Education related entities currently receive over 50 percent (50%) of state appropriations. You need only look back to prior endeavors to solve this problem; attempts that included HB 1017, paramutual gaming, the lottery to name a few.<sup>17</sup>

The Oklahoma Municipal League was heavily involved in the campaign to defeat the proposal (see below). Similarly framed opinions were ubiquitous on editorial pages in the weeks leading up to November 8. For example, the following excerpt sums up the taxation frame nicely:

“When voters go to vote in November they will not be voting on whether public school teachers need a pay raise, because they do. They will not be voting on a pay raise because teachers

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<sup>16</sup>Watson, Brent. “State Question 779 is a Regressive, Repressive Tax”. *Tulsa World*, Oct. 26, 2016.

<sup>17</sup>Brown, Mike. 2016. “The Wormy Apple”. Oklahoma Municipal League press release.

are leaving education for higher paying jobs, or because class sizes are getting larger, because they are,” said David Bond, CEO of OCPA Impact. “We will be voting on whether Oklahoma families will have to support a 22 percent increase in the state sales tax...”<sup>18</sup>

Opponents contended that increasing centralized education revenue had been tried before (in 1990 with HB 1017), and it had failed. Widespread concern over how and why previous funding sources, including the lottery, had proven inadequate pervaded the opposition rhetoric, with a less explicit implication that the Legislature had engaged in creative budgeting. The NO campaign consistently maintained that their objection was not to adequately funding schools and universities. Instead, they argued that more efficient government spending would result in sufficient savings which could be re-directed toward education. Some proponents of the measure posited that, because overall funding for education was still on the increase through 2015 (through property taxes and local funding sources), the Legislature did not see state level education funding as a top priority. A vote against the proposal would provide a further signal to elected officials that the public was indifferent toward this policy area.

The resolutions passed by municipal groups either in favor of or opposed to the measure provide an interesting subtext to the debate. The Oklahoma State School Boards Association endorsed a proposal similar to SQ 779 as early as November 2015. In outlining the reasons for their support, the Association addressed many of the opposition’s arguments

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<sup>18</sup>Bond, David. “CEO of OCPA Impact, Against SQ 779”. *Edmond Sun*, October 21, 2016.

related to the taxation frame, and sought to explain in detail how funds would be allocated at the school district level. Further, they made a sincere effort to assuage fears that the Legislature would simply pour the new sales tax revenue into the General Fund for state appropriations, and use the money for other purposes. They did this by thorough explanation of the “constitutional lockbox” provision contained in the proposal, which is designed to prevent the Legislature from shifting funding to other agencies and sectors of government. This argument was often referenced in YES campaign literature, as the principal proponents apparently believed that voters’ main concern would be whether the funds generated by the sales tax would be used for education only.

A coalition of city government groups, including the Oklahoma Municipal League and the Mayors’ Council, published a similar resolution opposing the measure, which in part outlined an argument consistent with the right-wing position against a state-level tax increase. These entities claimed that a higher sales tax burden at the state level would necessarily impair the municipalities’ ability to raise *local* sales taxes to fund city services, as voters may be wary of approving further tax increases in an already saturated environment. In addition, a PAC called Oklahoma Deserves Better (instantiated by Enid Mayor Bill Shewey) began running televised advertisements a few days before the election, in which SQ 779 was repeatedly referred to as “Tax Bill 779”.<sup>19</sup> Interestingly, the School Boards Association did not appear to be concerned with the possibility of

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<sup>19</sup>Oklahoma Deserves Better television advertisement, <https://www.youtube.com/watch?v=3jm9dBosl78> (accessed Nov. 16, 2016).

losing local revenue sources, which is consistent with the left-wing view of tax policy.

Financially speaking, the YES campaign vastly outspent the NO by a ratio of approximately 8 to 1. Records from the Oklahoma Ethics Commission show aggregate expenditures of \$7,116,573.32 by Oklahoma’s Children, Our Future PAC, as opposed to \$896,159.21 by the Oklahoma Deserves Better PAC.<sup>20</sup> Roughly 40% of the total YES expenditures were used for radio and television advertising, compared with 80% for the NO organization. This is, however, an instance where the numbers definitely do not tell the entire story. Given the eventual outcome of the election (see below), it is likely that the timing of advertising expenditures, and the content of the ads themselves, played a significant role in the level of support for the measure.

### **3.1.3 Media Coverage**

In general, news reports tended to eschew analysis, instead preferring to simply present the arguments of interested parties in their own words. By almost a 2 to 1 ratio, individual commentators tended to focus on the teacher retention (yes) and policy failure (no) frame categories, and news reporting reflected this emphasis. During the final two months prior to the election, out of 40 articles in regional or statewide newspapers, 93% mentioned either the teacher retention or teacher salary frames. The arguments for threats to municipal funding and responsible budgeting were

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<sup>20</sup>Oklahoma Ethics Commission, <http://guardian.ok.gov> (last accessed February 9, 2017).

collectively referenced 73% of the time. The “higher taxes” frame appeared in 40% of news stories, which was roughly equivalent to the frequency of use of that argument by individual opponents of the measure.

Liberal outlets (such as the *Tulsa World* and the *Oklahoma Gazette*) tended to publish more articles with YES frames, while conservative papers (such as the *Daily Oklahoman*) tended to concentrate on the NO frames. But the disparities were not large, and all of the newspapers that I reviewed seemed to make a sincere effort to balance their news articles, and to limit their opinions to the editorial pages. The more liberal papers endorsed SQ 779, while the more conservative outlets opposed the measure, with the exception of the *Journal Record*. Considered to be a center-right business-friendly news organization, the *JR* actually endorsed 779.

Whether it was news reporting or the campaigns themselves that affected the outcome, something unusual clearly took place. Polling data showed support for the measure at 60% until 2 weeks before the election<sup>21</sup>, yet SQ 779 was ultimately rejected by an almost identical margin. One possible explanation for this direct reversal may lie in the complexity of the arguments. Though the *policy failure* frames were more pervasive during the campaign as a whole, matters of public financing for municipal projects can be difficult for the average voter to grasp, and the polling respondents may have been reacting to the teacher salary frames which are more easily understood. It therefore appears likely that the Oklahoma Deserves Better PAC and its late advertising push had a significant effect on the final vote.

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<sup>21</sup>SoonerPoll. Oct 18-20, 2016. <http://soonerpoll.com/oklahoman-polling-shows-oklahoma-state-question-support-ahead-of-election/> (last accessed Nov. 17, 2016).

By bringing the attention of the voters squarely on to easily digested arguments against *higher taxes*, the NO campaign was able to capture salience from the opposition and re-frame the debate to their position of strength at the eleventh hour.

## **3.2 A Question of Religious Entanglement**

### **3.2.1 Policy Timeline**

It is often the case that the genesis of a public referendum takes a circuitous route through different policy arenas over an extended period of time, before finally coalescing into public action at a critical point. The relationship among various paths can, in most cases, only be viewed from the point of the juncture backward. Such is the curious case of Oklahoma State Question 790, which traces its origins to two separate and unrelated historical events, spanning several decades: the enactment of Blaine Amendments and the placement of Ten Commandments monuments.

The term “Blaine Amendment” refers to a number of state constitutional provisions (not all of which are true amendments) which restrict the use of public funds for the benefit of religious institutions. In some cases, additional prohibitions exist against similar use of state property, or the restriction regarding institutions is extended to individuals such as clergy. These provisions are named for James G. Blaine, a Republican politician from Maine who served as Speaker of the U.S. House of Representatives (and later as a Senator and Presidential candidate) in the 1870s. In 1875,



Blaine introduced a joint resolution into Congress which served a dual purpose. It applied the Establishment Clause of the First Amendment to the states, and it prevented the states from using their own land and tax dollars to support particular religious sects (Green 1992). The proposed amendment failed to receive the necessary two-thirds majority vote in the Senate, and was defeated.

There is some scholarly disagreement on the matter of whether Blaine's proposal was primarily motivated by political expediency or religious animus. Blaine was accused of fomenting anti-Catholicism in order to drum up support for the Republican party among Protestants, and the amendment was seen as a thinly veiled attempt to thwart state funding for Catholic parochial schools (Green 2004). Whatever the actual truth of the matter, in the years following the amendment's failure in the U.S. Congress, a movement began to emerge among state legislatures to take up the mantle of Blaine's policy initiative. Eventually, all but 10 states took steps to include similar provisions in their own constitutions. Oklahoma enacted its own version at statehood as Article 2 Section 5.<sup>22</sup> It reads as follows:

No public money or property shall ever be appropriated, applied, donated, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary, or

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<sup>22</sup>It should be noted that certain members of the Oklahoma Supreme Court do not believe that Okla. Const. Art. 2 Sec. 5 was intended to be a Blaine provision (see concurrences in *Prescott v. Oklahoma Capitol Preservation Comm'n*, 2015 OK 54, 373 P.3d 1032). An exploration and analysis of whether the language in question was derived from Blaine's proposal is beyond the scope of this paper. My purpose here is instead to show that the centuries-old controversy surrounding the use of public funds for allegedly sectarian purposes played a significant part in the formulation of State Question 790.

sectarian institution as such.

The second major event involves the Fraternal Order of Eagles, a non-profit organization based in Ohio.<sup>23</sup> Among their many charitable projects during the Twentieth Century was the donation and placement of a number of “Ten Commandments Monuments” at courthouses and public buildings across the country. These granite sculptures were carved to resemble the stone tablets depicted in the 1956 Cecil B. DeMille movie of the same name, with the permission and approval of the aforementioned director.

One such monument found its way to the grounds of the State Capitol in Austin, Texas in 1961. Forty years later, in 2001, a former Southern Methodist University law student sued then-Governor of Texas Rick Perry, alleging the monument to be a violation of the Establishment Clause contained in the First Amendment to the U.S. Constitution.<sup>24</sup> The case eventually made its way to the U.S. Supreme Court, whereupon a plurality of the Justices ruled that the monument was permissible under Federal Constitutional provisions.

Following this decision, in 2012 a coalition of lawmakers led by State Representative Mike Ritze erected a similar monument at the Oklahoma State Capitol, paid for with private donations. ACLU of Oklahoma subsequently sued the state. The Oklahoma Supreme Court ruled that the monument was a violation of Art. 2 Sec. 5. of the Oklahoma Constitution, but made no reference to the Federal Establishment Clause.<sup>25</sup> During the

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<sup>23</sup><https://www.foe.com/About-The-Eagles/Who-We-Are> (accessed January 13, 2017).

<sup>24</sup>*Van Orden v. Perry*, 545 U.S. 677, 351 F.3d 173.

<sup>25</sup>*Prescott*, *supra*.

following legislative session, the Oklahoma legislature passed a joint resolution setting State Question 790 before a vote of the people. The specific intent was to repeal Art. 2 Sec. 5 and overturn *Prescott*.<sup>26</sup>

The initial proposed ballot language was very minimalistic; it merely referenced the repeal of the constitutional provision in question, without further comment. As stated above, the Oklahoma Office of Attorney General reviews all proposed ballot titles for compliance with state law. Pruitt and his staff examined the resolution and re-wrote the ballot language. The final text of the measure read thusly:

This measure would remove Article 2, Section 5 of the Oklahoma Constitution, which prohibits the government from using public money or property for the direct or indirect benefit of any religion or religious institution. Article 2, Section 5 has been interpreted by the Oklahoma courts as requiring the removal of a Ten Commandments monument from the grounds of the State Capitol. If this measure repealing Article 2, Section 5 is passed, the government would still be required to comply with the Establishment Clause of the United States Constitution, which is a similar constitutional provision that prevents the government from endorsing a religion or becoming overly involved with religion.

The voters ultimately disapproved of the measure by a margin of 57% against.<sup>27</sup>

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<sup>26</sup>SJR 72, 55th Legislature, 2nd Session.

<sup>27</sup>Oklahoma State Election Board, [https://www.ok.gov/elections/support/20161108\\_seb.html](https://www.ok.gov/elections/support/20161108_seb.html).

### 3.2.2 The Campaigns

The YES campaign used two different and distinct lines of persuasion in their advertising and editorials, each comprised of related sub-frames which were often argued together (see Table 3.2).

Table 3.2: Words and Phrases – Religious Entanglement

YES campaign	
<i>Religious charity</i>	Blaine amendment/bigotry Faith-based non-profits Lawsuits challenging vital state services
<i>Historical</i>	Secular historical marker Free exercise/open discourse
<i>Court legitimacy</i>	Judicial overreach
NO Campaign	
<i>Religious freedom</i>	Separation of church and state Cost of defending lawsuits Other religion’s monuments

The first *religious charity* frame usually began with a direct reference to the history of Blaine Amendments, characterized as outdated vehicles of anti-Catholic policies, and was designed to show that Art. 2 Sec. 5 was part of this historical record and should be repealed. This line of reasoning then proceeded to probably the strongest argument made by those in favor of repeal, regarding the payment of state funds to individuals

and contractors who either use or provide services to state agencies and programs, and who may have religious affiliations. Oklahoma’s Lieutenant Governor Todd Lamb, a proponent of 790, summed up the position in this way:

Faith shouldn’t prevent any willing group from being able to serve Oklahomans in need. Voting “Yes” on State Question 790 will allow service providers like Habitat for Humanity, Catholic Charities, and other faith based nonprofits to compete equally for state funding with secular providers. Voting for SQ 790 will ensure Oklahoma provides the best services at the lowest cost to taxpayers, which just makes sense.<sup>28</sup>

A second *historical* frame was based on a more straightforward argument in the vein of the *Van Orden* decision, namely that the monument was more a historical marker than a device of religious establishment. The sub-argument of the nature of religious liberty derived from this, that expressions of religion need not be eradicated from government or from the marketplace of ideas. A good illustration of this line of reasoning follows from the website of [yeson790.org](http://yeson790.org):

One of the highest profile examples of this was the forced removal of a statue commemorating the historical impact of the 10 Commandments from state grounds. But secular groups have also threatened to sue to force our firefighters and police to change badges that include any allusion to the cross. And they are threatening action against any local community that wants to erect a Christmas tree, sheriffs that have “In God We Trust” bumper stickers, and to prevent voluntary prayer before

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<sup>28</sup>Lamb, Todd. “State Question 790 protects faith-based service to the vulnerable”. *Tulsa World*, October 29, 2016.

or during any official events.

...There is a balance between forcing religion on people and allowing for free exercise and open discourse. The most important part of Voting YES on Question 790 is that it will ensure that state funds can go to the most effective non-profits and stop lawsuits against disabled children and service providers. But it will also end the divisive and repressive threat of legal action meant to stifle dialogue and free expression around issues of religion. And especially at this time in our country, we need a more open discourse about religion and society, not greater repression.<sup>29</sup>

Though not emphasized extensively, a third *court legitimacy* frame did appear in some campaign literature. The failure of YES on 790 organizations to make this a more central component of their efforts is interesting in itself, considering that one of the allegedly primary motivations for the Legislature's passage of the enabling resolution was, in fact, an allegation of judicial overreach by the Oklahoma Supreme Court. For example, one organization allied with the YES campaign, the Oklahoma Conservative Political Action Committee, published a statement encouraging voters to oust members of the Oklahoma Supreme Court, which included the *Prescott* case among a list of other rulings which the organization considered objectionable.<sup>30</sup>

In contrast, the NO campaign argued that Art. 2 Sec. 5 was \*not\* a Blaine provision, but instead a state level version of the Establishment Clause with increased protection against state intrusion into religion. This *religious freedom* frame was particularly effective, because the opponents

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<sup>29</sup><http://yeson790.org/faith/> (last accessed November 2, 2016)

<sup>30</sup>OCPAC, "Vote NO on Justices Winchester and Combs" (campaign flyer).

of the measure enlisted the aid of clergy from across the state and from various denominations, all of whom worried that SQ 790 would open both a Pandora's Box of Federal litigation, as well as the door to government intrusion into religious practices. The plaintiff in the Ten Commandments lawsuit, Rev. Bruce Prescott, was a vocal opponent of the measure (as a prominent Baptist minister, his opinion undoubtedly carried some considerable weight with the Oklahoma electorate). An excerpt from his Op-Ed piece in the *Tulsa World* sums up this argument well:

At our country's founding, Baptists and many other people of faith made the separation of church and state a priority, hoping to free themselves from compelled financial support for religion. Those fighting for this freedom were not motivated by animosity toward religion but rather a dedication to it. They were fighting to protect the freedom to decide for themselves, without governmental intrusion, which faith to support and follow. As Baptists and others have long recognized, a separation between government and religion works to the advantage of religion – independent funding means that religious groups can maintain their autonomy and protects religious principles and exercise from being controlled by, or corrupted by, the government.<sup>31</sup>

Others argued that the cost of defending an increasing number of Federal Establishment Clause lawsuits would fall upon the taxpayers. The actual evidence for claims of increased litigation was mostly speculative, as was the alleged financial burden; the State's Attorney General's office would defend such actions in the course of their usual business. The State would be required to pay additional funds only if it lost a case *and* the

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<sup>31</sup>Prescott, Bruce. "Protect religious liberty in Oklahoma, vote NO on State Question 790". *Tulsa World*, October 29, 2016.

court ordered payment of the opposing side’s legal fees.

Many opponents also reasoned that, if the measure was approved and the placement of the Ten Commandments monument permitted, that the state would be required to allow other religions to erect monuments (such as Hinduism or Paganism), in order to avoid running afoul of Federal law. Even though existing case law did not necessarily support this contention, it nevertheless may have sent a powerful message of unintended consequences to the electorate. There may have been at least some factual basis for this assertion, however; one week prior to the election, the *Norman Transcript* published a story with information that a Hindu group did indeed plan to petition for a religious monument at the State Capitol, should SQ 790 pass:

Hindu statesman Rajan Zed said that if and when Oklahoma State Capitol became open again in the future to different monuments and space was available in the statehouse grounds, Hindus would love to request placing a statue of Lord Hanuman, which might become the first Hindu religious monument on public land in USA.<sup>32</sup>

In contrast to SQ 779, very little advertising was done during the campaign for 790. Television and radio ads were almost non-existent. Records from the Oklahoma Ethics Commission indicate aggregate expenditures of \$172,556.85 by the Yes on 790 Association PAC. Of that amount, a mere \$15,000 was spent on radio advertising, and slightly more than that was used for digital billboards and robocalls. There is no record of a PAC

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<sup>32</sup>Though not attributed to an author, the article appeared to have been written by a member of that faith group. “Hindus to push for monument at capitol if SQ790 amends Constitution”. *Norman Transcript*, November 2, 2016.



formed in opposition to the measure.<sup>33</sup> It seems safe to conclude that media-based advertising did not play a significant role in the final result.

### 3.2.3 Media Coverage

The campaign surrounding SQ 790 received roughly half of the amount of media coverage in area newspapers as did the education funding measure. Nearly all urban and regional newspapers issued editorials opposing 790, including the *Tulsa World*, *Journal Record*, *Talhequah Daily Press*, and even the *Enid News and Eagle*. An island unto itself, the *Daily Oklahoman* stood as the only major news organization in favor of the proposal. Interestingly, the *Norman Transcript*, often accused of having a left-leaning slant, seemed to remain neutral.

News reports generally contained references to the *religious charity* and *religious freedom* frames as the primary stated positions of the opposing camps, and content consisted of comparisons and contrasts between the two. Editorial writers (both individuals and newspaper staff) almost uniformly chose to focus on the arguments favorable to their side of the issue. As a result of the high level of opposition by news organizations, the NO campaign's preferred characterizations receive more coverage and higher levels of visibility with the public.

It is possible that the proponents of the measure assumed, based on the religious demographics of Oklahoma voters, that SQ 790 would pass by a wide margin. The majority of Oklahomans still identify as evangelical

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<sup>33</sup>Oklahoma Ethics Commission, <http://guardian.ok.gov> (last accessed February 9, 2017).

Christians, who might be expected to favor such a Constitutional change. However, opinion polls leading up to the November 8 election painted a decidedly different picture. SoonerPoll figures released in late October indicated only 33.5% support among high church attenders, and only 43.4% from evangelicals overall.<sup>34</sup> The YES on 790 campaign may have underestimated declines in religiosity within the electorate, as measured by lower levels of church attendance, as well as a stronger focus on economic issues among voters than in previous elections.<sup>35</sup> In the end, support for the measure received a percentage of the vote at a level identical to the total evangelical support shown in the poll, and the proposal was defeated.

### **3.3 Theories: Informing the Survey Experiment**

There is a distinct advantage in crafting an experiment based upon the stated position of interested parties in an election campaign. Using real world arguments to inform the experiment produces results that are more readily generalizable, and that can be useful in assessing effects that might occur as a result of future litigation over ballot language (Burnett and Kogan 2015). For this reason, the alternative treatments were designed to mimic, to the extent possible, the type of language that voters are likely to encounter when deciding on a proposed state question.

The respondents in the survey experiment were not intentionally ex-

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<sup>34</sup>SoonerPoll. Oct 18-20, 2016. <http://soonerpoll.com/oklahoman-in-oklahoma-evangelicals-remain-major-voting-bloc/> (last accessed January 27, 2017).

<sup>35</sup>SoonerPoll. Oct 18-20, 2016. <http://soonerpoll.com/faith-voters-voting-more-on-economic-issues-as-religiosity-in-state-declines/> (last accessed January 27, 2017).

posed to any campaign advertising. Unless an individual respondent encountered literature or editorials from interested parties in the weeks leading up to the survey (for instance, seven of the respondents are Oklahoma residents), they viewed the treatments cold, as it were, without any preconceived ideas about the arguments for and against the propositions contained therein. There is also the possibility that some respondents intentionally sought out information on the Internet or from news sources regarding the issues involved with the proposals. I consider this to be highly unlikely, however, given the nature of the Mechanical Turk service and the desire of the workers to complete as many tasks as possible in a given time period.

As discussed above, even though the salience levels of both state questions may have been relatively high, in one case there was an active campaign that may have affected the outcome, while in the other the opposing sides were more quiescent in their electioneering communications. The central theme of this project can therefore be seen as an exercise in counterfactual analysis. In reference to SQ 779, the question is whether, absent the rhetoric of the campaign, a different taxation frame in the wording of 779 would have made a difference in the outcome. I argue that the taxation frame is strong enough that the effect should be noticeable even if the only source for it is contained in the ballot language.

Similarly, if the Ten Commandments issue had not been at the forefront of the matter, we are interested in whether a more nuanced frame for 790 (based on Blaine provision arguments) would have improved chances of

passage. If potential unintended consequences are placed before the voter, such as the removal of a desirable public program, a positive differential in the vote tally could result. I argue that removing references to the religious liberty frame, and replacing it with the religious charity frame, would increase the level of support for the measure.

The results which follow have certain implications for future initiatives. If a given interest group wishes to improve the chance of their preferred policy prevailing at the polls, should they focus their resources and efforts on ensuring that the ballot title and language is written to their liking? Or should they expend their energies on the campaign? And if the former, should procedures be put into place that will serve to counteract the influence of those groups? These are some of the normative questions which flow directly from the outcome of the current study, and which will inform the conclusions reached. Before that discussion, however, we next turn to the matter of the results themselves.

# Chapter 4

## Survey Experiment

### 4.1 Data and Methods

The dataset consisted of 502 observations, each an individual respondent to an online survey conducted through Amazon’s Mechanical Turk crowd labor service. The full text of the survey can be found in the appendix. Participants were asked a series of demographic and general political knowledge and opinion questions. Then, each was asked to read a set of two sample referendum ballot measures, and to answer follow-up questions with their personal preferences as if they were being asked to vote on the proposal in question. The survey software was programmed to display one of two versions of each sample to each participant. One version of each was the official language which actually appeared on the ballot in Oklahoma for the 2016 general election; the other I created for the purpose of this experiment.

I chose three of the five follow-up questions as dependent variables for this analysis; specifically, those which referred to *overall support* for the proposition, *activism* (whether the respondent would be willing to engage in political activity either for or against the proposal), and *elected official support* (whether they would vote to re-elect someone who was in favor of the proposition).

#### 4.1.1 Treatment language

For SQ 779, where the control group read

The article creates a limited purpose fund to increase funding for public education. It increases State sales and use taxes by one cent per dollar to provide revenue for the fund.

the treatment language replaced the foregoing with

The article creates a limited purpose fund to increase funding for public education. To provide revenue for the fund, it mandates a 22% increase in State sales and use taxes.

Similarly, for SQ 790, the control language was

This section has been interpreted by the courts as requiring the removal of a Ten Commandments monument from the grounds of the State Capitol. If this measure repealing this section is passed, the government would still be required to comply with the Establishment Clause of the United States Constitution, which is a similar constitutional provision that prevents the government from endorsing a religion or becoming overly involved with religion.

and the treatment language changed the above to

The purpose of the measure is to allow the use of school tuition vouchers provided as a benefit to low income families, and to permit those families to use those vouchers to send their children to the school of their choice, even if that school is affiliated with a religious institution or is religious in nature. The state government would still be bound by the Establishment Clause of the United States Constitution, which provides that states may not endorse an official religion, or give preference to one religion over another.

The treatments were randomized among the participants and across both questions, so that a roughly equivalent number of respondents viewed each version. Both versions of each proposal were timed to display for 90 seconds, and the respondents were not allowed to move past the ballot language until the timer had expired. In addition, I inserted a reading check question after each version so as to ensure that the respondent had actually read the treatment or control, before proceeding. The software was programmed to end the survey for a given respondent if they incorrectly answered the check question. Because of the way MTurk operates, individuals who failed a reading check were automatically excluded from the sample for not having completed the task (or “hit” in MTurk lingo) for which they signed up. Respondents who otherwise failed to complete the survey, or who gave incomplete responses, were removed from the dataset by listwise deletion. The latter category only resulted in 8 deletions out of an original sample of 510, leaving an N of 502 for analysis.

### 4.1.2 Demographics and Summary Statistics

It is well known that MTurk workers differ as a group from the general population, especially in relation to certain demographic variables (Krupnikov and Levine 2014). Generally speaking, any given sample of MTurk respondents will indicate as slightly left of center ideologically, with a concomitant lean toward Democratic party identification. They are predominantly white and middle class in relation to income. They tend to register somewhat higher than the median for education, and most are unmarried.

Nevertheless, this fact alone does not render the service useless as a source for convenience samples. When used for experimental rather than observational purposes, the effect on generalizability can be mitigated, if a small number of covariates are included when fitting models. The most important controls are party identification and ideology (Levay, Freese, and Druckman 2016; Mullinix et. al 2015).

Table 4.1: MTurk Sample Demographics

	mean	sd	median	min	max	range	se
Sex	1.49	0.50	1.00	1.00	2.00	1.00	0.02
Education	4.21	1.22	5.00	2.00	7.00	5.00	0.05
Race	1.49	1.23	1.00	1.00	7.00	6.00	0.05
Income	5.92	2.94	6.00	1.00	12.00	11.00	0.13
Marital	3.03	1.88	3.00	1.00	5.00	4.00	0.08
Ideology	2.55	1.23	2.00	1.00	5.00	4.00	0.05
Party	3.35	1.84	3.00	1.00	7.00	6.00	0.08

$N=502$

Table 4.1 contains demographic sample statistics for all respondents. Figures 4.1 and 4.2 show the distribution of ideology and party ID through



the entire sample. Ideology was measured on a 5-point Likert scale (1=Very Liberal, 5=Very Conservative), and party on a 7-point (1=Strong Democrat, 7=Strong Republican). Interestingly, this particular group of MTurk workers had a high number of self-identified independents, though the overall direction was toward the Democrats. Ideology roughly paralleled the norm for MTurk (Levay, Freese, and Druckman 2016). Considering that these two political demographics represent the primary controls needed when modeling from MTurk samples, the dataset obtained through the survey is particularly well suited for this project.

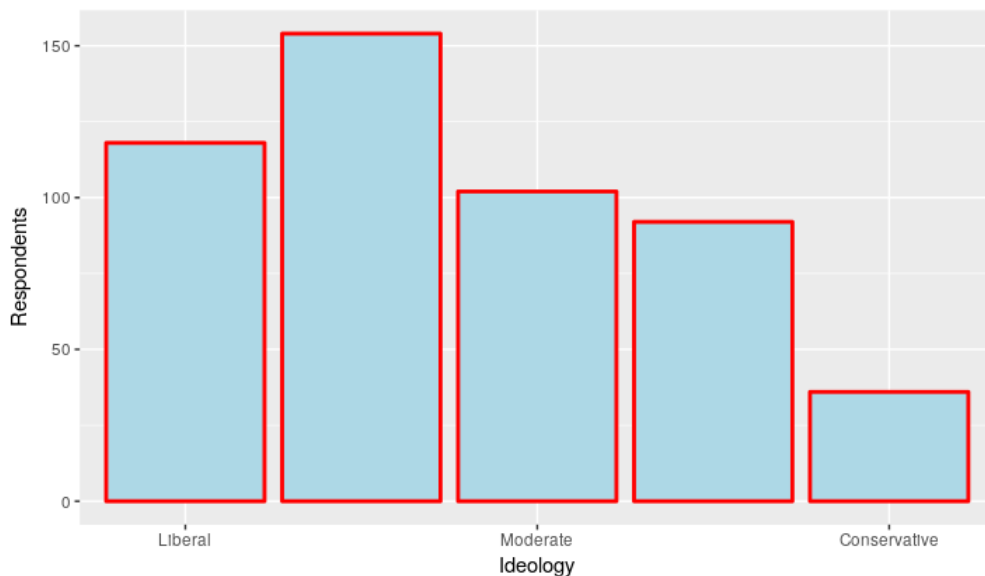


Figure 4.1: MTurk Sample – Ideological breakdown ( $N = 502$ )

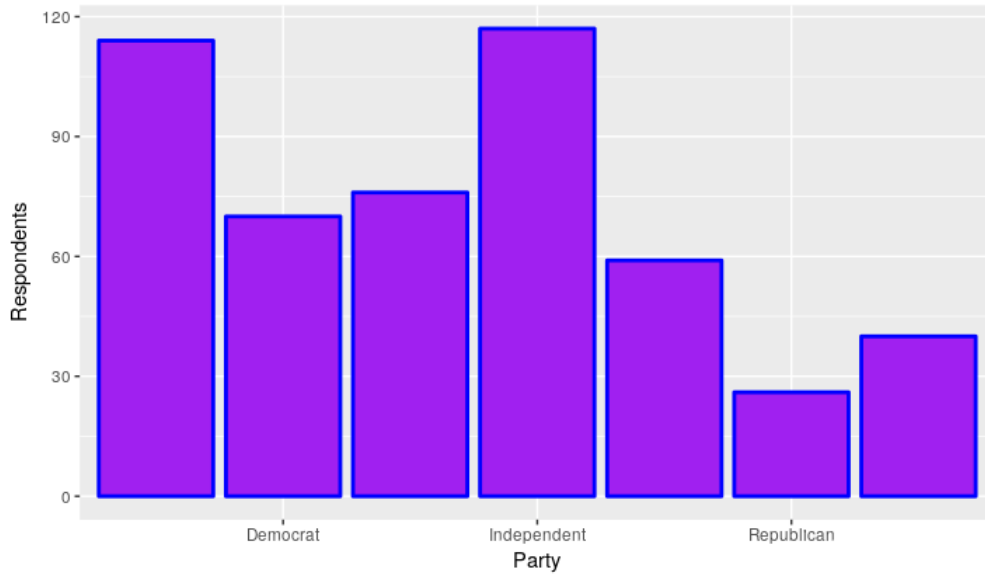


Figure 4.2: MTurk Sample – Party Identification ( $N = 502$ )

### 4.1.3 Model Specification

I first estimated the effects of the treatments themselves against each of the dependent variables using a Pearson’s Chi-squared test with Yates’ continuity correction. I then placed each treatment variable into a series of binomial logit models with interaction terms, containing the explanatory variables for voting habits. I also tested the inclusion of dummy variables for certain demographics, as a check for mediation. This method of statistical analysis is appropriate given that the dependent variables are dichotomous.

For the analyses below, I used the following standard logit model:

$$Pr(y_i = 1) = \text{logit}^{-1}(\beta_0 + x_1\beta_1 + x_2\beta_2 + x_3\beta_3 + x_1x_2\beta_{x_1x_2} + x_1x_3\beta_{x_1x_3}) \quad (4.1)$$

In each case, the probability of  $y=1$  is expressed as an inverse logit function of the linear predictors. The treatment variable,  $x_1$ , is binary and has the value  $x_1 = 1$  if the individual received the treatment language as opposed to the control. Variables  $x_2$  and  $x_3$  are ordered categorical (treated as continuous) and refer to the number of times the individual voted in state/national and local elections, respectively. The rationale for using two election variables has to do with the distinct features of each type. Local elections, in particular, tend to be non-partisan and contain policy proposals (such as bond issues and sales tax increases) more often than national or statewide elections. For this reason, an individual who votes in local elections may potentially develop even more skill at discerning the nature of ballot measures than an individual who votes only in national elections, if indeed the theory holds. While some collinearity might be expected between the two, the chance of the effect being significant is minimal, given that far fewer individuals habitually vote in local elections. Figures 4.3 and 4.4 show the counts for each of these independent variables. The questions posed by the research design are more clearly answered by differentiating the two election types. Finally, the interaction terms combine the treatment variable with one or the other of the voting variables, in order to assess the effect of increased habitual voting on the

framing effect of the alternative treatment.

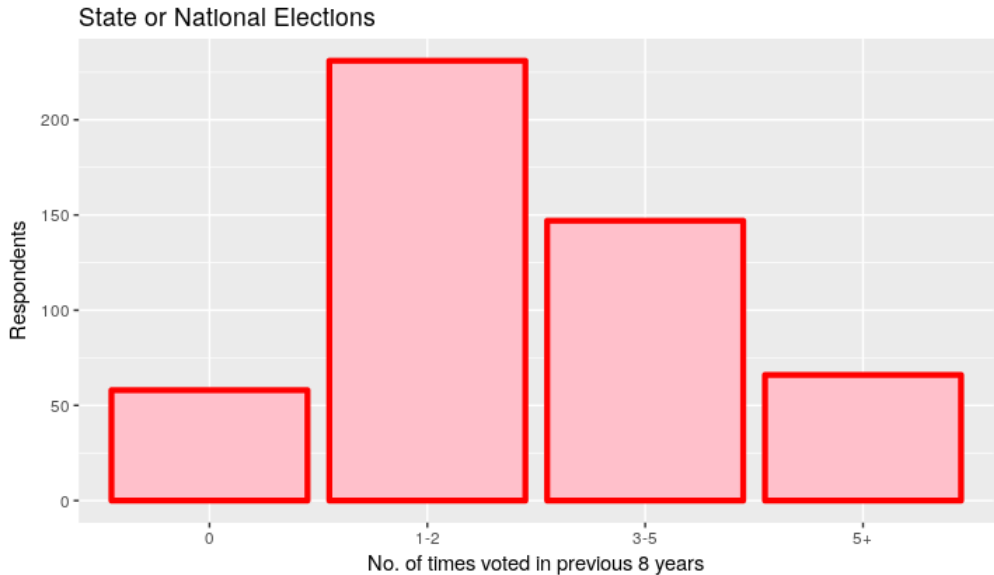


Figure 4.3: MTurk Sample – National Voting Habits ( $N = 502$ )

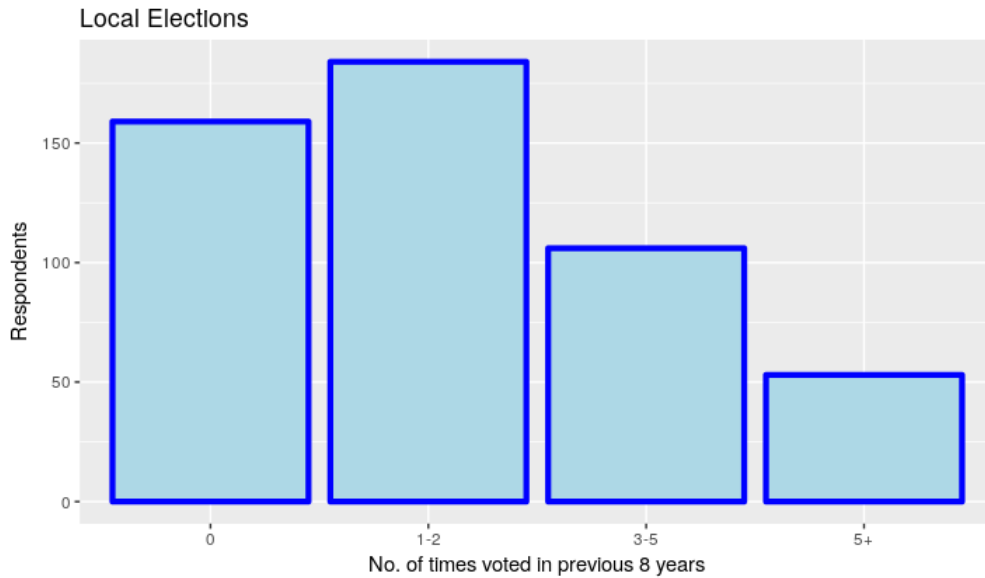


Figure 4.4: MTurk Sample – Local Voting Habits ( $N = 502$ )

## 4.2 Results

Based on the prior studies discussed above, the expectation would be that if framing effects are present, they should be mitigated by the level of experience of the individual voter. Stated differently, the interaction terms contained in the models should indicate significant coefficients in the *opposite* direction from that of the treatment effect. If it is indeed the case that individuals develop experiential cognitive benefits from repeated voting behavior, the evidence of this reduction of the framing effect should consistently appear across all models.

Below I discuss specific findings from each of the two state question treatments. In each case, I begin with the percentage change in support

based purely on exposure to the treatment language, and then provide the regression models both with and without demographics. In addition, I include separation plots for certain models. These visualizations of goodness of fit are designed to show the predictive power of any given model with binary outcomes (Greenhill et al. 2011).

In a separation plot, the fitted values from each of the logit models are re-ordered from lowest to highest probability, and then compared against the actual outcomes from the dataset. The comparison is then displayed as a sequence of light and dark lines from left (lowest) to right (highest), with the dark color representing the occurrence of the event in question, and the light color representing a non-event. Thus, a model with good predictive power will have more dark colored lines farther to the right of the plot (where the probabilities are highest), and fewer dark lines toward the left side.

#### **4.2.1 Treatment Set 1**

The results from the Education Sales Tax question are shown in Table 4.2. The *taxation* frame appears to have had a marked negative effect on support for the measure. The total number of YES votes dropped by approximately 27 percentage points from the control group to the treatment group. In other words, the alternative ballot language seems to have contributed to roughly a 45% drop in support for the sales tax proposal. The difference is highly significant; more importantly, it maintains its character as the explanatory variables and interactions are added to the mix.

Table 4.2: Results – Education Sales Tax

	<b>% YES Vote</b>	<b>% Activism</b>	<b>% Re-Elect</b>
Control	60	15	52
<i>Taxation</i>	33	16	33
Difference	-27%***	1%	-19%***

\*\*\* $p < 0.001$ , \*\* $p < 0.01$ , \* $p < 0.05$  using a two-tailed test

When the outcome is placed into the logit models containing data on respondents' voting habits, it quickly becomes apparent that no mitigation effects are present (Table 4.3). Neither of the interaction terms shows any significance for any of the three dependent variables. This is not to say that some other latent interaction is not taking place; however, it seems more likely that the framing effects are strong enough to overwhelm any experiential advantage from habitual voting.

Table 4.3: Logistic Regression – Education Sales Tax

	YES Vote	Activism	Re-Elect
(Intercept)	0.92*	-2.04***	0.53
	(0.39)	(0.54)	(0.38)
<i>Taxation</i> frame	-1.17*	-0.49	-0.83
	(0.56)	(0.77)	(0.56)
Voted State/National	-0.04	-0.21	-0.11
	(0.23)	(0.32)	(0.22)
Voted Local	-0.20	0.36	-0.08
	(0.19)	(0.27)	(0.19)
<i>Taxation</i> x Voted S/N	-0.32	0.01	-0.19
	(0.34)	(0.46)	(0.33)
<i>Taxation</i> x Voted Local	0.39	0.26	0.23
	(0.30)	(0.41)	(0.30)
AIC	662.54	432.56	673.86
BIC	687.85	457.87	699.17
Log Likelihood	-325.27	-210.28	-330.93
Deviance	650.54	420.56	661.86
Num. obs.	502	502	502

\*\*\* $p < 0.001$ , \*\* $p < 0.01$ , \* $p < 0.05$ . Regression coefficients with standard errors in parentheses.

The separation plot displayed in Figure 4.5 shows a relatively good fit for the Support and Re-Elect models. The darker shaded events increase to the right as the probability predictions of the model increase. The Activism model shows widely scattered results and it is readily apparent that no effects are discernible. As shown in Table 4.4, the inclusion of demographics does not appreciably alter the foregoing analysis. As one might expect, the ideology and party identification variables indicate that the more conservative and stronger Republican individuals tended to show lower support for both the tax increase itself, and for any public official who might be inclined to favor it. Yet the framing effect of the treatment



remains, and though significant, the contribution of the political variables to the overall result is rather small. Except for a slight effect of high education level in the Re-Elect model, none of the other demographics showed any statistical significance, which is consistent with ideology and party being the most important controls for an MTurk sample.

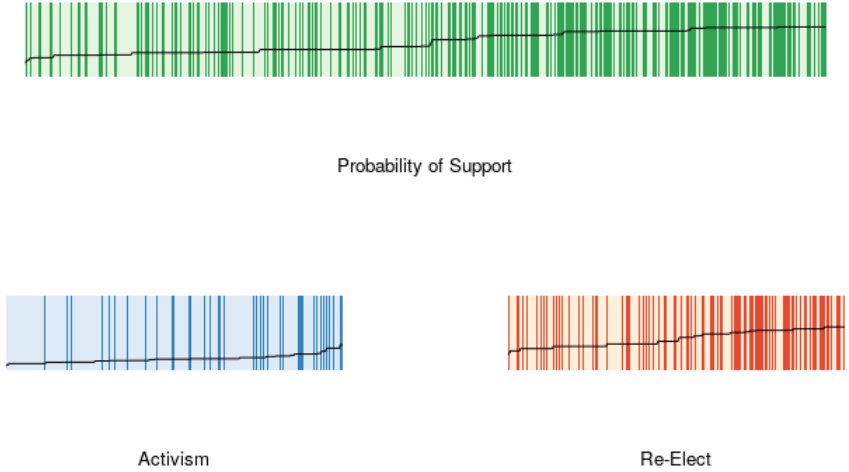


Figure 4.5: Separation Plot for *taxation* frame models

Table 4.4: Logistic Regression with Covariates– Education Sales Tax

	YES Vote	Activism	Re-Elect
(Intercept)	1.69**	-2.38**	0.79
	(0.57)	(0.74)	(0.55)
<i>Taxation</i> frame	-1.17*	-0.54	-0.75
	(0.59)	(0.78)	(0.58)
Voted State/National	0.04	-0.24	-0.05
	(0.24)	(0.32)	(0.23)
Voted Local	-0.26	0.34	-0.13
	(0.21)	(0.28)	(0.20)
Conservative	-0.30*	0.20	-0.38**
	(0.14)	(0.18)	(0.14)
Republican	-0.19*	-0.15	-0.03
	(0.09)	(0.12)	(0.09)
Education	0.10	-0.01	0.17*
	(0.09)	(0.11)	(0.08)
Income	0.03	0.08	0.01
	(0.04)	(0.04)	(0.03)
Female	-0.00	-0.43	0.32
	(0.20)	(0.26)	(0.20)
Minority	0.15	0.01	0.38
	(0.25)	(0.32)	(0.24)
Married	0.06	0.41	-0.05
	(0.22)	(0.28)	(0.22)
<i>Taxation</i> frame x Voted S/N	-0.44	0.03	-0.26
	(0.36)	(0.46)	(0.35)
<i>Taxation</i> frame x Voted Local	0.45	0.24	0.24
	(0.32)	(0.41)	(0.31)
AIC	626.77	437.21	648.10
BIC	681.62	492.06	702.94
Log Likelihood	-300.39	-205.61	-311.05
Deviance	600.77	411.21	622.10
Num. obs.	502	502	502

\*\*\* $p < 0.001$ , \*\* $p < 0.01$ , \* $p < 0.05$ . Regression coefficients with standard errors in parentheses.

## 4.2.2 Treatment Set 2

A somewhat murkier picture is painted by the results of the Religious Entanglement proposition. As can be seen from Table 4.5, the only significant framing effect is related to the Activism variable. It is interesting that the *religious charity* frame produced a small, but nevertheless visible, reduction in willingness to engage in political activity. There was no discernible difference in the level of support for the measure between the control and treatment groups.

Table 4.5: Results – Use of State Property for Religious Purposes

	<b>% YES Vote</b>	<b>% Activism</b>	<b>% Re-Elect</b>
Control	38	25	31
<i>Religious charity</i>	43	17	40
Difference	5%	-8%*	9%

\*\*\* $p < 0.001$ , \*\* $p < 0.01$ , \* $p < 0.05$  using a two-tailed test

Table 4.6 indicates a slight difference from the regressions in Treatment Set 1, that being the significance of habitual local voting in relation to the Re-Elect variable. Yet when demographic variables are included as shown in Table 4.7, the effect of habitual voting disappears. In this case it is level of education and marital status that show some explanatory power, except with regard to the Activism model. Here, the demographic controls only show significance where there is no framing effect, and vice-versa. Again, the interactions produce a null result, and the controls do not change the outcome.

Table 4.6: Logistic Regression – Use of State Property for Religious Purposes

	YES Vote	Activism	Re-Elect
(Intercept)	-0.09 (0.39)	-1.17** (0.44)	-0.62 (0.41)
<i>Religious charity</i> frame	0.37 (0.55)	-1.70* (0.71)	0.70 (0.57)
Voted State/National	-0.38 (0.24)	-0.07 (0.27)	-0.46 (0.26)
Voted Local	0.24 (0.21)	0.11 (0.23)	0.44* (0.23)
<i>Religious charity</i> frame x Voted S/N	-0.19 (0.34)	0.67 (0.40)	-0.21 (0.35)
<i>Religious charity</i> frame x Voted Local	0.14 (0.30)	-0.23 (0.35)	0.08 (0.31)
AIC	678.84	520.37	648.33
BIC	704.15	545.68	673.64
Log Likelihood	-333.42	-254.19	-318.17
Deviance	666.84	508.37	636.33
Num. obs.	502	502	502

\*\*\* $p < 0.001$ , \*\* $p < 0.01$ , \* $p < 0.05$ . Regression coefficients with standard errors in parentheses.

Figure 4.6 contains the separation plots for the three models in Table 4.6. All show little if any predictive power. Although the Activism model does show significance at  $p < 0.05$ , its separation plot does not render as we might expect. This apparent disparity provides an illustration of a caveat of using these plots: when the overall number of events is small, the separation plot becomes less helpful. With regard to both treatments, the number of respondents answering "yes" to the activism question hovered around 20% of the total (roughly 50 individuals). So, while the drop in activism calculated as statistically significant, the graphical representation

is more agnostic.

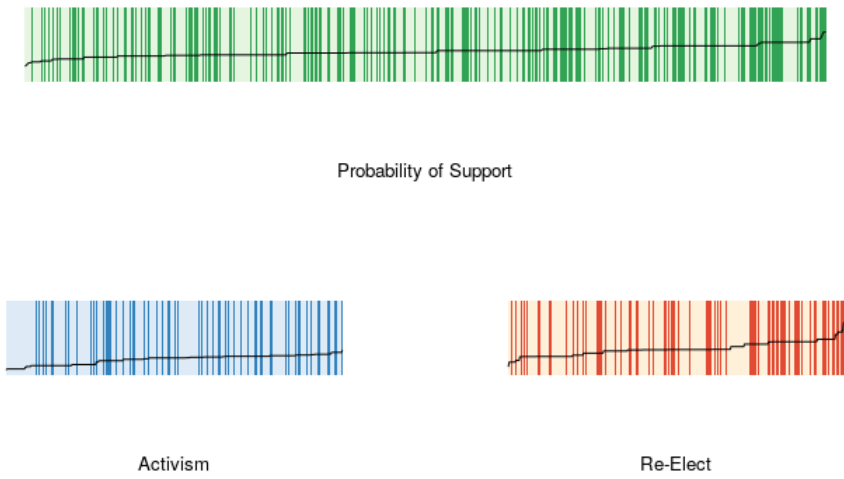


Figure 4.6: Separation Plot for *religious charity* frame models

Table 4.7: Logistic Regression with Covariates – Use of State Property for Religious Purposes

	YES Vote	Activism	Re-Elect
(Intercept)	-1.07*	-1.57*	-1.82**
	(0.53)	(0.62)	(0.56)
<i>Religious charity</i> frame	0.34	-1.64*	0.70
	(0.56)	(0.72)	(0.58)
Voted State/National	-0.41	-0.02	-0.48
	(0.25)	(0.27)	(0.26)
Voted Local	0.19	0.03	0.36
	(0.21)	(0.23)	(0.23)
Conservative	0.09	0.12	0.13
	(0.13)	(0.16)	(0.14)
Republican	0.06	-0.19	0.01
	(0.09)	(0.11)	(0.09)
Education	0.17*	0.12	0.24**
	(0.08)	(0.10)	(0.09)
Income	0.00	0.04	0.01
	(0.03)	(0.04)	(0.03)
Female	-0.17	0.02	0.13
	(0.19)	(0.23)	(0.20)
Minority	0.07	0.07	0.06
	(0.24)	(0.28)	(0.24)
Married	0.59**	0.35	0.75***
	(0.21)	(0.25)	(0.22)
<i>Religious charity</i> frame x Voted S/N	-0.19	0.57	-0.25
	(0.34)	(0.40)	(0.36)
<i>Religious charity</i> frame x Voted Local	0.15	-0.16	0.13
	(0.30)	(0.35)	(0.32)
AIC	675.28	523.57	638.14
BIC	730.12	578.41	692.98
Log Likelihood	-324.64	-248.78	-306.07
Deviance	649.28	497.57	612.14
Num. obs.	502	502	502

\*\*\* $p < 0.001$ , \*\* $p < 0.01$ , \* $p < 0.05$ . Regression coefficients with standard errors in parentheses.

# Chapter 5

## Conclusion

The purpose of this project was to discover the extent to which habitual voting may create cognitive advantages in an individual, which may in turn operate to mitigate the effects of framing in the language of ballot measures. The foregoing analysis provided no confirmation that such mitigation took place. Though it is possible that a different research design might produce alternative results, at present we can only conclude that no evidence is available which supports the theory. If previous studies that found a correlation between high-volume referendum states and reduced ballot framing effects are correct, and I believe that they are, then it is reasonable to conclude that some other mechanism is at work in such environments.

One possibility is that campaign intensity is generally higher in states with more frequent referendum elections. It has been shown through previous research that framing effects may be different for elections with in-

creased campaign activity (see Burnett and Kogan 2015). If indeed states which maintain a robust system of direct democracy tend to generate high salience electioneering, then the variable of interest may be news attentiveness, rather than the experience level or sophistication of the voter. Also, political cultures do differ across states, and a measure of such might provide an important explanation as to why certain frames are more effective than others. For instance, the level of political activism in a given state, as determined by citizen engagement in party meetings, interest groups, community organizing, and civic groups, might be a good indicator of future campaign intensity, which may in turn affect whether the language of ballot measures is more or less important in that particular state.

Along the same lines, a second important finding is that generally speaking, ballot language does matter in certain cases. If there has been one result that has remained consistent throughout the current crop of referendum election studies, this would seem to be it. In our present case, the *taxation* frame was powerful enough to reverse the outcome of a hypothetical vote. The *religious charity* frame in the second treatment did not appear to affect support, but it did lower the level of self-identified activism tendencies among the participants. A lack of salience could have an indirect effect on the outcome of a referendum, by removing sources of information to the electorate that might otherwise mitigate framing effects, as some studies have found (see Binder, Childers, and Johnson 2015). It remains incumbent upon those continuing this line of inquiry to fashion future studies that might help to provide guidance to academics and



policymakers in discerning when a given policy proposal might be more subject to the effects noted herein. As a general matter, state institutions that are responsible for writing ballot questions, as well as the courts that hear challenges thereto, must remain mindful of the potential for nefarious manipulation of the process.

It is important to note that this study addressed framing in two distinct ways. The treatment for the education sales tax question was an example of *affective* framing, which is a term used by scholars to refer to subtle changes of wording that produce either a positive or negative emotional response. The treatment for the religious entanglement question used *substantive* framing. As the name implies, this broader method of manipulating the text actually changes the policy space at issue, and so moves the debate into an entirely different subject area. Further studies in this vein might focus on one type or the other, in order to discover whether one aspect of framing is more apt to produce differences in outcomes when applied to ballot measures.

Similarly, habitual voting is but one way to measure sophistication of the electorate; there are certainly others which may be employed. I discuss this matter briefly in Chapter 2. In most cases, some combination of political knowledge, education level, and news attentiveness are employed to operationalize this variable. Each of these aspects is highly dependent on the nature of the questions used in a survey to collect the data. Valid measures of sophistication remain somewhat of an elusive beast in studies of political behavior, but perhaps future researchers may choose to devote

their efforts to creating a sound, well tested index that can be employed as the gold standard of how scholars define a well-informed voter.

There is no small disagreement among scholars regarding the place of normative value judgments in an empirical project such as this. To ask the question of whether, given the potential for shenanigans noted herein, direct democracy is even a desirable element of state government and policy at all, may be to enter too far into the realm of political philosophy. Certainly, for purposes of amending state constitutions, the public referendum in some form would seem to be at least a necessary evil, as the equivalent of the ratification process for the national Constitution. Yet if the placing of ballot measures before the electorate, as a procedure, lacks sufficient safeguards of its integrity, states may wish to consider alternatives to the referendum election. One could envision a system of representation by county, perhaps, where voters could elect a few of their fellow citizens to attend a statewide convention or other form of ratification vote. In this way, the size of the electorate could be diminished to a small number, who would then take it upon themselves to become well informed regarding the details of any proposed statewide initiative or constitutional amendment. In such a context, the language of the proposal in its entirety, rather than a framed summary, would become central to the people's decision. The ability of interested parties to affect the wording that voters see, and therefore potentially the outcome, could be virtually eliminated.

Finally, the findings contained in the foregoing analysis should provide fruitful avenues for future research. A replication of this experiment in

a different setting is desirable, as is one where the treatments address different policy areas. Regional variations in voting systems may operate to alter framing effects; studies which account for location and other alternate demographics, or which include differences in state law, might produce additional insights. One of the limitations of an experimental study such as this is that the conclusions that can be drawn have limited validity outside of the parameters of the experiment itself. Perhaps all that can be said at this point is that habitual voting does not improve Mechanical Turk workers' ability to discern framing effects. Still, the randomized trial is designed to mitigate the demographic idiosyncrasies of the group studied. The results obtained do not indicate that any particular group-related bias was introduced, so to the extent that any experimental design can be generalized to the population as a whole, this study at least provides some basis for doing so. Regardless of which direction we go from here, the drive to maintain the integrity of direct democracy, and mitigate its alleged dangers, should continue.

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# Appendix A

## Software

The survey which generated the data for this paper was created using Qualtrics software. Copyright © 2016 Qualtrics. Qualtrics and all other Qualtrics product or service names are registered trademarks or trademarks of Qualtrics, Provo, UT, USA. <http://www.qualtrics.com>.

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## **Appendix B**

### **Mturk Survey conducted 11/1/2016**

Q1 In what year were you born?

Q2 Are you male or female?

- Male (1)
- Female (2)

Q3 What is the highest level of education you have completed?

- Less than High School (1)
- High school graduate (2)
- Some college (3)
- 2 year degree (4)
- 4 year degree (5)
- Professional degree (6)
- Doctorate (7)

Q4 What racial or ethnic group best describes you?

- White (1)
- Black or African American (2)
- Native American or Alaska Native (3)
- East Asian (4)
- Western Asian/Middle Eastern (5)
- Hispanic (6)
- Mixed (7)
- Other (8)

Q5 What is your average annual household income?

- Less than \$10,000 (1)
- \$10,000 - \$19,999 (2)
- \$20,000 - \$29,999 (3)
- \$30,000 - \$39,999 (4)
- \$40,000 - \$49,999 (5)
- \$50,000 - \$59,999 (6)
- \$60,000 - \$69,999 (7)
- \$70,000 - \$79,999 (8)
- \$80,000 - \$89,999 (9)
- \$90,000 - \$99,999 (10)
- \$100,000 - \$149,999 (11)
- More than \$150,000 (12)

Q6 What is your current marital status?

- Married (1)
- Widowed (2)
- Divorced (3)
- Separated (4)
- Never Married (5)

Q7 In which state do you currently reside?

- Alabama (1)
- Alaska (2)
- Arizona (3)
- Arkansas (4)
- California (5)
- Colorado (6)
- Connecticut (7)
- Delaware (8)
- District of Columbia (9)
- Florida (10)
- Georgia (11)
- Hawaii (12)
- Idaho (13)
- Illinois (14)

- Indiana (15)
- Iowa (16)
- Kansas (17)
- Kentucky (18)
- Louisiana (19)
- Maine (20)
- Maryland (21)
- Massachusetts (22)
- Michigan (23)
- Minnesota (24)
- Mississippi (25)
- Missouri (26)
- Montana (27)
- Nebraska (28)
- Nevada (29)
- New Hampshire (30)
- New Jersey (31)
- New Mexico (32)
- New York (33)
- North Carolina (34)
- North Dakota (35)

- Ohio (36)
- Oklahoma (37)
- Oregon (38)
- Pennsylvania (39)
- Puerto Rico (40)
- Rhode Island (41)
- South Carolina (42)
- South Dakota (43)
- Tennessee (44)
- Texas (45)
- Utah (46)
- Vermont (47)
- Virginia (48)
- Washington (49)
- West Virginia (50)
- Wisconsin (51)
- Wyoming (52)
- I do not reside in the United States (53)

Q8 Are you registered to vote in the upcoming 2016 election for U.S. President?

- Yes (1)
- No (2)
- Not sure (3)

Q9 On average, how often do you attend religious services?

- More than once per week (1)
- Once per week (2)
- Once per month (3)
- Less than once per month (4)
- I do not attend religious services (5)

Q10 How often do you pray?

- Not at all (1)
- Occasionally (2)
- Frequently (3)
- Daily (4)

Q11 How would you describe your own political viewpoint?

- Very liberal (1)
- Somewhat liberal (2)
- Moderate (3)
- Somewhat conservative (4)
- Very conservative (5)

Q12 In relation to political party affiliation, generally speaking, would you call yourself a

- Strong Democrat (1)
- Not very strong Democrat (2)
- Lean Democrat (3)
- Moderate or Independent (4)
- Lean Republican (5)
- Not very strong Republican (6)
- Strong Republican (7)

Q13 Who is the current U.S. Secretary of State?

- Hillary Clinton (1)
- John Kerry (2)
- Colin Powell (3)
- Condoleezza Rice (4)
- Other/Don't know (5)

Q14 Which political party currently holds the majority in the U.S. House of Representatives?

- Democrat (1)
- Republican (2)
- Not sure (3)

Q15 Which of the following rights is not contained in the First Amendment to the U.S. Constitution?

- Freedom of religion (1)
- Freedom of speech (2)
- The right to vote (3)
- Freedom of the press (4)
- The right to peaceful assembly (5)

Q16 How many times have you voted in a state or national election in the last 8 years?

- 0 (1)
- 1-2 (2)
- 3-5 (3)
- 5+ (4)

Q17 How many times have you voted in a municipal, city council, or school board election in the last 8 years?

- 0 (1)
- 1-2 (2)
- 3-5 (3)
- 5+ (4)

Q18 How likely are you to vote in the upcoming election for President of the United States?

- Extremely likely (1)
- Somewhat likely (2)
- Not sure (3)
- Somewhat unlikely (4)
- Extremely unlikely (5)

Q19 Consider the upcoming election for President of the United States. If the election were held today, which candidate would you be most likely to support?

- Hillary Clinton (1)
- Donald Trump (2)
- Gary Johnson (3)
- Jill Stein (4)
- None of the above (5)

Q20 What is your opinion regarding U.S. policy toward the ongoing civil war in Syria?

- The U.S. should not be involved at all (1)
- The U.S. should maintain its current level of involvement (i.e., air strikes only) (2)
- The U.S. should commit ground forces if it would end the war quickly (3)
- No opinion/not sure (4)



Q21 How do you believe that your state should deal with recreational drug users?

- Legalize at least some recreational drugs (1)
- Have at least some criminal penalties for those who sell illegal drugs, but don't punish the users (2)
- Keep the same criminal penalties that now exist (3)
- Enact tougher penalties on illegal drug use (4)
- No opinion/not sure (5)

Q22 Generally speaking, in your state do you believe that taxes are too high or too low?

- too high (1)
- income taxes are too high, but sales and property taxes are about right (2)
- sales and property taxes are too high, but income taxes are about right (3)
- too low (4)
- No opinion/not sure (5)

Q23 Are you in favor of the death penalty?

- Yes (1)
- No (2)
- No opinion/not sure (3)

Q24 The following questions represent public referendum proposals (sometimes called “propositions” or “state questions”) of the type which may appear on the ballot in an upcoming election. Please take a few minutes to read each one carefully. On the pages following each, there will be a few follow-up questions for you to answer.

Q25 Proposition 1 This measure adds a new Article to the State Constitution. The article creates a limited purpose fund to increase funding for public education. It increases State sales and use taxes by one cent per dollar to provide revenue for the fund. The revenue to be used for public education shall be allocated: 69.50% for common school districts, 19.25% for Higher Education, 3.25% for Career and Technology Education, and 8% for the State Department of Education. It requires that teacher salary increases funded by this measure raise teacher salaries by at least \$5,000 over the salaries paid in the year prior to adoption of this measure. It requires an annual audit of school districts' use of monies. It prohibits school districts' use of these funds for increasing superintendents' salaries or adding superintendent positions. It requires that monies from the fund not supplant or replace other educational funding. If it is determined that funding has been replaced, the Legislature may not make any appropriations until the amount of replaced funding is returned to the fund.

Q26 What is the amount of the sales tax increase in the measure which is used to fund public education?

- One dollar (1)
- One cent per dollar (2)
- 3.25% (3)
- The amount is not specified (4)

Q27 Proposition 1 This measure adds a new Article to the State Constitution. The article creates a limited purpose fund to increase funding for public education. To provide revenue for the fund, it mandates a 22% increase in State sales and use taxes. The revenue to be used for public education shall be allocated: 69.50% for common school districts, 19.25% for Higher Education, 3.25% for Career and Technology Education, and 8% for the State Department of Education. It requires that teacher salary increases funded by this measure raise teacher salaries by at least \$5,000 over the salaries paid in the year prior to adoption of this measure. It requires an annual audit of school districts' use of monies. It prohibits school districts' use of these funds for increasing superintendents' salaries or adding superintendent positions. It requires that monies from the fund not supplant or replace other educational funding. If it is determined that funding has been replaced, the Legislature may not make any appropriations until the amount of replaced funding is returned to the fund.

Q28 What is the amount of the sales tax increase in the measure which is used to fund public education?

- \$5000 (1)
- 3.25% (2)
- 22% (3)
- The amount is not specified (4)

Q29 If such a proposal should appear on the election ballot in your state, would you vote for or against the proposal?

- For (4)
- Against (5)
- Abstain or don't know (6)

Q30 Would you be willing to engage in public activism or campaigning to show your support for, or opposition to, the proposal?

- Yes (1)
- No (2)
- Not sure (3)

Q31 Do you believe that this measure would achieve its intended purpose?

- Yes (1)
- No (2)
- Not sure (3)

Q32 Do you feel that this is an issue that is best addressed by the legislature, or do you think it should be handled by the voters?

- Legislature (1)
- Voters (2)
- Not sure (3)

Q33 Would you vote to re-elect an elected official who supported this measure?

- Yes (1)
- No (2)
- Not sure (3)

Q34 Proposition 2 This measure would remove a section of the State Constitution, which prohibits the government from using public money or property for the direct or indirect benefit of any religion or religious institution. This section has been interpreted by the courts as requiring the removal of a Ten Commandments monument from the grounds of the State Capitol. If this measure repealing this section is passed, the government would still be required to comply with the Establishment Clause of the United States Constitution, which is a similar constitutional provision that prevents the government from endorsing a religion or becoming overly involved with religion.

Q35 Which object did the courts require to be removed from the State Capitol?

- Ten Commandments monument (1)
- Statue of the Governor (2)
- Veterans Memorial (3)
- Not sure (4)

Q36 Proposition 2 This measure would repeal a section of the State Constitution, which prohibits the government from using public money or property for the direct or indirect benefit of any religion or religious institution. The purpose of the measure is to allow the use of school tuition vouchers provided as a benefit to low income families, and to permit those families to use those vouchers to send their children to the school of their choice, even if that school is affiliated with a religious institution or is religious in nature. The state government would still be bound by the Establishment Clause of the United States Constitution, which provides that states may not endorse an official religion, or give preference to one religion over another.

Q37 What is the purpose of the voucher program contained in the measure?

- Supporting teachers at religious colleges (1)
- School choice for low-income families (2)
- Monetary aid for sports programs in at-risk school districts (3)
- Not sure (4)

Q38 If such a proposal should appear on the election ballot in your state, would you vote for or against the proposal?

- For (4)
- Against (5)
- Abstain or don't know (6)

Q39 Would you be willing to engage in public activism or campaigning to show your support for, or opposition to, the proposal?

- Yes (1)
- No (2)
- Not sure (3)

Q40 Do you believe that this measure would achieve its intended purpose?

- Yes (1)
- No (2)
- Not sure (3)

Q41 Do you feel that this is an issue that is best addressed by the courts, or do you think it should be handled by the voters?

- Courts (1)
- Voters (2)
- Not sure (3)

Q42 Would you vote to re-elect an elected official who supported this measure?

- Yes (1)
- No (2)
- Not sure (3)