Gay Rights in the States: Public Opinion and Policy Responsiveness

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Abstract

We study the relationship between public opinion and the adoption of policies affecting the gay and lesbian community. Using national surveys and recent advances in multilevel modeling, we accurately estimate public support, state-by-state, for policies such as same-sex marriage, civil unions, prohibitions on employment and housing discrimination on the basis of sexual orientation, and the inclusion of sexual orientation in hate crimes laws. We then consider both the extent to which government policy correlates to policy-specific public opinion and whether policy is congruent with majority opinion. Our analysis uncovers a high degree of responsiveness even after controlling for the overall ideological orientations of state voters and elected officials as well as each state's interest group environment. We also find a surprising amount of non-congruence. While for some policies opinion majorities clearly prevail, for others even clear super-majority support seems insufficient for policy adoption, with a clear divide between issues of personal relationships and issues of economic fairness or justice. For the most part, non-congruence exists in the form of more conservative policy than desired by voters—i.e., there is no pro-gay policy bias.

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1 Introduction

Battles over policies affecting gay and lesbian rights, as part of the so-called Culture Wars, lie at the heart of recent political conflict in the U.S. Indeed, the gay rights issue is blamed or praised for driving key election outcomes, such as the 2004 Presidential race, and various federal and local races. These battles have been fought most intensely in the states—in the state legislatures, in the state courts, and through state ballot initiatives—yielding a complex mosaic of policies across the states. In 1982, Wisconsin became the first state to adopt a law prohibiting discrimination based on sexual orientation. Since then, various states have barred discrimination in jobs or housing, extended hate crimes laws to include gays and lesbians, granted same-sex partners benefits such as health care, and even allowed same-sex civil unions and marriage.

The focus of this paper is the relationship between the adoption of such pro-gay policies and public opinion across the states. How responsive is gay rights policy to public opinion? Does opinion drive such policy-making? If so, in the form of specific policy preferences, or only in the form of generic ideology? If opinion does matter, do opinion majorities tend to prevail? Or do political elites or social interest group pressures trump majority will?

These questions invoke numerous political science debates. The broadest is that of basic democratic responsiveness. At heart, democracy rests on some minimal matching of governmental choices to the preferences of the citizens. Normative concerns quickly arise on both sides of the continuum, too little responsiveness calling democracy into question and too much raising the spectre of majority tyranny, particularly where the rights

of minorities are at stake. Just as important is the ongoing debate over the efficacy of our federalist system. The matching of policy to opinion majorities meanwhile is the raison d'etre of federalism, allowing decentralized control, rather than one-size-fits-all public policy. Whether state control over gay rights policies actually produces policy reflective of state-by-state opinion majorities, therefore, tells us whether federalism "works," at least in this issue area.

We address these issues using new measures of state-level policy-specific opinion to consider various relationships between opinion and the associated state policies: whether policy is responsive to policy-specific opinion across and within states; whether policy is congruent with the preferences of opinion majorities; and whether responsiveness to opinion persists after controlling for other influences such as interest groups, elite ideology, and general public ideology.

We find a high degree of responsiveness in all policy areas. Issue-specific opinion is highly correlated with policy adoption, a relationship which persists even after controlling for general voter ideology, the liberalness of state elected officials, and the percentage of religious conservatives in the state. Indeed, across the range of such parameters, issue-specific opinion has the largest substantive impact. We show that issue-specific opinion explains both variance across states (within policies) and across policies (within states). Where possible, using only pre-policy-adoption polling data, we show that the relationships we find are not being driven by reverse causality, whereby policy would drive opinion.

We also find a surprising degree of non-congruence. While, in some policies, opinion majorities are consistently reflected in policy choice, in others, even clear super-

majority support seems insufficient for policy adoption. Ironically, this is most true for policies that do not directly invoke personal relations (e.g., employment protection), and where pro-gay opinion is in fact highest, thus making such policies seem uncontroversial. For the most part, non-congruence exists in the form of more conservative policy than desired by the opinion majorities (rather than liberal policy where the state majority is conservative). Only for sodomy laws did a pro-gay policy "bias" exist.

2 Opinion and Policy in the States

Erikson, Wright, and McIver (1993) pushed scholars to reconnect the study of mass behavior to larger issues of democratic theory, and we follow in their footsteps here. Like them, we do so not in the more commonly studied national arena but in the area of state policy.

As Burstein (2003) points out, few people believe that public opinion has no effect on public policy—rather the real question is how much impact it has. A number of studies have shown at the national level that policy is responsive (e.g., Page and Shapiro 1983; Page 1994; Stimson, MacKuen, and Erikson 1995; Monroe 1998).[1] Meanwhile, work focusing on state-level responsiveness is complicated by the relative paucity of polling within states and inconsistency across states.

There also exists an important body of work looking specifically at policy and policy responsiveness in the area of gay rights. For example, Brace, et al. (2002) look at the connection between AIDS research funding and attitudes towards homosexuality. Haider-Markel and Kaufman (2006) look at attitudes about homosexual sex and certain gay-

[1] See Burstein (2003, 38-9) for a longer list of responsiveness studies, broken down by policy area and level of government.

related policies. Other work suggests important demographic determinants of opinion or links to policy (Seltzer 1993; Haider-Markel and Meier 1996; Wald, Button, and Rienzo 1996; Haider-Markel 1998, 2001; Cook 1999; Green 2000; Herman 2000; Soule and Earl 2001; Soule 2004; Brewer and Wilcox 2005).

As Brace (2002, 173) points out, however, many questions remain about "how specific attitudes may influence specific political outcomes and processes in the states." Accurately assessing the level of responsiveness and the conditions under which greater responsiveness occurs has proven quite difficult. This study presents several advantages over earlier work.

We construct our estimates of state-level policy-specific opinion using a technique, multilevel regression and poststratification (MRP), developed by Park, Gelman, and Bafumi (2006) and others, which simulates state-level opinion using only national surveys. Lax and Phillips (2007) show that this method produces highly accurate and reliable state estimates from even small national samples, allowing us to study specific (even rarely-polled) questions in a narrow time period, whereas previously scholars were limited by the need to aggregate decades of data or average over opinion questions to form general ideological measures. Studies that focus on issue-specific opinion, as oppose to diffuse measures of attitudes or ideology, are relatively rare. Thus far, researchers have had to limit themselves to those questions which have been asked in dozens of compatible national surveys. These tend to be questions asking voters about their general attitudes or ideology as opposed to their opinions on specific policy issues, and so the modal study relates policy only to such diffuse attitudes or ideology. While Brace, et al. (2002) went farther than most previous work in tying specific policies to attitudes related to the gen-

eral issue area, we tie specific policies to public opinion relating directly to those policies, considering both responsiveness and congruence.

Next, we avoid problems of inference that arise when policy and opinion lack a common metric (Erikson, Wright, and McIver 1993, 92; Matsusaka 2001). A high correlation of policy and opinion can reveal a strong relationship between the two, but we cannot tell if policy is over- or under-responsive to opinion if we do not have a meaningful scale for the slope of the responsiveness curve. We can only tell whether more liberal (conservative) states have more liberal (conservative) policies and cannot tell whether policy is more liberal (conservative) than the public actually wants. To do more, we would need to know the desired mapping to the policy dimension from the opinion dimension.

Unlike most work, we do have opinion and policy measures on a common metric (dichotomous policy choice, such as "Do you favor allowing gay and lesbian couples to marry legally?") (see Matsusaka 2001, 1255). Thus, besides studying responsiveness as a correlation, we can tell if policy is actually congruent with preferences—or if it is instead over-responsive (policy responsive to liberal opinion but more liberal than a majority wants) or under-responsive (responsive but more conservative than a majority wants).

Next, we study an issue area, civil rights in general and gay rights in particular, that has received little attention in the public opinion literature. Most studies of responsiveness focus on traditional "New Deal" issues (such as welfare spending, education spending, tax progressivity, and regulatory policy) or a recurring set of social issues such as abortion or the death penalty. In contrast, we spotlight public policies of prime importance to the gay rights movement: same-sex marriage, civil unions, adoption by gay parents (specifically, second-parent adoption), the inclusion of sexual orientation in hate crimes laws, em-

ployment and housing non-discrimination, domestic-partner health benefits (specifically in public employment), and sodomy laws.

Moreover, beyond the substantive importance of these issues, responsiveness can vary across policy areas and types and over time. This paper, then, also serves to demonstrated the current degree of responsiveness in this specific area, while also speaking to larger patterns of responsiveness. Because we study a range of such policies, we can contrast responsiveness and congruence across polices and policy types. Some directly invoke personal relationships (marriage, unions, adoption, and sodomy); others deal with more basic economic fairness issues (e.g., job and housing protection). Some are about affirmative rights (again, to marry); others offer passive protection against discrimination (hate crimes).

Are there patterns of responsiveness by policy type? For instance, the opinion-policy relationship might be stronger in civil rights policy as compared to economic policy. It has been argued (e.g., Haider-Markel and Kaufman 2006) that " morality" issues such as gay rights are an ideal area to study potential links between opinion and policy, in that we should expect policy to be highly responsive because of both high salience and the ease with which such issues can be framed for the public.[2] On the other hand, courts and constitutional restrictions often limit public choice in civil rights issues, so that the responsiveness to public opinion might be thwarted, for good or ill.

In the next section, we discuss the details of the techniques which allow us to answer these questions and others.

[2]Morality policies are those evoking moral responses or which regulate social norms (Mooney and Lee 1995, 600). Page and Shapiro (1983) cite similar arguments for greater responsiveness in salient or visible policy areas, particularly those of great social or moral concern.

2.1 MRP Overview

The most commonly used method for estimating state-level opinion is disaggregation. The main advantage relative to MRP is its simplicity. After combining a set of national polls, one calculates the opinion percentages disaggregated by state. The only necessary data is the respondent's answer and state of residence. No further statistical analysis is necessary. The principle disadvantage is that it requires a large number of national surveys to create a sufficient sample size within each state (see, for example, Miller and Stokes 1963; Gibson 1989, 1992, 1995; Norrander 2000, 2001; Brace, et al. 2002). And, smaller states (e.g., Rhode Island) or those seldom surveyed (e.g. Alaska and Hawaii) must sometimes be dropped entirely.

Where many contemporaneous surveys are available, it may not be particularly problematic to combine them. Usually, however, one must collect surveys over a long time window to achieve sufficient state sample sizes. (For example, Erikson, Wright, and McIver 1993 combine 12 years and Brace, et al. 2002 combine 25 years.) If opinion is not stable over time, then this method will be less accurate as to opinion at any particular point in time. Furthermore, disaggregation obscures any such dynamics over time within states. For those survey questions that are asked less frequently, or for newer issues, it simply may not be possible to collect a sufficient number of compatible surveys. Additionally, national surveys, while representative at that level, are often flawed in terms of representativeness or geographic coverage at the state level, due to clustering and other survey techniques utilized by polling firms (Norrander 2007, 154).

One alternative estimation strategy is the simulation of state opinion using national

surveys, a method which has a long history (e.g., Pool, Abelson, and Popkin 1965, and, for critiques, see Weber, et al. 1972, Seidman 1975, and Erikson, Wright, and McIver 1993). MRP has certain advantages over earlier variants of the simulation approach. It too begins by modeling individual responses, so as to create predictions for each respondent type. However, older applications used only demographic correlations. That is, respondents were generally modeled as differing in their demographic but not their geographic characteristics, so the prediction for any demographic type was unvaried by state. In contrast, MRP takes into account geography as well, incorporating the criticism that people differ in their opinions even after controlling for the standard demographic typologies. In short, place matters and the updated simulation method allows it to. MRP then compensates for small within-state samples by using demographic and geographic correlations.

MRP is also far more sophisticated in the way it models individual survey responses, using Bayesian statistics and multilevel modeling (Gelman and Little 1997, Park, Gelman, and Bafumi 2007), a generalization of linear and generalized linear modeling, in which relationships between grouped variables are themselves modeled and estimated. This partially pools information about respondents across states, to learn about what drives individual responses, and to improve the accuracy of predictions and estimates.[3]

[3]For data with hierarchical structure (e.g., individuals within states within regions), multilevel modeling is generally an improvement over classical regression—indeed, classical regression is a special case of multilevel models in which the degree to which the data is pooled across subgroups is set to either one extreme or the other (complete pooling or no polling) by arbitrary assumption (see Gelman and Hill 2007, 254-8). The general principal behind this type of modeling is that it is a "compromise between pooled and unpooled estimates, with the relative weights determined by the sample size in the group and the variation within and between groups." A multilevel model pools group-level parameters towards their mean, with greater pooling when group-level variance is small and more smoothing for less-populated groups. The degree of pooling across states emerges from the data, with similarities and differences across groups of individuals estimated endogenously. Specifically, individual survey responses are modeled as a function of demographic and geographic predictors, partially pooling respondents across states to an extent determined by the data. The location of the respondents is used to estimate state-level effects on responses, and these state-level effects can themselves be more accurately modeled using additional state-level predictors such as region or

The final step is poststratification, in which the estimates for each demographic-geographic respondent type are weighted (poststratified) by the percentages of each type in the actual state populations. The multilevel model allows us to use many more respondent types than would classical methods. This improves accuracy by incorporating more detailed population information[4] Another advantage of MRP is that poststratification can correct for clustering and other statistical issues that may bias estimates obtained via survey pooling. That is, poststratification can correct for differences between samples and population.

Lax and Phillips (2007) present the first systematic comparison between the predictive accuracy of disaggregation and MRP, exploring sample size effects, model complexity effects, and the balance between demographic and geographic predictors.[5] Even using disaggregation to establish the baseline measure of "true" state opinion, MRP yields smaller errors, higher correlations, and more reliable estimates. MRP is clearly superior when samples are smaller and works quite well on samples the size of a single large national poll. They establish the face validity of the estimates and also show external validity, using MRP estimates to predict actual state polls, which serve as a second measure of "true" state

state-level (aggregate) demographics (e.g., those not available at the individual level). In this way, all individuals in the survey, no matter their location, yield information about demographic patterns which can be applied to all state estimates, and those residents from a particular state or region yield further information as to how much predictions within that state or region vary from others after controlling for demographics. Rather than using "unmodeled" or "fixed" effects, the model uses "random" or "modeled" effects, at least for some predictors (see Gelman and Hill 2007, 244-8). That is, we assume that the effects within a grouping of variables are related to each other by their hierarchical or grouping structure. For example, we model the effects of the four educational levels as drawn from some common distribution. The state effects are drawn from a common distribution, controlling for percent Evangelical/Mormon and region, and these regional effects are in turn drawn from their own common distribution.

[4]Earlier simulation methods, rather than using poststratification by full respondent type, would poststratify on the margins ("raking") (e.g., Deville, Sarndal, and Sautory 1993).

[5]That paper uses the same-sex marriage poll data used herein, with findings replicated using survey responses on other gay-rights issues and survey data from the 1988 presidential election.

opinion.

3 Data and Methods

3.1 Modeling Individual Response

To estimate the determinants of individual-level opinion, we gathered 36 national polls containing questions on gay policy issues, dating from 1994 through 2005, yielding a total of 44,359 observations. The polls are random national samples conducted by Gallup, Pew, ABC News, CBS News, AP, Kaiser, and Newsweek (see the Appendix for a list of specific polls). We then recode as necessary to combine these polls into a single internally-consistent dataset, which we shall refer to informally as the megapoll.[6] For each respondent, we have sex (male or female), race (black, Hispanic, or white and other), one of four age categories (18-29, 30-44, 45-64, and 65+), one of four education categories (less than a high school education, high school graduate, some college, and college graduate). Race and gender are combined to form six possible categories (from male-white to female-Hispanic). Finally, each respondent's state and region is indicated (Washington, D.C. is included as a "state" and its own region, along with Northeast, Midwest, South, and West). For each state, we have the percent of evangelical Protestants and Mormons (American Religion Data Archive 1990).

The policy question answers in the megapoll are our dependent variables, coded 1 for pro-gay support and 0 for all others (a negative response, "don't know," or " refused").[7]

[6]To the best of our knowledge, we included *all* available surveys from reputable sources that have the necessary demographic and geographic information.

[7]Coding refusals as missing does not change our results, though it would decrease the number of obser-

This then captures positive support among all respondents, not simply those expressing an opinion. We run eight models, one for each policy question. To be sure, there are slight variations across polls in question wording and ordering (though each polling firm tends to use the same wording over time). We control for average differences across polls (firms and years) in the model by making the poll itself another grouping variable.[8] These models are named informally as follows, along with a paraphrase of survey question content (see Table A1 for precise question wording by poll and other details):

1. *Marriage*—Do you favor allowing gay and lesbian couples to marry legally?

2. *Unions*—Do you favor allowing gay and lesbian couples to form legally recognized civil unions, giving them many of the legal rights of married couples?

3. *Sodomy*—Do you think homosexual relations between consenting adults should be legal?

4. *Adoption*—Do you think there should be adoption rights for gay and lesbian couples so they can legally adopt children?

5. *Health*—Do you think there should be health insurance and other employee benefits for gay spouses?

6. *Housing*—Do you think there should be laws protecting homosexuals from discrimination in housing?

vations, and could bias results since census weights would not reflect only those who answer.

[8]We do assume that any slight differences in question wording do not interact differentially with racial or other categories to such an extent as to dominate inferences as to these categories. Such effects are likely to be quite small, once we control for average poll differences.

7. *Jobs*—Do you think there should be laws to protect gays and lesbians from prejudice and discrimination in job opportunities?

8. *Hate Crimes*—If a hate crime law were enacted in your state, do you think that homosexuals should be covered?

Note that the first four deal most closely with personal relations, as opposed to the next four which deal more closely with issues of economic fairness and justice.

We run a separate model for each policy question (that is, we do not pool across questions in this paper). We use a multilevel logistic regression model, estimated using the LMER function (" linear mixed effects in R," Bates 2005). While there is more than one way to write down such a model (see Gelman and Hill 2007), the following is the most intuitive. We model each individual's response as a function of his or her demographics and state (for individual i, with indexes j, k, l, m, s, and p for race-gender combination, age category, education category, region, state, and poll respectively, and including an age-education interaction):

$$\Pr(y_i = 1) = \text{logit}^{-1}(\beta^0 + \alpha_{j[i]}^{race,gender} + \alpha_{k[i]}^{age} + \alpha_{l[i]}^{edu} + \alpha_{k[i],l[i]}^{age,edu} + \alpha_{s[i]}^{state} + \alpha_{p[i]}^{poll}) \qquad (1)$$

The terms after the intercept are modeled effects for the various groups of respondents:

$$\alpha_j^{race,gender} \sim N(0, \sigma^2_{race,gender}), \text{ for } j = 1, ..., 6 \tag{2}$$

$$\alpha_k^{age} \sim N(0, \sigma^2_{age}), \text{ for } k = 1, ..., 4$$

$$\alpha_l^{edu} \sim N(0, \sigma^2_{edu}), \text{ for } l = 1, ..., 4$$

$$\alpha_l^{age,edu} \sim N(0, \sigma^2_{age,edu}), \text{ for } k = 1, ..., 4 \text{ and } l = 1, ..., 16$$

$$\alpha_p^{poll} \sim N(0, \sigma^2_{poll}), \text{ for } p = 1, ...$$

That is, each is modeled as drawn from a normal distribution with mean zero and some estimated variance. The state effects are in turn modeled as a function of the region into which the state falls and the state's conservative religious percentage:[9]

$$\alpha_s^{state} \sim N(\alpha_{m[s]}^{region} + \beta^{relig} \cdot relig_s, \sigma^2_{state}), \text{ for } s = 1, ..., 51 \tag{3}$$

The region variable is, in turn, another modeled effect:

$$\alpha_m^{region} \sim N(0, \sigma^2_{region}), \text{ for } m = 1, ..., 5 \tag{4}$$

We have chosen standard demographic indicators: race, gender, age, and education have all been shown to be important predictors of social attitudes, in particular towards gays and lesbians (e.g., Haider-Markel and Meier 1996; Cook 1999).[10] While including

[9] Group-level predictors such as these reduce any unexplained group-level variation and thus group-level standard deviation, meaning more precise estimation of predictor effects (Gelman and Hill 2007, 271).

[10] Estimates are robust to variations in this specification (such as running race and gender as unmodeled fixed effects or using simpler respondent typologies).

religion at the individual level might be superior to including it only as a state-level indicator, that data is less commonly available for survey respondents and is not available at all for the census data, so that we could not poststratify by religion in any case.

3.2 Poststratification

We next weight the individual-level results above using demographic patterns within each state. There are 4,896 possible combinations of demographic and state values, ranging from "White," "Male," "Age 18-29," "Not high school graduate," in "Alabama," to "Hispanic," "Female," "Age 65+," "College degree or more," in "Wyoming." Within each state, there are 96 combinations. For any specific cell j, specifying a set of individual demographic and geographic values, the results above allow us to make a prediction of pro-gay support, θ_j. Specifically, θ_j is the inverse logit given the relevant predictors and their estimated coefficients.

Since we controlled for poll effects, we must choose a specific poll coefficient when generating these predicted values using the inverse logit. We simply use the average across the polls included in each policy question's sample, thus averaging out any time effects as well. This helps to smooth idiosyncratic shifts that might occur comparing policy questions in different years or electoral circumstances.

The prediction in each cell needs to be weighted by the actual population frequency of that cell, N_j (that is, by how many such people are in the state). For each state, we then

can calculate the average response, over each cell j in state s:

$$y^{\text{pred}}_{\text{state } s} = \frac{\sum_{j \in s} N_j \theta_j}{\sum_{j \in s} N_j} \tag{5}$$

We calculate the necessary population frequencies using the "1-Percent Public Use Microdata Sample" from the 2000 census, which gives us the necessary demographic information for one percent of each state's voting-age population. For example, for the cells mentioned above the frequencies are 581 (1.7% of Alabama's total population) and 0 respectively.

Table 1 shows the descriptive statistics for our opinion estimates. There is significant variation for the pro-gay policy position across both states and policies. Marriage has the lowest mean support (33) and housing protection the highest (75). Sodomy has the greatest range of opinion (34 points), and hate crimes the smallest spread (21 points). There is far greater support for economic fairness issues than for policies regulating personal relationships. No state has an estimated support lower than 50% for employment, housing, or hate crime protection. Opinion across policies and states in shown in the maps in Figure 1, with darker shading correlating to more liberal (pro-gay) opinion, with shading on a common scale across policies. The last map shows average policy-specific opinion across states. The northeast is most liberal and the south the least. There is more variation in the south than in other regions.

3.3 State Policy Data

We gathered data on state policies from the Human Rights Campaign, except for sodomy law data which came from the National Gay and Lesbian Task Force. From these, we code the state policy on various issue as of 2007, with the exception of sodomy laws, for which we code state policy at the time of *Lawrence v. Texas* (2003), the Supreme Court decision which struck down the criminal prohibition of homosexual sodomy.

Policies are coded dichotomously, 1 for the pro-gay policy position (e.g., no sodomy law or an employment non-discrimination law) and 0 for the alternative position (e.g., a sodomy law or no employment non-discrimination law). The relevant policies and codings are as follows:

1. *Marriage*—allows same-sex marriage
2. *Unions*—legal relationship recognition, including gay marriage, explicit civil unions, or the provision of some spousal-like rights
3. *Sodomy*—no same-gender or opposite-and-same-gender sodomy law
4. *Adoption*—allows second-parent adoption in all jurisdictions
5. *Health*—provides state employees with domestic partner benefits
6. *Housing*—prohibits discrimination in housing based on sexual orientation
7. *Jobs*—prohibits discrimination in employment based on sexual orientation
8. *Hate Crimes*—a hate crimes law including sexual orientation as a protected category

We also construct a pro-gay *policy index* counting the total score among the above, yielding a nine-point scale (0-8). Slightly fewer than half the states have a value of 0 or 1. Only Massachusetts receives the highest value. Four further states have a 7. The mean score is 2.8 and the median score is 2. State policies and the policy index are shown in the maps in Figure 2, with dark shading signifying the pro-gay policy.

4 Results and Discussion

We begin by assessing straightforward responsiveness to policy-specific opinion. We next show that this relationship persists even when controlling for voter ideology (using the scores of Erikson, Wright, and McIver 1993), state government ideology (using the scores of Berry, et al. 1998), and the state share of religious conservatives (the percent of evangelical Protestants and Mormons, American Religion Data Archive 1990).[11] Finally, we explore the congruence of policy to state opinion majorities.

4.1 Responsiveness

Difference of Means Tests. For each policy, we calculate mean (policy-specific) opinion for states with and without the policy in question, and the difference between them. (See Table 2.) For example, the states with employment protection average 75% public support for employment protection while those without average only 69%. In every policy area,

[11] The Erikson, Wright, and McIver scores are calculated using national survey data on self-identified liberal or conservative status. The Berry, et al. scores measure the ideological position of state governments, based on the partisan configuration of the state government and the state congressional delegation's ADA and COPE scores. We use the average score over 1995-2005. Results remain the same if we instead use the percentage of the time Democrats had full control of the state government between 1995 and 2005.

the states with the policy have higher levels of support than those that do not, and the difference in mean opinion is statistically and substantively significant throughout (no test is possible for same-sex marriage, in that only one state had such a policy as of December 2007). The closest margin is for hate crimes (a difference of 5 points), and greatest for civil unions and marriage (11 and 14 points respectively). (We return to the congruence column below.)

Bivariate Analysis. We next perform logistic regression analyses of each state policy against policy-specific opinion. The results are graphed in Figure 4, with numerical results shown in Table 3, Column 2. Each graph plots the probability of policy adoption derived from the logistic regression curve given state opinion. The opinion level in states with the policy in question are plotted (in a "rug") on the top axis and those without on the bottom. Finally, ten randomly sampled logistic regression curves are sketched to show the underlying uncertainty of the estimated coefficients. In each panel, dotted lines show the 50% marks in opinion support and policy probability. The last panel shows average policy-specific opinion against the policy-index, along with a "loess" curve.

For all policies, the correlation of policy-specific opinion and policy adoption is clear, a relationship significant both substantively and statistically (at the 99% level). The exact relationship does vary across policies (some of these differences we discuss in the congruence section below). When the probability of policy adoption is around 50%, the marginal effects of an addition point of policy support on the probability of policy adoption ranges from 3 points (sodomy) to 22 points (housing).[12]

[12]Dividing logit coefficients by four yields the rough upper bound of predictive difference, that is, for probabilities near the steepest part of the logit curve, near 50% (Gelman and Hill 2006, 119).

The policy index graph shows the aggregate relationship between average opinion and the extent to which state policy is pro-gay. Like the individual policies, the index is also responsive. The curve starts somewhat shallow, but once average opinion rises past 50%, the policy index curve begins to rise steeply. A 10 point increase from a base of 40% relates to an increase of approximately one policy. The next 10 points of opinion support correlate to an increase of roughly four policies, as does the next 10 points of opinion support.

Regression fit statistics are also shown in Table 3. Opinion always does well, but fit varies across policies, lowest for hate crimes and sodomy laws, and highest for housing. The proportional reduction in error (from the modal prediction) given policy-specific opinion also varies, ranging from a minimum 14% (health benefits) to 58% (housing).

Next, we evaluate the strength of the relationship to policy-specific opinion after other potential determinants of public policy are incorporated into the analysis.

Multivariate Analysis. Again, the second column in each section of Table 3 shows the policy model based only on policy-specific opinion. The remaining columns show the results for models that incorporate state government ideology, voter ideology, and then both.

The full models show that policy-specific opinion consistently has a significant effect on policy adoption independent of elected elites or voter ideology. Generally, it remains highly significant (albeit sometimes somewhat smaller in substantive magnitude), while the statistical significance of the other influences does vary. The marginal contributions of these other factors to model fit and predictive power are also generally quite low. When

coefficients are standardized before running the regressions (subtracting the mean from each variable and dividing by two standard errors, results not shown), the magnitude of the policy-specific opinion effect is usually much larger. For some policies, we do find a significant impact of elite or general ideology, while for others we cannot reject the null hypothesis of no effect. Given sample size (48 states, as Alaska and Hawaii are excluded from the voter ideology scores used), it can be difficult to discern statistically significant effects, and so it should be noted that inability to reject the null is not conclusive as to the existence of meaningful effects. That said, in only one model variant (of 28) is policy-specific opinion insignificant.

The policy index model, shown at the end of Table 3, reveals clear effects of all three contributory factors, policy-specific opinion, elite ideology, and voter ideology. The contribution to fit of the additional variables is small, but meaningful, as shown by the lower AIC statistic. In the full model, a roughly five point increase in average policy-specific opinion support correlates to an increase of one pro-gay policy.

As a further test of the impact of opinion, we next turn to two multilevel models, shown in Table 4. The first model includes policy-specific fixed effects, allowing the intercept to vary across policies, and including elite and voter ideology, as well as the share of religious conservatives. The second model includes state fixed effects, which means we cannot include the other variables, which do not vary within a state across policies. The first model perhaps better captures variance within policies across states and the second better captures variance across policies within states. Again we find a strong relationship between policy and policy-specific opinion, now even independent of the state share of religious conservatives as well as the ideology measures. The substantive impact of opinion

remains high in both models, with a marginal increase of one point of opinion support correlation to three and two point increases in probability respectively. The standardized coefficients show that the magnitude of the opinion effect given variation across states is twice the size of any other factor. Models this complex push the limits of what can be uncovered with only 48 states and 8 policies, but even when clustered standard errors are used, opinion effects remain significant at the 10% level (results not shown).

4.2 Congruence

So, we have discussed relative responsiveness across policies and states, but we now turn to responsiveness assessed on an absolute scale, taking advantage of our common metric for policy and opinion. We return to Figure 4. Where the logit curve hits the vertical dotted line, mapping this point of intersection over to the y-axis reveals the predicted probability of policy adoption at 50% support. Where the curve hits the horizontal dotted line, mapping this point of intersection down to the x-axis reveals the needed support level for the predicted probability of policy adoption to reach 50%.

Ideally, at least for clear majoritarian control, the slope would be very steep and hit the crosshair within each panel. That is, the crosshair at the intersection of the 50% marks the point at which 50% public support correlates to a 50% chance of policy adoption. While each policy revealed a clear relationship to opinion, the precise curves shift from left to right across policies, sometimes falling short of the crosshairs, sometimes hitting them, and sometimes overshooting them.

For adoption and civil unions (and possibly for marriage), the 50-50 point is hit, so

that policy seems most in line with public support. Where the curve falls to the left/above of the crosshair—as for sodomy—pro-gay policy is over-responsive to opinion liberalness, in that it is more liberal than majority opinion warrants (roughly 40% support leads to a 50% chance of policy adoption and 50% support leads to roughly an 80% chance of policy adoption).[13] Where the curve falls to the right/below of the crosshair—as for jobs, housing, health benefits, and hate crimes—pro-gay policy is under-responsive, in that it is more conservative than majority opinion warrants. To be specific, for any of these four, the probability of policy adoption at 50% support is roughly zero (there is some uncertainty, particularly for the hate crimes model). Or, to flip this, for job protection, a 50% chance of policy adoption is not reached until opinion is over 70%.

We next calculate the number of states in which policy is congruent with opinion-majorities across policies, shown in the final column of Table 2.[14] We provide a map of policy congruence in Figure 3. The high congruence (dark shading) of personal relationship policies is clear, as is the lower congruence (light shading) for economic and other protective policies. The congruence index shown in the bottom right corner is a simple additive score of policy congruence within each state. The patterns of this congruence index across states is not clear, though congruence is high in the west and northeast.

Sodomy laws were congruent in 34 states, with non-congruence occurring almost completely in the form of policy that was "too" liberal relative to opinion majorities. The Supreme Court's striking of homosexual sodomy laws in *Lawrence v. Texas* in 2003 actually reduced congruence to 23 states.

[13] This could also be phrased as under-responsiveness to conservative opinion.

[14] We do not take into account the underlying uncertainty of our estimates in these rough calculations. On the margins, congruence findings as to a few states might vary depending on poll timing, etc.

Marriage, civil unions, and adoption policy are highly congruent. This finding for adoption policy is particularly interesting given that it is largely set by state courts and not by elected officials directly. This suggests that the appointment process or judicial elections are enabling a sufficient degree of democratic feedback for this policy. At least, it is not the case that activist judges are imposing their will against opinion majorities.

Meanwhile, housing and job protection is only congruent in 20 states. Worse, health-care benefits are only congruent in 15 states.[15] In each of these, non-congruence occurs in the form of state policies that are "too" conservative.

This congruence puzzle shows the relevance of Matsusaka's (2001) argument that a positive correlation between policy and opinion tells only part of the story, in that policy might still not reflect public will. Without policy-specific measures, the patterns shown above would remain hidden.

One possibility solution to this puzzle is that people do not feel comfortable revealing their true preferences on these issues which perhaps seem more like traditional civil rights. Another is that the salience of these is lower that that of personal relations policies, so that the incentives for elites to represent opinion majorities are lessened. A third possibility is the influence of religious conservatives thus preventing the leftward shift in policy desired by opinion majorities or gay rights interest groups (the pattern shown in Figure 3 is compatible with this). Fourth, the answer may lie in differing intensities of preferences over these issues or the balance in ability to speak openly and publicly in support of one's interests. Finally, it is also possible that policy is simply lagging behind opinion but will fall into congruence in the years to come.

[15]This policy area does have the weakest fit of poll question to policy detail.

4.3 Causality?

One problem in analyzing the effects of opinion and policy is the problem of contaminated inference due to reverse causality. As Erikson, Wright, and McIver note, "conceivably it is the policy tendency of the state that drives public preferences rather than the other way around" (1993, 88). While they find no such serious contamination in their analysis of responsiveness to diffuse voter ideology, we offer two responses in the context of the project at hand. First, demographic variation explains a significant amount of variation in individual response (in the individual response model results not shown, but see Lax and Phillips 2007). Second, for two of our policies, we have significant polling data *before* policy adoption. The poll data used for the hate crimes analysis is from 2000, predating all but two state policy adoptions (California and Minnesota). Next, we had sufficient data on the civil unions question before any states adopted civil unions. We reran the civil union logistic regression model using opinion estimates constructing using only this "early" poll data. The effects of policy-specific opinion were robust, remaining significant statistically and substantively similar. Finally, note that no matter the direction of causality, significant non-congruence between opinion and policy remains in some policy areas.

5 Conclusion

We conclude in part by echoing Erikson, Wright, and McIver. We too find that "state political structures appear to do a good job in delivering more liberal policies to more liberal states and more conservative policies to more conservative states. Across a range of policies, public opinion counts and not just a little" (1993, 95)—even moving from their

domain of general ideology to one of specific policies and policy-oriented public opinion. Public opinion does seem to drive specific policy choice, policy-by-policy, across a range of policies that affect gays and lesbians, even after controlling for other influences. Indeed, it seems a much larger influence than the latter.

However, we also find constraints and limits on the positive democratic effects of federalism. Policy does not match opinion majorities on sodomy laws, job protection, housing protection, health benefits, and hate crimes. General measures of public or elite ideology cannot explain this variation across policies within states. This raises a congruence puzzle, with economic and protective policies highly non-congruent as compared to policies regulation personal relations directly. Except for sodomy laws, perhaps made less congruent by the Supreme Court's striking of such laws, what we find is not the trumping of majority will by pro-gay elites or pro-gay interest groups, but rather non-congruence between policy and opinion that works against the interests of gays and lesbians. What we find is not tyranny of the majority, in that the majority seems to favor the missing civil rights protections. Perhaps what we are observing one minority group blocking another, if indeed the influence of religious conservatives is the reason why such policies have failed. Future work could attack this puzzle, and attempt to sort out other influences on policy-making.

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Table 1: Descriptive Statistics on State Policy-Specific Opinion

	Minimum	Maximum	Mean	Standard Deviation
Same-Sex Marriage	17	46	33	8
Civil Unions	22	58	42	8
Second-Parent Adoption	17	52	41	8
Employment Protection	51	79	71	5
Housing Protection	55	81	75	5
Health Care Benefits for Domestic Partners	44	73	61	6
Hate Crimes Law includes Sexual Orientation	55	76	70	5
No Sodomy Prohibition	28	62	47	9

Table 2: Basic Responsiveness and Congruence

Pro-Gay Policy	Mean Opinion			States with Opinion-Policy Congruence
	States with Policy	States without Policy	Difference	
Same-Sex Marriage	46	32	14(NA)	49
Civil Unions	51	40	11**	45
Second-Parent Adoption	49	39	10**	44
Employment Protection	75	69	6**	20
Housing Protection	78	73	6**	20
Health Care Benefits for Domestic Partners	65	59	6**	15
Hate Crimes Law includes Sexual Orientation	72	67	5**	31
No Sodomy Prohibition	50	40	10**	34

Notes:
(1) Includes all fifty states.
(2) All policy data obtained from the Human Rights Campaign and the National Gay and Lesbian Task Force.
(3) Two-tailed tests with unequal variance across groups are used; ** significant at 95%

Table 3: Policy Responsiveness (Individual Policies and Policy Index)

DV = Allow Joint Adoption for Same-Sex Couples				
Issue-Specific Opinion	.45***	.49***	.36**	.41**
	(.15)	(.18)	(.17)	(.19)
Government Ideology	—	-.01	—	-.02
		(.03)		(.03)
Voter Ideology	—	—	.12	.13
			(.11)	(.11)
Constant	-21.76	-22.92	-16.81	-17.69
	(7.02)	(7.78)	(8.30)	(8.78)
PCP% (PRE%)	85 (22)	88 (33)	88 (33)	85 (22)
Pseudo-R^2	.80	.82	.81	.83
AIC	31.1	32.9	31.8	33.3
DV = Allow Civil Unions between Same-Sex Couples				
Issue-Specific Opinion	.38***	.33***	.43***	.43***
	(.13)	(.13)	(.16)	(.17)
Government Ideology	—	.04	—	.05*
		(.03)		(.04)
Voter Ideology	—	—	-.06	-.13
			(.12)	(.14)
Constant	-19.11	-19.12	-22.11	-25.37
	(6.10)	(6.46)	(8.69)	(10.13)
PCP% (PRE%)	90 (44)	88 (33)	88 (33)	90 (44)
Pseudo-R^2	.76	.75	.77	.77
AIC	29.0	29.4	30.8	30.5
DV = No Same-Sex Sodomy Prohibition (as of *Lawrence v. TX*)				
Issue-Specific Opinion	.13***	.13***	.07*	.08*
	(.04)	(.05)	(.05)	(.06)
Government Ideology	—	.03	—	.00
		(.02)		(.03)
Voter Ideology	—	—	.13**	.12**
			(.07)	(.09)
Constant	-5.22	-6.19	-.43	-.79
	(1.99)	(2.26)	(3.22)	(4.31)
PCP% (PRE%)	79 (33)	75 (20)	79 (33)	79 (33)
Pseudo-R^2	.30	.36	.41	.41
AIC	51.9	52.5	50.3	52.3
DV = Employment Nondiscrimination Law that Includes Sexual Orientation				
Issue-Specific Opinion	.57***	.50***	.35**	.31*
	(.17)	(.18)	(.20)	(.20)
Government Ideology	—	.05**	—	.04
		(.03)		(.03)
Voter Ideology	—	—	.30***	.29**
			(.12)	(.13)
Constant	-41.41	-39.42	-21.59	-20.83
	(12.50)	(13.52)	(14.81)	(15.06)
PCP% (PRE%)	81 (53)	83 (58)	79 (47)	83 (58)
Pseudo-R^2	.73	.76	.81	.82
AIC	43.4	41.4	35.2	35.4

Table 3: Continued

DV = Housing Nondiscrimination Law that Includes Sexual Orientation				
Issue-Specific Opinion	.89***	.79***	.50**	.47*
	(.26)	(.28)	(.29)	(.19)
Government Ideology	—	.05**	—	.30*
		(.03)		(.04)
Voter Ideology	—	—	.26**	.23**
			(.13)	(.14)
Constant	-65.70	-63.38	-35.59	-35.5
	(19.64)	(21.31)	(22.55)	(23.58)
PCP% (PRE%)	83 (58)	90 (73)	81 (53)	83 (58)
Pseudo-R^2	.85	.87	.84	.85
AIC	38.2	36.2	34.5	34.4
DV = Health Benefits for Domestic Partners in Public Employment				
Issue-Specific Opinion	.33***	.28***	.20**	.21**
	(.10)	(.11)	(.12)	(.12)
Government Ideology	—	.05**	—	.04*
		(.03)		(.03)
Voter Ideology	—	—	.15**	.10
			(.09)	(.09)
Constant	-21.44	-21.15	-11.78	-14.69
	(6.55)	(6.71)	(8.05)	(8.51)
PCP% (PRE%)	75 (14)	83 (43)	77 (21)	85 (50)
Pseudo-R^2	.52	.60	.58	.62
AIC	44.6	41.5	43.1	42.1
DV = Hate Crimes Law that Includes Sexual Orientation				
Issue-Specific Opinion	.27***	.26***	.13	.17*
	(.09)	(.10)	(.11)	(.12)
Government Ideology	—	.05**	—	.04*
		(.02)		(.03)
Voter Ideology	—	—	.15**	.10
			(.08)	(.08)
Constant	-18.62	-20.06	-6.33	-11.76
	(6.44)	(6.98)	(8.20)	(9.51)
PCP% (PRE%)	73 (28)	75 (33)	77 (39)	73 (28)
Pseudo-R^2	.36	.51	.45	.52
AIC	53.8	50.9	51.4	51.4

Table 3: Continued

	DV = Policy Index (OLS regression)			
Policy-Specific Opinion Index	.29***	.25***	.17***	.18***
	(.04)	(.04)	(.05)	(.05)
Government Ideology	—	.04***	—	.03**
		(.01)		(.01)
Voter Ideology	—	—	.14***	.10**
			(.05)	(.05)
Constant	13.49	-12.97	-4.84	-7.05
	(2.12)	(1.97)	(3.52)	(3.61)
Adjusted-R^2	.56	.62	.62	.64
AIC	186.8	180.3	180.3	178.4

Note: * Significant at the 10 percent level, ** significant at the 5 percent level, *** Significant at the 1 percent level (one-tailed). PCP = percent correctly predicted. PRE = proportional reduction of error. Pseudo-R^2 calculated using the McKelvey-Zavoina method. AIC = Akaike Information Criterion. The Policy Index is a simple count of policies within each state ranging from 0 to 8. The Opinion Index is the average across policy-specific opinion within each state.

Table 4: Policy Responsiveness (Multilevel Models)

	Model 1: Policy Fixed Effects		**Model 2: State Fixed Effects**	
	Unstandardized Coefficients	Standardized Coefficients	Unstandardized Coefficients	Standardized Coefficients
Policy-Specific Opinion	.11** (.06)	3.76** (2.15)	.07** (.01)	2.23** (.38)
Government Ideology	.03** (.01)	1.16** (.39)	—	—
Voter Ideology	.13** (.04)	1.90** (.54)	—	—
Share Relig. Conservatives	-.05 (.04)	-1.27 (.94)	—	—
Policy Fixed Effects				
No Sodomy Prohibition	4.81 (1.19)		—	
Same-Sex Marriage	-1.19 (.191)		—	
Civil Unions	.87 (1.22)		—	
Adoption	.99 (1.28)		—	
Employment	-.38 (.91)		—	
Housing	-.79 (1.09)		—	
Hate Crimes	1.44 (.90)		—	
State Fixed Effects	—		(not shown)	
Intercept	-7.28 (4.47)	-2.27 (.55)	-6.11 (1.34)	-2.45 (1.12)
N	384		384	
Residual deviance	247.6		284.8	

Note: Model 1 includes policy fixed effects (shown here) and Model 2 includes state fixed effects (not shown here). Where applicable, coefficients are standardized by subtracting the mean and dividing by two standard deviations. Alaska and Hawaii are excluded since data on voter ideology does not exist for these states. One-tailed tests are used.

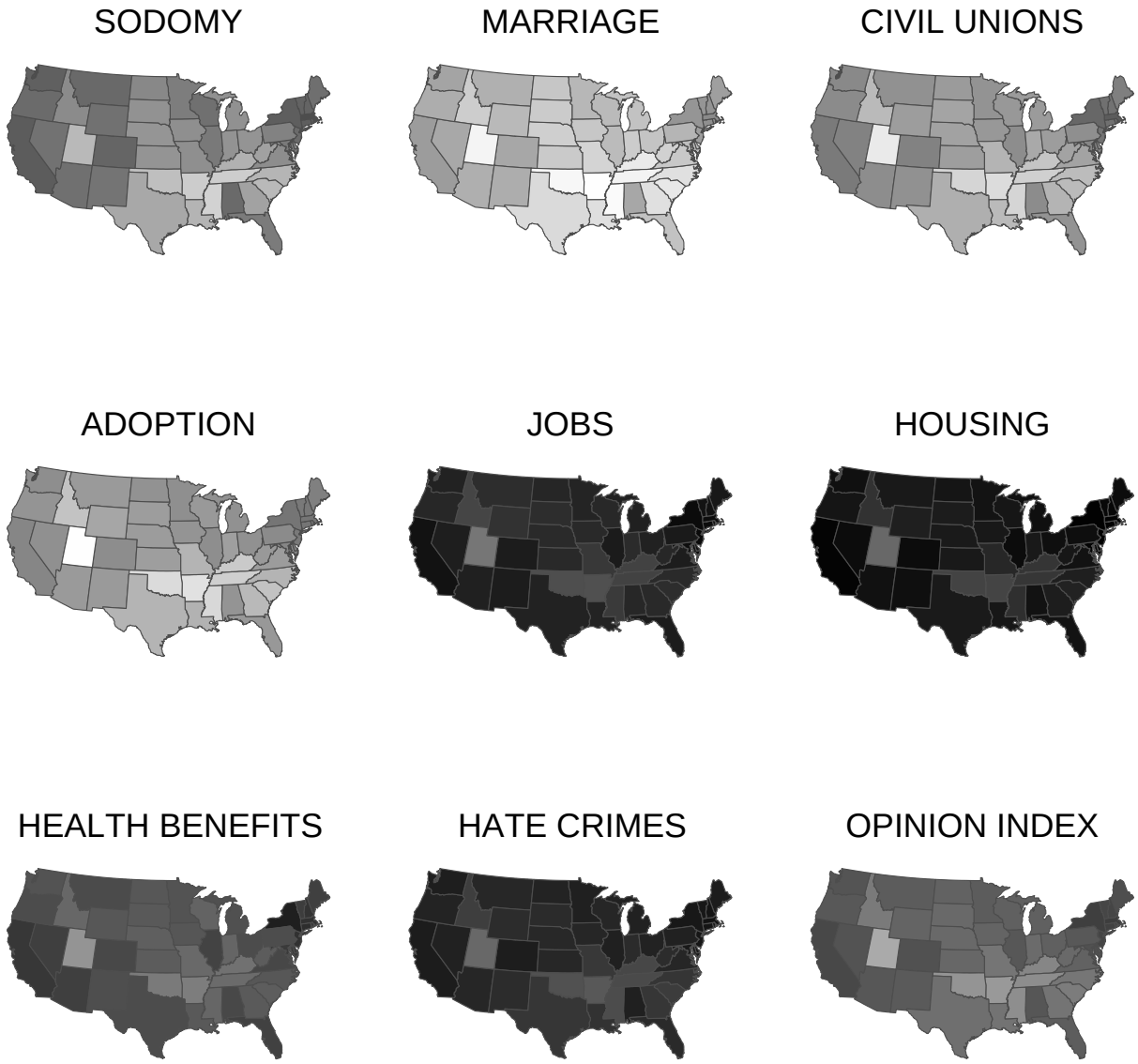

Figure 1: *Opinion Maps.* Opinion support levels are shown across policies and states, with darker shading correlating to more liberal (pro-gay) opinion, with shading on a common scale across policies. The last map shows average policy-specific opinion across states.

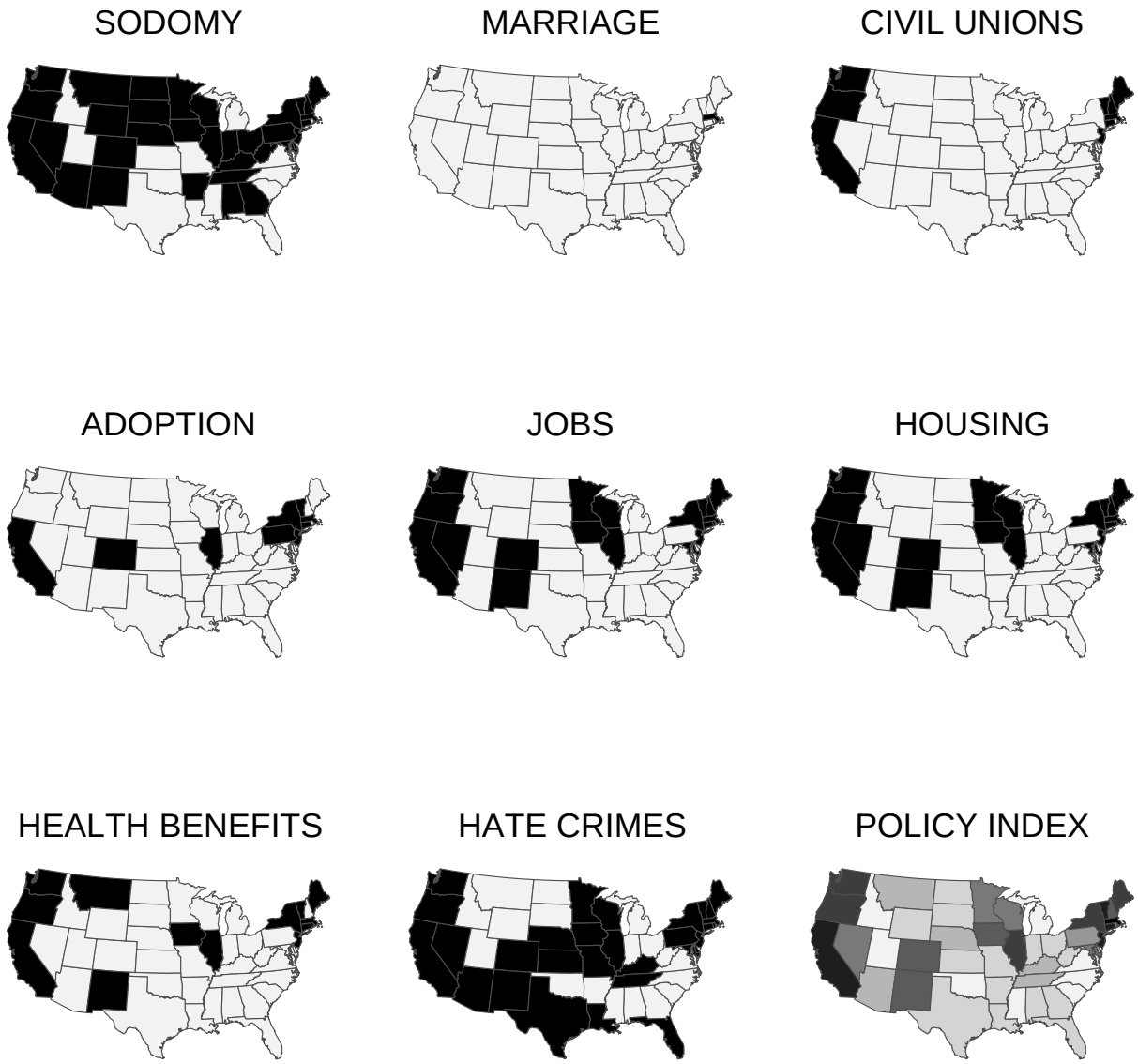

Figure 2: *Policy Maps*. State policies and an aggregate policy index are shown, with dark shading signifying the pro-gay policy.

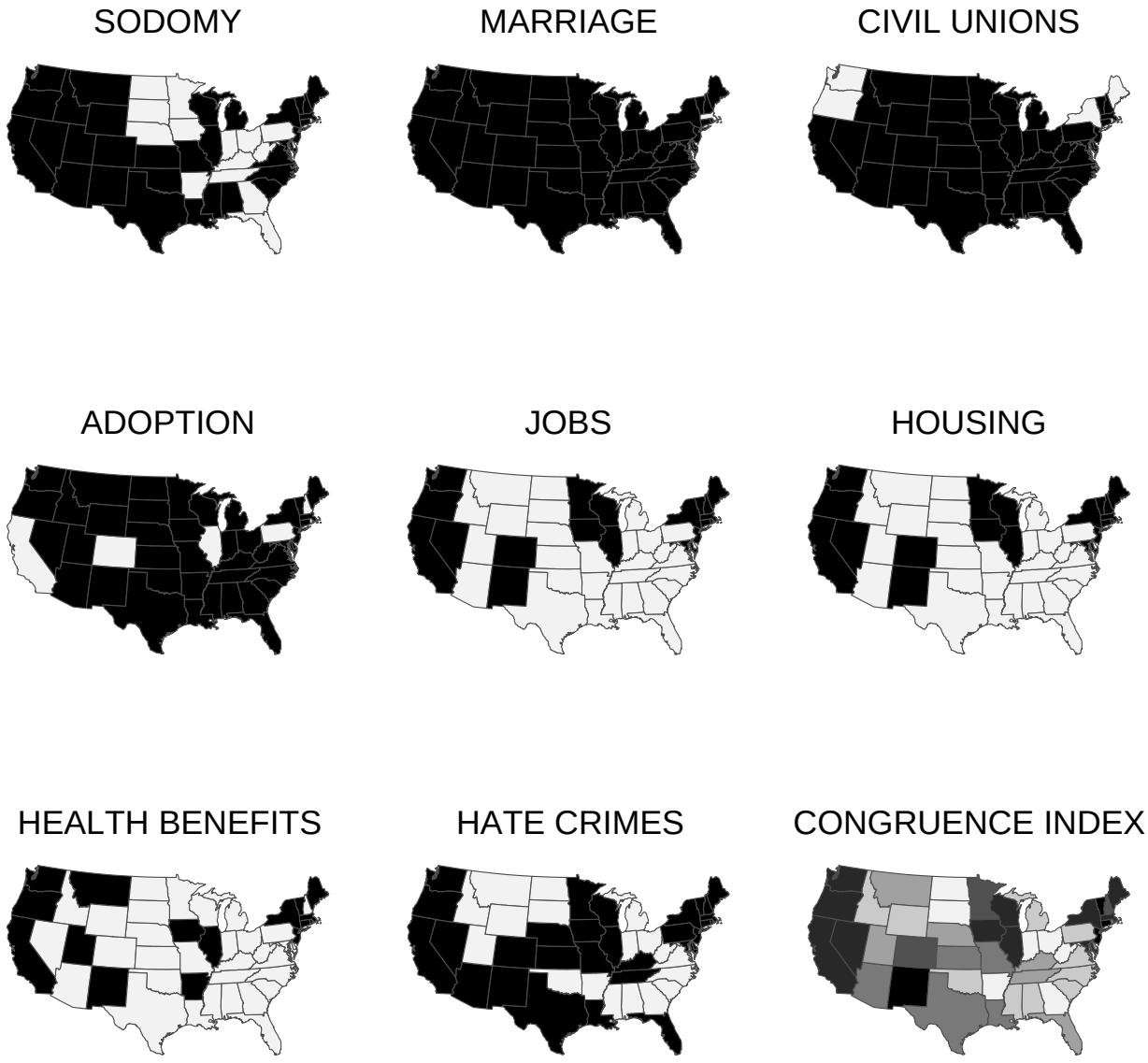

Figure 3: *Congruence Maps.* Dark shading indicates congruence between policy and specific-opinion-majorities by state. The congruence index shown in the final panel is a simple additive score of policy congruence within each state.

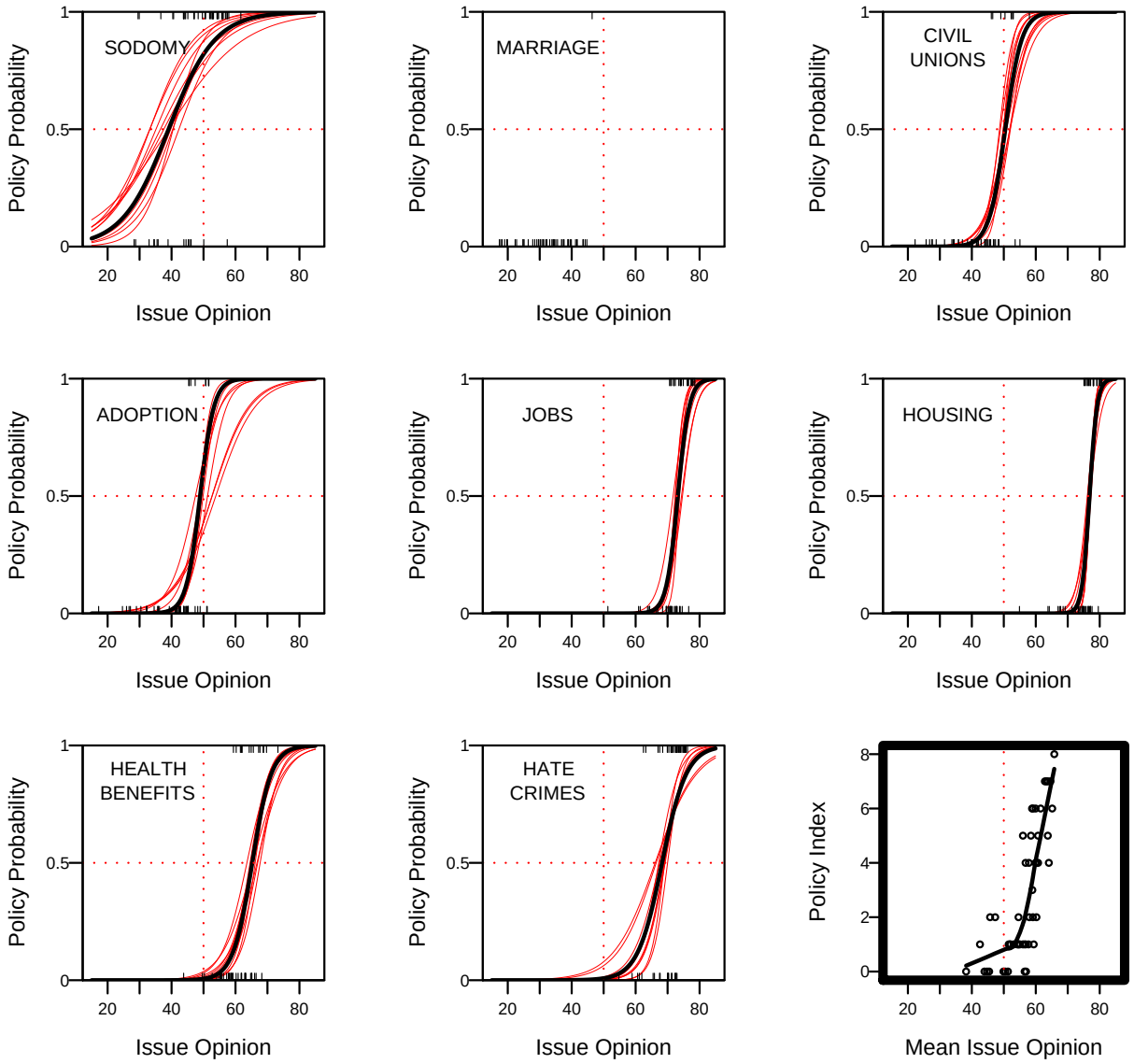

Figure 4: *Logistic Regression Plots.* Each graph plots the probability of policy adoption derived from the logistic regression curve given state opinion. The opinion level in states with the policy in question are plotted (in a "rug") on the top axis and those without on the bottom. Finally, ten randomly sampled logistic regression curves are sketched to show the underlying uncertainty of the estimated coefficients. In each panel, dotted lines show the 50% marks in opinion support and policy probability. The last panel shows average policy-specific opinion against the policy-index, along with a "loess" curve.

Table A1: Poll Questions

Poll Firm	Date	Sample	Questions used
ABC News/The Washington Post	Mar. 4-7, 2004	1,202	Do you think it should be LEGAL or ILLEGAL for homosexual couples to get married?
CBS News & NYT	Jul. 14-17, 1994	1,339	Do you think homosexual relations between consenting adults should or should not be legal?
CBS News & NYT	Dec. 10-13, 2003	1,057	Would you favor or oppose a law that would allow homosexual couples to legally form civil unions, giving them some of the legal rights of married couples?
CBS News & NYT	Dec. 10-13, 2003	1,057	What about marriage? Would you favor or oppose a law that would allow homosexual couples to marry, giving them the same legal rights as other married couples?
Gallup Organization	Mar. 15-17, 1996	1,008	Do you think marriages between homosexuals should or should not be recognized by the law as valid, with the same rights as traditional marriages?
CBS News & NYT	Jul. 13-27, 2003	3,092	Do you think homosexual relations between consenting adults should or should not be legal?
CBS News & NYT	Jul. 13-27, 2003	3,092	Would you favor or oppose a law that would allow homosexual couples to marry, giving them the same legal rights as other married couples?
Associated Press	May 17-21, 2000	1,021	In general, do you think gays and lesbians should or should not be allowed to be legally married?
Associated Press	May 17-21, 2000	1,021	In general, do you think gays and lesbians should or should not be allowed to form a domestic partnership that would give the same-sex couple the same rights and benefits as opposite sex marriage?
Associated Press	May 17-21, 2000	1,021	Providing health insurance coverage to gay partners; would you favor or oppose this proposal?
ABC News/The Washington Post	Jan. 15-18, 2004	1,036	On another subject, do you think homosexual couples should or should not be allowed to form legally recognized civil unions, giving them the legal rights of married couples in areas such as health insurance, inheritance and pension coverage?
ABC News/The Washington Post	Jan. 15-18, 2004	1,036	Do you think it should be legal or illegal for homosexual couples to get married?
Pew	Dec. 1-16, 2004	2,000	Do you strongly favor, favor, oppose, or strongly oppose: Allowing gays and lesbians to marry legally.
Gallup	Sept. 11-13, 2000	1,008	If a hate law were enacted in your state, which of the following groups do you think should be covered?
CNN/USA Today	Jan. 13-16, 2000	1,027	Do you think marriages between homosexuals should or should not be recognized by the law as valid, with the same rights as traditional marriages?
CNN/USA Today	Jan. 13-16, 2000	1,027	Do you think gay partners who make a legal commitment to each other should or should not be entitled to the same rights and benefits as couples in traditional marriages?
Gallup	Feb. 8-9, 1999	1,054	Do you think homosexual relations between consenting adults should or should not be legal?
Gallup	Feb. 8-9, 1999	1,054	Do you think marriages between homosexuals should or should not be recognized by the law as valid, with the same rights as traditional marriages?
Gallup	Nov. 21-24, 1996	1,003	Do you think homosexual relations between consenting adults should or should not be legal?
CNN/USA	Dec. 15-16,	1,000	Do you think marriages between homosexuals should or should

Today	2003		not be recognized by the law as valid, with the same rights as traditional marriages?
CNN/USA Today	Oct. 24-26, 2003	1,006	Do you think marriages between homosexuals should or should not be recognized by the law as valid, with the same rights as traditional marriages?
CNN/USA Today	Jul. 25-27, 2003	1,006	Do you think homosexual relations between consenting adults should or should not be legal?
CNN/USA Today	Jul. 25-27, 2003	1,006	Would you favor or oppose a law that would allow homosexual couples to legally form civil unions, giving them some of the legal rights of married couples?
Gallup	Jul. 18-20, 2003	1,003	Do you think homosexual relations between consenting adults should or should not be legal?
Gallup	Jun. 27-29, 2003	1,003	Do you think marriages between homosexuals should or should not be recognized by the law as valid, with the same rights as traditional marriages?
Gallup	May 19-21, 2003	1,014	Do you think homosexual relations between consenting adults should or should not be legal?
CNN/USA Today	Feb. 8-10, 2002	1,001	Would you favor or oppose a law that would allow homosexual couples to legally form civil unions, giving them some of the legal rights of married couples?
Newsweek	Feb. 5-6, 2004	1,004	Do you think it should or should NOT be: Legally-sanctioned gay marriages? Legally-sanctioned gay and lesbian unions or partnerships? Adoptions rights for gays and lesbians so they can legally adopt children? Health insurance and other employee benefits for gay spouses?
Kaiser Family Foundation	Nov. 2001	2,283	Do you think there should or should not be…Legally-sanctioned gay and lesbian marriages? Legally-sanctioned gay and lesbian unions or partnerships? Laws to protect gays and lesbians from prejudice and discrimination in job opportunities? Laws to protect gays and lesbians form prejudice and discrimination in housing? Adoption raights for gay and lesbian couples so they can legally adopt children? Health insurance and other employee benefits for gay and lesbian domestic partners?
Gallup Organization	Aug. 22-25, 2005	1,007	Do you think homosexual relations between consenting adults should or should not be legal?
Gallup Organization	Aug. 22-25, 2005	1,007	Do you think marriages between homosexuals should or should not be recognized by the law as valid, with the same rights as traditional marriages?
Los Angeles Times	Mar. 27-30, 2004	1,616	Do you favor or oppose laws to protect gays against job discrimination?
Los Angeles Times	Mar. 27-30, 2004	1,616	Do you favor or oppose laws to protect gays against housing discrimination?
Los Angeles Times	Mar. 27-30, 2004	1,616	Do you favor or oppose gay couples legally adopting children?
Gallup Organization	Mar. 18-20, 2005	909	Do you think marriages between homosexuals should or should not be recognized by the law as valid, with the same rights as traditional marriages?
Gallup Organization	Apr. 29-May 1, 2005	1,006	Do you think marriages between homosexuals should or should not be recognized by the law as valid, with the same rights as traditional marriages?
Gallup Organization	Nov. 19-21, 2004	1,015	Which of the following arrangements between gay or lesbian couples do you think should be recognized as legally valid?
Gallup Organization	Jul. 19-21, 2004	1,005	Do you think marriages between homosexuals should or should not be recognized by the law as valid, with the same rights as traditional marriages?

Gallup Organization	Mar. 5-7, 2004	1,005	Do you think marriages between homosexuals should or should not be recognized by the law as valid, with the same rights as traditional marriages? Would you favor or oppose a law that would allow homosexual couples to legally from civil unions, giving them some of the legal rights of married couples?
Gallup Organization	Feb. 16-17, 2004	1,006	Do you think marriages between homosexuals should or should not be recognized by the law as valid, with the same rights as traditional marriages?
Gallup Organization	Feb. 6-8, 2004	1,008	Do you think marriages between homosexual should or should not be recognized by the law as valid, with the same rights as traditional marriages?
Gallup Organization	Jan. 9-11, 2004	1,003	Do you think homosexual relations between consenting adults should or should not be equal? Would you favor or oppose a law that would allow homosexual couples to legally get married, or do you not have an opinion either way? Would you favor or oppose a law that would allow homosexual couples to legally form civil unions, giving them some of the legal rights of married couples, or do you not have an opinion either way?