

## **Why Did Californians Pass Proposition 8?**

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## **Why Did Californians Pass Proposition 8?**

### **Abstract**

In one of the most disappointing electoral blows in the struggle for gay and lesbian rights, California voters passed Proposition 8 by a 52-48 margin in November 2008, overturning a state supreme court decision that had legalized same-sex marriage earlier in the year. Although popular votes have almost uniformly rejected same-sex marriage rights, usually by large margins, the polls had indicated that a majority of Californians would vote against the proposition and retain marriage equality. Using data from 24 polls of Californians since 1985, we consider four hypotheses to explain why the polls got it wrong: (1) many respondents misled pollsters, perhaps worried that they would appear to be bigots if they expressed their real beliefs; (2) more effective efforts by the Yes on 8 campaign lowered support for same-sex marriage; (3) a principled opposition by some same-sex marriage opponents to writing discrimination into the constitution declined over the year; and (4) survey respondents misunderstood Proposition 8 and changed their positions as they became more aware of its meaning. We find the most support for the fourth hypothesis and conclude that Proposition 8 passed because most Californians oppose same-sex marriage. Our analysis of changes over time also makes us skeptical that support for same-sex marriage will increase enough by 2012 to pass a new amendment guaranteeing same-sex marriage rights.

## **Why Did Californians Pass Proposition 8?**

### **Introduction**

Supporters of same-sex marriage were shocked, angered, and saddened when California voters passed Proposition 8 by a 52-48 margin in November 2008. The vote overturned a state supreme court decision earlier in the year that had legalized same-sex marriage, and it jeopardized the status of 18,000 same-sex couples who had married in the previous five months. The shock arose largely because polling had indicated that most Californians would vote against Proposition 8, with most polls suggesting 10 percent margins of victory. Initially same-sex marriage supporters blamed African Americans, 70% of whom had voted for Proposition 8, according to exit poll data (Ferris & Reese, 2008). Then blame shifted to Mormons, who had provided a high percentage of the financial support for the proposition (Rojas, 2008), and to those who had managed the “No on 8” campaign, who critics charged had lost the political battle in the final days of the campaign despite outspending Proposition 8 supporters \$43 million to \$40 million (Solis-Marich, 2008).

We believe the explanation is simpler: Proposition 8 passed because most Californians still oppose same-sex marriage. Their state legislature has taken far stronger actions than most to legally recognize same-sex relationships, and San Francisco and Los Angeles give California a gay-friendly image, but support for same-sex marriage remains a minority position in virtually every state. Nationally, every statewide vote but one on same-sex marriage has come down in favor of prohibition, usually by substantial margins. Indeed, 61% of Californians had voted for a similar

initiative in 2000, and polling in recent years indicated that support for same-sex marriage had grown but clearly remained below 50%.

We re-examine public opinion in Californian using individual-level data from 24 statewide surveys between 1985 and 2009. We compare the polling on Proposition 8 to long-run trends in attitudes toward same-sex marriage, trying to determine whether the Proposition 8 polls were “wrong,” or whether a smarter “No on 8” campaign could have succeeded. We conclude that Proposition 8 opponents did a little better than they should have and that the 48-52 loss overstates current support for same-sex marriage. Prospects of passing an initiative overturning Proposition 8 within five years appear limited.

### **Background**

The California legislature has been more sympathetic than most to legal recognition of same-sex relationships (Lewis & Gossett, 2008). Its laws did not explicitly limit marriage to a man and a woman until 1977, when it amended its domestic relations laws partly in response to lawsuits seeking marriage licenses for same-sex couples. When Congress passed the Defense of Marriage Act (DOMA) in 1996, denying federal recognition of lawfully performed same-sex marriages and allowing states to do the same, the California legislature did not act. Thirteen states passed bans in 1996 and another fourteen did so before 2000, when the initiative process put Proposition 22 (the Knight initiative) on the California ballot. Even after California voters inserted the words “Only marriage between a man and a woman is valid or recognized in California” into the state’s Family Code by a 61-39 margin, the California legislature established “domestic partnerships,” which provided same-sex couples

almost all of the legal benefits of marriage offered by the state, except the word “marriage” (the legislature could not overturn the initiative without a vote of the people). In the aftermath of the Massachusetts supreme judicial court’s 2003 ruling that that state’s refusal to grant same-sex couples marriage licenses was unconstitutional, San Francisco began performing same-sex marriages, arguing that California’s ban was also unconstitutional. The California supreme court invalidated those marriages, but it invited constitutional challenges to the prohibition. On May 15, 2008, it overturned the ban as unconstitutional, and 18,000 same-sex couples married between June 17 and November 4 of that year.

The legislature’s relatively strong actions on behalf of same-sex relationship suggested that California voters supported their actions, especially as voters did not punish legislators who had voted for domestic partnership or marriage. Extensive political science research finds that state public policy tends to reflect public opinion (Page & Shapiro, 1983; Erikson, Wright, & McIver, 1993; Burstein, 2003). The presence of “direct democracy” institutions, such as the voter initiative in California, may cause legislatures to represent voter’s views even more accurately, especially on highly salient issues, because legislators do not want to see their decisions overturned by the voters; the findings are mixed, however (Lascher, Hagen & Rochlin, 1996; Hagen, Lascher, & Camobreco, 2001; Monogan, Gray, & Lowery, 2009; Gerber, 1996; Arceneaux, 2000). States’ laws on gay rights generally reflect public opinion, though super-majorities may need to support nondiscrimination before states pass gay rights laws (Lewis, 2003; Lewis & Oh, 2008; Lax & Phillips, 2009). Lax and Phillips (2009) argue that public

policy on gay rights tends to lag public opinion more on nondiscrimination laws than on relationship-related policies (e.g., civil unions and same-sex marriage).

On the other hand, supporters of Proposition 22 had not disappeared. Fearing that the Knight initiative was not strong enough to withstand “judicial activism,” opponents of same-sex marriage had already begun work on an initiative to amend the state constitution prior to the court’s decision. The initiative effort to insert the language from Proposition 22 (“Only marriage between a man and a woman is valid or recognized in California”) in the constitution received the necessary signatures shortly after the court’s decision, before the state began performing same-sex weddings. Supporters had called it the “California Marriage Protection Act” and renamed it “Limits on Marriage” after the court’s decision, but the state attorney general officially labeled it “Eliminates Right of Same-Sex Couples to Marry” on the ballot (Hemmelgarn, 2008).

The history of popular voting on gay rights suggested that the odds were clearly on the side of same-sex marriage opponents. Gamble (1997, p. 245) argues that “[w]ithout the filtering mechanisms of the representative system, direct democracy promotes majority tyranny ... [when] citizens vote on civil rights law.” She found a passage rate of 79% for anti-gay rights initiatives between 1977 and 1993. In extending her work with a more thorough look at initiatives affecting gay rights, Donovan and Bowler (1998) found less evidence of an anti-gay bias, especially in more populous jurisdictions. However, Haider-Markel, Querze, & Lindaman (2007), updating and reanalyzing Donovan and Bowler’s data, concur with Gamble’s contention that “direct democracy” is more likely than legislative democracy to limit gay rights. Focusing on constitutional bans on same-sex marriage, 23 of the 24 states that voted on them

between 2004 and 2006 passed them, usually by overwhelming popular majorities. Though California voters had been know to vote down anti-gay initiatives -- decisively rejecting (58-42) the 1978 Briggs Initiative, which would have banned gay men and lesbians from teaching in public schools -- they had also passed the Knight Initiative on same-sex marriage by an even more decisive margin (61-39) just eight years earlier.

Nationally, polls gave little reason to expect voters would reject Proposition 8. Although public opinion on gay employment rights has trended strongly upward for thirty years, public acceptance of homosexual relationships is much lower and has risen much more slowly. A slender but stable majority has labeled homosexual sex “morally wrong” in polls throughout the past quarter-century. In 22 Gallup polls since 1977, the percentage saying homosexual relations should be illegal has fluctuated around 45% rather than trending strongly downward. Since the mid-1990s, majorities have supported inheritance rights, health insurance benefits, and even social security benefits for “gay spouses,” and nearly half support civil unions, but increases in support have been slow (Brewer & Wilcox 2005). Opposition to same-sex marriage is strong and reasonably stable – 55% to 65% oppose it and only 30% to 35% favor it (Rogers 1998, Yang 1997, Brewer & Wilcox 2005). Brewer and Wilcox (2005, 600) conclude that “from the early 1990s to the present ..., there is no sign of a dramatic trend toward greater support.” Lewis and Oh (2008, p. 45) found “a very weak upward trend, and ... drops in years when the same-sex marriage debate was hottest” (1996 and 2004).

Surveys of Californians before 2008 also provided no evidence that a majority supported marriage rights for same-sex couples. Using data on Californians from national polls, Lewis and Oh (2008) estimated only 40% support for same-sex marriage

in 2004, placing California in the top ten states in support for marriage equality, but far short of a majority. Using polls of Californians, Lewis and Gossett (2008) found clear evidence that support for same-sex marriage was rising in the state but concluded that it remained well below 50%.

Polling on Proposition 8, however, told a very different story. After one early poll showing only 36% opposition, six state-wide polls between May and October 2008 showed Proposition 8 opponents handily outnumbering supporters (Table 1). Five showed 51% to 54% voting against the proposition and only 38% to 44% voting for it. Even the poll showing only 49% voting against it still found opponents five points ahead of supporters.

When Proposition 8 passed by a 52-48 margin, it caught many supporters by surprise. Some advocacy groups (Courage Campaign, 2009) immediately began preparations for returning to the ballot in 2010. Equality California (2009), the state's leading gay rights organization, recently announced its support for "committing our energy, resources and leadership to helping the community win a ballot initiative to restore marriage at the November 2012 election." Its plan for victory relies on a heavy investment in grass-roots, door-to-door canvassing, especially in communities of color, and on cohort replacement ("by November of 2012, there will be 776,000 new voters under 21 years old added to the voter rolls" [p. 9]), and they estimate at least 4% more support in 2012. Assessing whether this strategy will work requires understanding why Proposition 8 passed and estimating whether support for same-sex marriage will rise over the next few years and, if so, by how much.

We begin by asking why, in the months leading up to the election, public opinion polls showed Proposition 8 losing. One possible explanation is a gay “Bradley effect,”<sup>1</sup> that is, that people who were planning to vote Yes on 8 nonetheless told pollsters they would vote No, perhaps because they did not want to be perceived as bigots. On September 18, 2008, when the polls still showed the proposition losing badly, ProtectMarriage.com (2008), which led both the initiative effort and the Yes on 8 campaign, released a study purportedly showing that polls had underestimated “support for traditional marriage ... in 23 of the 26 states studied.” Their campaign manager suggested that the reason was that “the media portrays same-sex marriage as being politically correct. Supporters of traditional marriage don't want pollsters to consider them intolerant, so they mask their true feelings on the issue.”

Egan (2008), however, reanalyzed the data they used and concluded that the study inappropriately counted all “Don’t know” responses as opposition to “traditional marriage”; when he split “Don’t know” responses between Yes and No responses, he found very little evidence that people overstated their opposition to bans on same-sex marriage, perhaps by a percentage point or two. Herek (2008) also notes the original study selectively included several polls conducted many weeks or even months before the election, ignored some polls that showed greater support for “traditional marriage,” and ignored the fairly large margins of errors of many of the polls. Still, one month before the vote on Proposition 8, 53% of those expressing opinions still said they

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<sup>1</sup> The Bradley effect is named after Los Angeles mayor Tom Bradley, who was leading by a healthy margin in two Field polls conducted shortly before he lost his race for the of California by one point in 1982. “Polls have similarly under-predicted the performance of white candidates running against African Americans in other high-profile aces, including the 1989 contest for Virginia governor and the 1989 and 1993 New York City mayoral elections.” (Egan 2009).

planned to vote against it, enough higher than the 48% who did to suggest that the Bradley effect is worth considering.

Second, opinion may have shifted against same-sex marriage as the campaign progressed. Becker and Scheufle (2009) argue that ideological and religious predispositions outweigh the effects of media exposure and political knowledge in determining opinion on same-sex marriage, which may limit the impact of political campaigns. Joslyn & Haider-Markel (2000), however, find that the level of voter support for a referendum issue drops as one side of the campaign increases its efforts as election day nears. Relatively quick drops in public support in gay rights battles have happened before. The percentage saying lesbians and gay men should be able to serve openly in the U.S. military fell during the gays in the military debate in 1992 (Yang 1997). The percentage favoring same-sex marriage dropped during the debate on the Defense of Marriage Act of 1996 and also fell during the Presidential campaign of 2004, when President Bush endorsed the Federal Marriage Amendment (Lewis & Oh 2008).

Many commentators saw the same thing happening on Proposition 8. “Double-digit leads held by the ‘no’ side in the pre-television advertising stages of the campaign declined precipitously as the TV ad campaigns hit in mid-to-late-September. This suggests that the ‘yes’ campaign advertising was having its effect” (DiCamillo 2008, B5). Many felt that a prize-winning Yes on 8 commercial showing San Francisco Mayor Gavin Newsom saying that same-sex marriage was “going to happen, whether you like it or not” was particularly effective in rousing opponents of same-sex marriage to action (Matier & Ross, 2009). The polls showed rising percentages supporting Proposition 8 in the final month of the campaign. Though late polls still indicated that the ballot

measure would go down to defeat, Field Poll director Mark DiCamillo (2008, p. B5) suggested that opinion continued to shift after the last poll and that “regular churchgoers, and especially Catholics, were more prone than other voters to be influenced by last-minute appeals to conform to orthodox church positions when voting on a progressive social issue like same-sex marriage.”

On the other hand, we have little evidence that underlying attitudes toward same-sex marriage are changing rapidly (Brewer & Wilcox 2005, Lewis & Oh 2008). This suggests a third possibility, that public opinion changed on Proposition 8 rather than on same-sex marriage. Campaigns do have an educative value for voters (Gelman & King, 1993; Joslyn & Haider-Markel, 2000). Early in the campaign, in particular, survey respondents may not have known enough about Proposition 8 to express their preferences clearly (Nicholson, 2003). If polling firms framed Proposition 8 questions in ways that encouraged opposition, the surveys could have overstated opposition until, as a result of televised advertisements and other campaign activities, people became clear that a vote for Proposition 8 was a vote against same-sex marriage.

Fourth, early in the year, some Californians who opposed same-sex marriage may also have opposed writing that ban into the state constitution, and it could have been that position that weakened as the campaign progressed. The “sanctity” of the U.S. Constitution appears to have been an effective argument against the Federal Marriage Amendment. In two 2004 *Los Angeles Times* polls, 40% of those who favored civil unions opposed a federal amendment limiting marriage to a man and a woman, perhaps because they saw the issue as unworthy of the U.S. Constitution. One famous civil union

supporter, Presidential candidate Barack Obama, applied that logic to Proposition 8 in an interview with MTV:

I think [Prop 8 is] unnecessary. I believe marriage is between a man and a woman. I am not in favor of gay marriage. But when you start playing around with constitutions, just to prohibit somebody who cares about another person, it just seems to me that's not what America's about. Usually, our constitutions expand liberties, they don't contract them (“Obama,” 2008).

This argument should carry less weight when it comes to amending a constitution that is the third-longest in the world, however, especially when Californians vote on amendments to it on a regular basis. The argument would also appear more effective in states that had legislative bans on same-sex marriage and little evidence that “activist judges” would overturn them: one could argue that one should not “write discrimination into the constitution” when the law already protected “traditional marriage.”

Once the California supreme court had declared that the state’s ban on same-sex marriages was unconstitutional, however, the only way to reinstate the ban was to amend the state constitution. In addition, California already had domestic partnerships that delivered most of the state-based material benefits marriage could provide gay and lesbian couples, and Proposition 8 proponents swore they had no designs on domestic partnerships (ProtectMarriage.com, 2008q). Thus, for those who truly preferred civil unions to marriage for same-sex couples, a yes vote on Proposition 8 probably aligned best with their policy preferences.

In gauging the prospects for a popular vote to overturn Proposition 8 in the near-future, it is necessary to assess how rapidly public support for same-sex marriage is

growing and whether that speed will change in the future. Public opinion changes through two basic processes: people change their minds and the population changes. Lewis and Gossett (2008) showed both processes at work in California. About half those polled said they had become more accepting of homosexuals since they were 18, and survey respondents in 2006 were more likely to support marriage equality than comparable individuals from the same birth cohort in 1985. Most of that attitude change was concentrated among liberals, Democrats, whites, and non-Protestants, however; conservatives, Republicans, blacks, and Protestants were no more likely to support same-sex marriage in 2006 than they had been in 1985. In comparing polling data on Proposition 22 (the Knight Initiative, 2000) and Proposition 8, Egan and Sherrill (2009) also found almost no change in opinion for Republicans and conservatives and much less for blacks than for whites or Asians, but saw more shift in favor of marriage equality among Protestants than other religious groups (though Catholics, Jews, and the non-religious remained substantially more supportive). DiCamillo and Field (2009, p. 2) also concluded, "Californians' greater acceptance of allowing same-sex marriage has come entirely from the changing views of registered Democrats and non-partisans rather than Republicans."

Lewis and Gossett (2008) attributed most of the rise in support of same-sex marriage in California to population change rather than individual opinion change. They primarily credited cohort replacement: younger, more supportive generations becoming voters (or more frequent voters) as they age, and older generations declining as a proportion of the electorate. Egan and Sherrill (2009, p. 3) find support for Proposition 8 was nearly 20 percentage points higher for people over 65 than for any

other age group. Because each age group under 65 voted against Proposition 8, the dwindling share of the votes cast by people currently over 65 should shift public opinion toward same-sex marriage.

California's population has also changed due to migration. Since 1984, 4.7 million people have legally immigrated to California from outside the U.S. (In our surveys, 60% of the Latino and Asian respondents said they were born in other countries.) By 2020, Latinos will outnumber non-Hispanic whites in California (40% to 37%) and Asian-Pacific Islanders may compose another 17% of the population; blacks are expected to remain about 6% of the population (California Department of Finance, 2007). U.S.-born citizens also move into and out of California (annually, about 100,000 more people have moved out-of-state than into California in recent years). If in- and out-migrants are demographically different, the median statewide opinion toward same-sex marriage may change as a result.

Differences among groups in individual opinion change suggest that we need to consider the possibility that the effects of cohort change and immigration also differ across groups. Lewis (2003) finds much smaller generational differences in support for gay rights among blacks than whites (e.g., support differed far more between whites in their 20s and whites in their 60s than between blacks in their 20s and 60s), though no one appears to have done similar studies of Latinos and Asians<sup>1</sup>, whose intergenerational differences may be affected much more by differences in whether they grew up in the U.S. or elsewhere. The dramatic differences in attitude change between

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<sup>1</sup> The National Asian American Survey (Junn, et al., 2008) contains a question on Proposition 8 and includes age as a demographic variable, so age differences can be analyzed when the data becomes publicly available.

Republicans and Democrats and between conservatives and liberals suggest that age effects will be much smaller among Republicans and conservatives than among Democrats and liberals. This may, however, be due at least in part to people, and young people in particular, choosing their political party affiliation and labeling their personal ideology to match their positions on gay rights and other social policies, rather than just to cohort replacement (Layman & Carsey, 2002).

In the empirical analysis, we therefore address the following questions:

- (i) Did Californians overstate their opposition to Proposition 8 in surveys, partly due to fears that supporting traditional marriage was not politically correct?
- (ii) Did support for same-sex marriage drop in response to the Proposition 8 campaign?
- (iii) Did initial opposition to Proposition 8 reflect ignorance and framing effects of survey questions?
- (iv) Did a meaningful minority of Californians take a principled stance against amending the state constitution, despite also opposing same-sex marriage?
- (v) How rapidly is support for same-sex marriage growing in California?
- (vi) Do the effects of cohort replacement and rates of individual attitude change vary across demographic, religious, and political groups?

### **Data**

Through the Field Research Corporation, the Public Policy Institute of California (PPIC), the Roper Center for Public Opinion Research, and UC Data we obtained individual-level data from 24 surveys of Californians since 1985 that asked questions on same-sex marriage. Field conducted 11 of the surveys, PPIC conducted 10, and the *Los*

*Angeles Times* conducted the other three. In total, 34,000 Californians responded to the surveys. Table 1 shows the dates, polling companies, sample sizes, and questions.

Given the diversity of data sources, comparability across surveys presents challenges. Seventeen of the surveys ask questions on same-sex marriage without mentioning ballot initiatives but they use four different question wordings. Two ask whether respondents favor or oppose marriage equality (“Would you approve or disapprove of a law that would permit homosexual people to marry members of their own sex and to have the regular marriage laws apply to them?” and “Do you favor or oppose allowing gay and lesbian couples to be legally married?”). Two ask questions with three options, allowing respondents to express a preference for civil unions over either marriage or no legal recognition. For most purposes, we analyze the two favor/oppose questions together and the two three-level questions together. For the logit analyses, we combine all four questions, dichotomizing respondents into those who favor same-sex marriage and those who do not (because they oppose marriage outright or favor civil unions over marriage) and add three dummy independent variables to distinguish among the questions asked.

Twelve surveys ask questions about ballot initiatives. Though Table 1 groups them as questions on constitutional bans, the four PPIC surveys from 1999-2000 ask about Proposition 22 (the Knight initiative), which amended the state’s Family Code rather than its constitution. The questions on Proposition 8 take several forms, sometimes on the same survey. The 2009 Field Poll reverses the question to ask about a proposed initiative to amend the constitution to allow same-sex couples to marry.

In many ways, inconsistencies in the independent variables present greater challenges for analysts. A variety of empirical studies have concluded that younger people, liberals, Democrats, women, better-educated people, less religious people, Jews, whites, and Asian-Americans are more likely than others to support same-sex marriage and gay rights generally, and that support is trending upward over time (Pearl & Galupo, 2007; Finlay & Walther, 2003; Barth & Parry, 2009; Baker & Scheufele, 2009; Lewis, 2003; Olson, Cadge, & Harrison, 2006; Davies, 2004; Herek, 1988; Loftus, 2001). We include these seven independent variables (age, political ideology, party identification, gender, education, religion, race/ethnicity, and survey date) in our analyses, and add immigrant status and question wording as two additional independent variables.

For most analyses, we measure age in years, which is the way most surveys asked it. If people refused to give their ages, many surveys followed up by asking which category their age fell into (e.g., 18-24); if so, we assigned these respondents the mean age for that category. Some only asked people to put their age into categories; we use the estimated mean age.

All surveys asked political ideology on a five-point scale. We label our variable “Conservatism” and code it from 1 (very liberal) to 5 (very conservative). We label our party identification variable “Republican identification” and use a seven-point scale, from 1 (for strong Democrats) to 7 (for strong Republicans). In fact, only 12 polls use the seven-point scale; the other 12 do not ask independents whether they lean toward one party (so we do not use values of 3 or 5) and 11 of them do not ask whether partisans consider themselves “strong” party members (so we do not use the 1 and 7 values when coding those surveys). Indeed, recent Field Polls restrict their samples to registered

voters, whom they identify from the voting lists, and their data are for party registration rather than identification.

We code race/ethnicity into five categories: non-Hispanic white, non-Hispanic black, Latino, Asian, and other or mixed. We make these mutually exclusive categories, by coding all respondents of Hispanic heritage as Latino. In the logit analyses, we use four dummy variables, making non-Hispanic whites the reference group. Our Male variable is coded 1 for men and 0 for women. Field and the LA Times asked respondents to classify their highest level of education into one of ten categories; PPIC used only five categories. We code Education in years, based on the standard number of years needed to achieve an educational level. All surveys asked for race, and almost all asked a separate question on Hispanic heritage. The May 2008 LA Times survey, oddly, did not identify respondents' gender, nor ask level of education.

We classify respondents into six religious categories: born-again or evangelical Christians, mainstream Protestants, Catholics, Jews, members of other religions, and people with no religious affiliation. All the 2008 polls allow us to categorize respondents in this way, the earlier PPIC and LA Times polls did not ask religious affiliation, and many of the earlier Field Polls did not secondarily ask Christian respondents to categorize themselves as evangelical or not. Overall, religious affiliation is missing for 43% of the combined sample, and evangelical status is missing for 55%.<sup>1</sup>

Because of the large number of Latinos in California, most statewide surveys are conducted in either English or Spanish, and we create a dummy variable to identify

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<sup>1</sup> Only a handful of surveys asked about church attendance or the importance of religion in respondents' lives; the number of missing values made including religiosity impractical.

those interviewed in Spanish. Most California surveys also ask whether respondents were born in the United States. Overall, 60% of Asian and 60% of Latino respondents were foreign born. In most analyses, we include a dummy variable coded 1 for those born outside the U.S. Dummy variables for survey firms control for “house effects.” To cope with including surveys with different same-sex marriage questions in the same logit analyses, we add dummy variables when the same survey firm uses more than one question. (Otherwise, the firm dummy variable is sufficient.) Questions on Proposition 8 varied too much to make this a practical solution in those models.

In the logit analyses, we code survey date as an interval-level variable, measured in years and part-years, with January 1985 coded 0.<sup>1</sup> Its coefficient represents change in support for same-sex marriage that cannot be accounted for by changes or differences in the other independent variables. If the model is properly specified and captures the key causal factors, it represents net individual attitude change.

### **Methods**

To assess how support for same-sex marriage has changed in California, Table 1 presents percentages, sample sizes, and question wordings for our 24 surveys in chronological order. For the five surveys that asked about both marriage and constitutional amendments, we present cross-tabulations of the responses to the two questions in Table 2. (All percentages are weighted.)

As another way of determining how attitudes toward same-sex marriage and Proposition 8 differ, we then perform logit analyses on the 2008 data to determine whether political, demographic, and religious characteristics have the same effect on

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<sup>1</sup> We subtract 1985 from the survey year and add back (survey month minus 1) divided by 12.

attitudes towards both same-sex marriage and Proposition 8. We run one analysis on all the 2008 polls that included a marriage question that did not mention Proposition 8. We run the same model on all the 2008 polls that asked a question about Proposition 8. We run two more models on the three 2008 Field and PPIC polls that asked about both same-sex marriage and Proposition 8 – one model for those who said they opposed same-sex marriage and one model for those who said they favored it. This allows us to examine the effects of the political, demographic, and religious variables, holding beliefs about same-sex marriage constant. We also ran a model on those groups combined, with a full set of interaction terms between favoring same-sex marriage and all the other independent variables. This allows us to test whether the effects of these political, demographic, and religious variables differed between same-sex marriage supporters and opponents.

In each case, the dependent variable is dichotomous. In the three-level marriage questions, we coded those who preferred civil unions as opposing marriage, but we add a dummy independent variable indicating whether they were asked the three-level question. The marriage and Proposition 8 models use different but overlapping surveys, making formal tests of differences in coefficients across models inappropriate. Because of the large number of missing values in the data, we perform multiple imputation of missing data using Stata's *ice* program (Royston, 2005), which uses the data more efficiently and with less bias than more traditional approaches (e.g., listwise deletion)<sup>1</sup>.

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<sup>1</sup> Multiple imputation (MI) allows us to include religion as an independent variable without losing the surveys that didn't ask religion questions, as well as to include the May 2008 *LA Times* survey, even though it didn't ask gender or education. MI yields consistent estimators if data are *missing completely at random* or *missing at random*. *Missing completely at random* mean that whether data are missing for a particular observation is unrelated to the values of any variable in the model. For instance, whether a particular individual's religion is missing is not related to his religion or his values on any other

The logit models address cohort replacement by including a linear Age variable. This assumes that the effect of age is linear and is the same across sub-groups. To test how reasonable these assumptions are, we begin by dividing respondents across all surveys into cohorts based on their year of birth. In general, we use cohorts that are five years wide, but we expand the earliest and most recent cohorts due to smaller sample sizes. We then present the percentage of each cohort giving each response to either the favor/oppose or the three-level marriage questions to see how rapidly and steadily support for marriage rights is increasing across younger cohorts. This analysis is likely to over-state cohort effects, as it does not control for any other factors, including survey date, and the eldest cohorts were more likely to have participated in the 1985 or 1997 surveys, when opposition to same-sex marriage was more widespread across all age groups.

We also present these percentages separately for whites, blacks, Latinos, and Asians to see whether age effects are consistent across the groups. We follow up with logit analyses performed by gender within each race/ethnicity group, by religion, by

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variable in surveys that don't ask about religion. Being *missing at random* means that whether values are missing may be related to the values of the independent variables but not to the value of the dependent variable, once the independent variables are held constant. For instance, whether a respondent reveals her income may be related to what her income is; if it is not related to her attitudes toward qqq (holding the other variables constant), her income is still *missing at random*. MI cannot handle data that are *missing not at random*. For instance, if people do not answer the qqq question because they think they should have a different opinion (e.g., liberals who oppose it or conservatives who favor it), MI cannot correct the bias that will also arise in listwise deletion.

*Ice* generates a plausible value for each missing value, based on the values of all the other independent (using regression, logit, ordered logit, or multinomial logit analysis, as appropriate, to generate a probability distribution for each expected value), but it uses slightly different methods to impute missing values in each data set it creates. We generate five imputation data sets. Stata's *mim* program (Royston 2007) then runs logit analyses on each of these five data sets and averages the five logit coefficients on each variable to calculate the coefficients we present in Tables 3 and 6. It calculates the standard errors based on the five standard errors in these preliminary analyses, plus the variation in the logit coefficients on the same variable across the five samples.

ideology, and by party identification. The dependent variable is coded 1 for those who support same-sex marriage. We combine data from 1985 through 2009 to boost sample sizes. (We do not use the questions that ask about ballot initiatives.) We focus only on the age and survey date coefficients to determine whether cohort effects and attitude change are progressing at similar rates across groups.

### **Findings**

Same-sex marriage has never enjoyed majority support in California (Table 1). Based on Californians in national polls, Lewis and Oh (2008) estimated 40% support in 2004. The California-specific polls suggest 44% is more accurate, but marriage opponents outnumber supporters on every survey. Support rose strongly between 1985 and 2003 (from 30% to 43%, as Lewis and Gossett (2008) also found), but has been relatively stable since then. Two different favor/oppose questions on nine surveys between 2003 and 2009 each showed support for same-sex marriage between 40% and 45%, with all but two of the surveys showing 43% or 44% support.

— — — Table 1 about here — — —

Three-option questions, those that allowed a middle position of support for civil unions, show more evidence of a positive trend, but some of that upward trend may be illusory. In the *Los Angeles Times* surveys, support for marriage rose from 31-32% in 2004 to 35% in 2008. Two Field Polls show 45% support in 2008 (up from 32% in 2006) but use a different question. Field refers to “gay and lesbian” rather than “same-sex” couples, includes “domestic partnerships” in the civil unions option, and lists a third option of “no legal recognition of a gay or lesbian couple’s relationship” rather than “not be allowed to either marry or form civil unions.” All these wording differences

seem likely to yield more positive responses on legal recognition of same-sex relationships in the Field Polls. Comparing responses on three-level and two-level questions asked at the same time, it appears that in 2004 and 2006 people who would have preferred civil unions on three-level questions split between favoring and opposing marriage when they were not given the middle option, with most of them opposing marriage rights. In the 2008 Field three-level questions, however, support for marriage is as high as in two-level questions; this suggests that almost all those who chose civil unions in 2008 three-level questions would have opposed marriage if asked a simple favor/oppose question.

Opinions on the Knight Initiative, the precursor to Proposition 8, aligned well with attitudes toward same-sex marriage at that time. In the 1999 and 2000 PPIC surveys, slightly fewer opposed Proposition 22 than had favored same-sex marriage in the 1997 Field Poll. Once the “Don’t know” responses are parceled proportionately between the Favor and Oppose responses, 63% favored Proposition 22, quite consistent with it passing by a 61-39 margin and providing no evidence of a Bradley effect in 2000.

In contrast, aside from the May *Los Angeles Times* survey, all polls overstate opposition to Proposition 8 once “Don’t know” responses are allocated, at least relative to the final vote. More respondents opposed than favored Proposition 8, usually by substantial margins, including by 5 to 7 percentage points in the October surveys, greater than the margin of error. Opposition to Proposition 8 was also higher than support for same-sex marriage in contemporaneous polls. Again, aside from the May *Los Angeles Times* survey, the three surveys that asked both questions found opposition to Proposition 8 to be 6 to 8 percentage points higher than support for marriage

equality. This does not support a Bradley effect argument. People were more willing to say they opposed same-sex marriage than to say they supported Proposition 8, hardly what one would expect if people were denying support for Proposition 8 because they did not want to appear politically incorrect.

The polls do show some decline in opposition to Proposition 8 late in 2008, though changes in question wording make it difficult to call the drop “precipitous” (as DiCamillo (2008) does). There is no accompanying drop in support for same-sex marriage, however. Compare the 44.4% supporting same-sex marriage in the October 2008 PPIC survey with the 44.3% and 43.4% on the same question in the June 2007 and 2006 PPIC surveys, respectively. The February 2009 Field Poll shows 44.9% choosing marriage on a three-level question, barely less than the 45.1% and 45.3% in the May and July Field Polls. Thus, opinion changed on the ballot initiative but not on the institution it was intended to prohibit.

Could the high percentage of respondents opposing Proposition 8 reflect voter misunderstanding and question framing? Most Californians told Field that they had “seen, read or heard [some]thing about Proposition 8, the state constitutional amendment that would place limits on marriages in California” on three surveys, with the percentage rising from 62% in July to 70% in September and 96% in October. Still, as late as September, one-third of respondents needed to rely on the pollster to explain Proposition 8 before expressing an opinion, increasing the probability of an error. Ignorance about the proposition did not impede respondents’ willingness to answer the question, however; only a few more people said “don’t know” on Proposition 8 than on more general same-sex marriage questions. In the July 2008 Field Poll, only 6% of

those who had never heard anything about Proposition 8 said they didn't know how they would vote, barely higher than among those who said they had heard something.

Indeed, people who said they had not heard anything about the proposition chose a "correct" response (one that was consistent with their position on same-sex marriage) nearly as frequently as those who had heard something. In the July 2008 Field Poll, for instance, among those who claimed no prior knowledge of the proposition, 84% of those who opposed marriage and civil unions planned to vote for the proposition and 89% of same-sex marriage-supporters planned to vote against it; those who said they had heard something about it did only a bit better, with 89% and 93%, respectively, making the "correct" choices.

Still, this suggests that greater knowledge could cause at least some voters to change their votes to better align with their preferences. Though most respondents' positions on Proposition 8 fit with their beliefs about same-sex marriage, the number of errors was striking: 8 to 21% of same-sex marriage supporters said they would vote for Proposition 8, and 11 to 25% of opponents planned to vote against it (Table 2). By February 2009, however, following three months of widely publicized demonstrations and activism by same-sex marriage supporters, 98% of marriage supporters said they would vote for a constitutional amendment *to allow* gay and lesbian couples to marry, and 95% of marriage opponents said they would vote against it, nearly perfect alignment.

— — — Table 2 about here — — —

The way polling firms framed Proposition 8 questions does not seem to have encouraged respondents to oppose it. The Field Poll changed its questions repeatedly,

making it difficult to assess trends in responses, but when it asked alternative questions of split samples (in May and September 2008), responses did not differ significantly on the two questions. The PPIC asked an extremely wordy question that repeats the phrase “eliminate(s) the right of same-sex couples to marry” twice and even mentions the fiscal impact, but responses were quite similar to those for the various Field questions, and both polling firms found opposition to Proposition 8 falling in September and October.

Did some Californians who opposed same-sex marriage take a principled stance against writing that ban into the state constitution? The most likely candidates to do so would seem to be those who opposed marriage rights but supported civil unions (like Barack Obama). Across the three 2008 polls that asked about both civil unions and Proposition 8, only 27% of civil union-supporters opposed Proposition 8, however.<sup>1</sup> To make that number even less impressive, 22% of those who opposed any legal recognition of same-sex relationships also said they would vote against Proposition 8. Overall, about the same percentage of same-sex marriage supporters said they would vote for Proposition 8 as marriage opponents who said they would vote against it. The explanation appears to be confusion rather than a principled stand against “writing discrimination into the constitution.”

Table 3 shows that in most ways, demographic, political, and religious variables had very similar effects on support for same-sex marriage and opposition to Proposition 8, and both are generally consistent with previous research on predictors of support for

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<sup>1</sup> This is substantially lower than the 40% of civil union-supporters who said they would oppose a federal constitutional amendment in 2004. Partly, this reflects changes in what preferring civil unions means. In 2004, one-third of them would probably have chosen marriage on a Favor/Oppose question, but in 2008 almost none of them would.

gay rights. Comparing the first two columns, we see that ideology and party identification have the strongest impacts in both models, and the coefficients are strikingly similar. Likewise, the effects of education, gender, race/ethnicity, and, to a lesser extent, religion look similar. The effect of education appears a bit stronger for one's position on Proposition 8 than on same-sex marriage, while the effects of religion appear a little weaker.

We note three striking differences. First, the coefficient on age is only one-third as strong in the Proposition 8 model as in the same-sex marriage model. Second, foreign-born Californians are strikingly less likely than comparable U.S.-born Californians to favor same-sex marriage but insignificantly more likely to oppose Proposition 8. Third, opposition to Proposition 8 drops significantly over the course of 2008, while support for same-sex marriage remains stable.

The final two columns use the May and July Field Polls and the October PPIC survey, each of which showed about 51% opposition to Proposition 8 and each of which showed about 45% support for same-sex marriage in a separate question. We run the logit models separately for those who said they favored same-sex marriage and for those who said they did not. Many of the demographic, political, and religious variables are no longer significant, once we control attitude toward same-sex marriage. Men and women with the same position on same-sex marriage, for instance, are equally likely to oppose Proposition 8. Members of all religious groups take about the same position on Proposition 8 if they have the same same-sex marriage beliefs (except that Catholic same-sex marriage opponents are more likely than comparable Protestant opponents to

plan to vote against Proposition 8 – even before that last Sunday push from their priests).

Other variables have additional effects, even holding same-sex marriage beliefs constant, that are about the same for marriage supporters and opponents.

Conservatives are more likely than comparable liberals with the same same-sex marriage beliefs to support Proposition 8 in both the supporters and opponents models. The non-religious are more likely than comparable religious adherents to oppose Proposition 8, whether both favor or both oppose marriage equality. Opposition to Proposition 8 clearly dropped over these five months among same-sex marriage opponents; the time coefficient is also negative and two-thirds as strong among marriage supporters, however, though it falls short of statistical significance. This drop is striking, as opposition to Proposition 8 was nearly identical in these three surveys (at most dropping from 52% to 51%), as was support for same-sex marriage. Perhaps the Yes on 8 organization's voter mobilization efforts and heavy advertising paid off.

A handful of variables have different effects for marriage supporters and opponents. Race/ethnicity appears unrelated to Proposition 8 position among marriage opponents, but Latino, black, and Asian marriage supporters were less likely than comparable white supporters to oppose the constitutional amendment. (The Latino-white difference is significantly larger (at the .10 level) for marriage supporters than opponents.) Party identification made much more difference to marriage equality opponents than supporters – the Republican identification coefficient is highly significant in the opponent but not in the supporter model -- perhaps because Republicans educated their base better on the party position or because Democrats were

unable to persuade their civil unions supporters to vote against Proposition 8. Support for Proposition 8 increases significantly with age among same-sex marriage opponents and decreases *insignificantly* among marriage equality supporters, with the difference between the coefficients being statistically significant. This supports the story from the first two columns that older people did not align their Proposition 8 votes as closely to their marriage positions as younger voters did.

The most striking difference between the models is the effect of education, which has little impact on the vote preference of marriage opponents but a strong impact on that of marriage supporters. The highly significant difference between the two education coefficients indicates that more knowledgeable marriage supporters and opponents differ more on their Proposition 8 position than do less knowledgeable ones. We take this as tentative evidence that more knowledge increased voters abilities to choose the “right” position on Proposition 8, the one that matched their beliefs about marriage equality. One might expect that as all Californians’ knowledge of Proposition 8 increased – due to the \$83 million campaign, and documented by the rising percentages who had heard something about the proposition – they were more likely to take the position that matched their beliefs about marriage. The time trend coefficients don’t really support this – opposition to the constitutional amendment may have dropped among both those who favored and those who opposed marriage rights. Still, it is hard to argue that the outcome of the election did not match long-standing preferences of California.

## **Cohort Effects and Attitude Change**

As many have noted before, younger people are much more likely than their elders to support same-sex marriage (Table 4). People born since 1975 are about twice as likely as those born before 1935 to support marriage equality in both the three-level and favor/oppose questions. The three-level question suggests that hard-core opposition to legal recognition of same-sex relationships has declined much less than preference for civil unions in younger cohorts: opposition to any legal recognition only drops from 28% to 19% between the second-oldest and youngest cohorts, with a great deal of fluctuation between, while the decline in support for civil unions goes from 43% to 25% in those same cohorts. Instead, the age effect shows up primarily in the choice between marriage and civil unions: over 40% of those born before 1950 prefer civil unions to the other options, but only about one-quarter of those born since 1975 do so. Support for marriage is about five percentage points higher in each birth cohort when civil unions are not given as an option, so the relationship between marriage support and birth cohort is about the same in both sets of questions.

The increase in support for same-sex marriage appears to be accelerating in the younger cohorts. In both series, those born since 1985 are 12 or 13 percentage points more likely to support equal marriage rights than those born 15 years earlier (in the early 1970s). In contrast, support among those born in the early 1970s is only about 3 percentage points higher than among those born another 15 years earlier. Indeed, both series suggest that those born in the early 1960s are no more likely to support marriage equality than those born in the early 1950s. Cohort effects are strong up to about 1950, weak between 1950 and 1975, and stronger again in ensuing years.

A sizeable majority (58-59%) of whites born since 1970 supports marriage rights for same-sex couples. Among whites, support rises with each birth cohort up to the late 1950s, levels off for a decade, jumps in the early 1970s, and holds fairly steady since then. Among Latinos, support is in the low 20s for those born before 1950, about 10 points higher among those born between 1950 and 1974, and about 10 points higher among those born more recently. Blacks show remarkably little growth in support between those born in the early 1900s and those born in the 1970s but show tremendous growth in the latest cohort (a very small sample). Asians show the most dramatic pattern of generational change, with support rising from 14% among those born before 1930 to 69% among those born since 1985. Support has grown rapidly by cohort among those born since 1970.

The cohort replacement effects look remarkably similar in separate logit analyses by sub-group, however. With models including all the variables included in Table 3, coefficients on linear age terms are almost all in the -.023 to -.027 range (Table 5). The only serious exceptions are three groups with more gradual generational change – the very conservative (-.016), black males (-.017), and strong Republicans (-.018) – and one with more rapid change – Jewish respondents (-.035). Note, in particular, that the coefficient on Age for evangelical Protestants (-.027) is slightly larger than average, suggesting cohort change within the evangelical movement is as strong as in California generally.

Variation in “mind-changing” over time is more obvious. Positive coefficients on the Survey Date variable indicate that people in more recent polls are more likely to support same-sex marriage than people of the same demographic, political, and

religious characteristics in earlier years. Latina women, whites (both female and male), and black women show the strongest evidence of rising support. Black and Latino men show the least change, with small coefficients far from statistical significance. (Although the coefficients for Asian men and women fall short of statistical significance, they are the same size as the white coefficients.)

Mind-changing appears to be progressing more rapidly among Jewish, non-religious, and Catholic respondents than among Protestants. Coefficients are .071 for the liberal and very liberal, only half that size for the moderate, and zero for the conservative and very conservative respondents. Patterns are similar for party identification – attitude change is strongest for Democrats (though “strong” Democrats lag behind “regular” Democrats and independents who lean Democratic), solid for other independents (including those who lean toward the Republicans), and non-existent for Republicans.

Thus, our analysis supports similar findings from earlier, simpler methodologies (Lewis & Gossett 2008, DiCamillo & Field, 2009): attitude change is concentrated among liberal Democrats, with conservative Republicans (and black men) showing no mind-changing toward same-sex marriage, and weaker cohort change than other groups. The previous finding that Protestants have not changed their minds at all (Lewis & Gossett 2008) appears to have been too strong, though coefficients on both evangelical and mainstream Protestants are somewhat smaller than for the other religious groups.

To assess likely trends in the next few years, we ran a logit analysis similar to those in Table 3 using all marriage questions that did not mention a ballot initiative

from all the surveys since 1985 (Table 6). Because cohort replacement is a large portion of opinion change over time, we dropped the age variable to capture all time trends in a single coefficient. The basic patterns are consistent with those in Table 3. Given a base probability of 47% for support for same-sex marriage in California, a reasonable estimate for 2008, a one-point rise on the five-level conservatism scale (e.g., from moderate to conservative) would lower the probability of support for same-sex marriage by 15 percentage points and a one-point rise on Republicanism (e.g., from completely independent to leaning Republican) would drop it 4 points. Men were estimated to be 9 points less supportive than women. Support would rise 1.5 points with an additional year of education. Blacks were expected to be 16 points less supportive than comparable whites, while Latinos and Asians were statistically indistinguishable from whites. Evangelical Protestants were estimated to be 20 percentage points less likely than mainstream Protestants to support same-sex marriage, while Catholics, Jews, and the nonreligious were significantly more likely to do so (by 4, 20, and 28 percentage points, respectively).

Holding all these variables constant, support for same-sex marriage is estimated to rise 0.7 percentage point per year. Between 2008 and 2012, support would rise about 2.7 percentage points, a bit less than Equality California estimates, but still making the race a virtual dead heat.

### **Conclusion**

We began this paper questioning why supporters of same-sex marriage were surprised at the electoral success of an initiative effort to write a prohibition on same-sex marriage into the state constitution. We believed that the outcome was, in fact, a

reasonably accurate reflection of the policy position of a majority of the California electorate. On the other hand, we do know why many proponents of same-sex marriage were surprised – they had been reading published polling data that consistently showed that the effort to amend the constitution would be defeated. We set out to examine why public opinion polls produced what turned out to be such misleading results. We then went on to examine the likelihood of success for advocates of same-sex marriage in the near future.

We found little support for three of our four hypotheses for explaining why the polls showed the amendment going down to defeat. We found no support for a Bradley effect of some respondents falsely giving “politically correct” (pro-marriage equality) responses, unless they were more embarrassed to say they supported Proposition 8 than to say they opposed same-sex marriage. We found no drop in support for same-sex marriage as a result of the campaign: it was as high in October 2008 as it was throughout the previous three years. We found little evidence of individuals opposing same-sex marriage but not wanting to raise the prohibition to a constitutional level. Same-sex marriage supporters were as likely to favor Proposition 8 as same-sex marriage opponents were to oppose it, and we can find no principled explanation for that. Further, education did not increase the probability that same-sex marriage opponents would oppose Proposition 8 (though the better-educated seem the most likely to prioritize this principle over their policy position), and civil union supporters were only slightly more likely than civil union opponents to vote against Proposition 8.

Instead, we found substantial numbers of people telling pollsters they opposed Proposition 8 even though they did not favor same-sex marriage. We could find little

explanation for this other than misunderstanding. “Correct” voting increased with education, suggesting that greater information would cause more people to align their Proposition 8 votes with their same-sex marriage beliefs. The heat of the campaign, combined with respondents’ reports that they were becoming more aware of the proposition as the campaign progressed, suggest that people were becoming more knowledgeable as the year went on. Our logit models for same-sex marriage supporters and opponents was unable to demonstrate that they diverged more on their Proposition 8 as the year progressed. Still, our conclusion is that voters who were opposed to same-sex marriage were increasingly able to understand that their policy preference corresponded with a ‘Yes’ vote on Proposition 8.

In examining the demographic characteristics that correlate with positions on same-sex marriage and Proposition 8, we identified a great deal of commonality, but a few findings might suggest particular targets for campaign efforts. Non-white voters who supported same-sex marriage were more likely than similar white voters to “incorrectly” vote in favor of Proposition 8. Democratic voters were less cohesive in opposing Proposition 8 than Republicans were in supporting it, even when controlling for their position on same-sex marriage generally. Older and less educated voters were more likely to vote “incorrectly” on Proposition 8.

Finally, we examined how rapidly support for same-sex marriage is growing and whether that varies by sub-group. We focused on cohort replacement. Younger members of almost all demographic groups were more likely to support same-sex marriage, with the exceptions being conservatives, strong Republicans, and black men. Even younger evangelical Christians were more likely than their elders to support same-

sex marriage. In addition, white men and women, Latinas, black women, Jews, the non-religious, and Catholics are all demonstrating relatively rapid increases in support for same-sex marriage relative to comparable group members of the same birth cohort several years ago. The proportion of the state's population that is Hispanic or Asian is increasing, but their attitudes do not differ markedly from whites'.

The combination of cohort replacement and individual attitude change suggests an overall shift in opinion of less than one percent per year, and that estimate may attach too much weight to trends between 1985 and 2003. Simply looking at the percentages telling pollsters they favor same-sex marriage suggests virtually no movement over the past six years. Even this fairly optimistic trend suggests that 51% support for same-sex marriage is still about five years away. Shifts in opinions about Proposition 8 as the election neared indicate that campaigns can influence the results, but such influence could easily go either way depending on a host of contextual factors that affect the outcome of any election.

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**Table 1. Trends in Attitudes toward Same-Sex Partnerships**

	<b>Attitudes toward Marriage</b>					<b>Constitutional Ban</b>			
	<b>Yes</b>	<b>Unions</b>	<b>No</b>	<b>DK</b>	<b>N</b>	<b>Oppose</b>	<b>Favor</b>	<b>DK</b>	<b>N</b>
1985 – June, Field <sup>A</sup>	30.1	.	61.8	8.1	1,005	.	.	.	
1997 – June, Field <sup>A</sup>	37.7	.	55.7	6.6	1,045	.	.	.	
1999 – Sept., PPIC <sup>E</sup>	.	.	.	.	.	32.2	63.6	4.3	2,017
1999 – Dec., PPIC <sup>E</sup>	.	.	.	.	.	36.9	56.8	6.3	2,037
2000 – June, PPIC <sup>E</sup>	.	.	.	.	.	34.6	59.0	6.3	2,005
2000 – Feb., PPIC <sup>E</sup>	.	.	.	.	.	36.8	58.2	5.0	2,046
2003 – Mar., Field <sup>A</sup>	43.4	.	48.9	7.6	317	.	.	.	
2004 – Feb., Field <sup>A</sup>	44.2	.	49.9	5.9	958	.	.	.	
2004 – Feb., LAT <sup>C</sup>	31.9	38.3	25.2	4.7	1,936	.	.	.	
2004 – Feb., PPIC <sup>A</sup>	43.6	.	48.9	7.5	1,990	.	.	.	
2004 – Apr., LAT <sup>C</sup>	31.2	39.8	24.5	4.5	1,571	.	.	.	
2004 – May, Field <sup>A</sup>	39.9	.	54.7	5.4	514	.	.	.	
2005 – Aug., PPIC <sup>B</sup>	43.6	.	47.5	8.9	1,998	.	.	.	
2006 – June, Field <sup>D</sup>	32.0	32.7	31.0	4.2	500	.	.	.	
2006 – June, Field <sup>A</sup>	43.9	.	49.9	6.3	500	.	.	.	
2006 – June, PPIC <sup>B</sup>	43.4	.	47.7	8.9	2,002	.	.	.	
2007 – June, PPIC <sup>B</sup>	44.3	.	48.1	7.6	2,002	.	.	.	
2008 – May, LAT <sup>C,G</sup>	34.8	29.8	29.4	6.0	834	36.1	50.9	13.0	834
2008 – May, Field <sup>D,E</sup>	45.1	31.5	19.3	4.2	1,052	53.9	39.7	6.5	679
2008 – May, Field <sup>F</sup>	.	.	.	.	.	50.6	42.5	6.9	381
2008 – July, Field <sup>D,H</sup>	45.3	35.1	15.4	4.3	674	51.3	42.4	6.3	680
2008 – Aug., PPIC <sup>I</sup>	.	.	.	.	.	53.7	40.1	6.2	1,468
2008 – Sept., Field <sup>J</sup>	.	.	.	.	.	52.1	38.4	9.5	853
2008 – Sept., Field <sup>K</sup>	.	.	.	.	.	54.5	37.8	7.7	816
2008 – Oct., Field <sup>L</sup>	.	.	.	.	.	49.0	44.2	6.8	976
2008 – Oct., PPIC <sup>B,I</sup>	44.4	.	50.1	5.5	1,992	51.0	44.1	5.0	1,572
2009 – Feb., Field <sup>A,L</sup>	44.9	33.6	18.5	3.0	761	48.2	46.6	5.3	767

### **Marriage Questions:**

<sup>A</sup> Would you approve or disapprove of a law that would permit homosexual people to marry members of their own sex and to have the regular marriage laws apply to them? (In 2009, changed to: Do you approve or disapprove of California allowing homosexuals to marry members of their own sex and have regular marriage laws apply to them?)

<sup>B</sup> Do you favor or oppose allowing gay and lesbian couples to be legally married?

<sup>C</sup> Which of the following most closely resembles your own view about state laws regarding the relationships of two people of the same sex? "Gay and lesbian couples should be allowed to legally marry," or "Gay and lesbian couples should be allowed to form civil unions or domestic partnerships, but not legally marry," or "There should be no legal recognition of a gay or lesbian couple's relationship."

<sup>D</sup> In general, which of the following statements comes closer to your view? "Same sex couples should be allowed to legally marry," or "Same sex couples should be allowed to legally form civil unions, but not marry," or "Same sex couples should not be allowed to either marry or form civil unions."

### **Constitutional Ban Questions:**

<sup>E</sup> Proposition 22, the "Limit on marriage" initiative on the March 2000 ballot, adds a provision to the family code providing that only marriage between a man and a woman is valid or recognized in California. If the election were held today, would you vote yes or no on Proposition 22?

<sup>F</sup> "Do you favor or oppose changing the California constitution to define marriage as between a man and a woman, barring marriage between gay and lesbian couples?"

<sup>G</sup> "As you may also know, a proposed amendment to the state's constitution may appear on the November ballot which would reverse the Supreme Court's decision and reinstate a ban on same-sex marriage. The amendment would state that marriage is only between a man and a woman. If the November election were held today, would you vote for or against the amendment to make marriage only between a man and a woman? Well, as of today do you lean more toward voting for it or lean more toward voting against it?"

<sup>H</sup> "Would you favor or oppose having the state constitution prohibit same-sex marriage by defining marriage as only between a man and a woman?"

<sup>I</sup> Proposition 8 is called the "Eliminates Right of Same-Sex Couples to Marry Initiative Constitutional Amendment." It changes the California Constitution to eliminate the right of same-sex couples to marry. It provides that only marriage between a man and a woman is valid or recognized in California. Fiscal impact over the next few years includes potential revenue loss, mainly sales taxes, totaling in the several tens of millions of dollars, to state and local governments. In the long run, it will likely have little fiscal impact on state and local governments. If the election were held today, would you vote yes or no on Proposition 8?

<sup>J</sup> Proposition 8 is the Limit on Marriage constitutional amendment. If the election were being held today, would you vote YES or NO on Proposition 8?

<sup>K</sup> Proposition 8 is the initiative to Eliminate the Right of Same-Sex Couples to Marry constitutional amendment. Would you vote YES or NO on Proposition 8?

<sup>L</sup> Suppose in the next statewide general election a constitutional amendment qualified for the ballot which asked voters to allow same-sex couples to legally marry in California. If a constitutional amendment like this were on the ballot and the election were being held today, would you vote Yes to allow same-sex couples to marry or No to continue to apply marriage laws only to a man and a woman?

**Table 2. Attitudes toward Marriage and Proposition 8**

<b><u>Position on Proposition 8</u></b>	<b><u>Yes</u></b>	<b><u>Civil Unions</u></b>	<b><u>No</u></b>	<b><u>Don't Know</u></b>	<b><u>Total</u></b>
<b>2008 – May, LA Times</b>					
Favor	20.9	68.8	71.0	36.2	50.9
Don't know	4.5	18.2	16.3	46.7	13.0
Oppose	74.5	18.2	12.7	17.1	36.1
Sample size	290	249	245	50	834
<b>2008 – May, Field</b>					
Favor	14.2	61.2	71.7	28.4	40.7
Don't know	2.4	8.0	3.4	57.2	6.6
Oppose	83.4	30.9	24.9	14.3	52.7
Sample size	474	331	203	44	1,052
<b>2008 – July, Field</b>					
Favor	8.1	68.0	85.4	41.3	42.3
Don't know	2.7	7.8	3.7	41.7	6.3
Oppose	89.2	24.2	11.0	17.1	51.3
Sample size	304	236	103	29	672
<b>2008 – Oct., PPIC</b>					
Favor	14.0	.	74.6	24.3	44.3
Don't know	3.2	.	2.9	37.6	4.8
Oppose	82.9	.	22.5	37.9	50.9
Sample size	733		788	83	1,604
<b>2009 – Feb., Field Amendment to Allow same-sex marriage</b>					
Oppose	0.6	82.6	94.9	33.9	46.6
Don't know	1.5	7.3	3.4	50.7	5.3
Favor	97.9	10.1	1.7	15.3	48.2
Sample size	342	256	141	23	761

**Table 3. Logit Models for Support for same-sex marriage and Opposition to Proposition 8, 2008 Only**

	<b>Support for SSM</b>	<b>Opposition to Proposition 8</b>	<b>Opposition to Proposition 8 Oppose SSM</b>	<b>Favor SSM</b>
Time	0.220 (0.27)	-0.504* (2.32)	-0.848** (2.56)	-0.542 (1.19)
Education (years)	0.077** (4.69)	0.088** (6.61)	0.008 (0.34)	0.138** B (3.68)
Conservatism (1-5)	-0.699** (16.42)	-0.606** (20.45)	-0.396** (6.28)	-0.239** (2.63)
Republican identification (0-6)	-0.207** (8.46)	-0.206** (12.65)	-0.157** (4.52)	-0.032 <sup>A</sup> (0.66)
Age	-0.023** (9.31)	-0.007** (4.00)	0.007* (2.01)	-0.006 <sup>A</sup> (1.17)
Male	-0.291** (3.76)	-0.275** (4.49)	-0.070 (0.60)	-0.012 (0.07)
Evangelical Protestant	-0.919** (8.46)	-0.624** (8.22)	-0.149 (0.99)	-0.121 (0.42)
Catholic	0.137 (1.27)	0.015 (0.19)	0.414 * (2.29)	-0.096 (0.42)
Jewish	0.985** (4.35)	0.529** (2.77)	-0.186 (0.34)	0.209 (0.41)
Other religion	0.136 (1.01)	0.082 (0.77)	0.024 (0.11)	0.106 (0.34)
No religious affiliation	1.141** (8.71)	0.851** (8.39)	0.650** (2.62)	0.645 * (2.47)
Black	-0.711** (4.01)	-0.616** (4.94)	0.202 (0.81)	-0.563 (1.48)
Latino	-0.272 (1.93)	-0.326** (3.39)	-0.038 (0.16)	-0.792** (2.78)
Asian	-0.546** (2.76)	-0.713** (4.65)	-0.533 (1.60)	-0.773* (2.08)
Foreign born	-0.630** (4.65)	0.215 (1.77)	0.513* (2.46)	0.201 (0.60)
Registered voter	-0.263 (1.82)	0.214 (0.85)	1.026 (2.19)	-0.173 <sup>A</sup> (0.33)
Minimum Obs.	4,543	7,514	2,082	1,632

Models run using multiple imputation with the Stata **ice** program with five imputations, followed by Stata **mim** program. Models control for survey firm and question asked.

**Table 4. Attitudes toward Marriage by Birth Cohort**

<u>Year of Birth</u>	<u>Supports SSM</u>	<u>Civil Unions</u>	<u>Opposes SSM</u>	<u>Don't Know</u>
<b>Three-Level Question:</b>				
1900-24	18.0	40.6	34.3	7.1
1925-29	23.8	43.2	27.6	5.4
1930-34	21.0	45.0	27.3	6.7
1935-39	28.3	43.4	21.8	6.6
1940-44	28.6	39.7	27.3	4.5
1945-49	31.7	42.1	22.9	3.3
1950-54	37.8	35.7	22.5	4.0
1955-59	38.3	37.4	20.5	3.8
1960-64	38.5	31.7	25.1	4.7
1965-69	36.8	34.3	20.9	7.9
1970-74	41.0	34.0	21.7	3.3
1975-79	44.8	25.1	25.6	4.4
1980-84	45.6	29.9	23.4	1.1
1985-90	53.8	24.8	19.0	2.4
<b>Favor/Oppose Question:</b>				
1900-24	24.1		66.5	9.4
1925-29	22.2		66.9	10.9
1930-34	28.8		62.1	9.1
1935-39	28.3		62.0	9.7
1940-44	34.8		58.5	6.7
1945-49	38.8		52.6	8.7
1950-54	43.9		47.3	8.8
1955-59	43.5		49.8	6.7
1960-64	40.6		52.1	7.3
1965-69	45.1		48.4	6.5
1970-74	47.4		45.6	7.0
1975-79	50.8		43.6	5.6
1980-84	51.8		40.4	7.8
1985-90	59.6		38.5	1.9
<b>Percentage Favoring SSM</b>				
	<u>Whites</u>	<u>Blacks</u>	<u>Latinos</u>	<u>Asians</u>
<b>Combined:</b>				
1900-24	22.7	25.8	12.7	13.9
1925-29	22.6	26.8	21.2	13.9
1930-34	27.0	15.6	22.4	34.3
1935-39	30.7	25.2	19.0	24.8
1940-44	37.4	12.6	24.3	20.1
1945-49	40.0	26.9	23.0	33.4
1950-54	44.8	31.8	33.7	32.1
1955-59	48.6	28.0	28.9	33.5
1960-64	44.9	33.7	32.8	36.8
1965-69	51.3	25.4	32.4	37.7
1970-74	59.0	32.2	33.0	47.3
1975-79	57.6	30.2	41.0	51.7
1980-84	58.2	39.3	39.3	58.6
1985-90	59.5	65.7	52.4	68.6

**Table 5. The Effects of Age and Time by Individual Characteristics**

	<b>White Women</b>	<b>White Men</b>	<b>Black Women</b>	<b>Black Men</b>	<b>Latina Women</b>	<b>Latino Men</b>	<b>Asian Women</b>	<b>Asian Men</b>
Age	-0.025** (13.06)	-0.028** (11.92)	-0.024** (3.92)	-0.017* (2.38)	-0.024** (7.08)	-0.022** (5.66)	-0.025** (2.86)	-0.025** (3.12)
Time	0.041** (4/57_	0.045** (5.24)	0.037* (1.34)	0.008 (0.24)	0.070** (4.02)	0.005 (0.31)	0.050 (1.23)	0.047 (1.44)
Obs	7047	6342	681	499	2381	2288	485	575

  

	<b>Evangelical</b>	<b>Mainstream Protestant</b>	<b>Catholic</b>	<b>Jewish</b>	<b>Other Religion</b>	<b>No Religion</b>
Age	-0.027** (8.290)	-0.023** (9.01)	-0.028** (12.26)	-0.035** (4.02)	-0.024** (4.89)	-0.023** (7.55)
Time	0.023 (1.33)	0.024* (2.19)	0.042** (4.38)	0.079* (2.58)	0.039 (2.64)	0.061** (5.04)
Obs	5005	4881	6321	704	1727	3436

	<b>Very Liberal</b>	<b>Liberal</b>	<b>Moderate</b>	<b>Conservative</b>	<b>Very Conservative</b>
Age	-0.025** (5.99)	-0.026** (9.90)	-0.028** (14.86)	-0.025** (9.00)	-0.016** (3.47)
Time	0.071** (3.63)	0.071** (6.20)	0.036** (3.84)	0.014 (1.50)	-0.013 (0.84)
Obs	2268	4052	7135	4723	2914

	<b>Strong Democrat</b>	<b>Democrat</b>	<b>Leans Democrat</b>	<b>Independent</b>	<b>Leans Republican</b>	<b>Republican</b>	<b>Strong Republican</b>
Age	-0.023** (8.39)	-0.026** (11.00)	-0.029** (8.37)	-0.027** (7.73)	-0.027** (5.08)	-0.025** (9.10)	-0.018** (4.59)
Time	0.049** (3.66)	0.072** (6.25)	0.069** (4.44)	0.035* (2.09)	0.033 (1.92)	0.016 (1.38)	-0.021 (1.35)
Obs	3602	4918	2347	2490	1366	3740	2558

Logit coefficients on respondent age and survey year (Time). Z-statistics are in parentheses. All models control for gender, race/ethnicity, party identification, political ideology, polling firm, and question asked, as well as whether the respondent was a registered voter, a citizen, born in this country, and (for Latinos) interviewed in Spanish. Models do not control for religion, except in separate models by religion.

\* significant at 5%; \*\* significant at 1%

**Table 6. Logit Model for Support for Same-Sex Marriage, 1985-2009**

Survey Date	0.027** (5.19)
Education (years)	0.063** (8.35)
Republican identification (0-6)	-0.163** (15.85)
Conservatism (1-5)	-0.645** (36.46)
Male	-0.376** (9.99)
Evangelical Protestant	-0.858** (14.18)
Catholic	0.160** (2.99)
Jewish	0.839** (8.50)
Other religion	0.397** (5.25)
No religious affiliation	1.239** (19.56)
Born outside U.S.	-0.513** (8.15)
Registered voter	-0.143** (2.64)
Black	-0.671** (8.55)
Latino	0.011 (0.18)
Asian	-0.027 (0.31)
Minimum Obs.	21,164

Models run using the Stata **ice** program to generate five imputations, followed by Stata **mim** program. Models also control for survey firm and question asked.