Assessment of Three 2018 Citizens’ Initiative Review Pilot Projects

Report prepared for Healthy Democracy

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Acknowledgements
This assessment includes data collected from 2010-2018. The 2018 data collection effort was paid for with funds from the Pennsylvania State University. Previous research has been done with funding from the National Science Foundation, the Kettering Foundation, the Democracy Fund, the University of Washington, and Colorado State University. Any opinions, findings, conclusions or recommendations expressed in this material are those of the authors and do not necessarily reflect the views of these foundations or universities. For continuing to provide us access to the Reviews held in 2018, we thank Healthy Democracy and the Citizens’ Initiative Review Advisory Board in Massachusetts.

For assistance with questionnaire item development and/or direct observation of the 2018 CIRs, thanks go to Lala Muradova Huseynova (Katholieke Universiteit Leuven), Jonathan Gruber (the Massachusetts Institute of Technology), Katherine Knobloch (Colorado State University), Michael Morrell (University of Connecticut), Alexander Geisler (Université de Genève), Nenad Stojanović (Université de Genève), Charly Pache, Maija Setälä (Turun yliopisto), Maija Jäske (Turun yliopisto), Henrik Serup Christensen (Åbo Akademi), Jane Suiter and David Farrell (University College Dublin), Arild Ohren (Norges teknisk-naturvitenskapelige universitet), David Brinker (Tufts University), Laura Black (Ohio University), and Genevieve Fuji Johnson (Simon Fraser University).

Information on Citation
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Summary Evaluation of the 2018 Citizens' Initiative Review Pilots

This one-page summary highlights key findings regarding the 2018 Citizens’ Initiative Reviews (CIRs) held in Oregon, California, and Massachusetts. None of these were official government-sponsored projects, so each has the title of “pilot” CIR, including the 2018 CIR held in Oregon, which concerned affordable housing in the greater Portland metro area, as opposed to a statewide ballot measure.

The 2018 CIR panels achieved a high level of deliberation comparable to the CIRs held in 2010-2016.

- The 2018 CIRs maintained the high level of deliberation obtained in previous years, with high levels of satisfaction and generally positive quality ratings by participants.
- The CIR held in Portland appeared to face the greatest challenges, with a larger-than-usual number of panelists expressing uncertainty about their grasp of the issue under discussion and unsure of the importance of the role that they played in the CIR.

SEE REPORT SECTION 1

The 2018 CIR panels produced Citizens’ Statements comparable to those written in 2010-2016.

- Most of the claims made in the 2018 Citizens’ Statements were accurate and verifiable, though panelists equivocated on some important empirical questions.
- The pro and con sections stated arguments more clearly than in previous years by explaining to voters the importance of each point for or against the ballot measure.

SEE REPORT SECTION 2

The 2018 Citizens’ Statements made voters better informed about ballot measures.

- Roughly two-fifths of Massachusetts voters asked to see the Citizens’ Statement, whether they also wished to read the full text of the ballot measure.
- A large majority of voters surveyed in each state stated that they found the 2018 Citizens’ Statements at least somewhat helpful. In Massachusetts, those who chose to read the full text of the corresponding ballot measure found the Citizens’ Statement particularly helpful.
- Many voters reported that seeing the 2018 Citizens’ Statements made them more likely to vote on the issue it addressed, with a majority of California respondents giving that answer.
- The 2018 Citizens’ Statements increased voter knowledge in each state, though the overall change was not statistically significant in California.

SEE REPORT SECTION 3
Democratic reformers across the globe have learned about the Oregon Citizens’ Initiative Review (CIR). They often refer to the CIR process as the OCIR because of its origins in the state. Just as Oregon gets credit as an early adopter of the initiative process itself, so it gets credit for inventing the CIR.

When I present my research across the US or overseas, I remind audiences that the CIR also has been tested in Arizona, California, Colorado, Massachusetts, and now Finland, with Switzerland scheduled to hold the next pilot. No matter. To democratic theorists and civic reformers, it remains the Oregon CIR.

When I hear other researchers or civic leaders invoke this unique institution, they commonly use the Oregon CIR as an example of how a society can push back against misinformation and biased information processing. They argue that it cuts through the bureaucratic language of official voter guides by empowering voters to help each other think through tough issues.

These admirers of the Oregon CIR are surprised when I tell them that Oregon held no statewide CIR in 2018. I explain that the CIR was established during a recession, when state governments had to cut their budgets. In that context, it was remarkable that Oregon had established any new commissions at all, whatever their expenses.

In 2019, Oregon legislators are considering a bill to stabilize CIR funding, and the Commonwealth of Massachusetts is weighing the merits of House Bill 667, which would establish a CIR for its own statewide ballot questions. This east coast variant was modeled in every way on the Oregon process except that, from the outset, it would tap into the General Fund to conduct its Reviews.

As other states and nations continue to adopt—or adapt—the Oregon CIR model, it remains important to keep studying this process to identify its strengths and weaknesses. I hope that this report helps readers understand and improve the CIR and deliberative processes like it.

-- John Gastil, State College, PA
Introduction

This report assesses the overall quality of the deliberation that took place during the 2018 Citizens’ Initiative Review pilot tests, as well as the quality, utility, and impact of the resultant Citizens’ Statements those Reviews produced.¹ We focus on the 2018 CIR process but make reference to earlier findings from our reports that assessed the CIRs from 2010-2016.

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 and convened one or more CIR panels in each subsequent initiative election through 2016. The legislature does not fund the CIR process, however, and in 2018 sufficient private funds were no longer available, resulting in no official Oregon CIR that year.

Healthy Democracy, which has convened every CIR thus far, held and/or assisted with the three pilot CIRs in 2018. For each CIR panel, Healthy Democracy convened a stratified random sample of 20 registered voters for four days to study and deliberate on a specific ballot measure. Citizen panelists heard from advocates on both sides of the issue, talked with neutral witnesses, and deliberated both as a full panel and in small groups before writing a one-page Citizens’ Statement for distribution to the wider electorate.

Our research methods for studying the CIR in 2018 included direct observation of the panels, surveys of the citizen panelists, assessments of the Citizens’ Statements, and online surveys of the voters for whom the CIR Statements were written. These paralleled the methods used in our prior assessments. We will frequently make reference to those earlier CIR reports, and those who wish to learn more about them are directed to the CIR research website, which includes ten reports, sixteen scholarly articles, four doctoral dissertations and masters theses, and other relevant writings.² Additional findings are also scheduled to appear later in 2019 in a book from Oxford University Press by John Gastil and Katherine Knobloch.

The fifteen CIRs held over the past eight years have covered a wide range of issues, from mandatory sentencing to genetically modified organisms. Our report refers to each of these different CIRs, which Table 1 summarizes in relation to their respective electoral contexts.

Overview of the 2018 Reviews

In 2018, Healthy Democracy conducted Reviews in Oregon and California, and the Massachusetts CIR Advisory Board oversaw a pilot test in that state after having conducted an initial pilot in 2016. All three 2018 CIRs followed the same basic process design:

- Day 1: Orientation to the CIR and the ballot measure
- Day 2: Advocate and expert panel presentations and Q&A questions
- Day 3: Drafting, editing, and ranking of claims for the CIR Statement
- Day 4: CIR Statement revisions, final votes, and closing

¹ In this report, the terms “Citizens’ Statements” and “CIR Statements” are used interchangeably.
² Past reports, journal articles, and more can be accessed at http://sites.psu.edu/citizensinitiativereview/publications.
Table 1. Basic descriptions of the fifteen Citizens’ Initiative Review panels, 2010-2018.

<table>
<thead>
<tr>
<th>Year</th>
<th>Election</th>
<th>Ballot Measure</th>
<th>Subject</th>
<th>Panel Vote</th>
<th>Election Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>Oregon general</td>
<td>Measure 73</td>
<td>Sentencing</td>
<td>Against (21-3)</td>
<td>57% For</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Measure 74</td>
<td>Marijuana</td>
<td>For (13-11)</td>
<td>56% Against</td>
</tr>
<tr>
<td>2012</td>
<td>Oregon general</td>
<td>Measure 85</td>
<td>Kicker</td>
<td>For (19-5)</td>
<td>60% For</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Measure 82</td>
<td>Casinos</td>
<td>Against (17-7)</td>
<td>71% Against</td>
</tr>
<tr>
<td>2014</td>
<td>Jackson County</td>
<td>Measure 15-119</td>
<td>GMO seeds</td>
<td>For (14-6)</td>
<td>66% For</td>
</tr>
<tr>
<td></td>
<td>Oregon general</td>
<td>Measure 90</td>
<td>Top 2 primary</td>
<td>Against (14-5)</td>
<td>68% Against</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Measure 92</td>
<td>GMO labels</td>
<td>Against (11-9)</td>
<td>51% Against</td>
</tr>
<tr>
<td></td>
<td>Colorado general</td>
<td>Proposition 105</td>
<td>GMO labels</td>
<td>For (11-9)</td>
<td>66% Against</td>
</tr>
<tr>
<td></td>
<td>Phoenix municipal</td>
<td>Proposition 487</td>
<td>Pensions</td>
<td>Against (11-8)*</td>
<td>57% Against</td>
</tr>
<tr>
<td>2016</td>
<td>Oregon general</td>
<td>Measure 97</td>
<td>Excise tax</td>
<td>For (11-9)</td>
<td>59% Against</td>
</tr>
<tr>
<td></td>
<td>Arizona general</td>
<td>Proposition 205</td>
<td>Marijuana</td>
<td>For (12-9)*</td>
<td>51% Against</td>
</tr>
<tr>
<td></td>
<td>Massachusetts general</td>
<td>Question 4</td>
<td>Marijuana</td>
<td>For (12-5)*</td>
<td>54% For</td>
</tr>
<tr>
<td>2018</td>
<td>Portland Metro</td>
<td>Bond measure</td>
<td>Affordable housing</td>
<td>Against (12-8)*</td>
<td>59% For</td>
</tr>
<tr>
<td></td>
<td>California general</td>
<td>Proposition 10</td>
<td>Rent control</td>
<td>For (12-8)*</td>
<td>59% Against</td>
</tr>
<tr>
<td></td>
<td>Massachusetts general</td>
<td>Question 1</td>
<td>Hospital regulations</td>
<td>Against (10-7)*</td>
<td>70% Against</td>
</tr>
</tbody>
</table>

Note. “GMO” refers to genetically modified organisms.
* Indicates a panel in which no official vote was recorded and in the final survey, one or more panelists remained undecided. Vote tallies under 20 reflect abstentions from one or more of the CIR panelists.
Portland Metro CIR on Housing Bond

The first 2018 CIR took place in Portland, Oregon on August 23-26 and addressed an affordable housing bond measure for the counties that make up the greater Portland Metro area (Multnomah, Washington, and Clackamas). The CIR Statement that the panelists wrote provided a largely quantitative set of Key Findings and sharply divided pro and con arguments, with the pro side emphasizing the severity of the problem and the con side raising questions about the equity and efficiency of spending of the funds raised. In the end, a large majority (59%) of Metro voters approved the bond, which raised over $650 million in funds.

Massachusetts CIR on Hospital Regulation

The second pilot test of the Massachusetts CIR took place on September 12-15 in Watertown, MA and addressed Question 1, which proposed establishing patient assignment limits for registered nurses working in the state’s hospitals. The Key Findings in this CIR Statement laid out the basic features and rationale for establishing the staffing limits, along with some concerns in the last two findings (see Appendix). The pro and con arguments in this Statement show the difficulty that this panel had resolving some empirical disputes: each set of arguments addresses the potential effect on wait times for emergencies, and they reach opposite conclusions about the proposed law’s effect. In the end, Massachusetts voters overwhelmingly rejected the proposal, with 70% of voters opposing Question 1.

California CIR on Local Rent Control

The final CIR of 2018 took place in Sacramento, CA on September 27-30. It addressed statewide Proposition 10, which proposed repealing the Costa-Hawkins Rental Housing Act. A repeal would have permitted local governments to adopt rent control on any type of rental housing. The CIR panelists wrote Key Findings that laid out the case for the measure and explained some of its likely benefits, though with a seventh finding citing a study that raised doubts about the efficacy of rent control. As in Portland, the pro arguments emphasized the severity of the housing crisis, and the con side argued that Proposition 10 would not address the problem or possibly make it worse. In the end, a large majority (59%) of California voters rejected this ballot measure.
Section 1. CIR Process Design and Deliberative Quality

To assess the quality of the deliberative process using during the 2018 CIR pilots, we applied the same evaluative scheme used in our 2010-2016 reports. For each review, a team of two-to-three researchers sat in on the process, taking notes and engaging in real-time coding of the deliberative quality of each agenda segment. In addition, participants at each Review 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 present the results of the surveys the participants completed compared to the CIRs held in 2010-2016. Only a few of the survey items have been used continuously since 2010, and we focus on a representative set of these.

Overall Satisfaction

At the end of each Review, panelists are asked to rate their “overall satisfaction with the CIR process.” When looking at the Reviews across years in Figure 1, we see that “very high” satisfaction was reported as often or more often in the 2018 CIRs than in the average across 2010-2016. Sixty percent of those in the Portland Metro CIR gave that rating, compared to 68% in Massachusetts and 75% in California.

Figure 1. Panelists’ overall satisfaction with the process, 2010-2016 CIRs compared to 2018 CIRs.

Table 2 displays these same results in finer detail to show how uncommon it is for a CIR panelist to give a rating of “very low” on this satisfaction measure. Only one participant in the 2018 CIRs gave such a rating (in Massachusetts). One participant gave a rating of “low” in California, and in Portland, three panelists gave ratings of either “low” or “neutral” on this scale.
**Table 2. Distribution of panelists’ overall satisfaction scores with the CIR process in 2010-2016, the Portland Metro area in 2018, Massachusetts in 2018, and California in 2018.**

<table>
<thead>
<tr>
<th>CIR</th>
<th>Very Low</th>
<th>Low</th>
<th>Neutral</th>
<th>High</th>
<th>Very High</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010-2016 CIRs</td>
<td>2%</td>
<td>2%</td>
<td>4%</td>
<td>33%</td>
<td>60%</td>
</tr>
<tr>
<td>Portland Metro 2018</td>
<td>10%</td>
<td>5%</td>
<td>25%</td>
<td>20%</td>
<td>60%</td>
</tr>
<tr>
<td>Massachusetts 2018</td>
<td>5%</td>
<td></td>
<td>26%</td>
<td>20%</td>
<td>68%</td>
</tr>
<tr>
<td>California 2018</td>
<td>5%</td>
<td>5%</td>
<td>20%</td>
<td>75%</td>
<td></td>
</tr>
</tbody>
</table>

**Analytic Rigor**

A minimal test of a CIR process’ analytic rigor is whether the panelists believed they adequately understood the initiative they had studied. To assess this, the final panelist survey asked if they had “learned enough this week to make an informed decision.” Figure 2 presents the results from 2010-2016 compared to the three 2018 CIRs. The California CIR compared well with past Reviews, but the other two 2018 CIRs had a significantly lower rating on this metric than the 2010-2016 CIRs.³

![Figure 2. Panelists’ assessments of having learned enough to make an informed decision, 2010-2016 CIRs compared to 2018 CIRs.](image)

Another measure of analytic rigor asked the CIR panelists to rate the process’ performance at weighing information for and against the measure. This was measured through two separate survey items: one

³ Whenever we point out a difference such as this, it meets a minimal standard for statistical significance. In this section with each 2018 CIR having \( n = 20 \) we opted for a significance threshold of \( p < .10 \) to balance the risks of Type I and Type II error. When using larger samples of voters, we shift back to the conventional standard of \( p < .05 \).
asking panelists to assess “the weighing of the most important arguments and evidence supporting the measure” and another regarding the same material “opposing the measure.” We combined those two responses to find the lowest rating given by each panelist across these two items. Figure 3 shows that, by this metric, all three 2018 CIRs compared well with their predecessors. The Massachusetts CIR stood out from the pack, with 60% of respondents rating the weighing of both pro and con arguments and evidence as “excellent.”

Figure 3. Panelists’ lowest satisfaction ratings for the weighing of pro and con arguments and evidence, 2010-2016 CIRs compared to 2018 CIRs.

We also measured whether panelists believed that the CIR process gave them ample opportunity to consider “values and deeper concerns” underlying the arguments for and against the ballot measure. Once again, we calculated the lowest rating given across survey items regarding pro versus con values, and the results in Figure 4 show that the 2018 CIRs were comparable to previous ones in that roughly two-fifths of panelists gave “excellent” ratings on both measures of values consideration. Portland stood out by virtue of having a modal score of “adequate or lower” (45% of responses), though this difference wasn’t statistically significant. When looking more closely at the two individual survey responses, however, the consideration of con values did receive significantly lower scores in Portland.

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4 Though visually striking, this is only a marginally significant difference. Using the truncated lowest-rating measure shown in Figure 3, a one-way ANOVA produced an $F (3,311) = 2.17$, $p = .098$, but no single post-hoc comparison of means was statistically significant.

5 When comparing the distributions of lowest scores shown in Figure 3, $X^2 (6,313) = 10.5$, $p = .105$. Looking just at the rating for weighing con values on the full five-point scale from “very poor” (1) to “excellent” (5), $X^2 (12,313) = 20.96$, $p = .051$. 
Figure 4. Panelists’ lowest satisfaction ratings for the weighing of pro and con values, 2010-2016 CIRs compared to 2018 CIRs.

The findings in Figures 3 and 4 suggest that there may have been a problem with information quality or processing in the 2018 Portland Metro CIR, owing to its lower ratings for both argument and values consideration. Unfortunately, the 2018 Portland Metro CIR was the first one that we were not able to attend in person, so none of our research team members had a firsthand account of that process. The best insight we can offer comes from Healthy Democracy’s Program Manager, Linn Davis, who made this comment in the 2018 CIR program report to the Healthy Democracy Board of Directors:

At the [2018 Portland] CIR, the process generally went smoothly, with one curveball: on Day 4, a [pro] advocate watching the live stream from off-site noticed what they believed to be a factual error in the statement as it was going through its final review and emailed the Advocate Liaison...In a quick huddle, moderating team and staff discussed the issue and decided the panel needed to make the decision as to whether to allow the information into the process. The panel did, and the panel made changes to their statement inspired by this last-minute feedback but based on their previously gathered evidence.

In a footnote, Davis provided more detail on this situation and how staff handled this problem:

Some panelists had expressed concern over the same information previously...The Process Monitor announced to the panel that one of the advocates had contacted staff with what they believed to be a significant factual error in the statement. He explained the significant deviation from the process that allowing this information would represent, invited discussion, and called a vote of the panel on whether to accept it. This vote passed with near-unanimity. He then read the email staff had received, and moderators facilitated further discussion. The panel overwhelmingly agreed that the
current wording misrepresented their gathered information, and made changes to address this.

This alone could explain why more Portland CIR panelists gave lower ratings to the quality of argument and values consideration at that particular CIR.

That said, a second explanation is also plausible. In that same report, Davis noted a more fundamental problem akin to one the CIR had in 2012. That year, the sponsor of the measure, which repealed the corporate “kicker” tax, opted to “boycott” the CIR panel. Our Oregon questioned the relevance of the process and declined to bring witnesses, and Healthy Democracy had to scramble to find replacements who could make the case for the measure. Davis’ report to Healthy Democracy’s Board noted a similar problem for the Portland CIR, this time on the con side of the issue and owing to bad circumstances rather than a deliberate strategy:

Both of the advocates slated to speak for the con campaign dropped out—one for health reasons, the other for work reasons. Although these were two prominent individuals—a sitting county commissioner and a former mayor—the con campaign said there was no one they could call on to take their place.

Executive Director of Healthy Democracy Robin Teater tried to find replacements before the CIR began, but she had no success. Instead, Davis recounts, Healthy Democracy “decided to task our assistant moderators with taking turns to read out-loud the verbatim text of the con advocates’ opening presentation slides.” By the second day, the mayor of Oregon City had become available, and “during the advocate Q&A, he answered questions from a ‘con perspective,’ although explicitly not on behalf of the con campaign.” The mayor also provided the con side’s closing argument. Davis noted that “the citizen panel expressed public regret that the con side did not find alternate advocates,” and this may explain why the panelists in Portland gave lower ratings to the consideration of con values.

**Democratic Process**

In assessing the democratic quality of the discussion, we focused on two survey items that measure different aspects of power during the CIR process. The first question addresses the neutrality of the professional staff, and the second concerns the significance of the roles played by the panelists themselves.

**Neutral Facilitation**

To assess perception of bias, we asked panelists to state their satisfaction with the staff’s ability to “conduct the CIR in an unbiased way.” Figure 5 provides a summary measure of the panelists’ sense of bias and shows that the 2018 CIRs were no different from past years. Almost all panelists from all three Reviews reported high or very high satisfaction along this criterion.

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It is rare for a panelist to end up “dissatisfied” with staff neutrality: prior to 2018, only one panelist had given that rating, and only eight (out of 233 panelists) had given a “neutral” rating. In 2018, Portland had one “neutral” and one “dissatisfied” rating. Massachusetts had one neutral rating. California, however, had the first ever “very dissatisfied” rating.

The pilot test in Massachusetts provides an example of the challenges that facilitators can face and how they addressed it. At that site, one of us (John Rountree) observed the facilitators demonstrate a commitment to neutrality in a difficult situation. A single panelist risked derailing the deliberative process with comments such as, “Everybody hates me,” “Voters are stupid,” or “You won't want to hear my question.” It is common for a CIR to have one cranky or provocative panelist, with such persons appearing every year since the first Oregon CIR in 2010. The panelists witnessing this behavior, however, have no historical context and can become upset or even alarmed. In this case, one panelist wrote in a Day 3 survey, “Staff should have a private conversation with uncooperative panelists.” Another was more specific in the same survey: “One panelist [name given] exhibited consistent violation of ground rules that went completely unaddressed by facilitators. That was disappointing.”

This problem also caught the attention of observers in the room, which included persons concerned about the optics of such behavior during a pilot test of the CIR. Rountree observed at least one observer advise the CIR facilitators to remove the disruptive panelist out for fear that he was too “biased” and might mischaracterize the CIR process if interviewed by a reporter. In their own internal deliberations, CIR staff chose to ignore such political optics and instead focused on procedural fairness. They addressed the problem by talking to the panelist privately, and the disruptions ceased the next day.
In the end, the two CIR panelists who warned staff about their disruptive colleague rated their satisfaction with the CIR process as “high” or “very high.” Both gave “very high” satisfaction ratings for the CIR process’ ability to avoid bias. Their other ratings were more mixed, such as when they gave “probably yes” and “unsure” responses when asked if they had learned enough about the issue they examined. One of them wrote on the final questionnaire, “It was amazing and awesome to see the Democratic process at work.” As for the disruptive panelist, that individual gave a “neutral” response on the question of process bias but gave many poor ratings to the CIR, including a “very low” overall satisfaction rating on the final day.

**Important Role**

Even if panelists perceive staff as unbiased, that does not indicate that the citizen panelists view themselves as empowered individuals in the CIR process. To assess this over the course of the entire CIR process, we asked them, “How important a role did YOU play in today’s panel discussions?” To look at this over time, we made a single adjustment to account for the fact that the 2010-2012 CIRs spanned five days rather than four. We averaged scores for the third and fourth days in those earlier CIRs and treated those “middle days” as comparable to the third day in a four-day process.

Figure 6 shows a consistent pattern across the 2010-2016 CIRs and the 2018 pilots: Panelists generally feel that they’re playing an increasingly important role as the process progresses. Using a scale from “not at all important” (1) to “extremely important” (5), the figure shows that the average panelist response rises nearly a full scale point from the beginning to the end of the CIR process.

**Figure 6.** Panelists’ assessments of how important a role they believed they played in the panel discussions during each day of the CIR process, 2010-2016 CIRs compared to 2018 CIRs.

![Graph showing panelists' assessments of role importance](image)

**Note.** This figure truncates the y-axis, which ranges from “not at all important” (1) to “extremely important” (5).
Looking at Figure 6, both the Portland and Massachusetts CIRs held in 2018 differed significantly from the first-day baseline score for the 2010-2016 CIRs. By the second day, however, the Massachusetts CIR came closer to the second-day baseline for the 2010-2016 CIRs, whereas the average Portland score remained lower throughout.

Looking more closely at Portland, the lower sense of importance was reported consistently by particular panelists. The three participants in the Portland CIR who gave ratings on this scale of “not at all important” (1) or “a little important” (2) on the last day had given similar ratings in almost every case on the first three days. The four panelists in this CIR who only felt “moderately” important on the last day gave the same or lower ratings on the first three days.

Recall the earlier discussion of an intervention by a pro advocate on the fourth day to ask for a statement edit. This may have upset some CIR panelists who had decided already that they opposed the ballot measure. Indeed, of those who gave a rating of “moderately important” (3) or lower on the important role measure on the last day, five reported that they had ended up opposed to the ballot measure, one remained unsure, and one had ended up favoring the measure. Of these seven panelists reported that they arrived at the CIR undecided on the issue, with one in favor and one opposed at that point. Perhaps these panelists’ sense of a diminished role reflected their belief that the process led to a Citizens’ Statement that leaned too strongly in favor of the ballot measure, though the trouble on the last day would not account for the lower scores on all four days of the Portland Metro CIR.

Qualitative Illustration

The data presented above show the 2010-2016 CIR baselines for metrics of overall satisfaction, analytic rigor, and democratic process features. The 2018 CIRs compared well with these baselines, though the 2018 Portland CIR had scores that were slightly lower in many cases.

That said, we conclude this section with a more qualitative sense of the quality of the deliberation at the 2018 CIRs. To do so, we summarize the notes that one of us (Stephanie Burkhalter) took after viewing the California pilot. Burkhalter begins by noting the smooth logistics and use of random-seating assignment to keep the deliberation flowing:

On Day 1, all participants were present and ready to participate according to the organizers’ instructions, except that three participants were delayed in their arrival until noon due to travel complications. Once they had arrived at the event space around lunchtime, these three late panelists were informed by and assimilated into the group by others who volunteered to orient them. This indicated that a high amount of group rapport had already been established by middle of Day 1.

Every day, all panelists arrived on-time and participated for the entire day. At the end of each day, the organizers moved the materials of the panelists to different seats around the large group “horseshoe” table seating so that when the panelists arrived the next day, they were seated next to new neighbor panelists. This allowed the panelists to get

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Panelist votes at the 2018 CIR pilots were not recorded publicly, but the questionnaire on the last day asked, “At the end of the CIR process, what is your position on the ballot measure?” That was preceded by a retrospective question which asked their position on the measure “before you participated in the CIR.”
to know each other, which enhanced engagement in the large group and in the small face-to-face discussions.

In addition to a horseshoe configuration of tables for the large-group discussion, four round tables with six seats each were provided for small-group discussions. For most of the small-group discussions, five panelists participated in each group, with one facilitator helping to keep the group focused on the purpose of the discussions. Over the course of four days, the members of these small groups were randomized so that the panelists participated in small-group discussions with a wide range of other panelists. In each small group that I observed, the participants listened carefully and shared their thoughts in a mutually respectful way.

Burkhalter also noted the participants’ level of engagement and effective facilitation in the discussions:

Although panelists varied in their levels of participation in discussions, in no group that I observed did a panelist not participate. The skill levels in small-group discussions varied, which can be expected, given the variance in the educational and life experiences of the panelists. Those who were more experienced with speaking and sharing their views often helped support others who were less experienced, for example, by working with them to help them phrase their points in the clearest and most accurate way. If one panelist thought that another wanted to make a point but was not speaking up, he or she would often solicit that person to contribute to the discussions.

Although each small group facilitator had a slightly different style, the facilitators were critical to keeping the small-group discussions on task and incorporating the points that the individual panelists were making into the groups’ statements. In group discussions with and without facilitators, panelists were able to disagree or raise contradictory points in a civil manner, and conversations in which panelists had divergent views produced high-quality questions and answers.

As for the issue under discussion, Burkhalter observed a pattern common to previous CIRs: the panelists began their deliberations a bit unsure of themselves and their ability to grasp the complex issue on the ballot. After several days of deliberation, that changed:

The subject of the event, Proposition 10, was confusing for many voters because it involved the repeal of the Costa-Hawkins Act, an existing law of which the vast majority of Californians was unaware...In their verbal comments on Day 1 and early on in Day 2, panelists indicated they had little to no knowledge of Proposition 10. Over the course of four days, they became much more fluent on the content, purpose and potential outcomes of the initiative. By Day 4, the panelists were well-informed about Proposition 10 and could ask relevant questions that furthered their understanding...Panelists overall were able to identify “strong and reliable” claims and evidence presented by both advocates and opponents of the initiative.

Finally, Burkhalter’s notes are instructive because like so many CIRs, the California pilot had an outlier: a panelist who had unique concerns or reservations about the process. Though these individuals do not always end up satisfied with the CIR as a whole, the result is usually still a positive one nonetheless:

One panelist was vocal about his feelings that the experts and analysts who presented information and answered questions about the proposition were skewed towards the
proponents’ position. This panelist owned rental properties and believed the passage of Proposition 10 would affect him negatively... Though he exhibited moments of frustration and even walked away from the discussions at one point, it was striking how he still formed bonds with panelists with whom he might have disagreed, participated until the very end of the process, and endorsed the final statement of the group.

In Massachusetts, Rountree also observed high levels of engagement with the process:

Participants took their roles seriously and spoke in public-spirited terms. They expressed concern about what voters need to know and about their responsibility to sort through tough information accurately and fairly. The panelists expressed difficulty deciding what was true and what was not regarding the ramifications of implementing nurse to patient ratios. The ranking system, strong and reliable criteria, and group editing all helped filter out the most dubious claims. Compared to previous panels I have observed, participants stuck especially closely to their strong and reliable criteria to systematically evaluate claims.

Stepping back from these details, the CIR process in 2018 remained a strong model for democratic deliberation. At each review, a diverse group of citizens processed complex information and used consistent evaluative criteria to analyze information and draw conclusions about the ballot measure before them. The panelists engaged in careful listening and established mutual respect with one another. They were able to disagree productively and come to common judgements in their Citizens’ Statements within the timeframes provided. In the end, nearly all left satisfied with the work that they had done.
Section 2. Assessment of the 2018 Citizens’ Statements

In previous reports, we have provided more detailed assessments of Citizens’ Statements, and the overall finding was that the Statements were directly relevant to the issues at hand, largely error-free, and written at a moderate reading level. In this report, we reached the same conclusion but have further notes regarding the content that the three Statements produced in 2018 and the process that gave rise to them.

As noted in the Introduction, all three of the 2018 CIR Statements included a set of Key Findings that laid out the basic purpose and rationale behind the ballot measures. In previous years, by contrast, there have been CIR Statements that began the Key Findings section with major reservations about the ballot measures (e.g., Measure 73 in 2010 and Measure 85 in 2012). We do not view the style of the Key Findings in 2018 as problematic, but we do note this pattern.

A design improvement in 2018 better balances and articulates pro and con statements. The panelists summarize the case for each side with just three findings, and after each finding comes an explanation of its relevance. For example, the first con finding on California’s Proposition 10 read:

Finding: Prop 10 rent control policies may reduce the income of property owners. Safe, affordable living options may be reduced if property owners forego maintenance and repairs to cut operating costs.
This is important because: The lack of safe housing is a serious concern for many communities and could cause neighborhood decline. This may reduce property values.

A key part of the CIR process that helps the panelists is the establishment of criteria for evaluating the information and arguments that they hear both from pro and con advocates and from independent experts. One of us (John Rountree) has been studying this element of the process and draws a comparison to the 2016 Oregon CIR on taxation. He noted that the 2018 Massachusetts CIR provided a worksheet checklist with criteria for identifying information as “strong and reliable,” a phrase that both panelists and facilitators use repeatedly during the CIR process. This worksheet and accompanying exercise improved the panelists’ understanding and application of those criteria at least relative to the 2016 Oregon CIR.

The 2018 CIRs also afforded panelists more latitude with Statement editing on the last day of the process. Previous evaluation reports of the CIR have noted this problem, and the flexibility that panelists now have appears to help them refine their Statements.

One problem that arises occasionally in CIR Statements is when they include nearly contradictory arguments in the pro and con sections—or even between one of those sections and a Key Finding. The purpose of a Statement is to help voters navigate complex issues, so if its arguments are tangled in this way, voters may be left confused. For instance, in the Massachusetts Statement, the third finding in support of the Measure claims that “independent experts” believe that more nurse time per patient will result in “improvement in patient outcomes.” The third con finding, however, asserts that “there is no consensus” that changing staffing ratios “will result in better care.”

Much care has gone into refining the process of writing the three sections of the CIR Statement, but perhaps future improvements of this model can find a better way of reconciling contradictions among these sections. Even subtle wording changes that acknowledge that there may be two valid but divergent views could be helpful.
Section 3. Voter Use, Assessment, and Impact of Citizens’ Statements

This section presents the results of our survey research on the CIR. In previous years, we used phone surveys of Oregon voters to measure awareness and use of the Citizens’ Statement. In 2018, there was no statewide Oregon CIR and no research grant, so we opted to rely entirely on online survey samples provided through the company Qualtrics. After describing the basic features of these samples, we discuss voters’ interest in using the Citizens’ Statement in Massachusetts, voters’ assessment of the Statements in all three surveys, and measures of the Statements’ impacts on voter knowledge and other outcomes.

Survey Research Methods

The online samples we collected provided us with diverse pools of voters in the Portland Metro area, Massachusetts, and California, as shown in Table 3.

Table 3. Sample features both for online survey respondents in the Portland Metro area and for Massachusetts and California registered voters in 2018.

<table>
<thead>
<tr>
<th>Respondent Group</th>
<th>Portland Metro</th>
<th>Massachusetts</th>
<th>California</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total sample</td>
<td>204</td>
<td>704</td>
<td>745</td>
</tr>
<tr>
<td>Female</td>
<td>50%</td>
<td>64%</td>
<td>50%</td>
</tr>
<tr>
<td>Less than college degree</td>
<td>34%</td>
<td>40%</td>
<td>47%</td>
</tr>
<tr>
<td>White, non-Hispanic</td>
<td>89%</td>
<td>69%</td>
<td>42%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>2%</td>
<td>15%</td>
<td>39%</td>
</tr>
<tr>
<td>African-American</td>
<td>3%</td>
<td>8%</td>
<td>9%</td>
</tr>
<tr>
<td>Asian-American</td>
<td>5%</td>
<td>8%</td>
<td>15%</td>
</tr>
<tr>
<td>Democrat</td>
<td>50%</td>
<td>41%</td>
<td>47%</td>
</tr>
<tr>
<td>Republican</td>
<td>21%</td>
<td>13%</td>
<td>28%</td>
</tr>
<tr>
<td>Other/Independent</td>
<td>29%</td>
<td>45%</td>
<td>24%</td>
</tr>
</tbody>
</table>

The voter surveys in the three states also differed in their designs, as shown in Table 4. The purposes behind these design variations were as follows:

- In Portland, we used a classic 2-by-2 experimental design, in which respondents were both either shown the Citizens’ Statement or not and either shown an official ballot issue summary or not. This permitted testing of the relative impact of reading or not reading the two different information sources.
- In California, the purpose of the survey was to compare CIR Statement readers against those who only read official information provided in the voluminous state voter guide. The larger sample size for CIR Statement readers reflects an embedded experiment therein, where we varied the information they heard about the CIR process itself.
In Massachusetts, there were two questions: First, did reading the CIR Statement in addition to the official issue summary make any difference for voters? Second, would voters choose to read the CIR Statement voluntarily? This design reflects our interest in answering those two separate questions.8

Table 4. Sample sizes in the Portland Metro area, Massachusetts, and California, 2018.

<table>
<thead>
<tr>
<th>Respondent Group</th>
<th>Portland Metro</th>
<th>Massachusetts</th>
<th>California</th>
</tr>
</thead>
<tbody>
<tr>
<td>Control group (no exposure)</td>
<td>41</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shown CIR Statement only</td>
<td>66</td>
<td>554</td>
<td></td>
</tr>
<tr>
<td>Shown official info only</td>
<td>70</td>
<td>317</td>
<td>191</td>
</tr>
<tr>
<td>Shown CIR and official info</td>
<td>67</td>
<td>296</td>
<td></td>
</tr>
<tr>
<td>Permitted to choose info</td>
<td></td>
<td>310</td>
<td></td>
</tr>
</tbody>
</table>

Choosing to Read the CIR

In the Massachusetts survey, 310 respondents were given this prompt before reading anything about Question 1:

When a Ballot Question is put before Massachusetts voters, the Secretary of State writes an issue "Title and Summary," which appears in the official voter guide known to many as simply the "Red Book." This year, Massachusetts voters also have the chance to read a "Citizens' Initiative Review Statement" written by a panel of twenty randomly-selected citizens. These citizen panelists had four days to study Question 1 while meeting with pro and con advocates and expert witnesses. They summarized what they considered the key evidence and pro/con arguments in a one-page statement. Modeled on a process authorized by law in Oregon since 2010, the Citizens' Initiative Review is currently under consideration for adoption by the Massachusetts state legislature.

CHECK THE BOXES BELOW to indicate which of these documents you would like to read before you decide how to vote on Question 1. If you are interested in reading more than one document, be sure to check the two or three boxes that match your choices.

- ☐ Official Ballot Title and Summary for Question 1 (one page)
- ☐ Citizens’ Initiative Review Statement on Question 1 (one page)
- ☐ Full text of the legislation proposed in Question 1 (five pages)
- ☐ I do NOT wish to read more about this issue

Overall, 29% of the 310 voters given information choices opted to read nothing before continuing the survey. Putting this in perspective, more than two-thirds of those individuals getting paid to take an online survey voluntarily choose to read more about an issue on the ballot before proceeding.

8 The survey in Massachusetts also split the sample into those who were asked how they intended to vote on Question 1 both before and after reading about the issue versus those only being asked after the fact. This permitted testing of the differential impact of the information depending on one’s preexisting views on the issue.
Table 5 summarizes in detail the responses that voters gave to this “check all that apply” question. First, it splits respondents into those who requested seeing the full five-page text of the measure \( (n = 66, 21\%) \) of the sample versus those who declined \( (n = 244, 79\%) \). Among those who chose to read the full measure, a plurality (42\%) wanted nothing else, with another 36\% choosing to see everything. Among those who avoided the full text, a plurality read nothing at all (37\%), with the rest distributed more evenly among the other three outcomes. Finally, we noticed that across both full-measure readers and nonreaders, roughly two-fifths wanted to also see the Citizens’ Statement.

Table 5. Voter information choices in Massachusetts, 2018.

<table>
<thead>
<tr>
<th></th>
<th>No Full Text ((n = 244))</th>
<th>Yes Full Text ((n = 66))</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Title &amp; Summary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No CIR</td>
<td>37%</td>
<td>42%</td>
</tr>
<tr>
<td>Yes CIR</td>
<td>17%</td>
<td>5%</td>
</tr>
<tr>
<td>Yes Title &amp; Summary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No CIR</td>
<td>24%</td>
<td>17%</td>
</tr>
<tr>
<td>Yes CIR</td>
<td>22%</td>
<td>36%</td>
</tr>
<tr>
<td>Totals</td>
<td>61%</td>
<td>59%</td>
</tr>
<tr>
<td></td>
<td>39%</td>
<td>41%</td>
</tr>
</tbody>
</table>

Perceived Utility of the Citizens’ Statements

As in past years, we asked voters who saw the Citizens’ Statements in each survey how useful they found the Statements. Specifically, we asked, “In deciding how to vote on [this issue], how helpful was it to read the Citizens' Initiative Review statement? Was it very helpful to you, somewhat helpful, or did it make no difference?” The result was consistent with previous surveys finding that a plurality of voters found it “somewhat helpful.” In Massachusetts and California, large majorities of the remaining voters were more likely to rate it as “very helpful” than to say it “made no difference.”

Table 6. Usefulness ratings of the Citizens’ Statements in the Portland Metro area, Massachusetts, and California, 2018.

<table>
<thead>
<tr>
<th>Response</th>
<th>Portland Metro</th>
<th>Massachusetts</th>
<th>California</th>
</tr>
</thead>
<tbody>
<tr>
<td>Made no difference</td>
<td>26%</td>
<td>17%</td>
<td>18%</td>
</tr>
<tr>
<td>Somewhat helpful</td>
<td>47%</td>
<td>54%</td>
<td>51%</td>
</tr>
<tr>
<td>Very helpful</td>
<td>27%</td>
<td>29%</td>
<td>31%</td>
</tr>
<tr>
<td>Totals</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Further analysis compared different subgroups of voters across all three surveys to see if voters with particular attitudes were more likely to find the Citizens’ Statement “very helpful.” Across all voters who saw the CIR Statements, 30\% found them helpful. This “very helpful” figure was higher for those who reported that they found the ballot measures “very difficult to understand” (35\%) and for those who thought the initiative process needed “major changes” (34\%). It was also higher for those who thought their vote on these ballot measures “definitely” would make a difference (40\%) and for those who were “very satisfied” with the initiative process overall (45\%).
In Massachusetts, we were able to conduct a special test of the utility of the CIR Statement. Recall from the previous section of this report that we gave a subset of Massachusetts respondents the opportunity to choose what information they read. This allowed us to see if the those who read the CIR Statement found it more or less useful, depending on what else they had chosen to read. Those who read only the official summary and the CIR Statement rated the utility of the Statement roughly the same as those who opted to read only the Statement did. Those who had chosen to read the CIR Statement along with the full text of the measure, however, rated the Statement as more helpful than did others: Nearly two-thirds (63%) of these full-text-plus-CIR Statement readers rated the CIR Statement as “very helpful,” with another third (33%) rating it as “somewhat useful” and only 4% saying it “made no difference.” In other words, those who volunteered to read the full ballot measure were most appreciative of the CIR Statement’s analysis.

Motivating Voters to Mark their Ballots

A subsequent question also produced a finding consistent with those of previous years. The next survey question read, “Some people choose to skip over particular ballot measures while filling out their ballot. Did reading the Citizens’ Initiative Review Statement on [this issue] make you more likely to MARK YOUR BALLOT on this particular measure, less likely to do so, or did it make no difference?”

Table 6 shows that in the Portland Metro area and Massachusetts, most voters said that reading the Statement didn’t affect their likelihood of voting. At least two in five said it would make them more likely to mark their ballot. California was significantly different from the other two surveys, however: A majority (53%) of Californians surveyed said that reading the Citizens’ Statement would make them more likely to vote on Proposition 10, with only 45% saying it made no difference.

<table>
<thead>
<tr>
<th>Response</th>
<th>Portland Metro</th>
<th>Massachusetts</th>
<th>California</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less likely to vote</td>
<td>1%</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>Made no difference</td>
<td>60%</td>
<td>54%</td>
<td>45%</td>
</tr>
<tr>
<td>More likely to vote</td>
<td>40%</td>
<td>44%</td>
<td>53%</td>
</tr>
<tr>
<td>Totals</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Knowledge Impact

Another finding consistent with those of past years was that reading the Citizens’ Statement made voters more knowledgeable about issues on their ballots. To assess the impact of the 2018 CIR Statements, we chose six factual claims for each survey, as shown in Table 7.

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9 The comparable percentages for CIR Statement-only readers were 33%, 52%, and 16%. Note that those choosing to read all three sources of information (official summary, full text, and CIR Statement) were roughly the same subsample as full-text readers (i.e., 24 of the 27 full-text readers also read the official summary), yet the same difference in Statement utility ratings appeared between CIR Statement-only readers versus all-three source readers. Thanks to Sarah Steinberg for suggesting the analysis reported in this paragraph.
Table 8 shows the impact that reading the Citizens’ Statement had on the accuracy of responses to all eighteen of these true-or-false items. In previous years, a typical CIR would increase respondents’ accuracy rate by 10%—roughly the equivalent of rising one grade level if taking a true-or-false knowledge exam. The results from the Portland Metro area survey met that standard, as did the Massachusetts survey, in spite of every voter in the latter case also having seen the ballot title and summary.10 The California respondents, however, showed no significant difference in the accuracy of their beliefs between the two experimental conditions (those reading the official materials versus those seeing the Citizens’ Statement). For both groups, the average voter gave the correct answer to just over half (55-56%) of the survey items.

Table 7. Factual claims true and false used to test the knowledge impacts of reading the Citizens’ Statements in the Portland Metro area, Massachusetts, and California, 2018.

<table>
<thead>
<tr>
<th>Item Type</th>
<th>Portland Metro</th>
<th>Massachusetts</th>
<th>California</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neutral true claim</td>
<td>Half of the proposed affordable housing units will be for families with very low incomes.</td>
<td>Existing state law lets hospitals determine staffing levels, except in Intensive Care Units.</td>
<td>Prop 10 lets local communities decide which types of housing will be subject to rent control.</td>
</tr>
<tr>
<td>Neutral true claim</td>
<td>This bond would cost roughly $180 each year for a family owning a $750,000 home.</td>
<td>Fewer than twenty US states regulate nurse staffing levels.</td>
<td>Existing law allows landlords to raise the cost of rent-controlled dwellings whenever there is a vacancy.</td>
</tr>
<tr>
<td>False claim (leans pro)</td>
<td>Since 2011, average Portland rents have nearly doubled.</td>
<td>Estimates of this law’s fiscal impact show that it will cost no more than $45 million.</td>
<td>Prop 10 will ensure a sufficient supply of affordable housing.</td>
</tr>
<tr>
<td>False claim (leans con)</td>
<td>There is no limit to how much of this bond will go to covering administrative costs.</td>
<td>The estimated cost of this measure will be at least a billion dollars.</td>
<td>Prop 10 establishes rent control boards in every California county.</td>
</tr>
<tr>
<td>True claim (leans pro)</td>
<td>The average full-time worker in Portland doesn’t earn enough to cover the average cost of a two-bedroom apartment.</td>
<td>A study of a similar law in California showed that it reduced wait times and lowered insurance costs.</td>
<td>Prop 10 permits local communities to create stronger local rent control policies.</td>
</tr>
<tr>
<td>True claim (leans con)</td>
<td>This bond would increase property taxes by more than $650 million but might result in fewer than 2,500 new housing units.</td>
<td>Without this law in place, Massachusetts has some of the top ranked hospitals in the US.</td>
<td>Prop 10 rent control policies may reduce the income earned by property owners.</td>
</tr>
</tbody>
</table>

10 The Massachusetts data here exclude those respondents who were given information options.
Table 8. Changes in the percentages of respondents accurately recognizing advocate claims as true or false in the Portland Metro area, Massachusetts, and California, 2018.

<table>
<thead>
<tr>
<th>Item Type</th>
<th>Portland Metro</th>
<th>Massachusetts</th>
<th>California</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neutral true claim</td>
<td>+19%*</td>
<td>+15%*</td>
<td>+8%*</td>
</tr>
<tr>
<td>Neutral true claim</td>
<td>+7%</td>
<td>+6%</td>
<td></td>
</tr>
<tr>
<td>False claim (leans pro)</td>
<td>+7%</td>
<td>+4%</td>
<td>-6%</td>
</tr>
<tr>
<td>False claim (leans con)</td>
<td>+18%*</td>
<td></td>
<td>+3%</td>
</tr>
<tr>
<td>True claim (leans pro)</td>
<td></td>
<td>+17%*</td>
<td></td>
</tr>
<tr>
<td>True claim (leans con)</td>
<td>+17%*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neutral true claim</td>
<td>Up from 42% to 53%*</td>
<td>Up from 45% to 52%*</td>
<td>No change</td>
</tr>
</tbody>
</table>

Note. * Indicates a significant change, p < .05. Changes smaller than +/-5% are not shown.

This overall pattern of an increase in voter-knowledge accuracy is consistent with that of reports on CIRs held in previous years. For example, Figure 7 shows that in 2014, the rate at which survey respondents answered true-or-false questions correctly was 8-17% higher for those who were shown the CIR Statement compared to a control group.

Figure 7. Accuracy scores for survey respondents in control groups versus those shown the CIR Statements in 2014.
About the Authors

John Gastil (Ph.D., 1994) is a professor in the Department of Communication Arts and Sciences at the Pennsylvania State University. He received his doctoral degree in communication arts from the University of Wisconsin-Madison. He specializes in political deliberation and group decision making, and his books include *Legislature by Lot*, *The Jury and Democracy*, *The Group in Society*, *Political Communication and Deliberation*, *By Popular Demand*, and *Democracy in Small Groups* (2nd ed.).

Michael Broghammer is a master’s student in the Department of Communication Arts and Sciences at the Pennsylvania State University. He received his B.A. in English and Communication from Santa Clara University in 2017. He wrote his undergraduate thesis on empathy and serious games, a subject on which he coauthored a forthcoming article in *Cyberpsychology*. He studies deliberative democracy, civic engagement, and political communication and is interested in exploring the interconnections among larger deliberative democratic systems, concrete experiences of deliberation, and long-term civic engagement.

Stephanie Burkhalter (Ph.D., 2007) is an associate professor in the Department of Politics at Humboldt State University. In 2001, she was part of a team that sought to establish the Citizens’ Initiative Review process in Washington state through the initiative process. She has coauthored articles on deliberation published in *Communication Theory* and *Small Group Research*. Her current work focuses on how to anticipate and measure the process and outcomes of deliberation, especially as they involve an increasingly diverse population, and how to build capacity for deliberation in the college classroom.

John Rountree (Ph.D., August 2019) has completed his doctoral work in the Department of Communication Arts and Sciences at the Pennsylvania State University and will become an assistant professor of communication at the University of Houston-Downtown this fall. He earned his Master’s degree in communication at Georgia State University in 2015 and defended his doctoral dissertation in April 2019. He studies rhetoric and public deliberation in a variety of contexts, including town hall meetings, congressional debates, and citizen review panels. His recent writings appear in *Rhetoric & Public Affairs* and the *Oxford Research Encyclopedia of Communication*. 
Appendix: 2018 Citizens' Statements

Portland Metro 2018

Citizens' Initiative Review of Ballot Measure 73

The opinions expressed in this statement are those of the members of a citizens panel and were developed through the Citizens’ Initiative Review process as adopted by the Oregon State Legislature. They are NOT official opinions or positions endorsed by the State of Oregon or any government agency. A citizens panel is not a judge of the constitutionality or legality of any ballot measure, and any statements about such matters are not binding on a court of law.

Description of Citizens' Initiative Review

This Citizens' Statement was developed by an independent panel of 24 Oregon voters that chose to participate in the Citizens' Initiative Review process. The panelists were selected at random from the entire voting population of Oregon, and balanced to fairly reflect the state’s voting population based upon location of residence, age, gender, party affiliation, education, ethnicity, and likelihood of voting. The panel has issued this statement after five days of hearings and deliberation. This statement has not been edited nor has the content been altered.

Citizen Statement of a Majority of the Panel:

Key Findings — The following are statements about the measure and the number of panelists who agree with each statement:

- M73 shifts the balance of power in court proceedings, giving the prosecution additional leverage in plea bargaining and limiting the judge’s discretion in sentencing individual cases. (21 out of 24 agree)
- Passed in 1994, Measure 11 (ORS 137.730) provides mandatory minimum sentencing of 70-300 months for the major felony sex crimes defined in Measure 73. (24 out of 24 agree)
- Mandatory minimum sentencing has not proven a significant deterrent to future DUII or sex crimes. (21 out of 24 agree)
- An unintended consequence of M73 is that juveniles aged 15 to 17 are subject to 25 year mandatory minimum sentences. (20 out of 24 agree)
- Oregon spends over 10.5% of its general funds on corrections — a greater percentage than any other state. (18 out of 24 agree)

www.review73.org

Shared Agreement Statement

Public policy impacts all citizens—we have had the opportunity to closely review material not readily available to voters—and have tried to examine both sides of this measure in an unbiased manner.

For additional information, please see www.review73.org

Citizen Statement Opposed to the Measure:

POSITION TAKEN BY 21 OF 24 PANELISTS

We, 21 members of the Citizens’ Initiative Review, oppose Ballot Measure 73 for the following reasons:

- Longer mandatory sentencing has little or no effect as a deterrent and has not been proven to increase public safety. Furthermore mandatory sentences are already in effect under Measure 11.
- Measure 73 takes discretion and power away from judges giving leverage to the prosecutor. People charged under this measure may be forced to plea bargain whether they are guilty or not, depriving them of their right to trial by jury.
- Measure 73 requires projected expenditures of $236 million over the next 10 years which must come from: cuts in other programs or new taxes.
- This initiative leads to unintended consequences. Sexting falls under the definition of explicit material. No one convicted for felony sex offenses would receive the opportunity for treatment.

Citizen Statement in Favor of the Measure:

POSITION TAKEN BY 3 OF 24 PANELISTS

We, 3 members of the Citizens’ Initiative Review, support Ballot Measure 73 for the following reasons:

- This is a public safety measure.
- This measure will take minimum mandatory sentences (70-100 months) on four major sex crimes to mandatory 300 months (25 years).
- This measure changes a third conviction DUII from a misdemeanor to a Class C felony.
- Measure 73 specifically targets only repeat serious sex offenders and repeat (third conviction) intoxicated drivers.
- Statistics support that mandatory sentencing is effective on reduction of violent crime rate.
- Measure 73 will cost only 1/5 of 1% of the General Fund.

Summary: Measure 73 is carefully targeted at repeat violent sex offenders and third time DUII convictions. If passed it would make all Oregonians safer.
Massachusetts 2018


Key Findings
These findings were prioritized by citizen panelists, starting with the most important for voters to know.

- Currently, there is no statutory limit on the number of patients assigned to a nurse, except in Intensive Care Units. Each hospital determines staffing based on past usage, patient care, and budgeting considerations.
- Should this law go into effect on January 1, 2019, affected hospitals and health care facilities will be required to have a written plan in place. Actual implementation, including staffing increases, will occur after a deliberative, regulatory process.
- Fourteen states, including Massachusetts, regulate staffing levels in hospitals beyond federal standards, but Massachusetts would be one of two states to universally regulate nurse/patient ratios by law.
- The estimated costs of implementing this law vary between $46 million and $13 billion, which may impact the availability of hospital services. Consumers and businesses may face increased premiums, copays and deductibles.
- Unit specific ratios would legally apply to all Massachusetts hospitals, except during a state or nationally declared emergency. Time-of-day, hospital size or location, and the experience of nurses are not considered.
- After two decades of raising concerns, nurses collected 100,000 signatures to move Question 1 onto the ballot.
- Not all percentages reported by nursing associations reflect the actual number of nurses in support of or against Question 1.
- Unless other cost-discretionary measures are adopted, according to the Massachusetts Association of Behavioral Health Systems, Question 1 would reduce patient volume of inpatient behavioral health facilities by 38%.

Statement in Support of the Measure
We find these to be the strongest reasons to vote for the measure.

- Finding: Studies show that when California set ratios as patient limits in 2004, hospitals had shorter Emergency Department wait times, lower health spending and insurance costs. No hospitals closed as a result.

This is important because: The success of California’s legislation of nurse/patient ratios provides data strongly suggesting that this can improve patient care in Massachusetts.

- Finding: The independent analysts assembled by the Citizens’ Initiative Review who expressed an opinion are clear on this issue: Higher nurse staffing levels correspond to increased nurse satisfaction and positive patient outcomes.

This is important because: Independent experts agree that there are improvements in patient outcomes and a greater sense of professional satisfaction for nurses when patients are given more quality time.

- Finding: Having fewer patients per nurse could lead to better work environments and safer conditions for nurses.

This is important because: It would limit nurse burnout, reduce adverse patient outcomes, improve morale, and allow for better communication, as well as increased time for bedside care.

Nurses report that burdensome patient loads interfere with their ability to provide quality patient care. Question 1 will create safer work environments, enhance professional satisfaction and lead to better patient outcomes. Studies prove that balanced workloads will create improvements in the delivery of care.

Statement in Opposition of the Measure
We find these to be the strongest reasons to vote against the measure.

- Finding: Question 1 may dramatically increase emergency wait times, delay life-saving treatments and prevent hospital admissions. Boston Medical Center estimates Question 1 would prevent the treatment of over 100 Emergency Department patients daily.

This is important because: The impact on emergency departments could put the most vulnerable patients at risk and could cause undue pressure on nurses and facilities.

- Finding: Rankings show Massachusetts has some of the best hospitals in the country. A rigid mandate may interfere with the professional judgment of nurses and doctors who work in these hospitals.

This is important because: Mandated ratios limit the ability of nurses and doctors to provide the best possible care to the greatest number of patients.

- Finding: There is no consensus that proposed ratios will result in better care. Additional factors that contribute to better care include work environment, nurse education, experience, resources, and technology.

This is important because: Question 1 only addresses one of many factors that characterize better health care. These ratios may not do enough to improve overall health care.

Question 1 imposes unnecessary constraints on some of the best hospitals in the country that rely on the clinical expertise of their nursing professionals. Question 1 threatens the health of community programs, increases costs for hospitals, other businesses, and consumers, while restricting hospitals’ ability to respond to emergencies.
California 2018


This Citizens' Statement was developed by an independent panel of 20 California voters. The panelists were randomly selected from registered voters in California and anonymously balanced to reflect its electorate, based on these factors: location of residence, party registration, age, gender, race/ethnicity, education, and renter/homeowner status.

Over a period of four days, the panel heard from proposition proponents and opponents, as well as independent policy experts. The citizen panelists deliberated about the proposition and produced this statement. This statement has not been edited, altered, or approved by the project team, the Davenport Institute at Pepperdine University, Healthy Democracy, or any other body.

The opinions expressed in this statement are those of the members of a citizen panel and were developed through the citizens' review process. They are not official opinions or positions endorsed by the State of California or any government agency. A citizen panel is not a judge of the constitutionality or legality of any proposition, any statements about such matters are not binding in a court of law. For more information or to view an electronic version of this statement, visit healthydemocracy.org/cir/ca.

Key Findings

These findings were ranked by citizen panelists, starting with the most important for voters to know.

- Prop 10 would repeal the Costa-Hawkins Act. This Act currently provides exemptions for rent control on single-family dwellings and housing units built after 1995, and allows rent increases upon vacancy for a unit already rent-controlled.
- Prop 10 does not create rent control policies or rent control boards. Instead, it provides communities the option to create such policies and organizations.
- Prop 10 allows local communities to determine which types of housing are subject to rent control. Communities could potentially change the number of rent-controlled units available.
- Prop 10 does not generate restrictions on the construction of new housing units.
- Prop 10 does not take away rental property owners' guarantee of a fair rate of return.
- The rent-controlled housing inventory may be increased by the repeal of the Costa-Hawkins Act, the existing state regulation which now exempts single-family homes and housing built after 1995.
- A 2017 Stanford University study showed that San Francisco experienced higher rental costs and insufficient supply of affordable housing under existing rent control policies.
- Prop 10 has no direct impact on homeowners who are not landlords, but does provide the opportunity for safeguarding property values and neighborhoods through stronger local rent control policies.

Statement in Support of the Proposition (YES on Prop 10)

We find these to be the strongest reasons to vote for the proposition.

- Finding: Prop 10 allows local communities to address predatory housing practices, such as price gouging and unreasonable rent increases, by allowing the creation of stronger local rent control policies. This is important because: Without restrictions or guidelines created by rent control policies, higher rents will become more prevalent. This may lead to an increase in homelessness and unsafe living conditions.
- Finding: According to the Principal of Planning for Sustainable Communities, Prop 10 protects renters by limiting rent hikes, and ultimately keeping families in their homes and communities. This is important because: Rent control would promote stability and prevent displacement, allowing communities to grow and flourish.
- Finding: By limiting rent increases, tenants will have a greater share of disposable income available to spend. This could contribute to the growth of a more vibrant local economy. This is important because: A majority of California renters spend more than thirty percent of their income on rent. Limiting rent increases helps citizens to meet basic needs and improves quality of life.

The affordable housing supply in California is not sufficient to meet the demands of our growing state. This drives up rental prices, putting renters of all income levels at risk for displacement, eviction, and/or homelessness. Local governments would be allowed to set rent control policies that meet the needs of their communities.

Statement in Opposition of the Proposition (NO on Prop 10)

We find these to be the strongest reasons to vote against the proposition.

- Finding: Prop 10 rent control policies may reduce the income of property owners. Safe, affordable living options may be reduced if property owners forego maintenance and repairs to cut operating costs. This is important because: The lack of safe housing is a serious concern for many communities and could cause neighborhood decline. This may reduce property values.
- Finding: Prop 10 allows local governments to dictate rental rates of single-family homes or a room in a home, controlling how much landlords can charge. This is important because: Current regulation protects landlords of single-family homes, but the passing of Prop 10 places them at risk of losing their profit right to set their own rates.
- Finding: Simply removing the restrictions of the Costa-Hawkins Act does not solve the housing crisis in California. This is important because: Repealing the Costa-Hawkins Act would not address the problems of supply and demand for affordable housing.

Repealing the Costa-Hawkins Act may create more government agencies, adding administrative costs that could be passed on to renters and taxpayers. Rent control has been associated with a slowing of new construction, a reduced supply of rental units, and rent increases.