

# Assessment of the 2016 Massachusetts Citizens' Initiative Review Pilot on Question 4

Research report prepared concurrently for the  
Massachusetts CIR Pilot Project and the Democracy Fund

by

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## Table of Contents

<b>Summary Evaluation of the 2016 Massachusetts Citizens' Initiative Review Pilot Project.....</b>	<b>1</b>
<b>Introduction .....</b>	<b>2</b>
<b>Section 1. CIR Process Design and Deliberative Quality.....</b>	<b>3</b>
1.1 Overall Satisfaction.....	3
1.2 Analytic Rigor .....	4
1.3 Democratic Process.....	7
1.4 Decision Making.....	10
1.5 Summary.....	12
<b>Section 2. Accuracy, Readability, and Coherence of the Citizens' Statement.....</b>	<b>13</b>
2.1 Accuracy.....	13
2.2 Readability .....	14
2.3 Coherence.....	15
2.4 Summary.....	16
<b>Section 3. Voter Awareness and Perception of the Citizens' Statements .....</b>	<b>17</b>
3.1 Focus Group Data .....	17
3.2 Online Survey Data .....	19
3.3 Summary.....	22
<b>Section 4. CIR Impact on Voters.....</b>	<b>22</b>
4.1 Satisfaction with Information Obtained .....	22
4.2 Knowledge Relevant to Question 4.....	23
4.3 Willingness to Share CIR Knowledge .....	27
4.4 Resistance to Refutation.....	28
4.5 Summary.....	30
<b>Section 5. Recommendations for Refining the CIR .....</b>	<b>31</b>
<b>References.....</b>	<b>33</b>
<b>Research Funding.....</b>	<b>34</b>
<b>About the Authors .....</b>	<b>35</b>
<b>Appendix.....</b>	<b>36</b>
Official Ballot Title and Summary for Question 4.....	36
CIR Preview.....	37
CIR Statement on Question 4 .....	38

## Summary Evaluation of the 2016 Massachusetts Citizens' Initiative Review Pilot Project

This one-page summary highlights key findings from an assessment of the 2016 Massachusetts Citizens' Initiative Review pilot project on Question 4. The full report is available 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 panel, panelist surveys, detailed assessments of the Citizens' Statements, as well as focus groups and online surveys of Massachusetts voters.

### **The 2016 Massachusetts CIR panel achieved a high quality of deliberation, which enabled panelists to understand and consider key arguments for and against Question 4.**

- The 2016 Massachusetts CIR maintained either the same or a higher level of deliberation obtained in previous years and in other locations. The review provided participants with high quality information provided by strong teams of advocates and experts and created a respectful and open atmosphere for panelists to engage in deliberation.
- The vast majority of participants reported learning enough about the measure, and most reported little difficulty processing information, arguments, and underlying values related to Question 4.
- CIR panelists and neutral observers largely agreed in their assessment that the CIR was both analytically rigorous and conducted in a democratic fashion. SEE SECTION 1

### **The 2016 Massachusetts CIR produced a clear and reliable Citizens' Statement.**

- Claims made in the 2016 Citizens' Statement generally were accurate and verifiable, though some elements reflected unchallenged expert testimony of indeterminate accuracy.
- The 2016 Massachusetts Citizens' Statement was clearly written in broadly accessible language, but the Statement could have been stronger with better direction in relation to the ordering of claims and the inclusion of values. SEE SECTION 2

### **Voters rated the 2016 Massachusetts CIR Statement as useful and informative.**

- Nearly two-thirds of voters (65%) rated the Statement as "easy to read."
- The vast majority of voters rated the Statement as either "very informative" (42%) or "somewhat informative" (52%).
- In deciding how to vote on Question 4, a third (32%) said the Statement was "very helpful," and another 45% said it was "somewhat helpful." SEE SECTION 3

### **Voters shown the 2016 Massachusetts CIR Statement on Question 4 increased their issue knowledge and were eager to share its findings**

- Massachusetts voters were randomly divided into two groups—one reading just official information about Question 4 and the other reading those same materials, along with the CIR Statement. The CIR exposure group improved its knowledge scores on three of the four factual claims tested by becoming both more accurate in its beliefs and more confident in the correct knowledge those voters held.
- Knowledge gains were found across three different voter groups, including those opposed to Question 4, those in favor, and those undecided on the measure.
- A majority of voters (57-75%) said they would "probably" or "definitely" share these four pieces of information. This finding held true across all three voter groups (those opposed to, in favor of, or neutral on Question 4), though those in favor or opposed to the measure were somewhat more eager to share the information that aligned with their views.
- When asked whether they would continue to believe findings in the CIR Statement even after being refuted by an alternative source, voters were divided. When the hypothetical refutation came from pro and con campaigns, roughly twice as many voters continued to trust the CIR versus those inclined to doubt it. When the refutation came from an "independent expert," a plurality were more inclined to trust the expert.

## Introduction

This report provides an overall assessment of the quality of deliberation that took place during the 2016 Massachusetts 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 make reference to earlier findings from our reports that assessed the 2010, 2012, and 2014 CIRs in other locations.

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 was implemented statewide in Colorado and in two localities in 2014 (Phoenix, Arizona and Jackson County, Oregon).

The 2016 CIR pilot project was the first statewide test of the CIR in Massachusetts, and it was held August 25-28 in Watertown. The Massachusetts CIR Pilot Project team convened a stratified random sample of 20 registered voters to study and deliberate on Question 4, the Massachusetts Marijuana Legalization initiative, which proposed to "legalize marijuana but regulate it in ways similar to alcoholic beverages."<sup>1</sup> Citizen panelists heard from and questioned the campaigns on either side of the issue, questioned neutral policy experts, and deliberated intensively as a full panel and in small groups, then wrote a one-page analysis of the proposition.

The 2016 CIR pilot project was exceptional among previous pilots both in the rigor of its random sampling and its attempts at distributing a Statement that did not appear in an official voter guide.<sup>2</sup> Beyond merely posting a project website ([www.cirmass2016.org](http://www.cirmass2016.org)), the project team conducted a robust media campaign to help distribute the Statement to as many voters as possible.

Our assessment of the Massachusetts CIR focused on two aspects—the process and its reception by voters. This included 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 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>.

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<sup>1</sup> See [https://ballotpedia.org/Massachusetts\\_Marijuana\\_Legalization,\\_Question\\_4\\_\(2016\)](https://ballotpedia.org/Massachusetts_Marijuana_Legalization,_Question_4_(2016))

<sup>2</sup> See <http://www.cirmass2016.org/the-latest/mailler-inviting-citizens-to-participate-in-cir-sent-to-10000-voters-today> and <http://www.cirmass2016.org/the-latest/representative-citizen-panel-selected-to-evaluate-marijuana-question>.

## 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.<sup>3</sup>

For the 2016 review, three of the authors of this report (Knobloch, Hannah, and Maiorca) 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 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 Massachusetts CIR appear in Table 1.1. Every one of the twenty CIR panelists were at least "satisfied" with the process, which parallels similar ratings observed at previous CIRs (94% average in 2014, 92% in 2012, and 98% in 2010). This is also the highest satisfaction score among the three CIRs held in 2016, including the Oregon CIR itself and another pilot project held in Arizona on a different marijuana legalization measure.

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

<b>Response</b>	<b>Number of Responses</b>	<b>Percent of Responses</b>
Very Dissatisfied	0	
Dissatisfied	0	
Neutral	0	
Satisfied	7	35%
Very Satisfied	13	65%
<i>Total</i>	20	100%

<sup>3</sup> 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. (2013).

## 1.2 Analytic Rigor

A minimal test of a CIR process' analytic rigor 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 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 but one panelist said that they had probably or definitely learned enough to reach an informed decision, with the large majority saying that they definitely had.

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

<b>Response</b>	<b>Number of Responses</b>	<b>Percent of Responses</b>
Definitely no	1	5%
Probably no	0	
Unsure	0	
Probably yes	5	25%
Definitely yes	14	70%
<i>Total</i>	20	100%

These figures remain consistent with findings from the 2014 CIR, though both years mark a slight drop off from the high levels of “definitely yes” reported in Oregon in 2010 and 2012. In the first year of the CIR, 90% of CIR panelists gave that response, compared to fewer each year (79% in 2012, 71% in 2014). The shortened length of the CIR (from a five-day process in its first years to a shorter one in 2014 and 2016) may account for that decline, but it could also result from complexities in the particular issues CIR panels have had to address since 2010. For comparative purposes, cumulative results from 2010 through 2014 are provided below along with the results from the individual reviews conducted in 2014.

### *Weighing Information*

Another measure of analytic rigor asked the CIR panelists to rate the process's performance at weighing arguments and evidence. Table 1.3 shows that the vast majority of panelists thought the CIR did a “good” or “excellent” job of handling both pro and con information, with the majority of panelists reporting that they did an excellent job weighing the information on both sides of the measure. On this measure, the Massachusetts CIR outperformed previous CIRs, with participants more likely to give the process the highest rating than have those in CIRs conducted between 2010 and 2014. As with past CIRs, however, 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	0		1	5%
Poor	1	5%	0	
Adequate	1	5%	3	16%
Good	3	16%	3	16%
Excellent	14	74%	12	63%
<i>Total</i>	19	100%	19	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, with the majority of panelists rating the review as excellent in considering values both in favor and in opposition to the measure (Table 1.4). Again, the Massachusetts CIR performed exceptionally well along this measure when compared to the reviews conducted in 2014, though those used a slightly different question wording and had considerable variance in responses across different issues.

**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	11%
Adequate	1	6%	2	11%
Good	5	28%	3	16%
Excellent	12	67%	12	63%
<i>Total</i>	18	100%	20	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 89% of responses across the four days. By contrast, only 10% of responses reported “occasionally” having trouble understanding the discussion. This result is slightly better than the pattern across CIRs from 2010-14.

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

<b>Response</b>	<b>Day 1</b>	<b>Day 2</b>	<b>Day 3</b>	<b>Day 4</b>	<b>Total Pct. of Responses</b>
Never	10	8	11	10	<b>49%</b>
Rarely	8	8	7	9	<b>40%</b>
Occasionally	2	4	2	0	<b>10%</b>
Often	0	0	0	0	<b>0%</b>
Almost always	0	0	0	1	<b>1%</b>
<i>Total</i>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>100%</b>

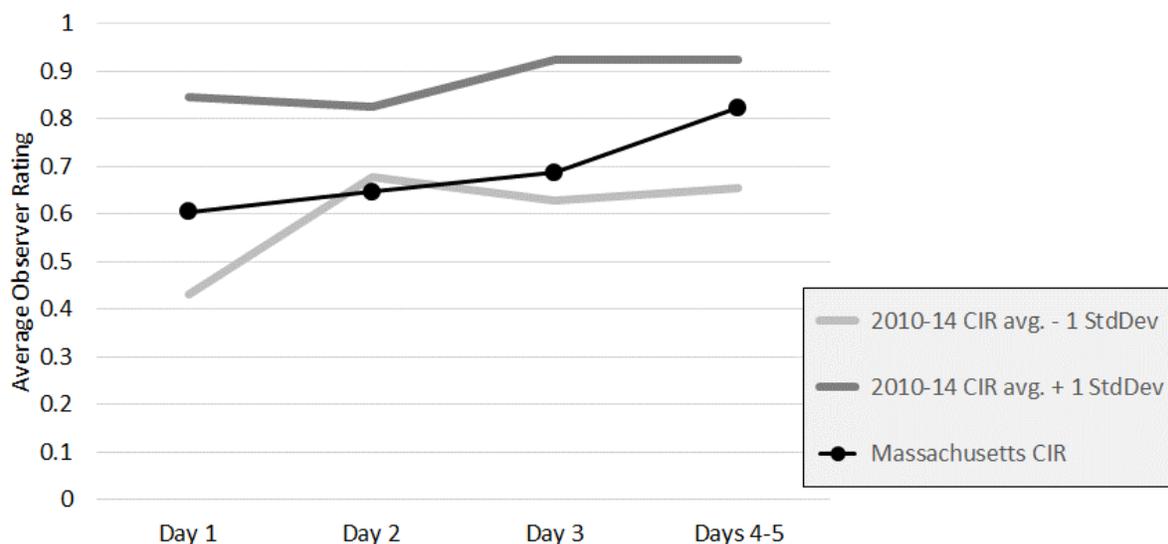
### *Comparison with Observer Ratings*

Three researchers were present to observe the 2016 Massachusetts CIR and 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 Massachusetts CIR generally fell within that range, with lower scores on the second and third day and the highest on the fourth day.

The qualitative notes taken by the researchers provide a more positive impression of the process’s analytic rigor. Although there were a few panelists who tended to think of themselves as experts on the issue and had a tendency to at times dominate the discussion with input that was not necessarily factually accurate, the majority of panelists provided thoughtful input and raised important and nuanced questions for the advocates and experts. In addition, one member of the research team who had observed all but one of the CIRs prior to 2016 commented that the advocates and experts performed better than previous advocate teams in providing panelists with precise and detailed feedback in clear language that was easy for the panelists to understand as non-experts.

On the fourth day, the observer codings climbed significantly. This is in part due to the quality of the panelists discussions during the writing of the arguments in favor and in opposition to that measure. During that segment, the panelists demonstrated a nuanced understanding of the measure and repeatedly returned to their charge of providing voters with important information regardless of their personal preferences on the measure.

**Figure 1.1. Comparison of observer ratings of analytic quality from the 2016 Massachusetts 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 the arguments and information raised by one another, and signs of thoughtful consideration of each other’s viewpoints amidst a respectful group climate.<sup>4</sup> The CIR has generally performed very well in this regard, both across previous years and during the 2016 Massachusetts CIR.

#### Neutral Facilitation

Table 1.6 shows that panelists rarely perceived bias. Across the four days, only one panelist on the first day said that they perceived bias toward the proponents of Question 4.

**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	0	0	0	1%
Neutral	19	20	20	20	99%
Favored opponents	0	0	0	0	0%
<i>Total</i>	20	20	20	20	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

<sup>4</sup> Gastil (2014) stresses these as essential features of democratic small groups of all varieties.

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?”**

<b>Response</b>	<b>Day 1</b>	<b>Day 2</b>	<b>Day 3</b>	<b>Day 4</b>	<b>Total Pct. of Responses</b>
Proponents received more	1	0	0	0	<b>1%</b>
Equal time	19	20	18	19	<b>96%</b>
Opponents received more	0	0	2	0	<b>3%</b>
<i>Total</i>	20	20	20	19	<b>100%</b>

### *Equality of Speaking Opportunities*

To 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 almost all panelists rated the reviews highly on this criterion, saying that they definitely or probably had sufficient speaking opportunities. Those figures are comparable to similar ones collected from 2010-14 CIRs.

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

<b>Response</b>	<b>Day 1</b>	<b>Day 2</b>	<b>Day 3</b>	<b>Day 4</b>	<b>Total Pct. of Responses</b>
Definitely not	1	0	0	0	<b>2%</b>
Probably not	1	2	1	0	<b>5%</b>
Unsure	3	1	1	0	<b>6%</b>
Probably yes	5	7	10	4	<b>28%</b>
Definitely yes	10	10	8	16	<b>60%</b>
<i>Total</i>	20	20	20	20	<b>100%</b>

A finer-grained analysis across the days shows that of the 20 Massachusetts CIR panelists, only four responded that they “definitely” had sufficient opportunity to speak every one of the four days of the CIR, but 19 of 20 said s/he “definitely” had enough chance to talk on at least one of the four days. Only four panelists ever marked “probably/definitely not” for this question.

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?” All but one panelists said they were “a little” or “very comfortable,” with the majority reporting that they were “very comfortable” speaking their mind. Only one panelist reported being “neither comfortable or uncomfortable.”

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

<b>Response</b>	<b>Number of Responses</b>	<b>Percent of Responses</b>
Very uncomfortable	0	
A little uncomfortable	0	
Neither comfortable nor uncomfortable	1	5%
A little comfortable	4	20%
Very comfortable	15	75%
<i>Total</i>	20	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 on every day but the first day 100% of responses were “often” or “almost always,” with the majority of participants reporting that they “almost always” considered others’ views. The first day of deliberations was the only day to deviate from this trend, with one panelist each reporting that they “rarely” or “occasionally” considered others’ views. These results are similar to the more highly rated CIRs conducted in 2014.

**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?”**

<b>Response</b>	<b>Day 1</b>	<b>Day 2</b>	<b>Day 3</b>	<b>Day 4</b>	<b>Total Pct. of Responses</b>
Never	0	0	0	0	<b>0%</b>
Rarely	1	0	0	0	<b>1%</b>
Occasionally	1	0	0	0	<b>1%</b>
Often	6	7	5	6	<b>31%</b>
Almost always	12	12	15	13	<b>67%</b>
<i>Total</i>	20	20	20	19	<b>100%</b>

**Mutual Respect**

To assess the level of 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 an overall pattern of high respect, with the large majority of participants saying that they “almost always” felt respect on every day of the CIR. No panelists on any day reported that they “never” or only “rarely” felt respected. These results again parallel the better performing CIRs conducted in 2014.

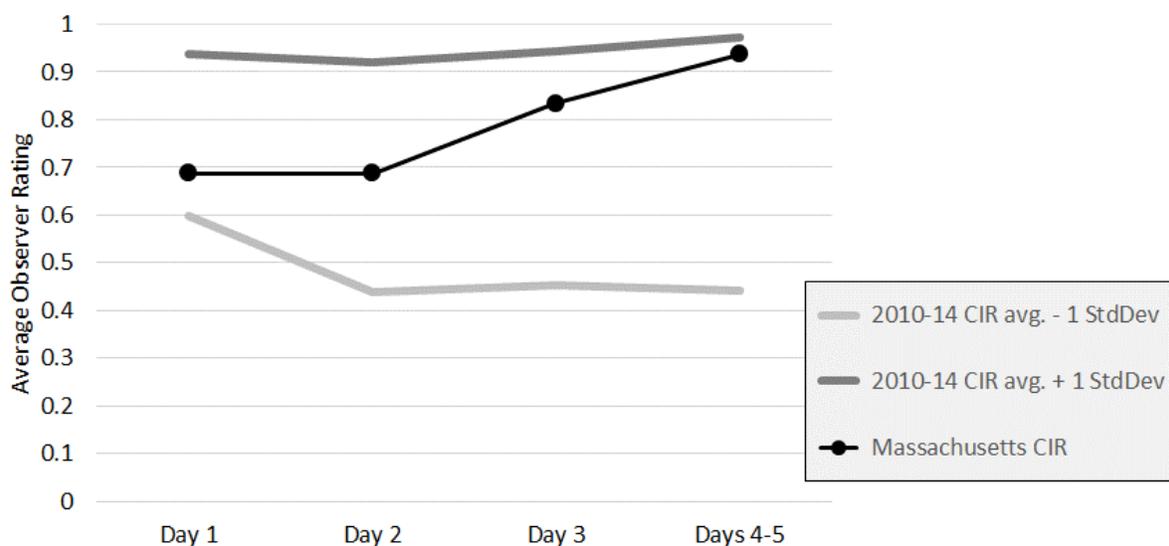
**Table 1.11. Responses to “How often do you feel that other panelists treated you with respect today?”**

Response	Day 1	Day 2	Day 3	Day 4	Total Pct. of Responses
Never	0	0	0	0	0%
Rarely	0	0	0	0	0%
Occasionally	1	0	2	0	4%
Often	1	0	3	5	11%
Almost always	18	20	15	15	85%
<i>Total</i>	20	20	20	20	100%

**Comparison with Observer Ratings**

The overall pattern for the 2016 CIR was a democratic process receiving good marks from panelists and observers. As expressed in observers’ process rating, that pattern paralleled previous CIRs (or slightly outperformed them on Days 3 and 4), as shown in Figure 1.2. Moreover, observer ratings of democratic discussion improved as the review progressed, indicating that participants and the process actually gained democratic proficiency as they began to engage in the more difficult task of decision making and statement writing.

**Figure 1.2. Comparison of observer ratings of democratic process from the 2016 Massachusetts 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 was 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 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 instead on whether at the end of the week participants believed that they had played an important role in the CIR process and whether the participants, 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 90% of panelists believed they had learned “a great deal” through the four days of deliberation (see Table 1.12), and no panelist reported learning only “a little” or “nothing.” In addition, the large majority (75%) said they played a “very” or “extremely” important role in the deliberation, with another 25% saying their role was “moderately” important (Table 1.13).

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

<b>Response</b>	<b>Number of Responses</b>	<b>Percent of Responses</b>
Nothing	0	
A little	0	
Some things	2	10%
A great deal	18	90%
<i>Total</i>	20	100%

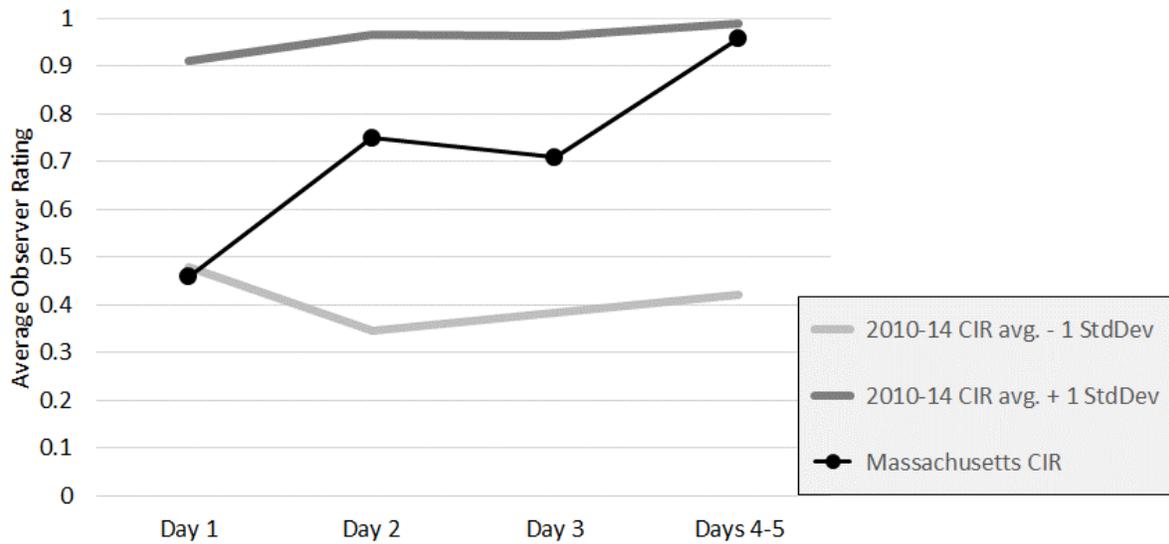
**Table 1.13. Responses to “Overall, how important a role did YOU play in this week’s CIR discussions?”**

<b>Response</b>	<b>Number of Responses</b>	<b>Percent of Responses</b>
Not at all important	0	
A little bit important	0	
Moderately important	5	25%
Very important	8	40%
Extremely important	7	35%
<i>Total</i>	20	100%

### *Comparison with Observer Codings*

The observer decision-making ratings for the four-day Massachusetts CIR fell within the high and low bands from previous CIRs held in 2010-14, as shown in Figure 1.3. The ratings given on Day 1, however, reflect subjective estimates based on other coded variables, since the panel didn’t have intensive decision-making tasks on that first day. As shown in previous codings (Figures 1.1 and 1.2), the scores in Massachusetts peaked on the fourth day of the process.

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



### 1.5 Summary

We found that the 2016 Massachusetts CIR generally maintained or outperformed the high standard for democratic deliberation evidenced in the 2010-14 Reviews. In general, participants demonstrated high levels of analytic rigor, democratic discussion and quality decision making. In addition, scores tended to improve as the review progressed, with participants demonstrating increased deliberative capacity as they became more familiar with the process and began engaging in the difficult tasks of decision making and statement writing.

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

In a previous research report on the CIR panels held from 2010-14, we assessed the accuracy, readability, and coherence of the CIR Statements relative to other relevant elements of official voter guides.<sup>5</sup>

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.<sup>6</sup> 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 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 Massachusetts Citizens' Initiative Review Statement on Question 4.

### 2.1 Accuracy

The 2016 Massachusetts Citizens' Statement contained no claims inconsistent with the text of the measure, nor did it contain any clear factual inaccuracies. The Key Findings contained a number of details about how recreational marijuana would be regulated, including the protections of "business and landlord rights," the prohibition of "consumption in public areas," the requirement to keep plants "under lock and key," limitations on possession, and a prohibition on "marketing and branding toward children."

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

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<sup>5</sup> Gastil et al. (2015).

<sup>6</sup> Kincaid, Fishburne, Rogers, & Chissom (1975); Gunning (1968); McLaughlin (1969). Formulas for the scores appear in the next footnote.

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.”

Members of the research team were themselves in disagreement about the accuracy of a finding in the Statement in Support of Question 4. In that section, one of the findings reads, “Legalized and regulated marijuana is safer than black market marijuana because the legalized product will be tested and clearly labeled according to state regulations.” Although proponents of the measure did claim that the marijuana control board would provide oversight for the sale of marijuana, including limitations on potency and the potential to provide avenues of recourse for consumer complaints, these regulations did not appear in the text of the measure itself.<sup>7</sup> In addition, opponents claimed that legalized marijuana may actually be *less* safe for consumers, since manufacturers could produce more potent products than could be found on the black market. As written, the measure did not contain any limits on the potency of marijuana products.

## 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.<sup>8</sup>

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

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<sup>7</sup> The question did, however, include references to “testing” and “testing facilities,” with authority broadly given to the Cannabis Control Commission, as in Section 4(a): “The Cannabis Control Commission...shall, in consultation with the cannabis advisory board and in accordance with chapter 30A of the General Laws, adopt regulations consistent with this chapter for the administration, clarification and enforcement of laws regulating and licensing marijuana establishments.” See <https://www.regulatemassachusetts.org/full-initiative-text/#sthash.pcOoQE5z.dpuf>

(v) requirements for the testing of random samples of marijuana and marijuana products to verify that marijuana and marijuana products are accurately labeled and to verify that products intended for human consumption do not contain contaminants that are in excess of typical standards applied to other commercially available products intended for human consumption; - See more at: <https://www.regulatemassachusetts.org/full-initiative-text/#sthash.pcOoQE5z.dpuf>

<sup>8</sup> *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).

The Citizens' Statement crafted by the 2016 Massachusetts CIR had a reading level comparable to previous Citizens' Statements, though perhaps one or two grade levels higher. This may represent an area for potential improvement, since language intended for readers having a twelfth- to fourteenth-grade reading level may be inaccessible to many intended readers. For example, the State of Oregon, where the CIR was first established, sets the tenth-grade reading level as its standard for government information.<sup>9</sup> The Oregon CIR has yet to produce a Statement rated at or below a tenth-grade level, so this remains a challenge for the CIR process. A "plain language review" component could address this problem, but this was not implemented in the 2016 CIR.<sup>10</sup>

**Table 2.1. Readability expressed in educational grade level for the 2016 Massachusetts CIR Citizens' Statement and other voting guide materials concerning Question 4<sup>11</sup>**

Document Type	Flesch-Kincaid Reading Level	SMOG Reading Level	FOG Reading Level	Index Reading Level	Rank: Easiest to Read
Ballot Title	11.3	13.6	12.9	12.6	1
<b>CIR Citizens' Statement</b>	<b>12.8</b>	<b>13.8</b>	<b>11.8</b>	<b>12.8</b>	<b>2</b>
Financial Impact Statement	12.8	13.7	12.3	12.9	3
Pro and Con Arguments	12.4	14.0	12.5	13.0	4
Explanatory Statement	15.7	16.4	18.5	16.9	5
Text of Measure	19.3	19.4	25.7	21.4	6

### 2.3 Coherence

Overall, the 2016 Massachusetts Citizens' Statement appeared readable and coherent. The Key Findings section addressed the content of the measure, providing insight into how it would operate, particularly in comparison to the state's current alcohol regulation system. For example, this section included information about prohibitions on public consumption and advertising towards children. Moreover, the Key Findings were largely free of jargon or technical terms that may have prohibited readers from understanding how the measure would operate.

Even so, the ordering of the statements in that section may have benefited from reorganization. The ordering reflected the participants' assessments of what information voters most needed to know, with those rated highest coming first. Though panelists were allowed to vote on the ordering of the Key Findings after they had already established them as strong and reliable, this vote was again framed as a measure of each piece of information's relative importance, rather than an opportunity to think about the statement's coherence for voters. For example, a statement about the overall purpose of the bill, which stated that Question 4 would create "a regulated and taxed system" that

<sup>9</sup> 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).

<sup>10</sup> Healthy Democracy explored this option in 2016 and may integrate it into the next iteration of the CIR as part of a grammar and spelling review step.

<sup>11</sup> Index Reading Level = arithmetic mean of Flesch-Kincaid, SMOG, and FOG scores. Financial Impact Statement = Statement of Fiscal Consequences (Massachusetts Secretary of the Commonwealth, 2016, p. 13). Explanatory Statement = Summary (Massachusetts Secretary of the Commonwealth, 2016, p. 12).

would allow “limited legal possession to persons 21 and over” was the fourth item to appear in the Statement. Because this provides an overarching framework for understanding the more intricate details of operation, this statement may have been better suited to be the first claim that appeared in the statement. In addition, findings about the proposed measure’s relation to current alcohol regulation policy do not appear in conjunction with one another.

Similarly, the pro and con arguments were fairly coherent and contained few technical terms that may have made it difficult for those unfamiliar with the measure to understand. That portion, however, also may have benefited from reorganization. The pro and con statements began with distinct arguments for or against the measure followed by an overarching summary of reasons to support or oppose it. In this case, the summary appeared more coherent than the individualized list of claims, which at times contained redundancies or were disconnected from one another.

The more serious problem in the pro/con sections was an attempt to address the values at stake in Question 4. 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 not made clear in the statement with the values grafted onto the end of the last two sections. The Statements in Support of and in Opposition to the Measure ended by simply listing the values “at stake,” which included “safety, responsibility, justice, fairness and freedom” from the pro side and “safety, responsibility, and public health and welfare” for the con side. These values statements were disconnected from the included statements of fact, and thus do not provide an explanation as to how aspects of the measure relate to these values. As currently arranged, the values statements do not offer insight into how the measure either threatens or upholds such values.

## 2.4 Summary

Taken as a whole, the Massachusetts CIR produced Citizens’ Statements comparable to those obtained in Oregon from 2010-2016. The Massachusetts Statement high marks for accuracy and coherence, and it was largely readable. The Statement require 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. The greatest downside may have been that the values statements were not well integrated into the Statement.

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

### 3.1 Focus Group Data<sup>12</sup>

The Massachusetts CIR was the first to have focus groups examine a Citizens' Statement, which provides an interactive complement to data collected in 2014 using one-on-one voter interviews in Colorado and Oregon. Opinion Dynamics conducted three focus groups with registered voters in Boston (September 20), Springfield (September 21) and Bridgewater (September 22). Ten respondents participated in each group (total  $N = 30$ ). Participants were recruited using screening criteria to ensure a generally representative mix in terms of gender, age, ethnic background, education, and income. The focus groups were also designed to create three ideologically distinct groups by choosing liberals for the Boston group, moderates for Springfield, and conservatives for Bridgewater. Participants were paid \$150 for their participation in discussions that each lasted approximately 90 minutes.

Each focus group probed voter thoughts and feelings about the Massachusetts CIR Pilot Project. The discussion guide and questionnaire was developed in consultation with Ernest Paicopolos and Jennifer Watters of Opinion Dynamics, who also provide the following overview of the focus groups' findings.

#### *Broader Attitudes toward Initiative Process*

Participants in all three focus groups reported a healthy respect for the state's initiative elections. For instance, when asked in a brief survey about initiatives in Massachusetts, 23 of the 30 participants rated such elections as "good things," with 7 rating them as "neither good nor bad," and none saying they were simply "bad things."

Even so, many voters reported having few trustworthy information sources they can use to educate themselves before casting their vote on a ballot measure. One Springfield participant complained that "the news is no longer out there, no longer a reporting 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."

There was some awareness of the 'red voter booklet,' but quite a few participants had no knowledge of the official voter guide, or dismissed its value. Instead, participants said that they rely on websites, television, and other sources to gain as much information as they can. The problem with the booklet for some was its density. As a Bridgewater participant said, "I'll briefly glance but I really don't have time to sit down and read and if I did I'd like to read something I'm interested in...It's when I'm doing my bills I'll quickly glance at it and if there is a point I'm really looking for I might read that a little bit more in detail."

Participants recognize that "confusion" can cloud even the true intent of ballot measures. For instance, a Boston focus group participant said that even the intent of a "yes" or "no" vote can be misleading: "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."

Others said it was easy to get basic information about a ballot measure, but they worried about voting without a firmer grasp of the details. As one participant in the Boston focus group explained,

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<sup>12</sup> This section is adapted from a report written by Ernest Paicopolos and Jennifer Watters of Opinion Dynamics Corporation.

"...I think almost zero voters know, myself included, ...what happens down the pipeline...The unintended consequences of a vote on either side are impossible for most people [to foresee], because none of us understand the...entire legislative process. It's certainly easy to get the baseline information, but I think pretty challenging to understand what ultimately comes of it and how binding it is."

### *Support for the CIR*

The focus groups showed strong support for the concept of the Citizens Initiative Review across all three groups—with a dash of cynicism about some of the *'inner workings'* of the process. Once participants had a chance to see both the description of the process and the actual statement on Question 4 (Marijuana Legalization), there was widespread consensus that the CIR would provide voters with important incremental information. For example, one Bridgewater participant said, "They are giving us a clear understanding of what these questions are really saying in a language that maybe we can understand." Another Bridgewater participant added, "I thought it gave us a clearer pros and cons for it. You didn't have to read this whole big section [to] know the cons and the pros."

The CIR concept resonated with a Boston participant in a similar way: "I don't need to have a book this thick, but just to have a better feel what does that mean to the layperson would really be helpful, at least a starting point." The participant added that afterward, "if you want to dive in more," a voter can do so, "but at least you have a little bit more" background information before doing so.

Some of the focus group participants saw an analogy between their own discussion and the task that the CIR had put before it. A Springfield participant said, "I was thinking that I'm looking around this [focus] group, and I think we're a pretty diverse group in age and race and gender and I think we'd be great at this. I was thinking if it was random and I think we're a pretty random group here and if it was like that it would be pretty cool." Another chimed in shortly thereafter, "It seems like a wholehearted attempt to actually change something and to inform us. I mean, a bunch of people way smarter than me that are dedicating all their time to this, so I think it's awesome."

### *Concerns about Selection and Process*

However, there *were* some rumblings about how transparent and reliable the CIR would be if fully implemented in Massachusetts. As one participant in Springfield said, "I think this concept is good. It would be all in the execution." Specifically, people wanted more information on exactly how the 20 CIR panelists would be chosen. For example, one participant in the Boston focus group said:

"I like that people are more participating and thinking it through as the people, and not maybe some group or special interest... The thing that concerned me, on the other hand, and I'm in favor of it, is that how are they selecting them. I mean everybody has their biases. Even if they're neutral, they still have biases. So it's more how are they monitoring that it stays as neutral as possible..."

Focus group participants also needed a clearer understanding of the internal workings of the CIR process used to draft the Citizens' Statement. The analogy to a civil/criminal jury helped to explain the process, but there was still a lack of clarity on important details. Participants were not sure whether a "minority report" would be issued if some panelists dissented from the rest. They also wanted to know more about the true balance of "expert" views presented to the panel. When the focus group moderator presented relevant information on both of these questions to focus group participants, it seemed to satisfy most of their concerns. Nonetheless, the fact remains that these issues arose during all three discussions even after careful reading of CIR background materials.

### *Sharing CIR Information*

There was almost universal agreement that participants would *communicate* the information garnered from the Question 4 CIR Statement to family, friends and co-workers. In general, the discussion of the CIR Statement in the focus groups gravitated toward the “pros/cons” sections, rather than the factual information in the “key findings” section, although there were *some* who wanted to share information from that portion of the statement as well.

Looking for patterns in what findings might be shared, in the Boston focus group of self-identified “liberal” voters, the sharable information centered mostly on the “health and medical access” point on the 'Yes' side, and the “impaired driver” point on the 'No' side. In Bridgewater (conservative group), it was a combination of the “health and medical access” and “job creation” points on the 'Yes' side, and the “conflicting evidence on teen driving” and the “jobs” points on the 'No' side. In Springfield (moderate group), there was less of a consensus—with scattered mentions of the “health and medical access” point, and the “legalized is better than black market” point on the 'Yes' side, and the “black market thriving in Colorado,” “conflicting evidence on teen driving”, “jobs” and “impaired driver” points on the 'No' side. Again, there was a strong consensus that the CIR information would help voters reach a more informed decision on Question 4—although not necessarily change peoples’ minds.

### *Summary*

The focus group data provide a sense of how voters think about the initiative process and the CIR in their own words. One simple summary would be that voters do want better brief information about ballot measures, and they were receptive to the CIR concept but need to know more about its selection and deliberation processes. It is difficult to generalize from such data, however, given the small sample size ( $N = 30$ ). Thus, the main findings in this section were re-tested using a larger survey sample.

## **3.2 Online Survey Data**

Since the Massachusetts CIR did not appear in the state’s official voter guide, 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.<sup>13</sup>

Nonetheless, the Massachusetts CIR Pilot Project on Question 4 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 1, we used a Qualtrics online panel to collect 2,304 surveys, including 493 persons who had already voted and an oversample of 1,811 respondents who had not yet voted. The latter group was randomly assigned to one of two groups—641 who had the chance to read elements of the official voter guide on Question 4, and a larger subsample of 1,170 respondents who had the chance to see the same material, along with the CIR Citizens’ Statement on Question 4. These different subsamples were used in different ways for comparative purposes.

As for the overall representativeness of the sample, party registration data available in the survey (38% Democratic, 14% GOP, 47% other/none) were very close to statewide figures from February 2016 (35% Democratic, 11% GOP, and 54% other/none).<sup>14</sup> As for the focal policy question in this survey, voters in Massachusetts answered Question 4 affirmatively by a 54-46% margin. Support

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<sup>13</sup> Reference here will point to the 2016 Oregon CIR assessment, which is being drafted.

<sup>14</sup> State statistics from <https://www.sec.state.ma.us/ele/eleenr/enridx.htm>.

for the measure was similar but higher in our online sample: 63% of those in the survey who had already voted reported supporting Question 4, with 35% opposing it, and 3% declining to vote on it. Those who had not yet voted had a similar breakdown (63% in favor, 32% opposed), but with 5% 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. In this case, the online sample can be compared with the more reliably representative—but small sample—focus group data presented earlier in this section.

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 Massachusetts, 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 the official voter guide)?

### *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. 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 Massachusetts, a one-page Citizens' Statement was created detailing the most important arguments and facts about Question 4. This Statement was written by an unofficial Citizens' Initiative Review panel, and it did NOT appear in the official Massachusetts 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 Question 4 held in Massachusetts?”

In response, 32% of the 493 previous voters asked this question said they were “very aware” of the CIR, and another 49% said they were “somewhat aware.” Of those aware of the CIR, 80% claimed to have read it already. (Were these self-report data valid, that would mean that a majority (55%) of Massachusetts voters surveyed had read the CIR on Question 4 before voting.)

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 ( $n = 1,170$ ), 19% said they were “very aware” and 50% “somewhat aware” of the CIR. Among those who had neither voted nor been shown the CIR Statement, 14% reported being “very aware” and 50% “somewhat aware” of the CIR.

Online surveys on CIR pilot projects in Colorado and Phoenix showed similarly high percentages, which we discounted at the time. We are inclined to be skeptical of these high figures for Massachusetts, even though this pilot project appears to have received substantially more media coverage than previous CIR pilots. 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 were asked how they first learned about it. Respondents were given a long list of sources, and the most frequent response was television (26%), followed by "word of mouth" (19%), mail (16%), and "newspaper article or editorial" (14%). Adding together three online sources (email, social media, web) accounted for another 19% of responses.

### *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 Question 4?" Nearly two-thirds (65%) of respondents said it was "easy to read," with almost all the rest (34%) reporting it was "somewhat difficult to read." Only 17 respondents (1.3%) said it was "very difficult to read." Combined with the cautionary notes about reading level in Section 2.2 of this report, the third 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 Question 4, 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" (52%), though another 42% rated the Statement as "very informative." Only 6% found that it provided "no new information" at all.

When asked if the Statement was helpful "in deciding how to vote on Question 4," the response pattern was similar. A plurality of respondents (45%) said the Statement was "somewhat helpful," a third (32%) said it was "very helpful," and more than one-in-five (23%) said it "made no difference." When broken down between those who had or had not yet voted, those already having cast ballots were more likely to rate the Statement as "very helpful" (37% vs 30%).<sup>15</sup>

The final question in this series asked whether reading the CIR Statement made them more likely to vote when they reached Question 4. 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 Question 4 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

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<sup>15</sup> Pearson Chi-square = 7.329 ( $df = 2$ ),  $p = .026$ , with subsamples of 422 for voters and 916 for nonvoters.

most common response was “no difference” (58%), followed by “more likely” (38%), then “less likely” (4%).<sup>16</sup>

### 3.3 Summary

Overall, the results in this section parallel previous studies of the CIR in Oregon, Colorado, and Arizona: Voters want better information about ballot measures, and they generally rate the CIR as informative and useful, even if they want to know more about its process. What was new in this report was data on whether participants would share what they learned in the CIR with others. Given the importance of both conversation networks and social media in elections, it was important to learn that voters were strongly inclined to share diverse pieces of information gleaned from the Citizens' Statement.

## 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 Massachusetts 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 ( $n = 641$ ) seeing just official voting guide material and two-thirds ( $n = 1,170$ ) seeing the same documents plus the CIR Statement. (The difference in subsample size was intentional and reflected our interest in subsequent subsample analyses we will conduct 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 Question 4 and stating their voting preference, our survey asked respondents, “How RELEVANT is the information you just read to YOUR voting decision on Question 4?” Responses did not differ significantly between the two experimental groups, with the modal response being the highest response scale point (“completely relevant,” 27%) and another 52% saying the materials were “somewhat” or “mostly” relevant.

Results were similar for a parallel item, which read: “Thinking about other Massachusetts voters you know, how RELEVANT is the information you just read to THEIR voting decisions on Question 4?” Response patterns did not differ between the two experimental groups, but the scores were

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<sup>16</sup> 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).

lower. The modal response was “somewhat relevant” (33%), followed by “mostly” (30%) and “completely” (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 Question 4 to make a WELL-INFORMED VOTE?” Table 4.1 shows that positive scores on this measure rose from 88% for those only reading official materials to 92% for those who read both official materials and the CIR Statement.<sup>17</sup>

**Table 4.1. Responses for two experimental groups to question, “Would you say you've received enough information on Question 4 to make a WELL-INFORMED VOTE?”**

<b>Response</b>	<b>Shown official summary only</b>	<b>Shown CIR Statement and official summary</b>
I have NOT heard enough	12%	8%
I have heard ENOUGH	88%	92%
<i>Total</i>	100%	100%

## 4.2 Knowledge Relevant to Question 4

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 shows the four Statement items tested included two Key Findings, one of the arguments for the measure, and another opposing it.

Before seeing questions for these four claims about Question 4, respondents were given this instruction:

“The next few statements are claims you may or may not have heard during this election about Question 4. 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

<sup>17</sup> Chi-square = 6.73 ( $df = 1$ ),  $p = .009$ .

experimental tests of knowledge of the two selected Key Findings in the Massachusetts 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 knew Question 4 definitely would prohibit marijuana use in public areas rose from roughly one-quarter (24%) to more than one-third (36%) when respondents were shown not only an official summary but also the CIR Statement.<sup>18</sup> Likewise, Question 4’s prohibition of home-grown marijuana was recognized as “definitely true” by roughly one-in-five (19%) of those reading the official summary but by nearly one-third (30%) of those who also saw the CIR Statement.<sup>19</sup>

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

Item	Passage in CIR Statement	Survey item language
First Key Finding	Question 4 provides significant control to city and town authorities by allowing safeguards on the operations of marijuana establishments. It protects business and landlord rights and it prohibits marijuana consumption in public areas.	The proposed law would prohibit marijuana consumption in public areas.
Third Key Finding	Question 4 allows people to grow a limited number of marijuana plants in his or her home under lock and key for personal use. Sale of homegrown marijuana is still illegal.	The proposed law would prohibit the sale of home-grown marijuana.
First Pro	Legalized and regulated marijuana is safer than black market marijuana because the legalized product will be tested and clearly labeled according to state regulations.	State regulations would make legalized marijuana safer than black-market marijuana.
First Con	According to the executive director of marijuana policy for Denver, after legalization, the black market continues to thrive and change.	When marijuana is legalized, the black market for this drug continues to thrive.

The CIR Statement had a more equivocal impact on knowledge of important factual claims foregrounded by opponents and proponents of Question 4. The right-hand columns in Table 4.4 show a statistically significant difference in respondent knowledge only for the opponents’ claim that black-market sales of marijuana continue even after legalization.<sup>20</sup> Moreover, the difference in knowledge for this item is different, in that it most clearly reflects a difference in respondents’

<sup>18</sup> Chi-square = 33.8 ( $df = 4$ ),  $p < .001$ .

<sup>19</sup> Chi-square = 33.8 ( $df = 4$ ),  $p < .001$ .

<sup>20</sup> Chi-square = 26.9 ( $df = 4$ ),  $p < .001$ .

resistance to this fact: 43% of those shown official materials doubt the persistence of a black market for marijuana, but only 31% of those who also read the CIR Statement reject this fact.

**Table 4.3. Impact of reading the CIR Statement on knowledge of two key findings regarding Question 4.**

Response	“The proposed law would prohibit marijuana consumption in public areas.”		“The proposed law would prohibit the sale of home-grown marijuana.”	
	Only shown official issue summary	Shown both summary and CIR Statement	Only shown official issue summary	Shown both summary and CIR Statement
Definitely false	10%	6%	18%	19%
Probably false	14%	12%	18%	15%
Don't know	20%	19%	20%	18%
Probably true	32%	27%	26%	19%
Definitely true	24%	36%	19%	30%
<i>Total</i>	100%	100%	100%	100%

Responses to a factual claim favored by the proponents appear in the left-hand columns of Table 4.4. These trend toward greater knowledge for CIR Statement readers, but the difference in responses was not statistically significant.

We also investigated whether these changes in knowledge occurred regardless of whether a respondent favored, opposed, or was undecided on Question 4. 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 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 increasing Knowledge and Mastery scores across the three different voting groups, with the scores also being higher (both without and with the CIR Statement) for those voters favoring the passage of Question 4.

**Table 4.4. Impact of reading the CIR Statement on knowledge of facts emphasized by proponents and opponents of Question 4.**

Response	PRO: "State regulations would make legalized marijuana safer than black-market marijuana."		CON: "When marijuana is legalized, the black market for this drug continues to thrive."	
	Only shown official issue summary	Shown both summary and CIR Statement	Only shown official issue summary	Shown both summary and CIR Statement
Definitely false	5%	4%	11%	9%
Probably false	11%	10%	32%	22%
Don't know	13%	14%	19%	22%
Probably true	44%	42%	28%	33%
Definitely true	27%	30%	10%	12%
<i>Total</i>	100%	100%	100%	100%

**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</i>		Mastery Score <i>average score using a scale from -2 (definitely false) to +2 (definitely true)</i>	
	Only shown official issue summary	Shown both summary and CIR Statement	Only shown official issue summary	Shown both summary and CIR Statement
Opposes Question 4 (Minimum $n = 165$ )	2.0	2.3**	0.3	0.6**
Undecided (Minimum $n = 105$ )	1.9	2.0	0.3	0.6*
Favors Question 4 (Minimum $n = 371$ )	2.2	2.4**	0.6	0.9*
Overall (Minimum $n = 641$ )	2.1	2.3**	0.5	0.7**

Note. \* indicates  $p < .05$ ; \*\* 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 Massachusetts Citizens' Initiative Review Statement on Question 4. Which, if any, of these pieces of information would you like to share with friends, family, acquaintances, or others before they vote on Question 4?”

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. How eager one was to share knowledge depended on the specific claim, but the more important difference reflected respondents’ positions on the ballot measure. Table 4.6 shows that Question 4 supporters were more eager to share the two key findings and the pro claim than any other voter group, whereas the opponents of Question 4 were most inclined to share the con claim. In every case, undecided voters’ sharing rates fell between the other two groups. It’s also noteworthy that a majority of *every single voting group* said they would probably or definitely share what they had learned, with the lowest rate (50.1%) being for Question 4 supporters passing on knowledge about the black market’s persistence after legalization.

**Table 4.6. Percentage of respondents who would probably/definitely share four claims from the CIR Statement on Question 4**

<b>Voter group</b>	<b>KEY FINDING: prohibit public consumption</b>	<b>KEY FINDING: Prohibit home-grown</b>	<b>PRO CLAIM: Regulations make it safer</b>	<b>CON CLAIM: Black market still thrives</b>
Opposes Question 4 (Minimum $n = 247$ )	66%	60%	57%	68%
Undecided (Minimum $n = 109$ )	72%	65%	67%	59%
Favors Question 4 (Minimum $n = 447$ )	77%	73%	84%	50%
Overall (Minimum $n = 803$ )	75%	68%	73%	57%

Note. All chi-square comparisons of column-wise differences were significant,  $p < .001$ .

#### 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 Question 4. 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 Question 4 comes out with a statement that REJECTS the following claim from the Massachusetts Citizens' Initiative Review Statement: [corresponding condensed 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 Question 4" (for the Pro claim) or from "the pro campaign SUPPORTING Question 4" (for the Con claim). In all four cases, respondents could say that they would probably/definitely believe the refutation, probably/definitely trust the CIR Statement, or express uncertainty ("don't know"). In this case, 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 persons who had not yet voted but who were shown the CIR Statement, a rough generalization is that they split into thirds—with one-third inclined to trust the CIR, another third more likely to believe the expert or campaign refuting it, and the final third uncertain of how they would react to such a challenge to a CIR claim. The two left-most columns in Table 4.7 suggest that independent experts would pose greater challenges for the CIR, but the responses also vary across the CIR claims themselves.

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 both depending on the claim and one's voting preference on Question 4. Across all four claims, Question 4 supporters are the group most likely to trust the CIR Statement despite a counter-claim, with the high-water mark being 57% resisting challenges to the claim that government regulation would make marijuana safer. The low point comes from undecided voters and those opposing Question 4, with fewer than one-in-five willing to believe the CIR Statement's claim that the measure prohibits public marijuana consumption were that claim disputed by an "independent expert analysis."

**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 Question 4**

Voter group	Refuted by "independent expert"		Refuted by opposite campaign	
	KEY FINDING: prohibit public consumption	KEY FINDING: Prohibit home-grown	PRO CLAIM: Regulations make it safer	CON CLAIM: Black market still thrives
Definitely believe refutation	9%	10%	6%	7%
Probably believe refutation	31%	31%	15%	15%
Don't know	32%	29%	33%	36%
Probably believe CIR Statement	20%	22%	34%	32%
Definitely believe CIR Statement	9%	10%	12%	9%
Total	100%	100%	100%	100%

Note. Sample size = 1,170.

**Table 4.8. Percentage of respondents who would probably/definitely continue to believe four claims from the CIR Statement on Question 4 even if subsequently challenged**

Voter group	Refuted by "independent expert"		Refuted by opposite campaign	
	KEY FINDING: prohibit public consumption	KEY FINDING: Prohibit home-grown	PRO CLAIM: Regulations make it safer	CON CLAIM: Black market still thrives
Opposes Question 4 (Minimum $n = 247$ )	18%	23%	33%	37%
Undecided (Minimum $n = 109$ )	19%	23%	33%	36%
Favors Question 4 (Minimum $n = 447$ )	36%	37%	57%	45%
Overall (Minimum $n = 803$ )	28%	31%	46%	41%

Note. All chi-square comparisons of column-wise differences were significant,  $p < .001$ .

## 4.5 Summary

Looking across the results in this section, the Massachusetts 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, as was found in the focus groups presented in Section 3. Roughly a third of respondents said they would continue to believe CIR Statement claims, even if challenged during the remainder of the election campaign, though claims challenged 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. The agenda should give participants adequate time to develop and edit the Citizens' Statement.** Although panelists had an opportunity to edit claims throughout the process, panelists did not have an opportunity to edit claims for factual accuracy or clarity after voting on their strength and reliability. This frustrated them when they wanted to do more than tweak grammar and may have prevented the inclusion of claims that were not reliable as written but may be important to revise and include in the final statement. 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 appears to be keeping 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. Future reviews should consider offering specific time in the agenda for panelists to discuss values in relation to pro and con arguments and provide models for how values claims may be integrated more fully into the statement. 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.
- 3. Continue to include both advocates and experts in the CIR processes and maintain the high quality of both achieved at the 2016 CIR.** Previous CIRs have experimented with different ways of incorporating advocates and experts into the review, with the 2014 CIR excluding experts and expanding the role of advocates. In 2016, experts returned to the CIR and expert panels were structured around specific topics relevant to the measure. This configuration allowed advocates to explain arguments and evidence in favor of or opposed to the measure and provided participants an opportunity to question neutral experts about existing law, potential impacts, and conflicting claims made by the advocate teams. In addition, the Massachusetts CIR excelled in selecting presenters that offered distinct areas of expertise and communicated in a way that was both detailed and precise and easily understandable for the citizen participants. Future reviews should continue to utilize the model adopted by Massachusetts in 2016, paying particular attention to the range of information offered by experts and their ability to clearly communicate that information to participants.
- 4. 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. One possibility is giving the CIR

panelists more precise information about this problem: Before the final day of the CIR, a draft of the Citizens' Statement (or the components likely to compose it) could be subject to the quantitative analysis used to assess readability in Section 2.2 of this report. That coding is automatic and can identify specific elements of the Statement that are pulling the required reading level upward. Alternatively, a committee of participants and/or staff members could review the statement with an eye toward readability, offering only grammatical changes. Participants could then vote to either accept or reject those changes.

**5. 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, as was shown in the focus group data presented in Section 3. Put simply, public descriptions of the CIR should emphasize its features, not just its outcomes. Though detailed procedural information can be provided online, most Statement readers will only learn what they read on the official CIR page presented to them. 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 (balanced experts, multi-day discussion, pro/con advocates present, etc.) might also provide some reassurance regarding the deliberative rigor of the CIR.

**6. The CIR still needs a more robust public information campaign.** The focus groups discussed in Section 3 should raise concern about whether voters in Massachusetts would find it in the official state voter guide. After several iterations of the CIR in Oregon, only a bare majority are aware of the CIR, so the Massachusetts CIR would benefit from a more creative approach to dissemination, by using social media and other channels to reach voters where they are already seeking information.

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Gastil, J. (2015). Principal Investigator, **Democracy Fund**. "2015-2016 Citizens' Initiative Review Study and Reporting." (\$75,000) An addition \$20,000 in cost-sharing funds was added to this research contract by the **Pennsylvania State University**.

Knobloch, K. R. (2014). Principal Investigator, **National Science Foundation** (Directorate for Social, Behavioral and Economic Sciences: Decision, Risk and Management Sciences, NSF Award #1357444, Amendment 001). "A Multi-State Investigation of Small Group and Mass Public Decision Making on Fiscal and Scientific Controversies through the Citizens' Initiative Review: Research Experiences for Undergraduates Supplement." (\$6,000)

Gastil, J., & Knobloch, K. (2014). Co-Principal Investigators, **National Science Foundation** (Directorate for Social, Behavioral and Economic Sciences: Decision, Risk and Management Sciences, NSF Award #1357276/1357444). "Collaborative Research: A Multi-State Investigation of Small Group and Mass Public Decision Making on Fiscal and Scientific Controversies through the Citizens' Initiative Review." (\$418,000)

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Gastil, J., & Knobloch, K. (2012). Joint learning agreement (research contract) with the **Kettering Foundation**, with 76% of the budget allocated to Pennsylvania State University and 24% to Colorado State University. "Examining deliberation and the cultivation of public engagement at the 2012 Oregon Citizens' Initiative Review" (\$30,000).

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Gastil, J. (2010). Principal Investigator, **University of Washington** Royalty Research Fund. "Panel Survey Investigation of the Oregon Citizen Initiative Review" (\$40,000).

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## Appendix

### Official Ballot Title and Summary for Question 4

*The following text appeared in the survey experiment described in Section 4.*

Below is the, as approved by the State of Massachusetts. Please read this before continuing the survey.

#### QUESTION 4: Law Proposed by Initiative Petition

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

#### SUMMARY

The proposed law would permit the possession, use, distribution, and cultivation of marijuana in limited amounts by persons age 21 and older and would remove criminal penalties for such activities. It would provide for the regulation of commerce in marijuana, marijuana accessories, and marijuana products and for the taxation of proceeds from sales of these items.

The proposed law would authorize persons at least 21 years old to possess up to one ounce of marijuana outside of their residences; possess up to ten ounces of marijuana inside their residences; grow up to six marijuana plants in their residences; give one ounce or less of marijuana to a person at least 21 years old without payment; possess, produce or transfer hemp; or make or transfer items related to marijuana use, storage, cultivation, or processing.

The measure would create a Cannabis Control Commission of three members appointed by the state Treasurer which would generally administer the law governing marijuana use and distribution, promulgate regulations, and be responsible for the licensing of marijuana commercial establishments. The proposed law would also create a Cannabis Advisory Board of fifteen members appointed by the Governor. The Cannabis Control Commission would adopt regulations governing licensing qualifications; security; record keeping; health and safety standards; packaging and labeling; testing; advertising and displays; required inspections; and such other matters as the Commission considers appropriate. The records of the Commission would be public records. The proposed law would authorize cities and towns to adopt reasonable restrictions on the time, place, and manner of operating marijuana businesses and to limit the number of marijuana establishments in their communities. A city or town could hold a local vote to determine whether to permit the selling of marijuana and marijuana products for consumption on the premises at commercial establishments.

The proceeds of retail sales of marijuana and marijuana products would be subject to the state sales tax and an additional excise tax of 3.75%. A city or town could impose a separate tax of up to 2%. Revenue received from the additional state excise tax or from license application fees and civil penalties for violations of this law would be deposited in a Marijuana Regulation Fund and would be used subject to appropriation for administration of the proposed law. Marijuana-related activities authorized under this proposed law could not be a basis for adverse orders in child welfare cases absent clear and convincing evidence that such activities had created an unreasonable danger to the safety of a minor child.

The proposed law would not affect existing law regarding medical marijuana treatment centers or the operation of motor vehicles while under the influence. It would permit property owners to prohibit the use, sale, or production of marijuana on their premises (with an exception that

landlords cannot prohibit consumption by tenants of marijuana by means other than by smoking); and would permit employers to prohibit the consumption of marijuana by employees in the workplace. State and local governments could continue to restrict uses in public buildings or at or near schools. Supplying marijuana to persons under age 21 would be unlawful.

The proposed law would take effect on December 15, 2016.

A YES VOTE would allow persons 21 and older to possess, use, and transfer marijuana and products containing marijuana concentrate (including edible products) and to cultivate marijuana, all in limited amounts, and would provide for the regulation and taxation of commercial sale of marijuana and marijuana products.

A NO VOTE would make no change in current laws relative to marijuana.

## **CIR Preview**

*The following text appeared in the survey experiment described in Section 4.*

### Massachusetts Citizens' Initiative Review Pilot Project Explanatory Note

The following Citizens' Statement on Question 4 was written by an independent panel of 20 voters who participated in the Massachusetts Citizens' Initiative Review Pilot Project, August 25-28. The Statement includes information about Question 4 that the panel considered reliable and important for their fellow voters to know.

The Citizens' Initiative Review (CIR) process originated in Oregon and has been used in that state's elections since 2010. The CIR system is now being tested in Massachusetts to see if it will benefit voters in this state. The 2016 Massachusetts CIR Pilot Project is being carried out through a partnership between the office of State Representative Jonathan Hecht, Tufts University's Tisch College of Civic Life, and Healthy Democracy, the organization that pioneered CIR in Oregon.

The 20 Review panelists were randomly selected from registered voters in Massachusetts using a scientific method to ensure it is representative of the overall electorate based on place of residence, party affiliation, age, gender, educational attainment, and race/ethnicity. Over four days in August 2016, the panel heard from the campaigns supporting and opposing Question 4 and independent policy experts. The citizen panelists deliberated among themselves with the help of professional facilitators, and they produced the Citizens' Statement you are about to read. The views expressed in this statement are NOT official opinions or positions endorsed by the State of Massachusetts or any government agency or nonprofit.

The following Citizens' Initiative Review Statement on Question 4 is presented in three parts--Key Findings, Arguments in Support of the Measure, and Arguments in Opposition to the Measure. Please read all three sections of the Statement before continuing the survey.

## CIR Statement on Question 4

### Citizen Statement

#### Key Findings

The following findings are ranked in order of importance as determined by the citizen panel, from most to least important.

- Question 4 provides significant control to city and town authorities by allowing safeguards on the operations of marijuana establishments. It protects business and landlord rights and it prohibits marijuana consumption in public areas.
- Question 4's taxed and regulated system is modeled after the State's system for alcohol regulation. It replicates a system that is already working well in the State. The proposed system would be controlled, transparent and accountable.
- Question 4 allows people to grow a limited number of marijuana plants in his or her home under lock and key for personal use. Sale of homegrown marijuana is still illegal.
- Replacing the current marijuana policy in Massachusetts with a regulated and taxed system allows limited legal possession to persons 21 and over.
- Legalization would prohibit marketing and branding toward children, as with alcohol and tobacco.

#### Statement in Support of Question 4

The citizen panel considers these to be the strongest reasons for supporting Question 4:

- Legalized and regulated marijuana is safer than black market marijuana because the legalized product will be tested and clearly labeled according to state regulations.
- Question 4 will create a large number of regulatory, law enforcement, legal, and licensure jobs that are supported by taxes on the sale of marijuana.
- Question 4 would give patients and health providers ready access to marijuana without committing a crime. Legalization could help people avoid opiates, addiction and worse problems.

Question 4 legalizes recreational marijuana in the Commonwealth, creating new jobs and adding to the Massachusetts economy. This initiative includes measures for economic sustainability, regulatory responsibility and ensures access to safe products.

Safety, responsibility, justice, fairness and freedom are the basic values at stake in this matter.

#### Statement in Opposition to Question 4

The citizen panel considers these to be the strongest reasons for opposing Question 4:

- According to the executive director of marijuana policy for Denver, after legalization, the black market continues to thrive and change.
- Although in development, at this time there is no definitive method of testing for impaired drivers.
- There is conflicting evidence of an increase in teen use or motor vehicle accidents in states that have legalized recreational use.
- Question 4 will create a large number of regulatory, law enforcement, legal, and licensure jobs that are supported by taxes on the sale of marijuana.

This referendum proposes a questionable means of legalizing recreational marijuana. There is a lack of transparency as many regulatory policies and procedures will not be defined until after the passage of the referendum. The long-term effects of recreational marijuana use on society, not fully understood, present a threat to our communities and roadways. There is a lack of credible evidence regarding the financial stability and economic gains. The many unknowns in this referendum make it difficult to support Question 4 at this time.

Safety, responsibility, and public health and welfare are the core values at stake in this matter.