



State of Washington
PUBLIC DISCLOSURE COMMISSION

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TO: Members, Public Disclosure Commission
FROM: Nancy Krier, General Counsel
DATE: April 14, 2010
SUBJECT: Background - Initiative 872 (Top Two Primary) and its Impact on Implementation of Campaign Finance Law Provisions in 2010 and 2011

Summary

Chapter 42.17 currently provides that a bona fide political party is different from a political committee with respect to contribution limits. RCW 42.17.020(6) defines bona fide political parties as including those filing a valid certificate of nomination with the Secretary of State under RCW 29A.20. However, that chapter was impliedly repealed by Initiative 872, which established the Top Two Primary. Thus, the certificate of nomination process no longer exists. In 2008 and 2009, the Commission addressed the inadvertent impact of Initiative 872 on RCW 42.17 by adopting three emergency rules, pending further action by the Legislature.

The Legislature did not act in 2008 or 2009 to address the Top 2 issues for RCW 42.17, but in 2010 it did fix the law regarding the bona fide political party definition. Beginning January 1, 2012, the Secretary of State will again have the authority to recognize an organization as a minor political party. Chapter 204, § 101, Laws of 2010 (2SHB 2016). This leaves the remainder of 2010, and 2011, to be addressed. Emergency rules will again be suggested.

In 2010 the Legislature did not address the term party "affiliation" as it is used in RCW 42.17 and Title 390 WAC. You may recall the term now used is a candidate's party "preference" as expressed on his or her declaration of candidacy, not affiliation. In the past, the Commission also addressed this situation in an emergency rule. An emergency rule will again be suggested. It may also be time to again consider cleaning up this affiliation reference and one other term regarding references to the fact that primaries no longer "nominate" candidates, in 2011 legislation.

Meanwhile, the questions before you are:

- (1) Whether you want to continue to recognize as bona fide political parties those organizations that had been granted minor party status prior to the repeal of Chapter 29A.20 RCW, as you did in 2008 and 2009, and until the new law goes into effect on January 1, 2012;
- (2) Whether you wish to continue to explain that a party "affiliation" by a candidate as the term is used in RCW 42.17 and Title 390 WAC means a party "preference";
- (3) Whether you want to proceed with both emergency as well as permanent rulemaking; and;
- (4) Whether you want to consider input on a clean-up bill for the 2011 session.

Memorandum to Commissioners
April 14, 2010
Page 2

In her rulemaking presentation at your March meeting, Lori Anderson briefly noted that three emergency rules will be presented to you on this topic and there would be a recommendation for some permanent rulemaking. The Commission concurred with proceeding with rulemaking. This memorandum provides additional background and details. The proposed draft emergency rules will be presented at your May meeting.

Background

• 2008

In March of 2008, the U.S. Supreme Court upheld Washington's Top Two Primary system which was enacted into law by the voters in 2004 through the passage of I-872. 2008 was the first year the Top Two system was implemented by elections officials. Further, since the Supreme Court's decision was not issued until March of 2008, the Legislature had not had an opportunity to respond to the Top Two decision to address any impacted laws, including the portion of the district court decision concluding that I-872 impliedly repealed chapter 29A.20 RCW relating to minor party and independent candidate nominations.

The definition of "bona fide political party" in the campaign finance statute relies on the process in RCW 29A.20 to distinguish bona fide political parties from other political committees for contribution limit purposes. RCW 42.17.020(6). Since RCW 29A.20 was repealed, there is no process for organizations to engage in so that they qualify as minor parties as opposed to regular political committees.

In addition, primaries in Washington are now runoff elections, not "nominating" elections. For partisan office, a candidate's party designation on the declaration of candidacy form indicates the candidate's preference only, and does not indicate a formal affiliation between the candidate and the party specified, or reflect an endorsement or support of that party. However, RCW 42.17 and Title 390 WAC use the terms "nomination" and party "affiliation." See, e.g., RCW 42.17.020(39), RCW 42.17.040(2)(f).

In June of 2008, the Commission adopted three emergency rules to address campaign finance issues implicated by I-872, pending legislative consideration and action to harmonize the provisions of Title 29A with the Top Two Primary decision in 2009. Those rules addressed party affiliation and bona fide political parties. Those rules expired in late October 2008.

• 2009

The Secretary of State introduced legislation in 2009, SB 5681, to update election laws consistent with the Top Two Primary system. That bill passed out of policy committee, but did not advance to the Senate floor for consideration. Consequently, the Commission, in May 2009, again adopted the three emergency rules previously adopted in 2008, and pending further action by the Legislature.

Also in May the Commission determined it may pursue legislative action in 2010 to make technical corrections to RCW 42.17.020. Staff contacted the Secretary of State's Office and it was anticipated a bill would be requested by the Secretary of State in 2010 to address several Top 2 primary issues. However, as reported to the Commission in December 2009, the Secretary of State's Office determined it would not be moving forward with such agency request legislation.

• 2010

Meanwhile, in 2009, a bill concerning the Commission's laws, HB 2016, had been introduced. It did not pass in 2009 but it did pass in 2010. The Legislature enacted 2SHB 2016 (Chapter 204, Laws of 2010). In amendments to RCW 42.17.020, it addressed the bona fide political party definition in Section 101. That section amends RCW 42.17.020(6) to define "bona fide political party" to include

Memorandum to Commissioners
April 14, 2010
Page 3

"an organization that has been recognized as a minor political party by the secretary of state." See enclosed. This section is effective January 1, 2012. No action was taken to address the other Top 2 clean-up matters.

Options

Bona Fide Political Parties

The contribution limit provisions approved by voters in 1992 rely on RCW 29A.20 to distinguish bona fide political parties from other political committees. Bona fide parties may contribute considerably more to their candidates than may committees that do not satisfy the definition: For example, a state party committee can contribute \$50,073 to a candidate for State Representative from the 27th Legislative District. A political committee can contribute \$800 per election to the same candidate.

Since there is no current mechanism for certifying/recognizing a minor party by the Secretary of State and there will not be until January 2012, the Commission could determine either:

- (a) Minor parties currently do not technically exist for purposes of party contribution limits; or
- (b) As the Commission decided in 2008 and 2009, I-872's impact on the bona fide political party definition in RCW 42.17 appears to be an unintended consequence and, consistent with the intent of I-134 and the intrinsic value of minor parties to the political process, clarify the definition of "bona fide political party" in rule to include those minor parties which in any year between 2002 and 2007 filed at least one valid certificate of nomination under former RCW 29A.20. This list includes: the American Heritage Party, Constitution Party, Green Party, Libertarian Party, Progressive Party, Socialist Equality Party, Socialist Workers Party, and Workers World Party. An emergency rule would apply for until October 27, 2010, and if permanent rules or other emergency rules are adopted, could extend in 2011. The proposal would be that such a rule would no longer be needed as of January 1, 2012.

- **Recommendation:**

Staff recommends the Commission select option (b). This will provide continuity between the past and the future. If (b) is selected, staff will schedule emergency rulemaking for the May meeting.

Party Preference

As it has done in the past, and in the absence of other legislative action at this time, the Commission could also adopt an emergency rule that describes that party "affiliation" means "preference" in RCW 42.17 and Title 390 WAC. This rule could be in effect until October 27, 2010. Pending no different legislative action, permanent rulemaking could also proceed to have a rule in place for 2011 and later.

- **Recommendation:**

Staff recommends this option.

Other Issues

The Commission may want to again consider clean-up legislation for 2011 to address the Top 2 issues remaining in RCW 42.17 such as the "affiliation" reference or outdated references to a primary "nomination" process.

- **Recommendation:**

Staff recommends you continue to explore giving input on a surgical clean-up bill to address the inadvertent impact of I-872 on RCW 42.17.

Memorandum to Commissioners
April 14, 2010
Page 4

Emergency Rules

According to RCW 42.17.370(1), any rule relating to campaign finance, political advertising or related forms must be in effect by June 30 of a given year or it cannot go into effect until the day following the general election. The emergency rules if adopted in May would be in effect for 120 days from the date filed or a date specified in the adoption order (such as June 30).

RCW 34.05.350(1) provides an emergency rule may be adopted when an agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest;
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule; or
- (c) In order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, or 2011, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency[.],

RCW 34.05.350(2) provides in pertinent part:

An emergency rule adopted under this section takes effect upon filing with the code reviser, unless a later date is specified in the order of adoption, and may not remain in effect for longer than one hundred twenty days after filing. Identical or substantially similar emergency rules may not be adopted in sequence unless conditions have changed or the agency has filed notice of its intent to adopt the rule as a permanent rule, and is actively undertaking the appropriate procedures to adopt the rule as a permanent rule.

You adopted identical emergency rules in 2008 and 2009 because legislation had been introduced in 2009, which was a change in circumstances after the emergency rule was adopted 2008. Because a legislative fix was partially obtained in 2010, it is possible to adopt an identical emergency rule once again. At this time, should you select to move forward, staff will ask you to simultaneously proceed with permanent rulemaking. If the Legislature acts in 2011 or later to provide different guidance to the Commission, the rules can be amended or repealed. A permanent rule regarding "bona fide political party" could expire or be repealed effective January 1, 2012.

Enclosure

1 (4) "Ballot proposition" means any "measure" as defined by RCW
2 29A.04.091, or any initiative, recall, or referendum proposition
3 proposed to be submitted to the voters of the state or any municipal
4 corporation, political subdivision, or other voting constituency from
5 and after the time when the proposition has been initially filed with
6 the appropriate election officer of that constituency (~~((prior to))~~)
7 before its circulation for signatures.

8 (5) "Benefit" means a commercial, proprietary, financial, economic,
9 or monetary advantage, or the avoidance of a commercial, proprietary,
10 financial, economic, or monetary disadvantage.

11 (6) "Bona fide political party" means:

12 (a) An organization that has (~~((filed a valid certificate of~~
13 ~~nomination with))~~ been recognized as a minor political party by the
14 secretary of state ((under chapter 29A.20 RCW)));

15 (b) The governing body of the state organization of a major
16 political party, as defined in RCW 29A.04.086, that is the body
17 authorized by the charter or bylaws of the party to exercise authority
18 on behalf of the state party; or

19 (c) The county central committee or legislative district committee
20 of a major political party. There may be only one legislative district
21 committee for each party in each legislative district.

22 (7) "Depository" means a bank (~~((designated by a candidate or~~
23 ~~political committee pursuant to RCW 42.17.050))~~, mutual savings bank,
24 savings and loan association, or credit union doing business in this
25 state.

26 (8) "Treasurer" and "deputy treasurer" mean the individuals
27 appointed by a candidate or political committee, pursuant to RCW
28 42.17.050 (as recodified by this act), to perform the duties specified
29 in that section.

30 (9) "Candidate" means any individual who seeks nomination for
31 election or election to public office. An individual seeks nomination
32 or election when he or she first:

33 (a) Receives contributions or makes expenditures or reserves space
34 or facilities with intent to promote his or her candidacy for office;

35 (b) Announces publicly or files for office;

36 (c) Purchases commercial advertising space or broadcast time to
37 promote his or her candidacy; or

Donovan
Ex. 3

Report on Factual Political Knowledge and Voter Confusion

Todd Donovan, Ph.D. August 2010

I. Summary

My report on Dr. Manweller's paper demonstrates that data he reported are flawed for many reasons. That report details how several problems with Dr. Manweller's research act to inflate the rate at which he measures confusion said to be associated with the Top Two ballot design. Factors inflating his measures include biased samples, poorly designed survey instruments, measurement error, and over-representation of people in the samples who are younger, less informed, and who are non-voters.

The Manweller experiments attempt to measure factual political knowledge. In this report, I demonstrate that confusion about political facts - particularly about matters related to political parties and political processes - is the norm among voters. I also demonstrate that younger survey respondents are substantially less knowledgeable about political facts than other voters. Given the samples used in Dr. Manweller's experiments, younger voters are substantially over-represented relative to their share of the actual voting population. As such, Dr. Manweller's attempts at measuring "confusion" about facts are weighted heavily by observations of people who have much lower levels of political knowledge than most voters. It is likely that this produces observed rates of "confusion" that are not representative of what would be found in a sample of reasonably informed voters. This report illustrates that any measured rates of confusion about political matters must be evaluated in the context of low levels of factual knowledge that exists in the electorate.

II. Voter Confusion about Politics is Common

Any study of voter confusion must be considered in the context of low levels of political knowledge that exist in the American public. One of the most striking findings from the first major studies of the American electorate was that voters had a very limited understanding of politics.¹ The average American voter was seen as relatively apathetic and uninterested in politics. For example, in 1964, only 10% could define the meaning of "liberal" or "conservative."² In 1975, one of the leaders of early academic survey research efforts noted that "the most familiar fact to arise from sample surveys...is that popular levels of information about public affairs are, from the point of view of the informed observer, astonishingly low."³

Although there is much academic debate about how much knowledge people require in order to be effective citizens,⁴ there is a general consensus that many lack

¹ Berelson, Bernard. 1952. "Democratic Theory and Public Opinion." *Public Opinion Quarterly*. 16: 313-30.; Berelson, Bernard, Paul Lazarsfeld and William McPhee 1954. *Voting: A Study of Opinion Formation in a Presidential Campaign*. Chicago: University of Chicago Press.; Angus Campbell, Philip Converse, Warren Miller and Donald Stokes. 1960. *The American Voter*. Chicago: University of Chicago Press.

² Converse, Philip. 1964. "The Nature of Belief Systems in Mass Publics." In D. Apter (ed.) *Ideology and Discontent*. New York: Free Press.

³ Converse, Philip. 1975. "Public Opinion and Voting Behavior." In F. Greenstein and N. Polsby (eds.) *Handbook of Political Science*. Addison-Wesley p. 79, Quoted in Michael Delli Carpini and Scott Keeter. 1996. *What Americans Need to Know about Politics and Why it Matters*. Yale University Press, p. 42.

⁴ Some suggest that low levels of information in the mass public requires a political system that depends more on elites Shattschneider, E. E. 1960. *The Semisovereign People*. New York: Holt.; Mueller, John 1992. "Democracy and Ralph's Pretty Good Grocery Store: Elections, Equality and the Minimal Human Being." *American Journal of Political Science*. 36:983-1003. [Others argue that minimally informed citizens are able to act rationally by relying on shortcuts and heuristics.] See Key, V. O. 1966. *The Responsible Electorate: Rationality in Presidential Voting, 1936-1960*. New York: Vintage; Page, Benjamin and Robert Shapiro. 1992. *The Rational Public*. Chicago: University of Chicago Press.; Sniderman, Paul, Richard Brody and Philip Tetlock. 1991. *Reasoning*

accurate factual information about politics and public affairs. People are well informed on a few high profile matters: Nearly everyone (99%) knows who the President is; they know George Washington was the first US President (93%);⁵ a high proportion know the length of the president's term (96%).⁶ High proportions know the US is a member of the UN (96% in 1985),⁷ know who Arnold Schwarzenegger is (93% in 2007),⁸ and can find Texas on a map (91%).⁹

Apart from a few examples such as these, however, it is rather rare for public opinion surveys asking factual questions about politics to that find more than 80% of Americans aware of the correct answer.¹⁰ Most Americans can't find New Jersey, Massachusetts or Missouri on a map;¹¹ most don't know who the Secretary of Defense¹² is, and most don't know how long the terms are for members of the US House or Senate.¹³ A comprehensive assessment of decades of survey research that asked Americans about their knowledge of American political institutions and processes found that majorities of respondents were wrong on 53 of 112 questions.¹⁴ Only 12 of the 112 questions found more than 80% of respondents giving the correct answer to factual questions about political institutions and processes.¹⁵

and Choice. Stanford University Press; Popkin, Samuel 1991. *The Reasoning Voter*. University of Chicago Press.

⁵ Delli Carpini and Keeter, P. 87

⁶ Delli Carpini and Keeter, P. 94

⁷ Delli Carpini and Keeter, P. 70

⁸ Pew Survey, April 2007

⁹ Delli Carpini and Keeter, P. 87

¹⁰ See Delli Carpini and Keeter, 1996. Chapter 2.

¹¹ Delli Carpini and Keeter P. 87.

¹² Pew Survey, 2010.

¹³ Delli Carpini and Keeter, P. 71.

¹⁴ Delli Carpini and Keeter, P. 71 - 72.

¹⁵ Delli Carpini and Keeter, P. 71-72.

III. Voter Confusion about Political Parties and Candidates is Common

Many (perhaps most) Americans lack basic factual knowledge about political process related to parties, candidates, and nominations. Data presented below document that most Americans don't know who the chairs of the national political parties are. They frequently don't know which party controls the US House of Representatives. They don't know who the current majority party leader of the US Senate is. Most did not know who won their party's presidential nomination contest in Iowa in 2008. Most don't understand how presidential candidates are nominated. These facts must be considered when attempting to describe levels of voter confusion associated with perceptions of the relationship between candidates and political parties under the Top Two primary.

Put simply, confusion about matters of politics is common and widespread, regardless of the political phenomena being considered. Table 1 in this report presents results from several Pew national opinion surveys that were designed to measure political knowledge in America. Pew runs these surveys semi-regularly, using random samples that are representative of the American public. Some questions are repeated over time, while other questions are replaced at times to measure knowledge about salient matters of the day.

Pew has never included a question asking "what is a party nominee?" or "who is the official nominee of a party?" However, they do occasionally include questions about political parties, party elected officials, and major party presidential candidates. Responses to these questions allow us to place attempts at measuring "voter confusion" about how candidates are related to political parties in a proper context.

Data in Table 1 illustrate that on many political matters, most Americans are not aware of the correct answer when asked about it. For example, in early 2010 (during intensive media coverage of health care legislation in Congress), respondents were asked, "In the United States Senate, opponents to legislation can delay a vote by filibustering. Do you know how many senators are needed to break a filibuster and bring a bill to the floor?; 51, 60, 67 or 75?" Only 26% responded with the correct answer. Twenty-five percent thought just 51 votes were needed. The same survey found only 39% could identify the Majority Leader of the Senate from a list of 4 names. In other words, people made errors 74% of the time when asked about the filibuster. They made errors 61% of the time when asked about the Senate leader. Thirty-nine percent of Americans made errors when asked who the Vice President was in 2005 - this after Vice President Cheney had served in office for over four years.

A. Most Americans Make Errors Answering Questions about Politics and Parties

Data in Table 2 report results from similar surveys conducted in previous decades. These data were drawn from numerous examples compiled¹⁶ by Dr. Michael Delli Carpini (Columbia University) and Dr. Scott Keeter (Director of Survey Research, Pew Research Center and the Pew Research Center for the People & the Press). Survey data from Table 1 and Table 2 demonstrate that knowledge about political parties and candidate partisanship is particularly low. Only 40% of Americans could identify Howard Dean as chair of the Democratic National Committee in 2008, this after Dean had held the post since February, 2005. Only 32% recognized Michael Steele as chair of

¹⁶ Delli Carpini, Michael and Scott Keeter. 1996. *What Americans Need to Know about Politics and Why it Matters*. Yale University Press.

the Republican National Committee in 2010. In some years, large majorities of Americans cannot identify which party has a majority in the US House. Only 22% of Americans knew Gerald Ford's party affiliation in 1974. In 1989, a substantial proportion of respondents were wrong when asked to name the partisanship of Franklin Delano Roosevelt and Harry Truman.

Table 2 also lists results from other surveys showing that most Americans don't know how the parties' presidential nomination process works. In other words, when asked questions about political parties, candidates, and nominations, most Americans are wrong quite regularly. With many of these examples, most people are wrong most of the time.

Other academic polls also show similar low levels of knowledge (or high levels of confusion) about matters related to politics and political parties. A national survey conducted by the University of Iowa one month after Barack Obama's and Mike Huckabee's victories in their respective parties' 2008 Iowa caucuses asked partisan voters if they knew who won their party's contest in Iowa. Half of the respondents could not correctly recall who won their party's caucus, despite intensive media attention to Iowa.¹⁷ Data in Table 3 illustrate results of political knowledge measures included on recent American National Election Study (ANES) surveys.¹⁸ The 2000 ANES included two

¹⁷ Redlawsk, David, Caroline Tolbert and Todd Donovan. 2011. *Why Iowa?* Chicago: University of Chicago Press.

¹⁸ The ANES is administered through the Center for Political Studies at the University of Michigan (and in 2008 Stanford University) and funded by the National Science Foundation. It uses combinations of face-to-face interviews and random digit dialing interviews. The 2000 post-election survey had 1555 respondents and an 86% response rate. The 2004 pre election study had 1212 respondents (a 66% response rate), with 1066 re-interviewed for the post-election survey (88% re-interview rate). The 2008 post-

items measuring factual knowledge about politics. The 2004 and 2008 surveys contained 4 items each. In 2000, most people surveyed immediately after the 2000 election did not know which party controlled the US Senate before the election.¹⁹ The 2004 and 2008 surveys found low knowledge about the speaker of the US House, and the Chief Justices of the US Supreme Court. On most (6 of 11) ANES measures of political knowledge placed on the last three ANES presidential election surveys, most people gave the wrong answer.

IV. Confusion about Parties and Politics is Highest Among the Young

The Pew Research Center for the People and the Press make many of their survey datasets available for public use. With these data files, I am able to evaluate responses to many political knowledge questions by different age groups. This information is listed in Table 1, and illustrates that political knowledge is lowest (and confusion about politics highest) among younger people. Survey respondents over 50 years old were twice as likely as those under thirty to know the state John McCain represented during the 2008 presidential primary contest. People over 50 were three times more likely than people under 30 to know who the majority party leader in the Senate was. On many items, knowledge is even higher among people over 65.

election survey had 2102 respondents and a 56% response rate (71% by the AAPOR RR5 standard).

¹⁹ 2000 Pre and Post Election Study. ANES V001357

A. Young People Make Significantly More Errors When Asked About Politics

Table 1 illustrates that regardless of how high or low overall levels of knowledge are for any single item, people under 30 are substantially more likely to make errors when asked questions about politics than people over 50. All the reported differences are statistically significant at $p. < .01$.²⁰

Dramatic differences in political knowledge defined by age are not limited to these items. A December 2008 Pew study presented scores for political knowledge as an index based on the correct responses to 10 factual questions. The average score for people under 30 was 4.9. In contrast, people aged 50-65 averaged 6.5 correct responses. People over 65 averaged 6.7 correct responses.²¹ Similar age differences are reported in Pew surveys conducted in February 2008.²² Responses to the 2000 and 2004 ANES questions about factual political knowledge in Table 3 are also cross-tabulated by age categories. Again, we see dramatic differences in political knowledge when young people are compared to people over 50. People over 50 were nearly 4 times as likely to be able to identify Dennis/Hastert's job (Speaker of the House) in 2004 and were more than twice as likely to know what William Rehnquist's job was. Questions from the 2000 ANES also reveal a knowledge gulf related to perceptions of political parties. Most people under 30 gave the wrong answer when asked which party controlled either the US House or the US Senate. Most people over 50 gave the correct answers when asked either question.

²⁰ Based on Chi-Square tests. Pew draws random digit dialing samples (cell and land line) with between 1000 to 1500 respondents and reports cooperation rates between 26% to 39% and response rates between 21% to 27%.

²¹ <http://pewresearch.org/pubs/1055/hillarys-new-job-better-known-than-dow-jones-average>

²² <http://pewresearch.org/pubs/762/political-knowledge-update>

Table 4 presents data from a 2007 Pew study that used a larger battery of questions designed to measure political knowledge. Respondents were asked 23 questions about politics and current news events. Questions measured the respondent's ability to recall names of the Vice President, of their state's governor, and the President of Russia. Additional questions asked which party controlled the US House, and about recent votes in Congress. Questions also measured knowledge of presidential nomination politics. Respondents were asked if they knew whether Hillary Clinton had announced she was a candidate for president, and if they could identify "the former mayor of New York City who is being mentioned as a possible Republican presidential candidate in 2008?"²³ Those who answered 15 or more correct were designated as having high levels of political knowledge. People responding correctly to 10 to 14 questions were designated as having medium levels of political knowledge. People with nine or fewer correct responses were designated as having low political knowledge.

Table 4 demonstrates that a majority of people under 30 (56%) were in the low knowledge category. That is, they made errors (or were confused) in their responses to most questions about politics. Very few people under 30 (only 15%) scored high on political knowledge. Conversely, pluralities of people over 50 were in the high political knowledge categories. There are also striking differences associated with education. Nearly two-thirds of college graduates score high on political knowledge. Barely one-third of people with some college score high.

²³ Pew Research Center. April 15, 2007. "What Americans Know: 1989-2007." <http://people-press.org/reports/pdf/319.pdf>

B. Non-voters Make Significantly More Errors When Asked About Politics

The Pew research also demonstrates substantial differences in political knowledge between voters and non voters. Sixty-four percent of registered voters knew during the presidential election campaign that Sen. John McCain represented Arizona. Only 26% of non-voters could correctly identify Sen. McCain's state.²⁴ Forty-seven percent of people scoring lowest on Pew's 23-item index of political knowledge were non-voters.²⁵

Non voters scored significantly lower on the Pew 23-item measure of political knowledge than actual and potential voters (people who report they were registered). The average knowledge score for non voters was 9.2. For registered voters, the average score was 13.7.²⁶

V. The Manweller Report Focuses on People with Low Political Knowledge

As detailed in Section III of my report on the Manweller paper, younger, less knowledgeable people, and non-voters are heavily over-represented in Dr. Manweller's samples. People over 50 and over 60 - the most informed segments of the electorate - are grossly under-represented in his samples. Dr. Manweller notes that his sample of so-called "new voters" is comprised nearly exclusively of people under 24 years of age, many (if not all) who are non-voters.²⁷ My report on the Manweller paper documents (Section III, Part D and E) that Dr. Manweller's samples of registered voters taken online also vastly over represent younger people. Data presented in this report clearly

²⁴ <http://pewresearch.org/pubs/762/political-knowledge-update>

²⁵ <http://people-press.org/report/319/public-knowledge-of-current-affairs-little-changed-by-news-and-information-revolutions>

²⁶ $t = 13.44$, $p < .0000$. $N=1493$, $d.f = 1491$.

²⁷ Manweller, P. 11.

demonstrate that these younger people and non voters are far less knowledgeable about politics, and far more likely than other people to give incorrect answers when asked factual questions about politics.

VI. Conclusions: Placing Measures of Voter Confusion in Proper Context

In sum, the Manweller experiments attempt to measure voter knowledge about political facts related to candidates and political parties. All levels of "voter confusion" and so-called voter "errors" reported in the Manweller paper must thus be considered in the following context:

1) Decades of survey research demonstrate that people lack factual knowledge about many aspects of politics related to candidates, political parties, and party nominations.

2) Levels of "confusion" measured in surveys (incorrect answers to factual questions such as the type used by Dr. Manweller) very often exceed 50% in samples that include well-informed voters.

3) Younger people and non-voter (both groups are over-represented in Dr. Manweller's samples) are most likely to give incorrect answers when asked factual questions about politics.

4) Even though Dr. Manweller used research methods that inflated the likelihood of measuring voter confusion associated with the Top Two ballot, the rates of "error" he reports associated with perceptions that candidates are party nominees are quite low when compared to confusion about many other related political phenomena. As noted, my report documents that Dr. Manweller's reported measurements of voter confusion are

highly flawed, and lack validity. Nonetheless, levels of "voter error" he associates with how his subjects perceived a relationship between parties and candidates are low when placed in the context of data discussed in this section.

Seventy percent of people from Dr. Manweller's biased registered voter sample were "correct" when a flawed and biased survey question (see Section VIII of my report) asked them consider the mock Top Two ballot and decide if a candidate was the nominee of a party.²⁸ This is a lower level of confusion than measured by nearly every legitimate survey item reported in Table 1 and Table 2 of this report. Put differently, 30% of Dr. Manweller's sample, which is biased toward over-representing the least informed voters and biased toward over-measuring error, were incorrect (using Dr. Manweller's logic) when asked about a candidate's status as a party's nominee on a Top Two ballot.²⁹ In contrast, representative samples of the American electorate show 70% are wrong when asked how long a member of the US House can serve. Seventy-five percent are wrong when asked how long a US Senate term is and when asked how a filibuster ends. By any standard then, Dr. Manweller has not demonstrated that the Top Two ballots are associated with widespread voter confusion about whether candidates are nominated or endorsed by a political party.

²⁸ Manweller, p. 28.

²⁹ Manweller, p. 28.

Table 1: Political Knowledge in US, Pew Surveys

	Correct	age under 30	age over 50	difference
Party with US House majority (Pew, 2009)	86%	77%	90%	-13%
Know who Speaker of US House is (Pew 2008)	78%	51%	83%	-32
Party with US House majority (Pew 2007)	76%	61%	82%	-21
Do Pakistan & Afghanistan share border (Pew, 2009)	69%	52%	80%	-28
Know name of state's governor (Pew 2007)	66%	55%	68%	-13
Know who is Vice President (Pew, 2005)	61%	n/a	n/a	
Know who Barack Obama is (Pew, 2007)	61%	37%	70%	-33
Know what Timothy Geithner's job is (Pew, 2009)	58%	42%	69%	-27
What state John McCain represents (Pew 2008)	54%	33%	67%	-34
What religion is pres. candidate Romney (Pew 2007)	54%	37%	64%	-27
Who is Robert Gates (Pew, 2008)	52%	37%	60%	-23
Who is Chair of the Federal Reserve (Pew 2009)	45%	31%	55%	-24
Who is Robert Gates (Pew, Aug 2007)	41%	34%	46%	-12
Know Chair of DNC Howard Dean (Pew, 2008)	40%	35%	44%	-9
Majority party leader of US Senate (Pew, 2010)	39%	16%	50%	-34
Chief Justice Roberts is conservative (Pew, 2007)	37%	29%	38%	-9
Chair of Republican National Cmte (Pew, 2010)	32%	15%	39%	-24
Party with US House majority (Pew 2001)	31%	n/a	n/a	
Which Dem pres. candidate Hispanic (Pew, 2007)	31%	19%	35%	-16
Votes in US Senate to break filibuster (Pew, 2010)	26%	14%	32%	-18
Majority party leader of US Senate (Pew, 2008)	24%	12%	32%	-20
Name the Secretary of Defense (Pew, Feb 2007)	21%	9%	29%	-20

Source: Pew Research Center surveys, various years. On line at <http://people-press.org/reports/>

Note: Datafiles for 2001 and 2005 not available.

Table 2: Political knowledge about Institutions, Processes, and Politics

Know who is President (1986)	99%
Warrants allow police searches (1986)	96%
Treaties require Senate approval (1986)	79%
Constitution can be amended (1986)	76%
First Amendment protects speech/press (1985)	75%
Know what FDR's political party was (1989)	69%
President can't adjourn Congress (1986)	59%
Know party of state's governor (1985)	59%
Know what Truman's political party was (1989)	58%
How presidential delegates selected (1978)	49%
Congress declares war (1987)	45%
How presidential candidates selected (1952)	40%
Define a primary election (1952)	36%
Name both US Senators from state (1985)	35%
Length of US House term (1978)	30%
Length of US Senator's term (1991)	25%
Know both US Senators from state (1989)	25%
Know Gerald Ford's party (1974)	22%
Name two 5th Amendment rights (1989)	2%

Source: Delli Carpini and Keeter, 1996.

Table 3: National Election Study Measures of Political Knowledge

	Correct	age under 30	age over 50
Know job or office Dick Cheney holds (2004)	86%	79%	90%
Know job or office Tony Blair holds (2004)	65%	47%	71%
Know job or office Dick Cheney holds (2008)	63%	n/a	n/a
Know party controlled US House before election (2000)	54%	46%	59%
Know party controlled US Senate before election (2000)	50%	39%	56%
Know job or office Nancy Pelosi holds (2008)	38%	n/a	n/a
Know job or office John Roberts holds (2008)	35%	n/a	n/a
Know job or political office William Rehnquist (2004)	31%	17%	39%
Know job or office Gordon Brown holds (2008)	26%	n/a	n/a
Know job or political office Dennis Hastert holds (2004)	11%	4%	15%

Sources: American National Election Study, 2000, 2004 and 2008.

Note: 2008 data coding open-ended responses to knowledge questions was released separately from the file matching responses to demographic data.

Table 4: Levels of Political Knowledge, by Age and Education (Pew, April 2007)

	<i>Knowledge Level</i>		
	High	Medium	Low
18-29	15%	29%	56%
30-49	35%	32%	33%
50-64	47%	31%	22%
65+	43%	29%	28%
Some college	34%	35%	31%
College grad	63%	26%	11%