

INSTITUTE *of* GOVERNMENT
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Research Brief

Effects of legislative funding on constituent service

By Thomas Dowling

Despite the political media's focus on the various legislative battles taking place in state capitols all across the country, policy and legislative work are only one part of a state legislator's job description. State legislators are also responsible for helping their constituents navigate the often-complicated world of govern-

ment. In theory, good constituent service can inform citizens of government programs and ensure that elected officials regularly correspond with constituents. Bad constituent service can prevent citizens from taking advantage of government programs, and, in its most extreme form, lock constituents out of the governmental process.

Key Findings of This Research:

- **While increased capacity does not improve the likelihood of legislator response to constituent inquiries, it does improve the quality of the response.**
- **Increased capacity may increase the racial bias effect previously found in constituent service, though the relationship is not statistically significant.**
- **Increasing legislator capacity does not clearly increase legislator's ability to provide constituent services to all citizens.**

This brief examines the effect professionalism, a term used to describe the institutional capacity of a legislature, has on constituent service. In other words, "what do citizens get in return from their investment in their legislature?" The State of Illinois, for example, allocates about \$53 million dollars per year to the various agencies associated with the General Assembly.¹ This funding is used to pay the salaries of legislators, legislators' office staff, and professional policy staff, as well as other incidental expenses associated with governing. This expenditure is considered a worthwhile investment because it is assumed that better funded legis-

latures are better at their job. For the same reason shareholders expect that a multi-billion dollar company be managed by talented employees, residents expect a state with a multi-billion dollar budget be managed by talented employees. Past research on professionalization primarily focuses on the policy process. This research focuses on what happens when citizens pick up their phone and call their legislator.

To that end, I repurpose data from a cross-sectional randomized field experiment conducted in 2008 by researchers Daniel Butler and David Broockman.² In their experiment,

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¹ Illinois State Budget Fiscal Year 2018. About \$52,384,300 was spent in FY 2016, about \$52,892,400 was authorized in FY 2017, and about \$52,892,000 was requested in FY 2018.

² Butler, Daniel and Broockman, David. 2011. "Do Politicians Racially Discriminate Against Constituents? A Field Experiment on State Legislators." *American Journal of Political Science* 55(3) 463-477.

4,859 state legislators were emailed a constituent inquiry. According to random assignment, half of the emails were signed Jake, a common name among whites, while the other half were signed DeShawn, a common name among blacks. I combine these data with a commonly used index of professionalization. Using a statistical technique called ordinary-least-squares (OLS) regression, I use the data to answer three related questions: 1) does professionalization increase legislator response rates? 2) does professionalization increase the helpfulness of legislator responses? 3) Does professionalization moderate the racial bias effect found by Butler and Broockman? All three of these questions are meant to assess aspects of constituent service quality.

My results indicate that while professionalization does not improve the likelihood of legislator response, it does improve the quality of the response. I also find that professionalization does not have a moderating effect on racial bias. In light of these results, I theorize that professionalization increases legislator propensity to engage in strategic behavior. Rather than improving the overall quality of constituent service, increased professionalization allows legislators to selectively provide services to constituents who, by the legislator's assessment, increase the legislator's re-election odds. This research has important implications for policymakers, advocates, and elected officials concerned about equal access to government.

The History of Professionalization

As early as the turn of the 19th century, legislatures began taking steps to become the institutions contemporary observers would recognize today. During that time, legislatures were composed of "citizen legislators," prominent community members who balanced their role as an elected official with some other form of employment. Because legislators did not receive a salary, it was a *de facto* requirement for lawmakers to either come from independent wealth or work in a profession that allowed them to control their time. Lawyers, business owners, and wealthy farmers were the norm. In addition, early legislatures only met for a few weeks out of the year, making it economically feasible to balance the time commitment of lawmaking with employment.

Good government reformers recognized two flaws with this conception of the legislature. First, because legislatures required lawmakers to spend weeks away from their job, it was only the wealthy could serve in legislatures. Second, as government grew increasingly complex, it became necessary for decision makers to have expert knowledge to run the government apparatus effectively. Due to these joint realizations, reformers began advocating against the "citizen-legislator" model.

The push for state legislature reform intensified in the 1960s when California State Assembly Speaker Jesse Unruh and the Citizens Conference on State Legislatures (CCSL) began advocating for increased professionalization.³ Elected officials, political scientists, and the public at large began expressing concern that amateur legislatures were simply unequipped to administer the complex business of state government, positing an informal hypothesis that state legislature reform can impact general public policy, states' policy agendas, and administrative efficiency. In other words, professionalization should have an effect on governance. As a result of these efforts, state legislatures professionalized considerably. Since 1960, legislative resources have increased from 17 percent to 25 percent of the resources dedicated to Congress, with some of the states having close to 75 percent of the resources dedicated to Congress.⁴ Although this change was not uniform and many states such as New Hampshire and South Dakota still resemble unprofessionalized 19th century institutions, virtually every state legislature has become a more professional than it was 50 years ago.⁵

At the same time, political scientists have developed a formalized concept of professionalization. Though many indices have been developed, the literature has come to a near-consensus on the question of conceptualizing professionalization. As put by noted legislative scholar Professor Christopher Z. Mooney:

*At its root, this [professionalization] involves the extent to which a legislature can command the full attention of its members, provide them with adequate resources to do their jobs in a manner comparable to that of other full-time political actors, and set up organizations and procedures that facilitate lawmaking.*⁶

³ Citizens Conference on State Legislatures (CCSL). 1971. *The Sometimes Governments: A Critical Study of the 50 American Legislatures*. New York: Bantam.

⁴ King, James. 2000. "Changes in Professionalism in US State Legislatures." *Legislative Studies Quarterly* 25(2): 327-343.

⁵ Mooney, Christopher. 1994. "Measuring US State Legislative Professionalism: An Evaluation of Five Indices." *State & Local Government Review* 26(2): 70-78.

⁶ The same excerpt is used in King 2000.

Three factors have been identified as critical to this function: salary, session length, and institutional resources made available to legislators.⁷ Each of the variables of interest should have a similar result. High legislator pay will allow legislators to devote the same level of attention to their elected position that would otherwise be devoted to a full-time job. Increased session length allows lawmakers to spend more time working on legislative issues. Staff resources ensure that legislators are provided with sound policy information, allowing them to make informed policy decisions.

This analysis uses the Squire index, the most commonly used index, to measure professionalization.⁸

What are the benefits associated with professionalization?

There is substantial variation in professionalism among state legislatures. In 2014, legislators in California were paid a salary of \$121,535 and were expected to work full-time. In the same year, legislators in New Hampshire were paid \$200 for the year and only worked part-time.⁹ In other words, the California legislature is different from the New Hampshire legislature in important ways, and we should expect to see different outcomes. Past research shows that professionalization changes what types of policy state legislatures are likely to consider and enact. In addition, professionalization increases legislators' ability to manage more complex policy areas such as procurement and tax-base restructuring.¹⁰ Similarly, professionalized state legislatures are more likely to consider innovative policy proposals, such as e-government, and adopt new policies from neighboring states.¹¹ There are management benefits as well. Due to staff resources, professionalized legislatures closely monitor pensions and fund pensions at higher levels.¹² Finally, professionalized state legislatures are more likely to pass "good government" reforms, such as campaign finance and lobbying restrictions.¹³

What is the effect of professionalization on constituent service?

To measure the effect of professionalization, I repurpose Butler and Broockman's 2008 cross-sectional field experiment (2011). In the experiment, 4,859 state legislators in 44 states were sent an email inquiring how to vote in that legislator's district, though the sample size was limited to legislators with valid email addresses posted online. Each email address was assigned to either a treatment group (email signed DeShawn, a name common among blacks, but uncommon among whites) or control group (email signed Jake, a name common

Figure 1: Email Sent to State Legislators

From: [Treatment Name]
 To: **[Legislator's Email Address]**
 Subject: A Question on Registering to Vote
 Dear **[Representative/Senator]** **[Legislator's Last Name]**,
 My name is [Treatment Name] and I'm trying to figure out how to register to vote for the upcoming election. I heard that the voter registration deadline is soon. Who should I call in order to register? Also, is there anything special I need to do when I register so that I can vote in future *[blank]/Democratic/Republican* primary elections?
 Thanks,
 [Treatment Name]

Note: Bolded items were manipulated across emails. Items in italics were assigned randomly based on the treatment group.
 Source: Butler and Broockman 2011.

⁷ Squire, Peverill. 2012. *The Evolution of American Legislatures: Colonies, Territories and States, 1619-2009*. Ann Arbor: University of Michigan Press.

⁸ Ibid.

⁹ Thomson-DeVeaux, Amelia. 2016. "How Much Should State Legislators Get Paid?" *FiveThirtyEight*.

¹⁰ Coggburn, Jerrell. 2003. "Exploring Differences in the American States' Procurement Practices." *Journal of Public Procurement* 3(1): 3-28; Slemrod, Joel. 2005. "The Etiology of Tax Complexity: Evidence from U.S. State Income Tax Systems." *Public Finance Review* 33(3): 279-299.

¹¹ Kousser, Thad. 2005. *Term Limits and the Dismantling of State Legislative Professionalism*. New York: Cambridge University Press; Tolbert, Caroline, Karen Mossberger, and Ramona McNeal. 2008. "Institutions, Policy Innovation, and E-Government in the American States." *Public Administration Review* 68(3): 549-563.

¹² Coggburn, Jerrell and Kearney, Richard. 2009. "Trouble Keeping Promises? An Analysis of Underfunding in State Retiree Benefits." *Public Administration Review* 70(1): 97-108.

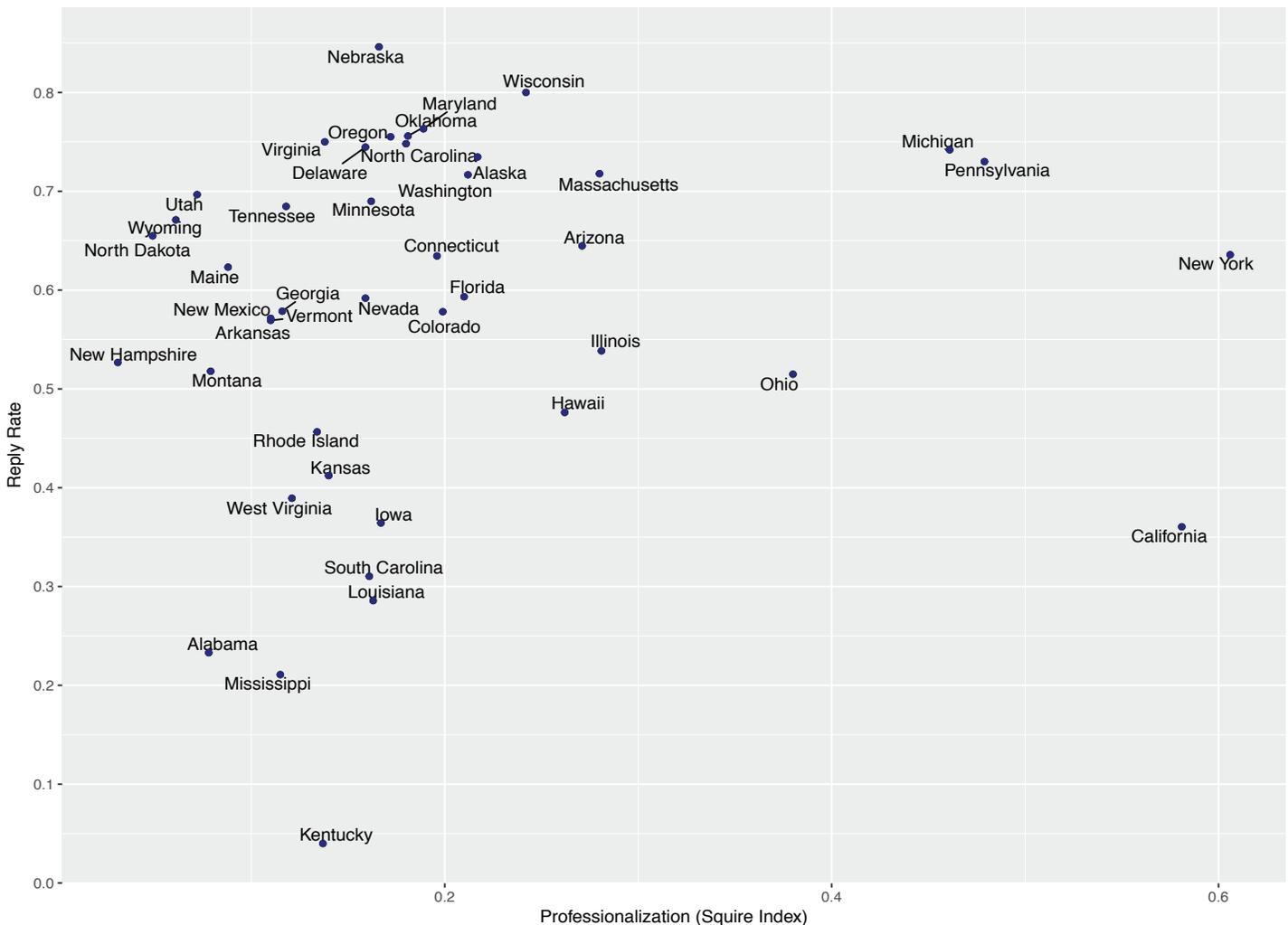
¹³ Opeheim, Cynthia. 1991. "Explaining the Differences in State Lobbying Regulation." *Western Political Quarterly* 44(2): 405-421; Witko, Christopher. 2007. "Explaining Increases in the Stringency of State Campaign Finance Regulation, 1993-2002." *State Politics and Policy Quarterly* 7(4): 369-393.

among whites, but uncommon among whites) by block randomization according to state, legislative chamber, party, and re-election status. The different aliases are meant to trigger a legislators potential racial bias due to each name's respective racial association. See Figure 1 for the email template used by Butler and Broockman in the experiment.

This brief examines two variables from the Butler and Broockman study, reply rate and helpfulness. Reply rate is a dichotomous variable denoting if the legislator contacted in the field experiment responded to the constituent inquiry asking how to vote in the upcoming primary — 1 indicates a response, 0 indicates no response. Helpfulness is a dichotomous variable denoting if the legislator provided a helpful response to the inquiry. The response was coded helpful if the response to the inquiry provided accurate information on how to vote in the legislator's district — 1 indicates the response provided the information needed to register to vote, 0 indicates no response or the response did not provide useful information. In addition, I control for partisan affiliation, state population, per capita income, and state personal income. See the full working paper for the theoretical justification for the inclusion of my controls.

I use ordinary least squares (OLS) regression, controlling for clustered errors, which produces heteroskedasticity-consistent (HC) and heteroskedasticity and autocorrelation consistent (HAC) estimators.¹⁴ OLS produces an estimate of the relationship between two variables by generating a line that minimizes the difference between the observed data and a predicted trend line. This line is the best linear estimate of the relationship between the two variables and is sometimes called a "line of best fit." The method can also control for additional variables that might effect the relationship, allowing a researcher to isolate the relationship between two variables of interest. This brief discusses the results from two sets of regressions generated from this method.

Figure 2: Professionalization and Reply Rates



¹⁴ For the full paper, see: Dowling, Thomas. "Investing in Service: Professionalization Effects on the Provision of Constituent Service." Working Paper, April 16 2018.

Table 1: Reply Rate Regression

	Dependent variable:	
	reply_atall	
	(1)	(2)
Squire	0.396 (0.225)	0.431* (0.226)
Republican		-0.005 (0.033)
Population	0.072*** (0.021)	0.072*** (0.021)
Per Capita Income	0.00000 (0.00000)	0.00000 (0.00000)
Personal Income	0.00002** (0.00001)	0.00002** (0.00001)
DeShawn	-0.000 (0.000)	-0.000 (0.000)
DeShawn-Squire Interaction		-0.072 (0.198)
Constant	-0.214 (0.293)	-0.212 (0.292)
Observations	4,859	4,859

Note: * $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$

Figure 2 shows a simple bivariate scatter plot illustrating the relationship between professionalization and reply rates, and Table 1 summarizes the analysis for two models examining the relationship between professionalization and legislator response rate to constituent inquiries. Because the Squire index is represented on a 0-1 scale, coefficients represent a total change in response rate from the lowest to the highest end of the index.

As shown by the scatterplot, high professionalization states such as New York and California do not have a significantly higher response rate than the cluster of low professionalization states. In the case of Model 1, a full one unit increase in the Squire index results in a 39.6 percent response rate increase. In other words, a state with a Squire index score of zero would have a predicted response rate that is 39.6 percent lower than a state with a Squire index score of one. Additional analysis of the DeShawn treatment indicates professionalization increases racial bias. Model 2 shows that there is only a .5 percent differential in the predicted response rates for the control and treatment when the Squire index score is zero. The differential increases to 7 percent for the predicted response rates for the control and treatment groups when the Squire index score is one.

The Squire index variable fails to approach statistical significance in both of the presented models, meaning there is no evidence that professionalization meaningfully predicts reply rates. The same is true for the interaction term measuring the treatment effect. The answer to the questions “does professionalization increase legislator response rates?” and “does professionalization moderate the racial bias effect?” is maybe, but we cannot be certain.

Figure 3 (page 6) and Table 2 (page 7) tell a different story. Like Figure 2, Figure 3 shows a simple bivariate scatter plot illustrating the relationship between professionalization and helpfulness rates. Table 2 summarizes the analysis for the two models examining the relationship between professionalization and the helpfulness of legislator responses to constituent inquiries.

The scatterplot shows a clearer, positive relationship between professionalization and helpfulness. Both models estimate large effects, with an estimated effect of 52 percent and 56 percent, respectively. In other words, a one unit increase in the Squire index increases the helpfulness rate in legislator responses to constituent inquiries by more than 50 percent. Again, professionalization fails to moderate the racial bias effect found by Butler and Broockman. Model 2 predicts a 1 percent difference in the

helpfulness rate between emails signed Jake and DeShawn with Squire index score of zero, but a 6 percent difference with a Squire index score of one. Increased professionalization increases the racial bias effect.

Table 2: Helpfulness Rate Regression

	Dependent variable: reply_helpfulatall	
	(1)	(2)
Squire	0.524** (0.219)	0.562** (0.213)
Republican		0.015 (0.026)
Population	0.005 (0.018)	0.005 (0.018)
Per Capita Income	0.00000* (0.00000)	0.00000* (0.00000)
Personal Income	0.00001** (0.00001)	0.00001** (0.00001)
DeShawn	-0.000* (0.000)	-0.000* (0.000)
DeShawn-Squire Interaction		-0.077 (0.159)
Constant	-0.359 (0.247)	-0.366 (0.247)
Observations	4,859	4,859

Note: * $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$

Figure 4 (page 7) shows this result more intuitively by comparing the treatment-control difference between the lowest and highest deciles. Table 3 (page 8) compares the average response rates for each group.

Both models estimate statistically significant effects for the Squire index, meaning we have strong evidence that the relationship observed is not due to chance. The answer to the question “does professionalization increase the helpfulness of legislator responses?” is yes. The models do not estimate a statistically significant difference between the Jake and DeShawn helpfulness rates so the answer to the question “does professionalization moderate the racial bias effect?” is again maybe, but we have no statistical evidence.

Implications

Two interesting results emerge from the empirical analysis.

The most obvious is the incongruence between response rates (not statistically significant) and helpfulness rates (statistically significant). One potential explanation is that legislators employ a sorting mechanism and only provide service to constituents meeting a particular set of criteria unrelated to the office’s capacity to provide service. Once the inquiry passes through the initial screening and it is decided the office will devote resources to the constituent, effort is devoted to the requested service.

The second is the positive relationship between professionalization and the racial bias. At the very low end of professionalization, there is no meaningful difference between the treatment (DeShawn) and control (Jake) response and helpfulness rates. As professionalization increases, the gap in response and helpfulness rates widens considerably.

To be clear, there is no statistically significant evidence that professionalization increase the racial bias effect, but from a purely observational standpoint, the analysis raises an important question about racial bias. The observational gap can be explained by using the same logic from above. Some legislators have an incentive to help a black constituent register to vote, others do not. Increased capacity gives legislators more resources, but it also allows them to deploy their resources strategically. It is important to note this

Figure 3: Professionalization and Helpfulness Rates

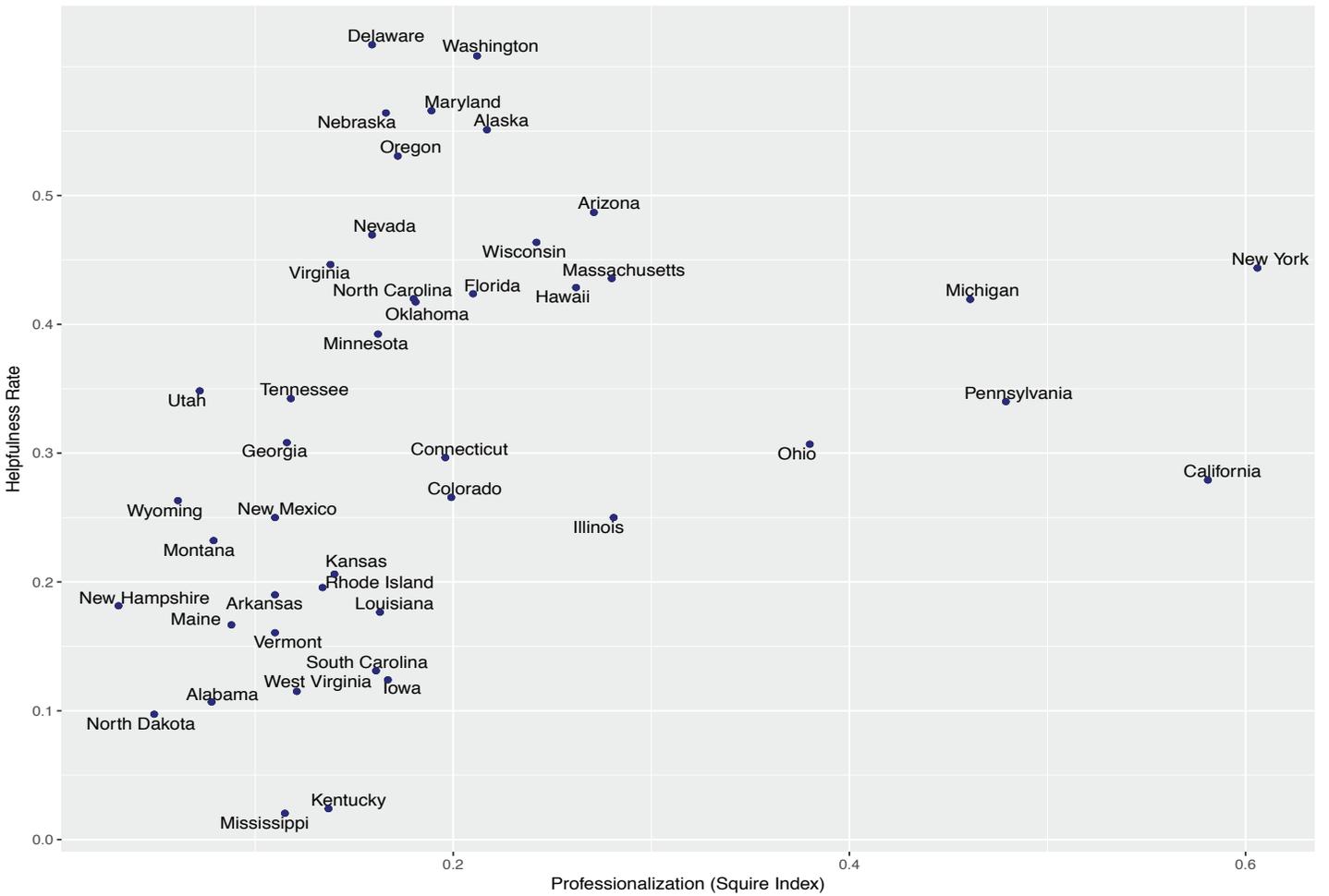


Figure 4: Helpfulness Rates Broken by Lowest and Highest Professionalization Decile

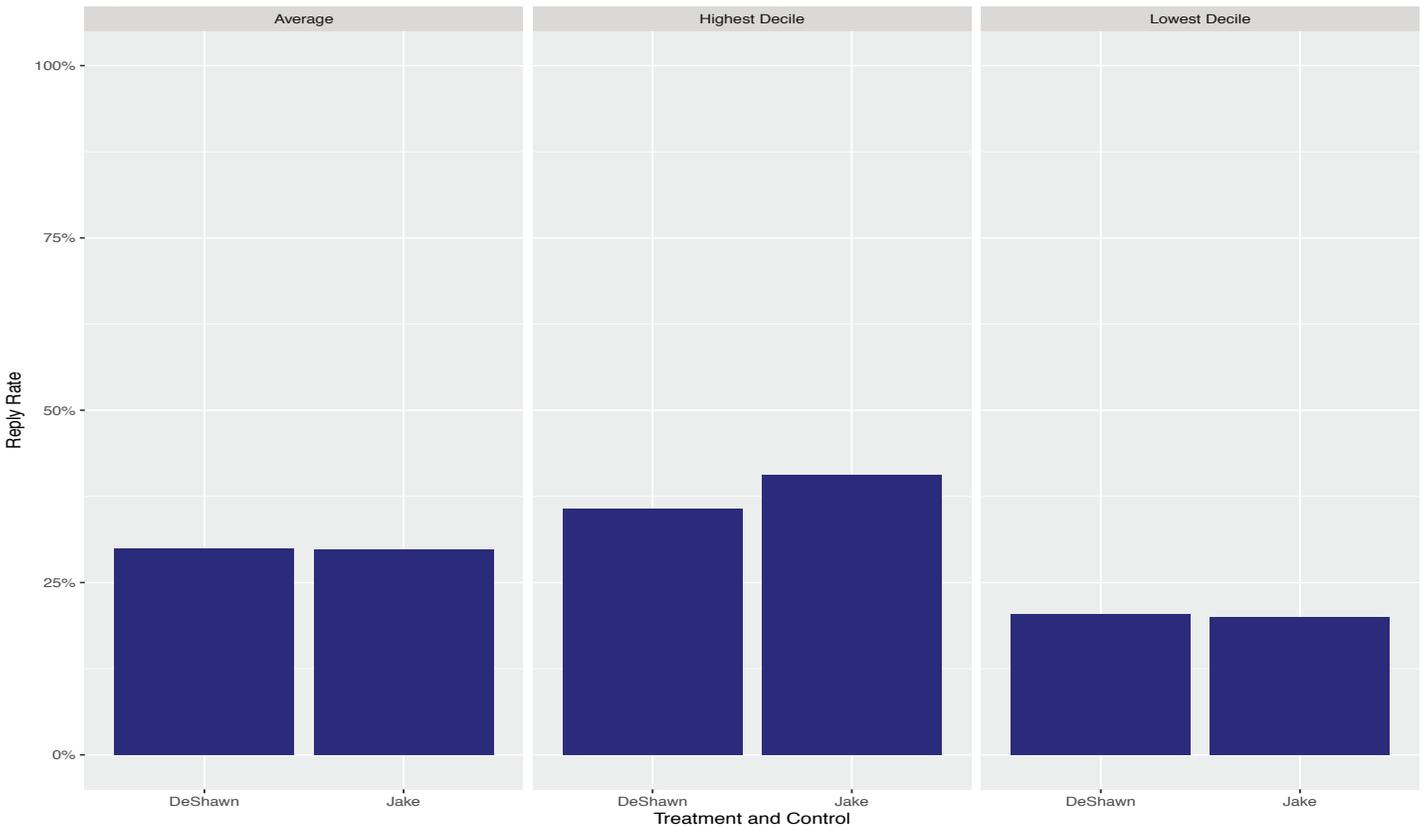


Table 3: Response Rates Broken by Lowest and Highest Decile			
Treatment/Control	Average	Highest Decile	Lowest Decile
DeShawn	30%	35%	20%
Jake	30%	40%	20%

result needs to be interpreted with a great deal of caution because the estimated effect never approaches statistical significance. However, the consistency of the result coupled with the large percentage difference in rates does provide some observational evidence that professionalization increases racial bias.

Both of these findings have important implications for those concerned with equitable access to government. Professionalization has generally been viewed as a net positive for state governance. However, in light of this analysis, the relationship between professionalization and constituent service appears to be more complicated. Giving legislators increased capacity does not clearly increase legislator's ability to provide constituent services to all citizens. Instead, it gives legislators the ability to provide services to select constituencies. This is evident in the sorting mechanism of constituent services posited above and more insidiously in the observational rate differences in service provided to black and white constituents. Policymakers attempting to increase citizen access to government need to take the strategic behavior that is inherent to electoral politics into account when considering increasing legislative capacity.

Conclusion

This brief repurposes data from Butler and Broockman's 2008 field experiment and examines the relationship between the professionalization and the provision of constituent services. I ask and answer three broad questions in the analysis. First, I ask if professionalization impacts the rate of legislator responses and find it does not. Then, I ask if professionalization impact the helpfulness of legislator responses and find there is a statistically significant, positive relationship. These results suggest the prevailing understanding of professionalism should be revised. Rather than viewing professionalization as a mechanism that improves constituent service overall, it should be viewed as a mechanism that helps legislators improve effectiveness of constituent service after the legislator decides to actually provide the service.

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