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Voters inclined to support many of this year's statewide ballot propositions.

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VOTERS INCLINED TO SUPPORT MANY OF THIS YEAR'S STATEWIDE BALLOT PROPOSITIONS.

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By Mark DiCamillo, Director, *The Field Poll*

The final pre-election *Field-IGS Poll*, conducted jointly by *The Field Poll* and UC Berkeley's Institute of Governmental Studies, assessed likely voter preferences one week before the election on ten of the most contentious propositions on the statewide ballot. The results show majorities of voters are inclined to vote Yes on seven of the ten, while voters are divided on three others, with Yes side support hovering close to 50%.

Among the initiatives with a significant lead is Proposition 64, the marijuana legalization initiative, which would make it legal for adults age 21 or older to use the drug and would impose state taxes on its sale. In the current poll, 57% of likely voters are intending to vote Yes, while 40% are inclined to vote No. In addition to Prop. 64, the other ballot measures that were leading in the poll and the percentage of Yes side support for each are as follows:

- Proposition 52, Medi-Cal Hospital Fee Program (66%)
- Proposition 55, Tax Extension to Fund Education and Healthcare (59%)
- Proposition 56, Cigarette Tax (55%)
- Proposition 57, Criminal Sentences. Parole (64%)
- Proposition 58, English Proficiency. Multilingual Education (68%)
- Proposition 63, Firearms. Ammunition Sales (59%)

Among the initiatives where voting preferences are closely divided are two competing ballot measures aimed at changing the state's death penalty law. Each has with very different aims. The first, Proposition 62, calls for repealing the death penalty altogether and replacing it with life in prison without the possibility of parole. The other, Proposition 66, attempts to change procedures relating to court challenges in death penalty cases and is intended to speed up implementation of death sentences. In the election's final week, likely voter support for each measure was hovering near 50%, with 51% supporting Prop. 62 and 48% backing Prop. 66. Since they are competing

initiatives on the same topic, if both should receive a majority of the vote, the initiative receiving the most votes would prevail.

A third ballot initiative closely dividing voters in the final poll is the prescription drug purchasing initiative, Proposition 61. The current poll finds voters equally divided, with 47% on the Yes side and 47% on the No side. However, when compared to a *Field-IGS Poll* completed last month, Yes side support has declined slightly, and nearly all of those previously undecided have moved to the No side.

Table 1						
Trend of likely voter preferences toward ten of the most salient statewide propositions on the November general election ballot (after being shown the official title and summary that appears on the ballot)						
	Late October			September		
	<u>Yes</u>	<u>No</u>	<u>Undec.</u>	<u>Yes</u>	<u>No</u>	<u>Undec.</u>
Prop. 52 (Medi-Cal Hospital Fees)	66%	29	5	N/A	N/A	N/A
Prop. 55 (Tax Extension)	59%	38	3	60%	30	10
Prop. 56 (Cigarette Tax)	55%	43	2	53%	40	7
Prop. 57 (Criminal Sentences. Parole)	64%	32	4	60%	21	19
Prop. 58 (English Proficiency. Bilingual Education)	68%	27	5	69%	14	17
Prop. 61 (Prescription Drug Purchases)	47%	47	6	50%	16	34
Prop. 62 (Death Penalty Repeal)	51%	45	4	48%	37	15
Prop. 63 (Firearms, Ammunition Sales)	59%	38	3	60%	30	10
Prop. 64 (Marijuana Legalization)	57%	40	3	60%	31	9
Prop. 66 (Death Penalty Procedures)	48%	42	10	35%	23	42

N/A: Not included in September poll.

Comparing support and opposition to the two death penalty initiatives across voter subgroups

The battle lines between those supporting or opposing Prop. 62 to repeal the death penalty are very clearly drawn. The constituencies most inclined to vote Yes on Prop. 62 to repeal the death penalty are Democrats, liberals, those under age 40, residents of the San Francisco Bay Area, voters affiliated with a non-Christian religion or who have no religious preference, and those with a post-graduate education. The subgroups most likely to be opposed to its passage are Republicans, conservatives, Protestants, voters age 65 or older, those living in the state's inland counties, and voters who have not graduated from college.

The partisan, ideological and demographic differences in voter preferences on Prop. 66 are not as distinct. This may indicate greater confusion about the intent of Prop. 66 among some voters than there is on Prop. 62.

Table 2
California voter preferences regarding Propositions 62 and 66
across subgroups of the likely voter population

	Prop. 62: Death Penalty Repeal		Prop. 66: Death Penalty Procedures	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
Total likely voters	51%	45	48%	42
<u>Voting method</u>				
Precinct	45%	51	52%	37
Mail	54%	41	46%	45
Already voted	57%	39	45%	48
<u>Party registration</u>				
Democrat	68%	28	47%	42
Republican	24%	72	56%	34
No party preference/other	54%	44	42%	50
<u>Political ideology</u>				
Conservative	26%	70	58%	36
Moderate	42%	53	48%	40
Liberal	77%	20	41%	48
<u>Area</u>				
Coastal counties	55%	40	48%	40
Inland counties	42%	56	50%	45
<u>Region</u>				
Los Angeles County	57%	39	52%	37
South Coast	50%	46	49%	39
Other Southern CA	40%	56	49%	42
Central Valley	43%	56	51%	44
San Francisco Bay Area	60%	34	43%	45
Other Northern CA*	40%	54	38%	52
<u>Gender</u>				
Male	49%	49	50%	43
Female	53%	42	47%	41
<u>Age</u>				
18-39	62%	34	51%	40
40-49	49%	46	43%	41
50-64	50%	47	43%	47
65 or older	41%	55	54%	38
<u>Race/ethnicity</u>				
White non-Hispanic	52%	44	50%	40
Latino	48%	47	45%	45
African American*	58%	38	46%	47
Asian American*	47%	49	50%	33
<u>Education</u>				
High school graduate or less	39%	55	60%	32
Some college/trade school	41%	54	50%	38
College graduate	56%	41	47%	44
Post-graduate work	67%	31	38%	53
<u>Religion</u>				
Protestant	39%	56	57%	35
Catholic	47%	51	49%	44
Other religions	65%	33	46%	41
No preference	61%	35	41%	49

* Small sample base.

Note: Differences between 100% and sum of each subgroup's percentages for each measure equal proportion of voters who are undecided or may not vote on this proposition.

Some voters say they'll be voting Yes on both death penalty ballot measures

Nearly a quarter of likely voters in the poll (23%) said they were intending to vote Yes on both measures, even though they have opposite aims. This may partially be due to confusion about the intent of Prop. 66, or simply that some voters want to change the status quo of how the state now handles death penalty cases, regardless of how it's done. Even so, the voter subgroups most inclined to be voting Yes on both initiatives are voting constituencies who tend to support the death penalty's repeal – Democrats, voters under age 40, and liberals. Thus, should these voters follow through and vote yes not only on Prop. 62, but also on Prop. 66, they would in effect be reducing the chances of repealing the death penalty, since if Prop. 66 were to receive more votes, its provisions would supersede those of Prop. 62.

Table 3				
Comparing voter preferences on Prop. 62 (Death Penalty Repeal) and Prop. 66 (Death Penalty Procedures) (among likely voters)				
	Yes on both	Yes on Prop. 62 only	Yes on Prop. 66 only	Yes on neither
Total likely voters	23%	28	25	24
Party registration				
Democrat	32%	36	15	17
Republican	15%	9	41	35
No party preference	17%	36	25	22
Political ideology				
Conservative	18%	8	40	34
Moderate	19%	23	29	29
Liberal	29%	48	11	12
Age				
18-39	32%	30	20	19
40-64	21%	29	22	28
65 or older	17%	24	37	22

Vote on Prop. 61, Prescription Drug Purchases, is highly partisan and varies across subgroups

Voters were evenly divided, 47% to 47%, on Prop. 61, the Prescription Drug Purchases initiative, one week before the election. Preferences divide sharply along party and ideological grounds, with Democrats and liberals voting Yes by roughly two-to-one margins, and Republicans and conservatives opposed nearly three to one.

There are also differences in voting preferences along generational and ethnic lines. For example, while a 56% of voters under age 40 are voting Yes, 59% of seniors age 65 or older are voting No. And, while a majority of the state's Latinos and African Americans are on the Yes side, white non-Hispanics are narrowly opposed.

There are also differences by educational attainment and region. Voters who have not completed college are lining up on the No side, while a majority of voters with a postgraduate education are voting Yes. Support for Prop. 61 is strongly among voters in the nine-county San Francisco Bay Area, while voters in the Central Valley are more likely to be voting No.

Table 4			
California voter preferences regarding Proposition 61 across subgroups of the likely voter population			
Prop. 64 (Prescription Drug Purchases)			
	Yes	No	Undecided/ might not vote
Total likely voters	47%	47	6
<u>Voting method</u>			
Precinct	48%	47	5
Mail	46%	48	6
Already voted	45%	48	7
<u>Party registration</u>			
Democrat	60%	33	7
Republican	25%	72	3
No party preference/other	50%	43	7
<u>Political ideology</u>			
Conservative	27%	70	3
Moderate	50%	44	6
Liberal	62%	31	7
<u>Area</u>			
Coastal counties	48%	45	7
Inland counties	45%	53	2
<u>Region</u>			
Los Angeles County	47%	47	6
South Coast	48%	47	5
Other Southern CA	48%	48	4
Central Valley	40%	55	5
San Francisco Bay Area	52%	41	7
Other Northern CA*	42%	55	3
<u>Gender</u>			
Male	47%	49	4
Female	47%	46	7
<u>Age</u>			
18-39	57%	35	8
40-49	50%	40	10
50-64	45%	52	3
65 or older	38%	59	3
<u>Race/ethnicity</u>			
White non-Hispanic	45%	50	5
Latino	53%	40	7
African American*	63%	31	6
Asian American*	39%	48	13
<u>Education</u>			
High school graduate or less	43%	51	6
Some college/trade school	44%	52	4
College graduate	47%	45	8
Post-graduate work	54%	40	6

* Small sample base. Differences between 100% and sum of each subgroup's percentages equal proportion of voters who are undecided or may not vote on this proposition.

Comparing voter preferences on marijuana legalization ballot propositions now vs. 2010

There have been two previous attempts to legalize the sale of marijuana for recreational use in California, and both were defeated at the polls. The first was soundly rejected 66.5% to 35.5% by voters in November 1972. The second, six years ago, was a much closer affair. That measure, Proposition 19 on the November 2010 ballot, was defeated by just seven points, 53.5% to 46.5%. In that year, the final pre-election *Field Poll*, completed one week before the election, also showed the measure trailing by seven points.

A comparison of the supporters and opponents from that 2010 *Field Poll* to current voter preferences on Prop. 64 reveals a number of sizeable shifts in voting preferences over the past six years. For example, six years ago voters age 40-49 opposed Prop. 19. Now, they are lining up in support of Prop. 64 more than two to one.

Similarly, while a 55% majority of Latino voters opposed Prop. 19 in 2010, Latinos are now backing Prop. 64 59% to 37%. In addition, while those with no more than a high school education opposed Prop. 19 more than two to one, they are now narrowly supportive of Prop. 64.

Regional shifts in voting preference are also evident. Six years ago voters living in the state's inland counties opposed Prop. 19 by more than twenty points. Today, they are about evenly divided on Prop. 64. In addition, coastal voters, who live in counties that touch the Pacific Ocean or San Francisco Bay, are also much more strongly supportive of Prop. 64 this year than they were in 2010.

The current poll finds that the strongest voting bloc in favor of legalizing marijuana are voters who say that they themselves have used marijuana in the past year. Among these voters, 95% are voting Yes on Prop. 64.

Table 4
Comparing voter preferences on the Prop. 64 marijuana legalization initiative this year to those on the Prop. 19 marijuana legalization initiative in 2010 (across subgroups of the likely voter population)

	Prop. 64 (Marijuana Legalization) in 2016		Prop. 19 (Marijuana Legalization) in 2010	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
Total likely voters	57%	40	42%	49
<u>Voting method</u>				
Precinct	56%	42	43%	50
Mail	58%	38	42%	47
Already voted	56%	40	N/A	N/A
<u>Party registration</u>				
Democrat	72%	24	51%	39
Republican	33%	65	25%	65
No party preference/other	60%	37	57%	35
<u>Political ideology</u>				
Conservative	32%	66	20%	71
Moderate	59%	38	46%	45
Liberal	78%	18	68%	24
<u>Area</u>				
Coastal counties	60%	35	45%	45
Inland counties	50%	49	35%	57
<u>Gender</u>				
Male	57%	41	44%	48
Female	57%	39	40%	50
<u>Age</u>				
18-39	66%	29	54%	38
40-49	68%	29	39%	52
50-64	58%	39	47%	42
65 or older	42%	57	29%	63
<u>Race/ethnicity</u>				
White non-Hispanic	57%	41	46%	46
Latino	59%	37	35%	55
African American*	68%	28	45%	40
Asian American/other	51%	39	17%	66
<u>Education</u>				
High school graduate or less	51%	46	30%	60
Some college/trade school	56%	43	45%	43
College graduate	60%	37	45%	49
Post-graduate work	60%	33	45%	46
<u>Marijuana use</u>				
Never used	40%	55	N/A	N/A
Have used	<u>71%</u>	<u>27</u>		
Used in past year	91%	8		
Used before this	60%	38		

* Small sample base. N/A: Question not asked in 2010.
 Differences between 100% and sum of each subgroup's percentages for each measure equal proportion of voters who are undecided or may not vote on this proposition.

Information About the Survey

Methodological Details

The findings in this report come from a survey of California voters conducted jointly by *The Field Poll* and the Institute of Governmental Studies at the University of California, Berkeley. The survey was completed online by YouGov October 25-31, 2016 in English and Spanish. The poll was conducted among an overall sample of 1,498 Californians considered likely to vote in the November 2016 general election, but was divided into three matching subsamples when measuring voter preferences about the state ballot propositions. Each proposition was included on two of the three matching subsamples, yielding sample sizes of either 998 or 999 likely voters for each.

YouGov administered the survey among a sample of the California registered voters who were included as part of its online panel of over 1.5 million U.S. residents. Eligible panel members were asked to participate in the poll through an invitation email containing a link to the survey. YouGov selected voters using a proprietary sampling technology frame that establishes interlocking targets, so that the characteristics of the voters selected approximate the demographic and regional profile of the overall California registered voter population. To help ensure diversity among poll respondents, YouGov recruits its panelists using a variety of methods, including web-based advertising and email campaigns, partner-sponsored solicitations, and telephone-to-web recruitment or mail-to-web recruitment. Difficult-to-reach populations are supplemented through more specialized recruitment efforts, including telephone and mail surveys.

The Field Poll and the Institute of Governmental Studies were jointly responsible for developing all questions included in the survey. After survey administration, YouGov forwarded its data file to *The Field Poll* for processing. *The Field Poll* then took the lead in developing and applying post-stratification weights to more precisely align the sample to *Field Poll* estimates of the demographic characteristics of the California registered voter population both overall and by region. The *Field Poll* was also responsible for determining which voters in the survey were considered most likely to vote in this year's election.

The Field Poll was established in 1947 as *The California Poll* by Mervin Field. The Poll has operated continuously since then as an independent, non-partisan survey of California public opinion. *The Field Poll* receives financial support from leading California newspapers and television stations, which purchase the rights of first release to *Field Poll* reports in their primary viewer or readership markets. The Poll also receives funding from the University of California and California State University systems, who receive the data files from each *Field Poll* survey shortly after its completion for teaching and secondary research purposes, as well as from foundations, non-profit organizations, and others as part of the Poll's policy research sponsor program.

Question Asked

Proposition 52: MEDI-CAL HOSPITAL FEE PROGRAM. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Extends indefinitely an existing statute that imposes fees on hospitals to fund Medi-Cal health care services, care for uninsured patients, and children's health coverage. Fiscal Impact: Uncertain fiscal effect, ranging from relatively little impact to annual state General Fund savings of around \$1 billion and increased funding for public hospitals in the low hundreds of millions of dollars annually. How (will you vote/did you vote) on Proposition 52? YES; NO; UNDECIDED

Proposition 55: TAX EXTENSION TO FUND EDUCATION AND HEALTHCARE. INITIATIVE CONSTITUTIONAL AMENDMENT. Extends by twelve years the temporary personal income tax increases enacted in 2012 on earnings over \$250,000, with revenues allocated to K-12 schools, California Community Colleges, and in certain years, healthcare. Fiscal Impact: Increased state revenues – \$4 billion to \$9 billion annually from 2019 – 2030 – depending on economy and stock market. Increased funding for schools, community colleges, health care for low-income people, budget reserves and debt payments. How (will you vote/did you vote) on Proposition 55? YES; NO; UNDECIDED

Proposition 56: CIGARETTE TAX TO FUND HEALTHCARE, TOBACCO USE PREVENTION, RESEARCH, AND LAW ENFORCEMENT. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Increases cigarette tax by \$2.00 per pack, with equivalent increase on other tobacco products and electronic cigarettes containing nicotine. Fiscal Impact: Additional net state revenue of \$1 billion to \$1.4 billion in 2017-18, with potentially lower revenues in future years. Revenues would be used primarily to augment spending on health care for low-income Californians. How will you vote on Proposition 56? YES; NO; UNDECIDED

Proposition 57: CRIMINAL SENTENCES. PAROLE. JUVENILE CRIMINAL PROCEEDINGS AND SENTENCING. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Allows parole consideration for nonviolent felons. Authorizes sentence credits for rehabilitation, good behavior and education. Provides juvenile court judge decides whether juveniles will be prosecuted as adult. Fiscal Impact: Net state savings likely in the tens of millions of dollars annually, depending on implementation. Net county costs of likely a few million dollars annually. How (will you vote/did you vote) on Proposition 57? *YES; NO; UNDECIDED*

Proposition 58: ENGLISH PROFICIENCY. MULTILINGUAL EDUCATION. INITIATIVE STATUTE. Preserves requirement that public schools ensure students obtain English language proficiency. Requires school districts to solicit parent/community input in developing language acquisition programs. Requires instruction to ensure English acquisition as rapidly and effectively as possible. Authorizes school districts to establish dual-language immersion programs for both native and non-native English speakers. Fiscal Impact: No notable fiscal effect on school districts or state government. How (will you vote/did you vote) on Proposition 58? *YES; NO; UNDECIDED*

Proposition 61: STATE PRESCRIPTION DRUG PURCHASES, PRICING STANDARDS. INITIATIVE STATUTE. Prohibits state from buying any prescription drug from a drug manufacturer at price over lowest price paid for the drug by United States Department of Veterans Affairs. Exempts managed care programs funded through Medi-Cal. Fiscal Impact: Potential for state savings of an unknown amount depending on (1) how the measure's implementation challenges are addressed and (2) the responses of drug manufacturers regarding the provision and pricing of their drugs. How will you vote on Proposition 61? *YES; NO; UNDECIDED*

Proposition 62: DEATH PENALTY. INITIATIVE STATUTE. Repeals death penalty and replaces it with life imprisonment without possibility of parole. Applies retroactively to existing death sentences. Increases the portion of life inmates' wages that may be applied to victim restitution. Fiscal Impact: Net ongoing reduction in state and county criminal justice costs of around \$150 million annually within a few years, although the impact could vary by tens of millions of dollars depending on various factors. How (will you vote/did you vote) on Proposition 62? *YES; NO; UNDECIDED*

Proposition 63: FIREARMS. AMMUNITION SALES. INITIATIVE STATUTE. Requires background check and Department of Justice authorization to purchase ammunition. Prohibits possession of large-capacity ammunition magazines. Establishes procedures for enforcing laws prohibiting firearm possession by specified persons. Requires Department of Justice's participation in federal National Instant Criminal Background Check System. Fiscal Impact: Increased state and local court and law enforcement costs, potentially in the tens of millions of dollars annually, related to a new court process for removing firearms from prohibited persons after they are convicted. How (will you vote/did you vote) on Proposition 63? *YES; NO; UNDECIDED*

Proposition 64: MARIJUANA LEGALIZATION. INITIATIVE STATUTE. Legalizes marijuana under state law, for use by adults 21 or older. Imposes state taxes on sales and cultivation. Provides for industry licensing and establishes standards for marijuana products. Allows local regulation and taxation. Fiscal Impact: Additional tax revenues from high hundreds of millions of dollars to over \$1 billion annually, mostly dedicated to specific purposes. Reduced criminal justice costs of tens of millions of dollars annually. How will you vote on Proposition 64? *YES; NO; UNDECIDED*

Proposition 66: DEATH PENALTY. PROCEDURES, INITIATIVE STATUTE. Changes procedures governing state court challenges to death sentences. Designates superior court for initial petitions and limits successive petitions. Requires appointed attorneys who take noncapital appeals to accept death penalty appeals. Exempts prison officials from existing regulation process for developing execution methods. Fiscal Impact: Unknown ongoing impact on state court cases for processing legal challenges to death sentences. Potential prison savings in the tens of millions of dollars annually. How (will you vote/did you vote) on Proposition 66? *YES; NO; UNDECIDED*

Note about Sampling Error Estimates

Polls conducted online using an opt-in panel do not easily lend themselves to the calculation of sampling error estimates as are traditionally reported for random sample telephone surveys.