
Katherine R. Knobloch, John Gastil, Traci Feller, Robert C. Richards and Robert C. Jr

Empowering Citizen Deliberation in Direct Democratic Elections: A Field Study of the 2012 Oregon Citizens' Initiative Review

Warning

The contents of this site is subject to the French law on intellectual property and is the exclusive property of the publisher.

The works on this site can be accessed and reproduced on paper or digital media, provided that they are strictly used for personal, scientific or educational purposes excluding any commercial exploitation. Reproduction must necessarily mention the editor, the journal name, the author and the document reference.

Any other reproduction is strictly forbidden without permission of the publisher, except in cases provided by legislation in force in France.

revues.org

Revues.org is a platform for journals in the humanities and social sciences run by the CLEO, Centre for open electronic publishing (CNRS, EHESS, UP, UAPV).

Electronic reference

Katherine R. Knobloch, John Gastil, Traci Feller, Robert C. Richards and Robert C. Jr, « Empowering Citizen Deliberation in Direct Democratic Elections: A Field Study of the 2012 Oregon Citizens' Initiative Review », *Field Actions Science Reports* [Online], Special Issue 11 | 2014, Online since 21 September 2014, connection on 06 November 2014. URL : <http://factsreports.revues.org/3448>

Publisher: Institut Veolia
<http://factsreports.revues.org>
<http://www.revues.org>

Document available online on: <http://factsreports.revues.org/3448>

This PDF document was generated by the journal.

Creative Commons Attribution 3.0 License

Empowering Citizen Deliberation in Direct Democratic Elections: A Field Study of the 2012 Oregon Citizens' Initiative Review

Katherine R. Knobloch¹, John Gastil², Traci Feller³ and Robert C. Richards, Jr.⁴

¹ Ph.D., Assistant Professor, Department of Communication Studies, Colorado State University
katie.knobloch@colostate.edu

² Ph.D., Head and Professor, Department of Communication Arts & Sciences,
The Pennsylvania State University

³ M.S., Ph.D. candidate, Department of Communication, University of Washington

⁴ J.D., Ph.D. candidate, Department of Communication Arts & Sciences,
The Pennsylvania State University

Abstract. Initiatives and referenda permit citizens to vote directly on legislation, but voters often lack essential policy information when deciding whether to support the measures on their ballots. Since citizens often do not trust policy experts and political elites to provide trustworthy information, the State of Oregon (USA) created an institution to address that problem. After an initial test in 2010, Oregon's governor signed into law the Citizens' Initiative Review Commission, which convened two stratified random samples of twenty-four Oregon voters. The first panel spent a week examining a tax reform measure, and the second reviewed a measure that would establish private casinos. At the end of their deliberations, each panel produced a one-page Citizens' Statement that was included in a Voters' Pamphlet, which the Secretary of State mailed to every registered Oregon voter. Using direct observation, panelist interviews, and large-sample, statewide surveys, researchers studied the deliberative quality and statewide impact of this unique process. They discovered that the panels met a high standard for deliberation, both from the researchers' perspective as observers and from the point of view of the participants themselves. A majority of Oregon voters became aware of the process, which produced relevant and factually accurate statements. Roughly two-thirds of those who read the statements found them to be helpful when deciding how to vote. Finally, an online survey experiment shows that reading the statements increased voter knowledge substantially. Thus, the Citizens' Initiative Review appears to provide a viable model for using citizen-centered deliberation to inform the judgments of the voting public.

Keywords. Civic education, Deliberative democracy, Initiative, Referendum, Civic engagement, Political knowledge, USA

1. History of the Citizens' Initiative Review

First established in 2009, the Oregon Citizens' Initiative Review (CIR) is a unique democratic reform—still without any comparable reform elsewhere in the world. Although similar processes, such as the Citizens Jury and Deliberative Polling have existed for several decades, the CIR is the first state-sanctioned government reform to bring together a randomly selected and demographically stratified group of voters to engage in public decision making. (For an overview of deliberative methods, see Gastil & Levine, 2005; Nabatchi, Gastil, Weiksner, &

Leighninger, 2012.) The CIR aims to improve the *quality* of public participation and political deliberation in modern democracy.¹ As Yale democratic theorist Robert Dahl wrote in 1998, "One of the imperative needs of democratic countries is to improve citizens' capacities to engage intelligently in political life," and the CIR aims to do just that (pp. 187-88).

As social and political reforms began to flourish in the early 1900s during the Progressive Era, many states in the United States of America created the initiative process to allow voters to

¹ A very accessible account of this approach is provided in Gutmann and Thompson (2004) and Leighninger (2006).

decide on the passage of state laws or amendments to their state constitutions.² Ballot initiatives and referenda (often called “ballot measures”) were intended to make the government more accountable by circumventing the corrupting powers of entrenched parties and special interest groups.³ Ballot initiatives, however, can be very complex and burdensome on the public. There can be numerous measures on one ballot that cover anything from tax law to bear trapping, and it may require hours of research to understand and decide how to vote. Many voters lack the time, resources, and in-depth knowledge about each proposition and may instead rely on interest group campaigns and political elites to aid their decision-making (Gerber, 1999; Gerber & Lupia, 1999). This results in initiative proponents or opponents attempting to outspend their competitors on advertising campaigns that are often highly misleading and that undermine the progressive ideals under which the initiative process was adopted (Broder, 2000).

The CIR was developed with these problems in mind. Its designers sought to improve the quality of information readily available to voters regarding statewide initiatives.⁴ The CIR is a form of the Citizens Jury—a method of public deliberation by citizens about candidates for office (Crosby & Nethercutt, 2005)—applied to ballot initiatives. The CIR differs from other deliberative methods in its sample size, duration, and decision-making procedure. For example, the CIR differs from the Deliberative Poll (DP) (Fishkin, 2009) in that the CIR employs a much smaller sample (twenty-four participants rather than one hundred or more), involves more extensive deliberations (lasting five days rather than the DP's two days), and requires participants to make a final decision consisting of a vote accompanied by a written explanation, rather than merely completion of a questionnaire.

Introduced by John Gastil (2000) as a way to adapt Citizens Juries for initiative elections, the CIR was proposed in the 1990s in the U.S. state of Washington by Michael Lowry and Ned Crosby, developer of the Citizens Jury. After the state of Washington failed to adopt the CIR, Tyrone Reitman and Elliot Shuford founded Healthy Democracy Oregon (HDO), a nonpartisan, nonprofit organization committed to strengthening the integrity of the ballot initiative process, and worked with Crosby to introduce the CIR in the U.S. state of Oregon (Crosby & Hottinger, 2011). These three proponents organized an unofficial CIR trial in 2008, which persuaded the Oregon legislature to authorize a state-sanctioned implementation in 2010. The success of the pilot process led the Oregon legislature to pass a law in 2011 that made the CIR an official part of the state's initiative process (Knobloch, Gastil, Reedy,

& Walsh, 2013).

To summarize the process, CIR organizers convene representative groups of twenty-four registered Oregon voters, selected by stratified random sampling to match the Oregon electorate in terms of sex, age, ethnicity, education, place of residence, voting history, and party affiliation,⁵ to learn about, analyze and deliberate on statewide initiatives for five days. During the five days, the panelists hear testimony from advocates both in favor and opposition to the bill (generally including those who initially proposed the initiative and those who are involved in organized campaigns opposing the initiative) as well as witnesses who serve as subject-matter experts on either specific aspects of the initiative or related issues (Knobloch *et al.*, 2013). Advocates are selected by HDO, which, in concert with the advocates prepares a list of potential witnesses. Panelists then select the witnesses to call from the list of potential witnesses based on their specific information needs.

At the end of deliberations, each panel writes a page-long analysis of their assigned initiative for the official Oregon State Voters' Pamphlet—a governmentally published booklet summarizing the initiatives that is distributed to voters before an election (Magleby, 1984). The Secretary of State delivers it along with a mail-in ballot to each registered voter in the state. The CIR Statements are meant to improve the information that is available to voters, eighty percent of whom report that they use the Voters' Pamphlet when making their voting decisions (Gastil & Knobloch, 2010). In short, the CIR connects small-scale deliberation to electoral decision-making.

2. Description of the 2012 CIR

After reviewing the results of the initial CIR panels in 2010, the Oregon legislature created the CIR Commission. To implement the 2012 panels, the Commission turned to HDO, which had designed and piloted the CIR process. HDO again arranged two separate demographically stratified random samples of twenty-four Oregon voters. Each CIR panel studied a specific ballot measure for five days and then produced a one-page Citizens' Statement that detailed the key findings, policy considerations, and arguments for and against the initiative that the panelists identified.⁶ The Secretary of State then included these Statements in the Voters' Pamphlet that was mailed to each household with voters who were registered to vote in the 2012 general election.

Two panels were convened for five days each in August, 2012. The first panel reviewed Measure 85, which proposed allocating corporate tax “kicker” refunds for K-12 public education. The second panel reviewed Measure 82, which proposed authorizing privately-owned casinos in Oregon.

Each CIR panel followed the same general five-day process design, which is summarized below:

² In this article, “initiative” means a proposed law written by citizens and placed on a ballot for approval by voters (Matsusaka, 2008), and “initiative process” means the procedures by which an initiative is drafted, placed on the ballot, and voted upon.

³ Cronin (1989) provides a history of the initiative process, and Broder (2000) provides a more skeptical account of its utility. Representative research on direct democracy includes Bowler and Donovan (1998) and Matsusaka (2008).

⁴ The model underlying the Oregon CIR is the Citizens' Jury that was designed by Ned Crosby and various collaborators (Crosby & Hottinger, 2011; Crosby & Nethercutt, 2005). Crosby (2003) laid out the initial conception of the CIR.

⁵ While this article does not explore how these demographic factors relate to deliberative participation in the CIR, other members of the CIR research team are closely analyzing the transcripts for evidence of variation, specifically related to participant sex.

⁶ The design of the Citizens' Statement is established by law. For details on the CIR law and its commission, see www.oregon.gov/circ/Pages/index.aspx.

- Monday: Orientation to CIR and the ballot measure
- Tuesday: Proponent and opponent presentations and rebuttals
- Wednesday: Witnesses called by panel and ongoing small group discussions
- Thursday: Final proponent and opponent presentations and drafting of Key Findings/Policy Considerations
- Friday: Draft Pro and Con Arguments, review Citizens' Statement, and hold a press conference

To get a sense of what a CIR Citizens' Statement looks like, consider the case of the panel on private casinos. The neutral Key Findings helped voters to understand the context of the proposal. The first finding read, "Economists disagree on the long term economic impact of private casinos in Oregon." In spite of that initial equivocation, a later finding noted that "private casinos could negatively affect the gaming revenues of the tribal casinos and the communities they support." A section on Additional Policy Considerations noted, "If Measure 83 passes, approximately 2,000 full-time jobs with benefits may be created; however, jobs could be lost at tribal casinos and small businesses as well."

The Statement also included a "Majority Statement in Opposition to the Measure," a "position taken by 17 of 24 panelists." The opponents' first reason read, "Measure 82 changes the Oregon constitution. If this measure passes it will allow more outside influence on gambling within the state. The backers who wrote this measure stand to gain significant profits by changing the Oregon constitution." The leading argument of the "Minority Statement in Support of the Measure" read, "Measure 82 changes the Oregon constitution to allow the people of Oregon to decide whether they want private casinos and allows the local communities to vote for or against the measure even if voters approve a casino in a statewide election."

The remainder of this article analyzes the overall performance of the Oregon CIR relative to its two primary goals. Its first goal was to convene a democratic and deliberative process, whereby a small sample of Oregon voters could come to understand and provide a succinct, written analysis of the ballot measure put before them. The second goal was for the Citizens' Statement produced by the CIR to reach the wider Oregon public, thereby making the electorate more informed in their judgments on these ballot measures. Each question is considered in turn.

3. Evaluation of the Deliberative Quality of the 2012 CIR Panels

Each day of the CIR, the research team distributed brief questionnaires to panelists. This section provides a simple summary of that assessment and the panelists' self-evaluations.

3.1 CIR Report Card and Overall Satisfaction

A summary report card for the CIR is shown in Table 1.

This presents the overall evaluation of the process in terms of the quality of its analytic rigor, democratic discussion, and production of a well-reasoned statement.

Table 1. Summary assessments of the quality of deliberation in the August, 2012 Oregon Citizens' Initiative Review panels (on a grading scale from A to F)

Criteria for Evaluating Deliberation	Measure 85 (Corporate Kicker)	Measure 82 (Non-tribal Casinos)
Promote analytic rigor		
Learning basic issue information	B+	A-
Examining of underlying values	B	A
Considering a range of alternatives	A	B
Weighing pros/cons of measure	A	A-
Facilitate a democratic process		
Equality of opportunity to participate	A	B+
Comprehension of information	A-	B+
Consideration of different views	A	A-
Mutual respect	A	B
Produce a well-reasoned statement		
Informed decision making	A	B
Non-coercive process	A	A-

Scores for the 2012 process were higher than those for the 2010 process in many areas, as assessed in Knobloch *et al.* (2013).⁷ Improvements resulted from better inclusion of values in the panelist discussions and in the ability of advocates and panelists to provide more feedback on draft versions of the Citizens' Statements. The latter process improvement was especially important to protect the CIR process against insularity, or drifting into groupthink (Street, 1997) during panel deliberations.

In the following sections, more detailed results are provided using the panelist evaluations to discuss the CIR's performance on each of the three main criteria shown in Table 1, but this report first looks at the overall process ratings given by the panelists themselves. At the conclusion of the five-day review, panelists assessed their overall level of satisfaction with the CIR. Figure 1 presents these results. They indicate that overall satisfaction was generally "high" or "very high."

⁷ For more on this approach to evaluation, see Gastil, Knobloch, and Kelly (2012). This conception of democratic deliberation comes from Gastil (2008).

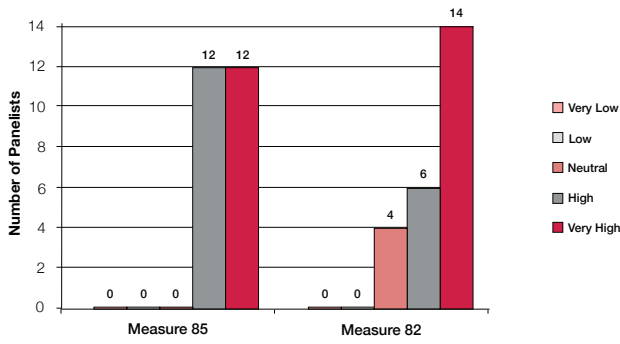


Figure 1. Panelists' overall satisfaction with the CIR process.

3.2 Analytic Rigor

One indication of the CIR processes' analytic rigor was the extent to which the panelists believed that they had learned enough to make good decisions. Figure 2 summarizes their responses, and shows that panelists were quite certain that they had learned enough to make informed judgments.

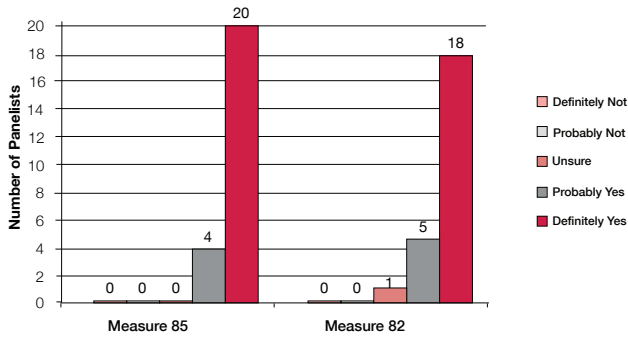


Figure 2. Panelists' end-of-week self-assessment of having learned enough to make an informed decision.

Panelists were also asked to "rate the performance of the CIR process" on "weighing the most important arguments and evidence" in favor of and opposing the measures. Figures 3 and 4 present these assessments and show that the CIR panelists were confident that they weighed both pro and con arguments.

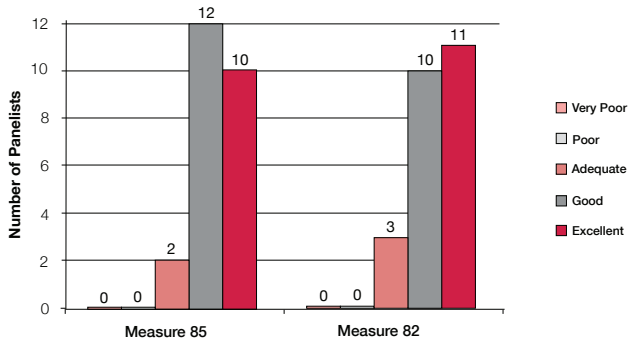


Figure 3. Panelists' assessment of CIR's performance on weighing arguments and evidence *in favor* of the initiative.

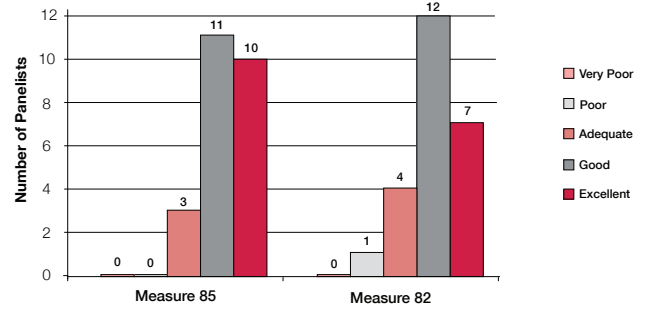


Figure 4. Panelists' assessment of CIR's performance on weighing arguments and evidence *opposing* the initiative.

Panelists also rated the CIR's performance in considering the underlying values at stake with each measure. Figure 5 shows that they thought that they did a "good" or "excellent" job at this.

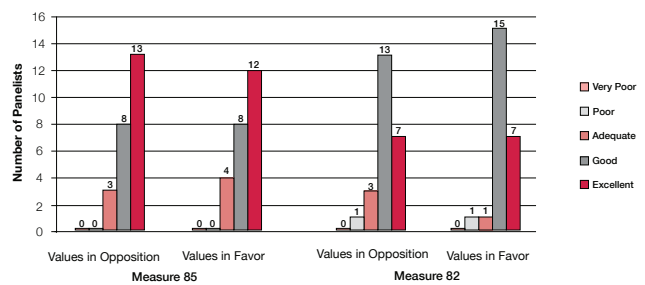


Figure 5. Panelists' assessment of CIR's performance on considering underlying values.

3.3 Democratic Discussion

To assess whether panelists had equal opportunities to speak, panelists were asked at the end of each day whether they "had sufficient opportunity to express [their] views today." The results indicate that a very large majority of panelists perceived that they had equal opportunity to speak during the process: Across ten days of deliberation, the average number of people who reported lacking opportunities to speak was less than one (0.7). The maximum was two.

To assess whether the advocates had equal time, panelists were asked "how equal was the time given to the advocates" on the four days in which the advocates had an opportunity to address the panelists, in person or by written statements. Most participants said that both sides received equal time each day, except on Tuesday, when four of the twenty-four panelists each week thought that the proponents of the measures had more time than the critics. This appears to reflect the actual *use* of time by the advocates and critics of the ballot measures. For instance, on Measure 85, the opponents chose to waive their rebuttal time to spend more time on their presentation. No panelists mentioned this in their open-ended comments, and the research team perceived that neither side had been given more time than the other.

Because the panelists were required to sift through a large amount of complex information, they were asked at the end of each day how often they had "trouble understanding or following the discussion today." Table 2 shows that a majority of panelists indicated that on every day of both weeks they "never" or "rarely" had trouble following the conversation.

Table 2. Frequency of reported *difficulty* understanding information each day of the CIR

	HAD TROUBLE UNDERSTANDING MEASURE 85				
	Never	Rarely	Occasionally	Often	Almost Always
Mon	4	14	6	0	0
Tues	7	12	3	1	1
Wed	7	12	4	1	0
Thurs	8	12	2	1	1
Fri	13	9	1	1	0

	HAD TROUBLE UNDERSTANDING MEASURE 82				
	Never	Rarely	Occasionally	Often	Almost Always
Mon	5	12	7	0	0
Tues	5	14	4	1	0
Wed	6	12	5	1	0
Thurs	13	7	2	1	1
Fri	11	10	3	0	0

To further understand if the panelists adequately considered the information and arguments raised during the process, particularly those stemming from opposing viewpoints, the research team asked panelists the following question at the end of each day: “When other CIR participants or Advocate Team members expressed views different from your own today, how often did you consider carefully what they had to say?” Table 3 shows that the majority of panelists reported that they either “often” or “almost always” considered opposing viewpoints.

The CIR panels used a pair of facilitators or “moderators,” and at the end of each day, CIR panelists were asked if “the CIR Moderators demonstrated a preference for one side or the other today.” The modal result was that all twenty-four panelists reported no favoritism, except during the second day of Measure 82, during which three panelists perceived that the proponents were being favored, although two perceived the opposite. In no case was the bias sufficiently important to warrant a mention in the open-ended comments given at the end of each day.

Panelists were also asked to assess the neutrality of the staff using the following question on the end-of-week evaluation: “One of the aims of this process is to have the staff conduct the Citizens’ Initiative Review in an unbiased way. How satisfied are you in this regard?” Figure 6 shows that panelists were generally very satisfied.

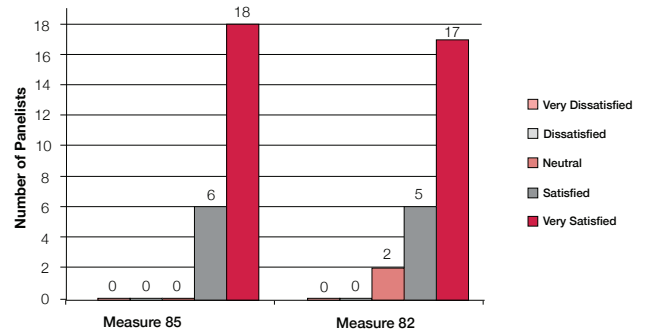


Figure 6. Panelists’ satisfaction with staff neutrality.

Table 3. Panelists’ self-reported consideration of opposing views on each day of the CIR

	MEASURE 85				
	Never	Rarely	Occasionally	Often	Almost Always
Mon	0	1	0	8	15
Tues	0	0	0	10	14
Wed	0	1	1	12	10
Thurs	0	0	2	9	13
Fri	0	0	0	8	16

	MEASURE 82				
	Never	Rarely	Occasionally	Often	Almost Always
Mon	0	0	2	13	9
Tues	0	0	2	13	9
Wed	0	0	1	8	15
Thurs	0	0	1	7	16
Fri	0	0	3	7	14

To assess the level of respect maintained during the process, panelists were asked at the end of each day how often they felt “that other participants treated you with respect today.” The CIR scored very high marks on this criterion, as indicated in Table 4.

Table 4. Panelists’ self-report feelings of respect for each day of the CIR

	MEASURE 85				
	Never	Rarely	Occasionally	Often	Almost Always
Mon	0	0	0	2	22
Tues	0	0	0	4	20
Wed	0	0	0	11	13
Thurs	0	0	2	5	17
Fri	0	0	0	7	17

	MEASURE 82				
	Never	Rarely	Occasionally	Often	Almost Always
Mon	0	0	2	2	20
Tues	0	0	1	5	18
Wed	0	0	2	7	15
Thurs	0	0	3	6	15
Fri	0	0	4	8	12

3.4 Non-Coercive and Informed Decision Making

To ensure that the panelists' decisions were free from coercion, they were asked at the end of each day how often they felt "pressure to agree with something that [they] weren't sure about." Table 5 shows that most panelists during both weeks reported "never" or "rarely" feeling such pressure.

Table 5. Frequency of feeling pressured to make a decision for each day of the CIR.

	MEASURE 85				
	Never	Rarely	Occasionally	Often	Almost Always
Mon	18	5	1	0	0
Tues	13	8	3	0	0
Wed	10	13	1	0	0
Thurs	10	5	7	2	0
Fri	11	9	4	0	0

	MEASURE 82				
	Never	Rarely	Occasionally	Often	Almost Always
Mon	14	8	1	0	0
Tues	15	5	2	1	1
Wed	14	8	2	0	0
Thurs	17	6	1	0	0
Fri	14	5	5	0	0

For some, the ultimate question concerning the value of deliberation is whether it changes one's opinion. This, after all, is the basic idea of the Deliberative Poll, which compares pre- and post-deliberation attitudes (Fishkin, 2009). To avoid influencing panelists' positions by pre-discussion surveys, however, the panelists were asked about this only on the end-of-week evaluation. They reported their position on the measure both "before [they] participated in the CIR" and "at the end of the CIR process." As indicated in Figure 7, at least half of the panelists of both groups entered the deliberations undecided on the measure on which they would be deliberating.

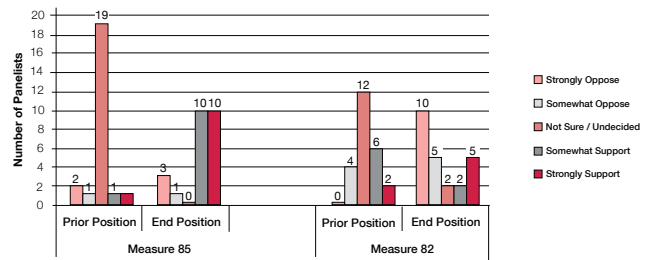


Figure 7. Panelists' self-report of position on measure before and after deliberation.

Finally, panelists were asked to rate their satisfaction with each piece of the Citizens' Statements that they produced. Figure 8 shows their assessment of the quality of the Key Findings portion of their final statement. Similar responses were given for each of the other elements of their statement. In each case, a large majority (at least 17 out of 24) was "satisfied" or "very satisfied" with these components.

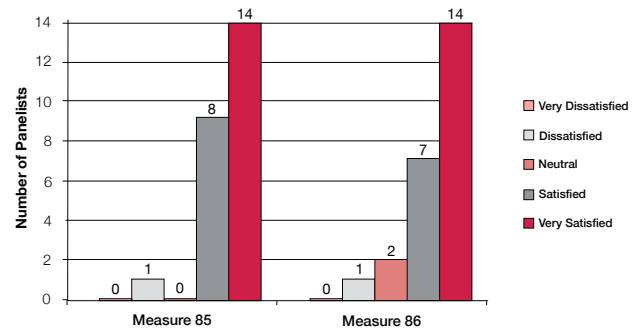


Figure 8. Panelists' satisfaction with Key Findings.

3.5 Evaluation of the 2012 Oregon CIR Citizens' Statements

In addition to the evaluation of the deliberative quality of the process, an analysis of the products of those deliberations—the Citizens' Statements—was conducted.⁸ The conclusions are summarized below.

- All of the Key Findings and the Additional Policy Considerations in the 2012 Citizens' Review Statements appear to be supported by testimonial or documentary evidence presented during the 2012 CIR, or by the text of ballot measures.
- The Key Findings, Additional Policy Considerations, as well as the pro and con statements are generally written in straightforward language that is likely to be accessible to ordinary voters.
- The few assertions in the pro and con statements that do not appear to have originated in evidence or in the text of ballot measures seem to be based on values-based conclusions that could reasonably have been drawn from that evidence or the ballot-

⁸ The full statements are available online at www.la1.psu.edu/cas/jgas-til/CIR/ReportToCIRCommission2012.pdf.

measure texts.⁹

- One assertion in the pro and con statements in the 2012 Citizens' Review Statements may be troublesome. In the Measure 82 "con statement," the assertion about social impact is both grammatically incorrect (the verb does not agree in number with the subject) and logically faulty, since it claims that an "impact" is "at risk" (which arguably has no meaning). Whether the phrasing of this sentence proved to be confusing to voters is uncertain.

In the researchers' view, this amounts to a favorable assessment of the accuracy of the statements. They contained considerable useful factual information. The only error appears to be one of grammatical ambiguity.

4. Evaluating the Impact of the 2012 CIR

Even if the Oregon CIR was a democratic and deliberative process, a question remains of whether it had a significant impact on the wider electorate. If it failed in this regard, all its effort would have accomplished little. Thus, in the final two weeks of the 2012 general election, a statewide telephone survey of 800 likely Oregon voters was commissioned. Though the survey had a low overall response rate, it was representative of the Oregon electorate in partisanship, demographics, and voting choices.

Before examining these results, it is important to note that the proponents of Measure 82 (casinos) opted to halt their campaign after the CIR but before Election Day (Esteve, 2012). Why this occurred has not been determined, but the decision likely affected voters' responses to some of the questions. The fact that a CIR-analyzed measure was effectively abandoned likely reduced the importance of the CIR analysis for many voters. (Sixty-four percent of those surveyed were aware that the campaign had ended, though 80% claimed that it made no difference to them.)

4.1 CIR Awareness

The survey asked voters how aware they were of the Oregon Citizens' Initiative Review panels. Figure 9 shows that CIR awareness was higher in 2012 than in 2010. Also, voters became more aware of the CIR as the election grew closer to an end.

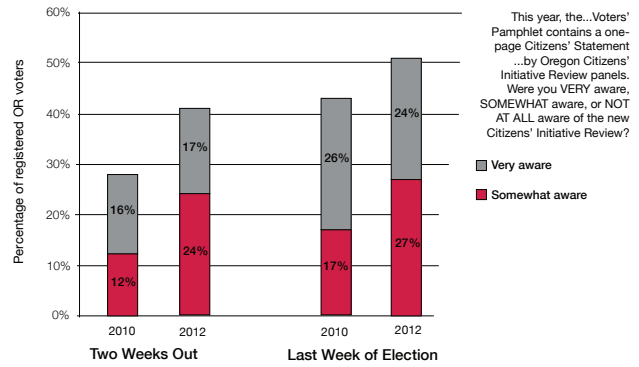


Figure 9. Awareness of the CIR among likely Oregon voters during the final weeks of the 2010 and 2012 general elections.

4.2 CIR Statement Use and Helpfulness

In the 2012 survey, 53% of people who voted read the CIR Statement on Measure 82, whereas only 44% had read the CIR Statement on Measure 85. CIR users were asked, "How helpful was it to read the Citizens' Initiative Review statement?" Figure 10 summarizes these results graphically (rounding accounts for the 1% discrepancies in totals). Roughly two-thirds of voters who read the statements found them to be helpful, which suggests that a critical mass of voters may be finding the statements to be essential reference material.

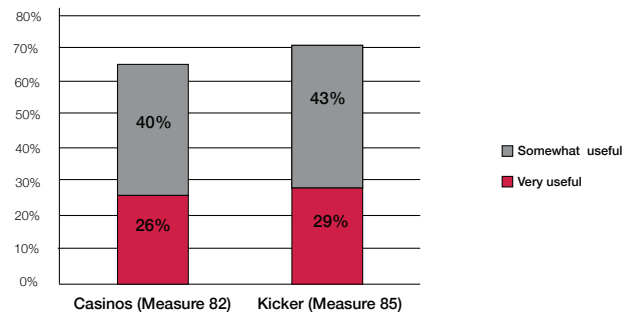


Figure 10. Helpfulness ratings by voters who read CIR Statements for Measures 82 or 85.

Along with the newly instituted CIR Statements, the Oregon Voters' Pamphlet traditionally contains other pieces of information related to each initiative. Oregon allows citizens and organizations to publish, for a fee, arguments for or against initiatives in the official Voters' Pamphlet, for the purpose of informing voters (Bassett, 2009; Josslin, 1943). In addition, the Voters' Pamphlet contains information about the measure and its fiscal impact, produced by two advocates who favor the measure, two who oppose it, and a neutral fifth party.

Another set of questions in the phone survey asked voters who had read the Voters' Pamphlet how much "trust" they had in each of four different sections: the CIR Statement, the *paid* pro/con arguments, the Fiscal Statement, and the Explanatory Statement. Figure 11 shows that they placed "a little" trust in each section. However, this means that Oregon voters placed approximately the same amount of trust in the

⁹ A values-based conclusion is an inference based on one or more general qualitative principles. For example, in the 2010 Oregon CIR the Citizens' Statement for Measure 73, the "Citizen Statement Opposed to the Measure" contains the following assertion: "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." The language "depriving them of their right to trial by jury" is not contained in the evidence or in the text of the ballot measure, but is an inference based on a general qualitative principle—namely, the fundamental right to trial by jury, which is a constitutional norm provided for in the U.S. federal Constitution and the Oregon state constitution—that could have been drawn from the statements in the evidence that individuals charged under Measure 73 could be compelled to enter a plea bargain regardless of their culpability.

CIR Statement as in the Fiscal and Explanatory Statements,¹⁰ which is noteworthy because the CIR Statement contains qualitatively different information than either of those.¹¹

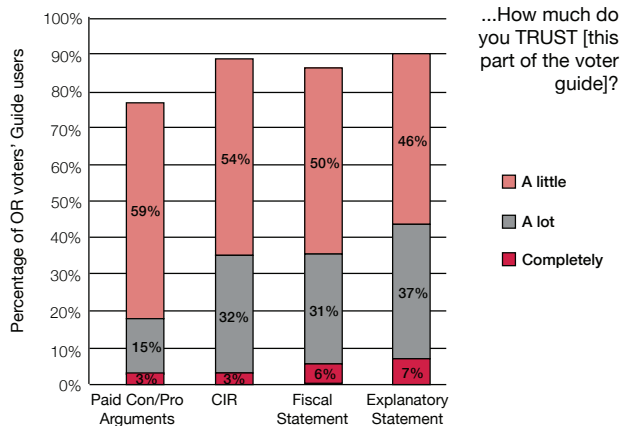


Figure 11. Levels of trust Oregonians placed in different sections of the Voters' Pamphlet.

4.3 Online Experimental Survey of CIR Citizens' Statements

The CIR Commission views its process as “an innovative way of publicly evaluating ballot measures so voters have clear, useful, and trustworthy information at election time.”¹² Did, in fact, the CIR increase voter knowledge and voters' confidence in the accuracy of the beliefs they held? To answer this question, an online experiment of Measure 85 was conducted in the final weeks before the election using a sample of 400 Oregon voters who had not yet voted nor read the CIR Statement. These voters were distributed evenly across the following four experimental groups:¹³

- A group that was shown the full *paid* pro and con statements;
- A group that was shown the Explanatory and Fiscal statements;
- A group that was shown the CIR Statement; and
- A control group that received no additional statement.

Respondents then answered a series of factual questions about Measure 85. Figure 12 summarizes the main result. Those assigned to the group that read the CIR Statement

¹⁰ Paired *t*-test comparisons of means showed that the pro/con statements were considered to be less trustworthy than other sections ($p < .001$). Whereas Figure 11 shows that roughly the same proportion of Oregon voters have at least “a little” trust in both the CIR Statement and Explanatory Statement, the same mean comparison statistic shows the latter to have a higher average level of trust ($p = .001$).

¹¹ Report co-author Robert Richards has produced a systematic comparison of CIR Statement content and Voters' Pamphlet contents produced by public officials (Gastil, Richards, & Knobloch, 2014).

¹² www.oregon.gov/circ/Pages/index.aspx

¹³ The survey had a very low response rate (fewer than 2% of those emailed returned complete surveys), but like the telephone survey, the sample was broadly representative of the general Oregon electorate demographically and in terms of its voting preferences.

outperformed the control group on nine of ten knowledge items. In addition, CIR Statement readers answered correctly, on average, twice as many knowledge items.

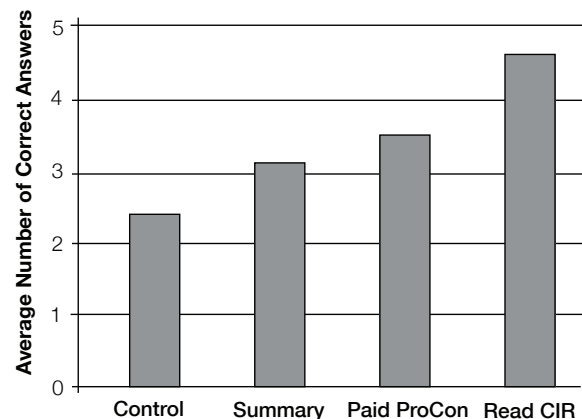


Figure 12. Average number of correct answers on a ten-item knowledge battery regarding Measure 85 for each of four experimental conditions in the online survey.

Reading the CIR Statements not only increased voters' knowledge about Measure 85, it also increased voters' *confidence* in that knowledge, more than any other type of information in this study. Respondents were asked whether each statement was “probably” or “definitely” true or false. A second analysis was conducted that took into account the respondent's confidence in answering such questions correctly. Figure 13 shows that confidence in their accuracy for those assigned to the CIR Statement condition is more than double that of all other participants in the online experiment.¹⁴

5. Conclusion and Recommendations

As this analysis makes clear, the Oregon CIR appears to have achieved its two principal objectives in 2012: It conducted panel deliberations of a very high quality and effectively transmitted the findings of those citizen panels to the wider electorate, which became much better informed about the important and complicated issues placed on the ballot in the general election. In effect, the CIR helped to address one of the greatest problems of direct democracy by finding a way to inform the judgments of the mass public in a way that keeps citizens at the center of the deliberations, both large and small.

These findings are presented with an eye toward potential replication of the CIR beyond Oregon. Readers may judge for themselves whether this would be possible in their own cultural and political contexts, but for those who may wish to adopt—or adapt—the CIR, the following recommendations for improving the process are offered.

First, the CIR Statement page in the Voters' Pamphlet should have a more visually engaging layout, and the CIR needs a more robust public information campaign. Awareness of the CIR is expected to increase again in 2014. Nevertheless, to reach more than a bare majority of voters, the CIR needs

¹⁴ Main ANOVA result was $F(3, 268) = 18.9, p < .001$. Post-hoc contrasts between CIR Statement and all other conditions were significant.

greater prominence online, in broadcast media, and in the pamphlet itself.

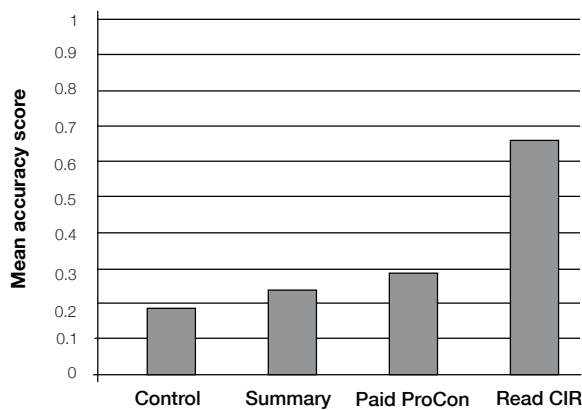


Figure 13. Accuracy scores (measuring confidence in accurate knowledge) regarding Measure 85 for each of four experimental conditions in the online survey.

Second, the CIR orientation should provide more precise training to panelists on how to evaluate evidence, the key terms for each aspect of the process, and the importance of values in relation to evidence and arguments. These three suggestions aim to use the CIR panelists' time more efficiently to identify key arguments and evidence.

Third, CIR organizers should continue to explore ways to effectively prepare proponents, opponents, and neutral witnesses for their appearance before citizen panelists. If the advocates and witnesses have a clearer idea of the importance of having clearly documented evidence, well-structured arguments, etc., all advocates will be prepared for the distinctive deliberative environment of the CIR.

Any reader of this report who wishes to learn more about this research or to contribute to the analyses of these data can contact the report's authors or visit the project website at [www/ma1.psu.edu/cas/jgastil.CIR/cir.html](http://www.ma1.psu.edu/cas/jgastil.CIR/cir.html). From its outset, this process has been open to scrutiny and given researchers unfettered access to observing the process and interviewing the panelists. It is only through the interplay of practical innovation and rigorous research that scholars and practitioners can understand and improve deliberative processes like the CIR.

6. Acknowledgements

The research presented in this report was supported by the Kettering Foundation and The Pennsylvania 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 the Kettering Foundation or the university. Assistance with the collection and analysis of the data in this project was provided by David Brinker (survey item development), Brian Sonak and Eric Plutzer (online survey implementation), Stuart Elway and Elway Polling Inc. (telephone survey design and implementation), and Alice Diebel and John Dedrick of the Kettering Foundation (study design). Comments on design and analysis were also provided by Ned Crosby of the Jefferson Center and Tyrone

Reitman, Tony Iaccarino, Elliot Shuford, and others working on behalf of Healthy Democracy Oregon. For more information on this research project, www.la1.psu.edu/cas/jgastil/CIR/cir.html

This full report is available online at: www.la1.psu.edu/cas/jgastil/CIR/cirReportToCIRCommission2012.pdf

References

- Bassett, E. M. (2009), "Framing the Oregon Land Use Debate: An Exploration of Oregon Voters' Pamphlets, 1970-2007", *Journal of Planning Education and Research*, Vol. 29, No. 2, Association of Collegiate Schools of Planning, Tallahassee, pp. 157-172.
- Bowler, S. and T. Donovan (1998), *Demanding Choices: Opinion, Voting, and Direct Democracy*, Ann Arbor, University of Michigan Press.
- Broder, D. S. (2000), *Democracy Derailed: How Millionaires and Special Interest Groups Have Usurped the Initiative Process and Endangered the Government the Founders Envisioned*, San Diego, Harcourt.
- Cronin, T. E. (1989), *Direct Democracy*, Cambridge, Harvard University Press.
- Crosby, N. (2003), *Healthy Democracy: Bringing Trustworthy Information to the Voters of America*, Minneapolis, Beaver's Pond.
- Crosby, N. and J. C. Hottinger (2011), "The Citizens Jury Process", in *The Book of the States*, Lexington, Council of State Governments, pp. 321-325.
- Crosby, N. and D. Nethercutt (2005), "Citizens Juries: Creating a Trustworthy Voice of the People", in J. Gastil and P. Levine (eds.), *The Deliberative Democracy Handbook: Strategies for Effective Civic Engagement in the Twenty-first Century*, San Francisco, Jossey-Bass, pp. 111-119.
- Dahl, R. (1998), *On Democracy*, New Haven, Yale University Press.
- Esteve, H. (2012, October 16), "Oregon Casino Supporters Suspend Campaign to Pass Measures 82, 83", *Oregonian*, Oregonian Media Group, Portland, www.oregonlive.com/politics/index.ssf/2012/10/oregon_casino_supporters_suspe.html
- Fishkin, J. S. (2009), *When the People Speak: Deliberative Democracy and Public Consultation*, Oxford, Oxford University Press.
- Gastil, J. (2000), *By Popular Demand: Revitalizing Representative Democracy Through Deliberative Elections*, Berkeley and Los Angeles, University of California Press.
- Gastil, J. (2008), *Political Communication and Deliberation*, Thousand Oaks, Sage.
- Gastil, J. and P. Levine (eds.) (2005), *The Deliberative Democracy Handbook: Strategies for Effective Civic Engagement in the Twenty-first Century*. San Francisco, Jossey-Bass.
- Gastil, J. and K. Knobloch (2010), *Evaluation Report to the Oregon State Legislature on the 2010 Oregon Citizens' Initiative Review*, Seattle, University of Washington.
- Gastil, J., K. Knobloch and M. Kelly (2012), "Evaluating Deliberative Public Events and Projects", in T. Nabatchi, J. Gastil, M. Weiksner and M. Leighninger (eds.), *Democracy in Motion: Evaluating the Practice and Impact of Deliberative Civic Engagement*, New York, Oxford University Press, pp. 205-230.
- Gastil, J., R. C. Richards and K. R. Knobloch (2014), "Vicarious Deliberation: How the Oregon Citizens' Initiative Review Influences Deliberation in Mass Elections", *International Journal of Communication*, Vol. 8, USC Annenberg Press, Los Angeles.
- Gerber, E. R. (1999), *The Populist Paradox: Interest Group*

- Influence and the Promise of Direct Legislation*, Princeton, Princeton University Press, pp. 62-89.
- Gerber, E. R. and A. Lupia (1999), "Voter Competence in Direct Legislation Elections", in S. L. Elkin and K. E. Sotun (eds.), *Citizen Competence and Democratic Institutions*, University Park, The Pennsylvania State University Press, pp. 147-160.
- Gutmann, A. and D. Thompson (2004), *Why Deliberative Democracy?* Princeton, Princeton University Press.
- Josslin, W. L. (1943), "Oregon Educates Its Voters", *National Municipal Review*, Vol. 32, No. 7, National Civic League, Denver, pp. 373-379.
- Knobloch, K. R., J. Gastil, J. Reedy and K. C. Walsh (2013), "Did They Deliberate? Applying an Evaluative Model of Democratic Deliberation to the Oregon Citizens' Initiative Review", *Journal of Applied Communication Research*, Vol. 41, No. 2, National Communication Association, Washington, DC, pp. 105-125.
- Leighninger, M. (2006), *The Next Form of Democracy*, Nashville, Vanderbilt University Press.
- Magleby, D. B. (1984), *Direct Legislation: Voting on Ballot Propositions in the United States*, Baltimore, Johns Hopkins University Press.
- Matsusaka, J. G. (2008), *For the Many or the Few: The Initiative, Public Policy, and American Democracy*, Chicago: University of Chicago Press.
- Nabatchi, T., J. Gastil, M. Weiksner and M. Leighninger (eds.) (2012), *Democracy in Motion: Evaluating the Practice and Impact of Deliberative Civic Engagement*, New York, Oxford University Press.
- Street, M. D. (1997), "Groupthink: An Examination of Theoretical Issues, Implications, and Future Research Suggestions", *Small Group Research*, Vol. 28, No. 1, SAGE, Thousand Oaks, pp. 72-93.