



Confidential
Memorandum



TO: The Commonwealth Coalition

FROM: Beth Schapiro and Tony Fabrizio

RE: Amendment Ballot Support Under 50%

DATE: July 25, 2006

Our firms have just completed a statewide survey of likely voters that shows that support for the Marshall-Newman Amendment, Ballot Question #1, is below 50%. What follows are a few key points:

- ✓ **When voters hear the exact Amendment wording it drives "Yes" vote support DOWN significantly**

	July 2005 Registered Voters*	June 2006 Likely Voters**
Vote Yes	54%	45%
Vote No	31%	40%
Undecided	15%	14%

Our recent survey tested the exact language that will appear on the ballot in November (see asterisks), while a survey we did last year for the Equality Virginia Foundation tested the general concept of the Amendment. As the data clearly demonstrate, the exact Amendment language drives what was a 23 point lead down to a virtual statistical dead heat.

- ✓ **The latest results also show that the Amendment is well under 50% and in a statistical dead heat.**

	June 2006 Likely Voters**
Vote Yes	45%
Vote No	40%
Undecided	14%

Conclusion:

This year's benchmark survey confirms and underscores the viability of your campaign efforts. The impact of the exact ballot language is clearly and significantly detrimental to supporters of the Amendment. Not only does the exact language drive votes away from voting yes, it adds significantly to the "No" vote total.

The exact Amendment language makes voters very wary about what the Amendment actually does. Moreover it either plants the seed or solidifies voters' suspicions that the Amendment has too many unintended consequences that will affect every Virginian – especially unmarried heterosexual couples.

The language also raises concerns about government overreaching with many voters who adopt a "keep government out of my private life and bedroom" position in reaction to the Amendment.

At this juncture, having the "Yes" vote well under 50% and such a sizeable undecided vote play to your advantage – especially given voters' reactions to the Amendment language itself.

*** = July 2005 Question Wording – Amendment Ballot:**

"If the election were held today with an amendment on the ballot saying "That only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth", would you vote yes to define marriage this way in our state constitution, would you vote no to prevent this definition from being written in the state's constitution, or are you undecided?"

**** = June 2006 Question Wording – Amendment Ballot:**

"My next question will appear on the ballot in this November's election. It contains a few sentences that I will read word-for-word. The question is:

Shall the Constitution of Virginia be amended to state "That only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions. This Commonwealth and its political subdivisions shall not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage. Nor shall this Commonwealth or its political subdivisions create or recognize another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage."?

If the election were held today, would you vote yes in favor of the amendment, no in opposition to the amendment, or are you undecided?"

Methodology

Results are based on two scientific telephone surveys conducted by Fabrizio McLaughlin & Associates and Schapiro Research Group. The July 2005 results come from a survey of 800 registered voters statewide with a margin of sampling error of $\pm 3.5\%$. June 2006 results come from a survey of 800 likely November voters statewide with a margin of sampling error of $\pm 3.5\%$. Both samples are geographically and demographically representative of the voter groups surveyed.