CALTECH/MIT
VOTING TECHNOLOGY PROJECT

A multi-disciplinary, collaborative project of
the California Institute of Technology – Pasadena, California 91125 and
the Massachusetts Institute of Technology – Cambridge, Massachusetts 02139

TITLE **Voter Confidence In 2010: Voter Identification, perceptions of Fraud, Winning and Losing and the Voting Experience**

Name **Lonna Rae Atkeson**
University **University of New Mexico**

Key words:

VTP WORKING PAPER #103
April 17, 2011

Voter Confidence In 2010: Voter Identification, perceptions of Fraud, Winning and Losing and the Voting Experience*

By Lonna Rae Atkeson
University of New Mexico

*Paper prepared for delivery to The Aftermath of Bush v. Gore: Ten Year Later, Sponsored by the Center for the Study of Democracy, University of California Irvine.

Over the last decade, scholars of American politics have invested research time and effort into the study of election administration and election performance. These include studies on residual vote analysis (Wand et al 2001; Ansolabhere and Stewart 2005; Mebane 2004), election auditing (Atkeson, Alvarez and Hall 2009; Ansolabehere and Reeves 2004), the role of poll workers (Hall, Monston and Patterson; Clausen et al, Atkeson et al 2009), the role of technology (Tomz and Van Howling 2003; Avarez and Hall 2004; Stein et al 2008; Knack and Kropf 2003; Kimball and Kropf 2005, 2008), provisional votes (Atkeson, Alvarez and Hall 2009; Alvarez and Hall 2009; Pitts and Neuman 2009; Kimball and Foley 2009), voter identification (Pitts and Neuman 2009; Atkeson et al 2010, Ansolabehere 2009; Cobb, Greiner, and Quinn 2010), and voter confidence (Bullock, Hood 2005; Atkeson and Saunders 2007; Alvarez, Hall and Llewellyn 2008; Murphy, Johnson and Bowler 2010; Magleby et al 2010) among others. These studies have been in direct response to the presidential election meltdown in 2000, which for the public focused largely on Florida, but was also seen in other states, especially those where the race was very close, including New Mexico and Ohio (Caltech/MIT Voting Technology Project, 2001; Atkeson and Tafoya 2005). This work has been highly productive creating new linkages between political scientists, local election officials, and legal professional to create a data driven approach to election reform and a push to improve and modernize the local election systems across the nation (Gerken 2009; Atkeson et al 2010, 2011; Alvarez et al 2009).

Understanding the factors that contribute to voter confidence is an important component of the election performance literature. The interest in voter confidence stems from very visible problems in the election process observed over the last decade (Wand et al. 2001; Tomz and van Houweling 2003; Sinclair and Alvarez 2004; Hall, Monson and Patterson 2009; Atkeson et al. 2010), attention by the mass media to the possibility that voting machines may not be counting

the votes correctly, weak computer security in many systems that allow for break-ins (Kohno et al 2004; Wochek et al 2010), and the specter of voter fraud and procedural manipulations by election officials to potentially change the vote and raised loudly by members of both parties (Kennedy 2003). These problems, along with heightened interest in election administration, has led scholars to consider how voters evaluate the election process, hence the consideration of voter confidence.

The perception of citizens and voters about the integrity of their vote and the election process more generally is critical because elections are the link between citizens and their elected officials. If voters do not have faith in this most fundamental aspect of a democratic society—the outcome of elections and the correct counting of votes—then the legitimacy of representative government might be at risk.[1] In addition, the US Supreme Court considered the importance of protecting the system against voter fraud in relation to voter confidence, thus it is an important policy issue. For example, the Commission on Federal Election Reform noted the importance of voter confidence in their report, "*Building Confidence in US Elections,*" (p. 9) when they stated:

> "The vigor of American democracy rests on the vote of each citizen. Only when citizens can freely and privately exercise their right to vote and have their vote recorded correctly can they hold their leaders accountable. Democracy is endangered when people believe that their votes do not matter or are not counted correctly."

Given its perceived importance by policy makers, legislators, and local election officials, it is not surprising that political scientists have also focused on understanding this question. Therefore, over the past decade scholars have worked to develop and analyze a new measure of

[1] Though more recently, scholars have also asked if such changes in government support represent a maturation of the public that expresses a healthy but critical electorate (Norris 1999).

trust in the voting process: voter confidence. These studies have largely been focused on demographic differences, the effects of winning and losing, voter technology, and the voter's experience at the polls (though see Gronke and Hicks 2009). In this paper, we extend this analysis to include the role of attitudes toward fraud, the current law, and the changing electoral context. We also consider the larger electoral environment and how and if individual level voter confidence is different from confidence that all the votes in the county or state were counted correctly. To examine this question, we use New Mexico voter survey data from a post 2010 general election poll. New Mexico offers an interesting place to examine this question, given that it has been at the center of electoral attention as a battleground state since the 2000 election where it had the closest election in the country with only a few hundred votes separating Bush and Gore (Atkeson and Tafoya 2008). In addition, New Mexico offers a contextual environment with largely weak voter identification laws and a uniform voting system statewide (optical scan) preventing voting technology issues from playing a role in voter confidence.

Why Voter Confidence?

Voter confidence has emerged as a critical property of election reform efforts. Policy makers, legislators, and activists, for example, have framed the debate around voter identification, post election audits, and most recently Election Day registration as important issues that relate to protecting the system against fraud and ensuring voter confidence. Nowhere is this more clearly seen than in the recent US Supreme Court case Crawford versus Marion County that ruled on the legitimacy of a fairly strict voter id law. According to the state one reason for the new law was to "increase public confidence in the integrity of Indiana elections," (State Brief: 12). The state argued that, "The Voter ID Law serves two purposes. First and foremost, it helps with deterring and detecting in-person voter fraud, a long-recognized compelling interest of the state. Marston

V. Lewis, 410 US 679, 681 (1973). Second, it helps safeguard voter confidence in the legitimacy of election results, an interest the Court has repeatedly deemed compelling. Further, the means to vindicate these interests is so well tailored the voter ID Law stands up to any level of scrutiny (State Brief: 44). Importantly the Supreme Court Justices agreed stating in the majority opinion that, "While that interest is closely related to the State's interest in preventing voter fraud, public confidence in the integrity of the electoral process has independent significance, because it encourages citizen participation in the democratic process," (553 US 2008:13).

In addition, voter confidence is being used as an argument to favor voter technologies that provide a verifiable vote. For example, in 2004, reported problems with new DRE machines in New Mexico led the entire state to abandon the new technologies they had purchased with initial HAVA monies to move to a statewide system that used optical scan bubble paper ballots that provided a vote record independent of the machine (Atkeson and Saunders 2007). Other states have followed suit including Florida[2] and Ohio.[3] Many states also have instituted post election ballot audits that check the voting systems against the paper voting trail to determine that the machines are functioning correctly, that the votes are counted accurately, and ultimately the legitimacy of the election outcomes. All of these measures and reforms are justified, in part, due to a desire to maintain voter confidence and although research is mixed on the role voting technology plays in voter confidence, there does seem to be some support for this linkage (Alvarez, Hall and Llewellyn 2008; Atkeson and Saunders 2007; Conrad el al 2009; Herrnson et al 2005; 2008a; 2008b; Murphy, Johnson and Bowler 2010). Thus, voter confidence in the

[2] See the February 2008 electionline.org briefing "Back to Paper: A case study" at http://www.pewcenteronthestates.org/uploadedFiles/EB21Brief.pdf. See also, Ian Urbina, "Influx of Voters Expected to Test New Technology" *New York Times* 21 July 2008, pA1.
[3] See Directive 2008-01 at: http://www.sos.state.oh.us/SOS/Upload/elections/directives/2008/Dir2008-01.pdf.

perceived legitimacy of election outcomes and the election process is an importantly policy matter and provides one reason why public opinion on voter confidence should receive close scrutiny.

Second, while political science has long been attentive to broad measures of diffuse system support such as trust in government, government responsiveness or external efficacy, political alienation, and confidence in institutions, we have spent much less time examining citizen beliefs in government processes. Voter confidence represents an undertaking into this important question through a focus on the electoral process and research suggests that is distinct from other measures of system level support (Atkeson, Alvarez and Hall, 2009; Gronke and Hicks 2009), which tend to test the evaluation of elected leaders in government (Luks and Citrin 2001), and an accumulation of grievances and disappointments within and across administrations (Miller 1974).

Theoretically, focusing on the process of democracy is important because process is fundamental to the way in which a democratic society functions. If voters do not have confidence that their vote is counted correctly or that the system of elections is free, fair, and accurate, then the most fundamental aspect of representative democracy, the direct election of its leaders, is in doubt. Simply put, if citizens do not believe in the election process, then the entire system of republican government becomes a questionable enterprise. Although a voter may not trust the current sitting government—perhaps because the voter supports a different political party or a different set of political candidates—this does not necessarily mean that those leaders do not have legitimate standing to make decisions on behalf of the majority of the electorate who supported them. However, if a voter does not trust that those leaders hold their seats legitimately—if the voter does not have confidence that the election was administered fairly and

that all the votes are counted accurately—then the reason for voter distrust is more fundamental and may have greater consequences to system level conditions.

Voter confidence has mostly been examined at the level of the individual voter, but system level confidence is also important (but see Atkeson et al 2009). Just because a voter believes that his ballot is counted correctly, does not mean that he believes that ballots within the larger electoral process at the jurisdiction or county level or across jurisdictions at the state level are counted correctly. Yet policy makers and political scientists move easily between contexts in their discussions and we do not know how these more global measures of voter confidence perform. In 2010, we asked about voter confidence in New Mexico at the level of the individual, precinct, county and state. Table 1 presents the results for individual, county and state. We exclude precinct because it is very similar to individual level voter confidence with a mean of 3.42. Interestingly, we find that as we move from the individual to larger system levels that voter confidence declines (paired t-test, $p < .001$).

Table 1. Voter Confidence Across Levels of Vote Aggregation

	Individual Voter Confidence	County Confidence	State Confidence
Not at all confident	2	2	4
Not too confident	5	10	13
Somewhat Confident	39	43	43
Very Confident	54	55	40
Mean	3.45	3.32	3.18
N	776	761	758

What do we know about voter confidence?

Similar to models of trust and efficacy factors that explain voter confidence display both short and long term characteristics and are social and political in nature. Short-term factors include aspects of the local and national election context as well as the voter personal experience at the polls (Atkeson and Saunders 2007; Hall, Monson and Patterson 2009; Claussen et al 2008).

This in essence is the objective experience the voter has with the voting process and includes their experience with the ballot and their experience at the polls. When voters have problems voting, for example, because they find the ballot confusing, poll workers unhelpful, long waits in line, they are unsure whether their absentee ballot arrived, or they made a mistake on a ballot and had to get a new one, they are likely to feel less confident that their vote will be counted. Thus, we expect a poor voting experience to be negatively related to voter confidence.

Another part of the direct experience is the choice a voter made in how to execute their vote. In New Mexico, voters can choose to vote absentee by mail, early in person, or on Election Day.[4] Absentee voters, in particular, experience a different election process than in-person voters. Absentee voters have to request a ballot, receive it, fill it out, and return it in time to be counted. Absentee voters do not have the opportunity to insert their ballot into the counting machine or observe that the machine appeared to be functioning properly. Therefore, absentee voters are further removed from the election process than in-person early or Election Day voters and may feel less confident that their ballot is likely to be counted. Voters engaging in absentee voting, for example, may feel that their ballot is less likely to be counted because they may believe that these ballots only get counted if the race is close or may worry about their ballot arriving on time to be counted since they must have trust in both the US postal service and in the local jurisdictions process. Several studies suggest that absentee voters had significantly less voter confidence, a finding which supports this hypothesis (Alvarez, Hall, and Llewellyn 2009; Atkeson and Saunders 2007; Bryant 2010).

Two other factors that may be related to the voter experience are whether the voter is a first time voter or whether the voter was asked for a photo identification. First time voters are

[4] New Mexico allows for no excuse absentee voting.

new to the system and are required to show identification if they were registered by a third party. Their inexperience with the process may create more doubt or enthusiasm for their actions resulting in a decrease or increase in voter confidence. Being asked for photo identification may also matter. Certainly one of the primary arguments for voter identification is to protect the system against fraud as discussed above. But, importantly voter id proponents also argue that the policy establishes safeguards that create the perception of security, ultimately enhancing voter confidence. We know from previous studies that broadly speaking a higher quality polling place with better trained poll workers presents a good voting experience that enhances voter confidence. If security represents another aspect of the polling place experience then ensuring voter eligibility through strict identification policies may have a similar and positive effect. In New Mexico, we have very loose laws for voter identification making the choice of identification the choice of the voter ((§ 1-1-24 NMSA 1978). However, implementation of this policy is very mixed with poll workers sometimes requesting stricter forms of voter identification, including a photo id, and many voters just opting to show a photo identification with being asked (Atkeson et al 2010; Atkeson et al 2009; Atkeson, et al 2011). Given the variation in implementation, we can test, how being asked to show a physical form of identification influences voter confidence.

Another important short term and political characteristic is the positive relationship between support for the winning candidate and voter confidence (Atkeson and Saunders 2007; Alvarez, Hall and Llewellyn 2009; Bullock, Hood, and Clark 2005; Llewellyn, Hall and Alvarez 2008). This is similar to findings in the trust in government and political efficacy literature, which consistently show a party winner effect (Ginsberg and Weissberg 1978; Clarke and Acock 1989; Craig, Niemi, and Silver 1990; Anderson and Tverdova 2001; Anderson and LoTempio

2002; Banducci and Karp 2003). Early studies on voter confidence in the first half of the last decade found that Democrats were less confident than Republicans and it was believed that this was linked to the fact that they lost in both the 2000 and 2004 presidential elections (Atkeson and Saunders 2007; Alvarez, Hall and Llewellyn 2008; Bullock Bullock, Hood and Clark 2005; Hall, Monson, and Patterson 2007; Magelby, Monson, and Patterson 2007). In 2008, however, the Democrats won and research shows that partisan voter confidence reversed with Democrats displaying greater voter confidence than Republicans and Obama voters in particular showing greater voter confidence than McCain voters (Atkeson, Alvarez and Hall 2009; Alvarez et al 2009). In addition, research shows that after the 2006 election, in which Democrats took control of the US House, there was a national level increase in voter confidence for Democrats (Llewellyn, Hall and Alvarez 2008). Later studies confirm the theoretical expectation of a winner effect and this has been largely linked to the most immediate election context with no studies showing a relationship between presidential support and voter confidence (Atkeson, Alvarez and Hall 2009). However, there may be a national component. Given that in 2004 Republicans controlled the White House and the legislature, the variables tapping winning would likely be highly correlated with presidential approval and therefore may wash out. In 2010, however, the US House changes hand, but of course, the president remains, giving us a different context for a referendum effect where attitudes toward the nation's leader may matter. Therefore, we expect winners to have greater levels of system support than losers in all three models and test the role of national actors particularly the president.

Over the last decade the chatter about voter fraud and voter irregularities has been continuous leading to changes in voting methods, for example the move away from lever voting machines, election verification policies including post election audits, and the move by many

states to require stricter voter identification policies. In addition, elites at various levels have fueled the fires of this debate by focusing on procedural irregularities and manipulation of voter processes. For example, in Florida in 2000 this focused on the purging of the voter roles and in 2004 in Ohio it focused on a number of administrative rules and procedures that appeared to be designed to disenfranchise certain types of voters. Voter confidence may not be immune to the national debate and indeed these factors may be important in understanding voter confidence (see Gronke and Hicks 2009). Voters may feel their votes are disenfranchised, as suggested by justices of the Supreme Court, and consequently less confident when they believe that it is likely that ineligible voters are participating. Voters may also feel less confident when they believe that they have seen voter fraud. Such observations may lead them to question the integrity and manipulability of the electoral process, decreasing their belief in its objective administration. Similarly, voter attitudes toward their state law may also matter if they are incorporating the larger national debate into their opinions. Because weak voter laws are assumed to encourage fraudulent voting, voters who perceive their law as not meeting the fraud standard may be less confident. Although a number of these factors have not been considered before, we consider them here to expand our understanding of voter confidence and how it may differ across levels of voter confidence abstraction.

The first set of factors is related to the voting experience itself, which in some sense is the objective experience the voter has with the voting process. This essentially is the "local" factor and focuses on external attributions in understanding voter confidence. When voters have problems voting, for example, because the ballot is confusing, or too long, or poll workers are unhelpful they are likely to feel less confident that their vote will be counted. We hypothesize

then that the quality of a voter's first-hand experience with the voting process is directly and positively related to their voter confidence.

Finally predisposition are potentially always important for understanding attitudes. In terms of demographics, education is a mixed predictor of voter confidence with 4 studies indicating no effect (Atkeson and Saunders 2007, Hall, Monson and Patterson 2008, Bullock, Hood and Clark 2005; Magleby et al 2010) and two studies showing a positive relationship (Alvarez, Hall and Llewellyn 2007; Murphy, Johnson, Bowler 2010). Race has been shown to matter for blacks in terms of voter confidence prior to 2008 (Alvarez, Hall and Llewellyn 2008; Bullock, Hood and Clark 2005; but see Gronke and Hicks 2009), but perhaps not surprisingly, given that an African-American won the election, it did not matter for Blacks in 2008 (Alvarez et al 2009). Importantly research shows consistently that it has not mattered for Hispanics (Atkeson and Saunders 2007; Stein et al. 2008; Atkeson, Alvarez and Hall 2010, Atkeson et al 2011). Gender sometimes matters (Alvarez, Hall and Llewellyn 2009; Llewellyn, Hall and Alvarez 2009; Murphy, Johnson and Bowler 2010) and sometimes it does not (Atkeson and Saunders 2007; Hall, Monson and Patterson 2010; Magleby et al 2010). Age largely appears to not matter (Atkeson and Saunders 2007; Stein et al. 2008; Hall, Monson and Patterson 2010; Magleby et al 2010; Murphy, Johnson and Bowler 2010), except for one study of California voters (Murphy, Johnson and Bowler 2010). The weight of evidence suggests that demographics or predispositions should have little influence in explaining voter confidence.

Data and Methods

We use the 2010 New Mexico Voter Election Administration Survey for our analysis. This mixed mode voter survey was based on a random sample of registered voters in the state of New Mexico. A few days after Election Day sample members were sent a postcard asking them

to participate in our on-line survey or request a mail survey with a self-addressed stamped envelope. Registered voters who did not respond were contacted a total of 3 times. The second postcard was sent November 15th; the third was sent December 1st. In addition, we sent out only a mail survey to a small subset of voters and only allowed a small subset of voters to respond on line. The response rate was about 17.7% (n=813) using Response Rate 2 (RR2) as defined by the American Association for Public Opinion Research (AAPOR 2008). It is important to note that this is the minimum response rate and includes all voters who we tried to contact, regardless of whether we were able to contact them or not. Over 7 in 10 respondents (71%) chose the Internet option and not quite 3 in 10 (29%) chose the mail option. Post election analysis of the sample showed it accurately reflected many sample population characteristics and the election outcome, suggesting the response rate did not produce a biased sample (data not shown).

Dependent Variables

We focus on three dependent variables that capture voter confidence at the voter, county and state level. The frequency of these variables and their associated means are shown in Table 1. For these questions the voter was presented with a grid and asked, "How confident are you that your vote and all the votes at the following administrative levels were counted as the voter(s) intended?" The administrative units include your vote, your precinct, your county and your state. Response categories included very confident, somewhat confident, not too confident and not at all confident. Voter confidence was the 6th question in the survey and was only preceded by one independent variable, first time voter. Because of the small number of individuals who indicated that they were not at all confident, we collapsed this variable into 3 categories, very confident, somewhat confident, and combined not too confident with not at all confident, for our analysis.

Given the ordinal nature of our dependent variables we test our models using ordered probit with STATA MP 11.0.

Independent variables

We focus on four types of indicators in our analysis. The first type is the voter experience. These include the voting method. We include two dummy variables, one for absentee voters and one for early voters and exclude Election Day voters making them the point of comparison. Given previous research we expect that absentee voters will have lower levels of confidence than early or Election Day voters. We also include a dummy variable for first time voters. We have no specific expectation for this variable because theoretically it could be positive or negative or make no difference. We also include a dummy variable for a poor voting experience. This represents a truncated count of the number of problems voters had during their election experience. Any problem a voter had placed them in the poor experience category. Problems in voting included: whether a mistake was made on the ballot and the respondent had to obtain a new ballot, rating the poll workers only fair or poor, if it was somewhat or very hard to find their polling location, if absentee ballot instruction were very hard or somewhat hard to follow, or if an absentee voter was very or somewhat concerned that their ballot would not arrive in time to be counted. The last element of the voting experience is a dummy variable coded 1 if the voter was asked for a photo ID and 0 otherwise.

The second set of variables focus on whether the respondent was a political winner or loser. Here we consider voter partisanship, measured as dummy variables. The variable Democrat is scored for 1 for any Democratic identification and 0 otherwise. The variable Independent is scored 1 for a self-identified independent and 0 otherwise. This leaves self-identified Republicans as the comparison group. We also controlled for whether or not the voter

voted for the gubernatorial winner, Republican candidate Susana Martinez. This was an open race and a competitive contest. However, it is important to note that there were high profile House races also going on in the state. Two of New Mexico's recently elected House incumbents were returned, but one incumbent, Democrat Harry Teague, was defeated by Steve Pearce who had resigned the seat in 2008 to run for an open US Senate seat. Thus, winning and losing is complicated by multiple election contests (Llewellyn, Hall and Alvarez 2009). Finally, we included a measure of approval for President Obama. This was measured on a 4-point scale along with a series of individuals and institutions. The questions asked, "We are interested in whether you strongly approve, approve, disapprove, or strongly disapprove of how the following are handling their jobs." For Obama the frequency was 32% strongly disapprove, 18% disapprove, 35% approve, and 16% strongly approve, with a mean approval of 2.34.

The third type of indicator involves attitudes toward fraud and the voter id process in the state since that has been a major reason for enacting voter id laws and a variety of other electoral reforms. We look at three separate variables to tap into voter's perceptions of fraud and election processes. The first is a question that asked, "In the last ten years, in how many elections did you witness what you believed to be election fraud." Twenty-seven percent of respondents reported none, while 21% provided the number of elections in which they observed fraud, with a range of 20 (0 minimum, 20 maximum) with most responses clustering around 1, 2 or 3 elections. The mean number of fraudulent elections was 1.2. That leaves 52% of respondents who indicated they did not know. On all of the measures of fraud, we find a large number of respondents opting for "don't know" and believe that given the difficult nature of the question is a viable answer. Therefore to control for these individuals we created two dummy variables, the first capturing those

who responded that they had witnessed fraud and the second capturing those who did not know. The first dummy variable scores a one if a respondent witnessed fraud, all others score 0. The second dummy variables scores a 1 if a respondent indicated they didn't know if they witnessed fraud, all others score 0. We expect that those who have witnessed fraud to have lower levels of voter confidence than those who have not, thus we expect a negative relationship with voter confidence. We have no a priori expectations about those who indicate don't know. However, given that don't know is a response of uncertainty whereas the answer none represents certainty on this issue, we hypothesize that the effect on voter confidence at all levels is more likely to be negative than positive.

We had asked a similar question about witnessing fraud on our 2008 New Mexico Election Administration Survey and received similar responses (Atkeson, Alvarez and Hall 2010). What surprised us, however, was the high number of individuals who indicated they had witnessed fraud. Therefore, in the 2010 election, we followed up the witness fraud question with an open-ended question that asked respondents to "describe the experience." Interestingly, voters' definitions of fraud are much broader than those in the legal, academic, or activist community. Table 2 shows the break-down of open-ends and shows that over half of incidents of observed fraud relate to the well-publicized 2000 problem filled election in the state of Florida and the 2004 election in Ohio. ACORN activities in 2008 represent an additional 4%. Thus, 62% of voters believe that election fraud is a function of the manipulation of voter processes by especially elites including the Supreme Court. This suggests that the mantle of fraud, as understood by voters, is largely a product of the battle among elites to control processes and disenfranchise voters selectively. But, it is important to note that 23% of responses related to election

administration such as "miscounts," "found ballots," "poll workers," etc. A rather paltry 8% mentioned illegal voting by non-citizens and filling out absentee ballots at senior homes.

Table 2. Open End Responses to Explanation for Witnessing Fraud

Reason	Percentage
2000 Bush Gore Election/Supreme Court/Florida	36
2000 or/and 2004 election/Florida/Ohio	22
Election Administration Problems	23
Individual Fraud, illegal voters	8
ACORN	4
Unspecified	6
Obama -2008	2

The second variable is a truncated index of 4 variables that tap voter's perceptions of types of fraud that might be occurring in the polling place. The question was, "Below is a list of possible illegal election activities that may or may not take place in YOUR COMMUNITY. Please tell me whether you think each event occurs all or most of the time, some of time, not much or never: A voter casts more than one ballot, tampering with ballots to change votes, someone pretends to be another person and casts a vote for them, a non-US citizen votes."[5] We took the mean of these 4 variables and then truncated them so that everyone who had a mean score above 2 on a 4-point scale was scored a 1, while everyone else, including those who responded don't know (don't knows represented 21% of voters across these measures).[6] We then created a dummy variable for those who indicated don't know across all 4 measures, scoring them a 1 and everyone else a 0.

Last in this category, we used a measure that tapped into how voter feel about New Mexico's voter identification law. We asked, "New Mexico's voter id law requires voters to

[5] The Cronbach's alpha for this scale is .883 suggesting that combining them into one index is an acceptable statistical strategy. An exploratory factor analysis also delivers only one factor.
[6] Voters who answered a single one of the 4 fraud questions were included in the index mean score.

identify themselves. The minimum identification is to state their address, name, and birth year. Do you think the minimum identification is too strict (.4%), just right (38%), or not strict enough (62%)." Given the frequency, we coded all those who indicated just right or too strict a 0 and everyone who indicated it was not strict enough a 1.

Our last category is demographics. We include a variable for gender (female equal 1, male equals 0), age (continuous), a 4-point ordinal variable of education (high school or less, some college, college graduate, and advanced degree), two variables for race and ethnicity (one representing Hispanics and one representing other minorities). We also included a dummy variable for survey mode (1 for Internet, 0 for mail) in case survey mode influenced attitudes.

Results

Table 3 shows the results of our multivariate model. We find no difference between voting modes, absentee voters have a negative coefficient, but it does not reach even marginal definitions of statistical significance. It is important to note that part of this variable included problems with the absentee voting experience including concerns that an absentee voter's ballot would not arrive in time to be counted. Thus, we may see no direct effect of our absentee voting variable, in part, because we are picking up the hypothesized reason for lower voter confidence among absentee voters more directly in the poor voting experience variable, which does show a negative and significant relationship across all three levels of confidence. Thus, consistent with previous studies, what happens during the voting experience is an important predictor, and perhaps more importantly those experiences inform attitudes about confidence at other levels. Thus, voters infer from their poor experience at the polls that there are larger problem in voting at the county and state level. The probability of a voter being very confident that her ballot was counted as intended when a voter had a bad experience at the polls is reduced by 9%, from 81%

to 72%. The probability of a voter being very confident that all the ballots were counted as intended at the county level reduced the likelihood a very confident responds by about 14%, from 69% to 55%, and at the state level by about 11% from 53% to 42%.

First time voters also had a lower level of confidence, but this only was consequential to their ballot being counted as intended. The change in probability for this group of voters is fairly high, with 81% of non first time likely to indicate they are very confident versus only 55% of first time voters. More research on new voters and their experiences need to be addressed.

We also find that voters who were asked for identification were more confident than those who were not asked for voter id, but this only influenced attitudes at the individual voter level and not at higher levels of confidence. Although significant the effect is fairly small moving only 6% for those very confident, from 81% when a voter was not asked to present photo identification to 87% for those asked to present a photo id.

Consistent with other studies we find support that winning and losing matters to vote confidence. Given that it was a Republican year, with Republicans taking over the US House of Representative and a majority of governorships, it is not surprising to find that Democrats were once again less confident at all three levels of confidence than Republicans. We also find that independents were also less confident for individual level voter confidence. The effect was roughly the same for each group, 14% for Democrats and 13% for Republicans. Thus the probability of being very confident was about 81% for non-Democrats, and on average, 67% for Democrats and 68% for independents.

We see an extremely marginal effect for voters who supported GOP gubernatorial winner Susana Martinez ($p < .15$, two tailed test), suggesting that voting for her increased personal confidence slightly, but did not influence confidence at other levels. Perhaps most interesting

here is that we find a strong effect for approval of President Obama at all levels of confidence, something we have not seen previously. Reported models in 2006 in New Mexico and Colorado (Atkeson and Saunders 2007), did not include a presidential approval variable because it was insignificant, a 2008 examination of voter confidence in New Mexico showed no effect of lame duck President George Bush on voter confidence at any level (Atkeson, Alvarez and Hall 2009), and Gronke and Hicks (2009) included a similar measure in their study, but it drops out when Election Day experiences and perceptions of fraud are included in the model. In 2010, with a very similar model we find a strong and consistent finding for presidential approval on voter confidence. The likelihood of being very confident at the individual level with the lowest opinion of Obama's performance is 75%, but it is 90% for those with the highest opinion of his performance. At the county level the change in probabilities is slightly higher at 22%, with a change from 60% to 82%, and even higher at the state level with a change in probabilities of 32%, from 42% to 74%. Perhaps the 2010 election was more of a referendum on Obama than is usually the case. Or perhaps Democrats took solace in an election won the last time, but lost this time, given they maintained control of the presidency and the US Senate. Future research on voter confidence should examine when presidential approval matters and when it does not and develop theoretical explanations for why.

We now turn to attitudes toward fraud and evaluation of the New Mexico voter identification law. We find that witnessing fraud, uncertainty about fraud, and perceptions of fraud in the polling place are important to voter confidence and at all levels. The uncertainty effect is particularly prominent at the individual voter confidence level. We find that voters who indicated they had "witnessed" fraud had a much lower probability (17%) of being very confident, from 64% to 81% and that uncertainty regarding fraud led to a probability difference

of 11% (from 70% to 81%). Perceptions of fraud create even a larger change in the probability of being very confident at 23% (from 58% to 81%) and for uncertain voters on this dimension their change in the probability of being very confident is much smaller at only 11% (from 70% to 81%). At the county level the results are roughly similar with "witnessing" fraud leading to a change in probabilities of 20% (from 48% to 68%) for very confident voters and uncertainty leading to a rather small change of 6% (from 62% to 68%). Similar to the individual level model, we see a large effect for perception of fraud with a 22% change in probability in being very confident (from 46% to 68%). At the state level, we find that both the witness fraud and perception of fraud variables perform identically, with a 20% difference in the likelihood of being very confident (33% when the variable is low and 55% when it is high). Uncertain voters, however, had a lower probability change, about 10%, from 44% to 54%.

The voter identification law has no influence on individual level or county level voter confidence and only a marginal ($p < .097$) significance at the state level. This is reflected in the change in probabilities, which is fairly small at only 7% (from 60% when the rather weak voter identification laws are considered just right to 53% when it is seen as not strict enough). This suggests at best marginal and very modest roles for state laws influencing voter confidence.

Demographics, as we have found previously in New Mexico do not help us understand voter confidence. There are no differences between Whites and Hispanics or other minorities, males and females, voters with different levels of education, and across different age levels.

Table 3. Ordered Probits of Voter Confidence at Multiple Levels

	Voter Confidence	County Voter Confidence	State Voter Confidence
Voting Experience			
Vote by Mail	-.062 (.144)	.031 (.141)	.087 (.140)
Vote Early	.037 (.108)	-.013 (.104)	.011 (.103)
First Vote	-.767* (.460)	-.514 (.455)	-.296 (.452)
Poor Voting Experience	-.307** (.154)	-.357** (.153)	-.291* (.153)
Asked for ID	.264** (.135)	.140 (.128)	.132 (.126)
Winning and Losing			
Democrat	-.447** (.176)	-.398** (.171)	-.372** (.169)
Independent	-.410** (.187)	-.169 (.181)	.019 (.180)
Martinez Vote	.232+ (.160)	.156 (.156)	.079 (.153)
Approval of Obama	.218*** (.072)	.233*** (.069)	.286**** (.068)
Attitudes			
Witness fraud	-.524**** (.140)	-.530**** (.134)	-.525**** (.132)
Witness Fraud DK	-.347** (.116)	-.295*** (.112)	-.228** (.109)
Likelihood of Fraudulent Voting	-.685**** (.119)	-.584**** (.114)	-.525**** (.112)
Likelihood of Fraudulent Voting DK	-.381*** (.131)	-.186 (.126)	-.100 (.124)
Law Not Strict Enough	-.141 (.116)	-.154 (.111)	-.181* (.109)
Demographics			
Gender (female)	-.086 (.096)	-.041 (.093)	-.131 (.092)
Age	-.003 (.003)	-.006 (.003)	-.003 (.003)
Education	.056 (.049)	-.012 (.048)	-.021 (.048)
Hispanic	.078 (.128)	-.005 (.124)	.055 (.122)
Other Minority	.291 (.261)	-.070 (.247)	-.059 (.243)
Survey Mode (mail)	.008 (.112)	-.003 (.109)	.039 (.108)
μ_1	-2.022 (.378)	-1.93**** (.369)	-1.28**** (.386)
μ_2	-.456 (.371)	-.463**** (.363)	.006 (.356)
LR Chi-Square	104.11****	91.67****	103.92****
N	674	663	661

Note: + p < .15 * p < .10 **, p < .05, *** p < .01, **** p < .001, all two-tailed tests

Conclusion

We find an interesting story about voter confidence through a consideration of the larger electoral context in which voters operate. As previous studies have shown, we find that short term effects regarding a voter's experience with the voting process and winning and losing are important to voter confidence levels. We also find that in 2010 attitudes toward the president's general job performance contributed significantly to all levels of voter confidence. This is something that we have not seen before and raises questions about how winning, losing, and control of government matter to voter confidence. For example, it could be that winning is about individual candidates and power in government, creating both dyadic and collective representative explanations for voter confidence. This is something that needs to be examined in future research both theoretically and empirically.

Voter identification policies appear to have little effect in these models. We find that voters that were asked to show a photo id were more likely to be confident in their individual vote, but this did not carry over into higher levels of confidence. We also did not find an effect for the law. Voters who thought the current law was not strict enough did not display lower levels of confidence, except a very marginal effect at the state level. However, it is important to note that if we remove the variable that measures perceptions of fraud in the polling place, this variable does become negative and significant for each model. Thus, there may be a stronger effect here than we realize due to model specification. Even so, when we look at the difference in probabilities, the effect is, relatively speaking, rather small at 8% (from 70% to 78%) compared to what we see for the perception of fraud measure.

We also find that attitudes and perceptions about fraud matter quite a bit. We find that both perceptions of fraudulent activities such as vote tampering and non citizens voting as well

as the belief that fraud has happened in recent elections are negatively associated with voter confidence. Interestingly, we find that perceptions of fraud are mainly driven by media exposure to the 2000 and 2004 presidential elections. Over a majority of voters who had seen fraud, saw it not up close and personal, but lived it vicariously through the media information storm, post election spins from elites (e.g. Kennedy, 2003), and an HBO movies (*Recount*). This is an interesting finding because political elites (including attorneys and political scientists)[7] would not see manipulation of the process through rules and procedures as election fraud, but for voters any nefarious activity that appeared to disenfranchise voters was problematic.

This suggests that fraud is seen at both ends of the spectrum and election reforms need to consider that some voters are more worried about fraud from the bottom up and others are more concerned from a top down perspective. The two variables, are positively related, but only weakly so (r=.123), suggesting two different types of concerns are relevant to fraud. Voters who perceive a higher likelihood of fraudulent activities taking place by individuals acting against the rules of the game is problematic as well as elites manipulating the process. So far, most election reforms have focused on the defeating voter fraud at the individual level and the use of the hand counts to ensure the accuracy of election outcomes, but has not focused on fundamental changes in the process that would eliminate partisan run elections. Such actions may be very popular (Llewellyn, Alvarez and Hall 2003) and provide an interesting counterpoint to current measures.

[7] This is based upon my perspective as a political scientist and one legal practitioner who works in election law.

References

Alvarez, R. Michael, Thad Hall, Stephen Ansolabehere, Adam Berinksy, Gabriel Lenz and Charles Stewart III. 2009. "2008 Survey of the Performance of American Elections." Caltech/MIT Voting Technology Project, http://vote.caltech.edu/drupal/node/231.

Alvarez, R. Michael, Thad E. Hall and Morgan Llewellyn. 2008. "Are Americans Confident Their Ballots Are Counted?" 2008. *Journal of Politics.* 70(3): 754–766.

Alvarez, R. Michael, Thad E. Hall and Morgan Llewellyn. 2009. "The Winner's Effect: Voter Confidence Before and After the 2006 Elections." Typescript, California Institute of Technology.

Alvarez, R. Michael, and Thad E. Hall. 2004. Point, Click & Vote: The Future of Internet Voting. Washington: Brookings Institution Press.

Alvarez, R. Michael and Thad E. Hall. 2006. "Controlling Democracy: The Principal-Agent Problems in Election Administration." *Policy Studies Journal*, 491-510.

The American Association for Public Opinion Research. 2008. *Standard Definitions: Final Dispositions of Case Codes and Outcome Rates for Surveys. 5th edition*. Lenexa, Kansas: AAPOR.

Anderson, Christopher J. and Yuliya V. Tverdova. 2003. "Winners, Losers, and Attitudes about Government in Contemporary Democracies." *International Political Science Review* 22(4): 321-338.

Anderson, Christopher J., and Andrew J. LoTempio. 2002. Winning, Losing, and Political Trust in America. *British Journal of Political Science* 32**(** 2): 335– 51.

Ansolabehere, Stephen. 2009. "Effects of Identification Requirements on Voting: Evidence from the Experiences of Voters on Election Day." *PS: Political Science & Politics* 42(1): 127-130.

Ansolabehere, Stephen, and Charles Stewart III. 2005. \Residual votes attributable to technology." *Journal of Politics* 67(3), 365-389.

Atkeson, Lonna Rae, Lisa A. Bryant, Thad E. Hall, Kyle L. Saunders, and R. Michael Alvarez. 2010a. "A New Barrier to Participation: Heterogeneous Application of Voter Identification Policies." *Electoral Studies* 29(1): 66-73.

Atkeson, Lonna Rae, R. Michael Alvarez, Thad E. Hall. 2009. "Provisional Voting in New Mexico," Pew Charitable Trusts, The Center for the States, *Provisional Ballots: An Imperfect Solution*, at: http://www.pewcenteronthestates.org/initiatives_detail.aspx?initiativeID=54789.

Atkeson, Lonna Rae. R. Michael Alvarez, Thad E. Hall. 2010. "The 2008 New Mexico Election Administration Report," University of New Mexico, available at www.unm.edu/~Atkeson.

Atkeson, Lonna Rae and Kyle L. Saunders. 2007. "Voter Confidence: A Local Matter?" *PS: Political Science & Politics*, 655-660.

Atkeson, Lonna Rae and Lorraine Tafoya. 2008. "Close, but Not Close Enough: Democrats Lose Again by the Slimmest of Margins in New Mexico's First Congressional District," In War Games: Issues and Resources in the Battle for Control of Congress, edited by David Magleby and Kelly Patterson, Boulder: Paradigm Publishers.

Banducci, Susan A. and Jeffrey A. Karp. 2003. How Elections Change the Way Citizens View the Political System: Campaigns, Media Effects and Electoral Outcomes in Comparative Perspective. *British Journal of Political Science*, 33, 433-467.

Bryant, Lisa A. 2010. "Voter Confidence and the Use of Absentee Ballots and Voter Assist Terminals: An Experimental Study," Typescript, University of New Mexico."

Bullock, Charles III, M. V. Hood III, and Richard Clark. 2005. "Punch Cards, Jim Crow, and Al Gore: Explaining Voter Trust in the Electoral System in Georgia, 2000." *State Politics and Policy Quarterly* 5(3): 283–94.

Citrin, Jack, and Samantha Luks. 2001. ''Political Trust Revisited: Déjà Vu All Over Again?'' In *What Is it about Government that Americans Dislike*?, eds. John R. Hibbing and Elizabeth Theiss-Morse. New York: Cambridge University Press.

Claassen, Ryan L., David B. Magelby, J. Quin Monson, and Kelly D. Patterson. 2008. " "At Your Service": Voter Evaluations of Poll Worker Performance." *American Politics Research* 36(4): 612-34.

Clarke, Harold D and A.C. Acock. 1989. "National Elections and Political Attitudes: The Case of Political Efficacy." *British Journal of Political Science* 19(4):551-62.

Cobb, Rachael V., D. James Greiner, and Kevin M. Quinn. 2010. "Can Voter ID Laws Be Administered in a Race-Neutral Manner? Evidence from the City of Boston in 2008." To be presented at the Midwest Political Science Association's Annual Meeting, April 22-25, Chicago, Illinois.

Conrad, Frederick G., Benjamin B. Bederson, Brian Lewis, Emilia Peytcheva, Michael W. Traugott, Michael J. Hanmer, Paul S. Herrnson, and Richard G. Niemi. 2009. "Electronic Voting Eliminates Hanging Chads But Introduces New Usability Challenges." *International Journal of Human-Computer Studies* 67:111-124.

Craig, Steven C., Richard C. Neimi, G.E. Silver. 1990. "Political Efficacy and Trust: A report on the NES Pilot Study Items." *Political Behavior* 12:289-314.

Craig, Stephen and Michael Magiotto. 1982. Measuring Political Efficacy. *Political Methodology* 8:89-110.

Gerken, Heather. 2009. *The Democracy Index*. Princeton: Princeton University Press.

Ginsberg, Benjamin and Robert Weissberg. 1978. Elections and the Mobilization of Popular Support. *American Journal of Political Science*, 22, 31-55.

Gronke, Paul and James Hicks. 2009. "Reexamining Voter Confidence as a Metric for Election Performance," presented at the Midwest Political Science Association's Annual Meeting, Chicago, Illinois, April 1-4.

Hall, Thad E., Quin Monson, and Kelly Patterson. 2009. "The Human Dimension of Elections: How Poll Workers Shape Public Confidence in Elections," *Political Research Quarterly* 62(2): 507-522.

Herrnson, Paul S., Richard G. Niemi, Michael J. Hanmer, Peter L. Francia, Benjamin B. Bederson, Frederick G. Conrad, and Michael W. Traugott. 2008b. "Voter Reactions to Electronic Voting Systems: Results from a Usability Field Test. *American Politics Research* 36:580-611.

Herrnson, Paul S., Benjamin B. Bederson, Bongshin Lee, Peter L. Francia, Robert M.

Sherman, Frederick G. Conrad, Michael Traugott, and Richard Niemi. 2005.Kerevel, Yann. 2009. "Election Management Bodies and Public Confidence in Elections: Lessons from Latin America." Presented at the International Foundation for Electoral Systems' Election Management and Voter Confidence: Lessons from Latin America and Africa, Washington, DC, August 11, 2009.

Kennedy, Robert F., Jr. 2006. "Was the 2004 Election Stolen?" *Rolling Stone*, June 15, 2006, http://www.rollingstone.com/news/story/10432334/was_the_2004_election_stolen.

Kimball, David C. and Martha Kropf. 2005. Ballot design and unrecorded votes on paper-based ballots. *Public Opinion Quarterly* vol. 69(4): 508–529.

Kimball, David C. and Martha Kropf. 2008. Voting technology, ballot measures, and residual votes. *American Politics Research* vol. 36(4): 479–509.

Knack, Stephen and Martha Kropf. 2003. Voided ballots in the 1996 presidential election: A county-level analysis. *Journal of Politics* vol. 65(3): 881–897.

Llewellyn, Morgan, R. Michael Alvarez and Thad E. Hall. 2007. "How Hard Can It Be: Do Citizens Think It Is Difficult To Register To Vote?" *Stanford Law and Policy Review* 18(2): 282-409.

Mebane, Walter R. 2004. The wrong man is president! Overvotes in the 2000 presidential election in Florida. *Perspectives on Politics* vol 2(3): 525–535.

Miller, Arthur H. 1974. "Political Issues and Trust in Government: 1964-1970." *American Political Science Review* 68:989-1001.

Pitts, Michael J. and Mathew D. Neumann. 2009. "*Journal of Law and Politics, Vol. 25, No. 3, Summer 2009, available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1465529*

Stein, Robert, Greg Vonnahme, Michael Byrne, and Daniel Wallach. 2008. Voting Technology, Election Administration, and Voter Performance." *Election Law Journal* 7(2): 123-235.

Tomz, Michael, and Robert P. Van Houweling. 2003. ''How Does Voting Equipment Affect the Racial Gap in Voided Ballots?'' *American Journal of Political Science* 47 (1): 46–61.

Tomz, Michael, Jason Wittenberg, and Gary King. 2001. *CLARIFY: Software for Interpreting and Presenting Statistical Results*. Version 2.0. Cambridge, MA: Harvard University, June 1. http://gking.harvard.edu

Wand, Jonathan N., Kenneth W. Shotts, Jasjet S. Sekhon, Walter R. Mebane Jr., Michael C. Herron, and Henry E. Brady. 2001. "The Butterfly Did It: The Aberrant Vote for Buchanan in Palm Beach County, Florida." *American Political Science Review* 95 (4): 793–810.