

Gerrymandered Democracy?

Democratic Competition and the Legislative Agenda of
the 135th Ohio General Assembly.

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Abstract

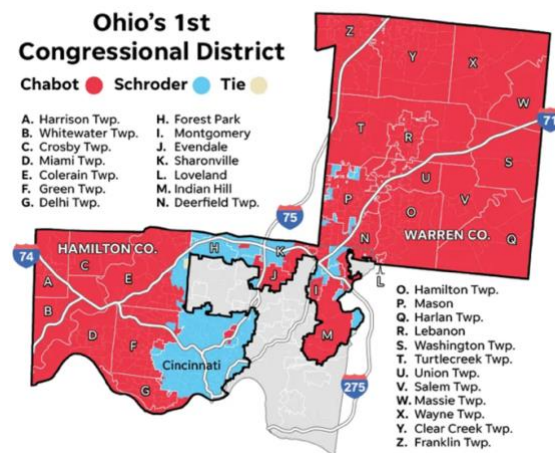
There is a rich history of gerrymandering in Ohio, culminating in a contentious legal battle leading up to the 2022 election, debating the constitutionality of the proposed electoral maps. This analysis was inspired by those events and the lengths Ohio Republicans are willing to go to preserve their control over the redistricting process. The question explored in this paper hypothesized a positive relationship between electoral non-competition and supporting “controversial” legislation. Although gerrymandering has been studied quite extensively within the federal context, there is less information on how gerrymandering impacts state-level politics. The data pulled from the 135th Ohio General Assembly found some positive, statistically significant relationships between Ohio Republicans from non-competitive districts and their willingness to vote for and sponsor “controversial” bills. These results did not completely support the proposed hypotheses but still point toward the existence of a relationship between electoral competition and controversial political agendas. Further studies are needed to comprehensively explore the impacts of gerrymandering on state-level politics. Nevertheless, it is clear that competitive electoral districts are hugely important to maintaining the ideals of a representative democracy.

Keywords: Gerrymandering, United States, State Policy, Political Agendas, Ohio, Competition.

Introduction

The democratic principles long held to be the foundation of American politics, free and fair elections, have historically existed alongside a phenomenon antithetical to that promise: gerrymandering. “Gerrymandering,” a term coined in 1812, describes the intentional rigging of electoral districts (Rush, 1994). US congressional and state legislative elections are divided into relatively similar-sized districts based on census population data. Although each state has different procedures for creating legislative maps, most commonly, state politicians influence the design- often outright drawing the lines themselves. Gerrymandering becomes enticing to partisan politicians because rigging electoral districts can ensure you and/or your party stays in power. This problem becomes particularly salient when one political party has “unified control” over the redistricting process simply because bipartisan compromise is no longer required (Stephanopoulos, 2018). Buy-in from both political parties should be necessary to pass new state electoral maps; however, sometimes, one party controls the state government. Under these circumstances, gerrymandering is pervasive because the incentives are too great; partisan politicians will strike at the unchecked ability to maintain political control.

Figure 1 (Weiser, 2020)



Alt Text: Ohio's 1st Congressional District, including the left half of Hamilton County and Warren County. Cincinnati is the only blue (Democratic) region in this district.

To illustrate the issue, *Figure 1* depicts the 2020 electoral results from Ohio's 1st Congressional District. Ohio Republicans had “unified control” over the redistricting process; they were able to pass maps without buy-in from the Democratic Party and used that to their advantage. The above district includes the red western half of Hamilton County, connects it to the almost entirely red Warren County, and successfully waters down the blue votes of downtown Cincinnati (the most populous area on the map). Politicians may claim that designs like these are not “intentionally gerrymandered” but simply created to ensure that districts maintain an even population across the state. Hamilton County must indeed be broken up due to these constraints; however, it is hard to assert that the awkward & red-leaning shape of the 1st district is unintentional. Regardless, within the court of law, it can be difficult to successfully argue that a district like this is unconstitutional. Therefore, Ohio Republicans draw districts that consolidate Republican power without much intervention. This is one example of gerrymandering that reveals how political parties directly benefit from rigging the redistricting process. Gerrymandering undermines the ability to hold “free and fair elections” by prioritizing political gain over democratic competition.

Ohio Background

Ohio's redistricting process has been a political debate since at least 1981, providing a rich history of gerrymandering that continues today (League of Women Voters of Ohio & Common Cause Ohio, 1992). Currently, a Republican supermajority has “unified control” over the Ohio General Assembly, with Republicans accounting for 26 out of 33 senators and 67 out of 99 Representatives (*A Guidebook for Ohio Legislators*, 2023). As a result of such unified control, Ohio has consistently ranked as one of the most gerrymandered states in the country; it is 1 out

of just 13 states to receive a “poor” rating from Princeton’s Gerrymandering Project (*Redistricting Report Card, 2023*). *Figure 1* provides an example of the Ohio gerrymandering tradition in maps created after the 2010 US Census. Although controversial, the redistricting process after the 2020 US Census was far more contentious, making national headlines as Ohio Republicans pushed blatantly unconstitutional maps onto the state.

After the 2020 US Census data was published, the Ohio General Assembly needed to create new electoral maps in anticipation of the 2022 election. Between September 2021 and March 2022, Ohio Republicans passed five sets of maps on a party-line vote that were all subsequently deemed unconstitutional by the Ohio Supreme Court (DeWitt, 2024). Instead of addressing the concerns of the court and redrawing the maps, conservatives challenged the ruling in Federal Court and were ultimately able to proceed. The November 2022 election was held using maps deemed unconstitutional by Ohio’s highest court (Karson Verhovek, 2024). This entire debacle, complemented by a long history of gerrymandering, inspired a constitutional amendment to establish a citizens’ redistricting commission. Unfortunately, given that a new redistricting process would threaten the power of Ohio Republicans, the Ohio Ballot Board manipulated the language that appeared on the 2024 ballot. All 3 Republicans on the board voted to approve language stating that this new commission would be “required to gerrymander” (Balmert & Glynn, 2024). As a result of this egregious misrepresentation, the amendment failed when put in front of Ohio voters.

Given the tendency of Ohio Republicans to gerrymander the state and protect their power, I wanted to find out if their political decisions while in office are affected by this reality. Gerrymandering often results in non-competitive districts, meaning that the partisan lean is heavy enough that an election between two parties is a sham- everyone already knows which

party will win. In these circumstances, likely, a politician believes they are not vulnerable to losing an election and may be more empowered to support and/or sponsor extreme legislation while in office. Four different polls completed between 2020-2024 reveal that Ohioans consistently cite economic issues and inflation as their main political concerns (Community Research Institute, 2020; Community Research Institute, 2024; Community Research Institute, 2022; Ray C. Bliss Institute of Applied Politics & Your Vote Ohio, 2020). If Ohioans are worried most about economically providing for themselves and their families, why has the 135th Ohio General Assembly devoted time to passing anti-transgender and anti-public school bills? Why did they waste tax dollars on an August special election when Ohioans largely support abortion rights? The argument to be explored in this paper is that the lack of democratic competition, created through gerrymandering, has empowered Ohio legislators to pursue extreme political agendas.

Previous Research

Gerrymandering as a phenomenon has inspired numerous pieces of academic research in areas ranging from quantification (Stephanopoulos & McGhee, 2015), voter turnout (Jones et al., 2023), racialization (O'Loughlin, 1982), and much more. Most relevant to this study include existing literature on the relationship between gerrymandering and political polarization. In this regard, there exists a debate; some suggest that a causal relationship exists where gerrymandering results in polarization (Carson et al., 2007), while others do not believe such a relationship exists (McCarty et al., 2009) (Brunell & Grofman, 2005), and a third camp argues an inverse relationship where polarization causes gerrymandering (Mann, 2007). These studies did not repeat the same methodology and used various measures of gerrymandering and polarization, making them difficult to compare. Additionally, the studies that did not find a causal relationship

do not ultimately argue that gerrymandering is irrelevant but simply state that the relationship between gerrymandering and polarization is overstated, given their results. Regardless, for today's context, each of these studies is now quite dated using information on Congress from the early 2000s.

A more recent publication examines this issue from a different angle, focusing on the relationship between gerrymandering and accessing a congressional district office (Niven et al., 2021). This article found that gerrymandered states have higher rates of mismatched residents, meaning the closest congressional office is not in their district. Gerrymandering often results in large, non-compact districts, forcing constituents to go greater distances to reach their representatives. This is a barrier that, at least, makes it harder for someone to communicate with their representative and, at worst, impedes in-person communication altogether. This is another potential explanation for why a mismatch between legislative agendas and constituent priorities exists in gerrymandered states, as the researchers concluded mismatched residents were 38% less likely to visit their own district offices (Niven et al., 2021).

Although this scholarship provides interesting background and various theoretical frameworks, it is limited in scope as each of the studies focuses on federal-level politics; the potential relationship between gerrymandering and polarization in Congress, or gerrymandering and access to Congressional district offices. This is a common thread among gerrymandering research because federal politics are often followed and seen as more consequential than state politics in the US. This reality facilitates greater interest in federal-level politics, more demand for political research, and likely greater ease in obtaining relevant data. Analyses of Congress, however, cannot be assumed to reflect the realities seen in state legislatures, as the contexts, cultures, and roles of these distinct bodies are much different.

Published work focused on state legislatures is limited but not nonexistent. One study measured the effect of a partisan efficiency gap (popular measurement of gerrymandering) on state policies. These researchers found that pro-Republican efficiency gaps more powerfully impact state policy than pro-Democratic ones (Caughey et al., 2017). When a pro-Republican gap exists, policy leans more conservative, and a pro-Democratic gap promotes a decrease in conservatism. Interestingly, an increase in the size of the efficiency gap corresponds to an increased effect on state policy only when it is pro-Republican. The policy impact of a pro-Democratic gap stays consistent regardless of size (Caughey et al., 2017). This work suggests a meaningful relationship between gerrymandering and state-level policy, particularly under Republican leadership.

The reality is that the impact of gerrymandering on any political system is complex and unclear. This analysis hopes to add to the literature by shedding light on a potential relationship between democratic competition and the legislative agenda of the 135th Ohio General Assembly. Given Ohio's vibrant history of gerrymandering, this state-level context seemed particularly appropriate for this study. This project will hopefully motivate the study of other state systems, as each is distinct, to increase understanding of the impact of gerrymandering on state legislatures.

Research Question

This study is motivated by one question: does electoral competition correlate with the legislative agendas of Ohio politicians? The driving force of this analysis is the interrogation of a potential relationship between a politician's confidence in reelection and the legislation they support while in office. Based on existing literature and the display of force Ohio Republicans have used to continue gerrymandering, there are two hypotheses to be tested:

H1: a legislator from a non-competitive district will be more likely to support controversial bills.

H2: a legislator from a non-competitive district will be more likely to sponsor controversial bills.

Data & Methods

To explore the proposed hypotheses, I created a database to track the legislative actions of Ohio state politicians in the House of Representatives and the Senate of the 135th Ohio General Assembly. Each individual who has played a role in this general assembly (any politician who has voted on or sponsored legislation) has been given a unique ID number, with all subsequent data being tracked under that code. There are 99 members of the House of Representatives and 33 members of the Senate (132 total). This dataset includes 140 individual IDs denoting 8 districts where one politician was replaced with another during the 135th session. Each ID also carries data pulled directly from the Ohio General Assembly, including name, chamber, district, party, gender, and race.

The independent variable could have been an established gerrymandering measurement, like an efficiency gap, but I wanted to ensure that this analysis would stay as impartial as possible. An additional facet of gerrymandering research would argue that American political geography lends itself to the “unintentional gerrymandering” of electoral districts. Given the high concentration of Democrats in urban centers and Republicans in rural communities, some non-competitive districts reflect human geography and may not have been intentionally gerrymandered (Chen & Rodden, 2013). To avoid making assumptions about intentional gerrymandering, the independent variable in this analysis will simply be a measure of electoral

competition, with the understanding that sometimes non-competitive districts cannot be avoided. Further discussion on intentional & unintentional gerrymandering in Ohio will occur in the conclusion.

Dave's Redistricting is a non-partisan online tool that pulls publicly available election and census data to allow users to investigate and design their own maps. One of the measures this tool provides is a Voter Preference Index (VPI) for each electoral district based on the results of past statewide elections. Combining the results of past Presidential, U.S. Senate, State Governor, and Attorney General elections creates an average two-party partisan lean for each district (Ramsay, 2020). In Ohio, a district can be as competitive as 48% Republican & 48% Democratic or as unequal as 79% Republican & 19% Democratic (majority Democratic districts also exist). The partisan percentages this VPI provides will be used to label competitive districts (any party has less than 53.99% of the partisan lean) and non-competitive districts (any party has more than 53.99% of the partisan lean). Given the wide range of non-competitive districts, this variable will be further categorized into distinct rankings (0=competitive, 1=53.99-59.99% partisan lean, 2=60-64.99% partisan lean, 3=65-69.99% partisan lean, and 4=70+% partisan lean).

The dependent variable will focus on the legislative agendas and records of individual politicians. Including information on every bill that has been voted on is possible, but it seemed an ineffective way to focus specifically on bills whose core does not align with the interests of most Ohioans. Instead, I have highlighted bills that are "controversial." For bills passed by one or both chambers, those that are "controversial" will be those that did not receive a unanimous or close to unanimous vote. The rationale for this decision is that, in general, a piece of legislation has to jump through many hoops (committees, hearings, special panels, etc.) before it is even

considered for a full chamber vote. As a result, bills that make it this far generally pass unanimously (or nearly unanimously) unless they are particularly partisan, controversial, or extreme. Examples of “controversial” bills that were voted on and included in this portion of the analysis include House Bill 68, the “Saving Ohio Adolescents from Experimentation” Act, restricting gender-affirming care for minors (passed with a House vote of 65-28 and a Senate vote of 24-8) and House Bill 308 designating energy generated by a nuclear reaction as green energy (passed with a House vote of 65-26 and a Senate vote of 25-6) (The Ohio Legislature, n.d.).

For bills that have just been introduced but have not been called to a full vote in either chamber, those that are “controversial” will be those that do not align with the economic concerns of many Ohioans. As polling does not exist on the opinions of Ohioans concerning every political issue, this choice of dependent variable is logical but will ultimately pose limitations. Examples of “controversial” bills that were not voted on but included in this portion of the analysis include House Bill 11, the origin of the “Backpack Scholarship Program,” expanding private school vouchers (this was later passed in House Bill 33) and House Bill 240 allowing public schools to employ chaplains to provide programs for students (The Ohio Legislature, n.d.). See “Appendix A” for a comprehensive list of the bills included in both portions of this analysis. The dependent variable will be a continuous measure encompassing the individual’s sum of “controversial” votes and the individual’s sum of “controversial” sponsorships. Sponsorships within the general assembly are further broken down into primary sponsors and co-sponsors. If a legislator is labeled as a primary sponsor, 2 will be added to their total, and co-sponsors will receive 1. Primary sponsors are considered to be leading the charge,

so it seemed apt that their totals reflect that heightened leadership. There are 24 bills included in the voting analysis and 33 bills included in the sponsorship analysis.

Using these collected data points, two separate linear regressions will be performed to address H1 and H2. The independent variable for both analyses will be the level of democratic competition (or non-competition) of the electoral district. The dependent variable of H1 will be the number of votes supporting “controversial” bills. The dependent variable for H2 will be the number of sponsorships supporting “controversial” bills. Control variables, including political party, race, and gender, will also be added to each model. *Table 1* provides descriptive statistics on the data gathered on the 135th Ohio General Assembly for this analysis and is continued in Appendix B with additional data on total votes and total sponsorships.

Table 1:

Descriptive Statistics

Variable	Frequency	Percentage	Republican	Democratic
<i>Chamber</i>				
House	105	75	70	35
Senate	35	25	28	7
<i>Competitive?</i>				
No	98	70	71	27
Yes	42	30	27	15
<i>Competition</i>				
Competitive	42	30	27	15
53.99 – 59.99	18	12.86	16	2
60 – 64.99	27	19.29	24	3
65 – 69.99	26	18.57	19	7
70+	27	19.29	12	15
<i>Party</i>				
Democratic	42	30		
Republican	98	70		
<i>Gender</i>				
Male	99	70.71	76	23
Female	41	29.29	22	19
<i>Race</i>				
White	117	83.57	94	23
Non-White	23	16.43	4	19

Results

Table 2 represents a linear regression model including data from all politicians in the 135th Ohio General Assembly. “Competition” describes the categorical variable with competitive districts being the control, and 4 other categories being a range of non-competitiveness from 53.99-59.99 to 70+. *Table 2* shows that “Competition” is not statistically significant outside of the 65-69.99 non-competitive category, where the increase in non-competitiveness does correlate with an increase in votes for controversial bills in Models 2-4. Most strikingly, this table highlights the strength of the relationship between political party and voting for controversial bills. As coded, 0 denotes a Democrat and 1 denotes a Republican. *Table 2* shows a strong statistical relationship between being a Republican and voting for controversial bills. This result was expected given how much power Republicans have within the Ohio General Assembly and how much they control the legislative agenda within the body. Notably, race (0=white and 1=non-white) and gender (0=male and 1=female), are not significant in this analysis.

Table 2:

Association between Democratic Competition and Voting for “Controversial” Bills in the 135th

Ohio General Assembly.

	Model 1	Model 2	Model 3	Model 4
<i>Competition</i> <i>53.99 – 59.99</i>	3.833 (2.197)	-0.122 (0.965)	-0.105 (0.961)	-0.103 (0.963)
<i>60 – 64.99</i>	3.759 (1.924)	-0.196 (0.849)	-0.162 (0.846)	-0.173 (0.847)
<i>65 – 69.99</i>	3.218 (1.946)	1.805* (0.845)	1.868* (0.842)	1.899* (0.844)
<i>70+</i>	-2.241 (1.924)	0.949 (0.843)	1.090 (0.845)	1.230 (0.864)

<i>Party</i>		16.075*** (0.664)	16.317*** (0.681)	16.052*** (0.760)
<i>Gender</i>			0.957 (0.646)	0.957 (0.647)
<i>Race</i>				-0.725 (0.916)
<i>_cons</i>	11.167*** (1.204)	0.833 (0.674)	0.335 (0.750)	0.609 (0.827)
<i>N</i>	140	140	140	140

Standard errors in parentheses
* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Given that the results presented in *Table 2* were so strongly influenced by political party, I conducted a separate analysis to isolate data on Republicans and exclude political party as a control variable. *Table 3* depicts the results of the linear regression model focused solely on Republicans. Interestingly, *Table 3* only partially supports the idea presented in H1, as an increase in non-competitiveness is not statistically significant for each category. A Republican from a district that leans red by 65-69.99% is more likely to vote for controversial bills. The same is true for Republicans from districts that lean red by 70+%, although this result is less statistically significant. However, unlike H1 suggests, Republicans from districts that lean red by 53.99 – 64.99% were not found to vote for controversial bills at a greater, statistically significant rate. In *Table 3*, gender is statistically significant (0=male and 1=female), supporting some correlation between being a Republican woman and increasingly voting for controversial bills. Given that there are not a lot of women in the Republican party (76 men and 22 women), this result may not be incredibly reliable, but it is still notable within the analyses. Race (0=white and 1=non-white) is not significant. An analysis of the Democratic data can be found in Appendix B, represented in *Table 4*. Given the sheer lack of Democratic data points, the results are not significant and are likely unreliable.

Table 3:

Association between Democratic Competition and Voting for “Controversial” Bills within the Republican Party of the 135th Ohio General Assembly.

	Model 1	Model 2	Model 3
<i>Competition</i>			
<i>53.99 – 59.99</i>	0.465 (1.215)	0.483 (1.193)	0.796 (1.231)
<i>60 – 64.99</i>	0.486 (1.080)	0.585 (1.062)	0.897 (1.104)
<i>65 – 69.99</i>	2.936* (1.153)	3.030** (1.133)	3.343** (1.173)
<i>70+</i>	2.611 (1.336)	2.790* (1.315)	3.103* (0.845)
<i>Gender</i>		1.936* (0.918)	1.941* (0.918)
<i>Race</i>			2.108 (2.048)
_cons	16.222*** (0.741)	15.720*** (0.766)	15.407*** (0.824)
N	98	98	98

Standard errors in parentheses
 * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Table 5 represents a linear regression model including data from all politicians in the 135th General Assembly. The variables are all coded the same as *Tables 2 & 3* above, with the only change being the dependent variable; here, the DV is the sponsoring of controversial bills. *Table 5* (similar to *Table 2*) shows that “Competition” is largely not significant, with the 60-64.99 non-competitive category the only group showing significant increases in sponsoring controversial bills. Political party, once again, shows the strongest statistical significance on the

table, with being a Republican related to an increase in the sponsorship of controversial bills. This result is expected given how much power Republicans have within the Ohio General Assembly and how much they control the legislative agenda within the body. Notably, race (0=white and 1=non-white) and gender (0=male and 1=female) are also not significant in this analysis.

Table 5:

Association between Democratic Competition and Sponsoring “Controversial” Bills in the 135th Ohio General Assembly.

	Model 1	Model 2	Model 3	Model 4
<i>Competition</i>				
<i>53.99 – 59.99</i>	3.214 (1.826)	1.025 (1.487)	1.029 (1.492)	1.027 (1.497)
<i>60 – 64.99</i>	4.788** (1.599)	2.599* (1.307)	2.606* (1.313)	2.614* (1.317)
<i>65 – 69.99</i>	3.253* (1.618)	2.471 (1.301)	2.483 (1.307)	2.462 (1.313)
<i>70+</i>	-0.026 (1.599)	1.739 (1.299)	1.768 (1.312)	1.672 (1.345)
<i>Party</i>		8.897*** (1.023)	8.946*** (1.057)	9.129*** (1.181)
<i>Gender</i>			0.194 (1.003)	0.194 (1.006)
<i>Race</i>				0.500 (1.425)
_cons	6.286*** (1.000)	0.566 (1.037)	0.465 (1.164)	0.276 (1.286)
N	140	140	140	140

Standard errors in parentheses

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Following in line with the voting analyses in *Tables 2 & 3*, after seeing the results in *Table 5*, I isolated the Republican data to create the linear regression model seen in *Table 6*, with political party excluded as a control variable. These results were also slightly unexpected as they do not fully support H2. There is some statistical significance between the 60-64.99/65-69.99 non-competitive groups and sponsoring controversial bills, but not within the 53.99-59.99/70+ groups. This could point to a potential relationship between electoral competition and the sponsoring of controversial bills, but the results are not strong enough to make broad conclusions. An analysis of the Democratic data can be found in Appendix B, represented in *Table 7*. Given the sheer lack of Democratic data points, the results are not significant and are likely unreliable.

Table 6:

Association between Democratic Competition and Sponsoring “Controversial” Bills within the Republican Party of the 135th Ohio General Assembly.

	Model 1	Model 2	Model 3
<i>Competition</i>			
<i>53.99 – 59.99</i>	2.032 (1.912)	2.039 (1.921)	2.807 (1.966)
<i>60 – 64.99</i>	3.657* (1.701)	3.693* (1.709)	4.461* (1.764)
<i>65 – 69.99</i>	3.671* (1.815)	3.705* (1.824)	4.473* (1.873)
<i>70+</i>	3.491 (2.103)	3.556 (2.116)	4.324* (2.155)
<i>Gender</i>		0.700 (1.478)	0.712 (1.466)
<i>Race</i>			5.182 (3.271)

_cons	8.593*** (1.167)	8.411*** (1.233)	7.640*** (1.316)
N	98	98	98

Standard errors in parentheses

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Another analysis was completed on the sponsorship data and can be found in Appendix B in *Table 8* and below in *Table 9*. Legislation can evolve and morph in a multitude of ways between sponsorship and an eventual floor vote. There were multiple bills included in this analysis that had last-minute changes that made them “controversial” when they were not originally proposed that way. Some of the legislators who sponsored the original language may end up voting against the bill after such changes and, likely, would not have sponsored the bill to begin with if they had known these changes would occur. To ensure that this phenomenon was not influencing the sponsorship data, I deleted all the bills that had been voted on in either chamber and just included nine premature bills that are noted in Appendix A. *Table 8*, in Appendix B, is similar to *Table 5* in that party was the most significant variable related to the sponsorship of controversial bills. Subsequently, *Table 9* isolates Republican data and shows results slightly different from those in *Table 6*. *Table 9* shows more statistical significance across the non-competitive categories and particularly high levels of significance within the 70+ non-competitive group. Although these results are limited, given the decrease in data, they are still worth noting as we work to uncover more information about the relationship between electoral competition and the sponsoring of controversial bills.

Table 9

Association between Democratic Competition and Sponsoring “Controversial” Bills within the Republican Party of the 135th Ohio General Assembly. (Less Bills)

	Model 1	Model 2	Model 3
Competition			
<i>53.99 – 59.99</i>	1.440* (0.656)	1.444* (0.657)	1.673* (0.675)
<i>60 – 64.99</i>	1.106 (0.584)	1.129 (0.585)	1.358* (0.605)
<i>65 – 69.99</i>	1.341* (0.623)	1.363* (0.624)	1.592* (0.643)
<i>70+</i>	2.398** (0.722)	2.439** (0.724)	2.669*** (0.740)
Gender		0.440 (0.506)	0.444 (0.503)
Race			1.548 (1.123)
_cons	1.185** (0.400)	1.071* (0.422)	0.841 (0.452)
<i>N</i>	98	98	98

Standard errors in parentheses

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Conclusion

Although the relationship between gerrymandering and state legislation will always be complicated, this research provided some clarity within the context of Ohio’s 135th General Assembly. H1 proposed that a legislator from a non-competitive district would be more likely to vote for controversial bills. The linear regression model completed in *Table 3* partially supported this idea within the Republican Party. There was a significant positive relationship between Republicans from districts with a 65-70+ red lean and the likelihood of voting for controversial bills. However, Republicans from districts with a 53.99-63.99 red lean showed no significant relationship with the rate of voting for controversial bills. These results potentially suggest that a competitive threshold exists where Republicans feel more freedom to vote for controversial bills when their districts have a very strong red lean. Districts with weaker red leans may not meet this

threshold as they do not provide enough electoral security to engage in controversial political decisions. H2 proposed that a legislator from a non-competitive district would be more likely to sponsor controversial bills. Once again, this hypothesis was only partially supported by *Table 6*. The linear regression model showed a significant positive relationship between Republicans from districts with a 60-69.99 red lean and the likelihood of sponsoring controversial bills. However, Republicans from districts with a 53.99-59.99 and 70+ red lean showed little significance. *Table 9* isolates the data further to focus on the most premature bills. In this instance, there is particular statistical significance in the 70+ red lean group. Regardless, there is not statistical significance across all of the non-competitive groups necessary to fully support H2. It appears that a relationship does exist between electoral competition and the sponsoring of controversial bills, but further analyses are needed to determine the extent to which it exists.

This work, like all research, comes with limitations beyond basic human error. To begin, when studying something as abstract as “controversial bills,” I would be naive not to assume my own political biases have influenced this work. With the voting analysis, I tried to make the included data as objective as possible by focusing on the voting outcomes and whether or not there was unity amongst legislators. For each included bill, there were at least 6 dissenting senators and/or 25 dissenting representatives. Given that most votes are close to unanimous, the included bills were distinct outliers. The sponsorship analysis, however, opened the door much more to my own opinions influencing which bills were included as “controversial,” given the sheer number of introduced legislation within the 2-year legislative cycle. This could certainly damage the credibility and applicability of the results. Given these realities, the results shown in *Tables 5-9* come with a certain caveat. The specific details provided in those tables may not be concrete, but I think they still support the theory that a relationship between electoral

competition and the sponsorship of controversial bills exists, to some degree. Further studies should expand on this design and explore alternative ways of measuring controversial legislative votes, sponsorships, and choices.

Another limitation, as previously touched on in the data section, is that not all non-competitive districts are intentionally gerrymandered. Between Ohio's major cities (Cincinnati, Dayton, Columbus, Cleveland, Toledo) is a lot of rural, sparsely populated land that leans red. Given the realities of human political geography, the ability to draw competitive districts is sometimes limited. Intentional gerrymandering generally comes into play around the densely populated cities in "packing or cracking" the blue vote, diluting the democratic influence throughout the state (Jones, 2018). Ultimately, whether or not a district was intentionally gerrymandered matters little when non-competitive districts across the board undermine democracy. The data presented here supports the idea that politicians from non-competitive districts back controversial legislation at greater rates. The exact mechanisms that produce this relationship can be debated, but the ill impact of non-competition on Ohio democracy cannot. That being said, I must acknowledge that under our current districting system, it would be nearly impossible for Ohio Republicans to draw every district in a compact and competitive fashion—even if they were motivated to do so. There are better ways to limit partisan influence, like a citizen-led redistricting commission, but obtaining perfect competition is incredibly difficult. Therefore, I think debates on the minutiae of intentional gerrymandering are less interesting than efforts to reform our current redistricting framework. Ohioans, and Americans broadly, deserve a competitive electoral system that serves as the foundation of a truly representative democracy.

Lastly, a limitation of this study is that it did not separate the influence of gerrymandering from the influence of the Republican supermajority. Being that the two are so intertwined with

one another, it is hard to separate them and discern distinct impacts. Gerrymandering allows the Republican supermajority to continue existing, but the supermajority enables Republicans to gerrymander in the first place. The effects of these phenomena are linked together and, therefore, difficult to parse out concerning the legislative agenda in Ohio. Although previous research and the analysis presented here would suggest that a relationship exists between gerrymandering and legislative agendas, it would be negligent to dismiss the influence of a supermajority as well. Having the electoral security that a gerrymandered, non-competitive district can provide is helpful, but it is still important to fall in line with the powerful Ohio Republican Party. If the party believes you are an ill-fitting politician, they could decide to bolster an opposing Republican candidate in your district and replace you. It would likely take significant disagreement to escalate that far, but it is realistic to assume that there is pressure within the Republican Party to stand united, even if the legislation is “controversial.”

This study does not provide all of the answers, but it does add to the existing literature on gerrymandering and state politics. In the 135th Ohio General Assembly, there exist some significant positive relationships within the Republican party between electoral non-competition and the likelihood of voting for and sponsoring controversial bills. Although the amount of intentional gerrymandering in Ohio or the exact numerical relationship between gerrymandering and legislative agendas can be debated, the existence of a relationship cannot. Gerrymandering undermines US democracy and has provided protections to Ohio politicians who pursue political agendas that do not reflect the priorities of their constituents. Asking whether gerrymandering or the Republican supermajority is most influential is less important when we know that both are detrimental to democracy in Ohio. The better questions to explore in future research include how

to prevent gerrymandering, promote bipartisan cooperation in state politics, and empower citizens to become involved in state-level advocacy.

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Appendices

Appendix A

Below is an exhaustive list of the bills incorporated into this analysis. An asterisk (“*”) next to the bill number denotes that it was included only in the sponsorship data. Otherwise, all other bills were used to support both the voting and sponsorship analyses.

House Bill 6*: the “Save Women’s Sports” Act requires schools to designate separate single-sex teams and sports for each sex (The Ohio Legislature, n.d.).

House Bill 8: enacting the “Parents’ Bill of Rights” requires public schools to adopt policy on parental notification on student health and well-being, including any request by a student to identify as a gender that does not align with the student’s biological sex (The Ohio Legislature, n.d.). Passed with a House vote of 57-31 and a Senate vote of 24-7.

House Bill 11*: the “Backpack Scholarship Program” is to permit students to enroll in the educational environment that they and their parents determine is the best fit for them (The Ohio Legislature, n.d.). Allows students to use public funding for private and/or charter schools.

House Bill 17: prohibits state officials, employees, and contractors from using TikTok, WeChat, or any other application or service owned by an entity located in China (The Ohio Legislature, n.d.).

House Bill 33: the “Backpack Scholarship Program” (House Bill 11) was included and passed in this bill that established the operating appropriations for fiscal years 2024-2025 (The Ohio Legislature, n.d.). Passed with a House vote of 60-31 and a Senate vote of 24-8.

House Bill 68: the “Saving Ohio Adolescents from Experimentation” Act restricts gender-affirming care for minors. The “Save Women’s Sports” Act (House Bill 6) was also included and passed in this bill (The Ohio Legislature, n.d.). Passed with a House vote of 65-28 and a Senate vote of 24-8.

House Bill 74: requires the Attorney General to certify the title of a statewide initiative or referendum petition along with its summary (The Ohio Legislature, n.d.). This could delay citizen-led ballot initiatives (Ingles, 2024). Passed with a House vote of 61-28 and a Senate vote of 24-7.

House Bill 100: prohibits manufactured home park operators, condominium associations, neighborhood associations, and landlords from restricting the display of the thin blue line flag (The Ohio Legislature, n.d.).

- House Bill 103*: creates the Ohio Social Studies Standards task force with members appointed by the Governor, president of the Senate, and Speaker of the House of Representatives (The Ohio Legislature, n.d.).
- House Bill 114: modifies the Campaign Finance Law and delays the deadline for a major political party to certify its presidential and vice-presidential candidates (The Ohio Legislature, n.d.). Amended before Senate vote to include language prohibiting foreign contributions and harsher regulations for ballot issue committees (DeMora Condemns Tainted House Bill 114, 2024). Passed with a Senate vote of 24-7.
- House Bill 151*: enact the Ohio Higher Education Enhancement Act, Senate Bill 83 (The Ohio Legislature, n.d.).
- House Bill 183*: schools must designate each student restroom that is accessible by multiple students at the same time for the exclusive use by students of the male biological sex only or by students of the female biological sex only (The Ohio Legislature, n.d.).
- House Bill 201: prohibits the restriction of a motor vehicle based on energy source used to power the motor vehicle, prohibits the adoption of California emissions standards for motor vehicles, and changes requirements for natural gas company infrastructure (The Ohio Legislature, n.d.). Passed with a House vote of 60-31 and a Senate vote of 23-8.
- House Bill 206: allows superintendents to expel a student from public school and decide what criteria will be used for reinstatement, if reinstated at all (Daniels, 2024). Passed with a House vote of 62-25 and a Senate vote of 23-7 (The Ohio Legislature, n.d.).
- House Bill 214: prohibiting school districts from requiring a student to affirmatively ascribe to specific beliefs, affiliations, ideals, or principles concerning political movements, or ideology (The Ohio Legislature, n.d.). Passed with a House vote of 62-30 and a Senate vote of 24-7.
- House Bill 240*: allows public schools to employ chaplains to provide support, services, and programs for students. A chaplain shall not be required to apply for license with state board of education. Chaplain services may be offered in addition to school counselor services (The Ohio Legislature, n.d.).
- House Bill 245*: prohibits adult cabaret performances in locations other than adult cabarets, including performers who exhibit a gender identity that is different from the performer's gender assigned at birth (The Ohio Legislature, n.d.).
- House Bill 272: allows a concealed handgun licensee to carry a handgun in a building that is not a courthouse but in which a courtroom is located and permits a nonresident of Ohio to obtain relief from firearms disability based on an Ohio conviction (The Ohio Legislature, n.d.). Passed with a House vote of 57-29.

House Bill 301: last-minute edit allows attorney general to “appeal judges’ decisions to block state laws immediately” (Balmert, 2024). Passed with a House vote of 63-29 and a Senate vote of 24-7 (The Ohio Legislature, n.d.).

House Bill 308: includes energy generated by nuclear reaction as green energy (The Ohio Legislature, n.d.). Passed with a House vote of 65-26 and a Senate vote of 25-6.

House Bill 349: authorizes the creation of areas within which incentives are available to encourage the development of natural gas pipelines (The Ohio Legislature, n.d.). Passed with a House vote of 63-34.

Senate Bill 1*: creates the position of Director of Education and Workforce and reforms the functions and responsibilities of the State Board of Education (The Ohio Legislature, n.d.). Passed with a Senate vote of 26-7.

Senate Bill 6: prohibits a public university board from making an investment decision with the primary purpose of influencing any social or environment policy or attempting to influence the governance of any corporation (The Ohio Legislature, n.d.). Passed with a House vote of 62-27 and a Senate vote of 26-7.

Senate Bill 21: allows the speaker of the house, president of the senate, and the governor the ability to retain legal counsel other than from the attorney general for any cost (Trau, 2023). Passed with a House vote of 68-27 and a Senate vote of 24-7 (The Ohio Legislature, n.d.).

Senate Bill 58: prohibits requiring firearms liability insurance for the possession of firearms and enacts the Second Amendment Financial Privacy Act (The Ohio Legislature, n.d.). Passed with a House vote of 63-27 and a Senate vote of 25-6.

Senate Bill 71: requires “Ohioans to list any legal name changes that occurred within the last five years on their petitions for political candidacy,” disproportionately affecting transgender candidates (Comeriato, 2024). Passed with a House vote of 63-28 and a Senate vote of 24-7 (The Ohio Legislature, n.d.).

Senate Bill 83: enact the Ohio Higher Education Enhancement Act, including the prohibition of mandatory training courses regarding diversity, equity, and inclusion. Additionally, staff “shall not seek to indoctrinate” but “allow students to reach their own conclusions about all controversial beliefs,” including beliefs on “climate policies, electoral politics, foreign policy, DEI programs, immigration policy, marriage, and abortion” (The Ohio Legislature, n.d.). Passed by a Senate vote of 21-10.

Senate Bill 92: allows a special election to be held in August for certain purposes (The Ohio Legislature, n.d.). Passed with a Senate vote of 25-8.

Senate Bill 104: enacts the Protect All Students Act regarding single-sex bathroom access in primary and secondary schools and institutions of higher education (The Ohio Legislature, n.d.). Passed with a House vote of 60-31 and a Senate vote of 24-7.

Senate Bill 148: enact the Second Amendment Financial Privacy Act, prohibiting governmental entities from keeping a record of privately owned firearms or the owners of those firearms and prohibiting financial institutions from distinguishing firearms retailers from other retailers (The Ohio Legislature, n.d.). Passed by a Senate vote of 25-7.

Senate Bill 215: prohibits foreign nationals from making contributions to ballot issue campaigns (The Ohio Legislature, n.d.). Passed by a Senate vote of 25-7.

Senate Joint Resolution 2: requires a vote of at least 60% of electors to approve any constitutional amendment and modifies the procedures for a petition proposing a constitutional amendment (The Ohio Legislature, n.d.). Passed with a House vote of 62-37 and a Senate vote of 26-7.

House Joint Resolution 1*: same as Senate Joint Resolution 2. requires a vote of at least 60% of electors to approve any constitutional amendment and modifies the procedures for a petition proposing a constitutional amendment (The Ohio Legislature, n.d.).

Appendix B

Table 1: continued

<u>Variable</u>	<u>Frequency</u>	<u>Percentage</u>	<u>Republican</u>	<u>Democratic</u>
<i>Total Votes</i>				
0	13	9.29	1	12
1	13	9.29	0	13
2	9	6.43	0	9
3	6	4.29	0	6
4	0	0	0	0
5	1	0.71	0	1
6	2	1.43	2	0
7	3	2.14	2	1
8	0	0	0	0
9	0	0	0	0
10	5	3.57	5	0
11	1	0.71	1	0
12	0	0	0	0
13	3	2.14	3	0
14	0	0	0	0
15	4	2.86	4	0
16	11	7.86	11	0
17	6	4.29	6	0

18	7	5.00	7	0
19	14	10.00	14	0
20	42	30.00	42	0
Total Sponsorships				
0	17	12.14	5	12
1	7	5.00	1	6
2	12	8.57	3	9
3	15	10.71	3	12
4	2	1.43	0	2
5	6	4.29	6	0
6	6	4.29	6	0
7	9	6.43	9	0
8	6	4.29	6	0
9	6	4.29	5	1
10	5	3.57	5	0
11	4	2.86	4	0
12	6	4.29	6	0
13	4	2.86	4	0
14	4	2.86	4	0
15	7	5.00	7	0
16	5	3.57	5	0
17	5	3.57	5	0
18	4	2.86	4	0
19	0	0	0	0
20	4	2.86	4	0
21	1	0.71	1	0
22	1	0.71	1	0
23	2	1.43	2	0
24	1	0.71	1	0
25	0	0	0	0
26	0	0	0	0
27	1	0.71	1	0

Table 4

Association between Democratic Competition and Voting for “Controversial” Bills within the Democratic Party of the 135th Ohio General Assembly.

	Model 1	Model 2	Model 3
<i>Competition</i>			
<i>53.99 – 59.99</i>	-0.567 (1.092)	-0.596 (1.052)	-0.416 (1.070)
<i>60 – 64.99</i>	-1.400 (0.917)	-1.284 (0.886)	-1.189 (0.892)

65 – 69.99	-0.638 (0.664)	-0.729 (0.641)	-0.513 (0.680)
70+	-1.067 (0.530)	-1.241* (0.518)	-0.944 (0.604)
Gender		-0.870 (0.443)	-0.851 (0.444)
Race			-0.488 (0.510)
_cons	2.067*** (0.374)	2.531*** (0.431)	2.586*** (0.436)
N	42	42	42

Standard errors in parentheses
 * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Table 7

Association between Democratic Competition and Sponsoring “Controversial” Bills within the Democratic Party of the 135th Ohio General Assembly.

	Model 1	Model 2	Model 3
Competition			
53.99 – 59.99	-1.633 (1.329)	-1.658 (1.316)	-1.838 (1.344)
60 – 64.99	-0.467 (1.117)	-0.368 (1.108)	-0.464 (1.121)
65 – 69.99	0.010 (0.808)	-0.068 (0.802)	-0.284 (0.855)
70+	-0.533 (0.645)	-0.681 (0.648)	-0.978 (0.759)
Gender		-0.737 (0.554)	-0.756 (0.558)
Race			0.488 (0.641)
_cons	2.133*** (0.456)	2.526*** (0.539)	2.471*** (0.547)

N | 42 42 42
 Standard errors in parentheses
 * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Table 8

***Association between Democratic Competition and Sponsoring “Controversial” Bills in the
135th Ohio General Assembly. (Less Bills)***

	Model 1	Model 2	Model 3	Model 4
<i>Competition</i>				
<i>53.99 – 59.99</i>	1.571** (0.574)	1.010* (0.510)	1.016* (0.510)	1.016* (0.512)
<i>60 – 64.99</i>	1.275* (0.503)	0.714 (0.448)	0.725 (0.449)	0.722 (0.450)
<i>65 – 69.99</i>	1.084* (0.508)	0.884* (0.446)	0.904* (0.447)	0.912* (0.449)
<i>70+</i>	0.831 (0.503)	1.283** (0.445)	1.330** (0.448)	1.362** (0.456)
<i>Party</i>		2.281*** (0.350)	2.361*** (0.361)	2.299*** (0.404)
<i>Gender</i>			0.313 (0.343)	0.313 (0.344)
<i>Race</i>				-0.170 (0.487)
<i>_cons</i>	0.762* (0.314)	-0.705* (0.356)	-0.867* (0.398)	-0.803 (0.439)
<i>N</i>	140	140	140	140

Standard errors in parentheses
 * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$