Exhibit G: Analysis of the 57th-59th Idaho Senate and House

Summary Points

1. An original analysis of roll call voting data in the Idaho legislature suggests that political parties are extremely ideologically cohesive and quite strong. There is little overlap—if any—between the most liberal Republican and the most conservative Democrat in the legislature.

2. There is no evidence of a Trojan Horse candidate winning an election and serving as a Republican-in-name-only in the Idaho legislature.

3. The Idaho legislature is already extremely polarized; this could be exacerbated if the state moved to a closed primary system.

Introduction

In order to assess the potential impact of crossover voting it is important to look at the behavior of those who emerge from the electoral process. If crossover voting is rampant—and "real" Democrats are elected to the House or Senate as Republicans—we would expect the legislative behavior of these Republicans-in-name-only to behave more like Democrats than Republicans. If, on the other hand, the data show a typical highly polarized legislature with great ideological cohesion by party, one could conclude that crossover voting is not consequential.

Perhaps the most consequential behavior in any legislative body—especially in the United States—is casting roll call votes on important matters of the day. In every legislative session, members of the Idaho legislature cast votes on scores of matters, ranging from agriculture, education, and the environment, to the budget and matters concerning small businesses. For nearly fifty years, political scientists have used these roll call data and increasingly sophisticated statistical models to place members of legislative bodies on an ideological continuum (for a review see Poole 2007). In doing so, it allows testing of all manner of theories of legislative behavior.

The Data

The purpose of this study is to understand the roll call voting behavior in the 57th (2003-2004), 58th (2005-2006), and 59th (2007-2008) sessions of the Idaho legislature for both the House and Senate. We extracted every roll call vote from the *Journal of the House of Representatives* and the *Senate Journal of the Idaho Legislature* for these six years (the bibliography contains online links to the journals). We then entered these data into a matrix for each House and Senate, which recorded whether each member voted yes, no, and did not participate for each roll call vote.[1] For the 72 members that served in the 57th House, there were 1075 roll calls cast; 555 of them were non-unanimous. (There are more than 70 members because of turnover in the legislature during or between sessions). For the 58th House, there were 1277 roll calls cast; with 554 being non-unanimous. For the 59th House, there were again 72 members. 1149 roll calls were cast; 481 that were non-unanimous. There were 35 members in the 57th Senate. A total of 951 roll calls were cast; 359 were non-unanimous. For the 58th Senate, the 36 members cast 1017 roll call votes; 280 were non-unanimous. Finally, for the 59th Senate, the 35 members cast 906 roll call votes; 205 that were non-unanimous. This analysis could be done for many more legislative sessions, we simply ran out of resources and time. These sessions span the time period of interest in Professor Munger's report and Mr. Ripley's report. I refer to some of the specific findings here when discussing Mr. Ripley's report.

The Model

The next step in the process is to use these data to locate each member in an ideological space. Professor Munger uses the spatial theory of voting to discuss behavior in the electorate. A similar long-standing tradition uses the spatial theory of voting to describe how legislators (and—in appellate courts—judges) reach their decisions. In the literature there are two commonly used models: the NOMINATE model and its variants (Poole 2005), and a Bayesian item response theory model (Clinton, Jackman, and Rivers 2004). Both

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[1] We treated paired votes—when members on opposite sides of an issue agree beforehand not to participate but publicly announce their position—as actual votes. We also treat cases where an individual votes as a temporary substitute member for another member as being cast by the member being substituted for.

models will recover the same rank-ordering of legislators, and since that is our interest here, the choice of which model to use is inconsequential. I thus adopt the Clinton, Jackman, and Rivers model for analysis.[2] What comes out of the analysis is the relative location of each member of the legislature that runs on a dimension from liberal (left) to conservative (right), along with a measure of the uncertainty of the estimate.

The Findings

I report the estimates from the model graphically in a series of six figures. Each figure contains a dotplot, which shows the location of each member in the respective session. The dot for each member is the estimated position of the member in ideological space. The thick line that runs through the dot is a 90% credible interval, representing the model's uncertainty in the estimate. For the sake of presentation, members are presented from the most liberal to the most conservative. Democrats are shown with blue dots; Republicans with red dots. Finally, above each dot plot is a density plot that shows the collective distribution of the locations of the Democrats (in blue) and Republicans (in red). Because the Republicans enjoy such an overwhelming majority throughout this time period, the overall distribution of the legislature is mostly red. What follows is a discussion of the patterns that emerge from each set of analysis.

Figure G-1 shows the results from the 57th Idaho House (2003-2004). There is a tremendous amount of party cohesion among 72 members who served in this session. Of the fifty-five Republicans, all but two are ideologically contiguous. Of the seventeen Democrats, all but two are ideologically contiguous. The most conservative Democrat in the 57th House is Cuddy (District 8). Cuddy hails from a markedly Republican area of the state. The only way for a Democrat to be electorally viable in such a district is to be somewhat conservative. Shepherd (District 2) is the next most conservative Democrat. She hails from another predominantly Republican area of the state, including Shoshone and Benewah Counties and parts of Bonner and Kootenai counties. The most liberal Republican Trail hails from District 6 (Latah County), one of the most liberal counties in the state. The only way for a Republican to be viable in this district is to fall near the median voter which, in Latah County, is likely to the left of the ideological spectrum in Idaho.

I present results from the 58th Idaho House (2005-2006) in Figure G-2. This House again featured 17 Democrats. But for Shepherd (District 2), the amount of polarization is stark. Again, Representatives Jones and Trail are the most liberal Republicans. It's striking to note that both were re-elected. It is simply implausible that these two candidates were Trojan Horse Democrats winning on the Republican ticket in sequential elections. The extremely wide credible interval for Marriott (R) also deserves mention. Marriott cast only three roll call votes in the 2006 Special Session; the model, thus, has very little information about his spatial location, which is expressed with the great deal of uncertainty in his location.

The results of the 59th Idaho House (2007-2008)—presented in Figure G-3—look very similar. Trail is the only Republican that overlaps the Democrats. Representative Trail continues to win election in Latah County as a Republican. That fact that he is the most liberal Republican suggests that he is representing his district well; otherwise, he would

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[2] The models reported here were estimated using the MCMCirt1d() function in MCMCpack (Martin, Quinn, and Park 2009). The default priors are used for the spatial locations and bill parameters. All chains were run for 20,000 iterations after a burn-in of 2,500 iterations. All chains demonstrate convergence. To identify each model, we arbitrarily fix one member at -2 on the scale and other at 2. All estimates are relative to those positions, and thus should not be compared across sessions.

easily be defeated in the primary or general election. Overall, the results from the House do not suggest there are any Trojan Horse candidates winning election in the Idaho Legislature.

There is some overlap among Republicans hailing from liberal-leaning districts and Democrats hailing from conservative-leaning districts, but overall the parties are quite distinct. The amount of overlap in the 57th House is small compared to other bodies, such as the U.S. House and Senate over the last few decades. Since 1977 there has been an increasing polarization in American politics (McCarty, Poole, and Rosenthal 2006), both in the electorate and in the Congress. The data here suggest that the pattern is evident in Idaho, in far greater magnitude. Moving to a closed primary system has the potential to increase polarization all the more.

The results from the Senate are all the more striking. Figures G-4 through G-6 contain the estimates for the 57th, 58th, and 59th Senates. *In no case is the most conservative Democrat to the right of the most liberal Republican!* Senator Schroeder (District 6) hails from Latah County. It, along with the smaller in population Blaine County, were the two counties that voted most for President Obama in the 2008 election. The only way for a Republican candidate to be viable term-after-term in this district is to represent the median voter— something Schroeder seems to be doing well. I will discuss Schroeder more specifically in my reactions to Mr. Ripley's report. The model shows that in the 57th Senate, the probability that Schroeder is to the right of Marley is 97.0%. There is more differentiation between the most liberal Republican and the most conservative Democrat in the 58th Senate; the probability is greater than 99.9%. It drops to 96.0% in the 59th.

The amount of polarization here is stark. Indeed, there is a clear split ideologically between elected Democrats and Republicans; i.e., there is no evidence whatsoever of Trojan Horse candidates. Moreover, even if one believed that Trojan Horse candidates were winning, for that to be consequential legislatively, they would have to be winning in great numbers. *Indeed, just as an example, for the 59th Senate, there would have to be eleven Trojan Horse Republicans along with the seven Democrats to produce a legislative majority!* That is clearly not happening.
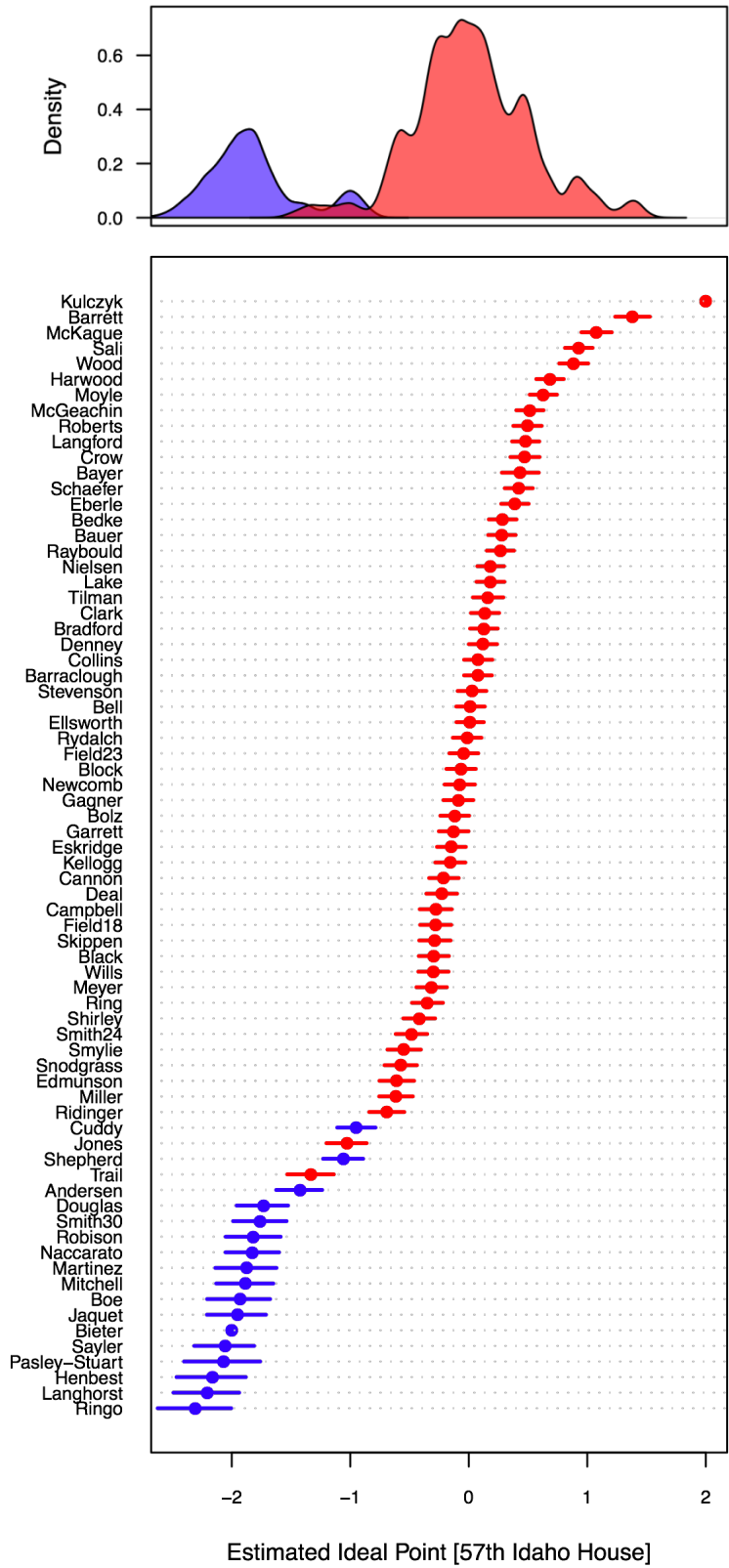
Figure G-1. Roll call vote analysis of the 57th Idaho House (2003-2004). The dotplot shows the estimated location of each member and a 90% credible interval. Democrats are shown in blue; Republicans in red. The density plot shows the distribution of locations for each party. The model correctly classifies 91.2% of the roll call votes.
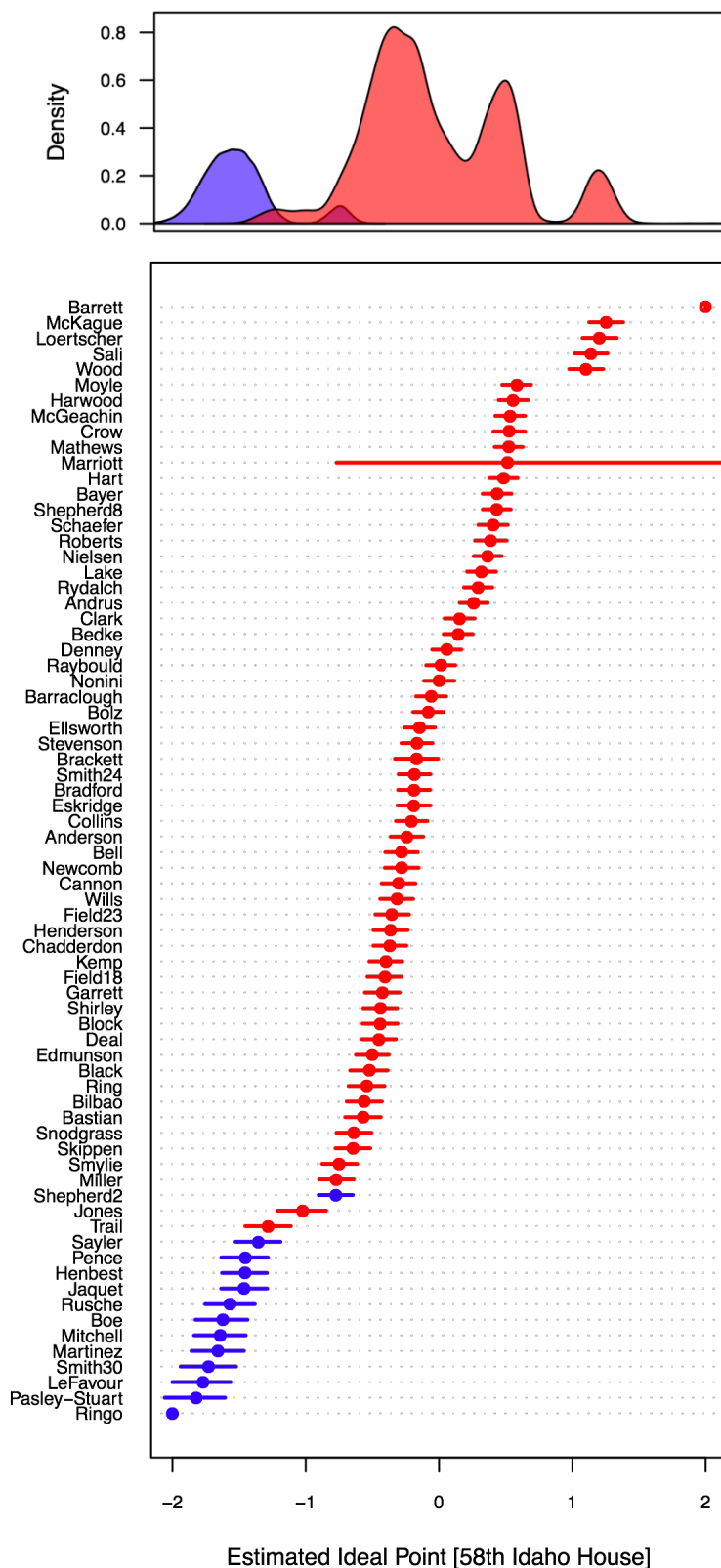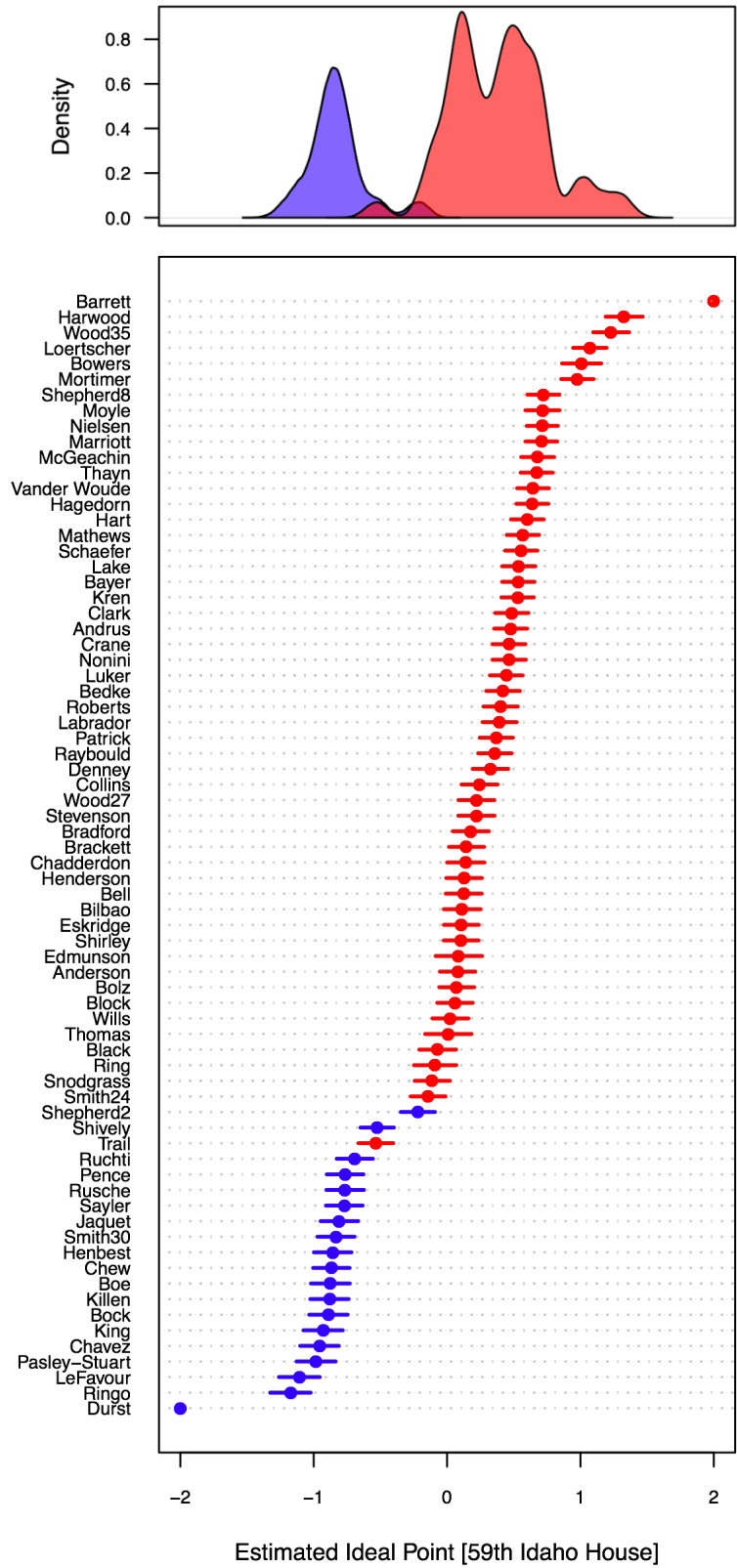
Figure G-2. Roll call vote analysis of the 58th Idaho House (2005-2006). The dotplot shows the estimated location of each member and a 90% credible interval. Democrats are shown in blue; Republicans in red. The density plot shows the distribution of locations for each party. The model correctly classifies 91.6% of the roll call votes.
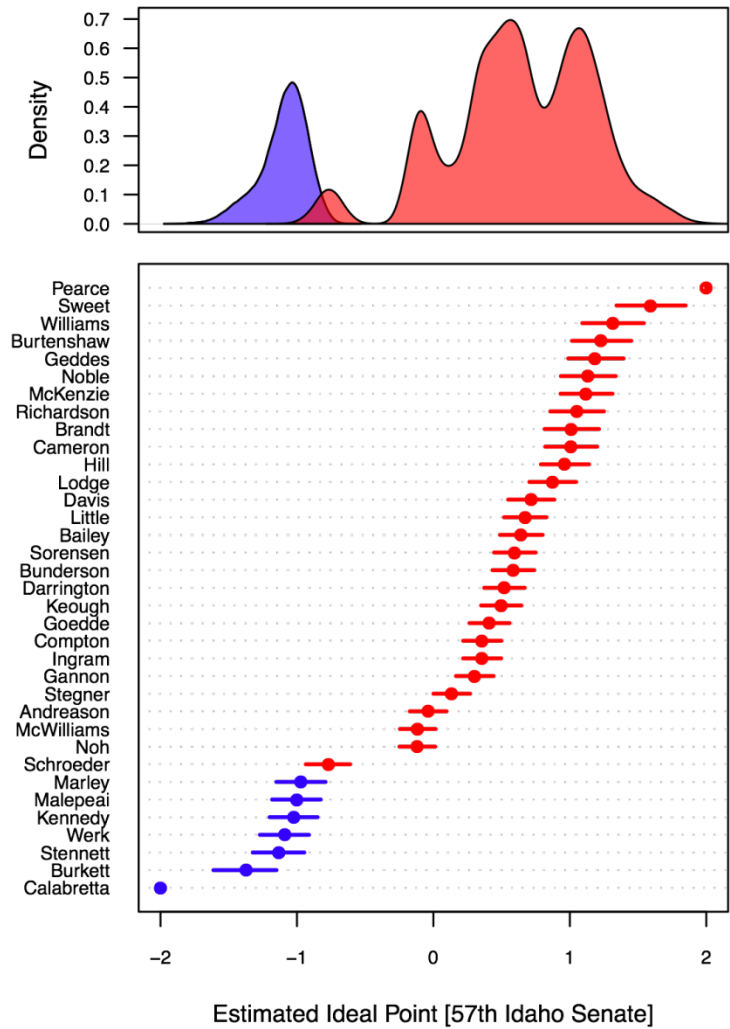
Figure G-3. Roll call vote analysis of the 59th Idaho House (2007-2008). The dotplot shows the estimated location of each member and a 90% credible interval. Democrats are shown in blue; Republicans in red. The density plot shows the distribution of locations for each party. The model correctly classifies 92.8% of the roll call votes.

Figure G-4. Roll call vote analysis of the 57th Idaho Senate (2003-2004). The dotplot shows the estimated location of each member and a 90% credible interval. Democrats are shown in blue; Republicans in red. The density plot shows the distribution of locations for each party. The model correctly classifies 89.1% of the roll call votes.
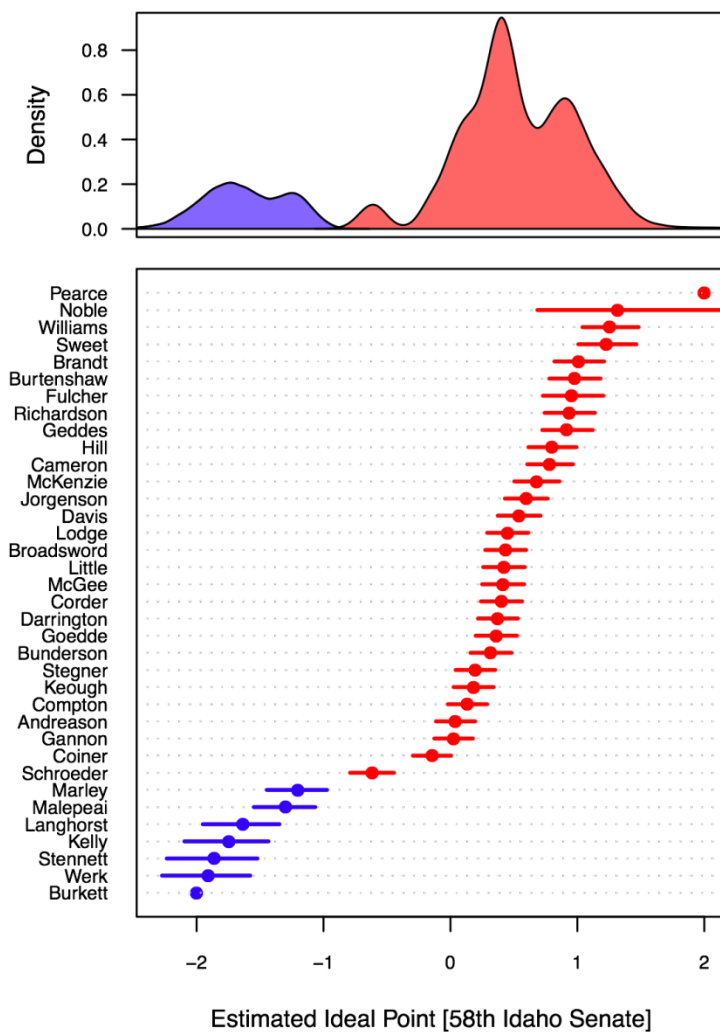
Figure G-5. Roll call vote analysis of the 58th Idaho Senate (2005-2006). The dotplot shows the estimated location of each member and a 90% credible interval. Democrats are shown in blue; Republicans in red. The density plot shows the distribution of locations for each party. The model correctly classifies 89.1% of the roll call votes.
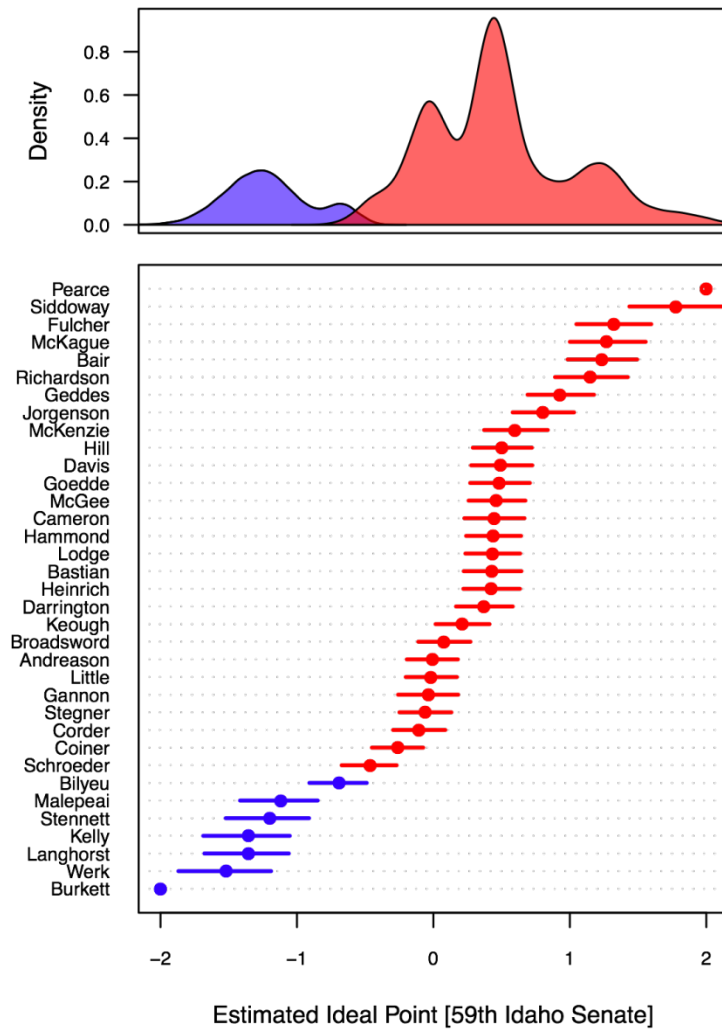
Figure G-6. Roll call vote analysis of the 59th Idaho Senate (2007-2008). The dotplot shows the estimated location of each member and a 90% credible interval. Democrats are shown in blue; Republicans in red. The density plot shows the distribution of locations for each party. The model correctly classifies 88.5% of the roll call votes.