

RELIABLE POLLING

Amid Stormy Politics



Throughout an historic election year for Wisconsin, an extraordinary new project, the Marquette Law School Poll, is providing an even-handed, in-depth look at what the public as a whole is thinking.

The headline across the top of the front page of the *Milwaukee Journal Sentinel* on March 28 read, “Recall race still tight, poll finds.” The secondary headline was, “Walker leads both Barrett and Falk, but just by a little, in Marquette Law School survey.” The second-most prominent story on the front page reported that Mitt Romney had taken a lead over Rick Santorum among people intending to vote in the Wisconsin Republican presidential primary, “according to a new Marquette Law School poll.”

Sure, the pair of stories is an example of how the Law School is getting a lot of attention for the polling project it is conducting throughout 2012. But that front page demonstrated more than that. Along with a large and growing list of reports in local, state, and national media, it showed that, because of the Marquette Law School project, everyone is getting heard as Wisconsin proceeds through a year of historic and tumultuous political events. If polling provides the voice of the total population, the Marquette Law School Poll is the leading vehicle for that voice to get heard this year, amid all the partisan rhetoric and advertising sweeping across the state.

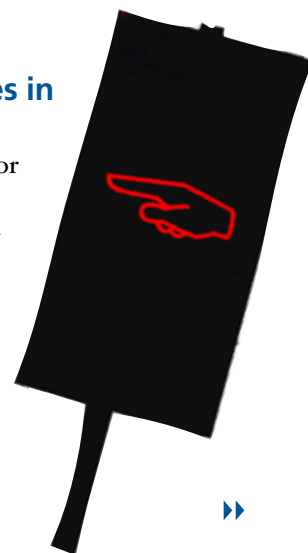
So what is this project? It is nothing less than the most thorough and extensive study of public opinion in Wisconsin history. And partway through this momentous year, the Marquette Law School Poll is achieving its central goals. The results of the monthly rounds of polling have been clear, enlightening, and focused on what is shaping Wisconsin politics. The poll is being conducted to high professional standards and in nonpartisan ways, under the umbrella of a highly regarded academic institution. Results of the poll have been reported by just about every news organization in

Wisconsin and by many major news outlets nationally, including the *Washington Post*, *Chicago Tribune*, *Los Angeles Times*, politico.com, and NPR. And the trove of results being built with each month’s outcomes is—and will be hereafter—a valuable resource for researchers, reporters, and the general public to understand in depth what was motivating voters in Wisconsin during this extraordinary time.

John Pauly, provost of Marquette University, said, “I am proud of the way our Law School Poll has created a nonpartisan space for analysis and discussion during a remarkably contentious and divisive moment in the state’s history. For me, that is exactly the sort of work a great university should undertake on behalf of civic life. We want to bring our energy and expertise and intelligence to bear on public discourse. The Marquette Law School Poll has helped us imagine a deeper role that Marquette University could play in the political life of our city and region.”

Amid polarization, complexities in overall opinion

Professor Charles H. Franklin, director of the poll and a visiting professor of law and public policy at Marquette Law School, said that the early rounds of polling show that, while the state is sharply and nearly evenly split on questions such as who should win the recall election for governor, the picture is more complex when it comes to specific issues. In some cases, such as the question whether public





Charles Franklin, visiting professor of law and public policy

employees should pay bigger shares of the cost of benefits than they formerly paid, sentiment backs the position of Republicans. But on issues such as reductions in education funding, Democratic positions are more popular.

The poll reveals “a state of multiple opinions rather than a single partisan divide,” Franklin said. Questions about the economy and jobs, he said, show “a mixture of views far more heterogeneous than either of the two political parties would like to see or say, let alone emphasize.”

He said, “We asked, ‘Do you agree or disagree? The middle class in the state won’t catch a break unless we ask the rich to pay their fair share.’ In response, 66 percent agreed, while 31 percent disagreed. But we also asked (with the same lead-in): ‘The middle class in the state won’t catch a break unless we get state spending under control.’ There, 73 percent agreed, while 22 percent disagreed. If voters aligned all their opinions strictly along partisan and ideological lines, we would not see this pattern. Voters often have a surprising mix of opinions.”

Franklin said that economic optimism rose through the first quarter of 2012. In January, 36 percent thought the economy would get better over the next year. In February, this rose to 46 percent, and in March to 50 percent. While more than half of respondents said the recession had a major effect on their personal finances, by March 67 percent said they were no longer suffering from the effects of the recession.

“In the Republican presidential primary, we captured the surge toward Rick Santorum in February, following his victories in Minnesota, Missouri, and Colorado, which took him to a double-digit lead over Mitt Romney,” Franklin said. “By March, however, eight days before the primary, we found that Romney had rebounded to an 8-percentage-point lead. Romney ultimately won by 7.2 percentage points. Our data show that this was due much more to Romney’s surging between February and March. Santorum’s support actually changed very little over that month, while Romney more than doubled his support.”

Another example of poll results: “As gas prices rose sharply, voters were ambivalent about how much any president can do about prices,” Franklin said. “Forty-six percent said a president could do a lot about gas prices, but an identical 46 percent said gas prices were beyond any president’s control. But when we looked at answers by partisanship, we found a sharp divide: 64 percent of Republicans said a president can do a lot about gas prices, while 62 percent of Democrats said gas prices are beyond a president’s control. In May 2006, when gas prices rose during the Bush presidency, those views were reversed in a national poll: 55 percent of Republicans said a president can’t control gas prices, while 75 percent of Democrats said presidents could do a lot. Partisanship is a powerful filter for how we interpret responsibility for economic conditions.”

The Law School’s public policy initiative

But no doubt many people remain curious what a law school is doing sponsoring a polling project. Let’s shed some light on what lies behind the project when it comes to both why the Law School undertook this and how the project is being conducted.

Public opinion polling goes back to the 1930s. But it has become increasingly sophisticated and influential in the political world in recent years. The truth is that major campaigns conduct large amounts of polling, sometimes almost daily, to track how a candidate is doing and to shape what a candidate says and does. Those results

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Mike Gousha

are usually kept private, or, in some instances, selected results are made public, usually in ways aimed at promoting a candidate. Further, there are polling firms that are known as having underlying partisan affiliations, often working under contract with campaigns. Much of their polling may be sound, but the partisan affiliations of the firms are inescapable when one weighs the results their polls get.

As far as nonpartisan polling goes, news media organizations and some colleges and universities have conducted political polling for years, but economic factors have reduced the scope and frequency of such work, particularly in a place such as Wisconsin.

Heading into 2012, although Wisconsin was almost certain to be a battleground state in the presidential race and an election was set for an open seat in the United States Senate, prospects were not good for frequent, high-quality, nonpartisan polling to be available in Wisconsin across the year. The advent of a history-making recall campaign against Governor Scott Walker made the case for a high-quality polling project all the more compelling.

In 2010, Mike Gousha, distinguished fellow in law and public policy at the Law School, became involved in conversations with people involved in polling and public policy work in which the idea of the Law School's hosting such a project was raised. That led to conversations with Dean Joseph D. Kearney and a number of faculty and, ultimately, to the decision that the Law School should undertake such an effort, with Franklin as the director. "Polling was a direction that I had hoped for some time we would go," Gousha said.

Franklin, a political scientist on leave from the University of Wisconsin–Madison's College of Letters and Science, is a nationally known expert on public opinion and polling. He co-founded Pollster.com, which won national awards in 2008 and 2009, and founded pollsandvotes.com. He was co-director of the Big Ten Poll in 2008 and has served as a member of the ABC News election night analysis team. He is a visiting professor

of law and public policy at Marquette Law School during 2012. In addition to directing the poll, Franklin is teaching a statistics class for law students and a multidisciplinary seminar on polling and campaigns with law, business, communications, and political science grad students.

The context of the Marquette Law School Poll is the public policy initiative begun by Dean Kearney several years ago. Kearney's goal was to make the Law School a crossroads or home for substantive discussion of public policy issues facing Milwaukee and Wisconsin. He wanted the Law School to increase public awareness of major policy matters and become a neutral convener for people willing to work together to move issues forward—or at least to discuss them in a civil and intelligent way.

The key was Mike Gousha. In 2007, Gousha joined the Law School following a career at Milwaukee's Channel 4 (WTMJ-TV), where he had come to be regarded, in the *Milwaukee Journal Sentinel's* characterization, as the best television news journalist in Milwaukee history. At the Law School, Gousha has hosted, moderated, and facilitated a long list of events, including debates among candidates for governor and the U.S. Senate and frequent sessions of the "On the Issues with Mike Gousha" series, bringing newsmakers and other significant figures to Eckstein Hall for one-hour conversations open to the public. Gousha also hosts a half-hour Sunday television program on state politics, "UpFront with Mike Gousha," shown on Channel 12 (WISN-TV) in Milwaukee and on stations throughout Wisconsin.

In 2009, Alan J. Borsuk, joined the public policy initiative; Borsuk was a reporter and editor at the *Milwaukee Journal* and *Milwaukee Journal Sentinel* for 37 years (Kearney says wryly that he does not lightly term Borsuk the "dean of Milwaukee's print journalists"). Borsuk works on Law School publications and the website, helps arrange policy events, and maintains his specialty as a reporter and commentator on



education through a Sunday column he writes for the *Journal Sentinel* and through talks and other appearances he makes around Milwaukee.

In short, Marquette Law School has sought to establish itself “as the place to which those in the region come to discuss the hard civic problems, the ones that affect us all,” Kearney said in announcing the Marquette Law School Poll last fall.

In launching the poll, Kearney said, “To know the winners, we need only wait for the votes to be counted. But to understand why voters chose as they did and what hopes and fears motivated their choices requires us to conduct scientifically sound polls.”

Kearney said then that with the leadership of Franklin and the engagement of Law School professors, including Mike McChrystal and Phoebe Williams, as well as the involvement of Gousha and Borsuk, “This will be an academic enterprise that establishes the Law School as a serious player in campaign analysis.”

Franklin says he was attracted to Marquette by the Law School’s commitment to stimulating public policy awareness. He says that, as he looked to the prospects for polling in Wisconsin in 2012, he felt, “Why shouldn’t Marquette Law School step into that relative vacuum?”

“The way to give the public at large a voice in the conversation is through polling,” Franklin says. “Political parties, candidates, and interest groups are constantly doing polling in the state, which means they know what attitudes are. . . . So the only people who don’t know are the citizens themselves.” As he put it, “One goal of our polling is balancing the scales.”

The design and structure of the polling project

It was agreed by all involved in the effort that the polling project would involve numerous rounds of polling, approximately monthly, through 2012, with adequate resources to allow not only questioning on “horse race” matters of which candidates people prefer, but also issue-oriented questions that shed light on why they feel the way they do. The combination of frequency and depth of the surveys makes it the most in-depth polling effort in Wisconsin history. “It’s by far the most extensive polling of the state ever,” Franklin said. Other organizations have done good polls, he said, but there has been nothing on the scale of the Law School’s effort.

Another key element of the polling project is that every result is being posted on a website, law.marquette.edu/poll. That includes every question

and the responses that it got, as well as “crosstab” breakdowns giving results in extensive detail. Some polls, especially those from partisan sources, release data only on certain questions or do not release crosstabs. Such detailed information can be used, for example, in shaping a candidate’s positions or campaign strategy and, therefore, campaign leaders would not themselves disclose it.

In the Marquette Law School Poll, the goal is maximum transparency in what the poll finds and full access to the data for anyone, from curious citizens to academic researchers, so that the project can be a resource. “This is intended to be an academic enterprise and to create a public good,” Kearney said.

The polling project is supported from existing annual-fund dollars; that is, it is based on the accumulation of many small donations to the dean’s discretionary fund. Student tuition is not used to support the project.

Professor Williams said, “I expect that each report about the polling results will help frame the issues that surround the very important political contests taking place during 2012. We all benefit from an intelligent informed electorate. In my view, the Marquette Law School Poll helps us to achieve this goal.”

Michael O’Hear, associate dean for research, has also been involved in the initiative. “Although the horse race numbers have been getting the headlines,” he said, “what I find so exciting about the polling project is what it is uncovering about the underlying values and perceptions of Wisconsin voters. This will help researchers, both academic and other, to better understand the meaning of the electoral results in this nationally significant swing state. Additionally, I hope that the poll results will help policy makers in Wisconsin as they develop their post-election agendas.”

Amber Wichowsky, an assistant professor of political science at Marquette, said she uses public opinion information frequently in her research, but she often faces limitations. “Most surveys provide just a snapshot of public opinion at any particular moment in time,” Wichowsky said. “Others that track voters over an extended period tend to focus on surface-level questions. Virtually all surveys have sample sizes that are too small to consider how individuals are influenced by their local environments.

“The Law School’s poll nicely addresses each of these limitations. Yes, Wisconsin will be at the heart of American politics in 2012. And for that reason alone, the poll is an exciting project. But the poll will also go

below the surface to look at how Wisconsinites think about particular issues such as education, health, and tax policies. It will provide a dynamic look at the electorate that will allow us to consider trends in public opinion over the course of several campaigns, from the recall election in June to the general elections in November. And by surveying roughly 700 registered voters each month, we will be able to look at how political attitudes and behaviors are shaped by social, political, and economic contexts.”

How you can draw conclusions from 700 people

So how is the poll being carried out? How is it that you can interview 700 people from around the state—the approximate sample size for each poll—and say you have a handle on what five million-plus Wisconsinites are thinking?

Franklin says that polling is a combination of science and art. The more scientific part is how a few hundred people can be a valid sample of a few million people. Franklin begins describing how that is so by asking: When you go to the doctor, how big a sample of blood does he need to take to figure out what’s going on in your body? The doctor doesn’t need to drain all your blood, of course; so, too, does a pollster not need to interview every person to get a good handle on sentiment. Statistical theory provides a rigorous proof of the validity of sampling as a means of estimating characteristics in a much larger population.

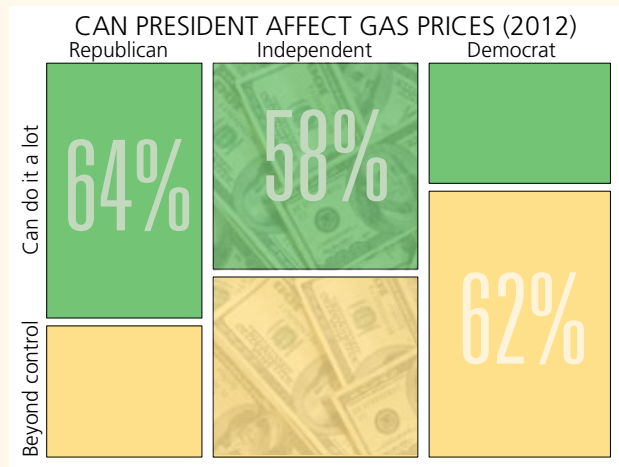
The key to a reliable poll, Franklin says, is a valid random sample. In the case of the Marquette Law School Poll, that means contracting with one of several firms nationwide that can combine every Wisconsin area code and residential telephone exchange (the first three digits of the seven-digit number) with randomly generated numbers, which are used for the last four digits, and then can provide people to do the calling and questioning. In the Marquette Law School Poll, people are called over a four-day period, and, although many won’t take part or can’t be reached, the combination of persistence and randomness yields a good sample.

“By picking numbers at random, we are giving every number in the state an equal chance of being in the sample,” Franklin says. “That’s the magic. That’s what makes 700 people representative of five million. We do not pick and choose whom we dial based on any characteristic other than a random phone number.”

One important element of the Marquette Law School Poll is the inclusion of cell phone numbers. More than a quarter of all adults now use cell phones as their only or primary telephone. The cell users are disproportionately young and lower income, Franklin says. Yet they are left out of many

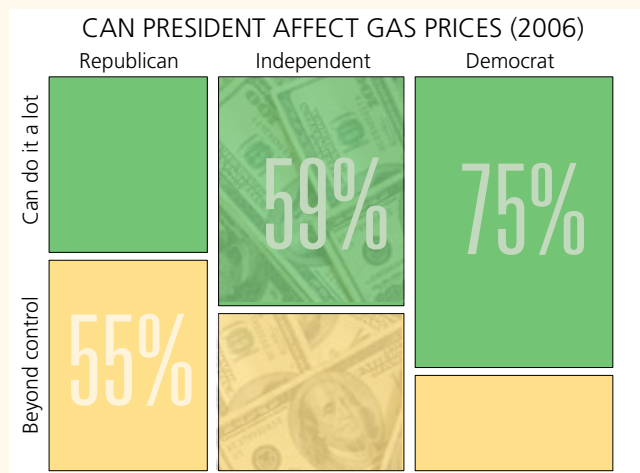


Can the president affect gas prices?



As gas prices recently rose sharply, voters seemed ambivalent about how much any president can do about prices. Forty-six percent said a president could do a lot about gas prices, but an identical 46 percent said gas prices were beyond any president’s control. Yet when we look at answers by partisanship, we find a sharp divide: 64 percent of Republicans said a president can do a lot about gas prices, while 62 percent of Democrats said gas prices are beyond a president’s control.

Below: In May 2006, when gas prices rose during the Bush presidency, a national poll by CBS News and the *New York Times* showed those views were reversed: 55 percent of Republicans said a president can’t control gas prices, while 75 percent of Democrats said a president could do a lot.



Follow the Marquette Law School Poll throughout 2012 at law.marquette.edu/poll.



polls. Why? A key reason is that many polling companies now are using automated questioning techniques (so called “robo-calls”). The technique is controversial—are results as reliable when people are dealing with a machine?—but, more importantly, federal regulation bans robo-calls to cell phones. That knocks cell phone users out of automated polling projects. The Marquette Law School Poll calls are all made by “live interviewers,” which allows the inclusion of cell phones. Franklin says that polling firms also are exempt from no-call rules so they can call anyone. (However, more-responsible firms will strike your number from their database if you tell them you don’t want to get further calls, he says.)

With a sample of 700, the margin of error is 3.7 percentage points—again, something calculated by a formula, Franklin says. Interestingly, that margin of error remains about the same no matter how large the total population is, once you get above a certain level. So whether you were polling concerning the City of Milwaukee, the state, or the nation as a whole, 700 or so would yield the same degree of reliability.

Does the margin of error go down if the sample increases? Yes, Franklin says, but the decline is relatively slight. If you increase the sample to 1,000, the margin goes down to 3.1 percentage points. Further increases yield diminishing differences, so it is rare to see a poll

that involves many more than 1,000 to 1,500 respondents.

The “art” side of polling focuses on what to ask and how to ask it. While there has been a great deal of academic research on how to phrase questions and how people react to different types of questions, writing questions is still a matter of judgment, Franklin says.

In the case of the Marquette Law School Poll, that means that each month’s survey is preceded by extensive work by Franklin and others on developing a draft of a questionnaire, followed by circulating it to a group of people within the Law School, including Gousha, McChrystal, and Borsuk, for feedback. Most months, the cycle includes a lengthy face-to-face session to settle specifics.

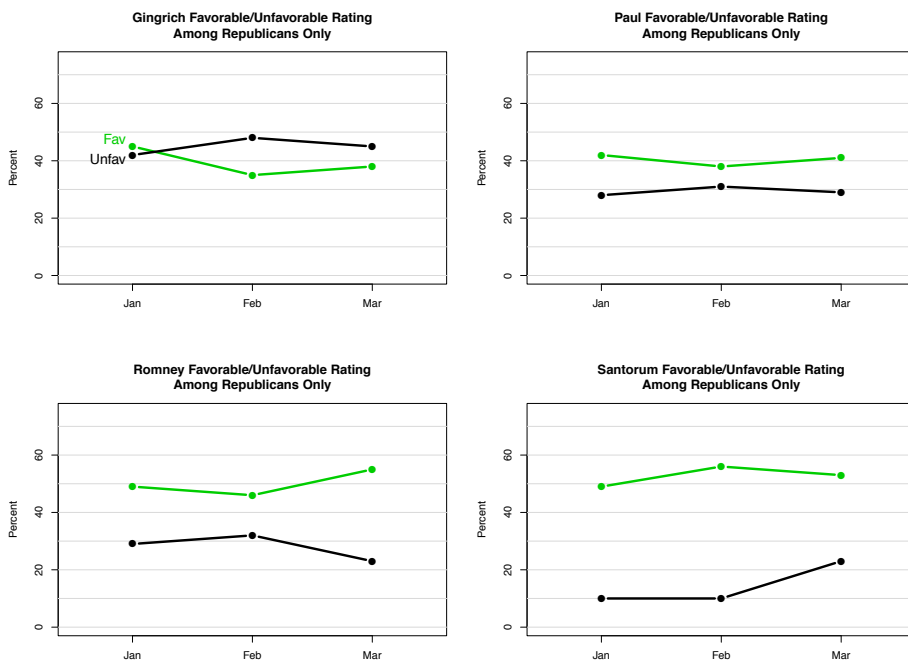
The art of structuring questions

How to phrase a question about candidates for an office—if the election were today, would you vote for A or B?—is fairly simple (although even in that case, the people asking the questions are required to rotate the possibilities, so that half the time “B” precedes “A,” to avoid biasing the results by the order of names).

But phrasing issue-oriented questions—for example, how are you being affected by economic trends?—is a more complex matter and can lead to extensive discussion.

The key, Franklin says, is, “How do you phrase a question so that it is clear to the large majority of people?” The answer includes using common, non-technical terms, and asking direct questions without unnecessary words. Franklin says this “generally leads to rather bland-sounding questionnaires,” especially when the goal is to be as nonpartisan as possible. But, he says, bland questions are better than provoking strong reactions on account of the language used in a question.

What makes a poll partisan or biased? Franklin says the answer is rarely in the sampling techniques. The process of random selection is widely accepted and used by even most overtly partisan polling efforts. “It is far more likely that bias comes in the question wording or the selection of which issues to ask about,” Franklin says. A Democratic-leaning firm might pick different issues from a Republican-



The Marquette Law School Poll succeeded in capturing the ups and downs of the Republican presidential primary campaigns in Wisconsin between the start of the year and the April 3 election, as seen in part in these charts.

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leaning firm or word things differently. Even the order of questions can bring different responses—what Franklin says is called “priming” responses.

In the case of the Marquette Law School Poll, careful work goes into keeping things as nonpartisan as possible. But even so, realization can be complicated. Consider two examples:

In February, voters were asked whether they approved or disapproved of the job performances of President Barack Obama and Governor Walker. They were also asked how they thought the economy was doing. As an experiment to test the impact of the economy on people’s thinking, Franklin directed that half be asked the Walker and Obama questions first and half be asked the economy questions first. As described in a story in the *Los Angeles Times*, the results showed that those who were first asked about the economy gave Obama significantly lower job-approval totals than those who were asked the approval question before the economy was brought up. Walker had somewhat better job approval ratings among those who were asked about the economy first.

Also in February, the poll asked about opinions on whether a proposed iron-ore mine should be developed. The question that emerged from deliberations was this: “There is a proposal to develop an iron-ore mine in northwestern Wisconsin. Supporters argue that the mine will create 700 jobs and long-term economic benefits. Opponents argue that not enough environmental protections are in place to preserve water and air quality. Do you support or oppose developing the mine?”

At almost the same time, a well-known polling firm, Public Policy Polling (PPP), was hired by the Wisconsin League of Conservation Voters to ask this question: “As you may know, the Wisconsin State Senate is considering an open-pit mining bill. Supporters of the bill say that Wisconsin should streamline its environmental regulations in order to create more open-pit mining jobs in northern Wisconsin. Opponents say that the existing water protections should not be weakened to allow out-of-state mining companies to expose Wisconsin families to chemicals such as mercury, lead, and arsenic. Which

comes closer to your point of view? Environmental regulations should be streamlined or environmental regulations should not be weakened.”

The Law School Poll found sentiment favoring developing the mine, 52 percent to 33 percent. By contrast, the PPP poll found 34 percent in favor and 49 percent opposed to the mine. In the light of the different outcomes, some commentators argued that the Law School question was too general and that mentioning “700 jobs” helped incline people to saying they were in favor. Others argued that the PPP question, by mentioning the chemicals and using the term “out-of-state,” was inclining people against the mine.

Those involved in the Marquette Law School Poll knew going into the effort that there would be claims that the polling was biased. Those on the lower end of results often claim that the results aren’t accurate or that a poll was biased against them. Indeed, when the first poll results came out in January and had Governor Walker slightly ahead of possible Democratic opponents in the recall, there were claims by some bloggers and Democratic leaders that the poll was biased against Democrats. Subsequently, polling by others found very similar results, and the claims faded away.

Some questions are being asked each month in the poll; others will be asked from time to time. Either way, across the full year, trends in how people are perceiving things will be seen, and a richness to the picture of Wisconsin public opinion will emerge.

Kearney, Gousha, Franklin, McChrystal, and others involved in the poll are confident in the value of providing unbiased polling results, especially in a volatile political year like 2012 in Wisconsin.

“Politics is never short of spin, and our goal is to produce information about what citizens think about politics and public policy in Wisconsin without spin,” Franklin says. “Skeptics on all sides will always find that polling doesn’t represent the world as they see it. But by covering a wide range of subjects from several points of view and showing exactly what we asked and exactly what people told us, without our interpretation, we at least let people draw their own conclusions.” ■