

Policy Feedback as Political Weapon: Conservative Advocacy and the Demobilization of the Public Sector Labor Movement

Alexander Hertel-Fernandez
Columbia University School of International and Public Affairs
ah3467@columbia.edu

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Abstract: Scholars have shown that once in place policies can foster greater political participation. Indeed, politicians often deliberately design policies to shore up political support among their allies. But can political actors engineer the reverse effect, crafting policies that demobilize their rivals? Drawing on the example of conservative cross-state advocacy against public sector unions, I develop the strategy of policy feedback as political weapon, or when actors design policies to politically weaken their opponents. I then document that the passage of conservative network-backed legislation led to large and enduring declines in public sector union density and revenue. I further show that by curbing the power of public unions, the passage of conservative network-backed bills dampened the political participation of public sector employees. My findings emphasize the importance of considering how actors use policy to demobilize political opponents and explain why public unions are now on the defensive in state politics.

Keywords: Labor unions, public policy, interest groups, inequality, power, participation, policy feedback effects

Although the US private sector labor movement has been in decline since its peak in the immediate post-war period, until recently the state and local public sector labor movement offered union advocates grounds for optimism. Governed by a separate legal system from private sector workers, state and local employees enjoyed a relatively large and steady membership base since efforts to unionize the public sector began in earnest in the 1960s. As of 2015, 35% of the public sector workforce belonged to a union, compared to just 7% of their private sector counterparts (data from the Current Population Survey). But beginning in the early 2000s and accelerating with Wisconsin in 2011, a number of states considered and enacted sweeping restrictions on the rights of public sector workers to organize, collectively bargain with state and local governments, collect dues from their members, and participate in politics (Greenhouse 2014). Between 1996 and 2015, for instance, public sector union density fell in 32 states, and the average decline was around six percentage points. The public labor movement clearly no longer represents the stronghold it once did.

What explains this turn against the public sector labor movement, a force that includes long-time political heavyweights like teachers unions that some have described as “among the most powerful interest groups of *any* type in *any* area of public policy” (Moe 2011, 8; see also DiSalvo 2014)? Answering this question is important because the recent state-level changes in union policy represent a dramatic redistribution of political resources away from the labor movement, with potentially large consequences for the American political economy. Unions, even in their weakened state, increase workers’ wages and benefits (Freeman and Medoff 1984; Rosenfeld 2014). In addition, there is evidence that greater unionization lowers income inequality (Kelly and Witko 2012; Hacker and Pierson 2010) and poverty (Brady et al. 2013). Turning to politics, unions have long supported the Democratic Party, and have historically

formed an “anchoring” relationship with the left wing of that Party, providing mobilized voters and campaign funds to elect Democratic candidates and promote left-wing economic policies (Schlozman 2015; Dark 2001). Unions also boost political participation, especially for lower and middle income workers (Leighley and Nagler 2007), and even shape how their members construct political and economic preferences (Ahlquist et al. 2014; Kim and Margalit 2016). Changes in the distribution of labor strength, then, have the potential to have far-reaching implications for a range of economic and political outcomes.

This paper argues that recent declines in the strength of public sector unions are best understood as a political consequence of years of mobilization by conservative political organizations. Right-leaning political activists were fearful of the rise of public sector labor unions, especially teachers unions, in the 1960s. Those right-wing activists thus eventually created three new cross-state networks of conservative political advocacy groups, private sector firms, and lawmakers capable of pressing policy proposals across multiple states. Specifically, I focus on advocacy by the American Legislative Exchange Council (ALEC), which drafted model bills promoting the retrenchment of public sector union law and distributed those proposals among state lawmakers; the State Policy Network (SPN) of state-level conservative think tanks, which produced research and media commentary in support of ALEC proposals; and the federated advocacy group Americans for Prosperity (AFP) that encouraged its grassroots members to lobby on behalf of ALEC model bill proposals.

Building on the concept of policy feedback effects, or the ways that policies, once in place, can change future political battles (Pierson 1993; Skocpol 1992), I argue a crucial objective of these three cross-state networks was to weaken the political strength of public sector labor unions, a strategy I describe as using *policy feedback as political weapon*. While much of

the policy feedback literature focuses on the unintentional feedback effects generated by legislation, or on the ways that feedback entrenches public policy, policy feedback as political weapon instead emphasizes how organized interest groups or politicians can deliberately press for changes in policy that diminish the political resources available to their opponents (though see Anzia and Moe 2016 for an example of the opposite strategy of intentionally using policy to mobilize allies). For instance, by deliberately increasing the costs to collective action, opponents of a political organization can reduce the ranks of that organization's membership. Those cuts, in turn, can reduce an organization's capacity to mobilize individuals into political action. I argue that public employee unions provide a hard test of the potential for policy feedback as political weapon. Because public unions consist of highly politically active and relatively well-off and well-educated workers, it may well be the case that these workers will continue to participate in unions and in politics more generally even after conservative organizations pass legislation hobbling the organizing capacity of public unions.

After explaining the strategy of policy feedback as political weapon in more detail, I examine the consequences of conservative advocacy against public labor unions. Looking over the period from 1996 to 2015, I find that the passage of legislation drafted by ALEC and supported by SPN and AFP led to large and long-run declines in public sector union density and revenue. Assessing individual-level data from the National Election Studies, I further show that by weakening public employee unions, the passage of conservative network-backed legislation led to large declines in political participation among public sector employees. These results suggest that conservative advocacy in recent years has produced a mirror image of the surge in political participation among public employees that accompanied the rise of public sector unions in the 1960s and 1970s (Walker 2014; Flavin and Hartney 2015).

These results have implications for our understanding of the American political economy, especially the study of parties, interest groups, and policymaking. They illuminate the reasons why public unions – once unquestionable political powerhouses – are now increasingly on the defensive across many states. In so doing, this paper helps to address the omission of public unions from the study of interest groups (cf. Anzia and Moe 2015), contributing to our understanding not only of the *rise* of public unions (as DiSalvo 2014; Moe 2011; Anzia and Moe 2016; Flavin and Hartney 2015; Walker 2014 have done), but their more recent political decline in many states. More generally, my findings broaden our understanding of policy feedback effects by focusing on cases where political actors deliberately use policy to demobilize political opponents, with attendant consequences for both organizational strength and mass political participation.

CONSIDERING POLICY FEEDBACK AS POLITICAL WEAPON

Political scientists now widely recognize that public policies can reshape politics, which in turn has implications for the outcomes of future political battles. Paul Pierson (1993), building on the work of Theda Skocpol (1992; and earlier, Schattschneider 1935), has helpfully distinguished between several varieties of feedback effects, and subsequent work has explored these varieties in more detail (e.g. Mettler and Soss 2004; Campbell 2003; Lerman and Weaver 2014; Soss and Schram 2007; Soss 1999; Mettler 1998; Patashnik 2008; Hacker 2002). These writings collectively emphasize that public policies can powerfully alter the landscape of organized interest groups, mass participation, and state capacity.

Since these original contributions, political scholars have made important advances in understanding the scope conditions of feedback processes, too. Eric Patashnik and Julian Zelizer (2013), for instance, have laid out a framework for explaining when policies fail to produce feedback effects in the face of weak benefits, divisive partisanship, and poor state capacity. Alan Jacobs and Kent Weaver (2015) have focused on the question of when policies produce self-undermining feedback effects, for instance, when policies begin to produce large losses for powerful vested interests. And more recently, Sarah Anzia and Terry Moe (2016) have explored the conditions under which politicians actually choose to enact legislation that creates feedback processes, moving past the traditional focus in the feedback effects literature on unintentional policy choices and ironies (see also Jacob Hacker and Paul Pierson’s call for political scientists to consider policy “as prize” for organized interest groups; Hacker and Pierson 2014). Studying the adoption of state laws permitting collective bargaining with public employee unions, the authors develop the incentives that individual Democratic and Republican state legislators faced to vote in favor of those laws.

Together, this scholarship has greatly expanded our understanding of the use of feedback processes in American politics. Yet one area of the feedback effects literature remains relatively under-explored: how politicians can deliberately use policy to dampen the political mobilization of particular interest groups and mass publics, what I term using policy feedbacks as political weapon. While other research has documented the presence of feedback effects that demobilize certain constituencies – for instance, how the receipt of cash welfare assistance dampens the political participation of beneficiaries (Campbell 2003; Soss 1999), or how contact with the carceral state reduces individuals’ sense of political efficacy and thus political engagement (Lerman and Weaver 2014) – these are feedback processes that, by and large, were not directly

intended by lawmakers when designing welfare or criminal justice policy. Instead, policy feedback as political weapon draws our attention to the ways that politicians can “make politics” (to use Anzia and Moe’s phrasing) in ways that explicitly disadvantage their rivals.

What options do politicians have when seeking to hobble their opponents? Returning to the original typology of feedback effects outlined by Pierson (1993), we can imagine at least three different varieties of weaponized policy. First, politicians can pass legislation that makes it harder for opposing interest groups to attract and retain members. Thinking about organizational strength in an Olsonian framework, politicians might consider raising the costs of membership in an organization, or lowering the benefits membership conveys (e.g. Olson 1965). Lawmakers might also set limits on the abilities of organizations to participate in the political process, for instance, by contributing to elections, engaging their members in politics, and lobbying state, local, and federal government. Second, lawmakers could set their sights on individual civic engagement and create barriers for opposing political constituencies to engage in politics through voting or contributing time, money, and effort to political campaigns. And lastly, politicians seeking to deploy weaponized policy can take aim at the state itself, weakening state capacity in ways that limit the government’s ability to carry out policies and programs that benefit political opponents.

Importantly, there is no reason to expect that the strategy of using policy feedback as political weapon is one that is necessarily restricted to one side of the political spectrum or the other. Though the case I present in this paper draws on conservative political actors seeking to disempower liberal pressure groups, we could just as easily imagine liberal organizations or politicians pursuing a similar approach. For instance, when progressive environmental reformers seek to raise the costs of producing coal-fired energy, they are not only hoping to reduce carbon

dioxide emissions – but also to weaken the economic clout (and thus political power) of carbon-intensive energy producers (e.g. Grunwald 2015). Table 1 summarizes these various strategies to using policy feedback as political weapon and gives real-world examples of each one from both the left and the right of the political spectrum.

Table 1: A Typology of Feedback as Political Weapon

Feedback Effect	Weaponized Feedback Strategy	Examples
<i>Interest groups</i>	<ul style="list-style-type: none"> • Increase the costs of group membership • Decrease the benefits of group membership • Raise barriers to group participation in politics 	This paper (conservative advocacy against public unions)
<i>Mass public</i>	<ul style="list-style-type: none"> • Raise barriers to political participation 	<p>Strict voter ID laws intended to reduce political participation of Democratic constituencies (e.g. Bentele and O'Brien 2013)</p> <p>Teachers union efforts to keep school board elections off-cycle to dampen participation (e.g. Anzia 2013)</p>
<i>State bureaucracy</i>	<ul style="list-style-type: none"> • Weaken state capacity needed to implement policies that benefit political opponents 	<p>Republican efforts to prevent expansion of state Medicaid programs as part of the Affordable Care Act (e.g. Hertel-Fernandez et al. 2016)</p> <p>Teachers union efforts to reduce state funding to charter schools (e.g. Moe 2011)</p>

One issue in evaluating cases of policy feedback as political weapon is that a reform that weakens an opposing interest group or mass constituency might plausibly be viewed as weaponized policy feedback by some and a public interest reform by others. The standard I propose is as follows: to distinguish between legislative efforts that are clearly intended to

weaken ones' opponents and those that merely have the *coincidental* effect of disadvantaging ones' opponents, scholars must show that the political effects of policy were foreseen by their promoters. Thus, in the following case study of public sector unions, I must provide evidence that the conservative cross-state networks were indeed motivated by a desire to retrench public unions' political clout and recognized the implications of their proposal. The bottom line is that some policy feedback effects can be characterized as weaponized policy – but certainly not all can.

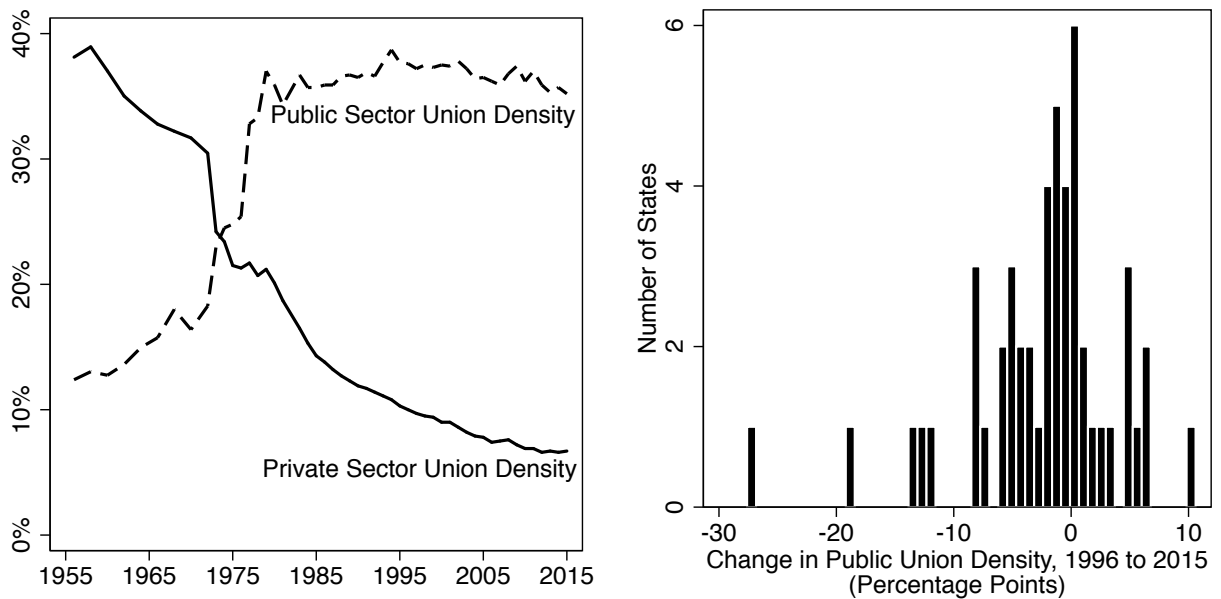
In sum, policy feedback as political weapon is a promising concept that can help to illuminate important changes in political power. In this paper, I take one early step toward better understanding this concept by showing that political actors do operate thinking about weaponized feedback effects and can introduce major legislative changes that have the downstream political consequence of demobilizing opponents. If I can show in an especially unlikely domain that intentional changes in policy can indeed produce large shifts in political power, then it seems likely that weaponized feedback may well be present as a strategy in a number of other areas of politics. The following section makes the case for why the public sector labor movement represents just such an unlikely and “hard test” of weaponized feedback.

MOBILIZATION AGAINST UNIONS AS WEAPONIZED POLICY FEEDBACK

Although the most visible and dramatic set of legislative skirmishes against public unions occurred in the wake of the Great Recession, political backlash against public sector workers began some forty years ago, just as the public sector labor movement was gaining a foothold across the states. Unlike private sector workers, who organize and bargain with their employers

under the federal, New Deal-era National Labor Relations Act, state and local workers depend on state laws for their rights to organize and bargain (Farber 2005), and it was not until the late 1950s and early 1960s that states began to recognize the legal authority of public unions to do so (Walker 2014). Starting with Wisconsin, a number of states began to permit collective bargaining for some or all of their workers in an effort to shore up their political support and curb public employee uprisings (McCartin 2008; Anzia and Moe 2016). These new laws not only increased public union density as state and local workers flocked to professional associations that now had the power to bargain with the government to bid up wages, benefits, and working conditions. In strengthening the power of public sector unions, these laws also increased the political participation of government employees, like teachers, who were now the target of political recruitment efforts by the newly-empowered unions (Flavin and Hartney 2015). As of the mid to late 2000s, 27 states allowed collective bargaining with all workers, 19 allowed bargaining with some workers, and five states did not allow any collective bargaining (Freeman and Han 2012).

Figure 1: The Evolution of Public Sector Labor Unions in the United States



Today, organizations representing public workers are among the largest unions in the United States, as density has steadily declined in the private sector. The left plot of Figure 1 shows the overall levels of public sector union density in the United States contrasted with diminishing private sector union strength. The recent stability in public union density in the left plot, however, masks considerable declines in many states, and the right plot of Figure 1 graphs the distribution of changes in state public union density from 1996 to 2015. The right plot indicates that public union density fell in 32 states, and the average change was a decline of about two percentage points over this period. Twelve states registered declines of at least five percentage points, and five states registered declines of at least ten percentage points. What explains the sharp drops in public union strength in these states? To answer this question, we need to return to the period when public employees were first gaining the right to bargain collectively with state and local governments and focus on counter-mobilization against public labor unions from the right.

The expansion of public sector labor unions in the 1960s and 1970s did not go unnoticed by opponents of the labor movement. In particular, conservative political activists worried about the implications of this new liberal interest group for state politics. As one conservative activist and founder of ALEC explained in an interview, groups like the newly organized teachers unions “came up with model legislation, which [they] would push in several states at the same time” and then they “would use the argument, ‘Well, if so-and-so passed it, it must be okay.’ And so the bill would go forward, sometimes in 30 states and more. Usually the liberal bill moved from committee to floor vote before you [the conservative activists] got prepared and marshaled your arguments, if then. The local [conservative activists] were on their own in each state – and they were overwhelmed” (ALEC 1998). And another right-leaning political leader and later ALEC

head bemoaned that the “most effective lobby in the state legislatures” at the time was “the National Education Association,” the union representing public school teachers (Conservative Digest 1985). She continued: “Many people are deceived by believing that the National Education Association lobbies only for education-related legislation, but they don’t. They oppose right to work laws, they oppose balanced budget resolutions, they support comparable work bills, they get involved in just about every piece of major legislation in the state legislature. They are very well organized, extremely well funded” (Conservative Digest 1985).

In response, a group of conservative state and national politicians founded a new organization in 1973 that could offer the same capabilities of cross-state policy advocacy – but for their right-leaning legislative priorities. That organization – the American Legislative Exchange Council, brought conservative activists, state legislators, policy experts, and private sector firms together to press their own policy demands on state governments that went against liberal causes, especially cuts to taxes and regulations. Though it started on a relatively small scale with only a handful of legislative and corporate members, in recent years ALEC has grown to encompass, at its peak, nearly a third of all state lawmakers and several hundred of the largest private sector firms in the United States, including Kraft, Coca-Cola, Microsoft, UPS, and Visa, and now possesses an annual budget of about \$6 to \$8 million per year to publish model bills for state legislatures, convene meetings between its members, and provide research assistance and political support to state lawmakers seeking to pass ALEC-drafted model bills (Hertel-Fernandez 2016).

Crucially, ALEC has made defeat of public sector labor unions a central priority, recognizing the value of eliminating the public sector labor movement for advancing their political causes across state governments, as the preceding quotes from ALEC’s historical

leaders made clear. ALEC's contemporary leaders have also recognized the political value of defeating public unions by making it harder for unions to attract members, collect dues, and participate in politics. As one state leader wrote in an ALEC publication in 2011: "[Public sector] unions often have hoards of money to spend in political campaigns because they can use automatically deducted dues from government employee paychecks... Public employee unions will continue being the [political] "big dog" as long as they have access to the taxpayer provided salaries of their members. Lawmakers should adopt [ALEC] legislation to block this process" (Hough 2011, 10).

Accordingly, ALEC published model bills to reduce the power of labor unions both indirectly and directly. For instance, ALEC generated proposals to make it more difficult for public employee unions to collect dues from their members through automatic payroll deductions, making it harder for unions to build revenue. ALEC has also sought to limit public unions' interventions in politics by restricting union members' abilities to perform political activities on the job, or to spend member dues on politics or lobbying. Model bills also include proposals to contract out or privatize state services, thereby reducing the unionized public sector workforce. Most significantly, ALEC has sought to limit the ability of public unions to collectively bargain over state employee wages and benefits. The last proposal is most sweeping, because it removes a crucial function of public sector unions that make those unions appealing to workers – and thus dramatically threatens union membership.

Since its creation in 1973, ALEC's model bills targeting public sector unions have become more successful over time as its efforts have been supported by two other cross-state networks of conservative political activists. These include the State Policy Network (SPN), an association of state-level conservative and free-market oriented think tanks, as well as Americans

for Prosperity (AFP), a federated yet centrally directed advocacy group that intervenes in both state elections and policy debates to promote a conservative and libertarian agenda.

Founded in 1986, SPN has over sixty affiliates in all fifty states that now command budgets surpassing \$78 million and average about 267 citations apiece in local, state, and national newspapers as of 2013 (data from Lexis Nexis and IRS filings). SPN affiliates focus this media commentary and their policy research on bolstering many of the same legislative proposals that ALEC develops. For instance, during GOP Governor Scott Walker's push for cuts to public sector collective bargaining in Wisconsin (themselves based on ALEC model bill proposals), the MacIver Institute, one of the two SPN members in the state, published an editorial just weeks after Walker's election in 2010 calling for a repeal of collective bargaining for public employees (Fraley 2010). MacIver's prescient backing of the measure should not come as a surprise, however, since the organization had been supporting and working with Walker since 2008. As one journalist explained, "MacIver not only helped lay the policy groundwork for [cutting public employee bargaining], it also helped manage its aftermath" (Woodruff 2015). MacIver also worked with the state's Americans for Prosperity chapter to run public campaigns, including major ad buys, defending Governor Walker's policies after Walker came under fire from progressive groups for introducing the public sector bargaining cutbacks (Bottari 2011).

Aside from SPN, ALEC is also strongly supported by AFP, the newest addition to the set of three conservative cross-state networks. Started in 2004 from the remains of an older group, AFP is now the "800 pound gorilla" in the political network constructed by wealthy libertarians Charles and David Koch, combining a grassroots activist base of over 2 million conservative supporters, 500 paid staffers in 34 states, and a campaign war chest of over \$150 million

(Skocpol and Hertel-Fernandez 2016). AFP directs these resources towards ensuring the election of its favored right-leaning candidates, as well as the pursuit of its libertarian economic policies at the state and federal levels (Skocpol and Hertel-Fernandez 2016). Given AFP's size, some political journalists have described it as America's "third biggest political party" – and indeed, AFP even exceeds the size of the GOP itself on several important dimensions (Bump 2014).

Like ALEC, AFP has long recognized the importance of defeating public employee unions to advance its policy goals. Accordingly, AFP has backed ALEC initiatives to scale back public union strength across the states by organizing grassroots protests against public unions, threatening to run ads against politicians opposed to cutbacks to public unions, and defending lawmakers who vote in favor of public union retrenchment from labor mobilization. As AFP's current head, Tim Phillips, has described it, the reason that conservatives have historically failed to promote their policy objectives in the states and in the federal government was that the political right did not "have an army on the ground [while] the left did," in the form of "public employee unions, which have only gotten stronger, have only gotten better-funded, have only gotten better organized" (quoted in Stan 2011). To promote their broader policy agenda, then, Phillips concluded, AFP would need to demobilize the public sector labor movement (see also Greenhouse 2014).

To be sure, these networks represent slightly different constituencies and engage in very different activities. ALEC is an association of state lawmakers, businesses, and conservative political activists; SPN is a network of think-tanks, and AFP is a federated advocacy group comprised of paid staff and millions of grassroots volunteers. Yet the three groups have, over time, established a right-wing division of labor in which each group pursues slightly different – albeit complementary – strategies in the pursuit of the same policy proposals (Hertel-Fernandez

and Skocpol 2015). For instance, in the case of the implementation of the Affordable Care Act, the three networks worked closely with one another to stymie states from expanding Medicaid coverage (Hertel-Fernandez et al. 2016). ALEC produced model legislation that would prevent state agencies from accepting new federal dollars to expand Medicaid, SPN worked with ALEC to produce research and media commentary to convince legislators to vote to reject Medicaid expansion legislation, and AFP ran political advertising campaigns threatening electoral retaliation against state legislators who supported expansion. In many cases, the collaboration between the three networks was explicitly engineered, for instance, as SPN policy experts spoke at ALEC events intended to help lawmakers to defend their choices to reject Medicaid expansion, or when AFP collaborated with SPN affiliates to hold public events. The end result was that states where the three networks were stronger and operating more closely with one another were more likely to reject the Medicaid expansion.

All three networks have closely worked with one another to prioritize the defeat of public sector labor unions as well, both as a substantive policy objective and as a means of weakening or even removing a political opponent in the states. But documenting that these organizations have sought cutbacks in public unions to boost their political power is only half of the story, however. Do ALEC-drafted and SPN- and AFP-promoted bills actually succeed in their aim of weakening the political clout of public sector unions and demobilizing government employees, thus qualifying as weaponized policy?

Finding evidence that legislation backed by all three networks resulted in the political demobilization of public unions would provide a clear-cut case of weaponized policy. This is an especially appealing test of weaponized policy because it involves organizations and individuals which, on their face, seem unlikely to be affected by changes in legislation. This makes it a

“least-likely case” for testing the existence of weaponized policy (George and Bennett 2004, 121-2). The employees public unions represent are typically much better-off economically, have higher levels of education, and are more politically liberal and active than are average private sector workers. This means that state and local employees may be strongly motivated to stay involved in their union and the political process more generally, and have the economic means and political skills to do so, regardless of conservative network-backed legislation intended to weaken the public labor movement.

For instance, according to the latest Census data from 2015, the median wage and salary income reported by state and local workers was nearly a quarter higher than private sector workers, and well over half of state and local workers had at least a college degree, compared to only 32% of private sector workers. Similarly, according to National Election Study data from 2012, about 60% of government workers reported identifying with the Democratic party, compared to only about half of private sector workers. The National Election Study data also indicates that government workers are more favorable towards labor unions as well, with government workers ranking labor unions 15% more highly than private sector workers on a 0-100 “feelings thermometer.” And public sector employees were about 10 percentage points more likely to report voting in the 2012 presidential election, according to the National Election Study data. Given the fact that policy seems so unlikely to change public employee participation and mobilization because of their high socioeconomic status, political interest, and support for unions, finding the presence of strong demobilization in this area of politics suggests the potential for further weaponized policy effects elsewhere in American political life.

CONSERVATIVE NETWORK-AUTHORED BILLS AND PUBLIC UNION STRENGTH

To identify whether conservative cross-state network-backed legislation indeed was able to accomplish the objective of weakening the public sector labor movement, I searched through the model legislation of the American Legislative Exchange Council to identify all proposals related to public sector labor unions. I then systematically searched Lexis Nexis State Capital, a database of enacted state legislation available from 1996 onward, for matches to ALEC model bills based on bill titles and texts (see appendix for a complete list and description of these model bills). I next examined archived versions of SPN and AFP's websites using the Internet Archive to see if either organization was involved in promoting the passage of those particular bills. In all, I identified eight states in which ALEC legislation related to public sector labor unions had been enacted into law, and in which either SPN or AFP (or both groups) were involved in promoting the passage of that particular legislation. These include Arizona, Colorado, Georgia, Idaho, North Dakota, Tennessee, Utah, and Wisconsin.

This list should be taken as a very limited estimate of cross-state conservative activity on public union policy, as it only includes instances where state legislatures enacted policy copied either in whole or part from ALEC model bill language, and where ALEC's advocacy was backed up by either SPN or AFP (or both). There are likely many other cases where state legislatures considered and enacted legislation based on ALEC, SPN, and AFP ideas – but did not copy sufficient text for me to identify the legislation searching through the LexisNexis database. To the extent that I am necessarily missing other legislative initiatives across the states, this should bias my analysis *against* finding an effect on public union strength, since I am including these states as “control” and not “treated” cases. The reason to focus on these eight

states out of the full universe of possible cases of conservative cross-state activity is that these eight states represent instances where ALEC proposals were clearly the source – buoyed by SPN and AFP – of state legislative initiatives.

The ALEC proposals enacted in these eight states took aim at public sector unions in a variety of ways. The Arizona, Idaho, and Utah measures enacted an ALEC proposal to make it more challenging for unions to automatically deduct dues from workers' paychecks (often called "paycheck protection" measures; in the case of Idaho and Utah, the measures applied specifically to dues collected for the purposes of political activity). These provisions are important because decades of research in behavioral psychology indicates that individuals have a strong bias towards the status quo, meaning that setting the default option to "not paying dues" will nudge many workers away from contributing to a union (Kahneman et al. 1991, 197-9). In Arizona, for instance, unions spoke out against the measure, clearly recognizing the potential results on their organizational capacity. Argued the president of the Arizona Education Association about the bill in that state: "There's an agenda out there that is happening one ill-advised policy at a time to silence [us], and we all ought to be concerned about that" (Madrid 2011). In Utah, proponents of the paycheck protection bill were celebrating the effects of the legislation shortly after the passage of the bill; one watchdog group reported that during the first full year after the passage of the legislation, the state's National Education Association affiliate's political donations "plummeted [by] 75%" (Utah Taxpayers Association 2009, 1). Even when these dues provisions only apply to political contributions, I still expect to find effects on density and revenue to the extent that unions use their political coffers to lobby for a more favorable environment in which to recruit and retain members (on the importance of union political spending and power for union strength, see e.g. Dixon and Martin 2012; Wilmers 2017).

The Wisconsin provision set limits on the scope of public employee collective bargaining in the states, as explained above. By restricting the ability of unions to bargain collectively, the conservative networks can make it less appealing for any individual worker to join a union, since the union cannot offer as broad a range of benefits. The Colorado law required unions to publicly release their collective bargaining agreements, intended to provide pressure to restrain their negotiations and especially negotiations over more political components of union activity (e.g. DeGrow 2011). The Georgia provision limited automatic dues collection by unions and reinforced the state's right-to-work status by clarifying the permissible legal activities of employees and employers. It was opposed by unions in the state, though certain public employees were successful in exempting themselves from the reach of the bill (Benson and Nichols 2013).

Lastly, the North Dakota and Tennessee legislation limited state and city governments from setting stipulations about union membership when contracting state services, which ought to encourage greater contracting out or privatization of public activities, reducing the number of potentially unionized workers. This legislation takes direct aim at private sector unions, but should also affect public sector workers to the extent that it incentivizes greater contracting of public services.¹

If my hypothesis about the conservative cross-state networks was correct, then we ought to expect that each of these provisions will have weakened the political clout of public sector unions in these states following ALEC bill passage. The alternative explanation is that these provisions do not, on their own, drive individual worker decisions about whether to join (or

¹ Note, however, that my results are robust to excluding these two states from my empirical analysis.

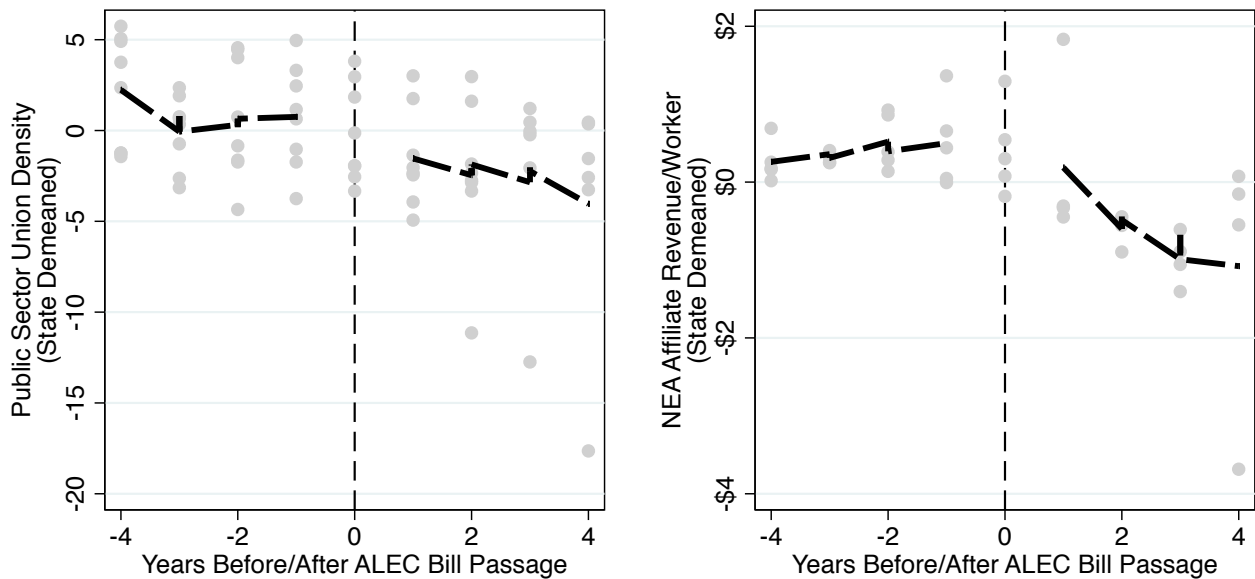
remain in) a union, and thus do not affect overall levels of public union membership or public union strength given the existing civic participation, interest, and ideology of public employees.

To test these hypotheses, I examine the change in public union political strength in states over time associated with these eight pieces of legislation. I measure two dimensions of public union political strength: membership density, or the share of wage and salaried public sector workers who report that they are union members (data from the Bureau of Labor Statistics) and public union revenue, which I operationalize with the state budgets of National Education Association (NEA) affiliates. I focus on the NEA because it is the largest union in the United States, representing nearly 3 million teachers and instructors as of 2015, and because the NEA is also one of the most active organizations in American politics, giving nearly \$30 million in direct federal electoral contributions from 2013 to 2014 (data from the Center for Responsive Politics). That giving put the NEA in second place for all contributions made during the 2014 election. Finding that conservative cross-state network legislation weakened the budgets of NEA state affiliates would offer strong evidence that ALEC, AFP, and SPN advocacy has a significant impact on the political clout of the public labor movement. To standardize NEA state affiliate budgets, which I gathered from Internal Revenue Service filings, I estimate revenue per wage and salary worker in a state (the appendix provides results using logged revenue and shows identical results). NEA budgets ranged from about \$1 per worker (in South Carolina) to \$34 per worker (in New Jersey) in 2014, and averaged about \$9 per worker overall.

Figure 2 presents a first look at the relationship between the passage of conservative legislation and public union strength, plotting the change in public sector union density (left side) and NEA state affiliate revenue (right side) over time in the eight states in which the conservative networks enacted legislation. I have demeaned both variables by state so that their

values are comparable across the eight different states in the sample. The horizontal axis indicates the number of years either before or after the passage of the ALEC legislation addressing public sector labor unions, and the dashed black lines indicate locally-weighted regressions. As the plots suggest, both public sector union density and NEA affiliate revenue fell sharply following the passage of ALEC-authored legislation in these states. Importantly, Figure 2 also suggests the absence of a decline in public union strength immediately *before* the passage of ALEC-authored legislation – public union density is stable in the years preceding bill passage and NEA revenue actually slightly *increases* in pre-passage years, on average. The absence of pre-passage trends in union strength indicates that it was likely not a decline in public union strength that *led* to bill passage in these states. Together, Figure 2 suggests that there may be a relationship between conservative bills and public union strength.

Figure 2: Conservative Cross-State Network Bill Passage and Public Union Strength



Notes: Figure shows state-demeaned public sector union density four years before and four years after the passage of ALEC model bill legislation related to public sector unions. States include Arizona, Colorado, Georgia, Idaho, North Dakota, Tennessee, Utah, and Wisconsin.

To more rigorously test the relationship suggested by Figure 2, I estimate a time-series, cross-sectional OLS regression with either public union density or NEA revenue as the outcome and with a binary indicator for whether a conservative network-backed bill has passed in a particular state as the main explanatory variable. The sample consists of all states from 1996 to 2015 for the analysis of public union density and 2004 to 2014 for the analysis of NEA revenue. The time frame for this analysis is necessarily restricted by data availability: the LexisNexis database of state legislation is only available from 1996 onward, and NEA state affiliate revenue data is only available in digitized form from the IRS from 2004 to 2014.

To account for potential confounders that could explain *both* state decisions to enact conservative network-backed legislation and changes in public sector labor union strength, I include a variety of additional variables. I add state and year fixed effects to account for state-specific time-invariant factors (such as political culture or union attitudes) as well as common shocks to all states, such as partisan control of national government or the national economy. I also add in partisan control of state government (on a zero through three scale indicating Democratic control of the lower chamber, upper chamber, and governorship; data from Carl Klarner's state partisan data) and private sector union density (data from the Bureau of Labor Statistics).² Partisanship is an important factor to include in these models given that GOP-controlled legislatures may be more likely to enact ALEC models and to introduce other cutbacks to public union rights; similarly private sector union strength may explain both ALEC bill reliance and public sector union strength (e.g. Ahlquist 2012). In some models I add in a

² Partisan control of government may well be post-treatment to the passage of conservative network legislation to the extent that the legislation makes the election of GOP lawmakers more likely; I therefore report models with and without this variable.

lagged dependent variable to permit public sector union strength to vary as a function of past public union political strength while recognizing that lagged dependent variable models with unit fixed effects can be biased with shorter time series like mine (e.g. Beck and Katz 2011). Lastly, I also permit different regions to have their own linear time trends of public sector union strength, accounting for geographic clustering, for instance due to policy diffusion or regional political economies.

Table 2 summarizes the various regression specifications with public union density as the outcome. In the simplest model, with only state and year fixed effects (column 1), the model implies that the passage of an ALEC model bill backed by the other conservative cross-state networks is predicted to reduce public sector union density by five percentage points ($p < 0.05$). Adding in partisanship and private sector union density does not appreciably change the results (column two), nor does using a lagged dependent variable model (column three; the long-run estimate of ALEC legislation is 4.9 percentage points, $p < 0.01$) or adding in region-specific trends (column four). Column five subsets the analysis to only the eight “treated” states and reveals a similarly-sized coefficient, implying a decline of five percentage points.

Five percentage points is a significant persistent decline in public union density, representing about a third of a standard deviation, and about 15% of the average value of public sector union density. That coefficient size is also more than double the average decline in public union density across the states from 1996 to 2015. To further put the estimated correlation in context, five percentage points is equivalent to the difference between average public union density in Florida and Kentucky over the period I am studying (25.6% versus 20%). In the appendix, I show that my results are robust to excluding Wisconsin, which had an especially large decline in public union density following the passage of Act 10 in 2011. The appendix also

includes additional analyses of the “treated” states, leaving out each observation in turn, including biennium fixed effects to account for state-invariant time-specific confounders during each legislative session. The results are similarly robust to excluding North Dakota and Tennessee from the analysis since that legislation affects both private and public sector unions.

Table 2: Conservative Cross-State Network Bill Passage and Public Union Density

	<i>Public Union Density (Percentage Points)</i>				
ALEC Model Bill Passed	-4.50** (1.83)	-4.46*** (1.65)	-2.90*** (1.08)	-4.46** (1.76)	-5.05** (1.99)
Sample	All	All	All	All	Treated
State Effects	Y	Y	Y	Y	Y
Year Effects	Y	Y	Y	Y	N
Covariates	N	Y	Y	Y	N
Lagged DV	N	N	Y	N	N
Region Trends	N	N	N	Y	N
R-Squared	0.10	0.16	0.29	0.17	0.9
<i>N</i>	1,000	982	933	982	160

Notes: OLS regressions; standard errors clustered by state; * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$. Outcome is public sector union density, in percentage points (0-100).

Moving next to the analysis of NEA state affiliate revenue in Table 3, I find very similar results: across a variety of specifications identical to those employed in Table 2, the presence of an ALEC-authored model bill relating to public unions is predicted to lower revenue collected by the NEA’s state affiliates. Estimates of the correlation between ALEC model bill passage and NEA affiliate revenue decline range from \$1.08/worker (looking only at changes within the eight “treated” states; column five) to \$1.67/worker (in the model with only state and year fixed effects; column one). My preferred specification (column 2) indicates a \$1.51/worker decline in revenue ($p < 0.01$), which is equivalent to a decrease of about a fifth of a standard deviation and about 17% of the average level of NEA state revenue in the sample. To further put the change in

context, a decline of \$1.51 per worker represents the difference between average NEA revenue in Louisiana and in Texas over the period from 2004 to 2014 (\$2.62/worker versus \$1.12/worker). The results are robust to excluding Wisconsin (see appendix), including biennium fixed effects, leaving out each state-year observation in turn, including state-specific time trends, and excluding Tennessee and North Dakota all together.

Table 3: Conservative Cross-State Network Bill Passage and NEA Affiliate Revenue

	<i>NEA Affiliate Revenue (Revenue/All Wage and Salary Workers)</i>				
ALEC Model Bill Passed	-1.67*** (0.30)	-1.51*** (0.40)	-1.04*** (0.35)	-1.17*** (0.42)	-1.08*** (0.21)
Sample	All	All	All	All	Treated
State Effects	Y	Y	Y	Y	Y
Year Effects	Y	Y	Y	Y	N
Covariates	N	Y	Y	Y	N
Lagged DV	N	N	Y	N	N
Region Trends	N	N	N	Y	N
R-Squared	0.29	0.32	0.32	0.45	0.94
<i>N</i>	512	504	453	504	80

Notes: OLS regressions; standard errors clustered by state; * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$. Outcome is NEA state affiliate revenue expressed as a proportion of all wage and salary workers in a state.

Barring random assignment of the enactment of ALEC-authored legislation relating to public unions, we cannot be certain that the relationships identified in Tables 2 and 3 represent causal effects. It may well be the case that there are other factors that are jointly causing both the passage of ALEC-drafted legislation and large declines in public union strength. Still, the analysis offered strong observational evidence that public unions are indeed weaker – both in their membership rolls and budgets – after the passage of conservative network-backed initiatives targeting public unions, even when restricting the analysis to variation within states,

and controlling for the changing political landscape. One reason that public unions are increasingly on the defensive, then, may be the mobilization of groups like ALEC, SPN, and AFP and the legislation they have passed making it more challenging for public unions to gather dues and collectively bargain with government, as well as encouraging the contracting-out of previously public services.

CONSERVATIVE NETWORK-AUTHORED BILLS AND PUBLIC EMPLOYEE POLITICAL PARTICIPATION

So far I have documented the relationship between conservative network-backed legislation and measures of the *organizational* clout of public unions. But one important reason why unions are powerful is not simply the fact that their organizations have deep coffers to spend on candidates and can boast about large memberships to politicians. Unions are powerful because they facilitate political action among their members, using the social ties they have developed with rank-and-file employees to encourage those workers to participate in politics, for instance by contacting legislators, donating to campaigns, or volunteering for political causes and candidates (Rosenfeld 2014; Leighley and Nagler 2007). By removing union resources, then, conservative network-backed legislation might also stymie the political mobilization of individual public sector employees. In this way, conservative network-backed legislation authored by ALEC and promoted by SPN and AFP might be causing the reverse of what Patrick Flavin and Michael Hartney (2015) uncovered in their study of the political mobilization of teachers after the passage of state collective bargaining laws. Flavin and Hartney found that the passage of laws permitting teachers unions to collectively bargain with state and local governments greatly increased the political participation of teachers – but not other workers. The

authors argue that by increasing the organizational strength of teachers unions, collective bargaining laws made it easier for those unions to mobilize their rank-and-file members.

Of course, as I argued earlier, this dampening effect of conservative network-backed legislation is far from a foregone conclusion. Political activity is often habit-forming (e.g. Coppock and Green 2016), and it might be the case that once public sector unions began mobilizing workers – including teachers – then those workers would become more likely to participate in politics regardless of the presence of a union. It is an open question, then, whether efforts to weaken unions can actually dampen political participation of union members.

To test the relationship between conservative network-backed legislation and government worker political participation, I follow the same approach to Flavin and Hartney (2015) and turn to the National Election Studies (NES), which provide high-quality, nationally representative samples of Americans and, crucially, contain information on respondents' industry of employment and political participation. I use data from the 1996, 1997, 1998, 2000, 2004, 2008, and 2012 NES surveys to match the time period employed in Tables 2 and 3. Within those surveys, I identify 2,101 respondents who were employed by the government and 8,648 respondents who were employed in the private sector, which form the samples I use in the analysis. Unfortunately, the NES do not distinguish between state, local, and federal public workers, and I should only expect effects on the participation of state and local workers, not federal government workers. But, to the extent that I am including federal government workers in the sample of “treated” workers, it should under-state the effects of conservative network-backed legislation, since federal employees should not experience a decline in their participation following ALEC bill passage. In any case, state and local workers represent nearly all (about 90%) of the government workforce, according to 2015 Current Employment Survey statistics.

My main outcome is an additive index of the five-act battery of political participation that the NES has included on each of its surveys (this is the same outcome employed by Flavin and Hartney, 2015). The battery asks if respondents (1) tried to influence the votes of others, (2) worked for a political campaign, (3) displayed a button or sign to support a candidate, (4) donated money to a political campaign, or (5) attended a meeting or rally in support of a candidate (see appendix for full question text). Together, these questions capture a broad range of electoral participation. On average, government workers reported a total of 0.83 acts (standard deviation: 1.14) and private sector workers reported a total of 0.69 acts (standard deviation: 0.99). These descriptive statistics are consistent with the higher levels of political participation among public sector workers we would expect given their union membership and higher socioeconomic status.

The main explanatory variable is, as before, a binary indicator of whether a state had passed an ALEC-drafted and SPN or AFP-supported bill related to public sector labor unions. Aside from that variable, I generally follow Flavin and Hartney (2015)'s empirical strategy, and include state and year fixed effects to net out state-specific factors or common shocks that might explain changes in participation and the passage of ALEC-drafted model bills, as well as individual-level control variables that might alternatively explain participation, including age (and age squared), gender, race (with indicator variables for white, black, and Hispanic respondents; the excluded category consists of "other" respondents), family income (in survey-year deciles), education (measured with indicators for some college and college or more; the excluded category consists of high school or less), union membership, whether the respondent reported strong partisanship, and self-reported interest in campaigns (on a 1 to 3 scale).

I estimate OLS regressions, which I prefer to negative binomial count models because of the inclusion of state and year fixed effects, though I find substantively identical results using negative binomial models (results in appendix). I estimate separate models of the relationship between ALEC-drafted legislation and the participation of government and private sector workers as a placebo test: conservative network-backed legislation should only affect public sector employees, not private sector employees (the appendix presents alternative specifications with an interactive term instead of separate models). I cluster standard errors by state.

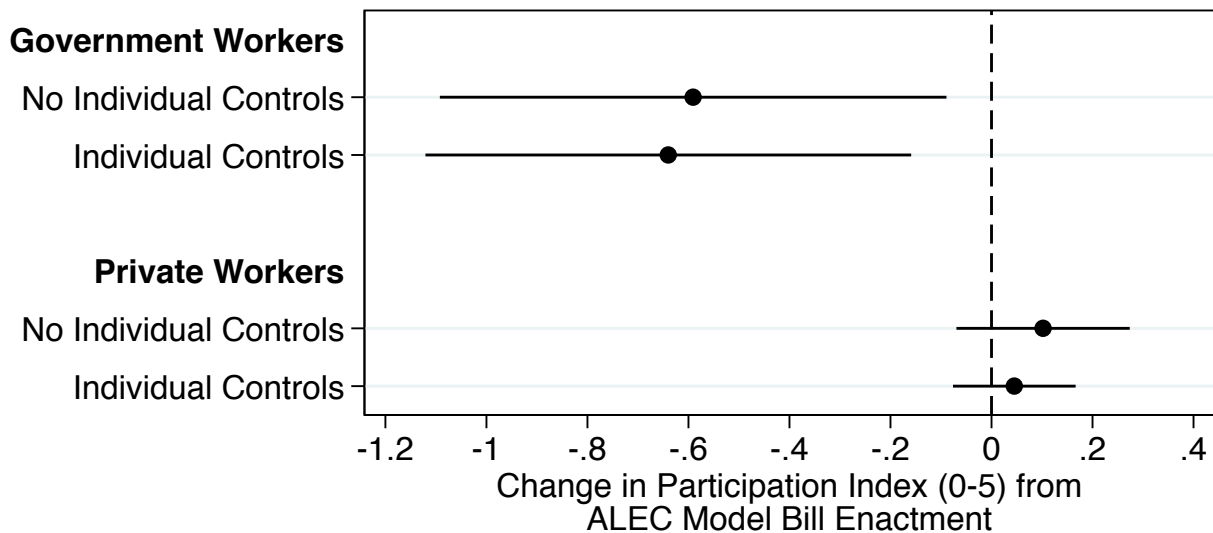
Figure 3 summarizes the substantive results of the OLS regressions for government and private sector workers separately, with and without the individual-level demographic controls outlined above (the appendix provides full regression results and also includes robustness checks that exclude North Dakota and Tennessee given the unusual nature of those model bills). Regardless of the inclusion of individual-level control variables, the political participation of government workers falls sharply following the passage of conservative network-backed legislation. On average, government workers reported about 0.60 fewer political acts following the passage of an ALEC-drafted model bill relating to public unions ($p < 0.05$). The size of the conservative network legislation coefficient is roughly equivalent to moving from a worker who reported having a strong to a moderate interest in political elections and campaigns, itself a very strong predictor of participation. That is a relatively large effect, representing over half of a standard deviation of the outcome, and nearly three-fourths of the average number of political acts among government sector workers. The effect of ALEC-drafted model legislation is also large compared to Flavin and Hartney (2015, 904)'s estimates of the effect of mandatory collective bargaining laws on teacher participation, which was about half the size of the estimate I report here. One reason why the effect of conservative network-backed legislation may be so

large is that I am examining the impact of a variety of changes to public union strength, not just collective bargaining.

As expected, there was no discernible relationship between ALEC bill passage and the participation of private workers. In the model with individual-level controls, for instance, the estimate of the effect of ALEC model bill enactment on private worker participation is zero.

Figure 3 thus suggests that conservative network-backed legislation, by weakening public unions, has caused a sharp decline in the political participation of government employees.

Figure 3: Conservative Network Bill Passage and Worker Political Participation



Notes: Participation data from 1996, 1997, 1998, 2000, 2004, 2008, and 2012 National Election Studies. Individual controls include age/age squared, gender, race, ethnicity, education, family income, union membership, interest in campaigns, and strength of partisanship. All models include state and year fixed effects. Each line represents results from a separate regression. Lines indicate 95% confidence intervals. Sample sizes: 1,651, 1,393, 6,213, and 5,190 respectively. Outcome is additive index of five participatory acts: influencing the votes of others, working for a political campaign, displaying a button or sign to support a candidate, donating money to a political campaign, or attending a meeting or rally in support of a candidate

As in the previous analysis of public union density and revenue, however, one concern is that declines in the political participation of public employees may have *led* to the enactment of conservative cross-state legislation. To rule out this concern, I estimated OLS regression models for government and private sector workers and replaced the indicator for ALEC model bill

passage with three indicators for the *timing* of model bill passage: 1-2 elections before passage, the year of bill passage, and 1 or more elections following passage (the excluded category is more than two election cycles before bill passage; see appendix for full regression results).

Figure 4 plots the substantive results from these two regressions, and shows that there was no statistically discernible effect of ALEC model bill passage *before* the passage of that legislation for government workers. Political participation of public employees fell only in the year in which the bill passed and in subsequent elections. This pattern of timing helps to rule out the concern that the fall in government worker political participation preceded the passage of ALEC model legislation. As in Figure 3, there is essentially no effect of ALEC model bill passage on the participation of private sector employees, either before or after bill passage.

Figure 4: Timing of Conservative Network Bill Passage and Worker Political Participation



Notes: Participation data from 1996, 1997, 1998, 2000, 2004, 2008, and 2012 National Election Studies. Both models include state and year fixed effects. Lines indicate 95% confidence intervals. Sample sizes: 1,651 (government workers) and 6,213 (private workers). Outcome is additive index of five participatory acts: influencing the votes of others, working for a political campaign, displaying a button or sign to support a candidate, donating money to a political campaign, or attending a meeting or rally in support of a candidate

In results reported in the appendix, I show that the passage of ALEC-authored legislation lowered the political participation of both unionized and non-unionized government workers alike, suggesting that weakened public sector unions not only have fewer members to engage in

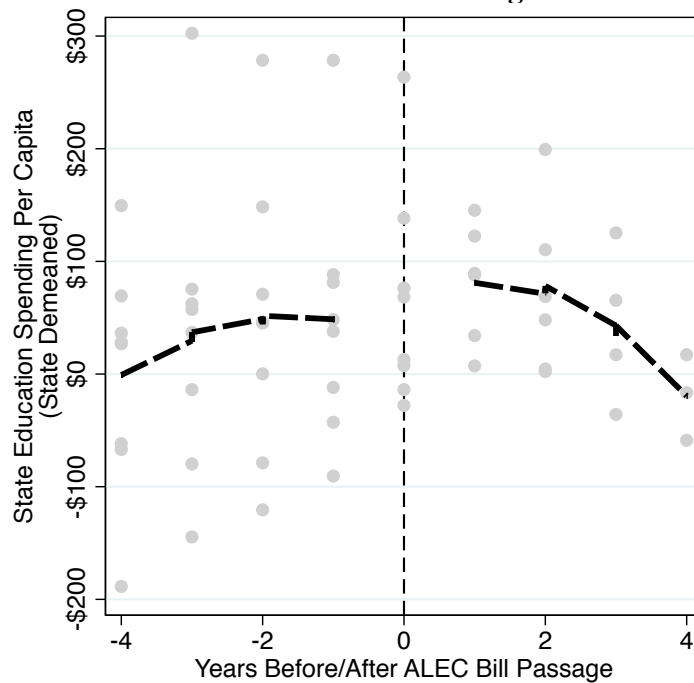
politics, but also that they may do less to engage their members who remain. I also find the decline in government worker political participation cannot be explained by changes in the political interest of government workers (documented in the appendix). Levels of political engagement among government workers remained unchanged before and after the passage of conservative network-backed legislation. Instead, it appears that the main mechanism driving the decline of government employee political participation is similar to that which drove the original increase of political participation of teachers: political recruitment by non-party groups, which would include contact from organized labor. Government employees were about six percentage points less likely to indicate that they had been contacted by non-party groups following the passage of conservative network-backed legislation, and the results were especially strong for non-union members, who saw a nine percentage-point drop in their probability of reporting non-party political recruitment. Facing tighter budgets, public sector unions appear to reach fewer state and local workers after the passage of bills backed by ALEC, AFP, and SPN.

THE POLICY IMPLICATIONS OF WEAKENED PUBLIC UNIONS

While it is beyond the scope of this paper to fully examine the long-term policy consequences of the political demobilization of public unions and government employees, Figure 5 presents preliminary results of the effect of a weaker public sector labor movement on one state policy outcome: education spending. Public sector labor unions, and especially teachers unions, have long been advocates of greater state spending on public services (e.g. DiSalvo 2014; Anzia and Moe 2015). A weaker public sector labor movement, then, ought to diminish political support for state spending – and especially education spending (Moe 2011).

To assess whether the passage of conservative network-backed legislation – and the subsequent fall in public union strength – might have affected public services spending, I plot state-demeaned public education spending per capita against the years before and after the passage of ALEC model bills in the eight states that passed ALEC model bills (education spending data from the US Census Bureau in 2013 dollars). The picture in Figure 5 largely resembles that from Figure 2: just as public union strength falls following the passage of conservative network-backed legislation, so too does state education spending. While far from definitive evidence of a causal effect of conservative network-backed legislation on education spending, the pattern in Figure 5 is certainly consistent with a weaker public labor movement failing to defend public spending against retrenchment, indicating the possible policy consequences of the decline in public labor strength. This pattern invites additional research on the longer-term effects of political advocacy against public unions.

Figure 5: Conservative Cross-State Network Bill Passage and State Education Spending



Notes: Figure shows state-demeaned spending on public education (per capita) four years before and four years after the passage of ALEC model bill legislation related to public sector unions.

States include Arizona, Colorado, Georgia, Idaho, North Dakota, Tennessee, Utah, and Wisconsin.

CONSERVATIVE ADVOCACY, WEAPONIZED POLICY FEEDBACKS, AND THE AMERICAN POLITICAL ECONOMY

Until recently, labor experts contrasted the challenges faced by American private unions with the much more favorable environment in the public sector (e.g. Freeman and Ichniowski 1988). Unlike their counterparts in the private sector, public unions have enjoyed a much more amenable context for organizing and bargaining, explaining the relatively high – and steady – rates of unionization in the public sector compared to private workplaces. That consensus may be crumbling, however, as I have documented in this paper. In the face of sustained cross-state advocacy by conservative policy networks, including the American Legislative Exchange Council, the State Policy Network, and Americans for Prosperity, state governments are beginning to retrench the ability of public unions to organize, bargain collectively, build their membership rolls, collect dues, and participate in politics. My results show that the advocacy efforts of the three cross-state networks helps to explain why public sector unions are declining in political strength in some states, and further, that conservative advocacy may have not only reduced the organizational strength of public unions, but the participation of public workers, too.

Of course, the findings in this paper are not without important limitations. The analyses I have presented are based on observational data that do not lend themselves to clean causal identification in the absence of random (or quasi-random) assignment of conservative network advocacy. Nevertheless, I have shown the robustness of my analysis across a range of specifications leveraging variation within states over time, and using multiple levels of analysis, including both across the public unions as organizations and individual state and local

government workers. More generally, given the importance of the public labor movement for the American political economy, I believe that these results still represent substantive and useful contributions in their own right even without more systematic causal identification.

First, my findings offer an important bookend to work examining the origins of public unions across the states, which shows that the rise of public unionism was fundamentally political in nature, as politicians sought to shore up their support and curb labor protests (Walker 2014; DiSalvo 2014; Flavin and Hartney 2015; Anzia and Moe 2016). In a similar vein, I showed that the spread of laws facilitating public sector unionization prompted the development of cross-state networks of conservative political activists bent on weakening the political heft of those long-powerful public unions. In this way, my paper answers recent calls for scholars of interest groups and public policy to more centrally focus their attention on unions – and public sector unions in particular – given their prominent role in state and local politics (DiSalvo 2014; Moe 2011; Anzia and Moe 2015; see also Levi 2003; Frymer 2010 on the need for political science to study labor more generally). My analysis also emphasizes the importance of studying not just public unions themselves, but also counter-mobilizations on the political right. Any account of the political activities of public unions is incomplete without also including the right-leaning groups formed in response to those unions.

My findings also have implications for our understanding of political equality in an era of high and rising economic inequalities. Unions have long pushed politicians to adopt policies preferred by working class Americans (e.g. Hacker and Pierson 2010; Schlozman 2015), and there is evidence that the striking class inequalities in political representation that have been identified by scholars such as Martin Gilens (2012) and Larry Bartels (2008) are attenuated in states in which unions are stronger (e.g. Flavin 2016). If conservative cross-state advocacy – and

the corresponding demobilization of public employee unions – I have highlighted in this paper continues, it may well exacerbate economic and political inequalities across the states (though see DiSalvo 2014; Hoxby 1996; Moe 2011 for opposing arguments).

Beyond the specific case of public unions in the United States, my analysis has also underscored the concept of *policy feedback as political weapon*, showing how groups and politicians can use legislation as a means of disadvantaging their opponents in durable ways over time, above and beyond the traditional focus in the study of policy feedback on self-reinforcing policies or unintentional policy ironies (Skocpol 1992; Pierson 1993). The individual-level results, in particular, emphasize that policy can be a means of deliberately and persistently lowering the political participation of citizens, in this case state and local government employees.

Although it is too soon to fully trace out the long-run consequences of this strategy, with the benefit of additional data future work might look to see if by weakening public sector unions, ALEC, AFP, and SPN have been able to secure further policy victories in areas unrelated to union policy. For instance, are measures weakening labor regulations or enacting tax cuts – two sets of policies pursued by the conservative networks – easier to pass in states once public sector unions are on the defensive? The analysis I presented in the final section of the paper certainly suggests that tax and spending decisions may well be affected by the decline of public unions.

Future research might also fruitfully deploy the concept of policy feedback as political weapon to explain how other organized interest groups have thrown up roadblocks to their opponents, for instance, as conservative groups have done in enacting restrictions on voting rights for specific constituencies (which would make conservative electoral victories more likely), as progressive groups have done in limiting the expansion of coal-fired power plants (which would weaken a constituency opposing climate reform), and as criminal justice reformers

have done in attempting to remove private sector interests from the administration of prisons and jails (which would weaken the power of business interests pushing for punitive criminal justice policy). Other scholars might also examine specific institutional strategies that work best for shutting out or weakening political opponents in particular venues, such as bureaucracies, the judiciary, or Congress. A similar line of research might explore whether there are trade-offs that political actors must make between weakening their opponents and achieving substantive policy gains. Although conservative groups were able to accomplish both objectives by weakening public unions, this may not always be the case.

Perhaps the most significant payoff of a focus on policy feedback as political weapon, however, is simply to remind political scientists that public policies are not neutral outcomes but rather deeply contentious objects laden with power. Doing so can help move political science away from what Paul Pierson (2015, 124) has described as a discipline “unable to detect inequalities of power,” to one that looks carefully at the ways that organized interests use public policy as a means of entrenching their political advantage for many years to come.

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POLICY FEEDBACK AS POLITICAL WEAPON APPENDIX

Below are descriptive statistics for the analysis of conservative network-backed legislation on public union strength:

Variable	Max <i>N</i>	Mean	Std. Dev.	Min.	Max.
Public Union Density	1,000	33.2	17.8	2.7	73.0
NEA Revenue/Worker	512	9.1	5.8	1.0	33.6
ALEC Model Bill Passed	1,100	0.1	0.2	0	1
Private Union Density	1,100	7.4	3.9	1.1	19.4
Democratic Veto Points	982	1.4	1.1	0	3

Below are descriptive statistics for the sample used for the analysis of conservative network-backed legislation on public employee political participation:

Variable	Max <i>N</i>	Mean	Std. Dev.	Min.	Max.
Political Participation Index	7,874	0.72	1.03	0	5
ALEC Model Bill Passed	8,636	0.05	0.21	0	1
Non-Party Political Mobilization	7,006	0.11	0.31	0	1
Government Employee	8,648	0.21	0.40	0	1
Age	8,530	42.71	12.99	0	99
Male	8,648	0.50	0.50	0	1
White	8,117	0.71	0.45	0	1
Black	8,117	0.15	0.36	0	1
Hispanic	8,648	0.13	0.34	0	1
Education	8,628	2.02	0.82	1	3
Family Income (Deciles)	7,748	5.76	2.71	1	10
Interest in Political Campaigns	8,113	2.25	0.70	1	3
Strong Partisan	8,616	0.32	0.47	0	1

The following list details all of the ALEC model bills that I identified as relating to public sector labor unions. Full model bill text is available from the Center for Media and Democracy at www.alecexposed.org/.

Civil Rights Act
Employee Secret Ballot Protection Act
Labor Peace Agreement Preemption Act
Open Contracting Act
Paycheck Protection Act
Prohibition of Negative Check-off Act
Prohibition on Compensation Deductions Act
Prohibition on Paid Union Activity (Release Time) by Public Employees Act
Public Employee Freedom Act
Public Employee Paycheck Protection Act
Public School Employee Union Release Time Act
Right to Work Act
School Collective Bargaining Agreement Sunshine Act
Union Financial Responsibility Act
Voluntary Contributions (Paycheck Protection) Act

Examining these enacted ALEC bills more closely, I find that the proposals mostly follow one of two approaches: one group of bills reforms dues collection practices, and the other group changes the requirements for contracting out public services to private firms. Both take aim at public sector unions, though in different ways. The first set of bills – often labeled as “Paycheck Protection” measures – is intended to restrict union dues from being collected through automatic payroll deductions, as is common practice, unless workers sign a form authorizing such collection each year. These bills also require unions to seek permission from each worker before they can use workers’ dues for political purposes (see Lafer 2013 for a critical history of such measures). These measures should weaken public sector unions by making it more challenging to collect funds necessary to support the union, and also by making it more difficult for unions to participate in the political process.

The second group of bills relates to state contracting practices and privatization. An important mechanism through which both public and private sector unions have maintained their strength is by introducing requirements that state governments only contract out services to unionized firms. Such provisions both raise the cost of contracting, making it less likely that state governments will delegate services to the private sector in the first place, and also ensure that if states do privatize their activities that business will flow to unionized firms. Given the importance of such provisions for the strength of the labor movement, ALEC has made contracting requirements a target for legislative action (see e.g. ALEC 1996). I expect that the repeal of contracting requirements will make it more likely that states will privatize services, weakening public sector unions as unionized state workers perform fewer of the functions of government.

Below, I append the full question text from the NES items I used as outcomes in the analysis of conservative network-backed legislation on public employee political participation:

Political participation (0-5 additive index of each item):

- *Persuade others about voting:* We would like to find out about some of the things people do to help a party or a candidate win an election. During the campaign, did you talk to any people and try to show them why they should vote for or against one of the parties or candidates?
 - Yes
 - No
- *Political meetings or events:* Did you go to any political meetings, rallies, speeches, dinners, or things like that in support of a particular candidate?
 - Yes
 - No
- *Button/sign/stickers:* Did you wear a campaign button, put a campaign sticker on your car, or place a sign in your window or in front of your house?
 - Yes
 - No
- *Work for candidates:* Did you do any (other) work for one of the parties or candidates?
 - Yes
 - No
- *Contribute to campaign:* During an election year people are often asked to make a contribution to support campaigns. Did you give money to an individual candidate running for public office?
 - Yes
 - No

Interest in electoral campaigns (1-3 scale):

- Some people don't pay much attention to political campaigns. How about you? Would you say that you have been [very much interested, somewhat interested or not much interested/ not much interested, somewhat interested or very much interested] in the political campaigns so far this year?
 - Very much interested
 - Somewhat interested
 - Not much interested

Contacted by non-party group:

- Other than someone from the two major parties, did anyone (else) call you up or come around and talk to you about supporting specific candidates in this last election?
 - Yes
 - No

Below, I present results excluding Wisconsin from the analysis and looking only at the “treated” states. The results are similar to those in the paper. OLS models; standard errors clustered by state. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

	<i>Public Union Density</i>	<i>NEA Revenue/Worker</i>
ALEC Model Bill Passed	-3.18*** (0.75)	-0.87*** (0.17)
Sample	Treated - WI	Treated - WI
State Effects	Y	Y
R-Squared	0.55	0.96
<i>N</i>	140	70

Below, I present results excluding North Dakota and Tennessee from the analysis and looking only at the “treated” states. The results are similar to those in the paper. OLS models; standard errors clustered by state. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

	<i>Public Union Density</i>	<i>NEA Revenue/Worker</i>
ALEC Model Bill Passed	-5.78* (2.35)	-1.19*** (0.25)
Sample	Treated – ND & TN	Treated - ND & TN
State Effects	Y	Y
R-Squared	0.91	0.93
<i>N</i>	120	61

Below, I present results of the eight “treated” states that leave out each state-year observation in turn to test the robustness of my findings to outliers, as well as including biennium fixed effects. OLS models. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

	<i>Public Union Density</i>		<i>NEA Revenue/Worker</i>	
ALEC Model Bill Passed	-5.05*** (0.94)	-1.63* (0.91)	-1.08*** (0.41)	-0.90** (0.44)
Sample	Treated	Treated	Treated	Treated
State Effects	Y	Y	Y	Y
Biennium Effects	N	Y	N	Y
Jackknifed Errors	Y	Y	Y	Y
R-Squared	0.90	0.91	0.94	0.95
<i>N</i>	160	16	80	80

Below, I present results of the eight “treated” states that include state-specific time trends. OLS models. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$. ‘

The results for public union density are no longer significant at conventional levels (due to a smaller coefficient and larger standard error), but I continue to find a similar effect for NEA affiliate revenue.

	<i>Public Union Density</i>	<i>NEA Revenue/Worker</i>
ALEC Model Bill Passed	-2.03 (1.56)	-1.03*** (0.24)
Sample	Treated	Treated
State Effects	Y	Y
State-Specific Time Trends	Y	Y
R-Squared	0.95	0.94
<i>N</i>	160	80

Below, I present alternative regression specifications for the analysis of conservative network-backed legislation on NEA affiliate revenue, using logged revenue instead of revenue per worker. OLS models; standard errors clustered by state. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

	<i>Logged NEA Affiliate Revenue</i>				
ALEC Model Bill Passed	-0.29*** (0.05)	-0.25*** (0.06)	-0.24*** (0.07)	-0.24*** (0.07)	-0.24*** (0.06)
Sample	All	All	All	All	Treated
State Effects	Y	Y	Y	Y	Y
Year Effects	Y	Y	Y	Y	N
Covariates	N	Y	Y	Y	N
Lagged DV	N	N	Y	N	N
Region Trends	N	N	N	Y	N
R-Squared	0.24	0.27	0.2	0.29	0.98
<i>N</i>	513	505	454	505	80

Below, I present the full regression results of the effect of conservative network-backed legislation on public employee participation using OLS models. Standard errors clustered by state. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

	<i>Participation Index (0-5 Acts)</i>			
	Government Workers	Private Workers	Government Workers	Private Workers
ALEC Model Bill Passed	-0.59** (0.25)	0.10 (0.09)	-0.64** (0.24)	0.05 (0.06)
Union Member			-0.02 (0.07)	0.07 (0.05)
Age			-0.02* (0.01)	-0.01 (0.01)
Age Squared			0.00** (0.00)	0.00** (0.00)
Male			0.07 (0.05)	0.06* (0.03)
White			0.13 (0.11)	-0.03 (0.04)
Black			0.15 (0.14)	-0.02 (0.06)
Hispanic			-0.00 (0.08)	-0.06 (0.05)
Some College			0.17** (0.07)	0.16*** (0.03)
College or More			0.21*** (0.08)	0.17*** (0.05)
Family Income (Deciles)			-0.03 (0.02)	0.02*** (0.01)
Interest in Campaigns			0.47*** (0.04)	0.41*** (0.02)
Strong Partisan			0.47*** (0.08)	0.32*** (0.03)
State Effects	Y	Y	Y	Y
Year Effects	Y	Y	Y	Y
R-Squared	0.07	0.04	0.24	0.20
N	1,651	6,213	1,393	5,190

Below, I present the full regression results of the effect of conservative network-backed legislation on public employee participation using OLS models and excluding North Dakota and Tennessee. Standard errors clustered by state. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

	<i>Participation Index (0-5 Acts)</i>			
	Government Workers	Private Workers	Government Workers	Private Workers
ALEC Model Bill Passed	-0.67** (0.28)	0.11 (0.10)	-0.67** (0.29)	0.04 (0.07)
Union Member			-0.00 (0.07)	0.06 (0.05)
Age			-0.03* (0.01)	-0.01* (0.01)
Age Squared			0.00** (0.00)	0.00** (0.00)
Male			0.07 (0.05)	0.06* (0.03)
White			0.12 (0.10)	-0.03 (0.04)
Black			0.15 (0.14)	-0.01 (0.06)
Hispanic			-0.02 (0.07)	-0.06 (0.05)
Some College			0.16** (0.07)	0.16*** (0.03)
College or More			0.22*** (0.08)	0.17*** (0.05)
Family Income (Deciles)			-0.03 (0.02)	0.02*** (0.01)
Interest in Campaigns			0.47*** (0.03)	0.41*** (0.02)
Strong Partisan			0.45*** (0.08)	0.32*** (0.03)
Sample		<i>Excludes ND & TN</i>		
State Effects	Y	Y	Y	Y
Year Effects	Y	Y	Y	Y
R-Squared	0.08	0.04	0.25	0.20
N	1,609	6,036	1,362	5,067

Below, I present the full regression results of the effect of conservative network-backed legislation on public employee participation using negative binomial models. Standard errors clustered by state. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

The substantive effects of ALEC model bill passage on political participation across the four models are: -0.59 acts ($p < 0.01$), +0.11 acts ($p = 0.22$), -0.66 acts ($p < 0.01$), and +0.02 acts ($p = 0.75$), respectively.

	<i>Participation Index (0-5 Acts)</i>			
	Government Workers	Private Workers	Government Workers	Private Workers
ALEC Model Bill Passed	-0.71*** (0.23)	0.15 (0.13)	-0.80*** (0.18)	0.03 (0.09)
Union Member			-0.03 (0.07)	0.10 (0.07)
Age			-0.02 (0.01)	-0.01 (0.01)
Age Squared			0.00** (0.00)	0.00 (0.00)
Male			0.13** (0.06)	0.10** (0.05)
White			0.19 (0.14)	-0.07 (0.06)
Black			0.27 (0.18)	-0.03 (0.08)
Hispanic			0.01 (0.11)	-0.11 (0.08)
Some College			0.25*** (0.09)	0.29*** (0.06)
College or More			0.29*** (0.09)	0.28*** (0.07)
Family Income (Deciles)			-0.03 (0.02)	0.03*** (0.01)
Interest in Campaigns			0.76*** (0.06)	0.75*** (0.04)
Strong Partisan			0.52*** (0.07)	0.39*** (0.04)
State Effects	Y	Y	Y	Y
Year Effects	Y	Y	Y	Y
<i>N</i>	1,651	6,213	1,393	5,190

Below, I present the full regression results of the effect of conservative network-backed legislation on public employee participation using OLS models, accounting for the timing of ALEC model bill legislative passage. Standard errors clustered by state. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

	<i>Participation Index (0-5 Acts)</i>	
	Government Workers	Private Workers
1-2 Elections Before	-0.11 (0.25)	-0.08 (0.13)
Year of Passage	-0.25*** (0.06)	-0.09*** (0.03)
1+ Elections After	-0.62** (0.24)	0.09 (0.09)
State Effects	Y	Y
Year Effects	Y	Y
R-Squared	0.07	0.04
<i>N</i>	1,651	6,213

Below, I present the full regression results of the effect of conservative network-backed legislation on public employee participation using OLS models with an interactive term between government employees and the passage of ALEC model bills. Standard errors clustered by state. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$. ALEC model bill passage lowered public employee participation by 0.22 acts ($p < 0.10$) in the model without individual controls and 0.22 acts ($p < 0.05$) in the model with individual controls.

	<i>Participation Index (0-5 Acts)</i>	
ALEC Model Bill Passed	-0.01 (0.04)	-0.06* (0.04)
Government Worker	0.15*** (0.04)	0.06 (0.04)
Model Bill X Government Worker	-0.21* (0.12)	-0.16 (0.10)
Union Member		0.05 (0.05)
Age		-0.01* (0.01)
Age Squared		0.00** (0.00)
Male		0.06** (0.03)
White		-0.00 (0.04)
Black		0.02 (0.06)
Hispanic		-0.05 (0.05)
Some College		0.16*** (0.03)
College or More		0.17*** (0.04)
Family Income (Deciles)		0.01* (0.01)
Interest in Campaigns		0.42*** (0.02)
Strong Partisan		0.35*** (0.03)
State Effects	Y	Y
Year Effects	Y	Y
R-Squared	0.04	0.2
N	7,864	6,583

Below, I present the full regression results of the effect of conservative network-backed legislation on public employee participation using OLS models with an interactive term between bill passage and union membership. Standard errors clustered by state. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$. ALEC model bill passage lowered public employee participation for both union and non-union members alike.

	<i>Participation Index (0-5 Acts), Government Workers</i>
ALEC Model Bill Passed	-0.67*** (0.17)
Union Member	-0.00 (0.08)
Model Bill X Union Member	0.34 (0.37)
State Effects	Y
Year Effects	Y
R-Squared	0.07
<i>N</i>	1,651

Below, I present the full regression results of the effect of conservative network-backed legislation on the political interest expressed by public employees (interest in electoral campaigns, on a 1-3 scale) using OLS models. Standard errors clustered by state. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$. The models show that ALEC model bill passage does not appreciably change the interest expressed by public employees in electoral campaigns.

	<i>Interest in Political Campaigns (1-3 Scale), Government Workers</i>	
ALEC Model Bill Passed	-0.03 (0.09)	-0.04 (0.07)
Union Member		-0.00 (0.04)
Age		0.00 (0.01)
Age Squared		0.00 (0.00)
Male		0.10** (0.04)
White		0.02 (0.07)
Black		0.08 (0.08)
Hispanic		0.02 (0.06)
Some College		0.12*** (0.04)
College or More		0.24*** (0.04)
Family Income (Deciles)		0.02* (0.01)
Strong Partisan		0.34*** (0.04)
State Effects	Y	Y
Year Effects	Y	Y
R-Squared	0.10	0.23
N	1,699	1,431

Below, I present the full regression results of the effect of conservative network-backed legislation on public employees reporting mobilization by non-party groups, like unions, using OLS models. Standard errors clustered by state. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$. The models show that ALEC model bill passage led to a lower probability of public employees, especially non-union employees, reporting non-party contact around the election.

	<i>Non-Party Mobilization (0-1)</i>	
	All Government Workers	Non-Union Government Workers
ALEC Model Bill Passed	-0.06 (0.04)	-0.09** (0.05)
State Effects	Y	Y
Year Effects	Y	Y
R-Squared	0.23	0.22
<i>N</i>	1,497	1,038