Did Disfranchisement Laws Help Elect President Bush? New Evidence on the Turnout Rates and Candidate Preferences of Florida's Ex-Felons
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ORIGINAL PAPER

Did Disfranchisement Laws Help Elect President Bush? New Evidence on the Turnout Rates and Candidate Preferences of Florida's Ex-Felons

Traci Burch

Abstract This paper re-examines the impact of Florida's disfranchisement law on the 2000 Presidential election. The analysis simulates outcomes in Florida under scenarios consistent with the turnout rates of Georgia and North Carolina ex-felons in 2000 and Florida ex-felons in 2008. Survey evidence on candidate preferences as well as data on ex-felon party registration in Florida and North Carolina are used to produce estimates of support for Bush and Gore among ex-felons. Based on the simulations, the ex-felon population in Florida would have favored Bush in 2000. Assuming that ex-felons supported Gore at rates similar to GSS respondents with at most a high school diploma, Bush would have defeated Gore by 4,925 and 7,048 votes, assuming turnout of 10 and 15%, respectively.

Keywords Felony disfranchisement · Criminal justice · Voting behavior · 2000 General election

> In the state of Florida alone, an estimated 600,000 ex-felons were unable to vote in the 2000 presidential election. Denying their voice may have literally changed the history of this nation.
> –Representative John Conyers, Jr. (Hull 2006)
> "As frank as I can be, we're opposed to [restoring voting rights] because felons don't tend to vote Republican."
> –Marty Connors, Chairman, Alabama Republican Party (Krajick 2004)

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"... because Florida is a state that disenfranchises all ex-felons, it is certain that ex-felon votes would have helped Al Gore carry the state and thus the election in 2000."
    –Jeff Manza and Christopher Uggen, 2004 (Manza and Uggen 2004)

The first decade of the 21st century has brought about a rebirth of voting among eligible citizens. In many states, races at the local and presidential levels have been decided by razor-thin margins, reminding members of the public that every vote counts. No election was more central to this sense of urgency than the 2000 Presidential Election. The margin between Vice President Albert Gore and Governor George W. Bush was less than 7500 votes in five states. Subsequent presidential contests were also close; in 2004, less than 2.5 percentage points separated President Bush and Senator John Kerry in the popular vote. In 2008, despite Senator Obama's decisive popular vote victory, the margins in North Carolina, Missouri, and Indiana between Senators Obama and McCain were less than one percentage point.

In this contentious political climate, voting rights and participation have taken on even greater significance and more Americans are paying attention to how election laws shape the electorate and, in turn, political outcomes. This concern is reflected in the emerging debate over the disfranchisement of felons, an issue that has received much attention from advocacy groups, media outlets, and politicians. Not surprisingly, much of this attention was directed toward Florida, a battleground state that, until 2006, permanently disfranchised all individuals with felony convictions. In 2004 alone, the *New York Times* published at least ten articles and editorials calling for an end to felon disfranchisement, citing among other reasons the belief that the results of the 2000 presidential election would have been reversed if Florida's disfranchised ex-felons had the right to vote in that election. Florida has since changed its law to permit some individuals convicted of minor felony offenses to vote after their sentences end. Still, a majority of Florida's ex-felons remain permanently disfranchised.

Thus, the question remains: did the Florida restriction on ex-felon voting change the outcome of the 2000 Presidential Election? This paper re-examines this question by simulating election outcomes for the 2000 Florida general election. The conventional wisdom assumes that in the absence of felon disfranchisement, a large number of ex-felons would have turned out to vote and that this group would have been overwhelmingly Democratic. This paper will show that previous research *overestimates* the turnout rate of Florida's ex-felons and *underestimates* the share of the vote George W. Bush would have won among them. Untenable assumptions about the political participation of ex-offenders, coupled with erroneous beliefs about their political preferences, led previous researchers and advocates to conclude that disfranchising ex-felons took thousands of votes away from Vice-President Gore. In contrast to earlier studies, this analysis uses scenarios consistent with the turnout rate of Florida's own ex-felons in 2008 (11.1%) and the turnout rates in 2000 of ex-felons in Georgia and North Carolina to simulate turnout in Florida's 2000 General Election. To produce more realistic estimates of candidate choice, the analysis relies on evidence from the 2002 General Social

Survey on the preferences of people with characteristics similar to those of offenders, supported by data on party registration among eligible ex-felons in Florida and North Carolina. Data from the Florida Department of Corrections is used to produce accurate counts of the number and characteristics of ex-felons living in Florida at the time of the election.

Based on the simulated election outcomes, the ex-felon population in Florida most likely would have favored President Bush in 2000. Assuming that ex-felons supported Vice President Gore at rates similar to GSS respondents with at most a high school diploma, Bush would have defeated Gore by averages of 4,925 and 7,048 votes, assuming turnout rates of 10 and 15%, respectively. Neither higher levels of turnout generally nor higher levels of turnout for blacks or women relative to whites and men resulted in a Gore advantage.

However, the analysis is sensitive to assumptions about the candidate preferences of white male ex-felons. This pattern reflects the fact that although disfranchisement laws disproportionately affect black men, in Florida, white men comprised a majority of the ex-felon population in 2000. Examining support for Democratic candidates since 1980 among people with characteristics similar to those of offenders shows that white men overwhelmingly supported Republican presidential candidates in every election except during the Clinton years. Because the majority of ex-felons in Florida are white men, it is likely that Bush would have won that state in 2000 even in the absence of ex-felon disfranchisement laws. Holding all other factors constant, Gore would have needed to win more than 36% of the white male ex-felon vote to overtake Bush, a level of support that seems implausible given the survey and party registration evidence.

Although this paper considers what might appear to some a narrow question, the claim that felon disfranchisement influenced the outcome in Florida has been highly salient and consequential. As noted previously, scholars, politicians, journalists, and advocates all base their arguments against felon disfranchisement in part on the effects of this policy on the 2000 election outcome. In the minds of many, this policy thus shaped the course of U. S. history. Moreover, felon disfranchisement law remains an area of rapid and significant policy change; as a result, correctly estimating the past electoral effects of these laws helps provide clues to the impact of re-enfranchisement in the future.

The argument proceeds first by examining the origins of the conventional wisdom that ex-felons favor the Democratic Party. Next, this conventional wisdom is challenged with evidence from contradictory research. The next section begins the effort to pinpoint the turnout rates and candidate preferences of ex-felons by race and gender, presenting evidence from Georgia, North Carolina, Florida, and national surveys. These numbers are then used to simulate Florida's presidential vote margin for the 2000 election, showing that President Bush is the likely winner under several scenarios. Then, alternative scenarios are considered in order to find out the circumstances under which a Gore victory was more likely. Finally, the paper ends with a discussion of these findings, reflecting on disfranchisement laws and the broader question of whether they really "matter" for democracy.

Origins of the Conventional Wisdom

When thinking about the relationship between criminal justice and democracy, most journalists, scholars, and advocates tend to focus on disfranchisement laws, arguing that such policies prevent a large number of offenders—nearly five million—from voting in federal elections (Manza and Uggen 2006). Moreover, these policies disproportionately affect minority and poor men who traditionally support the Democratic Party (Harvey 1994). By extension, the net effect of disfranchisement laws is thus a loss of Democratic votes. This belief is widely shared by party officials and social scientists alike.

Two theories support these claims. The first is based on historical evidence that disfranchisement laws represent a racially-motivated attempt to prevent blacks from supporting racially liberal parties and candidates. More support for the conventional wisdom is provided by the belief that any contraction of the electorate (racially motivated or not) tends to help Republicans.

The Racial Threat Hypothesis

If policies restricting the voting rights of offenders disparately affect one racial group or party, it is because such policies were *intended* to do so. Civil penalties disfranchising offenders in many states, like most other restrictions on the franchise in the United States, began as an effort to restrict the ability of blacks to vote and exert political influence commensurate with their presence in the population. According to V. O. Key, Jr., politics in the Southern states can be explained by the persistent threat of black voting power to white political interests such that "the character of the politics of individual states will vary roughly with the Negro proportion of the population" (Key 1949, p. 5). Work by Blalock, Fording and others confirms that discrimination against minority groups tends to increase as the percentage of minorities in the population grows (Blalock 1967; Fording 1997).

Historical evidence suggests that racial threat did lead to the enactment of laws that prevented voting based on criminal acts, at least in the South. Bunche writes that the list of crimes for which one could be disqualified as a voter coincided with those that were "supposedly peculiar to the Negro's low economic and social status" (Bunche 1973, p. 21). For instance, Virginia passed a law after Reconstruction disqualifying people convicted for petty larceny (Key 1949). Mississippi, in an oft-cited court case, designed its criminal disqualification provisions to apply only to those crimes "given rather to furtive offenses than to the robust crimes of the whites" (Ratliff v. Beale as cited in (Behrens et al. 2003, p. 570). The United States Court of Appeals in *Underwood v. Hunter* (1984) found that "discriminatory intent was a motivating factor in the adoption of" Alabama's 1901 criminal disfranchisement statute (730 F.2d 614). The Supreme Court later upheld this decision in 1985 (*Hunter v. Underwood* 471 U. S. 222).

Empirical research confirms that laws disqualifying offenders from voting stem from racial threat. The severity of state-level criminal disfranchisement policies varies according to the representation of blacks in the population (Preuhs 2001; Brown-Dean 2003). More specifically, Behrens, Uggen, and Manza find that the

number of non-whites in the prison population is also related to the adoption of severe disfranchisement statutes (Behrens et al. 2003).

The Democratic Electorate

Alongside the argument that criminal disfranchisement policies were designed to exclude minority votes, the idea that low turnout favors Republicans contributes to the belief that disfranchisement laws affect elections. Nearly every phenomenon that restricts voting, including bad weather, is thought, often mistakenly, to hurt Democratic candidates (Knack 1994). Legislatures certainly behave as though disfranchisement laws help the Democratic Party; legislatures controlled by Republicans are less likely to repeal such laws than those controlled by Democrats (Conn 2005; Yoshinaka and Grose 2005).

   The logic of such arguments is straightforward. Because non-voters usually have lower socioeconomic status than voters, they should be more likely to identify with the Democratic Party as "the traditional champions of the poor and underprivileged" (Grofman et al. 1999). Institutional arrangements such as registration laws and other impediments disproportionately restrict voting among minorities and the poor and thus are believed to hurt Democrats (Piven and Cloward 2000). Increases in turnout, to the extent that the increase comes from increased participation of Democratic occasional- and non-voters, thus should lead to increased vote share for Democratic candidates (Campbell et al. 1960).

Challenges to the Conventional Wisdom

If the conventional wisdom were correct, one should expect to see a relationship among disfranchisement laws, voter turnout, and democratic vote share (Harvey 1994; Conn 2005; Yoshinaka and Grose 2005). However, the evidence that such policies affect turnout and electoral outcomes, despite the clear legal history in the Southern states, is mixed. In an extensive consideration of this question, Manza and Uggen find that disfranchisement laws prevented hundreds of thousands of felons from voting in 2000 and 2004 and changed the outcomes of one presidential and seven senate elections (Manza and Uggen 2004). However, these results are based on estimates of turnout and vote choice of the non-felon population, with no evidence based on the behavior of actual offenders. Moreover, Manza and Uggen assume that their results hold when "all other factors are equal," which requires the assumption that the behavior of parties and other actors would remain the same in the absence of disfranchisement laws. Grose and Yoshinaka also find consistent evidence that disfranchisement affects turnout in the South (Grose and Yoshinaka 2002). When extended to the entire nation, however, Miles finds no correlation between disfranchisement regime and voter turnout across states; Miles argues that these laws have little effect because they disfranchise citizens who would not have voted anyway (Miles 2004).

   Why do the data fail to support unequivocally the idea that disfranchisement laws suppress turnout and Democratic vote share? The most obvious answer is that such

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an idea rests on faulty assumptions. For instance, it is not altogether clear that racial motivations explain the presence of disfranchisement laws outside the South or that legislators and policymakers accomplish what they set out to do even when such motivations are present. Policymakers may have short time horizons that prevent them from seeing the long-term effects of their actions (Pierson 2004). Moreover, unexpected changes in the environment such as electoral realignments or demographic shifts may affect policies in ways unintended by policymakers (Pierson 2004). As a result of these limitations, the actual consequences of policies may fail to correspond to the purposes and expectations of their creators at the time of implementation.

The discrepancy between the conventional wisdom and the evidence may also reflect the fact that previous research fails to consider the multiple obstacles that prevent voting among offenders aside from poverty and disfranchisement. As Burch shows, being convicted of a crime incurs many consequences such as difficulties in finding jobs, disruptions in social networks, and the adoption of anti-government attitudes that further exacerbate the already-low turnout of ex-felons (2007a). Legal disfranchisement thus represents the last step, the final impediment to political participation for people with criminal backgrounds. Turnout among ex-offenders and people serving their sentences is extremely low even among citizens who are not disfranchised. Burch shows that, depending on the state, as many as 95% of people with criminal convictions did not vote in 2000, despite the fact that they could have (2007a). Turnout by offenders adds less than one-half of 1% to the vote totals in states with more lenient disfranchisement policies; it is unlikely that regressions with a sample size of fifty states will have the power to detect such small effects.

Finally, it is also important to note that disfranchisement laws do not always correspond to disfranchisement rates in a linear fashion. The number of people who are disfranchised in a state depends not only on the severity of the disfranchisement policy, but also on crime rates, policing practices, and legal processing. For example, even though they do not disfranchise ex-felons, Georgia and Texas disfranchise a higher fraction of the population than Nevada and Washington, two states that disfranchise some ex-felons. Similarly, Louisiana has a higher disfranchisement rate than North Carolina, despite the fact that Louisiana only disfranchises inmates while North Carolina disfranchises all felons. Much of literature on disfranchisement and turnout fails to account for the fact that disfranchisement laws do not operate independently of a state's criminal justice system in the sense that many of these studies treat the disfranchisement law rather than the disfranchisement rate as the variable of interest (Grose and Yoshinaka 2002; Miles 2004).

The Candidate Preferences of Non-Voters

Even if one accepts the claim that disfranchisement prevents voter turnout, it is not altogether clear that a majority of people barred from the polls would have voted for Democrats or expressed preferences that were otherwise different from those of

eligible voters. Most criminal offenders are males of low socioeconomic status. Ninety-three percent of prisoners and 78% of probationers are male. The Bureau of Justice Statistics estimates that only 25.5% of state inmates and 58.4% of probationers completed high school (Harlow 2003). An additional quarter of inmates obtained general equivalency diplomas while incarcerated, while about 10% of inmates and probationers earned high school equivalency diplomas outside of prison (Harlow 2003). In total, 40% of state inmates and 30% of probationers had not completed high school or its equivalent; in comparison, only 18% of the general population lacked high school diplomas (Harlow 2003). Similarly, a 1991 study found that only 55% of prison inmates were employed full time before their incarceration, and 53% reported incomes under $10,000 that same year (Beck et al. 1993). Only 15% of inmates earned more than $25,000 per year prior to their incarceration (Beck et al. 1993).

Are criminal offenders likely to vote Democratic? Most research today says yes; poor men vote their class interests, so lower class voters are more likely to support Democratic candidates (Campbell et al. 1960; Tucker et al. 1986; Erikson 1995; Piven and Cloward 2000; Stonecash 2000; Brewer and Stonecash 2001; Bartels 2005). However, as Kristof points out, "One of the Republican Party's major successes over the last few decades has been to persuade many of the working poor to vote for tax breaks for billionaires" (Kristof 2004). Many other observers often lament the propensity of white lower class voters to vote seemingly against their own class interests in favor of Republicans (DeNardo 1980; Nagel and McNulty 1996; Frank 2004; Hillygus and Shields 2005).

As shown in Fig. 1, although black male voters with low socioeconomic status consistently support Democratic presidential candidates, white men in recent elections tended to support Republicans. The exception to this rule is Bill Clinton, who enjoyed high levels of support from men of both races. This finding proposes a caveat to Manza and Uggen's finding that 70–80% of disfranchised felons would have supported Kerry in the 2004 election. Instead, this figure is probably much
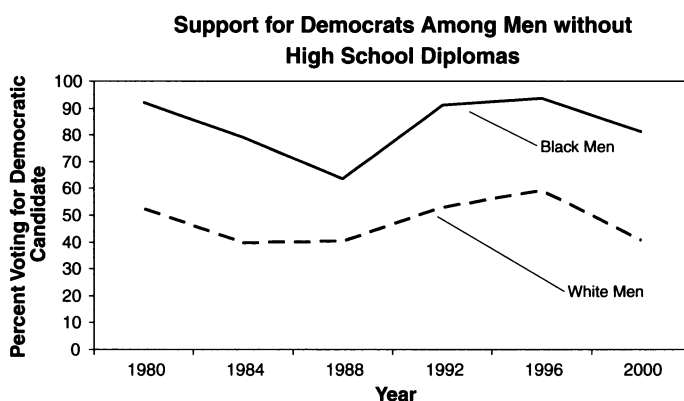

Fig. 1 Preference for Democratic Presidential candidates among males without high school diplomas, by Race, 1980–2000. *Source*: General Social Survey Series

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lower in many states depending both on the ratio of whites to blacks in the disfranchised population and the differential rates of turnout among Democratic and Republican supporters.

Theory

The presence of so much conflicting evidence suggests a re-examination of whether disfranchisement laws changed the electoral outcome in Florida in 2000. In order for disfranchisement laws to have changed the outcome, these laws need to have prevented some supporters of the losing candidate from voting who otherwise would have, and those voters would have needed to turn out at high enough rates to offset the gains of other party from its disfranchised supporters. Thus, two phenomena need to be theorized and tested: first, the effects of disfranchisement on ex-felon turnout and second, the party preferences of disfranchised citizens.

Ex-Felon Turnout

The electoral effect of rendering a portion of the population ineligible to vote depends on whether these potential voters would have voted but for the legal provision that excludes them from the electorate. In contrast to "core voters," who vote in all national elections, and "peripheral voters," who vote only occasionally "when they are stimulated by the political circumstances of the moment," almost nothing will motivate non-voters to go to the polls (Campbell 1960: 400). One could argue that disfranchising offenders would have little effect because offenders are drawn from the population of people who would not vote even if they had the opportunity to do so (Campbell 1960; Miles 2004).

The findings from previous research show that most criminal offenders are at best, peripheral voters. Even before their involvement with the criminal justice system, less than 17% of North Carolina's probation population and 8% of its prison population voted in the 2000 presidential election (Burch 2007a). The conviction further suppresses participation to the point where almost no offenders vote while serving a sentence, even if they are not disfranchised. Among former felons and misdemeanants, turnout was quite low in 2000, ranging from 10 to 24% across Georgia, North Carolina, Michigan, and Missouri (Burch 2007a). To reiterate an earlier point, low turnout among offenders means that even in states where offenders have the right to vote, the number of offenders that do vote will be very small relative to the size of the state's electorate. As a practical matter, an election would have to be very close for disfranchisement laws to play a role in its outcome, as is the case with Florida.

A Working Model of Offender Preferences

In very close elections, however, disfranchisement laws may determine the outcome if, in the absence of the law, a large enough number of the loser's supporters would have turned out to vote. The key question therefore asks whether disfranchised

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voters favor the losing candidate or Democrats or Republicans more generally. Not much information is known about the political preferences of ex-offenders; however, one might make inferences based on the preferences of similar individuals. The logic of this claim is that "individuals who are located in a given category are likely to behave differently from those who fall in another category" (Campbell et al. 1960, p. 474). Campbell, Converse, Miller, and Stokes argue that these differences arise because "social attributes tend to define certain unique experiences that people of given categories have undergone or are undergoing" or because "cultural values... prescribe interests or behaviors for individuals belonging to specific social categories" (1960 p. 474). Due to data constraints, only information about the basic social characteristics of ex-offenders is available for analysis. These include region, race, education, income, and gender.

Because most offenders are men, the effects of disfranchisement depend primarily on their political behavior. Black men across classes consistently support the Democratic Party and therefore it is expected that disfranchised blacks would overwhelmingly support Democratic candidates (Dawson 1994.). For whites, however, the answer to this question is still unsettled in the literature and remains quite controversial as noted above. Bartels finds consistent support for the Democratic Party among lower class whites throughout the last three decades; however, one should note that his findings do not disaggregate by gender (Bartels 2005). Other empirical evidence suggests lower rates of support for the Democratic Party among white male offenders. As discussed previously, evidence from the General Social Survey Series suggests that poor, uneducated white men showed consistent support for Republican candidates in every election since 1980 in which Bill Clinton was not a candidate. Likewise, Manza and Uggen find that people who have been incarcerated or arrested are more likely to describe themselves as Independents and less likely to describe themselves as Democrats (Manza and Uggen 2006, p. 126). People with criminal backgrounds were also more likely to support Jesse Ventura rather than major party candidates in Minnesota's 1998 gubernatorial election (Manza and Uggen 2006). Anecdotal evidence such as that found in Frank (2004) also calls into question the idea that lower class whites vote Democratic (Frank 2004).

Despite these theoretical controversies, the evidence supports the claim that white male ex-felons in Florida favor Republican candidates. Examining voting by party in North Carolina further supports the idea that white male offenders support Republicans. Because North Carolina has closed primaries, it is possible to use these data to get a sense of how offenders would vote when given the opportunity.[1] Only 5.8% of the 139,000 formerly disfranchised felons in North Carolina voted in the 2000 election.[2] Recidivism does not explain this low turnout—these are offenders who had no further contact with the criminal justice system after 2000. However, despite the overall size of the potential ex-felon electorate, only 2,777 more

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[1] Although party registration is not partisan identification or vote choice, it is the best information available on the preferences of offenders (Finkel and Scarrow 1985).

[2] Party registration obtained by matching eligible ex-felons to the voter registration files in each state. These data were obtained from the Boards of Elections and Departments of Corrections of each state (see Burch 2007b).

Race of offenders	Number voting, by party
Black Ex-Felons	3,111 (D)
	131 (R)
White Ex-Felons	1,708 (D)
	1,911 (R)
Net	2,777 (D)

Table 1 Voting by Party Registration among North Carolina Offenders, 2000 General Election

Source North Carolina Department of Corrections; North Carolina State Board of Elections

Democrats than Republicans voted in that election, ignoring independents. Looking more closely at these data in Table 1, it becomes clear that the racial composition of the disfranchised population is closely tied to party registration and accounts for the slight Democratic tilt among North Carolina offenders. The support for Democrats among ex-felons in large part comes from blacks, 84% of whom are registered Democrats (3.6% registered as Republicans and 11.4% as Independents). In contrast, about two-thirds of white offenders are registered as something other than Democrats (43.4% registered Republican and 17.8% registered Independent). The breakdown of party registration by race among offenders who voted closely mirrors that of the rest of voters; among North Carolina's general population in 2000, 84% of blacks were registered Democrats, compared with 35% of whites. A high number of whites in North Carolina register as independents both in the general and offender populations, perhaps reflecting the fact that North Carolinians elect Democrats at the state level and Republicans for president.

Florida is also a closed primary state. Party registration is not available for Florida felons for the 2000 election because these offenders were disfranchised during that time. However, the data from 2008, the first Presidential election for which the party registration of some of Florida's ex-felons is available, show a pattern similar to that found among North Carolina's ex-felons in 2000.[3] These estimates also are close to the levels of Democratic support found among southern respondents with low socioeconomic status for that year by the General Social Survey when disaggregated by race and gender. Eighty-four percent of black ex-felons registered in Florida in 2008 are Democrats, while only 34% of registered white ex-felons are Democrats. Figure 2 compares the 2008 black and white party registration in the two states. Admittedly, 2008 was a much more Democratic year than 2000 in Florida. However, these figures still shed light on the voting patterns one might expect to see among ex-felons in Florida.

The evidence on Latino voting patterns suggests a bias toward Governor Bush among Florida's Latino ex-felons. The Latino vote in the U. S. tends to favor Democrats except in Florida, where about 1.5 million Latinos were eligible to vote in 2004. In 2000, 38% of eligible Latino voters in Florida were Cuban (Pew Hispanic Center 2008). This large Cuban population favors the Republican Party In 2004, President Bush carried 78% of Florida's Cubans and 56% of the Latino vote

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[3] Party registration in 2008 may not accurately reflect what the party registration of Florida's ex-felons would have been in 2000. For instance, 2008 was a much more Democratic year than 2000 in Florida. Also, the Florida Division of Elections attempted to alert Florida's eligible ex-felons that they could vote in 2008.
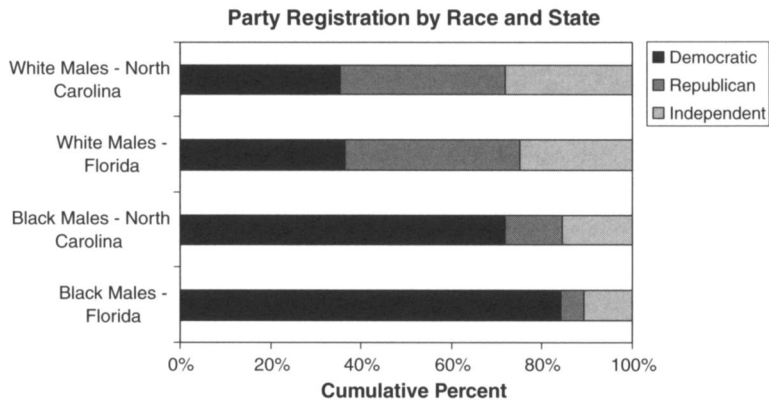
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Fig. 2 Party Registration by Race and State, 2008. The graph depicts the party registration rates of black and white male ex-felons in North Carolina and Florida. Data calculated by matching department of corrections data to voter registration and history data from each state

in Florida overall (Pew Hispanic Center 2008). The partisan affiliation of Florida's Latinos shifted over the past decade; while a majority of registered Hispanics were Republicans in 2006, by 2008 Hispanic Democrats outnumbered Hispanic Republicans by nearly seventy thousand people.

   Although there is no way of knowing the true preferences of disfranchised voters for this analysis, it is possible to make some plausible assumptions about vote choice based on the available evidence. Criminal offenders do not vote at the same rates as people with similar backgrounds who have not been convicted of crimes. However, it is possible that criminal offenders would have the same preferences as non-offenders who share their demographic characteristics. There is a consistent finding that in general, non-voters tend to have the same preferences as voters, such that registration laws have little effect on the policy preferences of the electorate (Rosenstone and Wolfinger 1978). Other studies confirm that non-voters tend to have similar ideological and partisan identification to voters (Shaffer 1982; Highton and Wolfinger 2001; Citrin et al. 2003; Leighley and Nagler 2007). Applying this logic to disfranchised offenders, then, one might expect the candidate preferences of offenders to mirror those of other people with the same race, gender, income, and educational level. The observed turnout and preferences of North Carolina and Florida offenders described in the preceding paragraph fit this theory well; both the survey evidence of the general population and the party registration by race and gender of ex-felons show a pattern of blacks favoring Democrats and whites favoring Republicans.

Hypothesis

Most observers believe that disfranchisement decreased Democratic vote share in Florida's 2000 General Election, leading to a Bush victory in that state. However, this claim is inconsistent with the evidence. Blacks with low income and education

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are likely to support the Democratic Party; the same is true for black offenders based on the available evidence. However, many whites of low socioeconomic status from the general population would have voted for Republicans in recent elections; white offenders also demonstrate low support for Democratic candidates. By this logic, any state with a large number of white male current and former offenders has a high likelihood of favoring *Republican* candidates in national elections. As a state in which most ex-felons are white males, it is possible that the ex-felon population in Florida would have supported George W. Bush in 2000 had they been allowed to vote.

Research Design

How would one test these admittedly controversial claims? Issues of data availability make any analysis of these hypotheses problematic. Apart from the usual problems of counterfactual analysis, the analysis is also limited by a lack of data about ex-felons (Holland 1986). No survey asks questions about both criminal background and vote choice.

Previous studies solve these problems in two ways. The first involves a cross-state analysis in which variation in turnout across states is predicted by the severity of disfranchisement laws (Grose and Yoshinaka 2002; Miles 2004). This analysis poses difficulties not only because of the small sample size but also because any study of variation in voter turnout across states needs to take into account other state-level structural and demographic factors that affect both voter turnout and disfranchisement. The possibility of omitted variable bias remains even in the most sophisticated model, as states differ in thousands of ways that are not readily apparent to researchers.

The second way of managing these data problems is to attempt in-depth studies of individual states, calculating the number of disfranchised offenders and their likelihood of voting (Manza and Uggen 2004, 2006). This kind of analysis is useful for shedding light on how context shapes the effects of disfranchisement. However, such a research design could be disadvantageous to the extent that estimating the number of disfranchised offenders, their likelihood of voting, and vote choice requires one to make several assumptions. For instance, one could argue that Manza and Uggen's model of ex-felon voting overestimates the impact of disfranchisement on Democratic vote totals because the model relies *only* on surveys of the general population to approximate the turnout and vote choice of offenders.

This paper will estimate turnout and vote choice in Florida by simulating electoral outcomes under several hypothetical scenarios. This approach is similar to that used by Citrin, Schickler, and Sides to estimate the effect of including non-voters in the general electorate (2003). Unlike previous attempts to estimate the electoral impact of disfranchisement, this in-depth analysis of Florida will incorporate information on the voter turnout and party registration of actual offenders in addition to data on the general population to calculate ex-felon turnout rates and vote choice. These data are useful for evaluating the plausibility of

counterfactual scenarios for what would have happened if Florida allowed ex-felons to vote in the 2000 Presidential election.

Data

Several sources were consulted in order to compile evidence for this study. This study employs the data from state boards of election and departments of correction in Georgia, North Carolina, and Florida.

The number of ex-felons in Florida, Georgia, and North Carolina are calculated from department of corrections data files from each state and represent actual counts of current and former felons.[4] Likewise, turnout and party registration data in North Carolina and Georgia were calculated by matching department of corrections files to voter registration and history lists in each state.[5] The departments of correction maintain highly detailed data on all offenders convicted of felonies and misdemeanors who are sentenced to state supervision in prison or in the community through probation or parole. The data do not include offenders sentenced to serve time under federal, municipal or county authorities such as county jails such that only offenders incarcerated in state prison and offenders on state-supervised probation or parole are in the records.

The offender data are joined to voter registration and history data containing information on all registered voters in each state. These files are updated regularly by each state's respective Secretary of State and contain the last name, first name, and birth date for all voters; North Carolina and Georgia also maintain data on the race and/or gender of voters. The states also provide voter histories though this information is available in Georgia only for voters who have not been purged due to the nature of the files.

To get a sense of how people with characteristics similar to that of offenders would have voted, this study will present data from the 2002 wave of the General Social Survey cumulative data file.[6] This survey provides self-reports of whether respondents voted for the Democratic or Republican presidential candidate. The sample used here contains individuals living in the South with up to a high school diploma. The analysis relies on data for southerners rather than just Floridians because the state sample sizes are too small to disaggregate by race, gender, and education.[7] For the same reason, the GSS is used rather than the American National Election Study because the GSS has a higher number of southern respondents with

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[4] Analyses using offender counts weighted by U. S. life expectancy by race and gender are available upon request.

[5] Information on matching offender records to voter files available upon request.

[6] Please see the appendix for more information on the choice to use the GSS, including the study results calculated using vote choice estimates from other surveys.

[7] Using all southerners, rather than just Floridians, might bias the results in favor of President Bush if Florida voters were more supportive of Gore than those in other southern states, As discussed in the appendix, at least two Florida-specific polls indicate that Florida's white males supported Gore at rates higher than those in other southern states. Please see the appendix for more details of how Florida-specific survey data differs from survey data of all southerners.

low socioeconomic status.[8] The patterns found in this survey are consistent with the party registration data on ex-offenders in Florida and North Carolina, as shown below.

For this analysis, only black and white offenders are considered. Latino offenders are not considered in this analysis primarily due to data constraints. The Florida Department of Corrections only recently began maintaining accurate ethnicity and citizenship data for supervised offenders. Country of ancestry or origin is not available. About 7500 of Florida's felons who had finished serving their sentences by November 2000 were identified as Hispanic by the Department of Corrections or had Hispanic surnames.[9] Excluding these individuals, one could argue, biases the results *in favor* of Gore because Florida's Latinos were more likely to support Bush than Gore in 2000 (Fraga and Leal 2004; Pew Hispanic Center 2008).[10] In other words, including Latinos would widen, rather than narrow, the Bush margin of victory.

The evidence suggests that ex-felons in Georgia and North Carolina behave similarly to how ex-felons in Florida would have behaved if they had been allowed to vote in 2000. However, the three states differ in many relevant respects. Georgia, Florida, and North Carolina are in close proximity to one another; however, ex-felons in Georgia and North Carolina were allowed to vote in the 2000 general elections in their states. The ex-felon populations in Georgia and Florida have remained remarkably similar in size over time, while North Carolina's population is considerably smaller. The ex-felon populations in each state are overwhelmingly male, as shown in Fig. 3. However, Fig. 3 also shows differences across the states with respect to the racial makeup of the ex-felon population. In Georgia and North Carolina, the ex-felon population is evenly divided between blacks and whites. However, in Florida in 2000, *more than half of the ex-felons were white males*.

Despite these state-level differences, the turnout rate of ex-felons in Florida in 2008, at 11.1%, looks similar to the predicted probabilities of turnout among

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[8] Confining the sample to individuals with low socioeconomic status does not appear to bias the results in favor of Bush. Among southern respondents with a bachelor's degree in the 2002 GSS, 20.8% of white men and 28.0% of white women report voting for Gore. All but one southern black GSS respondent with a bachelor's degree voted for Gore in 2000; however, the sample sizes, at five black men and seven black women, are very low. These preferences are similar to those of southern GSS respondents with lower educational attainment shown later in Fig. 4.

[9] Because the original number of Latinos found using the Florida DOC data seemed low, surnames were used to further identify Latinos. These surnames were identified by the Census Bureau as the 639 most common for Hispanics. See Word and Colby Perkins (1996). "Building a Spanish Surname List for the 1990's—A New Approach to an Old Problem." U. S. Bureau of the Census Technical Working Paper No. 13. Retrieved January 27, 2010 (http://www.census.gov/population/documentation/twopno13.pdf).

[10] The GSS contains too few Latinos across gender and educational groups for analysis. However, one can get a sense of what Florida's Latinos would have done from another survey. According to the CBS/NY Times Florida State Poll, conducted in October 2000, 33.2% of Latino males with a high school diploma or less and 28.0% of Latino males with at least some college expressed an intention to vote for Gore in that election. Among Florida Latinas, 25.2% with at most a high school diploma and 39.9% of Hispanic females with at least some college expressed an intention to vote for Gore that November. This poll probably overestimates Gore's support among voters however, because the CBS/NY Times poll does not account for the decline of Gore support that took place in the month leading up to the election (see Wlezien 2001).
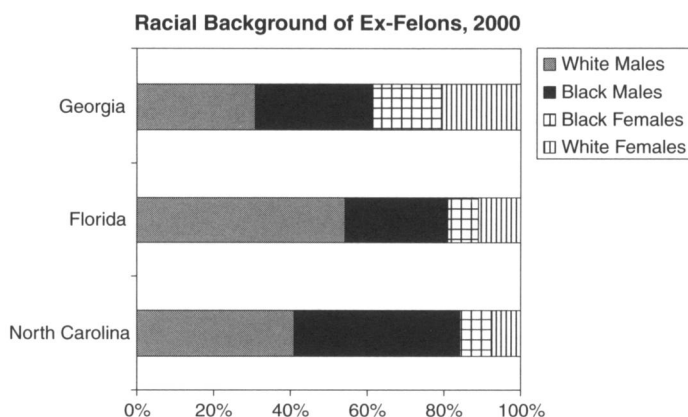
Racial Background of Ex-Felons, 2000

Fig. 3 Distribution of ex-felons by race and gender in 2000. *Source*: Florida Department of Corrections, Georgia Department of Corrections, North Carolina Department of Corrections

ex-felons in Georgia and North Carolina in 2000.[11] Moreover, Florida's ex-felons demonstrate the same pattern of party preferences by race as North Carolina's ex-felons in 2000 and 2008. Thus, the evidence from all three states confirms that the counterfactual turnout rate for Florida's ex-felons in 2000 would have been somewhere between 10 and 15%. Furthermore, the party registration evidence from both North Carolina and Florida demonstrates the reasonableness of the claim that Gore might not have won Florida's white ex-felons in 2000. Although the analysis will consider possibilities outside these ranges, this evidence on actual felon voter turnout and preferences sets boundaries on what might be considered realistic estimates of what might have happened in Florida in 2000.

Methods

To estimate the effects of disfranchisement on the results of the 2000 Presidential race in Florida, counterfactual scenarios based on patterns of turnout and voter preferences in similar states will be presented. The expected vote margin is calculated using the following equation:

$$\text{Bush Vote Margin} = 537 + (a * \alpha * x) + (b * \beta * x) + (c * \gamma * x) + (d * \delta * x)$$

where a is the % of GSS white males voting for Bush $-$ % GSS white males voting for Gore, b is the % of GSS white females voting for Bush $-$ % of GSS white females voting for Gore, c is the % of GSS black males voting for Bush $-$ % of GSS black males voting for Gore, d is the % of GSS black females voting for Bush $-$ % of GSS black females voting for Gore, α is the number of white male ex-felons in Florida, β is the number of white female ex-felons in Florida, γ is the

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[11] The paper also estimates ex-felon turnout rates in the 2000 general election between 10 and 15% in Michigan and Missouri as well (Burch Forthcoming).

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number of black male ex-felons in Florida, δ is the number of black female ex-felons in Florida, x is the turnout rate.

This equation represents, for each racial and gender group of ex-felons, the number of new Bush votes that would be gained by enfranchisement minus the number of new Gore votes that would be gained, plus the actual vote margin of 537. The percent of the general population voting for each candidate reflects, for people who report voting for major party candidates, the level of support for Gore and Bush among Southern respondents to the 2002 General Social Survey by race and gender.

The predicted vote margin is simulated 10,000 times for eight hypothetical scenarios using this basic equation. The number of ex-felons is held constant in each simulation throughout all eight scenarios. The vote margin is treated as a random variable. For each simulation, first the proportion of each group voting for Bush is drawn separately from the truncated normal distribution with means and standard deviations equivalent to the vote choice proportions for that group in the GSS sample unless stated otherwise.[12] Next, the proportion of each group voting for Gore is drawn. The turnout rate for each group is held constant throughout the 10,000 simulations; however, these turnout rates vary across the different scenarios as described in the results section. These simulations allow the calculation of confidence intervals and other measures of uncertainty.[13]

The level of support for Gore among Southern GSS respondents is presented in Fig. 4 by race and gender. The graph shows these percentages for two measures of socioeconomic status: for respondents with up to a high school diploma or its equivalent and respondents reporting family incomes under $25,000 per year. The paper presents data using education as the proxy for socioeconomic status; results with income as the socioeconomic status measure are available upon request. The analysis of candidate preferences among voters on the GSS reveals consistent support for the idea that preferences among people with low socioeconomic status differ dramatically by race. While blacks of both sexes voted for Gore in large numbers in the 2000 election, only a minority of whites did so.

Turnout is entered at 10 or 15% for all groups, reflecting the range of variation in turnout in the 2000 election for inmates and probationers in Georgia and North Carolina (Fig. 5). These turnout rates also are similar to those reported among Florida ex-felons in 2008. The analysis assumes at first that all racial groups turn out at the same rates for each scenario because, as demonstrated in Fig. 5, turnout among men varies inconsistently by race across the states and across different punishment types. In Georgia, white men are less likely to vote than black men (13.9 vs. 14.4%, respectively), while in North Carolina, the reverse is true, at least for prisoners (6.3–5.7%). The number of ex-felons and their expected level of support for Gore are presented in Table 2.

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[12] In R, the rtnorm function calls for the standard deviation rather than the variance; as a result, the standard deviation will be referenced throughout the paper even though the function uses the variance to make the random draws.

[13] One could also simulate the vote choice of each ex-felon individually using the binomial distribution. However, simulating 660,000 individual data points for 10,000 hypothetical elections for 8 different scenarios requires vast computational resources.
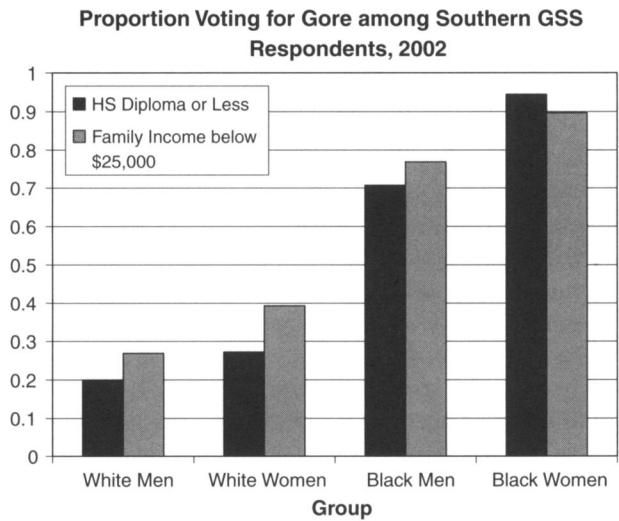
Proportion Voting for Gore among Southern GSS Respondents, 2002

Fig. 4 Proportion of Southern GSS respondents who report voting for Vice-President Gore in 2000, by race and gender. *Source*: General Social Survey

Turnout among Male Ex-Felons by Race, 2000

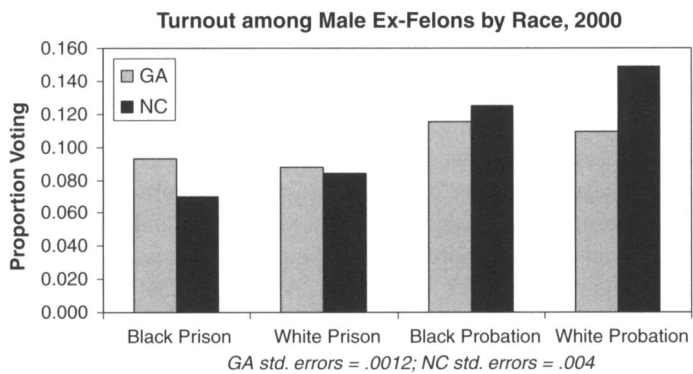GA std. errors = .0012; NC std. errors = .004

Fig. 5 Predicted Probability of Turnout in 2000 Presidential election. *Sources*: Georgia Department of Corrections, North Carolina Department of Corrections, Georgia State Board of Elections, North Carolina Board of Elections

Table 2 Data used for calculating and simulating vote margin

Group	Vote for Gore	Number of ex-felons
White men	0.200	358495
White women	0.271	73766
Black men	0.708	177388
Black women	0.944	51181

The table presents the proportion of each group who report voting for Gore among southern GSS respondents with at most a high school diploma. The number of ex-felons in Florida are calculated based on data from the Florida Department of Corrections

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Results

As expected, the analysis of Florida provides no evidence that disfranchisement laws helped President Bush win the presidency in 2000. In fact, President Bush is likely to have won Florida even in the absence of these laws.

Voter Preferences and the Florida Election

Table 3 presents the simulated outcomes of the 2000 presidential election in Florida under the condition that Florida offenders voted at rates similar to those in Georgia and North Carolina and supported Vice-President Gore at the same rates as GSS respondents with no more than high school diplomas.[14] As shown, if male and female ex-felons in Florida were to vote at the same rates as ex-felons in these other Southern states, it is unlikely that Gore would have received the additional votes he needed to win the election. President Bush still would have won in more than 64 and 63.4% of the simulated elections under these assumptions; the average margin of victory was 4,925 votes where turnout was 10% and 7,048 when turnout was 15%.[15]

This evidence does not provide a definitive answer to the question of what would have happened in 2000 if Florida's ex-felons had been allowed to vote. Rather, this evidence shows that it is entirely plausible, even likely, that allowing ex-felons to vote in Florida would have resulted in a net gain of votes for President Bush. It is impossible to state with certainty how disfranchisement affected the outcome of that election, if at all. In fact, depending on the assumptions, one could construct counterfactual scenarios favoring either Bush or Gore. However, such scenarios require making assumptions that are inconsistent with the available evidence on ex-felon voter patterns described at the beginning of this article.

Table 4 shows the expected and simulated vote totals under alternative turnout and vote choice scenarios. As shown, increasing turnout among all groups to 25% alters the vote margin, but not the victor. Assuming that only 10% of white ex-felons vote but 15% of black ex-felons vote does not change the direction of the outcome. Likewise, if black ex-felons were to vote at 20% and white ex-felons at only 15%, Bush still is expected to win. Even assuming that women vote at twice the rate of men (10 vs. 20%), Bush still is the likely victor. Under different assumptions about candidate preferences, a Gore victory is more likely. Changing the support of black ex-felons 100% for Gore decreases, but does not erase, Bush's expected margin of victory. However, increasing Gore's support among white ex-felons to 40% leads to expected vote margins in favor of Gore. Holding all other groups constant, about 36% of white male ex-felons would need to have supported Gore in order to reverse the Bush victory, a figure far above the 20% level measured in the GSS.

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[14] Simulated outcomes weighted for death rates by race and gender of offenders and outcomes using income as the SES proxy available upon request.

[15] Density plots of these simulated elections can be found in the appendix.

Table 3 Calculated and simulated outcomes for the 2000 Presidential election in Florida

Quantity of interest	10% Turnout	15% Turnout
Expected Bush vote margin	15097.23	21571.8
Simulated Bush vote margin	4925	7048
Simulated 95% confidence interval	−24601 to 31679	−37281 to 21545
Percent of simulated elections won by Bush	64.0	63.4

Table 4 Direction and margins of victory under different turnout scenarios

Additional scenarios	E[v] Bush vote margin	Simulated Bush vote margin	Percent of Bush victories
25% turnout for all groups	34521.1	11970	63.6
Blacks 15% turnout; whites 10% turnout	9127.8	2209	56.9
Blacks 20% turnout; whites 15% turnout	15602.4	3896	56.9
Women 20% turnout; men 10% turnout	12334.5	2920	58.6
100% of blacks for Gore	4179.3	1377	54.9
40% of whites for Gore	−1145.7	−1361	47.3

Discussion

Did felon disfranchisement reverse the 2000 Presidential Election? The answer to this question, based on the simulated outcomes, is no. There is not enough evidence to support the hypothesis that Vice-President Gore would have been elected president if Florida's ex-felons had been allowed to vote. Primarily, this finding reflects the fact that the effects of disfranchisement laws are not limited to Democratic supporters. Because low SES whites were more likely to support Republican candidates in most recent elections, the answer to the question of which party disfranchised voters would have supported is, "it depends." A complete answer to that question would take into account the racial makeup of the disfranchised population and the politics of the time under consideration. For instance, in light of these findings, it makes little sense to argue that Wyoming's disfranchisement of ex-felons particularly hurt the Democratic Party in that state.

One also should note that even though the evidence suggests that disfranchisement did not change the 2000 election outcome, disfranchisement laws may affect elections in the future, especially if the ex-felon population continues to grow. The impact of disfranchisement on future elections is uncertain not only because of the changing size of the disfranchised population, but also because of the changing demography. Although most ex-felons are white in many states, recent cohorts of offenders have become more racially diverse. In Florida, for instance, while black men and women make up only 35% of the ex-felon population, 41% of people currently being supervised for felony convictions are black.

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Finally, disfranchisement also has the potential to affect future elections because it has grown in salience in recent years. To the extent that disfranchisement remains prominent on the public agenda, offenders may be mobilized to vote. In Florida, the aftermath of the 2000 election increased awareness among disfranchised offenders; the repeal of these laws in the spring of 2007 may increase turnout demonstrably in future elections because of this highly politicized environment.

What about New Mexico?

If disfranchisement laws were to affect election outcomes, then such laws would "matter" not only to offenders, but also to political parties. As such, partisans would have instrumental reasons for being concerned about the aggregate effects of disfranchisement. Lack of electoral impact, however, tends to mean that the effects of disfranchisement laws are ignored.

This point is best illustrated by New Mexico. In that state, Gore's margin of victory in 2000 was even smaller than that of Bush in Florida, only 366 votes. However, no one directed attention to the disfranchisement of offenders in New Mexico. Because most observers believe that disfranchisement favors Democratic candidates, it was thought that the enfranchisement of felons would not have helped President Bush secure victory in that state. That New Mexico's small number of electoral votes could not have decided the presidency may also account for the lack of attention.

There is something problematic about having the importance of disfranchisement determined by its electoral effects. In some sense, this perspective ignores the symbolic and ideological issues raised by this practice. By lessening the electoral stakes of this issue, these findings may make both Republicans and Democrats more likely to take up the issue of felon disfranchisement based on concerns about fairness or inequality rather than self-interest.

Voting Irregularities in Florida

One glaring omission in the analysis presented here involves the fact that felon disfranchisement in Florida affected more than just people with felony convictions that year. In 2000, Florida elections officials famously used disfranchisement statutes as a justification for purging thousands of voters from the rolls, despite the fact that many of those purged had no criminal background (Keyssar 2000, p. 333). In June 2000, the division of elections tried to purge nearly 60,000 people from the voter registration lists (Palast 2001). Blacks and Democrats were represented disproportionately among those purged (Pierre 2001). Purging is not the only questionable practice linked to felony disfranchisement. In Milwaukee, for instance, disfranchisement statutes were used to threaten potential voters with fines and imprisonment if they voted after having been convicted of a felony (Diedrich 2006). It is not altogether clear that the absence of felon disfranchisement laws would have prevented purging and intimidation; individuals looking to disfranchise voters most likely would have found other tactics to accomplish the goal.

Conclusion

This paper provides startling evidence that even in the absence of ex-felon disfranchisement policies, George W. Bush would have defeated Vice-President Gore in Florida's 2000 Presidential election. This finding contradicts the conventional wisdom that Florida's disfranchised ex-felons would have supported Vice-President Gore in 2000, a belief based on the notion that disfranchisement laws predominantly affect Democratic voters. However, when one considers the fact that most ex-felons in Florida during that election were white men, then it is less clear that this group would have supported Gore in 2000. Re-examining the election under hypothetical scenarios that are more consistent with the evidence on the turnout and likely vote choice of each racial group demonstrates that Bush would have been the likely victor even if ex-felons had been allowed to vote.

However, interpreting these findings as supportive of ex-felon disfranchisement is hasty, because these findings say nothing about whether disfranchisement laws matter for democracy. Florida's disfranchisement law obviously prevented some people from going to the polls; reasonable people disagree as to whether barring ex-felons from the vote is a good or bad thing for society. The findings merely question the role electoral outcomes play as a central consideration in the debate over disfranchisement policies. Are laws restricting the voting rights of ex-felons irrelevant in landslide elections? Or only when such laws keep the "right" candidate from winning?

Appendix: Data Selection

The analysis in the main body of the paper uses the southern respondents to the GSS to estimate the support for Gore by race, gender, and education. However, many other data sources might have been used to provide these estimates. These include the 2000 American National Election Study, the 2000 CBS/NYTimes Pre-Election Poll of Florida, and the 2000 Voter News Service Florida Exit Poll. Using the GSS best avoids the problems that plague these other surveys: the sample sizes of blacks are large enough for analysis, the reliability of the GSS has not been questioned, and it is a post-election report of actual vote choice.

Each of the Florida-specific samples is deeply flawed. The CBS/NYTimes pre-election poll of Floridians is a pre-election poll. As a result, it contains the opinions of citizens who might have changed their minds or failed to vote. More importantly, however, this survey was fielded too early in the campaign season to account for the drop in Gore support that took place in the month prior to the election (see Wlezien 2001). As a result, this survey probably overestimates the support for Gore in the Florida electorate.

The 2000 Voter News Service Florida Exit Poll also is problematic, particularly because it has been widely discredited. This particular poll is the reason why the

networks called Florida for Gore early in 2000. Numerous articles have been produced in both the popular press and in scholarly journals regarding its unreliability (For examples, see Biemer et al. 2003; Konner et al. 2001; Kurtz 2000). In particular, the study is thought to be biased in favor of Gore. Because of this study, the entire methodology of exit polling has changed, and networks remain much more cautious about forecasting victory. Anyone would hesitate to base any analysis on a data source with such a controversial and tainted reputation.

The sample sizes of the southern and Florida ANES respondents are too small when disaggregated by race, gender, and education within many of the cells to calculate reliable vote choice percentages, particularly for blacks. With respect to the 2000 wave of the ANES the sample size for southern black males who completed at most high school was 17; for black females, the sample size was 20. The Hispanic sample size was even smaller: there were only 4 male and 12 female southern Hispanic respondents across the educational distribution for the 2000 ANES. However, 24% of white men, 40% of white women, 94% of black men, and 100% of black women reported voting for the Democratic Presidential candidate in 2000. (These percentages are based on sample sizes of 29 white men, 48 white women, 17 black men, and 20 black women). These estimates are similar to those found using the southern GSS.

To show how the decision to use the southern GSS respondents rather than the other surveys affect the results, Table 5 reports the simulated results of the 2000 election using the estimates for white males and females from these three alternative surveys. (The sample sizes for blacks in these alternative surveys are too small to use; therefore these simulations use the estimates for blacks from the southern GSS). The GSS, ANES, and CBS/NYTimes analyses in both the body of the paper and the appendix rely on the vote for Gore for the combined category of people with a high school diploma or less. The distributions of people with and without a high school diploma in the GSS, ANES, and CBS/NYTimes Poll are skewed heavily in favor of people with a high school diploma but the difference in the proportion voting for Gore between people with and without diplomas in these surveys is small, making the proportion voting for Gore in the combined educational category similar to that found by taking weighted mean of the two categories. However, combining the

Table 5 Simulated results of 2000 election using alternative data sources

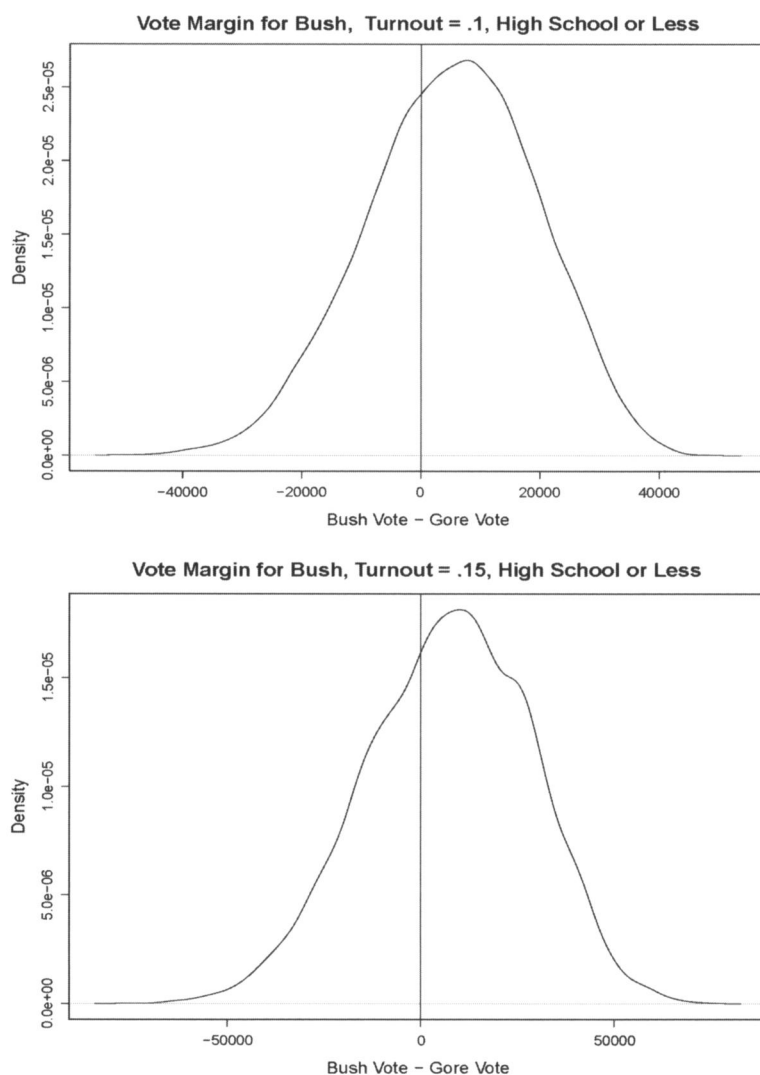| Survey	Direction of bias	% of White males for Gore	% of White females for Gore	Bush vote margin	% of Elections won by Bush
2000 ANES	Against Gore	24.1	39.6	1,636	54.9
2000 CBS/NYTimes Poll	For Gore	29.4	47.0	449	52.1
2000 VNS Exit Poll (weighted education categories	For Gore	35.8	29.4	−288	48.5%
2000 VNS Exit Poll (combined education categories	For Gore	42.7	36.2	−2876	42.6%

Fig. 6 Density plot of simulated election results assuming 10 and 15% turnout. $N = 10,000$ simulated elections

lowest educational categories in the 2000 VNS Exit Poll in this way produces very different results from what one would get if these educational categories were represented in the Exit Poll sample more equally (as they are among ex-felons in the real world). Because of this issue, the election results for this survey are simulated twice based on two sets of numbers from the 2000 VNS: percent voting for Gore by gender of the combined educational categories and the percent voting for Gore by gender for the separate educational categories weighted for the relative proportion of ex-felons in the population.

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The table summarizes for each survey the direction of the bias, the proportion of white males and females voting for Gore, the simulated Bush vote total and the proportion of the simulated elections won by Bush. As the table shows, the results produced using both the 2000 ANES and the 2000 CBS/NYTimes Poll predict a Bush victory, even though the CBS/NYTimes Poll is probably biased in favor of Gore for the reasons noted above. The 2000 VNS Florida Exit Poll, which also is biased in favor of Gore, predicts a Gore victory. The totals based on the combined high school diploma or less category predicts that Gore will win by an average of 2,876 votes; however, Bush still wins 42.6% of the simulated elections even in this best-case-scenario for Gore. The Exit Poll totals based on the weighted mean of the separate educational categories predict that Gore will defeat Bush by 288 votes; Bush wins 48.5% of the simulated elections (Fig. 6).

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