

Assessment of the 2016 Arizona Citizens' Initiative Review Pilot on Proposition 205

Report prepared concurrently for the Arizona CIR Advisory Board and the Democracy Fund

by

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Summary Evaluation of the 2016 Arizona Citizens' Initiative Review

This one-page summary highlights key findings from an assessment of the 2016 Arizona Citizens' Initiative Review pilot project on Proposition 205. The full report is available online at <http://tinyurl.com/cironline>. Principal funding for this research came from the Democracy Fund and the National Science Foundation. This research included direct observation of the CIR panels, panelist surveys, detailed assessments of the Citizens' Statements, as well as phone and online surveys of Arizona voters.

The 2016 Arizona CIR panel achieved a high quality of deliberation, which enabled panelists to understand and consider the key arguments for and against Proposition 205.

- The 2016 Arizona CIR panel maintained the same high level of deliberation obtained in previous years in Oregon and elsewhere, with only a couple of minor exceptions.
- The vast majority of participants reported learning enough about the measure, and most reported little difficulty processing information, arguments, and underlying values related to Proposition 205.
- CIR panelists and neutral observers largely agreed in their assessment that the CIR was conducted in a democratic fashion. SEE SECTION 1

The 2016 Arizona CIR produced a clear and reliable Citizens' Statement.

- Claims made in the 2016 Citizens' Statement generally were accurate and verifiable, though some elements reflected some vague claims and communicated uncertainty when panelists might have been able to provide more detailed and definitive statements.
- The 2016 Citizens' Statement also included some statements of uncertainty added by the CIR organizers after the panelists completed their work, which is not ideal from a deliberative process standpoint.
- The 2016 Citizens' Statement was clearly written in broadly accessible language, but the Statement had some minor issues with awkward wording. In addition, the Statement contained mostly claims and statements in favor of or neutral toward the proposition, with statements in opposition being somewhat underrepresented. SEE SECTION 2

Voters rated the 2016 Arizona CIR Statement on Proposition 205 as useful and informative.

- More than two-thirds of voters (69%) rated the Statement as "easy to read."
- The vast majority of voters rated the Statement as either "very informative" (40%) or "somewhat informative" (50%).
- In deciding how to vote on Proposition 205, nearly a third (31%) of Arizona voters surveyed said the Statement was "very helpful," and another 41% said it was "somewhat helpful." SEE SECTION 3

Voters shown the 2016 Arizona CIR Statement increased their knowledge and wanted to share it.

- Arizona voters in the online survey were randomly divided into two groups—one reading just official information about Proposition 205 and the other reading those same materials, along with the CIR Statement. The CIR exposure group improved its knowledge scores on all four of the factual claims tested. Readers of the CIR Citizens' Statement became both more accurate in their beliefs and more confident in the correct knowledge they held.
- Knowledge gains were found consistently across three different voter groups, including those opposed to Proposition 205, those in favor, and those undecided on the measure.
- A large majority of voters (67-70%) said they would "probably" or "definitely" share the four pieces of information from the Citizens' Statement included in the survey. This finding held true across all three voter groups, though those favoring or opposing Proposition 205 were somewhat more eager to share the information that aligned with their views.
- When asked if they would continue to believe the CIR Statement even if it were refuted by an alternative source, voters were divided. Those favoring Proposition 205 were inclined to believe the CIR Statement in all four cases tested, but other voters were more hesitant to do so. SEE SECTION 4

Introduction

This report provides an overall assessment of the quality of deliberation that took place during the 2016 Arizona Citizens' Initiative Review (CIR) pilot project, as well as the quality, utility, and impact of the resultant Citizens' Statement that review produced. We focus on the 2016 CIR but reference earlier findings from our reports that assessed the 2010, 2012, and 2014 CIRs.

The Oregon legislature created the Citizens' Initiative Review (CIR) in 2009 to help voters make informed choices on statewide ballot measures. After convening two CIRs in 2010, the Oregon legislature made this process a regular institution in 2011. Thereafter, the Citizens' Initiative Review Commission has overseen two Oregon CIR panels in 2012, two in 2014, and one in 2016. A pilot CIR occurred in Phoenix, Arizona in 2014 on Proposition 487, regarding pension reform.

The 2016 CIR pilot project, held August 11-14 in Phoenix, was the first statewide test of the CIR in Arizona. Healthy Democracy worked with Arizona State University's Morrison Institute for Public Policy to convene a stratified random sample of 22 registered voters to study and deliberate on Proposition 205, the "Arizona Marijuana Legalization" proposition, which proposed "legalizing the possession and consumption of marijuana by persons who are 21 years of age or older."¹ Citizen panelists heard from proponents and opponents of the proposition, talked with neutral witnesses, and deliberated intensively as a full panel and in small groups, and then wrote a one-page summary of their findings.

Our research method for studying the Arizona CIR in 2016 included direct observation of the panels, surveys of the citizen panelists, detailed assessments of the Citizens' Statement, a usability study of the Statement, and an online survey of the Arizona electorate. This paralleled the methods used in our evaluations from 2010-14. This report includes occasional comparative references to those earlier CIR panels, including all previous Oregon CIRs and pilot CIRs from 2014 run in Colorado, Phoenix, and Jackson County (Oregon). Those who wish to learn more about previous findings in this research project can read them at <http://tinyurl.com/cironline>.

¹ [https://ballotpedia.org/Arizona_Marijuana_Legalization,_Proposition_205_\(2016\)](https://ballotpedia.org/Arizona_Marijuana_Legalization,_Proposition_205_(2016))

Section 1. CIR Process Design and Deliberative Quality

To assess the quality of the CIR's deliberative process, we applied the same evaluative scheme used in 2010-14. In particular, we were interested in understanding whether the CIR provided opportunities for analytic rigor, sustained a democratic group process, and resulted in informed and egalitarian decision making. Such features are essential to any deliberative democratic process, including the CIR.²

For the 2016 review, three of the four authors of this report (Reedy, Morrell, and Anderson) were present to observe the process. Observers took detailed notes and engaged in real-time coding of the deliberative quality of each agenda segment. In addition, CIR citizen panelists completed daily and end-of-review evaluations that asked them to assess their overall satisfaction with the process and its performance according to several criteria.

In this section, we detail how the 2016 CIR process performed on each of these criteria. We also compare it to similar results from previous CIR panels. In addition to evaluating the CIR, we also present concrete recommendations for how to improve the process, but we save all such recommendations for the final section of this report.

1.1 Overall Satisfaction

Before addressing the specific criteria, we begin by reporting on CIR panelist satisfaction. At the end of each review, panelists are asked to rate their "overall satisfaction with the CIR process." Results for the 2016 Arizona CIR appear in Table 1.1. Ninety-one percent of panelists were at least "satisfied" with the process, which parallels equivalent ratings observed at previous CIRs (94% in 2014, 92% in 2012, and 98% in 2010). Only one participant reported dissatisfaction with the process, though one panelist declined to answer this question.

Table 1.1. Responses to "Looking back over the past four days, how would you rate your OVERALL SATISFACTION with the CIR process?"

Response	Number of Responses	Percent of Responses
Very Dissatisfied	1	5%
Dissatisfied	0	
Neutral	1	5%
Satisfied	6	29%
Very Satisfied	13	62%
<i>Total</i>	21	100%

1.2 Analytic Rigor

A minimal test of the analytic rigor of a CIR process is whether the panelists believed that, by the end of the week, they adequately understood the initiative they had studied. To assess this, the final

² Gastil (2008). More generally, see Nabatchi et al. (2012). For a comparison with another comprehensive report on a deliberative process in Australia, see Carson et al. (2014).

panelist survey asked if they had learned enough to reach a good decision. Table 1.2 presents the results from 2016. The figures show that all panelists could at least say they *probably* had the information they needed, with the vast majority of the panelists saying they definitely had learned enough to make an informed decision.

Table 1.2. Responses to “Do you believe that you learned enough this week to make an informed decision?”

Response	Number of Responses	Percent of Responses
Definitely no	0	
Probably no	0	
Unsure	0	
Probably yes	5	23%
Definitely yes	17	77%
<i>Total</i>	22	100%

These figures represent a reduction in “definitely yes” averages compared to 2010, though they are fairly similar to the other CIR panels since then. In the first year of the CIR (that is, 2010 in Oregon), 90% of CIR panelists gave that response, with each year seeing lower proportions since then (79% in 2012, 71% in 2014, 68% in 2016). The shortened length of the CIR (from a five-day process in its first years to a shorter one now) may account for that decline, but it could also result from complexities in the particular issues CIR panels have had to address since 2010. The Arizona CIR also saw the highest proportion of panelists saying they had definitely learned enough of any of the three CIR panels studied in 2016 (77%, compared to 70% in Massachusetts and 55% in Oregon).

Weighing Information

Another measure of analytic rigor asked the CIR panelists to rate the process' performance at weighing arguments and evidence. Table 1.3 shows that a strong majority of panelists thought the CIR did a “good” or “excellent” job of handling both pro and con information, though a handful of participants thought the CIR only did an “adequate” job on weighing arguments and evidence. These figures were roughly comparable to previous CIRs. As with past CIRs, there were one or two dissenters, and these dissenting views will reappear in other analyses in this report.

Table 1.3. CIR performance rating at “weighing the most important arguments and evidence” in favor of and opposing the measure.

Response	Weighed arguments IN FAVOR		Weighed arguments OPPOSING	
	Number of Responses	Percent of Responses	Number of Responses	Percent of Responses
Very poor	1	5%	1	5%
Poor	0		2	9%
Adequate	4	19%	4	18%
Good	6	29%	7	32%
Excellent	10	48%	8	36%
<i>Total</i>	21	100%	22	100%

Weighing Values

Turning to whether the process gave ample opportunity for the consideration of underlying values, most panelists thought the CIR did a “good” or “excellent” job of considering both pro and con values (Table 1.4). These figures were comparable to previous CIRs, though those used a slightly different question wording and had considerable variance in responses across different issues. As with some previous CIRs, this CIR panel had a couple of panelists who felt the process did not do as well in considering the values motivating those opposing the measure, though the vast majority thought the process did an adequate or better job at this.

Table 1.4. CIR performance rating for considering “the values and deeper concerns motivating” those in favor of and those opposing the measure.

Response	Considered concerns of those IN FAVOR		Considered concerns of those OPPOSING	
	Number of Responses	Percent of Responses	Number of Responses	Percent of Responses
Very poor	0		0	
Poor	0		2	9%
Adequate	3	14%	3	14%
Good	11	50%	9	41%
Excellent	8	36%	8	36%
<i>Total</i>	22	100%	22	100%

Following the Discussion

Our last measure of analytic rigor asks whether panelists had difficulty grasping the discussion. At the end of each day, we asked panelists how often they had had “trouble understanding or following the discussion today.” Table 1.5 shows that the most common response was that panelists “rarely” or “never” had trouble, with those two categories accounting for 77% of responses across the four

days. By contrast, only 9% of responses were “often” or “almost always.” This result is roughly equivalent to the pattern across CIRs from 2010-14.

Table 1.5. Responses to “How often did you have TROUBLE UNDERSTANDING...the discussion today?”

Response	Day 1	Day 2	Day 3	Day 4	Total Pct. of Responses
Never	7	6	5	8	30%
Rarely	9	10	10	11	47%
Occasionally	4	3	4	1	14%
Often	2	2	2	1	8%
Almost always	0	0	0	1	1%
<i>Total</i>	22	21	21	22	100%

Comparison with Observer Ratings

Three researchers were present to observe the 2016 Arizona CIR, and all three team members rated each agenda segment of the CIR to assess its quality along various dimensions. The first of these concerns the analytic rigor of the CIR, which roughly includes the criteria measured in panelists' self-report data (weighing information, weighing values, and following the discussion). Rating scores were scaled to range from 0.0 to 1.0, with the higher score indicating greater rigor. Figure 1.1 shows two gray lines that represent the upper and lower bounds of previous CIR averages, plus or minus one standard deviation. The 2016 Arizona CIR was near or within that range; Days 2 and 3 were just below it.

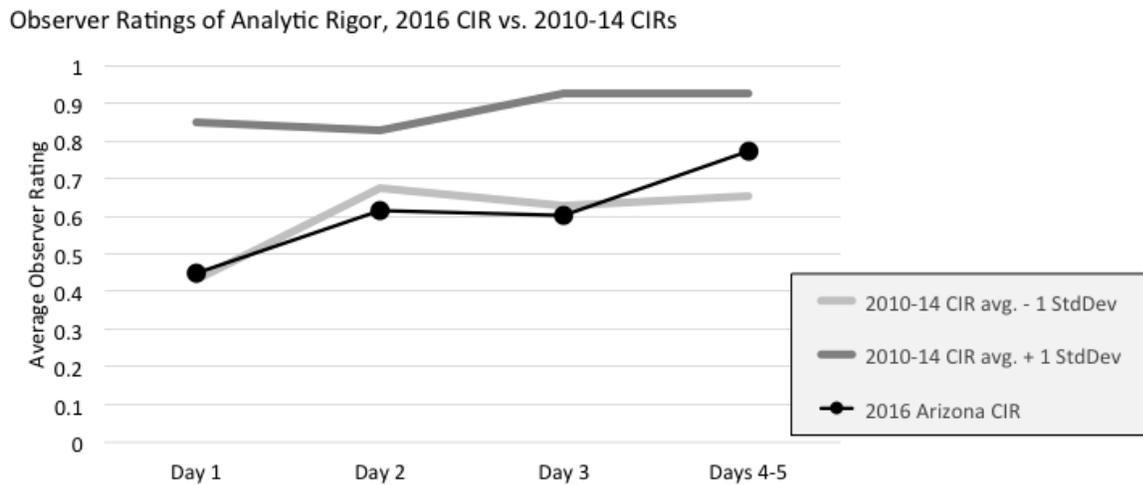
The Arizona CIR faced some challenges on Days 2 and 3, primarily around the advocate and expert presentations and Q&As, as well as the analysis and sorting of information for later inclusion in the Citizens' Statement. Both the Pro and Con advocates spent time attacking the other side and its tactics, and the presentations did not seem well-received by the citizen panelists. The two expert panels brought up some important information, but much of it seemed insufficient for satisfying the citizen panelists' information needs and might have just created more uncertainty for some of them. Much of the expert discussion turned on how the initiative would leave many of the details of marijuana legalization to a new state board; while this is important contextual information about policy making, it may be less useful for the CIR's larger purpose of helping citizens learn what they need to know to cast an informed vote on a ballot measure.

The citizen panelists also struggled at times while working through the sentences that were likely to make up the core of their Citizens' Statement. Not all panelists were able to understand the procedures, and some continued to debate the complexities in the issue itself, even as claims came up for votes. In other words, the CIR panelists were not all equally prepared to judge which claims were “strong and reliable” (the language used routinely in the CIR process manual). In addition, the Con side was somewhat underrepresented among the sentences that made it into the final pool for the Citizens' Statements because several of the claims initially made by the Con advocates were, in the judgment of the CIR panelists, not well supported by evidence during their deliberations.

The difficulties with voting on claims could reflect the challenge of running the process in four days, rather than five; or, they could stem from a combination of process confusion and extended

discussions especially among vocal citizen panelists favoring the proposition. For comparative purposes, the five-day CIRs have their fourth and fifth days collapsed in Figure 1.1. Those longer CIR processes had less pressure on their third day compared to the 2014-16 CIRs. Regardless, Figure 1.1 shows that the analytic quality ratings observers gave in 2016 were at the lower end of the range for past CIRs, at least until the final day.

Figure 1.1. Comparison of observer ratings of analytic quality from the 2016 Arizona CIR vs. 2010-14 CIRs



1.3 Democratic Process

In assessing the democratic quality of the discussion, we looked for relatively equal speaking opportunities across the panelists, mutual comprehension of one another, and signs of thoughtful consideration of each other’s arguments amidst a respectful group climate.³ The CIR has generally performed very well in this regard, both across previous years and during the 2016 Arizona CIR.

Neutral Facilitation

Table 1.6 shows that panelists rarely perceived bias. Across the four days, panelists were nearly unanimous in not seeing any bias toward Proposition 205 proponents or opponents; the only two instances of panelists perceiving a bias in the moderators was in favor of the proponents, but that was early in the CIR process.

³ Gastil (2014) stresses these as essential features of democratic small groups of all varieties.

Table 1.6. Responses to “Did the moderators demonstrate a preference for either side...today?”

Response	Day 1	Day 2	Day 3	Day 4	Total Pct. of Responses
Favored proponents	1	1	0	0	2%
Neutral	20	19	22	22	98%
Favored opponents	0	0	0	0	0%
<i>Total</i>	21	20	22	22	100%

As in past years, the lead CIR moderators facilitated all large group discussions and carefully monitored, or directly oversaw each of the small group sessions. Moreover, the moderators maintained strict neutrality during the process and were careful to avoid interjecting their own opinions on the measure or showing favoritism. As noted in previous reports, this style of moderation is particularly well suited to the CIR, where the maintenance of neutrality is crucial.

A second indicator was the perception of equal time being given to both pro and con sides. Table 1.7 shows the results, which again demonstrate that the moderators achieved good balance and maintained the process' neutrality.

Table 1.7. Responses to “Was equal time given to both pro and con sides today?”

Response	Day 1	Day 2	Day 3	Day 4	Total Pct. of Responses
Proponents received more	0	0	0	0	0%
Equal time	22	21	22	21	100%
Opponents received more	0	0	0	0	0%
<i>Total</i>	22	21	22	21	100%

Equality of Speaking Opportunities

To explore test for equal speaking opportunities, at the end of each day we asked panelists to assess whether they “had sufficient opportunity to express [their] views today.” On a scale from “Definitely no” to “Definitely yes,” Table 1.8 shows that strong majorities of panelists rated the process highly on this criterion, saying that they definitely or probably had sufficient speaking opportunities. Again, there were one or two dissenters by the last two days of the process. Those figures are comparable to similar ones collected from 2010-14 CIRs: most CIR panels have averaged between “Probably yes” and “Definitely yes” on this question.

Table 1.8. Responses to “Would you say you had sufficient opportunity to express your views today?”

Response	Day 1	Day 2	Day 3	Day 4	Total Pct. of Responses
Definitely not	1	0	0	1	2%
Probably not	2	0	1	1	5%
Unsure	1	3	1	0	6%
Probably yes	6	7	7	4	28%
Definitely yes	12	11	13	16	60%
<i>Total</i>	22	21	22	22	100%

A finer-grained analysis across the days shows that of the 22 Arizona CIR panelists, 11 responded that they “definitely” had sufficient opportunity to speak every one of the four days of the CIR. Only five total panelists ever marked “probably/definitely not,” and it wasn’t always the same ones.

This year, a new survey item complemented the speaking opportunity question. This new item appeared on the final day’s survey and asked panelists, “How comfortable did you feel expressing what was truly on your mind during this week’s CIR?” More than three-quarters said “very comfortable,” and only two said they felt “a little uncomfortable” speaking their minds.

Table 1.9. Responses to “How comfortable did you feel expressing what was truly on your mind during this week’s CIR?”

Response	Number of Responses	Percent of Responses
Very uncomfortable	0	
A little uncomfortable	2	9%
Neither	2	9%
A little comfortable	1	5%
Very comfortable	17	77%
<i>Total</i>	22	100%

Consideration of Different Views

Similar patterns emerge when panelists were asked, “When experts or other CIR panelists expressed views different from your own today, how often did you consider carefully what they had to say?” Table 1.10 shows that over 95% of responses were “often” or “almost always,” and no participants responded—at any point during the four-day process—that they never considered others’ views different from their own. This parallels results from previous CIRs.

Table 1.10. Responses to “When experts or other CIR participants expressed views different from your own today, how often did you consider carefully what they had to say?”

Response	Day 1	Day 2	Day 3	Day 4	Total Pct. of Responses
Never	0	0	0	0	0%
Rarely	0	1	0	0	1%
Occasionally	0	1	1	0	2%
Often	8	6	5	7	30%
Almost always	14	13	16	15	67%
<i>Total</i>	22	21	22	22	100%

Mutual Respect

To assess the level of mutual respect, we asked panelists at the end of each day, “How often do you feel that other panelists treated you with respect today?” Table 1.11 shows that the vast majority of citizen panelists believed other panelists treated them with respect often or almost always treated with respect by their fellow panelists. As seen with some other questions, there a small number of participants who seemed dissatisfied with their fellow panelists.

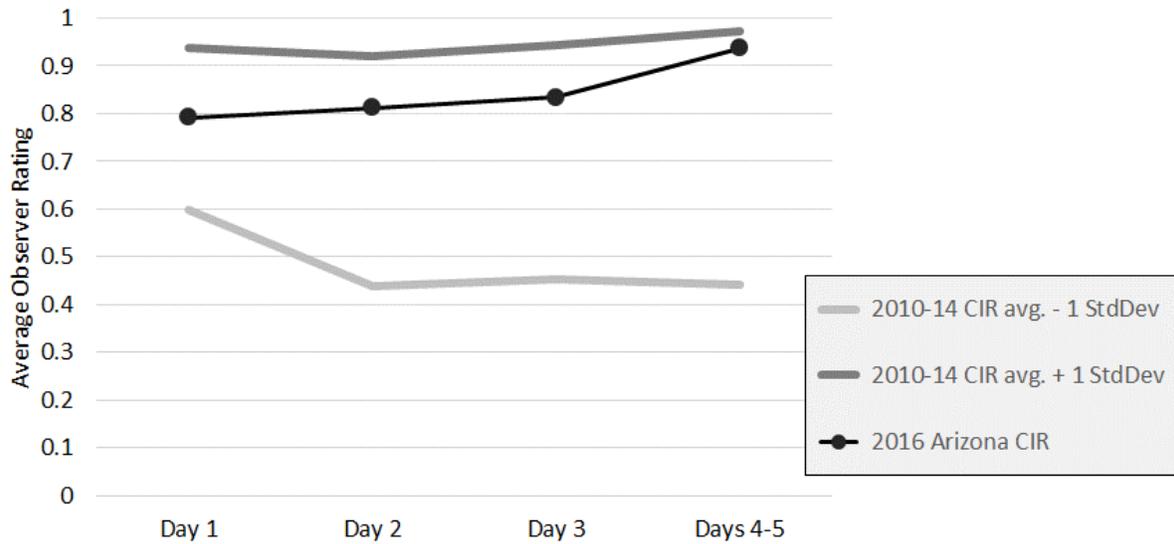
Table 1.11. Responses to “How often do you feel that other panelists treated you with respect today?”

Response	Day 1	Day 2	Day 3	Day 4	Total Pct. of Responses
Never	1	1	1	1	5%
Rarely	0	0	0	1	1%
Occasionally	0	0	1	1	2%
Often	6	3	3	3	17%
Almost always	15	17	17	16	75%
<i>Total</i>	22	21	22	22	100%

Comparison with Observer Ratings

In line with panelists' nearly unanimous feelings of mutual respect, observers rated the 2016 Arizona CIR as a strongly democratic process receiving good marks for respect and participation. That pattern paralleled previous CIRs, and Figure 1.2 shows that the ratings that our research team gave the 2016 Arizona CIR was also within the general pattern of previous CIRs. Observers did note that a couple of panelists struggled to get along with the rest of the group, and that this led to some awkward interactions at times, but these did not detract from the overall quality of the CIR.

Figure 1.2. Comparison of observer ratings of democratic process from the 2016 Arizona CIR vs. 2010-14 CIRs



1.4 Decision Making

In evaluating the decision-making process, we took a slightly different approach than in past years' assessments. Previously, we found that the CIR panelists' overall satisfaction with the CIR process correlated strongly with subsidiary satisfaction ratings for the elements of the Citizens' Statement. We used the 2016 CIR cycle to take a different approach to the panelist surveys on this issue, and as with the other sections, we complement these self-report data with observer codings.

Learning and Playing an Important Role

This year, we focused on whether, at the end of the CIR, participants believed that they had played an important role in the process and whether the process, in turn, learned new information as a result of participating. Those proximate measures of reciprocal influence may better reflect the key elements of CIR "decision making," which is less about voting and more about a Statement drafting process that incorporates each participant effectively.

Results show that 86% of panelists believed they had learned "a great deal" through the four days of deliberation (see Table 1.12). In addition, the majority (60%) said they played a "very" or "extremely" important role in the deliberation, with another 32% saying their role was "moderately" important (Table 1.13). This squares with previous analyses that suggest that two to four panelists often felt sidelined, or simply less relevant as participants, in the deliberation.

Table 1.12. Responses to “How much did you learn from participating in the CIR process this week?”

Response	Number of Responses	Percent of Responses
Nothing	1	5%
A little	0	
Some things	2	9%
A great deal	19	86%
<i>Total</i>	22	100%

Table 1.13. Responses to “Overall, how important a role did YOU play in this week’s CIR discussions?”

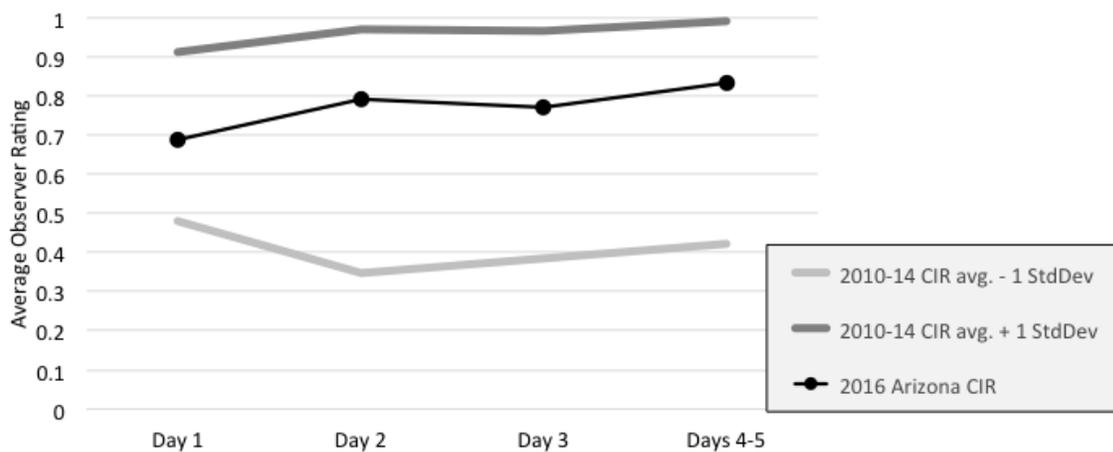
Response	Number of Responses	Percent of Responses
Not at all important	0	
A little bit important	2	9%
Moderately important	7	32%
Very important	10	46%
Extremely important	3	14%
<i>Total</i>	20	100%

Comparison with Observer Codings

The observer ratings for the four-day Arizona CIR fell within the high and low bands from previous CIRs held in 2010-14, and trended toward the higher end of previous CIRs, as shown in Figure 1.3.

Figure 1.3. Comparison of observer ratings of decision making quality from the 2016 Arizona CIR vs. 2010-14 CIRs

Observer Ratings of Decision Making, 2016 CIR vs. 2010-14 CIRs



1.5 Summary

Overall, we found that the 2016 Arizona CIR generally maintained the high standard for democratic deliberation evidenced in the 2010-14 Reviews, though it had its difficulties. This CIR received ratings on many deliberative criteria similar to those from previous CIR sessions in 2010-14. The Arizona CIR lagged behind previous iterations in observers' ratings of the analytic rigor of the process, primarily because of minor problems with the quality of arguments raised by the advocates and some of the experts. However, observer ratings of the fourth and final day of the CIR were well within the range of previous years' ratings for analytic rigor, and the process seemed quite successful overall in its analysis of the ballot measure. In addition, the final statement contained mostly statements oriented toward (or originally submitted by) the Pro side. This imbalance was not due to a procedural problem; rather, the Con advocates had difficulty providing claims that the participants found strong and reliable.

Section 2. Accuracy, Readability, and Coherence of the Citizens' Statement

In a previous research reports on the CIR panels held from 2010-14, we assessed the accuracy, readability, and coherence of the CIR Statements produced in previous years relative to other relevant elements of official voter guides.⁴

To provide a comparative context for the present Statement, consider these assessments as a baseline:

- To assess accuracy, each assertion in each Citizens' Statement from 2010-14 was evaluated to determine whether it was verifiable, supported by the evidence presented to the panelists, and consistent with the text of the ballot initiative on which the panelists deliberated as well as other publicly available factual and legal information. In general, the Citizens' Statements produced were highly accurate.
- CIR Statements from 2010-14 were also assessed using tools that determine the reading-grade level (in the U.S. public school system) required to understand the language used in the statement.⁵ The CIR Statements were generally found to require the equivalent of a high school education. Paid pro and con arguments were written at an even lower reading level, but official explanatory statements and the full text of ballot measures required a college or graduate-level education to decipher.
- Finally, the 2010-14 Citizens' Statements were found to be coherent and comprehensive documents, though erratic topical sequencing, inadequate section headings, and grammatical problems limited the overall coherence of most previous Statements.

It is against that background that we provide the following assessments of the 2016 Arizona Citizens' Initiative Review Statement on Proposition 205.

2.1 Accuracy

The 2016 Arizona Citizens' Statements contained no claims inconsistent with the text of the measure, nor did it contain any clear factual inaccuracies. The consensus statement begins by noting the fiscal impacts of the initiative: "The initiative enacts a 15% tax on retail sales, allocated to K-12, full-day kindergarten programs, & education programs on relative harms of alcohol, marijuana, & other substances. Reports show that it could generate over \$80 million a year." This statement originated as a claim introduced by the Yes campaign, though the revenue estimate was based on analysis of the initiative by the state's Joint Legislative Budget Committee.

Some elements of the panel's statements went beyond fiscal impacts and potential side effects of the law to instead give an assessment of past and current prohibitions on marijuana. The following are examples of two such statements:

⁴ Gastil et al. (2015).

⁵ Kincaid, Fishburne, Rogers, & Chissom (1975); Gunning (1968); McLaughlin (1969). Formulas for the scores appear in the note to the table accompanying this section.

"Prohibition policy has been a failure at keeping marijuana away from youth. This measure puts marijuana behind the counter & restricts its sale to adults only."

"Marijuana prohibition has been inefficient, wasteful, & counterproductive. This measure will bring much needed product standards & safeguards for consumers."

Though both of these statements originated as claims from the Yes campaign, the expert witnesses at the Arizona CIR generally supported these views that the prohibition of marijuana did not seem to deter people from using it.

The CIR statements also noted some uncertainty in the potential effects of this initiative. For example, one of the potential reasons to vote no was: "Recreational marijuana may impact public safety since Arizona currently does not utilize a breathalyzer type device to detect impairment." This statement is very accurate; experts and advocates noted that there is no widely available breathalyzer-type device for detecting marijuana in a person's system. However, the citizen panelists noted in their discussion that law enforcement already deals with this issue by conducting blood tests and other assessments of intoxication; they also learned that other states do not have strong evidence of a substantial increase in DUIs due to marijuana legalization. Rather than using the stronger language of the No campaign (e.g. recreational marijuana "will make roads less safe"), the panelists eventually settled on stating that recreational use "may" affect public safety through people driving under the influence of marijuana.

Two claims in the published version of the consensus statement also included some uncertainty that was added by the Morrison Institute, the sponsors of the Arizona CIR, after the CIR process had ended. The argument about the fiscal impact of the initiative listed above noted, "Reports show that [the initiative] *could* generate over \$80 million a year" [emphasis added], although the citizen panelists had originally used "would" in that statement. Another portion of the statement argued, "Allowing legal, regulated sales for adults *could* stifle the criminal market. As some states have legalized recreational marijuana, confiscations of the drug along the Southwest border have declined" [emphasis added]. Again, "could" replaced the "would" originally approved by the citizen panelists.

Morrison Institute staff made these changes to the statements after becoming concerned that leaving the original wording of "would" might constitute a form of political campaigning on the part of the Institute, which is required by law to remain non-partisan. This tension between being steadfastly neutral and presenting the best possible information is not unique to the Morrison Institute, but reflects a broader conflict experienced by attorneys general and secretaries of state across the country when providing legal information to voters and legislators alike.⁶

One additional area of uncertainty that the citizen panelists included in their final statements focused on how the state government department created by the initiative would determine the details of Proposition 205. The statement makes the following point: "Implementation of the initiative by the Dept. of Marijuana Licenses and Control will determine how it impacts the community, not the Governor or Legislature." This is mostly accurate, though it does neglect to mention that the governor would be responsible for appointing the 7-member board and the director of the new department. However, it does help communicate an issue that the expert panelists made clear: many of the details of this new system of recreational marijuana, from growth

⁶ See Richards (2016) for an extended discussion of this problem, specifically in regard to writing neutral information about ballot measures.

of plants to marketing and packaging of products, would be decided by the regulation and governance of the new state department overseeing the system. It is an important observation about the initiative, although it may be less useful than many of the other included statements in helping Arizonans decide how to vote on this policy.

2.2 Readability

The concept of readability has spawned multiple systematic measurement techniques. In this report, we employ three common scoring methods, each of which emphasizes different linguistic attributes or combinations of attributes:

- The Flesch-Kincaid score, which accounts for both average sentence length and average number of syllables per word, provides a gauge of the overall complexity of language in a text.
- The FOG score likewise accounts for both sentence- and word-length, but emphasizes sophisticated vocabulary by giving more weight to words having three or more syllables.
- The SMOG score, based solely on words having three or more syllables, measures only the amount of sophisticated vocabulary used in a piece of writing.⁷

These measures indicate that the overall linguistic complexity of the Citizens' Statements lies at the level of a high school senior, or slightly higher.

The Citizens' Statement crafted by the 2016 Arizona CIR had a reading level comparable to—but perhaps one or two grade levels higher than—previous Citizens' Statements. It also had the highest reading level of any of the 2016 CIRs, which were held in Oregon and Massachusetts (as a pilot). This may represent an area for potential improvement, since language intended for readers having a twelfth- to fifteenth-grade reading level may be inaccessible to many intended readers. In Arizona, census data suggests that a Statement above a tenth-grade level could be inaccessible to roughly one-in-seven adults.⁸ The State of Oregon, where the CIR was first established, sets the tenth-grade reading level as its standard for government information.⁹

⁷ *Flesch-Kincaid*, *FOG*, and *SMOG* scores indicate grade-levels within the U.S. public school grade numbering system, so that, e.g., "12.1" means slightly higher than a twelfth-grade reading level. The formula for the Flesch-Kincaid score is: $0.39 * (\text{words} / \text{sentences}) + 11.8 (\text{syllables} / \text{words}) - 15.59$ (Kincaid et al., 1975, p. 14). The formula used to calculate the FOG score is: $((\text{words of one or two syllables} + 3 * \text{words of three or more syllables}) / \text{sentences}) - 2) / 2$ (Kincaid et al., 1975, p. 14). The formula for the SMOG score is: $(\text{square root of} (\text{words of three or more syllables per 30 sentences})) + 3$ (McCloughlin, 1969, p. 639). *Clarity* is an index consisting of the mean of three measures: the percentage of sentences in each Citizens' Statement that are free from, respectively, grammatical or vocabulary error, confusing or incoherent phrasing, and undefined jargon.

⁸ According to the U.S. Census Bureau, as of 2009 the percentage of adults aged 25 or above who had not obtained a high school diploma or equivalent degree was 15.8% in Arizona (Ryan & Siebens, 2012). The rate for all voters may be higher when adults aged 18-24 are accounted for. In addition, the National Assessment of Adult Literacy estimated that as of 2003 the percentage of adults lacking basic literacy was 13% in Arizona (U.S. Department of Education, 2003).

⁹ The maximum reading level for Oregon state government information, established by the Oregon Department of Administrative Services, is tenth grade (Oregon Department of Administrative Services, 2015).

Table 2.1. Readability expressed in educational grade level for the 2016 Arizona CIR Citizens' Statement versus other voting guide materials concerning Proposition 205

Document Type	Flesch-Kincaid Reading Level	SMOG Reading Level	FOG Reading Level	Index Reading Level	Rank: Easiest to Read
Pro and Con Argument	11.3	12.9	10.5	11.6	1
Ballot Title	33.2	28.5	53.7	38.4	6
Financial Impact Statement	14.1	16.1	20.6	16.9	3
CIR Citizens' Statement	13.9	14.9	12.4	13.7	2
Explanatory Statement	15.9	17.6	19.5	17.7	4
Text of Measure	18.2	18.9	24.9	20.7	5

2.3 Coherence

Overall, the 2016 Arizona CIR Citizens' Statement appeared to be a very readable document, and data in Section 3 provides voter assessments thereof. Even so, there were deficiencies, which we discuss below.

The opening statement in support of the measure argues that "Prop 205 assures Arizonans of the societal and economic benefits to be gained by legalizing marijuana for recreational use," focusing on a theme of benefits of moving from marijuana prohibition to legal recreational use. Many of the other statements in support, as well as some of the overall CIR statements about Proposition 205, take much the same approach, noting the failures of marijuana prohibition combined with the relatively low risk associated with marijuana use compared to other controlled substances. In addition, many of the statements focused on the potential for higher state revenue and the creation of jobs associated with the marijuana industry. Some of these statements wound up being a bit vague, though, as a result of a lack of strong evidence supporting specific numbers or figures in the original claims provided by advocates and those developed during the process. For instance, one statement reads: "A regulated system of legal sales creates economic opportunities to grow our economy and will create new jobs in our state. Other states with regulated marijuana have seen an economic benefit in legal sales and an increase in tax revenue." The CIR panelists could have tried to provide more concrete estimates of the economic impact of the proposition, but faced with seemingly inaccurate estimates from the Yes campaign, they decided to excise those numbers entirely.

The opening statement in opposition to the measure, by contrast, notes the potential risks associated with making marijuana more readily available: "The safety and health of Arizonans should take priority over the financial benefits of Prop 205 (Regulation and Taxation of Marijuana Act). The future of recreational marijuana has the potential to negatively impact our communities and our youth." Two of the opposition statements note the potential impact of legalization on public safety, particularly with young people, and though both statements make important points, they do so with somewhat awkward wording and terminology. First, one statement argues that "Packaged and labeled edibles which resemble popular, colorful candies, gummies, and snacks will be sold in recreational marijuana retail stores," using the slang term "edibles" to denote edible marijuana

products. Qualifying language in this statement make the sentence a bit difficult to follow: for instance, “packaged and labeled” was added to note that these products will be regulated in some ways, and “popular” and “colorful” were added to point out that such products may be allowed to resemble existing types of candy. The topic of edible marijuana products came up quite a bit during the CIR, and although such products would be subject to regulation and limitations by the new state agency controlling the marijuana system (a point noted by two expert witnesses), ultimately a substantial portion of the participants felt it was important to convey some of the risks associated with those products. Another opposition statement, noted above, raised concerns about a lack of a breathalyzer device to detect marijuana impairment. However, the wording around this concern was somewhat vague: participants argued that recreational use “may impact public safety,” rather than specifically referencing impaired driving due to marijuana use (which one expert witness noted had not significantly increased after legalization in Colorado).

One of the CIR statements not in the Support or Opposition sections also featured somewhat awkward phrasing, as the participants struggled with how to word a definitive statement about proposed restrictions on where marijuana “dispensaries” (or stores) could be located: “Dispensaries must be located 500 feet or greater from all Pre K-thru 12 grades/programs, including adjacent recreational fenced-in facilities.” The participants intended to communicate that marijuana stores would not be allowed to be located closer than 500 feet from any school or similar primary/secondary educational facility, from the pre-K level up to grade 12, though “grades/programs” is an odd phrasing for communicating that. At one point during the CIR process, participants read the exact wording of the ballot measure on this point and discovered that the space restriction is based on the edge of the school property, including playfields and similar school spaces and buildings – though this led to the wording “adjacent recreational fenced-in facilities,” which some readers might find confusing.

Despite these missteps, the CIR Citizens' Statement was fairly well constructed. Participants took note of the order of the sub-statements in each section, suggesting some changes to put more important and useful arguments and facts higher up on the page. This led to a more readable, coherent document than some past CIR statements that had used the ratings of how “strong and reliable” each claim was to determine where it went in the final order.

The more serious problem in the pro/con sections was an attempt to get at the values at stake on Proposition 205. Previous assessments of the CIR have noted the difficulty of blending information analysis with careful values analysis. Ideally, deliberation would result in a Statement that shows how key facts pertain to underlying value arguments. This connection was anything but seamless in this Statement, with the values grafted onto the end of the two opening statements in the Support and Opposition sections. The Statement in Support of the Measure section ended by simply listing the values “incorporated into this measure,” which included “safety, reassurance, and transparency.” Likewise, the Statement in Opposition to the Measure listed “safety, justice, and community” as the key values “at stake in this matter.” Not only were those values not explicitly connected to related information elsewhere in the Statement, there was no way in the CIR Statement to understand how concerns about “safety” cut both ways when weighing Proposition 205. In addition, one of the key values listed in opposition was “justice,” which seemed in tension with the way participants discussed justice during the CIR process – primarily concerns about how marijuana prohibition led to overly harsh drug possession penalties and racial/ethnic imbalances in drug-related prosecutions and sentencing.

One final area of concern was that statements from the Con perspective were fairly underrepresented on the Citizens' Statement. Of the five claims in the “consensus” section of the Statement, four originated as Pro advocate claims, and one was an original claim generated by the

participants. As noted above in Section 1, this is in part due to the Con advocates providing claims that the participants did not find to be “strong and reliable” or supported by the balance of evidence as found during the CIR process. However, it did lead to a final statement that contained mostly claims and statements in favor of or neutral toward the proposition.

2.4 Summary

Taken as a whole, the Arizona CIR produced a Citizens' Statement that, like those from years past, earns good marks for accuracy, clarity, and comprehensiveness. Portions of the Statement required more than a high school senior reading level, but the CIR Statement was less demanding than other official documents regarding Proposition 205. The con side of this issue was somewhat underrepresented in the final Statement, though the process that led to that result was fair and rigorous. Recommendations regarding these issues appear in Section 5.

Section 3. Voter Awareness and Perception of the Citizens' Statements

Since the Arizona CIR did not appear in any official state voter guide,¹⁰ we did not attempt to conduct a statewide telephone survey to measure awareness and use of the CIR. For the sake of comparison, though, it's worth noting that just over 50% of Oregon voters have been aware of the CIR in their state since 2012—a figure that remained stable in this year's phone survey.¹¹

Nonetheless, the Arizona CIR Pilot Project on Proposition 205 did obtain a sample of registered state voters who had already voted or intended to vote in the November 8 general election. From October 14 – November 4, we used a Qualtrics online panel to collect 2,264 surveys, including 690 persons who had already voted and an oversample of 1,574 respondents who had not yet voted. The latter group was randomly assigned to one of two groups—539 who had the chance to read elements of the official voter guide on Proposition 205, and a larger subsample of 1,035 respondents who had the chance to see the same material, along with the CIR Citizens' Statement on Proposition 205.

The overall sample was representative of voters' party affiliations (29% Democratic, 35% GOP, 34% other/none) were very close to statewide figures from November 2016 (30% Democratic, 35% GOP, and 35% other/none).¹² As for the focal policy question in this survey, voters in Arizona opposed Proposition 205 by a narrow 51-49% margin. Support for the measure was higher in our online sample: 57% of those in the survey who had already voted reported supporting Proposition 205, with 40% opposing it, and 3% declining to vote on it. Those who had not yet voted had a similar breakdown (51% in favor, 33% opposed), but with 16% undecided.

The primary purpose of the online sample was for experimental purposes, as discussed in Section 4 of this report. Here, however, we provide descriptive data about the sample and its perception of the CIR. For descriptive data, one must be cautious in over-interpreting online samples, but they can still provide broad insights into public perceptions.

Moreover, we can compare these results with previous CIR surveys conducted online and by phone in Oregon. Previous surveys of Oregon voters have found that they had generally favorable views of the CIR. For example, a majority (56-58%) of 2014 Oregon CIR Statement readers found them at least somewhat useful, and higher percentages (63-67%) rated them as at least somewhat informative. Would the same results appear in Arizona, both for those voters shown the CIR in the online survey, as well as those who found it on their own (despite it not being published in an official voter guide)?

3.1 Awareness of the CIR

To measure awareness of the CIR, the most relevant group in this survey were those who had already voted. That group had already used whatever information it found to inform its voting choice, and it was useful to learn if they recalled the CIR as one of those information resources.

¹⁰ The most logical place for a CIR Citizens' Statement might be the "Voter Education Guide" published by the Arizona Citizens Clean Elections Commission. Its 2016 guide is available online at <http://www.azcleelections.gov/en/votereducationguide>.

¹¹ The 2016 Oregon CIR assessment is being drafted and will be available online at <http://sites.psu.edu/citizensinitiativereview>.

¹² State statistics from <http://apps.azsos.gov/election/voterreg/2016-11-08.pdf>.

Everyone in this group was shown the CIR Statement in the front end of their survey, so the precise question posed to them was as follows:

“In this year's election, for one of the statewide initiatives in Arizona, a one-page Citizens' Statement was created detailing the most important arguments and facts about Proposition 205. This Statement was written by an unofficial Citizens' Initiative Review panel, and it did NOT appear in the official Arizona Voter Booklet. Prior to completing this online survey, were you VERY aware, SOMEWHAT aware, or NOT AT ALL aware of the 2016 Citizens' Initiative Review on Proposition 205 held in Arizona?”

In response, of those who had already voted, 32% said they were “very aware” of the CIR, and another 46% said they were “somewhat aware.” Of those aware of the CIR, 94% claimed to have read it already.

Slightly lower awareness figures were obtained for the respondents who had not yet voted. Among those who were shown the CIR Statement as part of a survey experiment, 20% said they were “very aware” and 50% “somewhat aware” of the CIR. Among those who had neither voted nor been shown the CIR Statement, 16% reported being “very aware” and 46% “somewhat aware” of the CIR.

Online surveys on 2014 CIR pilot projects in Colorado and Phoenix also showed high percentages, which we discounted at the time. We are inclined to be skeptical of these high figures for Arizona. For example, the 2016 Massachusetts pilot project appears to have received substantially more media coverage and attention than its Arizona counterpart, yet the awareness percentages are only slightly lower for Arizona, but otherwise quite similar. If only a bare majority of Oregon voters become aware of the CIR in spite of it appearing in that state's official voter guide, it is unlikely that higher figures would obtain in states where the CIR has not yet become part of the electoral system.

Across the full sample, those who had become aware of the CIR prior to taking part in the survey were asked how they first learned about it. Respondents were given a long list of sources, and the most frequent response was television (30%), followed by “word of mouth” (16%), mail (14%), and “newspaper article or editorial” (12%). Adding together three online sources (email, social media, web) accounted for another 20% of responses. These figures are similar to those obtained for the Massachusetts CIR pilot project in 2016.

3.2 Assessment of the CIR

Because the survey responses likely exaggerate previous familiarity with the CIR, we used a narrower band of the overall sample for our assessment of the CIR Statement itself. We focused on those individuals who reported having read it beforehand and who were shown the CIR Statement in the survey itself. This subsample should better approximate the reactions of the subgroup of the electorate inclined to find and read the CIR, with the reassurance that they have actually done so (during the survey, at the very least). This includes both respondents who had previously voted and those who had not yet done so at the time of the survey, but we combine those groups ($n = 1,338$) and note differences between their response patterns only when both statistically and substantively significant.

First, we asked, “Overall, how easy or difficult was it to read and understand the Citizens' Initiative Review statement on Proposition 205?” More than two-thirds (69%) of respondents said it was “easy to read,” with almost all the rest (30%) reporting it was “somewhat difficult to read.” Only 24 respondents (1.7%) said it was “very difficult to read.” Combined with the cautionary notes about reading level in Section 2.2 of this report, the thirty percent of respondents saying it was

“somewhat difficult” confirms our concern that the Statement may contain unduly complicated language for many voters.

Next, the survey posed this question: “In helping you understand Proposition 205, how informative was the Citizens' Initiative Review statement? Was it very informative, somewhat informative, or did it contain no new information for you?” The modal response was “somewhat informative” (50%), though another 40% rated the Statement as “very informative.” Only 10% found that it provided “no new information” at all.

When asked if the Statement was helpful “in deciding how to vote on Proposition 205,” the response pattern diverged slightly. A plurality of respondents (41%) said the Statement was “somewhat helpful,” nearly a third (31%) said it was “very helpful,” but more than one-in-four (28%) said it “made no difference.”¹³

The final question in this series asked whether reading the CIR Statement made them more likely to vote on Proposition 205. The question read, “Some people choose to skip over particular ballot measures while filling out their ballot. Did reading the Citizens' Initiative Review statement on Proposition 205 make you more likely to MARK YOUR BALLOT on this particular measure, less likely to do so, or did it make no difference?” Similar to findings reported from CIRs held in 2014, the most common response was “no difference” (56%), followed by “more likely” (40%), then “less likely” (4%).¹⁴

3.3 Summary

Overall, the results in this section parallel previous studies of the CIR: Voters generally rate the CIR as informative and useful. Though it remains difficult to estimate awareness and use figures from online samples, the results for Arizona are at least comparable to similar online samples collected in 2014-16.

¹³ There was a near-significant difference between previous voters and those who hadn't yet voted. Among those already casting ballots, 30.9% said it made no difference, compared to 26.5% of those who had yet to vote. Pearson Chi-square = 5.48 ($df = 2$), $p = .066$, with subsamples of 614 for voters and 797 for nonvoters exposed to the CIR in the survey experiment.

¹⁴ A binomial test of the responses, comparing “less” and “more” likely shows a significant difference in the frequency of those responses relative to the even distribution that would be expected by chance. This test removes the “no difference” responses from the sample size. See, for example, Knobloch & Gastil (2015).

Section 4. CIR Impact on Voters

One finding consistent from 2010 through 2014 was that reading the CIR Statement increased voters' knowledge levels. This has been tested using cross-sectional survey data, but we have relied principally on a variety of survey experiments. We use this technique because of the logical power of inferring causation from experimental data. When respondents follow different randomly-assigned paths through an online survey, we are controlling for all the other variables that otherwise confound the inferences one might make about the CIR's impact in cross-sectional data.

This section takes the same experimental approach to studying the impact of the Arizona CIR Statement on its readers. Those who had not yet voted in the survey were split at random into two groups, with roughly one-third ($n = 539$) seeing just official voting guide material on Proposition 205 and two-thirds ($n = 1,035$) seeing the same documents plus the CIR Statement. (The difference in subsample size was by design, because it permitted intensive subsample analyses focusing on those shown the CIR. It does not affect the randomness of assignment—only one's odds of ending up in one experimental condition versus the other.)

4.1 Satisfaction with Information Obtained

The CIR Statement aims to provide voters with relevant and trustworthy information about the ballot measure, and we asked respondents questions regarding the materials provided during the experiment. How did those who read the official guide *along with the CIR Statement* compare to those who only read the official guide?

After reading materials on Proposition 205 and stating their voting preference, our survey asked respondents, "How RELEVANT is the information you just read to YOUR voting decision on Proposition 205?" Responses did not differ significantly between the two experimental groups, with the modal response being the highest response scale point ("completely relevant," 29%) and another 50% saying the materials were "somewhat" or "mostly" relevant.

Results were similar for a parallel item, which read: "Thinking about other Arizona voters you know, how RELEVANT is the information you just read to THEIR voting decisions on Proposition 205?" Response patterns did not differ between the two experimental groups, but the scores were lower. The modal response was "mostly relevant" (32%), followed by "somewhat relevant" (29%) and "completely relevant" (23%).

Reading the CIR Statement did, however, increase the already-high percentage of respondents who responded affirmatively to the question, "Would you say you've received enough information on Proposition 205 to make a WELL-INFORMED VOTE?" Table 4.1 shows that positive scores on this measure rose from 80.5% for those only reading official materials to 84.8% for those who read both official materials and the CIR Statement.¹⁵

¹⁵ Chi-square = 4.75 ($df = 1$), $p = .029$.

Table 4.1. Responses for two experimental groups to question, “Would you say you've received enough information on Proposition 205 to make a WELL-INFORMED VOTE?”

Response	Shown official summary only	Shown CIR Statement and official summary
I have NOT heard enough	19.5%	15.2%
I have heard ENOUGH	80.5%	84.8%
<i>Total</i>	100.0%	100.0%

4.2 Knowledge Relevant to Proposition 205

Did this greater confidence for CIR Statement readers manifest itself in real knowledge relevant to the ballot measure? To find out, our survey asked respondents about four factual claims, each of which was adapted from the Statement. Table 4.2 (on the next page) shows the four Statement items tested two Key Findings, one of the arguments for the measure, and another opposing it.

Before seeing questions regarding these four claims about Proposition 205, respondents were given this instruction:

“The next few statements are claims you may or may not have heard during this election about Proposition 205. Some of these may be accurate statements, and some may not be accurate. It can be disorienting to see a statement in a survey that you believe is incorrect, but please remember that such statements are just a necessary part of a true/false question set. For each statement, please indicate whether you believe the statement is definitely true, probably true, probably false, or definitely false. If you are not sure either way, mark the “don't know” response. Please DO NOT read websites or other material before answering. We are interested in hearing the responses you give without further study.”

In previous studies of the CIR, a common finding was that reading the CIR Statement increased respondents' confidence in the accuracy of valid factual claims. This finding appeared again in experimental tests of knowledge of the two selected Key Findings in the Arizona CIR Statement. Table 4.3 shows that the response that differed the most between the two experimental conditions was “definitely true.” The proportion of respondents who understood the tax Proposition 205 would establish rose from roughly one-third (31%) to more than two-fifths (42%) when respondents were shown not only an official summary but also the CIR Statement.¹⁶ Likewise, marijuana's lower propensity to engender dependence relative to other controlled substances was recognized as “definitely true” by roughly one-in-four (24%) of those reading the official summary but by more than one-third (36%) of those who also saw the CIR Statement.¹⁷

¹⁶ Chi-square = 44.8 ($df = 4$), $p < .001$.

¹⁷ Chi-square = 33.7 ($df = 4$), $p < .001$.

Table 4.2. Adaptation of four passages in the 2016 Arizona CIR Statement

Item	Passage in CIR Statement	Survey item language
First Key Finding	The initiative enacts a 15% tax on retail sales, allocated to K-12, full-day kindergarten programs, & education programs on relative harms of alcohol, marijuana, & other substances. Reports show that it would generate over \$80 million a year. ¹⁸	Prop 205 enacts a 15% tax on retail sales that could generate over \$80 million a year for K-12 schools and drug education programs.
Third Key Finding	Compared to other controlled substances marijuana is less toxic, less harmful to the body and less likely to contribute to violent/reckless behavior. The CDC has determined marijuana causes less dependence than other controlled substances.	Marijuana causes less dependence than other controlled substances.
First Pro	Drug-testing policies that are legal now will remain legal. The initiative protects employer's rights to enforce drug free policies and property owners and landlords will have the right to prohibit marijuana from being grown on their property.	Prop 205 would permit workplace drug-testing policies and allow property owners to prohibit marijuana cultivation on their property.
First Con	Packaged and labeled edibles which resemble popular, colorful candies, gummies, and snacks will be sold in recreational marijuana retail stores.	Prop 205 permits marijuana retail stores to sell packaged edible marijuana that resembles popular colorful candies, such as gummies.

¹⁸ As noted earlier, this report uses the CIR Statement originally drafted by the citizen panelists, rather than the version edited by the Morrison Institute and posted online. Though the Institute made few edits to the original, it replaced the word "would" in Key Finding 1 with "could." Because this research project aims to assess the impact of unmediated citizen panel discourse, it was important to use the original wording provided by the citizen panelists.

Table 4.3. Impact of reading the CIR Statement on knowledge of two key findings regarding Proposition 205.

Response	“Prop 205 enacts a 15% tax on retail sales that could generate over \$80 million a year for K-12 schools and drug education programs.”		“Marijuana causes less dependence than other controlled substances.”	
	Only shown official issue summary	Shown both summary and CIR Statement	Only shown official issue summary	Shown both summary and CIR Statement
Definitely false	16%	10%	18%	12%
Probably false	4%	3%	13%	10%
Don't know	12%	9%	17%	14%
Probably true	37%	33%	28%	30%
Definitely true	31%	42%	24%	36%
<i>Total</i>	100%	100%	100%	100%

The CIR Statement had an even stronger impact on knowledge of important factual claims foregrounded by opponents and proponents of Proposition 205.¹⁹ Table 4.4 shows a statistically significant difference in respondent knowledge for the proponents' claim regarding safeguards for workplace testing and landlord cultivation prohibition: 17% of respondents said these safeguards were “definitely true” after reading only official materials, compared to 42% of those who also read the CIR Statement.²⁰ The table shows that reading the CIR Statement also bolstered the credibility of the opponents' claim that Proposition 205 would allow marketing marijuana in the form of colorful candies: 21% of respondents recognized this valid claim as “definitely true” after reading only official materials, compared to 41% of those who also read the CIR Statement.²¹

¹⁹ This contrasts with the findings for Massachusetts, which showed more equivocal impacts generated by the pro/con statements tested from its CIR pilot Citizens' Statement.

²⁰ Chi-square = 116.7 ($df = 4$), $p < .001$.

²¹ Chi-square = 73.2 ($df = 4$), $p < .001$.

Table 4.4. Impact of reading the CIR Statement on knowledge of facts emphasized by proponents and opponents of Proposition 205.

Response	PRO: "Prop 205 would permit workplace drug-testing policies and allow property owners to prohibit marijuana cultivation on their property."		CON: "Prop 205 permits marijuana retail stores to sell packaged edible marijuana that resembles popular colorful candies, such as gummies."	
	Only shown official issue summary	Shown both summary and CIR Statement	Only shown official issue summary	Shown both summary and CIR Statement
Definitely false	33%	17%	20%	15%
Probably false	7%	5%	10%	8%
Don't know	11%	7%	15%	10%
Probably true	33%	29%	34%	33%
Definitely true	17%	42%	21%	41%
<i>Total</i>	100%	100%	100%	100%

We also investigated whether these changes in knowledge occurred regardless of whether a respondent favored, opposed, or was undecided on Proposition 205. To simplify comparisons across these groups, we created two indices.

- A respondent's Knowledge Score was calculated as the number of claims recognized as probably or definitely true. Given that we studied four knowledge claims in this survey, scores could range from zero to four.
- A second index took into account the degree of certainty about the claims, as well as whether a respondent was willing to venture a guess at all. A respondent's Mastery Score on a given claim ranged from -2 (definitely false) to 0 (don't know) to +2 (definitely true). Thus, knowing all four statements to be definitely true would yield a Mastery Score of 2.0, whereas being unsure about all four would yield a Mastery Score of zero.

Table 4.5 compares these Knowledge and Mastery scores for those shown the official voting guide material versus those who also saw the CIR Statement, but it also breaks those comparisons down by voting group. Results showed a consistent pattern of higher Knowledge and Mastery scores across all three voting groups for those who read the CIR Statement.²²

²² Knowledge and Mastery also were higher (both without and with the CIR Statement) for those voters favoring the passage of Proposition 205.

Table 4.5. Impact of reading the CIR Statement on Knowledge and Mastery scores across three voting groups

Voter group	Knowledge Score <i>average number of claims recognized as probably or definitely true (Score range = 0 to 4)</i>		Mastery Score <i>average score using a scale from -2 (definitely false) to +2 (definitely true) (Score range = -8 to +8)</i>	
	Only shown official issue summary	Shown both summary and CIR Statement	Only shown official issue summary	Shown both summary and CIR Statement
Opposes Prop 205 (Minimum $n = 285$)	1.9	2.4**	0.7	2.2**
Undecided (Minimum $n = 79$)	1.8	2.6**	1.3	3.0**
Favors Prop 205 (Minimum $n = 175$)	2.6	3.2**	2.9	4.9**
Overall (Minimum $n = 539$)	2.2	2.3**	0.5	0.7**

Note. ** indicates $p < .01$.

4.3 Willingness to Share CIR Knowledge

The next section of the survey narrows the focus to only those respondents who had not yet voted but were shown the CIR Statement. The section began by revealing to respondents the origin of the four claims and introduced a new judgmental task:

“Each of the following four statements appeared in different sections of the Arizona Citizens' Initiative Review Statement on Proposition 205. Which, if any, of these pieces of information would you like to share with friends, family, acquaintances, or others before they vote on Proposition 205?”

For each of the four knowledge claims first introduced in Table 4.2, respondents could indicate that they would “definitely not share,” “probably not share,” “probably share,” or “definitely share” the information. Those who chose a “don't know” response were dropped from these analyses, which left a minimum sample size of 803 respondents.

For all four knowledge claims, a small or large majority of respondents said they would probably or definitely share what they learned from the Statement. Respondents' readiness to share knowledge depended on the specific claim, but this desire also reflected respondents' positions on the ballot

measure. Table 4.6 shows that Proposition 205 supporters were more eager to share all four claims, but particularly the two Key Findings and the one Pro claim. Opponents of Proposition 205 were most inclined to share the Con claim (68%)—but nearly the same proportion also wanted to share the Pro claim (66%). Undecided voters' sharing rates fell between the other two groups. It's also noteworthy that a majority of almost every single voting group said they would probably or definitely share what they had learned, with the lone exception being that only 39% of Proposition 205 opponents wished to pass on the Key Finding about marijuana's lower propensity to engender dependence relative to other controlled substances—both arguments favored by proponents.

Table 4.6. Percentage of respondents who would probably/definitely share four claims from the CIR Statement on Proposition 205

Voter group	KEY FINDING: Retail sales tax revenues	KEY FINDING: Lower dependence	PRO CLAIM: Workplace/ cultivation	CON CLAIM: Packaged as edible candies
Opposes Prop 205 (Minimum $n = 267$)	56%	39%	66%	68%
Undecided (Minimum $n = 119$)	78%	66%	71%	68%
Favors Prop 205 (Minimum $n = 427$)	91%	83%	84%	71%
Overall (Min. $n = 826$) ²³	78%	67%	76%	70%

4.4 Resistance to Refutation

Previous studies of the CIR have asked voters to assess the trustworthiness of the information found in Citizens' Statements, and results have shown moderate to high levels of trust. This year, we took a different approach. As in the previous discussion on information sharing, we focused on those respondents who had not yet voted but were shown the CIR Statement as part of the survey. Before answering the next question set, respondents were shown this preview: "In the days leading up to Election Day, you may learn more information about Proposition 205. The following questions ask how these new arguments or information might change your views about key claims on this issue."

For the two key findings, respondents were asked to consider this possibility: "Imagine that an independent expert analysis of Proposition 205 comes out with a statement that REJECTS the following claim from the Arizona Citizens' Initiative Review Statement: [corresponding condensed

²³ Chi-square comparisons of column-wise differences were significant, $p < .001$. This means that the three groups were not identical in their response patterns.

text, as shown in Table 4.2]. Given these two CONFLICTING views, who would you be more likely to believe?"

For the other two claims examined in this study, respondents were asked what they would do if they were to "receive mail from" either "the campaign OPPOSING Proposition 205" (for the Pro claim) or from "the pro campaign SUPPORTING Proposition 205" (for the Con claim). In all four cases, respondents could say that they would probably or definitely believe the refutation, probably or definitely trust the CIR Statement, or express uncertainty ("don't know"). As shown in Table 4.7, we retained the don't know responses to give a clear indication of what proportion of CIR readers overall would continue to trust that source in the face of an attempt at refutation during the election.

For the full set of people who had not yet voted but who saw the CIR statement, pluralities of 42 and 43% indicated that they would definitely or probably believe experts' refutations of the two Key Findings from the CIR. However, over a third in each case, 35 and 39% respectively, would definitely or probably believe the CIR statement even in the face of expert testimony to the contrary. Respondents who indicated they were not sure whom they would believe represented 23 and 19% of the sample. These findings indicate that independent experts would pose the greatest challenges to voters believing the CIR statement.

Table 4.7. Percentage of respondents who would believe an alternative information source if it challenged one of four claims from the CIR Statement on Proposition 205

Voter group	Refuted by "independent expert"		Refuted by opposite campaign	
	KEY FINDING: Retail sales tax revenues	KEY FINDING: Lower dependence	PRO CLAIM: Workplace/ cultivation	CON CLAIM: Packaged as edible candies
Definitely believe refutation	13%	16%	9%	9%
Probably believe refutation	29%	27%	15%	15%
Don't know	23%	19%	25%	31%
Probably believe CIR Statement	23%	20%	28%	27%
Definitely believe CIR Statement	12%	19%	24%	18%
Total	100%	100%	100%	100%

Note. Sample size (N) = 1,033.

In contrast, respondents indicated a greater likelihood to believe the CIR in the face of mailings from opponents and proponents of the Proposition. Regarding the Con Claim, a plurality of 45% responded that they would definitely or probably believe the CIR statement rather than a proponent mailing, 31% were unsure whom they would believe, and 24% said they would

definitely or probably believe the mailing. Respondents were even more favorably disposed to believing the CIR statement with regard to the Pro Claim, with 52% indicating they would definitely or probably believe the statement, 25% indicating they would not be sure whom to believe, and 24% indicating they would believe the opposition mailing.

To look at these data under a finer lens, we also considered whether voters' responses to refutations depended on their voting preferences at the time of the survey. Results in Table 4.8 show that responses varied depending both on the claim and the respondents' voting preferences on Proposition 205. Across all four claims, Proposition 205 supporters were the group most likely to trust the CIR Statement despite a counter-claim, with the high-water mark being 73% resisting challenges to the claim that the new regulations would permit workplace testing and place limits on cultivation. The low point comes from undecided voters and those opposing Proposition 205, with fewer than one-in-five willing to believe the CIR Statement's claim that the measure would generate significant sales tax revenue if that claim were disputed by an "independent expert analysis."

Table 4.8. Percentage of respondents who would probably/definitely continue to believe four claims from the CIR Statement on Proposition 205 even if subsequently challenged

Voter group	Refuted by "independent expert"		Refuted by opposite campaign	
	KEY FINDING: Retail sales tax revenues	KEY FINDING: Lower dependence	PRO CLAIM: Workplace/ cultivation	CON CLAIM: Packaged as edible candies
Opposes Prop 205 (Minimum $n = 336$)	18%	20%	26%	36%
Undecided (Minimum $n = 177$)	16%	23%	40%	29%
Favors Prop 205 (Minimum $n = 515$)	51%	55%	73%	56%
Overall (Min $n = 1,029$) ²⁴	34%	38%	52%	45%

4.5 Summary

Looking across the results in this section, the Arizona voters surveyed found the CIR Statement to be relevant. Though most voters believed themselves prepared after reading official materials that figure rose even higher when a CIR Statement was also provided. Reading that Statement made voters more knowledgeable about the ballot measure and weakened the hold misinformation might have on some voters. Most Statement readers wanted to share the information they read, though this varied somewhat depending on voters' positions on Proposition 205. Between roughly a third

²⁴ Chi-square comparisons of column-wise differences were significant, $p < .001$. This means that the three groups were not identical in their response patterns.

and half of respondents said they would continue to believe CIR Statement claims, even if challenged during the remainder of the election campaign. Statement claims disputed by pro/con campaigns were more likely to be trusted after being challenged.

Section 5. Recommendations for Refining the CIR

This section offers practical suggestions for improving the CIR process. The first set of suggestions focus on the CIR process itself, and the second focuses on the Citizens' Statement. Finally, a few recommendations concern how to strengthen the impact of the CIR on the electorate.

- 1. Ensure that participants understand the purpose of each agenda segment and how it will lead to the development of the Citizens' Statements. That agenda should give participants adequate time to develop and edit the Citizens' Statement.** In previous years, too much time was lost during the Review to procedural confusion, but this year's Review addressed that problem while creating another. The agenda was adhered to by the moderators and panelists, but the panelists did not appear to recognize how a set of votes on "strong and reliable" claims fixed not only the content but also the wording and ordering of sentences in the Statement. They had very little editorial latitude after early votes, and this frustrated them when they wanted to do more than tweak grammar. Forum moderators need to stay firm in ensuring that participants stay on task and complete assigned goals within the allotted time frame, but the agenda itself has to permit panelists more leeway in crafting their Statement even into the final day.
- 2. Values considerations need a more meaningful role in the CIR deliberation.** The revised CIR agenda has given more prominence to values considerations at the front and back end of the deliberation, but it remains disconnected from the actual craft of Statement writing. The intention may be to keep values out of the Key Findings, which is fine if these are meant to only present factual information divorced from relevant values. In the pro and con sections, however, values need to appear not as an appendix to claims but should be more carefully integrated with them. As it stands now, values inform citizen panelists' deliberation more implicitly than explicitly; the CIR may be stronger when values considerations get acknowledged and discussed (e.g., in terms of weighing conflicting values considerations) more directly in relation to claims that have normative implications. Discussion guides such as those produced by the National Issues Forums may provide a useful model for CIR planners to consider when thinking about how to help panelists recognize and craft values claims in their Statement writing. Those guides, however, also demonstrate the hazards of pre-faming the issue for panelists before the CIR begins.
- 3. Write the Citizens' Statement in simpler and more accessible language.** Results of readability tests reported above identified, once again, that the CIR Statement requires a reading level that may be too high for many voters. As we suggested in our previous report, we believe panelists should split complex sentences into shorter ones. Wherever possible, shorter, more familiar words should replace longer and more arcane words. Any technical terms that are necessary should be defined clearly.

The CIR organizers should continue to experiment with ways of reviewing language as each Statement starts to take shape. This includes copyediting but also extends to reflections on clarity of expression and coherence of the overall Statement. Designating a subcommittee of panelists to review the Statement the last evening of the event is useful but doesn't provide continuity that extends back to the stage where panelists evaluate and develop claims. It's important for the moderators to maintain process neutrality, but a separate staff person might be designated as playing this role.

- 4. Provide more information about the CIR process/panel atop the Citizens' Statement.** Many citizens unsure of the trustworthiness of Citizens' Statements want to know more about the process. Though this information can be provided online, most Statement readers will only learn what they read on the one-page Statement. The most economical way to reassure voters may be to provide a short link to the information online, as a kind of promissory note that voters who want to know more about the details can access them readily. A full sentence about the conduct of the panel might also provide some reassurance regarding the deliberative rigor of the CIR.
- 5. The CIR still needs a more robust public information campaign.** Changes to the CIR process and Statement will have maximum impact if the Statement reaches a wider population. In the case of the 2016 Arizona CIR, the Statement was published but not extensively publicized by the Morrison Institute, owing to concerns about a pending lawsuit on the ballot measure. It did not appear in the state voter pamphlet, and was instead released on the Institute's website and discussed by Institute staff at some public gatherings. It is unclear how many state voters learned about the CIR process and Statement, though it is surely substantially less than if the Statement had been included in the Arizona voter pamphlet.²⁵
- 6. Public descriptions of the CIR should emphasize its features, not just its outcomes.** Voters want to know more about the CIR process itself, from how it is funded to how panel deliberations are conducted. The public's trust in this process hinges not merely on the quality of the Citizens' Statements produced, but also on the public's understanding of the CIR process. This is not a question of transparency, since detailed information about the CIR is already accessible online. Rather, it is a question of publicity for the process itself, beyond the distribution of its Citizens' Statements.
- 7. Outreach roles could be developed for both CIR panelists and others initially invited to participate in the CIR.** The British Columbia Citizens' Assembly encouraged the citizen participants in that process to serve as "ambassadors" who could reach out to the wider public and explain the findings of that body's deliberations.²⁶ The CIR panelists could potentially play such a role, though care must be taken not to overextend the responsibilities of those reluctant to do more than serve in a deliberative capacity. Moreover, the CIR recruits from a large pool of citizens initially invited to participate, and that larger public body could be invited to follow more closely the CIR deliberation and spread the word about the process.
- 8. Establish firm guidelines about editorial control of the CIR Statement.** Even for a pilot project, CIR organizers should be up front with the citizen panelists during the process about who, if anyone, besides the panelists themselves can edit the Statement and what guidelines such an editor would follow. The seemingly minor changes that staff might make

²⁵ During the CIR, panelists asked specifically about this pending lawsuit and were assured by the organizers that the lawsuit would have no impact on their deliberations or the Citizens' Statement, which wound up being inaccurate. In future CIRs, it will be crucial to anticipate legal questions such as this prior to beginning deliberations to ensure that panelists get clear and forthright answers. Staff might even proactively discuss eventualities such as this, if there is a high likelihood of the issues arising.

²⁶ See Warren and Pearse (2008).

to a Citizens' Statement could undermine the panelists' trust in the institution and hamper their ability to serve as ambassadors for the process in the future.

9. **Organizers must emphasize to advocates the importance of making strong claims, and the consequences for failing to do so.** In past CIR evaluation reports, we have stressed the importance of offering training to pro and con advocates, or event expert witnesses, to ensure the highest quality arguments and evidence in the CIR process. The Arizona pilot, along with other CIRs from previous years, suggest the need to stress the consequences of coming to the CIR unprepared for the deliberative task it presents. The imbalance in the Arizona statement could reflect the larger balance of evidence on this issue, but it remains possible that the Con advocates were simply under-prepared for the CIR. The latter problem cannot be avoided if advocates fail to adequately prepare, but organizers can make extra efforts to prepare them for the likely consequences of that choice.

Organizers should stress to advocates the importance of conveying information effectively to the panelists, rather than trying to compete directly with the policy experts on the other side of the issue. At times, advocates at the Arizona CIR went into a "campaign mode" that seemed to focus on "defeating the opposition," with the audience for such a performance perhaps outside the panel (e.g., media observers). A singular focus on attacking the other side can undermine advocates' ability to connect and communicate effectively with the panelists. That, in turn, can undermine the deliberative potential of the event. Conveners should stress to the advocates (and expert witnesses) the importance of focusing on what the panelists are asking and how they are responding.

Likewise, advocates should recognize that some panelists will be skeptical of their position and question it strongly. Reacting to such panelists in the same "campaign mode" with which they react to the organized opposition could further undermine their effectiveness at the CIR. Since the CIR's design and orientation materials stress the need to listen and consider the arguments of all sides, while participating at the CIR, advocates need to show a willingness to acknowledge the reasonableness of differing opinions.

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