



Ballot Initiative STRATEGY CENTER

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Date: January 17, 2007
To: Interested Parties
From: Kristina Wilfore

**Re: Top Five 2006 Ballot Measure Myths &
Research Results of Voter Turnout and Ballot Measures**

Every election season produces broad misconceptions in the pursuit of early answers to that age-old question: “what happened?” Many of these myths – some created intentionally by spin-meisters and others simply the product of hasty analysis – cement themselves very early in the media and public mind.

Ballot measures are ripe for this type of problem for a number of reasons. Most prominent among these are the following:

- **Spin** - Unlike candidates, ballot measures embody a single issue – often an issue that engenders strong feelings on either side. The proponents and opponents will use any victory in pursuit of their long-term goals on the issue to draw larger meanings than the reality might suggest.
- **Meta-Story** – Ballot measures are not simply issues or policies, but political campaigns. Each side of the political spectrum has begun to use the initiative process more strategically in multi-state capacities as part of larger political power-building potential. If an initiative is successful, especially in multiple states, analysts will use the apparent momentum to give the issue more power than it deserves. Conversely, pundits will also draw erroneous conclusions from a surprising failure.
- **Lag** – The research and polling that shows how ballot initiatives may have worked more broadly to influence the election does not magically appear in the week following the election, when most of the zeitgeist heats up and then quickly congeals. The academic analysis of the post-election polling can take even longer to roll out. This unavoidable situation fosters the first two problems by creating an evidentiary vacuum that pundits and spinners are paid to fill.

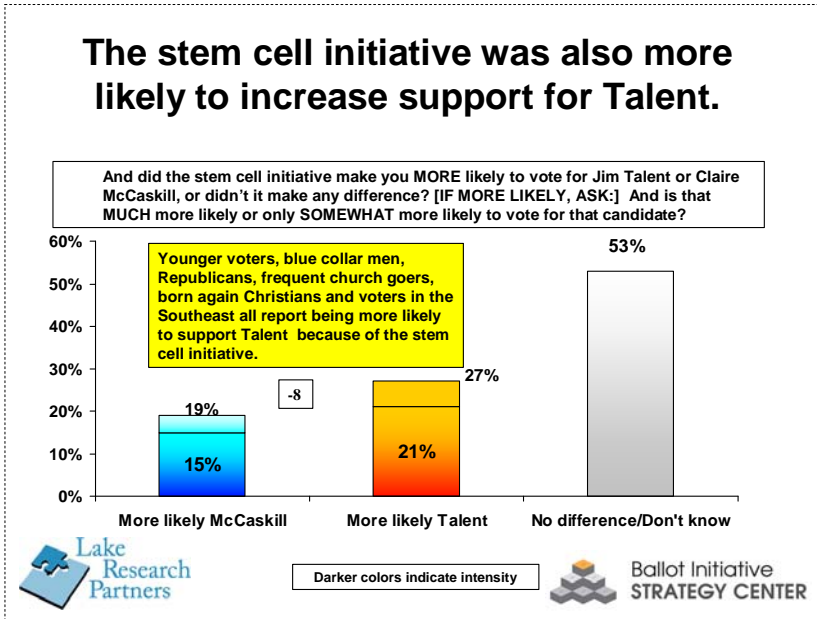
Given the presence of all of these conditions in these first weeks after the 2006 election cycle, BISC has prepared the following list of myths that have arisen since Election Day to explain the ballot initiative results this year – and the facts to refute them. We hope that this list, which will be expanded as more ideas begin to take hold, might clear up the rhetoric before it becomes reality.

MYTH:

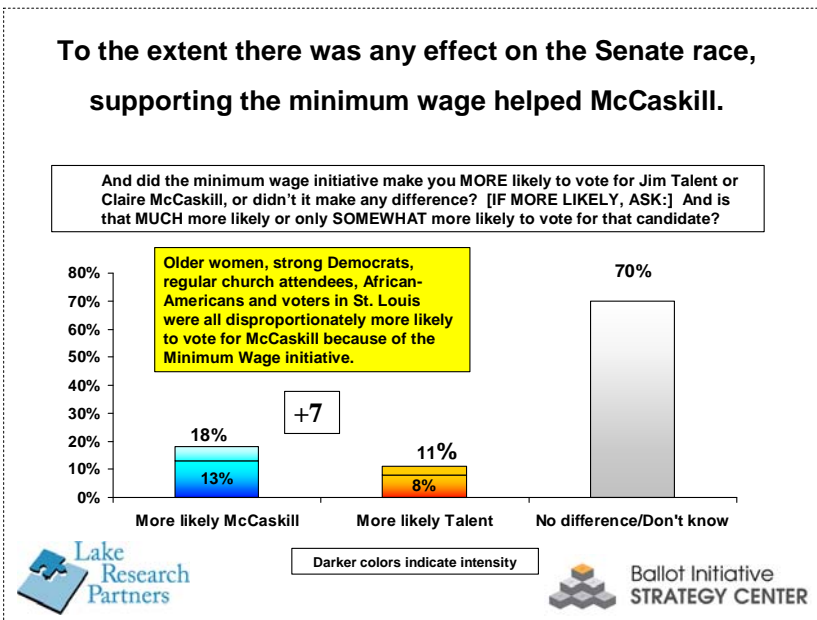
The Missouri stem cell initiative turned out voters who helped Democratic Senate challenger Claire McCaskill win her campaign.

FACT:

BISC post-election research shows that the stem cell battle was more motivating to conservative voters and increased the likelihood of casting their ballots for Senator Jim Talent, the Republican incumbent and vocal opponent of stem cell research.



On the other hand, the Missouri minimum wage initiative drew targeted voters to the polls and spurred them to vote for Claire McCaskill. This progressive mobilizing effect compensated for the stem cell initiative's drag on McCaskill's campaign, and helped her achieve a close victory on Election Night.



MYTH:

The 2006 ballot initiatives show widespread dissatisfaction with “big government.”

AND

The 2006 ballot initiatives show widespread dissatisfaction with “small government.”

FACT:

If any broad conclusion can be drawn from the 2006 ballot measure results, it is that voters are looking for a “Goldilocks government:” not too big, not too small, but just right. The results do not support either side of the simplistic and largely irrelevant arguments about the *size* of government that has long characterized the conservative/liberal divide. This year voters chose to raise the minimum wage while at the same time banning *Kelo*-style eminent domain. They rejected both anti-choice policies and affirmative action. They embraced both stem cell research and gay marriage bans.

On the tax and economic front, the pattern that emerges suggests not some arbitrary measure of size, but rather voters’ desire for responsible, efficient, and just government. The minimum wage campaigns were victorious because voters in six states realized that leaving low-wage workers behind undermined the American value of fairness. Congress had not acted for a decade, and voters were energized to take matters into their own hands. By the same token, the so-called Taxpayer Bill of Rights (TABOR) initiatives were roundly defeated, not only because voters recognized the potential damage the law would do to a state’s ability to fund core services, but because they rejected the proponents’ attempts to undermine the lawful process of qualifying a ballot initiative – a real vote for responsible government.

MYTH:

Voters are as opposed to gay marriage as ever.

FACT:

The numbers tell a different story.

In 2004, voters constitutionally banned gay marriage in 13 states by an average of 70%. Two years later, the average passing rate fell by more than 15 percentage points to 54.5%. Nearly two-thirds of voters support some form of legal recognition for gay and lesbian couples, and seven of ten voters believe that civil unions will be permitted throughout the country within ten years, according to a post-election survey of 19,356 voters conducted by Zogby International in November.

2006 also saw the first-ever defeat of a marriage discrimination measure, as Arizona voters shot down a ban 51%-49%. Furthermore, contrary to conventional wisdom, post election polling in Arizona shows that minority voters were more likely to oppose the initiative than were white voters. South Dakota’s ban passed by a mere four points, with barely a campaign organized in opposition.

Putting the whole picture of this issue in context shows us what the gay rights community has known for years: the simple electoral results of the marriage bans obscure the real change in public opinion on the issue. While public opinion shifts slowly on any issue, conservatives have quickly foisted these

gimmicky up-or-down votes (gay marriage was already illegal in every state that has voted on an amendment) to cement fear and scapegoating into state Constitutions.

While the gay marriage bans will undoubtedly reappear in 2008, the most interesting question is this: How long until public opinion presents an opportunity for progressives to devise an equally powerful strategy around removing these bans from the books?

MYTH:

The effect of a ballot measure can single-handedly swing other elections.

AND/OR

Ballot measures have no electoral impact.

FACT:

Even a powerfully motivating ballot measure is not a silver bullet that can magically define an entire electoral debate or sweep politicians into office with a massive turnout effect. As with any single political tool, strategists should be cautioned against viewing an initiative as a ticket to broad victories.

However, BISC research has shown that initiative campaigns focused on achieving larger electoral gains – targeted turnout, message framing opportunities for candidates, wedging political opponents based on past votes on the issue – have successfully changed the dynamic of state elections. When ballot measure campaigns in multiple states focus on these goals using the same issue, together they can force a national public conversation on a single issue. Conservatives accomplished this feat in 2004 using 13 gay marriage bans, while progressives responded in 2006 with initiatives to raise and index the minimum wage in six states.

Voters reported a high level of interest in ballot measures in 2006. Voters reported that they were an important factor in motivating them to vote, and in several states voters said that candidates' positions on various measures influenced their vote for those candidates. [Statewide, post election surveys were conducted by Lake Research Partners for BISC in five states in November 2006; Ohio, Missouri, Colorado, Arizona and Oregon – a comprehensive report is available through BISC.].

Research shows that the minimum wage initiatives in Ohio, Missouri, Colorado and Arizona played an important role in generating political interest and enthusiasm among Democratic base voters. The popularity of the minimum wage initiatives translated into higher turnout among low participation base voters, especially African Americans in Ohio and Missouri. Democrats in Missouri were twice as likely to support their party's candidate for U.S. Senate because of the minimum wage. In Ohio, of the 31% of voters who heard about U.S. Senator Sherrod Brown's position on the minimum wage, three out of ten say it made them more likely to vote and also made them feel more favorable towards him.

MYTH:

The initiatives to prohibit expanding eminent domain to private interests – a backlash to the 2005 Supreme Court decision in *Kelo v. New London* – were a significant conservative victory.

FACT:

There were 11 eminent domain-related measures on the ballot. Eight of these were related to reversing the *Kelo* decision. Three of the *Kelo*-related measures were designed to use eminent domain reform as a mask for a much more radical agenda – passing “regulatory takings.” Another initiative dealt solely with regulatory takings. Each of the straight anti-*Kelo* measures passed by wide margins. Both conservatives and progressives supported these initiatives because both sides of the political spectrum are concerned with the power of a corporate-governmental union that may trample property rights.

None of these eight initiatives were positioned as conservative turnout or framing vehicles, and hardly any appeared to mount a real campaign of any kind. None of the measures were opposed by an organized coalition.

The four regulatory takings measures (in AZ, CA, ID, and WA), on the other hand, were funded by radical conservative real estate investor Howard Rich through numerous phony shell organizations. These measures would have instituted a system like Oregon’s, by which taxpayers are forced to pay developers to follow zoning laws, or the state must waive those laws. Regulatory takings was vigorously opposed by broad coalitions, and all were defeated except for Arizona’s measure. The end result is a net gain for the distinctly non-political anti-*Kelo* measures, and a stinging loss for the conservative strategy of regulatory takings.

Post Election Survey Research: Ballot Measures & Voter Turnout

Summary

- The minimum wage was highly effective as a tool to motivate Democratic voters and other key targets like African Americans (refer to Missouri and Ohio analysis).
- Voter's level of *interest* in a particular measure does not mean that it was effectively targeted or motivated them to vote (refer to the survey results of Missouri's stem cell initiative). High visibility means little unless steps are taken by the campaign to specifically mobilize certain voters.
- In this reactive wave election, the minimum wage did not rise to the top of voter's reported interest out of all the measures on the ballot. However, the campaigns were run in the most crucial states, where even a small effect made a big difference (Missouri and Montana in particular).
- Measures that motivate opponents in equal measure to supporters can compromise not only the measure's chance of passage, but also a host of other electoral priorities. This is why we need to identify issues where the intensity is largely on our side.
- When possible to compile, precinct analysis will give us a better picture of the turnout effect of ballot measures in 2006 by enhancing what was gleaned by the statewide polls.

State-by-State Summaries¹

OHIO

Out of any state surveyed, the ballot initiatives in Ohio played an important role in generating political interest and enthusiasm among Democratic base voters. The success of the minimum wage initiative, in particular, translated into higher turnout among low participation base voters, especially African Americans. The indirect impact on the state races in particular is unmistakable: the minimum wage initiative encouraged higher turnout about Democratic supporters, and those voters supported Democratic candidates in the U.S. Senate and Gubernatorial races. The initiative had the highest margin of victory among blacks, seniors, voters who have no college degrees, and voters who are unmarried, practice no religion and do not vote in all elections (the precise target of the campaign's field efforts). Like in the other states, supporters were more interested in the measure than opponents. The pro-campaign's communication – recalled by one-third of the voters – was well targeted at Democratic base voters and they effectively increased support for the initiative and enthusiasm for the election as a result. Candidates' views on all of the initiatives were more important to Democrats and older voters in Ohio (particularly among supporters of the minimum wage). Of the 31% who

¹ Lake Research Partners designed and administered this survey which was conducted by phone in November 2006 using professional interviewers. The survey reached registered voters who reported voting in the 2006 election - 500 adults, 18 years or older. The margin of error for this sample is +/-4.4%

heard about Sherrod Brown's position on the minimum wage, three out of ten say it made them more likely to vote and also made them feel more favorable towards him. While the education/slots initiative appealed most to Democratic base voters, it was not nearly as successful as the minimum wage initiative. Although the initiative helped motivate 57% of the electorate to go to the polls, motivation levels were about the same between initiative supporters and opponents. Although the smoking ban measures were more prominent in voters minds, they had no political or turnout effect.

MISSOURI

Ballot measures were very prominent in Missouri in 2006 and a significant factor in shaping the U.S. Senate race and the overall political environment even in a year where national and international issues were hotly debated. The battle to pass or defeat ballot initiatives created a frenzied campaign environment with nearly three in four Missouri voters reporting contact from ballot initiative campaigns. The stem cell initiative stood out to voters more than any other issue on the ballot. Against conventional wisdom, however, it was not the measure of most benefit to turning out targeting voters. In contrast to the minimum wage initiative, interest among opponents of the stem cell research measure was almost as high as interest among supporters. Most of the two-thirds of voters who reported being motivated by the measure were conservative base voters. The stem cell initiative was also more likely to increase support for Jim Talent (by 27 percent). Four in ten voters who heard Jim Talent's position on stem cell (which was 53% of all voters) said it made them more likely to turn out. Distinctly different from the stem cell initiative, the minimum wage initiative created more interest and showed increased reported motivation primarily among the supporters of the initiative while those who opposed it were not at all motivated to go out and vote. Half of all voters say the minimum wage motivated them to vote. Support and interest was particularly strong among the campaign's primary targets - African American voters (90% of whom say they supported the measure). The measure was also clearly more popular among people who do not turn out to vote consistently (supported by 70% of less frequent voters). Democrats were twice as likely to support their party's candidate for U.S. Senate because of the minimum wage. To the extent the Senate candidate's positions on minimum wage made voters more likely to vote for one candidate over the other, it was of more benefit to Claire McCaskill. A third of voters who heard of McCaskill's position on the minimum wage said it made them more likely to vote and made them more favorable to her, while over one quarter of the voters who heard Talent's position against the minimum wage say it made them less favorable towards him. Older women, strong Democrats, regular church attendees, African American voters and voters in St. Louis were all disproportionately more likely to vote for McCaskill because of the minimum wage initiative.

A separate test conducted for BISC by Winning Connections of targeted rural, swing voters in order to examine persuasion and GOTV. Results showed that voters who received a ballot-focused message more likely to vote for McCaskill than those who received baseline issues messages. Voters who received a ballot-focused message were more likely to say that the measures were extremely or very motivating in their decision to vote than voters who received a baseline issues message. In terms of frequency of contact, compared with voters who

received only one call, voters who received two calls were: (1) more likely to vote yes on both the minimum wage and stem cell measures, (2) say that raising the minimum wage was a motivating factor in their decision to vote, and (3) recall not only phone but also mail and canvass visits.

COLORADO

In Colorado, nine out of ten voters say they were interested in the initiatives on the ballot, and more than half (54%) say the initiatives were one of the most important factors in deciding whom to vote for in the Gubernatorial and Congressional elections (with women in particularly placing greater importance on candidate positions than men). In Colorado there was more of a partisan divide to support the minimum wage than in other states, as Democrats (67% to 26%) supported the initiative while Republicans solidly opposed it (37% to 53%). Support was critical among Independents. Interest in the issue was high, especially among progressive base voters, such as Democrats, women, older voters and those with less education. The intensity surrounding the issue was higher among those who supported the initiative (86%), which is an important quality for measures intended to turnout certain types of voters and neutralize others. Approximately a third of the voters say they also had a more favorable impression of Bill Ritter because of his stance on the issue, while less than half that number thought more favorably of Bob Beauprez (although it's significant to note that overall the minimum wage was not particularly engaging in the gubernatorial election with less than 20% saying the issue made them more likely to vote for either candidate). Furthermore, communication from the minimum wage was widely recalled, with 74% of voters remembering mail from the campaign and half recalling phone contact from the campaign or its supporters. Although voters were slightly less interested in the initiative to ban gay marriage (compared to the minimum wage), nearly half of voters say it motivated them to vote. However, motivation was nearly equal among supporters and opponents of the ban and strongest among younger voters, Republicans and frequent churchgoers. On the domestic partnership measure, there seems to be a gender and education gap with women more supportive than men and those with college degrees more supportive than those without. Younger women were the most in favor of the measure. Independents split on the measure, helping narrow the margin of defeat. Less frequent voters were more likely to support it than habitual voters. Voters overwhelming said that the Ted Haggard scandal had no impact on their vote, though 9 and 10 had heard the story. Lastly, voters were closely divided on whether there were too many initiatives on the ballot or about the right amount with 49% believing there were the right amount and 45% believing there were too many.

ARIZONA

An impressive 9 of 10 voters said they were interested in their state's ballot initiatives, including almost two-thirds who were very interested (which is higher than the rest of the states studied). With 19 measures on the ballot, Arizona led the pack in 2006. Overall, the minimum wage initiative generated the most intensity in terms of both interest and motivation among the Democratic base voters who were the initiatives strongest supporters, although out of all the

measures on the ballot the immigration and gay marriage measures stood out in voter's minds the most. Almost half of Arizona voters say the minimum wage motivated them to vote (younger women, college educated women and Democratic women in particular). The minimum wage measures also enjoyed strong support among voters who do not consistently turn out to vote (68% of less frequent voters supported the minimum wage). As seen in other states, supporters reported being more interested in the initiative than opponents. Interest was highest among Democrats, unmarried voters and women. Candidates' positions on the minimum wage, however, did not dramatically affect voters' support for either Jim Pederson or Jon Kyl. Most voters had not heard their positions on the measures. However, a third of those who heard Pederson's position said it made them more favorable toward him. The opposite being true for Kyl; voters who heard Kyl's opposition to the minimum wage were inclined to feel less favorable toward him. Voters who were some of the most likely to say they were motivated by the minimum wage were also more likely to oppose the ban on gay marriage. As the only state in the country to defeat a ban on gay marriage, those voters were likely instrumental to turn out. Contrary to conventional wisdom, minority voters were more likely to oppose the initiative than were white voters. Although interest in the gay marriage ban was high among both supporters and opponents, as we have seen with other socially conservative initiatives, conservative supporters report higher levels of interest than opponents.

OREGON

Ballot measures were prominent in Oregon in 2006 and a significant factor in shaping the Governor's race, with majorities of voters – Democrats and Republicans alike – saying the stands of candidates on ballot issues were important in determining their vote. The number of initiatives created an active campaign environment with two thirds of Oregon voters reporting contact from the campaigns. Of the various measures, parental notification for abortions stood out the most with 24 percent, followed by TABOR, which also generated a great deal of interest. Opposition to TABOR was broad and strong, with every major demographic group opposing the measure (college educated women tended to be the strongest opponent and; weak Democrats were stronger opponents than strong Democrats). While interest in the measure was higher for TABOR supporters, reported motivation among supporters and opponents was strikingly similar. Over half of Oregon voters say they measure motivated them to vote. While overall, candidates' positions on TABOR did not necessarily affect voters' support for either Ted Kulongoski or Ron Saxton, Kulongoski's opposition to TABOR helped him more with Democrats than Saxton's support helped with Republicans. Voters who heard the Governor's position on TABOR were inclined to feel more favorable towards him by an almost 2:1 ratio. Analysis of the voter guide distributed by Our Oregon (a progressive coalition formed to advance an agenda of economic and tax fairness) showed that nearly half of Oregon voters recall receiving their guide and distinguished it from the Secretary of State's official voter guide. Overall, voters were impressed with the guide, believing it was both balanced and more useful than other election-related materials.