Understanding Policy Adoption and Gay Rights:

The role of the media and other factors

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Abstract

This study considers on the adoption or innovation of state-level gay rights laws. Using an event history analysis of pooled cross-sectional time series data, twenty-one variables traditionally associated with policy innovation, including media attention, were considered. The study set out to prove that both positive and negative framing of gay rights issues in the media would influence policy innovation. After analyzing 879 cases covering twenty-one years of gay rights law innovation, media coverage was not found to be a significant influence in policy innovation. Thus, the results confirm the null hypothesis. In terms of gay rights laws, states are most influenced by a previous innovation in a state's capital city, the party of the governor, private policy innovations by major companies in a state, the racial composition of a state, and the size of a state's gay and lesbian population.

Keywords: Diffusion of Innovation, Media, Gay Rights, Event History Analysis

Introduction

Previous research has identified a number of political, social, and economic factors, as well as numerous institutional and noninstitutional actors, all of which can influence policy innovation. These internal and external factors can influence the rate of innovation as well as variations in the innovation. One factor that is often considered but rarely empirically tested is the role the media performs in influencing state-level public policy innovation (Cook and Barry, 1995; Crable and Vibbert, 1985). This research attempts to measure newspapers' influence on state policy innovation. By considering traditional factors that influence innovation and adding measures to capture media influence, a better understanding of the relationship between agenda setting, public opinion, framing, and innovation will emerge. The hypothesis is that the framing of gay rights issues in the media will influence policy innovation.[1]

Literature Review

In the recent literature, the most thoroughly explored dimension of policy innovation among states explores both internal and external determinants. Internal determinants are the characteristics of a community that can aid or deter innovation. Political, social, and economic factors are usually considered part of a community's internal determinants (Gray, 1994). Research about internal characteristics has yielded what Mooney and Lee (1995) call the "usual suspects" that affect policy innovation. These internal determinants include urbanism, population size, education, political ideology, and economic conditions.

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[1] For this study, "gay rights policy" is defined as any state law or policy that prohibits discrimination based on sexual orientation.

External determinants are the characteristics outside of a community that can aid or deter innovation. Although Walker's (1969) research on regional diffusion posits the importance of external determinants, little additional research has addressed the issue. Three approaches are commonly considered in external determinant research. First, as with Walker, factor analysis is used to discover clusters of states that have similar orders of adoption for a number of policies, and to assess whether states in the same cluster are in the same region of the country. Second, adoptions by a state are assessed and compared to previous adoptions by neighboring states (prior adoptions by neighboring states are used as prima facie evidence of external influence). Finally, if a state adopts a policy, a survey can be conducted to determine who or what influenced the decision to adopt. The actions of leaders to adopt (or not adopt) in other states would suggest external influences. The second method—noting previous adoptions by neighboring states—is the most common.

While much research has been conducted on the effects of internal and external (regional) characteristics, few have offered a unified theory of diffusion of innovation. Berry and Berry (1990, 1999) offer such a theory, as well as a model for its application. They merge the study of internal and external determinants, thereby creating a unified model that builds upon Mohr's (1969) theory. Mohr argues that the probability of innovation is inversely related to the strength of the obstacles to innovation, and directly related to the motivation to innovate and the availability of resources for overcoming those obstacles (Berry and Berry, 1990; Mohr, 1969). Using event history analysis to predict the probability that a state will adopt a state lottery policy, Berry and Berry use socioeconomic and regional variables in a unified, single model. They found that a lottery is likely to be adopted when a state's fiscal health is weak, during an election year, when party control is split, where per capita income is high, where religious fundamentalism is not prevalent, and when neighboring states have already adopted such policies (Berry and Berry, 1990).

While media attention plays a vital role in moving events into the public sphere, the media's ability to move problems from the public sphere to governmental agenda is inconclusive. In his interviews of 247 public servants, Kingdon (1995) found that the media was less influential at getting issues on the governmental agenda than anticipated. He concludes that the media tended to report on activities or issues that already had the government's attention: that the media was more likely to follow ideas than to create them. Despite that, Kingdon (1995) suggests that the media is important in four ways: it can act as a communication tool within a policy community; it can be instrumental in moving or magnifying an idea from one institutional actor to another; its influence upon public opinion can also effect policymakers, since they too are members of the public; and it may affect various policy participants differently.

The media's influence on public opinion is well-documented (Birkland, 1997; Kingdon, 1995). Public opinion can often thrust an item onto a governmental agenda because of the vast number of people interested in the issue (Kingdon, 1995). Government action may be dictated (i.e., either promoted or constrained) by public opinion about a problem. The media's ability to influence public opinion should, then, translate into an ability to influence government action, and thus public policy.

A frame is a way of packaging and positioning an issue so that it conveys a certain meaning (Menashe and Siegel, 1998). Framing is the process by which a communication source, such as a news organization, defines and constructs a political issue or public controversy

(Nelson, Clawson and Oxley, 1997). Conventional agenda-setting wisdom suggests that the media does not tell an audience what to think, but tells an audience what to think about (McCombs and Shaw, 1972). However, framing suggests that the media can, in fact, tell audiences how to think about a political issue or public controversy.

Framing has also been defined as the emphasis placed around a particular issue and a way to define what the issue is really about (Chapman and Lupton, 1994). Entman (1989) explains this best:

> The problem with the agenda setting position is that the distinction between 'what to think' and 'what to think about' is misleading. Nobody, no force, can ever successfully 'tell people what to think.…' The way to control attitudes is to provide a partial selection of information for a person to think about, or process. The only way to influence what people think is precisely to shape what they think about.… Influence can be exerted through selection of information, but the conclusions cannot be dictated. If the media (or anyone) can affect what people think about—the information they process—the media can affect their attitudes (1989: 349).

The effects of framing have been demonstrated in studies of public opinion and gay rights policies (Lewis and Rogers, 2000; Nelson and Oxley, 1999; Yang, 1999), alcohol polices (Wagenaar and Streff, 1990), affirmative action (Fine, 1992), and environmental policy (Vaughan and Seifert, 1992). While framing may not have a direct influence on what issues enter the governmental agenda, the media can influence how the public comes to understand an issue—and affect public opinion about it. If policymakers are influenced by public opinion, then they are also influenced by how issues are framed in the media. Therefore, the framing of an issue determines how the public comes to understand both problems and alternatives to them.

Iyengar and Simon (1993) note that framing has been particularly helpful in understanding the assignment of responsibility for issues and events. Two types of responsibility are identified: causal and treatment. Causal responsibility focuses on the origin of the problem. Treatment responsibility focuses on who or what has the power to solve a problem. With regard to issues of discrimination based on sexual orientation, causal responsibility deals with the process by which people are discriminated against, and treatment responsibility with what could be done to prevent that discrimination. The assignment of either causal or treatment responsibility affects how the public understands the problem of discrimination. This understanding determines what (if any) public policies will ultimately be developed to address the problem.

As Stone (1989) suggests, the interplay among public opinion, the media, and policymakers is neither neutral nor benign. Political actors deliberately use causal models, or stories, to gain support for their positions. Causal stories are used to frame a problem or, as Stone says, describe harms and difficulties, thus giving government the right to act.

Chapman and Lupton (1994) emphasize the need to understand "how issues need to be reframed in order to steer public and political support in the desired direction" (1994:18). They note that political battles are seldom won on the elegance of logic or by rational arguments. The

real issue, as Chapman and Lupton write, is the "overall framing of the debate that best succeeds in capturing public opinion and political will" (1994:125).

Framing is important for understanding how the public and policymakers come to understand problems; it thereby influences what solutions (if any) are ultimately pursued. In the evaluation of gay rights policy, it is important to consider the role framing has had on the issue. For example, if gay rights are understood in the context of equal opportunity and discrimination, certain policy alternatives are usually pursued. If gay rights are understood in the context of moral (or immoral) behavior, different policy alternatives are more likely to be followed. Either way, the media's portrayal of gay rights should affect the public opinion and policies around the issue. To this end, the research question asked is: Does newspaper coverage of gay rights issues influence innovation of state gay rights policies? The hypothesis is that the framing of an issue in the newspapers will influence policy innovation.

Methodology

To assess the influence of the media on policy innovation, a quantitative analysis of initial state innovations of gay rights laws is presented. The analytical strategy includes an event history analysis model that is tested on data collected via content analysis and archival documents, including newspapers, public government records, and published books. The dependent variable is the innovation of a nondiscrimination policy that, at a minimum, protects public employees based on sexual orientation in hiring, firing, and promotion. This provision is universal among current state gay rights laws. In 1979, California became the first state to adopt a policy that included provisions banning discrimination based on sexual orientation. Since then, twenty-two other states have also adopted such policies. The states with nondiscrimination policies included in this analysis are: California, Colorado, Connecticut, Hawaii, Illinois, Iowa, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Washington, and Wisconsin.

Variables and Measures

Eighteen state determinant measures, one external (regional) determinant measure, and three media-related variables were collected to create the data set.

Dependent Variable

The dependent variable for the model is the adoption of a sexual orientation nondiscrimination law, covering, at a minimum, a state's public employees. To analyze patterns of adoption, yearly events of gay rights policy adoptions were placed in the risk period. The unit of analysis is the "state-year," and the data were stacked cross-sectionally over the risk period. For each year, a dichotomous (0, 1) adoption variable was created. The variable equals 0 for every year prior to a state's policy adoption, and 1 for the year of the adoption. States were dropped from the risk set after they experienced the event of a policy adoption. States that never innovated remained in the risk set through 2000, the final year of risk.

Independent Variables: Internal Characteristics

The internal characteristics included: the existences of a pro-gay policy entrepreneur, the first nondiscrimination policy adoption by a major corporation, the percentage of major companies in the state with nondiscrimination policies, the percentage of universities in the state

with nondiscrimination policies, the first domestic partnership policy adopted by a university, policy innovation protesters, and the nondiscrimination policy adoption by the capital city or the largest city in the state.

This research also attempts to confirm previous research using the "usual suspects": population, diversity and urbanism, affluence and education, gay and lesbian population, and political environment. Selection of the internal determinants comes from the diffusion and gay rights literatures (Berry and Berry, 1990; Haeberle, 1996; Klawitter and Flatt, 1998; Wald, Button, and Rienzo, 1996). To date, most gay rights analysis of policy adoption has only focused on city- or county-level adoptions. Since most of the results for innovation of gay rights policies are based on city- and county-level research, these common variables were included to test their influence at the state level.

The entrepreneur and the media variables are drawn from the agenda-setting literature (Hays and Glick, 1997; Kingdon, 1995; Mintrom, 2000). Kingdon discusses the role of policy entrepreneurs and the media in getting an issue onto the institutional agenda. Hays and Glick also focus on media influence as an agenda-setting variable. Mintrom devotes attention to entrepreneurs as a critical link in policy adoption. The selection of previous adoptions by Fortune 500 corporations, universities, and other cities builds on the idea of trigger or focusing events (Birkland, 1997; Cobb and Elder, 1983) as mechanisms that can capture the attention of the public or policymakers. Just as adoptions by contiguous states can influence innovation, actions by internal actors are also believed to influence innovation.

Policy Entrepreneurs

A mail survey to state-level civil rights policy experts in each state provided evidence of state-level gay rights policy entrepreneurs. Experts were surveyed at the American Civil Liberties Union (ACLU) and the Federation of Statewide LGBT Advocacy Organizations (since renamed the Equality Federation). The survey asked respondents to name the most important gay rights policy entrepreneur in their state (if any), to record the year in which that entrepreneur first advocated for inclusion of sexual orientation into policy, and to identify entrepreneurs who had advocated opposing views and when they had entered into the policy debate.

Trigger and Focusing Events

To determine the extent to which universities and major corporations influence the agendas of state level government, trigger events within each state were collected. Trigger events were defined as the inclusion of sexual orientation protection in the employment policies of Fortune 500 companies and universities in a state.[2] For corporate-related data, two measures were created. Based on data from the Human Rights Campaign, the first known policy adoption was treated as a dichotomous variable, with 1 indicating the year the adoption was incorporated. A measure of the percentage of Fortune 500 companies in the state with gay rights policies was also developed.[3]

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[2] Data on universities and corporations came from the Human Rights Campaign Fund and the 2000 list of Fortune 500 companies.

[3] A dummy variable was included in the analysis for states without Fortune 500 companies in the state.

For colleges and universities, the first known policy adoption was captured in a dichotomous variable, while additional information was collected on the percentage of schools with gay rights policies. In each state, any time a nondiscriminatory policy was enacted at a state's Fortune 500 company or university, it was considered it a trigger event.

City Adoptions

In the same sense that regional actions could affect state passage of gay rights policies, the existence of such policies at lower levels of government could also affect state action. It is possible that local adoption is related to state adoption. To indicate the existence of a gay rights law, a dichotomous variable of a gay rights policy in the state's largest city and/or capital city was included. Adoption of a policy was coded 1, and the lack of such a policy was coded 0.

Population, Diversity and Urbanism

When the unit of analysis is a city or county, population has proven to be one of the strongest predictors for the existence of gay rights policies (Wald, Button, and Rienzo, 1996; Heaberle, 1996; Dorris, 2000); urban locations with diverse populations are more likely to have an accepting attitude toward homosexuality and to support gay rights policies. Button, Rienzo, and Wald, (1996; 1997) refer to these variables as the social diversity factor.

States with higher percentages of city dwellers and a more diverse population are also more likely to adopt a gay rights policy. To test these assumptions, several variables related to population and diversity were collected. First, state-level population data were amassed. To determine the urbanization of a state, the percentage of the population living in an urban area was assembled. To measure diversity, the percentage of each state that was black or Hispanic (i.e., minority) was calculated. Button, Rienzo, and Wald (1997) suggest that populations with higher percentages of minorities are more likely to have a gay rights policy than more homogeneous populations. Under this assumption, racially heterogeneous states are more likely to adopt a policy than those with less racially diverse populations. (All data for the population and diversity variables were drawn from the 2000 U.S. Census annual population estimates and the 2000 *Statistical Abstract of the United States*.)

Affluence and Education

A number of studies have identified income and education among the general population as predictors of gay rights policy adoption (Haeberle, 1996; Wald, Button, and Rienzo, 1996; Dorris, 2000). Since income correlates highly with education, these two measures are often used interchangeably or included in a single factor (e.g., affluence). Wald, Button, and Rienzo (1996) categorize these factors under a social diversity/urbanism factor. The assumption is that communities with higher incomes and/or education levels are more likely to adopt nondiscrimination policies, suggesting that affluence correlates to liberalism (Dorris, 2000). To measure affluence, data on state per capita income from the Department of Commerce's Bureau of Economic Analysis and education levels from the 2000 U.S. Census's annual population estimates were collected. The measure used for education was the percentage of adults over 25 with sixteen or more years of formal education.

Gay and Lesbian Population

Studies related to interest groups or identity politics often consider resource mobilization a factor in policy (Wald, Button, and Rienzo, 1996; Haider-Markel and Meier, 1996; Gamble, 1997; Dorris, 2000), because communities that mobilize and focus resources are more likely to pass policies in their own favor. Scholars have identified population, density, and urbanism as determinants of gay rights policy adoption. The assumption is that a high concentration of gay men and lesbians will yield a more mobilized community that will, in turn, push gay rights policies toward adoption.

Since no authoritative data exists on the size of the gay or lesbian population, proxy measures were employed. One measure was the number of households with unmarried, same-sex "partners" as enumerated in the 1990 and 2000 U.S. Census. The work of Button, Rienzo, and Wald (1997), the econometric works of Badgett (1995), and the research of Klawitter and Flatt (1998) all employ this data source as a measure of the gay and lesbian population. Although not a perfect measure—many gay men and lesbians not living with partners are excluded from the count—Wald, Button, and Rienzo (1996) and Haeberle (1989) found that it correlates to policy adoption. For this reason, the same measure was employed. This data set had two interval points: 1990 and 2000.

An additional measure—gay bars and services—was used to approximate the gay and lesbian population in each state. For the interval years of 1980, 1990, and 2000, the *Damron Men's and Women's Travel Guide* identified these specialized services. The Damron Company has published travel guides for gay - and later lesbian travelers - since 1964. By no means comprehensive, the number of listed bars and services can nonetheless act as a proxy for the gay and lesbian population in a given area. The total number of services for each state was divided by the state population data to generate a "gay services" ratio. As with urbanization, a high ratio should increase the probability of policy adoption.[4]

Protesters

It is also necessary to measure community protest and other opposition to innovation. Measuring opponents of a policy is no easier than measuring proponents. Proxy measures were again employed, this time to estimate the opposition to gay rights policies. Strickland and Whicker (1992) estimated state restrictions on abortion and Dorris (2000) estimated the presence of a gay rights laws at the local level used conservative and fundamentalist church membership as a measure of opposition. Like Strickland and Whicker (1992) and Dorris (2000), the number of members of Catholic, American Baptist, Church of God, Southern Baptist, Assemblies of God, Latter Day Saints (Mormons), and United Methodist churches in each state was collected.[5] While not a perfect proxy, it provided prima facie evidence of those most likely to mobilize against such policies: as Wald, Button, and Rienzo (1996) note, opposition to homosexuality is fundamental to the definition of the conservative movement. The total permitted the calculation of the percentage of each state's population belonging to those denominations.

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[4] Wald, Button, and Rienzo (1996) used the 1994 *Damron Guide* data in their research as an estimate for population and resource mobilization.

[5] Data on the number of members was taken from the 1990 Yearbook of *American and Canadian Churches* and the *American Religion Data Archive*.

Political Environment

The political environment within a state affects the likelihood of policy adoption. As Kincaid (1980) suggests, political culture is "an enduring set of publicly shared and socially communicated beliefs, values, and traditions about politics which constitutes a general framework of plans, recipes, rules, and instructions for the conduct of political life, especially who gets what, when, and how" (Kincaid, 1980:91).

To understand political culture, two measures were employed. The first was the political party of each governor for each state year. Democrat governors were scored 1, and Republican governors were scored 0. The second measure accounted for the party controlling state legislatures, and was similarly coded.

Regional (External) Influences

While regional effects are not the primary focus of this research, one measure to account for the influence of neighboring states was employed. For each of the forty-eight contiguous states, the number of neighboring states that had previously adopted a gay rights policy was calculated. This method is consistent with the approach used by Berry and Berry (1990) to evaluate regional effects.

Assessing the Influence of the Media

In order to assess the influence of the media, a content analysis of newspaper articles in the LexisNexis database was conducted. The analysis included the year preceding policy innovation or, if no innovation had occurred, the year 2000. The LexisNexis database proved to be an exceptional choice for the content analysis. It provided access to over seventy-one hundred news and business sources and over ninety-three million documents (Kitao and Kitao, 1997). The number of newspapers considered in each state varied, but at a minimum, the newspaper of record and/or the newspaper with the largest circulation in each state was included. The following words or phrases were used as search criteria*: homosexual, homosexuality, gay, lesbian, sexual orientation and sexual preference.* Articles with one or more of these words or phrases were included in the data set.

Since the nature of the media attention was more important than the level of that attention, consideration was given to *how* issues related to gay rights were framed. Newspaper articles deemed "positive" advocated innovation of such policies or reported the innovation of gay rights policies in other communities. "Negative" newspaper coverage included articles opposing the innovation of such policies or reported the defeat of such policies in other communities. Neutral articles presented the issues without a distinctively positive or negative frame. This approach built on the work of Weart (1988), who coded the title of each article about nuclear energy as either "positive" (hopeful about the use of nuclear energy) or "negative" (fearful about the uses of nuclear energy). Baumgartner and Jones (1993) also applied this method to their research and found that in most cases, articles could be coded by asking a direct question: "If you were an industry leader, would you be pleased or unhappy to see such a headline?" This research employed a similar technique. For this analysis, the question was: "If you were a gay rights leader, would you be pleased or unhappy to see such a headline?" For reliability, two coders were employed: a research assistant and the author of the study. To measure the agreement between coders and coding reliability, Cohen's Kappa statistic was computed for one hundred cases. (The result was .87.)

Next, the ratio of positive, impartial, and negative articles in each period was calculated. If policy adoption is, in fact, influenced by the media, then positive media should have a favorable influence, negative media a negative influence, and impartial media a neutral influence. Under this assumption, states that adopt such policies should show a higher percentage of positive newspaper articles than negative articles: positive media coverage should help to get the issue on the legislative agenda in an adoptable form.

Event History Analysis: an Overview

Event history analysis is the study of events, the duration of time between events, and the probability of events occurring at selected points in time (Barton and Pillai, 1995). The goal of event history analysis is to explain a qualitative change—an "event"—that occurs in the behavior of an individual at a particular point in time (Berry and Berry, 1990). This methodology allows for the estimation of the probability of policy adoption in any given period of time, depending on a number of factors, including adoptions in previous periods. In terms of policy, event history analysis can help predict the likelihood of an "event" of policy innovation by states.

Central to event history analysis are the concepts of risk set and hazard. The risk set is the group of individuals "at risk" of cases experiencing an event at a particular time (Berry and Berry, 1990; Barton and Pillai, 1995). In cases in which the event can only occur once, the number of cases in the risk set decreases once the event has been experienced. The hazard is the probability or likelihood of a case or individual experiencing the event during the "at risk" status (Allison, 1984). In event history analysis, the dependent variable is the hazard, which is unobservable. Although unobservable, the hazard controls the likelihood of events occurring and the pace of their occurrence (Allison, 1984). Thus, the observable variable becomes the occurrence or nonoccurrence of the event.

Event history analysis handles censoring and truncation of data that varies over time better than traditional multiple regression models because it can deal with problems associated with censoring and truncation. Censoring exists when information about the duration of the risk period is incomplete due to a limited observation period (Yamaguchi, 1991). The risk period is the timeframe or period during which individuals at risk of experiencing an event are observed. If information is missing before the beginning of the risk period, it is termed "left censoring." If information is missing after the end of the risk period, it is known as "right censoring." Truncation is a special type of censoring characterized by a partial observation during the risk period. Among censored observations, right truncated observations occur most frequently in social science research (Yamaguchi, 1991).

In terms of policy innovation among states, communities not experiencing the event during the risk period constitute the set of missing and right-censored data. Linear and logit regression models, in their conventional usage, do not distinguish between full observations and censored observations. A model that includes right-censored observations treats them as having experienced the event (policy adoption) when in fact they have not (Box-Steffenmeier and Jones, 1997). Event history analysis can distinguish between full and censored observations without eliminating censored observations from the data set. The elimination of observations would cause selection bias, possibly creating a data set more prone to experiencing the event. Event history analysis also eliminates the need to create an indicator variable in an attempt to measure variability (Box-Steffenmeier and Jones, 1997). Dummy variables can be used to measure

variability, but the variance tends to be larger relative to the event history analysis (Yamaguchi, 1991).

In addition to censoring and truncation, event history analysis also handles data that varies over time better than traditional multiple regression models. Explanatory variables or covariates are usually thought of as time varying or time invariant (Box-Steffenmeier and Jones, 1997). Time-varying covariates change value over time. In terms of policy innovation, covariates such as media attention or population density can change over time. Covariates that remain the same over time, or are time invariant, might include race, gender, or geographic region. While traditional regression models treat all variables as time invariant, event history analysis can analyze data that differs from the beginning of the risk period.

State-level data from 1979 (the year that California adopted the nation's first gay rights policy) until 2000 was compiled. This twenty-one-year period is the risk period. Berry and Berry (1990) suggest that no state is "at risk" of adopting a given policy until at least one other state has acted on a similar policy; the observation period, therefore, should begin only after the first policy innovation has occurred.

To test the hypothesis, a discrete-time, nonrepeating event approach to event history analysis estimating logistic models on pooled cross-sectional data was applied. The unit of analysis is a state-year in which the state had not previously adopted the policy (Allison, 1984; Berry and Berry, 1990; Mintrom, 1997). This approach yielded 897 case years for analysis.

Results

Table 1 presents the pattern of diffusion of gay rights policies from 1979 until 2000. The innovation of policies over the twenty-one-year period has been somewhat sporadic, with the bulk of states adopting in the early 1990s. From 1990 until 1993, eight of the twenty-two states with policies adopted gay rights policies. This represents 36 percent of adopting states. The second cluster of innovations occurred in the late 1990s, from 1995 until 1997. In this three-year period, five states, or 22 percent, adopted policies.

Table 1: Adopting States and Year

1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
CA			WI	OH		NM			PA	
				NY		WA				
1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
CO	CT	LA	MD		MA	IL	ME		IA	
	HI	NJ	MN		RI		NH		NV	
		VT								

Table 2 is a correlation matrix of the twenty-one innovation variables; it shows the relationship between the various measures in the data set. While many variables are correlated, several have particularly strong relationships. The correlation between the innovation and college level (.69), and domestic policy partnership at the university level (.75) are among the highest in the matrix. Negative media was dropped from the matrix and from any further analysis due to its multicollinearity with the other two media-related variables.

Table 2: Correlation matrix of the twenty-one innovation variables

Variables	Urban	Black and Hispanic	College	Same-Sex Household 2000	Protesters	Total Gay Services	Control of Governorship	Control of the State Senate	Control of the State House	Pro-Gay Entrepreneur	Positive Media	Impartial Media	1st Nondiscrimination Policy by Fortune 500	Fortune 500 Companies with ND policies	Universities with Policies	1st University with Domestic Partnership	Universities with Domestic Partnership	Largest City	Capital City	Per Capita Income	Per Capita Income
Urban																					
Black & Hispanic	0.27**																				
College	0.40**	-0.04																			
Same-Sex Household 2000	0.36**	0.25**	0.15**																		
Protesters	0.18**	0.22**	-0.04	-0.15**																	
Total Gay Services	0.22**	-0.13**	0.37**	0.37**	-0.27**																
Control of Governorship	0.05	0.08 *	-0.03	0.19**	-0.02	0.07 *															
Control of the State Senate	-0.02	0.34**	-0.20**	0.16**	0.19**	-0.13**	0.09**														
Control of the State House	0.04	0.37**	-0.26**	0.15**	0.15**	-0.18**	0.16**	0.62**													
Pro-Gay Entrepreneur	-0.07 *	0.13**	0.00	0.02	0.07 *	0.16**	0.00	0.02	0.03												
Positive Media	0.06	0.14**	0.04	0.11**	0.00	-0.03	0.07 *	0.15**	0.05	-0.02											
Impartial Media	0.03	-0.14**	0.13**	0.10**	-0.12**	-0.07*	-0.03	-0.02	-0.02	0.05	-0.30**										
1st Nondiscrimination Policy by Fortune 500	0.14**	0.28**	0.26**	-0.01	-0.05	-0.09**	-0.02	-0.06	0.07 *	0.07 *	0.06	0.10 **									
Fortune 500 Companies with ND policies	0.40**	0.26**	0.12**	0.08 *	0.08 *	-0.13**	-0.06	0.09**	0.20**	-0.12**	0.15**	0.14**	0.38**								
Universities with Policies	0.08**	-0.36**	0.28**	0.19**	-0.06	0.12**	-0.06	-0.13**	-0.14**	-0.05	0.06	0.22**	0.13**	0.21**							
1st University with Domestic Partnership	0.02	0.02	0.22**	-0.06	-0.08 *	0.17**	-0.04	-0.04	-0.06	0.19**	0.01	0.09**	0.28**	0.06	0.13						
Universities with Domestic Partnership	0.01	-0.06	0.19**	-0.01	-0.03	0.22**	-0.02	-0.04	-0.07 *	0.14**	0.03	0.04	0.07 *	-0.02	0.15**	0.75**					
Largest City	0.20**	0.28**	0.20**	0.05	0.15**	-0.04	-0.03	0.06 *	0.13**	0.16**	0.00	0.15**	0.29**	0.28**	0.10**	0.22**	0.10**	0.45**			
Per Capita Income	0.49**	0.02	0.69**	0.12**	-0.24**	0.41**	-0.03**	-0.13**	-0.06	-0.03	0.09**	0.12**	0.34**	0.27**	0.31**	0.28**	0.19**	0.28**	0.28**		
Neighboring State Adoption	0.22	-0.16	0.31	0.00	-0.22	0.46	0.06**	-0.14**	-0.02**	-0.02	-0.17	0.03	0.03**	-0.08**	0.07	0.05	0.04	0.10	0.08	0.42**	
N	897	897	897	897	897	897	897	897	897	897	897	897	897	897	897	897	897	897	897	897	897

**Correlation is significant at the 0.01 level (2-tailed).

*Correlation is significant at the 0.05 level (2-tailed).

Table 3 presents an event history analysis of variables influencing policy innovation. As with all event history data, innovation is a relatively rare event, making prediction difficult, but not impossible (Berry and Berry, 1990). In this case, twenty-two states adopted a gay rights policy out of a total of 897 total state-year cases, meaning that 2.5 percent of the cases scored innovations. The significant explanatory variables are: the percentage of African American and Hispanic people in the state, the percentage of same-sex households in the state in 2000, capital city innovations, the party of the executive, and the percentage of Fortune 500 companies adopting policies. The positive and impartial media variables were not found to be significant.

Table 3: Variables Influencing Gay Rights Policy Adoption

	B	SE	Wald	Significance
Percent urban	0.00	0.03	0.00	
Percent black and Hispanic	-0.08	0.03	5.42	**
First university with domestic partnership	-0.54	0.81	0.45	
Per capita income	0.00	0.24	0.00	
Same-sex household 2000	0.15	0.07	5.40	**
Percentage of protesters	-0.03	0.03	1.04	
Total gay services	-0.08	0.04	3.43	
Party control of the state executive	1.57	0.64	5.90	**
Party control of the state senate	-0.55	0.70	0.62	
Party control of the state house	-0.05	0.72	0.00	
Pro-gay rights entrepreneur	-0.33	0.59	0.31	
Positive media	0.00	0.02	0.01	
Impartial media	0.01	0.03	0.07	
Fortune 500 companies with policies	0.43	0.08	26.96	***
Universities with policies	-0.09	0.07	1.84	
First nondiscrimination policy by Fortune 500	-1.21	0.74	2.67	
Largest city adoption	0.40	0.64	0.39	
Capital city adoption	1.39	0.68	4.20	**
Neighboring state adoption	0.10	0.18	0.30	
Universities with domestic partnership	0.45	0.23	3.92	
College	0.14	0.11	1.72	
N	897			
-2 log likelihood	185.485			

Notes: *indicates p<.10 **indicates p<.05 ***indicates p<.001

Discussion

In this analysis, the quantity of impartial and positive media was found to be an insignificant factor in gay rights policy innovation. Proof of the null hypothesis does validate some of the research that has been conducted on the media's influence on governmental agendas. Kingdon (1995) found that the media was less influential at moving issues onto the agenda than he had anticipated. He viewed the media as more likely to follow ideas than to create them. This research empirically supports Kingdon's media-related assertions. The lack of explanatory power of the variables underscores the media's inability to directly influence policy innovation. However, since the media variables were not designed to capture the influence of media attention on public opinion, it is difficult to assess the relationship between public opinion and policy innovation.

Although, not the primary focus of this research, a brief discussion should be devoted to the significant variables in the model. Examining the other five significant variables will provide additional insights into the unique dynamic of gay rights policy.

Percentage of Same-Sex Households in the State

States with larger numbers of identified same-sex households were more likely to adopt gay rights policies. In this case, the percentage of the same-sex households might have acted as a proxy for the development and organization of the gay and lesbian community in the state. The measure might also be understood in terms of a state's baseline tolerance: gay and lesbian couples might feel more comfortable identifying themselves (and their relationships) in historically tolerant states.

Innovation in the State Capital

The importance of capital city innovations and the party of the governor can be understood, in part, as a consequence of successful resource mobilization of the gay and lesbian community. The results suggest that innovation at the state level is most likely after the capital city has adopted a gay rights policy. Additionally, innovation is more likely when a Democrat is in the executive branch. As other scholarly research has noted, Democrats are twice as likely as Republicans to enact gay rights policies (Colvin, 2004).

Diversity of the State

The effect of African American and Hispanic people in the state had an inverse relationship to policy innovation. This inverse relationship supports the conclusions of Button, Rienzo, and Wald (1996) but differs from Haeberle's (1996) work. Button, Rienzo, and Wald suggest that conservative social values in these communities hamper gay rights policy innovation. Haeberle found diversity (in terms of race) increased the likelihood of gay rights policy innovation. Based on this research, it is unclear why race would have a negative effect on innovation. It is possible that the level of analysis (state vs. local) has an effect on the role of race and gay rights policy innovation. Racial minorities have historically been located in urban areas and, thus would have a more concentrated influence on local politics and policies.

Private Adoptions by Corporations in the State

The higher the percentage of Fortune 500 companies in a state, the more likely that state was to adopt such a policy itself. It is possible that politicians find it more politically comfortable to adopt policies only after a number of large businesses in their community do so.

All of the significant variables in the model underscore the difference between morality policy and other types of policy in the policy innovation process. A variety of factors in the political and social environment, including institutional and extra-institutional actors, issue salience, and values all shape the policy process. The results suggest that the relative influence of the factors differs depending on the policy, with gay rights policy being uniquely influenced by political factors in the state.

Conclusion

The factors influencing policy innovation are varied. In terms of gay rights policy, variables like previous innovations by state capitals and the party in control of the executive branch are new to the understanding of policy innovation. While the media might have the ability to influence how the public thinks about an issue, it has a negligible influence on actual policy innovation. Future research should focus on both the additional variables that influence general policy innovation and the different forms of media that may influence policy innovation: television, radio, and the Internet.

About the Author

Roddrick A. Colvin is an assistant professor in the Department of Public Management at John Jay College of Criminal Justice. In addition to his interests in antidiscrimination policy, he is also interested in hate crimes, and international human rights policies. His most recent research focuses on the implementation of transgender-inclusive employment policies.

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