The Cost of Voting Index and Minority Candidate Electoral Success: The Underrepresentation of Minorities and Women

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Abstract - In 2018, we published the first comprehensive measure of the cost of voting in each of the 50 American states. The Cost of Voting Index (COVI) measures the overall difficulty of voting within a state by weighting the state's restrictive and liberalizing election policies, combining them into a single index value. In this chapter, we ask and answer the questions: When Black and Latinx candidates run for public office, what is the probability they will win. In addition, we test whether being a minority candidate associates with lower election margins, on average? We also seek to test how a more restrictive electoral climate may influence demographic representation. Does the representation of Blacks, Latinx, and women suffer when the cost of voting is higher? We hypothesize that more restrictions, or higher COVI values, are likely to produce state legislators who do not mirror the state's population demographics. We find that a more restrictive electoral climate is working to lower the representation of these notably underrepresented groups. We also learn that the Black and female representation gap in state legislatures is larger in states with more restrictive voting laws. With the caveat that a state population is less than 15 percent Latinx, there is also a larger gap in 38 states when COVI values are higher.

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Beyond voter turnout, at either an aggregate (Chapter 2) or an individual level (Chapter 5), we wish to conduct additional tests with the Cost of Voting Index (COVI). Does a more restrictive electoral-institutional electoral climate have implications beyond voter turnout? In this chapter, we ask and answer the question: When Black and Latinx candidates run for public office, what is the probability they will win. In addition, we test whether being a minority candidate associates with lower election margins, on average? We are limited in answering these questions by statewide Cost of Voting Index (COVI) values. We do not have values for individual US House districts. However, when candidates run for a US House seat in an at-large election, the whole state is a single House district. In this instance, we can use COVI values effectively to test minority electoral achievement.[1] Conveniently, there are several other statewide offices, such as Governor and Senator, whereby the electoral constituency is the entire state. These offices, and other statewide elected offices, become our primary testing ground.

Yet, we can do more with COVI values in this chapter. We seek to test how a more restrictive electoral climate may influence demographic representation. Does the representation of Blacks, Latinx, and women suffer when the cost of voting is higher? Women, like minorities, are another subpopulation that has been notoriously underrepresented in elected office in the United States (Smith, Reingold, and Owens 2012; Thomsen 2015; Lowande, Ritchie, and Lauterbach 2019). Specifically, we can test how each state legislature in the country stacks up in the representation of the underrepresented. In other words, do states with a more inclusive electoral posture associate with a greater descriptive representation of minorities and women. We hypothesize that more restrictions, or higher COVI values, are likely to produce state legislators

[1] In 2021, there are seven at large House districts. A single representative in the US House of Representatives is elected from Alaska, Delaware, Montana, North Dakota, South Dakota, Vermont, and Wyoming.

who do not mirror the state's population demographics. We know that some state legislatures are more amateur or part-time affairs and that these legislatures tend to be more elite bodies with lower descriptive representation (Squire 2007; 2017). It will be necessary to control for this in our testing.

Minorities, the COVI, and Electoral Success

We begin with several different tests of the relationship between each state's electoral-institutional climate and minority electoral success. In the first set of tests, we examine candidates running for a variety of statewide offices. Packing as a gerrymandering strategy has increased minority candidate electoral success in some states, primarily when gerrymandering has led to majority-minority districts (Engstrom 2013, 197-198).[2] However, our COVI values distinguish states and not legislative districts within a state. Consequently, we cannot test state COVI ranks' effect on electoral success at the district level.

To overcome this modeling challenge, we limit our analysis to the electoral performance of minority candidates running for statewide offices. Specifically, we collect data on all minorities who run for governor, senator, lieutenant governor (when running alone), at-large House races, and other positions within the plural executive of state governments such as attorney general, comptroller, secretary of state, and treasurer. We examine all statewide races from 1996 to 2020 and include only minorities who run as candidates for one of the two major political parties. Third-party candidates are already disadvantaged (Schraufnagel 2011), and their inclusion in the analysis would confound our tests of minority electoral accomplishment.

Upfront, we examine the electoral success of Black and Latins candidates who run for statewide office in three different ways. In other words, we have three unique dependent

[2] Packing is a process where like-minded constituents from the opposing party are drawn into a single district to create a partisan advantage in neighboring communities.

variables. The first will be a dummy variable scored "1" if a minority candidate *Won Office* and "0" if the candidate loses the statewide race. We expect a higher state COVI rank to associate with zeros, so we anticipate a negative coefficient in the logistical regression we run.[3] Second, we test whether COVI values and other control variables can predict the *Own Percent* of a minority candidate or the percentage of total votes received by the candidate. Third, we run the same model with the *Election Margin* as the dependent variable. Now candidates who lose will receive a negative value.

All three considerations are related, and the latter two might seem perfectly correlated. However, not all statewide races have only two candidates, so the third test accounts for this by examining the difference in vote percentage between the winning and losing major party candidates. To illustrate this third measure, assume a Latinx candidate receives 40 percent of the vote and loses. The winning candidate might have received 60 percent of the vote in one scenario, and the Latinx candidate's election margin would equal -20% (40 – 60). In a different scenario, with a third-party candidate running, the Latinx candidate may have fared, relatively speaking, better. In this instance, the winner may have received 45 percent of the vote, 40 percent for the minority candidate, and 15 percent for a third-party candidate. Now the Latinx candidate election margin equals -5 percent (40 - 45). The assumption is that the minority candidate performs better in the second scenario than they did in the first example.

To elaborate further on the three measurement strategies for our dependent variables, consider Kamala Harris (D), a Black/Indian woman who ran for California's Attorney General against Steve Cooley (R) in 2010. In this race, there were also four minor party candidates

3 Logistical regression is most appropriate when the dependent variable is dichotomous or only takes on two unique values such as "0" and "1." The idea is to convert the "0's" and "1's" to odds ratios and then to use calculus to convert these further, using the constant "*e*," to create an interval level measure that can be used in a regression model (Mehmetoglu and Jakobsen 2017, 163-65).

running. Ms. Harris won the race, obtaining 46.05% of the vote to 45.21% for Mr. Cooley. In the first model, we score Ms. Harris "1" because she won. In the second model, she receives a score of "46.05," representing her vote percentage. In the third instance, she gets a score of ".84" (46.05% - 45.21%), equal to her winning vote margin. In a two-candidate race, Harris' vote percentage would indicate a 7.9 percent loss.

With each of the three dependent variables, or measure of minority electoral support, we expect a negative association with state COVI values. We run the three different tests in the spirit of scientific inquiry, which seeks to learn how robust the relationship is between two concepts and test whether a statistical relationship can withstand multiple modeling specifications. Each model run represents at least one, and sometimes more, unique assumptions. Importantly, when we controlled for education and income, we learned in Chapter 5 that Black reported voter turnout is greater than White reported turnout at an individual level of analysis.4 However, we also know that members of the two largest minority groups in the United States, on average, have lower education and income than other citizens (Kao and Thompson 2003). The question becomes when minorities have overcome these lower socio-economic class obstacles, have become voters, and then run for public office, how do they fare? We now move to determine the role the cost of voting plays in the electoral success of minority candidates who run for statewide offices.

Most specifically, we test whether a more restrictive state electoral-institutional arrangement can help us better understand minority candidate electoral success or lack thereof. As has been the case throughout this monograph, we begin by examining zero-order or bivariate

4 We know that members of the two largest minority groups in the United States, on average, have lower education and income than other citizens (Kao and Thompson 2003).

relationships. We compare the strength and direction of the relationship between the three dependent variables outlined above and state *COVI Ranks*. We use COVI ranks as our key explanatory variable because this standardizes state performance across the 25 years studied. Specifically, we use the state rank in the presidential election cycle before, or contemporaneous with, the statewide race examined. For example, in the 2006 Arizona race for secretary of state (Israel Torres-D), we use the state's 2004 COVI rank. In the Alabama Senate race, in 2008, between Jeff Sessions (R) and Vivian Davis Figures (D), we use the state's 2008 rank. In the time studied, we identify 182 minority candidates running for a statewide office as a representative of one of the two major political parties.[5] Table 6.1 displays the zero-order relationships between state COVI ranks and the three measures of electoral achievement.

Table 6.1
The Electoral Success of Minority Candidates Running for Statewide Offices and COVI Rank: 1996-2020

	COVI Rank	Won Office	Own Percent	Election Margin
COVI Rank	1			
Won Office	-.27 ($p < .001$) n = 182	1		
Own Percent	-.23 ($p < .001$) n = 182	.71 ($p < .001$) n = 182	1	
Election Margin	-.25 ($p < .001$) n = 182	.77 ($p < .001$) n = 182	.94 ($p < .001$) n = 182	1

Note in the first column of Table 6.1 the negative association between state COVI rank and each indicator of minority candidate electoral performance. The findings suggest that, on average, minorities perform more poorly in states with higher COVI ranks. Recall from Chapter 3 that a higher rank, relative to other states, indicates that the cost of voting is higher. Said differently, as state rank goes up, moving toward 50th, the electoral achievement of the minority

5 We do not include the 23 Black and Latinx candidates who ran for Lieutenant Governor on the same ticket with a gubernatorial candidate.

candidates goes down. Moreover, the bivariate relationships between the three dependent variables (Columns 2 and 3) suggest these alternative measures are not alike, so we truly obtain three unique tests of the role the COVI plays in depressing minority electoral success.

Of course, bivariate relationships are not the whole story, and we must control for other considerations. For instance, we might expect minority candidates to perform better in states with larger minority populations. We also know that minority citizens, especially Black American voters (Mangum 2013), are more likely to align with the Democratic Party. If a disproportionate number of the minority candidates in our tests represent the Republican Party, this could complicate matters and help explain lower electoral accomplishment for Black candidates. We now move to explain, in detail, the modeling assumptions we make and how each of the control variables is measured.

Control Variables. The first control variable is the party of the candidate. We label this consideration *Democrat* and score all candidates who ran for statewide office representing the Democratic Party "1" and Republican Party candidates "0." We exclude minority candidates running as independents or representing a minor party from the analysis. We anticipate a positive association between being a candidate of the Democratic Party and electoral success. Put differently; we expect minority Democrats will receive more electoral support, on average. In this instance, though, it is imperative to appreciate that a minority Republican candidate might be less threatening to majority White voters, which could cause these candidates to obtain greater support. For instance, in Vermont, a state with a tiny Black population, voters elect Randy Brock (R-VT), a Black American, as comptroller in a statewide election in 2004. Once we hold the cost of voting constant, we must be open to the possibility that minority candidates representing the Republican Party will perform well.

Next, we control for the level of *Electoral Competition*. In this instance, we are not using a competitive electoral environment to indicate the 'benefits' of voting. Instead, our concern is that when electoral contests are tighter, voters will not want to risk voting for a minority candidate out of fear that they may waste their vote. We know from previous research that voters do not like to 'waste' their vote on candidates without a realistic chance of winning (Lijphart 1997, 7; Hummel 2014). If an average voter assumes minority candidates are systematically disadvantaged, and they want to vote for the eventual winner, they may opt for the White candidate. We measure electoral competition as the difference between the vote percentages of the two major-party candidates at the top of the ticket (governor, senator, or president) in either the contemporaneous election cycle or the previous election cycle. We use the last cycle election value for odd year races for statewide office. For instance, when Donald McEachin, a Black Democrat, ran for Attorney General in Virginia in 2001, we use the competition at the top of the ticket in the 2000 Virginia presidential election cycle. We anticipate a considerable margin, indicating lower electoral competition, will associate with more minority candidate support. Correspondingly, lower competition should equal more minority candidate support; thus, we expect a negative coefficient in the regression runs.

Next, we test whether the gender of the minority candidate makes a difference. We label this variable *Female* and score female candidates "1." Research has shown that female candidates, in general, perform on par with men when they have similar previous experience and campaign resources (Dolan 2014, 3). Additionally, we know that minority women have been especially disadvantaged in socio-economic mobility (Michener and Brower 2020). This additional disadvantage, in turn, might equate to less electoral support. If women are disadvantaged in society, we might expect minority females to find it particularly difficult to win

statewide elected office. Correspondingly, we anticipate negative coefficients in the regression analyses.

Our fourth and fifth control variables are the *Percent Black Population* and the *Percent Latinx Population* in each state. In each instance, we use US Census Bureau data. Specifically, the 1996-1999 elections use 1990 values, whereas the 2000-2004 elections use the 2000 Census figures and the 2005-2009 elections use the 2005 population estimates. Similarly, the 2010-2013 elections use the 2010 Census values, the 2014-2018 elections use the 2014 population estimates, and the 2019-2020 elections use the 2019 population estimates. Table 6.2 displays descriptive statistics for each of the three dependent variables, our key explanatory variable (COVI Rank), and each control variable.

Table 6.2
Descriptive Statistics of Variables used to Test Minority Candidate Electoral Success in Statewide Races: 1996-2020

	Min. Value	Max. Value	Mean Value	Std. Dev.
Dependent Variables				
Won Office	0	1	.24	.43
Own Percent	4.1	71.5	43.30	10.36
Election Margin	-63.88	43.53	-11.06	19.02
Key Explanatory Variable				
COVI Rank	2	50	28.66	13.06
Control Variables				
Democrat	0	1	.77	.42
Electoral Competition	.06	51.41	14.55	9.45
Female	0	1	.32	.47
Percent Black Population	.5	37.8	15.33	10.73
Percent Latinx Population	.9	49.3	13.75	13.26
n		182		

Considering the descriptive statistics, we note the mean value of .24 for the Won Office consideration. We can interpret this value in a straightforward manner. Specifically, the value indicates that when minority candidates ran for a statewide office in the period studied, they won

about 24 percent of the time. Most specifically, 44 of the 182 minority candidates we study won, and 138 candidates lost. The Election Margin consideration is our last dependent variable. Ed Lopez, a Latino Republican, who lost the Secretary of State race in Rhode Island in 1998, represents the minimum value. The maximum value belongs to Jesse White, a Black Democrat, who won the 2010 race for Secretary of State in Illinois.

The minimum COVI rank of "2" tells us, in the period studied, no minority candidates were running for statewide office in a state-ranked the easiest to vote (usually Oregon). If the easiest state to vote in was included in one of the 182 races, the minimum value for COVI rank would have been "1." Finally, the mean of .32 for the variable representing Females indicates that about 32 percent (58/182) of the minority candidates running for statewide office in the period studied were women.

Using the variables presented in Table 6.1, we run three regression models, one for each of the three dependent variables, and report the results in Table 6.3. Our primary concern has been the relative cost of voting or the restrictiveness of each state's electoral climate.

Table 6.3
Minority Electoral Success when Running for Statewide Office and the COVI

Models: Logit Regression/Ordinary Least Squares (OLS)Regression/OLS Regression

	Won Office	Own Percent	Election Margin
Key Explanatory Variable	Coefficient (s.e.)	Coefficient (s.e.)	Coefficient (s.e.)
COVI Rank	-.053 (.019) *	-.227 (.080) *	-.454 (.158) *
Control Variables			
Democrat	.939 (.592)	5.233 (2.633) *	9.502 (4.649) *
Electoral Competition	-.004 (.020)	-.222 (.077) *	-.397 (.145) *
Female	-.215 (.620)	.373 (1.986)	-2.126 (3.835)
Percent Black Population	-.013 (.025)	-.014 (.097)	.002 (.161)
Percent Latinx Population	.016 (.017)	.113 (.060) ^{t}	.220 (.113) ^{t}
Constant	-.43 (.66)	47.53 (3.09) *	-1.98 (5.90)
Wald Chi^2/F-Statistic/F-Statistic	10.39 *	2.99 *	3.13 *
Pseudo R^2/R^2/R^2	.10	.16	.16

n	182	182	182

* $p < .05$ (two-tailed test); ^{t} $p < .05$ (one-tailed test)

Considering the "Won Office" model, results presented in the first column link the COVI Rank to whether the minority candidate wins a statewide race. In this model, the test of whether the minority candidate was a Democrat and the examination of the state electoral competition return signs in the hypothesized correct direction; however, they are not statistically significant, on average, after controlling for state electoral climate. In the subsequent two model runs, these variables are statistically significantly associated with minority electoral achievement. Hence, we feel comfortable suggesting that each of these considerations does matter. Minority Democrats earned more support, and when there is more electoral competition, state voters are less likely to support minority candidates for statewide office.

Figure 6.1 below provides a substantive understanding of the extent that COVI Rank matters. Here we are relatively amazed at the substantive importance of the COVI. The coefficient representing COVI rank in the first model is a Logit value, which can be converted back and reported as the predicted probability that a minority candidate will win statewide office in the period studied. Interpretation of the logit coefficient suggests that in a 2nd ranked state, the likelihood that a minority candidate will win is greater than 52 percent. This probability drops to just a little more than eight percent in a state ranked 50th. A standard deviation in COVI Rank is about 13 places during the period studied. Consequently, a one standard deviation drop in state rank, for instance from 12th to 25th, associates a drop from about 40 percent to 25 percent that a minority candidate will win. We hold this to be a meaningful and essential explanation of the lack of minority electoral success and, subsequently, descriptive representation.

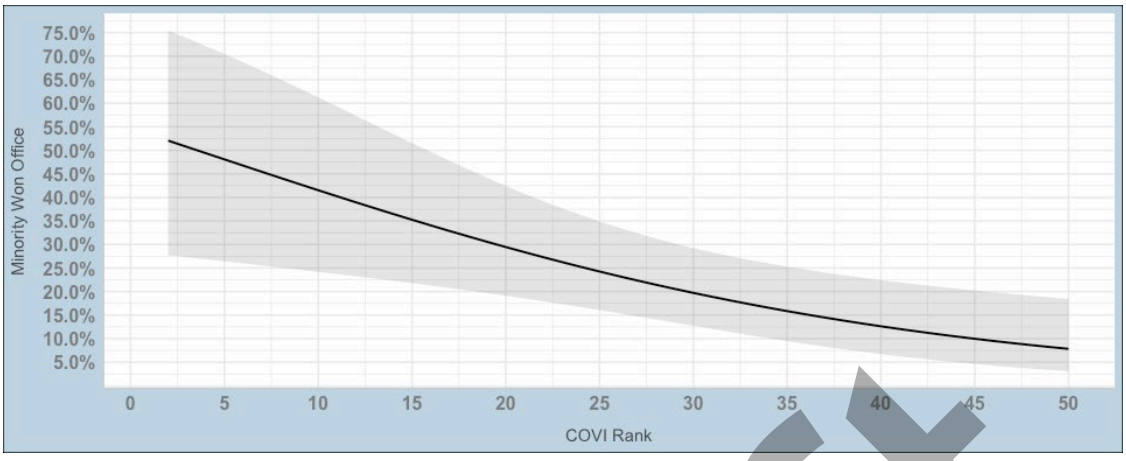

Figure 6.1. Probability of a Minority Candidate Winning Office by COVI Rank

Considering the other two models, as noted, we now get evidence that being a Democrat, on average, helps a minority candidate, all else being equal. Perhaps more telling, we learn that when Electoral Competition in a state is greater that minority candidates are less likely to win in statewide races. One interpretation of this finding is that voters, in general, are less likely to support a minority candidate if they think their vote will be "wasted." Alternatively, and consistent with Racial Threat Theory, White voters may be more willing to vote for a minority candidate in a race where the minority candidate is less likely to win, in part because there is less two-party electoral competition in the state. For instance, we can note that Stephen Benjamin, a Black Democrat, ran for Attorney General in South Carolina in 2002 and received a larger percentage of the state's vote than Al Gore received in the 2000 South Carolina presidential contest. Benjamin's vote percentage tops Gore by 2.63%. The Palmetto State is a Republican Party stronghold. A vote for a minority Democrat might seem less worrisome for majority White voters because they can safely assume they will not win. Indeed, Benjamin does lose. In another instance, we can note former football player Damon Dunn, a Black Republican, who ran for Secretary of State in California in 2010, beats John McCain's performance in the 2008 California presidential contest. Dunn was not a threat to win in a notable stronghold of the Democratic

Party, and he outperforms his political party in the state. If these occurrences are systematic, we can better understand why minorities perform more poorly in states where elections, on average, are closer.

Considering the test of COVI Rank and minority candidate Own Percentage, we obtain a coefficient of .227. Recall, a one standard deviation drop in COVI Rank equals about 13 units. Multiplying the coefficient obtained from the test by 13, we expect a three percent drop (.227 * 13) in electoral support, with a one standard deviation change in state rank. The full range of COVI Rank can explain more than an 11 percent decrease in support for minority candidates (.227 * 49). Obviously, a big enough change to make a difference between winning and losing.

The coefficient representing electoral margin is equal to -.454. A one standard deviation decrease in COVI Rank causes the election margin to grow more negative by almost six percent (-.454 * 13). For instance, consider Marquita Bradshaw's run for a US Senate seat from Tennessee in 2020. The Democratic Party nominee lost by 27.3% to Bill Haggerty (R). In 2020, Tennessee was ranked 46th or had the 46th most restrictive electoral climate. North Carolina, in 2020, was ranked 33rd, a one standard deviation improvement over Tennessee. Another Black Democrat, Yvonne Lewis Holley, ran for Lieutenant Governor and lost by only 3.26% of the vote. Our analysis suggests that the different COVI ranks between Tennessee and North Carolina can explain about six percent of the difference in the electoral performance of the two Black females running for statewide office in 2020.

The Underrepresentation of Minorities and Women in State Legislatures

We began this chapter with questions. Specifically, we wanted to learn whether higher COVI values, indicating a more restrictive state electoral climate, would cause minority candidates who run for statewide office to underperform. Our focus was on statewide races

because we have only one COVI value for each state in the 25 years studied. Moreover, we know that creating majority-minority districts significantly increases the possibility of minority representation in some states (Hicks et al. 2017). Yet, what about overall minority representation in state legislatures? Is it the case that some states more than others might embrace majority-minority districts to concentrate minority votes in a manner that concedes minority representation in one district while diluting minority voting capacity in adjacent or neighboring communities (Htun 2004)? Either way, we wish to learn whether states with higher COVI values witness more or less minority representation in state legislatures. We can also test the demographic representation of females in state legislatures.

The Volume of Minority Candidates. Before we begin our tests of the representation gap, it is possible to simply test whether minorities, in general, are less likely to run for public office. We suspect that many competent minority individuals will not run for public office given the long history of White male dominance of electoral politics in the United States (Schneider et al. 2016). Understanding that the country's electoral climate is not conducive to electoral success, especially in certain states, many rational individuals will simply not run (Shah 2014). This level of disbandment is particularly troubling because it suggests a level of political anomie or alienation that will undoubtedly result in less minority representation in elected political positions.

To test minority candidate demobilization, we calculate the number of possible times a minority candidate could have run in a governor's race, a US Senate race, or an at-large House race from 1996 through 2020. In all, there were 870 opportunities, and we learn that 59 minority candidates ran in the period studied. In other words, 6.78 percent (59/870) of all candidates for statewide office represent one or the other of the two largest minority groups in the United

States. The rate of minorities running for office is much less than the percentage of these two groups in the population from 1996 to 2020. Indeed, in the period studied, US Census Bureau estimates suggest that over 28 percent of the country's population was Black or Latinx. Hence, we get a difference of about 21 percent (28 – 6.78). This finding alone suggests there will be descriptive underrepresentation of minorities in American state politics. However, we suspect this may be the case in some states more than others; and we can test this. Specifically, we want to know what role a restrictive state's electoral climate, or higher COVI values, might play when it comes to the scarcity of minority candidates and the subsequent demographic underrepresentation in elected office.6

Specifically, we seek to answer the research question: Do higher COVI values, indicating a more restrictive state electoral climate, produce fewer minorities and women holding state legislative seats? Although we have not consistently considered gender, we can note the systematic underrepresentation of females in elected office across the United States (Smith, Reingold, and Owens 2012). To justify our test that there will be fewer women in state legislatures when the cost of voting in the state is higher, we use the same logic of Racial Threat Theory. The theory suggests those in power will restrict the opportunity of others to unseat them. Thus, higher COVI values may systematically demobilize both minority and female candidates.

Our tests use the underrepresentation of minorities and women in 2021, and the 2020 state COVI values become our primary predictor variable. Because we are conducting tests using a single year, it is now appropriate to use the raw COVI values versus COVI ranks, which had

6 One might imagine that lower educational attainment, or income, on average, can explain the lack of minority office seekers we just uncovered. This possibility, alone, speaks volumes about the potential disadvantages minorities experience in trying to gain equal political footing in a majority White country.

served to standardized COVI values when running tests over multiple election cycles. Again, we look to test things in numerous ways to ensure that our findings are not simply the product of a particular measurement strategy. First, we use the gap in demographic representation gap as our dependent consideration. Second, we use the percentage of minorities or women serving in a state legislature. Considering Mississippi and using the 2019 Census Bureau population estimates, we learn that 37.8 percent of state citizens identified as Black or African American. In 2021, Blacks held only 31.03 percent of the seats in the state legislature (40/122 in the House and 14/52 in the Senate). The Black representation gap in Mississippi, for our test, equals 6.77 percent. In our second test, we use the value 31.03 or the percentage of Blacks serving in the state legislature as our dependent variable. Can the COVI help us to systematically better understand the gap and the raw percentage?

The figures below display the gaps by state for each subpopulation we are considering. Note the strong positive association between the gap in representation of African Americans and COVI values in 2021 found in Figure 6.2. This relationship is statistically significant, and there is greater underrepresentation of Black Americans in state legislatures when state COVI values are higher. Of all 50 state legislatures, only eight legislatures overrepresent Black Americans. The eight states all appear below the zero (0) horizontal line. Specifically, Colorado, Illinois, Missouri, Nevada, New Jersey, Ohio, Oregon, and Washington all have rates of Black legislators exceeding the rate of Blacks within the state. Notably, six of the eight states have negative COVI values indicating that voting is less restrictive, on average. Conversely, there is an underrepresentation of Blacks in the other 42 state legislatures. The states with more than a five percent gap are Arkansas, Louisiana, Massachusetts, and Mississippi. Of those four, only

Massachusetts has a negative COVI value. The other three states are ones where the act of voting is more of a hassle.[7]

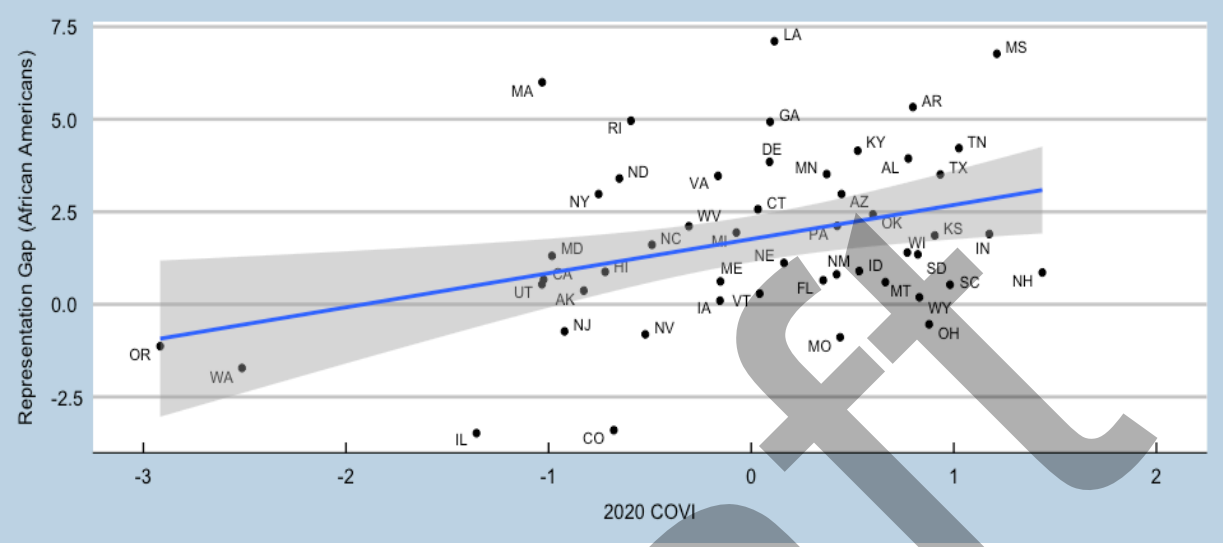

Figure 6.2. The 2020 COVI and the Gap between % Blacks in State Legislatures and State Black Populations in 2021

Considering the gap in representation of the Latinx population, we note in Figure 6.3 that all states are above the horizontal line marked by zero (0). In other words, there is an underrepresentation of the Latinx population in every state's legislature. The closest state is West Virginia, where only 1.7 percent of the state residents identify as Latin American or Hispanic, and 1.49 percent of state legislators (2 out of 134 total legislators) identify as Latin American or Hispanic. Notably, West Virginia is a conservative state and has voted for the Republican Party presidential candidate in the past six presidential election cycles (2000-2020). But West Virginia has a negative COVI value in 2020, indicating it is a state with a more inclusive state electoral-institutional climate, on average.

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7 Note, it is known that professional sports teams, such as the New England Patriots and Boston Celtics, with fans in Massachusetts underrepresent Blacks on their rosters. Whack, Erin Haines. May 3, 2017. Boston sports struggle with perception built on racist past. AP. https://apnews.com/article/c1cd588301c640fc9cdd58cd813f876a (last accessed Feb. 12, 2021).

Overall, there is not a positive relationship between COVI values and the Latinx representation gap. Undoubtedly, the variability in the size of state Latinx populations is part of the explanation. In 2019, state Latinx population size varied from 1.7 percent in West Virginia to 49.3 percent in New Mexico. In California, one of the states where it is easiest to vote, 39.4 percent of the population identifies as Latinx. California has a small legislature, 120 seats in total, yet 33 Latinx state legislators hold 27.5 percent of the seats in the two legislative chambers (22/80 in the state House and 11/40 in the state Senate). There is almost a 12 percent gap (39.4 – 27.5) in representation in the state ranked sixth easiest to vote during the 2020 election cycle. This finding alone suggests that states with larger Latinx populations might find it more challenging to close the Latinx representation gap, irrespective of the cost of voting. In part of the analysis that follows, we will exclude states with larger Latinx populations to better understand how higher costs of voting compromise Latinx representation. Note, though, in Figure 6.3, that the state of Texas does conform to expectations. It has the largest gap in representation and one of the higher 2020 COVI values.

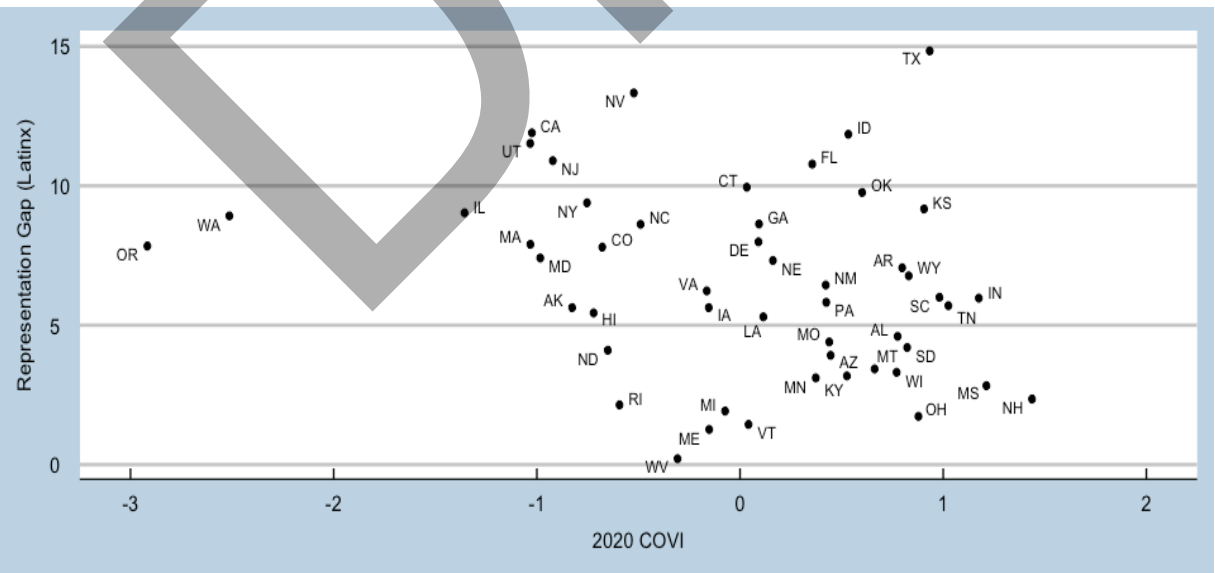

Figure 6.3. The 2020 COVI and the Gap between % Latinx in State Legislature and State Latinx Population in 2021

When we turn our attention to the proportional representation of women in state legislatures, displayed in Figure 6.4, we find the same pattern for African Americans. A statistically significant positive association is, again, apparent. In other words, as COVI values turn positive and voting gets more restrictive, the gap in the representation of women grows larger. Nevada is the only state in the Union where women hold a greater percentage of state legislative seats than the population. In the Silver State, in 2021, 58.73 percent of the 63 state legislators (27/42 House and 10/21 Senate) were female. Moreover, the representation gap is below 10 percent in Colorado, Maine, Oregon, Rhode Island, and Washington, all of which make voting easier, on average. States that make it harder to vote, such as Alabama, Mississippi, Tennessee, South Carolina, and Wyoming, have among the states with the most prominent female representation gaps.

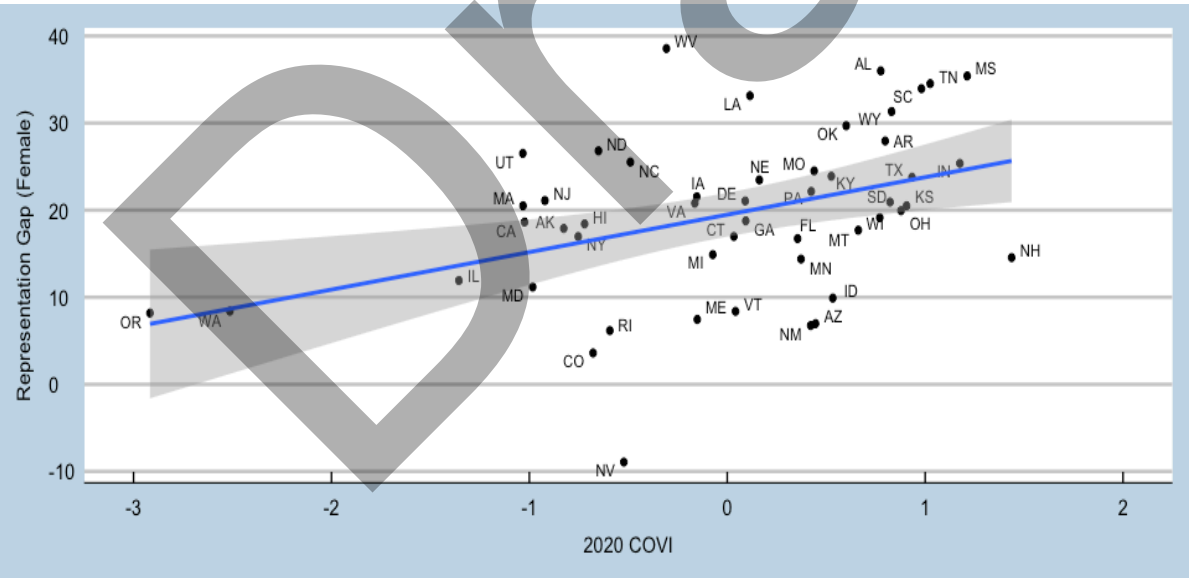

Figure 6.4. The 2020 COVI and Gap between % Females in State Legislature and State Female Population in 2021

The scatterplots are interesting and tell an important story. However, we also test the effect the cost of voting has on the percentage of representatives in each state legislature while

controlling for the size of each state's minority and female population. Specifically, we use the percentage of the Black, Latinx, and Female delegation in each legislature in 2021. We combine the representatives from the two chambers, add the two chamber sizes, and do the division to obtain the proportion of each group and then multiple by 100 to get *%Black Legislators*, *%Latinx Legislators*, and *%Female Legislators*. These become our three dependent variables in the next analysis. Our key explanatory variable is each state's *2020 COVI* value. We use the Census Bureau's 2019 population estimates of each group as a control variable. As the state Black Population and state Latinx Population grow as a percentage of all state residents, we expect that the size of the same group will increase in the state legislature. Although there is some variation in *the female population, we do not anticipate* enough variability to pick up a statistically significant relationship in this instance.[8]

In these abbreviated models, we also control for the *Squire Index,* an indicator of legislative professionalism. In contrast to what we did in Chapter 5, we use the raw Squire Index values. The use of the raw values is possible because we are not comparing states over time. Higher Squire Index values are associated with greater legislative professionalism. We expect greater representation of minorities and women in these less elite and more full-time legislative bodies. A positive association with the 2015 Squire Index values is anticipated (Squire 2017). Recall from Chapter 4; we used legislative professionalism as a proxy or surrogate for state culture. We might imagine that more elite-led amateur legislatures will have fewer minorities and women, irrespective of the cost of voting. In Chapter 4, we learned that higher Squire Index ranks, indicating a more traditional state culture, helped explain variation in state COVI ranks.

8 The state, in 2019, with the largest female population is Alabama, where 51.7 percent of residents were female in 2019 and the state with the lowest percentage of females was Alaska with 47.9 percent.

Therefore, we include this variable in these models to make sure the COVI is not picking up some of the explanatory power of legislative professionalism.

We report the results in Table 6.4. Note the COVI is easily statistically significant in both the Black and Female models. In the first model, which tests the effect of the cost of voting on Black representation in state legislatures, we obtain a coefficient of -.736. The 2020 COVI ranges from -2.92 to 1.44 or 4.36 units. Considering this, we see a drop in Black representation of more than three percent for the full range of the COVI. This drop in Black representation is quite significant given that the average state legislature has only about nine (9.43) percent Black legislators. The reduction for females (Column 3) equals a little more than one percent (-.251 * 4.36). However, when we look at the middle model, which attempts to explain Latinx representation in state legislatures, the COVI does not make a difference or depress the percentage of state legislators with a Latinx ethnicity. Both the size of each state's African American and Latinx population explains a great deal of variation in the presence of legislators from each group. So, in states like Maine, Vermont, or Wyoming, where minority populations are exceptionally low, these states do not elect minority legislators. Other states where minority populations are larger witness a greater percentage of minorities in the state legislature as expected.

Table 6.4
The 2020 COVI and the Percentage of Minorities and Female State Legislators in 2021

Model: Ordinary Least Squares Regression

	%Black Legislators	%Latinx Legislators	%Female Legislators
	Coefficient (s.e.)	Coefficient (s.e.)	Coefficient (s.e.)
2020 COVI	-.736 (.342) *	.637 (.458)	-.251 (.099) *
Black Population	.895 (.230) *		
Latinx Population		.806 (.039) *	
Female Population			-.849 (1.657)

Squire Index	.251 (2.927)	.690 (4.085)	2.344 (13.799)
Constant	-.641 (.754)	-4.280 (.996) *	79.854 (82.664)
F-Statistic	305.53 *	158.11 *	3.13
Adjusted R^2	.95	.91	.12
n	50	50	50

* $p < .05$ (two-tailed test)

Considering the size of minority populations in each state, we can note California and New Mexico have relatively large Latinx populations but well below average Black populations. Other states like Louisiana and Mississippi have relatively large Black populations but exceedingly small Latinx populations. The population size control variables return significant coefficients relative to their standard error (s.e.), suggesting a very tight fit or relationship between the state population size and the percent of state legislators from each group. As expected, the Squire Index of legislative professionalism always returns a positive association but is not statistically significant. When looking at a simple bivariate relationship between the Squire Index and our three dependent variables, it is the case that there are more minorities and women in state legislators that have above-average professionalism scores. Concerning females, the bivariate relationship is approaching statistical significance, and in the case of Latinx in state legislatures, the association is statistically significant (Pearson R = .28 $p < .05$, two-tailed, n = 50).

We eliminate the states with relatively large Latinx populations to explore the relationship between the 2020 COVI and Latin Americans and Hispanics serving in state legislatures. In the past few decades, the growth of the Latinx community in the United States has been considerable (Abascal 2015, 789). Some states, presumably because they have been more welcoming or perhaps because there are more jobs, have received many new residents from the countries of Latin America. In states like Colorado and Nevada, the Latinx population is well

above average, and much of the growth has occurred more recently (Johnson and Lichter 2008, 334). Presumably, Latinx representation in these state legislatures has not caught up yet. Indeed, there is likely a lag associated with gaining citizenship, becoming familiar with political processes, and running for elected office.

States like Colorado and Nevada have lower-than-average COVI values, indicating a more inclusive electoral climate and fewer Latinx state legislators. These states with larger than average Latinx state populations (Colorado more than twice the average and Nevada more than three times the average) prevent the statistically negative relationship from materializing when considering all 50 American states. However, what happens when we exclude the states with the largest Latinx populations? When looking at the inter-state distribution of the Latinx population, there is a natural break of around 15 percent. Thirty-eight states have less than 15 percent Latinx residents, and 12 states have more. We next test the role the COVI might be playing on Latinx representation in state legislatures in the 38 states where Latinx are a "truer" minority group.

Table 6.5 presents the results. If allowed a one-tailed test of statistical significance, the percentage of state legislative seats occupied by Latinx citizens is now negatively associated with 2020 COVI values. Again, the full range of the 2020 COVI is from -1.44 (Oregon) to 2.91 (New Hampshire) or about 4.35. Both Oregon and New Hampshire are among the 38 states with less than a 15 percent Latinx population. The test of the 2020 COVI, reported in Table 6.5, returns a coefficient equal to -.394. This negative coefficient suggests that, on average, New Hampshire should expect roughly two percent fewer Latinx representatives in their state legislature than Oregon (-.395 * 4.35), all else being equal. In Table 6.5, there is a statistical link between the Squire Index and Latin American and Hispanic representation in state legislatures.

Of course, states with larger Latinx populations have a larger percentage of Latinx politicians in the state legislature.

Table 6.5

The Percentage of Latinx State Legislators and the COVI in 2021: State Population Less than 15 Percent of the Total

Model: Ordinary Least Squares Regression

	% Latinx Legislators
	Coefficient (s.e.)
2020 COVI	-.395 (.228) [t]
Latinx Population	.215 (.058) *
Squire Index	4.448 (2.152) *
Constant	-.646 (.636)
F-Statistic	14.03
Adjusted R^2	.51
n	38

* $p < .05$ (two-tailed test); [t] $p < .05$ (one-tailed test)

Conclusion

In Chapter 4, we looked for ways to explain greater state election restrictions. We uncovered that the role played by the Republican Party (GOP) control of the state legislature was not as relevant as first imagined. Some states (Montana, North Dakota, and Utah) with comfortable Republican majorities in both chambers of the state legislature, throughout the time period studied, are not associated with greater election restrictions, on average. However, we find more restrictions when we combine GOP control of state election law and Black populations and growing Latinx populations. We suspect some variant of Racial Threat Theory can explain this finding. Then, in Chapter 5, we tested if greater restriction works to demobilize minority voters. We find that it does, especially in the case of Latinx Americans, Asian Americans, the undereducated, and renters. Moreover, in states where the Black population was growing the

fastest, Black Americans report voting less when the state had a higher COVI rank or more restrictive electoral climate.

In this chapter, we extended our analysis to examine the effect the COVI has on minority candidates who run for statewide offices and test the representation gap in state legislators of both minorities and women. We find that a more restrictive electoral climate is working to lower the representation of these notably underrepresented groups. We measure minority electoral achievement in three ways and always find that a more restrictive state electoral climate is associated with lower minority electoral success. Moreover, the drop in the probability of winning is not only statistically significant it is substantively relevant. A move from the state where it is most difficult to vote to a state where it is easiest to vote, in the analysis, leads to a drop in the probability of winning from roughly 52 percent to eight percent, all else being equal (see Figure 6.1). We also learn that the Black and female representation gap in state legislatures is larger in states with more restrictive voting laws. With the caveat that a state population is less than 15 percent Latinx, there is also a larger gap in these 38 states when COVI values are higher. Moreover, this is the case when controlling for state legislative professionalism, a surrogate for state culture that others find helps explain the proportional representation of women and minorities in state legislatures.

We have more work to report in Chapter 7. In our final chapter, we discuss the possibility of election fraud when states make it easier to vote.

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