

No. 20-16301

**In the United States Court of Appeals
for the Ninth Circuit**

BRIAN MECINAS; CAROLYN VASKO *EX REL* C.V.; DNC SERVICES
CORPORATION D/B/A DEMOCRATIC NATIONAL COMMITTEE; DSCC;
PRIORITIES USA; PATTI SERRANO;
Plaintiffs - Appellants,

v.

KATIE HOBBS, in her official capacity as Secretary of State of Arizona,
Defendant - Appellee.

On Appeal from the United States District Court
for the District of Arizona
Case No. CV-19-05547-DJH

**PLAINTIFFS-APPELLANTS' EMERGENCY MOTION UNDER CIRCUIT
RULE 27-3 FOR INJUNCTION PENDING APPEAL**

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CIRCUIT RULE 27-3 CERTIFICATE

Pursuant to Circuit Rule 27-3, Plaintiffs-Appellants (hereinafter, “Plaintiffs”) provide the following information:

- (i) ***The names, telephone numbers, e-mail addresses, and office addresses of the attorneys for all of the parties.***

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(ii) *The facts showing the existence and nature of the emergency.*

Plaintiffs challenge the constitutionality of A.R.S. § 16-502(E) (2018) (the “Ballot Order Statute”), which violates the federal constitution by (1) arbitrarily treating similarly situated political parties in Arizona differently, giving all of the candidates associated with one party (the “favored” party) an electorally significant and arbitrary electoral advantage on the vast majority of ballots presented to the

electorate in general elections; and (2) burdening the right to vote of the candidates and supporters of the similarly situated, but statutorily disfavored party. It does this by mandating that all of the candidates who are associated with the political party of the candidate who won the most votes in the last race for governor in a given county must be listed first in all of the partisan races listed on the general election ballot in that county. *See id.* As a result of the Ballot Order Statute, over 80 percent of the state’s general election ballots in the upcoming November election will list Republican Party candidates first in all partisan elections.

The Arizona Supreme Court recognized decades ago that the candidate listed first on the ballot enjoys a meaningful electoral advantage merely because they are listed first. *Kautenburger v. Jackson*, 85 Ariz. 128, 131 (1958). Consistent with that precedent, Arizona law has long required that in its *primary* elections all candidate names must be rotated on a precinct-by-precinct basis, ensuring none is consistently advantaged by being placed in the first position on all or a majority of ballots, thereby neutralizing the so called “primacy effect.” *See* A.R.S. § 16-464 (2018); *see also Kautenburger*, 85 Ariz. at 131 (holding randomization necessary because “where there are a number of candidates for the same office, the names appearing at the head of the list have a distinct advantage,” and without rotation, candidates whose names are never listed first are “disadvantage[d]”). Since then, political scientists who study the primacy effect in the context of elections (sometimes referred to as the “ballot order effect”) have confirmed what the Arizona Supreme Court intuited: ballot order matters, and Arizona is no exception.

Plaintiffs brought this case last November and have diligently prosecuted it, repeatedly making clear their need for relief sufficiently in advance of the coming general election—now four months away—to implement an alternative means of ballot order that would not systemically favor one of the major political parties over the other when voters go to cast their ballots. Counsel for Defendant Arizona Secretary of State Katie Hobbs (the “Secretary”) has represented that Arizona could implement a new ballot order system if so ordered as late as the end of July. In the interim, the Secretary has conceded that the current voting system is capable of rotating all candidates on the general election ballot on a precinct-by-precinct basis (as is currently done in the primary), confirming that that remedy would be easy to implement should the Court grant Plaintiffs’ motion.¹ Nevertheless, Plaintiffs are

¹ Although in denying Plaintiffs’ motion for an injunction pending appeal which, in accordance with Federal Rule of Appellate Procedure 8(a)(1), Plaintiffs sought in the first instance from the district court, the district court stated that this is “different” relief than what Plaintiffs sought in the proceedings below, this is not accurate. In fact, Plaintiffs repeatedly made clear that they were not asking the Court to order any specific remedy, only one that gave their candidates an equal opportunity to be listed first on the ballot, and explicitly stated that appropriate remedies would include full-scale rotation or a lottery system. ECF No. 14 at 2 (seeking “a non-discriminatory system that gives similarly-situated major-party candidates an equal opportunity to be listed first on the ballot”); ECF No. 13 at 21 (advocating for “a ballot order system that gives similarly situated major-party candidates an equal opportunity to be listed first on the ballot”); ECF No. 27 at 15 (explaining that adopting “the exact same precinct-by-precinct rotational system [Arizona] already uses in primary systems or in general elections under certain circumstances” would be one acceptable remedy); ECF No. 35 at 11 (explaining that “top-tier rotation is only one of a host of constitutional remedies this Court could order” and “Plaintiffs’ preliminary injunction motion is not predicated on a specific remedy”); ECF No. 64 at 276:10-277:18 (Plaintiff’s counsel noting at oral argument that, while top candidate rotation is the most equitable remedy, rotation of all candidates or a lottery

quickly running out of time to obtain relief before the November election, due to no fault of their own.

In granting the motion to dismiss and denying the motion for a preliminary injunction, the district court declined to reach the merits; instead, it found—contrary to long-standing and governing Ninth Circuit precedent—that Plaintiffs lacked standing. This was legal error and should be reversed. Once that error is corrected, Plaintiffs are highly likely to succeed on their claims. In fact, every court to have considered whether states may favor one major political party over another similarly situated by systematically awarding first position on the ballot on the basis of party affiliation (or past electoral success or failure) has found such practices unconstitutional—including a federal district court which enjoined such a statute in Minnesota just three weeks ago. *See Pavek v. Simon*, No. 19-CV-3000, 2020 WL 3183249, at *29-30 (D. Minn. June 15, 2020) (preliminarily enjoining ballot order statute that awarded first position to the major political party with the least electoral support in the previous gubernatorial election); *see also McLain v. Meier*, 637 F.2d 1159, 1159 (8th Cir. 1980) (holding unconstitutional statute reserving first position for candidates whose party received most votes in last congressional election); *Sangmeister v. Woodard*, 565 F.2d 460, 468 (7th Cir. 1977) (enjoining award of first position on the ballot to “the incumbent’s party or the majority party”) (citation omitted); *Jacobson v. Lee*, 411 F. Supp. 3d 1249, 1268 (N.D. Fla. 2019) (finding ballot order statute that listed candidates of the party of last-elected Governor first

“addresses Your Honor's question about what the options are here for a remedy”). Plaintiffs reiterate that position again today.

unconstitutional), *rev'd on other grounds* by 957 F.3d 1193 (11th Cir. 2020); *Graves v. McElderry*, 946 F. Supp. 1569, 1580 (W.D. Okla. 1996) (finding ballot order statute that listed Democratic Party candidates first unconstitutional); *Akins v. Sec'y of State*, 904 A.2d 702, 708 (N.H. 2006) (holding unconstitutional statute reserving first position on the ballot for candidates whose party received most votes in last general election). Multiple others have similarly found that, when the advantage of first position is unfairly or arbitrarily assigned, it raises concerns of constitutional magnitude. *See, e.g., Netsch v. Lewis*, 344 F. Supp. 1280, 1281 (N.D. Ill. 1972) (holding statute prescribing ballot order by past electoral success violated equal protection); *Kautenberger*, 85 Ariz. at 131 (finding system that did not rotate candidate names in primary elections violated state constitution); *Gould v. Grubb*, 14 Cal. 3d 661, 665 (1975) (holding statute requiring incumbents be listed first unconstitutional); *Holtzman v. Power*, 313 N.Y.S.2d 904, 908 (N.Y. Sup. Ct. 1970) (holding system requiring incumbents be listed first unconstitutional), *aff'd*, 311 N.Y.S.2d 824 (1970). Even the U.S. Supreme Court has weighed in, affirming a case that found the systematic favoritism of incumbents in determining ballot order to be an “unlawful invasion” of the “Fourteenth Amendment right to fair and evenhanded treatment” and required implementation of a preliminary injunction that ordered the use of “nondiscriminatory means by which [similarly-situated] candidates shall have an equal opportunity to be placed first on the ballot.” *Mann v. Powell*, 314 F. Supp. 677, 679 (N.D. Ill. 1969), *aff'd* 398 U.S. 955 (1970).

Emergency relief is necessary to safeguard Plaintiffs’ fundamental rights. Given the timing of the district court’s order, an injunction pending appeal is likely

to be the only means of protecting those rights against further serious and irreparable injury in the coming November 2020 election.

(iii) *Why the motion could not have been filed earlier.*

Plaintiffs have diligently pursued relief. They initiated this action on November 1, 2019, over a year before the November 2020 election. ECF No. 1. They amended their complaint on November 15, 2019, ECF No. 13, and filed their motion for a preliminary injunction just three days later on November 18. ECF. No. 14. The Secretary initially sought a 90-day extension of her deadline to respond to Plaintiffs' motion for a preliminary injunction, ECF No. 18, to which Plaintiffs objected due to the need to obtain relief sufficiently in advance of the coming election (and out of a concern that, in prior litigation with Arizona's Secretaries of State, the Secretary had sought broad extensions that had ultimately led in plaintiffs obtaining relief too close to the election at issue for it to be implemented, ECF No. 19 at 4 (discussing *DNC v. Hobbs*, in which the *en banc* Ninth Circuit held that an Arizona election law was unconstitutional on the Friday before the election, but the Supreme Court vacated the decision one day later in a decision consistent with the *Purcell* doctrine). Upon consideration of the parties' positions on scheduling, including the Secretary's representation that a remedial scheme needed to be in place by July for implementation in time for the November 2020 election, ECF No. 22 at 2, the district court issued an order setting a hearing on Plaintiffs' preliminary injunction motion on March 5, 2020. ECF No. 24. The Secretary filed her response in opposition on January 20, ECF No. 29, and Plaintiffs filed their reply on February 3, ECF No. 35. The Secretary also filed a motion to dismiss on January 2, ECF No. 26. Plaintiffs

responded on January 16, ECF No. 27, and the Secretary filed her reply on January 31, ECF No. 34. The district court held an evidentiary hearing on the motion for a preliminary injunction on March 4 and 5, and heard oral argument on both motions on March 10.

Over three months after that hearing and seven months after Plaintiffs filed their motion for a preliminary injunction, the district court issued its order on June 25 granting the motion to dismiss and denying the motion for a preliminary injunction. ECF No. 73. Plaintiffs filed a notice of appeal five business days later and moved for an injunction pending appeal before the district court the next day. As discussed *supra* at viii, the district court denied that motion earlier today. ECF No. 81.

Thus, despite having sought preliminary injunctive relief nearly a year before the November 2020 election, Plaintiffs now find themselves at a point in the cycle when the need for injunctive relief has become a true emergency. This matter presents an urgent need for emergency injunctive relief, without which Plaintiffs will be once more irreparably harmed by the Ballot Order Statute's operation in the coming election. For all these reasons, Plaintiffs certify that an injunction pending appeal is immediately necessary to prevent irreparable harm.

(iv) *Notice and service of motion to counsel for other parties and Clerk's Office.*

In their motion seeking an injunction pending appeal in the first instance from the district court, Plaintiffs gave notice that they intended to file an emergency motion for injunction pending appeal with this Court today. This morning at 9:00

a.m., Sarah Gonski, counsel for Plaintiffs, telephoned Kara Karlson, counsel for Defendant Arizona Secretary of State Katie Hobbs (the “Secretary”), advising her of Plaintiffs’ continued intent to file the emergency motion today. The Secretary’s counsel advised that the Secretary intends to oppose the motion.

At around 9:15 a.m., Plaintiffs’ counsel Sarah Gonski also contacted the Ninth Circuit Motions Unit and left a voicemail advising the unit of the nature of the emergency and that Plaintiffs intended to file an emergency motion by the end of the day.

(v) ***Whether the relief sought in the motion was sought in the district court.***

As required by Federal Rule of Appellate Procedure 8, Plaintiffs first sought an injunction pending appeal from the district court. ECF No. 77. Due to the rapidly approaching deadlines explained above, Plaintiffs advised the district court that it would plan to seek emergency relief from this Court by the end of the business day today even if the district court had not yet ruled. Recognizing that the district court just issued an order denying Plaintiffs’ motion for a preliminary injunction under a substantially similar legal standard, and in an attempt to avoid further delay, Plaintiffs requested that, if the district court was inclined to deny the motion it do so immediately, without further briefing or argument or, alternatively, that it expedite consideration of the motion to permit a decision by the end of the week. *Id.* The district court issued an order directing the Secretary to file a response to Plaintiffs’ motion for an injunction pending appeal by 12 p.m. yesterday, July 9. The Secretary

did so, and earlier today the district court issued an order denying Plaintiffs' motion for injunction pending appeal. ECF No. 81.

I declare under penalty of perjury that the foregoing is true and correct and based upon my personal knowledge. Executed in Phoenix, Arizona.

DATED: July 10, 2020.

Respectfully submitted,

By: s/ Sarah R. Gonski

Counsel for Plaintiffs-Appellants

**FEDERAL RULE OF APPELLATE PROCEDURE 26.1 CORPORATE
DISCLOSURE STATEMENT**

Corporate Plaintiffs-Appellants DNC Services Corporation d/b/a Democratic National Committee, DSCC, and Priorities USA, respectively, hereby certify that there is no parent corporation nor any publicly held corporation that owns 10% or more of the stock in any of the above-mentioned corporations. A supplemental disclosure statement will be filed upon any change in the information provided herein.

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I. INTRODUCTION

Emergency relief is necessary because Plaintiffs will suffer severe irreparable harm to their most fundamental rights if Arizona's Ballot Order Statute, A.R.S § 16-502(E), is not enjoined in time for the rapidly approaching November election. The Statute mandates Arizona ballots must list first, in every partisan election, the candidates who share their political party with the gubernatorial candidate who won the most votes in that county in the last election. *Id.* Federal and state courts have repeatedly found that the first-listed candidate obtains an electoral advantage merely as a result of being first, a conclusion broadly shared by political scientists. When the first-position advantage is aggregated in favor of one party, it can make an enormous difference in that party's electoral prospects.

Arizona has long recognized the need to neutralize ballot order effect in its elections. In *Kautenburger v. Jackson*, 85 Ariz. 128, 131 (1958), the Arizona Supreme Court struck down a law requiring alphabetical name rotation under certain circumstances, declaring it a "well-known fact" that "where there are a number of candidates for the same office, the names appearing at the head of the list have a distinct advantage." *Id.* The Court concluded "[n]o other reason exists for the statute ... except that otherwise there would result disadvantage to some candidates." *Id.* Ever since, Arizona has rotated candidate names on primary ballots across precincts, equalizing the advantage conferred by first position on the ballot when partisanship is not an issue. A.R.S. § 16-464. Even in general elections, when candidates from the same party run for the same office, Arizona requires that their names be rotated so that each occupies the top position on a roughly equal number of ballots. A.R.S.

§ 16-502(H). Only in general election races among candidates of competing political parties does the Ballot Order Statute irrationally favor one major political party over the other, based on past electoral performance in unrelated elections.

Every court that has reached the merits in challenges analogous to this one has found such statutes unconstitutional. Perhaps recognizing this, the Secretary attempted to argue that the fact that the Statute orders based on county-level election results effectively equates to “rotation” of candidate names, thereby alleviating constitutional harm. But the lopsided distribution of Arizona’s population—where *two-thirds* of the state’s voters live in Maricopa County—has repeatedly proved this wrong. The vast majority of Arizonans have seen *only* Republicans first on their general election ballots for 31 of the past 39 years. Unless enjoined, the Statute will list Republicans first on over *80 percent* of ballots in the coming November election.

The district court’s conclusions that Plaintiffs lacked standing or that this case presents a nonjusticiable political question were legal error and should be reversed. Once those errors of law are cured, Plaintiffs are highly likely to succeed on the merits of their claims. However, if an injunction does not enter immediately, any relief is likely to come too late to avoid serious, irreparable harm. This is precisely the type of case for which the interim remedy of an injunction pending appeal is necessary and appropriate. The Secretary has conceded that Arizona’s voting system has the ability to rotate all candidates, and thus the record is clear that a remedy is immediately available and would alleviate certain irreparable harm.

II. PROCEDURAL BACKGROUND

The procedural background of this litigation is set forth above at ii-iii.

III. FACTUAL BACKGROUND

A. Position Bias

It is a well-understood phenomenon that there is a bias toward selecting the first in a set of visually-presented options, such as with candidate names on election ballots. *See generally* Expert Rep. of Jon Krosnick, ECF No. 15-2 (Ex. A). Studies have consistently demonstrated that first-listed candidates have a meaningful advantage simply due to their position on the ballot. Expert Rep. of Jonathan Rodden, ECF No. 15-1 (Ex. B) at 1-2; *see also* Ex. A at 28 (presenting unrefuted evidence that across 1,086 elections, 84 percent displayed position bias and finding likelihood that this result would appear by chance is just .0000001 percent).

Consistent with the academic research, courts have repeatedly found that first-listed candidates enjoy an electoral advantage simply because they are listed first. *See, e.g., McLain v. Meier*, 637 F.2d 1159, 1166 (8th Cir. 1980) (affirming “finding of ballot advantage in the first position”); *Sangmeister v. Woodard*, 565 F.2d 460, 465 (7th Cir. 1977) (affirming district court’s holding “top placement on the ballot [confers] an advantage”); *Jacobson v. Lee*, 411 F. Supp. 3d 1249, 1275-76 (N.D. Fla. 2019) (finding candidate listed first on receives statistically significant advantage), *rev’d on other grounds* 957 F.3d 1193 (11th Cir. 2020); *Graves v. McElderry*, 946 F. Supp. 1569, 1576 (W.D. Okla. 1996) (finding “position bias is present in partisan elections”); *Akins v. Sec’y of State*, 154 N.H. 67, 71 (N.H. 2006) (affirming finding that “primacy effect confers an advantage in elections”); *Gould v. Grubb*, 14 Cal. 3d 661, 664 (1975) (describing finding of position bias as “consistent with parallel findings rendered in similar litigation throughout the

country”); *Holtzman v. Power*, 62 Misc. 2d 1020, 1023 (N.Y. Sup. Ct. 1970) (finding position bias “appears to be so widespread and so universally accepted as to make it almost a matter of public knowledge”), *aff’d*, 311 N.Y.S.2d 824 (1970).

This extensive precedent includes a decision issued just a few weeks ago by a Minnesota federal district court, who found that the DSCC (also a Plaintiff here) had standing to challenge a ballot order statute and was likely to succeed on the merits of the claim. *See Pavek v. Simon*, No. 19-CV-3000, 2020 WL 3183249, at *13 (D. Minn. June 15, 2020) (recognizing “party candidates listed first on a ballot can expect a ‘clear and discernable’ advantage in the form of higher vote share than if they were listed lower on the ballot”). It also includes a summary affirmance from the U.S. Supreme Court, *Mann v. Powell*, 314 F. Supp. 677, 679 (N.D. Ill. 1969), *aff’d* 398 U.S. 955 (1970), and a decision from the Arizona Supreme Court that declared it a “well-known fact” that “where there are a number of candidates for the same office, the names appearing at the head of the list have a distinct advantage.” *Kautenberger v. Jackson*, 85 Ariz. 128, 131 (1958).

B. Arizona’s Ballot Order Statute

Arizona mandates ballot order rotation in primary elections. *See* A.R.S. § 16-464. It also mandates rotation in general elections when candidates from the same party run for the same office, such that each appears first among their partisan fellows a roughly equal number of times. A.R.S. § 16-502(H). But on general election ballots in races between candidates of different political parties, the Ballot Order Statute mandates that candidates of parties who previously fielded gubernatorial candidates “shall be arranged with the names of the parties in

descending order according to the votes cast for governor for that county in the most recent general election for the office of governor.” A.R.S. § 16-502(E).

This November, the Ballot Order Statute will mandate that, in 11 out of 15 counties, Republican candidates will be listed first in all partisan races. This accounts for 82 percent of Arizona’s population. For 31 of the last 39 years, anywhere from 61% to 99% of Arizona’s voters have voted general election ballots that listed Republican candidates first. *See* ECF No. 15-1 at 15. Plaintiffs are the Democratic National Committee (“DNC”), DSCC, and Priorities USA (“Priorities”) (collectively, the “Organizational Plaintiffs”), and individual Democratic Arizona voters, who have been and will be harmed—in their own right, and in the case of the DNC and the DSCC, also based on the injury to their candidates and their voters—as a result of the Ballot Order Statute.

IV. STANDARD FOR INTERIM RELIEF

To obtain an injunction pending appeal, Plaintiffs must demonstrate either (1) “a probability of success on the merits and the possibility of irreparable injury,” or (2) “that serious legal questions are raised and that the balance of hardships tips sharply in [their] favor.” *Lopez v. Heckler*, 713 F.2d 1432, 1435 (9th Cir. 1983); *see also Se. Alaska Conservation Council v. U.S. Army Corps of Eng’rs*, 472 F.3d 1097, 1100 (9th Cir. 2006). Here, Plaintiffs meet these requirements.

V. ARGUMENT

The district court’s holding that Plaintiffs lack standing, as well as its independent (and dangerous) conclusion that this case presents a nonjusticiable political question, constitutes legal error contrary to Ninth Circuit and Supreme

Court precedent. Once those errors are corrected, Plaintiffs are highly likely to succeed on their claims. Plaintiffs filed this case over a year before the coming election and have made every effort to obtain timely relief. But based on the district court's order issued just two weeks ago, as well as the Secretary's prior assertions that a ruling is needed by the end of July to institute a remedy, Plaintiffs now must seek emergency injunctive relief pending appeal. For the reasons that follow, this is precisely the type of case in which the Court should use its express authority, pursuant to Federal Rule of Appellate Procedure 8 (a)(2), to grant such relief.

A. Plaintiffs have standing.

Only one plaintiff needs standing for a case to proceed. *See, e.g., Leonard v. Clark*, 12 F.3d 885, 888 (9th Cir. 1993). Here, however, the district court concluded *none* of the Plaintiffs could satisfy Article III's injury-in-fact requirement. This was legal error, contrary to both binding precedent and the practical reality of how political parties operate.

1. Harm to electoral prospects

Nearly 40 years ago, this Court held political parties have standing to challenge election laws that harm their political prospects, including "to prevent their opponent from gaining an unfair advantage in the election process." *Owen v. Mulligan*, 640 F.2d 1130, 1133 (9th Cir. 1981). The Ninth Circuit is not alone. Six other circuits recognize political parties and candidates have standing under this theory, including in ballot order challenges brought by political party committees. *See Green Party of Tenn. v. Hargett*, 767 F.3d 533, 544 (6th Cir. 2014) (concluding

political parties “subject to” state’s ballot-ordering provision had standing to challenge it); *LaRoque v. Holder*, 650 F.3d 777, 786-87 (D.C. Cir. 2011) (holding candidate had standing to challenge election law that “provid[es] a competitive advantage to his . . . opponents”); *Tex. Democratic Party v. Benkiser*, 459 F.3d 582, 586-87 (5th Cir. 2006) (holding party had “direct standing” based on “harm to its election prospects”); *Smith v. Boyle*, 144 F.3d 1060, 1062 (7th Cir. 1998) (holding Republican Party had standing to challenge at-large method of electing judges that disadvantaged Republicans); *Schulz v. Williams*, 44 F.3d 48, 53 (2d Cir. 1994) (holding Conservative Party had standing to challenge opposing candidate’s position on the ballot where opponent “could siphon votes from the Conservative Party line”); *Schiaffo v. Helstoski*, 492 F.2d 413, 422 (3d Cir. 1974) (holding candidate had standing to challenge opponent’s right to send constituent mail postage-free as damage to his “electoral prospects constitutes a noneconomic harm”). Just over the past four months, two other federal courts have found political party committees have standing to challenge ballot order statutes under this theory, including one in which DSCC—also a plaintiff here—was held to have standing based on factually indistinguishable allegations. *See Pavek*, 2020 WL 3183249, at *12-14; *Nelson v. Warner*, No. 3:19-0898, 2020 WL 1312882, at *3 (S.D. W. Va. Mar. 17, 2020).²

² *Jacobson v. Fla. Sec’y of State*, 957 F.3d 1193, 1206 (11th Cir. 2020), and *Miller v. Hughs*, Order on Motion to Dismiss, No. 1:19-CV-1071-LY (W.D. Tex. July 10, 2020), ECF No. 76, are the only cases Plaintiffs’ counsel is aware of, outside of the district court here, to dismiss an analogous case based on standing. *Jacobson* and *Miller* are wrong. Plaintiffs in *Jacobson* have already sought *en banc* review. But these cases are also distinguishable, as neither addressed the question of whether competitive standing was applicable. *See Pavek*, 2020 WL 3183249, at *14 n.13 (observing *Jacobson* declined to address this form of injury).

Consistent with the above, Plaintiffs have standing to challenge the Ballot Order Statute because it directly injures the Democratic Party’s electoral prospects in Arizona. ECF No. 13 ¶¶ 23-25. The district court rejected that argument, erroneously finding *Owen* distinguishable and concluding that *Townley v. Miller*, 722 F.3d 1128 (9th Cir. 2013), limited competitive standing to the sole factual instance in which “another candidate has been impermissibly placed on the ballot.” ECF No. 73 at 20. In *Owen*, a candidate and Republican party officials sued the Postal Service for giving an opponent a cheaper mailing rate. *Id.* at 1132. The plaintiffs characterized their injury as “the potential loss of an election caused by the Postal Service’s alleged wrongful act in enabling their opponents to obtain an unfair advantage.” *Id.* at 1132-33. Contrary to the district court’s reading of the case, *see* ECF No. 73 at 20, the injury in *Owen* had nothing to do with postal regulations or the terms of a prior injunction: it was that the postal service’s actions threatened plaintiffs with “the potential loss of an election.” That is precisely the injury that the Ballot Order Statute causes the Organizational Plaintiffs here.

Townley did not (and as the decision of a three-judge panel, cannot fairly be read to) narrow the doctrine announced in *Owen*. *See Hart v. Massanari*, 266 F.3d 1155, 1171 (9th Cir. 2001). In *Townley*, the Republican Party alleged that a “[n]one of these candidates” (“NOTC”) option on the ballot would cause its candidates to receive fewer votes and potentially lose the election. *Id.* at 1131. The *Townley* decision was clear that the potential loss of an election *would* constitute an injury-in-fact, *id.* at 1135, but concluded the plaintiff failed the separate *traceability and redressability* requirements. *Id.*; *see also id.* at 1136 (“Here, plaintiffs’ failure to

meet the causation and traceability requirement is their ultimate undoing.”). This was because the *Townley* plaintiffs had “conceded the legality of the NOTC option being on the ballot—the voter option that would have a siphoning effect,” and challenged “only the subsection prohibiting ballots cast for NOTC from being given legal effect.” *Id.* at 1136. Because “the state’s failure to give legal effect to the ballots cast for NOTC [was] immaterial to plaintiffs’ alleged *competitive* injury,” the *Townley* plaintiffs failed to allege their injury was traceable to the “conduct being challenged.” *Id.* In contrast, Plaintiffs here assert a competitive injury—that the Ballot Order Statute *itself* has a “siphoning effect” on votes for the candidates they support— directly traceable to the Statute and redressable by its injunction.

Notably, the Secretary and the district court appear to agree that Democratic *candidates* have competitive standing to challenge ballot order statutes. *See* ECF No. 26 (Ex. C) at 3-4; ECF No. 73 (Ex. D) at 12. The district court’s conclusion that the party Plaintiffs here lack competitive standing has no basis in *Owen* or *Townley* (both of which involved the standing of political parties) or in the party committee structure, *see infra* V.A.3. Because the interests of political parties “are identical” to the interests of the candidates they field in elections, *Benkiser*, 459 F.3d at 587-88, when a law puts a party’s candidate at a disadvantage (much less systemically disadvantages *all* of its candidates in the State’s largest county), it harms not just the candidates but the party committees. *See Pavek*, 2020 WL 3183249, at *13 (“[T]he direct injury that results from the purported illegal structuring of a competitive election is inflicted not only on candidates who are at a disadvantage, but also on the

political parties who seek to elect those candidates to office.”) (citing *Owen*, 640 F.2d at 1133).

2. Diversion of resources

The district court’s separate conclusion that Plaintiffs could not establish standing based on diversion of resources was also error and provides an independent basis for reversal. In so holding, moreover, the district court held Plaintiffs to a far greater burden of proof than was appropriate on a motion to dismiss.

First, Organizational Plaintiffs adequately alleged direct standing based on their diversion of resources from other states into Arizona as a result of the Ballot Order Statute. Each alleged that the unfair advantage conferred by the Ballot Order Statute requires them “to expend and divert additional funds and resources on GOTV, voter persuasion efforts, and other activities in Arizona, at the expense of its efforts in other states, to combat the effects of the Ballot Order Statute.” ECF No. 13 ¶ 24 (DSCC); *id.* ¶ 23 (DNC), ¶ 25 (Priorities USA).

Second, in concluding Plaintiffs did not “put forth any evidence of resources being diverted from other states to Arizona,” ECF No. 73 at 18, the court ignored the DSCC and DNC’s declarations in support of their preliminary injunction motion, which should have been considered in ruling on the motion to dismiss. *See, e.g., McCarthy v. United States*, 850 F.2d 558, 560 (9th Cir. 1988) (“[W]hen considering a motion to dismiss pursuant to Rule 12(b)(1) the district court . . . may review any evidence, such as affidavits [], to resolve factual disputes concerning the existence of jurisdiction.”). DSCC’s declaration explained it “will have to commit even more resources to support the Democratic U.S. Senate candidate in Arizona” due to the

Ballot Order Statute and that because it will have to “divert[] those additional resources to Arizona, it will have less resources to support other Democratic U.S. Senate candidates across the country.” ECF No. 14-5 ¶ 13. Similarly, the DNC described that, as a direct result of the Ballot Order Statute, it would be forced to “commit even more resources to supporting the State Democratic Party and the election of Democrats in Arizona than it would otherwise have to,” ECF No. 14-6 ¶ 17, and that it only “has a certain amount of money to spend to support Democrats and state parties across the country.” *Id.* at ¶ 14. Weeks before the district court issued its Order, the *Pavek* court found virtually the same allegations sufficient for standing. 2020 WL 3183249, at *10-12; *see also E. Bay Sanctuary Covenant v. Trump*, 932 F.3d 742, 766 (9th Cir. 2018) (finding standing where organization had to spend more “to pursue [asylum] relief for” certain clients as result of rule, causing it to “divert resources away from providing aid to other clients”).

The allegations and evidence produced by Plaintiffs were more than sufficient to support their standing on a diversion-of-resources theory at this stage.³ When standing is at issue in a motion to dismiss, “general factual allegations of injury resulting from the defendant’s conduct may suffice, for on a motion to dismiss we presum[e] that general allegations embrace those specific facts that are necessary to

³ The stage of the litigation distinguishes this case from the two that the district court relied on to support its conclusion that Plaintiffs failed to support a diversion of resources theory, *see* ECF No. 73 at 18, which were both at significantly more advanced stages of litigation. *See ACORN v. Fowler*, 178 F.3d 350, 359 (5th Cir. 1999) (affirming plaintiffs did not demonstrate standing at summary judgment stage); *Jacobson*, 957 F.3d at 1206 (holding plaintiffs did not produce sufficient evidence to demonstrate diversion of resources after full trial on the merits).

support the claim.” *Maya v. Centex Corp.*, 658 F.3d 1060, 1068 (9th Cir. 2011) (quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 561 (1992)) (quotation marks omitted). The same standard applies on a preliminary injunction. *See, e.g., City & Cty. of S. F. v. U.S. Dep’t of Homeland Sec.*, 944 F.3d 773, 787 (9th Cir. 2019) (“[P]laintiffs may rely on the allegations in their Complaint and whatever other evidence they submitted in support of their preliminary-injunction motion to meet their burden”).

3. Associational standing

The district court also erred in holding that the Democratic Party committees lacked *associational* standing to bring claims on behalf of their candidates and voters, providing yet another independent basis for reversal.

As an initial matter, the district court’s conclusion that “the Democratic Party is not a Plaintiff in this case,” ECF No. 73 at 15, is clear error. The DNC is “the official national party committee for the Democratic Party,” as designated and defined by federal law. ECF No. 13, at ¶¶ 13, 24 (citing 52 U.S.C. § 30101(14)). DSCC is the national senatorial committee of the Party, also as designated and defined by federal law. *Id.* ¶ 25 (citing 52 U.S.C. § 30101(14)). The state parties, such as the Arizona Democratic Party, are part of the Democratic Party only as a result of their recognition by the DNC, and the DNC’s membership is composed of, *inter alia*, high ranking officers of each recognized state party organization as well as all voters who voluntarily affiliate with the Party.⁴ This necessarily includes the

⁴ Democratic Party of the U.S., The Charter & The Bylaws of the Democratic Party of the U.S., art. 2 § 2; *id.* art. 3 § 2(a), *available at* <https://democrats.org/wp->

Democratic candidates who the Party runs in elections. *See, e.g., Dem. Nat'l Committee v. Reagan*, 329 F. Supp. 3d 824, 841-42 (D. Ariz. 2018) (vacated on other grounds) (DNC and DSCC had standing to challenge law that harmed affiliated voters and candidates); *Benkiser*, 459 F.3d at 587 (Texas Democratic Party has “associational standing on behalf of its candidate[s]”). Simply put, the DNC is the Democratic Party.

Indeed, the Supreme Court has long recognized that among the First Amendment’s most vital and core protections is “the freedom to join together in furtherance of common political beliefs.” *Tashjian v. Republican Party of Conn.*, 479 U.S. 208, 214–15 (1986). This right “necessarily presupposes the freedom to identify the people who constitute the association.” *Democratic Party of U.S. v. Wisconsin ex rel. LaFollette*, 450 U.S. 107, 122 (1981) (emphasis added). The district court erred by dismissing a complaint brought by the DNC and DSCC, both official national committees of the Democratic Party, based on the court’s conclusion that Democratic candidates and voters who will run and participate in coming Arizona elections are not included within their membership.

In any event, the Supreme Court has held that an organization need not be a “traditional membership organization” with card-carrying “members” to establish associational standing, and consideration of the relevant factors demonstrates DNC

content/uploads/2018/10/DNC-Charter-Bylaws-8.25.18-with-Amendments.pdf.; *id.* art. 8 § 1; *see also* Democratic National Committee, Regulations of the Rules and Bylaws Committee Reg. 1.1 (“State Party” or “State Party Committee” means the body recognized by the DNC as the State’s Democratic Party organization), <https://democrats.org/wp-content/uploads/sites/2/2019/07/Regulations-of-the-RBC-for-the-2020-Convention-12.17.18-FINAL.pdf>.

and DSCC have associational standing for Democratic candidates. *See Hunt v. Wash. State Apple Advert. Comm'n*, 432 U.S. 333, 344-45 (1977) (finding apple growers association bore “all of the indicia of membership in an organization,” including (1) power to elect members, (2) power to serve, and (3) financing of Commission’s activities). Where an organization represents individuals “and provides the means by which they express their collective views and protect their collective interests,” *id.*, “it would exalt form over substance” to deny that organization representational standing. *Id.* Finding a political party cannot represent the interests of its candidates under a theory of associational standing does exactly that.

The district court’s alternative holding that Plaintiffs failed to show associational standing because they did not identify a specific member who would be harmed is wrong on both the law and the facts. Because it is plain that a substantial number of Democratic candidates who will run in Arizona’s elections will be harmed by the Ballot Order Statute, identification of a specific member by name is not required. *See Nat’l Council of La Raza v. Cegavske*, 800 F.3d 1032, 1041 (9th Cir. 2015) (holding organization need not identify injured members where injury is clear and their specific identity is not relevant to defendant’s ability to understand or respond). Nonetheless, the DSCC *did* identify a specific candidate—the Democratic candidate for Senate in the 2020 election—who will be harmed by the Ballot Order Statute. *See* ECF No. 13 at ¶ 25. The fact that the Senate candidate’s name, along with other Democratic nominees’ names, is not yet known with certainty because Arizona’s primary election occurs on August 4, 2020, can hardly be the basis for finding Plaintiffs lack associational standing here.

Finally, that Democratic candidates sometimes win in Arizona does not render the Ballot Order Statute constitutional. *See LaRoque v. Holder*, 650 F.3d 777, 787 (D.C. Cir. 2011) (noting fact that a particular candidate “might be able to overcome this disadvantage” “does not change the fact that” the challenged provision “tends to benefit [one party’s] candidates and thus disadvantage their opponents”). Indeed, Plaintiffs need not show that position bias has been outcome determinative in any particular election to establish a constitutional violation. *See McLain*, 637 F.2d at 1162 (holding ballot order system unconstitutional where plaintiff candidate received only 1.5% of the vote); *Jacobson*, 411 F. Supp. 3d at 1276 (finding ballot order statute unconstitutional because it was a contributing—although not necessarily determinative—factor); *Graves*, 946 F. Supp. at 1579 (finding that ballot order law infringed First and Fourteenth Amendments even where effect was “slight”); *Akins*, 154 N.H. at 72 (striking down statute on finding “that the primacy effect influences, even to a small degree, the outcome of New Hampshire elections”).

B. This case presents a justiciable question.

After erroneously concluding Plaintiffs lacked standing, the district court committed another legal error by concluding that the case must be dismissed because it presents a nonjusticiable political question under *Rucho v. Common Cause*, 139 S. Ct. 2484 (2019). This far overreads *Rucho* and runs directly contrary to the expansive precedent in which federal courts have repeatedly not only considered analogous ballot order challenges, but struck down similar laws as unconstitutional.

In *Rucho*, the Supreme Court concluded partisan gerrymandering claims present political questions beyond the reach of federal courts because of its inability to identify a judicially manageable standard for resolving those types of claims. *Id.* at 2494. The Court had been in search of a standard for decades, “struggl[ing] without success” to identify one. *Id.* at 2491. In deciding *Rucho*, the Court emphasized it “had *never* struck down a partisan gerrymander as unconstitutional—despite various requests over the past 45 years.” *Id.* at 2507 (emphasis added).

The history of ballot order challenges tells a very different story. While the Supreme Court was debating whether there even was a manageable test for partisan gerrymandering, federal courts were ably deciding challenges indistinguishable from the ones Plaintiffs bring here. *See, e.g., McLain*, 637 F.2d at 1166; *Sangmeister*, 565 F.2d at 468; *Pavek*, 2020 WL 3183249, at *22-28; *Nelson*, 2020 WL 1312882, at *2; *Jacobson*, 411 F. Supp. 3d at 1282; *Graves*, 946 F. Supp. at 1582; *Netsch*, 344 F. Supp. at 1280.

Even the Supreme Court has considered a ballot order challenge—and *declined* to find it non-justiciable. *Mann v. Powell*, 333 F. Supp. 1261 (N.D. Ill. 1969), *aff’d* 398 U.S. 955 (1970). There, the district court preliminarily enjoined a law that ordered candidates’ names by when their nominating petitions were received and awarded ties to incumbents. 314 F. Supp. at 679. The court found the systemic favoring of incumbents unconstitutional (even when just resolving “ties”) and ordered that ballot order in the coming election be determined by “nondiscriminatory means by which each” similarly-situated candidate must “have an equal opportunity to be placed first on the ballot.” *Id.* The Supreme Court

summarily affirmed, and that decision binds this Court. *See United States v. Blaine Cty.*, 363 F.3d 897, 904 (9th Cir. 2004) (describing “the well-established rule that the Supreme Court’s summary affirmances bind lower courts”) (citing *Hicks v. Miranda*, 422 U.S. 332, 344-45 (1975)). Notably, in seeking Supreme Court review, the appellants in *Mann* expressly argued that the case raised a non-justiciable political question. *See Powell v. Mann*, Appellants’ Jurisdictional Statement, No. 1359, 1970 WL 155703, at *5-6 (U.S., Mar. 27, 1970) (asserting among “questions presented” for Court’s review: “(1) Does the complaint state a claim within the judicial Power of United States; or, the judicial power generally? . . . (5) Does the ‘political question doctrine’ . . . permit federal judicial cognizance of political cases, involving inter- or intra-party election disputes?”); *see also id.* at *21 (arguing Court should find lower court lacked jurisdiction due to “[t]he lack of predeterminable federal standards, based on some neutral principle [which are] too subjective to allow federal courts in the antagonistic climate of pre-election politics”). In summarily affirming the matter on the merits, the Supreme Court clearly found the issue justiciable. *See Mann*, 398 U.S. 955.

This Court’s recent decision in *Juliana v. United States*, 947 F.3d 1159 (9th Cir. 2020), does not alter this analysis. There, this Court was asked to invent a standard for a “climate system capable of sustaining human life”—a question for which there was *no* previous guidance. 947 F.3d at 1173. In contrast, Plaintiffs request the Court answer a straightforward question that courts have ably resolved for decades, both pre- and post- *Anderson-Burdick*. *Juliana* and *Rucho* cannot reasonably be read to suddenly render those claims suddenly nonjusticiable.

C. The Ballot Order Statute is unconstitutional.

Once the district court's errors are corrected, this case presents a simple question, and Plaintiffs are highly likely to succeed on the merits of their claims.

Every court considering the merits of a ballot order statute that favors one major party over another similarly situated party has found them unconstitutional—including a Minnesota court just three weeks ago. *See Pavek*, 2020 WL 3183249, at *29-30; *see also McLain*, 637 F.2d at 1159; *Sangmeister*, 565 F.2d at 468; *Jacobson*, 411 F. Supp. 3d at 1282; *Graves*, 946 F. Supp. at 1580. Multiple others have similarly found that, when the advantage of first position is unfairly or arbitrarily assigned, the law cannot survive. *See, e.g., Netsch*, 344 F. Supp. at 1281; *Gould*, 14 Cal. 3d at 665; *Holtzman v. Power*, 313 N.Y.S.2d 904, 908 (N.Y. Sup. Ct. 1970), *aff'd*, 311 N.Y.S.2d 824 (1970). The U.S. Supreme Court and Arizona Supreme Court are no exception. *See Mann v. Powell*, 398 U.S. 955; *Kautenburger*, 85 Ariz. at 131.

On its face, the Ballot Order Statute treats similarly situated major parties differently by giving preferential treatment to candidates of the favored party. But “treating voters differently based on their political party would violate the Equal Protection Clause.” *Charfauros v. Bd. of Elections*, 249 F.3d 941, 954 (9th Cir. 2001); *accord Jacobson*, 411 F. Supp. 3d 1277 (holding unconstitutional a “politically discriminatory” statute that “systematically award[ed] a statistically significant advantage to the candidates of the party in power”). The Ballot Order Statute places a meaningful state-mandated thumb on the scale which makes it more difficult for Plaintiffs “to associate in the electoral arena to enhance their political

effectiveness as a group.” *Anderson v. Celebrezze*, 460 U.S. 780, 794 (1983).

The interests proffered by the state are insufficient to justify the Statute. Below, the Secretary claimed Arizona had an interest in a “facially-neutral, manageable, and cost-efficient” ballot that “list[s] the parties in the same order throughout their ballot,” ECF No. 29 at 12-13 (Ex. E), but that only justifies the idea of *some* method of ordering the ballot, not *this* Ballot Order Statute. Many alternative ordering systems (including rotation of major parties across precincts, or even a county-based lottery among major parties for first position) could avoid unconstitutional favoritism while still fulfilling those interests. *See Soltysik v. Padilla*, 910 F.3d 438, 448 (9th Cir. 2018) (where burden is more than de minimis, *Anderson-Burdick* requires “an assessment of whether alternative methods would advance the proffered governmental interests.”). Because the favoritism itself is what the State must justify, and is not a necessary component of a system that would meet the State’s interests, Plaintiffs are highly likely to succeed on their claims.

D. Plaintiffs will suffer irreparable harm absent an injunction.

If the Ballot Order Statute is in effect in November, it will disadvantage Democratic candidates on over 80 percent of ballots statewide. Below, the Secretary asserted that any relief must be issued by the end of July to be in place for the November election, a representation that guided the district court’s scheduling orders. The Secretary has admitted that a remedy could be implemented quickly. *See* ECF No. 30-2 ¶ 5. With the election fast approaching, time is of the essence to avoid irreparable harm.

E. The balance of the equities and public interest support an injunction.

The remaining balance of the equities also favors Plaintiffs. If the 2020 general election is conducted under the Ballot Order Statute, Plaintiffs' fundamental rights will be severely burdened and the Arizona electorate will once again be casting their ballots in an unfair system. "It is always in the public interest to prevent the violation of a party's constitutional rights." *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012). In contrast, little harm will come to the Secretary if the Court enjoins the Statute pending appeal; the worst thing that happens is that the State employs an easily administrable ballot order (the same system it already uses in other elections) for a single election. The balance of the equities and the public interest thus tip sharply in favor of issuing an injunction.

VI. CONCLUSION

For all of these reasons, the Court should grant this Motion and enjoin the Ballot Order Statute pending the resolution of this appeal.

RESPECTFULLY SUBMITTED this 10th day of July, 2020.

/s Sarah R. Gonski

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the attached document with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on July 10, 2020. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

s/ Sarah R. Gonski

Index of Exhibits

Exhibit	Description
A	November 18, 2019 Expert Report of Jon Krosnick
B	November 18, 2019 Expert Report of Jonathan Rodden
C	January 2, 2020 Arizona Secretary of State's Motion to Dismiss
D	June 25, 2020 Order on Motion for Preliminary Injunction
E	January 2, 2020 Arizona Secretary of State's Response in Opposition to Motion for Preliminary Injunction

Exhibit A

November 18, 2019

Brian Mecinas et al. v. Hobbs

United States District Court for the District of Arizona

Expert Report of Dr. Jon A. Krosnick

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Introduction and Summary

I have been retained by counsel for Plaintiffs in the above-captioned litigation, who have asked me to provide my analyses and opinions regarding the likely impact (or lack thereof) that Arizona’s “ballot order” statute, A.R.S. § 16-502(E), has on vote shares in Arizona, based on the extensive literature regarding primacy effect in elections. The statute mandates that all of the general election ballots in any given county must list first—for every partisan race—candidates who belong to the same political party as the candidate who won the most votes in that county in the last gubernatorial election.

As I discuss in this report, I conclude that:

- Listing a candidate’s name first on the ballot almost always accords that person an advantage in gaining votes, called a “primacy effect.”
- Candidate name order effects have been studied extensively in different electoral settings for many decades, and the body of accumulated evidence is especially compelling and consistent with the conclusion that candidates listed first on a ballot have an electoral advantage solely as a result of their position on the ballot.
- Name order effects appear to occur among some voters because they lack information about candidates and among other voters because they feel ambivalent toward the candidates. Listing a candidate’s name first “nudges” these two types of voters toward voting for the person.
- Because primacy effects have been found virtually everywhere that candidate name order effects have been studied, it is extremely likely that primacy effects have occurred and will occur in Arizona.

This report is organized as follows. I begin by describing my qualifications. Then, I discuss how research can and should be done to evaluate whether candidate name order influences voter behavior, and I review the results of studies conducted during the last 70 years, testing whether the order of names on a ballot influenced election outcomes in America and abroad. This body of research has yielded overwhelming evidence that primacy effects have

occurred in nearly all of the thousands of elections that have been studied in the past. The consistency of this evidence provides a strong basis to conclude that Arizona voters have been manifesting and will manifest primacy effects as well.

I then review other related evidence showing that primacy effects with visually presented stimuli are not only overwhelmingly common in elections but also are very common in answers to survey questions and in other choice situations in life. In fact, primacy effects are so prevalent that it would be surprising if they did not appear in Arizona elections.

Next, I offer a two-pronged theory of why name order effects occur in elections, and I describe the implications of this theory for when name order effects are likely to be strongest. I then review findings testing those predictions, which have been consistently supported by existing work.

I am being compensated for my time in preparing this report at my usual hourly rate of \$1,000. My compensation is in no way contingent on the conclusions reached as a result of my analysis.

I. Expert Qualifications

I am the Frederic O. Glover Professor of Humanities and Social Sciences and a Professor of Communication, Political Science, and (by courtesy) Psychology at Stanford University in Stanford, California, a Research Psychologist at the U.S. Census Bureau, and a Research Advisor of the Gallup Organization. From 1986 to 2004, I was a member of the faculties in Psychology and Political Science at The Ohio State University. My position there involved teaching classroom courses for undergraduates and graduate students, as well as one-on-one training of graduate students in research methods. Since 2004, I have done similar work at Stanford University. I received an A.B. degree in psychology from Harvard University and M.A. and

Ph.D. degrees in social psychology from the University of Michigan. As a part of my undergraduate and graduate studies, I received extensive training in social psychology, survey and experimental research techniques, statistical data analysis, and political science. A recent full curriculum vitae is attached to this report as Appendix A.

I have authored or co-authored eight published books and two forthcoming, more than 190 articles published in press, in journals or edited books, over 250 research presentations at professional conferences, and more than 250 invited addresses at universities and to government agencies, businesses, and in other settings. My journal articles have been selected by editors for reprinting in edited books more than 15 times and have appeared in top-ranked journals in social psychology (*Journal of Personality and Social Psychology*, *Journal of Experimental Social Psychology*), political science (*American Political Science Review*, *American Journal of Political Science*), survey research methods (*Public Opinion Quarterly*), and sociology (*American Sociological Review*, *American Journal of Sociology*).

Much of my research has focused on political psychology and especially on public opinion about political issues, voting, and elections. In particular, I have conducted and published research on candidate name order effects in elections for 25 years.¹ I have testified as

¹ Miller, J. M., & Krosnick, J. A. (1998). The impact of candidate name order on election outcomes. *Public Opinion Quarterly*, 62, 291-330; Krosnick, J. A., Miller, J. M., & Tichy, M. P. (2004). An unrecognized need for ballot reform: Effects of candidate name order. In A. N. Crigler, M. R. Just, and E. J. McCaffery (Eds.), *Rethinking the vote: The politics and prospects of American election reform*. New York, NY: Oxford University Press; Chen, E., Simonovits, G., Krosnick, J. A., & Pasek, J. (2014). The impact of candidate name order on election outcomes in North Dakota. *Electoral Studies*, 35, 115-122; Pasek, J., Schneider, D., Krosnick, J. A., Tahk, A., & Ophir, E. (2014). Prevalence and moderators of the candidate name-order effect: Evidence from all statewide general elections in California. *Public Opinion Quarterly*, 78, 416-439; Kim, N., Krosnick, J. A., & Casasanto, D. (2015). Moderators of candidate name order effects in elections: An experiment. *Political Psychology*, 36, 525-542.

an expert witness regarding name order in four prior cases² and before the state legislature in Nevada on the issue.

My research has been recognized by the Erik H. Erikson Early Career Award, by election as a Fellow of the American Academy of Arts and Sciences, by election as a Fellow of the American Association for the Advancement of Science, by two fellowships at the Center for Advanced Study in the Behavioral Sciences, and by election as a Fellow by the American Psychological Association, the American Psychological Society, and the Society for Personality and Social Psychology. I was awarded the Nevitt Sanford Award from the International Society of Political Psychology. I was awarded the lifetime career achievement award from the American Association for Public Opinion Research, the world's leading professional organization of survey researchers. And in a 2019 analysis of citations of the work of political scientists, I rank 14th in the field in terms of the total number of times my work has been cited in publications (34,143 citations) and rank 2nd in the field in terms of the number of citations per year post-PhD.³

I have also served on the editorial board of the most prestigious journals in social psychology (*Journal of Personality and Social Psychology*) and in survey research methods (*Public Opinion Quarterly*). I regularly serve as a reviewer for other journals, publishers, and

² *In re: Election of November 6, 1990 for the Office of Attorney General of Ohio*, 58 Ohio St. 3d 103 (Ohio 1991) (written report and oral deposition); *Bradley v. Perrodin*, No. TS 004519 (Cal. Super. Ct. L.A. 2002) (oral testimony during the trial); *Akins, et al. v. Secretary of State*, No. 04-E-360 (N.H. Super. Ct. 2004) (written report and oral testimony during the trial); *Giles v. Barbour*, No. 3:06cv572 HTW-LRA (S.D. Miss. 2006) (written report and oral testimony); *Jacobson v. Lee*, No. 4:18-cv-00262-MW-CAS (N.D. Fla. 2019) (written report and oral testimony). A list of the cases in which I have testified as an expert during the last four years is set forth herein.

³ Kim. H. J., & Grofman, B. (2019). The Political Science 400: With Citation Counts by Cohort, Gender, and Subfield. *PS*, 1-16. <https://www.cambridge.org/core/journals/ps-political-science-and-politics/article/political-science-400-with-citation-counts-by-cohort-gender-and-subfield/C1EDBF7220760F01A5C4A685DB3B3F44>

professional organizations. I have received more than 100 grants to support my research. I have served on the Boards of Overseers of the General Social Survey and the American National Election Studies was co-Principal Investigator of the American National Election Studies, which are the nation's leading academic survey research projects studying public opinion and behaviors. I have been teaching research methodology since the early 1980s and have been invited to lecture and teach courses on research methodology to the research staffs of federal agencies in Washington, D.C., and at many professional organizations and universities around the U.S., as well as in the United Kingdom, the Netherlands, South Africa, Canada, and elsewhere.

II. Data Sources and Methodology

To complete my assignment in this case, I reviewed my own research on the impact of name order, as well as published research by other scholars spanning the last 70 years, as cited throughout this report.

III. Methods for Testing for Name Order Effects in Elections

In 1910, Woodrow Wilson asserted that:

“I have seen a ballot ... which contained seven hundred names. It was bigger than a page of newspaper and was printed in close columns as a newspaper would be. ... Of course[,] no voter who is not a trained politician, ... who does not know a great deal about the derivation and character and association of every nominee it contains, can vote a ticket like that with intelligence. In nine out of ten..., he will simply mark the first name under each office, and the candidates whose names come highest in the ... order will be elected.”⁴

Over the years since Mr. Wilson offered this speculation, scientists have tested its validity in many studies using two principal scientific methods, which I describe next.

⁴ Wilson, W. (1910). Hide-and-Seek Politics. *North American Review*, 191, 585-601, (p. 593).

A. Random or Quasi-Random Assignment of Voters to Name Orders

One method for gauging the impact of name order on election outcomes involves assigning groups of voters to see different name orders and then testing whether patterns of voting differ by order.⁵ Observed differences between the groups in voting patterns must then be subjected to tests of statistical significance. These tests determine whether the differences between groups are larger than would be expected by chance alone and are likely to be attributable to differences in name order.

The power of a significance test to detect a real difference between groups of voters who saw different orders depends upon the number of independent observations on which the significance test is based. A study of 1,000 voters is more able to detect real differences than is a study of only 10 voters. In name order studies, when each voter was individually assigned to a name order, the number of observations on which a statistical test should be computed is the total number of voters participating in the study.

Although random assignment of voters (or groups of voters) to different name orders is ideal in regard to this method, many informative studies have used rotation procedures instead. That is, precincts or assembly districts or townships (called “units”) were listed in a specific order by election officials, and the order of candidate names was rotated from one unit to the next going down the list, so that each candidate was listed first in an approximately equal number

⁵ Aronson, E., Ellsworth, P., Merrill Carlsmith, J., & Gonzales, M. (1990). *Methods of Research in Social Psychology*. New York: McGraw-Hill; Crano, W., & Brewer, M. (1973). *Principles of Research in Social Psychology*. New York: McGraw-Hill; Judd, C., & Kenny, D. (1981). *Estimating the Effects of Social Interventions*. New York: Cambridge University Press; Kidder, L., & Judd, C. (1986). *Research Methods in Social Relations*. New York: Holt, Rinehart, and Winston.

of units. This method yields informative data. However, as Gold's (1952) study illustrated,⁶ even an apparently unbiased sequential assignment method can fail to yield equivalent groups (as evidenced by uneven ballot completion rates).⁷ Therefore, to confirm the diagnostic value of a study not involving pure random assignment of voters to name orders, an investigator can confirm that the groups of voters who saw different name orders do not differ from one another in terms of characteristics that should not be affected by candidate name order.⁸

In other studies, a group of voters (i.e., everyone in the same precinct) was assigned to one of various name orders, so that all members of a group saw names in the same order. In the studies, the non-independence of the assignment process should be explicitly modeled in the data analysis process.⁹ Ignoring the non-independence yields statistical tests that are too liberal, thus making observed differences seem less likely to have occurred by chance alone than is actually the case. Thus, statistical tests should treat groups of voters (in the same precinct, assembly district, township, etc.) as the "unit of analysis" unless the non-independence is taken into account in an analysis treating individual voters as the unit of analysis.

⁶ Gold, D. (1952). A Note on the Rationality of Anthropologists in Voting for Officers. *American Sociological Review* 17, 99-101.

⁷ When name order has been determined by an election official using a randomizing device, patterns in the resulting name ordering raise concerns about the degree to which this was done in an unbiased way. In some studies, the candidate who shared the county clerk's party affiliation appeared first on the ballot more often than would occur by chance alone (Bain & Hecock, 1957, p. 11; Darcy & McAllister, 1990, p. 9). Thus scrutiny is merited when elections officials were tasked with implementing random assignment.

⁸ Miller, J. M., & Krosnick, J. A. (1998). The impact of candidate name order on election outcomes. *Public Opinion Quarterly*, 62, 291-330, (see pp. 299-300).

⁹ Darcy, R., & McAllister, I. (1990). Ballot Position Effects. *Electoral Studies*, 9 5-17, (p. 8); Judd, C.M., & Kenny, D.A. (1981). *Estimating the Effects of Social Interventions*. New York: Cambridge University Press, (pp. 55-57).

B. Concatenating Elections

Another method for studying name order effects involves concatenating the results of a large number of elections in which name order was not varied. After assembling hundreds or thousands of elections conducted in this manner, a researcher can assess whether candidates listed early received more votes on average than did candidates listed later.¹⁰

In such studies, if candidates listed first typically earned more votes than candidates listed later, this could be an indication of a primacy effect. It could also be an indication of the influence of some other factor. For example, in some studies, candidates were listed alphabetically on the

¹⁰ Bagley, C. R. (1966). Does Candidates' Position on the Ballot Paper Influence Voters' Choice? -- A Study of the 1959 and 1964 British General Elections. *Parliamentary Affairs*, 74 162-74; Bakker, E. A., & Lijphart, A. (1980). A Crucial Test of Alphabetic Voting: The Election at the University of Leiden, 1973-1978. *British Journal of Political Science*, 10 521-25; Brook, D., & Upton, G.J.G. (1974). Biases in Local Government Elections Due to Position on the Ballot Paper. *Applied Statistics*, 23 414-19; Brooks, R.C. (1921). Voters' Vagaries. *National Municipal Review*, 10 161-65; Byrne, G.C., & Pueschel, J.K. (1974). But Who Should I Vote for County Coroner? *Journal of Politics*, 36 778-84; Hughes, C.A. (1970). Alphabetic Advantage in the House of Representatives. *Australian Quarterly*, 42 24-29; Kelley, J., & McAllister, I. (1984). Ballot Paper Cues and the Vote in Australia and Britain: Alphabetic Voting, Sex, and Title. *Public Opinion Quarterly*, 48 452-66; Lijphart, A., & Pintor, R.L. (1988). Alphabetic Bias in Partisan Elections: Patterns of Voting for the Spanish Senate, 1982 and 1986. *Electoral Studies*, 7 225-31; Mackerras, M. (1968). The 'Donkey Vote'. *Australian Quarterly*, 40 89-93; Masterman, C. J. (1964). The Effect of the 'Donkey Vote' on the House of Representatives. *Australian Journal of Politics and History*, 10 221-25; Mueller, J. E. (1969). "Voting on the Propositions: Ballot Patterns and Historical Trends in California. *American Political Science Review*, 63 1197-1212; Nanda, K. (1975). An Experiment in Voting Choice: Who Gets the 'Blind' Vote? *Experimental Study of Politics*, 4 20-35; Robson, C., & Walsh, B. (1974). The Importance of Positional Voting Bias in the Irish General Election of 1973. *Political Studies*, 22 191-203; Upton, G. J. G., & Brook, D. (1974). The Importance of Positional Voting Bias in British Elections. *Political Studies*, 22 178-90; Upton, G. J. G., & Brook, D. (1975). The Determination of the Optimum Position on a Ballot Paper. *Applied Statistics*, 24 279-87; Volcansek, M. L. (1981). An Exploration of the Judicial Election Process. *Western Political Quarterly*, 34, 572-77.

ballots.¹¹ So an advantage of candidates listed first is also an advantage of candidates whose last initials come early in the alphabet. Therefore, statistical analyses should take into account possible preference for names with initials early in the alphabet when isolating the impact of name order.¹²

IV. Findings of Studies Analyzing Name Order Effects

The size of name order effects can be characterized in two quantitative ways. First, the

¹¹ Bagley, C. R. (1966). Does Candidates' Position on the Ballot Paper Influence Voters' Choice? -- A Study of the 1959 and 1964 British General Elections. *Parliamentary Affairs*, 74, 162-74; Bakker, E. A., & Lijphart, A. (1980). A Crucial Test of Alphabetic Voting: The Election at the University of Leiden, 1973-1978. *British Journal of Political Science*, 10, 521-25; Brook, D., & Upton, G.J.G. (1974). Biases in Local Government Elections Due to Position on the Ballot Paper. *Applied Statistics*, 23, 414-19; Brooks, R. C. (1921). Voters' Vagaries. *National Municipal Review*, 10, 161-65; Hughes, C. A. (1970). Alphabetic Advantage in the House of Representatives. *Australian Quarterly*, 42, 24-29; Kelley, J., & McAllister, I. (1984). Ballot Paper Cues and the Vote in Australia and Britain: Alphabetic Voting, Sex, and Title. *Public Opinion Quarterly*, 48, 452-66; Lijphart, A., & Pintor, R.L. (1988). Alphabetic Bias in Partisan Elections: Patterns of Voting for the Spanish Senate, 1982 and 1986. *Electoral Studies*, 7, 225-31; Mackerras, M. (1968). The 'Donkey Vote'. *Australian Quarterly*, 40, 89-93; Masterman, C. J. (1964). The Effect of the 'Donkey Vote' on the House of Representatives. *Australian Journal of Politics and History*, 10, 221-25; Mueller, J. E. (1969). Voting on the Propositions: Ballot Patterns and Historical Trends in California. *American Political Science Review*, 63, 1197-1212; Nanda, K. (1975). An Experiment in Voting Choice: Who Gets the 'Blind' Vote? *Experimental Study of Politics*, 4, 20-35; Robson, C., and Walsh, B. (1974). The Importance of Positional Voting Bias in the Irish General Election of 1973. *Political Studies*, 22, 191-203; Upton, G. J. G., & Brook, D. (1974). The Importance of Positional Voting Bias in British Elections. *Political Studies*, 22, 178-90; Upton, G. J. G., & Brook, D. (1975). The Determination of the Optimum Position on a Ballot Paper. *Applied Statistics*, 24, 279-87.

¹² In this literature review, I mainly focus on studies of real voters in real elections for public offices rather than on studies of hypothetical elections created for experiments conducted by other scientists. See, e.g., Coombs, F. S., Peters, J.G.& Strom, G.S. (1974). Bandwagon, Ballot Position, and Party Effects: An Experiment in Voting Choice. *Experimental Study of Politics*, 3, 31-57; Darcy, R. (1986). Position Effects with Party Column Ballots. *Western Political Quarterly*, 39, 648-62; Kamin, L. J. (1958). Ethnic and party affiliations of candidates as determinants of voting. *Canadian Journal of Psychology*, 12, 205-212; Nanda, K. (1975). An Experiment in Voting Choice: Who Gets the 'Blind' Vote? *Experimental Study of Politics* 4:20-35; Taebel, D. A. (1975). The Effect of Ballot Position on Electoral Success. *American Journal of Political Science*, 19,519-26) or elections not for public offices (Gold, D., 1952).

“bump” is (1) the percent of voters who vote for a candidate when he/she was listed first *minus* (2) the percent of voters who vote for a candidate when he/she was listed in a later position. Positive numbers mean a primacy effect, indicating more votes received when listed first than when listed later. In the discussion that follows, I focus on this measure.

I use the term “gap change” to describe the impact of the name order effect on the margin of victory in a race in which one candidate is listed first on all ballots. The gap change is the difference between the percent of votes gained by the candidate listed first due to name order *and* the percent of votes lost by the other candidate(s) due to name order. In a two-candidate race, the votes gained by one candidate are necessarily lost from the other candidate, so the gap change is simply twice the “bump.”

Calculating the gap change is more difficult in races involving three or more candidates. In such races, the bump enjoyed by one candidate may come at the expense of one *or more* of the other candidates. Consequently, each candidate in such races must be characterized by his or her own personal bump in the race, and it is not possible to calculate a single “gap change” for such a race. There are various different gap changes due to changing name order, depending upon what two name orders are being compared.

A. Studies Analyzing Name Order Effects in General Elections in the U.S.

Many studies show that primacy effects have occurred routinely in general elections in the U.S. For example, my study of 1992 elections in the three largest counties in Ohio showed widespread primacy effects (Miller & Krosnick, 1998).¹³ In the returns from 118 races,

¹³ Miller, J. M., & Krosnick, J. A. (1998). The impact of candidate name order on election outcomes. *Public Opinion Quarterly*, 62, 291-330.

statistically significant name order effects appeared in 57 of these races, or forty-eight percent.¹⁴ Ninety-five percent of those statistically significant effects in two-candidate races were primacy effects. The statistically significant primacy effects in these races ranged in size from .79 percentage points to 5.04 percentage points and averaged about 3 percentage points.

If no effect of name order had been present in the remaining 52% of the two-candidate races examined by Miller and Krosnick (1998), then we would expect those races to manifest a pattern such that a candidate received more votes when listed first than when listed last in about half of the races. But in fact, in seventy-eight percent of those races, the observed patterns of vote count differences were consistent with a primacy effect, whereby a candidate got more votes when listed first than when listed later. The average magnitude of the non-significant primacy effect in two candidate races was 1.14 percentage points.

In the races with more than two candidates, eighty percent of the races manifested statistically significant primacy effects, and eighty-one percent of the candidates in those races with non-significant order effects also manifested trends toward primacy.

A second publication of mine described more research findings consistent with the same conclusion. In particular, Krosnick, Miller, and Tichy (2004) reported an extensive set of

¹⁴ This study took advantage of the fact that for decades, Ohio has implemented a procedure of rotating candidate name order across precincts. For each election, each county begins designing ballots by placing its precincts in a sequence determined by size when the precincts were created and by the dates when they were created. Then, in each race, the first precinct on the list in which the race is run displays the candidate names in alphabetical order. In the next precinct, the alphabetically first candidate is moved to the bottom of the list, and all other candidates move up one slot. In the subsequent precinct, the candidate listed first in the second precinct is moved to the bottom of the list, and all other candidates move up one slot. The procedure of rotation is carried out across all precincts in each county. As a result, all competitors in a race appear first on the ballots of approximately equal numbers of voters.

statistical analyses of elections held in 2000 in all counties in Ohio, North Dakota, and California, which rotated candidate names across precincts, counties, or assembly districts in some races in a way that permits scientific measurement of name order effects.¹⁵

In total, we calculated name order effects for 306 candidates running in 205 races, and primacy effects were again overwhelmingly prevalent. Specifically, 129 of the 170 two-candidate races (76%) manifested primacy effects, and 113 of the 136 candidates (83%) running in races with more than two candidates manifested primacy effects. Even among races that manifested non-significant name order effects, trends in the direction of primacy effects appeared, indicating that being listed first typically advantaged candidates.

Krosnick, Miller, and Tichy (2004) found that name order effects occurred in widely publicized races, in which party affiliations of candidates were listed on the ballot for highly visible offices. For example, George W. Bush received a 9.45 percentage point bump when listed first in California over when he was listed last on the California ballot, a 0.76 percentage point bump when listed first over when listed last in Ohio, and a 1.69 percentage point bump when listed first over when listed last in North Dakota. In every instance, he manifested a primacy effect. In the 2000 Presidential race, of the seven candidates running for President, across the three states, in 19 of the 21 instances, being listed first got a candidate more votes. Thus, even the most publicized races discussed by thousands of news stories can manifest primacy effects.

We also saw primacy effects in highly visible Senate races. In particular, in the race for U.S. Senate in California in 2000, Diane Feinstein received 6.24 percentage points more votes

¹⁵ Krosnick, J. A., Miller, J. M., & Tichy, M. P. (2004). An unrecognized need for ballot reform: Effects of candidate name order. In A. N. Crigler & M. R. Just (Eds.), *Rethinking the vote: The politics and prospects of American election reform*. New York, NY: Oxford University Press.

when listed first than when listed last. Five of the seven candidates who ran in that race manifested primacy effects. And in the U.S. Senate race in Ohio in 2000, won by incumbent Mike DeWine, all four candidates manifested primacy effects, with an average effect of 1.07 percentage points. Again, this is evidence that these effects occur routinely, even in highly visible races and with highly visible incumbents.

A third research paper of mine, by Pasek et al. (2014), produced more evidence of primacy effects in 76 elections involving 402 candidates in California between 1976 and 2006.¹⁶ In all of these races, candidate name order was rotated across the 80 assembly districts in the state. The number of candidates running per race ranged from two to eight and included races for U.S. President, U.S. Senator, Governor, Lieutenant Governor, Secretary of State, Attorney General, Treasurer, Controller, Insurance Commissioner, and Superintendent of Education. More than 85% of candidates received more votes when listed first. Combining across all races and candidates, the primacy effect was statistically significant, about half a percentage point on average, and it was as large as 4.0 percentage points for individual candidates.

Two other studies analyzing election returns from some of the same races in California reached similar conclusions. Scott (1972) analyzed 1968 and 1970 elections held in California for Governor, Lieutenant Governor, U.S. Senate, and judicial seats, and observed a pronounced primacy effect.¹⁷ More recently, Fillbrunn (2017) also found a primacy effect in general elections

¹⁶ Pasek, J., Schneider, D., Krosnick, J.A., Tahk, A., Ophir, E., & Milligan C. (2014), Prevalence and moderators of the candidate name-order effect: Evidence from Statewide General Elections in California, *Public Opinion Quarterly*, 78, 416-439.

¹⁷ Scott, W. J., (1972). California Ballot Position Statutes: An Unconstitutional Advantage to Incumbents, *Southern California Law Review*, 45, 365-95.

in California between 1995 and 2012.¹⁸

Ho and Imai (2008) analyzed a subset of the California statewide elections examined by Pasek et al. (2014) and found statistically significant primacy effects for 28 of 68 candidates they examined, with a median of 0.2 percentage points.¹⁹ However, as Pasek et al. (2014) explained (see pp. 434-435 and Appendix F), Ho and Imai (2008) analyzed a dataset that contained errors and adopted a relatively low power approach to gauging name order effects.²⁰ Despite these drawbacks, their analyses revealed patterns consistent with the conclusion that primacy effects created an electoral advantage for first-listed candidates.²¹

Another paper that I authored (Chen et al., 2014) provided more evidence of primacy effects via analyses of election returns for 36 statewide races run in four election years between

¹⁸ Fillbrunn, M., (2017). Strategic voting and ballot order effects, Unpublished manuscript, Harvard Medical School, Boston, MA.

¹⁹ Ho, D. E., & Imai, K. (2008). Estimating causal effects of ballot order from a randomized natural experiment: The California alphabet lottery, 1978-2002. *Public Opinion Quarterly*, 72, 216-240.

²⁰ See, e.g., Grant, S., Perlman, M. D., & Grant, D. (2018). Testing for bias in order assignment with an application to Texas Election Ballots. Unpublished Manuscript, Seattle, WA: University of Washington. https://www.stat.washington.edu/sites/default/files/2018-07/BallotOrder_6-29-2018.pdf

²¹ Ho, D. E., & Imai, K. (2006). Randomization inference with natural experiments; An analysis of ballot effects in the 2003 California recall election. *Journal of the American Statistical Association*, 101, 888-900), studied order effects in an unusual election in California in 2003, through which the governor was recalled. But their study did not involve testing precisely for name order effects per se. One hundred thirty-five candidates competed in the race, and candidate names were listed on multiple pages of the ballot and rotated across 80 assembly districts, beginning with the names in an order based on last initials sequenced according to a “random alphabet.” This method did not yield full rotation of all candidate names in all possible positions, because 135 exceeded the 80. And because county ballots within assembly districts varied in the number of other races and candidates listed, the placement of gubernatorial candidates on pages of the ballot varied within assembly districts, but not randomly. Being listed on the first page of the ballot was associated with a statistically significant increase in the number of votes earned by more than 40% of the candidates, and even for the remaining candidates, the vast majority received more votes when listed on the first page than when listed later.

2000 and 2006 in North Dakota.²² The study revealed that candidates received more votes when listed first than when listed later in 80% of the races involving two candidates.²³ The average effect was 1.17 percentage points, which is statistically significantly different from zero, and the largest effect was 4.6 percentage points, in a race for Supreme Court Justice in 2000. In five races involving more than two candidates, two manifested primacy effects.

Blocksom (2008) studied name order effects in the presidential election held in Ohio in 2004 and also found evidence of primacy effects.²⁴ Analyzing data from more than ten thousand precincts, Blocksom found that all four candidates running for president received more votes when listed first: 1.6 percentage points for Bush, 1.1 percentage points for Kerry, .15 percentage points for Badnarik, and .01 percentage points for Peroutka.

Brockington (2003) found evidence of primacy effects in lower profile, municipal elections as well.²⁵ Combining across city council elections in Peoria, Illinois, in 1983, 1987, 1991, 1995, and 1999, Brockington found that first-listed candidates received statistically significantly more votes than later listed candidates.²⁶ These data suggest that movement of a candidate's name down the list by one position (e.g., from first to second) cost an average of

²² Chen, E., Simonovits, G., Krosnick, J. A., & Pasek, J. (2014). The impact of candidate name order on election outcomes in North Dakota. *Electoral Studies*, 35, 115-122.

²³ The process of ordering candidate names there has been done by each county. It begins by ordering the county's precincts according to their size, in descending order. Name order for each race is randomly determined in the largest precinct in each county, and then, the top name is moved to the bottom of the list in the next precinct, and this procedure is repeated until name orders have been assigned to all precincts in the county.

²⁴ Blocksom, D. (2008). Moderators of the Name-Order Effects: The 2004 Presidential Election in Ohio. Undergraduate Thesis, *Stanford University*, Stanford, California.

²⁵ Brockington, D. (2003). A low information theory of ballot position effects. *Political Behavior*, 25, 1-27.

²⁶ The order of candidate names on the ballot in those races was determined by the order in which the candidates filed with elections officials to run.

about 5 percentage points of votes.

Stewart et al. (2008) analyzed races for seats in the Vermont House of Representatives in 2002, 2004, and 2006 and found evidence consistent with primacy effects in all three years.²⁷

Older studies of general elections also produced evidence of primacy effects. For example, Mueller (1969) studied Los Angeles County elections in 1964 and 1965 and found primacy effects in judicial races, though not in the presidential election.²⁸ In an election held in 1969, in which 133 candidates competed in California to be members of the Junior College Board of Trustees, Mueller (1970) found a pronounced primacy effect.²⁹ In races for county central committee elections in California between 1948 and 1970, Byrne and Pueschel (1974) found an advantage of being listed first on ballots over being listed second, third, or fourth (plus an advantage of being listed last).³⁰ And Bain and Hecock (1957) found primacy effects in general elections for State Representative in Denver (in 1950), U.S. House of Representatives in Ohio (in 1950), and City Commissioner and probate judge in Michigan (in 1951).³¹

Thus, a large set of studies has documented primacy effects in many general elections in the U.S.

²⁷ Stewart, D., Woodward, D., Moore, K., & Khan, B. (2008). Ballot order effect. Unpublished manuscript. Burlington, VT: Vermont Legislative Research Shop, University of Vermont.

²⁸ Mueller, J. E. (1969). Voting on the Propositions: Ballot Patterns and Historical Trends in California. *American Political Science Review*, 63, 1197-1212.

²⁹ Mueller, J. E. (1970). Choosing Among 133 Candidates. *Public Opinion Quarterly*, 34, 395-402

³⁰ Byrne, G. C., & Pueschel, J. K. (1974). But Who Should I Vote for County Coroner? *Journal of Politics*, 36, 778-84.

³¹ Bain, H. M., & Hecock, D. S. (1957). *Ballot position and voter's choice*. Detroit, MI: Wayne State University Press.

B. Studies that Yielded Unusual Findings Regarding U.S. General Elections

In only two publications did the authors offer evidence that seems not to fit with the remainder of the literature. Alvarez et al. (2006) analyzed the same error-laden dataset that Ho and Imai (2008) analyzed, but with even less statistical power, for two reasons.³² First, Alvarez et al. (2006) examined only 8 statewide general election races run in California in 1998 (all with more than two candidates running), which considerably reduces the number of observations to be considered. Second, Alvarez et al. (2006) examined name order effects for each candidate individually, rather than combining across candidates and races to maximize power (which is needed because name rotation has been done in California across only 80 assembly districts).

Furthermore, the authors did not report tests of name order effects for Republican candidates, and instead of looking for continuous effects of name order, Alvarez et al. (2006) compared the votes earned by a candidate when listed in three positions: (1) first, (2) last, and (3) all other intermediate positions combined.³³ This approach overlooked the continuous name order effect that Pasek et al. (2014) discovered in California elections. And Alvarez et al. (2006) treated census tracts as their units of analysis, whereas the units should be assembly districts, because in California, name order has been rotated across assembly districts.

This investigation yielded evidence of 32 statistically significant effects indicating a candidate receiving more votes when listed earlier (what the authors refer to as primacy and anti-latency effects), in addition to 32 statistically significant instances where a candidate received

³² Alvarez, R. M., Sinclair, B., & Hasen, R. L. (2006). How much is enough? The 'ballot order effect' and the use of social science research in election law disputes. *Election Law Journal*, 5, 40-56.

³³ Alvarez et al. (2016) used Seemingly Unrelated Regression, a statistical technique different from that used in other investigations, but Pasek et al. (2014) showed that this technique produces similar results to a variety of other techniques.

more votes when listed later (what the authors call latency and anti-primacy effects). However, Alvarez et al. (2006) did not describe the magnitudes of these statistically significant name order effects and did not report exact p-values (to indicate exact levels of statistical significance), so the directions of the effects cannot be directly inspected, and the overall pattern cannot be fully judged.

Because Pasek et al.'s (2014) analysis of the same elections yielded evidence of consistent primacy effects, the Alvarez et al. (2006) conclusions should be taken with a grain of salt, to say the least. Nonetheless, Alvarez et al. (2006) did report observing dozens of statistically significant primacy effects.

Darcy (1986) found no primacy effects in his analysis of elections in two Colorado counties in 1984 for President, U.S. Senate, U.S. Congressional representative, Board of Education, Regent at Large, District Attorney, and State Representatives.³⁴ There is no obvious explanation for why this outlier study failed to yield evidence of the sorts of primacy effects that have been seen consistently in nearly all other published studies.

C. Studies Analyzing Name Order Effects in Primaries in the U.S.

Studies of primary elections have also uncovered a great deal of evidence of primacy effects. Koppell and Steen (2004), for example, studied 79 Democratic primary elections in New York City in 1998, involving races for Governor, Lieutenant Governor, Attorney General, U.S. Senator, U.S. Representative, New York State Senator, New York State Assembly Member, and Civil Court Judge, and four Democratic Party offices: Male District Leader, Female District

³⁴ Darcy, R. (1986). Position Effects with Party Column Ballots. *Western Political Quarterly*, 39, 648-62.

Leader, State Committeeman, and State Committeewoman.³⁵ These investigators found an overwhelming prevalence of primacy effects. Being listed first gained a candidate more votes than being listed later in 92% of the 79 races examined. Of the 180 candidates running, 89% received more votes when listed first.³⁶ In the races for Governor, U.S. Senator, Lieutenant Governor, and Attorney General, the primacy effect was 2.3 percentage points, 1.8 percentage points, 1.6 percentage points, and 2.2 percentage points, respectively. The average primacy effect in 75 local races was 3.1 percentage points, and the largest effect was 11.4 percentage points. When examining individual candidates separately, the primacy effect averaged 3.4 percentage points, and the largest was 14.5 percentage points.

Similar findings appeared in a study that I conducted of primary elections held in New Hampshire (Krosnick, 2005).³⁷ Along with Professor Joanne Miller, I examined 17 races held there for Governor, U.S. Senate, and U.S. House of Representatives. Of the 51 candidates analyzed, 37% showed statistically significant order effects. One hundred percent of the significant name order effects in two-candidate races were primacy effects, ranging in size from 2.27 percentage points to 7.73 percentage points, averaging 4.03 percentage points. Furthermore 100% of the non-significant differences were in the direction of primacy effects for the two-candidate races.

Thirty-one percent of the races with more than two candidates manifested statistically significant name order effects, all of which were primacy effects. The effects ranged in size from

³⁵ Koppel, J. G. S., & Steen, J. A. (2004). The effects of ballot position on election outcomes. *Journal of Politics*, 66, 267–281.

³⁶ Name order was rotated from precinct to precinct.

³⁷ Krosnick, J. A. (2005). A report on the effects of name order on vote percentages for candidates in the 2000, 2002, and 2004 Democratic and Republican New Hampshire primaries. Unpublished manuscript. Stanford, CA: Stanford University.

.51 percentage points to 9.05 percentage points and averaged 3.06 percentage points. And in the races with more than two candidates in which a name order effect was not statistically significant, 95% of the differences were in the direction of primacy, averaging 1.67 percentage points.

Grant (2017) found a primacy effect in every one of the 24 Democratic and Republican primary and runoff elections in Texas in 2014, where name order was randomized within each county.³⁸ The same sort of advantage of being listed first in primaries was documented by Brooks (1921) in a 1920 primary election in Pennsylvania.³⁹ And White (1950) found a very strong primacy effect in the 1948 Republican primary for a seat in the Ohio Senate.⁴⁰

Edwards (2015) studied primary elections for the U.S. Congress between 1979 and 2012 and State Legislatures between 1967 and 2010.⁴¹ By comparing elections in which candidates were listed alphabetically by name versus those in which candidates were listed by random assignment or rotation, he found a statistically significant advantage for candidates listed first.

In 2008, Ho and Imai (2008) analyzed a set of California primaries and found that 74 of 128 candidates manifested statistically significant primacy effects, with a median of 1.6 percentage points.

Brockington (2003) studied primaries for municipal city council elections in Peoria,

³⁸ Grant, D. (2017). The ballot order effect is huge: Evidence from Texas. *Public Choice*, 172, 421-442.

³⁹ Brooks, R. C. (1921). Voters' Vagaries. *National Municipal Review*, 10, 161-65.

⁴⁰ White, H. (1950). Voters Plump for First on List. *National Municipal Review*, 39, 110-111.

⁴¹ Edwards, B. (2015). Alphabetically ordered ballots make elections less fair and distort the composition of legislatures. *Democratic Audit UK*, 16, <http://www.democraticaudit.com/2015/06/16/alphabetically-ordered-ballots-make-elections-less-fair-and-distort-the-composition-of-legislatures>.

Illinois, in 1983, 1987, 1991, 1995, and 1999 and also came to the same conclusion regarding primacy effects.⁴² As noted above, the order of candidate names on the ballot in those races was determined by the order in which the candidates filed with elections officials to run. Combining across many primary elections, Brockington found that first-listed candidates received statistically significantly more votes than later listed candidates. Movement of a candidate's name down the list by one position (e.g., from first to second) cost an average of about 2 percentage points.

And Bain and Hecock (1957) found primacy effects in primaries for State Senator in Ohio (in 1948), and for U.S. House of Representatives, State Senate, Lieutenant Governor, U.S. Senate, County Clerk, Drain Commissioner, State Representative, and Governor in Michigan (in 1952).⁴³

Only one paper reported tests that failed to turn up evidence of primacy effects in primary elections for members of the Board of Trustees of the Los Angeles Community Colleges.⁴⁴

D. Study of Name Order Effects in the 2016 U.S. Presidential Election

I recently completed an investigation of name order effects in the 2016 U.S. Presidential race in New Hampshire, and the results are in line with those described above.⁴⁵ In New Hampshire, party column ballots were used, in which all candidates from a party appear in a

⁴² Brockington, D. (2003). A low information theory of ballot position effects. *Political Behavior*, 25, 1-27.

⁴³ Bain, H. M., & Hecock, D. S. (1957). *Ballot position and voter's choice*. Detroit, MI: Wayne State University Press.

⁴⁴ Nakanishi, M., Cooper, L. G., & Kassirjian, H. H. (1974). Voting for a political candidate under conditions of minimal information. *Journal of Consumer Research*, 1(2), 36-43.

⁴⁵ MacInnis, B., Miller, J., Krosnick, J. A., Lindner, M., & Below, C. (2019). Candidate name order effects in New Hampshire elections. Unpublished report being drafted, Stanford University, Stanford, California.

single column, with each row listing a separate race. The order of the party columns was rotated across the approximately 300 townships in the state, thus placing each candidate first in about an equal number of townships. A statistical analysis of each township controlling for partisanship revealed that Hillary Clinton received 1.5 percentage points more votes when listed first than when listed later ($p=.04$, one-tailed), and Donald Trump received 1.7 percentage points more votes when listed first than when listed later ($p=.03$, one-tailed).

E. Studies of Name Order Effects Abroad

Evidence of name order effects also comes from studies done in countries other than the U.S. For example, primacy effects have been documented in elections in Australia⁴⁶, the United

⁴⁶ King, A., & Leigh, A. (2009). Are ballot order effect homogeneous? *Social Science Quarterly*, 90, 71-87; Hughes, C. A. (1970). Alphabetic advantage in the house of representatives. *Australian Quarterly*, 42, 24-29; Kelley, J., & McAllister, I. (1984). Ballot paper cues and the vote in Australia and Britain: Alphabetic voting, sex, and title. *Public Opinion Quarterly*, 48, 452-466; Masterman, C. J. (1964). The Effect of the 'Donkey Vote' on the House of Representatives. *Australian Journal of Politics and History*, 10, 221-25. Hosenally, M., & Auchoybur, N. Effect of alphabetical ballot ordering on voting behaviour: The case of Mauritius. *Australian Journal of Commerce Study*. http://www.academia.edu/8718680/Effect_of_Alphabetical_Ballot_Ordering_on_Voting_Behaviour_The_Case_of_Mauritius

Kingdom⁴⁷, Ireland⁴⁸, Colombia⁴⁹, Denmark⁵⁰, Belgium⁵¹, Germany⁵², Greece⁵³, Chile⁵⁴,

⁴⁷ Bagley, C. R. (1966). Does Candidates' Position on the Ballot Paper Influence Voters' Choice? -- A Study of the 1959 and 1964 British General Elections. *Parliamentary Affairs*, 74, 162-74; Brook, D., & Upton, G. J. G. (1974). Biases in Local Government Elections Due to Position on the Ballot Paper. *Applied Statistics*, 23, 414-19; Upton, G. J. G., & Brook, D. (1974). The Importance of Positional Voting Bias in British Elections. *Political Studies*, 22 178-90; Upton, G. J. G., & Brook, D. (1975). The Determination of the Optimum Position on a Ballot Paper. *Applied Statistics*, 24 279-87. Badawood, D. & Wood, J. (2012). Effects of candidate position on ballot papers: Exploratory visualization of voter choice in the London local council elections 2010. Paper presented at the Geographic Information Science Research UK 19th Annual Conference (GISRUK 2011), 27 - 29 Apr 2011, University of Portsmouth, Portsmouth, UK. Only one U.K. study found no primacy effects: Kelley, J., & McAllister, I. (1984). Ballot paper cues and the vote in Australia and Britain: Alphabetic voting, sex, and title. *Public Opinion Quarterly*, 48, 452-466).

⁴⁸Robson, C., & Walsh, B. (1974). The Importance of Positional Voting Bias in the Irish General Election of 1973. *Political Studies*, 22, 191-203. Reidy, T., & Buckley, F. (2015). Ballot paper design: Evidence from an experimental study at the 2009 local elections. *Irish Political Studies*, 30, 619-640 found evidence of statistically significant primacy effects in experiments run near polling places during local elections in Ireland.

⁴⁹Gulzar, S., & Ruiz, N. A. (2018). Ballot order effects and party responses: Evidence from lotteries in Colombia. Unpublished manuscript, Stanford University, Stanford, California

⁵⁰ Blom-Hansen, J., Elkit, J., Serritzlew, S., & Villadsen, L. R. (2016). Ballot position and election results: Evidence from a natural experiment. *Electoral Studies*, 44, 172-183.

⁵¹ Geys, B., & Heyndels, B. (2003). Ballot layout effects in the 1995 elections of the Brussels government. *Public Choice*, 116, 147-164. Geys, B., & Heyndels, B. (2003). Influence of 'cognitive sophistication' on ballot layout effects. *Acta Politica*, 38(4), 295-311. van Erkel, P. F., & Thijssen, P. (2016). The first one wins: Distilling the primacy effect. *Electoral Studies*, 44, 245-254.

⁵² Faas, T., & Schoen, H. (2006). The importance of bring first: Effects of candidates' list positions in the 2003 Bavarian state election. *Electoral Studies*, 25, 91-102. Däubler, T., & Rudolph, L. (in press). Cue-taking, satisficing, or both? Quasi-experimental evidence for ballot position effects. *Political Behavior*.

⁵³ Abakoumkin, G. (2011). Forming choice preferences the easy way: Order and familiarity effects in elections. *Journal of Applied Social Psychology*, 41, 2689 – 2707. Augenblick, N. & Nicholson, S. (2016). Ballot position, choice fatigue, and voter behaviour. *Review of Economic Studies*, 83, 460–480.

⁵⁴ Quiroga, M. M., & Becerra, A. (2018). The effect of the position of the candidate on the voting card. The case of the Chilean local elections of 2008 and 2012. *Colombia Internacional*, (96), 29-55.

Japan⁵⁵, Ireland⁵⁶, Malta⁵⁷, the Czech Republic⁵⁸, Poland⁵⁹, Slovakia⁶⁰, Spain⁶¹, the Netherlands⁶², Switzerland⁶³, and Canada⁶⁴. Only Hansen and Olsen (2014) failed to find primacy effects, in Afghanistan.⁶⁵

F. Other Scientists' Conclusions in Their Own Words

When examining their own evidence and the larger literature on this topic, numerous other social scientists have reached the same conclusions that I have about the prevalence of

⁵⁵ Fukomoto, K. (2018). The effect of candidate list position on vote share: Improving internal and external validity. Paper Presented at the 1st Annual Meeting of the Japanese Society for Quantitative Political Science, January 8–9, 2018, and the 5th Asian Political Methodology Meeting, Seoul National University, January 11–12, 2018.

⁵⁶ Regan, John (2012). Ballot order effects: An analysis of Irish general elections, Working Paper Series, UCD Centre for Economic Research, No. 12/16.

⁵⁷ Ortega Villodres, C. (2008). Gender and party duopoly in a small state: Ballot position effects under the single transferable vote in Malta, 1947–2008. *South European Society and Politics*, 13(4), 435-456.

⁵⁸ Jurajda, Š., & Münich, D. (2015). Candidate ballot information and election outcomes: the Czech case. *Post-Soviet Affairs*, 31(5), 448-469. Marcinkiewicz, K., & Stegmaier, M. (2015). Ballot position effects under compulsory and optional preferential-list PR electoral systems. *Political Behavior*, 37(2), 465-486.

⁵⁹ Marcinkiewicz, K., & Stegmaier, M. (2015). Ballot position effects under compulsory and optional preferential-list PR electoral systems. *Political Behavior*, 37(2), 465-486.

⁶⁰ Spac, P. (2016). The role of ballot ranking: Preferential voting in a nationwide constituency in Slovakia. *East European Politics and Societies and Cultures*, 30, 644-663.

⁶¹ Lijphart, A., & Pintor, R. L. (1988). Alphabetic bias in partisan elections: Patterns of voting for the Spanish senate, 1982 and 1986. *Electoral Studies*, 7, 225-31. Bagues, M., & Esteve-Volart, B. (2011) The effect of ballot order: Evidence from the Spanish Senate. Unpublished manuscript, Universidad Carlos III and FEDEA, Madrid, Spain.

⁶² Bakker, E. A., & Lijphart, A. (1980). A Crucial test of alphabetic voting: the election at the University of Leiden, 1973-1978. *British Journal of Political Science*, 10, 521-25.

⁶³ Lutz, G. (2010). First come, first served: The effect of ballot position on electoral success in open list PR elections. *Representation*, 46(2), 167-181.

⁶⁴ Tessier, C., & Blanchet, A. (2018). Ballot Order in Clueless Elections: A Comparison of Municipal and Provincial Elections in Quebec. *Canadian Journal of Political Science*, 51, 83-102.

⁶⁵ Hansen, B. T., & Olsen, A. L. (2014). Order in chaos: Ballot order effects in a post-conflict election? *Research and Politics*, October-December 2014, 1-4.

primacy effects in elections.

Bakker and Lijphart (1980): “Politicians and political scientists have long known that there is a slight tendency among voters to prefer candidates whose names appear at the top of the ballot compared with lower-placed candidates, and hence that *ceteris paribus* the former have a somewhat better chance of being elected than the latter.”⁶⁶

Beazley (2013): “Legislators show by their behavior—both in the laws that they enact and the way that they run for office—that they believe in the existence of at least one kind of position-influenced vote: primacy effect votes.”⁶⁷

Abakoumkin (2011): “Primacy effects were observed in this study almost consistently ... candidates who were listed earlier on the voting sheets had an advantage over candidates who were listed later.”⁶⁸

Bagues and Esteve-Volart (2011): “Ample evidence from many countries suggests that being placed at the top of the ballot increases the share of votes received.”⁶⁹

Däubler and Rudolph (in press): “Candidates near the top of a ballot paper and particularly in the first position receive more votes than candidates listed further down.”⁷⁰

Däubler and Rudolph (in press): “We find clear evidence for considerable ballot position effects ... moving from rank two to rank one implies a more than fourfold increase in vote share.”⁷¹

Edwards (2014): “The vast majority of applied works find that some small percentage of votes is determined by ballot position and this windfall largely goes to the first-listed candidate.”⁷²

⁶⁶ Bakker, E. A., & Lijphart, A. (1980). A crucial test of alphabetic voting: the election at the University of Leiden, 1973-1978. *British Journal of Political Science*, 10, 521-25, p. 521.

⁶⁷ Beazley, M. B. (2013). Ballot design as fail-safe: An ounce of rotation is worth a pound of litigation. *Election Law Journal*, 12(1), 18-52, p. 26-27.

⁶⁸ Abakoumkin, G. (2011). Forming choice preferences the easy way: Order and familiarity effects in elections. *Journal of Applied Social Psychology*, 41(11), 2689-2707, p. 2698.

⁶⁹ Bagues, M., & Esteve-Volart, B. (2011). The effect of ballot order: Evidence from the Spanish Senate. Unpublished manuscript, Universidad Carlos III and FEDEA, Madrid, Spain, p. 2.

⁷⁰ Däubler, T., & Rudolph, L. (in press). Cue-taking, satisficing, or both? Quasi-experimental evidence for ballot position effects. *Political Behavior*, p. 2.

⁷¹ Däubler, T., & Rudolph, L. (in press). Cue-taking, satisficing, or both? Quasi-experimental evidence for ballot position effects. *Political Behavior*, p. 3-4.

⁷² Edwards, B.C. (2014). Race, ethnicity, and alphabetically ordered ballots. *Election Law Journal*, 13(3), 394-404, p. 395.

Badawood and Wood (2012): “The order of placement of the names of candidates acts to bias voters towards those whose names are towards the top of the ballot paper.”⁷³

Marcinkiewicz and Stegmaier (2015): “The bonus for candidates placed at the top of the ballot has been well-documented.”⁷⁴

Regan (2012): “There is a significant advantage to be located near the top of the ballot paper.”⁷⁵

Jurajda and München (2015): “Slates ordered within the first three positions on ballot paper enjoy higher shares of council seats won in both regional and large-municipality election contests.”⁷⁶

Lutz (2010): “Being listed first on the ballot has a double advantage to attract more preference votes.”⁷⁷

van Erkel and Thijssen (2016): “During elections, a name-order effect takes place, meaning that the first candidate on the ballot list disproportionately benefits from this position.”⁷⁸

Ortega Villodres (2008): “Being listed first on the ballot is a distinct electoral advantage.”⁷⁹

Lijphart and Pintor (1988): “The phenomenon of positional bias - that it is to a candidate’s advantage to be first or as high as possible on the ballot - has been known for a long

⁷³ Badawood, D. & Wood, J. (2012). Effects of candidate position on ballot papers: Exploratory visualization of voter choice in the London local council elections 2010. Paper presented at the Geographic Information Science Research UK 19th Annual Conference (GISRUK 2011), 27 - 29 Apr 2011, University of Portsmouth, Portsmouth, UK.

⁷⁴ Marcinkiewicz, K., & Stegmaier, M. (2015). Ballot position effects under compulsory and optional preferential-list pr electoral systems. *Political Behavior*, 37, 465-486, p. 473.

⁷⁵ Regan, John (2012). Ballot order effects: An analysis of Irish general elections, Working Paper Series, UCD Centre for Economic Research, No. 12/16.

⁷⁶ Jurajda, Š., & München, D. (2015). Candidate ballot information and election outcomes: the Czech case. *Post-Soviet Affairs*, 31(5), 448-469.

⁷⁷ Lutz, G. (2010). First come, first served: the effect of ballot position on electoral success in open list PR elections. *Representation*, 46(2), 167-181.

⁷⁸ van Erkel, P. F. A., & Thijssen, P. (2016). The first one wins: Distilling the primacy effect. *Electoral Studies*, 44, 245–254, p. 246

⁷⁹ Ortega Villodres, C. (2008). Gender and party duopoly in a small state: Ballot position effects under the single transferable vote in Malta, 1947–2008. *South European Society and Politics*, 13(4), 435-456.

time”⁸⁰

Scott (1972): “Previous studies of ballot position effect have yielded almost unanimous results: all other factors being equal, the name appearing first in a list of candidates attracts a larger than random share of the vote.”⁸¹

G. Meta-Analysis of Studies of Name Order Effects

To summarize this entire literature quantitatively, I took an approach much like the technique called “meta-analysis,” which involves gathering up a comprehensive set of literature on a topic and quantitatively evaluating the results of the studies.⁸² To do so, I reviewed all tests of name order effects in the publications cited in Sections A through E, examining primary, general, and special elections for government offices in the United States and abroad, and counted the number of unique tests that revealed primacy effects, recency effects, and other patterns.⁸³ In total, 1,086 tests of name order effects were reported with sufficient detail to permit counting.

84% of the available tests manifested differences in the direction of primacy, a statistically significant pattern, suggesting that this near unanimity is not the result of chance alone ($p < .000001$). Only 12% of the differences were in the direction of a recency effect.

When focusing only on the reported differences that were each subjected to tests of statistical significance in the original publications (1,061 instances total), 40% of the observed

⁸⁰ Lijphart, A., & Pintor, R. L. (1988). Alphabetic bias in partisan elections: Patterns of voting for the Spanish Senate, 1982 and 1986. *Electoral Studies*, 7 (3), 225-231, p. 225.

⁸¹ Scott, W. J. (1972). California ballot position statutes: An unconstitutional advantage to incumbents. *Southern California Law Review*, 45 (2), 365-395, p. 366.

⁸² Cooper, H. & Hedges, L.V. (1994). *The Handbook of Research Synthesis*. New York: Russell Sage.

⁸³ If an election was studied in multiple publications, the publication conveying the greater number of effects was used.

differences were significant and in the direction of primacy effects, 45% were not significant but in the direction of primacy, 2% were significant and in the direction of recency, and 10% were not significant but in the direction of recency. Another 2% were “other” effects, and 1% showed zero effect. Put differently, of the 1,061 instances in which statistical significance was tested, 91% of the significant name order effects were in the direction of primacy, and only 4% were in the direction of recency (with 5% representing other effects).⁸⁴

These numbers should come as no surprise in light of the prior review of the individual studies documenting an overwhelming prevalence of primacy effects in past assessments.

H. Studies Demonstrating Primacy Effects in Choices and Behaviors Other Than Voting

Many studies have examined order effects on choices and behaviors other than voting and have consistently documented that a notable percentage of people manifest bias toward selecting the first option presented to them when a set of options is presented visually, as is true for

⁸⁴ Some researchers might be tempted to hesitate about counting the number of statistically significant results in such an accounting, because they think that doing so might cause a “Type I error,” which is concluding that primacy effects are real when they are in fact not real. This can, in theory, occur because each observed effect of name order has a 5 percent chance of having a p-value less than .05 by chance alone. The more significance tests a researcher concludes, the greater the possibility that one of those tests will be statistically significant (i.e., less than .05) when there is no name order effect. Of course, the p-value of the sign test reported above shows that the probability of obtaining the observed data pattern by chance alone is miniscule. Some researchers might be tempted to adjust the p-values here to take into account the fact that multiple tests have been conducted. But they would be wrong. As Armstrong (Armstrong, R. A. (2014). When to use the Bonferroni correction. *Ophthalmic Physiology*, 34, 502 – 508) explained, adjusting p-values for this reason “is a conservative procedure” that likely causes “real” effects to be undetected. And as O’Keefe (O’Keefe, D. J. (2003). Colloquy: Should familywise alpha be adjusted? Against familywise alpha adjustment. *Human Communication Research*, 29(3), 431–447) said, “adjusting the [p-value] because of the number of tests conducted in a given study has no principled basis, commits one to absurd beliefs and policies, and reduces statistical power. The practice of requiring or employing such adjustments should be abandoned.” Therefore, I made no such adjustments.

candidate names on election ballots.

For example, choosing a candidate from among an array listed on the ballot is similar in some ways to choosing a consumer product from among the many competing brands offered in a taste test or on a store shelf, and studies of order effects in these settings show that people are inclined to choose the first item presented to them.⁸⁵

Nearly two dozen scientific studies of order effects in questions have been published in scientific journals. In these studies, respondents were shown the response options on paper or a computer screen (paralleling the visual presentation of candidate names in voting booths).⁸⁶

⁸⁵ See, e.g., Coney, K. A. (1977). Order-bias: The special case of letter preference. *Public Opinion Quarterly*, 41, 385-388; Dean, M. L. (1982). Alphabetic notation bias in blind test research. *The Journal of Psychology*, 111, 269-271; Mantonakis A., Rodero P., Lesschaeve I. & Hastie R. (2009). Order in choice: Effects of serial position on preferences. *Psychological Science*, 20, 1309–1312.

⁸⁶ See, e.g., Ayidiya, S. A., & McClendon, M. J. (1990). Response effects in mail surveys. *Public Opinion Quarterly*, 54, 229-47; Becker, S.L. (1954). Why an order effect. *Public Opinion Quarterly*, 18, 271-78; Bishop G. F., Hippler H. J., Schwarz N., & Strack F. (1988). A comparison of response effects in self-administered and telephone surveys. In *Telephone Survey Methodology*, ed. Groves, R. M., Biemer, P. P., Lyberg, L. E., Massey, J.T., Nicholls II, W. L., & Waksberg, J., pp. 321-34, New York; Wiley Campbell, D. P., & Sorenson, W. W. (1963). Response set on interest inventory triads. *Educational and Psychological Measurement*, 13, 145-152; Campbell, D. T., & Mohr, P. J. (1950). The effect of ordinal position upon responses to items in a checklist, *Journal of Applied Psychology*, 34, 62-67; Cochran, R., & Rokeach, M. (1970). Rokeach's value survey: A methodological note. *Journal of Experimental Research in Personality*, 4, 159-161; Coney, K. A. (1977). Order-bias: The special case of letter preference. *Public Opinion Quarterly*, 41, 385-388; Dean, M. L. (1982). Alphabetic notation bias in blind test research. *The Journal of Psychology*, 111, 269-271; Dillman, D. A., Brown, T. L., Carlson, J. E., Carpenter, E. H., Lorenze, F. O., Mason, R., Saltiel, J., & Sangster, R. L. (1995), Effects of category order on answers in mail and telephone surveys, *Rural Sociology*, 60, 674-687; Greenstein, T. & Bennett, R. R. (1974). Order effects in Rokeach's value survey, *Journal of Research in Personality*, 8, 393-396; Holbrook, A. L., Krosnick, J. A., Carson, R. T., & Mitchell, R. C. (2000). Violating conversational conventions disrupts cognitive processing of attitude questions, *Journal of Experimental Social Psychology*, 36, 465-494; Israel, G. D., & Taylor C. L. (1990). Can response order bias evaluations? *Evaluation and Program Planning* 13, 365-71; Krosnick, J. A., & Alwin, D. F. (1987). An evaluation of a cognitive theory of response order effects in survey measurement, *Public Opinion Quarterly*, 51, 201-219; Market Facts, Inc. (n.d.),

Different respondents were offered sets of answer choices in different orders, and the investigators assessed whether order of presentation affected the choices people made among the options. Taken together, these studies reported 49 tests of response option order effects, and 40 of the tests (82%) showed that an option was selected more often when presented first than when presented later in a list of choices.

Furthermore, when students take multiple-choice knowledge tests, they are biased toward selecting answers offered early in a list, so they tend to answer items correctly more often when the correct answer is listed first than when it is listed last.⁸⁷ When people are told that an experimenter will imagine a series of questions and they should guess which of a set of printed

An examination of order bias. *Research on Research, 1*, Arlington Heights, IL: Market Facts; Mathews, C. O. (1927). The effect of position of printed response words upon children's answers to questions in two-response types of tests. *Journal of Educational Psychology, 18*, 445-457; Ring, E. (1974), Wie man bei listenfragen einflüsse der reihenfolge ausschalten kann. *Psychologie und Praxis, 105-113*; Ring, E. (1975). Experimental evidence demonstrates how it is possible to eliminate the serial position effect: Asymmetrical rotation. *European Research, May 1975, 111-119*; Schwarz, N., Hippler, H. J., & Noelle-Neumann, E. (1992). A cognitive model of response-order effects in survey measurement. In *Context Effects in Social and Psychological Research*, ed. Schwarz, N., & Sudman, S. New York: Springer-Verlag; Schwarz, N., Hippler, H., & Noelle-Neumann, E. (1994). A cognitive model of response-order effects in survey measurement. In Schwarz, N. & Sudman, S. (Eds.). *Context effects in social and psychological research* (pp. 189-201). New York: Springer-Verlag; Sigleman, C.K. & Budd, E.C. (1986). Pictures as an aid in questioning mentally retarded persons. *Rehabilitation Counseling Bulletin, 29*, 173-181; Wagner, E. E. & Binning, J. F. (1978). Use of cautionary instructions for eliminating position error in ranking. *Perceptual and Motor Skills, 46*, 976-978; Wagner, E. E. & Hoover, T. O. (1974a). The influence of technical knowledge on position error in ranking. *Journal of Applied Psychology, 59*, 406-407; Wagner, E. E., & Hoover, T. O. (1974b). Effect of terminal ranking error on meaningful occupational choice. *Journal of Applied Psychology, 59*, No. 2, 247-248; Wagner, E. E., & Hoover, T. O. (1974c). The effect of serial position on ranking error. *Educational and Psychological Measurement, 34*, 289-293.

⁸⁷ Cronbach, L. J. (1950). Further Evidence on Response Sets and Test Design. *Educational and Psychological Measurement, 10*, 3-31; Mathews, C. O. (1927). The Effect of Position of Printed Response Words Upon Children's Answers to Questions in Two-Response Types of Tests. *Journal of Educational Psychology, 18*, 445-457.

response choices is the correct answer, people tend to select the first ones listed.⁸⁸

In light of this sort of evidence about primacy effects occurring under conditions of visual presentation of choice options, it is not surprising that the studies of voting almost universally have found similar primacy effects. If anything, it would be surprising if we did not observe primacy effects in the political arena.

V. Why Name Order Effects Occur in Elections

Psychological theory suggests two possible explanations for name order effects in elections. One theory involves the tremendous burden levied on voters in the context of American democracy, where people may feel that being a “good and responsible democratic citizen” requires them not only to go to the polls but also to cast votes in all listed races, even when they know only a little about the candidates or have not made a firm choice among them before entering the voting booth. In these circumstances, the order of candidate names on the ballot constitutes a “nudge” in the direction of the first-listed candidate.

In California, for example, citizens have routinely been asked to vote on a dozen ballot issues on topics ranging from insurance reforms, to tort claims, to school funding, to the confidentiality of AIDS tests.⁸⁹ And in all states, voters have sometimes been asked to make choices in well over two dozen races, ranging from high visibility contests to races for offices so obscure that many voters probably could not describe the job responsibilities associated with them. In 1911, for instance, Cleveland, Ohio, voters were confronted with 74 candidates for city

⁸⁸ Berg, I. A., & Rapaport, G. M. (1954). Response Bias in an Unstructured Questionnaire. *Journal of Psychology*, 38, 475-481.

⁸⁹ Allswang, J. M. (1991). *California Initiatives and Referendums 1912-1990*. California: California Direct Democracy Project; Beck, P. A. (1997). *Party Politics in America*. New York: Longman, (p. 250).

offices, 12 candidates for Board of Education, 14 candidates for Municipal Court Judges, and 32 candidates for Constitutional Convention.⁹⁰ Eighty years later, in 1992, Cleveland voters were asked to cast ballots in over 40 county and statewide races, plus a number of district-wide races.

Because races for highly visible offices (e.g., for U. S. President and U.S. Senate) receive a great deal of news media attention, often involve well-known incumbents, and usually involve explicit endorsements of candidates by political parties, voters who wish to make substance-based choices can do so in principle. But in many contests, candidates did not take clear and divergent stands on specific policy issues,⁹¹ and media coverage of such contests has often focused on the horserace rather than on the candidates' records and policy positions.⁹² The cognitive demands of sifting through lots of such media coverage and extracting useful, substantive information about candidates' positions may therefore be so substantial as to outstrip some voters' incentives to do the work.⁹³ Much research suggests that under such circumstances, many citizens rely on only a small subset of substantive information to make such vote choices, pursuing what Popkin called "low information rationality."⁹⁴

Media coverage of races for less visible offices (e.g., Attorney General, Auditor, Judge, Sheriff, Coroner, and Board of Education) has often been much more limited, making it even

⁹⁰ Davies, P. J. (1992). *Elections USA*. New York: Manchester University Press.

⁹¹ Berelson, B., Lazarsfeld, P., & McPhee, W. (1954). *Voting: A Study of Opinion Formation in a Presidential Campaign*. Chicago: University of Chicago Press; Page, B. (1978). *Choices and Echoes in Presidential Elections*. Chicago: University of Chicago Press.

⁹² Patterson, T. E. (1994). *Out of Order*. New York: Vintage Books.

⁹³ Downs, A. (1957). *An Economic Theory of Democracy*. NY: Harper.

⁹⁴ Popkin, S. (1991). *The Reasoning Voter: Communication and Persuasion in Presidential Campaigns*. Chicago: University of Chicago Press.

more difficult for voters to make choices based upon substance.⁹⁵ People pursuing low information rationality can sometimes rely on cues, such as party affiliation, which can help them identify candidates with whom they are likely to agree on policy issues.⁹⁶ But party affiliations are often not listed on the ballot for the very races that receive the least media coverage.

Alternatively, people can rely upon name recognition: the candidate whose name sparks a stronger sense of familiarity is most likely to be the incumbent, who by virtue of his or her presumed experience may be considered the safer choice.⁹⁷ But because holders of low-visibility offices probably get very little media attention during their tenures, voters may only rarely recognize their names.

What do people do when no such cues are present at all to guide their choices? In some years, large numbers of people have gone to the polls to vote in a few highly visible contests, yet they were asked to vote in less publicized races. The higher roll-off rates typical of such races presumably reflect some voters' choices to abstain because they lack sufficient knowledge.⁹⁸

Another psychological theory proposes that confirmatory bias will cause a primacy.

⁹⁵ Graber, D. (1991). *The Mass Media and Election Campaigns in the United States of America*. In *Media, Elections and Democracy*, ed. Fletcher, F.J. Toronto, Dundurn Press.

⁹⁶ Campbell, A., Converse, P.E., Miller, W.E., & Stokes, D.E. (1960). *The American Voter*. New York: Wiley, J.; Miller, W. E., & Shanks, J.M. (1996). *The New American Voter*. Cambridge, MA: Harvard University Press.

⁹⁷ Jacobson, G. C. (1987). *The Political of Congressional Elections*. Boston, MA: Little, Brown, and Company; Mann, T. E., & Wolfinger, R.E. (1980). Candidates and Parties in Congressional Elections. *American Political Science Review*, 74, 617-632.

⁹⁸ Burnham, W. D. (1965). The Changing Shape of the American Political Universe. *American Political Science Review*, 59, 7-28; Robinson, J. A., & Standing, W. H. (1960). Some Correlates of Voter Participation: The Case of Indiana. *Journal of Politics*, 22, 96-111; Vanderleeuw, J. W. & Engstrom, R. L. (1987). Race, Referendums, and Roll-off. *Journal of Politics*, 49, 1081-92.

When evaluating a set of choices to select one of them, people usually begin a search of memory for information about each object by looking for reasons to select it, rather than reasons not to select it.⁹⁹ So when considering a list of political candidates, voters may first search memory primarily for reasons to vote for each contender rather than reasons to vote against him or her. And when working through a list of candidates, people may think less and less about each subsequent alternative, because they become increasingly fatigued, and short-term memory becomes increasingly clogged with thoughts. Therefore, people may be more likely to generate supportive thoughts about candidates listed initially and less likely to do so for later-listed candidates, biasing them toward voting for the former.

In theory, people attempting to retrieve reasons to vote for a candidate may occasionally fail completely, retrieving instead only reasons to vote against him or her. If this happens for all candidates in a given race, cognitive fatigue and short-term memory congestion would presumably bias a citizen toward generating more reasons to vote against the first-listed candidate than reasons to vote against later-listed candidates. This would induce a recency effect, which is a bias toward selecting candidates listed last.¹⁰⁰ But as explained above, recency effects have almost never been observed in studies of voting.

Name order might also influence the votes cast by people who have no information at all

⁹⁹ Klayman, J. & Ha, Y. (1987). Confirmation, Disconfirmation, and Information in Hypothesis-Testing. *Psychological Review*, 94, 211-228; Koriati, A., Lichtenstein, S., & Fischhoff, B. (1980). Reasons for Confidence. *Journal of Experimental Psychology: Human Learning and Memory*, 6, 107-118.

¹⁰⁰ Schwarz, N., Hippler, H. J., & Noelle-Neumann, E. (1992). A Cognitive Model of Response Order Effects in Survey Measurement. In *Autobiographical Memory and the Validity of Retrospective Reports*, ed. Schwarz, N. & Sudman, S. New York: Springer-Verlag; Sudman, S., Bradburn, N. M., & Schwarz, N. (1996). *Thinking About Answers: The Application of Cognitive Processes to Survey Methodology*. San Francisco: Jossey-Bass.

about the candidates in a race but nonetheless feel compelled to vote in all races in order to be “good citizens.” According to Simon (1957), people are inclined to settle for the first acceptable solution to a problem they confront, especially when they perceive that the costs of making a mistake will be minimal.¹⁰¹ Therefore, if a citizen feels compelled to vote in races regarding which he or she has no substantive basis for choice at all, he or she may simply settle for the first name listed, because no reason is apparent suggesting that the candidate is unacceptable.

All of the above logic can be thought of as attributing name order effects to “information deficit.” But name order effects might also occur under very different conditions: when voters are very well informed. Ambivalence towards candidates is not uncommon. For example, one study suggested that about 30% of the electorate hold ambivalent attitudes toward the major American political parties (Basinger & Lavine, 2005). As would be expected, more ambivalent citizens take longer to crystalize their preferences (Lavine, 2001). Consider a voter who has devoted great effort to learning about candidates competing for President of the United States and has discovered an array of reasons to vote for and against each one. When he or she finally walks into a voting booth, making a choice between the candidates might be very difficult, because their pros and cons nearly balance out. As a result, when under pressure to make a choice and move on with life, name order might again constitute a nudge, yielding a bias toward the first-listed name. Thus, name order effects might occur due to ambivalence, even when voters have access to lots of information about the candidates and even when party affiliations are specifically listed for each candidate. I refer to this as the “ambivalence” explanation.

Thus, there is abundant theoretical justification for the hypothesis that the order of

¹⁰¹ Simon, H. (1957). *Models of Man*. New York: Wiley.

candidates' names on ballots may influence voters' choices in some races. And this expectation is consistent with the abundant scientific evidence that the order in which choices are presented to people often influences their selections. Thus, it would be surprising if such ubiquitous order effects did not occur in voting.

VI. When Name Order Effects Are Expected to Occur

Based upon the information deficit explanation and the ambivalence explanation, it is possible to derive a series of predictions about when name order effects may be greatest in elections. For primacy effects to occur, some voters must find themselves unable, unwilling, ambivalent about, too overwhelmed to, or simply uninterested in reaching an optimal, unbiased decision. Given the amount of preparation necessary to make a truly optimal vote choice, a large number of citizens may not have fully considered all the candidates for all elected offices by Election Day, but order effects will not necessarily be expected among all such individuals.

In this section, I discuss various hypotheses about when we might expect to see a greater primacy effect; the following section sets forth the research confirming these hypotheses. Notably, although the primacy effect may be amplified under certain circumstances, the research discussed above indicates being listed first on a ballot confers a meaningful, statistically significant advantage in elections in a wide array of contexts of circumstances.

Individuals heading to the polls seem more likely to have considered candidates for high profile contests – such as those for President or Governor – than those for lower profile contests – such as insurance commissioner. High-profile contests tend to receive more news coverage

than low profile contests,¹⁰² are more frequently the topic of interpersonal discussions, and involve considerably more contact with voters than do low profile contests, which should lead to more motivated voting for these contests.¹⁰³ Since high- and low-profile contests often occur in the same elections, voters in these contests will not be differentially likely to appear at the polls, so we might therefore expect a larger name order effect in low profile contests than in high profile contests.

Voter turnout will most likely be driven by high profile contests. Hence, in years where voter turnout is higher, we might expect additional turnout to reflect a greater motivation to vote in high profile contests.¹⁰⁴ But these additional voters may not have fully considered lower profile races (indeed, they may not have entered at all into the decision of whether or not to head to the polls). Given that they have already decided to vote, the costs associated with selecting a candidate in a low-profile contest are likely to be relatively low. Individuals who have not done the necessary research and yet have decided to vote anyway may be more influenced by the ordering of candidates' names for low profile contests when turnout is relatively high.

When one candidate is likely to beat the others by a large margin, voters may have little incentive to carefully consider and cast their votes. In contrast, for close contests, voters might be

¹⁰² Kahn, K. F. (1991). Senate elections in the news: Examining campaign coverage. *Legislative Studies Quarterly*, 16, 349-374.

¹⁰³ Boyd, R. W. (1989). The Effects of Primaries and Statewide Races on Voter Turnout. *Journal of Politics*, 51, 730-739; Campbell, A. (1960). Surge and Decline: A Study of Electoral Change. *Public Opinion Quarterly* 24:397-418; Smith, M. A. (2001). The Contingent Effects of Ballot Initiatives and Candidate Races on Turnout. *American Journal of Political Science*, 45, 700-706.

¹⁰⁴ Boyd, R. W. (1989). The Effects of Primaries and Statewide Races on Voter Turnout. *Journal of Politics*, 51, 730-739; Smith, M. A. (2001). The Contingent Effects of Ballot Initiatives and Candidate Races on Turnout. *American Journal of Political Science*, 45,700-706.

motivated to pay special attention to candidate choice.¹⁰⁵ Because of this motivation, candidate name order may influence fewer individuals in close contests than would be the case in electoral blowouts. For some electoral contests, voters are given additional cues that could help in their decision-making. In particular, candidates' party affiliation is often listed on the ballot. Considerable evidence shows that voters use candidate partisanship, in particular, as a heuristic cue in their decision-making.¹⁰⁶ Because partisanship allows voters to make a relatively informed choice without substantial research about the candidates, indecision is presumed to be less common for contests where this is the case.¹⁰⁷ In contrast, non-partisan contests, where party cues are lacking, might lead to particular difficulty for voters. Non-partisan contests may therefore be particularly prone to candidate name order effects.¹⁰⁸

In light of the information deficit hypothesis, another potential moderator of name order effects might be a voter's level of cognitive skills. The term "cognitive skills" refers to the ensemble of abilities that enable interpreting incoming information, storing it in memory, retrieving the information later, and integrating the retrieved information in order to select between candidates—including the cognitive effort to perform all of these tasks. Even if a person is able to perform the cognitive tasks involved in encoding, storing, retrieving, and integrating information about candidates to choose between them, the individual may not be motivated to

¹⁰⁶ Popkin, S. L. (1991). *The Reasoning Voter*. Chicago: University of Chicago Press.

¹⁰⁷ Schaffner, B. F., Streb, M., & Wright, G. (2001). Teams Without Uniforms: The Nonpartisan Ballot in State and Local Elections. *Political Research Quarterly*, 54, 7-30.

¹⁰⁸ Ho, D. E. & Imai, K. (2008). Estimating Causal Effects of Ballot Order from a Randomized Natural Experiment: The California Alphabet Lottery, 1978-2002. *Public Opinion Quarterly*, 72, 216-240; Meredith, M, & Salant, Y. (2013). The Causes and Consequences of Ballot Order Effects. *Political Behavior* 35:175-197; Miller, J. M. & Krosnick, J. A. (1998). The Impact of Candidate Name Order on Election Outcomes. *Public Opinion Quarterly*, 62, 291-330.

do this cognitive work. If that is the case, even after exposure to an array of information, a person may end up relatively uninformed about the candidates. A state of low information might exacerbate the likelihood of manifesting name order effects. Some voters may exert effort when encountering information about candidates because they have a general tendency to process all information carefully.¹⁰⁹ Other voters may exert effort because they care about politics in particular and enjoy thinking carefully about that topic.¹¹⁰ Whatever the cause, expending more cognitive effort to learn and think about candidates may attenuate name order effects.

VII. When Name Order Effects Have Been Largest

A number of studies have explored when name order effects are greatest in elections and have generated evidence in support of the hypotheses articulated above. For example, I found stronger name order effects for less publicized races, although name order effects are also apparent in highly publicized races.¹¹¹ Koppell and Steen (2004) reported the same finding, as did Pasek et al. (2014).¹¹² Miller and Krosnick (1998) also found name orders to be stronger in races listed at the bottom of the ballot.¹¹³ Miller and Krosnick (1998) found weaker name order effects for races in which an incumbent was running for re-election,¹¹⁴ who was presumably

¹⁰⁹ Cacioppo, J. T., & Petty, R. E. (1982). The need for cognition. *Journal of Personality and Social Psychology*, 42, 116-131.

¹¹⁰ Glenn, N. D., & Grimes, M. (1968). Aging, voting and political interest. *American Sociological Review*, 33, 563-575.

¹¹¹ Miller, J. M., & Krosnick, J. A. (1998). The impact of candidate name order on election outcomes. *Public Opinion Quarterly*, 62, 291-330.

¹¹² Koppell, J. G., & Steen, J. A. (2004). The effects of ballot position on election outcomes. *Journal of Politics*, 66, 267-281.

¹¹³ This effect reversed when controlling for roll-off in races at the bottom of the ballot.

¹¹⁴ Miller, J. M., & Krosnick, J. A. (1998). The impact of candidate name order on election outcomes. *Public Opinion Quarterly*, 62, 291-330.

familiar to many voters, a finding echoed by Chen et al. (2014).¹¹⁵ Name order effects were also stronger when candidate party affiliations were not listed on the ballot next to their names, a finding echoed by Pasek et al. (2014) and by Chen et al. (2014), though, as Miller and Krosnick (1998) showed, name order effects are present even in races where partisan affiliations are listed alongside candidate names. Miller and Krosnick (1998) also found stronger name order effects among less educated voters, a finding reinforced by Blocksom's (2008) evidence and Koppell and Steen (2004).¹¹⁶

As expected, Pasek (2014) found weaker name order effects in races with small margins of victory, when voters might have thought their vote would make a more notable difference in determining the election outcome, though, as Pasek (2014) showed, name order effects are present even in races with small margins of victory. And Pasek (2014) found especially stronger name order effects in low-visibility races with higher turnout, which presumably attracted more voters lacking knowledge about those more obscure races. Likewise, Chen et al. (2012) found stronger name order effects in years when turnout was higher.

Blocksom (2008) reported that name order effects were notably larger in the 2004 Presidential race in Ohio among voters who voted on touch screens (4 percentage points for George W. Bush and for John Kerry) than when voters used paper ballots or punch cards. One possible reason for this is that perhaps touch screen machines encourage voters to vote in all races, whereas other modes of voting, because they are passive, do not prompt voting in all races.

¹¹⁵ Chen, E., Simonovits, G., Krosnick, J. A., & Pasek, J. (2014). The impact of candidate name order on election outcomes in North Dakota. *Electoral Studies*, 35, 115-122.

¹¹⁶ Blocksom, D. (2008). *Moderators of the Name-Order Effects: The 2004 Presidential Election in Ohio*. Undergraduate Thesis, Stanford University, Stanford, California.

Kim et al. (2015) carried out a hypothetical election in the context of an online survey that illuminated various conditions under which name order effects were larger.¹¹⁷ In the study, respondents read about two hypothetical candidates' positions on various issues and then voted for one of the candidates. Name order was randomly assigned to each respondent. Consistent with the information deficit hypothesis, the observed primacy effect was larger when respondents had less information about the candidates,¹¹⁸ among participants with more limited cognitive skills, and among respondents who devoted less effort to the candidate evaluation process. And consistent with the ambivalence hypothesis, name order effects were greater where voters were more conflicted about the two candidates.

Conclusion

In conclusion, primacy effects have appeared in almost every study of candidate name order effects. There is no reason to believe that this ubiquitous phenomenon has not been occurring in Arizona as well.

¹¹⁷ Kim, N., Krosnick, J. A., & Casasanto, D. (2015). Moderators of candidate name-order effects in Elections: An experiment. *Political Psychology*, 36, 525-542.

¹¹⁸ Coombs, F. S., Peters, J. G., & Strom, G. S. (1974). Bandwagon, Ballot Position, and Party Effects: An Experiment in Voting Choice. *Experimental Study of Politics*, 3, 31-57; Kamin, L. J. (1958). Ethnic and affiliations of candidates as determinants of voting. *Canadian Journal of Psychology*, 12, 205-212.

I provide this declaration under penalty of perjury at Portola Valley, California on this the 18th day of November, 2019.

A handwritten signature in blue ink, appearing to read "Jon A. Krosnick", is centered on a light gray rectangular background.

Jon A. Krosnick

KROSNICK REPORT: APPENDIX A

CURRICULUM VITAE

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<http://www.stanford.edu/group/polisci/faculty/krosnick.html>
<http://climatepublicopinion.stanford.edu/>
<https://pprg.stanford.edu/>
<http://bps.stanford.edu/>
<http://sipp.stanford.edu/>

Education The Lawrenceville School, with academic distinction, 1976.

A.B., Harvard University (in Psychology, Magna Cum Laude), 1980.

M.A., University of Michigan (in Social Psychology, with Honors), 1983.

Ph.D., University of Michigan (in Social Psychology), 1986.

Employment

2017- Affiliated Faculty Member, Emmett Interdisciplinary Program in Environment and Resources, Stanford University.

2015- Research Advisor, Gallup, Princeton, New Jersey.

2015- Affiliate, Woods Institute for the Environment, Stanford University.

2014-2016 Affiliated Faculty Member, Meta-Research Innovation Center at Stanford (METRICS), Stanford University.

2013-2014 Visiting Research Collaborator, Princeton Institute for International and Regional Studies and the Princeton Environmental Institute, Princeton University.

2010- Research Psychologist, Center for Survey Measurement, U.S. Census Bureau, United States Department of Commerce.

2009-2010 Research Psychologist, Statistical Research Division, U.S. Census Bureau, United States Department of Commerce.

- 2006- Research Professor, Survey Research Laboratory, University of Illinois.
- 2005-2011 Co-Principal Investigator, American National Election Studies.
- 2004- Frederic O. Glover Professor in Humanities and Social Sciences, Stanford University.
- 2004- Professor, Department of Communication, Stanford University.
- 2004- Professor, Department of Political Science, Stanford University.
- 2004- Professor, Department of Psychology (by courtesy), Stanford University.
- 2004-2008 Associate Director, Institute for Research in the Social Sciences, Stanford University.
- 2008-2014 Senior Fellow, Woods Institute for the Environment (by courtesy), Stanford University.
- 2005-2008 Senior Fellow, Woods Institute for the Environment, Stanford University.
- 2004-2007 Director, Methods of Analysis Program in the Social Sciences, Stanford University.
- 2004-2006 Visiting Professor, Department of Psychology, The Ohio State University.
- 2003-2004 Visiting Professor, Department of Communication, Stanford University.
- 1986-2004 Assistant to Associate to Full Professor, Departments of Psychology and Political Science, The Ohio State University.
- 1987-1989 Adjunct Research Investigator, Survey Research Center, Institute for Social Research, University of Michigan.
- 1987-1989 Lecturer, Survey Research Center Summer Program in Survey Research Techniques, University of Michigan.
- 1986-1987 Visiting Scholar, Survey Research Center, Institute for Social Research, University of Michigan.
- 1985 Lecturer, Department of Psychology, The Ohio State University.
- 1982-1985 Research Assistant, Center for Political Studies and Survey Research Center, Institute for Social Research, University of Michigan.
- 1980-1981 Senior Research Assistant, Department of Psychology, Harvard University.
- 1979-1981 Senior Research Assistant, Department of Behavioral Sciences, School of Public Health, Harvard University.
- 1975-1976 General Manager, The Lawrence (newspaper), The Lawrenceville School.

Honors

- 1976 Bausch and Lomb Science Award.

- 1982 National Institute of Mental Health Graduate Training Fellowship.
- 1984 Phillip Brickman Memorial Prize for Research in Social Psychology.
- 1984 American Association for Public Opinion Research Student Paper Award.
- 1984 National Institute of Mental Health Graduate Training Fellowship.
- 1984 Pi Sigma Alpha Award for the Best Paper Presented at the 1983 Midwest Political Science Association Annual Meeting.
- 1984 Elected Departmental Associate, Department of Psychology, University of Michigan, recognizing outstanding academic achievement.
- 1990 Invited Guest Editor, Social Cognition (Special issue on political psychology, Vol. 8, #1, May)
- 1993 Brittingham Visiting Scholar, University of Wisconsin.
- 1995 Erik H. Erikson Early Career Award for Excellence and Creativity in the Field of Political Psychology, International Society of Political Psychology.
- 1996-1997 Fellow, Center for Advanced Study in the Behavioral Sciences, Stanford, California.
- 1998 Elected Fellow, American Psychological Association.
- 1998 Elected Fellow, Society for Personality and Social Psychology.
- 1998 Elected Fellow, American Psychological Society.
- 2001- Appointed University Fellow, Resources for the Future, Washington, DC.
- 2003 Prize for the Best Paper Presented at the 2002 Annual Meeting of the American Political Science Association, Section on Elections, Public Opinion, and Voting Behavior.
- 2009 Elected Fellow, American Academy of Arts and Sciences.
- 2010 Elected Fellow, American Association for the Advancement of Science.
- 2013-2014 Fellow, Center for Advanced Study in the Behavioral Sciences, Stanford, California.
- 2014 The AAPOR Award, the American Association for Public Opinion Research's lifetime achievement award, given for an outstanding contribution to the field of public opinion research, including: advances in theory, empirical research and methods; improvements in ethical standards; and promotion of understanding among the public, media and/or policy makers.
- 2014-2015 Consulting Scholar, Center for Advanced Study in the Behavioral Sciences, Stanford, California.
- 2016 The Nevitt Sanford Award from the International Society of Political Psychology, for professional contributions to political psychology, given to someone engaged in the practical application of political psychological principles or creating knowledge that is accessible and used by practitioners to make a positive difference in the way politics is carried out.

Invited Addresses

- 1992 Invited Address, Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- 2003 Invited Address, Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- 2004 Invited Address, Distinguished Lecture Series Sponsored by the Departments of Psychology and Political Science, University of California, Davis, California.
- 2004 Keynote Lecture, International Symposium in Honour of Paul Lazarsfeld, Katholieke Universiteit Leuven (Belgium).
- 2005 Invited Address, Joint Program in Survey Methodology Distinguished Lecture Series, University of Maryland, College Park, Maryland.
- 2005 Invited Address, "Climate Change: Science → Action", Conference Hosted by the Yale School of Forestry and Environmental Studies, Aspen, Colorado.
- 2005 Invited Commentator, "Science for Valuation of EPA's Ecological Protection Decisions and Programs," a U.S. Environmental Protection Agency Science Advisory Board Workshop, Washington, DC.
- 2006 Invited Address, "The Wonderful Willem Saris and his Contributions to the Social Sciences." Farewell Symposium for Willem Saris, University of Amsterdam, Amsterdam, the Netherlands.
- 2006 Invited Workshop, "The State of Survey Research." Annual Summer Meeting of the Society for Political Methodology, Davis, California.
- 2006 Invited Keynote Address, "Recent Lessons Learned About Maximizing Survey Measurement Accuracy in America: One Surprise After Another." 2006 Survey Research Methodology Conference, Center for Survey Research, Academia Sinica, Taipei, Taiwan.
- 2006 Invited Address, "Review of Nonresponse Analysis Across Multiple Surveys." Conference on "Sample Representativeness: Implications for Administering and Testing Stated Preference Surveys," Resources for the Future, Washington, D.C.
- 2006 Invited Address, "Introduction to Survey Issues in Ecological Valuation." Meeting of the U.S. Environmental Protection Agency Scientific Advisory Board Committee on Valuing the Protection of Ecological Systems and Services (CVPESS), Washington, D.C.
- 2006 Invited Address, "Gas Pumps and Voting Booths: Energy and Environment in the Midterm Elections." First Wednesday Seminar, Resources for the Future, Washington, D.C.
- 2006 Invited Address, "What Americans Believe and Don't Believe about Global Warming: Attitude Formation and Change in Response to a Raging Scientific Controversy." National Science Foundation Speaker Series, Washington, D.C.
- 2006 Invited Address, "Moving Survey Data Collection to the Internet? Surprising Ways that Mode, Sample Design and Response Rates Affect Survey Accuracy." New York Chapter of the American Association for Public Opinion Research, Fordham University, New York, New York.

- 2006 Invited Address, "Climate change: What Americans Really Think." Conference entitled "A Favorable Climate for Climate Action," sponsored by the Sustainable Silicon Valley, Santa Clara University, Santa Clara, California.
- 2006 Invited Lecture, "What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy." Brown Bag Series, National Oceanic and Atmospheric Administration, Silver Spring, Maryland.
- 2007 Invited Lecture, "What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy." Education And Outreach Colloquium, Earth Sciences Division, NASA Goddard Space Flight Center, Greenbelt, Maryland.
- 2007 Inaugural Lecture, "The Brave New World of Survey Research: One Surprise After Another." Survey Research Institute First Annual Speaker Series, Cornell University, Ithaca, New York.
- 2007 Inaugural Lecture, "What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy." National Centers for Coastal Ocean Science/Center for Sponsored Coastal Ocean Research Ecosystem Science Seminar Series & NOS Science Seminar Series, National Oceanic and Atmospheric Administration, Silver Spring, Maryland.
- 2007 Plenary Speaker, "What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy." Annual Ocean and Coastal Program Managers' Meeting, Sponsored by the Office of Ocean and Coastal Resource Management in partnership with the National Estuarine Research Reserve Association, National Oceanic and Atmospheric Administration, Washington, DC.
- 2007 Oral Testimony on Assembly Bill 372 (to revise the order in which the names of candidates for an office must appear on the ballot) before the Nevada State Legislature, Carson City, Nevada.
- 2007 Invited Lecture, "What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy." The White House Office of Science and Technology Policy, Washington, D.C.
- 2007 Invited Lecture, "What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy." Workshop on Climate Science and Services: Coastal Applications for Decision Making through Sea Grant Extension and Outreach. NOAA Coastal Services Center, Charleston, South Carolina.
- 2007 Invited Lecture, "Climate Change: What Americans Think." Capitol Hill briefing sponsored by the Environment and Energy Study Institute, Cannon House Office Building, Washington, D.C. Broadcast live on C-SPAN.
- 2007 Invited Lecture, "The Impact of Candidate Name Order on Election Outcomes." The Carter Center, Atlanta, Georgia.
- 2007 Invited Lecture, "What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy." Google, Mountain View, California.

- 2007 Invited Lecture, "Climate Change: What Americans Really Think." The Commonwealth Club, San Francisco, California.
- 2007 Invited Address, "Representativeness of Online Panels." Time-Warner 2007 Research Conference, New York, New York.
- 2007 Invited Lecture, "What the Public Knows." News Executives Roundtable: Covering Climate Change, Stanford, California.
- 2007 Invited Address, "The Top Ten Signs of an Excellent Survey Vendor." Intuit Corporate Customer & Market Insight Offsite, Palo Alto, California.
- 2007 Invited Lecture, "What Americans Really Think About Climate Change." Association of Science-Technology Centers Conference, Los Angeles, California.
- 2007 Invited Address, "The New American National Election Study Panel Survey Project." Survey Research in the 21st Century: Challenges and Opportunities, Royal Statistical Society, London, UK.
- 2007 Invited Testimony, "Aviation Safety: Can NASA Do More to Protect the Public?" House Committee on Science and Technology, U.S. Congress, Washington, DC. Broadcast live on C-SPAN.
- 2007 Invited Opening Keynote Address, "New Insights Into Optimizing Survey Questionnaire Design and Selecting a Model of Data Collection." Panel Research 2007, ESOMAR World Research Conference, Orlando, Florida.
- 2007 Invited Plenary Address, "New Insights into Questionnaire Design: How to Maximize the Validity of Your Measurements." Federal Committee on Statistical Methodology Research Conference, Arlington, Virginia.
- 2007 Invited Lecture, "What Americans Think and Do About Climate Change; Insights from a Psychological Perspective." California Institute for Energy and Environment's Behavior, Energy, and Climate Change Conference, Sacramento, California.
- 2007 Invited Keynote Lecture, "What Americans Think About Climate Change." 2007 American Public Media Conference on Sustainability, Pocantico Conference Center, Tarrytown, New York.
- 2007 Invited Address, "What the American Public Really Thinks About Climate Change: New Evidence on Amelioration Strategies." 2007 American Geophysical Union Fall Meeting, San Francisco, California.
- 2008 Invited Address, "Climate Change and the 2008 U.S. Presidential Election." Eighth National Conference on Science, Policy, and the Environment: Climate Change: Science and Solutions. Conference sponsored by the National Council for Science and the Environment, Washington, DC.
- 2008 Invited Presentation, "Explaining the Relation of Aging with Susceptibility to Attitude Change." Eighth Annual SPSP Attitudes Preconference, Albuquerque, New Mexico.
- 2008 Invited Lecture, "Comparisons of Survey Modes in Terms of Data Quality." Department of Families, Housing, Community Services, and Indigenous Affairs, Australian Government, Canberra, Australia.

- 2008 Invited Lecture, "Applying Theories of Attitudes and Attitude Change to the Mission of the Australian Tax Office." Australian Tax Office, Australian Government, Canberra, Australia.
- 2008 Invited Lecture, "The Theory of Survey Satisficing." Tourism Australia, Canberra, Australia.
- 2008 Invited Lecture, "Lessons from the Field: A Blueprint for Optimizing Measurement Accuracy and Sample Composition." 40th Meeting of the Computer Market Analysis Group, Intuit, Mountain View, California.
- 2008 Invited Lecture, "Uses of Surveys in Court." How to Find, Litigate, and Try Class Action Lawsuits, Educational Symposium sponsored by Consumer Attorneys of San Diego, San Diego, California.
- 2008 Invited Keynote Address, "What the American Public Really Thinks About Climate Change: New Evidence on Amelioration Strategies." Union of Concerned Scientists Retreat, National Labor College, Silver Spring, Maryland.
- 2008 Invited Lecture, "The Challenges of Measuring Facts Accurately in Surveys: Small Changes in Question Wording can Make a Difference." Survey Methodology Division, U.S. Census Bureau, Suitland, Maryland.
- 2008 Invited Lecture, "The Accuracy of Non-Probability Samples of People Who Volunteer to Do Surveys for Money." Harvard Center for Survey Research 2008 Spring Conference: New Technologies and Survey Research, Harvard University, Cambridge, Massachusetts.
- 2008 Invited Presentation, "Writing an Effective Grant Proposal for NSF." AAPOR Professional Development Breakfast. Annual Meeting of the American Association for Public Opinion Research, New Orleans, Louisiana.
- 2008 Invited Commentary, "Reflections on the American Voter Revisited." Annual Meeting of the American Association for Public Opinion Research, New Orleans, Louisiana.
- 2008 Invited Presentation, "Briefing on the NAOMS Survey Creation." Presentation to the Committee to Assess NASA's National Aviation Operations Monitoring Service (NAOMS) Project, National Research Council, National Academy of Sciences, Washington, DC.
- 2008 Invited Address, "Public Attitudes, Perceptions, and Concern about Global Warming: Evidence from a New Survey." Lecture at the Russell Senate Office Building in the Environmental Science Seminar Series Sponsored by the American Meteorological Society, Washington, D.C.
- 2008 Invited Keynote Address, "Designing Ballots to Prevent Bias: How the Order of Candidate Names Determines Who Was Elected President." EVT '08, 2008 Usenix/Accurate Electronic Voting Technology Workshop, San Jose, California.
- 2008 Invited Address, "What Americans Think about Climate Change: Insights from 10 Years of Psychology-Inspired National Surveys Tracking Public Attitudes." Symposium on the Psychology of Global Climate Change, American Psychological Association Annual Meeting, Boston, Massachusetts.
- 2008 Invited Presentation, "The Accuracy of On-line Surveys with Non-Probability Samples." Second Annual Workshop on Measurement and Experimentation with Internet Panels,

Sponsored by CentERdata, Institute for Data Collection and Research (University of Tilburg), Zeist, The Netherlands.

- 2008 Invited Address, “What Americans Really Think About Climate Change: Is it Happening? What’s Causing it? What Should Be Done About It?” Conference entitled “Social Science and Humanities Facing the Climate Change Challenges,” sponsored by the European Union, the Republic of France, the French Ministere de L’Enseignement Superieur Et De La Recherche, and the French Ministere De L’Ecologie, De L’Energie, Du Developpement Durable, Ett De L’Amenagmenet du Territoire, Paris, France.
- 2008 Invited Presentation, “Susceptibility to Response Effects in Surveys: Cognitive and Motivational Factors.” Seventh International Conference on Social Science Methodology – RC33 – Logic and Methodology in Sociology, Naples, Italy.
- 2008 Invited Presentation, “Satisficing When Answering Questions: A Theoretical Explanation for a Wide Range of Findings in the Questionnaire Design Literature.” Max Planck Institute for Human Development, Berlin, Germany.
- 2008 Invited Presentation, “Social Psychology Under the Microscope: Do Classic Laboratory Experiments Replicate When Participates Are Representative of the General Public Rather Than Convenience Samples of College Students?” Max Planck Institute for Human Development, Berlin, Germany.
- 2008 Fathauer Lecturer, “How Do American Voters Decide? Findings from Fifty Years of Scholarship on Electoral Choice.” Eller College of Management, University of Arizona, Tucson, Arizona.
- 2008 Invited Presentation, “What Are They Thinking? Information, Persuasion, and the American Public’s Response to Climate Change.” American Politics Research Workshop, Harvard University, Cambridge, Massachusetts.
- 2008 Invited Presentation, “The 2008 American Presidential Election: Psychological Insights from the AP-Yahoo News Poll.” Society of Experimental Social Psychology Annual Meeting, Sacramento, California.
- 2008 Invited Presentation, “Election Preview: Polls, Ballots, Fraud, and Misconceptions.” 46th Annual New Horizons in Science Conference, Council for the Advancement of Science Writing, Palo Alto, California.
- 2008 Invited Presentation, “Getting Into the Heads of American Voters: Insights from Political Psychology.” Menlo School, Menlo Park, California.
- 2008 Invited Lecture, “Do We Really Care About Climate Change? Grounding Climate Policy in Psychological Analysis.” The World Bank, Washington, DC.
- 2008 Invited Lecture, “Issue-Focused Passion in America: How and Why Issue Publics Determine Election Outcomes.” Seminario de Investigación en Ciencia Política 2008, Instituto Tecnológico Autónomo de México (ITAM), Mexico City, Mexico.
- 2009 Invited Presentation, “Accounting for Biases in NAOMS.” Presentation to the Committee to Assess NASA’s National Aviation Operations Monitoring Service (NAOMS) Project, National Research Council, National Academy of Sciences, NASA Ames Conference Center, Moffett Field, California.

- 2009 Presidential Symposium Lecture, "Why the 2008 U.S. Presidential Election Turned Out As It Did: Psychology Peers Into National Survey Data." Annual Meeting of the Society for Personality and Social Psychology, Tampa, Florida.
- 2009 Stauffer Colloquium Series Lecture, "What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy." School of Behavioral and Organizational Sciences, Claremont Graduate School, Claremont, California.
- 2009 RTI Fellow Lecture, "What Americans Really Think About Climate Change: Psychological Insights from 10 Years of National Surveys." RTI International, Research Triangle Park, North Carolina.
- 2009 Walter H. Stellner Distinguished Speaker in Marketing, "Social Psychology Under the Microscope: Do Our Classic Experiments Replicate When Participants Are Representative of the General Public Rather Than Convenience Samples of College Students?" College of Business, University of Illinois, Urbana-Champaign, Illinois.
- 2009 Invited Presentation, "Mediation: Why Bother?" Twelfth Sydney Symposium of Social Psychology entitled "Attitudes and Attitude Change." University of New South Wales, Sydney, Australia.
- 2009 Keynote Address, "Money for Surveys: What about Data Quality?" GOR 09, 11th General Online Research Conference, University of Vienna, Vienna, Austria.
- 2009 Invited Presentation, "Comparing Various Measures of Survey Accuracy and Summarizing the Findings of Studies Using Each Method." Conference on Survey Quality, Program on Survey Research, Harvard University, Cambridge, Massachusetts.
- 2009 Invited Lecture, "What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy." Climate Policy Seminar Series, sponsored by the Climate Risk Management Initiative, Dickinson School of Law, the Environment & Natural Resources Institute, the Penn State Institute of Energy and the Environment, the Rock Ethics Institute, Communication Arts and Sciences, Department of Political Science, Department of Psychology, Schreyer Institute for Teaching Excellence, and the Social Science Research Institute, Pennsylvania State University.
- 2009 Invited Lecture, "The Accuracy of Online Surveys with Non-probability Samples of People who Volunteer to do Surveys for Money." Center for Statistics and the Social Sciences Seminar, University of Washington, Seattle, Washington.
- 2009 Allen Edwards Endowed Lecture in Psychology, "Social Psychology Under the Microscope: Do Classic Experiments Replicate when Participates are Representative of the General Public Rather Than Convenience Samples of College Students?" Department of Psychology, University of Washington, Seattle, Washington.
- 2009 Invited Lecture, "Why I Challenged the NASA Administrator in Congressional Testimony: The Shocking Story of a Groundbreaking Aviation Safety Survey Research Project Gone Awry." Google Tech Talk Series, Mountain View, California.
- 2009 Invited Lecture, "What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy." Climate Central, Princeton, New Jersey.

- 2009 Invited Plenary Lecture, “What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy.” A National Workshop on Communicating Ocean Issues Based on Ocean on the Edge: Top Ocean Issues. Long Beach Convention Center, sponsored by the Aquarium of the Pacific, the National Oceanic and Atmospheric Administration, and the National Research Council’s Marine Board and Ocean Studies Board, Long Beach, California.
- 2009 Invited Lecture, “What Americans Really Think About Climate Change.” Air Resources Board Chair’s Air Pollution Seminar, California Environmental Protection Agency Building, Sacramento, California.
- 2009 Invited Presentation, “What Americans Really Think About Climate Change.” Stanford University Alumni Association – Sacramento Chapter. Sacramento, California.
- 2009 Keynote Address, “The End of Agree/Disagree Rating Scales: Acquiescence Bias and Other Flaws Suggest a Popular Measurement Method Should Be Abandoned.” European Survey Research Association 2009 Conference, Warsaw, Poland.
- 2009 Invited Lecture, “Methods of Survey Data Collection and Determinants of Data Quality.” German Research Foundation Summer Academy on Methods of Educational Research, University of Bamberg, Bamberg, Germany.
- 2009 Invited Panel Member, “Hopenhagen: Public support for a climate deal in Copenhagen.” The Commonwealth Club of California, San Francisco, California.
- 2009 Invited Primary Paper Presentation, “Conducting Experiments to Evaluate Questions.” Workshop on Question Evaluation Methods, National Center for Health Statistics, Hyattsville, Maryland.
- 2009 Invited Presentation, “The Use of Surveys in Court.” Second Annual Class Action Symposium Sponsored by Consumer Attorneys of San Diego, San Diego, California.
- 2009 Invited Presentation, “The Accuracy of Internet Surveys.” Attaining Accuracy, Maximum Coverage, and Representative in Web-Based Research. Conference at the Charles Hotel, Cambridge, Massachusetts.
- 2009 Keynote Address, “Scientific Survey Research: Sustainable in an Online World?” CASRO Data Collection Conference, Council of American Survey Research Organizations, Las Vegas, Nevada.
- 2009 Invited Webinar, “Best Practice Data Collection Online with a Probability Sample?” Australian Market & Social Research Society, Sydney, Australia.
- 2010 Invited Presentation, “A New Look at Racism in America: Evidence from National Surveys.” Political Psychology Pre-Conference 2010, Society for Personality and Social Psychology Annual Conference, Las Vegas, Nevada.
- 2010 Invited Presentation, “What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy.” Stanford Club of Las Vegas, Las Vegas, Nevada.
- 2010 Invited Address, “Tracking American Opinions About Climate Change.” Climate, Mind, and Behavior Symposium, The Garrison Institute, Garrison, New York.

- 2010 Invited Presentation, "Public Opinion and Climate Change: The Real Reason for the Recent Decline." Climate Policy: Public Perception, Science, and the Political Landscape. Sponsored by the American Association for the Advancement of Science, the American Geophysical Union, the American Meteorological Society, and the American Statistical Association. Hart Senate Office Building, Washington, DC.
- 2010 Invited Lecture, "Creating and Evaluating a new Method for Collecting Survey Data via the Internet: The Story of the FFRISP (Face-to-Face Recruited Internet Survey Platform)". Social, Behavioral, and Economic Sciences Lecture Series, National Science Foundation, Arlington, Virginia.
- 2010 Invited Lecture, "Recent Research Findings from SRS Experiments." Science Resources Statistics Program Colloquium, National Science Foundation, Arlington, Virginia.
- 2010 Invited Lecture, "What Americans Think About Climate Change." Speaker Series, Center for Decision Sciences, Columbia University, New York, New York.
- 2010 Invited Lecture, "Social Psychology Under the Microscope: Do Our Classic Experiments Replicate When Participants Are Representative of the General Public Rather Than Convenience Samples of College Students?" Colloquium Series, Psychology Department, Columbia University, New York, New York.
- 2010 Invited Lecture, "Public Opinion Research on Climate Change." Rio Tinto Workshop on the Politics of Carbon, Meridian Institute, Washington, DC.
- 2010 Invited Lecture, "How to Measure Usability: Designing Your Questions Well." Washington, DC, Chapter of the Usability Professionals' Association, Arlington, Virginia.
- 2010 Invited Lecture, "Have Americans' Views on Global Warming Changed? A New Look at Public Opinion." Briefing sponsored by the Environmental and Energy Study Institute, Capital Visitor Center, Washington, DC.
- 2010 Invited Lecture, "What Americans Really Think About Climate Change." Climate Change Communication Forum, Hosted by the U.S. Fish and Wildlife Service and the U.S. Department of the Interior, George Mason University, Fairfax, Virginia.
- 2010 Invited Lecture, "What Americans Really Think About Climate Change." Clean Energy Program, Third Way, Washington, DC.
- 2010 Invited Lectures, "Experimental Methods in the Social Sciences." Workshop in Experimental Methods, Sponsored by the ELECDDEM Training Network in Electoral Democracy, ICHEC, Brussels, Belgium.
- 2010 Invited Lecture, "Optimizing Survey Questionnaire Design: New Findings." Interagency Response Error Group Monthly Meeting, Government Accountability Office, Washington, DC.
- 2010 Invited Lecture, "Creating and Evaluating a New Method for Collecting Survey Data via the Internet," Workshop sponsored by DC-AAPOR, Bureau of Labor Statistics, Washington, DC.
- 2010 Keynote Address, "Surveys and Statistical Evidence to Mangle the Class Case". Third Annual Class Action Symposium, San Diego, California.

- 2010 Invited Presentation, "Implicit Attitude Measurement in National Surveys." Conference on Methodology in Political Psychology, Ohio State University, Columbus, Ohio.
- 2010 Invited Presentation, "What Americans Really Think About Climate Change," MZES Colloquium, Mannheimer Zentrum Fur Europäische Sozialforschung, University of Mannheim, Mannheim, Germany.
- 2010 Invited Workshop, "Attitudes in the World of Politics: Formation, Change, and Impact." Oberrhein-Program (cosponsored by the Universities of Mannheim, Heidelberg, Freiberg, and Basel), Social Sciences Graduate School, University of Mannheim, Mannheim, Germany.
- 2010 Lunchtime Brownbag Series, "Assessing Anti-Black Racism in Contemporary America via Surveys: New Measurement Approaches Yield New Insights." National Opinion Research Center, University of Chicago, Chicago, Illinois.
- 2010 Invited Lecture, "What Americans Really Think About Climate Change." AAAS Leadership Seminar in Science and Technology Policy, American Association for the Advancement of Science, Washington, DC.
- 2010 Invited Panelist, "Outlook for Climate and Energy Policy in the New Congress," Session in the "Science & Society: Global Challenges Discussion Series", Center for Science, Technology and Security Policy, American Association for the Advancement of Science, Washington, DC.
- 2010 Invited Guest Speaker, "What Americans Really Think About Climate Change." World Resources Institute, Washington, DC.
- 2010 Invited Presentation to the Working Group on Immigration and Cultural Contact, "The Accuracy of Internet Surveys with Probability and Non-Probability Samples." Russell Sage Foundation, New York, New York.
- 2010 Invited Lecture, "What Mainers Really Think About Global Warming: Results from an In-Depth Statewide Survey." Environmental Studies Program, Bowdoin College, Brunswick, Maine.
- 2010 Invited Panelist, "Reflections on the Accomplishments and Future of Political Communication Research." Conference on "Political Communication: The State of the Field in the 21st Century." Annenberg Public Policy Center, University of Pennsylvania, Philadelphia, Pennsylvania.
- 2010 Invited Presentation, "The American Public's Understandings and Misunderstandings About Climate Change: Is There a Crisis of Confidence in Climate Science?" Scientific Symposium in Honor of Stephen H. Schneider, Stanford University, Stanford, California.
- 2011 Invited Lecture, "What Floridians Really Think About Global Warming: Results from an In-Depth Statewide Survey." Lecture hosted by the FSU Department of Earth, Ocean, and Atmospheric Science, the FSU Department of Urban and Regional Planning, the Florida Climate Institute, the Tallahassee Democrat, and the FSU Institute for Energy Systems, Economics, and Sustainability, Florida State University, Tallahassee, Florida.
- 2011 Invited Presentation, "The Mega-Splice in the 2008 American National Election Studies Time Series Survey." Design Issues in Longitudinal and Repeated Cross-Sectional Surveys.

- Duke Initiative on Survey Methodology. Social Science Research Institute at Duke University, Durham, North Carolina.
- 2011 Invited Presentation, “What Americans Think About Global Warming: Attitude Formation and Change in Response to a Raging Scientific Controversy.” Monterey Bay Aquarium, Monterey, California.
- 2011 Invited Testimony, Comments on Assembly Bill No. 99 “Revises the Order in Which the Names of Candidates for an Office Must Appear on the Ballot”, Committee on Legislative Operations and Elections, Nevada Assembly, State of Nevada.
- 2011 Invited Discussant on Respondent Motivation, BLUE-Enterprise and Trade Statistics Conference on Business’ Burden and Motivation in Official Surveys. Conference sponsored by Statistics Netherlands and the European Union, Heerlen, The Netherlands.
- 2011 Invited Presentation, “What Massachusetts Residents and Other Americans Think About Climate Change: Results from an In-Depth Statewide Study and National Surveys.” Boston University, Boston Massachusetts.
- 2011 Invited Presentation, “What Massachusetts Residents and Other Americans Think About Climate Change: Results from an In-Depth Statewide Study and National Surveys.” The Heller School for Social Policy and Management, Brandeis University, Waltham, Massachusetts.
- 2011 Invited Presentation, “What Massachusetts Residents and Other Americans Think About Climate Change: Results from an In-Depth Statewide Study and National Surveys.” Green Conversation Series, Harvard University Center for the Environment, Harvard University, Cambridge, Massachusetts.
- 2011 Invited Presentation, “What Massachusetts Residents and Other Americans Think About Climate Change: Results from an In-Depth Statewide Study and National Surveys.” Tufts Institute of the Environment, Tufts University, Medford, Massachusetts.
- 2011 Invited Presentation, “Adventures in Survey Research: A Workshop on the Dangers of Trying to Make the World a Better Place through Social Science.” Essex Short Course in Social Research, in Association with Methodology Institute LSE and IPSOS MORI, University of Essex, Essex, United Kingdom.
- 2011 Invited Presentation, “Measuring Intent to Participate and Participation in the 2010 Census and Their Correlates and Trends: Comparisons of RDD Telephone and Non-probability Sample Internet Survey Data.” U.S. Census Bureau, Suitland, Maryland.
- 2011 Invited Remarks, “Studying the Impact of Electoral Impact of Candidate Statements on Policy Issues.” Session entitled “Studying 2012 Campaign and elections: Current Plans and Future Directions,” sponsored by the Omidyar Network and the National Institute for Civil Discourse at the University of Arizona. American Political Science Association Annual Meeting, Seattle, Washington.
- 2011 Invited Presentation, “Social Psychology Under the Microscope: Do Our Classic Experiments Replicate When Participants Are Representative of the General Public Rather Than Convenience Samples of College Students?” A Conference in Honor of Daniel

Wegner, Harvard Business School, Harvard University.

- 2011 Invited Presentation, "American Public Opinion on Climate Change and Its Impact on Voting in Congressional and Presidential Elections." Public lecture and webcast sponsored by Resources for the Future, Washington, D.C.
- 2011 Invited Webinar, "Advances in Questionnaire Design." Australian Market & Social Research Society, Sydney, Australia.
- 2011 Invited Lecture, "Passion in American Politics: What Happens When Citizens Become Deeply Committed to Pressuring Government on a Policy Issue." MZE-Colloquium, School of Social Sciences, University of Mannheim, Mannheim, Germany.
- 2011 Invited Lecture, "Creating the Face-to-Face Recruited Internet Survey Platform (FFRISP)." Collaborative Research Center, University of Mannheim, Mannheim, Germany.
- 2012 Invited Lecture, "Trends in American Public Attitudes about Global Warming: A Psychological Analysis." Sustainability Psychology Preconference, Society for Personality and Social Psychology Annual Meeting, San Diego, California.
- 2012 Invited Lecture, "Americans' Views on Climate Change and Their Impact on Voting Behavior." 2012 Climate, Mind, and Behavior Symposium, Garrison Institute, Garrison, New York.
- 2012 Invited Presentation, "Changing Government Policy by Changing Public Attitudes." Climate Central, Princeton, New Jersey.
- 2012 Invited Presentation, "Americans' Views on Climate Change and Their Impact on Voting Behavior." Skoll Global Threats Fund, San Francisco, California.
- 2012 Invited Presentation, "What Americans Think About Climate Change." Webinar series on The Science of Policy Communication. Society for the Psychological Study of Social Issues.
- 2012 Invited Lecture, "What Americans Really Think About Climate Change." Lecture sponsored by the Water Sustainability Program, the Institute of the Environment, the Renewable Energy Network, the School of Earth and Environmental Sciences, and the School of Geography and Development, University of Arizona, Tucson, Arizona.
- 2012 Invited Lecture, "Trust in Scientists, Controversy Among Scientists, and American Public Opinion on Climate Change: How Attitude Formation and Change Unfold." Presentation during "The Science of Science Communication", The Arthur M. Sackler Colloquia, National Academy of Sciences, Washington, DC.
- 2012 Invited Short Course, "Maximizing the Accuracy of Online Surveys: Comparisons of Methods and Recommendations of Optimal Procedures." American Association for Public Opinion Research Annual Meeting, Orlando, Florida.
- 2012 Invited Lecture, "How Americans Form and Change Their Opinions About Climate Change." Outside-In Engagement Series sponsored by the Interagency Communication and Education Team, United States Global Change Research Program, Washington, DC.
- 2012 Invited Lecture, "Pursuing Excellence in Scientific Research: Challenges and Rewards." Second Annual Stanford University Postdoctoral Association Research Symposium,

- Stanford University, Stanford, California.
- 2012 Invited Lecture, “U.S. Public Views on Climate Change: Insights from Polling.” Program on Communicating Uncertainty, Institute for International and Regional Studies, Princeton University, Princeton, New Jersey.
- 2012 Invited Keynote, “Public perceptions of Climate Change in the U.S.” Planning for Local Government Climate Challenges: Connecting Research and Practice Workshop, Sponsored by the University of Arizona Institute of the Environment, Arizona State University Campus, Tempe, Arizona.
- 2012 Invited Presentation, “Optimizing the Design of Self-Reports.” Engagement and Academic Tenacity: Making the Invisible Salient and Actionable, Workshop Sponsored by the Bill and Melinda Gates Foundation, Cambridge, Massachusetts.
- 2012 Invited Presentation, “Evidence of Decline in Effect Sizes: From Original Studies to Replications to Representative National Samples.” The Decline Effect: Evidence, Explanations, and Future Directions. Symposium at the University of California Santa Barbara, Santa Barbara, California.
- 2012 Invited Presentation, “Has the American Public Turned Away from Climate Change?” Salon Sponsored by the Woods Institute for the Environment at Stanford University, Venice, California.
- 2012 Invited Presentation, “Questionnaire Design.” Conference on the Future of Survey Research, National Science Foundation, Arlington, Virginia.
- 2012 Invited Speaker, “What’s at Stake for California?” Event sponsored by the Division of Social Sciences, the Office of Government Relations, and the Politics Department, University of California - Santa Cruz, Santa Cruz, California.
- 2012 Invited Presentation, “Issue Publics and Candidate Evaluations; Contrasting Different Analytic Methods to Identify the Psychological Process of Candidate Evaluation.” Directions in Political Science: Papers in Honor of George B. Rabinowitz. University of Michigan, Ann Arbor, Michigan.
- 2012 Invited Lecture, “What Americans Think About Climate Change: Explorations of Attitude and Belief Formation and Change in Response to a Raging Controversy”, Lecture Series on Persuasion, Attitude, and Behavior Change, Sponsored by the Research Center for Group Dynamics, Institute for Social Research, University of Michigan.
- 2013 Invited Keynote Address, “The Future of Survey Research,” Survey Research Methodology: The Changing Landscape of Survey Research in the Field and at ICF. Conference sponsored by ICF International, Fairfax, Virginia.
- 2013 Invited Lecture, “The Future of Survey Research,” 2013 National Cancer Institute Division of Cancer Control and Population Sciences Workshop: Global and National Issues Shaping the Cancer Control Surveillance Landscape. NIH Neuroscience Conference Center, Rockville, Maryland.
- 2013 Invited Lecture, “Public Perceptions about Global Warming and Government Involvement in the Issue.” Briefing at the Rayburn House Office Building, sponsored by the Environmental and Energy Study Institute, Washington, DC.

- 2013 Policy Briefing, “Preparing for the Effects of Global Warming: The American Public’s Perspective on Sea Level Rise,” National Press Club, sponsored by the Woods Institute for the Environment at Stanford University and the Center for Ocean Solutions at Stanford University, Washington, DC.
- 2013 Invited Lecture, “What Americans Really Think About Climate Change - Attitude Formation and Change Across the U.S. in Response to a Raging Scientific Controversy.” Sponsored by the “Middle America” Student Organization, Graduate School of Education, Harvard University, Cambridge, Massachusetts.
- 2013 Invited Remarks, “RFF University Fellows Roundtable: RFF’s Next Decade.” Resources for the Future, Washington, DC.
- 2013 Invited Lecture, “The American Public’s Views of Climate Change: An Update.” Department of Global Ecology, Carnegie Institution for Science, Stanford, California.
- 2013 Invited Lecture, “Contingent Valuation.” Lecture sponsored by the Centre for Environmental Political Sciences, University of Gothenburg, Gothenburg, Sweden.
- 2013 Invited Lecture, “The Accuracy of Online Surveys with Non-probability Samples of People who Volunteer to Do Surveys for Money.” Workshop on Survey Methodology, Multidisciplinary Opinion and Democracy Research Group, Department of Political Science, University of Gothenburg, Gothenburg, Sweden.
- 2013 Invited Lecture, “Satisficing When Answering Questions: A Theoretical Explanation for a Wide Range of Findings in the Questionnaire Design Literature.” Workshop on Survey Methodology, Multidisciplinary Opinion and Democracy Research Group, Department of Political Science, University of Gothenburg, Gothenburg, Sweden.
- 2013 Invited Lecture, “What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy.” Sponsored by the Faculty of Social Sciences, University of Gothenburg, Gothenburg, Sweden.
- 2013 Invited Lecture, “Trust in Environmental Scientists and Public Opinion on Global Warming in the United States.” Presentation at the Brekfast Seminar on Climate and Opinion, sponsored by the Bergen Programme for Governance and Climate, Uni Rokkan Center, Bergen, Norway.
- 2013 Invited Lecture, “Survey Item Design.” Workshop on Survey Design for the Norwegian Citizen Panel, University of Bergen, Bergen, Norway.
- 2013 Invited Presentation, “American Public Opinion on Climate Change.” Conference on “What is the Value of Being First? Perspectives from the California and Sweden Experiences.” Climate Policy Forum co-sponsored by Resources for the Future, the Swedish Mistra Indigo program, and the ClimateWorks Foundation. Hyatt Regency Embarcadero, San Francisco, California.
- 2013 Invited Lecture, “The Psychology of American Public Opinion on Climate Change.” Symposium on Conservation Psychology, hosted by the University of Southern California Environmental Sustainability Network, University of Southern California, Los Angeles, California.
- 2013 Invited Keynote Presentation, “The History of Panel Internet Surveys.” Workshop on Longitudinal Research in Internet Panels, Program on Political Economy of Reforms,

- University of Mannheim, Mannheim, Germany.
- 2013 Invited Presentation, “Mode Comparisons.” Workshop on Longitudinal Research in Internet Panels, Program on Political Economy of Reforms, University of Mannheim, Mannheim, Germany.
- 2013 Short Course (with Mario Callegaro), “How to Publish in Survey Research: Strategies, Venues, Opportunities, and Errors to Avoid.” American Association for Public Research Annual Meeting, Boston, Massachusetts.
- 2013 Invited Keynote Address, “The Accuracy of Survey Measurements and the Impact of Data Collection Methodology.” Canadian Political Science Association, Victoria, British Columbia, Canada.
- 2013 Invited Presentation, “Debiasing.” Conference on Risk Communication for Better Long-Term Decisions: Insights from Finance and Healthcare. CenSoC - Centre for the Study of Choice, University of Technology, Sydney, Sydney, Australia.
- 2013 Invited Webinar (with Arthur Lupia and Matthew K. Berent), “Survey Coding: Best Practices for Coding Open-Ended Survey Data.” Webinar sponsored by the American Association for Public Opinion Research.
- 2013 Invited Keynote Address, “The Accuracy of Survey Data Collected by Various American On-line Survey Firms: A 2012 Comparison.” MESS Workshop, Sponsored by the University of Tilburg CentERdata Institute for Data Collection and Research, Den Haag, The Netherlands.
- 2013 Invited Keynote Address, “Social Desirability Response Bias: Real or an Illusion?” Sixth Webdatanet MC, WGs, TFs, Seminars, Webdatametrics Workshop and Conference: “Mixed Mode and Multi-Mode Research.” Sponsored by the Universitatis Islandiae Sigillum, Reykjavik, Iceland.
- 2013 Invited Keynote Address, “Choosing Mode of Data Collection for Surveys to Maximuze Data Quality.” International Conference on Applied Statistics 2013, Ribno, Slovenia.
- 2013 Invited Address, “Online Surveys.” DSA2 Conference on Web Surveys, Faculty of Social Sciences, University of Ljubljana, Ljubljana, Slovenia.
- 2013 Invited Address, “The Effects of Scientists’ Expressions of Uncertainty on Public Opinion on Global Warming.” Australian Psychological Society Annual Meeting, Cairns Convention Centre, Queensland, Australia.
- 2013 Invited Presentation, “Inequality in Public Conversations about Politics.” Cottrell Salon, Stanford, California.
- 2013 Invited Webinar, “Communicating About Climate Adaptation with the Public.” Sponsored by the Center for Ocean Solutions and the Woods Institute for the Environment, Stanford University.
- 2013 Invited Testimony, “Public Opinion on Global Warming in the States.” Bicameral Task Force on Climate Change, Committee on Energy and Commerce, U.S. House of Representatives, Washington, DC.
- 2013 Invited Presentation, “Public Opinion on Global Warming in the States.” Climate Action

Campaign, Washington, DC.

- 2013 Invited Short Course, “Maximizing the Accuracy of Online Surveys: Comparisons of Methods and Recommendations of Optimal Procedures.” Annual Meeting of the Pacific Chapter of the American Association for Public Opinion Research, San Francisco, California.
- 2013 Invited Keynote Address, “Public Perceptions of Climate Change in the U.S.” Regional Climate Summit for Municipal Leaders: Economic, Health, Water, and Transportation Impacts. Sponsored by Climate Assessment for the Southwest, University of Arizona. University Marriott, Tucson, Arizona.
- 2014 Invited Presentation, “The Quality of Data Obtained from Non-Probability Internet Panels.” Google, Mountain View, California.
- 2014 Invited Presentation, “Satisficing When Answering Questions: A Theoretical Explanation for a Wide Range of Findings in the Questionnaire Design Literature.” CORE Colloquium Series, Southern Methodist University, Dallas, Texas.
- 2014 Invited Presentation, “Public Opinion on Global Warming.” Connecting the Dots Conference, Sponsored by the Woods Institute for the Environment, Stanford University, Stanford, California.
- 2014 Invited Keynote Address, “The Future of Survey Research.” Survey Research in the 21st Century: Lectures Celebrating the Survey Research Laboratory’s 50th Anniversary, University of Illinois, Champaign, Illinois.
- 2014 Invited Keynote Address, “The Future of Survey Research.” Survey Research in the 21st Century: Lectures Celebrating the Survey Research Laboratory’s 50th Anniversary, University of Illinois, Chicago, Illinois.
- 2014 Invited Webinar, “Experiments in Surveys: Tools for Determining How Marketers Can Shape People’s Preferences.” Australian Market & Social Research Society, Sydney, Australia.
- 2014 Invited Keynote Presentation, “Conducting and Publishing Methodology Research.” Annual Meeting of the Association of Academic Survey Research Organizations, University of Illinois, Chicago, Illinois.
- 2014 Invited Lecture, “Climate Change and Clean Energy – A Survey of U.S. Public Attitudes.” Resources for the Future, Washington, DC.
- 2014 Invited Presentation, “Public Attitudes About Climate Change and Clean Energy.” Sponsored by the Environmental and Energy Study Institute, Rayburn House Office Building, Washington, DC.
- 2014 Invited Presentation, “Social Science as Combat: The Global Warming War.” Center for Advanced Study in the Behavioral Sciences, Palo Alto, California.
- 2014 Invited Keynote Address, “The Future of Survey Research.” World Association of Public Opinion Research Annual Meeting, Universidad Diego Portales, Santiago, Chile.
- 2014 Invited Presentation, “American Public Opinion on Global Warming.” S. D. Bechtel, Jr. Foundation. San Francisco, California.

- 2014 Invited Presentation, "The Future of Survey Research." IJMR Speaker Evening, Market Research Society, London, U.K.
- 2014 Invited Presentation, "Impact of the Merchants of Doubt and of Natural Scientists on American Public Opinion on Global Warming." Conference entitled "Responding and Adapting to Climate Change: Recognizing and managing Uncertainty in the Physical, Social, and Public Spheres." University of Bristol, Bristol, U.K.
- 2014 Invited Presentation, "Comments on Variables that Determine the Quality of Survey Responses." ESS-DACE Quality Enhancement Meeting Entitled "Measurement Quality in the ESS". Universitat Pompeu Fabra, Barcelona, Spain.
- 2014 Invited Presentation, "The Future of Survey Research." ESS Seminar: Highlights in Survey Research, Campus de la Ciutadella of Universitat Pampeu Fabra, Barcenola, Spain.
- 2014 Invited Presentation "Inequality and Public Opinion on Global Warming." Institute for the Study of Societal Issues, University of California, Berkeley, Berkeley, California.
- 2014 Invited Presentation, "The Role of Americans' Attitudes on Global Warming in Political Campaigns." Harris School for Public Policy, University of Chicago, Chicago, Illinois.
- 2014 Invited Keynote Address, "Exploring the Origins of Beliefs about Climate Change: Experimental Studies Embedded in National Surveys of the U.S." The Norwegian Citizen Panel Conference 2014, University of Bergen, Bergen, Norway.
- 2015 Invited Keynote Address, "Optimizing the Design of Survey Questionnaires." Rethink Research: Research Intensification Series, sponsored by the Social Science Research Laboratories, University of Saskatchewan, Saskatchewan, Canada.
- 2015 Invited Presentation, "American Public Opinion on Climate Change: Motivated Cognition?" Harvard University Center for the Environment, Harvard University, Cambridge, Massachusetts.
- 2015 Invited Presentation, "Sampling on the Internet for Surveys and Experiments; The Good, the Bad, and he Ugly." Data Gathering Methods Study Group, University of Virginia, Charlottesville, Virginia.
- 2015 Invited Presentation, "Can Surveys Measure Informed Public Preferences Regarding Government Policies? An Evaluation of the Contingent Valuation Method." Quantitative Collaborative, University of Virginia, Charlottesville, Virginia.
- 2015 Invited Presentation, "What Americans Really Think About Climate Change: Attitude Formation and Change in Response to a Raging Scientific Controversy." Center for Survey Research, University of Virginia, Charlottesville, Virginia.
- 2015 Invited Presentation, "Causes of Turnout." Conference entitled "How Voters Think: Lessons from Science and Practice." A meeting of political scientists with Democratic Party campaign consultants. Harris School of Public Policy, University of Chicago, Chicago, Illinois.
- 2015 Invited Presentation, "Communicating about Climate Change: How Language Choices Affect Public Thinking." Sunnylands Speaker Series at Rancho Mirage Library, Rancho Mirage, California.

- 2015 Invited Presentation, "The Impact of Acknowledging Bounded and Unbounded Uncertainty on Persuasion: The Case of Scientific Uncertainty and Global Warming." Conference entitled "Third Annual UCSB Environmental Political Conference. UCSB Center for Social Solutions to Environmental Problems, Bren School of Environmental Science and Management, University of California, Santa Barbara, California.
- 2015 Invited Presentation, "Fact-Checking and News Literacy." Annual Journalism Funders Gathering: "Journalism, Democracy, and Political Polarization." William and Flora Hewlett Foundation, Menlo Park, California.
- 2015 Invited Presentation, "Causes of Turnout." Conference entitled "How Voters Think: Lessons from Science and Practice." A meeting of political scientists with Republican Party campaign consultants. Harris School of Public Policy, University of Chicago, Chicago, Illinois.
- 2015 Invited Lecture, "Social Psychology Under the Microscope: Do Our Classic Experiments Replicate When Participants Are Representative of the General Public Rather Than Convenience Samples of College Students?" Lecture sponsored by the Quantitative Initiative for Policy and Social Research, University of Kentucky, Lexington, Kentucky.
- 2015 Invited Lecture, "Political Thinking, Passion and Action in America: The Contributions of Jon Krosnick to the Study of Political Psychology." Lecture sponsored by the Quantitative Initiative for Policy and Social Research, University of Kentucky, Lexington, Kentucky.
- 2015 Invited Presentation, "What Americans Really Think About Global Warming." Invited Lecture in the Distinguished Speaker Series, Department of Political Science, University of British Columbia, Vancouver, British Columbia.
- 2015 Invited Remarks, "Samuel Popkin: Celebration of a Remarkable Career." Institute of the Americas, University of California, San Diego, California.
- 2015 Invited Lecture, "The Influence of the Media." Academic Department of Political Science, Instituto Tecnológico Autónomo de México, Mexico City, Mexico.
- 2015 Invited Workshop, "Developments in Survey Research Methodology." Academic Department of Political Science, Instituto Tecnológico Autónomo de México, Mexico City, Mexico.
- 2015 Invited Remarks, "Pre-election Polling in the United States." Foro El Panorama Internacional Sobre El Papel de las Encuestas Electorales. México Instituto Nacional Electoral, Mexico, City, Mexico.
- 2015 Keynote Address, "How Accurate Are Surveys and What Can We Do to Maximize Accuracy." Annual Conference of the Midwest Association for Public Opinion Research, Chicago, Illinois.
- 2015 Invited Presentation, "What Americans Really Think about Climate Change - Attitude Formation and Change in Response to a Raging Scientific Controversy." UCCS Speaker Series, University of California Center, Sacramento, California.
- 2015 Invited Presentation, "Reasons to worry about social sciences and opportunities for improvement." Improving Biomedical Research 2015: Challenges and Solutions. Meta-

Research Innovation Center at Stanford, Stanford University, Stanford, California.

- 2015 Invited Presentation, "Giving the Public a Voice in the Process of Democratic Policy Making." Society of Experiment Social Psychology Annual Meeting, Denver, Colorado.
- 2016 Invited Presentation, "The Future of Internet Surveys: Why Bother with Random Sampling?" The Inaugural Ross-Royall Symposium: From Individuals to Populations. Department of Biostatistics, Bloomberg School of Public Health, Johns Hopkins University, Baltimore, Maryland.
- 2016 Invited Lecture, "Collapses of Research Integrity and Opportunities to Strengthen Science." Lecture sponsored by the Office of Research Integrity, University of California, Riverside, Riverside, California.
- 2016 Invited Presentation, "Public Opinion on Climate Change." Presentation at the California Association of Museums Annual Meeting, Riverside, California.
- 2016 2016 Gierach Lectureship, "Passion in American Politics: What Happens When Citizens Become Deeply Committed to Pressuring Government on a Policy Issue." Department of Psychology, University of Florida, Gainesville, Florida.
- 2016 Invited Colloquium, "Best Practices in Science: Profound Problems and Wonderful Opportunities for Psychologists." Department of Psychology, University of Florida, Gainesville, Florida.
- 2016 Invited Keynote Address, "Can Surveys Measure Informed Public Preferences Regarding Government Policies? An Evaluation of the Contingent Valuation Method." Conference on Political Communication, Conflict, Journalism, Public Opinion, Discourse, and Psychological Perspectives. Noah Mozes Department of Communication and Journalism and the Smart Family Institute of Communication, Hebrew University, Jerusalem, Israel.
- 2016 Invited Keynote Address, "Reflections on an Extraordinary Career; Elihu Katz and the Study of Mass Communication and Public Opinion." Conference on Political Communication, Conflict, Journalism, Public Opinion, Discourse, and Psychological Perspectives. Noah Mozes Department of Communication and Journalism and the Smart Family Institute of Communication, Hebrew University, Jerusalem, Israel.
- 2016 Invited Presentation, "What Americans Really Think About Climate Change. Presentation sponsored by the Stanford Alumni Association. Greenberg Traurig Law Firm, Tel Aviv, Israel.
- 2016 Invited Presentation, "Best Practices in Science: Profound Problems and Wonderful Opportunities for Social and Behavioral Scientists." Department of Communication, Tel Aviv University, Tel Aviv, Israel.
- 2016 Invited Lecture, "The Impact of Survey Mode and Sampling on the Accuracy of Survey Results." Federal Trade Commission, Washington, DC.
- 2016 Invited Lecture, "Can Surveys Measure Informed Public Preferences Regarding Government Policies? An Evaluation of the Contingent Valuation Method." GESIS - Leibniz Institute for the Social Sciences, Mannheim, Germany.
- 2016 Invited lecture, "Impact of Survey Modes." Workshop on Survey Mode Effects, Sponsored

- by the Faculty of Social Sciences, University of Ljubljana. Ljubljana, Slovenia.
- 2016 Invited Moderator, “Discussion on Testing for Causal Mediation.” Ninth Annual meeting of the West Coast Experiments Conference, Graduate School of Business, Stanford University, Stanford, California.
- 2016 Invited Comments, “Research Ethics.” Meeting of the DIGSSCORE International Advisory Board, the Norwegian Citizen Panel Scientific Committee, and the Citizen Lab Scientific Committee. University of Bergen, Bergen, Norway.
- 2016 Invited Keynote Address, “The Exciting Opportunities Afforded by Digitalization in the Social and Behavioral Science, and the Need for Academic Research to avoid Disasters.” Kick-off Seminar for the University of Bergen’s Digital Social Science Initiative, Bergen, Norway.
- 2016 Invited Address, “Are Democratic Citizens Capable of Offering Thoughtful Prescriptions on Policy Issues? An Evaluation of the Contingent Valuation Method.” Sciences Po Methods Workshop, CEVIPOF, Centre de Recherches Politiques, Sciences Po, Paris, France.
- 2016 Invited Address, “Issue-focused Passion in American Politics.” Sciences Po Methods Workshop, CEVIPOF, Centre de Recherches Politiques, Sciences Po, Paris, France.
- 2016 Invited Address, “The Polling Blues.” Presentation sponsored by the DC Chapter of the American Association for Public Opinion Research, Washington, DC.
- 2016 Invited Presentation, “Survey Mode, Sampling Methods, and Response Rates.” Deep Water Horizon Total Value – Lessons Learned. Workshop sponsored by the National Oceanic and Atmospheric Administration, Washington, DC.
- 2016 Invited Presentation, “Are American Elections Unfair? Exploring the Impact of Candidate Name Order.” Presentation at Vi at Palo Alto, Palo Alto, California.
- 2016 Invited Presentation, “The Future of Survey Research.” Lecture sponsored by the DC Chapter of the American Association for Public Opinion Research, Washington, DC.
- 2016 Invited Presentation, “The Future of Survey Research.” Lecture sponsored by the New York Chapter of the American Association for Public Opinion Research, Washington, DC.
- 2016 Invited Presentation, “The Future of Survey Research.” Lecture sponsored by the Survey Research Center, The Woodrow Wilson School, and the Center for the Study of Democratic Politics, Princeton University, Princeton, New Jersey.
- 2016 Invited Presentation, “The Future of Survey Research.” Lecture Sponsored by the Center for Survey Research, University of Massachusetts, Boston, Massachusetts.
- 2016 Invited Presentation, “Issue-Focused Passion in American Politics: What Happens When Citizens Become Deeply Committed to Pressuring Government on a Policy Issue..” Lecture Sponsored by the Departments of Psychology, Sociology, and Political Science, and the Center for Survey Research, University of Massachusetts, Boston, Massachusetts.
- 2016 Invited Commentary, “Science Gone Awry.” Tanner Lectures on Human Values, Sponsored by the University Center for Human Values: Trust and Distrust in Science, Princeton

University, Princeton, New Jersey.

- 2016 Invited Keynote Address, “Studying Political Attitudes as Survey Methodology Transforms.” Conference on “Inequality and Fairness of Political Reforms.” Hosted by the SFB 884 “Political Economy of Reforms” Project, University of Mannheim, Mannheim, Germany.
- 2017 Invited Presentation, “The Psychology of American Elections: Getting Into the Heads of Voters”. Presentation sponsored by the Stanford Alumni Association. Stanford in New York Facility, New York, New York.
- 2017 Invited Presentation, “The Challenges of Accurate Survey Measurement: The Case of Household Rostering.” Center for Survey Methodology, U.S. Census Bureau, Suitland, Maryland.
- 2017 Invited Address, “The Accuracy of Online Surveys with Non-probability Samples of People Who Volunteer to Do Surveys for Money.” Conference Entitled “Towards the Future: Forecasting in Social Studies” VII Sociology Grushin Conference, Sponsored by the Russia Public Opinion Research Center, Moscow, Russia.
- 2017 Invited Lecture, “Are Elections in America Unfair? Exploring the Impact of Candidate Name Order.” Lecture co-sponsored by the GESIS Leibniz Institute for Social Sciences and the Mannheim Center for European Social Research (MZES), University of Mannheim, Mannheim, Germany.
- 2017 Invited Presentation, “Attitude Measurement and Methodology”. Attitudes Conference, Annenberg Public Policy Center of the University of Pennsylvania, Philadelphia, Pennsylvania.
- 2017 Invited Presentation, “Campaign Ads that are Good for America.” Conference on Electoral Reform, Harris School for Public Policy, University of Chicago, Chicago, Illinois.
- 2017 Invited Presentation, “Eliminating Unfairness: The Impact of Candidate Name Order.” Conference on Electoral Reform, Harris School for Public Policy, University of Chicago, Chicago, Illinois.
- 2017 Invited Lecture, “How the Media Influence American Public Opinion.” Presentation at @America, sponsored by the U.S. Department of State, Jakarta, Indonesia.
- 2017 Invited presentation, “Challenges Impeding Comparability of Measurement Across Countries: Findings from an International Project Documenting Response Effects.” Conference on Advances in Scale Development in the Social Sciences: Issues of Comparability, University of Mannheim, sponsored by GESIS, Mannheim, Germany.
- 2017 Invited presentation, “Challenges Impeding Comparability of Measurement Across Countries: Findings from an International Project Documenting Response Effects.” Conference on Elections, parties, and Public Opinion in a Volatile World: A Comparative Perspective. University of Mannheim, sponsored by GESIS, the Mannheimer Zentrum fur Europaische Sozialforschung, and the University of Michigan’s Institute for Social Research, Mannheim, Germany.
- 2017 Invited panel member, “Keynote: The Politics of Climate Change.” Sixth Annual LCFS &

- OPIS Carbon Markets Workshop, San Francisco, California.
- 2017 Invited lecture, “The Elections in America: Surprising Twists and Turns.” Stanford Center at Peking University Special Lecture, Beijing, China.
- 2017 Invited lecture, “Are Elections in America Unfair? Exploring the Impact of Candidate Name Order.” Methoden-Zentrum Sozialwissenschaften, Georg-August-Universität Göttingen, Göttingen, Germany.
- 2018 Inaugural Lecturer, Natalie Kahn Lecture Series, Department of Communication, University of California, Los Angeles, Los Angeles, California.
- 2018 Invited Lecture, “Social and Psychology Experiments Under the Microscope: Do Our Classic Experiments Replicate When Participant Are Representative of the General Public Rather Than Convenience Samples of College Students?” Centre for Experimental Social Sciences Seminar, Nuffield College, University of Oxford, Oxford, United Kingdom.
- 2018 Invited Lecture, “Passion in American Politics: What Happens When Citizens Become Deeply Committed to Pressuring Government on a Policy Issue”. Department of Psychology, University of Bath, Bath, United Kingdom.
- 2018 Invited Keynote Address, “An Update on the Accuracy of Probability Sample Surveys and Non-probability Sample Surveys.” Workshop on Probability-Based and Nonprobability Survey Research, Program on Political Economy of Reforms – SFB 884, University of Mannheim, Mannheim, Germany.
- 2018 Presentation, “Project Overview.” CPS Forum on Measuring Voter Turnout, Summer at Census, U.S. Census Bureau, Suitland, Maryland.
- 2018 Presentation, “Mode and Proxy Effects.” CPS Forum on Measuring Voter Turnout, Summer at Census, U.S. Census Bureau, Suitland, Maryland.
- 2018 Presentation, “Knowing More Than We Can Know.” CPS Forum on Measuring Voter Turnout, Summer at Census, U.S. Census Bureau, Suitland, Maryland.
- 2018 Invited Colloquium, “The Future of Survey Research: Meltdown or Opportunity?” Roper Center Speaker Series, Roper Center for Public Opinion Research, Cornell University, Ithaca, New York.
- 2018 Invited Colloquium, “The Future of Survey Research: Meltdown or Opportunity?” GESIS - Leibniz Institute for the Social Sciences, Mannheim, Germany.
- 2019 Invited Guest Lecture, “Are Elections in America Unfair? The Impact of Candidate Name Order. Psychology for Policy (WWS 502), Princeton University, Princeton, New Jersey.
- 2019 Invited Presentation, “American Public Opinion on Global Warming.” Resources for the Future, New York, New York.
- 2019 Invited Presentation, “Illuminating Political Persuasion & Advertising Effects: New Experiments in Surveys.” New York Chapter of the American Association for Public Opinion Research, New York, New York.
- 2019 Stauffer Colloquium Lecture, “Are Elections in America Unfair? Exploring the Psychology of Candidate Name Order Effects.” Division of Behavioral & Organizational Sciences,

Claremont Graduate University, Claremont, California.

- 2019 Invited Presentation, “The Impact of Mode and Sampling on the Accuracy of Survey Results.” Lake Research Partners, Washington, DC.
- 2019 Invited Presentation, “The Impact of Racism and Other Factors on the Outcome of the 2008 U.S. Presidential Election. Lake Research Partners, Washington, DC.
- 2019 Invited Presentation, “The Butterfly Wing Flapped: The Impact of Candidate Name Order on Election Outcomes.” Lake Research Partners, Washington, DC.
- 2019 Invited Presentation, “Testing a New Form of Political Advertising: Advertising Parties Rather Than Candidates.” Lake Research Partners, Washington DC.
- 2019 Invited Presentation, “Testing for Political persuasion and Advertising Effects: New Experiments in Surveys.” Center for Behavioral Science Methods Seminar, U.S. Census Bureau, Suitland, Maryland.
- 2019 Invited Presentation, “Creating Infrastructure to Collect Data from Research Participants Maximizes Efficiency and Data Quality. Workshop with Austin Public Schools, University of Texas, Austin, Texas.
- 2019 Invited Lecture, “Making Social Science Relevant to Policy-Making: Case Studies of Research Under the Microscope.” Summer Colloquium Sponsored by the Office of Graduate Studies and the Department of Sociology, University of Nebraska, Lincoln, Nebraska.

Editorial Board Member

- 1989-2000 Journal of Personality and Social Psychology
2006-2008
- 1990-1994 Journal of Experimental Social Psychology
- 1997-2003 Basic and Applied Social Psychology
- 1988-1991, Public Opinion Quarterly
1994-2002
- 1998-2005 Media Psychology
- 2006-2008 Sociological Methodology
- 2008- Pathways
- 2012-2017 Journal of Survey Statistics and Methodology
- 2018-2020 Measurement Instruments for the Social Sciences

Internal Grants

- 1986 Ohio State University Office of Research and Graduate Studies Faculty Seed Grant, to support research on attitude importance.
- 1986 Ohio State University College of Social and Behavioral Sciences Research Expense Grant, to support research on social information processing and judgments about the self.
- 1987 Mershon Center Research Grant, to study the determinants of attitude importance.
- 1987 Ohio State University Office of Research and Graduate Studies Research Grant, to study the role of attitude importance in regulating political judgment.
- 1988 Ohio State University Office of Research and Graduate Studies, to support a study of the Arab/Israeli relations issue public in the United States (with Shibley Telhami).
- 1988 The Mershon Center, Ohio State University, to support a study of the Arab/Israeli relations issue public in the United States (with Shibley Telhami).
- 1988 Department of Political Science, Ohio State University, to support a study of the Arab/Israeli relations issue public in the United States (with Shibley Telhami).
- 1988 College of Social and Behavioral Sciences, Ohio State University, to support a study of the Arab/Israeli relations issue public in the United States (with Shibley Telhami).
- 1991 Ohio State University Office of Research and Graduate Studies Research Grant, to study the role of satisficing in shaping responses to survey questionnaire measures of attitudes.
- 1993 Ohio State University Office of the Vice President for Research, to support preparation of a book on questionnaire design.
- 1995 College of Social and Behavioral Sciences, Ohio State University, to support a study of the contingent valuation method of survey research.
- 1995 College of Social and Behavioral Sciences, Ohio State University, to support a survey of public attitudes toward global warming.
- 1995 College of Social and Behavioral Sciences, Ohio State University, to support research on questionnaire design.
- 1999 Mershon Center, Ohio State University. Foreign policy and election outcomes: A proposal to study the 2000 American Presidential election.
- 2003 VPUE Faculty Grant for Undergraduate Research, Stanford University.
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- 2007 Summer Research College Support for Undergraduates, Political Science Department, Stanford University.
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- 2014 Summer Research College Support for Undergraduates, Woods Institute for the Environment, Stanford University.
- 2014 Summer Research College Support for Undergraduates, Public Policy Program, Stanford University.
- 2014 Research Grant, Center for Advanced Study in the Behavioral Sciences.
- 2015 Summer Research College Support for Undergraduates, Political Science Department, Stanford University.
- 2015 Summer Research College Support for Undergraduates, Woods Institute for the Environment, Stanford University.
- 2015 Summer Research College Support for Undergraduates, Public Policy Program, Stanford University.
- 2015 Research Grant, Spectrum-Stanford Health Care Innovation Challenge Program, Stanford University. (with Julie Parsonnet)
- 2016 Summer Research College Support for Undergraduates, Political Science Department, Stanford University.
- 2017 Summer Research College Support for Undergraduates, Public Policy Program, Stanford University.
- 2017 Summer Research College Support for Undergraduates, Political Science Department, Stanford University.
- 2017 Summer Research College Support for Undergraduates, Psychology Department, Stanford University.
- 2017 Summer Research Program on Energy Research, Precourt Institute for Energy, Stanford University.
- 2018 Summer Research College Support for Undergraduates, Public Policy Program, Stanford University.
- 2018 Summer Research College Support for Undergraduates, Political Science Department, Stanford University.
- 2018 Summer Research College Support for Undergraduates, Psychology Department, Stanford University.
- 2018 Summer Research Program on Energy Research, Precourt Institute for Energy, Stanford University.

External Grants and Contracts

- 1977 CBS Research Grant, to support development and evaluation of a mass media promotional campaign for sound recordings.
- 1984 Society for the Psychological Study of Social Issues Doctoral Dissertation Grant-in-aid.
- 1984 CBS Research Grant, to support literature review/research on the causes of heavy television viewing among children and adolescents.
- 1985 CBS Research Grant, to support empirical research on the effect of television viewing on alcohol use among children and adolescents.
- 1985 CBS Research Grant, to support empirical research on the causes of heavy television viewing among children and adolescents.
- 1987-1989 National Institute on Aging Research Grant, to study changes in political orientations over the life span (with Duane F. Alwin).
- 1987 National Association of Broadcasters Research Grant, to study the causes of heavy television viewing among children and adolescents.
- 1988 Society for the Psychological Study of Social Issues Grant-in-Aid, to support research on the causes of heavy television viewing among children and adolescents.
- 1990-1992 National Science Foundation, The information processing consequences of attitude importance.
- 1991 National Science Foundation Research Experience for Undergraduates Grant Supplement, The information processing consequences of attitude importance.
- 1992 Society for the Psychological Study of Social Issues Grant-in-Aid, to support research on the impact of the Gulf War on the constituents of presidential evaluations.
- 1992 National Science Foundation Research Experience for Undergraduates Grant Supplement, The information processing consequences of attitude importance.
- 1994 National Science Foundation, Explaining the surprising accuracy of mail surveys.
- 1995 National Science Foundation Research Experience for Undergraduates Grant Supplement, Explaining the surprising accuracy of mail surveys.
- 1995 U.S. Department of the Interior/Minerals Management Service/University of California Coastal Marine Institute, Testing and calibrating the measurement of nonmarket values for oil spills via the contingent valuation method (with Michael Hanemann).
- 1995 Electric Power Research Institute/Industrial Economics, Elicitation of public perceptions regarding the potential ecological effects of climate change (part I).
- 1996 Electric Power Research Institute/Industrial Economics, Elicitation of public perceptions regarding the potential ecological effects of climate change (part II).
- 1997 National Science Foundation, Formation and change of public beliefs about global warming.

- 1997 National Oceanic and Atmospheric Administration/U.S. Environmental Protection Agency/Resources for the Future, Formation and change of public beliefs about global warming: Wave II of survey interviewing.
- 1998, 1999, 2000, 2001 Robert Dodd and Associates/The Battelle Memorial Institute/National Aeronautics and Space Administration, National aviation operational monitoring system questionnaire development.
- 2000, 2001 Resources for the Future, American public opinion on the environment.
- 2001, 2002 Columbus Airport Authority, The dynamics and causes of airport customer satisfaction.
- 2002 Time-sharing Experiments for the Social Sciences (TESS) grant (funded by the National Science Foundation), Social desirability and reports of voter turnout (with Allyson L. Holbrook).
- 2003 National Science Foundation, Social and psychological mechanisms of the relation between age and openness to attitude change (with Penny Visser).
- 2003 New York Academy of Medicine/W. K. Kellogg Foundation, Engaging the community in terrorism preparedness planning.
- 2003 Decade of Behavior 2000-2010 Distinguished Lecture Program Grant to feature Richard E. Petty at the 2003 annual meeting of the American Association for Public Opinion Research.
- 2004 National Science Foundation, Optimizing the number of points on rating scales.
- 2004 The Bureau of Labor Statistics, U.S Department of Labor, Refining the categorization of jobs in the biotechnology industry.
- 2005 National Science Foundation, 2005 Summer Institute in Political Psychology.
- 2005 National Science Foundation, Survey Research Methodology Optimization for the Science Resource Statistics Program.
- 2005 National Science Foundation, American National Election Studies 2005-2010 (with Arthur Lupia).
- 2006 American Psychological Association, The psychology of voting and election campaigns: A proposal for a stand-alone conference (with Wendy Wood, Arthur Lupia, and John Aldrich).
- 2006 National Science Foundation, Agenda-setting workshop in the area of e-science: Development of the next generation of cybertools applied to data collections in the social and behavioral sciences (with Arthur Lupia).
- 2006 National Science Foundation, Development of a computer network for experimental and non-experimental data collection via the Internet from a nationally representative sample of American households.
- 2006 National Science Foundation and the Department of Homeland Security, Expansion of the American National Election Study: Gauging the public's Attitudes on terrorism and homeland security (with Arthur Lupia).
- 2007 National Science Foundation, 2007 Summer Institute in Political Psychology.

- 2007 National Science Foundation, Survey Research Methodology Optimization for the Science Resource Statistics Program.
- 2007 National Science Foundation, Survey Research Methodology Optimization for the Science Resource Statistics Program (Supplement).
- 2007 National Science Foundation, Research Experience for Undergraduates Supplement for the American National Election Study. (with Arthur Lupia)
- 2007 National Science Foundation, The Impact of Polls on Political Behavior.
- 2007 National Science Foundation, American National Election Studies Supplement to Support Additional Pretesting of Questionnaire Items. (with Arthur Lupia)
- 2007 National Science Foundation, American National Election Studies Supplement to Support a Conference on Methodology for Coding Open-ended Question Responses. (with Arthur Lupia)
- 2008 National Science Foundation, SGER: DHS and NSF Collaboration: Developing Polls to Test Theories of Radicalization and Potential for Radicalization. (with Arthur Lupia)
- 2008 National Science Foundation, American National Election Studies Supplement to Create a Supplemental Panel to Study the 2008 American Presidential Election. (with Arthur Lupia)
- 2008 National Science Foundation, 2008 Summer Institute in Political Psychology.
- 2009 Time-sharing Experiments for the Social Sciences (TESS) grant (funded by the National Science Foundation), Does Mentioning ‘Some People’ and ‘Other People’ in an Attitude Question Improve Measurement Quality? (with David Yeager).
- 2009 National Science Foundation, 2009 Summer Institute in Political Psychology.
- 2009 Robert Wood Johnson Foundation, Surveying Public Opinion on Healthcare.
- 2009 Bill and Melinda Gates Foundation, Research and Polling Studies on Key Education Topics.
- 2009 National Science Foundation, 2010-2012 Summer Institute in Political Psychology.
- 2010 National Science Foundation, American National Election Studies Supplement to Develop and Test New Methods for Coding Open-ended Survey Data. (with Arthur Lupia)
- 2010 National Science Foundation, Discovering the Mechanisms of Belief and Attitude Change on Controversial Issues: The Case of Global Warming and Trust in Scientists.
- 2011 Marketing Science Institute, Establishing the Accuracy of Online Panels Research (with Lisa Brügggen, Rebecca Weiss, David Yeager, Rui Wang, and Yph Lelkes).
- 2012 National Science Foundation, Conferences on the Future of Survey Research.
- 2013 National Science Foundation, Supplement to Grant on the Future of Survey Research.

- 2014 National Science Foundation, American National Election Studies Supplement to Develop and Test New Methods for Coding Open-ended Survey Data. (with Arthur Lupia)
- 2014 Fetzer Franklin Fund, Exploring the Replicability of Psychological Findings.
- 2014 Center for Advanced Study in the Behavioral Sciences, Stanford University, CASBS Best Practices in Science Group: Empirical Studies, Article Writing, and Grant Proposal Preparation. (with Lee Jussim)
- 2015 The William and Flora Hewlett Foundation, Maximizing Scientific Integrity. (with Lee Jussim)
- 2015 Marketing Science Institute, Beyond the Promotion of Net Promoter Score: A Research Deep Dive on “The One Number You Need to Grow.” (with Ellen Konar)
- 2015 Fetzer Franklin Fund, Maximizing Scientific Integrity: A Conference Proposal. (with Lee Jussim)
- 2017 National Science Foundation, Implicit Bias Conference
- 2017 National Science Foundation, Consumer Innovation Survey Development.

Research Partnerships with News Media Organizations

The New York Times
 ABC News
 The Associated Press
 Time Magazine
 The Washington Post
 USA Today
 New Scientist Magazine

Books

- Weisberg, H., Krosnick, J. A., & Bowen, B. (1989). Introduction to survey research and data analysis. Chicago: Scott, Foresman.
- Krosnick, J. A. (Ed.). (1990). Thinking about politics: Comparisons of experts and novices. New York: Guilford Press (Book version of a special issue of Social Cognition, Volume 8, Number 1, 1990).
- Petty, R. E., & Krosnick, J. A. (Eds.). (1995). Attitude strength: Antecedents and consequences. Hillsdale, NJ: Erlbaum.
- Weisberg, H., Krosnick, J. A., & Bowen, B. (1996). Introduction to survey research, polling, and data analysis. Thousand Oaks, CA: Sage.
- Carson, R. T., Conaway, M. B., Hanemann, W. M., Krosnick, J. A., Mitchell, R. C., Presser, S. (2004). Valuing oil spill prevention: A case study of California's central coast. Dordrecht, The Netherlands: Kluwer Academic Publishers.
- Callegaro, M., Baker, R., Bethlehem, J., Göritz, A., Krosnick, J. A., & Lavrakas, P. J. (Eds.). (2014). Online panel research: A data quality perspective. West Sussex, UK: John Wiley and Sons.

Review: Cornesse, C., & Blom, A. G. (2015). Review of Online Panel Research: A Data Quality Perspective. Journal of Official Statistics, *31*, 809-812.

Krosnick, J. A., Chiang, I.-C., & Stark, T. (Eds.) (2017). Political psychology: New explorations. Psychology Press. New York, New York.

Vannette, D. L., & Krosnick, J. A. (Eds.) (2018). The Palgrave handbook of survey research. London, UK: Palgrave MacMillan.

Krosnick, J. A., & Fabrigar, L. R. (forthcoming). The handbook of questionnaire design. New York: Oxford University Press.

Journal Articles and Book Chapters

Krosnick, J. A. (1978). One approach to the analysis of drumset playing. Percussive Notes, Spring-Summer, 143-149.

Judd, C. M., Krosnick, J. A., & Milburn, M. A. (1981). Political involvement and attitude structure in the general public. American Sociological Review, *46*, 660-669.

Krosnick, J. A., & Judd, C. M. (1982). Transitions in social influence at adolescence: Who induces cigarette smoking? Developmental Psychology, *18*, 359-368.

Judd, C. M., & Krosnick, J. A. (1982). Attitude centrality, organization, and measurement. Journal of Personality and Social Psychology, *42*, 436-447.

Krosnick, J. A. (1982). Teaching percussion: Growing with your students. National Association of College Wind and Percussion Instructors Journal, Summer, 4-7.

Judd, C. M., Kenny, D. A., & Krosnick, J. A. (1983). Judging the positions of political candidates: Models of assimilation and contrast. Journal of Personality and Social Psychology, *44*, 952-963.

McAlister, A. L., Krosnick, J. A., & Milburn, M. A. (1984). Causes of adolescent cigarette smoking: Tests of a structural equation model. Social Psychology Quarterly, *47*, 24-36.

Iyengar, S., Kinder, D. R., Peters, M. D., & Krosnick, J. A. (1984). The evening news and presidential evaluations. Journal of Personality and Social Psychology, *46*, 778-787.

Reprinted in Peplau, L. A., Sears, D. O., Taylor, S. E., & Freedman, J. L. (Eds.) (1988), Readings in social psychology: Classic and contemporary contributions. Englewood Cliffs, NJ: Prentice Hall.

Alwin, D. F., & Krosnick, J. A. (1985). The measurement of values in surveys: A comparison of ratings and rankings. Public Opinion Quarterly, *49*, 535-552.

Reprinted in Singer, E., & Presser, S. (Eds.) (1989). Survey research methods: A reader. Chicago: University of Chicago Press.

Reprinted in Bartholomew, D. (Ed.) (2006). Measurement. Oxford, UK: The Bardwell Press.

Schuman, H., Ludwig, J., & Krosnick, J. A. (1986). The perceived threat of nuclear war, salience, and open questions. Public Opinion Quarterly, *50*, 519-536.

- Krosnick, J. A., & Alwin, D. F. (1987). An evaluation of a cognitive theory of response order effects in survey measurement. Public Opinion Quarterly, 51, 201-219.
- Reprinted in Roberts, C., & Jowell, R. (Eds.) (2008). Attitude measurement. Thousand Oaks, CA: Sage Publications.
- Krosnick, J. A. (1988). Attitude importance and attitude change. Journal of Experimental Social Psychology, 24, 240-255.
- Krosnick, J. A., & Schuman, H. (1988). Attitude intensity, importance, and certainty and susceptibility to response effects. Journal of Personality and Social Psychology, 54, 940-952.
- Reprinted in Roberts, C., & Jowell, R. (Eds.) (2008). Attitude measurement. Thousand Oaks, CA: Sage Publications.
- Krosnick, J. A. (1988). The role of attitude importance in social evaluation: A study of policy preferences, presidential candidate evaluations, and voting behavior. Journal of Personality and Social Psychology, 55, 196-210.
- Krosnick, J. A., & Alwin, D. F. (1988). A test of the form-resistant correlation hypothesis: Ratings, rankings, and the measurement of values. Public Opinion Quarterly, 52, 526-538.
- Judd, C. M., & Krosnick, J. A. (1989). The structural bases of consistency among political attitudes: The effects of political expertise and attitude importance. In A. R. Pratkanis, S. J. Breckler, & A. G. Greenwald (Eds.), Attitude Structure and Function. Hillsdale, NJ: Erlbaum.
- Krosnick, J. A. (1989). Attitude importance and attitude accessibility. Personality and Social Psychology Bulletin, 15, 297-308.
- Krosnick, J. A. (1989). Question wording and reports of survey results: The case of Louis Harris and Aetna Life and Casualty. Public Opinion Quarterly, 53, 107-113.
- Reprinted in Bulmer, M. (Ed.) (2004), Questionnaires. Thousand Oaks, CA: Sage Publications.
- Krosnick, J. A., & Alwin, D. F. (1989). Aging and susceptibility to attitude change. Journal of Personality and Social Psychology, 57, 416-425.
- Krosnick, J. A. (1990). Government policy and citizen passion: A study of issue publics in contemporary America. Political Behavior, 12, 59-92.
- Krosnick, J. A. (1990). Expertise in political psychology. Social Cognition, 8, 1-8. (also in J. Krosnick (Ed.), Thinking about politics: Comparisons of experts and novices. New York: Guilford, 1990, pp. 1-8).
- Krosnick, J. A. (1990). Lessons learned: A review and integration of our findings. Social Cognition, 8, 154-158. (also in J. Krosnick (Ed.), Thinking about politics: Comparisons of experts and novices. New York: Guilford, 1990, pp. 154-158).
- Krosnick, J. A., Li, F., & Lehman, D. (1990). Conversational conventions, order of information acquisition, and the effect of base rates and individuating information on social judgments. Journal of Personality and Social Psychology, 59, 1140-1152.
- Krosnick, J. A., & Milburn, M. A. (1990). Psychological determinants of political opinionation. Social Cognition, 8, 49-72. (also in J. Krosnick (Ed.), Thinking about politics: Comparisons of experts and novices. New York: Guilford, 1990, pp. 49-72).

- Krosnick, J. A., & Sedikides, C. (1990). Self-monitoring and self-protective biases in the use of consensus information to predict one's own behavior. Journal of Personality and Social Psychology, 58, 718-728.
- Krosnick, J. A., & Kinder, D. R. (1990). Altering the foundations of support for the president through priming. American Political Science Review, 84, 497-512.
- Reprinted in J. T. Jost and J. Sidanius (Eds.) (2004). Political psychology: Key readings. New York, NY: Psychology Press.
- Reprinted in K. Arzheimer & J. Evans (Eds.) (2008). Electoral behaviour. London: Sage Publications.
- Reprinted in T. Høgenhagen and S. Winther Nielsen (Eds.) (2009). Politisk psykologi-antologi. Århus, Denmark: Aarhus University Press.
- Alwin, D. F., & Krosnick, J. A. (1991). Aging, cohorts, and the stability of sociopolitical orientations over the life span. American Journal of Sociology, 97, 169-195.
- Alwin, D. F., & Krosnick, J. A. (1991). The reliability of survey attitude measurement: The influence of question and respondent attributes. Sociological Methods and Research, 20, 139-181.
- Judd, C. M., Drake, R. A., Downing, J. W., & Krosnick, J. A. (1991). Some dynamic properties of attitude structures: Context induced response facilitation and polarization. Journal of Personality and Social Psychology, 60, 193-202.
- Krosnick, J. A. (1990). Americans' perceptions of presidential candidates: A test of the projection hypothesis. Journal of Social Issues, 46, 159-182.
- Krosnick, J. A. (1991). Response strategies for coping with the cognitive demands of attitude measures in surveys. Applied Cognitive Psychology, 5, 213-236.
- Krosnick, J. A. (1991). The stability of political preferences: Comparisons of symbolic and non-symbolic attitudes. American Journal of Political Science, 35, 547-576.
- Krosnick, J. A. (1992). The impact of cognitive sophistication and attitude importance on response order effects and question order effects. In N. Schwarz and S. Sudman (Eds.), Order effects in social and psychological research (pp. 203-218). New York: Springer-Verlag.
- Krosnick, J. A., & Abelson, R. P. (1992). The case for measuring attitude strength in surveys. Pp. 177-203 in J. Tanur (Ed.), Questions about questions: Inquiries into the cognitive bases of surveys. New York: Russell Sage.
- Krosnick, J. A., Betz, A. L., Jussim, L. J., & Lynn, A. R. (1992). Subliminal conditioning of attitudes. Personality and Social Psychology Bulletin, 18, 152-162.
- Lehman, D. R., Krosnick, J. A., West, R. L., & Li, F. (1992). The focus of judgment effect: A question wording effect due to hypothesis confirmation bias. Personality and Social Psychology Bulletin, 18, 690-699.
- Krosnick, J. A., & Berent, M. K. (1993). Comparisons of party identification and policy preferences: The impact of survey question format. American Journal of Political Science, 37, 941-964.

- Krosnick, J. A., & Brannon, L. A. (1993). The impact of the Gulf War on the ingredients of presidential evaluations: Multidimensional effects of political involvement. American Political Science Review, 87, 963-975.
- Reprinted in H. T. Reis (Ed.). (2014). Methodological Innovations in Social Psychology. Thousand Oaks, CA: Sage Publications.
- Krosnick, J. A., & Brannon, L. A. (1993). The media and the foundations of Presidential support: George Bush and the Persian Gulf conflict. Journal of Social Issues, 49, 167-182.
- Krosnick, J. A., Boninger, D. S., Chuang, Y. C., Berent, M. K., & Carnot, C. G. (1993). Attitude strength: One construct or many related constructs? Journal of Personality and Social Psychology, 65, 1132-1149.
- Reprinted in S. T. Fiske (Ed.) (2013). Social Cognition. Thousand Oaks, CA: Sage Publications.
- Krosnick, J. A., Berent, M. K., & Boninger, D. S. (1994). Pockets of responsibility in the American electorate: Findings of a research program on attitude importance. Political Communication, 11, 391-411.
- Krosnick, J. A., & Smith, W. A. (1994). Attitude strength. In V. S. Ramachandran (Ed.), Encyclopedia of human behavior. San Diego, CA: Academic Press.
- Ostrom, T. M., Bond, C., Krosnick, J. A., & Sedikides, C. (1994). Attitude scales: How we measure the unmeasurable. In S. Shavitt & T. C. Brock (Eds.), Persuasion: Psychological insights and perspectives. Boston, MA: Allyn and Bacon.
- Rahn, W. M., Krosnick, J. A., & Breuning, M. (1994). Rationalization and derivation processes in survey studies of political candidate evaluation. American Journal of Political Science, 38, 582-600.
- Berent, M. K., & Krosnick, J. A. (1995). The relation between political attitude importance and knowledge structure. In M. Lodge & K. McGraw (Eds.), Political judgment: Structure and process. Ann Arbor, MI: University of Michigan Press.
- Boninger, D. S., Krosnick, J. A., & Berent, M. K. (1995). The origins of attitude importance: Self-interest, social identification, and value-relevance. Journal of Personality and Social Psychology, 68, 61-80.
- Boninger, D. S., Krosnick, J. A., Berent, M. K., & Fabrigar, L. R. (1995). The causes and consequences of attitude importance. In R. E. Petty and J. A. Krosnick (Eds.), Attitude strength: Antecedents and consequences. Hillsdale, NJ: Erlbaum.
- Fabrigar, L. R., & Krosnick, J. A. (1995). Attitude importance and the false consensus effect. Personality and Social Psychology Bulletin, 21, 468-479.
- Fabrigar, L. R., & Krosnick, J. A. (1995). Attitude measurement and questionnaire design. In A. S. R. Manstead & M. Hewstone (Eds.), Blackwell encyclopedia of social psychology. Oxford: Blackwell Publishers.
- Fabrigar, L. R., & Krosnick, J. A. (1995). Voting behavior. In A. S. R. Manstead & M. Hewstone (Eds.), Blackwell encyclopedia of social psychology. Oxford: Blackwell Publishers.
- Krosnick, J. A., & Petty, R. E. (1995). Attitude strength: An overview. In R. E. Petty and J. A. Krosnick (Eds.), Attitude strength: Antecedents and consequences. Hillsdale, NJ: Erlbaum.
- Krosnick, J. A., & Telhami, S. (1995). Public attitudes toward Israel: A study of the attentive and issue publics. International Studies Quarterly, 39, 535-554.

Reprinted in Israel Affairs, vol. 2 (1995/1996).

Reprinted in G. Sheffer (Ed.) (1997). U.S.-Israeli relations at the crossroads (Israeli history, politics, and society). London: Frank Cass & Co., Ltd.

- Wegener, D. T., Downing, J., Krosnick, J. A., & Petty, R. E. (1995). Measures and manipulations of strength-related properties of attitudes: Current practice and future directions. In R. E. Petty and J. A. Krosnick (Eds.), Attitude strength: Antecedents and consequences. Hillsdale, NJ: Erlbaum.
- Weisberg, H. F., Haynes, A. A., & Krosnick, J. A. (1995). Social group polarization in 1992. In H. F. Weisberg (Ed.), Democracy's feast: Elections in America. Chatham, NJ: Chatham House.
- Krosnick, J. A., Narayan, S. S., & Smith, W. R. (1996). Satisficing in surveys: Initial evidence. In M. T. Braverman & J. K. Slater (Eds.), Advances in survey research (pp. 29-44). San Francisco: Jossey-Bass.
- Miller, J. M., & Krosnick, J. A. (1996). News media impact on the ingredients of presidential evaluations: A program of research on the priming hypothesis. In D. Mutz & P. Sniderman (Eds.), Political persuasion and attitude change. Ann Arbor, MI: University of Michigan Press.
- Narayan, S., & Krosnick, J. A. (1996). Education moderates some response effects in attitude measurement. Public Opinion Quarterly, 60, 58-88.
- Reprinted in S. Gorard (Ed.) (2008). Quantitative research in education. London, UK: Sage Publications.
- Visser, P. S., Krosnick, J. A., Marquette, J., & Curtin, M. (1996). Mail surveys for election forecasting? An evaluation of the Columbus Dispatch poll. Public Opinion Quarterly, 60, 181-227.
- Krosnick, J. A., & Fabrigar, L. R. (1997). Designing rating scales for effective measurement in surveys. In L. Lyberg, P. Biemer, M. Collins, L. Decker, E. DeLeeuw, C. Dippo, N. Schwarz, and D. Trewin (Eds.), Survey Measurement and Process Quality. New York: Wiley-Interscience.
- Miller, J. M., & Krosnick, J. A. (1997). The anatomy of news media priming. In S. Iyengar and R. Reeves (Eds.), Do the media govern? Politicians, voters, and reporters in America. Thousand Oaks, CA: Sage.
- Carson, R. T., Hanemann, W. M., Kopp, R. J., Krosnick, J. A., Mitchell, R. C., Presser, S., Ruud, P. A., & Smith, V. K., with Conaway, M., & Martin, K. (1997). Temporal reliability of estimates from contingent valuation. Land Economics, 73, 151-163.
- Carson, R. T., Hanemann, W. M., Kopp, R. J., Krosnick, J. A., Mitchell, R. C., Presser, S., Ruud, P. A., & Smith, V. K., with Conaway, M., & Martin, K. (1998). Referendum design and contingent valuation: The NOAA panel's no-vote recommendation. Review of Economics and Statistics, 80, 335-338.
- Miller, J. M., & Krosnick, J. A. (1998). The impact of candidate name order on election outcomes. Public Opinion Quarterly, 62, 291-330.
- Visser, P. S., & Krosnick, J. A. (1998). The development of attitude strength over the life cycle: Surge and decline. Journal of Personality and Social Psychology, 75, 1388-1409.
- Reprinted in G. Haddock and G. R. Maio (Eds.) (2012), The psychology of attitudes: Key readings. Thousand Oaks, CA: Sage Publications.

- Krosnick, J. A. (1999). Maximizing questionnaire quality. In J. P. Robinson, P. R. Shaver, & L. S. Wrightsman (Eds.), Measures of political attitudes. New York: Academic Press.
- Krosnick, J. A. (1999). Survey research. Annual Review of Psychology, 50, 537-567.
- Bassili, J. N., & Krosnick, J. A. (2000). Do strength-related attitude properties determine susceptibility to response effects? New evidence from response latency, attitude extremity, and aggregate indices. Political Psychology, 21, 107-132.
- Holbrook, A. L., Krosnick, J. A., Carson, R. T., & Mitchell, R. C. (2000). Violating conversational conventions disrupts cognitive processing of attitude questions. Journal of Experimental Social Psychology, 36, 465-494.
- Holbrook, A. L., Bizer, G. Y., & Krosnick, J. A. (2000). Political behavior of the individual. In A. E. Kazdin (Ed.), Encyclopedia of psychology. Washington, DC, and New York, NY: American Psychological Association and Oxford University Press.
- Krosnick, J. A., Holbrook, A. L., & Visser, P. S. (2000). The impact of the Fall 1997 debate about global warming on American public opinion. Public Understanding of Science, 9, 239-260.
- Miller, J. M., & Krosnick, J. A. (2000). News media impact on the ingredients of presidential evaluations: Politically knowledgeable citizens are guided by a trusted source. American Journal of Political Science, 44, 301-315.
- Visser, P. S., Krosnick, J. A., & Lavrakas, P. (2000). Survey research. In H. T. Reis & C. M. Judd (Eds.), Handbook of research methods in social psychology. New York: Cambridge University Press.
- Visser, P. S., Krosnick, J. A., Marquette, J., & Curtin, M. (2000). Improving election forecasting: Allocation of undecided respondents, identification of likely voters, and response order effects. In P. Lavrakas & M. Traugott (Eds.), Election polls, the news media, and democracy. New York, NY: Chatham House.
- Bizer, G. Y., & Krosnick, J. A. (2001). Exploring the structure of strength-related attitude features: The relation between attitude importance and attitude accessibility. Journal of Personality and Social Psychology, 81, 566-586.
- Holbrook, A. L., Krosnick, J. A., Visser, P. S., Gardner, W. L., & Cacioppo, J. T. (2001). Attitudes toward presidential candidates and political parties: Initial optimism, inertial first impressions, and a focus on flaws. American Journal of Political Science, 45, 930-950.
- Reprinted in Lavine, H. (Ed.) (2010). Political psychology. Thousand Oaks, CA: Sage Publications.
- Krosnick, J. A. (2002). Is political psychology sufficiently psychological? Distinguishing political psychology from psychological political science. In J. Kuklinski (Ed.), Thinking about political psychology. New York: Cambridge University Press.
- Krosnick, J. A. (2002). The challenges of political psychology: Lessons to be learned from research on attitude perception. In J. Kuklinski (Ed.), Thinking about political psychology. New York: Cambridge University Press.
- Krosnick, J. A. (2002). The causes of no-opinion responses to attitude measures in surveys: They are rarely what they appear to be. In R. M. Groves, D. A. Dillman, J. L. Eltinge, & R. J. A. Little (Eds.), Survey nonresponse. New York: Wiley.
- Krosnick, J. A., Holbrook, A. L., Berent, M. K., Carson, R. T., Hanemann, W. M., Kopp, R. J., Mitchell, R. C.,

Presser, S., Ruud, P. A., Smith, V. K., Moody, W. R., Green, M. C., & Conaway, M. (2002). The impact of “no opinion” response options on data quality: Non-attitude reduction or an invitation to satisfice? Public Opinion Quarterly, 66, 371-403.

Reprinted in Roberts, C., & Jowell, R. (Eds.) (2008). Attitude measurement. Thousand Oaks, CA: Sage Publications.

Krosnick, J. A., & McGraw K. M. (2002). Psychological political science vs. political psychology true to its name: A plea for balance. In K. R. Monroe (Ed.), Political psychology. Mahwah, NJ: Erlbaum.

Swait, J., Adamowicz, W., Hanemann, M., Diederich, A., Krosnick, J. A., Layton, D., Provencher, W., Schakade, D., & Tourangeau, R. (2002). Context dependence and aggregation in disaggregate choice analysis. Marketing Letters, 13, 195-205.

Anand, S., & Krosnick, J. A. (2003). The impact of attitudes toward foreign policy goals on public preferences among presidential candidates: A study of issue publics and the attentive public in the 2000 U.S. Presidential election. Presidential Studies Quarterly, 33, 31-71.

Chang, L., & Krosnick, J. A. (2003). Measuring the frequency of regular behaviors: Comparing the ‘typical week’ to the ‘past week.’ Sociological Methodology, 33, 55-80.

Holbrook, A. L., Green, M. C., & Krosnick, J. A. (2003). Telephone vs. face-to-face interviewing of national probability samples with long questionnaires: Comparisons of respondent satisficing and social desirability response bias. Public Opinion Quarterly, 67, 79-125.

Krosnick, J. A., Anand, S. N., & Hartl, S. P. (2003). Psychosocial predictors of heavy television viewing among preadolescents and adolescents. Basic and Applied Social Psychology, 25, 87-110.

Visser, P. S., Krosnick, J. A., & Simmons, J. (2003). Distinguishing the cognitive and behavioral consequences of attitude importance and certainty: A new approach to testing the common-factor hypothesis. Journal of Experimental Social Psychology, 39, 118-141.

Bizer, G. Y., Krosnick, J. A., Holbrook, A. L., Wheeler, S. C., Rucker, D. D., & Petty, R. E. (2004). The impact of personality on cognitive, behavioral, and affective political processes: The effects of need to evaluate. Journal of Personality, 72, 995-1028.

Bizer, G. Y., Visser, P. S., Berent, M. K., & Krosnick, J. A. (2004). Importance, knowledge, and accessibility: Exploring the dimensionality of strength-related attitude properties. In W. E. Saris & P. M. Sniderman (Eds.), Studies in public opinion: Gauging attitudes, nonattitudes, measurement error and change. Princeton, NJ: Princeton University Press.

Krosnick, J. A., Miller, J. M., & Tichy, M. P. (2004). An unrecognized need for ballot reform: Effects of candidate name order. In A. N. Crigler, M. R. Just, and E. J. McCaffery (Eds.), Rethinking the vote: The politics and prospects of American election reform. New York, NY: Oxford University Press.

Miller, J. M., & Krosnick, J. A. (2004). Threat as a motivator of political activism: A field experiment. Political Psychology, 25, 507-523.

Anand, S., & Krosnick, J. A. (2005). Demographic predictors of media use among infants, toddlers, and preschoolers. American Behavioral Scientist, 48, 539-561.

Holbrook, A. L., Berent, M. K., Krosnick, J. A., Visser, P. S., & Boninger, D. S. (2005). Attitude importance and the accumulation of attitude-relevant knowledge in memory. Journal of Personality and Social Psychology, 88, 749-769.

- Holbrook, A. L., & Krosnick, J. A. (2005). Meta-psychological vs. operative measures of ambivalence: Differentiating the consequences of perceived intra-psychic conflict and real intra-psychic conflict. In S. C. Craig & M. D. Martinez (Eds.), Ambivalence and the structure of public opinion. New York, NY: Palgrave Macmillan.
- Krosnick, J. A., Judd, C. M., & Wittenbrink, B. (2005). The measurement of attitudes. In D. Albarracín, B. T. Johnson, & M. P. Zanna (Eds.), Handbook of attitudes and attitude change. Mahwah, NJ: Erlbaum.
- Reprinted in Roberts, C., & Jowell, R. (Eds.) (2008). Attitude measurement. Thousand Oaks, CA: Sage Publications.
- Schaeffer, E. M., Krosnick, J. A., Langer, G. E., & Merkle, D. M. (2005). Comparing the quality of data obtained by minimally balanced and fully balanced attitude questions. Public Opinion Quarterly, *69*, 417-428.
- Fabrigar, L. R., Krosnick, J. A., & MacDougall, B. L. (2006). Attitude measurement: Techniques for measuring the unobservable. In M. C. Green, S. Shavitt, & T. C. Brock (Eds.), Persuasion: Psychological insights and perspectives. Thousand Oaks, CA: Sage Publications.
- Krosnick, J. A., Chang, L., Sherman, S. J., Chassin, L., & Presson, C. (2006). The effects of beliefs about the health consequences of cigarette smoking on smoking onset. Journal of Communication, *56*, S18-S37.
- Krosnick, J. A., Holbrook, A. L., Lowe, L. & Visser, P. S. (2006). The origins and consequences of democratic citizens' policy agendas: A study of popular concern about global warming. Climatic Change, *77*, 7-43.
- Krosnick, J. A., Holbrook, A. L., & Visser, P. S. (2006). Optimizing brief assessments in research on the psychology of aging: A pragmatic approach to survey and self-report measurement. In National Research Council, *When I'm 64*. Committee on Aging Frontiers in Social Psychology, Personality, and Adult Developmental Psychology. Laura L. Carstensen and Christine R. Hartel, editors. Board on Behavioral, Cognitive, and Sensory Sciences, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press.
- Visser, P. S., Bizer, G. Y., & Krosnick, J. A. (2006). Exploring the latent structure of strength-related attitude attributes. In M. Zanna (Ed.), Advances in Experimental Social Psychology. New York, NY: Academic Press.
- Cornell, D. G., Krosnick, J. A., & Chang, L. (2006). Student reactions to being wrongly informed of failing a high-stakes test: The case of the Minnesota Basic Standards Test. Educational Policy, *20*, 718-751.
- Holbrook, A. L., Krosnick, J. A., Moore, D., & Tourangeau, R. (2007). Response order effects in dichotomous categorical questions presented orally: The impact of question and respondent attributes. Public Opinion Quarterly, *71*, 325-348.
- Malhotra, N., & Krosnick, J. A. (2007). The effect of survey mode on inferences about political attitudes and behavior: Comparing the 2000 and 2004 ANES to internet surveys with non-probability samples. Political Analysis, *15*, 286-323.
- Malhotra, N., & Krosnick, J. A. (2007). Retrospective and prospective performance assessments during the 2004 election campaign: Tests of mediation and news media priming. Political Behavior, *29*, 249-278.
- Malhotra, N. & Krosnick, J. A. (2007). Procedures for updating classification systems: A study of biotechnology and the standard occupational classification system. Journal of Official Statistics, *23*, 409-432.

- Schneider, D., Tahk, A., & Krosnick, J. A. (2007). Reconsidering the impact of behavior prediction questions on illegal drug use: The importance of using proper analytic methods in social psychology. Social Influence, 2, 178-196.
- Holbrook, A. L., Krosnick, J. A., & Pfent, A. M. (2008). The causes and consequences of response rates in surveys by the news media and government contractor survey research firms. In J. M. Lepkowski, C. Tucker, J. M. Brick, E. D. De Leeuw, L. Japac, P. J. Lavrakas, M. W. Link, & R. L. Sangster (Eds.), Advances in telephone survey methodology. New York: Wiley.
- Iyengar, S., Hahn, K. S., Krosnick, J. A., & Walker, J. (2008). Selective exposure to campaign communication: The role of anticipated agreement and issue public membership. Journal of Politics, 70, 186-200.
- Visser, P. S., Holbrook, A. L., & Krosnick, J. A. (2008). Knowledge and attitudes. In W. Donsbach & M. W. Traugott (Eds.), Handbook of public opinion research. Thousand Oaks, CA: Sage Publications
- Harder, J., & Krosnick, J. A. (2008). Why do people vote? A psychological analysis of the causes of voter turnout. Journal of Social Issues, 64, 525-549.
- Krosnick, J. A., Malka, A., & Yeager, D. S. (2009). State of the nation: Getting warmer. Boston Review, 34, 6.
- Krosnick, J. A., Visser, P. S., & Harder, J. (2009). The psychological underpinnings of political behavior. In S. T. Fiske, D. T. Gilbert, & G. Lindzey (Eds.), Handbook of social psychology. New York, NY: John Wiley.
- Malka, A., & Krosnick, J. A. (2009). The association of knowledge with concern about global warming: Trusted information sources shape public thinking. Risk Analysis, 29, 633-647.
- Rabinowitz, J. L., Sears, D. O., Sidanius, J., & Krosnick, J. A. (2009). Why do white Americans oppose race-targeted policies? Clarifying the impact of symbolic racism. Political Psychology, 30, 805-828.
- Chang, L., & Krosnick, J. A. (2009). National surveys via RDD telephone interviewing vs. the Internet: Comparing sample representativeness and response quality. Public Opinion Quarterly, 73, 641-678.
- Eaton, A. A., Visser, P. S., Krosnick, J. A., & Anand, S. (2009). Social power and attitude strength over the life cycle. Personality and Social Psychology Bulletin, 35, 1646-1660.
- Malhotra, N., Krosnick, J. A., and Thomas, R. K. (2009). Optimal design of branching questions to measure bipolar constructs. Public Opinion Quarterly, 73, 304-324.
- Pasek, J., Tahk, A., Lelkes, Y., Krosnick, J. A., Payne, K., Akhtar, O., & Tompson, T. (2009). Determinants of turnout and candidate choice in the 2008 U.S. Presidential election: Illuminating the impact of racial prejudice and other considerations. Public Opinion Quarterly, 73, 943-994.
- Baker, R., Blumberg, S., Brick, J. M., Couper, M. P., Courtright, M., Dennis, M., Dillman, D., Frankel, M. R., Garland, P., Groves, R. M., Kennedy, C., Krosnick, J. A., Lee, D., Lavrakas, P. J., Link, M., Piekarski, L., Rao, K., Thomas, R. K., & Zahs, D. (2010). AAPOR report on online panels. Public Opinion Quarterly, 1-71.
- Chang, L., & Krosnick, J. A. (2010). Comparing oral interviewing with self-administered computerized questionnaires: An experiment. Public Opinion Quarterly, 74, 154-167.
- Holbrook, A. L., & Krosnick, J. A. (2010). Social desirability bias in voter turnout reports: Tests using the

- item count technique. Public Opinion Quarterly, *74*, 37-67.
- Holbrook, A. L., & Krosnick, J. A. (2010). Measuring voter turnout by using the randomized response technique: Evidence calling into question the method's validity. Public Opinion Quarterly, *74*, 328-343.
- Holbrook, A. L., & Krosnick, J. A. (2010). Operative and meta-psychological manifestations of attitude accessibility: Two different constructs, not two measures of the same construct. In J. P. Forgas, J. Cooper, & W. D. Crano (Eds.), The Psychology of Attitudes and Attitude Change. Florence, Kentucky: Psychology Press.
- Krosnick, J. A., & Presser, S. (2010). Questionnaire design. In J. D. Wright & P. V. Marsden (Eds.), Handbook of survey research (Second Edition). West Yorkshire, England: Emerald Group.
- Pasek, J., & Krosnick, J. A. (2010). Optimizing survey questionnaire design in political science: Insights from psychology. In J. Leighley (Ed.), Oxford handbook of American elections and political behavior. Oxford, UK: Oxford University Press.
- Payne, B. K., Krosnick, J. A., Pasek, J., Lelkes, Y., Akhtar, O., & Tompson, T. (2010). Implicit and explicit prejudice in the 2008 American presidential election. Journal of Experimental Social Psychology, *46*, 367-374.
- Saris, W., Revilla, M., Krosnick, J. A., & Shaeffer, E. (2010). Comparing questions with agree/disagree response options to questions with item-specific response options. Survey Research Methods, *4*, 61-79.
- Schneider, D., DeBell, M., & Krosnick, J. A. (2010). Using the American National Election Study surveys to test social psychological hypotheses. In K. Trzesniewski, M. B. Donnellan, & R. E. Lucas (Eds.), Secondary Data Analysis: An Introduction for Psychologists. Washington, DC: American Psychological Association.
- Yeager, D. S., & Krosnick, J. A. (2010). The validity of self-reported nicotine product use in the 2001-2008 National Health and Nutrition Examination Survey. Medical Care, *48*, 1128-1132.
- Krosnick, J. A. (2011). Experiments for evaluating survey questions. In K. Miller, J. Madans, G. Willis, & A. Maitland (Eds.), Question evaluation methods. New York, NY: Wiley.
- Krosnick, J. A., & Lupia, A. (2011). The American National Election Studies and the importance of new ideas. In J. A. Aldrich & K. M. McGraw (Eds.), Improving public opinion surveys: Interdisciplinary innovation and the American National Election Studies. Princeton, NJ: Princeton University Press.
- Krosnick, J. A., & Lupia, A. (2011). How the ANES used online commons proposals and pilot study reports to develop its 2008 questionnaires. In J. A. Aldrich & K. M. McGraw (Eds.), Improving public opinion surveys: Interdisciplinary innovation and the American National Election Studies. Princeton, NJ: Princeton University Press.
- Villar, A., & Krosnick, J. A. (2011). Global warming vs. climate change, taxes vs. prices: Does word choice matter? Climatic Change, *105*, 1-12.
- Yeager, D. S., & Krosnick, J. A. (2011). Re: Response to the validity of self-reported nicotine product use in the 2001-2008 National Health and Nutrition Examination Survey. Medical Care, *49*, 332.
- Yeager, D. S., & Krosnick, J. A. (2011). Does mentioning "some people" and "other people" in a survey question increase the accuracy of adolescents' self-reports? Developmental Psychology, *47*, 1674-1679.

- Yeager, D. S., Larson, S. B., Krosnick, J. A., & Tompson, T. (2011). Measuring Americans' issue priorities: A new version of the most important problem question reveals more concern about global warming and the environment. Public Opinion Quarterly, *75*, 125-138.
- Yeager, D. S., Krosnick, J. A., Chang, L., Javitz, H. S., Levendusky, M. S., Simpser, A., & Wang, R. (2011). Comparing the accuracy of RDD telephone surveys and Internet surveys conducted with probability and non-probability samples. Public Opinion Quarterly, *75*, 709-747.
- Cor, K., Haertel, E., Krosnick, J. A., & Malhotra, N. (2012). Improving ability measurement in surveys by following the principles of IRT: The Wordsum vocabulary test in the General Social Survey. Social Science Research, *41*, 1003-1016.
- Daniels, D. P., Krosnick, J. A., Tichy, M. P., & Tompson, T. (2012). Public opinion on environmental policy in the United States. In M. Kraft & S. Kamieniecki (Eds.), Handbook of U.S. Environmental Policy. New York: Oxford University Press.
- Lelkes, Y., Krosnick, J. A., Marks, D. M., Judd, C. M., & Park, B. (2012). Complete anonymity compromises the accuracy of self-reports. Journal of Experimental Social Psychology, *48*, 1291-1299.
- Yeager, D. S., & Krosnick, J. A. (2012). Does mentioning "some people" and "other people" in an opinion question improve measurement quality? Public Opinion Quarterly, *76*, 131-141.
- Holbrook, A. L., & Krosnick, J. A. (2013). A new question sequence to measure voter turnout in telephone surveys: Results of an experiment in the 2006 ANES Pilot Study. Public Opinion Quarterly, *77*, 106-123.
- Krosnick, J. A., & MacInnis, B. (2013). Does the American public support legislation to reduce greenhouse gas emissions? Deadalus, *142*, 26-39.
- Revilla, M. A., Saris, W. E., & Krosnick, J. A. (2014). Choosing the number of categories in agree-disagree scales. Sociological Methods and Research, *43*, 73-97.
- Callegaro, M., Baker, R., Bethlehem, J., Göritz, A., Krosnick, J. A., & Lavrakas, P. J. (2014). Online panel research: History, concepts, applications, and a look at the future. In Callegaro, M., Baker, R., Bethlehem, J., Göritz, A., Krosnick, J. A., & Lavrakas, P. J. (Eds.). (2014). Online panel research: A data quality perspective. West Sussex, UK: John Wiley and Sons.
- Callegaro M., Villar, A., Krosnick, J. A., & Yeager, D. (2014). A critical review of studies investigating the quality of data obtained with online panels. In Callegaro, M., Baker, R., Bethlehem, J., Göritz, A., Krosnick, J. A., & Lavrakas, P. J. (Eds.). (2014). Online panel research: A data quality perspective. West Sussex, UK: John Wiley and Sons.
- Callegaro, M., & Krosnick, J. A. (2014). Introduction to Part I. In Callegaro, M., Baker, R., Bethlehem, J., Göritz, A., Krosnick, J. A., & Lavrakas, P. J. (Eds.). (2014). Online panel research: A data quality perspective. West Sussex, UK: John Wiley and Sons.
- Chen, E., Simonovits, G., Krosnick, J. A., & Pasek, J. (2014). The impact of candidate name order on election outcomes in North Dakota. Electoral Studies, *35*, 115-122.
- Göritz, A., & Krosnick, J. A. (2014). Introduction to Part IV. In Callegaro, M., Baker, R., Bethlehem, J., Göritz, A., Krosnick, J. A., & Lavrakas, P. J. (Eds.). (2014). Online panel research: A data quality perspective. West Sussex, UK: John Wiley and Sons.

- Krosnick, J. A., Malhotra, N., & Mittal, U. (2014). Public misunderstanding of political facts: How question wording affected estimates of partisan differences in birtherism. Public Opinion Quarterly, *78*, 147-165.
- Krosnick, J. A., Lavrakas, P., & Kim, N. (2014). Survey research. In H. T. Reis & C. M. Judd (Eds.), Handbook of research methods in social psychology (Second Edition). New York: Cambridge University Press.
- Pasek, J., Schneider, D., Krosnick, J. A., Tahk, A., & Ophir, E. (2014). Prevalence and moderators of the candidate name-order effect: Evidence from all statewide general elections in California. Public Opinion Quarterly, *78*, 416-439.
- Pasek, J., Stark, T. H., Krosnick, J. A., Tompson, T., & Payne, B. K. (2014). Attitudes toward Blacks in the Obama era: Changing distributions and impacts on job approval and electoral choice, 2008-2012. Public Opinion Quarterly, *78*, 276-302.
- Vannette, D. L., & Krosnick, J. A. (2014). A comparison of mindless and survey satisficing. In A. Ie, C. T. Ngnoumen, & E. J. Langer (Eds), The Wiley-Blackwell Handbook of Mindfulness. West Sussex, UK: John Wiley & Sons.
- Kim, N., Krosnick, J. A., & Casasanto, D. (2015). Moderators of candidate name order effects in elections: An experiment. Political Psychology, *36*, 525-542.
- Krosnick, J. A., & MacInnis, B. (2015). Fox and Not-Fox television news impact on opinions on global warming: Selective exposure, not motivated reasoning. In J. P. Forgas, K. Fiedler, & W. D. Crano (Eds.), Social Psychology and Politics. New York, NY: Psychology Press.
- MacInnis, B., Krosnick, J. A., Abeles, A., Caldwell, M. R., Prahler, E., & Dunne, D. D. (2015). The American public's preference for preparation for the possible effects of global warming: Impact of communication strategies. Climatic Change, *128*, 17-33.
- Pasek, J., Sood, G., & Krosnick, J. A. (2015). Misinformed about the Affordable Care Act? Leveraging certainty to assess the prevalence of misperceptions. Journal of Communication, *65*, 660-673.
- Pasek, J., Stark, T. H, Krosnick, J. A., & Tompson, T. (2015). What motivates a conspiracy theory? Birther beliefs, partisanship, liberal-conservative ideology, and anti-Black attitudes. Electoral Studies, *40*, 482-489.
- Berent, M. K., Krosnick, J. A., & Lupia, A. (2016). Measuring voter registration and turnout in surveys: Do official government records yield more accurate assessments? Public Opinion Quarterly, *80*, 597-621.
- Chapman, D. J., Bishop, R. C., Hanemann, W. M., Kanninen, B. J., Krosnick, J. A., Morey, E. R., & Tourangeau, R. (2016). On the adequacy of scope test results: Comments on Desvousges, Mathews, and Train. Ecological Economics, *130*, 356-360.
- Harbridge, L., Krosnick, J. A., and Wooldridge, J. M. (2016). Presidential approval and gas prices: Sociotropic or pocketbook influence? In Krosnick, J. A., Chiang, I.-C., & Stark, T. (Eds.), Political Psychology: New Explorations. Psychology Press. New York, New York.
- Krosnick, J. A., Stark, T. H., & Chiang, I.-C. (2016). The two core goals of political psychology. In Krosnick, J. A., Chiang, I.-C., & Stark, T. (Eds.), Political Psychology: New Explorations. Psychology Press. New York, New York.
- MacInnis, B., & Krosnick, J. A. (2016). The impact of candidates' statements about global warming on electoral success in 2008 to 2015: Evidence Using Five Methodologies. In Krosnick, J. A., Chiang, I.-

- C., & Stark, T. (Eds.), Political Psychology: New Explorations. Psychology Press. New York, New York.
- MacInnis, B., & Krosnick, J. A. (2016). Trust in scientists' statements about the environment and American public opinion on global warming. In Krosnick, J. A., Chiang, I.-C., & Stark, T. (Eds.), Political Psychology: New Explorations. Psychology Press. New York, New York.
- Miller, J. M., Krosnick, J. A., & Fabrigar, L. R. (2016). The origins of policy issue salience: Personal and national importance impact on behavioral, cognitive, and emotional issue engagement. In Krosnick, J. A., Chiang, I.-C., & Stark, T. (Eds.), Political Psychology: New Explorations. Psychology Press. New York, New York.
- Miller, J. M., Krosnick, J. A., Holbrook, A., Tahk, A., & Dionne, L. (2016). The impact of policy change threat on financial contributions to interest groups. In Krosnick, J. A., Chiang, I.-C., & Stark, T. (Eds.), Political Psychology: New Explorations. Psychology Press. New York, New York.
- Thomas, R. K., Krosnick, J. A., Shook, N. J., & Chiang, I.-C. (2016). "Forever changed?" Some surprising findings about U.S. Public Opinion after the attacks of 9/11/2001 on the U.S. In Krosnick, J. A., Chiang, I.-C., & Stark, T. (Eds.), Political Psychology: New Explorations. Psychology Press. New York, New York.
- Visser, P. S., Krosnick, J. A., & Norris, C. J. (2016). Attitude importance and attitude-relevant knowledge: Motivator and enabler. In Krosnick, J. A., Chiang, I.-C., & Stark, T. (Eds.), Political Psychology: New Explorations. Psychology Press. New York, New York.
- Bishop, R.C., Boyle, K. J., Carson, R. T., Chapman, D., Hanemann, W. M., Kanninen, B., Kopp, R. J., Krosnick, J. A., List, J., Meade, N., Paterson, R., Presser, S., Smith, V. K., Tourangeau, R., Welsh, M., Wooldridge, J.M., DeBell, M., Donovan, C., Konopka, M., & Scherer, N. (2017). Putting a value on injuries to natural assets: The BP oil spill. Science, 356, 253-254.
- Howe, L. C., & Krosnick, J. A. (2017). Attitude strength. Annual Review of Psychology, 68, 327-351.
- Krosnick, J. A., Malhotra, N., Mo, C. H., Bruera, E. F., Chang, L., Pasek, J., & Thomas, R. K. (2017). Perceptions of health risks of cigarette smoking: A new measure reveals widespread misunderstanding. PLoS ONE, 12(8): e0182063 <https://doi.org/10.1371/journal.pone.0182063>.
- Lundberg, K. B., Payne, B. K., Pasek, J., & Krosnick, J. A. (2017). Racial attitudes predicted changes in ostensibly race-neutral political attitudes under the Obama administration. Political Psychology, 38, 313-330.
- Stark, T. H., & Krosnick, J. A. (2017). GENSI: A new graphical tool to collect ego-centered network data. Social Networks, 48, 36-45.
- MacInnis, B., Krosnick, J. A., Ho, A. S., & Cho, M.-J. (2018). The accuracy of measurements with probability survey samples: Replication and extension. Public Opinion Quarterly, 82, 707-744.
- Kim, N., Krosnick, J. A., & Lelkes, Y. (2019). Race of interviewer effects in telephone surveys preceding the 2008 U.S. Presidential elections. International Journal of Public Opinion Research, 31, 220-242.
- Abeles, A. T., Howe, L. C., Krosnick, J. A., & MacInnis, B. (in press). Perception of public opinion on global warming and the role of opinion deviance. Journal of Environmental Psychology.
- Cornesse, C. Blon, A., Dutwin, D., Krosnick, J., DeLeeuw, E., Legleye, S., Pasek, J., Pennay, D., Philips, B., Sakshaug, J., Struminskaya, B., & Wenz, A. (in press) A review of conceptual approaches and

empirical evidence on probability and nonprobability sample survey research. Journal of Survey Statistics and Methodology.

DeBell, M., Krosnick, J. A., Gera, K., Yeager, D., & MacDonald, M. (in press). The turnout gap in surveys: Explanations and solutions. Sociological Methods and Research.

Howe, L., MacInnis, B., Krosnick, J. A., Markowitz, E. M., & Socolow, R. (in press). Acknowledging uncertainty impacts public acceptance of climate scientists' predictions. Nature Climate Change.

Jussim, L., Krosnick, J. A., Stevens, S. T., & Anglin, S. M. (in press). A social psychological model of scientific practices: Explaining research practices and outlining the potential for successful reforms. Psychologica Belgica.

Silber, H., Stark, T. H., Krosnick, J. A., & Blom, A. G. (in press). Multi-national study of questionnaire design. In Johnson, T., Dorer, B. Stoop, I., & Pennell, B-E. (Eds.), Advances in Comparative Survey Methods: Multicultural, Multinational and Multiregional (3MC) Contexts. New York, NY: Wiley.

Stark, T. H., Silber, H., Krosnick, J. A., Blom, A. G., Aoyagi, M., Belchior, A., Bosnjak, M., Clement, S. L., John, M., Jónsdóttir, G. A., Lawson, K., Lynn, P., Martinsson, Shamshiri-Petersen, D., Tvinnereim, E., Yu, R. (in press). Generalization of classic question order effects across cultures. Sociological Methods and Research.

Stark, T. H., van Maaren, F., Krosnick, J. A., & Sood, G. (in press). The impact of social desirability pressures on whites' endorsement of racial stereotypes: A comparison between oral and ACASI reports in a national survey. Sociological Methods and Research.

Yeager, D. S., Krosnick, J. A., Visser, P. S., Holbrook, A. L., & Tahk, A. M. (in press). Moderation of classic social psychological effects by demographics in a nationally representative sample: New opportunities for theoretical advancement. Journal of Personality and Social Psychology.

Other Reports and Publications

Telhami, S., & Krosnick, J. A. (1989). American sentiment on Israeli-Palestinian fight: No favorites; Just make peace. Op-ed article in The Los Angeles Times, March 14, 1989. (Reprinted in the Columbus Dispatch, March 17, 1989)

Krosnick, J. A. (1990). The uses and abuses of public opinion polls: The case of Louis Harris and Associates. Chronicles, 14, 47-49.

Krosnick, J. A. (1990). The impact of satisficing on survey data quality. In Proceedings of the Bureau of the Census 1990 Annual Research Conference (pp. 835-845). Washington, D.C.: U.S. Government Printing Office.

Smith, W. R., Culpepper, I. J., & Krosnick, J. A. (1992). The impact of question order on cognitive effort in survey responding. In Proceedings of the Sixth National Conference on Undergraduate Research. Minneapolis, MN: University of Minnesota Press.

Krosnick, J. A., & Hermann, M. G. (1993). Report on the 1991 Ohio State University Summer Institute in Political Psychology. Political Psychology, 14, 363-373.

Carson, R. T., Hanemann, W. M., Kopp, R. J., Krosnick, J. A., Mitchell, R. C., Presser, S., Ruud, P. A., & Smith, V. K. (1994). Prospective interim lost use value due to DDT and PCB contamination in the Southern California Bight. La Jolla, CA: Natural Resource Damage Assessment.

- Carson, R. T., Conaway, M. B., Hanemann, W. M., Krosnick, J. A., Martin, K. M., McCubbin, D. R., Mitchell, R. C., Presser, S. (1995). The value of preventing oil spill injuries to natural resources along California's central coast. La Jolla, CA: Natural Resource Damage Assessment.
- Krosnick, J. A., Visser, P. S., & Holbrook, A. L. (1998). American opinion on global warming: The impact of the Fall 1997 debate. Resources, *133*, 5-9.
- Krosnick, J. A. (2000). The threat of satisficing in surveys: The shortcuts respondents take in answering questions. Survey Methods Newsletter, *20*, 4-8.
- Krosnick, J. A. (2000). Americans are ready for the debacle to end. Newsday, December 7, A63-A66.
- Krosnick, J. A. (2001). The psychology of voting. The Psychology Place.
<http://www.psychplace.com/editorials/krosnick/krosnick1.html>.
- Green, M. C., & Krosnick, J. A. (2001). Comparing telephone and face-to-face interviewing in terms of data quality: The 1982 National Election Studies Method Comparison Project. In D. O'Rourke (Ed.), Health survey research methods. Hyattsville, Maryland: Department of Health and Human Services. DHHS Publication No. (PHS) 01-1013.
- Silver, M. D., & Krosnick, J. A. (2001). Optimizing survey measurement accuracy by matching question design to respondent memory organization. In Federal Committee on Statistical Methodology Research Conference, 2001. NTIS: PB2002-100103. <http://www.fcsm.gov/01papers/Krosnick.pdf>
- Krosnick, J. A. (2003). Introduction. In G. R. Walden, Survey research methodology, 1990-1999: An annotated bibliography. Westpoint, Connecticut: Greenwood Press.
- Krosnick, J. A. (2003). AAPOR in Nashville: The program for the 58th annual conference. AAPOR News, *31*, 1, 3.
- Krosnick, J. A. (2003). Response rates, Huffington, and More: Reflections on the 58th annual conference. AAPOR News, *31*, 1, 4-5.
- Krosnick, J. A. (2003). Proceedings of the fifty-eighth annual conference of the American Association for Public Opinion Research. Public Opinion Quarterly.
- Fiorina, M., & Krosnick, J. A. (2004). The Economist/YouGov Internet Presidential poll.
<http://www.economist.com/media/pdf/Paper.pdf>.
- Krosnick, J. A. (2006). What pilots could tell us. Op-ed essay in the New York Times, August 30, 2006.
- Krosnick, J. A. (2006). Are we really safer in the skies today? Aviation Law Prof Blog, September 5.
<http://lawprofessors.typepad.com/aviation/>
- Krosnick, J. A. (2006). In the voting booth, bias starts at the top. Op-ed in The New York Times, November 4, 2006.
- Krosnick, J. A. (2006). In the voting booth, name order can sway an election. Opinion essay in the "Perspective" section of The San Jose Mercury News, November 26, 2006.
- Krosnick, J. A. (2008). Evaluation of NORC's cognitive pretesting of new items for the General Social Survey. Report to the GSS Board of Overseers.

- Krosnick, J. A. (2008). Ballot changes cited in vote's discrepancy with polls: Clinton's favorable placement on ballots may account for part of poll mistakes. Opinion essay on ABCNews.com, January 9, 2008.
- Chapman, D. J., Bishop, R. C., Hanemann, W. M., Kanninen, B. J., Krosnick, J. A., Morey, E. R., & Tourangeau, R. 2009. Natural resource damages associated with aesthetic and ecosystem injuries to Oklahoma's Illinois River System and Tenkiller Lake. Boulder, CO: Stratus Consulting.
- Yeager, D. S., Krosnick, J. A., & Javitz, H.A. (2009). More on the problems with opt-in Internet surveys. Guest blog, "The Numbers", <http://blogs.abcnews.com/thenumbers/2009/09/guest-blog-more-on-the-problems-with-optin-internet-surveys.html>.
- Yeager, D. S., & Krosnick, J. A. (2009). Were the benchmarks really wrong? Guest blog, "The Numbers", <http://blogs.abcnews.com/thenumbers/2009/12/survey-accuracy-revisiting-the-benchmarks-.html>.
- Krosnick, J. A. (2010). The climate majority. Op-ed in the New York Times, June 9, 2010.
- Pasek, J., & Krosnick, J. A. (2010). Measuring intent to participate and participation in the 2010 census and their correlates and trends: Comparisons of RDD telephone and non-probability sample internet survey data. Survey Methodology Report #2010-15, Washington, DC: Statistical Research Division, U.S. Census Bureau. <http://www.census.gov/srd/papers/pdf/ssm2010-15.pdf>
- Berent, M. K., Krosnick, J. A., & Lupia, A. (2011). The quality of government records and "over-reporting" of registration and voting in surveys: Lessons from the 2008 ANES Panel Study's registration and turnout validation exercises. Technical report, American National Election Studies. <http://electionstudies.org/resources/papers/nes012554.pdf>
- Krosnick, J. A., Kim, N., & MacInnis, B. (2014). What Americans think about climate change. Resources, 187: 40-44.
- Krosnick, J. A., Presser, S., Fealing, K. H., & Ruggles, S. with Vannette, D. L. (2015). The Future of Survey Research: Challenges and Opportunities. A report to the National Science Foundation. Social, Behavioral, and Economic Sciences Directorate, National Science Foundation.
- Bollen, K., Cacioppo, J. T., Kaplan, R. M., Krosnick, J. A., & Olds, J. L. (2015). Social, behavioral, and economic sciences perspectives on robust and reliable science. Report of the Subcommittee on Replicability in Science, Advisory Committee to the Directorate for Social, Behavioral, and Economics Sciences, National Science Foundation.

Book Reviews

- Krosnick, J. A. (1987). Review of **Political Cognition: The 19th Annual Carnegie Symposium on Cognition**, edited by R. R. Lau and D. O. Sears. American Political Science Review, 81, 266-268.
- Krosnick, J. A. (1988). Review of **The Choice Questionnaire**, by Peter Neijens. Public Opinion Quarterly, 52, 408-411.
- Krosnick, J. A. (1993). Review of **Measurement Errors in Surveys**, edited by P. P. Biemer, R. M. Groves, L. E. Lyberg, N. A. Mathiowetz, & S. Sudman. Public Opinion Quarterly, 57, 277-280.
- Krosnick, J. A. (1994). A new introduction to survey methods: Review of **Questionnaire Design, Interviewing and Attitude Measurement**, by A. N. Oppenheim. Contemporary Psychology, 39, 221-222.

Krosnick, J. A. (1997). Review of **Thinking About Answers: The Application of Cognitive Processes to Survey Methodology**, by S. Sudman, N. M. Bradburn, and N. Schwarz, and **Answering Questions: Methodology for Determining Cognitive and Communicative Processes in Survey Research**, edited by N. Schwarz and S. Sudman. Public Opinion Quarterly, 61, 664-667.

Krosnick, J. A. (1998). Review of **What Americans Know about Politics and Why It Matters**, by M. X. Delli-Carpini and S. Keeter. The Annals of the American Academy of Political and Social Science, 559, 189-191.

Book Jacket Endorsement of Books

Callegaro, C., Manfreda, K. L., & Vehovar, V. (2015). Web Survey Methodology. London: Sage Publications.

Erikson, R. D., & Wlezien, C. (2012). The Timeline of Presidential Elections: How Campaigns Do (and Do Not) Matter. Chicago: University of Chicago Press.

Jussim, L. J. (2012). Social Perception and Social Reality: Why Accuracy Dominates Bias and Self-Fulfilling Prophecy. New York, NY: Oxford University Press.

Mutz, D. C., Brody, R. A., & Sniderman, P. M. (1996). Persuasion and Attitude Change. Ann Arbor, MI: University of Michigan Press.

Presentations

Milburn, M. A., & Krosnick, J. A. (1979). Social psychology applied to smoking and drug abuse prevention. Paper presented at the New England Psychological Association Annual Meeting, Framingham, Massachusetts.

Krosnick, J. A., McAlister, A. L., & Milburn, M. A. (1980). Research design for evaluating a peer leadership intervention to prevent adolescent substance abuse. Paper presented at the American Psychological Association Annual Meeting, Montreal, Canada.

McAlister, A. L., Gordon, N. P., Krosnick, J. A., & Milburn, M. A. (1982). Experimental and correlational tests of a theoretical model for smoking prevention. Paper presented at the Society for Behavioral Medicine Annual Meeting, Chicago, Illinois.

Kinder, D. R., Iyengar, S., Krosnick, J. A., & Peters, M. D. (1983). More than meets the eye: The impact of television news on evaluations of presidential performance. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.

Krosnick, J. A. (1983). The relationship of attitude centrality to attitude stability. Paper presented at the American Sociological Association Annual Convention, Detroit, Michigan.

Alwin, D. F., & Krosnick, J. A. (1984). The measurement of values: A comparison of ratings and rankings. Paper presented at the American Association for Public Opinion Research Annual Meeting, Delavan, Wisconsin.

Schuman, H., Ludwig, J., & Krosnick, J. A. (1984). Measuring the salience and importance of public issues over time. Paper presented at the American Association for Public Opinion Research Annual Meeting, Delavan, Wisconsin.

- Krosnick, J. A. (1984). Attitude extremity, stability, and self-report accuracy: The effects of attitude centrality. Paper presented at the American Association for Public Opinion Research Annual Meeting, Delavan, Wisconsin.
- Krosnick, J. A. (1984). The influence of consensus information on predictions of one's own behavior. Paper presented at the American Psychological Association Annual Meeting, Toronto, Canada.
- Krosnick, J. A., & Alwin, D. F. (1986). An evaluation of a cognitive theory of response order effects in survey measurement. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Petersburg, Florida.
- Krosnick, J. A. (1986). A new look at question order effects in surveys. Paper presented at the Symposium on Cognitive Sciences and Survey Research, Ann Arbor, Michigan.
- Krosnick, J. A. (1987). The role of attitude importance in social evaluation: A study of policy preferences, presidential candidate evaluations, and voting behavior. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., Schuman, H., Carnot, C., Berent, M., & Boninger, D. (1987). Attitude importance and attitude accessibility. Paper presented at the Midwest Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., & Sedikides, C. (1987). Self-monitoring and self-protective biases in use of consensus information to predict one's own behavior. Paper presented at the Midwest Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., Stephens, L., Jussim, L. J., & Lynn, A. R. (1987). Subliminal priming of affect and its cognitive consequences. Paper presented at the Midwest Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., & Alwin, D. F. (1987). Satisficing: A strategy for dealing with the demands of survey questions. Paper presented at the American Association for Public Opinion Research Annual Meeting, Hershey, Pennsylvania.
- Judd, C. M., & Krosnick, J. A. (1987). The structural bases of consistency among political attitudes: The effects of political expertise and attitude importance. Paper presented at the American Psychological Association Annual Meeting, New York, New York.
- Krosnick, J. A., & Milburn, M. A. (1987). Psychological determinants of political opinionation. Paper presented at the American Political Science Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A. (1987). The role of attitude importance in social evaluation: A study of policy preferences, presidential candidate evaluations, and voting behavior. Paper presented at the Society for Experimental Social Psychology Annual Meeting, Charlottesville, Virginia.
- Krosnick, J. A. (1988). Psychological perspectives on political candidate perception: A review of research on the projection hypothesis. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., Boninger, D. S., Berent, M. K., & Carnot, C. G. (1988). The origins of attitude importance. Paper presented at the Midwest Psychological Association Annual Meeting, Chicago, Illinois.

- Krosnick, J. A., Carnot, C. G., Berent, M. K., & Boninger, D. S. (1988). An exploration of the relations among dimensions of attitude strength. Paper presented at the Midwest Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., Li, F., & Ashenhurst, J. (1988). Order of information presentation and the effect of base-rates on social judgments. Paper presented at the Midwest Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., Berent, M. K., Carnot, C. G., & Boninger, D. S. (1988). Attitude importance and recall of attitude relevant information. Paper presented at the Midwest Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., & Carnot, C. G. (1988). A comparison of two theories of the origins of political attitude strength. Paper presented at the Midwest Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., & Alwin, D. F. (1988). The stability of political attitudes across the life span. Paper presented at the American Association for Public Opinion Research Annual Meeting, Toronto, Canada.
- Krosnick, J. A., & Carnot, C. G. (1988). Identifying the foreign affairs attentive public: A comparison of competing theories. Paper presented to the Mershon Center Seminar on Foreign Policy Decision Making, The Ohio State University, Columbus, Ohio.
- Alwin, D. F., & Krosnick, J. A. (1988). The reliability of attitudinal survey data. Paper presented at the International Conference on Social Science Methodology, Dubrovnik, Yugoslavia.
- Alwin, D. F., & Krosnick, J. A. (1988). Aging, cohort stability, and change in socio-political attitudes: Exploring the generational-persistence model. Paper presented at the International Society of Political Psychology Annual Meeting, Secaucus, New Jersey.
- Krosnick, J. A., & Kinder, D. R. (1988). Altering the foundations of popular support for the president through priming: Reagan, the Iran-Contra affair, and the American public. Paper presented at the American Political Science Association Annual Meeting, Washington, D.C.
- Krosnick, J. A., & Weisberg, H. F. (1988). Liberal/conservative ideological structures in the mass public: A study of attitudes toward politicians and social groups. Paper presented at the American Political Science Association Annual Meeting, Washington, D.C.
- Krosnick, J. A. (1988). Government policy and citizen passion: A study of issue publics in contemporary America. Paper presented at the Shambaugh Conference on Communication, Cognition, Political Judgment, and Affect, Iowa City, Iowa.
- Berent, M. K., Krosnick, J. A., & Boninger, D. S. (1989). Attitude importance and the valanced recall of relevant information. Paper presented at the Midwest Psychological Association Annual Meeting, Chicago, Illinois.
- Betz, A., & Krosnick, J. A. (1989). Can people detect the affective tone of subliminally presented stimuli? Paper presented at the Midwest Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., & Berent, M. K. (1989). Age-related changes in peer and parental influence on heavy television viewing among children and adolescents. Paper presented at the Midwest Psychological Association Annual Meeting, Chicago, Illinois.
- Alwin, D. F., & Krosnick, J. A. (1989). The reliability of attitudinal survey data. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Petersburg, Florida.

- Krosnick, J. A. (1989). The implications of social psychological findings on compliance for recruiting survey respondents. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Petersburg, Florida.
- Telhami, S., & Krosnick, J. A. (1989). Public attitudes and American policy toward the Arab-Israeli conflict. Paper presented at the International Society of Political Psychology Annual Meeting, Israel.
- Krosnick, J. A., & Alwin, D. F. (1989). Symbolic versus non-symbolic political attitudes: Is there a distinction? Paper presented at the American Political Science Association Annual Meeting, Atlanta, Georgia.
- Krosnick, J. A. (1989). The impact of cognitive sophistication and attitude importance on response order effects and question order effects. Paper presented at the conference entitled Order effects in social and psychological research, Nags Head Conference Center, Kill Devil Hills, North Carolina.
- Krosnick, J. A. (1990). The impact of satisficing on survey data quality. Paper presented at the Annual Research Conference of the Bureau of the Census, U.S. Department of Commerce, Washington, D.C.
- Krosnick, J. A. (1990). New perspectives on survey questionnaire construction: Lessons from the cognitive revolution. Invited presentation at the 1990 Technical Conference of the United States General Accounting Office, College Park, Maryland.
- Krosnick, J. A. (1990). Americans' perceptions of presidential candidates: A test of the projection hypothesis. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., & Berent, M. K. (1990). The impact of verbal labeling of response alternatives and branching on attitude measurement reliability in surveys. Paper presented at the American Association for Public Opinion Research Annual Meeting, Lancaster, Pennsylvania.
- Krosnick, J. A., & Alwin, D. F. (1990). The stability of political preferences: Comparisons of symbolic and non-symbolic attitudes. Paper presented at the International Society of Political Psychology Annual Meeting, Washington, D. C.
- Krosnick, J. A. (1990). Confounding of attitude objects with attitude measurement techniques in studies of political attitude stability. Paper presented at the Summer Institute in Survey Research Techniques, University of Michigan.
- Fabrigar, L. R., & Krosnick, J. A. (1991). The effect of question order and attitude importance on the false consensus effect. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Berent, M. K., & Krosnick, J. A. (1991). Attitude measurement reliability: The impact of verbal labeling of response alternatives and branching. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Lehman, D. R., Krosnick, J. A., West, R. L., & Li, F. (1991). The focus of judgment effect: A question wording effect due to hypothesis confirmation bias. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Krosnick, J. A., Boninger, D. S., Chuang, Y. C., & Carnot, C. G. (1991). Attitude strength: One construct or many related constructs? Paper presented at the Nags Head Conference on Attitude Strength, Nags Head, North Carolina.

- Krosnick, J. A. (1991). Research on attitude importance: A summary and integration. Paper presented at the Nags Head Conference on Attitude Strength, Nags Head, North Carolina.
- Krosnick, J. A., & Berent, M. K. (1991). Memory for political information: The impact of attitude importance on selective exposure, selective elaboration, and selective recall. Paper presented at the Society for Experimental Social Psychology Annual Meeting, Columbus, Ohio.
- Krosnick, J. A., & Brannon, L. A. (1992). The impact of war on the ingredients of presidential evaluations: George Bush and the Gulf conflict. Paper presented at the Conference on the Political Consequences of War, The Brookings Institution, Washington, D.C.
- Berent, M. K., & Krosnick, J. A. (1992). The relation between attitude importance and knowledge structure. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- Smith, W. R., Culpepper, I. J., & Krosnick, J. A. (1992). The impact of question order on cognitive effort in survey responding. Paper presented at the Sixth National Conference on Undergraduate Research, University of Minnesota, Minneapolis, Minnesota.
- Krosnick, J. A., & Brannon, L. A. (1992). The impact of war on the ingredients of presidential evaluations: George Bush and the Gulf conflict. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Petersburg, Florida.
- Narayan, S. S., & Krosnick, J. A. (1992). Response effects in surveys as a function of cognitive sophistication. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Boninger, D. S., Krosnick, J. A., & Berent, M. K. (1992). Imagination, perceived likelihood, and self-interest: A path toward attitude importance. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Culpepper, I. J., Smith, W., & Krosnick, J. A. (1992). The impact of question order on satisficing in attitude surveys. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Berent, M. K., & Krosnick, J. A. (1992). Attitude importance, information accessibility, and attitude-relevant judgments. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., & Brannon, L. A. (1992). The impact of war on the ingredients of presidential evaluations: George Bush and the Gulf conflict. Paper presented at the International Society of Political Psychology Annual Meeting, San Francisco, California.
- Rahn, W. M., Krosnick, J. A., & Breuning, M. (1992). Rationalization and derivation processes in political candidate evaluation. Paper presented at the American Political Science Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., & Brannon, L. A. (1992). Effects of knowledge, interest, and exposure on news media priming effects: Surprising results from multivariate analysis. Paper presented at the Society for Experimental Social Psychology Annual Meeting, San Antonio, Texas.
- Berent, M. K., & Krosnick, J. A. (1993). Attitude importance and selective exposure to attitude-relevant information. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.

- Fabrigar, L. R., & Krosnick, J. A. (1993). The impact of personal and national importance judgments on political attitudes and behavior. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Miller, J. M., & Krosnick, J. A. (1993). The effects of candidate ballot order on election outcomes. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Narayan, S. S., & Krosnick, J. A. (1993). Questionnaire and respondents characteristics that cause satisficing in attitude surveys. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Narayan, S. S., & Krosnick, J. A. (1993). Response effects in surveys as a function of cognitive sophistication. Paper presented at the American Psychological Society Annual Meeting, Chicago, Illinois.
- Smith, W. R., & Krosnick, J. A. (1993). Need for cognition, prior thought, and satisficing in attitude surveys. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Smith, W. R., & Krosnick, J. A. (1993). Cognitive and motivational determinants of satisficing in surveys. Paper presented at the American Psychological Society Annual Meeting, Chicago, Illinois.
- Berent, M. K., & Krosnick, J. A. (1994). Attitude importance and selective exposure to attitude-relevant information. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- Fabrigar, L. R., & Krosnick, J. A. (1994). The impact of attitude importance on consistency among attitudes. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A. (1994). Survey methods and survey results: Overturning conventional wisdom. Paper presented to the American Marketing Association, Columbus Chapter.
- Krosnick, J. A., & Fabrigar, L. R. (1994). Attitude recall questions: Do they work? Paper presented at the American Association for Public Opinion Research Annual Meeting, Danvers, Massachusetts.
- Miller, J. M., & Krosnick, J. A. (1994). Does accessibility mediate agenda-setting and priming? Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Smith, W. R., & Krosnick, J. A. (1994). Sources of non-differentiation and mental coin-flipping in surveys: Tests of satisficing hypotheses. Paper presented at the American Association for Public Opinion Research Annual Meeting, Danvers, Massachusetts.
- Visser, P. S., & Krosnick, J. A. (1994). Mail surveys for election forecasting? An evaluation of the Columbus Dispatch Poll. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Visser, P. S., Krosnick, J. A., & Curtin, M. (1994). Mail surveys for election forecasting? Paper presented at the American Association for Public Opinion Research Annual Meeting, Danvers, Massachusetts.
- Krosnick, J. A., & Brannon, L. A. (1995). News media priming and the 1992 U.S. presidential election. Paper presented at the American Political Science Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., & Cornet, P. J. (1995). Attitude importance and attitude change revisited: Shifts in attitude stability and measurement reliability across a presidential election campaign. Paper presented at the American Psychological Society Annual Meeting, New York, New York.

- Krosnick, J. A., & Fabrigar, L. R. (1995). Designing rating scales for effective measurement in surveys. Invited address at the International Conference on Survey Measurement and Process Quality, Bristol, England.
- Krosnick, J. A., Narayan, S. S., & Smith, W. R. (1995). The causes of survey satisficing: Cognitive skills and motivational factors. Paper presented at the Midwest Association for Public Opinion Research, Chicago, Illinois.
- Miller, J. M., Fabrigar, L. R., & Krosnick, J. A. (1995). Contrasting attitude importance and collective issue importance: Attitude properties and consequences. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Miller, J. M., & Krosnick, J. A. (1995). Ballot order effects on election outcomes. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- Miller, J. M., & Krosnick, J. A. (1995). Mediators and moderators of news media priming: It ain't accessibility, folks. Paper presented at the International Society of Political Psychology Annual Meeting, Washington, D.C.
- Narayan, S. S., & Krosnick, J. A. (1995). Education moderates response effects in surveys. Paper presented at the American Association for Public Opinion Research Annual Meeting, Ft. Lauderdale, Florida.
- Smith, W. R., & Krosnick, J. A. (1995). Mental coin-flipping and non-differentiation in surveys: Tests of satisficing hypotheses. Invited address at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Visser, P. S., & Krosnick, J. A. (1995). The relation between age and susceptibility to attitude change: A new approach to an old question. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Visser, P. S., & Krosnick, J. A. (1995). Mail surveys win again: Some explanations for the superior accuracy of the Columbus Dispatch poll. Paper presented at the American Association for Public Opinion Research Annual Meeting, Ft. Lauderdale, Florida.
- Ankerbrand, A. L., Krosnick, J. A., Cacioppo, J. T., & Visser, P. S. (1996). Candidate assessments and evaluative space. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Bizer, G. Y., & Krosnick, J. A. (1996). Attitude accessibility and importance revisited. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A. (1996). Linking survey question structure to data quality: The impact of no-opinion options. Paper presented at the conference on "Quality Criteria in Survey Research," sponsored by the World Association for Public Opinion Research, Cadenabbia, Italy.
- Krosnick, J. A., & Brannon, L. A. (1996). News media priming during the 1992 U.S. presidential election campaign. Paper presented at the International Society of Political Psychology Annual Meeting, Vancouver, British Columbia.
- Miller, J. M., Fabrigar, L. R., & Krosnick, J. A. (1996). The roles of personal importance and national importance in motivating issue public membership. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.

- Miller, J. M., & Krosnick, J. A. (1996). Can issue public membership be triggered by the threat of a policy change? Paper presented at the International Society of Political Psychology Annual Meeting, Vancouver, British Columbia.
- Krosnick, J. A., & Visser, P. S. (1996). Changes in political attitude strength through the life cycle. Paper presented at the Society for Experimental Social Psychology Annual Meeting, Sturbridge, Massachusetts.
- Miller, J. M., & Krosnick, J. A. (1997). The impact of policy change threat on issue public membership. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- Ankerbrand, A. L., Krosnick, J. A., Cacioppo, J. T., Visser, P. S., & Gardner, W. (1997). Attitudes toward political candidates predict voter turnout. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Ankerbrand, A. L., & Krosnick, J. A. (1997). Response order effects in dichotomous questions: A social desirability explanation. Paper presented at the American Psychological Society Annual Meeting, Washington, DC.
- Krosnick, J. A. (1997). Miraculous accuracy in political surveys: The keys to success. Presentation in the Federation of Behavioral, Psychological, and Cognitive Sciences Seminar on Science and Public Policy, Library of Congress, Washington, D.C.
- Krosnick, J. A. (1997). Non-attitudes and no-opinion filters. Paper presented at the Conference on no opinion, instability, and change in public opinion research. University of Amsterdam, the Netherlands.
- Krosnick, J. A. (1997). Attitude strength. Paper presented at the Conference on no opinion, instability, and change in public opinion research. University of Amsterdam, the Netherlands.
- Bizer, G. Y., & Krosnick, J. A. (1998). The relation between attitude importance and attitude accessibility. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Holbrook, A., Krosnick, J. A., Carson, R. T., & Mitchell, R. C. (1998). Violating conversational conventions disrupts cognitive processing of survey questions. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Louis, Missouri.
- Krosnick, J. A. (1998). Applying stated preference methods to assessing the value of public goods. Paper presented at the National Oceanic and Atmospheric Administration Application of Stated Preference Methods to Resource Compensation Workshop, Washington, DC.
- Krosnick, J. A. (1998). Implications of psychological research on justice and compensation for handling of natural resource damage cases. Paper presented at the National Oceanic and Atmospheric Administration Application of Stated Preference Methods to Resource Compensation Workshop, Washington, DC.
- Krosnick, J. A. (1998). Acquiescence: How a standard practice in many survey organizations compromises data quality. Paper presented at the conference on "Quality Criteria in Survey Research," sponsored by the World Association for Public Opinion Research, Cadenabbia, Italy.
- Krosnick, J. A., Lacy, D., & Lowe, L. (1998). When is environmental damage Americans' most important problem? A test of agenda-setting vs. the issue-attention cycle. Paper presented at the International Society of Political Psychology Annual Meeting, Montreal, Quebec, Canada.

- Visser, P. S., Krosnick, J. A., Marquette, J., & Curtin, M. (1998). Improving election forecasting: Allocation of undecided respondents, identification of likely voters, and response order effects. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Louis, Missouri.
- Krosnick, J. A. (1998). The impact of science on public opinion: How people judge the national seriousness of global warming and form policy preferences. Paper presented at the American Political Science Association Annual Meeting, Boston, Massachusetts.
- Krosnick, J. A. (1998). Response choice order and attitude reports: New evidence on conversational conventions and information processing biases in voting and in election forecasting polls. Paper presented at the Society of Experimental Social Psychology Annual Meeting, Lexington, Kentucky.
- Krosnick, J. A. (1998). The impact of the Fall 1997 debate about global warming on American public opinion. Paper presented at Resources for the Future, Washington, D.C.
- Krosnick, J. A. (1998). What the American public believes about global warming: Results of a national longitudinal survey study. Paper presented at the Amoco Public and Government Affairs and Government Relations Meeting, Woodruff, Wisconsin.
- Krosnick, J. A. (1998). What the American public believes about global warming: Results of a national longitudinal survey study. Paper presented in the Second Annual Carnegie Lectures on Global Environmental Change, Carnegie Museum of Natural History, Pittsburgh, Pennsylvania.
- Green, M. C., & Krosnick, J. A. (1999). Survey satisficing: Telephone interviewing increases non-differentiation and no opinion responses. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Green, M. C., & Krosnick, J. A. (1999). Comparing telephone and face-to-face interviewing in terms of data quality: The 1982 National Election Studies Method Comparison Project. Paper presented at the Seventh Annual Conference on Health Survey Research Methods, Williamsburg, Virginia.
- Holbrook, A. L., Krosnick, J. A., Carson, R. T., & Mitchell, R. C. (1999). Violating conversational conventions disrupts cognitive processing of attitude questions. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Petersburg, Florida.
- Krosnick, J. A. (1999). What happens when survey respondents don't try very hard? The notion of survey satisficing. Paper presented at the National Center for Social Research, London, United Kingdom.
- Krosnick, J. A. (1999). Satisficing: A single explanation for a wide range of findings in the questionnaire design literature. Paper presented at Linking the Path: A Conference for Analysts, Researchers, and Consultants, sponsored by the Gallup Organization, Lincoln, Nebraska.
- Krosnick, J. A. (1999). Methodology for the NAOMS Survey. Presentation at the Workshop on the Concept of the National Aviation Operational Monitoring System (NAOMS), Sponsored by the National Aeronautics and Space Administration, Alexandria, Virginia.
- Krosnick, J. A. (1999). Refining measurement of public values for policy-making: A test of contingent valuation procedures. Paper presented at the American Political Science Association Annual Meeting, Atlanta, Georgia.
- Krosnick, J. A. (1999). The threat of satisficing in surveys: The shortcuts respondents take in answering questions. Paper presented at the National Center for Social Research Survey Methods Seminar on Survey Data Quality, London, England.

- Krosnick, J. A. (1999). Optimizing questionnaire design: How to maximise data quality. Paper presented at the National Center for Social Research Survey Methods Seminar on Survey Data Quality, London, England.
- Krosnick, J. A. (1999). The causes and consequences of no-opinion responses in surveys. Paper presented at the International Conference on Survey Nonresponse, Portland, Oregon.
- Miller, J. M., & Krosnick, J. A. (1999). The impact of threats and opportunities on political participation. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- O'Muircheartaigh, C., Krosnick, J. A., & Helic, A. (1999). Middle alternatives, acquiescence, and the quality of questionnaire data. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Petersburg, Florida.
- Bizer, G. Y., & Krosnick, J. A. (2000). The importance and accessibility of attitudes: Helping explain the structure of strength-related attitude attributes. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Holbrook, A. L., Krosnick, J. A., Visser, P. S., Gardner, W. L., & Cacioppo, J. T. (2000). The formation of attitudes toward presidential candidates and political parties: An asymmetric nonlinear process. Paper presented at the American Psychological Society Annual Meeting, Miami, Florida.
- Holbrook, A. L., Krosnick, J. A., Visser, P. S., Gardner, W. L., & Cacioppo, J. T. (2000). The formation of attitudes toward presidential candidates and political parties: An asymmetric, nonlinear, interactive process. Paper presented at the American Political Science Association Annual Meeting, Washington, D.C.
- Krosnick, J. A. (2000). Peering into the future of thinking and answering: A psychological perspective on internet survey respondents. Paper presented at *Survey Research: Past, Present, and Internet*, the 2000 Nebraska Symposium on Survey Research, University of Nebraska, Lincoln, Nebraska.
- Krosnick, J. A. (2000). The present and future of research on survey non-responses: Reflections on Portland '99 and beyond. Roundtable presentation at the American Association for Public Opinion Research Annual Meeting, Portland, Oregon.
- Holbrook, A. L., Krosnick, J. A., Moore, D. W., & Tourangeau, R. (2000). Response order effects in Gallup surveys: Linguistic structure and the impact of respondent ability, motivation, and task difficulty. Paper presented at the American Association for Public Opinion Research Annual Meeting, Portland, Oregon.
- Miller, J. M., Krosnick, J. A., & Lowe, L. (2000). The impact of policy change threat on financial contributions to interest groups. Paper presented at an invited conference, Political Participation: Building a Research Agenda, Center for the Study of Democratic Politics, Princeton University, Princeton, New Jersey.
- Miller, J. M., & Krosnick, J. A. (2000). Attitude change outside the laboratory: News media "priming" turns out not to be priming after all. Paper presented at the Society of Experimental Social Psychology Annual Meeting, Atlanta, Georgia.
- Saris, W., & Krosnick, J. A. (2000). The damaging effect of acquiescence response bias on answers to agree/disagree questions. Paper presented at the American Association for Public Opinion Research Annual Meeting, Portland, Oregon.
- Visser, P. S., & Krosnick, J. A. (2000). Exploring the distinct mechanisms through which strength-related attitude attributes confer resistance to attitude change. Paper presented at the Society for Personality and Social Psychology Annual Meeting, Nashville, Tennessee.

- Bizer, G. Y., & Krosnick, J. A. (2001). Need to evaluate and need for cognition predict political attitudes and behavior. Paper presented at the Midwestern Psychological Association, Chicago, Illinois.
- Krosnick, J. A. (2001). Who shapes public policy? Presentation made at the Annual Conference of the Ohio Farm Bureau Federation, Columbus, Ohio.
- Krosnick, J. A., & Bizer, G. Y. (2001). Exploring the structure of strength-related attitude features: The relation between attitude importance and attitude accessibility. Paper presented at the Society for Personality and Social Psychology Annual Meeting, San Antonio, Texas.
- Krosnick, J. A., Visser, P. S., & Holbrook, A. L. (2001). Real-time attitude change outside the laboratory: The case of the 1997 national debate on global warming. Paper presented at the Society for Personality and Social Psychology Annual Meeting, San Antonio, Texas.
- Krosnick, J. A., & Miller, J. M. (2001). An unrecognized need for ballot reform: Effects of candidate name order. Paper presented at the conference entitled Election Reform: 2000 and Beyond, sponsored by the USC-Caltech Center for the Study of Law and Politics and the Jesse M. Unruh Institute of Politics, University of Southern California, Los Angeles, California.
- Miller, J. M., & Krosnick, J. A. (2001). What motivates political cognition and behavior? Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- Green, M. C., Krosnick, J. A., & Holbrook, A. L. (2001). Experimental comparisons of the quality of data obtained from face-to-face and telephone surveys. Paper presented at the American Association for Public Opinion Research Annual Meeting, Montreal, Canada.
- Silver, M. D., & Krosnick, J. A. (2001). An experimental comparison of the quality of data obtained in telephone and self-administered mailed surveys with a listed sample. Paper presented at the American Association for Public Opinion Research Annual Meeting, Montreal, Canada.
- Chang, L., & Krosnick, J. A. (2001). The representativeness of national samples: Comparisons of an RDD telephone survey with matched Internet surveys by Harris Interactive and Knowledge Networks. Paper presented at the American Association for Public Opinion Research Annual Meeting, Montreal, Canada.
- Chang, L., & Krosnick, J. A. (2001). The accuracy of self-reports: Comparisons of an RDD telephone survey with Internet Surveys by Harris Interactive and Knowledge Networks. Paper presented at the American Association for Public Opinion Research Annual Meeting, Montreal, Canada.
- O'Muircheartaigh, C., & Krosnick, J. A. (2001). A cross-national comparison of middle alternatives, acquiescence, and the quality of questionnaire data. Paper presented at the American Association for Public Opinion Research Annual Meeting, Montreal, Canada.
- Marquette, J., Green, J., & Krosnick, J. A. (2001). Experimental analysis of the accuracy of pre-election vote choice reports. Paper presented at the American Association for Public Opinion Research Annual Meeting, Montreal, Canada.
- Holbrook, A. L., Krosnick, J. A., Carson, R. T., & Mitchell, R. C. (2001). Violating conversational conventions disrupts cognitive processing of attitude questions. Paper presented at the 2001 Fifth Tri-Annual UC Berkeley Invitational Choice Symposium, Pacific Grove, California.
- Krosnick, J. A. (2001). Americans' perceptions of the health risks of cigarette smoking: A new opportunity for public education. Paper presented at the invited conference "Survey Research on Household

Expectations and Preferences,” Institute for Social Research, University of Michigan, Ann Arbor, Michigan.

- McCready, W., Skitka, L., & Krosnick, J. A. (2001). Using a web-enabled national panel to conduct social psychological experiments. Workshop presented at the Society of Experimental Social Psychology Annual Meeting, Spokane, Washington.
- Krosnick, J. A., Courser, M., Mulligan, K., & Chang, L. (2001). Exploring the determinants of vote choices in the 2000 Presidential election: Longitudinal analyses to document causality. Paper presented at the American Political Science Association Annual Meeting, San Francisco, California.
- Silver, M. D., & Krosnick, J. A. (2001). Optimizing survey measurement accuracy by matching question design to respondent memory organization. Paper presented at the Federal Committee on Statistical Methodology Research Conference, Arlington, Virginia.
- Krosnick, J. A., Courser, M., Mulligan, K., & Chang, L. (2002). Exploring the causes of vote choice in the 2000 Presidential election: Longitudinal analyses to document the causal determinants of candidate preferences. Paper presented at a conference entitled “Assessing the Vitality of Electoral Democracy in the U.S.: The 2000 Election,” The Mershon Center, Ohio State University, Columbus, Ohio.
- Miller, J. M., & Krosnick, J. A. (2002). Mediators and moderators of news media agenda-setting. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- Shaeffer, E. M., Krosnick, J. A., & Holbrook, A. L. (2002). Assessing the efficacy of object rankings following ratings. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Lampron, S., Krosnick, J. A., Petty, R. E., & See, M. (2002). Self-interest, values, involvement, and susceptibility to attitude change. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A. (2002). Comments on Baruch Fischhoff’s “Environmental Risk: What’s Worth Knowing – and Saying?” Paper presented at the 2nd Annual Public Policy Symposium, “Responding to Contemporary Environmental Risks.” Sponsored by the Ohio State University Environmental Policy Initiative, Fischer College of Business, Ohio State University, Columbus, Ohio.
- Thomas, R. K., Uldall, B. R., & Krosnick, J. A. (2002). More is not necessarily better: Effects of response categories on measurement stability and validity. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Petersburg, Florida.
- Uldall, B. R., Thomas, R. K., & Krosnick, J. A. (2002). Reliability and validity of web-based surveys: Effects of response modality, item format, and number of categories. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Petersburg, Florida.
- Shook, N., Krosnick, J. A., & Thomas, R. K. (2002). Following the storm: Public opinion changes and political reactions in surveys. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Petersburg, Florida.
- Chang, L., & Krosnick, J. A. (2002). Comparing self-administered computer surveys and auditory interviews: An experiment. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Petersburg, Florida.

- Silver, M. D., & Krosnick, J. A. (2002). Optimizing survey measurement accuracy by matching question design to respondent memory organization. Paper presented at the American Association for Public Opinion Research Annual Meeting, St. Petersburg, Florida.
- Krosnick, J. A., Visser, P. S., Holbrook, A. L., & Berent, M. K. (2002). Challenging the common-factor model of strength-related attitude attributes: Contrasting the antecedents and consequences of attitude importance and attitude-relevant knowledge. Paper presented at the General Meeting of the European Association of Experimental Social Psychology, San Sebastian, Spain.
- Krosnick, J. A., Miller, J. M., & Tichy, M. P. (2002). An unrecognized need for ballot reform: Effects of candidate name order. Paper presented at the International Society for Political Psychology Annual Meeting, Berlin, Germany.
- Chang, L., & Krosnick, J. A. (2002). RDD telephone vs. Internet survey methodology for studying American presidential elections: Comparing sample representativeness and response quality. Paper presented at the American Political Science Association Annual Meeting, Boston, Massachusetts.
- Bizer, G. Y., Krosnick, J. A., Holbrook, A. L., Petty, R. E., Rucker, D. D., & Wheeler, S. C. (2002). The impact of personality on electoral behavior and cognition: A study of need for cognition and need to evaluate. Paper presented at the American Political Science Association Annual Meeting, Boston, Massachusetts.
- Krosnick, J. A., Visser, P. S., & Holbrook, A. L. (2002). Social psychology under the microscope: Do classic experiments replicate when participants are representative of the general public rather than convenience samples of college students? Paper presented at the Society of Experimental Social Psychology Annual Meeting, Columbus, Ohio.
- Visser, P. S., Krosnick, J. A., Simmons, J. (2002). Distinguishing the cognitive and behavioral consequences of attitude importance and certainty. Paper presented at the Society of Experimental Social Psychology Annual Meeting, Columbus, Ohio.
- Chang, L., & Krosnick, J. A. (2002). RDD telephone vs. Internet survey methodology for studying American presidential elections: Comparing sample representativeness and response quality. Invited presentation at Westat, Rockville, Maryland.
- Chang, L., & Krosnick, J. A. (2002). Comparing the quality of data obtained from telephone and Internet surveys: Field and laboratory experiments. Invited paper presented at the FCSM Statistical Policy Seminar "Challenges to the Federal Statistical System in Fostering Access to Statistics." Bethesda, Maryland.
- Lampron, S. F., Krosnick, J. A., Shaeffer, E., Petty, R. E., & See, M. (2003). Different types of involvement moderate persuasion (somewhat) differently: Contrasting outcome-based and value-based involvement. Paper presented at the Society for Personality and Social Psychology Annual Meeting, Los Angeles, California.
- Visser, P. S., & Krosnick, J. A. (2003). Attitude strength: New insights from a life-course development perspective. Paper presented at the Society for Personality and Social Psychology Annual Meeting, Los Angeles, California.
- Krosnick, J. A. (2003). Basic methodological work for and in repeated cross-sectional and longitudinal surveys: A few thoughts. Paper presented at the National Science Foundation Workshop on Repeated Cross-sectional and Longitudinal Surveys, Arlington, Virginia.

- Pfent, A. M., & Krosnick, J. A. (2003). Rationalization of presidential candidate preferences. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Holbrook, A. L., & Krosnick, J. A. (2003). Meta-psychological and operative measures of psychological constructs: The same or different? Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A., Visser, P. S., & Holbrook, A. L. (2003). Social psychology under the microscope: Do classic experiments replicate when participants are representative of the general public rather than convenience samples of college students? Invited presentation at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Saris, W. E., Krosnick, J. A., & Shaeffer, E. M. (2003). Comparing the quality of agree/disagree and balanced forced choice questions via an MTMM experiment. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Anand, S., & Krosnick, J. A. (2003). Satisficing in attitude surveys: The impact of cognitive skills and motivation on response effects. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.
- Bizer, G. Y., Krosnick, J. A., Holbrook, A. L., Petty, R. E., Rucker, D. D., & Wheeler, S. C. (2003). The impact of personality on political beliefs, attitudes, and behavior: Need for cognition and need to evaluate. Paper presented at the American Psychological Society Annual Meeting, Atlanta, Georgia.
- Holbrook, A. L., Pfent, A., & Krosnick, J. A. (2003). Response rates in recent surveys conducted by non-profits and commercial survey agencies and the news media. Paper presented at the American Association for Public Opinion Research Annual Meeting, Nashville, Tennessee.
- Shaeffer, E. M., Langer, G. E., Merkle, D. M., & Krosnick, J. A. (2003). A comparison of minimal balanced and fully balanced forced choice items. Paper presented at the American Association for Public Opinion Research Annual Meeting, Nashville, Tennessee.
- Pfent, A., Krosnick, J. A., & Courser, M. (2003). Rationalization and derivation processes in presidential elections: New evidence about the determinants of citizens' vote choices. Paper presented at the American Association for Public Opinion Research Annual Meeting, Nashville, Tennessee.
- Krosnick, J. A., Visser, P. S., & Holbrook, A. L. (2003). How to conceptualize attitude strength and how to measure it in surveys: Psychological perspectives. Paper presented at the American Association for Public Opinion Research Annual Meeting, Nashville, Tennessee.
- Chang, L., & Krosnick, J. A. (2003). Comparing data quality in telephone and internet surveys: Results of lab and field experiments. Invited paper presented at the American Statistical Association Annual Meetings, San Francisco, California.
- Pfent, A., & Krosnick, J. A. (2003). Post-decisional dissonance reduction by a new method: Rationalization of political candidate choices illuminates the basic dynamics of decision-making. Paper presented at the Society of Experimental Social Psychology Annual Meeting, Boston, Massachusetts.
- Krosnick, J. A., & Fabrigar, L. R. (2003). "Don't know" and "no opinion" responses: What they mean, why they occur, and how to discourage them. Invited paper presented at the Basel Workshop on Item Non-response and Data Quality in Large Social Surveys, University of Basel, Basel, Switzerland.
- Krosnick, J. A. (2003). Comments on theories of persuasion. Invited discussant at the conference entitled "Integrating Message Effects and Behavior Change Theories in Cancer Prevention, Treatment, and

Care,” Annenberg Public Policy Center, Annenberg School for Communication, University of Pennsylvania, Philadelphia, Pennsylvania.

- Krosnick, J. A. (2003). Survey methodology – scientific basis. Presentation at the National Aviation Operations Monitoring Service Working Group Meeting #1, Seattle, Washington.
- Krosnick, J. A. (2003). Survey methodology – NAOMS design decisions. Presentation at the National Aviation Operations Monitoring Service Working Group Meeting #1, Seattle, Washington.
- Krosnick, J. A. (2004). Survey methodology – scientific basis. Presentation at the National Transportation Safety Board, Washington, DC.
- Krosnick, J. A. (2004). Survey methodology – NAOMS design decisions. Presentation at the National Transportation Safety Board, Washington, DC.
- Krosnick, J. A. (2004). Public uses of the news media. Presentation as a part of the symposium “Politics and the media,” Social Sciences Resource Center, Stanford Libraries, Stanford University, Stanford, CA.
- Krosnick, J. A. (2004). Peering into the minds of respondents: The cognitive and social processes underlying answers to survey questions. Invited keynote lecture at the International Symposium in Honour of Paul Lazarsfeld, Katholieke Universiteit Leuven (Belgium).
- Krosnick, J. A., Shook, N., & Thomas, R. K. (2004). Public opinion change in the aftermath of 9/11. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Holbrook, A. L., & Krosnick, J. A. (2004). Vote over-reporting: A test of the social desirability hypothesis. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Chang, L., & Krosnick, J. A. (2004). Assessing the accuracy of event rate estimates from national surveys. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Shaeffer, E. M., Lampron, S. F., Krosnick, J. A., Tompson, T. N., Visser, P. S., & Hanemann, W. M. (2004). A comparison of open vs. closed survey questions for valuing environmental goods. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Holbrook, A. L., Berent, M. K., Krosnick, J. A., Visser, P. S., & Boninger, D. S. (2004). Attitude importance and the accumulation of attitude-relevant knowledge in memory. Paper presented at the American Political Science Association Annual Meeting, Chicago, Illinois.
- Chang, L., & Krosnick, J. A. (2004). Measuring the frequency of regular behaviors: Comparing the ‘typical week’ to the ‘past week.’ Paper presented at the American Political Science Association Annual Meeting, Chicago, Illinois.
- Krosnick, J. A. (2004). What do Americans want government to do about global warming? Evidence from national surveys. Invited presentation at the “Workshop on Global Warming: The Psychology of Long Term Risk,” Cooperative Institute for Climate Science, Woodrow Wilson School of Public and International Affairs, Princeton University, Princeton, New Jersey.
- Krosnick, J. A., & Malhotra, N. (2004). The causes of vote choice in the 2004 American Presidential Election: Insights from the 2004 YouGov surveys. Paper presented at the conference “The 2004 American Presidential Election: Voter Decision-Making in a Complex World,” Stanford University, Stanford, California.

- Krosnick, J. A., Visser, P. S., & Holbrook, A. L. (2004). The impact of social psychological manipulations embedded in surveys on special populations. Paper presented at the Pacific Chapter of the American Association for Public Opinion Research Annual Meeting, San Francisco, California.
- Krosnick, J. A. (2005). The future of the American National Election Studies. Roundtable: The political psychology of surveys. Paper presented at the Midwestern Political Science Association Annual Meeting, Chicago, Illinois.
- Malhotra, N., & Krosnick, J. A. (2005). What motivated Americans' views of the candidates and vote preferences across the 2004 presidential campaign? Paper presented at the American Association for Public Opinion Research Annual Meeting, Miami, Florida.
- Garland, P., Krosnick, J. A., & Clark, H. H. (2005). Does question wording sometimes send unintended signals about expected answers? Paper presented at the American Association for Public Opinion Research Annual Meeting, Miami, Florida.
- Callegaro, M., De Keulenaer, F., Krosnick, J. A., & Daves, R. (2005). Interviewer effects in an RDD telephone pre-election poll in Minneapolis 2001: An analysis of the effects of interviewer race and gender. Paper presented at the American Association for Public Opinion Research Annual Meeting, Miami, Florida.
- Krosnick, J. A., & Rivers, D. (2005). Web survey methodologies: A comparison of survey accuracy. Paper presented at the American Association for Public Opinion Research Annual Meeting, Miami, Florida.
- Krosnick, J. A., & Rivers, D. (2005). Comparing major survey firms in terms of survey satisficing: Telephone and internet data collection. Paper presented at the American Association for Public Opinion Research Annual Meeting, Miami, Florida.
- Holbrook, A. L., & Krosnick, J. A. (2005). Vote over-reporting: Testing the social desirability hypothesis in telephone and internet surveys. Paper presented at the American Association for Public Opinion Research Annual Meeting, Miami, Florida.
- Anand, S., Krosnick, J. A., Mulligan, K., Smith, W., Green, M., & Bizer, G. (2005). Effects of respondent motivation and task difficulty on nondifferentiation in ratings: A test of satisficing theory predictions. Paper presented at the American Association for Public Opinion Research Annual Meeting, Miami, Florida.
- Krosnick, J. A. (2005). Thought piece on survey participation. Paper presented at the conference entitled "New Approaches to Understanding Participation in Surveys," Belmont Conference Center, Elkridge, Maryland.
- Malhotra, N., & Krosnick, J. A. (2005). Pilot test of new procedures for identifying new and emerging occupations and their places in the SOC: A study of biotechnology. Paper presented at the U.S. Bureau of Labor Statistics, Washington, DC.
- Holbrook, A. L., & Krosnick, J. A. (2005). Do survey respondents intentionally lie and claim that they voted when they did not? New evidence using the list and randomized response techniques. Paper presented at the American Political Science Association Annual Meeting, Washington, DC.
- Malhotra, N., & Krosnick, J. A. (2005). The determinants of vote choice in the 2004 U.S. Presidential Election. Paper presented at the American Political Science Association Annual Meeting, Washington, DC.

- Krosnick, J. A. (2005). Effects of survey data collection mode on response quality: Implications for mixing modes in cross-national studies. Paper presented at the conference "Mixed Mode Data Collection in Comparative Social Surveys," City University, London, United Kingdom.
- Krosnick, J. A., & Malhotra, N. (2006). The impact of presidential job performance assessments on vote choices in 2004. Paper presented at the conference "The Wartime Election of 2004," Ohio State University, Columbus, Ohio.
- Rabinowitz, J. L. & Krosnick, J. A. (2006). Investigating the discriminant validity of symbolic racism. Paper presented at the annual meeting of the Society for Personality and Social Psychology, Palm Springs, California.
- Krosnick, J. A. (2006). An evaluation framework: Total survey error in research practice. Paper presented at the Survey Methods Symposium sponsored by Central Market Research and Insights, Microsoft, Redmond, Washington.
- Krosnick, J. A. (2006). Data quality from phone vs. internet surveys. Paper presented at the Survey Methods Symposium sponsored by Central Market Research and Insights, Microsoft, Redmond, Washington.
- Krosnick, J. A. (2006). The distinguishing characteristics of frequent survey participants. Paper presented at the annual meeting of the Midwest Political Science Association, Chicago, Illinois.
- Krosnick, J. A. (2006). An overview of the mission of the American National Election Studies. Presentation at the annual meeting of the Midwest Political Science Association, Chicago, Illinois.
- Krosnick, J. A. (2006). The use of the internet in valuation surveys. Presentation at the workshop "Morbidity and Mortality: How Do We Value the Risk of Illness and Death?", sponsored by the U.S. Environmental Protection Agency, the National Center for Environmental Research, and the National Council on Economic Education, Washington, DC.
- Krosnick, J. A. (2006). What the American public thinks about climate change: Findings from a new Stanford/ABC/Time Magazine Survey. Presentation at the "California Climate Change Policy Workshop," sponsored by the Woods Institute for the Environment, California State Capital Building, Sacramento, California.
- Holbrook, A. L., & Krosnick, J. A. (2006). Vote over-reporting: A test of the social desirability hypothesis. Paper presented at the American Psychological Association Annual Meeting, New Orleans, Louisiana.
- Bannon, B., Krosnick, J. A., & Brannon, L. (2006). News media priming: Derivation or rationalization? Paper presented at the American Political Science Annual Meeting, Philadelphia, Pennsylvania.
- Malhotra, N., Krosnick, J. S., & Thomas, R. (2006). The effect of polls on political behavior. Paper presented at the American Political Science Annual Meeting, Philadelphia, Pennsylvania.
- Krosnick, J. A. (2006). Doing social psychology that's relevant and valued and valuable. Paper presented at the Society of Experimental Social Psychology Annual Meeting, Philadelphia, Pennsylvania.
- Krosnick, J. A. (2006). Overview of the American National Election Studies: Lessons learned about the causes of voter turnout and candidate choice. Paper presented at the conference "The Psychology of Voting and Election Campaigns," Social Science Research Institute, Duke University, Durham, North Carolina.

- Krosnick, J. A. (2006). What Americans really think about climate change. Presentation to the Stanford Women's Club of the East Bay, Contra Costa County Library, Orinda, California.
- Krosnick, J. A. (2006). The impact of survey mode and the merging of face-to-face recruitment with Internet data collection. Paper presented at the 2006 Federal Committee on Statistical Methodology Statistical Policy Seminar, "Keeping Current: What We Know – What We Need to Learn." Washington, DC.
- Krosnick, J. A. (2006). Comparisons of the accuracy of information obtained by face-to-face, telephone, internet, and paper and pencil data collection. Paper presented at the Pacific Chapter of the American Association for Public Opinion Research Annual Meeting, San Francisco, California.
- Bizer, G. Y., Krosnick, J. A., Holbrook, A. L., Wheeler, S. C., Rucker, D. D., & Petty, R. E. (2007). The impact of personality on political beliefs, attitudes, and behavior: Need for cognition and need to evaluate. Paper presented at the Society for Personality and Social Psychology Annual Meeting, Memphis, Tennessee.
- Sargent, M. J., Rabinowitz, J., Shull, A., & Krosnick, J. A. (2007). Support for government efforts to promote racial equality: Effects of antigroup affect and perceptions of value violation. Paper presented at the Society for Personality and Social Psychology Annual Meeting, Memphis, Tennessee.
- Krosnick, J. A. (2007). Americans' beliefs about global climate change: New national survey findings. Paper presented at the American Association for the Advancement of Science Annual Meeting, San Francisco, California.
- Krosnick, J. A. (2007). Comparisons of survey modes and a new hybrid. Paper presented at the American Association for the Advancement of Science Annual Meeting, San Francisco, California.
- Garland, P., & Krosnick, J. A. (2007). The impact of race on evaluations of artistic products: Evidence of 'ownership' bias among prejudiced whites. Paper presented at the National Conference of Black Political Scientists, Burlingame, California.
- Lupia, A., & Krosnick, J. A. (2007). Remaking the American National Election Studies. Paper presented at the National Conference of Black Political Scientists, Burlingame, California.
- Krosnick, J. A. (2007). What Americans really think about climate change: Attitude formation and change in response to a raging scientific controversy. Presentation sponsored by the California Research Bureau at the California State House, Sacramento, California.
- Harbridge, L., & Krosnick, J. A. (2007). Presidential approval and gas prices: The Bush presidency in historical context. Paper presented at the American Association for Public Opinion Research annual meeting, Garden Grove, California.
- Krosnick, J. A., & Smith, T. (2007). Proposing questionnaire design experiments for the General Social Survey. Paper presented at the American Association for Public Opinion Research annual meeting, Garden Grove, California.
- Cote, F., Tahk, A., & Krosnick, J. A. (2007). Comparing the validity of public predictions of changes in the economy: RDD telephone data vs. volunteer samples completing paper and pencil questionnaires. Paper presented at the American Association for Public Opinion Research annual meeting, Garden Grove, California.

- Schneider, D., Krosnick, J. A., & Ophir, E. (2007). Ballot order effects in California from 1976 to 2006. Paper presented at the American Association for Public Opinion Research annual meeting, Garden Grove, California.
- O'Muircheartaigh, C., Krosnick, J. A., & Dennis, J. M. (2007). Face-to-face recruitment of an Internet survey panel: Lessons from an NSF-sponsored demonstration project. Paper presented at the American Association for Public Opinion Research annual meeting, Garden Grove, California.
- Malhotra, N., & Krosnick, J. A. (2007). The effect of survey mode and sampling on inferences about political attitudes and behavior: Comparing the 2000 and 2004 ANES to Internet surveys with non-probability samples. Paper presented at the American Association for Public Opinion Research annual meeting, Garden Grove, California.
- Krosnick, J. A., Malhotra, N., & Miller, L. (2007). Survey mode in the 21st Century: Probability vs. non-probability samples of a nation's population. Paper presented at the conference entitled "Cyberinfrastructure and National Election Studies: The Wivenhoe House Conference." University of Essex, Colchester, UK.
- Pasek, J., & Krosnick, J. A. (2007). Trends over time in America: Probability/telephone vs. non-probability/internet. Paper presented at the conference entitled "Cyberinfrastructure and National Election Studies: The Wivenhoe House Conference." University of Essex, Colchester, UK.
- Krosnick, J. A. (2007). Methods and results from the New Scientist Survey on Climate Change Policy. Presentation at the National Press Club, Washington, DC.
- Krosnick, J. A. (2007). The ANES Recompetition and its Implications for the GSS recompetition. Presentation at the American Sociological Association annual meeting, New York, New York.
- Harder, J., & Krosnick, J. A., (2007). Causes of voter turnout: A social psychological perspective. Paper presented at the American Psychological Association annual meeting, San Francisco, California.
- Schneider, D., Berent, M. K., Thomas, R., & Krosnick, J. A. (2007). Measuring customer satisfaction and loyalty: Improving the 'net promoter' score. Paper presented at the World Association for Public Opinion Research annual meeting, Berlin, Germany.
- Cobb, C., & Krosnick, J. A. (2007). The impact of postdoc appointments on science and engineering career outcomes and job satisfaction. Paper presented at the conference "Using Human Resource Data", Science Resources Statistics Workshop, Washington, DC.
- Krosnick, J. A. (2007). Some of the lessons learned from analyses of data from the American National Election Studies. Presentation at a conference facilitating learning about the American National Election Studies by leading news media pollsters. Gallup World Headquarters, Washington, DC.
- Berent, M. K., & Krosnick, J. A. (2007). For example ... How different cue types in survey questions influence frequency. Pacific Association for Public Opinion Research, San Francisco, California.
- Schneider, D., Krosnick, J. A., Ofir, E., Milligan, C., Tahk, A. (2008). The psychology of voting: How and why the order of candidate names on the ballot and election laws influence election outcomes. Society for Personality and Social Psychology annual meeting, Albuquerque, New Mexico.
- Saller, R., & Krosnick, J. A. (2008). Modern democracy and the Roman Empire: Ancient perspectives on the 2008 elections. The Claremont Hotel, Berkeley, California.

- Pasek, J., & Krosnick, J. A. (2008). Marketing of political candidates and voter choice. Paper presented at the Association for Consumer Research Annual Meeting, San Francisco, California.
- Breent, M. K., & Krosnick, J. A. (2008). For example ... How different example types in online surveys influence frequency estimates. Paper presented at the General Online Research 2008 Conference, Hamburg, Germany.
- Bowen, K., Visser, P., Krosnick, J. A., & Anand, S. (2008). Embedded attitudes: How social network features regulate individual-level attitude strength. Paper presented at the Association for Psychological Science Annual Meeting, Chicago, Illinois.
- Pasek, J., DeBell, M., & Krosnick, J. A. (2008). Measuring voters' values in the American National Election Studies. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- Malhotra, N., Yee, N., Krosnick, J. A., Scott, A., Thomas, R. K., Anand, S., & Chang, L. (2008). Response order effects in rating scales. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- Berent, M., & Krosnick, J. A. (2008). "For example": How different example types in online surveys influence frequency estimates. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- Blocksom, D. T., Schneider, D., & Krosnick, J. A. (2008). Moderators of the name-order effect: The 2004 Presidential Election in Ohio. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- Holbrook, A. L., & Krosnick, J. A. (2008). Results of the 2008 ANES voter turnout experiment. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- Schneider, D., Berent, M. K., Thomas, R. K., & Krosnick, J. A. (2008). Measuring customer satisfaction and loyalty: improving the 'net-promoter' score. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- Wang, R., & Krosnick, J. A. (2008). Comparing the results of probability and non-probability telephone and internet survey data. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- Malhotra, N., & Krosnick, J. A. Perceptions of mass opinion and voting in presidential primaries. Paper presented at the American Political Science Association Annual Meeting, Boston, Massachusetts.
- Krosnick, J. A., Yeager, D., & Wang, R. (2008). The validity of political surveys with non-probability samples of respondents who volunteer to answer questions for money. Paper presented at the American Political Science Association Annual Meeting, Boston, Massachusetts.
- Pasek, J. M., & Krosnick, J. A. (2008). Studying trends in public opinion over time with probability sample surveys and surveys of people who volunteer to do surveys for money. Paper presented at the American Political Science Association Annual Meeting, Boston, Massachusetts.
- Thomas, R. K., & Krosnick, J. A. (2008). Number of response categories and scale compression: Effects on validity and reliability. Paper presented at the Seventh International Conference on Social Science Methodology – RC33 – Logic and Methodology in Sociology, Naples, Italy.

- Malka, A., & Krosnick, J. A. (2009). Conservative-liberal self-label and responsiveness to ideological cues. Paper presented at the Society for Personal and Social Psychology Annual Meeting, Tampa, Florida.
- Cobb, C., & Krosnick, J. A. (2009). Experimental test of the accuracy of proxy reports compared to target report with third-party validity. Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Yeager, D., & Krosnick, J. A. (2009). Does weighting improve the accuracy of data from non-probability internet survey panels of people who volunteer to do surveys for money? Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Payne, K., Lelkes, Y., Krosnick, J. A., Akhtar, O., Pasek, J., & Tompson, T. (2009). The effect of implicit prejudice on vote choice during the 2008 Presidential election: Insights from the Associated Press-Yahoo! News-Stanford University study. Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Pasek, J., Krosnick, J. A., Akhtar, O., Lelkes, Y., Payne, K., & Tompson, T. (2009). A new approach to simultaneous modeling of the causes of turnout and candidate choice with data collected before elections: Insights from the Associated Press-Yahoo! News-Stanford University study. Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Yeager, D., & Krosnick, J. A. (2009). Comparison study of probability and non-probability sample surveys conducted by Internet and face to face. Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- DeBell, M., Krosnick, J. A., Malka, A., Ackermann, A., & Turakhia, C. (2009). Assessing the FFISP's representative of the American adult population. Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Krosnick, J. A., Ackermann, A., DeBell, M., Malka, A., & Turakhia, C. (2009). A comparison of behavioral and attitudinal findings from the FFISP with those of major national surveys. Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Ackermann, A., Krosnick, J. A., Turakhia, C., DeBell, M., Malka, A., & Jarmon, R. (2009). Lessons learned about how to accomplish effective in-person recruitment of a web-equipped survey panel. Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Sakshaug, J., Tourangeau, R., Krosnick, J. A., Ackerman, A., Malka, A., DeBell, M., & Turakhia, C. (2009). Dispositions and outcome rates in the Face-to-face Internet Survey Platform (the FFISP). Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Lelkes, Y., Krosnick, J. A., Akhtar, O., Pasek, J., & Tompson, T., & Payne, K. (2009). An exploration of the forces driving vote choices in the 2008 American Presidential Election: Insights from the Associated Press-Yahoo! News-Stanford University study. Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Light, A. E., Visser, P. S., Krosnick, J. A., & Anand, S. (2009). Variability without and within: Self-concept clarity and varied social networks. Paper presented at the Midwestern Psychological Association Annual Meeting, Chicago, Illinois.

- Krosnick, J. A., Ackermann, A., Malka, A., Yeager, D., Sakshaug, J., Tourangeau, R., DeBell, M., & Turakhia, C. (2009). Creating the face-to-face recruited internet survey platform (FFRISP). Paper presented at the Third Annual Workshop on Measurement and Experimentation with Internet Panels: Innovative Features of Internet Interviewing, Santpoort Noord, the Netherlands.
- Krosnick, J. A., Achermann, A., Malka, A., Yeager, D., Sakshaug, J., Tourangeau, R., DeBell, M., & Turakhia, C. (2009). Creation of a new representative sample Internet survey panel via face-to-face recruitment and providing free computers to all respondents: Evaluation of the FFISP. Paper presented at the American Political Science Association Annual Meeting, Toronto, Canada.
- Krosnick, J. A., Pasek, J., Tahk, A., Lelkes, Y., Payne, K., Tompson, T., & Akhtar, O. (2009). The 2008 American Presidential election: An exploration of the forces driving vote choices. Paper presented at the American Political Science Association Annual Meeting, Toronto, Canada.
- Krosnick, J. A., Lupia, A., & DeBell, M. (2009). The activities of the American National Election Studies. Paper presented at the American Political Science Association Annual Meeting, Toronto, Canada.
- Yeager, D., Krosnick, J. A., Holbrook, A. L., & Visser, P. S. (2010). Pulling social psychology out of the laboratory, kicking and screaming. Paper presented at the Society for Personality and Social Psychology Annual Meeting, Las Vegas, Nevada.
- Gross, W., & Krosnick, J. A. (2010). Issue publics and candidate evaluations: Explaining inconsistent results in the moderation of issue agreement by individual issue importance. Paper presented at the Midwest Political Science Association Annual Meetings, Chicago, Illinois.
- Gross, W., Kropko, J., Krosnick, J. A., Macdonald, S. E., & Rabinowitz, G. (2010). The influence of personal importance in issue voting models. Paper presented at the Midwest Political Science Association Annual Meetings, Chicago, Illinois.
- Kim, N., & Krosnick, J. A. (2010). Moderators of candidate name order effects. Paper presented at the American Association for Public Opinion Research Annual Conference, Chicago, Illinois.
- DeBell, M., Villar, A., & Krosnick, J. A. (2010). Measuring the number of land line and cellular telephones used for voice calls in households to properly weight RDD surveys for unequal probability of selection. Paper presented at the American Association for Public Opinion Research Annual Conference, Chicago, Illinois.
- Pasek, J., DeBell, M., & Krosnick, J. A. (2010). Toward a standardization of survey weights: The American National Election Studies weighting system. Paper presented at the American Association for Public Opinion Research Annual Conference, Chicago, Illinois.
- Lelkes, Y., Krosnick, J. A., Marx, D. M., Judd, C. M., & Park, B. (2010). Unmotivated anonymity: Social desirability, accuracy, and satisficing under conditions of anonymity. Paper presented at the American Association for Public Opinion Research Annual Conference, Chicago, Illinois.
- Sood, G., Krosnick, J. A., & DeBell, M. (2010). Differences between confidentially and orally administered overt racism measures: Evidence from the 2008 ANES. Paper presented at the American Association for Public Opinion Research Annual Conference, Chicago, Illinois.
- Tompson, T., Krosnick, J. A., Junius, D., & Pasek, J. (2010). Support for health care reform: It all depends on how you ask the question. Paper presented at the American Association for Public Opinion Research Annual Conference, Chicago, Illinois.

- Pasek, J., Tompson, T., & Krosnick, J. A. (2010). Who supports health care reform? Explaining the determinants of support for various health care reforms. Paper presented at the American Association for Public Opinion Research Annual Conference, Chicago, Illinois.
- Yeager, D. S., Carter, A., Tewoldemedhin, H., & Krosnick, J. A. (2010). Study of non-probability sample internet surveys' estimates of consumer product usage and demographic characteristics of consumer product users. Paper presented at the American Association for Public Opinion Research Annual Conference, Chicago, Illinois.
- Berent, M. K., Krosnick, J. A., & DeBell, M. (2010). Confirming the validity of survey respondent reports of voter registration and turnout: Checking the records turns up surprisingly bad news. Paper presented at the American Association for Public Opinion Research Annual Conference, Chicago, Illinois.
- Villar, A., Malka, A., & Krosnick, J. A. (2010). Assessing the accuracy of the Face-to-Face Recruited Internet Survey Platform: A comparison of behavioral and health-related findings from the FFRISP with those of major national surveys. Paper presented at the American Association for Public Opinion Research Annual Conference, Chicago, Illinois.
- Krosnick, J. A., Malka, A., & Villar, A. (2010). Manipulation of public opinion on global warming: The impact of news media coverage and the weather. Paper presented at the International Society of Political Psychology Annual Meeting, San Francisco, California.
- Shockley, E., Krosnick, J. A., & Visser, P. S. (2010). The impact of aging on political ideology. Paper presented at the International Society of Political Psychology Annual Meeting, San Francisco, California.
- Yeager, D., Krosnick, J. A., Tewoldemedhin, H., & Carter, A. (2010). Evaluating non-probability sample internet surveys' estimates of consumer product usage and demographic characteristics of consumer product users: Do different panels produce the same results? Paper presented at the Fourth Annual Workshop on Measurement and Experimentation with Internet Panels: Innovative Features of Internet Interviewing, Noordwijk, the Netherlands.
- Krosnick, J. A., Tompson, T., & Villar, A. (2010). Change in public opinion about climate change 2006-2010: How trusted sources and personal experience combine. Paper presented at the American Political Science Association Annual Meeting, Washington, DC.
- Gera, K., Yeager, D., Krosnick, J. A., DeBell, M., & McDonald, M. (2010). Comparing estimates of voter turnout from the American National Election Studies, the General Social Survey, and the Current Population Survey. Paper presented at the American Political Science Association Annual Meeting, Washington, DC.
- Pasek, J., Krosnick, J. A., & Tompson, T. (2010). Taking a position on health care: Selfish, group interest, and sociotropic determinants of citizens' attitudes on proposals for health care reform. Paper presented at the American Political Science Association Annual Meeting, Washington, DC.
- Sood, G., & Krosnick, J. A. (2010). The impact of satire in television news: Differential impact on the usual audience and on other viewers. Paper presented at the American Political Science Association Annual Meeting, Washington, DC.
- Tahk, A., & Krosnick, J. A. (2010). Do the news media shape how Americans think about politics? New statistical procedures cast new light on an old hypothesis. Paper presented at the American Political Science Association Annual Meeting, Washington, DC.

- Kim, N., & Krosnick, J. A. (2010). Moderators of candidate name order effects. Paper presented at the American Political Science Association Annual Meeting, Washington, DC.
- Krosnick, J. A. (2010). We just want to help: How social science can sometimes be successful and sometimes crash and burn when in the public spotlight. Paper presented at the Society of Experimental Social Psychology Annual Meeting, Minneapolis, Minnesota.
- Berent, M. K., Krosnick, J. A., & Lupia, A. (2011). Lying survey respondents or flawed government records? An examination of turnout over-reporting and vote validation in the 2008 ANES Panel Study. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- Cobb, C., Krosnick, J. A., & Bannon, B. (2011). Optimizing the design of a question intended to measure expected starting salary. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- MacInnis, B., & Krosnick, J. A. (2011). The persistence of American public opinion on climate policy. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Yeager, D. S., Larson, S., & Krosnick, J. A. (2011). Measuring Americans' issue priorities: A new version of the most important problem question reveals more concern about global warming and the environment. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Krosnick, J. A. (2011). The stability of American public opinion on global warming: Towards explaining the existence beliefs trends. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Romano Bergstrom, J. C., Olmsted-Hawala, E. L., Rogers, W. A., & Krosnick, J. A. (2011). Age-related differences in reported computer and internet usage based on question type: 'A great deal' of variability. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Jans, M., Bergstrom, J. C., Ashenfelter, K. T., & Krosnick, J. A. (2011). Measuring user satisfaction in the lab: Questionnaire mode, physical location, and social presence concerns. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- MacInnis, B., & Krosnick, J. A. (2011). Complete satisficing in surveys: An exploratory investigation. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Yeager, D. S., & Krosnick, J. A. (2011). Does mentioning 'some people' and 'other people' in an attitude question improve measurement quality? Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Chang, L., Krosnick, J. A., & Tompson, T. (2011). The impact of healthcare utilization on satisfaction with health insurance plans. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Chang, L. & Krosnick, J. A. (2011). Assessing survey accuracy across multiple domains. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Pasek, J., & Krosnick, J. A. (2011). Measuring intent to participate and participation in the 2010 census and their correlates and trends: Comparisons of RDD telephone and non-probability sample internet survey data. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.

- Weiss, R., Krosnick, J. A., & Yeager, D. S. (2011). More comparisons of probability and non-probability sample internet surveys: The Dutch NOPVO study. Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Gilbert, E., Allum, N., Villar, A., & Krosnick, J. A. (2011). Do reluctant respondents provide poor data? Evidence from the Face-to-Face Recruited Internet Survey Platform (FFRISP). Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Lelkes, Y., & Krosnick, J. A. (2011). Measuring perceptions and probabilities: Verbal or numerical response options? Paper presented at the American Association for Public Opinion Research Annual Meeting, Phoenix, Arizona.
- Krosnick, J. A., MacInnis, B., & Villar, A. (2011). The impact of candidates' statements about climate change on electoral success in 2008 and 2010: Evidence using three methodologies. Paper presented at the American Political Science Association Annual Meeting, Seattle, Washington.
- Berent, M. K., Krosnick, J. A., & Lupia, A. (2011). Measuring voter registration and turnout in surveys: Do official government records yield more accurate assessments? Paper presented at the American Political Science Association Annual Meeting, Seattle, Washington.
- Krosnick, J. A., MacInnis, B., & Villar, A. (2012). Polarization of opinions about global warming between 1997 and 2011: Appearances are sometimes misleading. Paper presented at the Society for Personality and Social Psychology Annual Meeting, San Diego, California.
- MacInnis, B., Krosnick, J. A., & Villar, A. (2012). Motivated social cognition in the realm of politics: The case of news media dissemination of information about climate change. Paper presented at the Society for Personality and Social Psychology Annual Meeting, San Diego, California.
- Villar, A., & Krosnick, J. A. (2012). An investigation of nonresponse error due to breakoffs in telephone surveys. Paper presented at the American Association for Public Opinion Research Annual Meeting, Orlando, Florida.
- Anand, S., Krosnick, J. A., & Yeager, D. S. (2012). What number of scale points in an attitude question optimizes response validity and administrative practicality? Paper presented at the American Association for Public Opinion Research Annual Meeting, Orlando, Florida.
- Kim, N., Lelkes, Y., & Krosnick, J. A. (2012). Race of interviewer effects in the 2008 Presidential election. Paper presented at the American Association for Public Opinion Research Annual Meeting, Orlando, Florida.
- Berent, M. K., Krosnick, J. A., & Lupia, A. (2012). Lying vs. fail-to-match: Self-reported turnout and validated turnout in the 2008-2009 ANES Panel Study. Paper presented at the American Association for Public Opinion Research Annual Meeting, Orlando, Florida.
- Young, C., Jackson, C., & Krosnick, J. A. (2012). Comparison of dual frame telephone and non-probability online panels regarding accuracy of political opinion polling. Paper presented at the American Association for Public Opinion Research Annual Meeting, Orlando, Florida.
- Callegaro, M., Villar, A., Krosnick, J. A., & Yeager, D. S. (2012). A systematic review of studies investigating the quality of data obtained with online panels. Paper presented at the American Association for Public Opinion Research Annual Meeting, Orlando, Florida.

- Weiss, R. J., Berent, M. K., Krosnick, J. A., & Lupia, A. (2012). Investigating automated coding of open-ended survey questions. Paper presented at the American Association for Public Opinion Research Annual Meeting, Orlando, Florida.
- Pasek, J., Sood, G., & Krosnick, J. A. (2012). A certain truth? How Americans received and perceived information about the Obama health care plan. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- Kropko, J., Gross, W., & Krosnick, J. A. (2012). Issue publics and candidate evaluations: Selecting the best fitting models of the moderation of issue agreement by individual issue importance. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- Pasek, J., Krosnick, J. A., & Tahk, A. M. (2012). Prevalence and moderators of the candidate name order effect: Evidence from all statewide general elections in California. Paper presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois.
- MacInnis, B., Krosnick, J. A., Suh, A., & Cho, Mu-Jung. (2013). Assessments of survey accuracy: A multimode national field experiment. Paper presented at the American Association for Public Opinion Research Annual Meeting, Boston, Massachusetts.
- Santa Cruz, H., & Krosnick, J. A. (2013). Shocking misbehavior by face-to-face interviewers: The 2008 ANES office recognition questions. Paper presented at the American Association for Public Opinion Research Annual Meeting, Boston, Massachusetts.
- Vannette, D., Krosnick, J. A. (2013). Mindful responding to questions: The dangers of survey satisficing. Paper presented at the American Association for Public Opinion Research Annual Meeting, Boston, Massachusetts.
- Stark, T. H., Pasek, J., Tompson, T., & Krosnick, J. A. (2013). Measuring anti-Black racism in the U.S. Paper presented at the American Association for Public Opinion Research Annual Meeting, Boston, Massachusetts.
- Kiley, J., Keeter, S., Frei, M., Motel, S., Christian, L.M., Dimock, M., McDonald, M. P., Berent, M., & Krosnick, J. A. (2013). Validating likely voter measures in 2012 pre-election polling. Paper presented at the American Association for Public Opinion Research Annual Meeting, Boston, Massachusetts.
- MacInnis, B., Howe, L., Krosnick, J. A., Markowitz, E., & Socolow, R. (2013). Confidently uncertain: When expressing uncertainty enhances trust and persuasion. Paper presented at the Society of Experimental Social Psychology Annual Meeting, Berkeley, California.
- Silber, H., Krosnick, J. A., & Yeager, D. (2013). Replication of experimental results across telephone and internet survey panels. Paper presented at the Pacific Chapter of the American Association for Public Opinion Research Annual Meeting, San Francisco, California. (Winner of Second Place in the PAPOR Student Paper Competition)
- Holbrook, A. L., & Krosnick, J. A. (2013). A new question sequence to measure voter turnout in telephone surveys: Results of an experiment in the 2006 ANES pilot study. Public Opinion Quarterly Special Issue Conference: Topics in Survey Measurement and Public Opinion. Barbara Jordan Conference Center, Washington, DC.
- Yeager, D., & Krosnick, J. A. (2014). Generalizability as a scientific integrity issue. Paper presented at the Association for Psychological Science Annual Meeting, San Francisco, California.

- Stark, T. H., & Krosnick, J. A. (2014). A new tool for ego-centered networks in online surveys. Paper presented at the European Congress of Methodology, Utrecht, The Netherlands.
- Stark, T. H., Krosnick, J. A., Pasek, J., & Tompson, T. (2014). Comparing measures of anti-Black racial prejudice. Paper presented at the Society for Personality and Social Psychology Annual Meeting, Austin, Texas.
- Stark, T. H., & Krosnick, J. A. (2014). A new tool for ego-centered networks. Paper presented at the American Association for Public Opinion Research Annual Meeting, Anaheim, California.
- Krosnick, J. A., & MacInnis, B. (2014). Public opinion on global warming: Contradictory results among surveys. Paper presented at the American Association for Public Opinion Research Annual Meeting, Anaheim, California.
- Silber, H., Krosnick, J. A., Stark, T. H., & Blom, A. G. (2014). Exact replication of question design experiments from Schuman and Presser. Paper presented at the American Association for Public Opinion Research Annual Meeting, Anaheim, California.
- Krosnick, J. A., Kim, S., & Berman, R. (2014). Testing the principles of optimal questionnaire design: Does a questionnaire supposedly designed better actually work better? Paper presented at the American Association for Public Opinion Research Annual Meeting, Anaheim, California.
- Callegaro, M., Lavrakas, P. J., & Krosnick, J. A. The status of online panel research from a data quality perspective. Paper presented at the American Association for Public Opinion Research Annual Meeting, Anaheim, California.
- Pasek, J., Sood, G., & Krosnick, J. A. (2014). Certain gains in measurement of political knowledge (and misinformation). Paper presented at the International Communication Association Annual Meeting, Seattle, Washington.
- Krosnick, J. A., & MacInnis, B. (2014). How should Congressional representatives decide how to vote? A study of the American public's prescriptions. Paper presented at the American Political Science Association's Annual Meeting, Washington, D.C.
- Krosnick, J. A., & MacInnis, B. (2014). A new method for measuring public opinion in the States and causes of differences: The case of global warming. Paper presented at the American Political Science Association's Annual Meeting, Washington, D.C.
- Krosnick, J. A. (2014). An overview of scientific integrity issues: Worse than you thought. Paper presented at the Society for Experimental Social Psychology Annual Meeting, Columbus, Ohio.
- Yeager, D., & Krosnick, J. A. (2014). An example of (partial) failure to replicate: How important (but not so new) lessons can be (re)learned from relentless pursuit of the ease of retrieval effect. Paper presented at the Society for Experimental Social Psychology Annual Meeting, Columbus, Ohio.
- Krosnick, J. A. (2015). Scientific integrity: The problem is much bigger than we think. Paper presented at the Society for Personality and Social Psychology Annual Meeting, Long Beach, California.
- Stark, T. H., & Krosnick, J. A. (2015). Measuring social networks in large-scale surveys: Challenges and practice of ego-centered and complete network approaches. Paper presented at the European Survey Research Association Annual Meeting, Reykjavik, Iceland.

- Srinivasan, R., Suh, A., & Krosnick, J. A. (2015). Comparing direct and filtered frequency questions: Which produces more accurate measurements? Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Clement, S., & Krosnick, J. A. (2015). Does candidate order matter? Impact of matching ballot order on pre-election poll accuracy. Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Stark, T. H., & Krosnick, J. A. (2015). A new tool to collect ego-centered network data in online surveys. Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Vannette, D. L., & Krosnick, J. A. (2015). The effects and effectiveness of likely voter models in pre-election surveys. Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Krosnick, J. A., MacInnis, B., & Villar, A. (2015). Does an introductory sentence in an opinion question cause acquiescence response bias? Paper presented at the American Association for Public Opinion Research Annual Meeting, Hollywood, Florida.
- Krosnick, J. A. (2015). Ballot design: The impact of candidate name order. Paper presented at the Electoral Integrity Project Pre-APSA Workshop: What works? Strengthening Electoral Integrity. San Francisco, California.
- Silber, H., Stark, T. H., Blom, A. G. & Krosnick, J. A. (2016). Multi-national replication of experiments on acquiescence from Schuman and Presser. Paper presented at the American Association for Public Opinion Research Annual Meeting, Austin, Texas.
- Yang, S., Yeager, D. S., Krosnick, J. A., & Anand, S. (2016). Directly testing accepted wisdom regarding the validity of different scale lengths. Paper presented at the American Association for Public Opinion Research Annual Meeting, Austin, Texas.
- Kim, S., & Krosnick, J. A. (2016). Perceptions about scientific agreement, trust in scientists, and the American public's beliefs about global warming. Paper presented at the American Association for Public Opinion Research Annual Meeting, Austin, Texas.
- Yang, Y., Callegaro, M., Chin, K., Villar, A., & Krosnick, J. A. (2016). Assessing the accuracy of 51 nonprobability online panels and river samples: A study of the Advertising Research Foundation 2013 online panel comparison experiment. Paper presented at the American Association for Public Opinion Research Annual Meeting, Austin, Texas.
- Silber, H., Stark, T., Blom, A., & Krosnick, J. A. (2016). Do response effects generalize across countries? Paper presented at the Second International Conference on Survey Methods in Multinational, Multiregional, and Multicultural Contexts (3MC 2016), sponsored by the International Workshop on Comparative Survey Design and Implementation, Chicago, Illinois.
- Silber, H., Stark, T., Blom, A., & Krosnick, J. A. (2016). Multi-national study of questionnaire design. Paper presented at the Second International Conference on Survey Methods in Multinational, Multiregional, and Multicultural Contexts (3MC 2016), sponsored by the International Workshop on Comparative Survey Design and Implementation, Chicago, Illinois.
- MacInnis, B., Anderson, A., & Krosnick, J. A. (2016). How do Americans want their elected representatives to make laws? Paper presented at the American Political Science Association Annual Meeting, Philadelphia, Pennsylvania.

- Kim, S., & Krosnick, J. A. (2016). An exploration of the effect of advertising: The mediating role of perceptions of social proof. Paper presented at the National Communication Association Annual Meeting, Philadelphia, Pennsylvania.
- Abeles, A., & Krosnick, J. A. (2017). Communicating about climate change: Labels unwittingly signal opinion. Paper presented at the International Communication Association Annual Meeting, San Diego, California.
- Pasek, J., Stark, T., Krosnick, J. A., & Tompson, T. (2017). How would better knowledge influence support for the Affordable Care Act? A simulation and experiment. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- Wu, J., Krosnick, J. A., & DeBell, M. (2017). Raking and weighting ANES Time Series. Poster presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- Stark, T., Krosnick, J. A., Silber, H., & Blom, A. (2017). A test of generalization of classic question order effects in different cultures. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- Lundmark, S., Azevedo, F., Krosnick, J. A., & Marcus, G. E. (2017). Evaluation of the impact of the response slide scales: Validity, cognitive effort, and moderation of experimental treatment effects. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- McLean, A., & Krosnick, J. A. (2017). Accuracy of national and state polls in the 2016 election. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- Krosnick, J. A., Cho, A., McLean, A., Middleton, C., Kay, D., Abruzzo, J., Munroe, J., & Carrington, M. (2017). Assessing the accuracy of pre-election polls: 2008-2012. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- Abeles, A., Howe, L., Krosnick, J. A., & MacInnis, B. (2017). Misperceptions of public opinion: Americans underestimate belief in global warming. Paper presented at the American Association for Public Opinion Research Annual Meeting, New Orleans, Louisiana.
- McLean, A., & Krosnick, J. A. (2017). Discrepancies between 2016 pre-election polls and election outcomes: Electoral integrity failure? Paper presented at the pre-APSA workshop entitled "Protecting Electoral Security and Voting Rights: The 2016 U.S. Elections in Comparative Perspective." Sponsored by the Electoral Integrity Project, San Francisco, California.
- McLean, A., & Krosnick, J. A. (2017). Fake news preceding the 2016 U.S. Presidential election: Non-scientific "surveys" masquerading as science. Paper presented at the pre-APSA Political Communication Preconference, sponsored by the Political Communication Section of the American Political Science Association, San Francisco, California.
- Krosnick, J. A. (2017). Conference goals. Workshop on Implicit Bias, National Science Foundation, Alexandria, Virginia.
- Krosnick, J. A. (2017). Critiques of implicit bias. Workshop on Implicit Bias, National Science Foundation, Alexandria, Virginia.

- Sekar, S., Krosnick, J. A., & MacInnis, B. (2018). Can we just skip doing surveys altogether? Comparing the accuracy of MRP and LAP to real survey data. Paper presented at the American Association for Public Opinion Research Annual Meeting, Denver, Colorado.
- Kephart, K., Henderson, A., & Krosnick, J. A. (2018). To list or not to list, that is the question: An examination of existing research on the challenges and best practices of household rostering. Paper presented at the American Association for Public Opinion Research Annual Meeting, Denver, Colorado.
- Krosnick, J. A., Silber, H., Stark, T., & Blom, A. (2018). Generalization of classic response order effects across cultures. Paper presented at the American Association for Public Opinion Research Annual Meeting, Denver, Colorado.
- Corbett, C., Mo, C., & Krosnick, J. A. (2019). Sexism in the 2016 U.S. Presidential election: The impact of prejudice against women leaders on voter turnout and candidate choice. Paper presented at the American Association for Public Opinion Research Annual Meeting, Toronto, Canada.
- Abeles, A., Krosnick, J. A., & Lundmark, S. (2019). Communicating about public opinion on climate change: how labels unwittingly signal speakers' attitudes. Paper presented at the American Association for Public Opinion Research Annual Meeting, Toronto, Canada.
- Chen, C., Krosnick, J. A., MacInnis, B., & Waltman, M. (2019). How often do response effects occur in survey questions? Paper presented at the American Association for Public Opinion Research Annual Meeting, Toronto, Canada.
- Krosnick, J. A., & Silber, H. (2019). Generalizability and heterogeneity of a psychological effect in a multi-national replication study conducted in representative samples. Paper presented at the Society of Experimental Social Psychology Annual Meeting, Toronto, Canada.

Off-Campus Academic Colloquia

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| 1985 | State University of New York at Stony Brook, Department of Political Science.
Princeton University, Department of Sociology.
Princeton University, Department of Politics.
University of California at Berkeley, Department of Sociology.
Yale University, Department of Sociology.
Yale University, Department of Political Science.
Ohio State University, Department of Psychology.
University of Southern California, Annenberg School for Communication. |
| 1986 | University of Michigan, Department of Sociology. |
| 1987 | Yale University, Department of Psychology.
Yale University, Department of Political Science.
University of Michigan, Department of Sociology. |
| 1988 | University of Minnesota, Department of Political Science. |
| 1990 | University of Florida, Department of Psychology.
University of Florida, Bureau of Economic and Business Research.
Denison University, Department of Psychology. |
| 1991 | University of Michigan, Summer Institute in Survey Research Techniques. |

- 1992 University of Michigan, Summer Institute in Survey Research Techniques.
University of Michigan, Department of Communication.
- 1993 University of Wisconsin, Departments of Psychology, Sociology, and Political Science.
University of Michigan, Summer Institute in Survey Research Techniques.
- 1994 Yale University, Department of Psychology.
University of Michigan, Research Center for Group Dynamics.
Cornell University, Peace Studies Center.
- 1995 University of Michigan, Summer Institute in Survey Research Techniques.
University of Minnesota, Department of Political Science.
- 1996 University of Pennsylvania, Annenberg School for Communication.
University of Chicago, Center for Decision Research.
Purdue University, Department of Psychology.
- 1997 Stanford University, Department of Psychology.
University of California – Berkeley, Institute of Governmental Studies.
University of California – Berkeley, Institute of Personality and Social Research.
University of California – Irvine, Department of Social Sciences.
University of California – Los Angeles, Institute for Social Science Research.
University of California – Santa Barbara, Department of Psychology.
University of California – Santa Cruz, Board of Psychology.
Center for Advanced Study in the Behavioral Sciences.
London School of Economics and Political Science, Methodology Institute.
- 1998 Arizona State University, Department of Psychology.
London School of Economics and Political Science, Methodology Institute.
University of Amsterdam, Department of Psychology.
Carnegie Mellon University, Center for the Integrated Study of the Human Dimensions of
Global Change, Department of Engineering and Public Policy.
- 1999 University of Chicago, American Politics Workshop, Department of Political Science.
Indiana University, Departments of Political Science and Psychology.
University of Minnesota, Departments of Political Science and Psychology.
- 2000 University of California, Los Angeles, Department of Political Science.
University of Southern California, Jesse M. Unruh Institute of Politics.
University of Michigan, Institute for Social Research, Survey Research Center.
- 2001 The William and Flora Hewlett Foundation, Menlo Park, California.
London School of Economics and Political Science, Methodology Institute.
Resources for the Future, Washington, DC.
- 2002 University of Colorado - Boulder, Department of Psychology.
University of Florida - Gainesville, Department of Psychology.
Stanford University, Department of Communication.
University of Chicago, Harris School of Public Policy.
Uppsala University (Sweden), Department of Government.
University of North Carolina, Department of Political Science.
University of Chicago, Political Psychology Workshop, Departments of Psychology and
Political Science.
Pitzer College, Department of Political Science.

- 2003 University of Illinois at Chicago, College of Urban Planning and Public Affairs.
University of Illinois at Chicago, Survey Research Laboratory.
Stanford University, Social Psychology Research Seminar (April).
Stanford University, Social Psychology Research Seminar (October).
Stanford University, Department of Psychology Colloquium Series.
- 2004 Harvard University, Research Workshop in American Politics, Department of Government.
Stanford University, Organizational Behavior Seminar, Graduate School of Business.
Stanford University, Marketing Seminar, Graduate School of Business.
Stanford University, American Empirical Seminar, Stanford Institute for the Quantitative Study of Society.
University of California, Davis, Distinguished Lecture Series, Departments of Psychology and Political Science.
- 2005 The Rand Organization, Santa Monica, California.
- 2006 Harvard University, Department of Psychology.
Duke University, Social Science Research Institute.
University of North Carolina, Chapel Hill, Department of Political Science.
University of Florida, Department of Psychology.
University of Florida, Department of Political Science.
University of California, Santa Barbara, Department of Psychology.
- 2007 The Rand Organization, Santa Monica, California.
The University of Essex (UK), Department of Government.
The University of Essex (UK), Institute for Social and Economic Research.
- 2008 University of Minnesota, Department of Political Science.
University of California - Berkeley, Department of Political Science – Institute of Governmental Studies.
Northwestern University, School of Communication.
University of California - Berkeley, Institute for Personality and Social Research.
- 2009 Center for Population Research, University of California - Los Angeles, Los Angeles, California.
Institute for Science, Technology, and Public Policy, Texas A&M University, College Station, Texas.
Annette Strauss Institute for Civic Participation, Department of Communication Studies, University of Texas – Austin, Austin, Texas.
Department of Political and Social Sciences, Universitat Pompeu Fabra, Barcelona, Spain.
Department of Psychology, University of Washington, Seattle, Washington.
Department of Psychology, University of California, San Diego.
- 2010 Behavioral Science Workshop, Booth School of Business, University of Chicago, Chicago, Illinois.
Social Psychology Colloquium, Department of Psychology, New York University, New York, New York.
- 2011 Colloquium Series, Department of Psychology, Arizona State University, Tempe, Arizona.
Colloquium Series, School of Politics and Global Studies, Arizona State University, Tempe, Arizona.

- 2012 Political Psychology Colloquium Series, Institute of Governmental Studies, University of California, Berkeley, Berkeley, California.
Department of Geosciences and Woodrow Wilson School of Public and International Affairs, Princeton, University.
Department of Psychology, University of Mannheim, Mannheim, Germany.

On-campus Colloquia

- 1986 Department of Political Science, Ohio State University.
Department of Psychology, Ohio State University.
- 1987 Department of Psychology, Ohio State University.
- 1988 Department of Psychology, Ohio State University.
- 1990 Department of Psychology, Ohio State University.
- 1991 Mershon Center World Affairs Seminar, Mershon Center, Ohio State University.
- 1996 Behavioral Decision Theory Colloquium Series, Department of Psychology, Ohio State University.
CIC Interactive Video Methods Seminar, Department of Political Science, Ohio State University.
- 1997 Interdisciplinary Seminar on Survey Research Methods, Center for Human Resource Research, Ohio State University.
- 1999 Department of Agricultural, Environmental, and Development Economics, Ohio State University.
- 2000 Center for Survey Research, Ohio State University.
- 2002 Social Psychology Colloquium Series, Department of Psychology, Ohio State University.
Department of Agricultural, Environmental, and Development Economics, Ohio State University.
- 2003 Mershon Center Lunch Lecture, The Mershon Center, Ohio State University.
- 2004 Global Climate and Energy Project Fall Seminar Series, Stanford University.
John S. Knight Fellowship Program Seminar, Stanford University.
- 2005 Workshop in Statistical Modeling, Department of Political Science, Stanford University.
Environmental Policy Forum, Center for Environmental Science and Policy, Stanford University.
Humanities and Sciences Forum, Stanford University.
Seminar Series, Summer Research College in Public Policy and Economics, Stanford University.
- 2006 Seminar Series, Summer Research College in Public Policy and Economics, Stanford University.
Woods Energy Series, Woods Institute for the Environment, Stanford University.

- 2007 Ethics @ Noon, Barbara and Bowen McCoy Program in Ethics in Society Lecture Series, Stanford University.
Seminar Series, Summer Research College in Public Policy and Economics, Stanford University.
Opening Plenary, Society of Environmental Journalists Annual Conference, Stanford University.
- 2008 How America Votes: Stanford Professors Answer the Fundamental Questions Raised When U.S Citizens Vote. Workshop sponsored by Stanford in Government.
Transformational Insights: Participation, Collaboration, and Virtual Worlds for Sustainability, Medicine, and Education. Sixth Media X Annual Meeting, Stanford University.
Social Psychology Research Seminar, Stanford University.
Lunch Colloquium Series, Public Policy Program, Stanford University.
Seminar Series, Summer Research College in Public Policy and Economics, Stanford University.
Stanford Parents' Advisory Board Meeting, Stanford University.
- 2009 Environmental Forum, Woods Institute for the Environment, Stanford University.
Woods Institute and School of Earth Sciences Summer Seminar Series, Stanford University.
- 2010 Research Seminar Series, Center for International Security and Cooperation, Stanford University (discussant).
Faculty Speaker Series, Stanford High School Summer College, Stanford University.
Seminar Series, Summer Research College in Public Policy and Economics, Stanford University.
The Prison Lunch Series, Stanford Law and Policy Review, Stanford Law School.
Social Psychology Research Seminar, Stanford University.
- 2011 Address to the Advisory Council of the Woods Institute for the Environment, Stanford University.
Address to the Advisory Council of the Precourt Institute for Energy, Stanford University.
Seminar Series, Summer Research College in Public Policy and Economics, Stanford University.
Summer Short Course on Marine Policy, Center for Ocean Solutions, Stanford University.
Energy @ Stanford & SLAC, Stanford Graduate Summer Institute, Stanford University.
Engaging with Faculty: Stories from Undergraduate Research and Learning Beyond the Classroom, New Student Orientation, Stanford University.
Energy Seminar sponsored by the Woods Institute for the Environment and the Precourt Institute for Energy, Stanford University.
Invited Presentation, Summer Research College Speaker Series, Public Policy Program, Stanford University, Stanford, California.
- 2012 Member of a Faculty Discussion Panel during the Joint Young Environmental Scholars Conference sponsored by the Woods Institute for the Environment and the Environmental Norms Workshop sponsored by the Stanford Humanities Center, Stanford University.
Invited Lecture, "Peering Inside the Mind of the American Voter: The Psychology of Democracy in Action." Back to School Class, 2012 Parents' Weekend, Stanford University. <http://parentsweekend.stanford.edu/overview/biography-mackey>
Invited Presentation, "A Program of Research on Americans' Thinking about Climate Change." Woods Institute for the Environment Community Retreat, Aptos, California.
Invited Presentation, "American Public Opinion on Climate Change." School of Earth Sciences Undergraduate Research Program Seminar Series (cosponsored by SURGE

- and the Woods Institute for the Environment). Stanford University.
- Invited Presentation, Engaging with Faculty: Stories from Undergraduate Research and Learning Beyond the Classroom, New Student Orientation, Stanford University.
- Invited Presentation, “Are Elections in America Unfair? Exploring the Impact of Candidate Name Order.” Stanford Parents Association, Stanford University.
- Panel Member, “Election 2012: Reality Check. A Bloomberg News Post-Presidential-Debate Debate.” Sponsored by the Stanford Graduate Program in Journalism and the Stanford Graduate School of Business Politics and Government Club.
- Invited Presentation, Summer Research College Speaker Series, Public Policy Program, Stanford University, Stanford, California.
- 2013
- Invited Presentation, “The Psychology of American Elections: Getting Into the Heads of Voters”, Yost House After-Dinner Presentation.
- Invited Presentation, Engaging with Faculty: Stories from Undergraduate Research and Learning Beyond the Classroom, New Student Orientation, Stanford University.
- Invited Presentation, Summer Research College Speaker Series, Public Policy Program, Stanford University, Stanford, California.
- 2014
- Invited Presentation, “Is it Americans’ Fault that the U.S. Government Has Yet to Seriously Limit Greenhouse Gas Emissions?” School of Earth Sciences Undergraduate Research Program Seminar Series (cosponsored by SURGE and SESUR and the Woods Institute for the Environment). Stanford University.
- Invited Presentation, “Why Elections Go Wrong: The Impact of the Order of Candidates’ Names on the Ballot.” Fred Hillier Lecture Series, English for Foreign Students Program, Stanford University.
- Invited Presentation, Engaging with Faculty: Stories from Undergraduate Research and Learning Beyond the Classroom, New Student Orientation, Stanford University.
- Invited Panel Member, Sustainable World Coalition’s Planet Earth New Play Festival, Stanford University.
- Invited Panel Member, “The Climate Debate Demystified: The Psychology, Media, and Communication Behavior Climate Change.” Sponsored by Students for a Sustainable Stanford, Stanford University.
- Invited Presentation, Summer Research College Speaker Series, Public Policy Program, Stanford University.
- Invited Panelist, “Climate Change: From Science to Action.” Classes without Quizzes, Stanford University.
- 2015
- Invited Presentation, Engaging with Faculty: Stories from Undergraduate Research and Learning Beyond the Classroom, New Student Orientation, Stanford University.
- Invited Presentation, Summer Research College Speaker Series, Political Science Department, Stanford University.
- 2016
- Energy Seminar sponsored by the Woods Institute for the Environment and the Precourt Institute for Energy, Stanford University.
- Invited Presentation, Summer Research College Speaker Series, Political Science Department, Stanford University.
- Invited Presentation, Engaging with Faculty: Stories from Undergraduate Research and Learning Beyond the Classroom, New Student Orientation, Stanford University.
- Invited Presentation, Psychology of the 2016 Election. Stanford in Government Policy Lunch.
- Invited Presentation, “The 2016 Election.” Epidemiology Supper Club, Stanford University Medical School, Stanford, CA.

- 2017 Invited Presentation, “Public Opinion on Climate Change”, SUPER Faculty Seminar Lunches, Precourt Institute for Energy, Stanford University, Stanford, CA.
 Invited Presentation, Summer Research College Speaker Series, Public Policy Program, Stanford University, Stanford, California.
 Invited Presentation, Summer Research College Methodology Speaker Series, Political Science Department, Stanford University, Stanford, California.
 Invited Presentation, “Why Elections Go Wrong: The Impact of the Order of Candidates’ Names on the Ballot.” Fred Hillier Lecture Series, English for Foreign Students Program, Stanford University.
 Invited Presentation, Engaging with Faculty: Stories from Undergraduate Research and Learning Beyond the Classroom, New Student Orientation, Stanford University.
 Presentation, Communication Department Faculty Retreat, Stanford University.
- 2018 Invited Presentation, “The Accuracy of the 2016 Pre-Election Polls.” Seminar Series of the John S. Knight Journalism Fellowship Program, Stanford University, Stanford, CA.
 Invited Presentation, “The Impact of Candidate Name Order on Election Outcomes.” Neurosciences Journal Club and Professional Development Court, Stanford University, Stanford, CA.

Other Presentations

- 2012 Coauthor of presentation by Elisabeth Brügger (Maastricht University). “Establishing the Accuracy of Online Panel Research”, Waikato Management School, University Of Waikato, Hamilton, New Zealand.
- 2011 Coauthor of presentation by Elisabeth Brügger (Maastricht University). “Establishing the Accuracy of Online Panel Research”, Department of Marketing, Faculty of Business and Economics, Monash University, Melbourne, Australia.
- 2012 Coauthor of presentation by Elisabeth Brügger (Maastricht University). “Establishing the Accuracy of Online Panel Research”, Department of Management and Marketing, Faculty of Business and Economics, University of Melbourne, Melbourne, Australia.
- 2013 Coauthor of presentation by Elisabeth Brügger (Maastricht University). “Establishing the Accuracy of Online Panel Research”, Center for the Study of Choice (CenSoC), University of Technology, Sydney, Australia.
- 2012 Coauthor of presentation by Elisabeth Brügger (Maastricht University). “Establishing the Accuracy of Online Panel Research”, School of Marketing, Australian School of Business, University of New South Wales, Sydney, Australia

Conferences Coordinated

- 1991 Conference Coordinator, Annual Meeting, Society of Experimental Social Psychology, Columbus, Ohio.
- 1991 Conference Coordinator, “Nags Head Conference on Attitude Strength,” Nags Head, North Carolina.
- 1998 Program Coordinator, Annual Meeting, International Society for Political Psychology, Montreal, Canada.

- 2002-2003 Conference Chair, Annual Meeting, American Association for Public Opinion Research, Nashville, Tennessee.
- 2005 Conference Co-Coordinator, "New Approaches to Understanding Participation in Surveys", Belmont Conference Center, Elkridge, Maryland.
- 2007 Conference Co-Coordinator, "Cyberinfrastructure and National Election Studies: The Wivenhoe House Conference". University of Essex, Colchester, UK.
- 2007 Conference Co-Coordinator, "News Media Pollster Input to the American National Election Studies". Gallup World Headquarters, Washington, DC.
- 2008 Conference Co-Coordinator, "Optimal Coding of Open-Ended Survey Data, Institute for Social Research, University of Michigan, Ann Arbor, Michigan.
- 2013 Conference Co-Coordinator, "The Future of Survey Research 1", National Science Foundation, Arlington, Virginia.
- 2013 Conference Co-Coordinator, "The Future of Survey Research 2", National Science Foundation, Arlington, Virginia.
- 2014 Conference Co-Coordinator, "Robust Research in the Social, Behavioral, and Economic Sciences", National Science Foundation, Arlington, Virginia.
- 2015 Conference Co-Coordinator, "Best Practices in Science", Center for Advanced Study in the Behavioral Sciences, Stanford University, Stanford, California.
- 2015 Conference Co-Coordinator, "How Voters Think: Lessons from Science and Practice." A meeting of political scientists with Democratic Party campaign consultants. Harris School of Public Policy, University of Chicago, Chicago, Illinois.
- 2015 Conference Co-Coordinator, "How Voters Think: Lessons from Science and Practice." A meeting of political scientists with Republican Party campaign consultants. Harris School of Public Policy, University of Chicago, Chicago, Illinois.
- 2017 Conference Coordinator, "Workshop on Implicit Bias." National Science Foundation, Alexandria, Virginia.
- 2019 Co-organizer, "Metascience 2019 Symposium." Sponsored by the Fetzer Franklin Fund, Stanford University, Stanford, California.

Professional Service

- 1989-1990 Chair, Student Paper Competition Committee, American Association for Public Opinion Research.
- 1990 Member, Planning Committee for the 1990 National Election Study.
- 1990 Member, Conference Committee for the 1991 Annual Meeting, American Association for Public Opinion Research.

- 1991 Participant in an Expert Questionnaire Evaluation Panel as a part of a Project Comparing Pre-Testing Methods, National Center for Health Statistics.
- 1994 Member, Student Paper Competition Committee, American Association for Public Opinion Research.
- 1995 Member, National Science Foundation Special Grant Proposal Evaluation Panel on Valuation for Environmental Policy.
- 1996 Member, Student Paper Competition Committee, American Association for Public Opinion Research.
- 1996 Member, Planning Committee for the 1996 National Election Study.
- 1997-2001
2003, 2004 Member, Conference Committee, American Association for Public Opinion Research Annual Meeting.
- 1998 Member, Planning Committee for the 1998 National Election Pilot Study.
- 1999 Senior Research Advisor, The Gallup Organization.
- 1997-2006 Member, Board of Overseers, National Election Studies, Institute for Social Research, University of Michigan.
- 2000-2003 Member, Governing Council, International Society of Political Psychology.
- 2000-2003 Member, Conference Committee, International Society of Political Psychology.
- 2000-2002 Member, Survey Methodology Group of the National Longitudinal Survey of Youth.
- 2000-2008 Member, Board of Overseers, General Social Survey, National Opinion Research Center, University of Chicago.
- 2001 Member, Advisory Board of the Canadian Election Study, McGill University, University of Montreal, and University of Toronto.
- 2001-2002 Associate Conference Chair, American Association for Public Opinion Research.
- 2001-2002 Chair, Committee to Award the Erik H. Erikson Early Career Award for Excellence and Creativity in the Field of Political Psychology, International Society of Political Psychology.
- 2001 Member, Visiting Committee to Evaluate a Proposed Ph.D. Program in Survey Research and Methodology, University of Nebraska, Lincoln, Nebraska.
- 2002 Member, Advisory Panel, Special Competition to Fund Research on Survey and Statistical Methodology; Methodology, Measurement, and Statistics Program, National Science Foundation.
- 2003 Member, Advisory Board of the Canadian Election Study, McGill University, University of Montreal, and University of Toronto.

- 2004-2006 Member, Advisory Committee for the Division of Social, Behavioral, and Economic Sciences, National Science Foundation.
- 2004-2006 Member, Scientific Advisory Board, Polimetrix, Palo Alto, California.
- 2004 Member, Workshop on Cyberinfrastructure and the Social Sciences, National Science Foundation.
- 2005 Organizing committee, Conference entitled “New Approaches to Understanding Participation in Surveys,” Belmont Conference Center, Elkridge, Maryland, sponsored by the National Science Foundation.
- 2005 Member, Philip E. Converse Book Award Committee, American Political Science Association.
- 2005 Member, Nominating committee, International Society for Political Psychology.
- 2005 Member, Working Group on Public Attitudes and Ethical Issues, Global Roundtable on Climate Change, Earth Institute, Columbia University.
- 2006 Dissertation committee member, William M. van der Veld, Faculty of Social and Behavioral Sciences, University of Amsterdam.
- 2007 Participant, “Public Understanding of Mathematics/Mathematicians Understanding the Public” Conference, Mathematical Sciences Education Board, The National Academies, Washington, D.C.
- 2007 Associated Scientist, Statistics and Methodology Department, National Opinion Research Center, University of Chicago, Chicago, Illinois.
- 2007 Participant, “Workshop on Planning for the Future of the General Social Survey,” National Science Foundation, Washington, D.C.
- 2007- Member, Advisory Board, Book Series on Political Psychology, Oxford University Press.
- 2007- Member, International Advisory Board, Measurement and Experiments in the Social Sciences, Institute for Data Collection and Research, University of Tilburg, The Netherlands.
- 2008 Participant, “Meeting to Assess Public Attitudes about Climate Change,” sponsored by the National Oceanic and Atmospheric Administration, NASA, and the Center for Excellence in Climate Change Communication Research, Silver Spring, Maryland.
- 2008 Participant, The Harvard Globalization Survey Workshop, Harvard University, Cambridge, Massachusetts.
- 2008-2012 Member, Board of Directors, Climate Central, Princeton, New Jersey, and Palo Alto, California.
- 2008 Panel Participant, Career Day, Menlo School, Menlo Park, California.
- 2009-2010 Member, AAPOR Opt-in Panel Online Panel Task Force.

- 2012 Chair, Committee to Conduct a Site Visit Review of the General Social Survey for the National Science Foundation.
- 2011-2016 Member, Advisory Committee for the Division of Social, Behavioral, and Economic Sciences, National Science Foundation.
- 2012 Member, Policy Impact Award Committee, American Association for Public Opinion Research.
- 2012 Member, Advisory Committee on Study to Evaluate the Impact of Survey Response Rates, Pew Researcher Center, Washington, DC.
- 2012- Member, Advisory Board, Voice of the People.
- 2012 Chair, Subcommittee on the Future of Survey Research, Advisory Committee for the Division of Social, Behavioral, and Economic Sciences, National Science Foundation.
- 2013-2016 Member, Governing Council, International Society of Political Psychology.
- 2012-2015 Member, Subcommittee on Replication in Social, Behavioral, and Economic Science Research, Advisory Committee for the Division of Social, Behavioral, and Economic Sciences, National Science Foundation.
- 2014- Member, International Advisory Board, Norwegian Citizen Panel, Digital Social Science Core Faculty, University of Bergen, Bergen, Norway.
- 2015-2016 Member, Standing Committee on the Future of NSF-Supported Social Science Surveys, Committee on National Statistics, Division of Behavioral and Social Science and Education, The National Academies of Sciences, Engineering, and Medicine.
- 2016 Chair, Committee to Award the Noel Markwell Media Award, International Society of Political Psychology.
- 2016-2017 Member, Committee to Award the AAPOR Mitofsky Innovators Award, American Association for Public Opinion Research.
- 2016-2017 Member, Subcommittee on Workplace Climate and Harassment, Working Group on Diversity, National Institutes of Health.
- 2017 Member, Committee on AAPOR Standard and Litigation Surveys. American Association for Public Opinion Research.
- 2018 Co-convener, CPS Forum on Measuring Voter Turnout, Summer at Census, U.S. Census Bureau, Suitland, Maryland.

Department and University Service

- 1985-1996 Faculty Advisor, Social Psychology Colloquium Series, Ohio State University.
2001-2003
- 1985-1990 Chair, Social Psychology Area Admissions Committee, Ohio State University.
- 1985-1990 Member, Psychology Department Admissions Committee, Ohio State University.

- 1986-1987 Member, Psychology Department Stipends Committee, Ohio State University.
- 1986-1988 Member, Lazenby Equipment Committee, Ohio State University.
- 1986-1987 Member, Social Psychology Area Search Committee for Two Permanent Senior Faculty Members, Ohio State University.
- 1988-1989 Member, Social Psychology Area Search Committee for Junior Faculty Member, Ohio State University.
- 1990-1991 Member, Search Committee for Junior Faculty Member in Industrial/Organizational Psychology, Ohio State University.
- 1989-1994 Co-Coordinator, Political Psychology Minor Program Steering Committee, Political Science Department, Ohio State University.
- 1989-1996, 1999-2003 Member, Psychology Department Speakers Committee, Ohio State University.
- 1990-1996 Member, Psychology Department Subject Pool Supervisory Committee, Ohio State University.
- 1995-1996 Chair, College of Social and Behavioral Sciences Survey Research Advisory Committee, Ohio State University.
- 1995-1996 Member, Political Science Department Search Committee, Ohio State University.
- 1997-2003 Member, College of Social and Behavioral Sciences Center for Survey Research Advisory Committee, Ohio State University.
- 2000 Chair, Social Psychology Senior Faculty Search Committee, Ohio State University.
- 2000 Member, College of Social and Behavioral Sciences Oversight Committee for the Center for Human Resource Research, Ohio State University.
- 2001-2003 Member, Psychology Department Promotion and Tenure Committee, Ohio State University.
- 2001-2002 Chair, Social Psychology Junior Faculty Search Committee, Ohio State University.
- 2002 Faculty advisor, Summer Research Opportunity Program, Committee on Instructional Cooperation (CIC), Ohio State University.
- 2003-2004 Member, Planning Committee for the Social Science Research Institute, Stanford University.
- 2003-2004 Member, Steering Committee for the Methods of Analysis Program in the Social Sciences, Stanford University.
- 2004- Faculty Affiliate, Center for Comparative Studies in Race and Ethnicity, Stanford University.
- 2004 Grant proposal review committee, Environmental Interdisciplinary Initiatives Program, Stanford Institute for the Environment, Stanford University.
- 2004-2005 Planning Committee for the Stanford Center on Longevity, Stanford University.

- 2005-2008 Member, Faculty Leadership Committee, Stanford Institute for the Environment, Stanford University.
- 2006 Grant proposal review committee, Environmental Venture Grants Program, Woods Institute for the Environment, Stanford University.
- 2007 Co-chair, Grant proposal review committee, Environmental Venture Grants Program, Woods Institute for the Environment, Stanford University.
- 2012- Member, Grant proposal review committee, Environmental Venture Grants Program, Woods Institute for the Environment, Stanford University.
- 2012-2016 Member, Course Evaluation Committee, Stanford University.
- 2012-2013 Member, Provost's Advisory Committee on Postdoctoral Affairs, Stanford University.
- 2012 Member, Evaluation committee for applicants to the Emmett Interdisciplinary Program in Environment & Resources, Stanford University.
- 2013 Member, Evaluation committee for applicants to the Emmett Interdisciplinary Program in Environment & Resources, Stanford University.
- 2014 Member, Evaluation committee for applicants to the Emmett Interdisciplinary Program in Environment & Resources, Stanford University.

Ad Hoc Reviewer

Journal of Personality and Social Psychology
 Journal of Experimental Social Psychology
 Personality and Social Psychology Bulletin
 Social Psychology Quarterly
 European Journal of Social Psychology
 Social Cognition
 Basic and Applied Social Psychology
 Journal of Personality
 Psychological Review
 Psychological Bulletin
 Psychological Science
 Psychological Assessment
 Personality and Social Psychology Review
 Psychology and Aging
 Risk Analysis
 Psychology, Public Policy, and Law
 American Political Science Review
 American Journal of Political Science
 American Politics Quarterly
 Western Political Quarterly
 Political Research Quarterly
 Political Behavior
 Research and Politics
 Journal of Politics
 Political Analysis

Harvard International Journal of Press/Politics
Southeastern Political Review
Public Opinion Quarterly
International Journal of Public Opinion Research
Journal of Survey Statistics and Methodology
Political Psychology
Political Communication
International Studies Quarterly
American Sociological Review
Sociological Methods and Research
Sociological Methodology
Social Science Quarterly
Social Problems
Journal of Official Statistics
Journal of the American Statistical Association
Journal of Economic Psychology
Journal of Law, Economics, and Organization
Communication Research
Journal of Consumer Research
Journal of Science Communication
Journal of Research in Personality
Developmental Psychology
Tobacco Control
Motivation and Emotion
Psychophysiology
Climatic Change
Climate Change Letters
Review of Policy Research
Annals of Epidemiology
Communication Methods and Measures
Preventive Medicine
New Jersey Medicine
Journal of Medical Internet Research
Academic Press
Praeger Publishers
Alfred A. Knopf Publishers
Brooks/Cole Publishing Company
Harper and Row Publishers
MacMillan Publishing Company
Cambridge University Press
Oxford University Press
W. W. Norton
W. H. Freeman
National Academy of Sciences
National Science Foundation - Social Psychology Program
National Science Foundation - Sociology Program
National Science Foundation - Political Science Program
National Science Foundation - Program in Methodology, Measurement, and Statistics in the Social Sciences
Society for Consumer Psychology
American Psychological Association
Time-sharing Experiments for the Social Sciences (TESS)
University of Michigan, Department of Political Science (P&T)
University of Minnesota, Department of Political Science (P&T)
University of Minnesota, Department of Psychology (P&T)

University of Southern California, Department of Psychology (P&T)
 University of Texas – Austin, Department of Communication Studies (P&T)
 London School of Economics and Political Science, Methodology Institute (P&T)
 University of Nebraska, Department of Political Science (P&T)
 University of Nebraska, Department of Psychology (P&T)
 Massachusetts Institute of Technology, Department of Political Science (P&T)
 University of Chicago, Harris School of Public Policy (P&T)
 University of Chicago, Department of Political Science (P&T)
 Iowa State University, Department of Psychology (P&T)
 Ohio State University, University Libraries (P&T)
 University of Florida, Department of Psychology (P&T)
 University of Nebraska, Lincoln, Department of Sociology (P&T)
 University of Pennsylvania, Department of Political Science (P&T)
 Institute for Social Research, University of Michigan (P&T)
 Columbia University, Department of Political Science (P&T)
 American University, School of Public Affairs (P&T)
 Center for Advanced Study in the Social and Behavioral Sciences
 University of Mannheim, School of Social Sciences, Department of Political Science (P&T)
 Netherlands Institute for Advanced Study in the Humanities and Social Sciences
 Netherlands Organisation for Scientific Research, Division of Social Sciences
 Workers' Compensation Board of British Columbia
 Fund for Scientific Research – Flanders, Brussels, Belgium

Consulting and Court Testimony

Office of Science and Technology Policy, The White House, Washington D.C.
 Socio-Environmental Studies Laboratory, National Institutes of Health, Washington, D.C.
 National Oceanic and Atmospheric Administration, Washington, D.C.
 Environmental Protection Agency, Washington, D.C.
 National Aeronautics and Space Administration (Robert Dodd and Associates/The Battelle Memorial Institute),
 Mountain View, California.
 Center for Survey Methods Research, U.S. Bureau of the Census, Washington, D.C.
 Office of Survey Methods Research, U.S. Bureau of Labor Statistics, Washington, D.C.
 Leadership Analysis Group, U.S. Central Intelligence Agency, McLean, Virginia.
 United States Government Accountability Office, Washington, DC.
 Centers for Disease Control and Prevention, Atlanta, Georgia.
 National Cancer Institute, Rockville, Maryland.
 Centre for Comparative Social Surveys, City University, London, United Kingdom.
 Rand Corporation, Santa Monica, California.
 SRI International, Arlington, Virginia.
 YouGov, London, United Kingdom.
 Momentum Market Intelligence, Portland, Oregon.
 Central Market Research and Insights, Microsoft, Redmond, Washington.
 The Urban Institute, Washington, D.C.
 Industrial Economics, Cambridge, Massachusetts.
 Healthcare Research Systems, Columbus, Ohio.
 Survey Research Center, University of Maryland, College Park, Maryland.
 Center for Human Resource Research, Columbus, Ohio.
 Washington State University, Pullman, Washington.
 Stanford University Alumni Association, Stanford, California.
 Turner Research, Jacksonville, Florida.
 NuStats, Austin, Texas.
 Kaiser Family Foundation, Menlo Park, California.

University of Pittsburgh Medical Center, Pittsburgh, Pennsylvania.
Achievement Associates, Darnestown, Maryland.
The Saguaro Seminar: Civic Engagement in America, Harvard University, Cambridge, Massachusetts.
Office of Social Research, CBS Inc., New York, New York.
ABC News, New York, New York.
Home Box Office, New York, New York.
Google, Mountain View, California.
Pfizer, Inc., New York, New York.
Amgen, Thousand Oaks, California.
Beau Townsend Ford Dealership, Dayton, Ohio.
United States Trotting Association, Columbus, Ohio.
Berlex Laboratories, Inc., Wayne, New Jersey.
MJ Research, Waltham, Massachusetts.
Empire Blue Cross/Blue Shield, New York, New York.
Nike, Inc., Portland, Oregon.
U.S. Senator Brian Schatz (Hawaii)
The Attorney General of Oklahoma.
Office of Lake County Prosecuting Attorney, Painesville, Ohio.
The Attorney General of the State of Ohio, Columbus, Ohio.
Donald McTigue, Esq., Columbus, Ohio.
Thompson Coburn LLP, St. Louis, Missouri.
Shook, Hardy, & Bacon LLP, Kansas City, Missouri.
Arnold and Porter LLP, New York, New York.
Bradley W. Hertz, Esq., Los Angeles, California.
Larson King LLP, Minneapolis, Minnesota.
Paul, Hastings, Janofsky, and Walker, LLP, San Francisco, California.
Carr, Korein, Tillery, LLP, Chicago, Illinois.
Milberg, Weiss, Bershad, Hynes, and Lerach, LLP, New York, New York.
Bourgault & Harding, Las Vegas, Nevada.
Akin Gump Strauss Hauer & Feld, LLP, Washington, DC.
McManemin and Smith, PC, Dallas, Texas.
Zimmerman Reed, PLLP, Minneapolis, Minnesota.
Spolin Silverman, Cohen, and Bertlett LLP, Santa Monica, California.
Righetti Wynne P.C., San Francisco, California.
Blackwell Sanders Peper Martin LLP, Kansas City, Missouri.
Davis Wright Tremaine LLP, Seattle, Washington.
Storch Amini & Munves, P.C., New York, New York.
Marc O. Stern, APC, La Jolla, California.
Morris, Sullivan, & Lemkul, LLP, San Diego, California.
Twomey Law Office, Epsom, New Hampshire.
KamberLaw LLC, New York, New York.
Righetti Law Firm, P.C., San Francisco, California.
Dostart Clapp Gordon & Coveney LLP, San Diego, California.
Wynne Law Firm, Greenbrae, California.
Lorens and Associates, San Diego, California.
Arias, Ozzello & Gignac, LLP, Los Angeles, California.
Righetti Glugoski, P.C., San Francisco, California.
Kaplan Fox, & Kilsheimer LLP, San Francisco, California.
Perkins Coie, LLP, Washington, DC.
Levi & Korsinsky LLP, Stamford, Connecticut.
King, Blackwell, Zehnder, & Wermuth, P. A., Orlando, Flor
Keller Grover, LLP, San Francisco, California.
Law Offices of Kevin T. Barnes, Los Angeles, California.
Cohelan & Khoury, San Diego, California.

Rastegar & Matern, Torrance, California.
Law Offices of Joseph Antonelli, West Covina, California.
Minter Ellison Lawyers, Sydney, Australia.
Silverman Thompson Slutkin White LLC, Baltimore, Maryland.
Namanny Byrne, & Owens, P.C. Lake Forest, California
Robbins, Geller, Rudman, & Dowd, LLP, Boca Raton, Florida.
Callahan and Blaine, Santa Ana, California.
Richardson, Patrick, Westbrook, and Brickman, Mount Pleasant, South Carolina.
Hurst and Hurst, San Diego, California.
Leonard Carder, San Francisco, California.
Initiative Legal Group, Los Angeles, California.
Khorrami Pollard & Abir, Los Angeles, California.
Rukin, Hyland, Doria, and Tindall, San Francisco, California.
Carlson, Calladine, & Peterson, San Francisco, California.
Munger, Tolles, & Olson, Los Angeles, California.
American Civil Liberties Union of Northern California/Brad Seligman/Howard, Rice, Nemerovski, Canady,
Falk, & Rabkin, San Francisco/Berkeley, California.
Foley & Lardner LLP, San Francisco, California.
Law Offices of Sima Fard, Irvine, California.
Rifkin, Livingston, Levitan, & Silver, Annapolis, Maryland.
Altshuler Berzon LLP, San Francisco, California.
Law Offices of Hathaway, Perrett, Webster, Powers, Chrisman, & Gutierrez, Ventura, California.
R. Rex Parris Law Firm, Lancaster, California.
McCune Wright, LLP, Redlands, California.
Gustafson Gluek PLLC, Minneapolis, Minnesota.
Saltz, Mongeluzzi, Barrett, & Bendesky, P.C. Philadelphia, Pennsylvania.
Reinhardt, Wendorf, & Blanchfield, St. Paul, Minnesota.
Wexler Wallace LLP, Chicago, Illinois.
Cotchett, Pitre, & McCarthy, Burlingame, California.
Berman De Valerio, San Francisco, California.
Marlin & Saltzman, Agoura Hills, California
Lawyers for Justics, Glendale, California.
Klafter, Olsen, & Lesser LLP, Rye Brook, New York.
Shavitz Law Group, P.A., Boca Raton, Florida.
Capstone Law APC, Los Angeles, California.
Law Offices of Ronald A. Marron, San Diego, California.
Del Mar Law Group, San Diego, California.
Stonebarger Law, Folsom, California.
Cahill Gordon & Reindel, New York, New York.
Hogue & Belong, San Diego, California.
Morris Sullivan Lemkul, San Diego, California.
Traber & Voorhees, Pasadena, California.
Workman Law Firm, San Francisco, California.
Kingsley & Kingsley, Encino, California.
Shenoi Koes, Pasadena, California.
KamberLaw, Denver, Colorado.

Short Courses on Questionnaire Design

Internal Revenue Service, Washington, DC.
United States General Accounting Office, Washington, DC.
Office of Management and Budget, The White House, Washington, DC.
United States Government Accountability Office, Washington, DC.

United States Federal Trade Commission, Washington, DC.
United State Census Bureau, Suitland, Maryland.
Science Resources Statistics Program, National Science Foundation, Washington, DC.
National Opinion Research Center, Chicago, Illinois.
Survey Research Laboratory, University of Illinois at Chicago, Chicago, Illinois.
Center for AIDS Prevention Studies, Department of Epidemiology and Biostatistics, University of California, San Francisco, California.
Monitor Company, Cambridge, Massachusetts.
American Association for Public Opinion Research Annual Meeting, St. Louis, Missouri.
American Association for Public Opinion Research Annual Meeting, Portland, Oregon
American Association for Public Opinion Research Annual Meeting, Miami, Florida
New York Chapter of the American Association for Public Opinion Research, New York, New York.
Office for National Statistics, London, United Kingdom.
Market Strategies, Southfield, Michigan.
Total Research Corporation, Princeton, New Jersey.
Pfizer, Inc., New York, New York.
Worldwide Market Intelligence Conference, IBM, Rye, New York.
American Society of Trial Consultants Annual Meeting, Williamsburg, Virginia.
American Society of Trial Consultants Annual Meeting, Westminster, Colorado.
American Society of Trial Consultants Annual Meeting, Memphis, Tennessee.
American Marketing Association Advanced Research Techniques Forum, Vail, Colorado.
Satisfaction Research Division, IBM, White Plains, New York.
American Marketing Association Marketing Effectiveness Online Seminar Series.
Faculty of Education, University of Johannesburg, Johannesburg, South Africa.
Odom Institute, University of North Carolina, Chapel Hill, North Carolina (2005 and 2009)
Google, Mountain View, California.
Eric M. Mindich Encounters with Authors, Harvard University, Cambridge, Massachusetts.
RTI International, Research Triangle Park, North Carolina.
BC Stats, Province of British Columbia Ministry of Labour and Citizens' Services, Victoria, British Columbia, Canada.
Alphadetail, San Mateo, California.
Amgen, Thousand Oaks, California.
Center for Political Studies, Institute for Social Research, University of Michigan, Ann Arbor, Michigan.
San Jose State University, San Jose, California.
Summer School 2008, Australian Market and Social Research Society, Coffs Harbour, New South Wales, Australia.
Professional Development Program, Australian Market and Social Research Society, Sydney, Australia (2008 and 2009).
Professional Development Program, Australian Market and Social Research Society, Melbourne, Australia.
Professional Development Program Webinar, Australian Market and Social Research Society (2012).
Zentrum für Umfragen, Methoden und Analysen (ZUMA), Mannheim, Germany.
Department of Marketing, University of Illinois, Urbana-Champaign, Illinois.
Comparative Survey Research and Methodology Workshop, sponsored by TNS Opinion and the Centre for the Study of Political Change at the University of Siena, Brussels, Belgium (2010 and 2011).
Department of Survey Design and Methodology, GESIS - Leibniz Institute for the Social Sciences, Mannheim, Germany.
Methodology Institute, London School of Economics and Political Science, London, United Kingdom.
Summer School 2013, Australian Market and Social Research Society, Gold Coast, Australia.
Social Science Research Laboratories, University of Saskatchewan, Saskatchewan, Canada (2015).

University Teaching

- Summer Institute in Political Psychology (Instructor and Co-Director), Political Science and Psychology 892A, 892B, Ohio State University.
- Research Methods in Social Psychology, Psychology 872, Ohio State University.
- Systematic Theory in Social Psychology, Psychology 873C, Ohio State University.
- Psychological Perspectives on Political Behavior, Psychology 873D, Ohio State University.
- The Psychology of Mass Politics, Political Science 894, Ohio State University.
- Questionnaire Design for Attitude Measurement, Psychology 788, Ohio State University.
- Supervisor of graduate student TAs teaching Introduction to Social Psychology, Psychology 320, Ohio State University.
- Introduction to Social Psychology, Psychology H320 & H367.01, Ohio State University.
- The Psychology of Public Attitudes, Psychology 630, Ohio State University.
- Survey Design, Clinical Research Curriculum Program, College of Medicine, College of Optometry, and School of Public Health, Ohio State University.
- Questionnaire Design for Attitude Measurement, Psychology 711, Summer Institute in Survey Research Techniques, University of Michigan.
- Cognitive Psychology and Survey Methods, Psychology 988, Summer Institute in Survey Research Techniques, University of Michigan.
- Response Scales for Satisfaction Measurement, Joint Program in Survey Methodology, University of Maryland-University of Michigan.
- Designing Effective Questionnaires, Methodology Institute, London School of Economics and Political Science, London, United Kingdom.
- Techniques for Assessing Questionnaire Quality, Department of Methodology and Statistics, University of Amsterdam, The Netherlands.
- Assessment of Questionnaire Quality, Interuniversity Graduate School of Psychometrics and Sociometrics, University of Amsterdam, The Netherlands.
- Advanced Issues in Questionnaire Design, Psychology 688, Summer Institute in Survey Research Techniques, University of Michigan.
- The Study of Political Change at the Individual Level: The Panel Study, 2001 TMR Winter School in Comparative Electoral Research, University of Amsterdam, The Netherlands.
- Aviation Marketing (guest lecture), Aviation and Aeronautical Engineering 654, Ohio State University.
- Advanced Questionnaire Design: Maximizing Reliability and Validity, Essex Summer School in Social Science Data Analysis and Collection, Department of Government, University of Essex, UK.

Introduction to Communication Theory (guest lecturer), Communication 311, Stanford University.

Media Technologies, People, and Society (guest lecturer), Communication 1, Stanford University.

Graduate Research Methods (guest lecturer), Psychology 290, Stanford University.

Questionnaire Design for Surveys and Laboratory Experiments: Social and Cognitive Perspectives, Communication 239, Stanford University.

Survey Research Methods: Describing Large Populations with Small Samples and Precise Measures, Communication 135, Stanford University.

Advanced Research Design, Communication 318, Stanford University.

Subjective Measurement in Surveys, Joint Program in Survey Methodology, University of Maryland-University of Michigan.

Summer Institute in Political Psychology (instructor, co-director, and director), Stanford University.

Communication Research Methods, Communication 106/206, Stanford University.

New Models and Methods in the Social Sciences (lecturer), Sociology 384, Stanford University, 2000, 2011, 2012, 2013, 2014, 2017.

Coping with Climate Change: Life after Copenhagen (guest lecturer), Continuing Studies Sci 31, Stanford University.

What the American Public Believes about Climate Change (guest lecture), Introduction to Earth Systems, Earth Systems 10, Stanford University.

Language and Attitudes (guest lecture), Topics in Sociolinguistics, Linguistics 259, Stanford University.

The Psychology of Communication about Politics in America, Communication 164, 264; Political Science 224L, 324, Psychology 170, Stanford University.

Introduction to Communication (guest lecture), Communication 1A, Stanford University.

Research Methods Lecture Series (guest lecture on Questionnaire Design), Summer Research College Program, Political Science Department, Stanford University.

Selected News Media Coverage of Research, Interviews, and Quotes

The New York Times	Glamour
The Washington Post	Time
The Wall Street Journal	Newsweek
The Christian Science Monitor	Business Week
USA Today	The Akron Beacon Journal
US News and World Report	The Alameda Times-Star
The Economist	The Appeal-Democrat (Marysville, CA)
New Scientist Magazine	The Athens Banner-Herald
Science	The Anchorage Daily News
Scientific American	The Austin American-Statesman
Nature	The Bellingham Herald (Bellingham, WA)
Popular Science	The Boston Globe

The Bryan-College Station Eagle
The Bucks County Courier Times
The Buffalo News
The Centre Daily Times (State College, PA)
The Charlotte Observer
The Chattanooga Times Free Press
The Chicago Tribune
The Chicago Sun-Times
The Chronicle Telegram (Elyria, OH)
Chronicle of Higher Education
The Cleveland Plain Dealer
The Clovis News Journal (Clovis, NM)
The Columbus Dispatch
The Contra Costa Times (Walnut Creek, CA)
The Courier Times (Levittown, PA)
The Daily Review (Hayward, CA)
The Dallas Morning News
The Dayton Daily News
The Denver Post
The Desert Sun
The Detroit Free Press
The Durango Herald
The Fort Wayne Journal Gazette
The Fort Worth Star-Telegram
The Grand Rapids Press
The Herald Sun (Durham, NC)
The Houston Chronicle
Idaho Press
The Indianapolis Star
The Kansas City Star
The Kentucky Post
The Ledger (Lakeland, Florida)
The Lansing State Journal
The Lexington Herald Leader
The Lincoln Journal Star (Lincoln, NE)
The Los Angeles Sentinel
The Los Angeles Times
The Louisville Courier-Journal
The Manitowoc Herald Times Reporter
The Metropolitan News-Enterprise (Los Angeles, CA)
The Miami Herald
The Minneapolis Star Tribune
The Mobile Register
The Monterey County Herald
The Morning Call (Allentown, PA)
The Nashua Telegraph
The New Haven Register
Niagara Gazette, Niagara Falls, New York
The Oakland Post
The Oakland Tribune
The Ohio County Monitor
The Orlando Sentinel
The Philadelphia Inquirer
The Portland Press Herald
The Reading Eagle (Reading, PA)
The Rocky Mountain News
The Sacramento Bee
The St. Petersburg Times, St. Petersburg, Florida
The San Francisco Chronicle
The San Francisco Examiner
The Sarasota Herald Tribune
Savannah Morning News
The Seattle Times
The Seattle Post Intelligencer
The Southern Ledger
The Spokane Spokesman-Review
The Springfield News Leader
The Springville Journal
The Staten Island Advance
The Statesman Journal (Salem, Oregon)
The Scranton Times-Tribune (Scranton, Pennsylvania)
The Star Democrat (Easton, MD)
The Syracuse Post-Standard
The Tampa Tribune
The Titusville Herald
The Union-News and Sunday Republican
The Washington Examiner
The Washington Times
The Wenatchee World
The Wichita Eagle
The Wisconsin State Journal
The Worcester Telegram (Massachusetts)
The York Daily Record
The York Dispatch (York, PA)
Ottawa Citizen
The Jerusalem Post
Black Star News
The Economist
The Financial Times (London)
The Guardian
The International Herald Tribune
The Birmingham Post
The International Herald Tribune
The Scotsman
The Sunday Mail
The Express
The Stanford Daily
The Ohio State University Lantern
The Telegraph-Journal, Saint John, New Brunswick, Canada
Campaigns and Elections
Newhouse News Service
The Associated Press
United Press International
Gannett News Service
Bloomberg

The Atlantic
 Forbes
 Fortune
 The Nation
 This Magazine
 The Daily Beast
 Grist
 Politifact
 Law 360
 Psychology Today
 California
 Air Safety Weekly
 Mother Jones
 National Journal
 New York Magazine
 Columbia Journalism Review
 American Psychological Association Monitor
 The Voice of America
 ABC World News Sunday
 ABC World News This Morning
 ABC World News Now
 BBC News
 BBC World Service
 MSNBC
 CBC Television News
 CNN, Lou Dobbs Tonight
 Fox News
 WCMH TV, Columbus, Ohio
 WBNS TV, Columbus, Ohio
 Ohio News Network TV, Columbus, Ohio
 WSYX TV, Columbus, Ohio
 WOSU AM, Columbus, Ohio
 WOSU FM, Columbus, Ohio
 KGO-TV, San Francisco, California
 KGO AM, San Francisco, California
 KPCC, Pasadena, California
 KTVU, Oakland, California
 Bloomberg Radio
 Pentagon Channel, Sirius Radio
 Air America
 Rush Limbaugh
 Jerry Doyle
 Morning in American (syndicated radio program)
 CSPAN-1
 Washington Week with Gwen Ifill
 New Hampshire Public Radio.
 Weekend Edition Saturday, National Public Radio
 (1992, 2006;
<http://www.npr.org/templates/story/story.php?storyId=6471912>)
 Science Friday, National Public Radio (2012,
<http://sciencefriday.com/segment/10/26/2012/in-twitter-we-trust-can-social-media-sway-voters.html>)
 Living on Earth, National Public Radio
 (<http://www.loe.org/shows/shows.htm?programID=06-P13-00015#feature5>)
 The Savage Nation (nationally syndicated radio program)
 Andrew Wilkow, Sirius Patriot 144, Sirius Radio
 The Climate Code, The Weather Channel.
 OnPoint, E&E TV
 (http://www.eande.tv/video_guide/612?search_term=s=krosnick&page=1&sort_type=date)
 Conde Naste Portfolio
 The Hill
 Discovery News
 International Business Times
 ABCNews.com
 CBSNews.com
 Slate.com
 Aero-news.net
 Naturalnews.com
 Huffingtonpost.com
 Realclearpolitics.com
 PhysOrg.com
 Climateprogress.org
 Climatesciencewatch.org
 DailyKos.com
 Sciencecentric.com
 Miller-McCune.com
 Scienceblogs.com
 Energysavingsweekly.com
 Scientificblogging.com
 Careerscientist.com
 Scienceblogs.com
 Sierraclub.com
 Hillheat.com
 Projectgroundswell.com
 Climatewatch (KQED.org)
 Pollster.com
 Kuratkull.com
 Nature.com
 National Review Online
 CNYcentral.com
 WTOP.com
 WBUR
 Treehugger
 Inside EPA
 Grist
 Channel4000.com
 AARP.org
 Pentagraph.com
 Environmentalhealthnews.com
 Wattsupwiththat.com
 Daily.sightline.org
 Alternet.org
 Greenreport.it

Word.Emerson.edu
DailyFreePress.com
Thnkprogress.org

Podcast: Stanford School of Medicine 1:2:1:
<http://med.stanford.edu/121/2010/krosnick.html>
“Gibson on Fox”, Fox News Radio
“To the Point”, KCRW Radio

Theses and Dissertations Supervised

- Boninger, D. S. (1988). The determinants of attitude importance. Master's Thesis. Ohio State University.
- Chuang, Y. C. (1988). The structure of attitude strength. Master's Thesis. Ohio State University.
- Roman, R. J. (1988). A cognitive dissonance interpretation of the timing of punishment. Honors Thesis. Ohio State University.
- Chuang, Y. C. (1989). Policy voting and persuasion in American presidential elections: The role of attitude importance. Ph.D. Dissertation. Ohio State University.
- Kost, K. A. (1989). Complexity as a situationally modifiable property of cognitive structure. Master's Thesis. Ohio State University.
- Li, F. (1989). Order of information acquisition and the effect of base-rates on social judgments. Master's Thesis. Ohio State University.
- Berent, M. K. (1990). Attitude importance and the recall of attitude-relevant information. Master's Thesis. Ohio State University.
- Betz, A. L. (1990). Backward conditioning of attitudes using subliminal photographic stimuli. Master's Thesis. Ohio State University.
- Fabrigar, L. R. (1991). The effect of question order and attitude importance on the false consensus effect. Master's Thesis. Ohio State University.
- Reed, D. R. (1991). Associative memory structure and the evaluation of political leaders. Ph.D. Dissertation. Ohio State University.
- Berent, M. K. (1994). Attitude importance and information processing. Ph.D. Dissertation. Ohio State University.
- Narayan, S. S. (1994). Response effects in attitude surveys: An examination of the satisficing explanation. Master's Thesis. Ohio State University.
- Miller, J. M. (1994). Mediators and moderators of agenda-setting and priming. Master's Thesis. Ohio State University.
- Smith, W. A. (1995). Mental coin-flipping and non-differentiation in surveys: Tests of satisficing hypotheses. Honors Thesis. Ohio State University.
- Visser, P. S. (1995). The relation between age and susceptibility to attitude change: A new approach to an old question. Master's Thesis. Ohio State University.
- Narayan, S. S. (1995). Satisficing in attitude surveys: The impact of cognitive skills, motivation, and task difficulty on response effects. Ph.D. Dissertation. Ohio State University.

- Ankerbrand, A. L. (1997). Attitude formation and the bivariate model: A study of the relationship between beliefs and attitudes. Master's Thesis. Ohio State University.
- Bizer, G. Y. (1997). The relation between attitude importance and attitude accessibility. Master's Thesis. Ohio State University.
- Visser, P. S. (1998). Testing the common-factors model of attitude strength. Ph.D. Dissertation. Ohio State University.
- Miller, J. M. (2000). Threats and opportunities as motivators of political activism. Ph.D. Dissertation. Ohio State University.
- Chang, L. (2001). A comparison of Samples and response quality obtained from RDD telephone survey methodology and Internet survey methodology. Ph.D. Dissertation. Ohio State University.
- Holbrook, A. L. (2002). Operative and meta-psychological strength-related attitude features: A study of knowledge volume, ambivalence, and accessibility. Ph.D. Dissertation. Ohio State University.
- Lampron, S. F. (2002). Self-interest, values, involvement, and susceptibility to attitude change. Master's Thesis. Ohio State University.
- Shaeffer, E. M. (2003). Response effects in questionnaires: A comparison of minimally balanced and fully balanced forced choice questions and rating and ranking procedures. Master's Thesis. Ohio State University.
- Pfent, A. (2004). Rationalization of candidate preferences: New evidence of determinants of attitude change. Master's Thesis. Ohio State University.
- Lein, J. (2006). Issue saliency in proximity and directional voting models: A 1996 case study. Honors thesis. Stanford University.
- Miller, L. E. (2007). Voting in ballot initiative elections. Ph.D. Dissertation. Stanford University.
- Bannon, B. (2008). Tell it like it is: News media priming – Extensions and applications. Ph.D. Dissertation. Stanford University.
- Blocksom, D. (2008). The ballot order effect: The 2004 Presidential election in Ohio. Honors Thesis. Stanford University.
- Chen, E. (2008). Me first! Assessing the significance of ballot order effects on elections in North Dakota. Honors Thesis. Stanford University.
- Chiang, I. A. (2008). The principle of congruence in asking questions. Ph.D. Dissertation. Stanford University.
- Garland, P. (2008). Still hoping for separate and unequal: New perspective son racial attitudes and media in America. Ph.D. Dissertation. Stanford University.
- Harder, J. (2008). Why do people vote? The relationship between political efficacy and voter turnout. Honors Thesis. Stanford University.
- Malhotra, N. (2008). Essays on survey methodology and bandwagon effects. Ph.D. Dissertation. Stanford University.

- Schneider, D. (2008). Measurement in surveys and elections: Interviewer effects in election surveys, name order on election ballots, and customer satisfaction surveys. Ph.D. Dissertation. Stanford University.
- Gauthier, L. D. (2010). The false consensus effect: Projection or conformity? Ph.D. Dissertation. Stanford University.
- Abbasi, D. R. (2011). Americans and climate change: Elite understanding of the gap between science and action. Ph.D. Dissertation. Stanford University.
- Pasek, J. M. H. (2011). Communication through elections: Three studies exploring the determinants of citizen behavior. Ph.D. Dissertation. Stanford University.
- Larson, S. (2011). American concern for the environment: Survey question wording and why it matters for environmental policy. Honors Thesis. Stanford University.
- Lelkes, Y. (2012). Essays on the measurement of public opinion. Ph.D. Dissertation. Stanford University.
- Gross, W. (2012). Opinions about Hispanics: Causes and consequences. Ph.D. Dissertation. Stanford University.
- PonTell, E. (2012). Do sweets make you sweeter? Sweet food consumption and acquiescence response bias. Honors Thesis. Stanford University.
- Kim, N. (2013). Difference and Democracy: Encountering difference in Democratic dialogues. Ph.D. Dissertation. Stanford University.
- Eddy, G. M. (2013). Remediating a data deficit: A regression analysis of public opinion on healthcare reform. Honors Thesis. Stanford University.
- Cho, A. (2016). The psychology of economic voting: How voters use economic information to inform their political choices. Honors Thesis. Stanford University.
- Slavec, A. (2016). Improving survey question wording using language resources. Ph.D. Dissertation. University of Ljubljana, Slovenia.
- Vannette, D. L. (2017). Predicting and influencing behavior with surveys. Ph.D. Dissertation. Stanford University.
- Kim, S. (2017). The influence of others: The impact of perceptions of others' opinions on individual attitudes and behavioral intentions. Ph.D. Dissertation. Stanford University.
- Höhne, J. K. (2017). Question format, response effort, and response quality – A methodological comparison of agree/disagree and item-specific questions. Ph.D. Dissertation. Georg-August-Universität Göttingen.

Professional Association Memberships

American Psychological Association
Society of Experiment Social Psychology
Society for Personal and Social Psychology
American Political Science Association
American Association for Public Opinion Research

Revised: June, 2019.

Exhibit B

November 14, 2019

***Mecinas, et al. v. Hobbs*, Case No. 2:19-CV-05547-DJH**

United States District Court for the District of Arizona

Expert Report of Jonathan Rodden, PhD

**737 Mayfield Avenue
Stanford, CA 94305**

A handwritten signature in black ink, appearing to read 'Jonathan Rodden', is centered on the page.

Jonathan Rodden, PhD

I. INTRODUCTION AND SUMMARY

Arizona Statute § 16-502(E) dictates that within each county, candidates sharing the party label of the Arizona candidate who garnered the most votes in the county in the most recent election for governor must be listed first on the ballot for each office on the general election ballot. A large body of literature in the social sciences indicates that when a candidate is listed first on a ballot, he or she typically receives an electoral advantage. In some states, the order of names on the ballot is rotated in a way that facilitates strong causal inference. In those states, researchers have been able to examine situations in which the same candidate for the same office in the same year is listed first on some ballots, and second on others, by comparing precincts that are otherwise similar. Such studies have reached a clear consensus that the first-listed candidate often receives an electoral advantage.

I have been asked to examine whether a similar advantage also exists in Arizona, where ballot order in general elections is not typically randomized or otherwise rotated across precincts within offices. Arizona's rather unique county-based system allows for comparisons of the vote shares of the same candidates for the same offices in the same years when they are listed first in some counties but not others, and for comparisons of vote shares over time as the party of the first-listed candidate changes. In this report, I examine Arizona county-level election results from 1980 to 2018 in order to ascertain whether, as in other states, first-listed candidates are favored in Arizona.

I analyze Arizona county-level data in three ways. First, I estimate traditional linear regressions in which I estimate the effect of ballot order on the vote shares of the two major parties, holding constant such potential confounders as party registration, incumbency, population density, racial demographics, year, and office. Second, for each observation of a specific election in a county where a Republican is listed first, I find a matching observation that is similar with respect to partisanship and other factors, but where a Democrat was listed first, and calculate the difference in vote share between those “treatment” and “control” cases. Third, I focus on a subset of elections for which the previous gubernatorial election was close, and thus the assignment of ballot order in the county plausibly came closer to randomization.

Specifically, I find that:

1. The regression analysis and matching analysis provide rather similar estimates. The regression analysis indicates that Democratic candidates can expect an advantage of around 4.5 percentage points when they are listed first, and the matching analysis produces an estimate of 5.7 percentage points.
2. According to the regression analysis, Republicans can expect an advantage of around 2.2 percentage points when they are listed first, and the estimate from the matching analysis is around 2.9 percentage points.
3. For Republican candidates, this primacy advantage is more pronounced in elections where no incumbents are on the ballot—around 5.6 percentage points

according to the regression analysis, and 4.2 percentage points according to the matching analysis.

4. Estimated ballot order effects are even larger when analyzed with the close election discontinuity technique—around 7.5 percent—but these estimates are probably less reliable than the more conservative estimates obtained from the regression and matching approaches.

Furthermore, I have been asked to use contemporary data to analyze whether it is likely that a reform in ballot order practices would have a substantial impact on election outcomes in Arizona. To answer this question, I draw upon the recent reform of ballot order practices in North Carolina, which like Arizona, had a longstanding practice of placing the names of members of the party that won the most recent gubernatorial election at the top of the ballot, although in North Carolina, the statewide winner was used to determine ballot order uniformly in all counties. In 2016, after losing the gubernatorial election, the outgoing Republican governor signed a law that replaced this practice with a modified alphabetical ordering. This produced a valuable experiment: I am able to compare the same precincts in 2016, when Republicans were always listed first, and in 2018, when Republicans were listed first in only half of the precincts. I compare legislative election outcomes for the same races in 2016 and 2018, and I find that the change in ballot order had a large effect on outcomes. Specifically:

1. I compare precincts where Republicans were listed first in both 2016 and 2018 with those where they were listed first in 2016 but not 2018. The increase in

- Democratic vote share from 2016 to 2018 was larger by 1.5 percentage points in the latter group of precincts.
2. This effect is much larger in “open” seats where no incumbent was running (8 percentage points), and in races where the exact same pair of candidates was running in both 2016 and 2018 (4 percentage points).

II. QUALIFICATIONS

I am currently a tenured Professor of Political Science at Stanford University and the founder and director of the Stanford Spatial Social Science Lab (“the Lab”)—a center for research and teaching with a focus on the analysis of geo-spatial data in the social sciences. In my affiliation with the Lab, I am engaged in a variety of research projects involving large, fine-grained geo-spatial data sets including ballots and election results at the level of polling places, individual records of registered voters, census data, and survey responses. Prior to my employment at Stanford, I was the Ford Professor of Political Science at the Massachusetts Institute of Technology. I received my Ph.D. from Yale University and my B.A. from the University of Michigan, Ann Arbor, both in political science. A copy of my current C.V. is included as Appendix B.

In my current academic work, I conduct research on the relationship between the patterns of political representation, geographic location of demographic and partisan groups, and the drawing of electoral districts. I have published papers using statistical methods to assess political geography, balloting, and representation in a variety of academic journals including *Proceedings of the National Academy of Science*, *American*

Economic Review Papers and Proceedings, the *Journal of Economic Perspectives*, the *Virginia Law Review*, the *American Journal of Political Science*, the *British Journal of Political Science*, the *Annual Review of Political Science*, and the *Journal of Politics*. One of these papers was recently selected by the American Political Science Association as the winner of the Michael Wallerstein Award for the best paper on political economy published in the last year.

I have recently written a series of papers, along with my co-author, Jowei Chen, using automated redistricting algorithms to assess partisan gerrymandering. This work has been published in the *Quarterly Journal of Political Science* and *Election Law Journal*, and it has been featured in more popular publications like the *Wall Street Journal*, the *New York Times*, and *Boston Review*. I have recently completed a book, published by *Basic Books* in June of 2019, on the relationship between political districts, the residential geography of social groups, and their political representation in the United States and other countries that use winner-take-all electoral districts. The book was reviewed in *The New York Times*, *The New York Review of Books*, *Wall Street Journal*, *The Economist*, and *The Atlantic*, among others.

I have expertise in the use of large data sets and geographic information systems (GIS), and conduct research and teaching in the area of applied statistics related to elections. My PhD students frequently take academic and private sector jobs as statisticians and data scientists. I frequently work with geo-coded voter files and other large administrative data sets, including in a recent paper published in the *Annals of Internal Medicine*. I have developed a national data set of geo-coded precinct-level election results

that has been used extensively in policy-oriented research related to redistricting and representation,¹ as well as with Census data from the United States and other countries.

I have been accepted and testified as an expert witness in six recent election law cases: *Romo v. Detzner*, No. 2012-CA-000412 (Fla. Cir. Ct. 2012); *Mo. State Conference of the NAACP v. Ferguson-Florissant Sch. Dist.*, No. 4:2014-CV-02077 (E.D. Mo. 2014); *Lee v. Va. State Bd. of Elections*, No. 3:15-CV-00357 (E.D. Va. 2015); *Democratic Nat'l Committee et al. v. Hobbs et al.*, No. 16-1065-PHX-DLR (D. Ariz. 2016); *Bethune-Hill v. Virginia State Board of Elections*, No. 3:14-cv-00852-REP-AWA-BMK (E.D. Va. 2014); and *Jacobson et al. v. Lee*, No. 4:18-cv-00262 (N.D. Fla. 2018). In addition, I recently submitted written testimony in *League of Women Voters of Florida v. Detzner*, No. 4:18-cv-002510 (N.D. Fla. 2018) and *College Democrats at the University of Michigan, et al. v. Johnson et al.*, No. 3:2018-cv-12722 (E.D. Mich. 2018). I also worked with a coalition of academics to file Amicus Briefs in the Supreme Court in *Gill v. Whitford*, No. 16-1161, and *Rucho v. Common Cause*, No. 18-422. Much of the testimony in these cases had to do with geography, voting, ballots, and election administration. My testimony in *Jacobson* focused specifically on ballot order. I am being compensated at the rate of \$500/hour for my work in this case. My compensation is not dependent upon my conclusions in any way.

III. WHAT DO WE KNOW ABOUT BALLOT ORDER?

A large social science literature has explored the subtle psychological bias toward

¹ The dataset can be downloaded at <http://projects.iq.harvard.edu/eda/home>. The data can be visualized in an interactive web map, available at <http://atlas.esri.com/Atlas/VoterAtlas.html>.

selecting the first option from among a set of options that is presented in visual form. This bias has been documented in voluminous research on consumer choice, test-taking, and survey response. Perhaps the largest body of research has focused on elections. Beginning in the 1960s, election researchers from a variety of countries have noticed a surprisingly common pattern: candidates that are listed first on the ballot receive a higher vote share. This is true not only in local elections and primaries, but also in high-profile national elections. In the United States, the effects appear to be largest in lower-profile races about which voters have less information.

Until recently, researchers in this literature simply collected returns from large numbers of elections, and noted that on average over a wide range of races, the first-listed candidate received an electoral advantage. Many of these studies attempted to statistically control for other potentially confounding features of ballot order. More recently, social scientists have gone a step further, looking for opportunities to draw inferences from quasi-experiments. Ideally, the researcher would be able to hold constant the names of the candidates on the ballot, and everything else about the design of the ballot, but randomly assign half of the voters to a condition in which candidate A is listed first—let us call that the “treatment condition”—and the other half of the voters to a condition in which candidate A is listed second (or further down the ballot if there are more than two candidates). And ideally, one would perform this experiment for all of the candidates.

Because of the widespread understanding that first-listed candidates can receive an unfair advantage, some U.S. states have introduced exactly such a system, where the order of names on the ballot is rotated across precincts, counties, or state legislative districts.

The goal of this practice, of course, is to make sure that candidate A is listed first roughly as often as candidate B, but these practices have an additional advantage: they have provided researchers with the opportunity to hold everything else constant, and examine the causal impact of ballot order by comparing the vote shares of candidates A and B when they are listed first versus further down the ballot in precincts or counties that are otherwise similar. Indeed, a growing number of such studies conducted in Ohio, North Dakota, New Hampshire, Texas, and California have confirmed the results of earlier studies, consistently finding advantages for first-listed candidates.²

IV. THE IMPACT OF BALLOT ORDER IN ARIZONA

Because it is driven by a universal psychological phenomenon, there is no reason to expect that voters in Arizona's general elections are immune to the primacy effect. Nevertheless, it is useful to examine those elections for evidence consistent with the primacy effects found in other settings. Arizona does not use a system of formal rotation for the order of names across precincts or counties for its general elections, so we do not have access to the ideal quasi-experimental data. It does, however, introduce variation over time and across counties in the order in which names appear on the ballot. The order of names is determined by the party of the gubernatorial candidate that won the most votes in the most recent election in each county. This means, for instance, that in *gubernatorial* election year *Y* in county *C*, the order of names on the ballot is determined by the result of

² For an extensive review of these studies, see the report filed by Dr. Jon Krosnick in this case.

the gubernatorial election in year *Y-4*. If the Democratic candidate received 51 percent of the votes in County *A*, and 49 percent in County *B*, Democrats would be listed first for all races in County *A*, and Republicans would be listed first for all races in County *B*. In a *presidential* election year, the ballot order for all offices is determined by the county-level gubernatorial result in year *Y-2*.

This scheme is analytically useful, in that it allows us to examine whether, in the race for a specific office in a specific year, all else equal, the Democratic candidate received a higher vote share in the counties where he or she was listed first, and likewise, whether the Republican candidate received a higher vote share in the counties where he or she was listed first. In addition to cross-county variation within specific elections, we can also draw upon variation over time within counties, since there are years when Democrats are listed first, and years when Republicans are listed first.

Figure 1: Cross-County and Time-Series Variation in Ballot Order in Arizona General Elections, 1980-2018.

	Apache	Cochise	Coconino	Gila	Graham	Greenlee	La Paz	Maricopa	Mohave	Navajo	Pima	Pinal	Santa Cruz	Yavapai	Yuma
1980	D	D	D	D	R	D		R	R	D	D	D	D	R	D
1982	D	D	D	D	R	D		R	R	D	D	D	D	R	D
1984	D	D	D	D	D	D		D	D	D	D	D	D	D	D
1986	D	D	D	D	D	D		D	D	D	D	D	D	D	D
1988	D	R	D	D	R	D	R	R	R	D	D	D	D	R	D
1990	D	R	D	D	R	D	R	R	R	D	D	D	D	R	D
1992	D	D	D	D	D	D	R	R	R	D	D	D	D	R	D
1994	D	D	D	D	D	D	R	R	R	D	D	D	D	R	D
1996	D	R	D	D	R	R	R	R	R	D	R	D	D	R	R
1998	D	R	D	D	R	R	R	R	R	D	R	D	D	R	R
2000	D	R	R	R	R	R	R	R	R	R	R	R	R	R	R
2002	D	R	R	R	R	R	R	R	R	R	R	R	R	R	R
2004	D	R	D	D	R	D	R	R	R	D	D	D	D	R	R
2006	D	R	D	D	R	D	R	R	R	D	D	D	D	R	R
2008	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
2010	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
2012	D	R	D	R	R	R	R	R	R	R	D	R	D	R	R
2014	D	R	D	R	R	R	R	R	R	R	D	R	D	R	R
2016	D	R	D	R	R	R	R	R	R	R	D	R	D	R	R
2018	D	R	D	R	R	R	R	R	R	R	D	R	D	R	R

Figure 1 provides a visualization of cross-county and over-time variation in ballot order in Arizona elections since 1980. Note that the current ballot-order procedure was instituted in 1979, so to my knowledge, the first relevant general election was in 1980, for which ballot order was determined by the 1978 gubernatorial election. Blue indicates counties in which Democrats were listed first on all ballots, and red indicates counties in which Republicans were listed first. Arizona currently has 15 counties, but had 14 prior to the formation of La Paz County in the mid 1980s. In all of the years since 1980, there has been cross-county variation in ballot order, with four exceptions. In 1984 and 1986, and again in 2008 and 2010, Democrats were listed first in all counties. In 16 of 20 general elections, there was useful cross-county variation in ballot order.

Within-county variation is more limited. More than half of the counties experienced little or no variation in ballot order. Apache County exhibited no variation at all: Democrats were listed first in all 20 elections. There are four counties where one party has been listed first for almost the entire period, with only a single brief interruption: Coconino, La Paz, Pima, and Santa Cruz. And there were five counties with only three switches in ballot order in the entire 38-year period: Gila, Greenlee, Navajo, Pinal, and Yuma. The only counties with four or more switches in ballot order were Cochise, Graham, Maricopa, Mohave, and Yavapai. Even among these, in Maricopa, Mohave, and Yavapai, Republicans were listed first in 16 of 20 elections, with Democratic interregnums limited to two statewide Democratic waves: one following 1982 and the other following 2006.

In order to understand the potential impact of ballot order on statewide elections in Arizona, it is useful to consider the distribution of registered voters across counties. For

example, in 2018, Maricopa County alone accounted for around 61 percent of Arizona’s registered voters. In that year, 81 percent of Arizona’s voters lived in a county where Republicans were listed first. In fact, over 80 percent of Arizona’s registered voters have lived in counties where Republicans have been listed first since 2012. In Table 1 below, I present the share of Arizona’s registered voters living in counties where Republicans are listed first in each election since 1980.

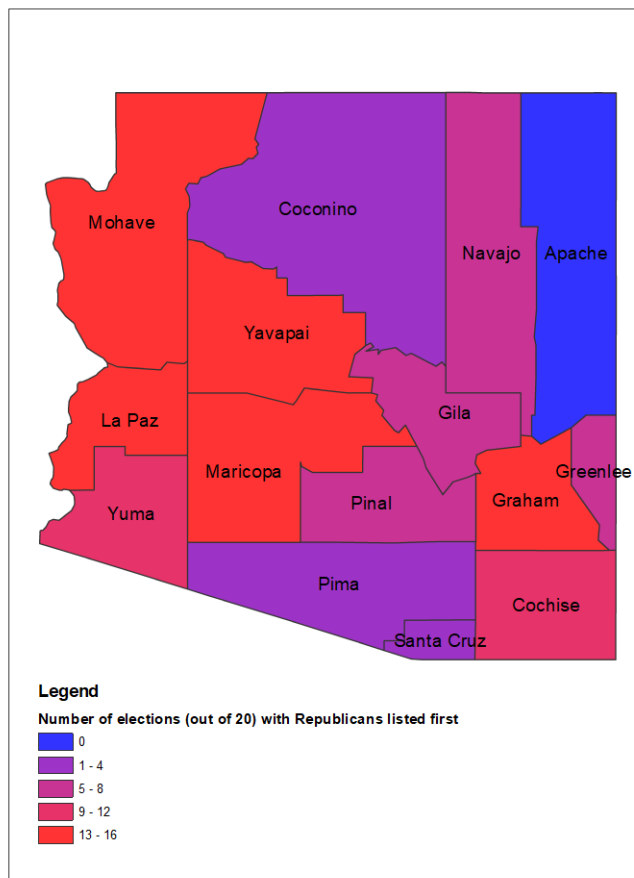
Table 1: Share of Arizona’s Registered Voters Living in Counties Where Republicans Were Listed First, 1980-2018

Year	Share of Registered Voters with Republicans Listed First
1980	0.62
1982	0.61
1984	0
1986	0
1988	0.66
1990	0.67
1992	0.65
1994	0.64
1996	0.89
1998	0.89
2000	0.98
2002	0.98
2004	0.71
2006	0.71
2008	0
2010	0
2012	0.80
2014	0.80
2016	0.80
2018	0.81

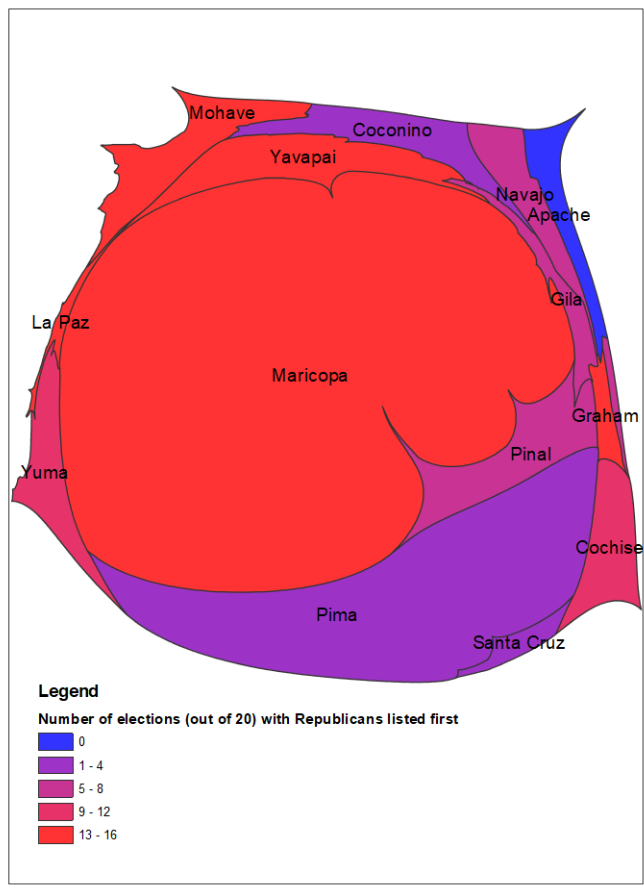
In the average election since 1980, 61 percent of registered voters lived in a county where Republicans were listed first. But the two periods of Democratic statewide sweeps, 1984-1986, and 2008-2010, were quite anomalous. In the other 16 elections, the average share of registered voters living in a county with Republicans listed first on the ballot was 76 percent.

Another way to visualize the geography of ballot order and the lopsided geographic distribution of registered voters is with a pair of maps. The first map below is simply colored according to the number of general elections since 1980 in which Republicans were listed first in the county. The second map is exactly the same, but it is a cartogram, where the amount of space taken up by the counties on the map corresponds to the average share of registered voters residing in the county from 1980 to 2018. Larger counties, like Maricopa, dominate the display, while small counties like La Paz are barely visible.

Map 1: Number of General Elections in which Republicans were Listed First, by Arizona County, 1980-2018



Map 2: Number of Elections in which Republicans were Listed First, by Arizona County, 1980-2018, County Boundaries Distorted to Correspond to Share of Registered Voters Residing in the County



Because Arizona has only 15 counties, and because within-county variation is so limited in most of them, when trying to identify a ballot-order effect, it is important to make full use of the cross-section and time-series variation depicted in Figure 1 above. To do so, I have collected county-level election results from the Arizona Secretary of State for every office contested in every general election from 1980 to 2018. For each of the cells in Figure

1, there are several observations. Typically, in a presidential year, these include elections for U.S. President, U.S. Senate, U.S. House, and Arizona State Senate.³ In mid-term (gubernatorial) years, these typically include Governor, Attorney General, Mine Inspector, Secretary of State, Superintendent of Public Instruction, Treasurer, U.S. Senate, U.S. House, and Arizona Senate.

I analyze these data using three different approaches. The first approach is the most basic and traditional. I simply perform a regression analysis to determine whether, other things held constant, vote shares are higher for the party of the first-listed candidate. Since ballot order is not randomly assigned to counties, it is also useful to pursue a second approach known as “matching.” This approach involves pairing cases in which Democrats are listed first with cases in which Republicans are listed first, but where for each matched case, the distributions of other observable variables, like the office being contested and the partisanship of the county, are as similar as possible. Third, I address lingering concerns about unobserved sources of variation across cases by paying special attention to counties and elections in which the preceding gubernatorial election was especially close.

Regression Analysis

³ In the Arizona State House of Representatives, two legislators are elected to each district in each election, and in many cases, two Republicans and two Democrats are on the ballot. It is my understanding that ballot order is typically rotated in these cases among candidates of the same party, and I have been unable to obtain precinct-level data on ballot order, which means that I cannot determine a single candidate that is listed first throughout the district, and thus cannot use Arizona House elections to study ballot order effects using county-level data.

To begin, I use regression analysis to determine whether, other things equal, the vote shares of Democratic candidates were higher than those of Republicans in the county-year observations when they were listed first, and conversely, whether the vote shares of Republican candidates were higher when they were listed first. One might imagine that the impact of Democratic ballot primacy on Democratic vote shares is equal and opposite to the impact of Republican ballot primacy on Republican vote shares. However, there are often non-trivial votes for Libertarians, independents, and other smaller parties, such that the Democratic vote share is not simply 100 percent minus the Republican vote share. Thus, I estimate separately models in which the Democratic vote share is the dependent variable—that is to say, the outcome of interest—and models in which the Republican vote share is the dependent variable. In the models focusing on Democrats, the main explanatory, or independent variable is constructed so that it is zero when the Republican is listed first, and 1 when the Democrat is listed first. In models focusing on Republicans, the main independent variable is zero when the Democrat is listed first, and 1 when the Republican is listed first. The coefficient on this variable can be interpreted directly as the primacy advantage obtained by that party when it is listed first. A coefficient of .02 would indicate, for instance, that other things equal, the party in question received a 2 percentage-point advantage when listed first relative to when it was listed second.

Of course, we might expect the vote shares of Republican candidates for various elected positions to be higher in counties that favored a Republican gubernatorial candidate either two or four years ago not because of ballot order, but because there are simply more Republicans in the county. Thus, it is important for these models to control for trends in

county-level partisanship. Fortunately, the Arizona Secretary of State publishes yearly data on party registration broken down by county. By including this as a control variable in the regression, I can disentangle the impact of ballot order from that of county-level partisanship.

It is possible to go even further, and control for other county-level characteristics that might also push some counties in the direction of the Democratic Party, and others in the direction of the Republican Party. For instance, population density may impact vote shares. Dense places are generally more likely to vote for Democrats, and sparse places are more likely to vote for Republicans. This correlation has been growing over time since 1980, and the counties where density is increasing the fastest are also trending toward the Democratic Party. Thus, I include a control for the natural log of population density in the regression.

I have also collected a good deal of demographic data from the U.S. Census and the American Community Survey on the demographic characteristics of Arizona's counties: the share of households who rent rather than own their homes, the share of the population living in poverty, foreign-born individuals as a share of the population, Hispanics as a share of the population, and the share of the population that is white, African-American, and Native American. I experimented with models including these various control variables, and in the models reported below, I included only those that were statistically significant. It is not advisable to add "noise" to a regression model by including extraneous control variables, especially when several of those variables are highly correlated with one another. For instance, one need not include a control variable for both the white population and the

Native American population, since these are almost perfectly (negatively) correlated with one another at $-.92$. Accordingly, in the models reported below, in addition to party registration, I include controls for population density, Native American share, and renter share, but the main results reported below are not affected if additional demographic control variables are added.

It is also useful to consider whether or not an incumbent is running in each race. Incumbents are typically more well-known than other candidates, and they often enjoy an electoral advantage over challengers when running for office. Moreover, there is evidence that the advantage associated with ballot-order primacy is greater in open seats, most likely since voters have less information about the candidates, and are thus more likely to fall prey to the psychological bias that gives rise to the primacy effect. In models that focus on Democrats, I include a variable that is zero if no incumbent is running, 1 if the incumbent is a Democrat, and -1 if the incumbent is a Republican. Thus, the coefficient can be interpreted directly as a measure of the advantage of having a Democratic incumbent in the race, or the disadvantage (for the Democratic candidate) of having a Republican incumbent in the race. A coefficient of $.05$, for instance, would indicate that incumbents have an advantage of 5 percentage points.

To account for the possibility that Democrats or Republicans are systematically more successful in elections for certain types of offices, I also include a series of so-called “dummy variables” for office. That is to say, I include a variable that is 1 for observations that are Attorney General elections, and zero for all other offices; another variable that is

1 for Treasurer races and zero for all others, and so on. In the lingo of empirical analysis, we can refer to these as office-specific “fixed effects.”

As one can appreciate by looking at Figure 1 and Table 1 above, there are also state-wide and national “waves” in favor of one party or the other in particular years. For instance, the Democratic vote share was unusually high in all of Arizona’s counties in the 2006 Mid-term, which led to a subsequent two-election run of Democratic ballot primacy in all of Arizona’s counties. Indeed, it was a very bad year for Republican candidates around the country—an election that President Bush famously characterized as a “thumpin’.” In order to control for such idiosyncratic year-specific events, I include a set of year dummy variables. That is to say, I include a variable that takes the value 1 for the year 1982 and zero for all other years; another variable that takes the value 1 for the year 1984 and zero for all other years, and so on. By including these year fixed effects, I can control for election-specific statewide shocks to the popularity of the parties.

Let us begin with a basic model that focuses on the Republican vote share. The full results are set forth in Appendix A. All of the control variables perform as expected. Incumbents have a significant electoral advantage. Vote shares of Republican candidates are, of course, much higher in counties with higher levels of Republican registration. Higher population density, larger numbers of renters, and larger Native American populations are associated with lower Republican vote shares. The basic model produces an estimate controlling for all of these things, as well as fixed effects for office and year, that Republicans listed first on the ballot, in the period from 1980 to 2018, have received an advantage of around 2.2 percentage points. This estimate is statistically significant at

the 1 percent level. The coefficient and the 95 percent confidence interval can be visualized on the far left in Figure 2.

It is useful to move beyond the basic model and probe further. There are reasons to expect that ballot order effects are largest in elections for so-called “open seats” in which no incumbent is running, and hence no candidate benefits from the name recognition and reputation associated with incumbency. To examine whether this is the case, I have estimated an additional model in which I include an interaction with incumbency. That is, I allow the effect of ballot order to vary according to whether there is an incumbent running, or whether the seat is open. Again, the full results are set forth in the appendix, but the key coefficients, and corresponding confidence intervals, can be visualized in Figure 2.

Figure 2: Coefficients and 95 Percent Confidence Intervals for the Effect of Ballot Order Primacy on Vote Shares of Republican and Democratic Candidates, Arizona Elections from 1980 to 2018.

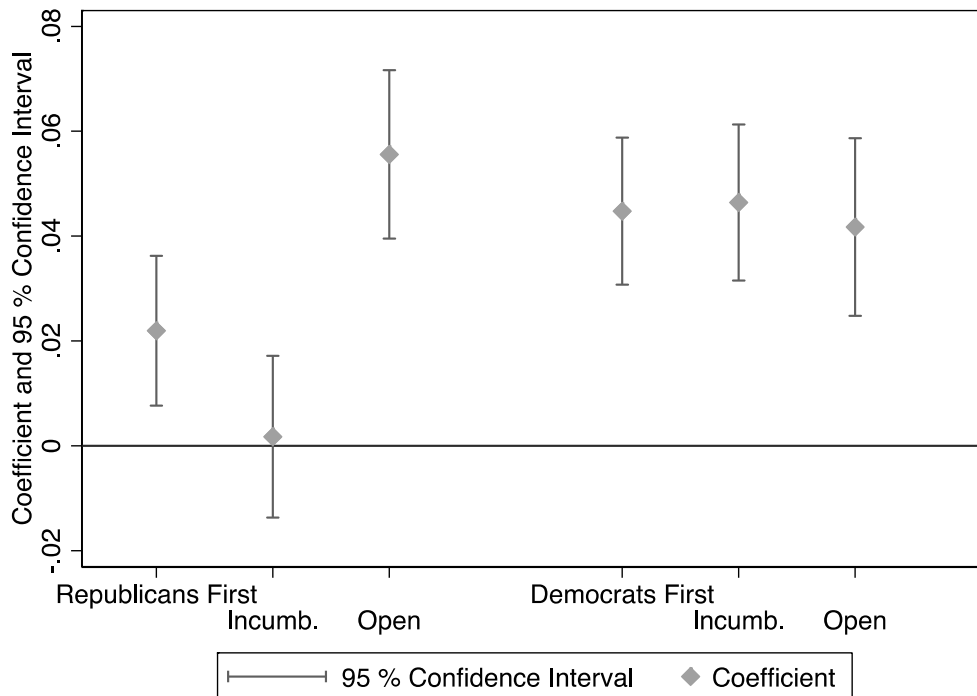


Figure 2 demonstrates that for Republicans, the ballot-order effect is especially pronounced when no incumbent is running. In those races, the estimated ballot-order effect is 5.6 percentage points.

Next, let us consider similar models that focus on the Democratic vote share. The full results are set forth in Appendix A, but the key information can be visualized on the right-hand side of Figure 2. When we focus on Democrats, the estimated effect of being listed first in the basic model is somewhat larger: around 4.5 percentage points. And when we break this down by incumbency, on the right-hand side of the graph, the effect appears to be similar in magnitude whether there is an incumbent on the ballot or not.

These models include office fixed effects, which means that the results are driven by comparisons of vote shares of first-listed and second-listed candidates within specific offices. We can also go a step further, and introduce fixed effects for *candidates*. That is, we can introduce a variable that takes the value 1 for elections in which Mark Brnovich is the candidate, and zero otherwise; a variable that takes the value 1 if Steve Gaynor is the candidate, and zero otherwise, and so on, for all of the candidates. In this way, we can estimate the difference between the vote shares of the same candidates when they are listed first and when they are listed second. These models are presented in the appendix, but they provide very similar results. Using this approach, the estimated overall primacy advantage for Republican candidates is around 2 percentage points, and it is around 4 percentage points in open seats. For Democrats, the overall primacy advantage is estimated as around 3.5 percentage points: 4 percentage points for open seats, and 3 percentage points when an incumbent is running.

Another interesting source of variation is across offices. The results presented thus far include U.S. House and State Senate races in which different candidates are running in different districts, and where some of the races are not especially competitive, in part because popular incumbents draw weak challengers. In addition to controlling for incumbency and estimating separate ballot-order effects in races with and without incumbents running, I can check the robustness of the results by simply dropping U.S. House and Arizona Senate races and restricting the analysis to statewide races where the same candidates are competing in every county. When I do this, the estimated effect of being listed first on the ballot for both Democrats and Republicans is around 2.5 percentage points, and it remains highly statistically significant in spite of the smaller data set.

I have also drilled down further to examine whether these estimates of ballot-order effects are driven by high-profile races at the top of the ballot—specifically, president, U.S. Senator, and governor—or exclusively by lower-profile elections like Attorney General, Secretary of State, Treasurer, Mine Inspector, and Superintendent of Public Instruction. In previous studies, estimated effects of ballot order have been larger in down-ballot races. To examine this in Arizona, I estimated models that allow the “ballot order” coefficient to vary for “top-of-ballot” and “down-ballot” races. This approach suggests that the ballot order effect is indeed somewhat larger in down-ballot races: around 3 percentage points for top-of-ballot races, and around 5.5 percentage points for statewide down-ballot elections. The effect is similar whether the Democratic or Republican vote share is used as the dependent variable.

One might worry that all of the analyses presented thus far might be affected by some form of gubernatorial coattails. Perhaps a popular gubernatorial candidate wins in year Y , and then runs again in year $Y+4$, pulling co-partisans along on his or her coattails in several counties. To make sure this is not somehow driving the estimated ballot order effect, one useful check is to estimate a model that drops all of the years in which a governor who was elected in $Y-4$ was running for reelection: 1982, 1994, 2006, and 2018. The downside of this approach is that it leaves us with a much smaller data set—one that provides far less statistical power and a lower likelihood of observing a statistically significant ballot order effect. Nevertheless, as set forth in the appendix, the results of such models are broadly similar to models including the full data set. When the Democratic vote share is used as the dependent variable, the effect of being listed first is 3.8 percentage points. When Republican vote share is used, the effect is 1.5 percentage points.

Matching

It is quite clear from these county-level regression analyses that in Arizona general elections since 1980, candidates of the first-listed party receive higher vote shares than those of the second-listed party. However, one might question whether ballot order is truly the root cause of this difference. Recall from above that the ideal quasi-experimental approach to measuring ballot-order effects requires that ballot order be randomized. The advantage of randomization is that it allows us to rule out the possibility that the mechanism for assigning ballot order is somehow driving any observed differences in election

outcomes. In Arizona, the mechanism for assigning ballot order is not random: it is based on the outcome of the most recent gubernatorial election. Using the data at hand, we would like to come closer to a randomized experiment. Let us think of second-listed candidates as belonging to the “control” group, and first-listed candidates as belonging to the “treatment” group. Ideally, as discussed above, we would randomly assign counties to “treatment” and “control” status in each election. But since we cannot, an alternative is to follow some version of the matching approach advocated by Elizabeth Stuart and Donald Rubin: “select subsamples of the treated and control groups that are only randomly different from one another on all observed covariates. In other words, matching seeks to identify subsamples of treated and control units that are ‘balanced’ with respect to observed covariates: that is, the observed covariate distributions are the same in the treatment and control groups.”⁴

In short, the idea is to match observations in the treatment and control condition that are as similar as possible in their observable characteristics (“covariates”). That is, for each county election observation in which *Republicans* are listed first, we try to find the most similar possible observation in which *Democrats* are listed first. There are a number of ways to do this, but I report one of the most common: propensity-score matching. Potentially confounding variables can be used to estimate the probability of being in the treatment group, which creates a so-called “propensity score:” an indicator of each unit’s

⁴ Elizabeth Stuart and Donald Rubin, “Matching Methods for Causal Inference: Designing Observational Studies,” in J. Osborne, ed., *Best Practices in Quantitative Methods* (Thousand Oaks, CA: Sage Press, 2007).

propensity to fall into the treatment category. This score can be used to find the best match for each case in the treatment condition with a case in the control condition that has a similar “propensity” to be treated. We can then compare the difference between the vote shares across these matched pairs, and the average difference can be characterized as the effect of being in the treatment condition rather than the control condition (being listed first rather than second).

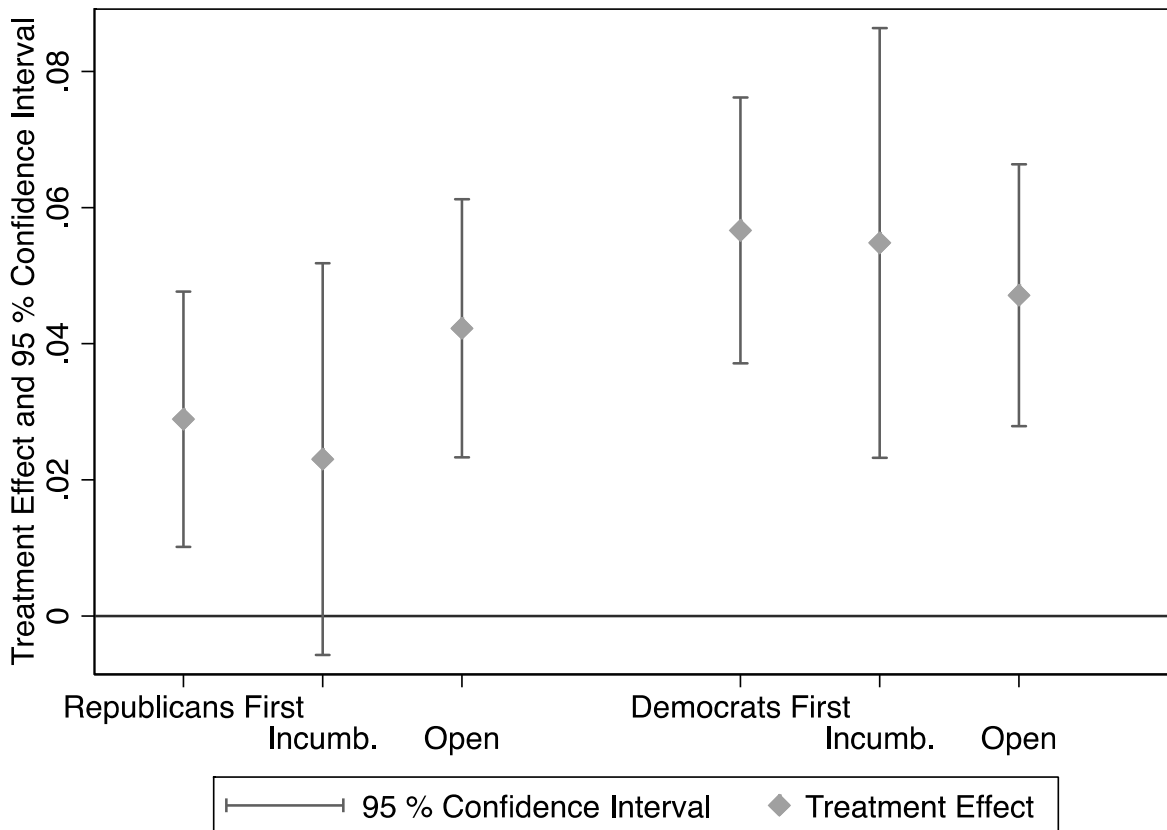
The crucial first step in this process is to decide which covariates will be used to generate the propensity score on which the matching will be based. It is important to include covariates that may be related to both treatment assignment and the outcome—especially the treatment assignment—but we cannot choose a variable, like the most recent gubernatorial vote share, that perfectly determines the treatment assignment. Nor can we choose a variable, for instance the contemporaneous county-level presidential vote share or some other electoral outcome, that is potentially affected by the treatment assignment (ballot order). It is also advisable to match on covariates that were observed *prior* to the treatment.

In most applications of this matching technique, a researcher does not know exactly how units end up being assigned to treatment status, and must make some educated guesses about the observable covariates that predict whether a unit is assigned to treatment. But in this case, we know *exactly* how ballot order was assigned to each county: the winner of the previous gubernatorial election. Thus, we would like to match county-office pairs that were as likely as possible to produce similar vote shares in the previous gubernatorial elections. Not surprisingly, party registration in the year immediately before the last

gubernatorial election is a very good “pre-treatment” predictor of the gubernatorial vote share, and thus an ideal covariate for matching. Fortunately, when I generate propensity scores and match based on this variable, I can achieve a very good overall match—that is, a set of control observations for the same office as the treatment cases with almost identical lagged party registration levels, and with very similar variance on this variable as well. Thus, we can compare vote shares in cases for which it is quite plausible that the treatment assignment—being listed first or second—is essentially random.

The treatment effects and 95 percent confidence intervals are set forth in Figure 3. On the far left is the estimated treatment effect—that is, the effect of being listed first—for Republican candidates. Next, I limit the analysis to races in which there is an incumbent running, and then to those in which there is no incumbent. On the right-hand side of Figure 3, I report similar treatment effects for Democratic candidates.

Figure 3: Treatment Effects and 95 Percent Confidence Intervals from Propensity-Score Matching to Estimate the Effect of Ballot Order Primacy on Vote Shares of Republican and Democratic Candidates, Arizona Elections from 1980 to 2018.



The estimated treatment effect is around 3 percentage points for Republicans, and 5.7 percentage points for Democrats. Both of these estimates are statistically significant at the 1 percent level. These estimates are quite similar to those obtained using the regression method discussed above. When we limit the analysis to races in which an incumbent is running, the effect is smaller, and for Republican candidates, not quite significantly different from zero at the traditional 95 percent level for assessing statistical significance (note that the lower end of the 95 percent confidence interval crosses the zero line). Democratic candidates, though, still appear to benefit from a primacy advantage, even when an incumbent is running. When it comes to open seats, the estimates for Democratic

and Republican candidates are closer together, and quite large in both cases. For Republicans running in open seats, the estimated advantage of being listed first is 4.2 percentage points, and for Democrats it is 4.7 percentage points.

One might argue that it would be beneficial to match on a wider range of covariates beyond lagged party registration. When we start matching on more variables, however, the quality of the match on the crucial registration variable goes down, and it is difficult to achieve a good match of counties on Native American population, for instance, because of the geographic concentration of Native Americans in Arizona. In any case, I have experimented with richer sets of covariates used to calculate the propensity scores, including all of the covariates used in the regression models above (registration, population density, renter share, Native American share, and incumbency), and the estimated treatment effects were very similar, and in most cases somewhat larger. The estimated treatment effects are also not affected by including an even wider range of covariates like Hispanics as share of the population and county-level poverty rates. I have also tried matching on covariates like the most recent (pre-treatment) presidential vote share, or the gubernatorial election that took place four years before the gubernatorial election that determined ballot order, and again, the results were very similar. I have also used other approaches to the matching analysis that are common in the literature, and they produced very similar results.

Focusing on Close Elections

The key strategy in the matching analysis is the use of observable covariates that determine the assignment of cases into the treatment or control condition. We have been able to compare cases that are identical in terms of their propensity to be listed first. But matching analyses are only as good as our ability to observe and measure relevant covariates that determine assignment to treatment. Again, we are in a very good position because we know the assignment mechanism, and have access to very good pre-treatment covariates that predict assignment. Nevertheless, a skeptic might still have the lingering concern that there is some lurking unmeasured proclivity of voters in a county to vote for members of one party or the other—one that is not fully captured by things like registration, population density, and past election results. Perhaps, for instance, voters in some counties in some elections are turning away from the party for which they have registered, and there is a lag before party registration catches up with shifting partisan sentiment in the county, and this shift is not fully captured by changes in population density, race, or housing markets. Such a process might lead to a majority for the Democratic gubernatorial candidate in county *C* in year *Y*, and then elevated votes for Democratic candidates in various offices in years *Y*+2 and *Y*+4.

Empirical political scientists frequently encounter problems like this, since assignment to categories of interest is usually not random, and we may not always be able to measure everything that might be driving the mechanism that assigns cases to the treatment condition. A classic example is incumbency. As seen in the regressions above, incumbents typically receive more votes than non-incumbents. But incumbency is not randomly assigned. We do not know if this advantage stems from something about

incumbency itself—reputation, name recognition, the perks of office, perceived good performance—or rather from that fact that higher-quality candidates are more likely to have won in year $Y-4$ or $Y-2$. Incumbency might simply be a filtering mechanism, and candidate quality is notoriously difficult to measure. To solve this problem, social scientists examine elections in which the outcome of the initial election in year $Y-4$ or $Y-2$, was very close. As the margin of victory in this initial election is closer and closer to 0, that initial election looks more and more like a coin flip.⁵ In other words, we begin to approach random assignment into the category of incumbent/non-incumbent. The basic idea is that in a two-party race, the quality of candidates just above and just below the 50 percent threshold is relatively similar. Thus, if candidates who are just above the threshold go on to experience an electoral advantage in later elections, we can be more confident that this represents a “true” incumbency advantage rather than some unmeasured aspect of candidate quality.

By the same logic, we can focus on close gubernatorial election outcomes in Arizona’s counties. The underlying proclivity to vote for Democratic candidates should be relatively similar in a county that gave 49 percent of the vote to the Democratic gubernatorial candidate as one that gave 51 percent. We can compare cases where the previous two-party gubernatorial vote that drives assignment into treatment and control condition is just barely on one side or the other of the 50 percent threshold. Again, the

⁵ David Lee, 2008. “Randomized experiments from non-random selection in U. S. House elections.” *Journal of Econometrics* 142: 675–97.

hope is that by comparing the cases on either side of this threshold, we come closer to an experiment with random assignment into treatment and control conditions. This approach is called a “regression discontinuity” design.

I execute a robust covariate-adjusted sharp regression discontinuity design, where the covariates are incumbency as well as office and year fixed effects, focusing on cases where the previous gubernatorial election result was in the range of 45 percent to 55 percent. A local polynomial regression (with polynomial order two) is used to determine whether the candidates in cases whose party was just above the 50 percent cutoff in the preceding gubernatorial election, and hence are listed first in the current election, experience a higher vote share than those whose party was just below the cutoff. For both Democrats and Republicans, the estimated treatment effect of being listed first on the ballot based on this approach is quite large—around 7.5 percentage points—and it is statistically significant at the one percent level.

It is not surprising that the treatment effect is different using the regression discontinuity design than with the other approaches, since it focuses the analysis on only a subset of the data—the county-years in which the gubernatorial election was close—and these years and counties could be idiosyncratic in various ways. Furthermore, there is reason for worry that these estimated effects are biased upwards. In counties where a close previous gubernatorial election was won by Republicans, the Republican registration rate is somewhat higher, and in counties where a close election was won by a Democrat, the Democratic registration is somewhat higher. That is, we have an important observable covariate on which we have not achieved balance in the close elections on both sides of the

cut-point. For that reason, while the close election discontinuity design provides a useful robustness check, the more conservative estimates produced by the matching analysis, in which very good balance was achieved on the relevant observable covariates, are more reliable.

V. THE IMPACT OF REFORM: QUASI-EXPERIMENTAL EVIDENCE FROM NORTH CAROLINA

In Arizona and other states, there is ample evidence that the candidate who appears first on the ballot receives an electoral boost. This can translate into a long-term advantage when one party maintains this edge in several consecutive elections. Recall from Figure 1 that many Arizona counties, like Maricopa, have had the same party listed first on general election ballots for the vast majority of the elections from 1980 to the present. But what would happen if this advantage was suddenly taken away? What might happen, for instance, if Arizona abruptly ended its practice of always listing the party of the gubernatorial winner first, and counties like Maricopa switched to an alternative system that did not favor the same party on all general-election ballots in a specific year?

In order to answer this question, it is useful to examine recent quasi-experimental evidence from North Carolina, which in the recent past, held to the practice of listing general-election candidates in the order of the partisan vote share of the most recent gubernatorial election. Until 2016 in North Carolina, a gubernatorial victory for one of the parties led to two subsequent general elections in which the winner's party would be listed first on all general-election ballots for all races in the entire state.

But in 2018, North Carolina changed its system of ballot ordering in a way that facilitates an opportunity to learn about the effect of ballot order reform. Republicans were listed first on all ballots in 2016, and around half of all ballots in 2018. Thus, North Carolina's experiment with ballot reform allows us an unusual opportunity to measure its impact.

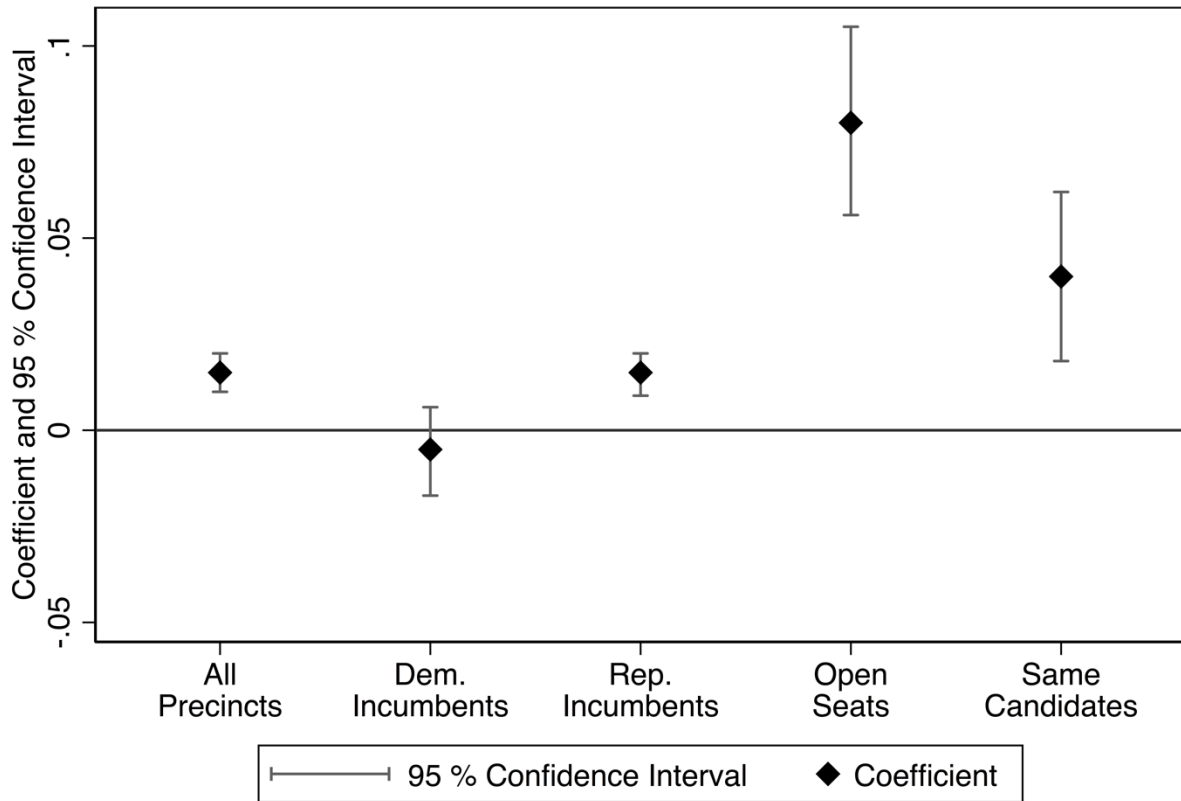
North Carolina holds gubernatorial elections in presidential years, and there are typically no high-profile statewide elections during midterm years. I have assembled precinct-level data on presidential, gubernatorial, U.S. House, North Carolina House of Representatives, and North Carolina Senate races in the general elections of 2012 and 2016 from the North Carolina Secretary of State, and added data on the partisanship of incumbents. In 2012, Democrats were listed first on every ballot, due to the gubernatorial victory of Bev Perdue in 2008. In 2016, Republicans were listed first on every ballot due to the 2012 victory of Pat McCrory. Governor McCrory lost his reelection bid in 2016, which meant that Democrats were poised to be listed first in the 2018 general election. However, a few months before the election, the Republican super-majority in the North Carolina legislature passed a law adopting a modified alphabetical procedure. Specifically, the State Board of Elections and Ethics Enforcement had already held a random drawing to determine alphabetical order for primary candidates. This process determined that a name starting with "F" would get the first ballot position. Names would then cycle through the alphabet with those starting with "E" at the end. A law passed in the summer of 2018 simply applied this same procedure to the November general election.

In this way, the North Carolina legislature unwittingly set up a valuable experiment. Legislative elections were held for 50 seats in the North Carolina Senate, 120 seats in the North Carolina House of Representatives, and 13 seats in the U.S. House of Representatives in November of 2016. In that election, Republican candidates were always listed first. However, only two years later, in November of 2018, the same legislative elections were held again, but this time, in around half of the districts, Republicans were no longer listed first. In order to examine the impact of the ballot-order reform, we can contrast the change in Democratic vote share from 2016 to 2018 in precincts where Republicans were listed first all along and in those where they lost their primacy status. Returning again to the language of experimental research, we can observe a control group, in which Republicans were listed first all along, and a treatment group, in which Republican primacy was removed. As in other states, there was a strong shift toward Democratic candidates throughout North Carolina from 2016 to 2018, but this is of little concern for causal inference, since we are able to contrast the *change* in electoral behavior over time in the treatment and control groups.

The result of this experiment is quite striking. The average contested precinct in North Carolina experienced a 3.2 percentage point shift toward the Democrats in legislative elections as part of the “blue wave” of 2018. However, the shift was much larger in precincts where Republicans were no longer listed first. The Democratic vote share increase was higher by 1.5 percentage points in the cases where the Republican was no longer listed first. This result is highly statistically significant. To establish this, I simply regress the precinct-level change in Democratic vote share on an indicator variable that is

0 if the Republican was still listed first in 2018, and 1 if the Republican was no longer listed first. The coefficient and 95 percent confidence interval are set forth on the left side of Figure 4. Further details are presented in the appendix.

Figure 4: Regression Coefficients Indicating Impact of Change in Ballot Order on Change in Democratic Vote Share Across North Carolina Precincts, 2016 to 2018



These are coefficients from separate models focusing on different groups of precincts.

This overall treatment effect of ballot order reform is calculated from a rather heterogeneous set of electoral districts, and thus masks some important heterogeneity in the strength of the treatment effect. It is thus worthwhile to dig a little deeper into the data. Some districts involved well-known, long-serving incumbents. Others involved open seats in which the incumbent had recently retired or moved on to seek higher office. Further, there were more than twice as many incumbent Republicans running in the state legislative

and U.S. Congressional races in 2018 than incumbent Democrats. And the incumbent Democrats tended to be well-known, long-serving urban representatives.

It is useful to examine the treatment effect of ballot-order reform separately for the smaller number of districts with a Democratic incumbent, and the much larger number of districts with a Republican incumbent. Figure 4 shows that in districts with a Democratic incumbent, there is no evidence of a difference between the districts where Republicans continued to be listed first, and those where Democrats were suddenly listed first. In the much larger number of districts with a *Republican* incumbent, the treatment effect was 1.4 percentage points. That is, the increase in Democratic vote share was 1.4 percentage points higher after the reform in the precincts where Republicans were no longer listed first than in the precincts where they were still listed first.

Of particular interest are the seats where no incumbent was running, since this allows us to examine the impact of ballot order reform in a context where voters were unable to rely on the informational cues associated with incumbency and name recognition. In these districts, the impact of ballot-order reform is quite striking. The change in Democratic vote share was over 8 percentage points higher in the open-seat precincts where Republican ballot-order primacy was suddenly withdrawn.

Another interesting set of cases involve seats where the same set of two candidates ran against one another in 2016 and then lined up again for a rematch only two years later in 2018. These seats allow us to hold personality, fundraising skill, and other such candidate-specific features constant, and measure the causal impact of ballot reform. In

these seats, the impact of ballot-order reform was also extremely large: almost 4 percentage points.

In sum, by suddenly changing the ballot order in 2018 in some precincts and not others, the North Carolina experiment demonstrates that ballot order reform that withdraws ballot order primacy from one party and replaces it with a more balanced system leads to a substantial decrease in the vote share of the formerly-favored party.

VI. CONCLUSIONS

There is a clear consensus among social scientists that in elections in the United States and around the world, the candidates listed first on the ballot can expect a higher vote share than candidates listed further down the ballot. This consensus is based on two types of studies. First, some U.S. states have provided researchers with quasi-experiments by rotating ballot order across precincts, districts, or counties in a way that is not likely to be correlated with the candidates' popularity, allowing researchers to be quite confident that they have isolated the impact of ballot order. Second, in states and countries where ballot order is assigned in a way that is potentially correlated with the candidates' popularity, researchers have attempted to control for potential confounders of ballot order.

Arizona provides an unusually rich opportunity to conduct the second type of study, since it creates not only over-time, but also cross-county variation in ballot order for the same elections. The most important challenge is to account for the fact that the mechanism for assigning ballot order—past county-level gubernatorial vote share—is potentially

correlated with candidates' vote shares in the current election. It is necessary to approach the data in a way that comes as close as possible to the ideal of an experiment in which ballot order is randomly assigned to counties. In this report, I have pursued three strategies: multiple regression analysis, propensity-score matching, and close-election regression discontinuity. Each of these approaches indicates a substantial advantage for the first-listed party in Arizona general elections.

I have also been able to examine the likely impact of reform in ballot order practice by conducting the first type of study—a quasi-experiment—made possible by a sudden shift from partisan to alphabetical name ordering in North Carolina. This analysis indicates that the withdrawal of ballot-order primacy from an advantaged party can have a substantial impact on election outcomes.

**APPENDIX A:
DETAILED RESULTS**

In the main text, I describe a set of regressions that estimate the impact of ballot order on election results in Arizona. First, I describe a regression for which the dependent variable is the Republican vote share and the main independent variable is an indicator of ballot order, and a similar regression that breaks down the main effect of ballot order by incumbency status. Next, I discussed similar regressions in which the Democratic vote share is the main dependent variable. The results of each of these models are presented below.

Table A1: Results of Regression Model Estimating the Impact of Ballot Order on Republican Vote Share

	<u>Coef</u>	<u>SE</u>	
Republican			
First	0.022	(0.007)	***
Incumbent	0.090	(0.004)	***
Republicans as			
share of			
Registrants	0.599	(0.035)	***
Log Pop.			
Density	-0.013	(0.002)	***
Native Am.			
Share	-0.119	(0.017)	***
Renter Share	-0.100	(0.039)	**
Attorney			
General	0.020	(0.009)	**
Governor	0.017	(0.010)	*
President	0.055	(0.013)	***
Secretary of			
State	0.020	(0.010)	**
State Senate	0.029	(0.009)	***

Super. Pub.			
Instr.	0.027	(0.009)	***
Treasurer	0.021	(0.010)	***
U.S. House	0.026	(0.010)	***
U.S. Senate	0.051	(0.010)	***
Year 1980	-0.025	(0.016)	
Year 1982	-0.082	(0.011)	***
Year 1984	0.000	(0.019)	
Year 1986	-0.074	(0.015)	***
Year 1988	-0.055	(0.015)	***
Year 1990	-0.076	(0.012)	***
Year 1992	-0.118	(0.017)	***
Year 1994	-0.054	(0.014)	***
Year 1996	-0.090	(0.018)	***
Year 1998	-0.037	(0.012)	***
Year 2000	-0.060	(0.014)	***
Year 2002	-0.046	(0.010)	***
Year 2004	-0.004	(0.015)	
Year 2006	-0.049	(0.011)	***
Year 2008	-0.017	(0.016)	
Year 2010	0.044	(0.012)	***
Year 2012	-0.020	(0.020)	
Year 2014	0.033	(0.012)	***
Year 2016	0.017	(0.014)	
Constant	0.352	(0.024)	***

R square 0.51

Observations 2129

Robust standard errors in parentheses

***p<.01, **p<.05, *

p<.1

Table A2: Results of Regression Model Estimating the Impact of Ballot Order on Republican Vote Share, Broken Down by Incumbency Status

	Coef	SE
Republican First X Incumbent	0.002	(0.008)

Republican First X Open			
Seat	0.056	(0.008)	***
Incumbent	0.092	(0.004)	***
Republicans as share of			
Registrants	0.600	(0.035)	***
Log Pop. Density	-0.013	(0.002)	***
Native Am. Share	-0.117	(0.017)	***
Renter Share	-0.106	(0.039)	***
Attorney General	0.010	(0.009)	
Governor	0.007	(0.010)	
President	0.048	(0.012)	***
Secretary of State	0.005	(0.010)	
State Senate	0.022	(0.009)	**
Super. Pub. Instr.	0.015	(0.009)	*
Treasurer	0.005	(0.010)	
U.S. House	0.025	(0.010)	**
U.S. Senate	0.044	(0.010)	***
Year 1980	-0.017	(0.016)	
Year 1982	-0.074	(0.011)	***
Year 1984	0.002	(0.018)	
Year 1986	-0.071	(0.015)	***
Year 1988	-0.053	(0.014)	***
Year 1990	-0.072	(0.012)	***
Year 1992	-0.114	(0.017)	***
Year 1994	-0.052	(0.013)	***
Year 1996	-0.086	(0.018)	***
Year 1998	-0.040	(0.012)	***
Year 2000	-0.066	(0.014)	***
Year 2002	-0.067	(0.010)	***
Year 2004	0.005	(0.015)	
Year 2006	-0.041	(0.011)	***
Year 2008	-0.016	(0.016)	
Year 2010	0.048	(0.012)	***
Year 2012	-0.037	(0.019)	*
Year 2014	0.028	(0.011)	**
Year 2016	0.019	(0.014)	
Constant	0.357	(0.023)	***

R square	0.52
Observations	2129

Robust standard errors in parentheses

***p<.01, **p<.05, * p<.1

Table A3: Results of Regression Model Estimating the Impact of Ballot Order on Democratic Vote Share

	Coef	SE	
Democrat First	0.045	(0.007)	***
Incumbent	0.085	(0.004)	***
Democrats as Share of Registrants	0.407	(0.028)	***
Log Population Density	0.015	(0.002)	***
Native American Share	0.126	(0.017)	***
Renter Share	0.155	(0.040)	***
Attorney General	-0.023	(0.010)	**
Governor	-0.067	(0.011)	***
President	-0.124	(0.013)	***
Secretary of State	-0.030	(0.011)	***
State Senate	-0.024	(0.010)	**
Super. Pub. Instr.	-0.016	(0.010)	
Treasurer	-0.024	(0.011)	**
U.S. House	-0.037	(0.011)	***
U.S. Senate	-0.077	(0.011)	***
Year 1980	-0.106	(0.017)	***
Year 1982	-0.045	(0.012)	***
Year 1984	-0.119	(0.019)	***
Year 1986	-0.067	(0.015)	***
Year 1988	-0.045	(0.015)	***
Year 1990	-0.033	(0.012)	***
Year 1992	-0.063	(0.016)	***
Year 1994	-0.075	(0.015)	***
Year 1996	-0.027	(0.018)	
Year 1998	-0.059	(0.013)	***
Year 2000	-0.014	(0.015)	
Year 2002	-0.027	(0.012)	**
Year 2004	-0.047	(0.017)	***
Year 2006	-0.002	(0.011)	
Year 2008	-0.024	(0.016)	
Year 2010	-0.089	(0.012)	***
Year 2012	-0.052	(0.020)	***
Year 2014	-0.022	(0.012)	*
Year 2016	-0.012	(0.015)	

Constant	0.254	(0.019)	***
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R square 0.50

Observations 2129

Robust standard errors in parentheses

***p<.01, **p<.05, *p<.1

Table A4: Results of Regression Model Estimating the Impact of Ballot Order on Democratic Vote Share, Broken Down by Incumbency Status

	Coef	SE	
Democrats First X Incumbent	0.046	(0.008)	***
Democrats First X Open Seat Incumbent	0.042	(0.009)	***
	0.085	(0.004)	***
Democrats as Share of Registrants	0.407	(0.028)	***
Log Population Density	0.015	(0.002)	***
Native American Share	0.126	(0.017)	***
Renter Share	0.154	(0.040)	***
Attorney General	-0.022	(0.010)	**
Governor	-0.066	(0.011)	***
President	-0.124	(0.013)	***
Secretary of State	-0.028	(0.011)	***
State Senate	-0.024	(0.010)	**
Super. Pub. Instr.	-0.015	(0.010)	
Treasurer	-0.023	(0.011)	**
U.S. House	-0.038	(0.010)	***
U.S. Senate	-0.077	(0.011)	***
Year 1980	-0.106	(0.017)	***
Year 1982	-0.045	(0.012)	***
Year 1984	-0.120	(0.019)	***
Year 1986	-0.066	(0.015)	***
Year 1988	-0.045	(0.015)	***
Year 1990	-0.032	(0.012)	***

Year 1992	-0.063	(0.016)	***
Year 1994	-0.075	(0.015)	***
Year 1996	-0.027	(0.018)	
Year 1998	-0.059	(0.013)	***
Year 2000	-0.014	(0.015)	
Year 2002	-0.027	(0.012)	**
Year 2004	-0.047	(0.017)	***
Year 2006	-0.003	(0.011)	
Year 2008	-0.023	(0.016)	
Year 2010	-0.089	(0.012)	***
Year 2012	-0.052	(0.020)	**
Year 2014	-0.022	(0.012)	*
Year 2016	-0.012	(0.015)	
Constant	0.254	(0.019)	***

R square 0.50

Observations 2129

Robust standard errors in parentheses

***p<.01, **p<.05, *

p<.1

Next, in the main text, I describe models that include fixed effects for candidates.

The results of these models are presented below.

Table A5: Results of Regression Model Estimating the Impact of Ballot Order on Republican Vote Share, Including Candidate Fixed Effects

	Coef	SE	
Republican First	0.020	(0.007)	***
Incumbent	0.046	(0.007)	***
Republicans as share of Registrants	0.649	(0.032)	***
Log Pop. Density	-0.009	(0.002)	***
Native Am. Share	-0.094	(0.015)	***

Renter Share	-0.089	(0.032)	***
Year 1980	0.028	(0.029)	
Year 1982	-0.055	(0.027)	**
Year 1984	-0.016	(0.027)	
Year 1986	-0.027	(0.024)	
Year 1988	0.008	(0.025)	
Year 1990	-0.103	(0.024)	***
Year 1992	-0.118	(0.024)	***
Year 1994	-0.037	(0.023)	
Year 1996	-0.124	(0.028)	***
Year 1998	-0.042	(0.023)	*
Year 2000	-0.068	(0.022)	***
Year 2002	-0.065	(0.022)	***
Year 2004	-0.002	(0.022)	
Year 2006	-0.063	(0.019)	***
Year 2008	-0.026	(0.024)	
Year 2010	0.008	(0.018)	
Year 2012	0.008	(0.022)	
Year 2014	0.039	(0.014)	***
Year 2016	0.006	(0.020)	
Constant	0.347	(0.023)	***

R square 0.75

Observations 2129

Robust standard errors in parentheses

***p<.01, **p<.05, * p<.1

Note: Coefficients for individual candidate fixed effects not shown

Table A6: Results of Regression Model Estimating the Impact of Ballot Order on Republican Vote Share, Broken Down by Incumbency Status, Including Candidate Fixed Effects

	Coef	SE	
Republican First X Open Seat	0.041	(0.007)	***
Republican First X Incumbent	0.008	(0.008)	
Incumbent	0.051	(0.007)	***

Republicans as share of			
Registrants	0.645	(0.032)	***
Log Pop. Density	-0.009	(0.002)	***
Native Am. Share	-0.092	(0.014)	***
Renter Share	-0.093	(0.032)	***
Year 1980	0.022	(0.029)	
Year 1982	-0.063	(0.027)	**
Year 1984	-0.025	(0.028)	
Year 1986	-0.035	(0.024)	
Year 1988	-0.003	(0.025)	
Year 1990	-0.111	(0.024)	***
Year 1992	-0.126	(0.025)	***
Year 1994	-0.047	(0.024)	**
Year 1996	-0.132	(0.028)	***
Year 1998	-0.051	(0.024)	**
Year 2000	-0.080	(0.023)	***
Year 2002	-0.088	(0.022)	***
Year 2004	-0.005	(0.022)	
Year 2006	-0.067	(0.019)	***
Year 2008	-0.033	(0.024)	
Year 2010	0.002	(0.018)	
Year 2012	-0.014	(0.023)	
Year 2014	0.027	(0.014)	**
Year 2016	0.005	(0.019)	
Constant	0.355	(0.023)	***

R square 0.75

Observations 2129

Robust standard errors in parentheses

***p<.01, **p<.05, * p<.1

Note: Coefficients for individual candidate fixed effects not shown

Table A7: Results of Regression Model Estimating the Impact of Ballot Order on Democratic Vote Share, Including Candidate Fixed Effects

	Coef	SE	
Democrat First	0.035	(0.006)	***
Incumbent	0.029	(0.008)	***

Democrats as Share of Registrants	0.441	(0.025)	***
Log Population Density	0.017	(0.002)	***
Native American Share	0.119	(0.015)	***
Renter Share	0.172	(0.033)	***
Year 1980	-0.092	(0.050)	*
Year 1982	-0.022	(0.045)	
Year 1984	-0.093	(0.049)	*
Year 1986	-0.077	(0.046)	*
Year 1988	0.035	(0.050)	
Year 1990	-0.014	(0.035)	
Year 1992	-0.037	(0.040)	
Year 1994	-0.117	(0.046)	**
Year 1996	0.035	(0.044)	
Year 1998	0.012	(0.042)	
Year 2000	0.038	(0.043)	
Year 2002	-0.001	(0.035)	
Year 2004	-0.002	(0.046)	
Year 2006	0.029	(0.033)	
Year 2008	0.012	(0.034)	
Year 2010	-0.077	(0.031)	**
Year 2012	0.006	(0.032)	
Year 2014	0.012	(0.024)	
Year 2016	0.015	(0.020)	
Constant	0.161	(0.033)	***

R square 0.75

Observations 2129

Robust standard errors in parentheses

***p<.01, **p<.05, * p<.1

Note: Coefficients for individual candidate fixed effects not shown

Table A8: Results of Regression Model Estimating the Impact of Ballot Order on Democratic Vote Share, Broken Down by Incumbency Status, Including Candidate Fixed Effects

<u>Coef</u>	<u>SE</u>
-------------	-----------

Democrats First X Open Seat	0.041	(0.008)	***
Democrats First X Incumbent	0.031	(0.008)	***
Incumbent	0.032	(0.008)	***
Democrats as Share of			
Registrants	0.441	(0.025)	***
Log Population Density	0.017	(0.002)	***
Native American Share	0.119	(0.015)	***
Renter Share	0.174	(0.033)	***
Year 1980	-0.095	(0.050)	*
Year 1982	-0.026	(0.045)	
Year 1984	-0.093	(0.049)	
Year 1986	-0.078	(0.046)	*
Year 1988	0.033	(0.050)	
Year 1990	-0.016	(0.035)	
Year 1992	-0.040	(0.040)	
Year 1994	-0.120	(0.047)	***
Year 1996	0.029	(0.045)	
Year 1998	0.007	(0.043)	
Year 2000	0.035	(0.043)	
Year 2002	-0.003	(0.035)	
Year 2004	-0.004	(0.046)	
Year 2006	0.026	(0.034)	
Year 2008	0.009	(0.034)	
Year 2010	-0.080	(0.031)	***
Year 2012	0.004	(0.032)	
Year 2014	0.010	(0.024)	
Year 2016	0.017	(0.020)	
Constant	0.164	(0.033)	***

R square 0.75

Observations 2129

Robust standard errors in parentheses

***p<.01, **p<.05, * p<.1

Note: Coefficients for individual candidate fixed effects not shown

Next, in the main text I discussed a robustness check in which I estimated the same model as in Tables A1 through A4, but limited the sample to a specific set of years

in which the governor elected four years ago was *not* on the ballot running for reelection.

The results of these alternative specifications are presented below.

Table A9: Results of Regression Model Estimating the Impact of Ballot Order on Republican Vote Share, Restricted Sample

	Coef	SE	
Republican First	0.015	(0.009)	*
Incumbent	0.088	(0.005)	***
Republicans as share of			
Registrants	0.611	(0.042)	***
Log Pop. Density	-0.014	(0.002)	***
Native Am. Share	-0.113	(0.022)	***
Renter Share	-0.096	(0.048)	**
Attorney General	0.006	(0.012)	
Governor	0.016	(0.013)	
President	0.045	(0.014)	***
Secretary of State	0.005	(0.013)	
State Senate	0.020	(0.012)	*
Super. Pub. Instr.	0.008	(0.012)	
Treasurer	-0.008	(0.013)	
U.S. House	0.015	(0.012)	
U.S. Senate	0.049	(0.014)	***
Year 1980	-0.025	(0.021)	
Year 1986	-0.072	(0.020)	***
Year 1988	-0.055	(0.020)	***
Year 1990	-0.071	(0.019)	***
Year 1992	-0.116	(0.022)	***
Year 1996	-0.086	(0.022)	***
Year 1998	-0.034	(0.020)	*
Year 2000	-0.054	(0.021)	***
Year 2002	-0.037	(0.021)	*
Year 2004	-0.001	(0.021)	
Year 2008	-0.017	(0.020)	
Year 2010	0.046	(0.018)	**
Year 2012	-0.015	(0.025)	
Year 2014	0.040	(0.020)	*
Year 2016	0.023	(0.021)	
Constant	0.357	(0.034)	***
R square	0.47		
Observations	1532		

Robust standard errors in parentheses

***p<.01, **p<.05, *

p<.1

Table A10: Results of Regression Model Estimating the Impact of Ballot Order on Republican Vote Share, Broken Down by Incumbency Status, Restricted Sample

	Coef	SE	
Republican First X Incumbent	-0.004	(0.010)	
Republican First X Open Seat Incumbent	0.047	(0.010)	***
	0.089	(0.005)	***
Republicans as share of Registrants	0.610	(0.042)	***
Log Pop. Density	-0.013	(0.002)	***
Native Am. Share	-0.110	(0.022)	***
Renter Share	-0.099	(0.047)	**
Attorney General Governor	-0.012	(0.012)	
	0.000	(0.013)	
President	0.040	(0.014)	***
Secretary of State	-0.013	(0.014)	
State Senate	0.015	(0.012)	
Super. Pub. Instr. Treasurer	-0.003	(0.012)	
	-0.020	(0.013)	
U.S. House	0.014	(0.012)	
U.S. Senate	0.047	(0.014)	***
Year 1980	-0.020	(0.021)	
Year 1986	-0.070	(0.020)	***
Year 1988	-0.056	(0.020)	***
Year 1990	-0.067	(0.018)	***
Year 1992	-0.114	(0.022)	***
Year 1996	-0.085	(0.022)	***
Year 1998	-0.036	(0.020)	*
Year 2000	-0.061	(0.020)	***
Year 2002	-0.056	(0.020)	***
Year 2004	0.005	(0.021)	
Year 2008	-0.019	(0.020)	
Year 2010	0.048	(0.018)	***

Year 2012	-0.033	(0.024)	
Year 2014	0.036	(0.020)	*
Year 2016	0.023	(0.020)	
Constant	0.361	(0.034)	***

R square 0.48

Observations 1532

Robust standard errors in parentheses

***p<.01, **p<.05, *

p<.1

Table A11: Results of Regression Model Estimating the Impact of Ballot Order on Democratic Vote Share, Restricted Sample

	Coef	SE	
Democrat First	0.038	(0.009)	***
Incumbent	0.079	(0.005)	***
Democrats as Share of Registrants	0.414	(0.033)	***
Log Population Density	0.015	(0.002)	***
Native American Share	0.124	(0.021)	***
Renter Share	0.153	(0.048)	***
Attorney General Governor	-0.016	(0.013)	
President	-0.088	(0.014)	***
Secretary of State	-0.124	(0.015)	***
State Senate	-0.012	(0.014)	
State Senate	-0.024	(0.013)	*
Super. Pub. Instr.	-0.009	(0.013)	
Treasurer	-0.004	(0.015)	
U.S. House	-0.037	(0.013)	***
U.S. Senate	-0.087	(0.015)	***
Year 1980	0.012	(0.021)	
Year 1986	0.053	(0.020)	***
Year 1988	0.074	(0.021)	***
Year 1990	0.082	(0.019)	***
Year 1992	0.054	(0.020)	***

Year 1996	0.088	(0.022)	***
Year 1998	0.057	(0.020)	***
Year 2000	0.098	(0.021)	***
Year 2002	0.083	(0.020)	***
Year 2004	0.070	(0.021)	***
Year 2008	0.097	(0.020)	***
Year 2010	0.029	(0.019)	
Year 2012	0.065	(0.026)	**
Year 2014	0.093	(0.020)	***
Year 2016	0.102	(0.021)	***
Constant	0.139	(0.028)	***

R square 0.47

Observations 1532

Robust standard errors in parentheses

***p<.01, **p<.05, * p<.1

Table A12: Results of Regression Model Estimating the Impact of Ballot Order on Democratic Vote Share, Broken Down by Incumbency Status, Restricted Sample

	Coef	SE	
Democrats First X Incumbent	0.037	(0.010)	***
Democrats First X Open Seat Incumbent	0.039	(0.011)	***
Democrats as Share of Registrants	0.079	(0.005)	***
Log Population Density	0.413	(0.033)	***
Native American Share	0.015	(0.002)	***
Renter Share	0.124	(0.022)	***
	0.153	(0.048)	***
Attorney General	-		
	0.017	(0.014)	
Governor	-		
	0.089	(0.014)	***
President	-		
	0.124	(0.015)	***
Secretary of State	-		
	0.013	(0.015)	

	-		
State Senate	0.024	(0.013)	*
	-		
Super. Pub. Instr.	0.009	(0.014)	
	-		
Treasurer	0.004	(0.015)	
	-		
U.S. House	0.036	(0.013)	***
	-		
U.S. Senate	0.087	(0.015)	***
Year 1980	0.012	(0.021)	
Year 1986	0.051	(0.020)	**
Year 1988	0.073	(0.021)	***
Year 1990	0.081	(0.019)	***
Year 1992	0.053	(0.020)	***
Year 1996	0.087	(0.023)	***
Year 1998	0.056	(0.020)	***
Year 2000	0.097	(0.021)	***
Year 2002	0.082	(0.020)	***
Year 2004	0.069	(0.022)	***
Year 2008	0.096	(0.020)	***
Year 2010	0.029	(0.019)	
Year 2012	0.063	(0.026)	**
Year 2014	0.092	(0.020)	***
Year 2016	0.101	(0.021)	***
Constant	0.140	(0.028)	***

R square 0.48

Observations 1532

Robust standard errors in parentheses

***p<.01, **p<.05, *

p<.1

Finally, in the main text, I described simple regressions in which, for all of the precincts in North Carolina with contested legislative elections in both 2016 and 2018, I regressed the change in Democratic vote share (from 2016 to 2018) on a simple indicator

variable capturing whether the precinct was in the control group—where Republican ballot order primacy was maintained from 2016 to 2018—or in the treatment group—where the Republican candidate was no longer listed first in 2018. I conduct this analysis for all contested precincts, and then, as described in the text, limit the analysis to several subsets of precincts.

Table A13: North Carolina, Impact of Ballot-Order Reform

	<u>Coefficient</u>	<u>Standard Error</u>		<u>Lower 95 % CI</u>	<u>Upper 95 % CI</u>
All contested districts					
Treatment indicator	0.015	(0.003)	***	0.01	0.02
Constant	0.025	(0.002)	***	0.02	0.03
Precincts included:	3569				
Democratic incumbents only					
Treatment indicator	-0.005	(0.006)		-0.02	0.01
Constant	0.039	(0.004)	***	0.03	0.05
Precincts included:	692				
Republican incumbents only					
Treatment indicator	0.015	(0.003)	***	0.01	0.02
Constant	0.025	(0.002)	***	0.02	0.03
Precincts included:	2485				
Open seats only					
Treatment indicator	0.080	(0.012)	***	0.06	0.10
Constant	-0.029	(0.011)	**	-0.05	-0.01
Precincts included:	392				
Identical contestants only					
Treatment indicator	0.040	(0.011)	***	0.02	0.06

Constant	0.008	(0.008)	-0.01	0.02
Precincts included:	220			

RODDEN REPORT: APPENDIX B

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Academic Positions

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Senior Fellow, Hoover Institution, Stanford University, 2012–present.

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Associate Professor, Department of Political Science, Stanford University, 2007–2012.

Fellow, Center for Advanced Study in the Behavioral Sciences, Palo Alto, CA, 2006–2007.

Ford Career Development Associate Professor of Political Science, MIT, 2003–2006.

Visiting Scholar, Center for Basic Research in the Social Sciences, Harvard University, 2004.

Assistant Professor of Political Science, MIT, 1999–2003.

Instructor, Department of Political Science and School of Management, Yale University, 1997–1999.

Publications

Books

Why Cities Lose: The Deep Roots of the Urban-Rural Divide. Basic Books, 2019.

Decentralized Governance and Accountability: Academic Research and the Future of Donor Programming. Co-edited with Erik Wibbels, Cambridge University Press, 2019.

Hamilton's Paradox: The Promise and Peril of Fiscal Federalism, Cambridge University Press, 2006. Winner, Gregory Luebbert Award for Best Book in Comparative Politics, 2007.

Fiscal Decentralization and the Challenge of Hard Budget Constraints, MIT Press, 2003. Co-edited with Gunnar Eskeland and Jennie Litvack.

Peer Reviewed Journal Articles

It Takes a Village: Peer Effects and Externalities in Technology Adoption, 2019, *American Journal of Political Science* (with Romain Ferrali, Guy Grossman, and Melina Platas).

Assembly of the LongSHOT Cohort: Public Record Linkage on a Grand Scale, 2019, *Injury Prevention* (with Yifan Zhang, Erin Holsinger, Lea Prince, Sonja Swanson, Matthew Miller, Garen Wintemute, and David Studdert).

Crowdsourcing Accountability: ICT for Service Delivery, 2018, *World Development* 112: 74-87 (with Guy Grossman and Melina Platas).

Geography, Uncertainty, and Polarization, 2018, *Political Science Research and Methods* doi:10.1017/psrm.2018.12 (with Nolan McCarty, Boris Shor, Chris Tausanovitch, and Chris Warshaw).

Handgun Acquisitions in California after Two Mass Shootings, 2017, *Annals of Internal Medicine* 166(10):698-706. (with David Studdert, Yifan Zhang, Rob Hyndman, and Garen Wintemute).

Cutting Through the Thicket: Redistricting Simulations and the Detection of Partisan Gerrymanders, 2015, *Election Law Journal* 14,4:1-15 (with Jowei Chen).

The Achilles Heel of Plurality Systems: Geography and Representation in Multi-Party Democracies, 2015, *American Journal of Political Science* 59,4: 789-805 (with Ernesto Calvo). Winner, Michael Wallerstein Award for best paper in political economy, American Political Science Association.

Why has U.S. Policy Uncertainty Risen Since 1960?, 2014, *American Economic Review: Papers and Proceedings* May 2014 (with Nicholas Bloom, Brandice Canes-Wrone, Scott Baker, and Steven Davis).

Unintentional Gerrymandering: Political Geography and Electoral Bias in Legislatures, 2013, *Quarterly Journal of Political Science* 8: 239-269 (with Jowei Chen).

How Should We Measure District-Level Public Opinion on Individual Issues?, 2012, *Journal of Politics* 74, 1: 203-219 (with Chris Warshaw).

Representation and Redistribution in Federations, 2011, *Proceedings of the National Academy of Sciences* 108, 21:8601-8604 (with Tiberiu Dragu).

Dual Accountability and the Nationalization of Party Competition: Evidence from Four Federations, 2011, *Party Politics* 17, 5: 629-653 (with Erik Wibbels).

The Geographic Distribution of Political Preferences, 2010, *Annual Review of Political Science* 13: 297-340.

Fiscal Decentralization and the Business Cycle: An Empirical Study of Seven Federations, 2009, *Economics and Politics* 22,1: 37-67 (with Erik Wibbels).

Getting into the Game: Legislative Bargaining, Distributive Politics, and EU Enlargement, 2009, *Public Finance and Management* 9, 4 (with Deniz Aksoy).

The Strength of Issues: Using Multiple Measures to Gauge Preference Stability, Ideological Constraint, and Issue Voting, 2008. *American Political Science Review* 102, 2: 215-232 (with Stephen Ansolabehere and James Snyder).

Does Religion Distract the Poor? Income and Issue Voting Around the World, 2008, *Comparative Political Studies* 41, 4: 437–476 (with Ana Lorena De La O).

Purple America, 2006, *Journal of Economic Perspectives* 20,2 (Spring): 97–118 (with Stephen Ansolabehere and James Snyder).

Economic Geography and Economic Voting: Evidence from the U.S. States, 2006, *British Journal of Political Science* 36, 3: 527–47 (with Michael Ebeid).

Distributive Politics in a Federation: Electoral Strategies, Legislative Bargaining, and Government Coalitions, 2004, *Dados* 47, 3 (with Marta Arretche, in Portuguese).

Comparative Federalism and Decentralization: On Meaning and Measurement, 2004, *Comparative Politics* 36, 4: 481–500. (Portuguese version, 2005, in *Revista de Sociologia e Politica* 25).

Reviving Leviathan: Fiscal Federalism and the Growth of Government, 2003, *International Organization* 57 (Fall), 695–729.

Beyond the Fiction of Federalism: Macroeconomic Management in Multi-tiered Systems, 2003, *World Politics* 54, 4 (July): 494–531 (with Erik Wibbels).

The Dilemma of Fiscal Federalism: Grants and Fiscal Performance around the World, 2002, *American Journal of Political Science* 46(3): 670–687.

Strength in Numbers: Representation and Redistribution in the European Union, 2002, *European Union Politics* 3, 2: 151–175.

Does Federalism Preserve Markets? *Virginia Law Review* 83, 7 (with Susan Rose-Ackerman). Spanish version, 1999, in *Quorum* 68.

Working Papers

Federalism and Inter-regional Redistribution, Working Paper 2009/3, Institut d’Economia de Barcelona.

Representation and Regional Redistribution in Federations, Working Paper 2010/16, Institut d’Economia de Barcelona (with Tiberiu Dragu).

Chapters in Books

Decentralized Rule and Revenue, 2019, in Jonathan Rodden and Erik Wibbels, eds., *Decentralized Governance and Accountability*, Cambridge University Press.

Geography and Gridlock in the United States, 2014, in Nathaniel Persily, ed. *Solutions to Political Polarization in America*, Cambridge University Press.

Can Market Discipline Survive in the U.S. Federation?, 2013, in Daniel Nadler and Paul Peterson, eds, *The Global Debt Crisis: Haunting U.S. and European Federalism*, Brookings Press.

Market Discipline and U.S. Federalism, 2012, in Peter Conti-Brown and David A. Skeel, Jr., eds, *When States Go Broke: The Origins, Context, and Solutions for the American States in Fiscal Crisis*, Cambridge University Press.

Federalism and Inter-Regional Redistribution, 2010, in Nuria Bosch, Marta Espasa, and Albert Sole Olle, eds., *The Political Economy of Inter-Regional Fiscal Flows*, Edward Elgar.

Back to the Future: Endogenous Institutions and Comparative Politics, 2009, in Mark Lichbach and Alan Zuckerman, eds., *Comparative Politics: Rationality, Culture, and Structure* (Second Edition), Cambridge University Press.

The Political Economy of Federalism, 2006, in Barry Weingast and Donald Wittman, eds., *Oxford Handbook of Political Economy*, Oxford University Press.

Fiscal Discipline in Federations: Germany and the EMU, 2006, in Peter Wierds, Servaas Deroose, Elena Flores and Alessandro Turrini, eds., *Fiscal Policy Surveillance in Europe*, Palgrave MacMillan.

The Political Economy of Pro-cyclical Decentralised Finance (with Erik Wibbels), 2006, in Peter Wierds, Servaas Deroose, Elena Flores and Alessandro Turrini, eds., *Fiscal Policy Surveillance in Europe*, Palgrave MacMillan.

Globalization and Fiscal Decentralization, (with Geoffrey Garrett), 2003, in Miles Kahler and David Lake, eds., *Governance in a Global Economy: Political Authority in Transition*, Princeton University Press: 87-109. (Updated version, 2007, in David Cameron, Gustav Ranis, and Annalisa Zinn, eds., *Globalization and Self-Determination: Is the Nation-State under Siege?* Routledge.)

Introduction and Overview (Chapter 1), 2003, in Rodden et al., *Fiscal Decentralization and the Challenge of Hard Budget Constraints* (see above).

Soft Budget Constraints and German Federalism (Chapter 5), 2003, in Rodden, et al, *Fiscal Decentralization and the Challenge of Hard Budget Constraints* (see above).

Federalism and Bailouts in Brazil (Chapter 7), 2003, in Rodden, et al., *Fiscal Decentralization and the Challenge of Hard Budget Constraints* (see above).

Lessons and Conclusions (Chapter 13), 2003, in Rodden, et al., *Fiscal Decentralization and the Challenge of Hard Budget Constraints* (see above).

Online Interactive Visualization

Stanford Election Atlas, 2012 (collaboration with Stephen Ansolabehere at Harvard and Jim Herries at ESRI)

Other Publications

An Evolutionary Path for the European Monetary Fund? A Comparative Perspective, 2017, Briefing paper for the Economic and Financial Affairs Committee of the European Parliament.

Representation and Regional Redistribution in Federations: A Research Report, 2009, in *World Report on Fiscal Federalism*, Institut d'Economia de Barcelona.

On the Migration of Fiscal Sovereignty, 2004, *PS: Political Science and Politics* July, 2004: 427-431.

Decentralization and the Challenge of Hard Budget Constraints, *PREM Note 41*, Poverty Reduction and Economic Management Unit, World Bank, Washington, D.C. (July).

Decentralization and Hard Budget Constraints, *APSA-CP* (Newsletter of the Organized Section in Comparative Politics, American Political Science Association) 11:1 (with Jennie Litvack).

Book Review of *The Government of Money* by Peter Johnson, *Comparative Political Studies* 32,7: 897-900.

Fellowships and Honors

Fund for a Safer Future, Longitudinal Study of Handgun Ownership and Transfer (LongSHOT), GA004696, 2017-2018.

Stanford Institute for Innovation in Developing Economies, Innovation and Entrepreneurship research grant, 2015.

Michael Wallerstein Award for best paper in political economy, American Political Science Association, 2016.

Common Cause Gerrymandering Standard Writing Competition, 2015.

General support grant from the Hewlett Foundation for Spatial Social Science Lab, 2014.

Fellow, Institute for Research in the Social Sciences, Stanford University, 2012.

Sloan Foundation, grant for assembly of geo-referenced precinct-level electoral data set (with Stephen Ansolabehere and James Snyder), 2009-2011.

Hoagland Award Fund for Innovations in Undergraduate Teaching, Stanford University, 2009.

W. Glenn Campbell and Rita Ricardo-Campbell National Fellow, Hoover Institution, Stanford University, beginning Fall 2010.

Research Grant on Fiscal Federalism, Institut d'Economia de Barcelona, 2009.

Fellow, Institute for Research in the Social Sciences, Stanford University, 2008.

United Postal Service Foundation grant for study of the spatial distribution of income in cities, 2008.

Gregory Luebbert Award for Best Book in Comparative Politics, 2007.

Fellow, Center for Advanced Study in the Behavioral Sciences, 2006-2007.

National Science Foundation grant for assembly of cross-national provincial-level dataset on elections, public finance, and government composition, 2003-2004 (with Erik Wibbels).

MIT Dean's Fund and School of Humanities, Arts, and Social Sciences Research Funds.

Funding from DAAD (German Academic Exchange Service), MIT, and Harvard EU Center to organize the conference, "European Fiscal Federalism in Comparative Perspective," held at Harvard University, November 4, 2000.

Canadian Studies Fellowship (Canadian Federal Government), 1996-1997.

Prize Teaching Fellowship, Yale University, 1998-1999.

Fulbright Grant, University of Leipzig, Germany, 1993-1994.

Michigan Association of Governing Boards Award, one of two top graduating students at the University of Michigan, 1993.

W. J. Bryan Prize, top graduating senior in political science department at the University of Michigan, 1993.

Other Professional Activities

International Advisory Committee, Center for Metropolitan Studies, Sao Paulo, Brazil, 2006–2010.

Selection committee, Mancur Olson Prize awarded by the American Political Science Association Political Economy Section for the best dissertation in the field of political economy.

Selection committee, Gregory Luebbert Best Book Award.

Selection committee, William Anderson Prize, awarded by the American Political Science Association for the best dissertation in the field of federalism and intergovernmental relations.

Courses

Undergraduate

Politics, Economics, and Democracy

Introduction to Comparative Politics

Introduction to Political Science

Political Science Scope and Methods

Institutional Economics

Spatial Approaches to Social Science

Graduate

Political Economy of Institutions

Federalism and Fiscal Decentralization

Politics and Geography

Consulting

2017. Economic and Financial Affairs Committee of the European Parliament.

2016. Briefing paper for the World Bank on fiscal federalism in Brazil.

2013-2018: Principal Investigator, SMS for Better Governance (a collaborative project involving USAID, Social Impact, and UNICEF in Arua, Uganda).

2019: Written expert testimony in *McLemore, Holmes, Robinson, and Woullard v. Hosemann*, United States District Court, Mississippi.

2019: Expert witness in *Nancy Corola Jacobson v. Detzner*, United States District Court, Florida.

2018: Written expert testimony in *League of Women Voters of Florida v. Detzner* No. 4:18-cv-002510, United States District Court, Florida.

2018: Written expert testimony in *College Democrats of the University of Michigan, et al. v. Johnson, et al.*, United States District Court for the Eastern District of Michigan.

2017: Expert witness in *Bethune-Hill v. Virginia Board of Elections*, No. 3:14-CV-00852, United States District Court for the Eastern District of Virginia.

2017: Expert witness in *Arizona Democratic Party, et al. v. Reagan, et al.*, No. 2:16-CV-01065, United States District Court for Arizona.

2016: Expert witness in *Lee v. Virginia Board of Elections*, 3:15-cv-357, United States District Court for the Eastern District of Virginia, Richmond Division.

2016: Expert witness in *Missouri NAACP v. Ferguson-Florissant School District*, United States District Court for the Eastern District of Missouri, Eastern Division.

2014-2015: Written expert testimony in *League of Women Voters of Florida et al. v. Detzner, et al.*, 2012-CA-002842 in Florida Circuit Court, Leon County (Florida Senate redistricting case).

2013-2014: Expert witness in *Romo v Detzner*, 2012-CA-000412 in Florida Circuit Court, Leon County (Florida Congressional redistricting case).

2011-2014: Consultation with investment groups and hedge funds on European debt crisis.

2011-2014: Lead Outcome Expert, Democracy and Governance, USAID and Social Impact.

2010: USAID, Review of USAID analysis of decentralization in Africa.

2006–2009: World Bank, Independent Evaluations Group. Undertook evaluations of World Bank decentralization and safety net programs.

2008–2011: International Monetary Fund Institute. Designed and taught course on fiscal federalism.

1998–2003: World Bank, Poverty Reduction and Economic Management Unit. Consultant for *World Development Report*, lecturer for training courses, participant in working group for assembly of decentralization data, director of multi-country study of fiscal discipline in decentralized countries, collaborator on review of subnational adjustment lending.

Last updated: November 8, 2019

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26
27 **IN THE UNITED STATES DISTRICT COURT**
28 **FOR THE DISTRICT OF ARIZONA**

29 Brian Mecinas, et al.,
30
31 Plaintiffs,
32 v.
33 Katie Hobbs, in her official capacity as
34 Arizona Secretary of State,
35
36 Defendant.

Case No: CV-19-05547-PHX-DJH

**ARIZONA SECRETARY OF STATE’S
MOTION TO DISMISS**
(Oral Argument Requested)¹

37
38 ¹ Because of the substantial overlap in issues, the Secretary requests oral argument on this Motion concurrent with the argument on Plaintiffs’ Motion for Preliminary Injunction scheduled for March 5, 2019 at 9:30 a.m.

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1 **INTRODUCTION**

2 In this lawsuit, Plaintiffs ask this Court to enjoin A.R.S. § 16–502(E) (“Ballot
3 Order Statute”) and replace it with a system “that gives similarly situated major-party
4 candidates an equal opportunity to be listed first on the ballot.” (Doc. 13, ¶¶ 15, 63.) The
5 Ballot Order Statute already does that. It requires each county to organize the names of
6 general election candidates by party affiliation and list them “in descending order
7 according to the votes cast for governor for that county in the most recent general
8 election for . . . governor.” A.R.S. § 16-502(E). Plaintiffs are various groups and
9 individuals who support Democratic candidates, and they argue that relying on votes cast
10 for governor to determine ballot order for a general election is unconstitutional because it
11 favors Republicans. Their complaint, which is essentially about the nature of Arizona
12 politics over the past 40 years, fails for multiple reasons and should be dismissed.

13 First, none of the Plaintiffs have standing because they do not allege a cognizable
14 injury under Article III and their claims are not redressable by this action.

15 Second, Plaintiffs’ requested relief is barred by the Eleventh Amendment.

16 Third, this lawsuit’s claims of unfairness are not justiciable based on the Supreme
17 Court’s recent decision in *Rucho v. Common Cause*, 139 S.Ct. 2484, 2500 (2019).
18 Plaintiffs’ claims here are based solely on the historical political effect of the statute, and
19 they should be dismissed under *Rucho*.

20 Fourth, even if the claims were justiciable, they fail as a matter of law. The Ballot
21 Order Statute imposes no burden on any individual’s right to vote, and the State has a
22 well-established right to establish ballot order requirements as part of its responsibilities
23 for the administration of elections. The statute does not violate due process, the First
24 Amendment, or equal protection. For these reasons, the Complaint should be dismissed
25 pursuant to Federal Rules of Civil Procedure 12(b)(1) and (6).

26 **BACKGROUND**

27 It is well-established that states “have an interest in protecting the integrity,
28 fairness, and efficiency of their ballots and election processes as means for electing

1 public officials.” *Timmons v. Twin Cities Area New Party*, 520 U.S. 351, 364–65 (1997).
2 Arizona’s Ballot Order Statute establishes logical, efficient, and manageable rules that
3 determine the order in which candidates’ names appear on a general election ballot. *See*
4 *New Alliance Party v. N.Y. State Bd. of Elections*, 861 F. Supp. 282, 296 (S.D.N.Y. 1994)
5 (recognizing “the compelling nature of [a] State’s interest in organizing a comprehensible
6 and manageable ballot”—“one where the parties, offices and candidates are presented in
7 a logical and orderly arrangement”). For each general election contest, names are
8 organized within the candidates’ party affiliation “in descending order according to the
9 votes cast for governor for that county in the most recent general election for the office of
10 governor[.]” A.R.S. § 16–502(E).² Political parties that did not have candidates on the
11 ballot in the last general election are “listed in alphabetical order below the parties that
12 did have candidates on the ballot in the last general election.” *Id.* Names of other
13 candidates who were nominated but are not registered with a recognized political party
14 appear below the names of the recognized parties. *Id.*³ Next to each name is a three-
15 letter abbreviation that identifies the candidate’s party affiliation. *Id.*

16 The Arizona Legislature enacted the Ballot Order Statute in 1979 as part of a
17 comprehensive new elections code, which “was a result of agreement between both major
18 political parties and the County Records Association.” *See* Ariz. H.R. Comm. Min.,
19 H.B. 2028 (Mar. 5, 1979); *see also* Ariz. House Journal, 611, 644–45 (Apr. 20, 1979)
20 (reflecting that H.B. 2028 passed 28-2 in the Senate and 40-11-9 in the House). The
21 1979 statute originally provided for left-hand and right-hand columns of candidate
22 names. *See* Ariz. Sess. Laws 1979, Ch. 209, § 3; A.R.S. §16–502(H) (1980).⁴ In 2000,
23

24 ² The names of candidates of the same political party for the same office are alternated to
25 ensure that “the name of each candidate shall appear substantially an equal number of
times in each possible location.” A.R.S. § 16–502(H).

26 ³ Recognized political parties in Arizona currently include the Democratic Party,
27 Republican Party, and the Libertarian Party. *See* [https://azsos.gov/elections/information-
about-recognized-political-parties](https://azsos.gov/elections/information-about-recognized-political-parties) (last visited December 18, 2019).

28 ⁴ In 1983, this provision was relocated from subsection (H) to its current location in
subsection (E). *See* Ariz. Laws 1983, Ch. 33, § 1.

1 the Legislature amended the Ballot Order Statute to organize the candidates' names in
2 one column instead of two. Ariz. Laws 2000, Ch. 249, § 25. The Senate Bill that
3 prompted this change (among many revisions to Arizona's election laws) came "from all
4 15 County Recorders and all 15 Election Directors." Ariz. H.R. Comm. Min., S.B. 1372
5 (Mar. 1, 2000). The changes were aimed at "help[ing] the County Recorders and
6 Election Directors do a better job and save public money." *Id.*; see also Ariz. Senate Fact
7 Sheet, S.B. 1372, 44th Leg., 2nd Reg. Sess. (May 12, 2000) ("State and county election
8 officials regularly identify areas of election law to be modified to promote efficiency. .
9 ."). Indeed, the Senate Bill passed with broad, bipartisan support in both chambers. See
10 Final Reading Votes, S.B. 1372, 44th Leg., 2nd Reg. Sess. (April 10, 2000) (showing the
11 bill passed the Senate 27-2-1 and the House 43-15-2).

12 ARGUMENT

13 I. Plaintiffs Lack Standing to Challenge the Ballot Order Statute.

14 The standing doctrine functions to ensure that courts apply the judicial power only
15 to "[c]ases" and "[c]ontroversies" and not to abstract legal questions. U.S. Const. art. III,
16 § 2, cl. 1. Thus, a "lack of Article III standing requires dismissal for lack of subject
17 matter jurisdiction[.]" *Maya v. Centex Corp.*, 658 F.3d 1060, 1067 (9th Cir. 2011). In
18 order to demonstrate standing to seek injunctive relief under Article III,

19 a plaintiff must show that he is under threat of suffering 'injury in fact' that
20 is concrete and particularized; the threat must be actual and imminent, not
21 conjectural or hypothetical; it must be fairly traceable to the challenged
22 action of the defendant; and it must be likely that a favorable judicial
23 decision will prevent or redress the injury.

24 *Summers v. Earth Island Inst.*, 555 U.S. 488, 493 (2009). The "injury-in-fact"
25 requirement "helps to ensure that the plaintiff has a 'personal stake in the outcome of the
26 controversy.'" *Susan B. Anthony List v. Driehaus*, 573 U.S. 149, 158 (2014) (quoting
27 *Warth v. Seldin*, 422 U.S. 490, 498 (1975)).

28 In the Amended Complaint, Plaintiffs allege that "ballot order matters, and when it
is unfairly or arbitrarily assigned, it can raise concerns of constitutional magnitude."

1 (Doc. 13, ¶ 2.) Notably, nearly *all* of the federal and state cases that Plaintiffs rely on
2 (*see id.*, ¶¶ 2–3, 28, 44, 47–48, 61–62) are actions in which *candidates* brought suit
3 challenging the constitutionality of election statutes. *See McLain v. Meier*, 637 F.2d
4 1159, 1160 (8th Cir. 1980) (plaintiff was an independent candidate challenging an
5 “incumbent first” ballot format statute violated); *Sangmeister v. Woodard*, 565 F.2d 460,
6 463, 463 (7th Cir. 1977) (consolidated appeal where one case was brought by plaintiffs
7 who “were all candidates for office” and the other case was initiated by a candidate, *see*
8 *Culliton v. Bd. of Election Comm’rs of DuPage Cty*, 419 F. Supp. 126 (N.D. Ill. 1976));
9 *Graves v. McElderry*, 946 F. Supp. 1569, 1572 (W.D. Okla. 1996) (plaintiffs were
10 “candidates for public office”); *Netsch v. Lewis*, 344 F. Supp. 1280 (N.D. Ill. 1972)
11 (although not explicitly stating plaintiffs were candidates, holding plaintiffs’
12 constitutional rights were violated under *Weisberg v. Powell*, 417 F.2d 388 (1969) (suit
13 by candidates)), and *Mann v. Powell*, 314 F. Supp. 677 (N.D. Ill. 1969) (issuing
14 injunction in an action brought by incumbent seeking reelection and a registered voter)⁵;
15 *Mann v. Powell*, 333 F. Supp. 1261, 1264–65 (N.D. Ill. 1969) (holding candidate had “a
16 sufficient personal stake to maintain th[e] suit” while dismissing registered voter for lack
17 of standing, reasoning the voter cannot “maintain this action on behalf of candidates in
18 the primary election”); *Kautenburger v. Jackson*, 333 P.2d 293, 294-95 (Ariz. 1958)
19 (constitutional challenge by a “primary candidate for justice of the peace” who sought to
20 enjoin the board of supervisors from using voting machines unless candidates’ names
21 were rotated); *Gould v. Grubb*, 14 Cal. 3d 661, 664-65 (1975) (“nonincumbent
22 candidates” brought action challenging constitutionality of “incumbent first” election
23 ballot procedure); *Akins v. Sec. of State*, 904 A.2d 702, 703 (N.H. 2006) (petitioners were
24 “individuals who ran as . . . candidates in the 2004 New Hampshire general election”)⁶;

25 _____
26 ⁵ As noted above, in *Mann v. Powell*, the district court later dismissed the voter from the
lawsuit for lack of standing. *See Mann*, 333 F. Supp. at 1264–65.

27 ⁶ *Akins* involved candidates and the state Democratic party, but this fact is
28 inconsequential because generally, “once the court determines that one of the plaintiffs
has standing, it need not decide the standing of the others.” *Leonard v. Clark*, 12 F.3d
885, 888 (9th Cir. 1993)

1 *Holtzman v. Power*, 313 N.Y.S.2d 904, 908–09 (N.Y. Sup. Ct. 1970) (referring to prior
2 appellate decision, *Holtzman v. Power*, 311 N.Y.S.2d 37, 38 (N.Y. App. 1970), which
3 held petitioners had standing where “each had actually filed a petition”). Plaintiffs’
4 citations to cases where individual voters have standing are entirely inapposite. *See State*
5 *ex rel. Roof v. Bd. of Comm’rs*, 314 N.E.2d 172 (Ohio 1974) (Ohio taxpayer had standing
6 in lawsuit alleging that use of voting machines violated the state constitution, which
7 required candidate-name rotation); *Dunn v. Blumstein*, 405 U.S. 330, 351 (1972) (new
8 resident’s challenge to lengthy residency duration requirement that prevented him from
9 registering to vote).

10 As discussed below, Plaintiffs lack Article III standing to sue the Secretary
11 because they have not suffered cognizable injuries in fact. In addition, their claims are
12 not redressable through this lawsuit against the Secretary.

13 **A. The Voter Plaintiffs Lack Standing.**

14 In their Complaint, Plaintiffs Mecinas, Vasko, and Serrano state that they intend to
15 vote for Democratic Party candidates in the upcoming November 2020 general election
16 and that the Ballot Order Statute harms their “ability to engage in effective efforts to elect
17 Democratic Party candidates[.]” (Doc. 13, ¶¶ 21–23). But the Ballot Order Statute does
18 not prevent Plaintiffs from voting for Democratic candidates, or persuading others to do
19 so. These voting plaintiffs lack standing because their complaints about election results
20 are generalized grievances common to all voters who share their partisan beliefs, not
21 injuries in fact. *See Gill v. Whitford*, 138 S.Ct. 1916, 1933 (2018) (“[T]his Court is not
22 responsible for vindicating generalized partisan preferences.”); *Crist v. Comm’n on*
23 *Presidential Debates*, 262 F.3d 193, 195 (2d Cir. 2001) (“Several other Circuit Courts
24 have also concluded that a voter fails to present an injury-in-fact when the alleged harm
25 is abstract and widely shared or is only derivative of a harm experienced by a
26 candidate.”); *Becker v. FEC*, 230 F.3d 381, 390 (1st Cir. 2000) (when a “preferred
27 candidate . . . has less chance of being elected,” the “harm” is not “a restriction on voters’
28 rights and by itself is not a legally cognizable injury sufficient for standing”).

1 And Plaintiffs’ allegations that their votes are “diluted relative to that of voters
2 who cast their ballots for Republican Party candidates” (Doc. 13, ¶¶ 21–23) does not
3 establish injury under a vote-dilution theory. Plaintiffs’ votes are not devalued or wasted
4 when more votes cast for other candidates lead to success for those candidates. Simply
5 put, Plaintiffs’ votes are not devalued because other voters hypothetically cast theirs in an
6 irrational way. The lack of an entirely rational electorate is not an “injury-in-fact”
7 necessary to invoke Article III standing. *See Mann*, 333 F. Supp. at 1264–65 (dismissing
8 registered voter for lack of standing, reasoning that plaintiff’s allegation that the “state
9 action may cause other voters to act irrationally” is “an insufficient personal interest to
10 state a cause of action”). *Cf. Lance v. Coffman*, 549 U.S. 437, 441-42 (2007) (holding
11 “four Colorado voters” lacked Article III standing to allege that a provision of the
12 Colorado Constitution violated the Elections Clause of the U.S. Constitution “by
13 depriving the state legislature of its responsibility to draw congressional districts,”
14 reasoning that the only injury plaintiffs allege is an “undifferentiated, generalized
15 grievance”).

16 **B. The Committee Plaintiffs Lack Standing.**

17 The Committee Plaintiffs do not have associational standing, organizational
18 standing, or competitive standing. Associational standing is a narrow and limited
19 exception to the general rule that litigants must assert their own rights in order to have
20 standing. *Black Faculty Ass’n of Mesa Coll. v. San Diego Cmty. Coll. Dist.*, 664 F.2d
21 1153, 1156 (9th Cir. 1981). As stated by the Supreme Court:

22 [A]n association has standing to bring suit on behalf of its members when:
23 (a) its members would otherwise have standing to sue in their own right; (b)
24 the interests it seeks to protect are germane to the organization's purpose;
25 and (c) neither the claim asserted nor the relief requested requires the
 participation of individual members in the lawsuit.

26 *Hunt v. Wash. State Apple Advert. Comm’n*, 432 U.S. 333, 343 (1977).

27 Here, the Committee Plaintiffs have not identified any members who are actually
28 harmed (see Doc. 13, ¶¶ 24–26), and have alleged nothing more than a “statistical

1 probability that some of its members” might be injured, which the Supreme Court has
2 rejected as a basis for standing. *Summers*, 555 U.S. at 499 (“[T]he Court has required
3 plaintiffs claiming an organizational standing to identify members who have suffered the
4 requisite harm.”). Moreover, Plaintiffs DSCC and Priorities USA do not even allege that
5 they are membership organizations. (Doc. 13, ¶¶ 25–26.) Not having members is fatal to
6 associational standing. *See Hunt*, 432 U.S. at 344.

7 Plaintiff DNC alleges that its members “include Democratic Party candidates,
8 elected officials, and voters” and that the Ballot Order Statute “harms the DNC because it
9 treats the DNC’s candidate members in Arizona differently than similarly situated
10 Republican Party candidates in partisan elections[.]” (Doc. 13, ¶ 24.) As discussed
11 above, the case law Plaintiffs cite in their Complaint reveals that *candidates* themselves
12 may have standing to bring the equal protection claim alleged in Count II. But the DNC
13 cannot bring an equal protection claim on candidates’ behalf because this fact-intensive
14 claim requires “the participation of individual members.” *Hunt*, 432 U.S. at 343.
15 Moreover, the beneficiaries of a plaintiff’s services do not qualify as members for
16 purposes of associational standing. *See Ne. Ohio Coal. For Homeless and Serv. Emps.*
17 *Int’l Union, Local 1199 v. Blackwell*, 467 F.3d 999, 1010 n.4 (6th Cir. 2006).

18 Nor can the Committee Plaintiffs establish organizational standing, under which a
19 plaintiff may establish injury-in-fact by alleging: “(1) frustration of its organizational
20 mission; and (2) diversion of its resources” to mitigate the effects of the challenged
21 action. *Smith v. Pac. Props. and Dev. Corp.*, 358 F.3d 1097, 1105 (9th Cir. 2004). An
22 organization “cannot manufacture the injury by incurring litigation costs or simply
23 choosing to spend money fixing a problem that otherwise would not affect the
24 organization at all. It must instead show that it would have suffered some other injury if
25 it had not diverted resources to counteracting the problem.” *La Asociacion de*
26 *Trabajadores de Lake Forest v. Lake Forest*, 624 F.3d 1083, 1088 (9th Cir. 2010).

27 Here, the Committee Plaintiffs have not alleged that the Secretary’s actions or the
28 Ballot Order Statute caused it to expend additional resources and that, “but for” those

1 actions, it would have used those resources to accomplish other aspects of its mission.
2 *See Nat'l Council of La Raza v. Cegavske*, 800 F.3d 1032, 1040–41 (9th Cir. 2015).
3 Their general allegations of expending resources on “Get Out the Vote (“GOTV”)
4 assistance,” “voter persuasion efforts,” and making “contributions and expenditures in the
5 tens of millions of dollars to persuade and mobilize voters to support Democratic Senate
6 candidates” (Doc. 13, ¶¶ 24–26) do not establish the above requirements. *See ACORN v.*
7 *Fowler*, 178 F.3d 350, 359 (5th Cir. 1999) (expenditures must be “caused by an[] action
8 by” the defendant that the organization “claims is illegal, as opposed to part of the
9 normal, day-to-day operations of the group” to confer standing) (citation omitted).

10 Nor does the DNC or the other Committee Plaintiffs have standing under a
11 competitive standing theory, which under limited circumstances allows political parties to
12 assert injuries based on threatened loss of political power. *Drake v. Obama*, 664 F.3d
13 774, 782-83 (9th Cir. 2011). Competitive standing allows political parties to assert an
14 injury when candidates are impermissibly placed on the ballot; it does not allow parties to
15 generally assert that a ballot structure will cause voters to vote for some other candidates.
16 *Cf. Townley v. Miller*, 722 F.3d 1128, 1135-36 (9th Cir. 2013) (rejecting “vote
17 siphoning” injury based on existence of none-of-these-candidates voting option and
18 noting competitive standing has been limited to the “*inclusion* of a candidate on the
19 ballot.”). Here, the claimed injury is an allegation that the Ballot Order Statute
20 “frustrat[es] its mission and efforts to elect Democratic Party candidates” by allegedly
21 diverting more votes to Republicans than Democrats. (Doc. 13, ¶ 24). This is the same
22 sort of vote siphoning injury rejected as a basis for standing in *Townley*.

23 C. Plaintiffs’ Claims Are Not Redressable through this Lawsuit.

24 Finally, even assuming Plaintiffs could establish an injury in fact, they still lack
25 standing because their alleged injury is not “fairly traceable to the challenged conduct” of
26 the Secretary. *See Spokeo, Inc. v. Robins*, 136 S.Ct. 1540, 1547 (2016). Causation for
27 Article III standing requires that “the injury [] be fairly...trace[able] to the challenged
28 action of the defendant, and not...th[e] result [of] the independent action of some third

1 party not before the court.” *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560 (1992).
2 The “line of causation” between a defendant’s actions and a plaintiff’s alleged harm must
3 be more than “attenuated.” *Allen v. Wright*, 468 U.S. 737, 757 (1984), *overruled in part*
4 *on other grounds by Lexmark Int’l, Inc. v. Static Control Components, Inc.* 572 U.S. 118
5 (2014). Here, the causation between the Secretary’s actions and a plaintiff’s alleged
6 harm is attenuated at best. As discussed below, the boards of supervisors in Arizona’s
7 fifteen counties are responsible for implementing and enforcing the ballot order statute.
8 For similar reasons that Plaintiffs lack Article III standing, the Secretary is not the proper
9 defendant to this action under Eleventh Amendment immunity. *See Culinary Workers*
10 *Union, Local 226 v. Del Papa*, 200 F.3d 614, 619 (9th Cir. 1999) (noting that the “case
11 and controversy” analysis is similar to the Eleventh Amendment inquiry).

12 **II. The Eleventh Amendment Bars Plaintiffs’ Requested Relief.**

13 Sovereign immunity also bars the relief Plaintiffs seek. State officials are entitled
14 to Eleventh Amendment immunity from federal civil rights suits when sued in their
15 official capacities. *Mitchell v. L.A.s Cmty. Coll. Dist.*, 861 F.2d 198, 201 (9th Cir. 1988).
16 In *Ex parte Young*, the Supreme Court recognized that a suit for prospective injunctive
17 relief provides a narrow but well-established exception to Eleventh Amendment
18 immunity. 209 U.S. 123 (1908). In considering whether the *Ex parte Young* doctrine
19 provides an exception to Eleventh Amendment immunity, “a court need only conduct a
20 ‘straightforward inquiry into whether [the] complaint alleges an ongoing violation of
21 federal law and seeks relief properly characterized as prospective.’” *Verizon Md., Inc. v.*
22 *Pub. Serv. Comm’n of Md.*, 535 U.S. 635, 645 (2002) (quoting *Idaho v. Coeur d’Alene*
23 *Tribe of Idaho*, 521 U.S. 261, 296 (1997)).

24 The *Ex parte Young* exception is limited to prohibitory injunctions “prevent[ing]
25 [a state official] from doing that which he has no legal right to do.” *Ex parte Young*, 209
26 U.S. at 159. And the state official “must have some connection with the enforcement of
27 the act.” *Coal. to Defend Affirmative Action v. Brown*, 674 F.3d 1128, 1134 (9th Cir.
28 2012) (quoting *Ex Parte Young*, 209 U.S. at 157). That connection “must be fairly direct;

1 a generalized duty to enforce state law or general supervisory power over the persons
2 responsible for enforcing the challenged provision will not subject an official to suit.” *Id.*
3 (citation omitted). Here, Plaintiffs seek an order from the Court “requiring the Secretary
4 of State to use a ballot order system that gives similarly situated major-party candidates
5 an equal opportunity to be listed first on the ballot.” (Doc. 13, ¶ 63(d).) The Secretary is
6 entitled to Eleventh Amendment immunity because her only connection to the Ballot
7 Order Statute is an indirect one—her role as Arizona’s chief state election officer. (*See*
8 Doc. 13, ¶ 27.) Under Arizona law, Arizona’s fifteen counties—and not the Secretary of
9 State—are statutorily responsible for preparing, providing, and printing general election
10 ballots. *See* A.R.S. § 16–503. The Secretary’s “general supervisory power” over the
11 process is insufficient to permit an exception to Eleventh Amendment immunity under *Ex*
12 *parte Young*. *See Tohono O’odham Nation v. Ducey*, 130 F. Supp. 3d 1301, 1308–11 (D.
13 Ariz. 2015) (stating, “*Ex parte Young*’s required connection between the defendant and a
14 challenged law can be established when the law specifically grants the defendant
15 enforcement authority,” and granting motion to dismiss the Governor and Attorney
16 General in the absence of a “fairly direct” connection to the statute) (citing *Coal. to*
17 *Defend Affirmative Action*, 674 F.3d at 1134); *see also Confederated Tribes & Bands of*
18 *the Yakama Indian Nation v. Locke*, 176 F.3d 467, 469-70 (9th Cir. 1999) (holding
19 action, which alleged a violation of federal law based on State’s operation of state lottery
20 and sought damages and other relief, was barred by Eleventh Amendment where the
21 complaint “contain[ed] no allegations that the governor is charged with operating the
22 state lottery” and “[n]owhere in the[] [state] statutes is there any indication that the
23 governor has the responsibility of operating the state lottery or determining where its
24 tickets will be sold”).

25 Plaintiffs’ requested relief also implicates the State’s “special sovereignty
26 interests.” *See Coeur d’Alene*, 521 U.S. at 281. Not only do Plaintiffs seek to prohibit
27 the Secretary from fulfilling her indirect role under the Ballot Order Statute, they demand
28 the Court order the Secretary to affirmatively change ballot order procedures to give only

1 “similarly situated major-party candidates an equal opportunity to be listed first on the
2 ballot.” (See Doc. 13, ¶ 63(d).) Arizona law nowhere defines “major parties.” Plaintiffs
3 not only demand this Court (or possibly the Secretary) create a definition of “major
4 parties” where Arizona has none, but that the Secretary then begin discriminating in favor
5 of the “major parties.” This requested relief does not satisfy the “straightforward
6 inquiry” of *Coeur d’Alene*. See 521 U.S. at 281-82 (in evaluating whether “the *Ex parte*
7 *Young* fiction is applicable[.]” courts should consider “the realities of the relief”
8 requested, and reasoning the Tribe’s “far-reaching and invasive relief” weighed in favor
9 of finding that “Idaho’s sovereign immunity controls”). Plaintiffs’ request for a court
10 order directing the precise way in which Arizona should conduct its ballot order process
11 seeks to impermissibly interfere with Arizona’s election process.

12 **III. Plaintiffs’ Claims Are Nonjusticiable Under *Rucho*.**

13 Plaintiffs’ challenges are premised on their assertion that the Ballot Order Statute
14 is not fair to candidates affiliated with the Democratic Party. Just six months ago, in
15 *Rucho v. Common Cause*, 139 S.Ct. 2484 (2019), the Supreme Court addressed whether
16 “partisan gerrymandering” claims are justiciable. In concluding that they are not, the
17 Court made clear that it is “vital” for litigants to identify clear legal standards to
18 “meaningfully constrain the discretion of the courts” in this area, because without such
19 limitations “intervening courts—even when proceeding with best intentions—would risk
20 assuming political, not legal, responsibility” for a “process that is the very foundation of
21 democratic decisionmaking.” *Id.* at 2498, 2499-500 (quoting *Vieth v. Jubelirer*, 541 U.S.
22 267, 291, 306-08 (2004) (opinions of Scalia, J and Kennedy, J)). To that end, the Court
23 held that claims seeking to invalidate a State’s legislative map are justiciable only if they
24 are based on “judicially discernible and manageable” standards. *Rucho*, 139 S.Ct. at
25 2498 (citation omitted). To satisfy that requirement, the standards “must be grounded in
26 a ‘limited and precise rationale’ and be ‘clear, manageable, and politically neutral.’” *Id.*,
27 quoting *Vieth*, 541 U.S. at 306-08 (opinion of Kennedy, J.).

28 Applying that requirement to the partisan gerrymandering claims before it, the

1 Supreme Court held that those claims were nonjusticiable because there are no judicially
2 discernible and manageable legal standards for resolving them. The Court categorically
3 rejected the challengers' argument that such claims could be resolved using a standard
4 that asks whether people in the challenged district receive "fair" representation. The
5 Court did so for three reasons, all of which are directly applicable here.

6 First, the Court held that there is "[no] basis for concluding" that federal courts are
7 even "authorized" to second guess the legislature's redistricting decisions out of a desire
8 to ensure "fair" representation. *Rucho*, 139 S.Ct. at 2499. Second, not only do federal
9 courts lack constitutional authority to interfere with such legislative choices out of a
10 concern for fairness, *Rucho* held that they also are not competent or "equipped" to do so.
11 *Id.* This is because there is no "clear, manageable and politically neutral" test for
12 determining what "fair" representation even means, and such a standard therefore does
13 not "meaningfully constrain" the court's discretion in any way. *Id.* at 2499-500 (quoting
14 *Vieth*, 541 U.S. at 291). Indeed, the Court discussed at length how "fair" representation
15 could mean different things to different people, for any number of perfectly legitimate
16 reasons. *Rucho*, 139 at 2500. There are no judicially manageable standards for choosing
17 which of those "visions of fairness" should prevail, much less for clearly and precisely
18 describing what the prevailing vision is and how compliance with it should be measured.
19 *Id.* Rather, such judgments "pose[] basic questions that are political, not legal," and any
20 judicial decision about them would be "an 'unmoored determination' of the sort
21 characteristic of a political question beyond the competence of the federal courts."
22 *Id.* (quoting *Zivotofsky v. Clinton*, 566 U.S. 189, 196 (2012)).

23 Third, even if courts could define "fair" representation and figure out how to
24 measure it, the Court held that such claims still would be nonjusticiable because the
25 "determinative question" is not what fair representation means, but rather, how much
26 deviation from perfect fairness is constitutionally permissible. *Rucho*, 139 at 2501. But
27 federal courts do not have any clear or precise standards for making that determination
28 either. Having conjured up their own criteria for defining and measuring "fair"

1 representation, courts would be left to arbitrarily weigh, in their own discretion, “how
2 much deviation from each [of those criteria] to allow.” *Id.* Such “questions are unguided
3 and ill-suited to the development of judicial standards[.]” *Id.* (citation and quotation
4 marks omitted).

5 Here, Plaintiffs’ proposed standard is indistinguishable from the “fair”
6 representation standard that the Supreme Court rejected in *Rucho*, and it is nonjusticiable
7 for the same reasons. Plaintiffs do not argue that the statute was enacted as a result of
8 partisan bias, nor can they, given the broad, bipartisan support it enjoyed when it passed.
9 Instead, they allege that it has a partisan effect. To the extent the statute has the effect of
10 benefiting partisan interests, that does not raise a justiciable claim. Courts cannot assess
11 the partisan effect of a non-partisan statute without first defining a “fair” baseline. And it
12 is not even clear what fairness looks like in this context, as in *Rucho*.

13 For example, does fairness require that no *votes* be affected by ballot order? That
14 no *candidate* receives a net benefit from ballot order? That no *party* receives a net
15 benefit from ballot order? Or, is *some* benefit to a candidate or party constitutionally
16 permissible, so long as it does not exceed a certain statistical threshold? (See Doc. 13,
17 ¶15 [contending the Ballot Order Statute confers “an unfair political advantage on
18 candidates” and that “[t]he advantage of appearing first on a ballot is statistically
19 significant”].) How is this benefit measured by judicial standards? To complicate
20 matters, Plaintiffs intentionally exclude minor parties and independent candidates from
21 their “fairness” calculation. (See Doc. 13, ¶ 5 n.3.) It is difficult to square Plaintiffs’
22 constitutional claims with their suggestion that members of minor parties would not
23 suffer the same constitutional harms from a system that always lists candidates from
24 “major” parties first. Plaintiffs also emphasize that Maricopa County “is home to nearly
25 two-thirds of Arizona’s total population” and that “[w]ith the exceptions of 1982 and
26 2006, a Republican candidate has received a majority of the vote in the governor’s race in
27 Maricopa County for the last several decades.” (*Id.*, ¶ 12.) Plaintiffs’ “fairness” standard
28 seems to be about their discontent with elections results in Maricopa County, and nothing

1 else. Under *Rucho*, Plaintiffs’ proposed standard “must be grounded in a ‘limited and
2 precise’ rationale” that covers all of the potential future applications, not just Plaintiffs’
3 speculative allegations about how the “ballot order effect” could impact the November
4 2020 general election. Their claims are political, not legal, and must be dismissed.

5 **IV. Plaintiffs Fail to State a Claim Upon Which Relief Can Be Granted.**

6 **A. Count I Fails as a Matter of Law Because the Ballot Order Statute is 7 Not an Undue Burden on the Right to Vote.**

8 Even if Plaintiffs’ claims were justiciable, they would be subject to the most
9 minimal scrutiny under the First and Fourteenth Amendment because the Ballot Order
10 Statute does not meaningfully impact the right to vote. In Count I, Plaintiffs claim that
11 the Ballot Order Statute “burdens the right to vote” of voters who “support candidates
12 who affiliate with the non-favored party in each county, by diluting their vote relative to
13 the votes for candidates who associate with the similarly situated, but statutorily-favored
14 party.” (Doc. 13, ¶ 53.) This “vote-dilution” claim “depends upon the existence of a
15 pool of presumably uninformed voters.” *Clough v. Guzzi*, 416 F. Supp. 1057, 1067 (D.
16 Mass. 1976).

17 Plaintiffs’ theory of vote dilution is unsustainable because “[v]oters have no
18 constitutional right to a wholly rational election, based solely on reasoned consideration
19 of the issues and the candidates’ positions, and free from other ‘irrational’
20 considerations[.]” *Id.*; see also *Ulland v. Growe*, 262 N.W.2d 412, 416 (Minn. 1978)
21 (rejecting argument that positional bias reduces the value of any individual vote,
22 reasoning, “the ‘biased’ votes themselves are cast by fully qualified voters . . . [w]e know
23 of no authority which would allow us to treat the votes of any voters, however ill-
24 informed, as if they were somehow inferior, thereby ‘diluting’ the effect of the more
25 thoughtfully cast ballots”). Nor is it clear that “federal courts possess the power to rule
26 that some voters’ choices are less constitutionally meaningful than the choices of other
27 supposedly more informed or committed voters” as Plaintiffs’ case depends on.
28 *Libertarian Party of Va. v. Alcorn*, 826 F.3d 708, 718 (4th Cir. 2016). The Ballot Order

1 Statute thus imposes “only a minimal burden on First and Fourteenth Amendment
2 rights.” *Id.* at 717 (“[M]ere ballot order neither denies the right to vote, nor the right to
3 appear on the ballot, nor the right to form or associate in a political organization.”). The
4 names of candidates are listed on the ballot, and nothing stands in the way of a voter’s
5 choice.

6 Indeed, laws which have made it actually impossible to cast a ballot for a voter’s
7 preferred candidate in the preferred manner have been repeatedly held to have limited
8 burdens. In *Burdick v. Takushi*, for example, the Supreme Court found a “very limited”
9 burden in a complete prohibition on write-in voting, which denied voters the right to vote
10 for their preferred candidate at all. 504 U.S. 428, 437 (1992); *see also Timmons*, 520
11 U.S. at 359 (no severe burden for law prohibiting candidates being listed for multiple
12 political parties); *Storer v. Brown*, 415 U.S. 724, 726-28 (1974) (permissible for states to
13 ban independent candidates from appearing on the ballot if registered with a political
14 party in the previous year). Similarly, laws which make it difficult for new and small
15 parties to obtain ballot access at all have been held to have a limited burden. *See, e.g.*
16 *Munro v. Socialist Workers Party*, 479 U.S. 189, 190 (1986) (upholding law which
17 required minor party candidates to receive at least 1% of all votes cast in primary
18 elections to qualify for general election ballot). In light of the minimal constitutional
19 burden of not being able to vote at all for a preferred candidate, Plaintiffs’ concerns with
20 their preferred candidates’ “particular position on the ballot appear almost
21 inconsequential.” *Libertarian Party of Va.*, 826 F.3d at 718.

22 The *Anderson/Burdick* framework governs challenges to the voting process, and
23 the level of scrutiny depends on the severity of the burden. *Burdick*, 504 U.S. at 433-34;
24 *Anderson v. Celebrezze*, 460 U.S. 780, 789 (1983). Assuming Plaintiffs’ claim is
25 justiciable after *Rucho*, the *Anderson/Burdick* framework requires only a showing that the
26 law serves a legitimate state interest because the burden here is minimal. *See Burdick*,
27 504 U.S. at 434; *Rubin v. City of Santa Monica*, 308 F.3d 1008, 1014 (9th Cir. 2002)
28 (“Courts will uphold as ‘not severe’ restrictions that are generally applicable, even-

1 handed, politically neutral, and which protect the reliability and integrity of the election
2 process.”) (citing *Hussey v. City of Portland*, 64 F.3d 1260, 1265 (9th Cir. 1995)).

3 The Ballot Order Statute easily meets this showing. It provides clear direction to
4 counties regarding ballot order to ensure that all ballots are “comprehensible and
5 manageable.” *New Alliance Party*, 861 F. Supp. at 296. It avoids voter confusion by
6 having the parties listed in the same order throughout their ballot and is straightforward,
7 in contrast to random ordering, which forces voters to spend more time to “decipher
8 lengthy, multi-office, multi-candidate ballots to find their preferred candidates.”
9 *Libertarian Party of Va.*, 826 F.3d at 719-720 (noting that election officials have a good
10 reason for designing ballots that minimize confusion). Moreover, the Ballot Order
11 Statute uses a facially neutral, nonpartisan system based on demonstrated public support
12 at the county level, which is a legitimate basis for establishing ballot order. *Id.* at 720
13 (recognizing legitimacy of ballot order law based on demonstrated public support). Thus,
14 Count I does not state a cognizable constitutional violation and should be dismissed. *See*
15 *Id.* at 719 (“[A]ccess to a preferred position on the ballot . . . is not a constitutional
16 concern.”); *see also Smith v. Ark. State Highway Emps.*, 441 U.S. 463, 464–65 (1979)
17 (“The First Amendment right to associate and to advocate provides no guarantee that a
18 speech will persuade or that advocacy will be effective.”) (citation and quotations
19 omitted).

20 **B. Count II Fails to State a Valid Equal Protection Claim.**

21 In Count II, Plaintiffs argue the Ballot Order Statute “treats otherwise similarly
22 situated major-party candidates differently” by granting “a consistent, unfair, and
23 arbitrary electoral advantage to one party based solely on the county-level performance of
24 that party’s candidate in the last gubernatorial election.” (Doc. 13, ¶ 61.) Plaintiffs have
25 not plausibly alleged intentional or purposeful discrimination in which one class is
26 favored over another. *See Bd. of Election Comm’rs v. Libertarian Party*, 591 F.2d 22,
27 24–25 (7th Cir. 1979) (ballot placement claim under the Equal Protection Clause requires
28 a showing of “an intentional or purposeful discrimination”). (citation omitted).

1 The Ballot Order Statute applies equally to everyone, regardless of political party.
2 Ballot order is determined by an objective rule, and as Plaintiffs admit, Democratic
3 candidates are often listed first on the ballot by operation of the statute. (Doc. 13, ¶ 12.)
4 Statutes providing neutral rules, which might benefit any political party, are not rendered
5 discriminatory by the fact that they benefit one party when applied in particular
6 circumstances. *See, e.g., Rodriguez v. Popular Democratic Party*, 457 U.S. 1, 10 n.10
7 (1982) (holding that “a statute providing that all such vacancies [in the legislature] be
8 filled by appointment does not have a special impact on any discrete group of voters or
9 candidates” and thus is not discriminatory for equal-protection purposes); *Clough*, 416 F.
10 Supp. at 1068 (holding incumbent-first statute does not violate the equal protection clause
11 and “add[ing], as a further consideration supporting the rationality of Massachusetts’
12 choice, that none of the available alternatives are themselves without disadvantages”).
13 Indeed, the neutral rules of the Ballot Order Statute subject all political parties to the
14 same rules, and allow all parties an even handed chance of obtaining a slot at the top of
15 the ballot in each county.⁷ Accordingly, Count II does not state a valid equal protection
16 claim and should be dismissed.

17 CONCLUSION

18 For the reasons set forth above, this Court should dismiss Plaintiffs’ First
19 Amended Complaint.

20 Respectfully submitted this 2nd day of January, 2020.
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26 ⁷ In the seven, single winner statewide races in Arizona in 2018, the Republican
27 candidate received the most votes in Maricopa County in four races, while the
28 Democratic candidate received the most votes in three. *See*
<https://azsos.gov/sites/default/files/2018%201203%20Signed%20Official%20Statewide%20Canvass.pdf> (last visited December 30, 2019). Plainly, the Ballot Order Statute does not lock in any particular party.

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OSBORN MALEDON, PA

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L.R.CIV. 12.1(c) CERTIFICATION

As required by Local Rule 12.1(c), undersigned counsel certifies that before filing this motion, counsel for the Secretary of State discussed the issues asserted in this motion with Plaintiffs’ counsel, and the parties were unable to agree that Plaintiffs’ Amended Complaint was curable in any part by a permissible amendment.

s/ Mary R. O’Grady
Mary R. O’Grady

Exhibit D

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Brian Mecinas, et al.,
Plaintiffs,
v.
Katie Hobbs,
Defendant.

No. CV-19-05547-PHX-DJH
ORDER

This matter is before the Court on Plaintiffs’ Motion for Preliminary Injunction (Doc. 14) and Defendant’s Motion to Dismiss the First Amended Complaint (Doc. 26). Plaintiffs seek declaratory and injunctive relief pursuant to 28 U.S.C. §§ 2201 and 2202. (Doc. 13). The Court held oral argument on the Motion to Dismiss and an evidentiary hearing on the Motion for Preliminary Injunction on March 4, 5, and 10, 2020 (“Hearing”), and took both Motions under advisement. (Docs. 49, 52, and 55).

I. Background

This case involves the constitutionality of Arizona’s general election ballot ordering statute, A.R.S. § 16-502(E) (the “Ballot Order Statute”). The Ballot Order Statute, enacted in 1979, will be utilized for the twentieth time in the November 2020 general election. The Ballot Order Statute establishes the order in which candidates appear on the ballot in each of Arizona’s fifteen counties.¹ Names of candidates are listed according to their political

¹ The Statue was enacted in 1979 as a part of a comprehensive elections code agreed to by the Arizona Democratic and Republican parties and the County Recorders Association. The Statute, which has periodically been modified over time with participation of the 15 County Recorders, aims to “help the County Recorders and Election Directors do a better

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1 party, “in descending order according to the votes cast for governor for that county in the
2 most recent general election for the office of governor.” A.R.S. § 16-502(E). Therefore,
3 candidates of the political party that received the most votes in the most recent
4 gubernatorial election in that county appear first in all races and on all ballots in that county.
5 *Id.* This has generally led to Republican candidates being listed first in some counties, and
6 Democratic candidates being listed first in other counties in any given general election.² A
7 three-letter political party identification—DEM for Democrat and REP for Republican—
8 is listed next to each candidate’s name regardless of the candidate’s position on the ballot.
9 A.R.S. § 16-502(C). This identification provides voters with visual cues when searching
10 for their preferred party on the ballot.

11 **A. The Parties**

12 Plaintiffs in this matter include three Arizona voters, Brian Mecinas, Carolyn
13 Vasko, and Patti Serrano (collectively the “Voter Plaintiffs”), and three organizations, the
14 Democratic National Committee (“DNC”), the Democratic Senatorial Campaign
15 Committee (“DSCC”), and PRIORITIES USA (“Priorities”), a political action committee
16 (collectively the “Organizational Plaintiffs”). (Doc. 13). Plaintiffs contend that a “well-
17 documented phenomena” known as “position bias” or “primacy effect” exists in elections
18 of all kinds throughout the country. Plaintiffs define position bias as the “significant
19 electoral advantage” gained by the first-listed candidate “merely from being listed first.”
20 (Doc. 14 at 5). They allege that candidates in Arizona who are listed first on the ballot
21 obtain “several percentage points” more than those candidates not listed first. *Id.* While
22 Plaintiffs acknowledge that the Ballot Order Statute could theoretically equally distribute
23 the number of times a candidate from each party appears first, they argue that this could
24 never happen in Arizona because the population is not equally divided between counties.

25 The Voter Plaintiffs allege that the Ballot Order Statute injures them, other Arizona
26 job and save public money.” Ariz. H.R. Comm. Min., S.B. 1372 (Mar. 1, 2000).

27 ² In four general elections since the Statute’s enactment, 1984, 1986, 2008 and 2010,
28 Democratic candidates appeared first on the ballots in every race in all 15 counties
statewide. These four elections are the only instances where a single party’s candidates
were listed first on all ballots statewide since the Statute was enacted. (Doc. 15-1 at 11).

1 voters, and the candidates they support, by diluting their votes and creating an “artificial”
2 advantage to Republicans. (Doc. 13 at 9). They explain that this “dilution” results from
3 their votes needing to “compete with the overwhelming majority of Arizonans who vote in
4 counties where the favored party is the Republican Party.” (Doc. 13 at 6). Moreover, they
5 allege that the “weight and impact” of their votes are “consistently decreased by the votes
6 accruing to the first-listed candidates.” (Doc. 13 at 18). The Voter Plaintiffs further allege
7 that because they live in Maricopa County, where Republicans will be listed first on the
8 ballot, they will personally suffer irreparable injury due to the burden on their ability to
9 “engage in effective efforts to elect” Democrats. (Doc. 13 at 8). Plaintiff Mecinas
10 specifically alleges that the Ballot Order Statute impedes his work of supporting and
11 interning for a congressional campaign. (*Id.*) Plaintiff Vasko, who was 17 years old when
12 this case was filed, alleges that the impact of her efforts to elect Democratic candidates,
13 including during her mother’s 2014 candidacy for the state legislature, have been
14 negatively impacted. (*Id.* at 9). Plaintiff Serrano alleges that she participates in “advocacy
15 efforts for progressive causes” that are negatively impacted by the Ballot Order Statute.
16 (*Id.* at 10).

17 Plaintiff DNC is the national committee of the Democratic Party. It alleges that the
18 Ballot Order Statute frustrates its mission to elect Democratic candidates and to actively
19 support the development of programs that benefit its candidates. (Doc. 13 at 10-11). The
20 DNC alleges that it has “seven members in Arizona and millions of constituents who
21 affiliate with and consider themselves to be members of the Democratic Party.” (Doc. 14-
22 6 at 4). The DNC alleges that it has expended extra resources and diverted funding to
23 Arizona in order to combat the effects of the Ballot Order Statute. (Doc. 13 at 10). It
24 further alleges that its members are harmed when Republican candidates are listed first “in
25 the vast majority of Arizona’s counties” because its members’ votes are diluted. (Doc. 13
26 at 10).

27 Plaintiff DSCC is the national senatorial committee of the Democratic Party with a
28 mission of electing Democrats to the United States Senate. (Doc. 13 at 11). The DSCC

1 alleges that it spent millions of dollars in Arizona in 2018 to “persuade and mobilize voters
2 to support Democratic Senate candidates” and that it “again intends to make substantial
3 contributions and expenditures to support the Democratic candidate for U.S. Senate in
4 Arizona in 2020.” (*Id.*) The DSCC alleges that the Ballot Order Statute frustrates its
5 mission by giving an arbitrary and artificial electoral advantage to Republicans, including
6 in Arizona Senate races.³ The DSCC states that, “[o]f particular concern to the DSCC is
7 that the Ballot Order Statute will give the Republican candidate a meaningful advantage in
8 what is expected to be a highly competitive race for U.S. Senate, as Republican Senator
9 Martha McSally will be defending the seat to which she was appointed earlier this year.”
10 (Doc. 14-5 at 4). It further alleges that the Ballot Order Statute will significantly impact
11 DSCC’s resources, “in a severe and irreparable way,” by diverting money away from other
12 unspecified states to combat the “arbitrary advantage” Republicans enjoy in Arizona. (*Id.*)

13 Plaintiff Priorities is an advocacy organization with a mission to “engage Americans
14 in the progressive movement by running a permanent digital campaign” to mobilize
15 citizens around issues. (Doc. 13 at 11). Priorities spent money in Arizona in the 2018
16 election to advance this mission. (*Id.* at 12). Priorities alleges that the Ballot Order Statute
17 frustrates its mission by giving an arbitrary and artificial electoral advantage to
18 Republicans, which causes it to spend more money in Arizona and divert money away from
19 other unspecified states. (*Id.*)

20 **B. Relief Requested**

21 Plaintiffs request that the Court issue an order (1) declaring that the Ballot Order
22 Statute is unconstitutional pursuant to the First and Fourteenth Amendments, (2)
23 preliminarily and permanently enjoining the Secretary from utilizing the Ballot Order
24 Statute, (3) directing the Secretary to comply with a new scheme they wish the Court to
25 develop, and (4) awarding costs, disbursements and attorneys’ fees incurred in bringing
26 this action. (Doc. 13). Specifically, Plaintiffs request a system by which major party

27 ³ Democratic candidate, Kyrsten Sinema, won the U.S. Senate race in 2018, becoming the
28 first Democrat elected to the Senate from Arizona in nearly three decades. Simon Romero,
Kyrsten Sinema Declared Winner in Arizona Senate Race, THE NEW YORK TIMES, Nov.
12, 2018, <https://www.nytimes.com/2018/11/12/us/kyrsten-sinema-arizona-senator.html>.

1 candidates have an equal opportunity to be listed first on the ballot by either requiring the
2 rotation of major party candidates by precinct or county, or by a lottery to determine which
3 candidate will be listed first in each precinct or county.⁴ (Doc. 64 at 24-26). At the hearing,
4 Plaintiffs stressed that they are not requesting that Independent Party candidates or write-
5 in candidates be included in the new rotation scheme. (*Id.*)

6 C. Defendant's Position

7 Defendant argues that the Court must not reach the merits of Plaintiffs' arguments,
8 as they have not alleged a concrete injury sufficient to satisfy the requirements of Article
9 III standing, that the relief sought is barred by the Eleventh Amendment, and that the claims
10 are non-justiciable political questions. (Doc. 26). Alternatively, Defendant argues that
11 Plaintiffs failed to establish that the primacy effect exists in Arizona, and thus, that their
12 claims fail as a matter of law. The Court must first address Defendant's Motion to Dismiss
13 and the jurisdictional arguments Defendant makes therein. (Doc. 26).

14 II. Legal Standards

15 "To ensure that the Federal Judiciary respects the proper—and properly limited—
16 role of the courts in a democratic society, a plaintiff may not invoke federal-court
17 jurisdiction unless he can show a personal stake in the outcome of the controversy." *Gill*
18 *v. Whitford*, 138 S. Ct. 1916, 1929 (2018) (internal citations omitted). Article III provides
19 that federal courts may only exercise judicial power in the context of "cases" and
20 "controversies." U.S. CONST. art. III, § 2, cl. 1; *Lujan v. Defs. of Wildlife*, 504 U.S. 555,
21 559 (1992). For there to be a case or controversy, the plaintiff must have standing to sue.
22 *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 1547 (2016) ("*Spokeo II*"). Whether a plaintiff
23 has standing presents a "threshold question in every federal case [because it determines]
24 the power of the court to entertain the suit." *Warth v. Seldin*, 422 U.S. 490, 498 (1975).
25 "No principle is more fundamental to the judiciary's proper role in our system of
26 government than the constitutional limitation of federal-court jurisdiction to actual cases

27
28 ⁴ Arizona recognizes three political parties: the Democratic Party, the Republican Party
and the Libertarian Party. See [https://azsos.gov/elections/information-about-recognized-
political-parties](https://azsos.gov/elections/information-about-recognized-political-parties). (last visited June 25, 2020).

1 or controversies.” *DaimlerChrysler Corp. v. Cuno*, 547 U.S. 332, 341 (2006). A suit
2 brought by a plaintiff without Article III standing is not a “case or controversy,” and an
3 Article III federal court therefore lacks subject matter jurisdiction. *Steel Co. v. Citizens for*
4 *a Better Environment*, 523 U.S. 83, 101 (1998).

5 “[A] plaintiff seeking relief in federal court must first demonstrate . . . a personal
6 stake in the outcome,” *Baker v. Carr*, 369 U.S. 186, 204 (1962), distinct from a “generally
7 available grievance about government,” *Lance v. Coffman*, 549 U.S. 437, 439 (2007) (per
8 curiam). That threshold requirement “ensures that we act as judges, and do not engage in
9 policymaking properly left to elected representatives.” *Gill*, 138 S. Ct. at 1923. To
10 establish standing, a plaintiff has the burden of clearly demonstrating that she has: “(1)
11 suffered an injury in fact, (2) that is fairly traceable to the challenged conduct of the
12 defendant, and (3) that is likely to be redressed by a favorable judicial decision.” *Spokeo*
13 *II*, 136 S. Ct. at 1547 (quoting *Warth*, 422 U.S., at 518); accord *Kokkonen v. Guardian Life*
14 *Ins. Co. of Am.*, 511 U.S. 375, 377 (1994) (noting the party asserting jurisdiction bears the
15 burden of establishing subject matter jurisdiction on a Rule 12(b)(1) motion to dismiss).

16 To establish an injury in fact, “a plaintiff must show that he or she suffered ‘an
17 invasion of a legally protected interest’ that is ‘concrete and particularized’ and ‘actual or
18 imminent, not conjectural or hypothetical.’” *Spokeo*, 136 S. Ct. at 1548 (quoting *Lujan*,
19 504 U.S., at 560). “When we have used the adjective ‘concrete,’ we have meant to convey
20 the usual meaning of the term—‘real,’ and not ‘abstract.’” *Id.* The plaintiff must establish
21 a “particularized” injury, which means that “the injury must affect the plaintiff in a personal
22 and individual way.” *Raines v. Byrd*, 521 U.S. 811, 819 (1997). Moreover, “[a]lthough
23 imminence is concededly a somewhat elastic concept, it cannot be stretched beyond its
24 purpose, which is to ensure that the alleged injury is not too speculative for Article III
25 purposes—that the injury is certainly impending.” *Clapper v. Amnesty Int’l USA*, 568 U.S.
26 398, 409 (2013). Where a plaintiff has not established the elements of standing, the case
27 must be dismissed pursuant to Federal Rule of Civil Procedure (“Rule”) 12(b)(1).

28 Rule 12(b)(1) authorizes a court to dismiss claims over which it lacks subject-matter

1 jurisdiction. A Rule 12(b)(1) challenge may be either facial or factual. *Safe Air for*
2 *Everyone v. Meyer*, 373 F.3d 1035, 1039 (9th Cir. 2004). In a facial attack, the court may
3 dismiss a complaint when the allegations of and documents attached to the complaint are
4 insufficient to confer subject-matter jurisdiction. *See Savage v. Glendale Union High Sch.*
5 *Dist. No. 205*, 343 F.3d 1036, 1039 n.2 (9th Cir. 2003). In this context, all allegations of
6 material fact are taken as true and construed in the light most favorable to the nonmoving
7 party. *Fed'n of African Am. Contractors v. City of Oakland*, 96 F.3d 1204, 1207 (9th Cir.
8 1996). In contrast, when a court evaluates a factual challenge to jurisdiction, a court is free
9 to weigh the evidence and satisfy itself as to the existence of its power to hear the case.
10 *Safe Air for Everyone*, 373 F.3d at 1039 (“In resolving a factual attack on jurisdiction, the
11 district court may review evidence beyond the complaint without converting the motion to
12 dismiss into a motion for summary judgment.”).

13 Under Rule 12(b)(6), a district court must dismiss a complaint if it fails to state a
14 claim upon which relief can be granted. To survive a Rule 12(b)(6) motion to dismiss, the
15 plaintiff must allege “enough facts to state a claim to relief that is plausible on its face.”
16 *See Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 556, (2007). A claim is facially plausible
17 when the plaintiff pleads facts that “allows the court to draw the reasonable inference that
18 the defendant is liable for the misconduct alleged.” *See Ashcroft v. Iqbal*, 556 U.S. 662,
19 678 (2009) (citation omitted). There must be “more than a sheer possibility that a defendant
20 has acted unlawfully.” *Id.* In other words, while courts do not require “heightened fact
21 pleading of specifics,” a plaintiff must allege facts sufficient to “raise a right to relief above
22 the speculative level.” *See Twombly*, 550 U.S. at 570.

23 Establishing the plausibility of a complaint’s allegations is “context-specific” and
24 “requires the reviewing court to draw on its judicial experience and common sense.” *Iqbal*,
25 556 U.S. at 679. In that regard, and important here, this Court acknowledges that federal
26 courts cannot lightly interfere with a state election. *Sw. Voter Registration Educ. Project*
27 *v. Shelley*, 344 F.3d 914, 918 (9th Cir. 2003) (en banc). Although election cases are not
28 exempt from traditional stay standards, courts must nonetheless take careful account of

1 considerations specific to state election cases. *Feldman v. Arizona Secretary of State's*
2 *Office*, 843 F.3d 366, 368 (9th Cir. 2016) (citing *Veasey v. Perry*, 135 S.Ct. 9, 10 (2014))
3 (Ginsburg, J., dissenting); *see also Purcell v. Gonzales*, 549 U.S. 1 (2006).

4 The Court will first address Defendant's Motion to Dismiss and examine whether
5 Plaintiffs have alleged sufficient facts to establish standing.

6 **III. Analysis**

7 Defendant argues that neither the Voter Plaintiffs nor the Organizational Plaintiffs
8 have alleged an injury sufficient to establish Article III Standing. Defendant also argues
9 that Plaintiffs' alleged injuries are not redressable by this Court. They argue that the lack
10 of either of these elements requires dismissal. (Doc. 26).

11 **A. Injury in fact**

12 Plaintiffs allege that, absent an Order from this Court, they will be "severely
13 injured" because of the Ballot Order Statute and its history of "overwhelmingly favor[ing]
14 the Republican Party." (Doc. 13 at 6). To determine whether Plaintiffs have adequately
15 alleged an injury in fact to establish standing, the Court must look to the Amended
16 Complaint. (Doc. 13).

17 As an initial matter, Plaintiffs heavily rely on a recent decision arising in Florida,
18 where a district court enjoined Florida's state ballot order statute, which is similar to
19 Arizona's Ballot Order Statute. *See Jacobson v. Lee*, 411 F. Supp. 3d 1249 (N.D. Fla.
20 2019), vacated and remanded sub nom. *Jacobson v. Fla. Sec'y of State*, 957 F.3d 1193
21 (11th Cir. 2020). There, the secretary of state argued that the plaintiffs lacked standing,
22 however, the district court found that those "hodgepodge" arguments were designed to
23 prevent the court from reaching the merits of the case. *Id.* at *2. Plaintiffs argue that
24 Defendant here is also attempting to mislead the Court into dismissing the case on standing
25 grounds. *See* (Doc. 14 at 9; *see also* Doc. 27 at 7) ("Instead of grappling head-on with the
26 serious constitutional claims . . . Defendant . . . moves to dismiss the Complaint in its
27 entirety." "The remainder of [Defendant's] motion is spent conjuring doubt as to whether
28 this case is justiciable at all."). What Plaintiffs fail to fully appreciate, however, is that this

1 Court *must* analyze the elements of standing thoroughly. This is a fundamental principal
2 of Article III. See *Steel Co. v. Citizens for a Better Env't*, 523 U.S. 83, 101–02 (1998)
3 (“For a court to pronounce . . . the constitutionality of a state or federal law when it has no
4 jurisdiction to do so is, by very definition, for a court to act *ultra vires*.”).

5 The district court decision in *Jacobson* has no bearing on this Court, especially in
6 light of the Eleventh Circuit’s decision reversing that order in its entirety and finding that
7 the plaintiffs did not have standing. See *Jacobson v. Fla. Sec’y of State*, 957 F.3d 1193,
8 1201 (11th Cir. 2020) (“Unfortunately, the district court took its obligation to ensure its
9 jurisdiction far too lightly. It dismissed weighty challenges to the voters’ and organizations’
10 standing under Article III as a ‘hodgepodge’ of ‘[p]reliminary [m]iscellanea’ and
11 proceeded to declare Florida’s ballot statute unconstitutional and enter an injunction
12 against both the Secretary and the nonparty Supervisors. In doing so, the district court
13 acted *ultra vires* by ordering relief that the voters and organizations had no standing to
14 seek.”).

15 This Court is obligated to address standing and determine whether Plaintiffs have
16 adequately alleged an injury in fact. In doing so, the Court will first address standing as to
17 the Voter Plaintiffs, followed by the Organizational Plaintiffs.

18 **1. Voter Plaintiffs**

19 The Voter Plaintiffs allege that the Ballot Order Statute impermissibly infringes on
20 their right to vote when Republican candidates appear first on the majority of ballots in the
21 state. (Doc. 13). The Amended Complaint alleges that “ballot order matters, and when it
22 is unfairly or arbitrarily assigned, it can raise concerns of constitutional magnitude.” (Doc.
23 13 at 2). Plaintiffs allege that in the upcoming 2020 general election, the Ballot Order
24 Statute will cause “severe and irreparable harm to the Plaintiffs, the candidates they
25 support, and the voters who support them.” (Doc. 13 at 16). They allege that the candidates
26 they support “may well be unable to overcome the advantage the Ballot Order Statute gives
27 to their Republican opponents.” (Doc. 14-2 at 3). They allege that these are all examples
28 of a state-sanctioned burden on their right to vote. The Voter Plaintiffs also allege that the

1 Ballot Order Statute “dilutes” their votes in relation to votes cast for Republicans who are
2 listed first on the ballot. (Doc. 13).

3 **a. Right to Vote**

4 Individuals have an interest in being able to vote under the First and Fourteenth
5 Amendments to the Constitution. Indeed, “voting is of the most fundamental significance
6 under our constitutional structure.” *Illinois Bd. of Elections v. Socialist Workers Party*,
7 440 U.S. 173, 184 (1979). All voters have a legal interest in their ability to vote, in not
8 being prevented from voting because of state-imposed obstacles, and in their vote being
9 weighed the same as all others. *See, e.g., Wesberry v. Sanders*, 376 U.S. 1, 17 (1964) (“No
10 right is more precious in a free country than that of having a voice in the election of those
11 who make the laws under which, as good citizens, we must live”); *Reynolds v. Sims*, 377
12 U.S. 533, 544 (1964) (“It has been repeatedly recognized that all qualified voters have a
13 constitutionally protected right to vote . . .” and that right cannot not be “diluted by ballot-
14 box stuffing”); *Harper v. Virginia State Bd. of Elections*, 383 U.S. 663 (1966) (declaring
15 poll taxes as unconstitutional infringement on the right to vote); *United States v. Mosley*,
16 238 U.S. 383, 386 (1915) (“the right to have one’s vote counted is as open to protection by
17 Congress as the right to put a ballot in a box.”). “These associational rights, however, are
18 not absolute and are necessarily subject to qualification if elections are to be run fairly and
19 effectively.” *Munro v. Socialist Workers Party*, 479 U.S. 189, 193 (1986). As to the
20 “right” to vote, the Supreme Court has noted that the Constitution “does not confer the
21 right of suffrage upon any one,” *Minor v. Happersett*, 88 U.S. 162, 178 (1874), and that
22 “the right to vote, *per se*, is not a constitutionally protected right.” *San Antonio*
23 *Independent School Dist. v. Rodriguez*, 411 U.S. 1, 35, n.78 (1973). And “absent any
24 burden [on the franchise], there is no reason to call on the State to justify its practice.” *Ariz.*
25 *Libertarian Party v. Reagan*, 798 F.3d 723, 732 n.12 (9th Cir. 2015).

26 The Voter Plaintiffs allege that they intend to cast ballots in the November 2020
27 election.⁵ However, the harm that Plaintiffs allege is not a harm to themselves, but rather

28 ⁵ Plaintiff Vasko states that she “plans to” register to vote in time to vote in the November
2020 election. (Doc. 13 at 8).

1 an alleged harm to the Democratic candidates whom they intend, at this juncture, to
2 support. As explained recently by the Eleventh Circuit Court of Appeals, “[a] candidate’s
3 electoral loss does not, by itself, injure those who voted for the candidate. Voters have no
4 judicially enforceable interest in the outcome of an election.” *Jacobson*, 957 F.3d at 1202
5 (citing *Raines v. Byrd*, 521 U.S. 811, 819 (1997)). Additionally, as the Supreme Court
6 determined in *Raines*, a group of legislators had not suffered a concrete injury when a piece
7 of legislation they voted for was not enacted. *Raines*, 521 U.S. 811 at 814. The Supreme
8 Court determined that the legislators’ votes were counted and given full effect, and the
9 legislators “simply lost that vote.” *Id.* at 824. To be sure, the voting rights of elected
10 legislators and of a citizen are not the same. *See Nev. Comm’n on Ethics v. Carrigan*, 564
11 U.S. 117, 126 (2011). However, multiple circuit courts have held that an individual voter
12 is not harmed by a candidate losing an election, or where the harm alleged to the voter is
13 abstract or widely shared. *See Jacobson*, 957 F.3d at 1202–03; *see also Berg v. Obama*,
14 586 F.3d 234, 240 (3d Cir. 2009) (dismissing for lack of standing where voter’s “wish that
15 the Democratic primary voters had chosen a different presidential candidate . . . do[es] not
16 state a legal harm”); *Crist v. Comm’n on Presidential Debates*, 262 F.3d 193, 195 (2d Cir.
17 2001) (“a voter fails to present an injury-in-fact when the alleged harm is abstract and
18 widely shared or is only derivative of a harm experienced by a candidate”); *Becker v. Fed.*
19 *Election Comm’n*, 230 F.3d 381, 390 (1st Cir. 2000) (dismissing for lack of standing where
20 a candidate’s alleged decreased “chance of being elected” was “hardly a restriction on
21 voters’ rights and by itself [was] not a legally cognizable injury sufficient for standing”).

22 Moreover, although the Voter Plaintiffs attempt to frame their injury as personal to
23 them, the Plaintiffs do not argue that they, personally, are at greater risk of losing an
24 election due to the alleged effects of Arizona’s Ballot Order Statute. Nor could they, as
25 none of the Voter Plaintiffs allege that they are, or intend to be, candidates on the ballot.
26 Although they allege that “the Ballot Order Statute offends the First and Fourteenth
27 Amendments to the U.S. Constitution because it confers an unfair political advantage on
28 *candidates* solely because of their partisan affiliation and the fact that a different *candidate*,

1 also affiliated with their party, won the majority of votes in a specific county in an
2 unrelated, previous election,” no candidates, either former or present, are named plaintiffs
3 in this suit. (Doc. 13 at 7) (emphasis added). Moreover, while Plaintiffs argue that they
4 are not aware of “a single challenge brought by similarly-situated parties against a ballot
5 order statute that was dismissed,” they fail to recognize that the majority of the cases they
6 cite to support their theories of injury involve *candidates* as plaintiffs who were alleging
7 the personal harm of not getting elected. (Doc. 14 at 7-9). See *McLain v. Meier*, 637 F.2d
8 1159 (8th Cir. 1980) (plaintiff, a candidate in upcoming election, challenged an incumbent
9 first ballot statute); *Sangmeister v. Wodard*, 565 F.2d 460, 463, 463 (7th Cir. 1977)
10 (consolidated appeal brought by multiple plaintiffs who were all candidates for office);
11 *Kautenburger v. Jackson*, 333 P.2d 293, 294-95 (Ariz. 1958) (constitutional challenge by
12 a primary candidate who sought to enjoin the board of supervisors from using voting
13 machines unless fellow candidates’ names were rotated); *Akins v. Sec. of State*, 904 A.2d
14 702, 703 (N.H. 2006) (Democratic, Republican, and Libertarian Party candidates
15 challenging organization of the general election ballot); *Gould v. Grubb*, 14 Cal. 3d 661,
16 664-65 (Cal. 1975) (nonincumbent candidates had standing to bring action challenging
17 constitutionality of incumbent first ballot procedure); *Mann v. Powell*, 333 F. Supp. 1261,
18 1264–65 (N.D. Ill. 1969) (finding that candidate had alleged an injury in fact to maintain
19 the suit challenging ballot order, while dismissing individual voter for lack of standing,
20 reasoning that a voter cannot “maintain this action on behalf of candidates in the primary
21 election”). These cases do not persuade this Court that the Voter Plaintiffs have standing.

22 Voter Plaintiffs have not established a meaningful infringement on their right to
23 vote caused by the Ballot Order Statute. They do not argue that the Ballot Order Statute
24 prevents them from casting a ballot for their intended candidate, nor do they argue that
25 their lawfully cast votes will not be counted. Rather, the Voter Plaintiffs allege that the
26 Statute places a burden on them, because a number of other voters’ choices in the ballot
27 box are irrational because they select the first name listed regardless of who it is. In short,
28 they do not allege that the Ballot Order Statute imposes a burden on them personally that

1 is not common to all voters.⁶ *See Gill*, 138 S. Ct. at 1933 (Article III courts are unable to
2 redress a “generalized partisan preference”).

3 **b. Dilution of Votes**

4 Voter Plaintiffs have also not established a concrete injury based on an alleged
5 dilution of their votes. The Voter Plaintiffs allege that the Ballot Order Statute causes a
6 “reduction in the value of their votes,” by providing an “artificial” advantage for first-listed
7 Republican candidates. (Doc. 27 at 15).

8 In *Gill*, a political gerrymandering case, the Supreme Court addressed the voter
9 plaintiffs’ claim that they had standing based on the dilution of their votes. The plaintiffs
10 there presented a similar theory of the case as here, that the weight of their votes were
11 decreased based on the makeup of the voting districts. *Gill*, 138 S. Ct. at 1929-31. The
12 Supreme Court concluded that the injury alleged did not impact the individual voter, but
13 rather the “fortunes of political parties,” throughout the entire state. *Gill*, 138 S. Ct. at
14 1922. In finding that the voter plaintiffs had not proven “concrete and particularized
15 injuries,” the Supreme Court concluded that the issue was one of “political interests, not
16 individual legal rights,” and that it did not infringe on the plaintiffs’ right to vote. *Id.*

17 Similarly, while Plaintiffs rely heavily on the Supreme Court’s summary affirmance
18 in *Mann*, they fail to explain that the three-judge panel of the district court dismissed the
19 voter plaintiff for lack of standing. 333 F. Supp. at 1264–65.⁷ The district court reasoned

20 _____
21 ⁶ Likewise, Plaintiffs argue that the Ballot Order Statute “treats similarly-situated major
22 parties differently,” in violation of the Equal Protection Clause. (Doc. 14 at 14). Plaintiffs
23 cannot sustain this Equal Protection claim on behalf of unnamed candidates. Moreover,
the Voter Plaintiffs do not allege that the Ballot Order Statute treats similarly situated
voters differently, as all voters in a given county receive the same ballot.

24 ⁷ Moreover, *Mann* was a summary affirmance by the Supreme Court of a district court
25 decision, which contains all of four words, “[t]he judgment is affirmed.” *Mann*, 398 U.S.
26 at 955. That holding carries little weight in this case. *See Mandel v. Bradley*, 432 U.S.
27 173, 176 (1977) (“When we summarily affirm, without opinion, . . . we affirm the judgment
28 but not necessarily the reasoning by which it was reached. An unexplicated summary
affirmance settles the issues for the parties, and is not to be read as a renunciation by this
Court of doctrines previously announced in our opinions after full argument.”) (internal
citations omitted); *See also Tedards v. Ducey*, 951 F.3d 1041, 1048 (9th Cir. 2009) (noting
that “[n]ormally, a summary affirmance binds us to the precise result affirmed, yet it
remains incumbent upon us to give full consideration to the issues and articulate our own
independent analysis”) (citations omitted).

1 that plaintiff’s allegation that “his right to vote will be burdened or the strength of his vote
2 diluted because unconstitutional action by the defendants will benefit candidates whom he
3 opposes” is “an insufficient personal interest to state a cause of action.” *Id.*

4 Here, the Voter Plaintiffs will not be injured simply because other voters may act
5 “irrationally” in the ballot box by exercising their right to choose the first-listed candidate.
6 *See Alcorn*, 826 F.3d at 718 (rejecting the notion that “some voters’ choices are less
7 constitutionally meaningful than the choices of other supposedly more informed or
8 committed voters”). The Court finds that the Voter Plaintiffs have not alleged a concrete
9 injury in fact, but rather a generalized political grievance with the Ballot Order Statute and
10 its alleged effects.⁸ Therefore, the Court must dismiss this action, unless it finds that the
11 Organizational Plaintiffs have standing. *See Leonard v. Clark*, 12 F.3d 885, 888 (9th Cir.
12 1993), as amended (Mar. 8, 1994) (“The general rule applicable to federal court suits with
13 multiple plaintiffs is that once the court determines that one of the plaintiffs has standing,
14 it need not decide the standing of the others.”).

15 2. Organizational Plaintiffs

16 The Organizational Plaintiffs allege that the Secretary has no constitutionally
17 justifiable reason to enforce the Ballot Order Statute, and argue that it violates the Equal
18 Protection Clause as it treats similarly situated political parties differently. The
19 Organizational Plaintiffs argue that they have alleged sufficient facts to establish
20 associational, organizational, or competitive standing regardless of whether the Voter
21 Plaintiffs have standing. The Court will address each standing theory in turn.

22 a. Associational Standing

23 “Even in the absence of injury to itself, an association may have standing solely as
24 the representative of its members.” *Hunt v. Washington State Apple Advert. Comm’n*, 432
25 U.S. 333, 342–43 (1977). “The association must allege that its members, or any one of

26 ⁸ And while Plaintiffs are correct that the presence of a “widely shared grievance” does not
27 necessarily mean that it is a “generalized grievance,” the case they cite for that proposition
28 does not support their argument. (Doc. 27 at 15); *See Fed. Election Comm’n v. Akins*, 524
U.S. 11, 12 (1998) (finding voter plaintiffs had pleaded an injury in fact where a federal
statute explicitly allowed them to file a complaint, and if their complaint was dismissed, to
seek district court review of the dismissal).

1 them, are suffering immediate or threatened injury as a result of the challenged action of
2 the sort that would make out a justiciable case had the members themselves brought suit.”
3 *Id.* An association has standing to bring suit on behalf of its members when “(a) its
4 members would otherwise have standing to sue in their own right; (b) the interests it seeks
5 to protect are germane to the organization’s purpose; and (c) neither the claim asserted nor
6 the relief requested requires the participation of individual members in the lawsuit.” *Id.* at
7 343. Organizations seeking to establish standing on behalf of members must “identify
8 members who have suffered the requisite harm.” *Summers v. Earth Island Inst.*, 555 U.S.
9 488, 499 (2009).

10 As an initial matter, Plaintiffs DSCC and Priorities do not allege that they are
11 membership organizations or that they have any members. (Doc. 13, ¶¶ 25–26). This
12 glaring omission is fatal to associational standing for these two Plaintiffs. *See Hunt*, 432
13 U.S. at 343 (“The association must allege that its *members*, or any one of them, are
14 suffering immediate or threatened injury. . .”) (emphasis added). Notably, when presented
15 with this argument in the Motion to Dismiss, Plaintiffs’ respond that the Voter Plaintiffs
16 are “members” of the Democratic Party. (Doc. 27 at 12). While the “Democratic Party”
17 may have “members,” it does not follow that the DSCC or Priorities do. Moreover, the
18 Democratic Party is not a Plaintiff in this case. (Doc. 13). As having members is crucial
19 to asserting jurisdiction under associational standing, the DSCC and Priorities have not
20 established standing under this theory.

21 Even had the DSCC established that it were a membership organization, the mission
22 of the DSCC to elect Democrats to the U.S. Senate was not apparently frustrated. For
23 example, in the 2018 election, a Democratic candidate was indeed elected to the Senate
24 under the state’s current ballot system. Moreover, whether Priorities’ mission is frustrated
25 is highly speculative. Priorities alleges that its mission is to build a permanent digital
26 campaign and engage Americans in the democratic process, something it has already spent
27 considerable time and money on in Arizona, specifically in 2018. (Doc. 13 at 11).

28

1 Priorities has not established how the current ballot order system frustrates its mission to
2 build a permanent digital campaign or engage Arizonans in the democratic process.

3 Plaintiff DNC does allege that it has members, stating that it has “seven members
4 in Arizona and millions of constituents who affiliate with and consider themselves to be
5 members of the Democratic Party.” (Doc. 14-6 at 4). The DNC does not name any of
6 these individuals, does not allege how any of them were specifically harmed, and does not
7 allege that any of those seven members are candidates who will appear on the general
8 election ballot. The allegations generally are that Plaintiff DNC provides support to its
9 candidate “members.” (Doc. 13 at 10-11). These allegations are not specific to what it is
10 doing in Arizona, however. Moreover, the Court will not assume, based on a single
11 affidavit, that “millions” of Arizonans who vote for Democratic candidates “consider
12 themselves” to be “members” of the Democratic Party. (Doc. 14-6). This assumption is
13 not relevant to the Court’s determination of whether the *DNC* has established standing as
14 a result of having “seven members” in Arizona. For purposes of associational standing,
15 the Court will look to the allegations with respect to the “seven members” of the DNC
16 alleged to be located in Arizona.

17 Plaintiff DNC alleges that the Ballot Order Statute “gives Republican voters more
18 voting power and dilutes the relative strength of Democratic voters, because of the built-in
19 advantage to the first-listed party.” (Doc. 14-6 at 6). This is the same type of harm alleged
20 by the Voter Plaintiffs discussed above. Plaintiff DNC has failed to identify its members
21 and their specific alleged injuries; thus, the Court is unable to determine whether “its
22 members would otherwise have standing to sue in their own right,” which is required for
23 associational standing. *See Hunt*, 432 U.S. at 343. Even accepting as true that the DNC’s
24 seven Arizona members are Arizona voters who will be voting in the 2020 Election, the
25 DNC does not allege any specific harm as to those alleged seven unnamed members, nor
26 does it allege that any of the seven are candidates. Based on the information pleaded in the
27 Amended Complaint, the Court cannot discern the alleged injuries of Plaintiff DNC’s
28 members. *See Summers*, 555 U.S. at 497 (holding that an organization could not meet the

1 injury in fact requirement simply by alleging that “there is a statistical probability that some
2 of those members are threatened with concrete injury”). Therefore, the DNC has not
3 established standing under associational standing.

4 **b. Organizational Standing**

5 The Organizational Plaintiffs alternatively allege they have suffered their own
6 injuries sufficient to establish organizational standing. (Doc. 27 at 13-14). To establish
7 organizational standing, a plaintiff must allege an injury-in-fact to include: “(1)
8 frustration of its organizational mission; and (2) diversion of its resources” to mitigate
9 the effects of the challenged action. *Smith v. Pac. Props. and Dev. Corp.*, 358 F.3d
10 1097, 1105 (9th Cir. 2004). An organizational plaintiff must allege “more than simply a
11 setback to the organization’s abstract social interests.” *Havens Realty Corp. v. Coleman*,
12 455 U.S. 363, 379 (1982). Allegations of “concrete and demonstrable injury to the
13 organization’s activities—with the consequent drain on the organization’s resources—
14 constitutes far more than simply a setback to the organization’s abstract social interests.”
15 *Id.* (emphasis added). However, an organization “cannot manufacture the injury by
16 incurring litigation costs or simply choosing to spend money fixing a problem that
17 otherwise would not affect the organization at all.” *La Asociacion de Trabajadores de*
18 *Lake Forest v. Lake Forest*, 624 F.3d 1083, 1088 (9th Cir. 2010). “It must instead show
19 that it would have suffered some other injury if it had not diverted resources to
20 counteracting the problem.” *Id.*

21 As to the first element, the Organizational Plaintiffs allege that the Ballot Order
22 Statute frustrates the missions of electing Democrats in Arizona by giving an “unfair,
23 arbitrary, and artificial” advantage to Republicans. (Doc. 13 at 25). As discussed above,
24 this is not a concrete injury to establish standing, but rather a generalized grievance with
25 the political process that this court “is not responsible for vindicating.” *Gill*, 138 S. Ct. at
26 1933; *see also id.* at 1932 (dismissing voters’ “hope of achieving a Democratic majority in
27 the legislature” as “a collective political interest” that cannot establish standing). Their
28 dissatisfaction with the Ballot Order Statute is nothing more than “a setback to the

1 organization’s abstract social interests.” *See Havens Realty Corp*, 455 U.S. at 379.
2 Plaintiff’s described injury can fairly be described as abstract. *See Spokeo*, 136 S.Ct. at
3 1548 (citation omitted). Therefore, the argument that the Ballot Order Statute frustrates
4 their mission of electing Democrats is not a cognizable injury.

5 As to the second element, the Organizational Plaintiffs allege that the Ballot Order
6 Statute has required them to expend resources on “Get Out the Vote (“GOTV”) assistance,”
7 “voter persuasion efforts,” and making contributions and expenditures to persuade voters
8 to support Democratic Senate candidates. (Doc. 13, ¶¶ 24–26). The DSCC alleges that it
9 “will have to expend and divert additional funds and resources . . . in Arizona.” (Doc. 13
10 at 13). Additionally, the DSCC states that it “again intends to make substantial
11 contributions and expenditures to support the Democratic candidate for U.S. Senate,” in
12 Arizona. (Doc. 13 at 11). Therefore, the Organizational Plaintiffs acknowledge that
13 despite the Ballot Order Statute, they plan to expend significant time and resources in
14 Arizona this election cycle on a Senate race they describe as one of the seats “most likely
15 to flip” the U.S. Senate this year. (Doc. 13 at 15). Moreover, and despite the operation of
16 the Statute, the Organizational Plaintiffs’ efforts were rewarded in the much-publicized
17 U.S. Senate race in 2018, which was won by their Democratic candidate.

18 Perhaps most importantly, the Organizational Plaintiffs do not put forth any
19 evidence of resources being diverted from other states to Arizona. Nor did they offer
20 witness testimony on this element at the hearing on the Motion to Dismiss. Their
21 allegations, without more, do not establish the very specific requirements for organizational
22 standing. *See ACORN v. Fowler*, 178 F.3d 350, 359 (5th Cir. 1999) (expenditures must be
23 “caused by an[] action by” the defendant that the organization “claims is illegal, as opposed
24 to part of the normal, day-to-day operations of the group” to confer standing); *see also*
25 *Jacobson*, 957 F.3d at 1206 (finding the testimony of the representatives of the
26 organizations did not explain “what activities the Committee or Priorities USA would
27 divert resources away from in order to spend additional resources on combatting the
28 primacy effect, as precedent requires”).

1 The Organizational Plaintiffs have not established that they would spend additional
2 funds because of the Ballot Order Statute, nor have they established that they are diverting
3 those funds from other places. In short, they have not established that they “would have
4 suffered some other injury if [they] had not diverted resources to counteracting the
5 problem.” *La Asociacion de Trabajadores*, 624 F.3d at 1088. Therefore, this theory of
6 standing also fails.

7 c. Competitive Standing

8 The Organizational Plaintiffs also argue that they have alleged facts sufficient to
9 establish competitive standing. Competitive standing is recognized in the Ninth Circuit.
10 Generally, the doctrine provides that “a candidate or his political party has standing to
11 challenge the inclusion of an allegedly ineligible rival on the ballot, on the theory that doing
12 so hurts the candidate’s or party’s own chances of prevailing in the election.” *Townley v.*
13 *Miller*, 722 F.3d 1128, 1135 (9th Cir. 2013) (quoting *Drake v. Obama*, 664 F.3d 774, 782
14 (9th Cir. 2011)).

15 The theory put forward by the Organizational Plaintiffs is that the Ballot Order
16 Statute “frustrat[es] its mission and efforts to elect Democratic Party candidates” by
17 allegedly diverting more votes to Republicans than Democrats. (Doc. 13, ¶ 24). Therefore,
18 they allege that the ability of their candidates to be competitive in the election is
19 compromised. However, the injuries alleged by the Organizational Plaintiffs are dissimilar
20 to the injuries required by the line of competitive standing cases. The Organizational
21 Plaintiffs rely on the holding of *Drake*, that a political organization suffers an injury where
22 its “interest in having a fair competition” is compromised. *Drake v. Obama*, 664 F.3d 774,
23 782-83 (9th Cir. 2011). The court in *Drake*, however, did not find that the plaintiffs had a
24 redressable injury; instead, the court held that the plaintiffs did not have a live claim or
25 controversy because the election was over.⁹ Therefore, *Drake* does not support the

26 _____
27 ⁹ Moreover, Plaintiffs cited quote comes from the “Synopsis” and “Holdings” section of
28 the case, a section which generally is not part of the opinion. See *United States v. Detroit
Timber & Lumber Co.*, 200 U.S. 321, 337 (noting that the syllabus constitutes no part of
the opinion of the Court but has been prepared by the Reporter of Decisions for the
convenience of the reader).

1 Organizational Plaintiffs' contention.

2 Plaintiffs also cite to the nearly 40-year-old decision in *Owen v. Mulligan* to support
3 their theory of competitive standing. 640 F.2d 1130, 1132–33 (9th Cir.1981). In *Owen*,
4 the Ninth Circuit held that the “potential loss of an election” was an injury-in-fact sufficient
5 to give a *candidate* and Republican party officials standing. *Id.* In that case, the candidate
6 plaintiff sued the Postal Service for giving his opponent a cheaper mailing rate, in violation
7 of its own regulations and of its representations to the court regarding procedures
8 implemented in response to a previous injunction. *Id.* at 1132. The candidate and party
9 officials sought “to prevent their opponent from gaining an unfair advantage in the election
10 process through abuses of mail preferences which arguably promote his electoral
11 prospects.” *Id.* While the court in *Owen* recognized that candidate’s right to competitive
12 standing on those facts, the injuries were found to be concrete as the Postal Service’s
13 violations were not limited to its own policies, but also related to a previous injunction. *Id.*
14 Therefore, *Owen* is also distinguishable.

15 Moreover, Plaintiffs gloss over the holding of a recent Ninth Circuit decision that
16 narrowed the scope of competitive standing. See *Townley v. Miller*, 722 F.3d 1128, 1131
17 (9th Cir. 2013). In *Townley*, the Republican Party plaintiff alleged that the appearance of
18 a “none of these candidates” (“NOTC”) option on the ballot would cause their candidates
19 to receive fewer votes and potentially lose the election. *Id.* at 1131. The plaintiffs in
20 *Townley* argued that they had established competitive standing based on the inclusion of
21 the NOTC option on all ballots. *Id.* The Ninth Circuit, however, declined to find
22 competitive standing, reasoning that the inclusion of an “NOTC” was not the *inclusion of*
23 *a candidate* on the ballot necessary to advance a competitive standing theory. Moreover,
24 garnering support from other circuit court opinions that recognize competitive standing,
25 the Ninth Circuit in *Townley* held that for competitive standing to apply, a plaintiff must
26 allege that another candidate has been impermissibly placed on the ballot. See *Townley*,
27 722 F.3d at 1136; see also *Texas Democratic Party v. Benkiser*, 459 F.3d 582, 586 (5th
28 Cir. 2006) (allowing competitive standing where Democratic Party challenged decision to

1 declare one candidate ineligible and replace him with a different candidate on the ballot);
2 *Schulz v. Williams*, 44 F.3d 48, 52–53 (2d Cir. 1994) (finding competitive standing based
3 on the inclusion of Libertarian candidates on the ballot after State had concluded the
4 petition to include those candidates was statutorily invalid); *Fulani v. Hogsett*, 917 F.2d
5 1028, 1029 (7th Cir. 1990) (challenging decision to allow candidates on the ballot who
6 were not certified by the Indiana Secretary of State by the statutory deadline).

7 There are no allegations of candidates being impermissibly placed on the ballot in
8 this case. The Court finds, in line with Ninth Circuit precedent, that the Organizational
9 Plaintiffs have not alleged facts sufficient to confer standing under this very limited
10 theory.¹⁰ Therefore, the Court finds that none of the Organizational Plaintiffs have
11 established standing under any of these theories.

12 As neither the Voter Plaintiffs nor the Organizational Plaintiffs have established
13 standing, the Court must dismiss them all from the case and grant the Secretary’s Motion
14 to Dismiss.

15 **III. Justiciability**

16 Generally, a court must give plaintiffs at least one chance to amend a deficient
17 complaint, absent a clear showing that amendment would be futile. *Eminence Capital,*
18 *LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1052 (9th Cir. 2003). However, the Secretary argues
19 that even if a single Plaintiff had established standing, the Court should decline to reach
20 the merits of the case because no judicially discernable standard exists to determine what
21 constitutes a fair ballot ordering scheme. (Doc. 26 at 18-21). In other words, the Secretary
22 argues that this case, in the way that Plaintiffs frame it, involves a nonjusticiable political
23 question and, therefore, any amendment to the Complaint would be futile.

24 The standard of review for laws regulating a person’s First and Fourteenth
25 Amendment rights to vote was analyzed by the Supreme Court in *Burdick v. Takushi*, 504
26 U.S. 428 (1992). There, the Supreme Court held that states “must play an active role in

27 ¹⁰ To the extent that the Voter Plaintiffs also argue they have competitive standing based
28 on the “competitive interest of [their] preferred candidate,” there are no candidates named
in this case and the Court cannot find competitive standing for the Voter Plaintiffs on these
allegations. *See Drake*, 664 F.3d at 784.

1 structuring elections,” and that “[e]lection laws will invariably impose some burden upon
2 individual voters.” *Id.* at 433. “Consequently, not every voting regulation is subject to
3 strict scrutiny.” *Pub. Integrity All., Inc. v. City of Tucson*, 836 F.3d 1019, 1024 (9th Cir.
4 2016). Importantly, courts “have to identify a burden before [they] can weigh it.”
5 *Crawford v. Marion Cty. Election Bd.*, 553 U.S. 181, 205 (2008) (Scalia, J., concurring in
6 the judgment).

7 The Supreme Court’s recent decision in *Rucho v. Common Cause*, 139 S. Ct. 2484
8 (2019), is relevant to this inquiry. While *Rucho* involved political gerrymandering, it is
9 nonetheless instructive. The Supreme Court explained that some cases, by their very
10 nature, are not redressable by the judicial branch because “the question is entrusted to one
11 of the political branches or involves no judicially enforceable rights.” *Id.* (quoting *Vieth v.*
12 *Jubelirer*, 541 U.S. 267, 277 (2004) (plurality opinion)). “In such a case the claim is said
13 to present a ‘political question’ and to be nonjusticiable—outside the courts’ competence
14 and therefore beyond the courts’ jurisdiction.” *Baker*, 369 U.S. at 217. “Among the
15 political question cases the Court has identified are those that lack judicially discoverable
16 and manageable standards for resolving [them].” *Rucho*, 139 S. Ct. at 2494. The Supreme
17 Court in *Rucho* concluded that partisan gerrymandering claims are nonjusticiable political
18 questions because they rest on an initial determination of what is “fair,” and a secondary
19 determination of how much deviation from what is “fair” is permissible. *Id.* at 2500. These
20 questions of fairness are best left to the legislatures and not the courts. *Id.*

21 Plaintiffs argue that *Rucho* has no bearing on this case at all as it is “unambiguously
22 limited to partisan gerrymandering cases.” (Doc. 27 at 21). However, the Ninth Circuit
23 recently extended the reasoning of *Rucho* to find that claims related to climate change are
24 nonjusticiable. *Juliana v. United States*, 947 F.3d 1159, 1173 (9th Cir. 2020) (holding that,
25 absent a judicially manageable standard, “federal judicial power could be unlimited in
26 scope and duration, and would inject the unelected and politically unaccountable branch of
27 the Federal Government [into] assuming such an extraordinary and unprecedented role”).
28 To be sure, *Juliana* was a case brought by climate change activists attempting to limit the

1 Government's emission of carbon dioxide into the atmosphere, which has nothing to do
2 with Arizona's Ballot Order Statute. Yet climate change also has little in common with
3 political gerrymandering. Thus, Plaintiffs' contention that the holding in *Rucho* cannot be
4 extended past political gerrymandering cases is unpersuasive. See *Juliana*, 947 F.3d at
5 1173 ("The Court found in *Rucho* that a proposed standard involving a mathematical
6 comparison to a baseline election map is too difficult for the judiciary to manage. It is
7 impossible to reach a different conclusion here.").

8 The crux of Plaintiffs' case is for the Court to determine what is "fair" with respect
9 to ballot rotation. (Doc. 13). Indeed, the specific relief requested involves this Court
10 developing a new ballot system for Arizona's state elections. This idea of "fairness" is the
11 precise issue that *Rucho* declined to meddle in. *Rucho*, 139 S. Ct. at 2494; see also
12 *Jacobson*, 957 F.3d at 1213 ("No judicially discernable and manageable standards exist to
13 determine what constitutes a 'fair' allocation of the top ballot position, and picking among
14 the competing visions of fairness poses basic questions that are political, not legal.")
15 (internal citations omitted). Determining what is "fair" for purposes of ballot order rotation
16 has a number of complications. Fairness, as Plaintiffs define it, requires rotation of all
17 "similarly-situated major-party" candidates on the general election ballot. (Doc. 14 at 21).
18 While Plaintiffs argue that their case is "not predicated on a specific remedy," their
19 definition of "fairness" does not require rotation of Independent Party candidates, write-
20 in-candidates from the primary election, or other third-party candidates in their ballot
21 scheme, meaning that those candidates would never be listed first on the ballot. (Doc. 14
22 at 10; Doc. 35 at 16). In fact, Plaintiffs' counsel explicitly stated at the hearing that their
23 proposal need not disrupt the status of those candidates in terms of ballot order. (Doc. 64
24 at 24).

25 Most importantly, for the Court to examine the alleged burden on Plaintiffs, it
26 necessarily would have to accept their version of what is "fair," in this case, by making it
27 more "fair" for Democratic candidates in the upcoming election only, by rotating
28 Democratic and Republican candidates, or having a lottery to determine which party's

1 candidates would be listed first. The Court cannot do so. The allegations in the Amended
2 Complaint are simply not based upon Plaintiffs being prevented from exercising their right
3 to vote or being burdened in any meaningful way. Plaintiffs theories are that their votes
4 for Democratic candidates are diluted whenever Republican candidates are listed first on
5 the ballot. (Doc. 13). As discussed above, these alleged injuries are not actual and
6 concrete. Therefore, as there is no burden, the court is unable to weigh it. *See Crawford*,
7 553 U.S. at 205 (2008) (Courts must “identify a burden before [they] can weigh it”) (Scalia,
8 J., concurring in the judgment).

9 While Plaintiffs argue that there is a judicially manageable test for examining
10 challenges to election-related issues, Plaintiffs fail to establish that the Ballot Order Statute
11 meaningfully burdens them in the ways in which the Supreme Court has recognized as
12 being appropriate for examination under the *Anderson-Burdick* framework. *See Crawford*,
13 553 U.S. at 181 (analyzing constitutionality of photo-identification law); *Clingman v.*
14 *Beaver*, 544 U.S. 581, 584 (2005) (challenging Oklahoma’s semi-closed primary system);
15 *Timmons v. Twin Cities Area New Party*, 520 U.S. 351, 353–54 (1997) (analyzing law that
16 forbade candidates from appearing on the ballot for more than one party); *Burdick*, 504
17 U.S. 428 (examining complete prohibition on write-in voting); *Norman v. Reed*, 502 U.S.
18 279, 288–89 (1992) (overturning law limiting the access of new political parties on the
19 ballot); *Munro v. Socialist Workers Party*, 479 U.S. 189, 190 (1986) (challenging statute
20 that restricted minor-party candidates from appearing on the ballot unless they met specific
21 criteria).

22 The Ballot Order Statute here does not prevent candidates from appearing on the
23 ballot or prevent anyone from voting. The Ballot Order Statute merely establishes the order
24 by which candidates appear on the ballot in each of Arizona’s fifteen counties. Because
25 Plaintiffs have not established a “burden” on their rights to vote, the court cannot “weigh
26 it.”¹¹ *See Crawford*, 553 U.S. at 205 (2008). The Court finds that the relief sought amounts

27 ¹¹ For instance, Dr. Krosnick acknowledged on cross-examination that none of the studies
28 he reviewed analyzed the existence of any ballot order effect in Arizona. (Doc. 58 at 51).
He also testified that “listing the party affiliation of the candidates on the ballot, all other
things equal, reduces the size of the primacy effects.” (Doc. 58 at 62). The Court

1 to a nonjusticiable political question that the Court is unable to redress. This serves as an
2 independent ground to grant the Secretary’s Motion to Dismiss. Thus, it would be futile to
3 grant Plaintiffs leave to amend their Amended Complaint.

4 **IV. Conclusion**

5 It is fundamental that plaintiffs establish the elements of standing before a court
6 exercises jurisdiction. The Supreme Court has insisted on strict compliance with this
7 jurisdictional standing requirement. See *Chicago & Grand Trunk R. Co. v. Wellman*, 143
8 U.S. 339, 345 (1892) (federal courts may exercise power “only in the last resort, and as a
9 necessity”); *Muskraat v. United States*, 219 U.S. 346, 356 (1911) (“[F]rom its earliest
10 history this [C]ourt has consistently declined to exercise any powers other than those which
11 are strictly judicial in their nature”). This requirement assures that “there is a real need to
12 exercise the power of judicial review in order to protect the interests of the complaining
13 party.” *Schlesinger v. Reservists Comm. to Stop the War*, 418 U.S. 208, 221 (1974). For
14 a court to step in where plaintiffs have not established that a need to do so exists, “would
15 significantly alter the allocation of power . . . away from a democratic form of
16 government.” *Summers*, 555 U.S. at 493 (quoting *Richardson*, 418 U.S. at 188).

17 Although Plaintiffs frame this case as a “straightforward” matter, the Court finds
18 that they cannot satisfy the requirements of Article III Standing. Thus, any order issued by
19 this Court would be an unlawful advisory opinion. Therefore, the Court cannot reach the
20 merits of this matter and Defendant’s Motion to Dismiss will be granted. Moreover, even
21 if Plaintiffs had standing, the Court is prevented from rendering an opinion on the merits
22 because Plaintiffs have not established that the Statute burdens them, and the relief sought
23 amounts to a nonjusticiable political question. Thus, the Court will not grant Plaintiffs
24 leave to amend their Amended Complaint.

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acknowledges the difficulty Plaintiffs face in presenting evidence in this fashion to
establish an injury. But they simply did not meet their burden in so showing.

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Accordingly,

IT IS HEREBY ORDERED that the Motion to Dismiss (Doc. 26) is **granted with prejudice**. The Clerk of Court shall kindly enter judgment and terminate this matter.

Dated this 25th day of June, 2020.



Honorable Diane J. Humetewa
United States District Judge

Exhibit E

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27
28
29 **IN THE UNITED STATES DISTRICT COURT**
30 **FOR THE DISTRICT OF ARIZONA**

31 Brian Mecinas, et al.,
32
33 Plaintiffs,
34 v.
35 Katie Hobbs, in her official capacity as
36 Arizona Secretary of State,
37
38 Defendant.

Case No: CV-19-05547-PHX-DJH

**ARIZONA SECRETARY OF STATE’S
RESPONSE IN OPPOSITION TO
MOTION FOR PRELIMINARY
INJUNCTION**

(Oral Argument Requested)

1 **I. INTRODUCTION**

2 For nearly forty years, Arizona has used a neutral, non-partisan method of listing
3 candidates on ballots in partisan general elections that generally ensures no one political
4 party will be listed first in every race statewide. The law mandating this system, A.R.S.
5 § 16-502(E) (the “Ballot Order Statute”), rotates which party is listed first based on the
6 party’s vote share in the prior gubernatorial election within the county. In the 20 general
7 elections since the Ballot Order Statute was enacted in 1979, the Democratic Party’s
8 candidates have been listed first in the majority of Arizona’s counties twelve times, and
9 the Republican Party’s candidates have been listed first in eight. In all but one county,
10 both parties’ candidates have been listed first in at least two elections. In short, the Ballot
11 Order Statute has accomplished the dual goal of ensuring variety in ballot order both
12 within each election and over time, while providing a straightforward, organized ballot
13 order that elected officials cannot manipulate for partisan advantage.

14 There is little evidence that there exists any measurable advantage to being listed
15 first in the upcoming 2020 general election in Arizona. As the party label next to
16 candidate’s name on the ballot generally provides partisan voters with sufficient
17 information to select a candidate, it is unsurprising that Plaintiffs can only rely on
18 opportunistically-designed statistical models to detect a “ballot order effect” in Arizona
19 elections.

20 Plaintiffs’ complaint boils down to a single issue: Governor Ducey received the
21 most votes in Maricopa County in 2018, so Republican Party candidates will be listed
22 first in that county. Plaintiffs complain that 82% of Arizonans will receive ballots that list
23 Republican candidates first, because Maricopa County contains a majority of the
24 population. Someone has to be listed first on ballots in Maricopa County. The Ballot
25 Order Statute provides an impartial method to determine which candidate is listed first.
26 Plaintiffs’ complaint is not with the Ballot Order Statute or the Secretary, but with the
27 results of Arizona 2018 gubernatorial election.

28

1 **II. BACKGROUND**

2 **A. Arizona’s Ballot Order Statute**

3 The Ballot Order Statute provides that, for each general election contest, names
4 are organized within the candidates’ party affiliation “in descending order according to
5 the votes cast for governor for that county in the most recent general election for the
6 office of governor[.]” A.R.S. § 16–502(E). Political parties that did not have candidates
7 on the ballot in the last general election are “listed in alphabetical order below the parties
8 that did have candidates on the ballot in the last general election.” *Id.* Names of other
9 candidates who were nominated but are not registered with a recognized political party
10 appear below the names of the recognized parties. *Id.*¹ Next to each name is a three-letter
11 abbreviation that identifies the candidate’s party affiliation. *Id.*

12 The Arizona Legislature enacted the Ballot Order Statute in 1979 as part of a
13 comprehensive new elections code, which “was a result of agreement between both major
14 political parties and the County Recorders Association.” *See* Ariz. H.R. Comm. Min.,
15 H.B. 2028 (Mar. 5, 1979); *see also* Ariz. House Journal, 591, 641, 644–45 (Apr. 20,
16 1979) (reflecting that H.B. 2028 passed 28-2 in the Senate and 40-11-9 in the House).
17 The statute went into effect in 1980 and originally provided for left-hand and right-hand
18 columns of candidate names. *See* Ariz. Sess. Laws 1979, Ch. 209, § 3; A.R.S. §16–
19 502(H) (1980). In 1983, this provision was relocated to subsection (E) of the statute. *See*
20 Ariz. Laws 1983, Ch. 33, § 1; A.R.S. § 16–502(E) (1983). In 2000, the Legislature
21 amended the Ballot Order Statute to organize the candidates’ names in one column
22 instead of two. Ariz. Laws 2000, Ch. 249, § 25; A.R.S. § 16–502(E) (2000). The Senate
23 Bill that prompted this change (among many revisions to Arizona’s election laws) came
24 “from all 15 County Recorders and all 15 Election Directors.” Ariz. H.R. Comm. Min.,
25 S.B. 1372 (Mar. 1, 2000). The changes were aimed at “help[ing] the County Recorders
26 and Election Directors do a better job and save public money.” *Id.*; *see also* Ariz. Senate

27 _____
28 ¹ Recognized political parties in Arizona currently include the Democratic Party,
Republican Party, and the Libertarian Party. *See* [https://azsos.gov/elections/information-
about-recognized-political-parties](https://azsos.gov/elections/information-about-recognized-political-parties) (last visited January 16, 2020).

1 Fact Sheet, S.B. 1372, 44th Leg., 2nd Reg. Sess. (May 12, 2000) (“State and county
 2 election officials regularly identify areas of election law to be modified to promote
 3 efficiency. . .”). Indeed, the Senate Bill passed with broad, bipartisan support in both
 4 chambers. *See* Final Reading Votes, S.B. 1372, 44th Leg., 2nd Reg. Sess. (April 10,
 5 2000) (showing the bill passed the Senate 27-2-1 and the House 43-15-2) (attached as
 6 Exhibit C to Declaration of Emma Cone-Roddy (“Cone-Roddy Decl.”)).

7 During the forty years since the Ballot Order Statute was enacted—encompassing
 8 20 general elections—ballot order has regularly rotated both by county within a given
 9 election cycle, and within each county over time. A chart produced by Plaintiffs’ expert
 10 Jonathan Rodden (Doc. 15-1, at 10) (“Rodden Rprpt.”) provides a visual representation of
 11 the variation of party representation in the first position on the ballot by county and year.

12 **Figure 1: Cross-County and Time-Series Variation in Ballot Order in Arizona**
 13 **General Elections, 1980-2018.**

	Apache	Cochise	Coconino	Gila	Graham	Greenlee	La Paz	Maricopa	Mohave	Navajo	Pima	Pinal	Santa Cruz	Yavapai	Yuma
1980	D	D	D	D	R	D		R	R	D	D	D	D	R	D
1982	D	D	D	D	R	D		R	R	D	D	D	D	R	D
1984	D	D	D	D	D	D		D	D	D	D	D	D	D	D
1986	D	D	D	D	D	D		D	D	D	D	D	D	D	D
1988	D	R	D	D	R	D	R	R	R	D	D	D	D	R	D
1990	D	R	D	D	R	D	R	R	R	D	D	D	D	R	D
1992	D	D	D	D	D	D	R	R	R	D	D	D	D	R	D
1994	D	D	D	D	D	D	R	R	R	D	D	D	D	R	D
1996	D	R	D	D	R	R	R	R	R	D	R	D	D	R	R
1998	D	R	D	D	R	R	R	R	R	D	R	D	D	R	R
2000	D	R	R	R	R	R	R	R	R	R	R	R	R	R	R
2002	D	R	R	R	R	R	R	R	R	R	R	R	R	R	R
2004	D	R	D	D	R	D	R	R	R	D	D	D	D	R	R
2006	D	R	D	D	R	D	R	R	R	D	D	D	D	R	R
2008	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
2010	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
2012	D	R	D	R	R	R	R	R	R	R	D	R	D	R	R
2014	D	R	D	R	R	R	R	R	R	R	D	R	D	R	R
2016	D	R	D	R	R	R	R	R	R	R	D	R	D	R	R
2018	D	R	D	R	R	R	R	R	R	R	D	R	D	R	R

14
 15
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 20
 21 As this chart reveals, Democratic candidates have been listed first in the majority of
 22 counties in twelve of Arizona’s elections under the Ballot Order Statute, and the
 23 Republican candidates in the other eight. Only one county—Apache County—has never
 24 rotated which candidate is listed first. It has always listed the Democratic candidate first.
 25 And in all but four elections, different parties have been listed first throughout the state.
 26 In the four exceptions, it was Democrats who received the first listing on all ballots
 27 statewide.
 28

1 Arizona’s ballot order statute thus provides a fair and reasonable approach that
2 protects Arizona’s well-established “interest in protecting the integrity, fairness, and
3 efficiency of their ballots and election processes” by having an orderly ballot, *Timmons v.*
4 *Twin Cities Area New Party*, 520 U.S. 351, 364–65 (1997), and prevents any political
5 party from permanently receiving the first position on the ballot. This is in sharp contrast
6 to the recent litigation brought by some of the Committee Plaintiffs in Florida, where one
7 political party had been listed first in *every* partisan election. *See Jacobson v. Lee*, 2019
8 WL 6044035, at *1 (N.D. Fl. Nov. 15, 2019).²

9 In short, even assuming there is an advantage to being listed first in a partisan,
10 general election in Arizona, the bipartisan Ballot Order Statute *already* solves this
11 problem by rotating which party goes first.

12 **B. Insufficient Evidence of Position Bias in Arizona General Elections**

13 There are substantial questions as to whether a candidate listed first in a partisan
14 general election even receives an electoral advantage in Arizona. Plaintiffs submit two
15 reports by social scientists arguing that there must be an effect. The first report, by Dr.
16 Rodden, purports to show a large advantage to being listed first rather than second by
17 analyzing election outcomes in Arizona. (Rodden Rprt. at 3-4.). The second report, by
18 Dr. Krosnick, is a general literature review of studies on ballot order effects in the past.
19 (Doc. 15-2 (“Krosnick Rprt.”).)

20 Though Dr. Rodden and Dr. Krosnick claim to marshal evidence of a significant
21 ballot order effect in Arizona, a careful analysis of their findings reveals that the evidence
22 is murky at best, as described in the expert report provided by Sean Trende, Cone-Roddy
23 Decl. Ex. A (“Trende Rprt.”) Mr. Trende identified two key problems with Dr. Rodden’s
24 statistical analysis. First, Dr. Rodden chose unusual variables when designing his model.
25 For example, he used “renter share,” which is unusual, and only included one racial or
26

27 ² The District Court’s analysis in *Jacobson* is erroneous for many of the reasons laid out
28 in this Response. In any event, Florida provides a markedly different system where the
Governor’s political party is listed first in *every* election throughout the state, and where
one party has controlled the governorship for over twenty years.

1 ethnic group, the Native American population. (Trende Rprt. ¶¶ 31-33.) He excluded
2 powerful explanatory variables such as age and the size of Hispanic and African
3 American populations. (*Id.* at ¶ 33.) To check these findings, Mr. Trende replicated Dr.
4 Rodden’s analysis, but included age and Hispanic and African-American population. (*Id.*
5 at ¶ 34.) When he did this, Dr. Rodden’s chosen variables ceased to be statistically
6 significant, and more importantly, ballot order (for a Republican being listed first) ceased
7 to be statistically significant. (*Id.* at ¶ 35.). To confirm this result, Mr. Trende ran the data
8 again without the statistically insignificant variables and got substantially the same result.
9 (*Id.* at ¶ 36.). In short, Dr. Rodden’s conclusions are sensitive to model design. With
10 different variables, there’s no statistically supportable conclusion of a relationship
11 between ballot order and vote share. (*Id.* at ¶ 37.)

12 Second, Mr. Trende noted that Dr. Rodden failed to account for the fact that how a
13 county votes for one office is not independent of how it votes for other offices, or that
14 how a county votes in one year is not independent of how it votes in another year. (*Id.* at
15 ¶ 42.) The electoral voting habits of Apache County in 2016 are not independent of the
16 electoral voting habits of Apache County in 2018. This has long been recognized as a
17 problem generally in statistical analysis, and particularly in the voting context. (*Id.* at
18 ¶¶ 42-46.). An analysis that treats these two observations as independent (as Dr.
19 Rodden’s does) is prone to error. (*Id.* at ¶ 74.)

20 Mr. Trende noted there are several techniques to correct for this, all of which have
21 different strengths and weaknesses. (*Id.*) He reproduced Dr. Rodden’s analyses using five
22 different methods for dealing with non-independent variables: clustering standard errors,
23 two variants of a generalized estimating equation (“GEE”), a Bayesian Hierarchical
24 Model, and a spatial-temporal model. (*Id.* ¶¶ 49-67.)³ While these techniques resulted in
25

26 ³ Some of Mr. Trende’s techniques, like Dr. Rodden’s, measure the statistical likelihood
27 of an effect with what is known as a “p-value,” which identify how likely data are
28 starting from the assumption that no effect exists. At very low levels, p-values are
evidence that there is an effect. (Trende Rprt. ¶¶ 37-40.) Others report results in 95%
credible intervals, which are similar to error margins reported for public polls. Credible
intervals tell us there is a 95% chance the effect is between two numbers. (*Id.* at ¶ 59.)

1 varied results (e.g., the spatial-temporal model found no evidence of an advantage for
2 going first, while the GEEs found evidence there might be an advantage in some
3 situations but not others), they each reported smaller and less certain effects (if any) of a
4 primacy advantage than Dr. Rodden’s faulty design. (*Id.* at ¶ 72.)

5 While Plaintiffs and Dr. Rodden primarily rely on Dr. Rodden’s standard
6 regressions, Dr. Rodden also claimed to find an effect using a matching analysis and a
7 regression discontinuity design. These results can safely be disregarded. First, they suffer
8 from the same flaws as Dr. Rodden’s standard regressions. (*Id.* at ¶¶ 78-79, 83-84.)
9 Second, there is substantial doubt as to whether these methods can ever make reliable
10 findings in the election analysis context. (*Id.* at ¶¶ 80-82, 85.)

11 Mr. Trende also reviewed the report from Dr. Krosnick and noted several issues.
12 First, as Dr. Krosnick himself has observed, the literature prior to 1998 is
13 methodologically flawed and largely irrelevant—yet Dr. Krosnick includes this literature
14 in his report as support for finding an effect. (*Id.* at ¶ 88.). Second, the studies of similar,
15 United States elections are largely confined to three states, at least one of which (Ohio) is
16 different enough from Arizona to question the comparison. (*Id.* at ¶ 89.) Third, his studies
17 generally found effects only in county-level elections. (*Id.* at ¶ 90.) If the studies are
18 limited to United States general elections at the state legislative level or higher, there are
19 only a handful of studies, and they have mixed results. (*Id.* at ¶ 92.)⁴ Dr. Krosnick’s
20 report simply does not show a statistical consensus of a primacy effect in partisan,
21 general elections in the United States of America.

22 III. ARGUMENT

23 Plaintiffs are not entitled to preliminary relief because: (1) they are unlikely to
24 succeed on the merits; (2) they have not established irreparable harm; (3) the balance of
25 equities tips sharply in the Secretary’s favor; and (4) an injunction is not in the public
26 interest. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008) (setting out the
27

28 ⁴ And notably, Dr. Rodden reports implausibly high results against even the comparable studies. (Trende Rprt. ¶¶ 93-94).

1 factors for granting preliminary relief).⁵ While courts evaluate the preliminary injunction
2 factors on a “sliding scale,” *Shell Offshore, Inc. v. Greenpeace, Inc.*, 709 F.3d 1281, 1291
3 (9th Cir. 2013), they must be “extremely cautious . . . and should deny such relief unless
4 the facts and law clearly favor the moving party” when the moving party seeks a
5 mandatory injunction. *Kostick v. Nago*, 878 F. Supp. 2d 1124, 1139 (D. Haw. 2012)
6 (citations and quotations omitted). A mandatory injunction “orders a responsible party to
7 take action,” as opposed to a prohibitory injunction which merely “preserves the status
8 quo pending a determination of the action on the merits.” *Marlyn Nutraceuticals, Inc. v.*
9 *Mucos Pharma GmbH & Co.*, 571 F.3d 873, 878–79 (9th Cir. 2009) (citations and
10 quotations omitted). Here, Plaintiffs seek a mandatory injunction. Rather than preserve
11 the status quo, they ask the Court to order the Secretary to develop and implement a new
12 method of listing candidates on Arizona’s ballots. Accordingly, this Court must be
13 “extremely cautious” and deny injunctive relief because the Plaintiffs cannot meet their
14 high burden.

15 **A. Plaintiffs are unlikely to succeed on the merits.**

16 **1. Plaintiffs cannot establish a constitutional violation under the First and**
17 **Fourteenth Amendments.**

18 The *Anderson/Burdick* framework governs challenges to the voting process, and
19 the level of scrutiny depends on the severity of the burden. *Burdick v. Takushi*, 504 U.S.
20 428, 433-34 (1992); *Anderson v. Celebrezze*, 460 U.S. 780, 789 (1983). In *Burdick*, the
21 Supreme Court recognized that “[e]lection laws will invariably impose some burden upon
22 individual voters,” and that as a result, “there must be a substantial regulation of elections
23 if they are to be fair and honest and if some sort of order, rather than chaos, is to
24 accompany the democratic processes.” *Burdick*, 504 U.S. at 433 (internal quotation
25 marks and citation omitted). Therefore, a court must weigh “the character and magnitude
26 of the asserted injury to the rights protected by the First and Fourteenth Amendments that
27 the plaintiff seeks to vindicate” against “the precise interests put forward by the State as

28 ⁵ When, as here, the government is a party, the balance of equities and public interest
prongs merge. *Drakes Bay Oyster Co. v. Jewell*, 747 F.3d 1073, 1092 (9th Cir. 2014)
(citing *Nken v. Holder*, 556 U.S. 418, 435 (2009)).

1 justifications for the burden imposed by its rule,” and “the extent to which those interests
2 make it necessary to burden the plaintiff’s rights.” *Id.* at 434 (citations omitted). “When a
3 state election law provision imposes only ‘reasonable, nondiscriminatory restrictions’
4 upon the First and Fourteenth Amendment rights of voters, ‘the State’s important
5 regulatory interests are generally sufficient to justify’ the restrictions.” *Pub. Integrity All.,*
6 *Inc. v. City of Tucson*, 836 F.3d 1019, 1024–25 (9th Cir. 2016) (quoting *Burdick*, 504
7 U.S. at 434). “Applying these precepts, we have repeatedly upheld as ‘not severe’
8 restrictions that are generally applicable, evenhanded, politically neutral, and protect the
9 reliability and integrity of the election process.” *Pub. Integrity*, 836 F.3d at 1024-25
10 (citation and alterations omitted).

11 The Ballot Order Statute fits all of these requirements. It is a politically-neutral
12 statute that was enacted with broad, bipartisan support, and applies equally to all voters.
13 Throughout its 40-year history, the statute has protected the reliability and integrity of the
14 election process by establishing logical, efficient, and manageable rules to determine the
15 order in which candidates’ names appear on a general election ballot—at times resulting
16 in Democratic candidates being listed first, and at other times Republican candidates. *See*
17 *Doc. 13*, ¶ 12. Plaintiffs do not allege that the Ballot Order Statute is the result of
18 intentional or purposeful discrimination in which one class is favored over another. *See*
19 *Bd. of Election Comm’rs v. Libertarian Party*, 591 F.2d 22, 24–25 (7th Cir. 1979) (ballot
20 placement claim under the Equal Protection Clause requires a showing of “an intentional
21 or purposeful discrimination”) (citations omitted). The Court should thus begin from the
22 presumption that the Ballot Order Statue imposes a minimal burden on Plaintiffs.

23 **a. Plaintiffs cannot establish a meaningful, let alone severe, burden**
24 **under the Equal Protection Clause.**

25 The Ballot Order Statute does not treat similarly-situated *voters* differently.
26 Plaintiffs’ disparate treatment claim is premised upon an allegation that the statute treats
27 “similarly-situated major parties differently,” *Doc. 14* at 14, and thereby treats “similarly-
28 situated candidates” differently, *id.* at 16. But Plaintiffs are not candidates. The harm

1 Plaintiffs claim to suffer is indirect, and derivative of the harm allegedly suffered by
2 individuals who are not parties to this action. The cases Plaintiffs cite in support of their
3 equal protection claim illustrate this distinction—nearly all of them are actions by
4 *candidates*, not voters or voter groups. *See McLain v. Meier*, 637 F.2d 1159, 1160 (8th
5 Cir. 1980) (plaintiff was a candidate); *Sangmeister v. Woodard*, 565 F.2d 460, 463, 463
6 (7th Cir. 1977) (same); *Graves v. McElderry*, 946 F. Supp. 1569, 1572 (W.D. Okla.
7 1996) (same); *Mann v. Powell*, 333 F. Supp. 677, 678 (N.D. Ill. 1969) (same); *Gould v.*
8 *Grubb*, 14 Cal. 3d 661, 664-65 (1975) (same); *Akins v. Sec. of State*, 904 A.2d 702, 703
9 (N.H. 2006) (same); *Holtzman v. Power*, 313 N.Y.S.2d 904, 908–09 (N.Y. Sup. Ct. 1970)
10 (same); *cf. Netsch v. Lewis*, 344 F. Supp. 1280 (N.D. Ill. 1972) (although not explicitly
11 stating plaintiffs were candidates, holding plaintiffs’ constitutional rights were violated
12 under *Weisberg v. Powell*, 417 F.2d 388 (1969) (suit by candidates)).⁶

13 Plaintiff DNC alleges that its members “include Democratic Party candidates” and
14 that the Ballot Order Statute “harms the DNC because it treats the DNC’s candidate
15 members in Arizona differently than similarly situated Republican Party candidates in
16 partisan elections[.]” (Doc. 13, ¶ 24.) However, the DNC has not identified any candidate
17 members who they claim are harmed by the Ballot Order Statute, even though this fact-
18 intensive claim requires “the participation of individual members.” *Hunt v. Wash. State*
19 *Apple Advert. Comm’n*, 432 U.S. 333, 343 (1977). The DNC is precluded from bringing a
20 generic equal protection claim on candidates’ behalf.

21 Moreover, Plaintiffs’ evidence in support of a dramatic effect is far from
22 conclusive. *See* Section II.B. Rather, they ask this Court to wade into an ongoing
23 academic debate, on an expedited timeline with limited discovery, and enjoin a state law
24 based on the particular—and questionable—modeling choices of Dr. Rodden. This
25 supplies the Court with “no objective measure” for assessing whether Arizona’s system
26 of county-by-county rotation creates a constitutionally impermissible burden on voters.

27
28 ⁶ In *Mann v. Powell*, 314 F. Supp. 677 (N.D. Ill. 1969), plaintiffs were candidates and a
registered voter, but the court did not discuss any distinct injury allegedly suffered by the
plaintiff voter.

1 *See, e.g., Rucho v. Common Cause*, 139 S.Ct. 2484, 2501 (2019) (distinguishing the
2 “relatively easy to administer as a matter of math” one-person, one-vote standard from
3 partisan gerrymandering claims based on complex statistical modeling). “The 14th
4 Amendment does not enact [Dr. Jonathan Rodden’s]” preferred statistical modeling.
5 *Lochner v. New York*, 198 U.S. 45, 75 (1905) (Holmes, J., dissenting).

6 Plaintiffs’ evidence of a Ballot Order Effect in Arizona is based on a flawed
7 statistical model that finds a larger and more certain effect than either the literature they
8 cite, or any reasonable statistical model Plaintiffs’ expert could have used. (Trende Rprt.
9 ¶¶ 72, 92.) The Court should conclude that Plaintiffs’ cherry-picked evidence fails to
10 demonstrate that they are being treated disparately in intent or effect.

11 **b. Plaintiffs cannot establish a meaningful, let alone severe, burden**
12 **on their right to vote.**

13 Plaintiffs argue that the Ballot Order Statute imposes a “substantial burden” on the
14 right to vote by “diluting the votes” of several Plaintiffs. Notably, Plaintiffs do not allege
15 that the Ballot Order Statute prevents them from voting for the candidate of their choice,
16 makes it more difficult for them to cast a ballot, or prevents their vote from being
17 counted. Rather, they argue their votes count less because the Ballot Order Statute
18 “artificially inflates the Republican vote share” when they assume some voters will vote
19 for whichever candidate is listed first, rather than second.

20 As an initial matter, as explained above, Plaintiffs simply have not provided
21 competent evidence that suggests a large statistical effect harms their vote.

22 Plaintiffs speculate about how some voters *might* choose to cast their ballot,
23 complain that those voters’ choice is irrational, and theorize that they will suffer a
24 constitutional injury unless the State ensures these irrational votes are balanced between
25 the “major parties.” This claim falls apart because the Constitution nowhere guarantees
26 voters the “right to a wholly rational election, based solely on reasoned consideration of
27 the issues and the candidates’ positions, and free from other ‘irrational’ considerations[.]”
28 *Clough v. Guzzi*, 416 F. Supp. 1057, 1067 (D. Mass. 1976). Nor does the Constitution

1 require—or allow—courts to dismiss “some voters’ choices a[s] less constitutionally
2 meaningful than the choices of other supposedly more informed or committed voters” as
3 Plaintiffs seek. *Libertarian Party of Va. v. Alcorn*, 826 F.3d 708, 718 (4th Cir. 2016).
4 Simply put, “mere ballot order neither denies the right to vote, nor the right to appear on
5 the ballot, nor the right to form or associate in a political organization.” *Id.* at 717.

6 Plaintiffs cite four cases they claim have found a meaningful constitutional injury.
7 None are persuasive. The first case, *McLain v. Meier*, 637 F.2d 1159 (8th Cir. 1980),
8 acknowledged that any effect ballot order may have on the right to vote is “somewhat
9 attenuated.” *Id.* at 1167. Despite finding a limited burden, the Eighth Circuit held that
10 North Dakota’s incumbent-first statute lacked any rational basis, and thus failed even
11 minimal scrutiny. *See id.* This case has little relevance to Arizona’s Ballot Order Statute,
12 which does not place incumbents first, and indeed, varies which party is listed first
13 throughout the state. Second, Plaintiffs cite *Graves v. McElderry*, 946 F.Supp. 1569
14 (W.D. Ok. 1996). In *Graves*, the district court (without citation) assumed that “careful
15 and thoughtful voters’ right of free speech and association” was burdened by “randomly
16 or irrationally selected windfall votes.” *Id.* at 1579. This position relies on courts
17 determining whether certain votes are more constitutionally meaningful than others, a
18 dubious—if not dangerous—proposition. Nothing in the Constitution allows any court to
19 dismiss any voter’s choice (whether rational or not) as not constitutionally meaningful.
20 *Gould v. Grubb*, 14 Cal.3d 661, 670 (1975) relies on a similar—and equally dubious—
21 distinction between “‘conscious’ supporters” and “‘unconcerned or uninformed voters.’”
22 These courts were wrong to wade into the waters of valuing votes by testing how
23 “informed” or “conscious” or “careful” the voters supposedly were when they cast a
24 ballot, and this Court should not replicate their error.

25 Plaintiffs also argue that the court should weigh the burden on the right to vote
26 under “heightened scrutiny” to “justify its favoritism of a single party and all of its
27 candidates.” But the Ballot Order Statute does no such thing—no party’s candidates will
28 be listed first throughout the state in 2020. Plaintiffs rely on *Jacobson* to argue that

1 heightened scrutiny should apply to Arizona’s Ballot Order Statute, but *Jacobson*
 2 justified heightened scrutiny based on a finding that the different ballot order statute used
 3 in Florida was “often” “decisive” in Florida elections, which Plaintiffs have not argued
 4 here.⁷ 2019 WL 6044035, at *22.

5 Moreover, both Plaintiffs and *Jacobson* ignored decades of pronouncements from
 6 the Supreme Court that far more burdensome regulations—some that deny voters the
 7 right to vote for their candidate at all—were *not* severe burdens that warrant heightened
 8 scrutiny. In *Burdick v. Takushi*, for example, the Supreme Court found a “very limited”
 9 burden in a complete prohibition on write-in voting, which denied some voters the right
 10 to vote for their preferred candidate. 504 U.S. 428, 437 (1992); *see also Storer v. Brown*,
 11 415 U.S. 724, 726-28 (1974) (permissible for states to ban independent candidates from
 12 appearing on the ballot if registered with a political party in the previous year). In light of
 13 this precedent, Plaintiffs’ concerns with their preferred candidates’ “particular position on
 14 the ballot appear almost inconsequential.” *Libertarian Party of Va.*, 826 F.3d at 718.

15 **c. Arizona’s interest in enforcing the ballot order statute outweighs**
 16 **any burden on the Plaintiffs.**

17 The State has a significant regulatory interest in maintaining the Ballot Order
 18 Statute. The statute provides a method for ordering candidates on general election ballots
 19 that is facially-neutral, manageable, and cost-efficient. *See Buckley v. Am. Constitutional*
 20 *Law Found., Inc.*, 525 U.S. 182, 191 (1999) (“States . . . have considerable leeway to
 21 protect the integrity and reliability of . . . election processes generally”); *New All. Party v.*
 22 *N.Y. State Bd. of Elections*, 861 F. Supp. 282, 296 (S.D.N.Y. 1994) (recognizing “the
 23 compelling nature of [a] State’s interest in organizing a comprehensible and manageable
 24 ballot”). The Ballot Order Statute also avoids voter confusion by listing the parties in the
 25

26
 27 ⁷ The district court in *Jacobson* made several statistical errors, all of which highlight the
 28 danger of courts interfering in election administration based on social science they do not
 fully understand. Most egregiously, the district court confused how “p-value”[s] function
 in statistics. It treated p-values as reporting the likelihood of an effect, which is akin to
 assuming all dogs are pugs because all pugs are dogs. (Trende Rprt. ¶ 40.)

1 same order throughout their ballot, in contrast to random ordering, which forces voters to
2 spend more time to “decipher lengthy, multi-office, multi-candidate ballots to find their
3 preferred candidates.” *Libertarian Party of Va.*, 826 F.3d at 719-720 (noting that election
4 officials have a good reason for designing ballots that minimize confusion). Because the
5 State’s regulatory interests outweigh the minimal harm allegedly suffered by Plaintiffs,
6 Plaintiffs have not shown a likelihood of success. *See Anderson*, 460 U.S. at 788 (“the
7 state’s important regulatory interests are generally sufficient to justify reasonable,
8 nondiscriminatory restrictions”); *McDonald v. Bd. of Election Com’rs of Chicago*, 394
9 U.S. 802, 809 (1969) (rejecting equal protection challenge to Illinois’s absentee ballot
10 requirements while emphasizing that states may “take reform one step at a time” and
11 need not “cover every evil that might conceivably [be] attacked”) (internal quotation
12 marks and citation omitted); *Clough v. Guzzi*, 416 F. Supp. at 1068 (incumbent-first
13 ballot order statute does not violate the equal protection clause).

14 Plaintiffs argue that the Court should reject these interests because Arizona rotates
15 candidates in primary elections, and within parties when two or more candidates from the
16 same party run. This argument ignores a key distinction. Unlike in a general election,
17 when voters are selecting between two or more candidates from the *same* party, primary
18 voters cannot rely on the political party designations as a signaling mechanism to create a
19 rough proxy for their preferences. The use of political parties provides voters the
20 information they need to select candidates.

21 Plaintiffs also argue that the Ballot Order Statute cannot survive any standard of
22 scrutiny and cite five cases where ballot order schemes were found not to serve any
23 legitimate state interests. But these systems either always placed one party in the first
24 position on the ballot throughout the entire state, *see Jacobson*, 2019 WL 6040435, at
25 *22 (rejecting statute placing candidates from the governor’s party in first position in
26 every partisan race in Florida); *Graves*, 946 F. Supp. at 1571-72 (rejecting statute placing
27 candidates from the Democratic party in first position in every partisan race in
28 Oklahoma), always placed incumbent candidate first, *see Holtzman*, 313 N.Y.S. 2d at

1 908-09 (rejecting ordinance placing incumbent first in all New York City primary
2 elections); *McClain*, 647 F.2d at 1168 (placing incumbent first in all congressional
3 elections), or contained a partisan purpose, *see generally Sangmeister v. Woodard*, 565
4 F.2d 460 (7th Cir. 1977) (enjoining county boards from using their discretion to put a
5 preferred party first in all elections). The Ballot Order Statute does not suffer these flaws.

6 **2. As explained in the motion to dismiss, Plaintiffs cannot succeed due to**
7 **jurisdictional flaws.**

8 As the Secretary previously explained in her Motion to Dismiss (Doc. 26),
9 Plaintiffs’ complaint is subject to numerous jurisdictional bars that prohibit this Court
10 from granting them any relief. Because these issues will be fully briefed in the Motion to
11 Dismiss, the Secretary only summarizes them here.

12 Standing. As explained above in Section III.A.1.a, Plaintiffs are trying to vindicate
13 generalized partisan grievances about injuries suffered by unidentified, non-party
14 candidates; this is not a cognizable injury. *See Gill v. Whitford*, 138 S.Ct. 1916, 1933
15 (2018) (“[T]his Court is not responsible for vindicating generalized partisan
16 preferences.”). And even if Plaintiffs could show a cognizable injury, it is the boards of
17 supervisors of Arizona’s counties—not the Secretary—who enforce the Ballot Order
18 Statute, and any connection to the Secretary is “attenuated” at best. *Allen v. Wright*, 468
19 U.S. 737, 757 (1984), *overruled in part on other grounds by Lexmark Int’l, Inc. v. Static*
20 *Control Components, Inc.* 572 U.S. 118 (2014).

21 Eleventh Amendment. Although the Secretary is the chief state election officer, she
22 does not implement or enforce the Ballot Order Statute. *See Tohono O’odham Nation v.*
23 *Ducey*, 130 F. Supp. 3d 1301, 1308–11 (D. Ariz. 2015) (limiting lawsuits to when there is
24 a “fairly direct” connection between the government official and enforcement of the
25 challenged law). Rather, Arizona’s counties are charged with preparing ballots. *See*
26 A.R.S. § 16–503.

27 Nonjusticiability. Plaintiffs’ attempt to use social science and statistics to
28 determine that the Ballot Order Statute in the aggregate is not “fair” to Democratic

1 candidates raises a nonjusticiable political question under *Rucho v. Common Cause*, 139
2 S.Ct. 2484 (2019). There is no judicially-manageable standard to determine that a certain
3 number of votes can be treated as random and must be allocated equally between certain
4 (but not all, according to the Plaintiffs) political parties. *See* Sections II.B, III.A.1.a.

5 **B. Plaintiffs Have Not Established Irreparable Harm.**

6 Plaintiffs are not entitled to a preliminary injunction because they have not
7 established that they will suffer irreparable harm unless this Court grants that relief. A
8 “possibility of irreparable harm” does not justify enjoining Arizona’s law. *See Winter*,
9 555 U.S. at 22 (“Issuing a preliminary injunction based only on a possibility of
10 irreparable harm is inconsistent with our characterization of injunctive relief as an
11 extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is
12 entitled to such relief.”). More is required.

13 As explained above, the Ballot Order Statute does not cause Plaintiffs harm that
14 provides them standing to challenge the Ballot Order Statute. It certainly does not cause
15 them the type of irreparable harm that merits a preliminary injunction. Plaintiffs rely
16 primarily on the declaration from Justin Barasky, an employee of Plaintiff Democratic
17 Senate Campaign Committee, whose work “in recent months” has included the 2020 U.S.
18 Senate race in Arizona. Barasky Decl. ¶¶ 2-3. He alleges that because of ballot order the
19 DSCC may need to spend additional resources on the Arizona Senate race. *Id.* ¶¶ 12, 13.
20 Yet nothing in the declaration explains what the DSCC will do differently in counties
21 where the Republican candidate appears first (rather than second). This fact alone belies
22 the argument that there is any burden on the right to vote. Furthermore, making decisions
23 about how to allocate resources in Senate races nationwide to have the best result for
24 Democratic candidates is what the DSCC does. *Id.* ¶ 11. The fact that he considers ballot
25 order a factor relevant to Arizona races does not amount to irreparable harm to justify a
26 preliminary injunction. Any impact on the 2020 election is speculative. *S.W. Voter*
27 *Registration Educ. Project. v. Shelley*, 344 F.3d 914, 919 (9th Cir. 2003) (en banc).

28 Moreover, Plaintiffs’ argument that the Ballot Order Statute irreparably injures

1 them is undercut by the decades some of the Plaintiffs have suffered this supposed injury
2 without complaint. Plaintiffs’ own allegations state that political parties have “strongly
3 suspected” that “the candidate whose name appears first on a ballot in a contested race
4 receives an electoral benefit *solely* due to her first position.” (Doc. 13, ¶ 1.) Indeed,
5 Plaintiffs’ own expert Dr. Krosnick claims “scientists have [been] test[ing]” the primacy
6 effect since at least 1910. (Krosnick Rprt. at 6). This delay is inconsistent with their claim
7 that, absent correction, they will suffer an irreparable injury to their right to vote.

8 In addition, although a deprivation of constitutional rights is irreparable harm, that
9 principle does not help Plaintiffs here because, as explained in Section I.A above, they
10 have not demonstrated that their candidates’ appearance in the second position rises to
11 the level of a constitutional injury.

12 **C. The balance of equities and public interest do not support a preliminary**
13 **injunction.**

14 Plaintiffs’ arguments assume that the election systems in Arizona counties can
15 easily be modified to change the ballot order for the 2020 election. That is not the case.
16 The election equipment vendor in Maricopa County, Arizona’s largest county, cannot
17 rotate only Republican and Democratic candidates without developing new software, and
18 obtaining a new certification from both the Election Assistance Commission and the
19 Secretary of State, which cannot be completed before the 2020 election. Declaration of
20 Dr. Eric Coomer, Cone-Roddy Decl. Ex. B, at ¶ 7. Thus, enjoining the current law and
21 replacing it with a new ballot order system for the 2020 election that comports with
22 Plaintiffs’ demands is not feasible in Arizona’s largest county.⁸

23 The Ballot Order Statute has been in place for 40 years. Despite apparently long-
24 standing concerns about the impact of ballot order, there seems to have been no effort to
25 change the law to address the issue of concern by the Plaintiffs. Instead, Plaintiffs are
26 asking the Court to make election-year changes to an Arizona law enacted in 1979. An
27

28 ⁸ All counties can rotate all candidates, but that is not the system Plaintiffs seek in this lawsuit. (Doc. 13, ¶ 63(d).)

1 unreasonable delay in election cases often bars relief based on the laches doctrine. *See*
2 *Ariz. Libertarian Party*, 189 F. Supp. 3d at 922–23 (“In the context of election matters,
3 the laches doctrine seeks to prevent dilatory conduct and will bar a claim if a party’s
4 unreasonable delay prejudices the opposing party or the administration of justice.”)
5 (citation omitted). Indeed, close to an election, the need for established rules to permit the
6 election to proceed bars relief under *Purcell v. Gonzalez*, 549 U.S. 1, 4-5 (2006). Here,
7 the equities raised by the timing of this challenge weigh against a preliminary injunction.

8 As for the State’s harm, “[a]ny time a State is enjoined by a court from
9 effectuating statutes enacted by representatives of its people, it suffers a form of
10 irreparable injury.” *Maryland v. King*, 567 U.S. 1301 (2012) (Roberts, C.J., in chambers)
11 (citation omitted); *Coal. for Econ. Equity v. Wilson*, 122 F.3d 718, 719 (9th Cir. 1997)
12 (“[A] state suffers irreparable injury whenever an enactment of its people or their
13 representatives is enjoined.”). Allowing the Ballot Order Statute to stay in effect while
14 this lawsuit is pending is thus in the public interest. *See, e.g., Berman v. Parker*, 348 U.S.
15 26, 32 (1954) (“Subject to specific constitutional limitations, when the legislature has
16 spoken, the public interest has been declared in terms well-nigh conclusive.”); *Virginian*
17 *Ry. Co. v. Sys. Fed’n No. 40*, 300 U.S. 515, 602 (1937) (holding that legislation “is in
18 itself a declaration of the public interest.”). Moreover, an injunction that impacts an
19 impending election is “extraordinary.” *S.W. Voter*, 344 F.3d at 919.

20 All parties to this case have an interest in fair 2020 elections. It is simply not
21 appropriate to use a preliminary injunction to rewrite state statutes in an election year to
22 fit litigants’ notions of fairness--especially when the state statute at issue is facially
23 neutral, does not abridge any individual’s right to vote, and has been in place for decades.
24 Plaintiffs have not established that the equities and public interest favor a preliminary
25 injunction in this case.

26 IV. CONCLUSION

27 For the reasons stated above, the Court should deny Plaintiffs’ motion for a
28 preliminary injunction.

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Respectfully submitted this 20th day of January, 2020.

OSBORN MALEDON, PA

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