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## Evaluating the Impact of Oregon's Citizen Initiative Review (CIR) on Voter Decisions

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Evaluating the Impact of Oregon's Citizen Initiative Review (CIR)  
on Voter Decisions

by

Ari Joaquin Wubbold

A thesis submitted in partial fulfillment of the  
requirements for the degree of

Master of Arts  
in  
Political Science

Thesis Committee:  
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## **Abstract**

Voters are getting information from more and more sources. Along with this proliferation of sources has come an increasing distrust of traditional mass media. This has created a challenge for voters who seek reliable information when making decisions in the voting booth; including on ballot initiatives. Because voters tend to find ballot initiatives confusing and not easily informed by traditional party cues, the Citizen's Initiative Review (CIR) and the non-partisan, fact-based recommendations they produce have now spread into multiple states. My thesis seeks to gauge whether the CIR is effective at achieving the goals of increasing voter knowledge and encouraging thoughtful voting decisions; two challenges posed by ballot initiatives. I evaluate the available literature on how voters make decisions in general and about ballot initiatives specifically and then review data from five studies conducted in states with a CIR to determine whether the CIR has met these goals. Where other reports have evaluated findings from individual studies or states, my report takes a comprehensive view of the available data and compares it to what traditional political science literature has to say about voter behavior related to ballot initiatives. On balance, I find that voters see the CIR as providing useful and informative recommendations that have legitimate positive impacts on how they deliberate and vote on ballot initiatives.

## **Dedication**

This thesis is dedicated to my committee for their patient review, to my parents and wife for their unwavering support and encouragement, and to my grandfather for reminding me (quite publically) that failure is not an option.

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*“It falls to each of us to be those anxious, jealous guardians of our democracy; to embrace the joyous task we’ve been given to continually try to improve this great nation of ours. Because for all our outward differences, we all share the same proud title: Citizen.”*

*—President Obama, farewell address, speaking in Chicago on Jan. 10, 2017*

## **1. Introduction**

Voter decision-making is a complicated subject which has been further complicated by the abundance of blogs, websites, and social media channels that now inform and influence voter thought in the digital age. The volume of information the internet provides has changed the way voters now process political information. Data shows that voters no longer rely entirely on more traditional means (local and national newspapers, radio programs, local television, etc.). For example, a Pew Research Center survey from early 2016 found that “compared with print (20 percent), nearly twice as many adults (38 percent) often get news online, either from news websites/apps (28 percent), from social media (18 percent) or both” (Mitchell, Gottfried, Barthel, & Shearer, 2016). Additionally, a second Pew survey showed that about nine-in-ten U.S. adults (91 percent) learned about the 2016 presidential election by accessing at least one of 11 different sources, ranging from digital to more traditional modes, and almost half (45 percent) learned from five or more information streams (Gottfried, Barthel, Shearer, & Mitchell, 2016).

This diversification in information gathering raises questions around what sources voters trust when making decisions about how to cast their ballot, as well as the value of more traditional means for communicating political information. Trust in the mass media to report the news “fully, accurately, and fairly” has dropped 40 points in the last 40 years (from 72 percent in 1976 to 32 percent in 2016) thus it is worth evaluating the efficacy of

alternative sources of information and the extent to which modern voters rely on them (Gallup 2016). As researchers found in 2016, “America’s 2016 presidential election put the spotlight on fake news, ideological biases, and the rapid spread of misinformation” (Gastil, 2017). There is also the risk of “fake news” and bad information being provided by our elected leaders. For example, the *Washington Post Fact Checker* recently found that President Trump made 1,628 false or misleading claims over the first 298 days of his presidency (Kessler, Kelly, & Lewis, 2017). Therefore, not only are voters showing diminished trust in the truthfulness of what is reported by the traditional media, they are also faced with the challenge of getting accurate information from our leaders.

Every year, similar forces shape regional elections; when voters weigh in on statewide initiatives or referenda, or on local measures. Faced with these choices, voters often have difficulty finding relevant, reliable, and concise information to help them assess the policy issues that appear on their ballots. Not only are voters faced with the challenge of finding good information, researchers have also found strong evidence of low levels of civic understanding among the voting public. For example, studies have shown that nearly one in three Americans cannot name a single branch of the federal government and the same ratio fail the immigrant citizenship test. The immigrant citizen test, it should be noted, does not deal with the kinds of policy minutiae that you might expect to find in ballot initiatives, but instead includes such questions as, “What major event happened on 9/11?” (Egan, 2017). Many blame these low levels of civic knowledge on our education system – as the *New York Times* recently wrote: “...up until the 1960s, it was common for students to take three separate courses in civics and government before they got out of high school...Now only a



handful of states require proficiency in civics as a condition of high school graduation” (ibid).

Research on the lack of voter knowledge is long, deep, and broad. *The American Voter*, published in 1960, contended that most voters decide how to vote based on party affiliation (what became known as the Michigan Model) and they were unsophisticated in their decision-making, with little coherent ideology. In fact, in the interviews conducted by the authors of *The American Voter* (using longitudinal data from the 1948, 1952, and 1956 presidential elections), only 12 percent of voters exhibited a consistent ideology on policy issues, while a plurality of voters (42 percent) were deemed “group benefit voters,” making political decisions based on group affiliations (Campbell, 1960). In *The American Voter Revisited*, published in 2008, researchers found that voter behavior was largely unchanged, with voters still relying heavily on party cues to make decisions and less on a consistent policy-based ideology (Lewis-Beck, 2008). The article “The Nature of Belief Systems in Mass Publics,” written by Philip Converse (one of the authors of the original *The American Voter*), was even more pessimistic, concluding that less than 4 percent of voters had a fully-formed system of political beliefs and were able to consider political decisions abstractly (Converse, 1964).

While Converse et al. were evaluating voters primarily on their preferences for candidates and the major political parties, research also shows that voters have a less than sophisticated approach when it comes to voting on ballot initiatives and that they are highly influenced by outside cues. For example, research conducted in 2015 found that ballot text can have a strong impact on voter behavior in direct democracy elections and that the

language used to describe a ballot measure has the potential to affect election outcomes (Burnett & Kogan, 2016). Additionally, the kind of knowledge that voters need to make an educated decision on ballot initiatives – which often involve economic trade-offs – is often hard to come by. In California, where initiatives are plentiful, a recent survey of voters found that understanding of state revenues and expenditures was minimal. According to the survey, only 9 percent of likely voters were correctly able to identify both the State’s largest revenue source and its largest spending source (The Economist, 2011). This lack of economic knowledge makes disinformation campaigns all the more effective, and points, again, to the need for factual information when it comes to making decisions about how to vote.

It is important to point out that this lack of voter knowledge, paired with growing distrust of mass media, creates a situation in which creative approaches are needed to reduce voter confusion. This is a big issue and many types of reform efforts are trying to tackle it. For example, Citizen Juries (which will be covered in greater detail in Section 3.2) aim to educate voters on a variety of public issues (which are not always political in nature) through the recommendations of a representative sampling of citizens. Another example would be 21<sup>st</sup> Century Town Meetings which update the traditional town meeting format with modern communication technologies, such as Audience Response Systems, which allow participants to provide immediate feedback, usually via cloud-based software. Participants of 21<sup>st</sup> Century Town Meetings are ordinary citizens with no stake in the issue being discussed, and group sizes tend to be quite large (500 to 5,000 participants). These meetings serve to promote “informed participation” and “develop civic leadership and enhance implementation of public priorities” (Participedia). The Citizen’s Initiative Review, or CIR, is another citizen-

driven approach to reducing voter confusion – specifically around ballot initiatives – and will be the primary focus of this report.

In Oregon, the CIR is a group of randomly-recruited citizens who get together, review a ballot initiative (ranging broadly in subject from medical marijuana to genetically modified organisms (GMOs), to tax reform), interview witnesses on both sides of the issue, and provide a consensus recommendation to voters that is featured in the state’s voting pamphlet sent out by the Secretary of State. Supporters of the CIR contend that these recommendations can help reduce voter confusion by using panels of regular citizens to provide their peers with timely and accessible information.

This paper will evaluate two related aspects of the CIR—reducing voter confusion and encouraging thoughtful voting decisions. These aspects are important to study because an informed electorate is crucial to the health of our democracy and because as an official part of Oregon state elections, voters have a right to know whether the CIR is achieving the aims it was supposed to when enshrined into law by the state legislature. To evaluate these aspects fully, this report will explore the issue – across multiple states – of whether awareness and use of the CIR has expanded, contracted, or stayed the same since its adoption and subsequent implementation, and whether this awareness and use has positively impacted voters’ decision-making.

To assess the question of whether CIRs lead to more informed and thoughtful judgments in the voting booth, a thorough breakdown of the literature behind how voters currently make decisions at the polls is in order. To address these subjects this report’s literature and data reviews will be structured as follows:

**Literature review:** Dr. John Gastil at The Pennsylvania State University and Dr. Katherine Knobloch at Colorado State University – two of the foremost experts on the CIR – contend that the popular interpretation of how voters make decisions in political science “presents voters as under-informed, ideologically biased, and impervious to straightforward corrections of misperceptions” (Gastil, Richards, & Knobloch, 2014). Other scholars acknowledge that there is ample evidence to support this interpretation. For example, Elizabeth Garrett of the University of Chicago wrote that “except for a minority of citizens who follow politics and campaigns closely because they enjoy it or because it is part of their jobs, most Americans will never allocate much of their limited attention to gathering and assessing information about politics, government, and candidates for public office” (Garrett, 1999). She is referring to what University of Virginia Law Professor Daniel Ortiz calls “civic slackers” (Ortiz, 1998). Seminal works in political science, such as the aforementioned *The American Voter* and *The American Voter Revisited*, along with Eric Smith’s *The Unchanging American Voter*, would appear to corroborate this pessimistic outlook. Like Converse et al., Smith contends that voters struggle to organize their political attitudes in any coherent manner and that even the political upheaval of the sixties – which prompted strong civic engagement “...had virtually no impact on the public's political knowledge and understanding. Although many of the public's beliefs and attitudes changed during the sixties...knowledge and sophistication remained constant” (Smith, 1989). However, while Gastil and Knobloch recognize the persistence of this negative view of voters, they note that such research has not addressed the “unique situation of the Oregon CIR” (ibid).

**Data review:** Since 2008, every CIR process has been studied by a team of university researchers. Professors Gastil and Knobloch lead the Citizens' Initiative Review Research Project. This Project publishes reports on the quality and efficacy of CIR processes, and also regularly publishes scholarly papers using the CIR process as a model to study group dynamics, decision-making, cultural cognition, deliberation, and education. This report will reference their work repeatedly.

Notably, the research conducted by Pennsylvania State University and Colorado State University has been used to bolster the credibility of the CIR, finding that voters are more informed and more confident after reading CIR statements (Gastil, Richards, & Knobloch, 2014). When it comes to exposure, a 2016 study found that from 2012 to 2016, a majority (51-54 percent) of the Oregon electorate is now aware of the CIR, with roughly two-fifths of voters reporting that they read the Citizens' Statement before voting (ibid). This report will analyze the findings of the 2012 and 2016 reports, as well as findings from studies conducted by Gastil and Knobloch in 2010 and 2014 in Oregon and other states with CIR equivalents.

While multiple efforts have been made to evaluate the CIR's impact on voter decisions in individual elections and states, there has been little effort to evaluate the program's efficacy on a comprehensive basis, and whether-or-not the CIR's recommendations are heeded by voters in multiple states, across a variety of issues. To evaluate whether the CIR has been effective in achieving its goal of educating voters, this report will assess the efficacy of the CIR by evaluating its history, guiding principles, and methodology. We will also consider a number of scientific studies that utilized exit polling

data in the form of pre- and post-test surveys – conducted both online and over the phone – with voters in states with a CIR equivalent.

## 2. Literature Review

### 2.1 | General Political Decision Making

This section explores the information sources that influence voter decisions and why. I will look at information sources as they pertain to making political decisions generally and to ballot initiatives specifically. This literature review will provide the reader with a contextual understanding of the process through which voters currently make decisions at the polls and how the presence of the CIR can affect that process.

The traditional view of US voters, as put forward in works like the aforementioned *The American Voter*, is that when it comes to deciding how to vote, party affiliation plays a paramount role in determining your policy positions. Campbell, Converse, et al. argued that, by and large, voters inherited their party identifications from their parents and early social conditions through what was called the Funnel Model (ibid). The Funnel Model works thus: First, you form a psychological attachment to your inherited party, adopting its positions because of that attachment. Second, your attitudes are then mirrored in your preferences on what is called the *six attitudinal dimensions*: international issues, domestic issues, the candidates (at the time of this study these were Dwight D. Eisenhower and Adlai Stevenson), key groups, and parties as managers of government. Third, your position on these issues becomes the “proximal cause of your voting decision (Arzheimer, Evans, & Lewis-Beck, 2016).”

Therefore, the way a voter decides how to cast their ballot on issues – at least according to Campbell, Converse, et al. – is largely determined by their Party ID, or the lens

through which policy decisions are made. In this estimation of voters, contrary opinions and evidence are superseded by a party allegiance on the psychological level. As the authors put it, "Identification with a party raises a perceptual screen [i.e. selective perception] through which the individual tends to see what is favorable to his partisan orientation." In this model, political parties (and their candidates) supply necessary cues to voters. Popkin, et al. in their 1976 article, *"What have you done for me lately? Toward an investment theory of voting,"* would go on to claim that a candidate's qualities were actually more important in the 1972 election than they had been when *The American Voter* was released. That is not to say, however, that the authors of *The American Voter* felt that voters would never change their political affiliation. They contend that such changes happen (obviously) and are largely a result of changing social conditions or life experience, such as older people tending to vote more conservatively.

Beyond the view that voters inherit a party ID which informs their partisan feelings (and not the other way around), Campbell, Converse, et al. also developed a framework – based on extensive interviews about their likes and dislikes about the parties and candidates – that placed voters into four categories that reflected their “sophistication.” These categories or “frames of reference” are (1) ideology; (2) group benefits; (3) nature of the times, and (4) no issue content, with ideological voters demonstrating the highest level of sophistication. Eric Smith, in his book *The Unchanging American Voter* wrote that:

*“...the highest level, ideological conceptualization, embraces "all respondents whose evaluations of the candidates and the parties have any suggestion of the abstract conception one would associate with ideology." This level would include, for instance, those who said they like candidates because they are liberal or who explained their preferences in terms of broad principles such as government intervention in the marketplace”* (Smith, 1989, pg. 11).



What assessment did Campbell, Converse, et al. make about the prevalence of these ideological voters in the American electorate as compared to less sophisticated voters? They contended that only 12 percent of voters exhibited a consistent ideology on policy issues, while a plurality of voters (42 percent) were deemed “group benefit voters,” making political decisions based on the beliefs of the groups they liked or disliked (ibid). This pessimistic view of ideological consistency and voter knowledge (the authors found that voters often did not know which party stands for what) was supported by Converse in his 1964 article, “*The Nature of Belief Systems in Mass Publics.*”

Written several years after *The American Voter*, Converse’s piece used open-ended interview questions from voters and other survey data to determine that most voters do not adhere to a consistent ideology (or belief structure), nor have a clear understanding of what political ideology actually is (Converse, 1964). He found that many voters still tended to have incoherent, seemingly random opinions even with controversial issues that were well-known to the public. In this way, Converse’s work dovetailed with that of *The American Voter* in that it pointed to a lack of sophistication and ideological consistency among the electorate. Converse categorizes this sophistication using “levels of conceptualization” based on voters’ understanding of basic ideological differences between ideas. He came up with five different levels and determined what percentage each comprised of the electorate (see Table 1).

Overall, Converse found that only four percent of the electorate could be counted as “ideologues,” or voters who used “a relatively abstract and far reaching conceptual dimension as a yardstick against which political objects and their shifting political significance over time were evaluated” (ibid). To Converse, these voters who were able to

**Table 1**  
**Levels of Conceptualization**

Distribution of a Total Cross-Section Sample of the American Electorate and of 1956 Levels of Conceptualization			
		Proportion of total sample	Proportion of voters
I.	Ideologues	2.5%	3.5%
II.	Near-ideologues	9%	12%
III.	Group Interest	42%	45%
IV.	Nature of the times	24%	22%
V.	No issue content	<u>22.5%</u>	<u>17.5%</u>
		<b>100%</b>	<b>100%</b>

Source: Adapted from Converse (1964)

reason abstractly were the most politically sophisticated voters and they made up a very small part of the electorate. Converse contended that a plurality of voters (45 percent) fell into the “group interest” level of conceptualization. According to Converse these voters “evaluated parties and candidates in terms of their expected favorable or unfavorable treatment of different social groupings in the population” (ibid). This group is similar to the “group benefit voters” who made up a plurality of the electorate in *The American Voter*.

Converse also noted that the voters at the lower end of the scale were not voting in accordance with those on the higher end of the scale (the ideologues and near-ideologues), meaning that the political elites at the top of the scale had little influence on the ideology of the masses. The implication here is that while these elites may claim support for a policy – such as a ballot initiative, for example – most voters demonstrate little ability to understand the implications of that policy. This is alluded to later in this report during the discussion

around voters' relative inability to process the ramifications of voting yes or no on a ballot initiative.

The pessimistic view of non-ideological voters offered by Campbell, Converse, et al., is not without its detractors. For example, one such belief was put forward by V.O Key Jr. in his 1966 book, *The Responsible Electorate* (Key & Cummings, 1966). Key was a Harvard professor and president of the American Political Science Association who wrote that voters make political decisions based on rational consideration of the issues and the candidates (Berns, 1966).

Key's analysis was based on opinion surveys from previous presidential elections. He divided voters into three groups: the "standpatters," the "switchers," and the "new voters." Key's primary interest was in identifying the reasons some voters cross party lines ("switchers") and others adhere to the party line from election to election ("standpatters"). He asks, "Were these actions governed by images, moods, and other irrelevancies, or were they expressions of judgments about the sorts of questions that, hopefully, voters will weigh as they responsibly cast their ballots?" Key goes on to answer his own question:

*"In American Presidential campaigns of recent decades the portrait of the American electorate that develops from the data is not one of an electorate strait-jacketed by social determinants or moved by subconscious urges triggered by devilishly skillful propagandists. It is rather one of an electorate moved by concern about central and relevant questions of public policy, of governmental performance, and of executive personality" (Key & Cummings, 1966, pg. 7-8).*

When Key talks about voters being "straight-jacketed by social determinants" it sounds as if he is opposing the views of Campbell, Converse, et al. who trumpeted the importance of inherited ideology and party identification through their "Funnel Model." Conversely, Key felt that "voters are not fools," and instead those "switchers" (or swing

voters) change their positions in ways that are consistent with their own policy preferences. This runs counter to the view of independent voters as espoused by Bernard Berelson, who found such voters to be:

*“...the least knowledgeable, and the least intelligent part of the electorate. Their changes in party preferences are not attributable to a rational consideration of what is at stake in the election, but to factors beyond their control, namely the “conflicting social pressures” to which they are subject”* (Berns, 1966, para 7).

However, Key is convinced that these independent voters are not only more numerous than had been previously estimated (he thinks they make up between one-eighth and one-fifth of the electorate), but that they are switching parties to find positions that more closely match their policy preferences, thereby making them sophisticated (rational) ideologues in the parlance of Campbell, Converse, et al. *Commentary Magazine* summarized the important implications of Key’s work well when they wrote: “By demonstrating that rationality is a factor in voting behavior independent of the sociological and psychological, Key has reestablished the independence of the political. He has shown that the politician, who, in Adlai Stevenson's words, talks sense to the American people, is himself acting sensibly” (Berns, 1966). He is acting sensibly because Keys credits the American people with being able to respond sensibly and rationally. Key’s positive view of the rational voter is not unique in the voter psychology literature. Another such example is Popkin’s *The Reasoning Voter* (Popkin, 1994).

Popkin was looking for a way to determine how voters make political decisions and form political opinions. He utilized a Downsian voting calculus which stressed that voters use information shortcuts to assess their best options when making political decisions,

evaluating what a party or candidate will do in the future based on past trends (retrospective voting) (Downs, 1957). "Based on what I know about the candidate personally, what is the probability that he will be a good president?" To evaluate these past trends and make decisions, Popkin contended that voters use "low information rationality," obtained through exposure to political media and their day-to-day interactions (i.e. conversations with friends help shape their opinions of parties and candidates) and experiences (drivers learn about gas taxes, homebuyers learn about interest rates, etc. and are therefore able to identify trends in these markets and wider economic implications). For Popkin, party identification still plays an important role in this "low information rationality;" it is one component of how voters evaluate candidates. He points to "a sophisticated pattern of transmission from past elections and interactions among and between people in the current election" (Popkin, 1994). In this way, voters look at past elections and candidate behavior as guideposts in their current exercise of "retrospective voting."

In these ways, Popkin has made the case for a rational voter that makes decisions based not purely on voter identification, but on a more nuanced level in which they behave like "clinicians;" collecting limited information (information shortcuts and cues) and using it to make inferences about a broader narrative (ibid). While Popkin had much to say about how voters gathered their information when making decisions about how to vote on candidates and parties, the issue of trusted "speakers" was tackled in great detail by Lupia and McCubbins in their important work, *The Democratic Dilemma* (Lupia & McCubbins, 1998).

Lupia and McCubbins identify three key players in the arena of political decision making: the aforementioned “speakers,” “principals,” and “agents.” Voters are the principals while the leaders they elect are the agents. The authors identify a potential problem in that principals don’t have the time or inclination to always keep an eye on the agents to ensure they are working in the public’s interest. Therefore, speakers (media, friends, family, other politicians, etc.) serve in the role of watchdog, providing principals with the information they need to make decisions about the agents. Lupica and McCubbins stress that it is crucial for the principals to trust the speakers for this relationship to work. This is relevant to the issue of ballot initiatives because a trusted speaker may impact how a voter feels about that initiative, and therefore which way they vote.

Lupica and McCubbins push back on the prevailing view that voters’ lack of civic knowledge prevents them from making reasoned decisions at the polls and that the “low information rationality” that Popkin discusses should more rightfully be called “low information irrationality” when they say:

*"We reject this conclusion because it is based on an erroneous, though prevalent, assumption. The assumption is that people can make reliable predictions about the consequences of their actions only if they know a detailed set of facts about these actions. If this assumption is true, then it must also be true that reasoned choices can be made only by ambulatory encyclopedias--people who can store and quickly retrieve a detailed set of facts about every decision they make. If, however, the assumption is false, then even individuals who cannot answer simple survey questions or explain the details of proposed legislation may nevertheless be capable of reasoned choice" (Lupia & McCubbins, 1998, pg. 18).*

Thus Lupica and McCubbins join Key and Popkin in determining that voters can (at least when it comes to voting on candidates and parties) diverge from the traditionalist views of Campbell, Converse, etc. and instead of letting merely party identification dictate how

they vote, are able to make rational decisions based on of legitimate policy preferences and cues (information shortcuts) provided by trusted messengers.

Other political scientists have also questioned the conclusions of Campbell, et al., including as presented in *The Changing American Voter*, which drew from “some fifteen separate national surveys conducted between 1939 and 1974” in an effort to update Campbell’s work, by pointing to an increase among the electorate of “issue voting” (not necessarily based on party ID, as promoted by Campbell) and a simultaneous decline in political centrism, with a corresponding uptick in “leftist” and “rightist” ideology during the surveyed time period (Nie, Verba, & Petrocik, 1979). This decline in centrism is also reflected in the work of Alan Abramowitz in his book *The Disappearing Center*, in which he claims that the more educated the electorate has become, the more ideological it has become as well. Abramowitz notes that this increase in ideological partisanship has led to greater party loyalty and what he calls “partisan-ideological polarization” (Abramowitz, 2011). This runs contrary to Converse’s argument that genuine ideology was limited to political elites. The non-partisan recommendations provided by the CIR and its deliberative process that registers the concerns of both sides of an issue may help diffuse some of the polarization inherent in today’s politics. Additionally, the more educated electorate that Abramowitz points to challenges the frequent critique of ballot initiatives in that they are beyond the comprehension of most voters.

## 2.2 | Ballot Initiative Decision Making

*“A popular government without popular information or the means of acquiring it is but a prologue to Farce or Tragedy or perhaps both. A people who mean to be their own Governors must arm themselves with the power knowledge gives.”*

*--James Madison, 1788*

Much has been written about how voters make decisions at the polls, whether it be by taking cues from their chosen (or inherited) political party, relying on trusted “speakers,” or without a sophisticated approach at all. However, voting for a candidate is not the same as voting for a ballot initiative. Ballot initiatives (as will be discussed in further detail in Section 3) are often confusing for voters because they ask them to pit two policy positions against each other and do not always fit neatly into the traditional left-right political spectrum.

In the political science literature, “party cues” have been defined as “the process through which party labels of candidates increase the information available to voters: i.e., information on the performance of one politician can be used to assess another politician of the same party.” (Geys & Vermeir, 2012). As a time-saving device, voters rely on trusted experts (Lupia and McCubbins’ “speakers”) and political elites (their “agents”) to help them form opinions on challenging policy issues without being forced to process the nuanced details of the issues themselves (Gilens & Murakawa, 2002). This has implications when it comes to the role that endorsements from prominent party figures play in influencing voters on ballot measures. For example, an endorsement for an initiative from a popular Republican governor may signal to Republican voters that supporting this initiative is supporting the party line. Additionally, research shows that voters are more inclined to look



to source cues when evaluating hard issues that require specialized knowledge, such as the fiscal knowledge necessary for making an informed decision on many ballot initiatives (Gilens & Murakawa, 2002).

We do know that endorsements go a long way in deciding candidate races. In the book *The Party Decides*, the authors contend that since 1980, the single best predictor of a party's presidential nominee is the number of endorsements from party elites — elected officials and prominent past party leaders — a candidate has received in the months before the primaries kick off (Cohen, Karol, Noel & Zaller, 2008). However, the 2016 election muddied the waters a bit, when former Florida Governor Jeb Bush and Senator Marco Rubio led the endorsement hunt, at one point having received more endorsements from Republican governors and members of Congress than the rest of the GOP presidential field combined — but then both failed to win the party's nomination (Bush, 2015).

When it comes to endorsements on non-candidate issues, there is ample research to show that endorsements maintain their impact on voters, though the direction of that impact is heavily debated. For example, John Zaller in his book *The Nature and Origins and Mass Opinions* cited a “partisan resistance” to elite cues (or “heuristics”), in which “Democrats and Republicans tend to reject messages from the opposing party, and liberals and conservatives reject persuasive communications that are inconsistent with their ideologies” (Zaller, 1992). Basically, these voters reject cues that do not align with their current beliefs and that of their chosen party. However, this kind of cueing has its limitations, particularly for issues that are complex and cut across traditional party lines. In those instances, researchers have found that voters often rely on cue givers within particularly policy domains, such as the AARP on

retirement issues. However, researchers largely find this reliance on multiple cue givers to be limited to more politically engaged voters (Gilens & Murakawa, 2002).

Without being able to rely on party cues, as voters often do with candidate elections, where might the average voter go for information and decision-making suggestions on ballot initiatives? Remember, initiatives are legislation or constitutional amendments at the state level that reach the ballot through voter-initiated petitions and they have become a staple of American democracy: every even-numbered election year hundreds of initiatives are put in front of voters (with a handful on off-election year ballots) (Altic & Pallay, 2016). Initiatives can be confusing for voters because they deal with such dense topics as taxation, questions of governmental jurisdiction, and not on the simpler subject of choosing candidates. This voter confusion, coupled with an expanded role for wealthy campaign interests, has led to a slightly skeptical view of ballot initiatives in the political science literature.

One of the key works on the subject is *“Direct Legislation: Voting on Ballot Propositions in the United States,”* written by David Magleby (1984). By reviewing voter surveys to ascertain who had participated in elections featuring propositions and initiatives, Magleby found significant reasons to be concerned with the initiative process. For example, he discovered an “initiative industry,” which assisted in getting initiatives on a given ballot through signature gathering and other services. At the time, he cited the cost of such firms at upwards of one million dollars, an amount that effectively negated a majority of the electorate from being able to compete at the same level as those groups that could afford such services. Under these conditions how can low-income citizens or citizen advocacy groups ensure equal access to the initiative and proposition process? Magleby’s argument is

that they can't, and therefore the process is not as democratic as is imagined. When summarizing Magleby on this point, Glenn R. Schmitt wrote in the *Journal of Legislation*:

*“He [Magleby] asserts, contrary to popular belief, that direct legislation is not the most democratic policy making device. He notes that due to high signature requirements for most direct legislation measures, only well-organized or well-funded groups can bring measures before the people. Thus, issues relevant to low income groups or minorities, such as housing reform, mass transit, welfare reform, and building access for the handicapped, are seldom, if ever, brought before the voters”* (Schmitt, 1985, pg. 123).

Therefore, in Magleby's view, the high cost of promoting and passing initiatives removes not only certain voters, but issues as well, from the debate. He also says that the initiative process limits democratic debate, because information about the initiatives that are being voted on comes primarily from the campaigns supporting those measures. The CIR's recommendations take into account the opinions and positions of both sides of the debate, which Magleby claims is a difficult task, due to the high cost of running an initiative campaign. It's important to note that the cost of running such a campaign has only increased since 1984, with a recent study finding that between 2005 and 2016, the average cost of gathering sufficient signatures to meet state requirements in California totaled \$2,092,020, more than twice Magleby's estimate (Ballotpedia).

Magleby cited several other concerns he had with the initiative and proposition system, including the challenge of understanding the ballot language for citizens with lower levels of education. In his chapter, “Who Votes on Ballot Propositions?” Magleby notes that the reading level of propositions in Rhode Island and Massachusetts was equivalent to that of a student in their third year of college and it was even higher in Oregon and California, where several propositions required a master's degree or even higher reading level to

understand. In Magleby's view this is another example of how the initiative and proposition process can exclude those who might otherwise wish to participate, by making the content of the initiative too difficult for typical voters to understand.

Magleby also cites concerns with the potential for ballot "drop off" when it comes to initiatives and propositions. Thomas Schaller, a professor of political science at the University of Maryland, defines ballot "drop off" as:

*"...the political science term for the decline in turnout between the high-water benchmark of presidential elections and other electoral moments: midterm elections for both chambers of Congress; state and local elections for governor, state legislature, county officers and various municipal officials held in non-presidential years, including the five states (Kentucky, Louisiana, Mississippi, New Jersey and Virginia) that hold odd-number-year gubernatorial and legislative elections; and ballot measures voted upon in non-presidential cycles"* (Schaller, 2013, para 6).

Magleby claims that this "drop off" is most likely to affect low-income voters and minorities, which are some of the same groups prevented from participating in the process by the high cost of signature gathering. Magleby's point is well taken and should also include another group that traditionally has little political clout: younger voters. According to an organization called Head Count (who analyzed Census data from 2008 and 2010) "18- to 24-year-olds cast 12.5 million votes in 2008, a record high. Two years later, the number of votes cast by that same group (then aged 20 to 26) dropped by 47 percent, to about 6.5 million" (Bernstein, 2014). Head Count also found that the age gap has expanded over time, giving older voters an even greater say when it comes to legislation passed during non-presidential election years. In this way, lower participation rates among these younger "drop off" voters further exacerbates their lack of say in the democratic process.

### 2.3 | Overcoming Ballot Initiative Difficulties for Voters

A review of the literature around voter decision making in general tells us that they are primarily influence by party affiliation when making decisions and that voters are non-ideological and largely uninformed. A review of the literature around voter decision-making when it comes to ballot initiatives tells us that while voters have become more educated, more ideological, and more adept at using informational shortcuts to make decisions, they still lack the knowledge necessary for a thoughtful deliberation about the policy trade-offs that ballot initiatives require. The Citizen’s Initiative Review is thought to help address these challenges by:

1. Delivering non-partisan recommendations to voters that encompass both sides of the debate around an initiative, thereby helping reduce the influence of moneyed interests who can dominate the debate with their chosen talking points, effectively driving out viewpoints with less lobbying power.
2. Providing clear and concise recommendations by limiting the reading level of their texts to that of a high school curriculum (more on this in Section 4), whereas traditional ballot texts tend to be much more advanced. According to a study by Harvard University, the average reading level of American adults is at the 8<sup>th</sup>- to 9<sup>th</sup>-grade level, with roughly one in five adults reading at the 5<sup>th</sup>-grade level and below (Doak, C., Doak, L., & Root, 2007). Notably, this only covers overall literacy and not the difficulties of understanding the complex policy trade-offs involved in voting on local ballot measures, where understanding the outcome of a “yes” or “no” vote can be especially tricky.

3. Countering ballot “drop off” (Gastil, Knobloch, & Richards, 2015). “Drop off” occurs when voters prioritize the candidate races on their ballot that they are familiar with and confident about weighing in on, and neglect the tricky ballot issues (such as initiatives) that require more detailed policy knowledge. The CIR is thought to help provide this knowledge and the confidence that comes with it, and is considered helpful in persuading voters to weigh in on ballot initiatives they might not have engaged with otherwise.

While Magleby’s arguments – as summarized before – effectively capture some of the primary concerns about the initiative and proposition process – the influence of moneyed interests, the complexity of the issues for average citizens, and the anxieties around “drop off” – there are also political scientists who write supportively of the initiative and proposition process. For example, some of the authors discussed in the earlier report section on “General Political Decision Making” who advocated for voters’ abilities to think rationally and sophisticatedly about policy decisions say that initiatives and propositions provide voters with democratic outcomes. For example, Arthur Lupia, in his piece, “*Shortcuts Versus Encyclopedias: Information and Voting Behavior in California Insurance Reform Elections*,” found that:

*“...that access to a particular class of widely available information shortcuts allowed badly informed voters to emulate the behavior of relatively well informed voters. This finding is suggestive of the conditions under which voters who lack encyclopedic information about the content of electoral debates can nevertheless use information shortcuts to vote as though they were well informed” (Lupia, 1994, Abstract).*

Therefore, while Lupia fully acknowledges the credibility of arguments touting voter ignorance, he notes that “encyclopedic” voter knowledge is not necessary for democratic

participation (and often not in the best interest of the voter), as they can instead rely on low-cost and low-impact information “shortcuts” such as acquiring information “about the preferences or opinions of friends, coworkers, political parties, or other groups, which they may then use to infer how a proposition will affect them.” This harkens back to the trusted “speakers” of Lupia and McCubbins’ other works and Popkin’s emphasis on the importance of cues as voter roadmaps, as well as to data that will be presented in Section 4 on how voters find the CIR recommendations to be “helpful,” “informative,” and much more trustworthy when compared to those of the paid-for pro and con arguments found elsewhere in the voter pamphlet.

As stated previously, voters are diversifying their sources of information when it comes to making decisions in the voting booth, with a recent survey finding that about nine-in-ten U.S. adults learned about the 2016 presidential election by accessing at least one of 11 different sources and almost half learned from five or more information streams (Gottfried, Barthel, Shearer, & Mitchell, 2016). In addition to the sources that Lupia mentioned (friends, coworkers, political parties, or other groups) what else do we know about the resources voters use to find information about ballot initiatives, including sorting out misinformation that exists in the public arena about a measure in question? The Public Policy Institute of California (PPIC) has conducted likely voter (frequent voters) surveys which shed light on this issue.

In statewide surveys conducted between 2000 and 2013, the PPIC discovered some interesting voter preferences related to the initiative process. Notably, “...strong majorities favor increased public engagement in the process, such as having a citizens’ initiative

commission that would hold public hearings and make ballot recommendations (69 percent favor overall; 68 percent of Democrats, 65 percent of Republicans, 73 percent of independents); this is similar to a program Oregon established in 2011” (Baldassare, Bonner, Petek, & Shrestha, 2013). These surveys showed voter support for the transparent recommendations that such a CIR-equivalent would provide. The PPIC also found that such a process would be welcome to voters “. . .in an era defined by voter distrust in government, including negative perceptions of both powerful interest groups and legislative gridlock” (Baldassare, 2013). Furthermore, surveyed voters liked the idea that initiatives shifted democratic power to the citizens, because by-and-large they felt “the decisions made by California voters are probably better than those made by the governor and state legislature.” However, voters also expressed concern with the oft-heard complaints about the influence of moneyed interests in the initiative process as well as the complexity of the ballot language they were being asked to vote on. Perhaps this is why they expressed such strong support for bringing a CIR-equivalent to California, which would include non-partisan recommendations along with the paid pro and con arguments. In fact, a 2010 PPIC report noted that:

*“Eighty-four percent of Californians surveyed in 2000 considered the Voter Information Guide mailed by the Secretary of State a useful source of information on initiatives, and more than half said it is very useful. Yet two-thirds of those surveyed believed that the media—including news stories and paid political commercials—are the most influential source of information on initiatives. A slight majority of Californians believed that voters are not receiving enough information to decide how to vote on initiatives” (PPIC, 2010, pg. 4-5).*

A later PPIC survey found that one-third of surveyed voters felt the official voter information guide was the “most helpful” resource for making a decision on how to vote. Therefore, while voters (in California at least) acknowledge the influence of news coverage



and paid advertisements in swaying voter opinion, they also point to substantial use of the official voter guide for obtaining “useful” information and to the desire for the kinds of non-partisan recommendations a CIR-equivalent would provide.

The reader may wonder why so much focus in this report has been placed on voters in Oregon and California. Well, in a *New York Times* story from 2016, they reported that “more than 60 percent of all initiative activity has taken place in just six states: Arizona, California, Colorado, North Dakota, Oregon and Washington” (Altic & Pally, 2016). Given the challenges confronting voters in gathering good information in elections and voting in a thoughtful manner, it makes sense to examine the extent to which CIR helps overcome these challenges. Since the action is in these six states, it also makes sense to focus on them.

### **3. Histories of the Oregon initiative process and CIR**

One cannot talk about the creation of Oregon's Citizen's Initiative Review without discussing the state's long history with the initiative and referendum process. This process dates back more than a century, to 1902, when the state's voters approved a legislatively referred ballot measure on this subject. This ballot measure was incredibly important because it allowed voters new powers to both initiate amendments to the state constitution and enact new state statutes. Additionally, this ballot measure gave voters the right of referendum, which allowed Oregon citizens to overturn statutes or laws already passed by the state legislature (Ballotpedia). This was the first time the Oregon constitution had been amended since 1859 and it put Oregon on the map politically; this process became known across the country as the "Oregon System."

According to the National Conference of State Legislatures, Oregon is one of 24 states that has an initiative process, with the first state to adopt one being South Dakota, in 1898, not long before Oregon did. However, in one aspect, Oregon stands above all other states when it comes to their initiative process: frequency of use. Oregon, so far, holds the records for the most proposed statewide initiatives (384 in total between the years 1904 and 2014); the highest average initiative use; and the most statewide initiatives on the ballot in a single year: 27 in the year 1912 (Matsusaka, 2017). There are two kinds of initiatives: indirect and direct. Indirect initiatives require approval by the state legislature (and if approved, do not need to be voted on by the people), whereas direct initiatives do not. Oregon has direct initiatives, which go to voters after a sufficient number of signatures have been gathered. Interestingly, the United States has no national ballot initiatives or referendums, per se,

though the processes can be found in counties, cities, in addition to states all throughout the country (ibid). National ballot initiatives or referendums seem unlikely, as they would effectively deny the states their representation in the Senate.

Driving the initiative and referendum process in Oregon during the early years was William Simon U'Ren. U'Ren had been a lawyer and a Republican Party official before devoting himself to the cause of initiatives and referendums in Milwaukie, Oregon. A reform-minded individual who believed strongly in increased citizen involvement in government, he likened this belief to his former work as a blacksmith:

*“Blacksmithing was my trade and it has always given color to my view of things. I wanted to fix the evils in the conditions of life. I couldn't. There were no tools...In government, the common trade of all men and the basis of social life, men worked still with old tools, with old laws, with institutions and charters which hindered progress more than they helped it...Why didn't some of them invent legislative implements to help people govern themselves: Why had we no tool makers for democracy?”* (Matsusaka, 2017, para 3).

This desire to create more “tools” for citizen change led U'Ren to form the Oregon Direct Legislation League and to run for chairman of the state's Populist Party during the convention of 1894, ultimately winning on a platform that prioritized his twin issues of initiatives and referendums as tools for voter participation. It is worth noting that the Oregon Direct Legislation League was responsible for the distribution of 50,000 copies of a pamphlet that explained the initiative and referendum concept (Ballotpedia).

It was not until 1899, once U'Ren had amassed the support of a diverse coalition of farmers, bankers, and labor unions, that he was able to win passage of an initiative and referendum amendment to the Oregon state constitution. According to Oregon's constitution at the time, amendments had to be approved by two successive sessions of the

legislature, meaning that his amendment was not approved by the legislature until 1901 and ratified by voters until 1902 (Ballotpedia). Over the next few decades, U'Ren's amendment opened the flood gates for a multitude of proposed initiatives, some small in scope and some quite consequential. For example, in 1910, Oregon voters passed an initiative to establish the first presidential primary election system in the nation. Two dozen other states copied it within six years (ibid).

While many of these initiative efforts failed (such as one proposing a unicameral legislature), many succeeded, including an initiative that gave women the right to vote in 1912 and a statewide prohibition initiative in 1914. Other notable voter initiatives in Oregon include Measure 60 in 1998 that led to Vote by Mail and Measure 91 in 2014 that legalized recreational marijuana. Thanks to U'Ren, initiatives and referendums have become a way of life for Oregon voters. In fact, he is honored for this very purpose with a monument in front of the Clackamas County Courthouse that reads: "In honor of William Simon U'Ren, author of Oregon's constitutional provisions for initiative, referendum, and recall, giving the people control of law making and lawmakers and known in his lifetime as father of Oregon's enlightened system of government" (ibid).

### **3.1 | Confusion in Initiative Voting**

While U'Ren is a seminal figure in the history of Oregon's initiative and referendum process, another important figure emerged in the 1990s; Bill Sizemore. Sizemore is best known for a raft of proposed fiscally conservative ballot initiatives as well as running for the Republican nomination for Governor of Oregon in 2010. He ultimately lost in his party's primary, but Sizemore's role in the initiative process has had a lasting effect in Oregon.

Sizemore was a supporter of the initiative process (even earning the nickname “Mr. Initiative”) and he proposed dozens of initiatives focused on issues such as tax cuts, paycheck protection, labor reform and term limits. These initiatives – while not always successful – were sometimes specifically designed to weaken traditionally liberal groups, such as labor (others were simply meant to promote conservative causes), thereby creating a contentious situation where organizations such as labor unions, which had been supportive of the initiative and review process in the past, began trying to pass initiatives of their own to make the initiative process more difficult (ibid). These conflicts have made it particularly difficult for Oregon voters to avoid confusion and to make thoughtful voting decisions – further demonstrating why Oregon makes for a fertile area of study.

Sizemore’s clash with the labor unions made the state’s initiative and referendum more controversial than it had been in the past and increased calls for more information about the initiatives themselves. Voters were confused by the implications of passing these ballot measures as well as the increasing partisanship of the initiative process itself. As a result, the state legislature passed House Bill 2895 in 2009, which directed the “Secretary of State to designate organizations to establish citizen panels to review and create statements on a specified number of initiated state measures” (Oregonlive). During this period, examples of voter confusion abound, in Oregon and elsewhere. For example, California’s Proposition 13, which passed in 1978 and reduced property taxes, caused all kinds of challenges for the state and was very confusing for voters. As *The Economist* contended in 2011:

*“This citizen legislature has caused chaos. Many initiatives have either limited taxes or mandated spending, making it even harder to balance the budget. Some are so ill-thought-out that they achieve the opposite of their intent: for all its small-government pretensions, Proposition 13 ended up centralizing California’s finances...Rather than being the curb on elites that they were supposed to*

*be, ballot initiatives have become a tool of special interests, with lobbyists and extremists bankrolling laws that are often bewildering in their complexity and obscure in their ramifications” (2011, para 3).*

Therefore, the complexity of the issue, paired with what we know of voter knowledge, particularly as it pertains to financial issues (budgets, taxation, etc.), led to a situation in which some interest groups were able to confuse voters into supporting legislation they did not fully understand. California voters have even acknowledged their confusion, with a survey conducted in 1990 showing that only 21 percent thought a “typical voter” could fully understand the initiatives on their ballot (Dubois, & Feeney, 1998). There are examples of voter confusion around initiatives in Oregon as well, including recently, when Oregon Attorney General Ellen Rosenblum was unanimously instructed by the Oregon Supreme Court to rewrite sections of a ballot referendum that would overturn much of a \$550 million health care tax plan because the way it was currently written (via a partisan process) had the potential to confuse voters. According to *The Oregonian*:

*“The ballot fight over the tax is highly partisan. After Democratic lawmakers got word that some Republican lawmakers might try to challenge the tax, the Democrats countered by changing the normal rules for ballot initiatives. They instituted a one-time rule that moved the election up to January from November and put a Democrat-dominated committee, not attorney general, in charge of writing the ballot wording... the court unanimously instructed Rosenblum to rewrite sections, saying the language did not make the implications of voting yes or no clear enough” (Borrud, 2017, para 7).*

The bulk of that re-write had to do with simplifying economic concepts and terms for voters. Chief Justice Thomas A. Balmer wrote that the challenged ballot wording "may confuse or mislead voters, by including a lengthy—and difficult to read—description of programs funded." The court’s ruling directed the attorney general to rewrite the ballot

language to make clear that a "yes" vote on the referendum "would impose new temporary assessments that would fund certain programs."

Another example would be Measure 47, an anti-tax initiative proposed by the aforementioned Bill Sizemore and Oregon Taxpayers United that was approved narrowly by voters in 1996 (704,554 votes for with 642,613 votes against) (Oregon Secretary of State). Measure 47 (which was partially inspired by California's Proposition 13) reduced property taxes and fees, and instituted a "double majority" provision for future local tax measures. It required at least a 50 percent voter turnout for such measures in any election besides the general in an even-numbered year (Ballotpedia).

Though voters approved the measure, there was significant confusion about its fiscal implications, including whether the application of Measure 47's property tax "growth rate limitation" applied to the county's or individuals' tax bills, or both (raising a conflict between the bill's supporters and local governments). These economic conflicts were intensely confusing for voters and with legal challenges to Measure 47 on the horizon, a follow-up measure (Measure 50) was put forward by the state legislature in order to clarify that, in fact, Measure 47's property tax growth rate limitation should apply to the individual's tax bill, thereby siding with local governments. Ultimately, Measure 50 was approved by voters in a special election in 1997.

These examples demonstrate how initiatives epitomize the problem of voter knowledge and confusion, as voting on an initiative requires voters to make sophisticated trade-offs between two policy options for which they often have incomplete information, a lack of knowledge to begin with, and which are described using language that is often

unnecessarily complicated or purposefully opaque, frequently giving unclear instructions on the most basic outcome of a “yes” or “no” vote. With these challenges so apparent and ballot initiatives such a prominent part of how policy is made in our democratic system, a study of this confusion (and the potential for the CIR to alleviate it somewhat) becomes a particularly pertinent area of focus.

### **3.2 | History of the CIR**

According to Professor John Gastil of The Pennsylvania University, one of the foremost experts on CIRs, the CIR was conceived as a way to adapt Citizens Juries for initiative elections to overcome the confusion and lack of information in initiative campaigns (Gastil & Knobloch, 2014). The CIR would do so by increasing voter knowledge and access to clear and unbiased information related to the initiative under consideration, thereby empowering voters to make informed decisions even on complex policy issues. Citizen’s Juries, which had been around for several decades prior to the formation of the CIR, are similar in that they feature randomly assembled citizens who deliberate on an issue, interview and question expert witnesses, and make a public recommendation (in the form of a report and public forum) at the end of their review process. The difference between the two is that the CIR reviews statewide initiatives and produces a written recommendation included in voter pamphlets, while Citizen’s Juries evaluate a variety of public issues, including “education, low-income housing, welfare reforms, climate change and physician-assisted suicide, as well as locally-relevant issues such as traffic congestion and agricultural practices” (Participedia).



The Citizen's Jury method was started by Ned Crosby of the Jefferson Center for New Democratic Processes in Minneapolis, Minnesota in 1974 and was first used on an evaluation of the state's healthcare system. Since then, the Jefferson Center has worked with organizations in other states to implement Citizen's Juries of their own. One of these groups is Healthy Democracy Oregon, the non-profit organization that organizes the state's CIR citizen panels (as directed by the Citizens' Initiative Review Commission (CIRC)) with financial support from foundations and private donors. This connection with Healthy Democracy Oregon illustrates the clear connection between Citizen's Juries and CIRs; their similar structures and panelist deliberation confirm their lineage. When Crosby states that "for Oregon the term used was "Citizen Initiative Reviews" [not Citizen Juries] due to their focus on the initiative process" he is clearly saying that the key differences between the CIR and Citizen's Juries lies in their scope of focus and not in their process or intent. One important side note is that Citizen Jury members are required to fill out an evaluation form in which they are asked to evaluate the process itself, the staff, and if they believed the process was biased or not. This review process has been borrowed and implemented by the Oregon CIR as well.

Crosby has written that the need for Citizen's Juries increased in the 1990s as the national political system became more partisan and respectful debate eroded. This was the time when pollster Frank Luntz and then-Speaker of the House Newt Gingrich were using terms such as "corrupt," "devour," "greed," "hypocrisy," "liberal," "sick," and "traitors" to describe Democrats who opposed the legislative priorities outlined in their Contract with America. Crosby contended that in this atmosphere, "candidates and policymakers

frequently turned to divisive tactics to win elections and gain electoral advantage, rather than turning to methods to improve civil discourse, engage the public and overcome gridlock” (Crosby, 2005). Crosby contends that this acrimonious state of affairs increased the need for Citizen’s Juries and the promotion of respectful dialogue.

The Jefferson Center states that the purpose of the Citizen’s Juries is to foster a new sense of community consensus and spirit that enables voters to “deal intelligently and respectfully with the major challenges” they face. This emphasis on an informed voting public has permeated the CIR process in Oregon as well. By evaluating the history of the Oregon CIR it becomes clear that its purpose was, and remains, the education of voters and lessening of historic confusion around the initiative process, as well as the broader goal engendered by its roots in the Citizen’s Jury purpose of promoting respectful dialogue and consensus-building.

### **3.3 | Adoption of the CIR and CIRC in Oregon**

The Oregon legislature adopted the CIR and CIRC to overcome the problems posed by low voter knowledge of the initiative process and confusion around specific initiative outcomes.

#### **CIR Adoption**

After passing through the Oregon House with 47 votes for and 7 votes against and the Oregon Senate with 23 votes for and 7 votes against on May 29<sup>th</sup> and June 16<sup>th</sup> of 2009, House Bill 2895, directing Oregon’s Secretary of State to designate organizations to establish citizen panels to review and create statements on a specified number of initiated state measures was signed into law by Governor Ted Kulongoski (a Democrat) on June 26<sup>th</sup> of

that year; effective immediately. As part of Oregon's 75<sup>th</sup> Legislative Assembly, both the Senate and the House passed their version of the bill after a series of public hearings, work sessions, and readings of the bill in each respective chamber. The preamble to the law read: "The Secretary of State shall designate one or more organizations to work cooperatively to establish citizen panels to review not more than three initiated state measures and file with the secretary Citizen Statements on each measure reviewed to be included in the voters' pamphlet," and included the following important provisions to ensure the committee was comprised of citizens making up a random and representative sample of the Oregon voting population:

- a. *The selection of citizens for each panel from a representative sample of anonymous selectors, using survey sampling methods that, to the extent practicable, give every elector a similar chance of being selected.*
- b. *To the extent practicable and legally permissible, that the demographic makeup of each panel fairly reflects the population of the electorate of this state as a whole, with respect to the following characteristics, prioritized in the following order: (A) The location of the elector's residence. (B) The elector's party affiliation, if any. (C) The elector's voting history. (D) The elector's age (OLIS, 2009).*

The law also made clear that the organization tasked with establishing the CIRs were not to receive any funds, directly or indirectly, from any political committee, corporate or union treasury. The law also clearly stated that the CIR's recommendations were those of the citizen panel alone and did not represent Oregon's state government and its agencies. Furthermore, CIR's recommendations and statements were in no way binding in a court of law, as they had no legal standing on the constitutionality or legality of the ballot measure they reviewed. Notably, there were no amendments filed for House Bill 2895.

## **CIRC Adoption**

The Citizens' Initiative Review Commission (CIRC) – which is charged with overseeing the initiative review process in Oregon – was established by the 76<sup>th</sup> Oregon Legislative Assembly in 2011 with the passage of House Bill 2634. It is unclear why, but the CIRC faced a closer vote in the Oregon House than that for the CIR, with 36 votes in favor and 22 votes against. However, the Senate vote was similar to that for the CIR, with 22 votes for and 8 against. Again, there were public hearings, bill readings, and work sessions related to the passage of this bill, and as was the case with House Bill 2895, no amendments were included. The preamble of the law reaffirmed the educational purpose of the CIR by stating that the creation of the CIRC would enhance “informed public discussion and exercise of the initiative power” (OLIS, 2011).

Functionally, the bill created an 11 member Commission within the executive branch of the state government and approved the creation of an official funding source: the Citizens Initiative Review Fund, which allowed the Commission to “accept contributions of moneys and assistance from certain public and private sources.” This provision was a guard against receiving corporate, political, and/or union donations. Furthermore, the statute guaranteed that these funds were to be made accessible to the public and that they would be continuously appropriated (OLIS, 2011).

It is worth noting that the Commission, by law, is required to be bipartisan and impartial in its actions as well as in the makeup of its membership. The 11 members of the Commission are appointed as such: the Governor appoints three members; one member is recommended by the leadership of the Democratic Party in the Senate, one by the

Republican leadership; one member is recommended by the leadership of the political party with the largest representation in the Senate that is not the same party as the Governor; and finally, the Governor's appointees may appoint Commission members of their own, pulling from past CIR panels and moderators. Thus, while the Governor has a strong say in the makeup of the Commission, both the majority and minority parties also have a means by which to weigh in on the membership of the Commission. Furthermore, there is the possibility for third-party representation, as in the case where more than two political parties are represented in the Senate. Should this occur, one Commission member may be recommended by the leadership of a third political party with the largest representation in the Senate (OLIS, 2011). It is not clear how often this clause for third-party participation has been exercised.

House Bill 2634 also dictated that the CIRC would be responsible for convening each CIR committee (with the subsequent assistance of Healthy Democracy Oregon), as well as for selecting the one or more initiatives to be reviewed each year. When selecting a measure for CIR review the CIRC was directed to consider the following criteria: A) the fiscal impact of a measure; B) whether the measure amends the state constitution; C) the availability of funds to conduct reviews; and D) any other criteria establish by the commission of rule. This law also dictated that the CIRC was responsible for designating two persons to provide information both for and against the measure to the citizen committee. They were also responsible for contracting two moderators for each panel.

The legislative processes by which the CIR and CIRC became law provided necessary details about the structure and purpose of both institutions. First, the laws that

created both institutions were passed with fairly strong support and with no amendments from either party. This indicates that the process was fairly apolitical, which may be due to familiarity with the CIR before voting (it was a known entity, with ample chance to air concerns prior to the vote). It's important to remember that there had been a successful field test using the CIR process in Oregon in 2008, so legislators were familiar with the CIR concept prior to voting to enshrine it in law. While there has been more criticism of the CIR since its creation, including substantial opposition from supporters of Measure 73 in 2010, at the time it was viewed in a generally positive light. Also, the appointment process for the CIRC allowed for bipartisan input, regardless of which party controlled the Governorship (Participedia). This may have contributed to the passage of the CIRC and helped insulate both institutions from charges of overt partisanship. Finally, having both the CIR and CIRC precluded from receiving funds from corporate, political, and/or union organizations likely added to that insulation.

### **3.4 | Practical Implementation of the CIR**

Now that the history behind the CIR in Oregon has been covered, as well as the legislation behind its adoption, we turn our focus to the practical elements of its implementation in Oregon— the primary question being: how is the CIR structured and how does it function?

#### **Deliberation**

The CIR's Citizen's Jury model in Oregon includes a panel of 18-24 citizens who have been randomly recruited during every even-numbered year from a pool of 10,000, to be

demographically representative of the state population. The process is similar to how a representative survey would choose participants to represent the larger population the survey results are supposed to reflect. They are then asked to study an active ballot initiative.

There have been complaints about the CIR's sampling model in the past, including by proponents of the aforementioned Measure 73, who argued "that the Oregon CIR process was flawed on the grounds that the Oregon CIR sampling procedure was not stratified on the basis of support for or opposition to the measures," among other complaints (Richards, 2012). So, while the sample of citizens recruited for the related CIR were representative of the wider state population, these opponents argued that the CIR's Measure 73 sample did not reflect voter sentiment towards the measure, thereby, in their minds did not present a balanced view of how Oregon voters felt about the measure at the time. One could argue, however, that a panel with pre-determined opinions on a given measure poses its own challenges.

The CIR deliberations last for no fewer than 4 days and no more than 6, and begin with a meeting between the panel organizers and panel members. The purpose of this meeting is to discuss the panel's charge, or their responsibilities as a deliberative body, as codified by a set of instructions. This charge is meant to guide, not only the panel, but also the witnesses, advocates, and opponents that will be invited to give testimony. Simply stated, the charge is to "write a Citizens' Statement explaining key facts about the initiative that a majority of the panel agrees about, stating how many panelists support or oppose the initiative, and setting out the reasons that the panelists support or oppose the initiative" (Richards, 2012). The panel members "undergo training in dialogue and deliberation

techniques to prepare for discussion on the policy issues raised by the measure” (Richards, 2012). This training begins on day 1 of their deliberations, after they’ve reviewed the panel’s charge. The training requires that the panel debate a hypothetical initiative as a way to not only learn the CIR’s deliberative procedures, but also as a kind of icebreaker exercise.

The remaining 3 days of the panel’s tenure are spent entirely on debating, interviewing witnesses, and gaining a better understanding of the initiative. These witnesses can include background experts and advocates for and against the initiative under discussion. There is also an important role to be played by the panel’s moderators: “Trained moderators organize the questioning and deliberations to ensure that all advocates, stakeholders, and background witnesses are treated fairly and that all panelists have the opportunity to be heard” (ibid). It is important to remember that the moderators are intended to be non-partisan and to not take a stance either in support or opposition to the initiative. Their role is intended to be entirely auxiliary. My research has shown little controversy or concern related to the role of the CIR moderators.

Once the panelists complete their hearings and interviews, which are closed to the public, they engage in moderated final deliberations about the initiative, with the goal of producing a Citizen’s Statement that reflects the panel’s support or opposition to the initiative (including a vote count), as well as a summary of their key reasons for or against the initiative. To reach their final decision on the initiative, the panelists “decide on key facts about the initiative that a majority of panelists agree on, determine whether they support or oppose the initiative, and choose the best arguments supporting or opposing the initiative”



(Richards, 2012). Throughout this process, the moderators support the panelists in maintaining a respectful dialogue with witnesses, advocates, and other panel members.

Once the CIR panel has completed their hearings and deliberations, and have come to a decision on the initiative, they present their Citizen’s Statement at a public event and, in Oregon, it’s included in the official voter’s guide (Oregon Voter’s Pamphlet). Additionally, the CIR organizers publish a final report that is public. In these ways, the CIR panelists’ work and their recommendations to voters are introduced into the public sphere. The week of a typical CIR panelist would generally follow this pattern:

*Day 1 (Monday): Orientation to CIR;*  
*Day 2 (Tuesday): Pro/Con presentation and rebuttal;*  
*Day 3 (Wednesday): Witnesses called by panel;*  
*Day 4 (Thursday): Pro/Con closing arguments;*  
*Day 5 (Friday): Write and present CIR statement (Gastil, 2014)*

The CIR panelists are also invited to weigh in on the CIR process itself, and have expressed confidence that they had learned enough during the deliberative process to make an informed decision about the ballot initiative they were charged with reviewing.

A survey of 155 Oregon CIR panelists from 2010 to 2014 (surveyed at the end of their final day of deliberations) conducted by John Gastil from the University of Pennsylvania found that 98 percent of surveyed panelists responded affirmatively to the following question: “Do you believe that you learned enough this week to make an informed decision [on the ballot measure]?” Notably, 80 percent of surveyed panelists responded that they “definitely” had learned enough. That same survey found that 95 of surveyed panelists were satisfied with the CIR process, with 60 percent registering “very high” satisfaction (Gastil, 2010). A survey

from the Massachusetts CIR pilot in 2016 found similar results, with 95 percent of respondents saying they had learned enough to make an informed decision, and 65 percent of respondents expressing “very high” satisfaction with the CIR process. One hundred percent saying they were satisfied overall with the process, though the sample size was an admittedly small group of 20 Massachusetts CIR panelists (Gastil, Knobloch, Hannah, Maiorca, Paicopolos, & Watters, 2016).

These results tell us that panelists have high satisfaction with the CIR process and feel confident that they can make informed decisions about the initiatives they are charged with reviewing. Research and survey results presented later in this report will cover how voters and independent experts view the CIR and its impact on, and familiarity to, voters. However, in presenting his findings related to the efficacy of the panels themselves, Professor Gastil contended that “CIR panels create high-quality Statements when given access to information and time for deliberation in a well-structured, facilitated process.”

Furthermore, in studies Professor Gastil has conducted in concert with other researchers, he awarded positive grades for the CIR statements the panels produced and for the CIR deliberative process. Table 2 reflects grades awarded by “teams of 2-3 researchers who observed first-hand the entire CIR process and assessed each segment of its agenda” in both Oregon and Massachusetts (Gastil, Knobloch, Hannah, Maiorca, Paicopolos, & Watters, 2016).

These findings, which were presented by Professor Gastil and his research partner, Katherine R. Knobloch, Assistant Professor at Colorado State University, during a legislative

**Table 2**  
**Grades Awarded to CIR by Neutral Observers**

CIR Year	Ballot question/measure	Panel deliberation	Statement quality
<b>2016 Mass.</b>	<b>Marijuana (Question 4)</b>	<b>A-</b>	<b>A-</b>
2016 Oregon	Gross receipts tax (M97)	B+	B+
2014 Oregon	GMO labeling (M92)	B+	B+
	Open Primaries (M90)	A-	B+
2012 Oregon	Non-tribal casinos (M82)	A-	B+
	Corporate Taxes (M85)	A-	A
2010 Oregon	Medical Marijuana (M74)	B+	A
	Criminal Penalties (M73)	B+	A-

Source: Reproduced with permission of Professor John Gastil (Gastil and Knobloch, 2016)

briefing at the Massachusetts State House as part of a larger report for the National Science Foundation (NSF) and the Democracy Fund, utilized the following methodologies:

*“...direct observation of the panels, surveys of the citizen panelists, detailed assessments of the Citizens’ Statement, a usability study of the Statement, a survey of the Massachusetts electorate, and focus groups with Massachusetts voters. This paralleled and added to the methods used in our CIR evaluations [in Oregon] from 2010-14” (Gastil, Knobloch, Hannah, Maiorca, Paicopolos, & Watters, 2016, pg. 2).*

They found that CIR deliberations in both states allowed panelists sufficient opportunity to express their views; provided a respectful environment in which panelists felt welcome to speak openly and honestly about their opinions; guaranteed moderator neutrality; and encouraged panelists to listen to and thoughtfully consider viewpoints (from

experts and other panelists) that differed from their own. This speaks to the high grades awarded in Table 2 for “panel deliberation.”

When it comes to the CIR “statement quality,” Professors Gastil and Knobloch found that (similar to Oregon from 2010-2016), “the 2016 Massachusetts Citizens’ Statement contained no claims inconsistent with the text of the measure, nor did it contain any clear factual inaccuracies.” They also found that it was “readable and coherent,” and it “contained few technical terms that may have made it difficult for those unfamiliar with the measure to understand.” In fact, they determined that the Statement required “no more than a 12<sup>th</sup>/13<sup>th</sup> grade reading level, which is less demanding than many other materials provided to voters” (Gastil, Knobloch, Hannah, Maiorca, Paicopolos, & Watters, 2016).

So, we see that the implemented structure of the CIR allows for measured deliberation in which both sides of an issue are carefully considered. Also, this research shows that the CIR deliberations also create statements that are accurate, coherent, and accessible to the voting-aged public. Therefore, the structure of the CIR and its deliberative process help address the twin difficulties of voters’ getting “inadequate information” and “inaccurate knowledge” about ballot initiatives; but this is only part of the equation. Moving forward we will dive into the existing research on the subject of how voters themselves react to the CIR and whether or not the recommendations of the CIR and the Citizens’ Statements they produce are of value to voters making electoral decisions.

#### 4. Data Review

After reviewing the CIR's origins, adoption, and implementation in Oregon and elsewhere, we now review the data that has been collected to-date on the CIR in an effort to evaluate how effectively it has tackled the two key evaluative points for this report: reducing voter confusion and encouraging thoughtful voting decisions. The two key investigators on these issues are the aforementioned Professor John Gastil of Pennsylvania State University and Assistant Professor Katie Knobloch of Colorado State University, who have studied every CIR process since 2008. This report will review a collection of data from four comprehensive studies conducted in Oregon (2010, 2012, 2014, and 2016) and one from Massachusetts (2016), which used a variety of methodologies, including telephone research, online research, mail surveys, focus groups, and in-depth interviews (IDIs). The foci of these studies were to look at various aspects of the CIR, including: voter awareness of the CIR; voter use; changes in voter behavior as a result of exposure; and other key indicators of the CIR's effectiveness. Taken as a whole, these studies provide a longitudinal look at how attitudes about the CIR have changed over time.

As mentioned before, while Gastil and Knobloch recognize the persistence of a pessimistic view of voters in the history of political literature, they note that such research has not contended with the "unique situation of the Oregon CIR" (Gastil, Richards, Knobloch, & 2014). In fact, The CIR represents a relatively uncommon information source for voters in Oregon and several other states. For example, in 2010, researchers found the Oregon CIR to be:

*“...a unique democratic reform—with nothing comparable existing anywhere in the world. Nonetheless, it stands as only the latest in a series of new deliberative processes, including the Citizens’ Assembly process developed in Canada, the Participatory Budgeting methods first created in Brazil, and trademarked processes developed by civic entrepreneurs in the United States (e.g., the Citizens’ Juries, Deliberative Polls, and 21<sup>st</sup> Century Town meetings).”* (Gastil & Knobloch, 2010, pg. 3).

While Gastil and Knobloch acknowledge citizen engagement models similar to the CIR, such as the aforementioned Citizens’ Juries, as well as a progression of similar models through history, they contend that nothing comparable to the Oregon CIR exists “anywhere in the world,” because the CIR “provides voters with a brief summary of key points developed by a body of their peers,” hence the importance of evaluating whether such a rare approach is truly effective at reducing voter confusion and encouraging thoughtful voting decisions (Gastil, Richards, & Knobloch, 2014).

#### **4.1 | 2010 Oregon Study – Telephone and Online Research**

I will now present the evidence to test the first research question of whether the CIR is effective at reducing voter confusion. To evaluate the Oregon CIR’s impact on the state electorate in this way, Gastil and Knobloch conducted a series of large-scale telephone and online surveys to gauge voter awareness of the CIR during an election cycle as well as the importance voters placed on the CIR’s recommendations when making their decisions. The telephone survey was a rolling study conducted between August 30<sup>th</sup> and November 1<sup>st</sup>, 2010 that collected 1,991 responses and reflected key demographics of the electorate, making it a representative sample. The survey results showed that awareness of the CIR increased over time:

*“Roughly one-quarter of Oregonians reported hearing about the CIR prior to the arrival of the voters’ pamphlet in October, with fewer than 1 in 10 saying they were “very aware” of the CIR in the early weeks of the initiative campaign season. Once the voters’ pamphlet arrived, however, awareness of the CIR increased considerably; by the final week of the election, 42 percent of likely voters said they were at least somewhat aware of the CIR.”* (Gastil & Knobloch, 2010, pg. 34).

So their survey results showed that Oregonians were increasingly familiar with the CIR recommendations and that “likely voters” (those who vote most frequently) were particularly familiar with the recommendations. Additionally, differences in familiarity with the CIR were minimal between genders, party affiliation, income, and education level. There were some differences by age, where older voters were less familiar with the CIR than younger voters. However, by and large, the increase in familiarity with the CIR was reflected across demographic strata, indicating that the CIR recommendations were being read and processed by voters by-and-large and was not limited to one demographic group.

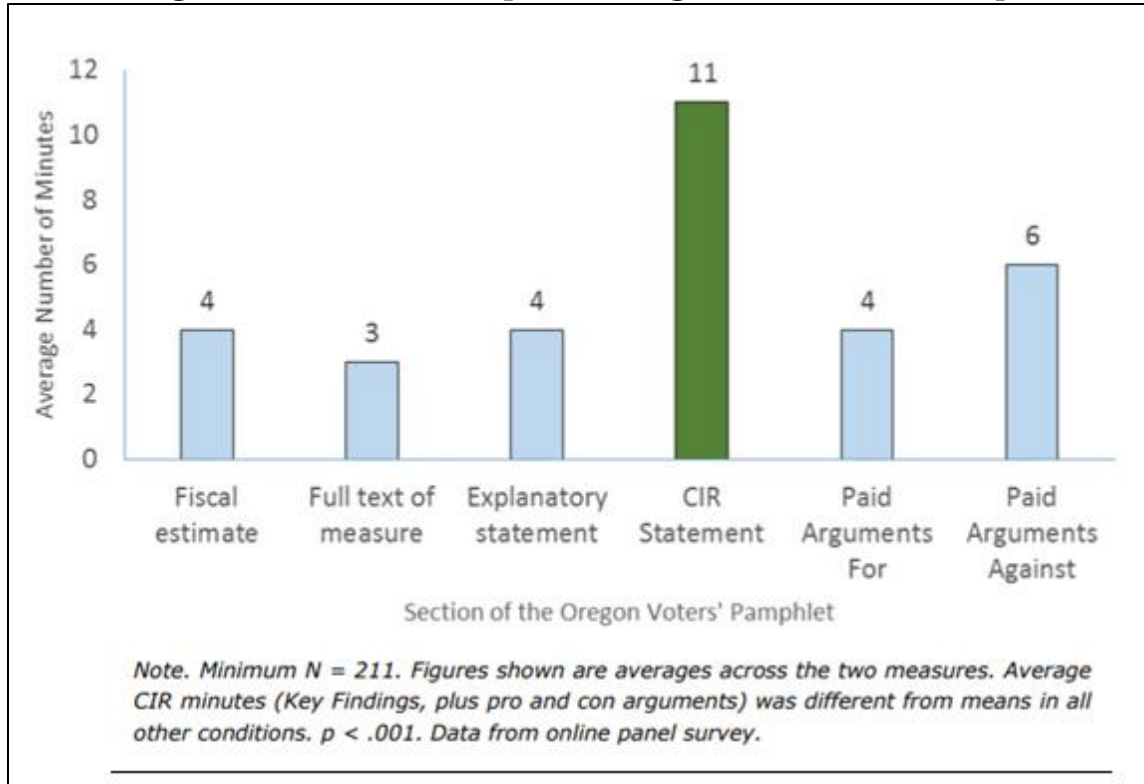
Further results of the telephone survey found that voters felt they were helped in their decision making by the CIR’s recommendations. For example, 3 in 10 surveyed voters (29 percent) said they were aided in their decision-making by the Citizens’ Statement on the issue of mandatory minimum sentencing (Measure 73) and between 31 percent to 44 percent of voters recalled getting “new arguments or information” from the CIR Statement, depending on the ballot measure in question (Gastil, Richards, & Knobloch, 2014). These results point to the conclusion that a sizable portion of the electorate found the recommendations presented by the CIR were valuable and informative, and that they presented novel arguments they were unfamiliar with, which is a valuable service to voters in our current “echo chamber” news environment. These findings explicitly address the first

research question of whether the CIR is effective at reducing voter confusion, in that the survey respondents specifically say they were better informed as a result of reading the CIR recommendations and that the information was new to them, providing an informational source that differs from traditional partisan sources. The increase in familiarity with the CIR only serves to deepen this conclusion as presumably exposure will increase over time.

While the findings provide strong evidence that the CIR reduces voter confusion, it is important to determine whether it has also led to more thoughtful decisions, the second research question being evaluated. Gastil and Knobloch point to results in their online surveys as evidence of the CIR's impact on voter decisions, thereby providing answers to this question. The methodology of the online survey (conducted around the same time as the phone survey in 2010) included "a two-wave panel (640 Wave 1—only respondents, 971 in both waves, and 509 in Wave 2 only), with subsample analyses (e.g., of Statement readers) yielding smaller Ns. This survey had an RR3 of 41 percent and a final sample comparable to the wider electorate" (Gastil, Richards, & Knobloch, 2014). In practice, the survey asked respondents how long they spent reviewing each section of the voter pamphlet (not just the CIR recommendations) when deciding how to vote on Measures 73 and 74 (Regulated Medical Marijuana Supply Act). Table 3 shows, on average (across the two measures), how many minutes voters spent reviewing each section for these respective ballot measures (ibid). As one can see, voters spent twice as much time reviewing the CIR statement as any other section of the voters' pamphlet. Gastil and Knobloch point out that such results point to voter usage of the CIR recommendations: "...it is clear that voters who read the CIR Statements recalled spending considerable time with it relative to other pages in their voters'



**Table 3**  
**Average Number of Minutes Spent Reading Sections of Voter Pamphlet**



Source: Reproduced with permission of Professor John Gastil (Gastil and Knobloch, 2010)

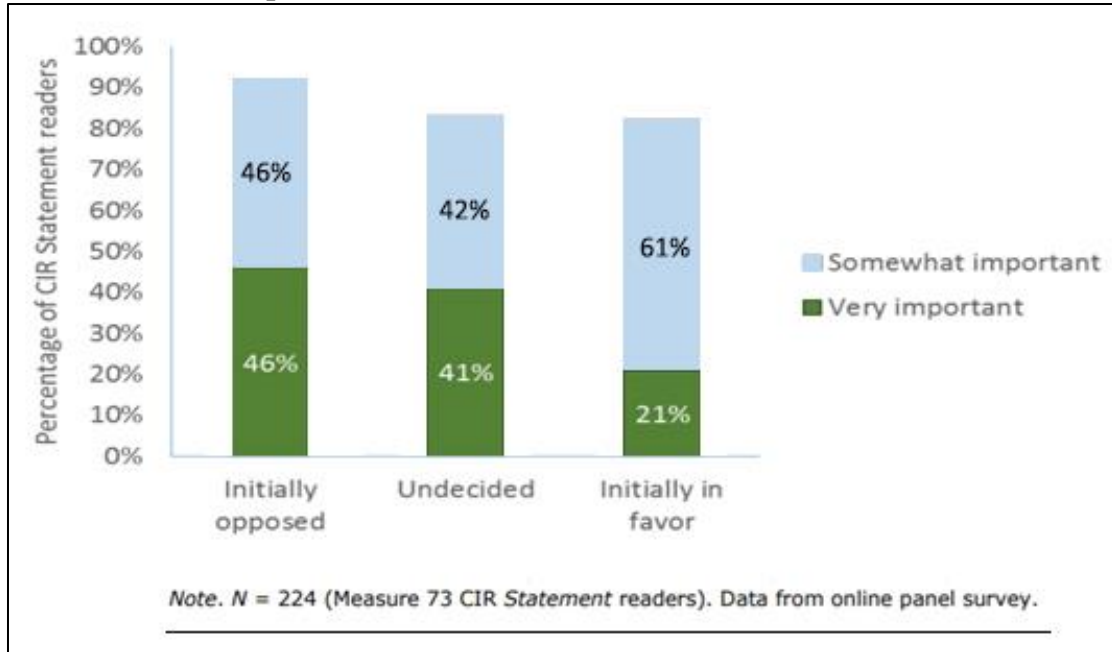
pamphlet” (ibid). It is important to note that the results outlined in Table 3 are based on voter recollections, so these are estimates, not hard data. However, it is clear that Gastil and Knobloch’s point still stands: voters recall reviewing the CIR recommendations at a higher rate than other informational resources in the voter pamphlet.

As the online survey was a longitudinal study, it allowed researchers to evaluate the usefulness of the CIR’s Citizens’ Statement for voters over time. By surveying voters first in the months leading up to the 2010 election and then again in the weeks before voting began, the online panel allowed researchers to “assess whether people who had strong views on the

ballot measures in August would still find the CIR Statements to be an important resource in late October” (Gastil, Richards, & Knobloch, 2014). Table 4 shows that larger numbers of surveyed voters found the CIR’s recommendations to be at least “somewhat important” in helping them decide how to vote (in this instance on Measure 73), whether they were initially opposed, in favor, or undecided. Gastil and Knobloch assumed that the “reduced importance of the Statement for the measure’s early supporters probably reflects the fact that the CIR Statement’s Key Findings raise serious questions about Measure 73” (Gastil, Richards, & Knobloch, 2014). Therefore, their research shows that regardless of the voter’s original position on the measure, they found the CIR recommendations to be an important part of their decision-making process.

Gastil and Knobloch also point to telephone and online survey research that shows CIR recommendations can change voter opinions on ballot measures, in this case *against* Measures 73 and 74: “...online respondents who had not yet voted or read the voters’ pamphlet were placed in four experimental groups, and only those who were shown the Citizens’ Statement on Measure 73 changed from support (over 60 percent in favor of the measure) to strong opposition (59 percent opposed)” (Gastil, Richards, & Knobloch, 2014). These online and telephone surveys conducted in 2010 point to the CIR’s value for, and influence on, voters when it comes to making decisions in the voting booth. Furthermore, the research team behind the 2010 studies, which conducted observations of the CIR panels in action, interviews with the CIR panelists, as well as the statewide surveys, published the following key findings:

**Table 4**  
**Importance of CIR Statement on Measure 73 Vote**



Source: Reproduced with permission of Professor John Gastil (Gastil and Knobloch, 2010)

1. *“The two CIR panels convened in August 2010 engaged in high-quality deliberation. The panels conducted a rigorous analysis of the issues and maintained a fair and respectful discussion of the issues throughout the proceedings.”*
2. *“The Citizens’ Statements included in the Voters Pamphlet were thoroughly vetted by the panelists and were free of any gross factual errors or logical mistakes.”*
3. *“The CIR Citizens’ Statements were widely used and helpful to a large percentage of voters”* (Gastil, Richards, Knobloch, & Feller, 2013, pg. 10).

In fact, Gastil and Knobloch contend their favorable evaluations provided support for the passage of the bill in 2011 (HB 2634) “which made the CIR a regular feature of Oregon’s election system” (Gastil, Richards, Knobloch, & Feller, 2013). And in addressing the key research questions of this report, the findings showed that the clear and factual recommendations released by the CIR (which the voters used and spent significant time with) contributed to voter knowledge and thoughtful decision-making, regardless of their

original position on the ballot initiative. We move on now to other research studies conducted on the Oregon CIR to determine whether these findings are validated and whether or not Gastil and Knobloch's early conclusions are borne out.

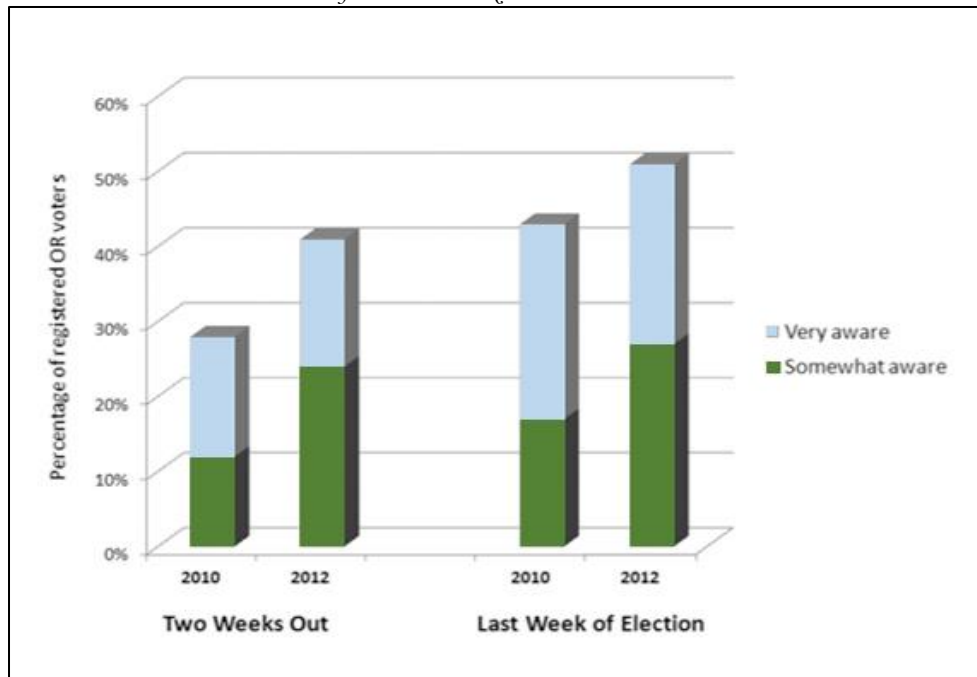
#### **4.2 | 2012 Oregon Study – Telephone and Online Research**

In 2012, another round of research was conducted to determine the effectiveness of the Oregon CIR. First, a telephone survey was conducted by Gastil and Knobloch's research team in the final two weeks of the 2012 general election. The surveyed population was a sample of 800 "likely" Oregon voters. Again, "likely" voters are those who vote most frequently and are therefore most likely to vote in a given election. In the survey design, half of respondents were surveyed in the week before the election, the other half in the week prior. Survey respondents made up a representative sample of Oregon likely voters based on party affiliation, voting history, and key demographic characteristics. Researchers were evaluating voter responses to CIR recommendations on Ballot Measures 82 and 85, a constitutional amendment to authorize privately-owned casinos and a measure to allocate the state's income/excise tax "kicker" refund to fund K-12 public education, respectively (Gastil, Richards, Knobloch, & Feller, 2013). Of the two measures, only Measure 85 would go on to pass.

Gastil and Knobloch asked questions about awareness of the Oregon CIR that mirrored those asked in 2010, to determine whether there was an increase or decrease since the previous general election. What they found was an increase of awareness of the CIR (see Table 5); with 41 percent of likely voters saying they were either "somewhat" or "very"

**Table 5**  
**Awareness of the CIR Among Likely Oregon voters**  
**2010 and 2012 General Elections**

*Survey Question: This year, the Voter's Pamphlet contains a one-page Citizen's Statement by the Oregon Citizen's Initiative Review panels. Were you VERY aware, SOMEWHAT aware, or NOT AT ALL aware of the new Citizen's Initiative Review?*



Source: Reproduced with permission of Professor John Gastil (Gastil and Knobloch, 2012)

familiar with the Citizens' Statement released by the Oregon CIR two weeks prior to the 2012 general election (ibid). This compared to 28 percent in 2010, which then increased to 51 percent overall awareness ("very" and "somewhat" aware) in the week prior to the 2012 general election, which was an increase of 10 points in that week and an even larger increase in awareness over 2010. These findings show that receipt of the voter pamphlet in the weeks leading up to the elections increased awareness of the Oregon CIR, but also that awareness generally increased over time.

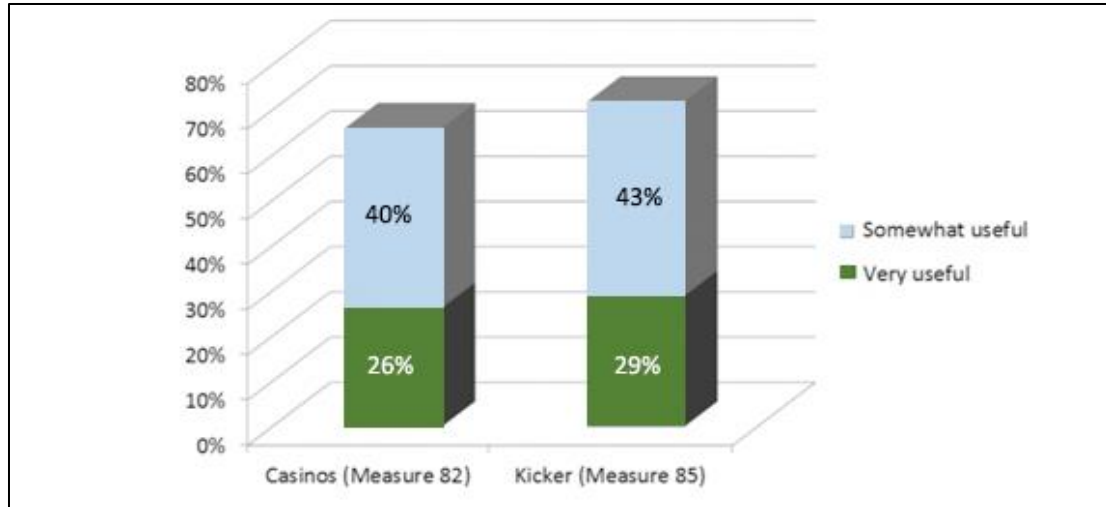
When evaluating the helpfulness of the CIR recommendations for Oregon’s voters in 2012, Gastil and Knobloch asked survey respondents a simple question for each of the two ballot measures: “In deciding how to vote on Measure (82/85), how helpful was it to read the Citizens' Initiative Review statement?” The researchers found that roughly seven in ten likely voters found the CIR’s recommendations to be helpful when it came to decide how to vote on Measure 82 (66 percent, with 26 percent saying it was “very” useful) and Measure 85 (72 percent, with 29 percent saying it was “very” useful – see Table 6) (Gastil, Richards, Knobloch, & Feller, 2013).

In addition to seeing increased voter awareness of the Oregon CIR over 2010 results and strong ratings for the usefulness of the CIR’s recommendations (also increased from 2010), Gastil and Knobloch also observed that voters placed higher trust in the information provided in the CIR’s recommendations than that provided in the paid pro and con arguments outlined elsewhere in the voter pamphlet: 89 percent overall trust in the CIR, compared to 74 percent overall trust in the paid pro/con statements. This was notable because the CIR recommendations include their own pro and con arguments. Additionally, as in 2010, the researchers learned that almost all demographic groups (age, gender, party affiliation, income, and education level) “used and found useful the CIR Statements” (ibid).

As in 2010, Gastil and Knobloch conducted online surveys to complement their telephone research. This online research set out to evaluate whether the Oregon CIR “increased voter knowledge and voters’ confidence in the accurate beliefs they held?” The online survey sample consisted of 400 Oregon voters. These respondents were randomly

**Table 6**  
**Helpfulness Ratings for CIR Recommendations on Measures 82 and 85**

*Survey Question: In deciding how to vote [on Measure 82/85], how helpful was it to read the Citizen's Initiative Review Statement?*



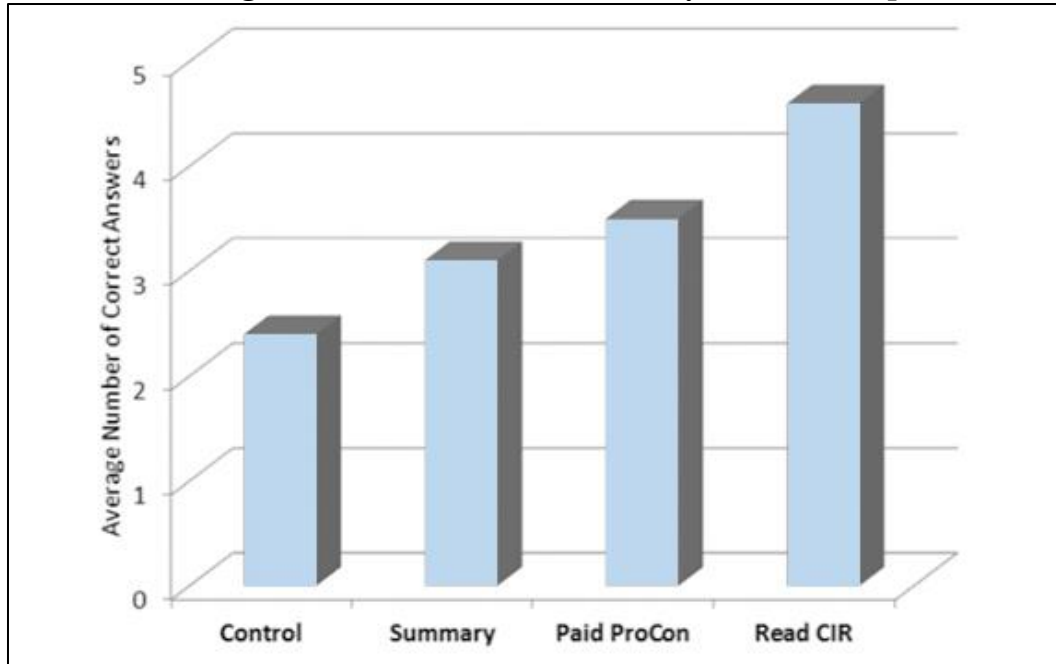
Source: Reproduced with permission of Professor John Gastil (Gastil and Knobloch, 2012)

placed into one of the following four groups, all of which were read a series of 10 statements about Measure 85 and were asked to judge whether they were true or false:

- 1) *A control group, who received no further instruction*
- 2) *A group that was shown two full pages of pro and con statements on M85*
- 3) *A group that was shown a page containing the Explanatory and Fiscal statements on M85*
- 4) *A group that was shown the CIR Statement on M85 (ibid)*

While respondents were frequently unsure of how to judge statements like: “Measure 85 PREVENTS the Oregon Legislature from redirecting current K-12 funds to other non-education budgets,” Table 7 shows that of the four control groups, the one that was only exposed to the CIR Statement provided the most correct answers on average (Gastil, Richards, Knobloch, & Feller, 2013). They also found that the group exposed to the CIR Statement outperformed the control group on nine of the 10 statements and was more likely

**Table 7**  
**Average Number of Correct Answers by Control Group**



Source: Reproduced with permission of Professor John Gastil (Gastil and Knobloch, 2012)

to respond “don’t know” than give incorrect responses. Gastil and Knobloch also found statistically significant differences when comparing the CIR group to groups #2 and #3, meaning: “...real Oregon voters who had not yet read the Voters’ Pamphlet gained more knowledge from reading the CIR Statement than from either equivalent doses of paid pro/con arguments or the official Explanatory and Fiscal statements.”

So the 2012 studies appear to corroborate the findings from the 2010 phone and online surveys, only showing increased awareness and usefulness ratings for the Oregon CIR, as well as strong trust in the CIR’s recommendations when compared to paid pro and con statements found elsewhere in the voter pamphlet. Additionally, these studies show knowledge gains among voters who were exposed to the CIR’s recommendations; the



capacity for CIR Statement’s to change voter positions; and the presentation of novel information—all of which go a long way towards answering this report’s key research questions about the CIR’s effectiveness as a tool for informing voters and promoting thoughtful decision-making. Finally, as Gastil and Knobloch would go on to point out, “reading the CIR Statement increased respondents’ confidence in the accuracy of valid factual claims” (Gastil, Knobloch, Hannah, Maiorca, Paicopolos, & Watters, 2016). This final point is borne out by research they conducted in subsequent studies in Oregon, Massachusetts, and elsewhere.

#### **4.3 | 2014 Oregon Study – Telephone, Online, Mail, and IDI Research**

To further evaluate voter awareness and use of the Oregon CIR recommendations, as well as the impact such recommendations have on voter decisions, Gastil and Knobloch conducted a series of telephone and online surveys with Oregon voters in 2014. These surveys largely mirrored their research design from 2010 and 2012 and were designed to see whether the “experience of the CIR was changing for the average Oregon voter.” However, this time they added a series of in-depth interviews (IDIs) with Oregon voters. These were roughly 60 minutes in length and allowed for a more detailed conversation around how voters read and use the Citizens’ Statements (Gastil, Knobloch, & Richards, 2015).

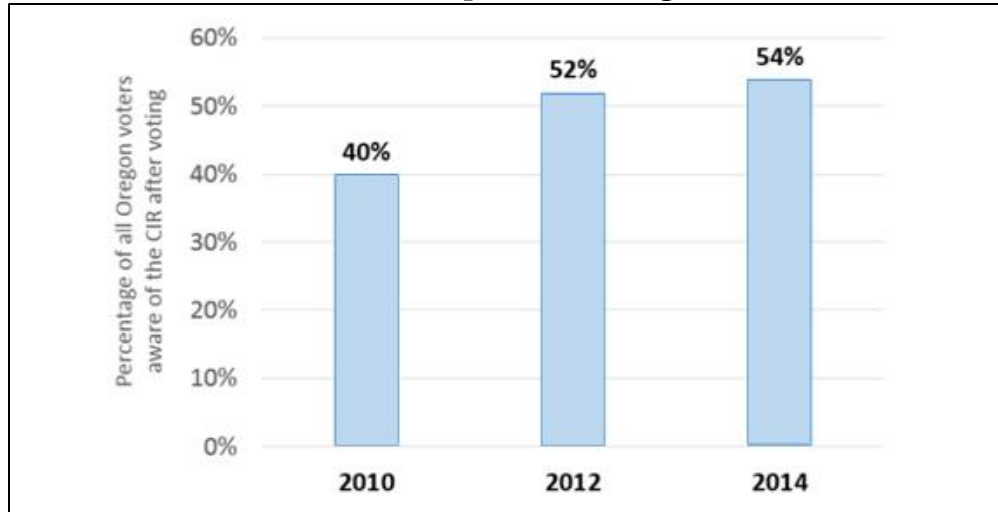
The telephone survey included interviews with 600 likely Oregon voters and was demographically representative of the statewide voting population, with quotas set for participant age, gender, party affiliation, and area of the state. The survey was conducted the final week before the election. Results in 2014 showed a continually increasing awareness of

the CIR process among voters, with the highest awareness level recorded up to that point in Oregon (54 percent), compared to 40 in 2010 and 52 percent in 2012. Granted, the difference between 2012 and 2012 is fairly small, however, the jump from 2010 is substantial (see Table 8) (Gastil, Knobloch, & Richards, 2015).

As in 2010 and 2012, Gastil and Knobloch asked voters who had already cast their ballot whether they had read at least one CIR Citizens' Statement during their decision making process. They broke these voters down into three groups: "those unaware of the CIR, those aware but not reading a Statement, and those who were both aware of the CIR and chose to read at least one of that year's Citizens' Statements." The latter category showed an increase in usage from 2010 and 2012 as well, from 29 percent in 2010, to 43 percent in 2012 and 44 percent in 2014. So again, there was little change from 2012, but a significant increase from 2010. This demonstrates that in just a few short years, voters in Oregon were more likely to be familiar with the CIR process and also more likely to have read a Citizens' Statement when casting their vote in the weeks leading up to the election.

Importantly, Gastil and Knobloch also ran a regression analysis on these findings around awareness and use to see if those voters who responded in the affirmative were different in any meaningful ways from the rest of the Oregon electorate. Their hypothesis was: "Those with more education and income might be expected to differ from others (in their awareness and use of the CIR) because those variables are often associated with higher levels of civic engagement." Ultimately, their regression analysis turned up no significant predictors, as "awareness and use were broadly distributed across the Oregon voting population in a way that was unassociated with one's educational level, income level, age,

**Table 8**  
**Awareness of the CIR process in Oregon, 2010-2014**



Source: Reproduced with permission of Professor John Gastil (Gastil and Knobloch, 2014)

sex, or ethnicity” (Gastil, Knobloch, & Richards, 2015). Therefore, those higher-educated and higher-income voters did not significantly differ from their counterparts.

In a change from past surveys, in 2014 Gastil and Knobloch asked voters how much information they got from the CIR Citizens’ Statements, as opposed to how helpful the Statements were, “because it (the question) gets more directly at the purpose of the CIR, as a means of imparting trustworthy information” (ibid). This question pertained to two initiatives that were on the Oregon ballot in 2014: Measure 90, which would have created open primaries, but was defeated, and Measure 92, a GMO labeling bill that was also defeated. Though the question was slightly different from previous years, the researchers found a similar result, with most Oregon voters agreeing that the Citizens’ Statement was at least “somewhat informative.” See Table 9 for full results (Gastil, Knobloch, & Richards, 2015).

**Table 9**  
**How Informative Voters Found the 2014 Citizens' Statement**

Informativeness rating	2014: M90	2014: M92
No new information	33%	37%
Somewhat informative	55%	49%
Very informative	12%	14%
Total	100%	100%

Source: Reproduced with permission of Professor John Gastil (Gastil and Knobloch, 2014)

Interestingly, 2014 was the first year that Gastil and Knobloch chose to include a question in one of their Oregon telephone surveys to assess where voters had first learned about the CIR: “Where did you first learn of the Oregon Citizens’ Initiative Review?” Perhaps unsurprisingly, a strong majority of voters (58 percent) cited the Oregon Voters’ Pamphlet as the place they first learned about the CIR. As this is where the CIR’s Statement is published, this response makes sense. The next most popular responses were “TV/Radio” (17 percent) and “word of mouth” (11 percent). No other single information source (including social media, websites, and blogs) registered at 10 percent or higher (Gastil, Knobloch, Hannah, Maiorca, Paicopolos, & Watters, 2016).

A similar question around information source was posed to a subset of voters in Jackson County, Oregon, which had its own CIR pilot in 2014. A vast majority of Jackson County voters (88 percent) found out about the CIR first in the *Medford Mail Tribune*, which had run a complete copy of the CIR Statement in the paper not long before. This finding, along with others, leads Gastil and Knobloch to conclude that additional publicity for the CIR recommendations would be effective for building awareness of this resource among voters (Gastil, Knobloch, & Richards, 2015).

In addition to the telephone research cited above, the 2014 Oregon study conducted by Gastil and Knobloch also included a series of in-depth interviews (IDIs) with 40 Oregon voters, half of which had used the CIR Statements when voting in the past, while half had never used the CIR Statements before. Among those 40 voters, half were instructed to read the Measure 90 Statement (open primaries) and half were instructed to read the Measure 92 Statement (GMO labeling). The interviews lasted roughly one hour and were video recorded. Interviewees were instructed to review the Statement and to provide feedback, not only on that particular Statement, but also on how they typically make voting decisions. Notably, a corresponding set of interviews were conducted with 20 voters in Colorado – who at the time were considering a CIR process of their own – in relation to Proposition 105 (another mandatory labeling of GMOs, which was also ultimately defeated by voters). Following are some key findings from the interviews in both Oregon and Colorado (Gastil, Knobloch, & Richards, 2015).

- 1) When comparing the CIR statements to conventional materials that are provided to voters, respondents tended to find those materials to be inadequate. These conventional materials included the official ballot title, which voters frequent said were confusing, with unclear implications for a “no” or “yes” vote. As Gastil and Knobloch put it, “even if a person knew what his or her position was, it was sometimes confusing whether a yes or no would support that position” (ibid). Interviewees also noted that the language in the Voter Pamphlet tended to include too much technical language and was too “scientific” for the average voter. In Colorado, which had no CIR at the time, voters also said that the

conventional materials provided to voters (in that state called the “Blue Book”) had overly-technical and confusing language. Others noted that they were inundated with repetitive and biased television ads. Voters said these ads could be overwhelming. As one voter put it, “Make it stop!”

- 2) Voters found the CIR recommendations to be useful sources of information, for a number of reasons. For example, they felt that the CIR Statement made it easier to “decipher” the Voters’ Pamphlet, which many voters found to be confusing and daunting. Using phrases like “layman’s terms” and “general masses,” voters said that the CIR Statement was simply easier to understand, partly owing to the fact that it was: “written by people like me and not politicians.” Furthermore, because the Statements were written by citizens, voters felt that the CIR process kept “interest groups in check.” These findings were consistent across the interview groups in Oregon and Colorado.
- 3) Not all of the findings from the IDIs were positive in regards to the CIR, with voters expressing some concern and confusion about the potential biases of the CIR panelists (including the panelist recruitment process) as well as about who was ultimately responsible for sponsoring and organizing the CIR. These findings were borne out in a corresponding online survey of voters, with notable concern around panelist neutrality.

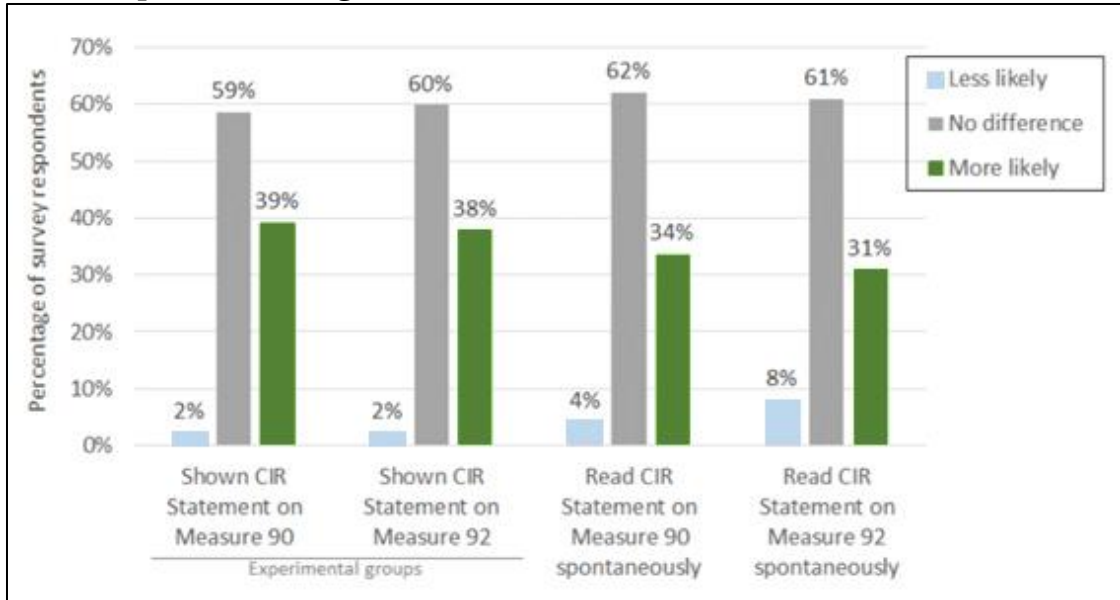
An online survey of voters – that corresponded with the IDIs – showed that CIR Statements inspired some voters to vote on measures they might have otherwise skipped. The online survey phrased the question as such: “Some people choose to skip over particular

ballot measures while filling out their ballot. Did reading the Citizens' Initiative Review statement make you more likely to MARK YOUR BALLOT on this particular measure, less likely to do so, or did it make no difference?" (Gastil, Knobloch, & Richards, 2015). In the survey, Gastil and Knobloch referred to this phenomenon as ballot "drop off," which as was discussed earlier is when voters cast a vote in some races (such as the Presidential), but neglect to vote on other issues on the ballot. The CIR helps overcome this challenge by increasing voter knowledge about these ballot issues that are typically skipped, but also by making voters more confident in the accuracy of their responses.

Gastil and Knobloch consider these ballot measures in a non-presidential year (2014) to fit the bill making them prime candidates for ballot "drop off." They found that voters who intended to vote but had yet to read the Voter's Pamphlet and were shown the Citizens' Statement during the survey, were more likely (roughly 40 percent) to vote on the measure after reading the Statement. This was also true among respondents who had read the Statement before taking the survey (Gastil, Knobloch, & Richards, 2015). See Table 10 for full results. The "experimental groups" are those who had not read the Pamphlet or Statement prior to taking the survey.

Overall, Gastil and Knobloch found that among these online respondents, more than three in ten said they were more likely to vote on a ballot measure after having read the Citizens' Statement on that corresponding measure. Therefore, the research conducted in 2014 showed continued and (frequently increasing) use and awareness of the CIR process and Statement. These online survey results showed changes in voter behavior as a result of

**Table 10**  
**Impact of Reading Statement on Intention to Vote on Ballot Measure**



Source: Reproduced with permission of Professor John Gastil (Gastil and Knobloch, 2014)

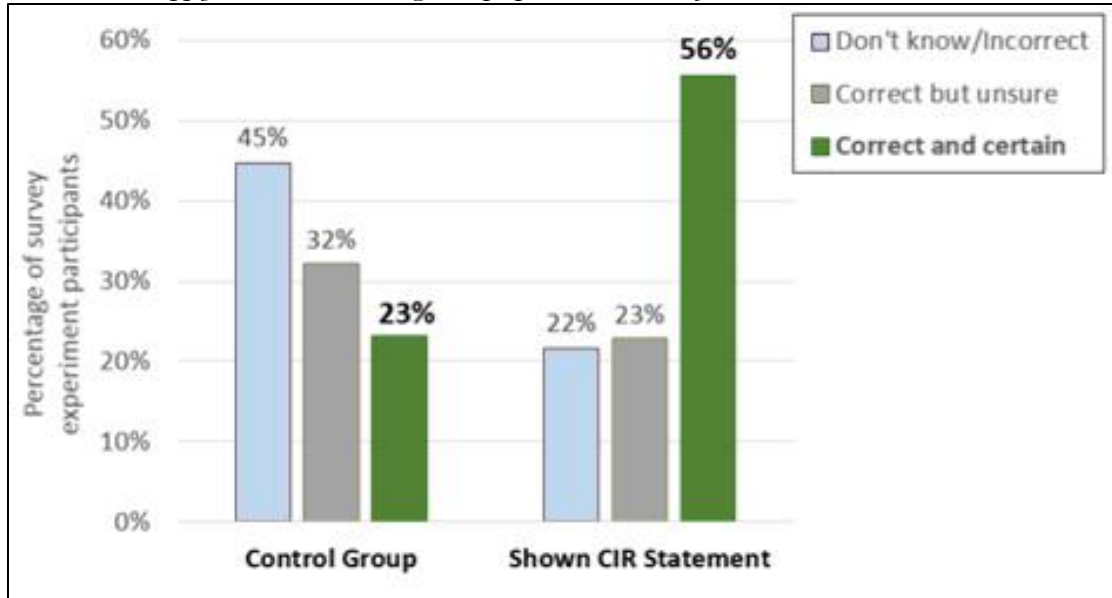
being exposed to the CIR Statement (increased likelihood of voting on the corresponding measure).

The 2014 report also dug a bit deeper into the CIR’s impact on voter knowledge with a series of state-by-state experiments Gastil and Knobloch reported as aggregated results. For example, Table 11 shows a significant knowledge difference between those Oregon respondents who saw the CIR Citizens’ Statements and the control group (those who did not) related to a particular question on genetically modified food labeling (Oregon’s Measure 92) (Gastil, Knobloch, & Richards, 2015). As seen previously, exposure to the CIR’s Citizens’ Statement led to more correct responses and greater confidence in those responses.



**Table 11**  
**Knowledge Gains among Oregon Respondents on Measure 92**

*Answers were in response to the following true/false statement: “The labeling requirements in Measure 92 DO NOT apply to alcoholic beverages, or prepared restaurant food.” The correct answer was “true.”*

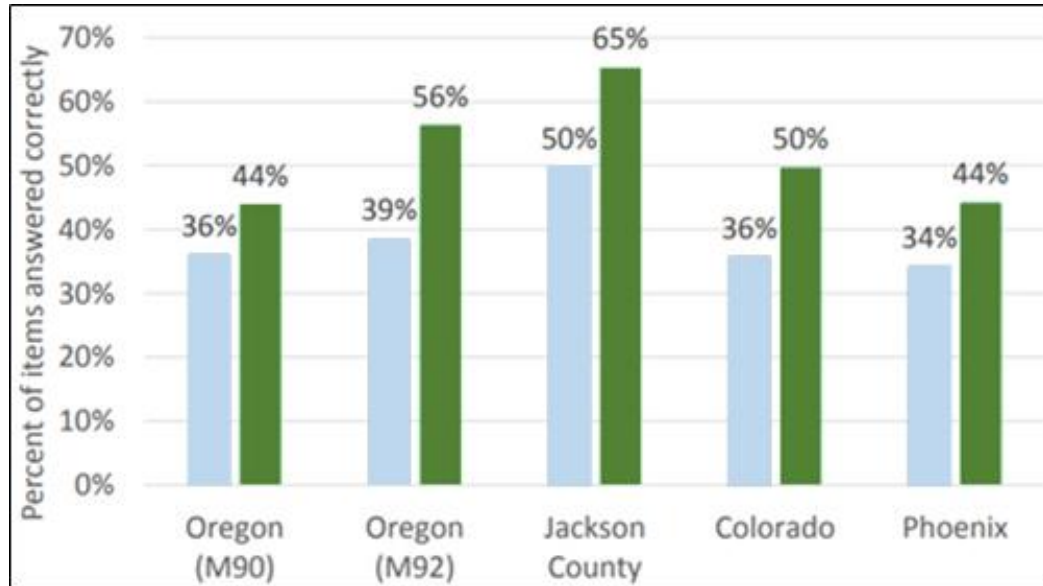


Source: Reproduced with permission of Professor John Gastil (Gastil and Knobloch, 2014)

When taken in the aggregate, across multiple surveyed states with a combined sample size of 1,600 respondents, the results (see Table 12) are even more significant (Gastil, Knobloch, & Richards, 2015). Notably, through a regression analysis, the researchers found that having been exposed to the CIR Citizens’ Statement on a particular measure was a stronger indicator of a net increase in response accuracy on the series of tested knowledge items laid out in Table 12. It was a stronger indicator than higher education levels, advanced age, and how closely respondents followed politics. Overall, Gastil and Knobloch found:

*“The one consistent impact that the CIR has on the electorate is to raise voters’ level of knowledge about the measures addressed by the Citizens’ Statements. For the survey items employed, the Statements typically raise knowledge by 10-20 percent, and that increase is greater than the issue knowledge gap between those voters who have the least and most formal education (i.e., high school vs. college graduates)” (Gastil, Knobloch, & Richards, 2015, pg. 61).*

**Table 12**  
**Percentage of Knowledge Questions Answered Correctly Across Five Measures**



Source: Reproduced with permission of Professor John Gastil (Gastil and Knobloch, 2014)

#### 4.4 | 2016 Massachusetts Study – Focus Group and Online Research

In 2016, Gastil and Knobloch conducted a further review of the CIR, this time in evaluation of the Massachusetts Citizens’ Initiative Review pilot. This was the first statewide review of the CIR process in Massachusetts, where panelists were considering Question 4, the Massachusetts Marijuana Legalization initiative which proposed to “legalize marijuana but regulate it in ways similar to alcoholic beverages” (Gastil, Knobloch, Hannah, Maiorca, Paicopolos, & Watters, 2016). Similar to their previous studies, the research design included “direct observation of the CIR panel, panelist surveys, detailed assessments of the Citizens’ Statements, as well as focus groups and online surveys of Massachusetts voters.” Gastil and Knobloch contended that the 2016 pilot differed from other CIR pilots in that “the project team conducted a robust media campaign to help distribute the Statement to as many voters

as possible,” as opposed to relying on the voter pamphlet, as had been done in the past (ibid). In Massachusetts, the CIR Citizens’ Statement did not appear in the voter pamphlet.

The researcher’s results were similar to those gathered in Oregon. The Massachusetts CIR pilot produced a clear and reliable Citizens’ Statement; voters found that statement to be both useful and informative; and voters demonstrated that being exposed to the CIR statement increased their knowledge in regards to the initiative under consideration on the ballot (Gastil, Knobloch, Hannah, Maiorca, Paicopolos, & Watters, 2016). On the issue of clear and reliable information, Gastil and Knobloch noted that the Citizens’ statement made a concerted effort to address certain ambiguities in the way the bill was written:

*“Although at times the statement remained vague on the potential impacts of the measure, this uncertainty accurately reflected both conflicting information presented to the panelists and the fact that many of the regulatory structures would not be put in place until after the passage of the measure. For example, in instances where advocates or experts presented conflicting evidence, the panel noted the ambiguity of findings. Both of these trends were found primarily in the Statement in Opposition to Question 4, which included statements such as, “There is conflicting evidence of an increase in teen use or motor vehicle accidents in states that have legalized recreational use,” and there is a lack of transparency as many regulatory policies and procedures will not be defined until after the passage of the referendum” (Gastil, Knobloch, Hannah, Maiorca, Paicopolos, & Watters, 2016, pg. 13-14).*

Therefore, we see a difference between this statement and those produced in partisan fashion for past initiatives in which the potential impact of a bill is kept vague so as to push voters in one direction or another, whereas in this case that vagueness accurately reflected the debate around this policy issue. This process provides a clearer information set from which voters can make an informed decision. Additionally, researchers found that the “overall linguistic complexity of the Citizens’ Statements lies at the level of a high school

senior, or slightly higher,” meaning that the content would be intelligible to the voting-aged public, whereas ballot texts can often be confusing and contain substantial technical language, such as Measure 47 in Oregon and Proposition 13 in California, which led to confusion about their impact. Furthermore, Gastil and Knobloch determined that the CIR’s Citizens’ Statement in Massachusetts was easier to read than other materials in the voting pamphlet such as: the financial impact statement, pro and con arguments, and the explanatory statement.

Gastil and Knobloch also conducted three focus groups with voters (with 10 participants in each) to gauge their opinions about the CIR and the initiative process in general. Participants were screened to ensure a representative mix of voters, by gender, age, ethnicity, income, and education level. Additionally, each of the three focus groups was comprised of voters with completely of different political ideologies: liberals, moderates, and conservatives. As was found in the Oregon focus groups, many voters reported having limited access to information sources they can rely on to educate themselves before voting on a ballot measure. Researchers recorded such quotes as: “the news is no longer out there, no longer a reporting of the news. They are injecting their opinions.” Another agreed, “Yes, there is no trustworthy source.” Yet another chimed in that the “major news networks” are “all buddies in the same little clubhouse.” Participants also recognized that determining the true intent of ballot measures can be confusing: “They...do a terrible job of wording them where they're like, “A yes vote means that this is not going to happen.” In other words, “Sometimes no is change, sometimes yes is change” (Gastil, Knobloch, Hannah, Maiorca,

Paicopolos, & Watters, 2016). These points of voter confusion have also been pointed to elsewhere in this report in a more quantitative sense.

Gastil and Knobloch also conducted a demographically representative online survey of 2,304 Massachusetts voters (using a Qualtrics panel to track survey respondent demographics), that measured awareness and usage of the CIR Citizens' Statement. Respondents were broken out by those who had already voted (n=493) and those who had not (n=1,811). Among those who had voted, awareness of the CIR was high, with 32 percent saying they were "very aware" and 49 percent saying they were "somewhat" aware. Of those who were aware of the CIR Citizens' Statement (either very or somewhat), 80 percent said they had read it. The researchers noted that if this self-reported data were valid, than a majority of the surveyed Massachusetts voters (55 percent) had read the Statement on this particular measure prior to voting. While Gastil and Knobloch are inclined to be skeptical of these high awareness and usage numbers (particularly as the Statement was not in the voter pamphlet), they do point out that these numbers track closely with results from online surveys testing other CIR pilots in Colorado and Phoenix.

Other aspects of the CIR also received high marks from Massachusetts voters:

- 1) Clarity: 65 percent said the Statement was "easy to read."
  - 2) Informative: More than nine in ten said the Statement was either "somewhat" (52 percent) or "very" (42 percent) informative in helping them understand
- Question 4.

- 3) Helpfulness: Nearly eight in ten said the Statement was either “somewhat” (45 percent) or “very” (32 percent) helpful in helping them decide how to vote on Question 4.
- 4) Encouraging voting: Voters were nearly four times as likely to say the Statement made them more likely to vote on Question 4 than less likely: 38 vs. 4 percent.
- 5) Knowledge increases: As in previous surveys, researchers found that voter knowledge about Question 4 increased as a result of exposure to the CIR Citizens’ Statement. For example, the proportion who knew Question 4 would absolutely prohibit marijuana use in public areas rose from 24 percent to 36 percent when respondents were shown not only an official summary of the measure but also the CIR Statement.

#### **4.5 | 2016 Oregon Study – Telephone and Online Research**

The last research study covered in this report will be the 2016 study that Gastil, Knobloch and their team conducted in Oregon as an assessment of the Oregon Citizens’ Initiative Review on Measure 97, a business tax increase initiative which would remove the cap on corporate gross sales tax and tax all sales in excess of \$25 million at 2.5 percent (Ballotpedia). Again, the researchers found that the CIR Citizens’ Statement was clear and concise, requiring the equivalent of a high school education to understand, while the full text of CIR-relevant ballot measures reviewed in the past by Gastil et al. “required a college or graduate-level education to decipher” (Gastil, Johnson, Han, & Rountree, 2017).

Researchers found that the CIR Citizens' Statement for Measure 97 was accurate in general, but was also more effective at accurately capturing the financial nuances of the measure than the pro and con campaigns. They wrote:

*“The 2016 Oregon Citizens’ Statements contained no claims inconsistent with the text of the measure, nor did it contain any clear factual inaccuracies. One of the first key findings hit on an important subtle point: “Approximately 80 percent of the state budget is already in education & health care, so there is a strong propensity for money to go to those areas if M97 passes.” This simultaneously acknowledged the state legislature’s freedom to spend new revenue as it saw fit and the likelihood that it would go to the measure proponents’ stated purposes. This was the preferred phrasing of neither proponents nor opponents testifying before the CIR panel, but it captured effectively a key insight” (Gastil, Johnson, Han, & Rountree, 2017, pg. 13).*

Therefore, the Statement was truthful but also helped voters cut through the partisan noise around the measure's financial implications. As voters tend to struggle to understand fiscal policy, this nuanced approach gives voters helpful information to work with to make a more thoughtful decision and would hopefully lead to better policy making. One example of this challenge was pointed out in a *Forbes* article called “The Ignorant Voter” in 2016, in which the author points out that voters tend to drastically overestimate the percentage of the foreign budget spent on foreign aid (in truth, roughly 1 percent), while drastically underestimating the percentage of the budget spent on entitlement programs like Medicare and Social Security. The author contends this lack of knowledge leads to a belief among voters that the country's fiscal problems can be solved by cutting entitlement spending or tax increases for most Americans. Therefore, this lack of knowledge – the author calls it a “delusions” – makes it difficult to set budget policy in a rational way (Meyer, 2016).

The comparison here to the CIR is not exact, but it is clear that voter ignorance about fiscal policy does make the accuracy of the CIR Citizens' Statement (and a nuanced

look at its financial implications) all the more important for rational (and thoughtful) decision-making at the polls. Gastil et al. did observe increased knowledge among voters who read the CIR Citizens' Statement (as opposed to reading only the Ballot Title and Summary), even as it pertains to the financial details of the bill:

*"...the fact that an estimated six billion dollar increase in revenue from Measure 97 would represent a 25 percent increase in the state was recognized as "definitely true" by only 7 percent of those reading the Ballot Title and Summary, but that figure more than doubled to 17 percent after reading the same information alongside the CIR Statement" (Gastil, Johnson, Han, & Rountree, 2017, pg. 24).*

By asking questions similarly across surveys, Gastil and Knobloch were able to get a longitudinal look at several issues of importance. On the issue of exposure, they found that from 2012 to 2016, a majority (51-54 percent) of the Oregon electorate is now aware of the Citizens' Initiative Review, with roughly four in ten voters reporting that they read the Citizens' Statement before voting (43 percent in 2016, up from 29 percent in 2010) (Gastil, 2017). Also consistent with past surveys, a large majority of those who read the CIR Citizens' Statement in 2016 continued to find it useful and informative.



## 5. Conclusion

Voter decision-making is a complicated subject. The traditional theory, as put forward by political scientists such as Campbell and Converse is that voters are primarily influenced by their party affiliation when making decisions on how to vote. In the minds of these thinkers, party affiliation becomes all the more important when accounting for the traditional view that most voters are non-ideological and not terribly well informed. However, over time this view has evolved, with newer research showing that voters are becoming more educated, more ideological, and more adept at using informational shortcuts to make policy decisions. That being said, voters by and large continue to demonstrate a lack of knowledge when it comes to the issue of ballot initiatives, with research showing they still struggle with making the sophisticated policy trade-offs that ballot initiatives require. This is further exacerbated when an initiative touches on tricky financial issues, contains extensive legalese that confuses the voter, or is rendered intentionally opaque by moneyed interests.

It is these types of challenges that the Citizen's Initiative Review is intended to address, by providing clear, concise, fact-based recommendations to voters for informed and thoughtful decision-making. Is the CIR effective in achieving these goals? The data gathered by Professors Gastil and Knobloch indicates that it largely has been. Surveys conducted between 2010 and 2016 in Oregon and elsewhere point to several strong indicators of success:

1. Voter usage of the CIR is increasing and awareness is strong: Gastil and Knobloch found that a majority (51-54 percent) of the Oregon electorate is now aware of the Citizens' Initiative Review, with roughly four in ten voters reporting that they read

the Citizens' Statement before voting (43 percent in 2016, up from 29 percent in 2010). Gastil and Knobloch highlight something they feel would make the CIR even more effective: a more robust public information campaign. They suggest that with one-half of the Oregon electorate aware of the Citizens' Initiative Review, there is ample room for growth and increased awareness. One option they suggest that would reinforce the public's understanding of the CIR is to develop educational models for use in Oregon high schools, as well as in civics-oriented classes in colleges and universities. As discussed previously, only a handful of states now require civics proficiency as a condition of high school graduation, making this an ambitious and challenging proposition. However, I believe it is one worth pursuing.

Additionally, the state should consider increasing promotion of the CIR and the Citizens' Statements through digital media, which as was noted earlier in the report, is a key source of information for modern voters. This outreach could also do more to stress how the CIR is non-partisan and not funded by those with a financial stake in a particular vote's outcome. This could potentially build trust in the CIR and appeal to voters who are concerned about the impact of moneyed interests on the election process. This additional promotion could be achieved with financial support from the state. Currently, the Oregon CIR is organized by Healthy Democracy, a 501(c)(3) non-profit that relies heavily on private donations and foundations to maintain their civic-oriented programs. Additional funding would not only allow for expanded awareness of the CIR's helpful and informative statements, but would also allow for CIRs for all initiatives in a given year. For example, the 2012 Oregon CIRs

focused on two initiatives (Non-tribal casinos (M82) and Corporate Taxes (M85)) but did not field committees for other important initiatives on the ballot, including ones related to commercial salmon fishing, estate taxes, and marijuana.

Finally, direct financial support from the state would be an important step in prioritizing voter education on the subject of ballot initiatives. The CIR is a valuable tool for voters and one that is showing increasing usage. The state should contribute to protect this resource, particularly when the private and foundational contributions currently funding the Oregon CIR could conceivably dry up in difficult financial times.

2. The CIR uses clear and concise language: In their surveys between 2010 and 2016, Gastil and Knobloch found that voters believed the CIR Citizens' Statement to be clear and concise. They estimated that the Statement required the equivalent of a high school education to understand, while non-CIR ballot texts often "required a college or graduate-level education to decipher." Gastil and Knobloch determined that the CIR's Citizens' Statement in Massachusetts was easier to read than other materials in the voting pamphlet, such as the financial impact statement, pro and con arguments, and the explanatory statement. While voters are becoming more educated on the whole, the complex text of ballot initiatives effectively removes lower educated voters from the initiative process. The CIR makes the initiative text more accessible, while maintaining a high level of accuracy.
3. The CIR promotes voter knowledge across the board: Gastil and Knobloch found that voter knowledge directly increased as a result of exposure to the CIR Citizens'

Statement on diverse issues ranging from GMOs to the legalization of marijuana.

They wrote: *“The one consistent impact that the CIR has on the electorate is to raise voters’ level of knowledge about the measures addressed by the Citizens’ Statements. For the survey items employed, the Statements typically raise knowledge by 10-20 percent, and that increase is greater than the issue knowledge gap between those voters who have the least and most formal education (i.e., high school vs. college graduates).”* They also found that being exposed to the CIR

Citizen’s Statement was a stronger indicator of a net increase in response accuracy than higher education levels, advanced age, and how closely respondents followed politics. Additionally, voters consistently gave high marks for the “usefulness” of the CIR’s recommendations and the ability of the CIR to provide “new” information.

The ability of the CIR to provide novel information on ballot initiatives is important because voters often complain that the initiative process is too dominated by moneyed interests who strongly influence public opinion about the measures. The CIR has helped overcome voter confusion by providing recommendations with information that is not only “new,” but balanced with non-partisan views, and a clear assessment of the consequences of a “yes” or “no” vote.

4. The CIR impacts voter behavior: Gastil and Knobloch noted several instances in which the CIR recommendations made voters more likely (in one instance as high as 40 percent) to cast a ballot, even in cases when voter “drop off” was to be expected. It has done so by giving voters the information they need to make thoughtful decisions, which has given them the confidence to vote on a ballot measure they might normally avoid. Gastil and Knobloch also point to survey research that shows

CIR recommendations can change voter opinions on ballot measures, such as when respondents who had not yet voted or read the voters' pamphlet were placed in four experimental groups, and only those who were shown the Citizens' Statement on a particular measure changed their degree of support or opposition. This was regardless of starting position, meaning a thoughtful review of the CIR's recommendations was effective at countering previously-held beliefs on both sides of an issue.

The Citizen's Initiative Review is a relatively new attempt to tackle the issue of voter confusion and therefore the literature about its impact on voters is relatively limited, compared to other initiatives – such as Citizen's Juries – which have been around longer. The data presented here dates back to 2010 and while the researchers have done an admirable job of collecting voter opinions through a variety of methods (demographically representative surveys, professionally moderated focus groups, etc.), more longitudinal data will shed additional light on the effectiveness of the CIR over time. For example, will additional advertising lead to more CIR awareness, use and impact on voters? Will new states who try the CIR model see similarly promising outcomes as Oregon and Massachusetts, or will differences in their electorates lead to different results? Furthermore, much of the CIR data collected depends on voter recollections of their experiences, which when aggregated become more reliable, but can still pose problems when looking for hard answers about voting behavior: Can a voter accurately remember how long they spent reviewing different ballot measure texts? Gastil and Knobloch acknowledge this is a challenge.

The CIR is one of a collection of efforts to address the issue of voter confusion. All of these efforts deserve attention and study because voter confusion persists as a challenge for our democracy. However, the CIR is rare in its exclusive focus on ballot initiatives. This focus seems worthwhile considering voter confusion about the nuances of public policy inherent in ballot initiative decision making (particularly as it related to fiscal issues) and the potential for further confusion promoted by moneyed interests. Gastil and Knobloch's research – while understandably limited in longitudinal scope – demonstrates that the CIR helps voters' overcome these challenges. On balance, I find that the available data shows the CIR is effective at encouraging more informed voters and leading to more thoughtful decision-making, even with the inherent challenges voters face when deciphering ballot initiatives.

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