

# **Taking Money Out of Politics**

## ***A Weighty Lift***

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### **A Strategic Review of Voqal's FY2013-FY2016 Money in Politics Grants Portfolio**

Prepared by Hope Strategies

In Collaboration with Wesley Walden Consulting

May 2016

*Revised October 2017*

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## EXECUTIVE SUMMARY

### Background

The nation's campaign finance system and the laws and policies that regulate it are flawed. Oversized donations from large corporations and wealthy donors seeking influence regularly flood into elections and drown out the voices of ordinary Americans. This is not a new problem, but is a pernicious one. Exacerbated by the 2010 *Citizens United* Supreme Court decision that gave rise to unfettered political contributions, "big money" in politics jeopardizes the very foundation of American representative democracy — government of, by and for the people.

Voqal is a nonprofit that engages in, among other endeavors, philanthropic activities centered on social equity, freedom of speech and lifting the voices of underrepresented citizens. Seeing the undue influence of money in politics as a root cause of social, economic and political inequality, Voqal spent more than a year researching strategies and organizations that were already combating the problem. In early 2013, one of Voqal's boards of directors approved a multi-year, multi-faceted money-in-politics strategy, along with a commitment to evaluate the strategy at the completion of three years of grant-making.

### Evaluation Purpose and Approach

Voqal commissioned Hope Strategies, Inc. to assess the impact of Voqal's money-in-politics grant-making strategy and inform future commitments in this issue area. Hope Strategies employed the following data collection and analysis methodologies:

- Performed a review of the strategies and outcomes associated with the portfolio of 22 grants awarded (as reported by grantees).
- Examined the grantee-reported strategies and outcomes against an advocacy framework and Voqal's stated goals in this grant-making strategy.
- Developed an interview guide used to survey experts about the state of the field.
- Reviewed recent secondary research and literature and other information resources from the money-in-politics field.

It should be noted that Hope Strategies assisted Voqal in the development and initial implementation of the strategy and served in an advisory role as some of the grants were made.

### Key Findings and Conclusions

- **Portfolio Profile:** The vast majority (84 percent) of Voqal grants awarded were (c)(4) funds, meaning the grants were intended to support direct advocacy work. Nearly three-quarters (71 percent) of the funds awarded supported advocacy campaigns to bring about reform at the state and local level (i.e., in New Mexico, New York and Seattle). Voqal has supported work in 19 states from Maine to Hawaii. Voqal-funded initiatives are diverse in substance, scope and level of investment, ranging from \$25,000 for an impactful disclosure database fix to hundreds of thousands of dollars supporting campaigns for reform efforts that varied in degrees of success.
- **Collaboration:** Partnering with other funders has been at the center of Voqal's money-in-politics grant-making strategy since inception. Voqal has forged productive relationships with several entities for purposes of intelligence gathering, knowledge building and information sharing. Voqal has participated in specific, collective or complementary funding efforts with partners including:

- The Piper Fund, a grant-making collaborative dedicated to reducing the influence of money from politics and fair courts established in 1997.
  - 2021 Victory Plan, a community of reform funders established in 2015.
  - The Funders Committee on Civic Engagement's Working Group on Money in Politics.
  - The New Mexico-focused Thornburg Foundation.
- **Advocacy:** Based on the advocacy framework<sup>1</sup> adapted in this report to reflect the concentration of Voqal's investments, the strategies most heavily invested in are public awareness and education, public will building, communications and messaging, community mobilization and building advocacy capacity. Fewer investments were made in directly influencing policymakers and "influencers." Outcomes achieved by Voqal grantees correspond fairly well to these investments and include: increased public will, increased advocacy capacity, increased or improved media coverage, public mobilization for action, stronger coalitions and collaborative action among partners. These are all interim, field-building outcomes on the spectrum of change making. Policy change outcomes have been more difficult to achieve over this short timeframe studied (perhaps indicative of the heavy lift entailed in changing the status quo with regard to money in politics). Voqal could consider investing more heavily in building political will for policy change (e.g., through support of lobbying, political champion recruitment, policymaker education). There is no guarantee, however, such investments could make a difference.
  - **Victories and Progress:** Voqal investments contributed to both place-based victories and "field-building" progress, as exemplified by:
    - Public campaign finance policy wins in Seattle, Maine and Montgomery County (with Piper Fund, Every Voice and local organizations).
    - Public accountability through transparency, disclosure and ethics reform legislation in New Mexico (with Thornburg Foundation and Common Cause).
    - Empowerment of multi-racial, local communities to engage in campaign finance reform efforts in Seattle, Miami/Dade and elsewhere (through Dēmos' Inclusive Democracy Project).
    - Exposing and disrupting major arts and culture institutions' ties to the fossil fuel industry (through Not an Alternative).
    - Democratizing contribution and expenditure data in Texas, resulting in indictments of high profile public officials (through Texans for Public Justice).
    - A two-year fight in New York state that while unsuccessful at achieving the policy goal, informed and advanced understanding among the media, the public, advocates and state lawmakers (with Piper Fund and statewide advocacy organizations).
    - Increased coordination and use of research and data, both in identifying and prioritizing states and localities for reform efforts and in on-the-ground campaign design and implementation.

Not surprisingly, it is challenging to isolate Voqal's specific or unique contributions to these successes. They occur in a dynamic political environment with many players at local, state and national levels. However, recent local and state victories suggest that the "field" (comprised of

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<sup>1</sup> See the Center for Evaluation Innovation's Advocacy Strategy Framework, by Julia Coffman and Tanya Beer, March 2015. <http://www.evaluationinnovation.org/publications/advocacy-strategy-framework>

advocates and funders) has collected data, evolved and learned how to be more effective. This evaluation shows that Voqal's investments have made a difference, particularly in contributing to the passage of ballot measures in Seattle and Maine for public financing of campaigns and in strengthening the field through collaboration, coalition building, advocacy capacity building and building public will. Voqal can continue to play an important role in future money-in-politics work, specifically through its studied, strategic investment of dollars in support of direct advocacy and campaign efforts.

## Recommendations

1. **Continue commitment to this issue and collaborative approach.** This is a long-term problem and Voqal should continue to engage and invest in campaign finance, clean elections and democracy reform efforts. Momentum is building at the state and local level. This 2016 general election year will be particularly challenging (and telling) about future prospects for success. Strategic, highly collaborative and coordinated efforts as witnessed in Seattle, Maine and New Mexico appear to be paying off. Voqal has limited staff capacity and strategic collaborations lend eyes and ears on the ground in multiple places at once.
2. **Go big and bold.** Voqal should revisit its commitment to this issue and consider more targeted and focused advocacy (c)(4) investments — perhaps through more grants and/or larger grant amounts on a case-by-case basis, if it appears (as in the case of Seattle) that deeper investments can make a difference in winning.
3. **Maintain intentional focus on diversity and inclusion.** According to our research, even though Voqal is perceived as a leader and risk-taker in this regard, not enough is being done to reach and cultivate leaders and organizers within and across multi-racial, multi-generational communities. Voqal could invest more systematically in local, state and national organizations led by and serving people of color and low-income communities.
4. **Tap Voqal's extensive media and technology expertise and relationships.** Voqal has access to partners and capacity (e.g., Free Speech TV, New Media Ventures, other grantees) that could address some of the persistent challenges around expanding outreach, social media engagement, creating shared narrative and encouraging media coverage on campaign finance reform and related issues. Particularly at the local level, our sources revealed that communications capacity (including digital and social media) is sorely lacking. The infrastructure simply does not exist because resources are stretched thin to cover field-organizing priorities.
5. **Develop better measurement tools and benchmarks.** We found data for evaluation to be limited at best. Voqal prioritizes shifting the public discourse, yet it doesn't have a mechanism to identify and measure those changes as they happen. Further work (and possibly investment of resources) is needed in this area.
6. **Determine and map "winning" for Voqal.** Voqal might more easily discern and demonstrate its impact if it were clearer on the concept of what "winning" means. Further research should be conducted on the relative merits and constraints of policy change options (i.e., legislation, public referenda and ballot initiatives, regulatory rulemaking), as well as how to maximize the impact of Voqal's (c)(4) funding power.

This is an enormously complex policy realm, fraught with the reality of trying to shift power from those who wield it in the form of money, to those whose voices are crying to be heard in the name of justice and equality. Momentum is palpable — particularly compared to where we stood three years ago. Without question, based on the results of certain grants, its robust partnerships with allies and as reported by our interviewees, Voqal is helping the field move the ball forward.

The report that follows presents data, case studies and information to make a case for these recommendations.

## INTRODUCTION

In 2013, Voqal developed and embarked upon a three-year strategy focused on reducing the influence of money in politics (“MiP strategy”). Deeply concerned by the deleterious effects of the *Citizens United* Supreme Court Decision of 2010, one of Voqal’s board of directors’ stated goal was **“to effectively intervene in the struggle to reduce corporate power in society and politics. We seek to achieve a full (or partial) restoration of rights of the people to the people themselves and a reduction or dissolution of those same rights currently enjoyed by corporations and other moneyed interests.”**

At the time the MiP Strategy was approved, the board committed to commission an evaluation following the first three years of implementation to assess its impact and determine its desire to continue funding in this area, modify the strategy or change direction. Subsequently, the board appropriated a fourth year of funding in support of this strategy in FY2016. Thus, this evaluation covers four years of grant-making.

The purpose of this evaluation is to:

- Illuminate the aggregated impact of the grants made between FY2013 and FY2016.
- Provide recommendations for consideration by the Voqal board to inform its FY2017 grant-making and beyond.

Findings are summarized in the following sections with supporting data included as case studies, exhibits and appendices. First, we present background, summary data and geographic reach of this grant portfolio. We offer data and tools analyzing the grants portfolio and a short discussion about “winning” advocacy battles as relates to these grants. Then we provide synthesized insights regarding the current state of the field, challenges and future opportunities based on conversations with select experts (see [Exhibit A](#) for a list of those interviewed).

Taking all data and analysis into consideration we conclude by offering recommendations for Voqal’s future money-in-politics investments.

### Methodology

The following data collection activities informed this evaluation:

- Review of Voqal’s money-in-politics grants awarded FY2013-FY2016.
- In-depth interviews with seven experts, including national and state advocates and funders.
- Literature review and research including recent assessments of opportunities for state and local victories and a third-party evaluation of the campaigns waged in support of the 2015 Maine and Seattle ballot initiatives.
- Participation in the Piper Fund Grants Committee Meeting, April 2016.

## VOQAL’S IMPULSE TO GET MONEY OUT OF POLITICS

### Background

In 2012, a committee of three board members (James Traynor, Garlin Gilchrist II and Thom Hartmann) researched the literature in the field and ongoing attempts to reverse the Supreme Court’s 2010 *Citizens United* decision. Voqal President John Schwartz and Advisor Hollis Hope

then used their findings as a springboard to discover what peer donors were doing to reduce corporate influence in politics. In the process of this research, Voqal learned about and became engaged in the Piper Fund, a donor collaborative that has been funding this issue since 1997. Based on its findings, Voqal was inclined to commit substantial resources to reduce corporate influence and increase the say of ordinary individuals in democracy. Piper offered an opportunity to stand shoulder to shoulder with other institutional and individual donors and potentially increase the impact of its finite resources with those of other funders.

This collaborative approach became a cornerstone of Voqal's MiP strategy. Acknowledging the complexity of this intractable problem and the reality of a powerful *status quo* hostile to changing the rules of the game, on February 13, 2013, the Voqal board agreed to a) engage deeply and stay informed on the issue; b) invest a significant portion of its funding over the next few years; and c) establish short and long-term goals, such as win a state campaign finance reform victory.

Specifically, the board approved four actions to support the strategy in FY2013 and beyond, which included:

- 1) Broadening the language of its philanthropic mission statement consistent with the new focus area implied by the MiP strategy.
- 2) Approval of two grants totaling \$400,000 (a grant of \$50,000 to Piper Fund and \$350,000 to support campaign finance reform in New York State).
- 3) Authorization of a pool of \$300,000 (later increased to \$465,100) to support an open call in FY2013 designed to build and expand capacity in the new/social media arenas to support getting money out of politics.
- 4) Authorization of a three-year funding commitment of approximately \$700,000 per year on the condition that specific requests and recommendations for funding appropriations would be brought back to the board each fiscal year for consideration and approval.

Since that time, the board approved 23 grants totaling \$1,915,100 in FY2013-FY2016<sup>2</sup> to advance this work. The results of 22 of these grants are described below.

### Overview of Voqal's "Money in Politics" Grants Portfolio

To ground this work, we created a snapshot of each of the 22 grants reviewed that briefly summarizes outcomes and lessons learned. These snapshots are included for reference as [Exhibit B](#). A sampling of news clips from these grants is included as [Appendix I](#). The table below in Figure 1 lists the 22 grants analyzed under the board-approved strategy between April 1, 2013 and March 31, 2016, listed in alphabetical order by the grantee-organization.

The board allocated up to approximately \$700,000 each year over three years for this effort, contingent upon specific proposals and annual appropriations and it granted a total of less than \$2 million over a period of four years (FY2013-FY2016). Nine grants (shaded in green below) totaling \$465,100 were awarded as part of the open call issued by Voqal and 13 were awarded in response to invitations by Voqal to submit proposals.

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<sup>2</sup>Note: Hope Strategies, Inc., reviewed 22 grants totaling \$1,840,100 because a \$75,000 Voqal grant to Common Cause for New Mexico municipal campaigns awarded in October 2015 is too recent for results to be considered in this analysis.

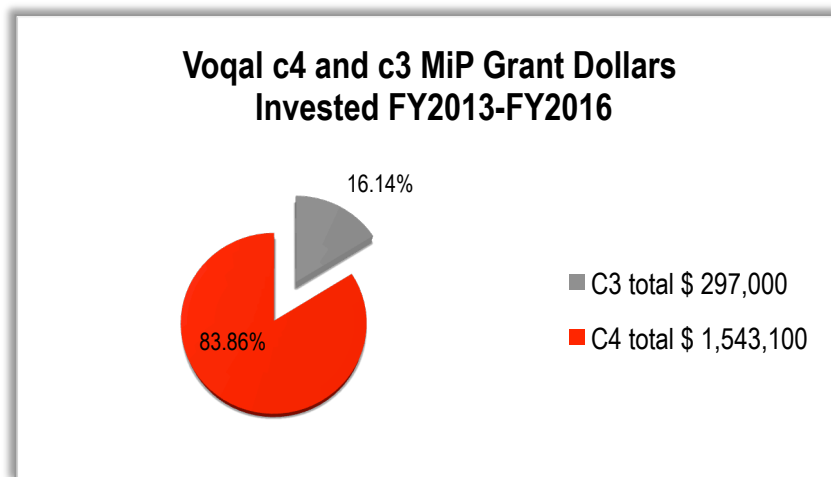
Figure 1. Summary Table of Voqal's Money-in-Politics Grants Portfolio.

22 Voqal Money in Politics Grants Awarded FY2013-FY2016*			
Organization Name	Project Name	Decision Date	Amount Awarded
Common Cause	MP: New Mexico Pledge	2/9/2015	\$180,000
Common Cause EF / Common Cause Hawaii	Civic*CELERATOR	9/3/2013	\$52,000
Democracy Initiative	MP: Democracy Initiative (FS)	2/10/2015	\$50,000
Every Voice	Honest Elections Seattle Media Push	10/26/2015	\$50,000
Foundation for National Progress/Mother Jones	Dark Money and the Courts	9/3/2013	\$50,000
International Media Project/ Making Contact	What the Fork? How Corporations are Controlling our Food and our Democracy	9/3/2013	\$35,000
Media Mobilizing Project	#PhillyEducation is #UnderAttack	3/31/2014	\$40,000
National People's Action Campaign	Building an Online State-Campaign Around the Corrupting Influence of Money in Kansas Politics	10/9/2013	\$88,000
New Mexico Foundation for Open Government	MP: New Mexico Lobbying Transparency Project	2/3/2015	\$20,000
New Organizing Institute	Digital Campaigning Bootcamp for Campaign Finance Organizers	9/3/2013	\$75,000
Not An Alternative	The Natural History Museum	10/2/2013	\$50,000
Proteus Action League	Public Financing in Seattle and Beyond: Building Inclusive Democracy in WA State	9/8/2015	\$175,000
Proteus Action League	Piper Fund Core Funding FY2015	2/10/2015	\$50,000
Proteus Action League	Demos Public Mobilization Project	2/10/2015	\$50,000
Proteus Action League	Winning State Campaigns	2/10/2015	\$75,000
Proteus Action League	Piper Fund Core Support FY2014	3/25/2014	\$50,000
Proteus Action League	Fair Elections New York Campaign	3/12/2014	\$250,000
Proteus Action League	Research by M+R Strategic Services	2/10/2014	\$25,000
Proteus Action League	Creating a System of Public Financing in New York State	2/28/2013	\$350,000
Proteus Action League	Piper Fund Core Support FY2013	2/13/2013	\$50,000
Roosevelt Institute	The Tools for Change: A Millennial Movement To Reclaim Democracy	3/27/2014	\$50,000
Texans for Public Justice	General Support for Data Project	3/21/2014	\$25,100
	<b>TOTAL INVESTMENT</b>		<b>\$1,840,100</b>

\*Green shading indicates grants made in response to an open call as part of the MiP strategy.

The pie chart below (Fig. 2) shows at a glance the distribution of 501(c)(4)-funded grants compared to 501(c)(3) grants awarded (see [Exhibit C](#) for a list of grants by tax status). The majority of grants were intended to support direct advocacy work in support of public policy and campaign finance reforms, consistent with the board’s capacity and prioritizing of such efforts.

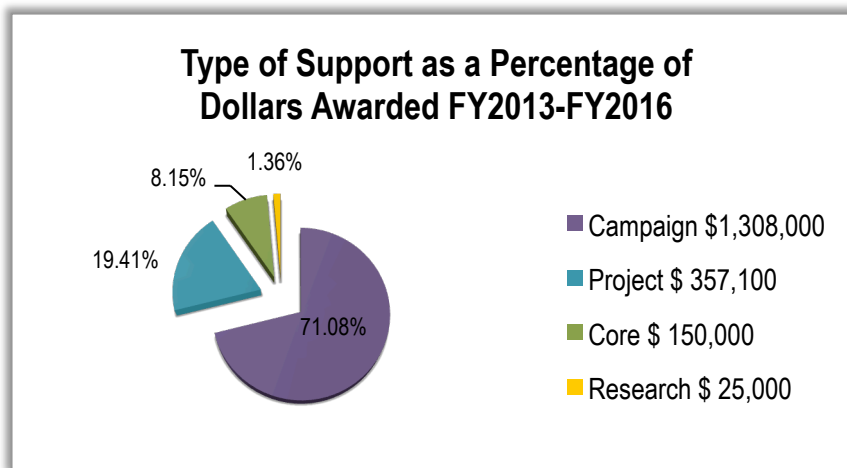
**Figure 2. Pie Chart Illustrating 501(c)(4) and 501(c)(3) Distribution of Grant Funds.**



The chart below (Fig. 3) shows the types of activities supported by Voqal (see [Exhibit D](#) for a list of grants by category that comprises this chart.)

Again, this data appears to be consistent with the board’s intent under the MiP Strategy: nearly three-quarters (71 percent) of all Voqal’s dollars appropriated were invested in support of advocacy *campaigns* to bring about reform at the state and local level (e.g., public financing initiatives in New York and Seattle).

**Figure 3. Pie Chart Illustrating Distribution of Grant Funds by Broad Categories of Activities.**



A fifth (19 percent) of the dollars funded *projects* with specific deliverables excluding campaign work (e.g., digital communications and databases to improve transparency, disclosure and accountability). Less than 10 percent of the grants were *core support* grants (mostly to Proteus Action League, the Piper Fund's advocacy arm) that did not specify deliverables but in many cases were used to support specific state and local reform efforts. One grant funded *research* commissioned by the Piper Fund to inform state and local strategies by analyzing specific state and local opportunities and “readiness” for reform.

### Campaign Finance Reform—A Brief History

*There has been a steady unraveling of campaign finance laws in the past decade. But, this is also nothing new. Ambrose Bierce defined "politics" in the late 19th century as "A strife of interests masquerading as a contest of principles." Campaign finance reformers would probably describe it in the exact same terms today.*  
—The Washington Post, April 3, 2014

To put this complex policy area in context, consider the rich tradition and history enveloping campaign finance reform. Following the Supreme Court's *McCutcheon vs. FEC* decision to eliminate aggregate campaign contributions, *The Washington Post* published a timeline documenting reform efforts in the United States. It dates back to 1757 when George Washington lost a statewide election in Virginia. In his next election, Washington purchased “punch and hard cider” for his supporters. He won. Immediately thereafter, the state legislature “passed a law prohibiting candidates ‘or any persons on their behalf’ from giving voters ‘money, meat, drink, entertainment or provision or ... any present, gift, reward or entertainment etc. in order to be elected.’”

In 1905, President Theodore Roosevelt successfully advocated for a law banning corporate contributions to federal political candidates. But it lacked teeth because there was no enforcement mechanism. Thereafter, a series of laws passed between 1907-1966 and subsequent amendments and Supreme Court decisions laid the foundation for today's flawed campaign finance regulatory system

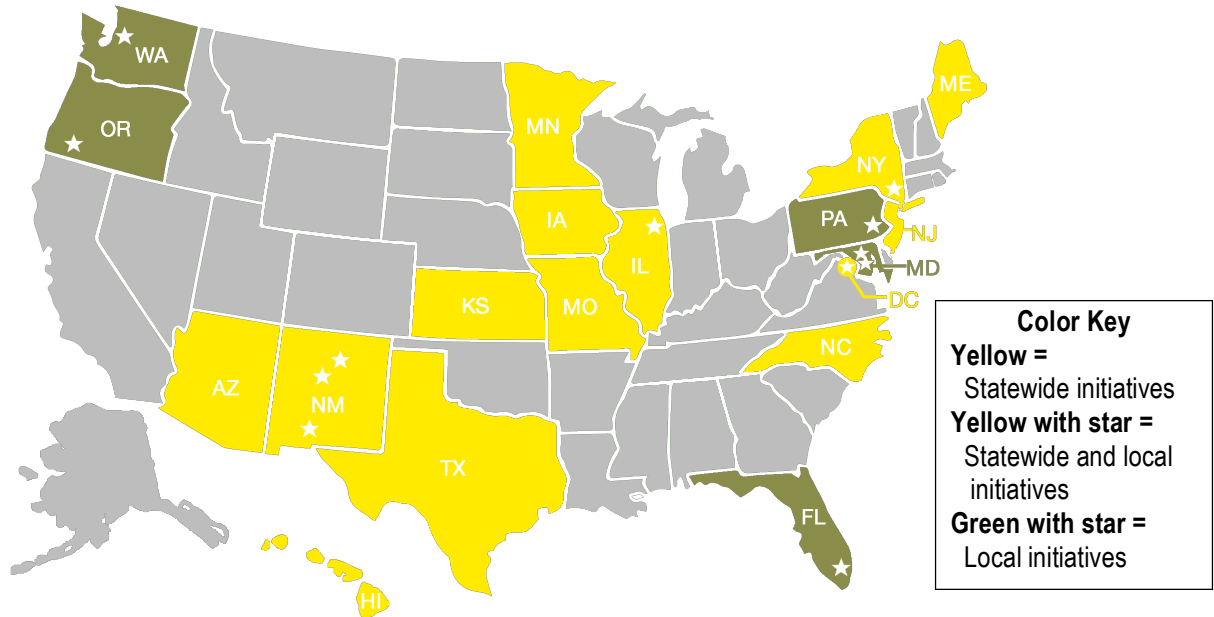
For more information, see <https://www.washingtonpost.com/news/the-fix/wp/2014/04/03/a-history-of-campaign-finance-reform-from-george-washington-to-shaun-mccutcheon/>. See also Public Citizen's take on the storied history of this movement: <https://www.citizen.org/sites/default/files/short-history-of-public-financing-of-elections.pdf>.

As illustrated by the map below (Fig. 4), Voqal has supported work in 19 states. Some grants have been to support statewide efforts, such as Maine and New York and other grants have supported reforms or related work at the city and county level, such as Seattle, Washington, and Howard and Montgomery counties in Maryland. The table below the map indicates which grants supported work in which state and summarizes the main progress or outcomes achieved (wins and losses).

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Figure 4. Map of the U.S. and Table Illustrating Geographic Loci of Voqal-funded Activity.

## Mapping Voqal's Geographic Reach



State or Local Effort	Voqal Grantee	Win, Loss or Outcome
Arizona	Proteus Action Fund	Defeated regressive legislation
Florida (Miami/Dade Cty)	Dēmos (Proteus Action Fund)	Strengthened grassroots ability to lead and win
Hawaii	Proteus Action Fund, Common Cause Education Fund, International Media Project	Lobbying and communications in support of campaign finance reform; Promoted successful local ordinance campaign to regulate the use of pesticides and genetically engineered crops in food production.
Illinois (Chicago)	Roosevelt Institute, Dēmos (Proteus Action Fund)	Introduced CrowdTangle to help millennials track online MiP conversations; Strengthened grassroots ability to lead and win
Iowa	Proteus Action Fund	Raised candidate awareness of MiP platform prior to IA caucuses
Kansas	National People's Action Campaign	<b>Lost effort to unseat Sec of State Kris Kobach</b> over his anti-immigration and pro-private prison policies
Maine	Democracy Initiative, Proteus Action Fund	<b>Won Ballot Initiative #1 to Strengthen ME Clean Elections Act</b>
Minnesota	Dēmos (Proteus Action Fund)	Strengthened grassroots ability to lead and win
Maryland (Howard, Montgomery Co.)	Democracy Initiative, Proteus Action Fund	<b>Passed campaign finance reform in Montgomery County</b> ; Introduced in Howard Cty and goes to the ballot in November
Missouri	Dēmos (Proteus Action Fund)	Strengthened grassroots ability to lead and win
New Jersey	Dēmos (Proteus Action Fund)	Strengthened grassroots ability to lead and win
New Mexico (Las Cruces, Albuquerque, Santa Fe)	Common Cause, New Mexico Foundation for Open Government	<b>Passed two legislative bills providing transparency and disclosure</b>
New York	Proteus Action Fund, Not An Alternative	<b>David Koch resigned under pressure from American Museum of Natural History; Lost two attempts to enact Fair Elections legislation statewide</b>
North Carolina	Proteus Action Fund	Lobbied for House bills promoting public campaign financing and expenditure disclosure
Oregon (Jackson County)	International Media Project	Promoted successful ballot initiative campaign banning GMOs
Pennsylvania (Philadelphia)	Media Mobilizing Project	Created and led vocal community coalition to restore public school financing.
Texas	Texans for Public Justice	Created transparency/accountability database that has <b>aided in indictments</b> against former Gov Rick Perry and TX Attorney Gen'l Ken Paxton
Washington (Seattle)	Every Voice, Win Win, Proteus Action Fund, WaCAN!	<b>Won Ballot Initiative 122 Honest Elections Seattle</b>
Washington, DC	Dēmos (Proteus Action Fund)	Strengthened grassroots ability to lead and win

## STRATEGY, OUTCOMES AND IMPACT

It is difficult to isolate Voqal's specific or unique contributions to progress on the policy change front. When looking at this map and the list of wins, losses and other progress achieved, it is important to remember that advocacy occurs in a complex political environment with many actors (e.g., advocates, funders, policymakers), all trying to move policy in one direction or another simultaneously. Ballot box or legislative chambers' wins and losses are points along a journey or continuum of advocacy work necessary to create policy change. Seldom is this path a straight, continuous line from point A to point B.

Voqal has chosen to identify and partner with allies such as the Piper Fund and the Thornburg Foundation in New Mexico. Working in unison and leveraging resources in support of common goals increases the likelihood for success *and* amplifies the voices of the organizations Voqal supports as part of a collective. The important milestones and interim outcomes that have been achieved and Voqal's geographic reach illustrate the impact of Voqal's dollars, supporting statewide, regional and local policy change efforts from coast to coast.

Additionally, the Voqal-funded initiatives vary in substance, scope and expense, which further muddies attempts to establish specific causality and pinpoint Voqal's contribution. For example, a \$25,000 grant to Texans for Public Justice to implement a technology advancement has had a profound impact on this watchdog organization's ability to hold public officials accountable, greatly enhancing its capacity and tools with which to communicate to the media and that in turn has increased the organization's influence in the public policy arena. On the other hand, hundreds of thousands of dollars in New York state to effect a legislative change for Fair Elections and campaign finance reform did not produce the intended policy result, even though some important positive side effects resulted from the unsuccessful legislative reform fight at the State Capitol. (See page 28 for a brief [case study](#) on the New York Fair Elections campaign.)

### An Advocacy Strategy Primer

To understand the impact of Voqal's MiP Strategy grant-making, we used the same analytic tool that we introduced as part of the evaluation of Voqal's Democracy Alliance grant-making:<sup>3</sup> the Advocacy Strategy Framework developed by Julia Coffman and Tanya Beer of the Center for Evaluation Innovation (CEI).<sup>4</sup> This is a tool that can place Voqal's grant-making in a broader context of public policy change making.

This framework was chosen because it is audience-focused, facilitates thinking about the collaborative nature of advocacy work and can help track progress along a continuum. The matrix illustrates how strategies and tactics relate to one another and helps to identify meaningful interim outcomes that are prerequisites for longer-term shifts in public and corporate

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<sup>3</sup> "Voqal and the Democracy Alliance: Partnering for Media and Technology," Hope Strategies, February 2016.

<sup>4</sup> See "The Advocacy Strategy Framework: A tool for articulating an advocacy theory of change." Available at <http://www.evaluationinnovation.org/publications/recent-publications>. See also "An introduction to theory of change." Available at <http://www.hfrp.org/evaluation/the-evaluation-exchange/issue-archive/evaluation-methodology/an-introduction-to-theory-of-change>. See also pages 1-3 and 26-27 in "Pathways for Change: 10 Theories to Inform Advocacy and Policy Change Efforts", by Sarah Stachowiak. Available at <http://www.evaluationinnovation.org/sites/default/files/Pathways%20for%20Change.pdf>.

policy. It provides a framework for thinking about who needs to be reached and what advocates want to accomplish with each audience to further the policy goal.

The framework's X-axis, "audiences," refers to the individuals and groups who are the key players in the policy process targeted by advocacy efforts: the public (or particular segments of it); influencers (e.g., media, advocates, community and business leaders, political advisors, thought leaders); and decision makers (e.g., elected officials, government administrators, the courts, etc.). The Y-axis, "changes," refers to the results an advocacy effort aims for in pursuit of a policy or behavior change goal, i.e., moving targeted audiences along a continuum of engagement from basic awareness (through education and knowledge sharing), to a willingness to act, to action (e.g., signing a petition, participating in a demonstration, publishing an op-ed).

This framework was used to analyze the 22 grants in this portfolio and visually map activities carried out by Voqal's grantees. Using the narrative grant applications and reports received from grantees and the definitions of advocacy tactics provided by Coffman and Beer, we noted the tactics employed by each grant. We then calculated the total grant award (amount funded) associated with each tactic to yield a weighted relative investment in each tactic.<sup>5</sup> (See [Exhibit E](#) for definitions of tactics and a chart of relative investments in each tactic.)

### **Voqal's MiP Grantees' Advocacy Strategies**

Many factors influence a grantee's choice of tactics, including funding, the nature of the project funded and the "ripeness" or maturity of both the campaign and target community. We refer to the graphic in Figure 5 as a "heat map" that offers a visual illustration of where the greatest concentration of effort has been exerted in pursuit of the goal of reducing the influence of money in politics using grant dollars to create a weighted relative investment. Thus, we see that the greatest concentration of effort was in the left-hand side of the grid, with tactics aimed at educating the *public* and *influencers*, raising public awareness, building or increasing advocacy capacity, deploying communications, building public will and mobilizing for action. Relatively few grantees were directly engaging *decision-makers*.

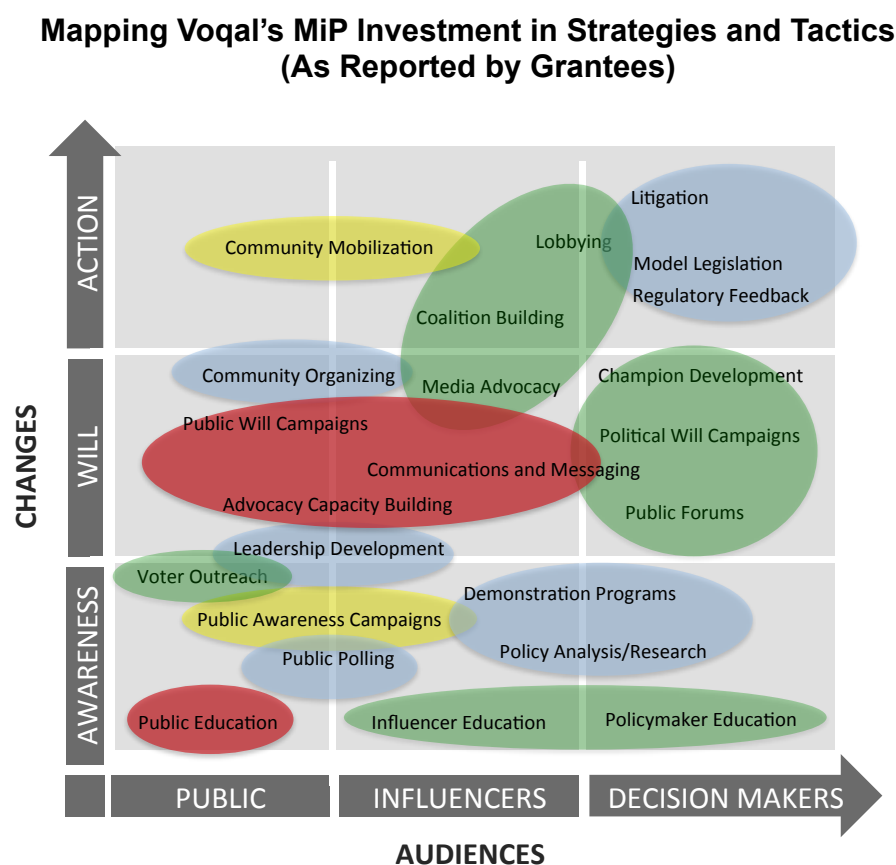
Given Voqal's broader funding priorities and the state of the money-in-politics field, it is not surprising that the tactical emphasis of its grantees has been on communications, building public will, advocacy capacity, coalition building and mobilization. However, in light of a) Voqal's unique ability to invest without restriction in direct advocacy activities and b) that the vast majority of funds awarded were (c)(4) grants, the board might want to consider this list of strategies and tactics and think about whether or not its funds are being deployed to their highest and best use. For example, should Voqal be investing more heavily in voter outreach, lobbying and building political will or other forms of direct advocacy work?

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<sup>5</sup> Note most grants include multiple strategies and tactics. Insufficient data exists to break down each grant by dollars or percentage invested in different tactics.

Figure 5. Voqal's Money-in-Politics Grantees' Strategies Plotted in the Advocacy Strategy Framework.



**Color Key Relative to Total Investment**

<p>Red = Highest \$ concentration (&gt;81%)</p> <p>Green = Low to medium \$ concentration (41-70%)</p>	<p>Yellow = Medium to high \$ concentration (71-80%)</p> <p>Blue = Lowest \$ concentration (&lt;40%)</p>
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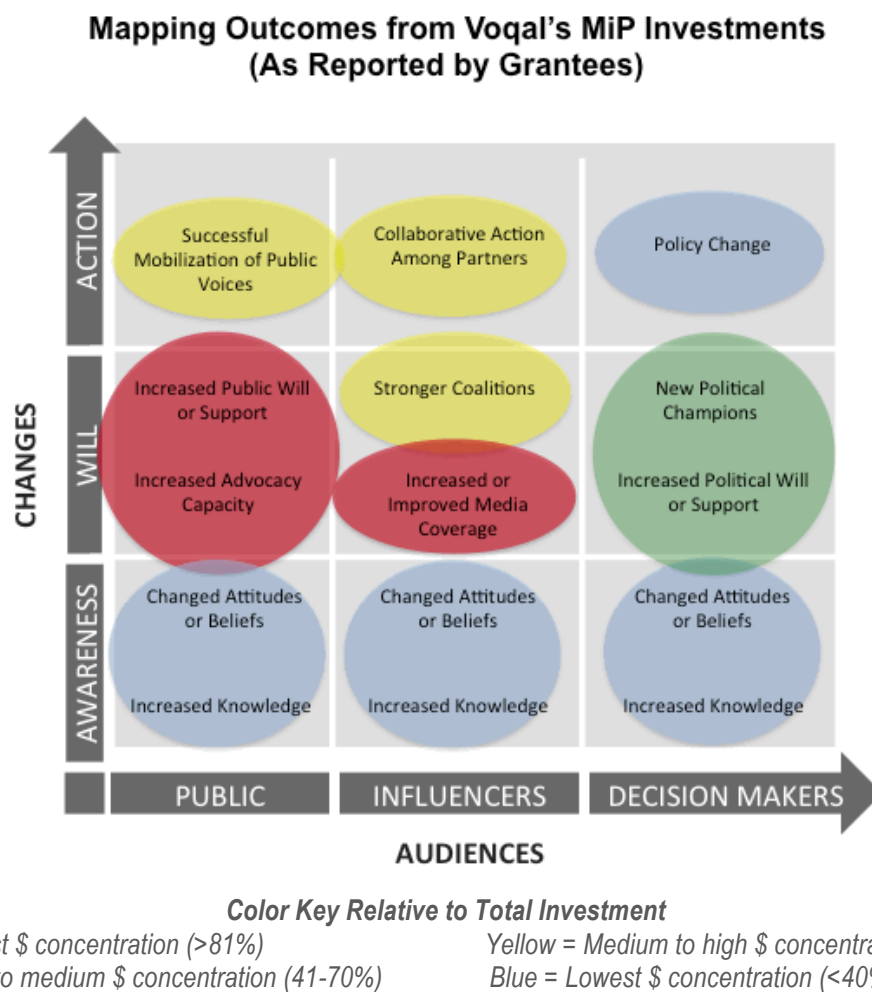
### Interim Outcomes from Voqal's MiP Investments

Figure 6 below displays the framework again, but this time with aggregated interim *outcomes* or changes arrayed in the grid. (See [Exhibit F](#) for definitions of each outcome and a chart of outcomes by relative investment.) Based on the self-reported outcomes received from grantees and using the same methodology described above, we plotted what has been accomplished as a result of Voqal's investments.

Thus, this second "heat map" is intended to illustrate where Voqal grantees have had the most success. The red and yellow circles are the "hottest" areas, in the upper left-hand corner of the matrix – consistent with the tactics employed (as shown in Fig. 5). While Voqal grantees did achieve policy wins (i.e., Seattle, Maine, New Mexico), Voqal's investments were relatively modest compared to the total investment over the last four years of nearly \$2 million. As we analyzed the data, we noticed that there is little evidence of changed attitudes and beliefs. We recognize that this is difficult to measure unless polling or focus groups or some specific research to garner this data is conducted before and after a strategy is deployed. Thus, for many of the grants, we cannot indicate whether and to what extent public opinion was affected.

Anecdotally we are told, for example, that deep canvassing in targeted Seattle neighborhoods had a big effect on voter turnout – the victory itself is direct evidence of will and action at the voting booth, as illustrated by maps analyzing voter turnout by neighborhood shared by the Piper Fund (see [Exhibit G](#)). However, we had a difficult time detecting *changes* in attitudes and beliefs since they were not measured and recorded before and after the intervention.

Figure 6. Voqal Grants' Interim Outcomes Plotted on the Advocacy Strategy Framework.



What Figure 6 above suggests is that Voqal funds have contributed most to greater public will, advocacy capacity, media coverage, stronger advocacy coalitions and mobilization for action. To a lesser extent Voqal's funding has contributed to increased political will and development of political champions. Still less resulted in actual policy change, changed beliefs and increased knowledge. As noted above, changes in attitudes and beliefs are hard to quantify and the actual policy change is difficult to accomplish in a short period of time – many of the other outcomes are considered to be necessary steps to victory, hence the label “interim outcomes.”

The fact that there have been some wins and policy shifts is promising. If Voqal wants to see more policy wins sooner, it could consider investing more heavily on the right (directionally speaking, reader's right) side of the framework, that is, strategies aimed at directly influencing decision-makers. Because Voqal is just one actor there is of course no guarantee such

investments would pay off. On the other hand, strategic coordination with other grant-makers could point to opportunities where Voqal could make a more concerted effort to complement or leverage the investments of other funders in (c)(3) activities and direct more of its funding to direct advocacy tactics in pursuit of specific policy wins. Local and national experts predicted that the climate was ripe for change in each campaign in which Voqal invested. While Voqal's substantial investments in direct advocacy work contributed to some policy wins, policy change was not achieved in New York.

In sum, Voqal's grants (direct and through the Piper Fund) have served both to help secure specific victories in certain places and to *advance the field* by producing proof of concept and lessons from which to learn, as evidenced by successful returns on investments in:

- Ballot initiative campaigns bringing public financing to Seattle elections and important "fixes" to Maine's Clean Elections law.
- Transparency, disclosure and ethics reform measures in New Mexico, aimed at educating and engaging the public to condition the climate for future, broader campaign finance reforms.
- Dēmos' experimental Inclusive Democracy Project that helps to empower state and local justice advocates and engage them in campaign finance reform efforts by making the case for how reform can help build voice and political influence for working class people and people of color.
- Not An Alternative's high profile campaign urging the American Museum of Natural History to cut its ties to fossil fuels.
- Demanding accountability through a Texas watchdog organization's transparency database.
- A two-year battle in New York that, while ultimately unsuccessful, did much to elevate and advance the issue with the media, the public and in the state's legislative and executive chambers.

Some of this impact is attributable to learning and evolution of the sector or field as a whole – more experience and better data exists with which to both identify and execute winning strategies. It also helps Voqal to have a focused strategy with engaged board members making informed decisions and a skilled program officer bringing smart recommendations forward.

In terms of Voqal's overarching goal to reduce corporate power and restore democratic processes to ordinary Americans, as noted above, one has to look at the interim outcomes to determine whether progress is being made sufficiently fast toward that goal. The problem of big money in politics will not be solved overnight and Voqal is just one in a constellation of funders, legal experts and advocates working on both sides of this issue.

The fundamental questions for Voqal are: Is the strategy on track? Has it accomplished what it hoped to with these investments? Where has it fallen short of expectations? What adjustments or modifications could be made and what outcomes or shifts in the heat maps above would the board like to see? A discussion of these considerations follows.

## **EVALUATION FINDINGS FROM THE GRANTS PORTFOLIO**

### **Goals Largely Met**

Voqal's board has identified the following objectives (in bold below) associated with its MiP funding strategy. Here we assess progress against each objective, based on grants data,

interview experts and secondary data sources.

- 1. To become and stay knowledgeable and deeply engaged on issues related to reducing corporate power and restoring a functioning democracy (“Government of the people, by the people and for the people, shall not perish from this Earth.” – Abraham Lincoln).**

Since 2013, Voqal has been actively engaged in the national sector and increasingly involved with state and local grassroots organizations – within the limits of its staffing capacity. Partnering with Piper and the 2021 Victory Plan gives Voqal timely, streamlined information and insights into multiple places and strategies at once and this adds to our own capacity and is a tangible benefit of participating in a donor collaborative. It has also engendered new relationships with other funders, such as the Thornburg Foundation, where Voqal was able to make a strategic, coordinated investment that complemented Thornburg’s suite of ongoing (c)(3) efforts in New Mexico. Representatives from Thornburg, Every Voice, Citizen Action New York and Common Cause repeatedly have stated that Voqal’s (c)(4) contributions to their work in Seattle, New Mexico and New York were critical. Each of these relationships was forged directly as a result of joining the Piper Fund funding collaborative. This deep engagement combined with Kathy Partridge’s expert due diligence and experience in movement building, has allowed Voqal’s money-in-politics funding approach to become more strategic and focused in the last few years.

- 2. Engage with funders and identify areas to complement and leverage existing strategies and funding streams.**

The majority of Voqal grants (19 of 22) in this portfolio represent joint efforts among two or more funders. Again, particularly as a result of Piper Fund connections, Voqal has forged excellent relationships with other like-minded, values-aligned donors and institutional funders. Program officers and advisors have identified a gap in coordination specifically with other (c)(4) funders around advocacy strategies and available resources. Many funders and affinity groups are wary of staging such conversations as a part of conferences and gatherings focused on (c)(3) philanthropic activity. Other than state donor tables, which vary by state in strength and effectiveness, there are few spaces nationally or locally where professionals pursuing mutual and complementary *advocacy* goals can gather to exchange ideas, objectives, information, opportunities and lessons learned. Conversations among representatives of (c)(4) funding institutions have begun and point to the possibility of convening such a forum. This could be an opportunity for Voqal to assert leadership in identifying needs, common objectives and charting a course for future collaboration.

- 3. Win state campaign finance reforms.**

With regard to winning reforms, as noted above in Fig. 4 (on page 10), Voqal funding contributed directly to securing five campaign finance or disclosure policy victories in Maine, Seattle, Montgomery County and New Mexico (where two legislative bills were passed). In addition, billionaire David Koch resigned from the American Museum of Natural History’s board after more than 150 scientists and museum administrators called for his dismissal because of his business ties to the fossil fuel industry and being a vocal climate change denier. Voqal was an early investor in this clever, scrappy campaign through its open call process. In Texas, data from the statewide transparency, disclosure

and accountability database that would not have been implemented but for Voqal's investment led to gathering evidence for criminal indictments and ethics complaints against public officials.

**4. Invest in New Media tactics to empower citizens, reduce the political power of big donors and encourage full participation in the political process.**

Voqal pursued its "new media tactics" objective primarily by issuing an open call (discussed on p.6 above). The response to Voqal's open call, while ample in volume and number of applications, revealed a dearth of new media initiatives directly tied to this issue – and yet 15 of the 22 grants awarded included a new media component to their strategies. Applicants' proposals suggested a disconnect between organizers on the ground and the skills needed to run powerful social media campaigns to augment field efforts. The reports reviewed and interviews conducted for this study validate our hypothesis that strategies (and most likely funding, according to some) are insufficient to mount effective digital media campaigns to advance this issue. Voqal has a critical role to play here to begin to close that gap – with its technical expertise, funding priorities and its extensive network of media and technology experts.

**5. Broadening the movement through diversity and inclusion was added as a priority goal in recent funding cycles.**

Nine of the 22 grants awarded included tactics to make this movement more inclusive. Certainly in Seattle (see [case study](#) on p. 30), the work of Dēmos, Washington CAN!, One America and others demonstrates that it is time to check assumptions and rewrite the rules about how campaign finance reform might be used to advance economic and racial justice reforms. Voqal's willingness to work closely with the Piper Fund and other funders as the local dynamics came to the fore allowed these organizations to be full partners in the strategy formation. This is a winning model that can be replicated elsewhere as cities with large concentrations of poverty, low-income neighborhoods and people of color begin to see openings and make plans for policy reforms that will strengthen their abilities to participate in elections and other mechanics of democracy.

**Mixed Results from Voqal's Money-in-Politics Open Call (Subset of MiP Grants Portfolio)**

In June 2013 Voqal issued an open call for proposals with stated goals and objectives as follows:

*To intervene and reduce the influence of moneyed interests on America's civic arenas, including fair governance, courts and electoral politics. ...Voqal seeks letters of intent for projects from information providers, technologists and digital strategists working to mitigate the influence of corporate cash on American democracy. Voqal seeks to achieve **policy objectives** including, but not limited to, campaign finance reform, voter registration modernization and the broader fight against the influence of money on politics. We seek to **inform everyday citizens** with accurate, **actionable stories and facts**. We aim to **spur action and support transformational, technology-driven community organizing**. We encourage **collaboration**, especially if that collaboration will result in **increased engagement** of the citizenry. We anticipate funding projects that can be **replicated in many communities** and/or initiatives that demonstrate the **effective use of smart technology** [emphasis added]."*

Voqal also wanted to surface prospective grantees and projects that otherwise may have gone unnoticed. Voqal received more than 70 letters of intent requesting more than \$5.1 million from a wide variety of media outlets, policy groups and advocacy organizations. Proposals covered a broad swath of topical territory and aimed at reaching a variety of demographic groups. At the time Voqal noted that, “the breadth of LOIs illuminated a landscape in which the influence of big money on our political system is far-reaching – shaping everything from education, immigration reform and environmental stewardship to prison systems, defense budgets, agriculture and food systems.” Ultimately, Voqal approved nine grants as a result of the open call.

For purposes of this study, we evaluated these nine grants on three dimensions: the outcomes of each individual grant; the aggregated grant outcomes of the open-call “cohort” of grants; and the outcomes aggregated as part of the overall Voqal MiP portfolio.

- 1) **Outcomes from Individual Open-Call Grants.** From this narrow perspective the grants accomplished the stated objectives of the open call. Nearly all of the stated open-call criteria were met by each grant, though some had better results and greater impact than others. For example, Not An Alternative used successful, guerrilla-like tactics to infiltrate the science and museum communities to expose an American Museum of Natural History Trustee’s conflicted interest in the fossil fuel industry and he ultimately resigned in January 2016. International Media Project’s spotlight on corporate influence over food production contributed to county-level bans of GMOs in Hawaii and Oregon. Outcomes from other grants were less compelling or harder to measure and document, such as the unsuccessful attempt to unseat a Kansas public official and New Organizing Institute’s digital training for campaign finance reformers. (See [Exhibit H](#) for short summary of the outcomes and [Appendix I](#) for sample news clips from this subset of the portfolio.)
- 2) **Outcomes of Open-Call Cohort.** Viewed in the aggregate as a subset of the larger MiP grants portfolio, it is less clear what was accomplished. If the intent was to test or dabble at the edges of MiP work, expanding into issue areas like corporate control of food production (e.g., International Media Project) or creative, “guerrilla-style” activism (e.g., Not an Alternative), suggests that was achieved. However, the overall effect appears to be a smattering of unrelated investments rather than a cohesive set of grants in service of similar objectives. Some of the grants leveraged other financial resources, yet others were stand-alone projects, designed in response to Voqal’s RFP. Six grants were awarded as (c)(3) grants and three were (c)(4) grants. In the case of the (c)(4) funding, it is not clear that these investments were complementing (c)(3) funds contributed by others. Thus, the impact of these grants as a group is not easy to discern.
- 3) **Contribution Outcomes from Open-Call Cohort to Overall MiP Strategy.** Viewed in the aggregate combined with all grants awarded in the larger MiP grants portfolio, there is even less cohesion among these grants. In the time since the open call was issued, the MiP field as a whole has become more unified and focused on strategies and ideas proposed by the Piper Fund and Victory 2021, which are focused on state and local policy wins. At this point, if Voqal has reason to issue an open call in this area, it would be better served to design an open call that would enhance the capacity to *win* campaigns; i.e., streamline investments in service of identified priorities. Now that Voqal’s MiP priorities have become centered around empowering diverse local communities, achieving social equity and the use of media and technology to achieve its goals, it may be easier to design an effective strategy incorporating invited proposals and an open call. Voqal should continue to hone its focus in an effort to achieve its objectives – including deploying its (c)(4) investing power to its greatest potential.

## KEY FINDINGS – THE STATE OF THE FIELD

*It's not just that we win, but how we win, that matters.*

—Heather McGhee, Dēmos

We now turn from the specific impact of Voqal's MiP portfolio to the larger landscape of campaign finance reform. Findings in this section are drawn from our in-depth interviews with advocates, funders and the literature from the field.

### Voqal Funds: An Asset to the Field

As one advocate stated, Voqal provides “the right kind of money at the right time.” Advocates and funders alike note the unique advantage that Voqal funding offers in policy reform and movement building work. In particular, Voqal's role was cited for contributing specific wins on the ground (e.g., Maine, Seattle and New Mexico); supporting challenging legislative battles in New York; its ability to respond swiftly to needs at critical moments in campaigns; and for offering general support to MiP work which provides flexibility in fluid campaign environments and time-sensitive situations.

Grantees describe Voqal's way of interacting with them as “relational” in contrast to the “transactional” nature of many grantor-grantee relationships. Voqal staff are regarded as thought partners with aligned values who can be called upon for creative problem solving. Grantees value the openness with which Voqal listens to their real-time challenges and its nimbleness, flexibility and adaptability in helping grantees respond to emerging shifts in their worlds.

### Advances and Barriers

We asked the experts we interviewed to share their observations on advances they have witnessed, as well as remaining challenges facing the field.

With regard to progress, we consistently heard two themes: one having to do with collaboration and the other an important shift that is occurring in the narrative away from the tired “corruption” and “good governance” themes toward a deeper set of values. For the most part, there is a shared sense that groups engaged on this issue are working more effectively together than ever before. As for challenges or gaps in the field, connecting with the American electorate, particularly the New American Majority (communities of color, youth and women) remains a challenge. As one advocate put it, “we're long on numbers and we're short on faces and stories.” Finally, compared to the need and what is at stake in this battle, advocates and funders alike agree that the scarcity of resources continues to be a major impediment to making more progress on the fight to reduce “Big Money's” influence on our democracy. A few of these issues shared by our interviewees are further explored below.

*Now I think there's more of a recognition and willingness of the imperative to really talk about what this is really about, that there are much deeper values at stake when it comes to money in politics than just clean governance.*

—Advocate

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## Broadening the Movement, for Winning's Sake! A Power Struggle

Diversity, equity and inclusion have become high priorities for many in the field and, as recently demonstrated in Seattle, acting on these values is considered to be a winning strategy, as well

*There are significant gaps. Some that are incredibly important to begin addressing as soon as possible or yesterday. ... There is no national effort, there is no deep work being done with constituency groups that mobilize Latinos in public policy or electoral debates. Likewise, the work that's being done to connect with millennials; it's there, it's small and it's too campus-based and it's not resourced and it's not creative and multi-faceted enough.*

—Advocate

as strategic goal of Voqal's investments. Nearly half of the grantees reported specifically incorporating diversity or inclusion objectives into their work. Interviewees suggested that more intentional outreach to Latino, millennial and Asian and Pacific Islander communities in

particular could benefit the movement. One funder reflected that the funding community may lag behind advocates in valuing diversity of voices in money-in-politics coalitions and praised Voqal for being a thought leader that is ahead of the curve in funding diversity in this sector.

Several interviewees declared the present moment a collaboration high-point within the MiP issue sector. Successful collaboration was cited as a “silver lining” to the Supreme Court’s 2010 *Citizens United* ruling that could have thrown the advocacy community into despair. Facing an even steeper climb toward their vision of democracy, galvanized advocates instead set aside their differences on strategy and approach to focus on building effective coalitions.

Evidence of new and stronger coalitions was cited in the recent win in Maine, Seattle and opportunities in Florida and Arizona to engage and mobilize the New American Majority in fights for campaign finance reform.

### Issue Framing: Why it Matters

For many, campaign finance reform is part of a larger democracy reform field. Different actors use different words, “narrative” and framing to describe the work they are doing. Is it about good government? Anti-corruption? What works? And more importantly, what works to inspire and move to action which people?

*We need to think a little bit more about being part of the conversation that Americans are having rather than trying to get them involved in our conversation.*

—Advocate

There have been various efforts to unite the field through alternative frames and branding, most recently spearheaded by Lake Research Partners, Topos Partnership and previously by the Purpose Institute and advocates themselves. However, these efforts are not all congruent and it is not easy to bring cohesion to a decentralized field. Philosophical differences exist that may inhibit the adoption of a particular narrative. Pragmatically, reaching organizers focused on different geographies in a systematic, effective and timely fashion is also challenging. Thus it remains unclear if these efforts will ever gel.

In the course of planning for a coordinated communications response to the Supreme Court's *McCutcheon vs. FEC*,<sup>6</sup> a statement of Unity Principles (see [Exhibit I.](#)) were developed by a core group of advocates<sup>7</sup> in the spirit of a “first, do no harm” rule, whereby the field proactively came together to articulate a set of values that would supersede any one group’s favored policy solution against another’s. According to one source familiar with this process, “the Unity Principles were intentionally stripped of all specific policy language to make them more accessible to the broader advocacy community through the Democracy Initiative and to the public as an easy, values-oriented framing that is closer to how voters think about public policy as opposed to the professional advocates in and around government who must deal with all the complexity the public tunes out.” As of mid-January of this year, the Unity Principles were signed on to by dozens of national and state membership, advocacy and funding organizations.

Articulating and rallying around a set of shared values has not only been helpful for advocates to work with one another, but also has given way to a cascade of other opportunities. For example, this language set a foundation for framing the national debate in an important election year. By linking specific policy solutions to the Unity Principles, advocates created a platform to present to all the presidential primary candidates: “Fighting Big Money, Empowering People: An Agenda for a 21st Century Democracy” (see Exhibit J.) The purpose is to say to candidates at all levels that ‘Yes, the polls show that people want you to talk about the issues.’ And ‘No, we won’t let you get away with just talking about them how you choose.’

“The Fighting Big Money Agenda is an assertion of the sector’s ideal policy agenda against which candidates’ own statements and plans will be judged by voters and advocates alike,” says one of the authors. “Presidential candidates in both parties were offered private briefings from the coalition to discuss the agenda, what we know about how to talk about these issues from message research and what we are seeing in our own polling about the importance of genuine reform to people in both parties.” With the ills of big money now a major focal part of the democratic candidates’ primary campaigns, public awareness, disgust and anger may be at an all time high. (One source says the Democratic candidates responded with gratitude and enthusiasm while no Republican candidate has responded.)

### **Collaborative Efforts**

The Democracy Initiative, one of Voqal’s grantees, was created from the awareness that progress to advance any number of issues – civil rights, environmental, education reform, poverty – will be slow if not impossible until this root social problem is addressed. In its monthly meetings Victory 2021 maintains communication and structure that aids in the coordination among national advocates and donors. Every Voice, another Voqal grantee and others feel this improved coordination in the sector has led to a culture of equality and collaboration as evidenced by equal credit-sharing among all partners in campaigns, even if their contributions are unequal, in order to “create space for others to be part of wins.” Nevertheless, for funders and reformers alike, this is a complicated and complex landscape to navigate.

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<sup>6</sup> *By a 5-4 vote, the Court struck down limits on the total amount that any one donor can give to candidates, party committees and PACs in an election cycle. The Court also defended giving access and influence to donors as supporting a key democratic right, and ruled that donors have the same right to influence officials as do the constituents those officials are elected to represent.* Source: Brennan Center for Justice. <https://www.brennancenter.org/legal-work/mccutcheon-v-fec>. Viewed on April 9, 2016.

<sup>7</sup> Common Cause, Dēmos, Every Voice, People for the American Way, Public Citizen, ReThink Media and USPIRG.

## Tension on the Campaign Trail

Unity principles and presidential speeches aside, fissures are starting to appear in the facade of cooperation. These cracks are being manifested in different ways. The most pronounced sign of tension is a fairly persistent desire on the part of some “inside the beltway” national advocacy groups and consultants to “command and control” campaigns, resource allocation and field efforts at the local level. This tension surfaced in different ways in Maine, in Seattle, and is already becoming apparent in early Arizona and Florida planning conversations. The rationale for what is essentially a top-down approach is that voter modeling and data (based on voter files and polling) provides for *accountability*. Grassroots organizations are wary about whether or not they will have a say in how decisions are being made about the framing and design of policy reforms intended to benefit them. They prefer to have a seat at the table from the beginning and resist (if not resent) being “tokenized” or “used” for winning votes in election season, but not being consulted during early campaign planning phases about how these issues affect them or intersect with the issues they care about, including economic justice and racial equity.

While interviewees noted strong collaboration among money-in-politics advocates, they pointed to tensions that remain between differing theories and styles of movement-building. First, some advocates feel that top-down leadership, control of financial capacity and strategy-setting by funders and national organizations can overshadow the importance and capacity of local, grassroots efforts informing on-the-ground strategies. Advocates reflected that sometimes this means that in organizations representing low-income people and people of color, advocates are not as central to decision-making. They warn that this in turn reinforces the same dynamic the movement is working to change. In addition, they find campaigns that do not “build the base” are not as successful from an organizing and “winning” standpoint. Notably, Voqal is regarded as a collaborative funder that does rely on local organization knowledge and competence.

At the end of the day, the effort to reduce the influence of money from politics is about power. Who has it; who doesn’t; and the willingness of those who possess it to share or relinquish power to those without it. It is disappointing and more than uncomfortable to see the emergence of power battles within the philanthropic sector begin to threaten the integrity of this movement.

## Messaging: An Ongoing Challenge

Interviewees indicate that the impact of a positive messaging framework of justice and empowerment on the progress of money-in-politics work during the last five years has been significant in attracting

diverse coalition members, political champions and everyday people concerned with these issues. More than one advocate contrasted the traditional presentation of money in politics as an esoteric governance issue, “debated mostly by white men” as recently as four or five years ago, to one that is increasingly justice and democracy oriented, more connected to people’s daily lives and delivered by more diverse spokespeople.

*Where the fights are happening are at the state level and there’s no resources for that communication work to happen.*

—Advocate

Interviewees noted that the sector has made significant progress in its messaging but it must continue to evolve. Advocates shared their hopes that the field continue to, “talk about what [money in politics] is really about – that is, who has power and who doesn’t – and that there are much deeper values at stake than just clean governance.” Tactically speaking, one leading advocate noted a need and opportunity to break through popular culture, particularly using social media, in order to meet everyday Americans where they are on this issue. Another

*We're always asking these groups who work in communities of color to get onboard and prioritize our issue but they need to be funded to do so, they need to see it as a long-term portion of their plan. .... I think for funders there are opportunities to make sure that money is going to those on-the-ground groups and they're well-resourced so that they can actually play leadership roles in the campaign.*

—Advocate

national advocate noted that while ReThink Media has done much to provide infrastructure and support to national advocates across the country, that same capacity for messaging and media-relations support is sorely lacking in organizations responsible for the ground game at the state and local level. Many grassroots organizations simply do not have dedicated

communications staff. This strategic capacity is needed, they say, not only during peak campaign times, but also in the “down times” (i.e., between legislative sessions, after a loss, or between a “win” and implementation – the process of actualizing or administering the policy change).

### Winning for the Long Game

Advocates distinguish between a goal of “winning” and a goal of “movement-building.” These goals likely represent a spectrum and not a dichotomy, with every campaign or project incorporating both elements to varying extents. Some advocates are concerned that funders, in particular, are overly concerned with “winning” and do not value or invest in longer-term movement building regardless of black-and-white policy or other outcomes. Advocates would like to see the culture of money-in-politics work swing further toward valuing both successful policy outcomes with long-term capacity building beyond single campaigns.

*I think funders are looking for a theory of winning and folks want to look for a theory of movement building, so what's the model of movement building we're going to use?*

—Advocate

Many advocates we interviewed are leery of campaign strategies driven solely by the desire to “win” if the longer-term implications of implementing (integration of the policy change into administrative and/or regulatory systems) and protecting the win are not reflected upfront in the planning for a “win.” Ballot initiatives for public financing, for example are perceived by

*We ought to be really serious about how we deploy our resources both for the short-term gain of winning, and the long-term gain of keeping those wins. So I feel like we don't have that conversation quite the right way and we hold up these two different poles as competing when they actually ought to be a real clear strategy that we have to decide how to do both.*

—Advocate

advocates as being pursued because a “win” is more quickly achieved than passing legislation, which can require years of investment and patient cultivation of political champions and constituent support. According to one veteran advocate, significant and short-term investments in research, media outreach and ground canvassing typically required by ballot initiatives may lead to success at the polls. Rarely, however, do these efforts translate to building long-term

capacity within communities necessary both to defend and protect the wins, as well as to sustain a base of support to ensure that the measures are effectively implemented to bring about the desired changes without unintended consequences.

## RECOMMENDATIONS

*Give me a lever long enough and a fulcrum  
on which to place it, and I shall move the world.*  
—Archimedes

Based on our findings, we recommend to the Voqal board and staff the following possible funding directions and areas for further study and reflection.

1. **Continue Voqal's engagement and investment in campaign finance, clean elections and democracy reform efforts.** Voqal has a key role to play in the future of money-in-politics work, particularly through strategic investments of (c)(4) dollars. There is now strong consensus and support behind state and local initiatives as a means for building a track record to show what can happen as a result of small donor financing and clean elections reforms. It is hoped that a wave of momentum is created making reform at the federal level inevitable. However, much work remains to be done – both in new places and to protect and implement new policy wins and to fix flawed, watered-down or eroded policies and procedures.
  - Strategic, substantive, collaborative engagement with other funders at the Piper Fund and Victory 2021 “tables” is critically important to stay current with the highly nuanced work and constantly shifting policy and legal terrain that accompanies this field. Voqal does not have the capacity to monitor progress and emerging challenges on all of these fronts at once. Voqal shares a set of values with the Piper Fund and continued engagement helps to leverage the impact of Voqal's funding and technical assistance efforts on the ground.
  - Simultaneously, Voqal should continue to make direct grants that align with Voqal's values and goals to support field efforts, particularly to strengthen leadership, capacity and mobilization of New American Majority communities.
  - Further study is needed about the pros and cons of ballot initiatives in comparison to legislative or regulatory reforms. We urge Voqal to delve deeper into these tactics in order to understand the consequences of focusing on one set of policy reform strategies over another.
2. **Go big and bold.** Voqal started down this path because it viewed the problem of money in politics as a root cause of social inequity. This is not only still the case, but was validated by several of our interviewees – who were all drawn to this work for precisely the same reasons. They had been stymied and could not achieve gains on their other areas of interest (e.g., education, the environment, criminal justice reform) without tackling this first. For this reason and to the extent Voqal strives for a more just and equitable world, it is a philanthropic investment area worthy of Voqal's resources. As previously noted, and perhaps for good reason, the board did not exhaust its generous commitment to infuse this movement with \$700,000 for a total of \$2.1 million (or \$2.8 million) over the last three (or four) years. Therefore, we recommend that Voqal revisit its commitment to this issue and consider honoring its original intention to go “big and bold” (perhaps by going bigger and bolder).
  - This report demonstrates the fact that Voqal's investments in this area have made a significant difference and contributed to the momentum that now exists to push public financing and clean elections reform at the state and local level.

- There are ample opportunities for Voqal to invest (c)(4) dollars to the greatest extent they wish. Now that Voqal has a dedicated program officer who is actively engaged in this sector and can identify, research and assess specific needs and requests, there is a tremendous opportunity for Voqal to make more targeted and focused investments and optimize its advocacy competency and (c)(4) funding capacity – both through a larger number of grants and perhaps larger funding amounts if warranted by the situation.
3. **Hold fast to Voqal’s intentional focus on diversity and inclusion.** Through its support of grassroots groups in Seattle and Dēmos’ new Inclusive Democracy Project (IDP), Voqal has positioned itself as a leader and a funder committed to diversity, equity and inclusion. Our sources noted the great potential of connecting in authentic ways with the nation’s surging Latino and millennial populations on this issue and yet currently there is no dedicated organizing capacity to make it a priority beyond occasional targeting efforts in state and local campaigns.
- Identify and invest more systematically in local, state and national organizations educating and mobilizing Latinos and millennials. Investing in empowering these communities in a more concerted and intentional manner could make a significant difference going forward given the rising influence of these populations.
  - Dēmos does not have the capacity to meet the demand in other states and localities where its leadership development work could have an impact. Building on the momentum of Seattle and the success of the IDP to date, Voqal could consider a longer-term, multi-year funding commitment to help Dēmos reach more communities in 2017 and beyond where leadership capacity among people of color is needed.
  - Work with Dēmos to assess the resource needs of the leaders emerging from the IDP cohorts to identify specific gaps in organizational capacity in the field where campaigns may be in the planning stages. This would lend some resource continuity as leaders exit the program and return to their communities to apply all that they have learned, while capitalizing on the momentum of the IDP investment.
4. **Leverage Voqal’s expertise and deep investment in New Media Ventures, Free Speech TV and other media-focused grantees to strengthen media and technology capacity among field organizing groups at the local level.** Voqal has access to partners and capacity that could address some of the persistent challenges around expanding outreach, social media engagement, creating shared narrative and encouraging media coverage on money-in-politics issues. Like earned media, social and digital media work is far more labor intensive and requires more skill than many people imagined when the Internet, digital and online communications tools began to change how we receive information and connect with one another. And it’s not just the editorial or content function, but the strategy and administration (sometimes engineering) required to select, implement and maintain tools that are in a state of constant flux.
- Investigate opportunities to invest (c)(4) dollars specifically to advance the use of communications, media and technology in advocacy organizing and in the lull period following wins while planning for implementation, to keep up public awareness and support. For example, given the importance of Voqal’s “Seattle Media Push” in the final days of the campaign, does it make sense to set aside some portion of funds for unanticipated traditional and online ad buys or highly

targeted one-time print ads that target specific voters or state leadership that can be tapped at various points in campaigns? Targeted ads might help lift the fight and rally public support at crucial moments, as happened in Seattle.

- Consider expanding Voqal's objectives to include related democracy reforms that shift power to ordinary Americans such as Automatic Voter Registration campaigns, defense of voting rights, redistricting and ethics reforms.
- Given the mixed results from the open call, we would recommend that Voqal consider a series of planning and capacity grants that would fund media and technology (from content development to skills development to integrated, multi-platform distribution strategies and platforms) to certain, strategically placed grantees – perhaps following the “cartel” grant-making model that deliberately incentivized groups working together and contributed to the success of the Net Neutrality rulemaking campaign.
- Additionally, Voqal can provide technical assistance and networking to help connect local advocates to other grantees (Free Speech TV, Color of Change, Brave New Films, New Media Ventures) to help build communications capacity and improve reach and content.

5. **Develop better measurement tools and benchmarks.** At best, work in the policy advocacy arena is difficult to measure. Although Voqal has tried to improve grantee reporting questionnaires, we observed a strong tendency for grantees to report on activities and outputs as opposed to outcomes. Voqal may wish to ask grantees directly, “what changed relative to the issue you are working on as a result of this grant?” or some other language to better get at impact and the contribution of Voqal's funding to specific outcomes. Furthermore, if Voqal's goal is to effect or demonstrate changes in public beliefs, attitudes and discourse, it will need to think about how to measure such shifts. The data is not currently available and thus we were not able to meaningfully attribute any contribution by Voqal to this advocacy outcome (which doesn't mean there wasn't a shift as a result of some of the grantees' work, but we have no means of verifying it).
6. **Explore further the concept of “winning,” the relative merits of policy change options and (c)(4) funding power.** What constitutes victory for Voqal in this policy change realm? What should victories ideally look like? Are they purely offensive or also defensive and, if so, does defeat of a bad bill or ballot carry the same weight as a policy win (i.e., is defeat a win)? Why or why not? How do ballot initiative tactics, wins or losses stack up against legislative battles, passage or defeat? Is one approach more cost effective than another? Or more resistant to political opposition or threat? Or more likely to secure smooth and timely implementation following the win? Among the states and localities ripe for reform, which of those permit ballot initiatives and how do the rules compare state by state? In the context of competitive battles, such an exercise is imperative to defining and articulating success, both for Voqal's strategy and to select and support grantees.

Beyond specific support leading up to and closing in on campaign “wins” it is not easy to determine in advance how to best leverage Voqal's (c)(4) funding capacity with (c)(3) dollars funding complementary efforts. However, a policy reform “win” does not sit in isolation. There's an entire cast of characters trying to influence it at any given time. And a shifting social and political climate that is favorable, neutral or opposed (or a combination of all three) at all times. Furthermore, wins sit on a spectrum that begin with the emergence of a problem or inequity and solutions to fix it that require tactics

including spreading knowledge, increasing awareness and engagement all the way to the voting booth or legislative chamber. And once the ballot box, legislative or rulemaking “event” is over, a long road lies ahead to protect and implement the reform measure.

- We see an opportunity for Voqal to examine this spectrum and the strategy options posed along the journey to map out its next iteration of a MiP Strategy that reflects a more comprehensive and nuanced understanding of victories.
- On the other hand, if Voqal only wants to focus on winning “events” (such as ballot initiatives or passage of law in a given legislative session), then it should plan accordingly and let others be responsible for all other points along the spectrum – and, as a good ally, communicate that plan to partners so others can adjust or confirm their own thinking and approach.
- Further investigate the difference between ballot initiatives and legislation as strategies for winning.
  - Take advantage of the resources offered by BISC to understand when and where this approach is most effective.
  - Determine if a cost-benefit analysis of the two different approaches exists or would be feasible.
  - What effect does one approach versus the other have on the “stickiness” or durability of the win? In other words, what are the implications of a ballot initiative vs. legislative initiative for protecting and implementing the policy change once “won” or passed?

## **Conclusion**

Having a strategy matters. The intentionality that comes along with committing to specific goals, objectives, priorities and investments to execute, partner and evaluate can yield results. Voqal can take pride in recent, concrete campaign victories in Seattle, Maine, New Mexico and Montgomery County, Maryland on this deeply entrenched issue where opposition is always expected and often well funded. Although it is difficult to connect the dots to establish precisely the unique contribution of Voqal grantees as distinct from other partners and allies in this endeavor, it is important to recognize that, through its grant-making, Voqal played an important role in helping to advance policy change where it has occurred and to ripen conditions in places where future reform is possible.

## CASE STUDY I

### MONEY IN NEW YORK STATE POLITICS – THERE TO STAY?

#### New York's Rules Defy Rewriting

In the wake of the 2010 *Citizens United* Supreme Court decision, many eyes turned to New York as being a state ready for change. State and national advocates and funders were buoyed by Governor Cuomo's repeated claims that he would enact reform. New York City provided a template with a public finance law on the books since 1988 that is, according to the League of Women Voters, widely regarded to be "effective, functional and well enforced." Key provisions include disclosure, contribution limits, a 6:1 match and regulation and enforcement among others. (For more information, see [Appendix II](#)).

Persuaded by the case for change in New York, Voqal made substantial (c)(4) contributions of \$350,000 and \$250,000 in 2013 and 2014, respectively, to support a campaign co-led by Citizen Action of New York and the Working Families Organization. Below is a synopsis of what happened, followed by reflections from one of our interviewees.

In 2013 an attempt to pass legislation for comprehensive campaign finance reform failed. Advocates prevented a "compromise bill" from being passed that would have been counterproductive. But the issue was not dead. At the conclusion of the 2013 legislative session, Gov. Cuomo appointed The Moreland Commission on Public Corruption with a mandate "to probe systemic corruption and the appearance of such corruption in state government, political campaigns and elections in New York State,"<sup>8</sup> keeping the hopes of proponents alive.

The top recommendation from The Moreland Commission's December 1, 2013 report was for New York State to implement comprehensive campaign finance reform with a robust public campaign finance program for all state elections. Although bruised by defeat, advocates and funders placed faith in the workings of the independent commission and viewed it as a sign of strong momentum with which to enter the 2014 legislative session.

In 2014, advocates worked through a series of complex negotiations with Gov. Cuomo and his staff to include comprehensive campaign finance reform in his State of the State address and the Executive Budget. After the proposed budget was introduced with the carefully crafted provisions intact, the coalition mobilized support from the grassroots, the media and political champions in the State Assembly. Right up until within 24 hours of the budget vote in late March, political insiders were forecasting a win for Fair Elections. But in the face of stiff Republican-led opposition, the Governor's support crumbled and the budget was passed with the measure omitted and a promise to revisit the issue post-budget. Serious negotiations ensued for another two months resulting in a stalemate between supporters and the Republican-controlled Senate who (correctly) gambled that they could sustain their majority through the 2014 elections without giving in on Fair Elections. Advocates held Gov. Cuomo accountable by blasting him in the press and social media for his failure to achieve what would have been a historic victory.

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<sup>8</sup> <http://publiccorruption.moreland.ny.gov/> Viewed on April 19, 2016.

According to the advocates interviewed for this evaluation, while these legislative battles ended in defeat, Voqal's investment in New York had lasting effects on three sets of players: journalists, legislators and reform coalition members that create assets for future legislative attempts. One advocate reports that the intensity of interaction and communication with these three audiences during 18 months or more in 2013-2014 would not have been possible without substantial (c)(4) resources. That advocate summarized the positive impacts of the New York campaign as follows.

***Media now integrates a money-in-politics lens in reporting and follows the money trail to hold elected officials accountable and call out malfeasance and conflicts of interest.***

- "Politico now has a New York bureau and they have a reporter who they hired specifically to do campaign finance research and who does a lot of in-depth reporting on this and I don't think that would have happened if it hadn't been for the campaign."
- "It definitely changed the way the capitol press corps covers the legislature not just on reform issues. [Now] when they cover policy-making they draw attention to who is funding each side and what do those interests really want. I think that's really important on the level of having the public know and having legislators realize, 'if you are making policy that's for the good of your donors and not your constituents it's going to get exposed.' Reporters look differently at policy-making, the role of money and also their role in exposing it."

***Strengthened and expanded bench of legislative champions.***

- "It has intensified people's level of commitment on both sides, which leaves us in the position now where we can't win without electing some new people, but it also leaves us in a position where the people who are the strong champions really have an in-depth understanding both that change is needed and what changes are worth doing."
- "We have a record number of women of color in our Assembly right now and a lot of those Assembly members are brand new. Most of them came in as already being strong supporters of public funding of elections because the ones that are New York City-based are familiar with the New York City system and they just went through running for office without public funding and saw how difficult it was for them as women of color to raise money. So they started off as being supporters, but we did work with them just to make sure they understood the Assembly bill in the House and that we would be looking to them as real champions on the bill as we get to a bigger campaign, hopefully next year, and that their role as people who would benefit from a public funding system is going to be really critical."

***Broadened the movement for reform.***

- "We came at it from more of an economic justice perspective, but there were not a lot of other groups working on this. Then with the big push in 2013 and 2014 ... that brought in a lot of other community organizing groups and labor unions who maybe had positions and support in the past or some had never even looked at [campaign finance reform]. But because we had the resources to go out and do tons of presentations and talk to both the rank and file and the leadership, we got a ton of organizations to sign onto the campaign; but even more to take it really seriously and also to understand how much the rules of the game impact them."
- "We were able to get all different groups in all different policy areas, environmental, housing, education involved in the money-in-politics work with us because we had that capacity to spend so much time talking to them and pulling them in."

- “In 2015 a lot of the groups were saying to us, ‘if there’s a chance to move public funding of elections we’ll drop everything and work on just that because we see now how crucial it is to everything we do.’ So that really changed the climate of support within the organized grassroots and the same with labor support.”
- “I feel like it changed the whole way in which this is a major issue for all the groups that are not the typical reform groups.”

### **What’s next for New York State Fair Elections?**

As of February 2016, bills were pending in the New York State Assembly and Senate and the Governor had once again included language in his proposed Executive Budget. However, the Republican-controlled State Senate remains openly hostile to any kind of public funding for elections. Thus, advocates maintain a low level of activity: coordinating with legislators to make sure the bills that were introduced were good; ongoing education of policymakers – particularly to reach newcomers in the last year or so; and continuing to find opportunities to draw the media and the public’s attention to this issue and the need for change. Most importantly, they are not dormant, rather advocates continue to work to help candidates win enough Senate seats to turn the tide on reforming this issue – and the optimists have their sights set on waging another battle in 2017 depending on the outcome of the November 2016 election.

## **CASE STUDY II**

### **SEATTLE’S PATH TO VICTORY**

#### **Honest Elections Seattle – A Game Changer for Democracy and A New Template for Winning**

On November 3, 2015, Seattle voters passed by double-digit margins a locally grown reform measure that promises to radically change how candidates for public office finance their campaigns. Won with a resounding 64 percent of the vote, the measure:

- Introduces a first-in-the nation, voluntary, publicly financed “voucher” system that will provide four vouchers of \$25 each to registered voters and non-citizens eligible to make campaign donations.
- Limits campaign contributions from Seattle contractors and lobbyists.
- Requires 24-hour reporting of electronic contributions.
- Requires paid signature gatherer identification.
- Curbs lobbying by former city of Seattle officials.

The campaign had support from national funders, including the 2021 Victory Plan, the Piper Fund, Every Voice and Voqal. A local coalition led by Voqal grantee Win/Win Network was intent on creating an inclusive governance structure and engaging those who traditionally face barriers to voting and elections. This approach was somewhat at odds with other experts’ inclinations to target campaign spending and messaging at higher propensity voters. With the advent of more sophisticated voter data files, analytics and modeling, campaigns increasingly target likely voters based on previous voting behavior because that is believed to be most efficient for resource allocation. Win/Win’s own data on local and statewide voting patterns suggested that, even though residents in south Seattle (where the majority of low-income and people of color live) were less likely to vote overall, this area had voted overwhelmingly for greater electoral representation and other structural reforms when given the chance.

Honest Elections Seattle was greatly supported by communities heavily populated by people of color and diverse ethnicities. According to a third-party evaluation of the Seattle and Maine victories commissioned by Every Voice, funding from Piper and Voqal was “earmarked” for outreach to the New American Majority (people of color, young people, single women) communities. A Seattle campaigner told Every Voice, “Without the support of Piper and Voqal, we would not have had field in communities we considered really important.”<sup>9</sup> According to Every Voice’s analysis, the turnout rate for voters canvassed door-to-door by eight coalition partner organizations was 68 percent, significantly higher than the overall electorate of 46 percent.

Maps developed by Sightline Institute and Win/Win illustrate vividly who voted (see [Exhibit G](#)). Using publicly available precinct voting data from the King County Elections office, the maps reveal that voter turnout was significantly more diverse in 2015 compared to 2013 when the majority of voters came from white, affluent communities. A major driver of this shift is the fact that, beginning with the 2015 election, Seattle transitioned from an “at-large” to a “by-district” voting system for city council, following passage of an amendment in 2013 that divided the city into seven voting districts.<sup>10</sup> Local observers believe this change resulted in a more competitive, diverse and representative set of candidates running for city council that, in turn, drew more voters to the polls.

In sum, the victory in Seattle is attributed to several factors:

- A strong coalition-driven field effort led by Voqal grantees Win/Win and Washington CAN!<sup>11</sup>
- A transparent, “data-driven” campaign decision-making structure that allowed initial disagreement between national and local priorities to be surfaced and resolved.
- Effective stakeholder engagement.
- Securing unified support by City Council members and neutralizing potential opposition from city and state executive officials.
- Extensive, effective outreach to New American Majority voters.
- A targeted, multi-lingual, ethnic media campaign.
- Funding and technical assistance provided to WA-CAN! and immigrant rights group OneAmerica by Voqal grantee Dēmos.
- Robust contributions of funding and technical support by national funders.

## Challenges and Lessons Learned

Although organizers met their campaign goals and voter turnout exceeded expectations in an “off-election” year, challenges summarized in the Every Voice report include three that are related and relevant for Voqal’s planning and consideration.

- **The timing of funding is critical:** “Earlier funding would have enabled more and better work” because funding uncertainty left organizers with an extremely short ramp-up to hire and train canvassers.

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<sup>9</sup> “2015 Maine & Seattle Campaign Finance Reform Ballot Measures,” Sujata Tejjwani and Kate Snyder, January 2016. Pages 19 and 4.

<sup>10</sup> For more information, see [https://ballotpedia.org/Seattle,\\_Washington\\_municipal\\_elections,\\_2015](https://ballotpedia.org/Seattle,_Washington_municipal_elections,_2015).

<sup>11</sup> Washington CAN! is a multi-racial movement-building organization that sat on the campaign executive committee after initially declining to support the initiative. Win/Win Network is a collaboration of membership organizations working on social justice issues and policies, that is dedicated to increasing civic participation in underrepresented communities.

- **Reaching low-income and New American Majority voters requires intentional, focused effort and resources:** Research has shown that these voters are less passionate about campaign finance reform than others. Nevertheless, Seattle demonstrated that trusted messengers from local organizations have a positive impact on turnout from such communities.
- **Traditional polling may leave out or marginalize low-propensity voters:** Polling data often drives decisions regarding campaign budget allocations, messaging and modeling. Piper Fund and Voqal funding enabled campaign organizers to go *beyond* what such data indicated and create a more nuanced targeting and outreach approach to these voters – with tremendous results.

Dēmos has called this victory “a new template for what can be accomplished when racial equity values are brought into campaign strategy – it’s not just that we win, but how we win, that matters.” Dēmos helped allied organizers see how the financing of elections could be used to advance racial and economic justice reforms. Dēmos also provided critical technical support and connective tissue between groups in the form of leadership development, issue framing and messaging that was instrumental to executing a targeted ethnic media strategy.

This model is replicable for other areas of the country; Howard County, New Mexico, Arizona and Miami/Dade are all areas with great potential to run a diverse, grassroots effort that may surprise the status quo. Election year 2016 will pose its own unique challenges with a more crowded ballot, a presidential race and possibly formidable opposition to MiP initiatives.

## Exhibits

## **List of Interviewees**

Hope Strategies and Voqal are grateful to the following individuals who participated in in-depth interviews as part of this evaluation and impact assessment:

Andrew Bossie, Maine Citizens for Clean Elections  
David Donnelly, Every Voice  
Adam Lioz, Dēmos  
Karen Hobert Flynn, Common Cause  
Carmen Lopez, Thornburg Foundation  
Karen Scharff, Citizen Action of New York  
Trellis Stepter, Mertz Gilmore Foundation

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

Voqal M&P Grants Portfolio (excluding open call) - All information as Reported by Grantee			
	<b>Date awarded</b>	<b>Award amount</b>	<b>Organization type</b>
	10/26/15	\$50,000	C4
<b>Organization</b>	<b>Every Voice</b>		
<b>Project Name</b>	<b>Honest Elections Seattle Media Push Fall 2015</b>		
<b>Objectives</b>	Final targeted paid media push (TV and digital) for Seattle I-122 during final 2 weeks of campaign		
<b>Outcomes</b>	<ul style="list-style-type: none"> <li>• 3 TV ads aired</li> <li>• 63% of voters in Seattle supported Initiative 122, beating polls by a significant margin (by 14 points).</li> </ul>		
<b>Win</b>	Seattle ballot initiative passed!		
<b>Lessons learned</b>	<ul style="list-style-type: none"> <li>• Already implementing lessons learned re: how best to help to <b>staff campaigns</b> and how best to participate in their <b>governance</b>.</li> <li>• Tensions between spending money to win and spending money to build an infrastructure to make sure the new policy, once implemented, actually empowers everyday citizens. <b>Robust policy outcomes depend on both kinds of investment.</b></li> <li>• Must ensure that the <b>implementation</b> process goes smoothly.</li> </ul>		
	<b>Date awarded</b>	<b>Award amount</b>	<b>Organization type</b>
	9/8/15	\$175,000	C4
<b>Organization</b>	<b>Proteus Action League</b>		
<b>Project Name</b>	<b>Public Financing in Seattle and Beyond</b>		
<b>Objectives</b>	<ul style="list-style-type: none"> <li>• Win a significant policy reform that will increase access to and increase participation in political system for low-income people and people of color in Seattle.</li> <li>• Break new ground with an innovative public campaign financing policy using “democracy vouchers” that will result in increased representation and participation in local city elections.</li> <li>• Regrant to Win Win Network and Washington Can! for outreach and canvassing to voters in low-income and communities of color.</li> </ul>		
<b>Outcomes</b>	<ul style="list-style-type: none"> <li>• Seattle voters passed ballot initiative 122 in November to create an innovative “Democracy Voucher” public financing system and transparency and contribution limit reforms.</li> <li>• Expanded the local coalition to include more organizations serving and led by communities of color. Exceeded outreach goals and increased voter turnout through strong field mobilization effort.</li> <li>• Obtained endorsements from key stakeholders, including over 50 local and national organizations, and over 40 public officials and candidates.</li> <li>• A model for the nation, these victories offer solutions to overcome a substantial barrier to participation in the political process by those from underrepresented communities.</li> </ul>		
<b>Wins</b>	Seattle ballot initiative passed!		
<b>Lessons learned</b>	<ul style="list-style-type: none"> <li>• Creation of diverse coalition made a difference in voter turnout.</li> <li>• Early planning process enabled stronger coalition; time for consensus to be built; for those less familiar with campaign finance reform to come up to speed; and research to be conducted that informed strong grassroots campaign.</li> </ul>		

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

	Date awarded	Award amount	Organization type
	2/10/15	\$50,000	C4
Organization	<b>Democracy Initiative</b>		
Project Name	<b>MP: Democracy Initiative (FS)</b>		
Objectives	Support state and local campaigns in Maine and MD, by connecting and mobilizing the memberships of large national issue organizations in support of public financing reforms at the state and local level.		
Outcomes	Main mobilizing tool: teletown halls. Two <b>teletown halls</b> were held in ME. 12,000 people participated, exceeding goal of 10,000. 82,000 people were reached and "heard some message from the campaign." <b>Howard County, MD</b> , ballot initiative did not get off the ground and was just introduced this January.		
Win	Ballot initiative passed in ME!		
Lessons learned	<ul style="list-style-type: none"> <li>• Tele-town halls proved to be a useful technological tool for organizing and mobilizing in support of a local campaign.</li> <li>• The GOTV call reached a tremendous number and was very effective in recruiting for the teletown hall, recruiting volunteers and as a reminder to vote in Portland, a state target.</li> <li>• The volunteer-seeking call was less successful if analyzed as ROI. Social media or email outreach may have been more effective.</li> <li>• Organizers need to be nimble and able to modify plans when the situation on the ground changes, as it did in Howard County.</li> </ul>		
	Date awarded	Award amount	Organization type
	2/10/15	\$50,000	C4
Organization	<b>Proteus Action League</b>		
Project name	<b>Piper Fund Core Support FY15</b>		
Objectives	<ul style="list-style-type: none"> <li>• Build capacity of priority municipal and state campaigns ready to pass small donor public financing in 2015.</li> <li>• Support the launch of a new movement-building initiative to train a new generation of money-in-politics (MI) "Movement Makers" from communities of colors.</li> </ul>		
Outcomes	Supported successful ballot initiative campaigns in <b>Maine</b> and <b>Seattle</b> and advocacy in <b>MD, AZ, IA, NC</b> . <ul style="list-style-type: none"> <li>• <b>Arizona</b>: successfully defended its Clean Elections system against a legislative ballot measure seeking repeal. Built capacity for Arizona advocates towards development of a 2016 ballot measure to secure small donor matching.</li> <li>• <b>Iowa</b>: Supported advocates in raising awareness of MI reform with Presidential candidates prior to the Iowa Caucuses. For Iowa's Democratic Presidential Debate in October, advocates worked with CCI to develop an Op-Ed published in USA Today, and organized a social media campaign to urge debate moderators to ask a MI question.</li> <li>• <b>North Carolina</b>: Supported advocates to lead a coalition support four House Bills: 1) authorize larger municipalities to experiment with public financing for local campaigns; 2) require frequent disclosure of donors to independent expenditure groups; 3) reinstate its Judicial Public Financing program; and 4) propose a constitutional amendment to undo Citizens United.</li> </ul>		
Wins	Maine ballot initiative Seattle ballot initiative Maryland's new Montgomery County public financing program Defended Arizona's Clean Elections		
Lessons learned	<ul style="list-style-type: none"> <li>• <b>Long-term engagement is key to strong campaigns.</b> Piper supported the Maine advocates for 10 years to defend its Clean Election Act, enabling them to build statewide infrastructure and long-term relationships with traditional and nontraditional allies well in advance of the campaign. In contrast, Seattle lacked early support from national partners and required a rapid ramp up through the different phases of the campaign.</li> <li>• <b>Advanced planning for implementation and defense of programs is vital.</b> Particularly in Maine, advocates lacked resources to begin the work of implementing newly won reforms. This has required that Piper and others hastily mobilize funds so work could begin to fund and implement the system. Considering implementation costs at the outset ensures that successful campaigns have the funds in hand to protect and implement their wins; passing ballot measures without planning for implementation and defense is wasted effort.</li> <li>• <b>Engaging the New American Majority is critical and requires a shift in approach.</b> In Seattle, communities of color played a key role in victory; the measure received passionate support because these communities played an integral part of the coalition and built a policy responsive to the entire community's concerns. This campaign questions assumptions that the field has long held - that members of the New American Majority are less likely to vote in ballot campaigns and are less engaged around public campaign financing. Myths were repeatedly disproven in Seattle.</li> </ul>		

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

	Date awarded	Award amount	Organization type
	2/10/15	\$50,000	C4
Organization	Proteus Action League		
Project Name	Demos Public Mobilization Project [aka Inclusive Democracy Project]		
Objectives	<ul style="list-style-type: none"> <li>• Convene a cohort of 6-8 leading state-based organizations building membership bases in communities of color to develop new models that demonstrate the infrastructure, capacities and cross-sector alignment necessary to move a multi-issue agenda that aligns voting rights with money-in-politics work.</li> <li>• Develop leaders from communities of color to support campaign finance reform work in priority states; develop a multi-racial, majority person of color leadership development/fellowship program for lead campaign staff of 12-16 organizations; provide t.a. and strategic campaign support to exec and campaign staff of at least five national community-based organizing networks.</li> </ul>		
Outcomes	<ul style="list-style-type: none"> <li>• WA-CAN and NJ Working Families alliance are two examples of <b>Demos "Movement Makers"</b> moving their organizations and other state-based infrastructure to incorporate democracy into their work in ways that <b>elevate the focus and potential outcomes for economic and racial justice work.</b></li> <li>• As a direct result of the Inclusive Democracy Project WA-CAN became a key player in the Seattle public finance reform victory in November 2015.</li> <li>• Project participants have stepped up their participation in affirmative voting campaigns.</li> <li>• Demos is working with Common Cause, Every Voice and others in the "mainstream" democracy field to support the <b>integration of racial equity values into democracy reform campaigns</b> and helping to implement best practices for building and operationalizing successful multi-racial campaign coalitions.</li> </ul>		
Wins	Seattle ballot initiative passed!		
Lessons learned	Demos work to sharpen equity focus resulted in successful shift in the Seattle campaign strategy.		
	Date awarded	Award amount	Organization type
	2/10/15	\$75,000	C4
Organization	Proteus Action League		
Project Name	Winning State Campaigns		
Objectives	<ul style="list-style-type: none"> <li>• Build the capacity of priority municipal and state campaigns ready to pass small donor public financing in 2015.</li> <li>• Support the launch of a new movement-building initiative to train a new generation of money-in-politics (MI) "Movement Makers" from communities of colors.</li> <li>• Maryland (coalition building, public finance bill, lessons learned report)</li> <li>• Maine Clean Elections (lobbying, field - turn out the vote; strategic communications - polling, message testing, capacity building, campaign development, plan for public education)</li> <li>• Seattle - coalition partners - grassroots and business community</li> </ul>		
Outcomes	<p><b>Maryland:</b> Advocates harnessed the momentum of winning small donor public financing in Montgomery County in 2014 to <b>strengthen the gubernatorial public financing program</b> and secure funds to implement the Montgomery County program. (Piper Action Fund provided \$20,000 in support to Maryland for this work.)</p> <p><b>Maine:</b> <b>Voters passed a ballot initiative</b> to strengthen their Clean Elections system, to require greater disclosure of outside spending and to increase accountability for campaign finance law violators. (Piper and Piper Action Fund provided \$600,000 to support the Maine campaign in 2015, building on several years of funding to develop capacity.)</p> <p><b>Seattle:</b> <b>Voters passed an innovative public financing system</b> that will give citizens Democracy Vouchers to donate to qualified candidates, as well as reforms to increase transparency and set strict campaign spending limits. (In 2014 Piper provided \$35,000 for a planning process leading to this reform; and, in 2015, provided the campaign \$475,000, focused on including organizations serving communities of color in the local coalition.)</p>		
Wins	Seattle ballot initiative Maine ballot initiative		

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

Lessons learned	<ul style="list-style-type: none"> <li>• Long-term engagement is key to strong campaigns. Piper supported the Maine advocates for 10 years to defend its Clean Election Act, enabling them to build statewide infrastructure and long-term relationships with traditional and nontraditional allies well in advance of the campaign. In contrast, Seattle lacked early support from national partners and required a rapid ramp up through the different phases of the campaign.</li> <li>• Advanced planning for implementation and defense of programs is vital. Particularly in Maine, advocates lacked resources to begin the work of implementing newly won reforms. This has required that Piper and others hastily mobilize funds so work could begin to fund and implement the system. Considering implementation costs at the outset ensures that successful campaigns have the funds in hand to protect and implement their wins; passing ballot measures without planning for implementation and defense is wasted effort.</li> <li>• Engaging the New American Majority is critical and requires a shift in approach. In Seattle, communities of color played a key role in victory; the measure received passionate support because these communities played an integral part of the coalition and built a policy responsive to the entire community's concerns. This campaign questions assumptions that the field has long held - that members of the New American Majority are less likely to vote in ballot campaigns and are less engaged around public campaign financing was repeatedly disproven in Seattle.</li> </ul>		
	Date awarded	Award amount	Organization type
	2/9/15	\$180,000	C4
Organization	Common Cause		
Project Name	MP: New Mexico Pledge		
Objectives	<ul style="list-style-type: none"> <li>• Implement a robust paid advertising campaign in seven target districts, designed to move activists to action in support of disclosure, ethics and public financing legislation;</li> <li>• Implement targeted grassroots organizing in the seven target districts; mail and phone campaign with feedback loops to measure effectiveness.</li> </ul>		
Outcomes	<ul style="list-style-type: none"> <li>• Print and digital ad campaigns completed;</li> <li>• Digital ads exceeded target goals in terms of impressions (Facebook and "Display").</li> <li>• Grassroots campaign consisted of phone banking. Converted 1,980 of 21,832 calls to speak with legislator.</li> </ul>		
Wins	<p>Bill requiring campaign finance disclosure information to be downloadable/searchable/sortable. (2015)</p> <p>Bill which mandates better lobbyist expenditure and reporting on the Secretary of State's website. (2016)</p>		
Lessons learned	<p>Three challenges encountered:</p> <ul style="list-style-type: none"> <li>• First, we planned on doing a mail campaign, but with the short legislative session we weren't able to get a mailing printed and out in a timely fashion. Instead, we amped up our phone campaigns to reach the constituents in the targeted districts to get them involved.</li> <li>• Our Facebook ads, as well as the ads we did on various political websites and blogs, not only garnered the attention of constituents but also the legislators – some positive and some negative. For example, I had a longtime House Representative call me one evening around 9 PM to ask why there was an ad on Facebook asking people to contact him about supporting the disclosure bill. He said he always supported it, so why were we targeting him? We changed the online ads to reflect that some legislators had previously supported the bills, and urged constituents to thank them and ask for their continued support.</li> <li>• Our final challenge came at the end of the legislative session when we realized that we were the biggest spenders during the session! And while that could have turned out bad for us, we were able to explain to the media that while other expenditures focused on dinners and parties, ours focused on getting New Mexicans involved in the political process through organizing and public education. The media articles were positive, and all highlighted the grassroots nature of our spending.</li> </ul>		

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

	Date awarded	Award amount	Organization type
	2/3/15	\$20,000	C3
Organization	New Mexico Foundation for Open Government		
Project Name	MP: New Mexico Lobbying Transparency Project		
Objectives	New Mexico ranks near the bottom of state surveys in terms of campaign and lobbying disclosure. Our current objective is to help lobby not only the legislature in passing a bill to mandate improved disclosure, but also the Executive Branch and various state offices and agencies in implementing improved disclosure websites.		
Outcomes	<p>Legislature approved a bill which mandates <b>better lobbyist expenditure and reporting on the Secretary of State website</b>. The bill required that such information be downloadable, searchable and sortable. However, during meetings with the Secretary of State's office, FOG and New Mexico Common Cause ("NMCC") learned that the SOS thought the site already was in compliance with the new law. We pushed back hard and finally went public with a letter to the Secretary of State written and signed by FOG and NMCC which spelled out the ways in which the website was not in fact compliant. We received <b>considerable media coverage</b>, which resulted in a reversal of the SOS's position. In the following months, we worked with the SOS website vendor in providing feedback and input and by year's end (before the 2016 session started) the improved website had been changed and was live.</p> <p>In the 2016 session which just ended, the Legislature adopted a <b>bill to require campaign finance information and expenditures be downloadable, searchable and sortable instead of in PDF form</b>. Not one dissenting vote was cast in any committee hearing or in either chamber. This bill was supported by the new Secretary of State who, despite the grim budgetary outlook, found the funds to make this happen. Now, citizens and the press will be able to follow the money.</p>		
Wins	<p>Bill requiring campaign finance disclosure information to be downloadable/searchable/sortable. (2015)</p> <p>Bill which mandates better lobbyist expenditure and reporting on the Secretary of State's website. (2016)</p>		
Lessons learned	<p>Even before she was run out of office, the Secretary of State agreed to hire a consultant to update the office's website so that lobbyist information complied with the new law. Less than a month later, the SOS scandal made even clearer the importance of being able to follow the money. It was hard for both FOG and NMCC not to say, "We told you so" when the story of SOS Dianna Duran came to light. She pled guilty to mixing funds from her campaign with her personal money. In some cases she never deposited contributions to her campaign account. However, we seized upon this opportunity to continue our call for reform. One of the Albuquerque television stations (KOB-TV) did a multi-part story on problems with the campaign financing system as it currently operated on the SOS website. It also found a number of lawmakers who had filed questionable campaign finance reports. When both houses passed the electronic campaign finance reporting bill, the station took personal credit for the action. <b>Good for KOB-TV for taking ownership of this important issue! We don't need the spotlight on this one.</b></p>		
	Date awarded	Award amount	Organization type
	3/25/14	\$50,000	C4
Organization	Proteus Action League		
Project Name	Piper Fund Core Support FY14		
Objectives	<ul style="list-style-type: none"> <li>Engage national orgs in state-level campaigns by coordinating field and media activities.</li> <li>Produce materials for grassroots lobbying in state assemblies.</li> <li>Engage legislative champions, beyond usual suspects.</li> <li>Mobilize netroots in grassroots lobbying.</li> <li>Boost field ops and organize rallies and public events.</li> <li>Recruit and train diverse leaders to be active in state campaigns.</li> </ul>		

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

Outcomes	Supported efforts in AZ, ME, HI and MD <ul style="list-style-type: none"><li>• Arizona: Secured passage by House gov't committee of HB 2651 to strengthen clean elections and expand authority of Citizens Clean Elections Commission. Coordinated media response to attacks against the AZ Citizens' Clean Elections Act. Launched campaign to pass public financing in Phoenix.</li><li>• Maine: Defended attempts to weaken law by the Governor; gathered signatures for a ballot initiative and mobilized grassroots lobbying campaign to pass alternative matching fund system to strengthen Act (passed in 2016).</li><li>• Hawaii: Lobbied legislative leaders for pub financing for 8-10 House districts and created online platforms for online money-in-politics campaigns.</li><li>• Maryland: Secured passage from the govern't regulations committee of a small donor pub financing bill for Montgomery County (passed Oct 2014)."</li></ul>		
Wins	Groundwork for ME alternative matching fund system Interim progress in Montgomery Co, MD		
Lessons learned	<p>The most important task the reform movement faces is convincing the public that viable solutions to wealthy interests' grip on our political system exist and are winnable. Piper views the pursuit of public finance campaigns in states and municipalities as a key strategic foothold in the national money-in-politics movement and focuses on states as the arenas most conducive to victory -- "laboratories for democracy" where policy innovations can be introduced, tested and refined over time and then brought to the federal level. Successful organizing in states is a significant part of building a broad national movement.</p> <p>The challenge of building depth into state advocacy efforts and producing tangible reform victories calls for new approaches and resources. To this end, Piper brings new capacities and strategies to the state landscape and has added a program officer to oversee this work. Piper has provided resources to top tier states for the building of sustainable reform coalitions. Current efforts in AZ, NM, CT and ME have prioritized engaging new constituencies to diversify the leadership and base working to advance and protect public financing systems, emphasizing outreach to African American, Native American and Latino grassroots community groups to connect their issues of concern to money-in-politics reforms.</p>		
	Date awarded	Award amount	Organization type
	3/12/14	\$250,000	C4
Organization	Proteus Action League		
Project Name	Fair Elections New York Campaign		
Objectives	Support campaign to pass small donor public financing in NY state.		
Outcomes	<p>Advocates successfully achieved the following outcomes:</p> <ul style="list-style-type: none"><li>• Pushed Governor Cuomo to include comprehensive public financing in his State of the State address and Executive 2014 budget;</li><li>• Worked with Assembly leadership to include comprehensive reform in the Assembly's budget;</li><li>• Engaged national organizations to raise the profile of the campaign and build cross-issue support, including holding events with Senator Elizabeth Warren and NY business leaders, and mobilizing a Women for Fair Elections strategy;</li><li>• Garnered considerable earned media coverage across the state, including several New York Times front-page articles in April about the Governor's mishandling of the issue;</li><li>• Met with Governor Cuomo and senior staff on six different occasions regarding the Governor's commitment to adopting public financing in 2015 and securing robust efforts to swing the State Senate to Democratic control. Advocates are engaged in grassroots campaigns in eight to ten districts and have a pledge from the Governor to put resources into those efforts (Piper does not fund electoral activities.); and</li><li>• Worked successfully to engage legislative leaders and the Governor's office in negotiations after the budget was finalized for the four weeks leading up to the Working Families Party state convention with detailed policy discussions on every element of the campaign finance bill.</li></ul>		

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

<b>Lessons learned</b>	<p>In the first half of 2014, the Fair Elections for New York coalition adopted a strategy of responding to rapidly changing circumstances around the complex negotiations to include comprehensive public financing in the Governor's 2014 Executive budget. From the unexpected inclusion of reform in the budget, to their refusal to accept the pilot public financing program for State Comptroller, the coalition adapted and readapted its strategy and exercised its political muscle by using a political accountability strategy that risked the wrath of Governor Cuomo and his allies. After April 1st, the advocates focused on framing in the press and social media and amongst prominent leaders at the state and national levels, the Governor's failure to achieve what would have been a historic victory.</p> <p>With increased resources, advocates would enhance their grassroots advocacy, public education and paid media efforts into six additional state senate districts to bring pressure to bear on the negotiations between them, the Senate Republicans and the Governor's office. The nuance of timing and building strong relationships with key stakeholders and applying the appropriate amount of political pressure on allies and opponents, requires a degree of sophistication and care that should not be underestimated.</p>		
	<b>Date awarded</b>	<b>Award amount</b>	<b>Organization type</b>
	2/10/14	\$25,000	C4
<b>Organization</b>	<b>Proteus Action League</b>		
<b>Project Name</b>	<b>Research by M&amp;R Strategic Services</b>		
<b>Objectives</b>	<ul style="list-style-type: none"> <li>•Assess opportunities in states to advance Clean Elections and other MIP reforms (disclosure, corporate accountability, governance reform, judiciary)</li> <li>•3-5 state victories</li> <li>•Update data to shape state efforts</li> <li>•Assess capacity of reform community</li> </ul>		
<b>Outcomes</b>	<p>Recommendations: 1st tier = NY, HI, ME, AZ; 2nd tier: MD, Seattle, IO, CT, WV</p>		
<b>Lessons learned</b>	N/A - This was one among several assessments of opportunities at state and local level that laid the groundwork for subsequent investment strategies.		
	<b>Date awarded</b>	<b>Award amount</b>	<b>Organization type</b>
	2/28/13	\$350,000	C4
<b>Organization</b>	<b>Proteus Action League</b>		
<b>Project Name</b>	<b>Creating a System of Public Financing in New York</b>		
<b>Objectives</b>	Pass legislation to create public financing system in NY state.		
<b>Outcomes</b>	<ul style="list-style-type: none"> <li>• Built a strong coalition of state and national advocates.</li> <li>•Moved the issue up to the top of the list (top two legislative issues: Women's Equality Agenda and MiP).</li> <li>•Prevented passage in 2013 of a diluted, compromise bill that would have excluded public funding of campaigns.</li> <li>•Passed a bill in the State Assembly (House) by a vote of 88-50 but failed to pass the Senate by a vote of 32-30.</li> <li>•The strength of the advocacy coalition spurred Gov. Cuomo to appoint the Moreland Commission to probe corruption in state gov't (but he also did little to advance and perhaps acted to the contrary) to get the legislation passed.</li> <li>•Effectively mobilized the grassroots.</li> <li>•Generated 441 news stories, 120 favorable op-eds and editorials and 100 favorable letters to the editor.</li> <li>•Reached hundreds of thousands of NYers through social media (e-alerts; Twitter; Facebook).</li> <li>•Moreland Commission appointed, giving rise to the hope that an endorsement from the Commission would bode well and provide momentum going into 2014."</li> </ul>		
<b>Lessons learned</b>	The need to be flexible and agile to respond to shifts in political winds and retraction of support by key officials, and the nuance of timing and building strong relationships with key stakeholders and applying the appropriate amount of political pressure on allies and opponents requires great sophistication and care.		

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

	Date awarded	Award amount	Organization type
	2/13/13	\$50,000	C4
Organization	Proteus Action League		
Project Name	Piper Fund Core Support FY13		
Description	Build communications and advocacy capacity for state campaigns.		
Outcomes	<ul style="list-style-type: none"> <li>• Engaged allied networks and organizations.</li> <li>• Launched Collaborative Communications Initiative (CCI) and engaged &gt;50 groups.</li> <li>• Brought groups together for McCutcheon vs. FEC case</li> <li>• \$2.4M in grants for NY. Supporting 17 states total.</li> <li>• Judicial Independence project supporting 11 states - grants, national convening, new strategies.</li> </ul>		
Lessons learned	<ul style="list-style-type: none"> <li>• CCI proved valuable to McCutcheon vs. FEC - unified narrative; raised profile of field (of judicial independence?). Indicates potential for other campaigns to unify message for public communication.</li> <li>• Not enough resources for work.</li> <li>• Hard to fight against status quo.</li> <li>• Infrastructure in states is weak.</li> <li>• Public get problem but feel hopeless.</li> </ul>		

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

Open Call Grant Portfolio - All information as Reported by Grantee			
	Date awarded	Award amount	Organization type
	3/31/14	\$40,000	C3
Organization	Media Mobilizing Project		
Project Name	#PhillyEducation is #UnderAttack		
Objectives	<ul style="list-style-type: none"> <li>• Use narratives created by public workers and community groups about the impact of cuts on schools, health care, housing and other services.</li> <li>• Produce original research, analysis, information on the impact of budget cuts on workers and communities and corporate ties to the cuts.</li> <li>• Coordinated conventional and digital media campaign; trainings to reach 100 workers and leaders to produce and distribute content.</li> </ul>		
Outcomes	<ul style="list-style-type: none"> <li>• Built a strong coalition in Philadelphia, uniting parents, student and teachers to improve public schools. Developed multifaceted citywide People's Platform for Education.</li> <li>• Produced media pieces, including Revival from the Roots series video.</li> <li>• Launched campaign to illustrate inequity of Comcast's presence in the city, making record profits and paying minimal taxes, meanwhile schools are underfunded.</li> <li>• Helped to prevent funding of additional charter schools (5 of 34 were funded).</li> </ul>		
Lessons learned	<ul style="list-style-type: none"> <li>• A main lesson of our work in this project had to do with framing the narrative. Initially we began with a "doom and gloom" picture of education in Philadelphia -- schools are in crisis, there are no counselors, it's all underfunded, our children can't learn, etc. While that was fine at the State level around the budget, we found that telling such a negative story in the schools, neighborhoods and Philadelphia as a whole just demoralized people rather than encouraging them to fight. Instead, when we began our "Revival from the Roots" series, we began to frame schools as places of hope that are doing great work and could do even better with full funding. We focused on Comcast as a villain so people had someone to blame other than teachers and the governments who are operating with slim budgets -- instead we started directing people to the question, why is the city budget so slim that we can't fund our schools? We began to outline alternatives like community schools and other PCAPS solutions. This changed the energy fundamentally.</li> <li>• [From a follow up phone call] This issue has been really transformative for us and in good ways. Now a third of what we're doing is direct organizing. Primary issue we're relating to is education and parent engagement. It's transformed our work but allowed us to also deepen the work that we've always been committed to. In line with our mission, because media is a tool for how we work in the organizing space. We've developed a great appreciation for organizing and how media and storytelling makes organizing more effective.</li> </ul>		

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

	Date awarded	Award amount	Organization type
	3/27/14	\$50,000	C3
<b>Organization</b>	<b>Roosevelt Institute</b>		
<b>Project Name</b>	<b>The Tools for Change: A Millennial Movement To Reclaim Democracy</b>		
<b>Objectives</b>	Work with CrowdTangle to create online space to get young people involved in MIP and track how their social media strategy is working thru convenings and online curricula; use data to adapt strategy		
<b>Outcomes</b>	<ul style="list-style-type: none"> <li>• CrowdTangle was a foundational tool in building and expanding the project's narrative.</li> <li>• NextGenIL.org website was visited over 30k times, and the democratic reform pages and related videos were viewed nearly 900 times; engaging 20k young people around democratic reform issues on the NextGenIL.org platform; 3k-15k impressions per post on NextGenIL's Facebook content</li> <li>• While we cannot accurately determine our reach without the use of CrowdTangle or the designated staff support, our initiative would have had a significantly smaller digital reach.</li> </ul>		
<b>Lessons learned</b>	<ul style="list-style-type: none"> <li>• Lack of existing digital content to build and amplify a conversation.</li> <li>• While we were able to connect to and build on what existed, it was limited in scope because of the anemic landscape.</li> <li>• The content not attractive to their target audiences had to spend more resources on content generation.</li> </ul>		
	Date awarded	Award amount	Organization type
	3/21/14	\$25,100	C3
<b>Organization</b>	<b>Texans for Public Justice</b>		
<b>Project Name</b>	<b>General Support for Data Project</b>		
<b>Objectives</b>	<ul style="list-style-type: none"> <li>• Make data accessible to public</li> <li>• Software development for user interface"</li> </ul>		
<b>Outcomes</b>	<ul style="list-style-type: none"> <li>• Database near completion - several million records</li> </ul> <p>Other GOS activities:</p> <ul style="list-style-type: none"> <li>• 10 reports</li> <li>• biennial analysis</li> <li>• resource for other articles</li> <li>• filed motion ag TX Justice re: unpaid ethics fine</li> <li>• op-eds</li> <li>• organized citizen orgs</li> </ul>		
<b>Lessons learned</b>	<ul style="list-style-type: none"> <li>• Funding is impediment to capacity, more work</li> <li>• Institutions perceive them as partisan (even though they are not)</li> <li>• Funders interested in national groups/projects</li> <li>• Time frame of sharing with public behind because of underestimating time/cost</li> </ul>		

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

	Date awarded	Award amount	Organization type
	10/9/13	\$88,000	C4
Organization	National People's Action Campaign		
Project Name	Building an Online State-Campaign Around the Corrupting Influence of Money in Kansas Politics		
Objectives	<ul style="list-style-type: none"><li>• Inject money-in-politics frame into current immigration debate.</li><li>• Use the 2014 election cycle to amplify the message of corrupting influence of corporate money in KS (including the Koch Bros).</li><li>• Build permanent online capacity for KS People's Action.</li><li>• Public report following the money trail behind proposed immigration legislation.</li></ul>		
Outcomes	<ul style="list-style-type: none"><li>• Built online list of 5,400+ contacts.</li><li>• Established online organizing capacity with strategic support, training and tools (BlueState Digital and Powerbase).</li><li>• Built a base of 2,000 volunteers to unseat KS Sec of State. Reached out to 112,000 "less frequent" voters, mostly African Americans and Latinos, through mail, door knocking and phones (75k calls/doors knocked and 10,000 conversations with voters).</li></ul>		
Lessons learned	<ul style="list-style-type: none"><li>• Immigration reform stalled at the national level and Latinos in KS and elsewhere were dispirited by the lack of leadership on immigration reform.</li><li>• Lack of coherent and compelling narrative around which organizers can build a base to fight money in politics surfaced as a barrier.</li><li>• "Toxifying" the Koch Bros and other corporate influencers is one thing; but its not obvious what the alternative economic engine is. Even among those who might see an alternative, deep cynicism exists about the ability of elections and the democratic process to get us there (crisis of confidence about the democratic process).</li></ul>		

	Date awarded	Award amount	Organization type
	10/2/13	\$50,000	C3
Organization	Not An Alternative		
Project Name	The Natural History Museum		
Outcomes	<ul style="list-style-type: none"><li>• Launched campaign to establish ties between fossil fuel industry and arts and cultural institutions</li><li>• Became official member of the American Alliance of Museums, featured on AAM's Center for the Future of Museums TrendWatch 2015 report</li><li>• Launch got dozens of press hits in untraditional outlets and 100s of attendees</li><li>• Several senior staff at the American Museum of Natural History - senior VP reached out re: concerns</li><li>• 30 prominent scientists, including several Nobel Prize winners, signed on to our letter seeking removal of David Koch from American Museum of Natural History Board of Trustees</li></ul>		
Wins	David H. Koch stepped off board of American Museum of Natural History, January 2016.		
Lessons learned	<ul style="list-style-type: none"><li>• Hard to get museum to get rid of big donor</li><li>• Need long term legitimized strategy; connect to larger community</li><li>• Timing of full campaign delayed because of partner timing, etc.</li><li>• Hard to fund projects that criticize funders</li></ul>		

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

	Date awarded	Award amount	Organization type
	9/3/13	\$52,000	C3
Organization	Common Cause Education Fund / Common Cause Hawaii		
Project Name	Civic*CELERator		
Objectives	Develop user-friendly apps to make available data from the Hawaii Campaign Spending Commission to inform the public about the influence of money in politics.		
Outcomes	<ul style="list-style-type: none"> <li>• Greater access to data from the HI Campaign Spending Commission, thereby empowering young and new voters to learn about campaign spending before voting.</li> <li>• Increased interest in using technology to achieve transparency and the formation of a Transparency Coalition co-chaired by the Civil Beat Law Center, Hawaii's advocate for open government.</li> <li>• Introduced a group of engineers, coders, developers and citizens to the issue of money in politics.</li> </ul>		
Lessons learned	<ul style="list-style-type: none"> <li>• Biggest challenge: ""breaking through voter apathy in Hawaii to get people to use the apps."" HI has the lowest voter turnout in the country.</li> <li>• Some users wanted info on candidates in federal races, but the data available from the state campaign spending commission was mostly limited to state races.</li> <li>• The apps did not address or reflect Super PAC contributions, which some voters wanted to know about.</li> <li>• Originally the intent was to make the apps accessible for download via Apple iTunes and Google Play, but the timeframe (to have apps completed in advance of the 2014 primary) didn't allow for that."</li> </ul>		
	Date awarded	Award amount	Organization type
	9/3/13	\$50,000	C3
Organization	Foundation for National Progress/Mother Jones		
Project Name	Dark Money and the Courts		
Objectives	<ul style="list-style-type: none"> <li>• Investigate the influence of political money, often hidden from public scrutiny, on judicial elections and decision-making.</li> <li>• With a first-of-its-kind dataset on contributions and spending at the district court level, combined with deep-dive investigative reporting and smart use of digital tools and design, the project will bring the impact of private, often dark, money on the American judicial system into the larger public debate about money and politics.</li> </ul>		
Outcomes	<ul style="list-style-type: none"> <li>• We worked closely with the National Institute on Money in State Politics to analyze its raw data on judicial-election funding information for 10 states. We then integrated it with data from other sources to form the basis for a graphics-heavy 2-page display on the influence of Dark Money on state-level court elections and decisions. In addition, reporter Andy Kroll set out to explain, via traditional shoeleather investigative reporting, the historical context and current state of Dark Money in the judicial system.</li> <li>• Kroll's piece, "Is Your Judge for Sale?", begins with Karl Rove's efforts to influence judicial elections during the 1980s and follows the story up to today when, thanks to Citizens United, state judges often raise six- and seven-figure sums to fend off attack ads from groups that don't disclose their donors. The reporting and the data-driven graphics show the reader how the judicial election system has been broken by the new flood of political money.</li> <li>• The package was published Oct. 28 online and in our Nov/Dec 2014 print issue.</li> <li>• Andy Kroll was interviewed on Democracy Now! and Bill Moyers and the Albany Times Union covered the investigation. It also received extensive social media attention.</li> </ul>		
Lessons learned	Data for district court level campaigns more difficult than anticipated to obtain. Ultimately, we were able to use raw data from the National Institute on Money in State Politics to create a dataset for 10 states. However, we had hoped to be able to assemble a more widespread dataset with data for many more states. Donors go to great lengths to remain hidden, but we had an even more difficult time unearthing the sources of money than we had imagined. For future projects, we will keep our plans conservative, with this knowledge in mind, while always striving to collect as much data as possible.		

## Grant Snapshots - Money and Politics Grants Portfolio 2012-2015

	Date awarded	Award amount	Organization type
	9/3/13	\$35,000	C3
Organization	International Media Project/ Making Contact		
Project Name	What the Fork? How Corporations are Controlling our Food and our Democracy		
Objectives	<ul style="list-style-type: none"> <li>• Hold ""Big Agriculture and Bio-tech"" accountable on policies that promote GMOs and pesticides.</li> <li>• Use food and agriculture as a way to reach people not familiar with the influence of corporate dollars on the American public (a key kitchen table issue) and our democracy."</li> </ul>		
Outcomes	<ul style="list-style-type: none"> <li>• Promoted successful (winning) ballot and local ordinance campaigns in Hawaii and Oregon</li> <li>• Produced a radio program: GMnO! Genetically Modified Democracy.</li> <li>• Built the wtfcorporations.com web site.</li> <li>• Partnered with seven other media organizations to produce print and radio stories.</li> <li>• Partnered with advocacy groups to expand distribution; experimented with new technologies including beta version of Spend+Vote mobile app.</li> <li>• Content produced: <ul style="list-style-type: none"> <li>7 investigative pieces on GMOs, pesticides and corporate influence.</li> <li>5 audio pieces providing background on the issues and on electoral battles in HI and OR.</li> <li>1 photo gallery.</li> <li>1 extended interview with Pesticide Action Network scientist.</li> <li>1 infographic detailing financial contributions of the ""Big 6"" ag corporations to local and nat'l political campaigns in 2013-14."</li> </ul> </li> </ul>		
Lessons learned	<ul style="list-style-type: none"> <li>• The articles on our sites were viewed 9,571 times, the average time spent on each article was 3:13 and the overall bounce rate was 79.45%. We are engaging readers (Comscore data: average time spent on news sites as of March 2014 is 1.1 minutes).</li> <li>• Coordinated releases and coordinated publicity helps distribution exponentially.</li> <li>• Engage advocacy groups earlier for them to be able to make advanced plans to use the materials. In the future we would do the "reverse press conference" much earlier and more often.</li> <li>• Closer coordination could have helped our media work to be more directly connected with a campaign or targeted activity. We dance upon a line between direct advocacy and journalism in the public service. We need to directly challenge some of our younger reporters' old-school notions about objectivity.</li> <li>• Spend even more resources on fine-tuning of the project design once partners are in place and orienting new participants as they join-in mid-stream.</li> <li>• Spend more time/\$ on communication+coordination among the collaborative partners. Specifically, we need more "upstream participation" to assess what will best complement the advocacy groups' efforts months later.</li> </ul>		
	Date awarded	Award amount	Organization type
	9/3/13	\$75,000	C4
Organization	New Organizing Institute		
Project Name	Digital Campaigning Bootcamp for Campaign Finance Organizers		
Objectives	3-day digital and new media strategy training, investing in leaders to manage excellent campaigns		
Outcomes	<ul style="list-style-type: none"> <li>• Participants gave the training a 4.2/5 rating, and a 4.8/5 rating when asked if the training was powerful and inspiring.</li> </ul>		
Lessons learned	<ul style="list-style-type: none"> <li>• Realized that activists needed basic campaign design training as much as digital strategies</li> <li>• When organizers come from different states/contexts/orgs, it's hard to design 1 curriculum to fit all</li> <li>• Hard to recruit trainers in new/unfamiliar issue area</li> </ul>		

**Voqal Money in Politics Grants Portfolio  
FY2013-FY2016**

<b>C3 Grants Awarded</b>		
New Mexico Foundation for Open Government	MP: New Mexico Lobbying Transparency Project	\$20,000
Media Mobilizing Project	#PhillyEducation is #UnderAttack	\$40,000
Not An Alternative	The Natural History Museum	\$50,000
International Media Project/ Making Contact	What the Fork? How Corporations are Controlling our Food and our Democracy	\$35,000
Common Cause Education Fund / Common Cause Hawaii	Civic*CELERATOR	\$52,000
Roosevelt Institute	The Tools for Change: A Millennial Movement To Reclaim Democracy	\$50,000
Foundation for National Progress/Mother Jones	Dark Money and the Courts	\$50,000
<b>Total</b>		<b>\$297,000</b>
<b>C4 Grants Awarded</b>		
Proteus Action League	Winning State Campaigns	\$75,000
Proteus Action League	Public Financing in Seattle and Beyond	\$175,000
Proteus Action League	Piper Fund Core Support FY15	\$50,000
Democracy Initiative	MP: Democracy Initiative (FS)	\$50,000
Every Voice	Honest Elections Seattle Media Push Fall 2015	\$50,000
Proteus Action League	Demos Public Mobilization Project	\$50,000
Proteus Action League	Creating a System of Public Financing in New York	\$350,000
Proteus Action League	Fair Elections New York Campaign	\$250,000
Proteus Action League	Piper Fund Core Support FY14	\$50,000
	Building an Online State-Campaign	
National People's Action Campaign	Around the Corrupting Influence of Money in Kansas Politics	\$88,000
Common Cause	MP: New Mexico Pledge	\$180,000
Proteus Action League	Piper Fund Core Support FY13	\$50,000
New Organizing Institute	Digital Campaigning Bootcamp for Campaign Finance Organizers	\$75,000
Texans for Public Justice	General Support for Data Project	\$25,100
Proteus Action League	Research by M&R Strategic Services	\$25,000
<b>Total</b>		<b>\$1,543,100</b>
<b>Grand Total</b>		<b>\$1,840,100</b>

**Voqal Money in Politics Grants Portfolio**  
**FY2013-FY2016**  
**By Type of Activity**

<b>CAMPAIGN</b>		
Proteus Action League	Winning State Campaigns	\$75,000
Proteus Action League	Public Financing in Seattle and Beyond	\$175,000
Democracy Initiative	MP: Democracy Initiative (FS)	\$50,000
Every Voice	Honest Elections Seattle Media Push Fall 2015	\$50,000
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Not An Alternative	The Natural History Museum	\$50,000
National People's Action Campaign	Building an Online State-Campaign Around the Corrupting Influence of Money in Kansas Politics	\$88,000
Common Cause	MP: New Mexico Pledge	\$180,000
<b>CORE SUPPORT</b>		
Proteus Action League	Piper Fund Core Support FY15	\$50,000
Proteus Action League	Piper Fund Core Support FY14	\$50,000
Proteus Action League	Piper Fund Core Support FY13	\$50,000
<b>PROJECT</b>		
New Mexico Foundation for Open Government	MP: New Mexico Lobbying Transparency Project	\$20,000
Proteus Action League	Demos Public Mobilization Project	\$50,000
International Media Project/ Making Contact	What the Fork? How Corporations are Controlling our Food and our Democracy	\$35,000
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Texans for Public Justice	General Support for Data Project	\$25,100
Foundation for National Progress/Mother Jones	Dark Money and the Courts	\$50,000
<b>RESEARCH</b>		
Proteus Action League	State Opportunities Scan - Research by M&R Strategic Services	\$25,000

### Relative investment by tactic

Tactics - in order greatest to least - Note, many grants engaged in multiple tactics and all tactics were assigned full grant amount to arrive at proxy for effort.

	Cumulative \$ by tactic	# of Grants	Percent of Spending onTactic (Percent of Grant Funding that uses XX tactic)	Color breaks
Comm's and Messaging	\$ 1,618,100.00	17	88%	81% and above
Advocacy Capacity Building	\$ 1,535,000.00	14	83%	
Public Education	\$ 1,495,000.00	14	81%	
Public Will Campaigns	\$ 1,493,000.00	14	81%	
Public Awareness Campaigns	\$ 1,443,000.00	13	78%	80%-71%
Community Mobilization	\$ 1,408,000.00	12	77%	
Coalition Building	\$ 1,278,000.00	12	69%	70% - 41%
Voter Outreach	\$ 1,268,000.00	9	69%	
Media Advocacy	\$ 1,195,000.00	12	65%	
Policymaker Edu	\$ 1,190,000.00	9	65%	
Political Will Camp'ns	\$ 1,063,000.00	8	58%	
Lobbying	\$ 975,000.00	7	53%	
Influencer Education	\$ 945,000.00	6	51%	
Champion Dev't	\$ 945,000.00	6	51%	
Public Forums	\$ 920,000.00	7	50%	
Community Organizing	\$ 642,000.00	10	35%	40% and below
Leadership Development	\$ 403,000.00	8	22%	
Demo Programs	\$ 250,000.00	2	14%	
Policy Analysis & Research	\$ 200,000.00	4	11%	
Public Polling	\$ 75,000.00	1	4%	
Regulatory Feedback	\$ 50,000.00	2	3%	
Model Leg'n	\$ 20,000.00	2	1%	
Litigation	\$ -	1	0%	

## DEFINITIONS OF TACTICS

<b>Advocacy Capacity Building</b>	Using financial support, training, coaching, or mentoring to increase the ability of an organization or group to lead, adapt, manage, and technically implement an advocacy strategy.
<b>Champion Development</b>	Recruiting high-profile individuals to adopt an issue and publicly advocate for it.
<b>Stronger Coalitions</b>	Unifying advocacy voices by bringing together individuals, groups, or organizations that agree on a particular issue or goal.
<b>Communications and Messaging</b>	Transmitting information to target audiences to influence how an issue is presented, discussed, or perceived.
<b>Community Mobilization</b>	Creating or building on a community-based groundswell of support for an issue or position.
<b>Community Organizing</b>	Working with people in communities to develop the capacity to advocate on their own behalf.
<b>Demonstration Programs</b>	Implementing a policy proposal on a small scale in one or several sites to show how it can work.
<b>Influencer Education</b>	Telling people who are influential in the policy arena about an issue or position, and about its broad or impassioned support.
<b>Leadership Development</b>	Increasing the capacity (through training, coaching, or mentoring) of individuals to lead others to take action in support of an issue or position.
<b>Litigation</b>	Using the judicial system to move policy by filing lawsuits, civil actions, and other advocacy tactics.
<b>Media Advocacy</b>	Pitching the print, broadcast, or electronic media to get visibility for an issue with specific audiences.
<b>Model Legislation</b>	Developing a specific policy solution (and proposed policy language) for the issue or problem being addressed.
<b>Policy Analysis and Research</b>	Systematically investigating an issue or problem to better define it or identify possible solutions.
<b>Policymaker Education</b>	Telling policymakers and candidates about an issue or position, and about its broad or impassioned support.
<b>Political Will Campaign</b>	Communications (in-person, media, social media, etc.) to increase the willingness of policymakers to act in support of an issue or policy proposal.
<b>Public Awareness Campaigns</b>	Communications with the public that increase recognition that a problem exists or familiarity with a policy proposal.
<b>Public Education</b>	Telling the public (or segments of the public) about an issue or position, and about its broad or impassioned support.
<b>Public Forums</b>	Group gatherings and discussions that are open to the public and help to make an advocacy case on an issue.
<b>Public Polling</b>	Surveying the public via phone or online to collect data for use in advocacy messages.
<b>Public Will Campaign</b>	Communications to increase the willingness of a target audience (non-policymakers) to act in support of an issue or policy proposal.
<b>Regulatory Feedback</b>	Providing information about existing policy rules and regulations to policymakers or others who have the authority to act on the issue and put change in motion.
<b>Voter Outreach</b>	Conveying an issue or position to specific groups of voters in advance of an election.

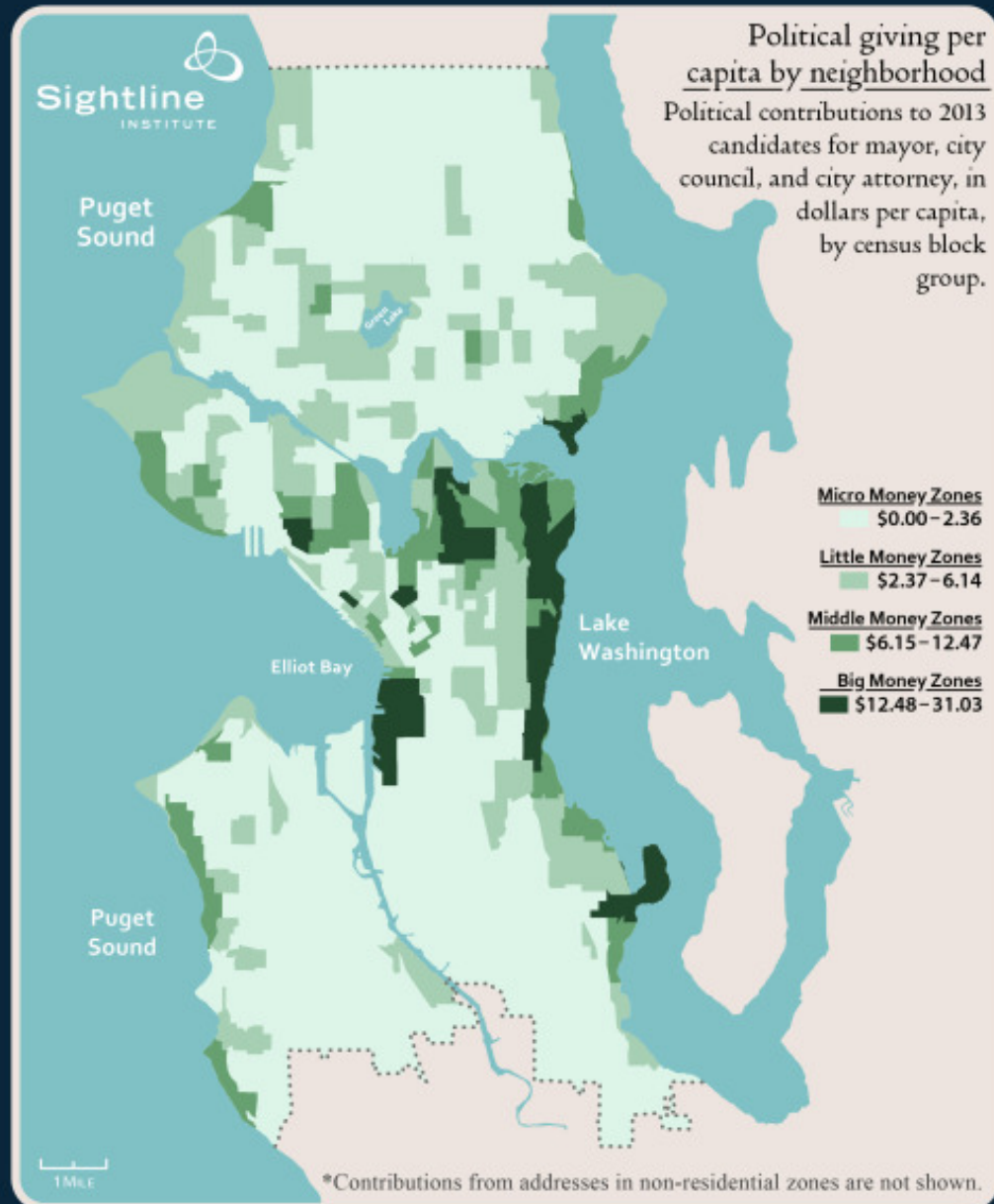
### Outcomes by Relative Amount Invested

Outcomes - order greatest to least	Amount Funded	Number of Grants	Notes	Percent of Spending on objective	Color breaks
Increased public will	\$ 1,615,000.00	17		\$ 0.88	81% and above
Increased advocacy capacity	\$ 1,595,100.00	16		\$ 0.87	
Increased/improved media coverage	\$ 1,538,100.00	16		\$ 0.84	
Collaborative action among partners	\$ 1,460,000.00	17		\$ 0.79	80%-71%
Successful mobilization of public voices	\$ 1,458,000.00	13		\$ 0.79	
Stronger coalitions	\$ 1,298,000.00	13		\$ 0.71	
Increased political will/support	\$ 1,160,000.00	11		\$ 0.63	70% - 41%
New political champions	\$ 1,095,000.00	10		\$ 0.60	
Increased knowledge	\$ 732,100.00	13	1 maybe	\$ 0.40	40% and below
Policy change	\$ 420,000.00	6		\$ 0.23	
Changed attitudes/beliefs	\$ 120,000.00	3	hard to say - w	\$ 0.07	

## DEFINITIONS OF INTERIM OUTCOMES AND EXAMPLE INDICATORS

INTERIM OUTCOME	DEFINITION	EXAMPLE INDICATORS
<b>Changed Attitudes or Beliefs</b>	Target audiences' feelings or affect about an issue or policy proposal.	<ul style="list-style-type: none"> <li>• Percentage of audience members with favorable attitudes toward the issue or interest</li> <li>• Percentage of audience members saying issue is important to them</li> </ul>
<b>Collaborative Action Among Partners</b>	Individuals or groups coordinating their work and acting together.	<ul style="list-style-type: none"> <li>• New organizations signing on as collaborators</li> <li>• Policy agenda alignment among collaborators</li> <li>• Collaborative actions taken among organizations (e.g., joint meetings, aligning of messages)</li> </ul>
<b>Increased Advocacy Capacity</b>	The ability of an organization or coalition to lead, adapt, manage, and technically implement an advocacy strategy.	<ul style="list-style-type: none"> <li>• Increased knowledge about advocacy, mobilizing, or organizing tactics</li> <li>• Improved media skills and contacts</li> <li>• Increased ability to get and use data</li> </ul>
<b>Increased Knowledge</b>	Audience recognition that a problem exists or familiarity with a policy proposal.	<ul style="list-style-type: none"> <li>• Percentage of audience members with knowledge of an issue</li> <li>• Website activity for portions of website with advocacy-related information</li> </ul>
<b>Increased or Improved Media Coverage</b>	Quantity and/or quality of coverage generated in print, broadcast, or electronic media.	<ul style="list-style-type: none"> <li>• Number of media citations of advocate research or products</li> <li>• Number of stories successfully placed in the media (e.g., op-eds)</li> <li>• Number of advocate (or trained spokesperson) citations in the media</li> <li>• Number of media articles reflecting preferred issue framing</li> </ul>
<b>Increased Political Will or Support</b>	Willingness of policymakers to act in support of an issue or policy proposal.	<ul style="list-style-type: none"> <li>• Number of citations of advocate <i>products or ideas</i> in policy deliberations/policies</li> <li>• Number of elected officials who publicly support the advocacy effort</li> <li>• Number of issue mentions in policymaker speeches (or debates)</li> <li>• Number and party representation of bill sponsors and co-sponsors</li> <li>• Number of votes for or against specific legislation</li> </ul>
<b>Increased Public Will or Support</b>	Willingness of a (non-policymaker) target audience to act in support of an issue or policy proposal.	<ul style="list-style-type: none"> <li>• Percentage of audience members willing to take action on behalf of a specific issue</li> <li>• Attendance at advocacy events (e.g., public forums, marches, rallies)</li> </ul>
<b>New Political Champions</b>	High-profile individuals who adopt an issue and publicly advocate for it.	<ul style="list-style-type: none"> <li>• New champions or stakeholders recruited</li> <li>• New constituencies represented among champions</li> <li>• Champion actions to support issue (e.g., speaking out, signing on)</li> </ul>
<b>Stronger Coalitions</b>	Mutually beneficial relationships with other organizations or individuals who support or participate in an advocacy strategy.	<ul style="list-style-type: none"> <li>• Number, type, and/or strength of organizational relationships developed</li> <li>• Number, type, and/or strength of relationships with unlikely partners</li> </ul>
<b>Successful Mobilization of Public Voices</b>	Increase in the number of individuals who can be counted on for sustained advocacy or action on an issue.	<ul style="list-style-type: none"> <li>• New advocates recruited</li> <li>• New constituencies represented among advocates</li> <li>• New advocate actions to support issue</li> </ul>

## Political Money Per Capita



Data sources: US Census Bureau 2008-12 American Community Survey, Seattle Ethics and Elections Commission, City of Seattle, King County

Cartography by CORE GIS LLC, [www.coregis.net](http://www.coregis.net)

Design by GoodMeasures, [www.GoodMeasures.biz](http://www.GoodMeasures.biz)

## 2013 Political Donations by Neighborhood

- All “big money zones” are located in the city’s wealthiest neighborhoods
- Comparatively little political money originates from majority low-income and POC neighborhoods

## 4 SEATTLE'S POLITICAL DONOR CLASS LIVES IN VIEW HOMES

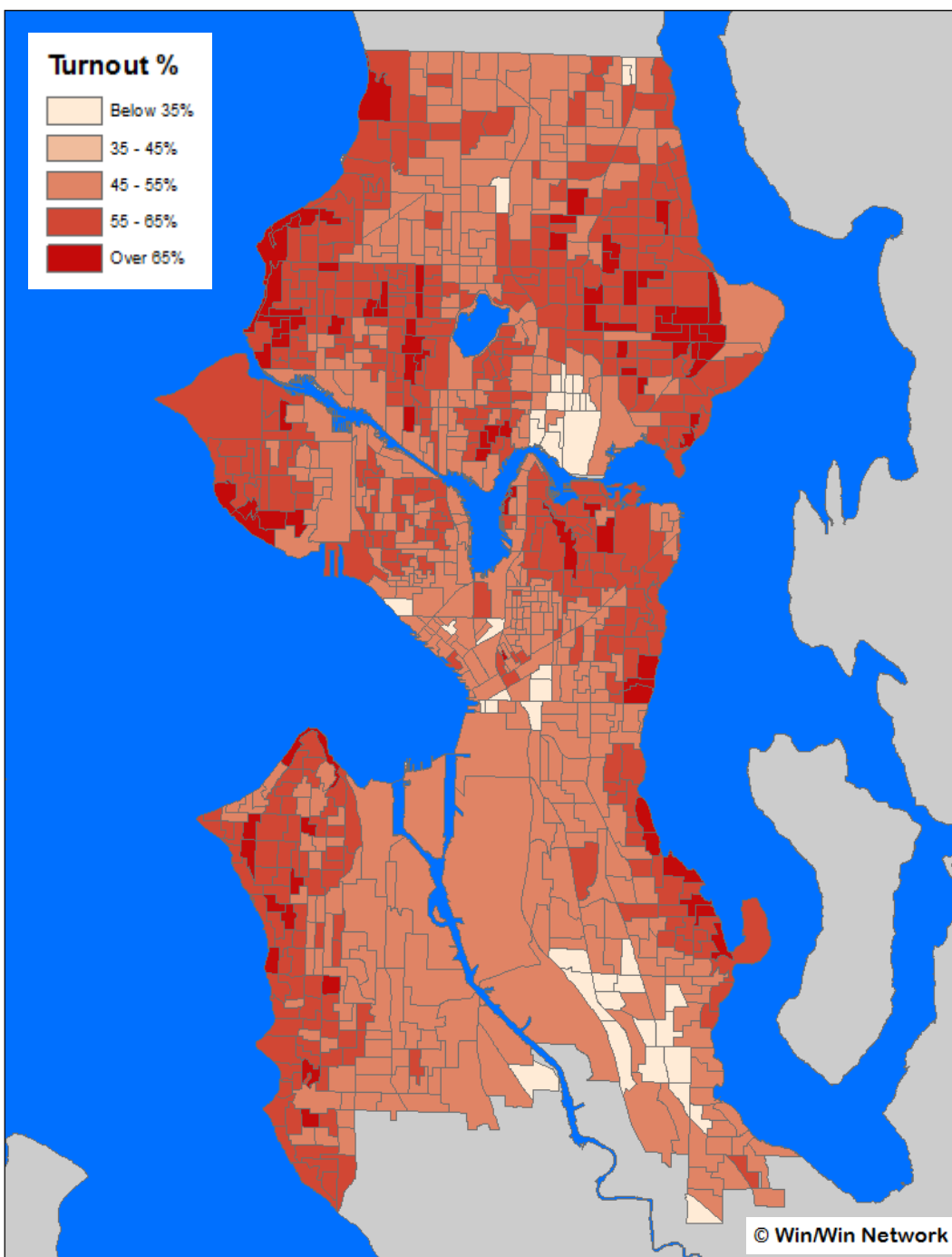
Per Capita Contributions by Census Block Group vs. View Properties



Properties with Views of Mountains or Water

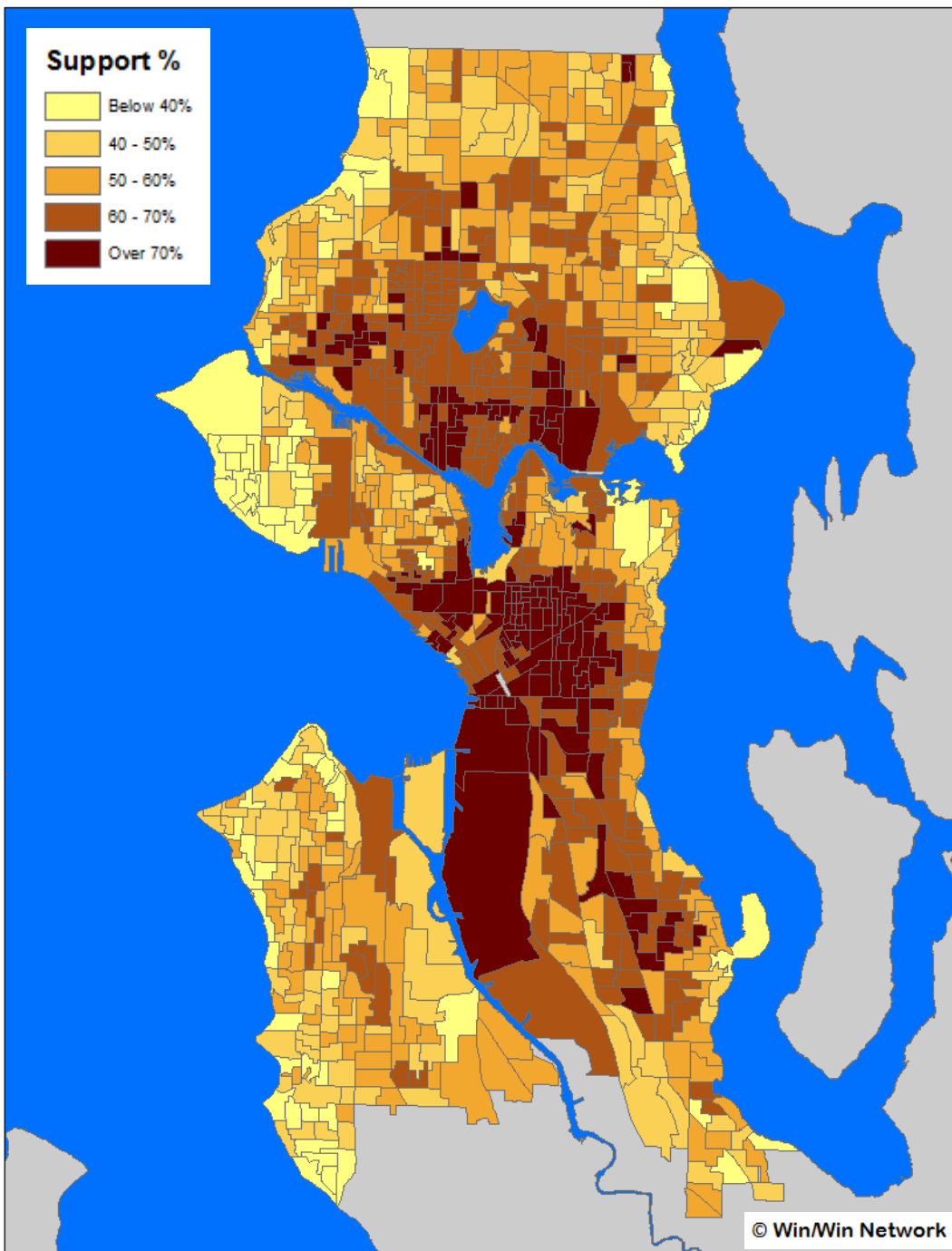


- 1 START
- 2 INCOME
- 3 RACE
- 4 VIEWS
- 5 WHAT IF?



## 2013 Voter Turnout by Neighborhood

- The 2013 electorate was more diverse than usual due to a populist city council candidate and multiple grassroots initiatives on the ballot
- Despite this, we still see significantly higher turnout among wealthier, whiter neighborhoods
- We also see significant overlap with the previous maps



## Initiative 122

- Passed in 2015 with 63% of the vote
- The initiative received deep support from low-income neighborhoods and communities of color
- Check out those water views!

## Voqal MiP Open Call Grants – Outcomes Summary

Voqal's grants made it possible for:

- **Not an Alternative** to start organizing for its successful movement to separate David Koch from the American Museum of Natural History's board of trustees because of his ties to the fossil fuel industry (he resigned in January 2016 following mounting public pressure from leading scientists and museum officials);
- **International Media Project's** social justice media project "Making Contact" to shine a light on corporate influence over food production, which was instrumental in two county-level wins in fights to ban Genetically Modified Organisms (GMOs) in Hawaii and Oregon (Hawaii leads the nation in the number of experimental field trials of genetic engineering, according to sustainable agriculture advocate Hawai'i Seed);
- **Mother Jones** to partner with the National Institute on Money in State Politics to publish a first-of-its kind, detailed explainer (October 28, 2014) and exposé of the influence of "dark money" in lower court electoral races, titled "Is Your Judge for Sale?" (published in November/December 2012); the package was further covered by *Democracy Now!*, by Bill Moyers and the Albany Times Union;
- **Texans for Public Justice** to implement a database conversion of "several million Texas contribution and expenditure records dating to 2002" for public access and accountability and published 10 "Lobby Watch" reports analyzing money and lobbying influence on timely issues (this technology enhancement may not be sexy but has contributed to criminal indictments brought against high profile TX public officials).

Grants where the outcomes were less clear or less compelling include the following:

- Media Mobilizing Project's "doom and gloom" framing for its campaign proved problematic, but it still built a strong education advocacy coalition, helped to prevent funding of additional charter schools, and established awareness of the links between Philadelphia-headquartered Comcast's high profits, low taxes, and underfunding of public schools. Additionally, the grant proved to be "transformative" for the organization, shifting its focus to more direct community organizing and using media as a tool to make organizing more effective.
- National People's Action Campaign was not successful in its campaign narrative framing or its quest to oust its anti-immigrant Secretary of State and the lasting impact of its online organizing capacity is unclear based on the data reviewed.
- Roosevelt Institute's digital experiment with NextGen Illinois found that CrowdTangle was not the silver bullet hoped for to engage millennials in online conversations around money in politics, but it did serve as a "foundational tool in building the project's narrative" and Roosevelt reports that 20,000 young people were engaged in democracy reform issues using the NextGen IL platform.
- In two cases, the Hawai'i CivicCelerator project and the National Organizing Institute's digital training for campaign finance reformers, immediate results were difficult to measure and less meaningful than it would be to know what happened subsequently as a result of the projects among the communities who might have benefited from these initiatives. But metrics and data to track longer-term impacts are non-existent and additional resources would be required to investigate further.

# Unity Statement of Principles

## *Solutions to the Undue Influence of Money in Politics*

The following is a statement of principles endorsed by 131 organizations in support of a wide range of solutions to the undue influence of big money in politics. Coming together to protect our fundamental democratic values, this is the largest collection of groups ever aligned behind such an extensive set of policy solutions to the money in politics challenge.

Each reform measure is an integral part of the solution, together working to build the type of democracy Americans want to live in.

# Unity Statement of Principles

## *Solutions to the Undue Influence of Money in Politics*

Democracy requires a commitment to self-government passed from one generation to the next. We recognize our obligation to preserve our representative democracy as our way of resolving reasonable disagreements on public policy. Like generations before us, we come together as citizens setting aside policy differences and uniting to preserve our democracy, so that government of the people, by the people, and for the people shall not perish from this Earth. We stand united in support of a comprehensive set of public policies that recognizes the people as the ultimate check on the corrosive influence of money in politics that is eroding the very foundation of self-government.

This **Unity Statement of Principles** reflects policies already working in many parts of the country to ensure a democracy where **everyone participates** and **everyone's voice is heard**; where **everyone knows** who is buying influence in our elections and government; and where politicians play by **common sense rules** and are **held accountable** with enforceable penalties to deter bad behavior.

1. **Everyone participates:** In a democracy, everyone should have a voice in the decisions affecting their lives. Our system of funding elections should not privilege any particular interest, nor suppress the voices of others. We need to provide incentives that encourage the active participation of small donors in our elections so candidates are accountable to, and dependent on, the people, not moneyed interests.
2. **Everyone's voice is heard:** Our democracy is based on the principle of one person, one vote—not one dollar, one vote. From equal access to the ballot box to the right not to be silenced by big money, democracy requires we recognize each other as equals in the political process. When elected representatives only hear the policy preferences of the very rich it distorts government's responsiveness to the people. We need limits on using money in politics so our democracy doesn't just respond to wealthy and corporate interests but responds to the needs of the people.
3. **Everyone knows:** Voters have the right to know who is trying to influence our views and gain improper influence over our representatives. We need effective disclosure requirements for the use of money at all levels of government because transparency is a foundation for accountability.
4. **Everyone plays by common sense rules:** Access to and influence over our elected representatives should not be determined by the size of your wallet. We must overturn the effects of cases like *Citizens United v. FEC* and *McCutcheon v. FEC* and reclaim our Constitution to empower people to adopt common sense rules to stop the improper influence of big money on our government.
5. **Everyone is held accountable:** We need a fair and accessible elections system so our elected officials will be responsive and accountable to the people. This requires the FEC, IRS, SEC, FCC, and state agencies to enforce our laws so those who break them face real consequences that deter bad behavior.

# Signers

- ❖ 350 Colorado
- ❖ ActivUs
- ❖ AFL-CIO
- ❖ Alliance for a Just Society
- ❖ American Association of University Women (AAUW)
- ❖ American Family Voices
- ❖ American Sustainable Business Council
- ❖ APALA-DC
- ❖ Appalachian Coalition for Just and Sustainable Communities
- ❖ Asian Americans Advancing Justice
- ❖ Ben & Jerry's
- ❖ Bend the Arc Jewish Action
- ❖ Boston Common Asset Management
- ❖ Brave New Films
- ❖ Brennan Center for Justice at NYU School of Law
- ❖ BridgeRoots
- ❖ Center for Effective Government
- ❖ Center For Environmental Health
- ❖ Center for Media and Democracy
- ❖ Center for Science and Democracy at the Union of Concerned Scientists
- ❖ Center for Science in the Public Interest
- ❖ Chicago Coalition for the Homeless
- ❖ Chicago Democratic Socialists of America
- ❖ Christopher Reynolds Foundation
- ❖ Citizen Works
- ❖ Citizens for Responsibility and Ethics in Washington (CREW)
- ❖ Co-operate Colorado
- ❖ Coffee Party USA
- ❖ Common Cause
- ❖ Communications Workers of America
- ❖ Community Organizations in Action
- ❖ Conference of Major Superiors
- ❖ Constitutional Accountability Center
- ❖ Corporate Accountability International
- ❖ Courage Campaign
- ❖ Cow Hollow Fund at San Francisco Foundation
- ❖ CT Citizen Action Group (CCAG)
- ❖ Daily Kos
- ❖ Democracy 21
- ❖ Democracy for America
- ❖ Democracy Matters
- ❖ Democracy Matters - UPenn Chapter
- ❖ Demos
- ❖ Eco-Justice Ministries
- ❖ Endangered Species Coalition
- ❖ Energy and Policy Institute
- ❖ Environment Texas
- ❖ Ethical Markets Media
- ❖ Every Voice
- ❖ Fair Share
- ❖ Food & Water Watch
- ❖ Franciscan Action Network
- ❖ Free Speech For People
- ❖ Friends of the Earth
- ❖ Government Accountability Project
- ❖ Green Party Alliance at USF
- ❖ Greenpeace
- ❖ Harrington Investments
- ❖ Illinois Democratic Women
- ❖ Illinois Right to Know GMO
- ❖ Institute for Agriculture and Trade Policy
- ❖ Investor Voice
- ❖ Iowa Citizens for Community Improvement
- ❖ Issue One
- ❖ Jobs With Justice

- ❖ Justice Party USA
- ❖ Kansas Values Institute
- ❖ League of Conservation Voters
- ❖ Left Action
- ❖ LocalHarvest
- ❖ Metro Denver
- ❖ Missionary Oblates JPIC
- ❖ Money Out Voters In
- ❖ MoveOn.org
- ❖ MOVI Wisconsin
- ❖ NAACP
- ❖ National Coalition on Black Civic Participation
- ❖ National LGBTQ Task Force
- ❖ National People's Action Campaign
- ❖ National Women's Political Caucus
- ❖ Natural Resources Defense Council
- ❖ NCLR Action Fund
- ❖ NETWORK, A National Catholic Social Justice Lobby
- ❖ New Progressive Alliance
- ❖ Newground Social Investment
- ❖ North Carolina Voters for Clean Elections Coalition
- ❖ NorthStar Asset Management, Inc.
- ❖ Northwest Side Housing Center
- ❖ OurTime.org
- ❖ Pax World Management LLC
- ❖ Pay to Play
- ❖ People Demanding Action
- ❖ People For the American Way
- ❖ People's Email Network
- ❖ Piper Fund
- ❖ Progress Florida
- ❖ Progress Texas
- ❖ Progressive Change Campaign Committee
- ❖ Progressive Democrats of America
- ❖ Public Campaign
- ❖ Public Citizen
- ❖ Purdue NORML
- ❖ Represent.Us
- ❖ ReThink Media
- ❖ Roosevelt Institute | Campus Network
- ❖ RootsAction
- ❖ Say No To Big Money
- ❖ Sierra Club
- ❖ Sisters of Mercy - Institute Justice Team
- ❖ Sisters of St. Francis of Philadelphia
- ❖ Social Equity Group
- ❖ Stamp Stampede
- ❖ State Innovation Exchange (SiX)
- ❖ Story of Stuff
- ❖ Temple Political Science Society
- ❖ The Main Street Alliance
- ❖ The Other 98%
- ❖ UConn Students for Sensible Drug Policy
- ❖ Unitarian Universalist Association
- ❖ United Church of Christ, Justice and Witness Ministries
- ❖ Ursuline Sisters of Tildonk, U.S. Province
- ❖ US PIRG
- ❖ USAction
- ❖ Vermont PIRG
- ❖ Voices for Progress
- ❖ WAmend
- ❖ Wisconsin Democracy Campaign
- ❖ Women Donors Network
- ❖ Working America
- ❖ Young Democratic Socialists
- ❖ Zevin Asset Management, LLC

# Fighting Big Money, Empowering People: A 21st Century Democracy Agenda

*Like every generation before us, Americans are coming together to preserve a democracy of the people, by the people, and for the people. American democracy is premised on the consent of the governed, and on the idea that we all deserve a say in the government decisions that affect our families. We stand united supporting commonsense protections that recognize the people as the ultimate check on the corrosive influence of money in politics, which is eroding the very foundation of self-government.*

Brennan Center for Justice  
Common Cause  
Democracy 21  
Democracy Matters  
Demos  
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July 2015

The next President of the United States should stand with Americans across the country and commit to these five principles of democracy:

1. Everyone participates;
2. Everyone's voice is heard;
3. Everyone knows who is trying to influence our views and our representatives;
4. Everyone plays by fair, common-sense rules;
5. Everyone is held accountable, with enforceable penalties to deter bad behavior.

To bring these democratic values to life, the next President of the United States must advocate for a specific and comprehensive plan, including:

**Encouraging and amplifying the voices of everyday Americans** by legislating a system of public funding for qualified federal candidates, meaningful contribution limits, and measures to reduce barriers to the ballot box and increase turnout;

**Robust, real-time disclosure of political contributions and expenditures** through legislation, rulemaking at the FEC, FCC, IRS, and SEC; and—if President Obama fails to act—an executive order;

**Overtaking *Citizens United*** and earlier cases such as *Buckley v. Valeo* through the Democracy for All constitutional amendment, and the appointment of Supreme Court Justices committed to restoring the people's ability to protect our democracy;

**Ending the mockery of existing campaign finance rules** through legislation to shut down individual-candidate super PACs and effectively prevent coordination between candidates and outside groups; creating a new enforcement agency with real power; appointing FEC commissioners committed to enforcing existing law; and appointing an Attorney General who will crack down on violations of campaign finance laws and election laws that protect every voter's access to the ballot box.

The next President of the United States should commit to make this democracy reform agenda a national priority from Day One in office. In the past, presidents have made campaign commitments to prioritize campaign finance reform and then, once elected, have failed to take action. In addition to proposing a specific and comprehensive reform plan, the next president should publicly take these reforms to the country and Congress as a national priority, convening community leaders and activists from around the country to build support at every level, and create a White House task force to promote the reform agenda.



## Everyone participates.

*The next president of the United States should commit to a 21st Century democracy where everyone participates. The president should endorse, prioritize, and work aggressively with Congress to pass legislation to provide public funds that will amplify small donations to federal candidates who agree to lower contribution limits.*

With each election cycle, our elected leaders depend on a smaller and smaller share of our population making larger and larger campaign contributions. As a result our leaders listen to a handful of deep-pocketed interests at the direct expense of everyday Americans.

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## **We need to provide incentives such as matching funds that encourage the active participation of small donors in our elections.**

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We need to provide incentives such as matching funds that encourage the active participation of small donors in our elections so candidates are accountable to, and dependent on, the people—not wealthy donors and special interests. Other potential incentives include limited tax credits and small dollar vouchers.

Providing public funding support to amplify the role of ordinary Americans in financing elections makes elected officials less indebted to a narrow set of funders, allows candidates to spend more time listening to their constituents, gives more people the ability to run for office, elects officeholders more reflective of the community at large, and leads to policies more responsive to public needs and less skewed by wealthy interests.



## Everyone's voice is heard.

*The next president of the United States should commit to a 21st Century democracy where everyone's voice is heard. The president should endorse, prioritize, and work aggressively with Congress to pass legislation to reduce barriers to the ballot box and increase turnout. The next president should support meaningful contribution limits so a wealthy few cannot use their economic power to shut out ordinary citizens.*

Our democracy is based on the principle of *one person, one vote*— not *one dollar, one vote*. From equal access to the ballot box to the right not to be silenced by big money, democracy requires everyone to have a voice in the decisions affecting their lives.

.....

**From equal access to the ballot box to the right not to be silenced by big money, democracy requires everyone to have a voice in the decisions affecting their lives.**

.....

Our democracy is undermined when elected representatives only hear the policy preferences of the wealthy. We need reasonable limits on using money in politics so our government doesn't just respond to wealthy donors and special interests when it should be responding to all Americans. Limits are most effective when combined with reforms to encourage more small donors to participate.

Our democracy functions best when all eligible Americans participate in the political process, and when the voting system is free, fair, accessible, and free from discrimination. Reforms to modernize our voter registration system would make voting more convenient and secure. They would provide Americans with the options they need to ensure they can register, vote, and make their voices heard. Restoring the Voting Rights Act would ensure that every American is protected against discrimination in voting.



## Everyone knows.

*The next president of the United States should commit to a 21st Century democracy where everyone knows who funds campaigns. The president should push Congress to enact new disclosure requirements for outside spending groups, urge the FEC to create dark money regulations responsive to the Citizens United decision, urge the SEC to require public corporations to disclose their political spending, urge the FCC to require advertisers to disclose their “true identity,” and urge the IRS to more clearly define political activity so organizations cannot abuse the system to keep their donors secret. The president should issue an executive order requiring all federal government contractors to disclose their political spending.*

Voters have a right to know who is trying to influence our views and our elected representatives.

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## **Voters have a right to know who is trying to influence our views and our elected representatives.**

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Americans should be able to easily look up candidates, online and in “real-time,” to see what entities have spent substantial sums on the candidate’s behalf, and which donors have provided the funds, both during the election and afterwards.

Congress should enact effective disclosure requirements so outside spending groups cannot hide from voters the wealthy donors and special interests funding them.

If President Obama fails to act, the next president can increase disclosure by signing an executive order requiring all federal contractors to disclose their political spending. Federal regulatory agencies—the FEC, FCC, IRS, and SEC—also have important roles to play in ensuring transparency.



## Everyone plays by fair, common sense rules.

*The next president of the United States should commit to a 21st Century democracy where everyone plays by common sense rules and should pledge to restore our pro-democracy Constitution by endorsing, prioritizing, and calling on Congress to pass and the states to ratify the Democracy For All amendment. The next president should appoint justices who will transform the Supreme Court's approach to money in politics, overturn Citizens United and Buckley v. Valeo, and revive the People's ability to protect our democracy.*

The size of your wallet should not determine the strength of your political voice. But, in a long series of decisions beginning with *Buckley v. Valeo* and escalating with *Citizens United v. FEC* and *McCutcheon v. FEC*, the Supreme Court has cemented a flawed reading of our Constitution that strips the ability of We the People to impose common sense limits on election spending.

.....

**Moreover, the Democracy For All constitutional amendment would correct the Court's fundamentally flawed decisions by restoring our ability to set commonsense rules.**

.....

A narrow 5-4 majority on the current Court rejects any reason other than fighting quid pro quo corruption (or bribery) as the basis for reining in big money, including leveling the playing field between mega donors and the rest of us, or ensuring the integrity of our democratic system. The Court has struck down strong protections, such as caps on candidate spending, meaningful contribution limits, and bans on corporate political spending.

Justices appointed by the next president will have the opportunity to transform the current Court's misguided approach to money in politics. Moreover, the Democracy For All constitutional amendment would correct the Court's fundamentally flawed decisions by restoring our ability to set commonsense rules that stop the influence of big money on our government and empower the people to fully participate and have their voices heard.



## Everyone is held accountable.

*The next president of the United States should commit to a 21st Century democracy where everyone is held accountable. The next president should endorse, prioritize, and work aggressively with Congress to pass legislation to create a new enforcement agency with real power to hold campaign violators accountable and legislation to shut down individual-candidate super PACs and strengthen the rules that prohibit coordination between candidates and outside spending groups. The next president should commit to appointing FEC commissioners who promise to enforce existing law and an Attorney General who will prioritize addressing violations of campaign finance and election laws.*

A fair and accessible election system requires strong enforcement of our laws. Those who break the law must face real consequences that deter bad behavior.

But the FEC consistently fails to enforce and properly interpret campaign finance laws. As a result, candidates and their political operatives constantly stretch, if not break, the laws with impunity. A new, real enforcement agency is needed to replace the FEC. In the meantime, the President should appoint individuals to the FEC who are committed to enforcing existing law.

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## **A fair and accessible election system requires strong enforcement of our laws so those who break them face real consequences that deter bad behavior.**

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Individual-candidate super PACs and coordination between candidates and outside spending groups allow federal candidates and their big donors to evade the candidate contribution limits enacted by Congress and upheld by the Supreme Court. Shutting down individual-candidate super PACs and strengthening coordination rules are necessary to ensure accountability.

Given the complete enforcement breakdown, the Department of Justice needs to actively exercise its jurisdiction to prosecute criminal violations of campaign finance laws and election laws that protect access to the ballot box.

## Fighting Big Money, Empowering People: A 21st Century Democracy Agenda

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## **APPENDIX I**

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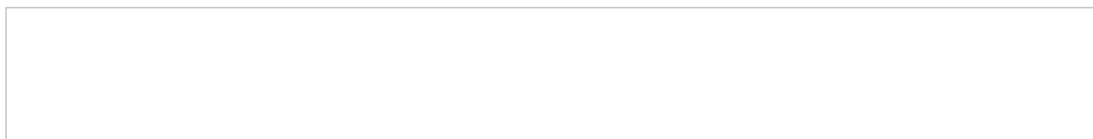
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# Maine, Seattle Pave Next Path For Campaign Finance Reform

The passage of public financing ballot initiatives points a way forward for reformers.

11/04/2015 10:33 am ET | Updated Nov 04, 2015



**Paul Blumenthal**

Money in Politics Reporter, The Huffington Post

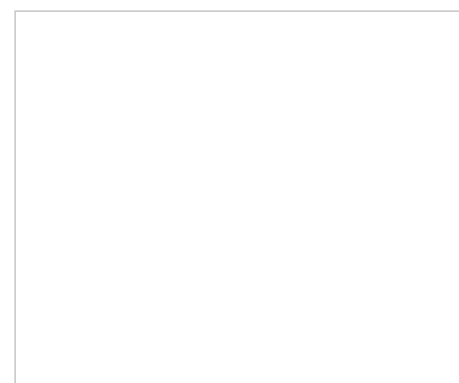


ALEX WONG VIA GETTY IMAGES

Campaign finance reformers won big in Maine and Seattle on Tuesday as voters approved important reform initiatives.

WASHINGTON — Voters in Seattle and Maine went to the polls Tuesday night and supported ballot initiatives to reform their campaign finance laws and expand the role of small donors in elections.

Maine voters [backed by 55 percent an initiative](#) that updated their system of



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publicly financed elections. The initiative will make it possible for candidates receiving public funds to compete better in the landscape created after two Supreme Court decisions tightened restrictions on public funding and flooded elections with unlimited independent spending.

In Seattle, voters backed [a sweeping measure to enact public financing of the city's elections](#) by a vote of 60 percent to 40 percent. The measure will create a first-of-its-kind system of publicly funded “democracy vouchers” to be distributed to citizens to donate to candidates participating in the public funding system. Each citizen will be able to distribute four \$25 vouchers to participating candidates. This goes along with a raft of other campaign finance, disclosure, ethics and lobbying reforms also included in the initiative.

The passage of both measures signals a new front in the effort to reform and democratize campaign finance. Since the 2010 Citizens United decision opened the door to unlimited election spending by corporations, unions and, following a subsequent lower court ruling, wealthy individuals, public distaste for the role of big money in politics has increased dramatically. At the same time, avenues for reform at the federal level have shrunk as Congress and the Supreme Court are controlled by conservatives opposed to reform.

“Everyday Americans deeply believe in the patriotic ideals of a government of, by, and for the people and of striving to create a more perfect nation. For Americans who have lost faith in their government because they believe their elected officials don’t listen to everyone, these victories are a beacon of hope,” David Donnelly, president and CEO of Every Voice, a campaign finance reform group that backed the initiatives in Maine and Seattle, said in a statement.

As evidenced by the successes in Maine and Seattle on Tuesday, the effort to take the reform agenda to the states — and directly to the people — is succeeding. Another victory came in San Francisco, where voters passed a lobbying reform proposition that lays the groundwork for further changes. These reform wins follow on the heels of the 2014 vote in Tallahassee, Florida, to enact [a limited public financing system](#) in the city and reform lobbying and ethics laws.

“Local, grassroots victories are how we fix our corrupt political system,” Josh Silver, director of [Represent.Us](#), an anti-corruption group that backed the initiatives and propositions that passed on Tuesday, said in a statement. “Together we are building a movement, from the ground up, and fighting for a future where political outcomes are decided by the best ideas, not the biggest bank accounts.”

The push for post-Citizens United reform at the state level owes its success not only to the design of getting the issue before a public primed to vote against big money, but also to the initiatives providing an affirmative path to reform through empowering the average citizen.

Instead of focusing on passing initiatives that seek to limit, reformers are [pushing policies to increase the role of small donors and non-donors](#) in the funding of elections through public financing. These policies are often combined, as was the

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case in Seattle, with a package of ethics and lobbying reforms supported by conservative voters also concerned about the imbalance in government favoring the wealthy and well-connected.

As lawmakers tend to percolate up from city councils to state legislatures and into Congress, reformers hope that their success at creating state- and local-level public financing systems will create a generation of lawmakers coming to Washington with experience in a public system and not in the current privately financed system. These lawmakers would be more willing to help create such a system at the federal level.

For now, success in 2015 for reformers means only one thing: more ballot initiatives in states and cities in the 2016 elections.

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## CONVERSATIONS

# Can Seattle Boot Big Money Out of Elections By Giving Everyone “Democracy Vouchers”?

*Early results show Seattle passing the Honest Elections ballot initiative. Voters will receive four \$25 “democracy vouchers” every election year, which they can donate to the campaign of their choice.*



Photo from Shutterstock.



**Marcus Harrison Green** posted Oct 30, 2015

*Update: Early results on November 4 showed I-122 winning by a large margin, with about 60 percent of voters in support.*

A group of campaign reform advocates in the city of Seattle has a novel solution to curb the influence of money in political elections: more money.

In less than a week, Seattle voters will decide the fate of the Honest Elections ballot initiative, otherwise known as I-122.

If passed, the initiative—engineered by a loose coalition of local progressive groups and organizers—will mail four \$25 “democracy vouchers” to every Seattle voter on the first business day of an election year. The vouchers would be financed by a 10-year, \$30 million property tax levy.

Voters then will have the option to allocate one or all of the vouchers to the campaign of the city official of their choice, provided that candidate has voluntarily opted into the voucher system.

The initiative's main goals, according to proponents, are to establish an even playing field among candidates vying for office, mitigate the impact of big donors on local elections, and magnify the importance of average citizens.

An estimated 0.3 percent of Seattle residents make up half of the contributors to political campaigns, says Sarra Tekola, who works with the nonprofit Sightline Institute, one of the measure’s main backers. “This initiative helps people who have limited means actually be paid attention to, regardless of economic status—including people of color and young people.”

With a new source of campaign revenue at stake, Tekola joins those proponents who insist the measure will force City Council members and candidates to spend additional time addressing the concerns of the layperson, which they might otherwise forego to spend time currying favor with big-money donors.

According to *The Seattle Times*, the average cost of a winning City Council campaign is \$243,000. As of last week, Seattle’s 18 city council candidates have cumulatively raised more than \$2.6 million, for an average of \$143,753 each.

The need to raise money to fund a successful campaign, of course, is not unique to Seattle, nor is candidates’ dependence on major donors. Nationally, less than 1 percent of Americans account for 80 percent of campaign contributions.

For this reason, Honest Election supporters see it as a viable model for other municipalities across the country.

“This is a very important initiative on a national level,” says longtime campaign finance reform advocate John Bonifaz of Free Speech for People.

Reform advocates should still continue to fight for a constitutional amendment to overturn Citizens United, the 2010 U.S. Supreme Court decision credited with allowing unlimited amounts of money to be spent on campaigns by corporations and labor groups via "Super PACs," Bonifaz added. But what is happening in Seattle is a good start.

If other cities were to adopt I-122 in its entirety, they would potentially be agreeing to some of the most stringent campaign laws in the country.

Along with "democracy vouchers," the measure addresses a number of issues, including lowering the maximum contribution an individual can make from \$700 to \$500, and applying spending caps on the campaigns of candidates who have opted in to the voucher program.

What may appear as a Christmas list to reform advocates is viewed as overkill by the initiative's opponents, including Bob Mahon of No Election Vouchers, I-122's main opposition.

"I-122 gives this misperception that we have corruption in our politics, which we don't. The biggest concern we have is money, and the initiative does nothing to address that. In fact, it potentially could make that problem worse," says Mahon.

Mahon, who was a member of the Seattle Ethics and Elections Commission for eight years and describes himself as a "true-blue Democrat," says the initiative is well-intentioned, but he fears it ultimately will exacerbate what it purports to stop.

"In terms of the limit on contributions, money always finds its way into the system," Mahon said, referring to the Citizens United case.

Mahon says that open transparency is the best remedy for big money at the local level. Only fighting for a constitutional amendment at the national level would stop the influence of Super PACs, which do not have to report their donors, he says.

Critics of the measure, including Mahon, claim that Seattle is essentially being used as a "petri dish" for an experiment in campaign finance reform. But that's the point, supporters say.

"Cities and states can be laboratories for campaign finance regulation that may work in other places," says Kenneth Gross, a New York lawyer who was influential in that city's move toward a publicly funded system that "matched" the contributions small donors made to local campaigns. "If this program can constitutionally thwart the undue influence of outsized donations it should be given a try."

With a recent poll showing that more than 84 percent of Americans believe money has an undue influence in politics, campaign reformers will be watching to see just how Seattle's experiment turns out.



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*Marcus Harrison Green wrote this article for YES! Magazine. Marcus is a YES! Reporting Fellow. He is the founder of the South Seattle Emerald. Follow him on Twitter @mhgreen3000.*



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## OPINION: APIA VOTE—NOW IS THE TIME TO EXERCISE OUR DEMOCRATIC RIGHTS

BEN HENRY AND CRYSTAL REED

OCTOBER 18, 2015

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APACE Washington members at its annual retreat in 2014. APACE engages with communities as a progressive voice working to inform voters. • Courtesy Photo

The trees are starting to shed, the Seahawks are lowering the Boom down the street, and summer is but a memory. For us political nerds, fall is our favorite season of all—it's election time!

Ballots are set to drop in mailboxes on October 20, and need to be returned by November 3. Exercising our democratic rights is not only our civic duty, but the most direct and impactful way we have to ensure that our interests and priorities are considered when important decisions are made by our elected leaders.

There are nearly 300,000 Asian Pacific Islander Americans (APIAs) in Washington who are eligible to vote. But a whopping 46 percent are not registered. Imagine what policymaking would look like if all APIAs voted. In the past 10 years, elections have been won by as little as 250 votes. As a significant share of the vote, APIAs have the numbers to wield significant political power.

Asian Pacific Americans for Civic Empowerment (APACE) engages with our communities as a progressive voice working to inform voters. We have done door-to-door campaigns to get out the vote for APIA-specific voters during the last gubernatorial race and in Federal Way, where large concentrations of the APIA community reside.

APACE also has a political action committee (PAC) that carefully interviews candidates running for office

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and endorses individuals who share our community's values of equity, social, and economic justice, and authentic APIA empowerment.

So, how do you, as a voter, get involved? First off, you need to make sure you're registered to vote. Not registered? Our friends at APACE Votes have got you covered. Find a computer and register here:

[www.apacevotes.org/register-to-vote](http://www.apacevotes.org/register-to-vote).

Secondly, what do you do with those ballots once you get them? APACE will announce our endorsements well before ballots drop on October 20. Keep an eye out for that announcement, or check [www.apace-wa.org](http://www.apace-wa.org) for the latest.

One ballot initiative to look out for is "Honest Elections Seattle," also known as Initiative 122 (I-122). Currently, campaigns supporting candidates are able to raise large amounts of money to help them win elections. This ballot initiative is a reform package geared toward limiting the influence of big donors, thus increasing transparency and engaging everyday community members in Seattle elections.

I-122 limits big money, holds elected officials accountable, and puts campaign money directly into the hands of the people.

Research produced by the Seattle-based Alliance for a Just Society finds that Seattle's most diverse neighborhoods actually have the least political influence, and the APIA is particularly politically vulnerable. I-122 levels the playing field and gives more people a voice in the election process.

The bottom line is that passage of I-122 will give the APIA community exponentially more campaign finance participation and, thus, political influence.

Beyond I-122, what in general should you consider when voting?

In our work, we look for candidates who share our values of empowering our APIA communities and social, economic, and political equity, and for those who see the value in being held accountable to these progressive principles.

For ballot items that we do not endorse, we generally recommend using Fuse's Progressive Voter's Guide, which you can find here: [www.progressivevotersguide.com](http://www.progressivevotersguide.com).

This is an important moment of Seattle's APIA community, and now is the time to get involved.

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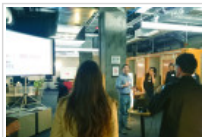


About the author: Ben Henry and Crystal Reed

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Ben Henry is former APACE Board President, and Crystal Reed is APACE's current Board President.

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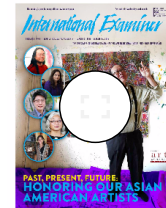
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## Montgomery Council approves plan for public finance of local campaigns

By **Bill Turque** September 30, 2014

The Montgomery County Council, seeking to draw more small, individual donors into campaigns and limit the influence of special-interest money, voted unanimously Tuesday to establish partial [public funding for elections](#).

The measure will allow eligible candidates for county executive and council to leverage contributions of up to \$150 through a system of matching public funds. Candidates opting to enter the financing program will be barred from taking corporate or PAC contributions.

A spokesman for County Executive Isiah Leggett (D) said he was prepared to sign the bill, which would be in place for Montgomery's 2018 election cycle.

Montgomery County joins about half of the 50 states — including Maryland — and a handful of cities that offer some form of [taxpayer subsidy to candidates](#). Maryland lawmakers included a public-funding option for counties in the [campaign finance bill](#) passed in 2013. Montgomery is the first county to adopt it.

“What we’re doing is creating a 21st-century model for public financing,” said council member Phil Andrews (D-Rockville-Gaithersburg), the bill’s chief architect, who spent more than a decade working with legislators in Annapolis to enact legislation authorizing public finance of campaigns. The council bill went through 16 drafts before a final version was hammered out.

Andrews, who has accepted virtually no corporate or PAC money in his four council campaigns and an unsuccessful Democratic primary bid for county executive earlier this year, said he views public matching funds as a critical counterweight to the dominance of developer and union money in county campaigns.

“It doesn’t take money out of politics, but it helps push big money to the side,” said Andrews, who will step down from the council in December.

Candidates who opt into the voluntary system will have the first \$50 of each individual’s contribution matched at the highest rate: 6-to-1 for county executive candidates and 4-to-1 for council contenders. The next \$50 increments would be matched at lower ratios.

In other words, a candidate for county executive who collected \$50 donations from three people would receive \$900 in matching money. One separate contribution of \$150 would be worth \$600.

The bill would limit public contributions to county executive candidates to \$1.5 million (\$750,000 each for the primary and the general election) \$500,000 for at-large council contenders and \$125,000 for district council candidates.

The cost to taxpayers remains unclear. It will hinge on how many candidates qualify for the public matching funds. A study by [Common Cause Maryland](#), which supports the Andrews bill, estimated that if matching funds were available during this year's June primary, it would have cost about \$2.5 million. That price tag is almost certain to rise with the match system now in place.

To receive matching funds, candidates must demonstrate their viability by raising seed money in individual donations of between \$5 and \$150. Aspirants for county executive will have to secure at least 500 contributions totaling \$40,000. At-large council hopefuls will need at least 250 donations totaling \$20,000, and those interested in district council seats would need to raise \$10,000 with a minimum of 125 donations.

Despite the 9-to-0 vote, some council members expressed misgivings. Council President Craig Rice (D-Upcounty) said the size of the qualifying contributions was too steep, putting young and minority candidates without established donor bases at a disadvantage.

"We still have a lot of work to do," Rice said, to open the political process to candidates of limited means. He sponsored an amendment to reduce the cap on matching funds by about a third. But the motion died for lack of a second.

Another amendment, sponsored by council member Hans Riemer (D-At-Large), would have made a certain portion of contributions from outside the county eligible for matching funds. But the measure was defeated, with most council members contending that county taxpayers should not be matching out-of-county contributions.

Council member Nancy Floreen (D-At Large) said the bill was a solution to a problem she said does not exist and that money is not always needed to run a successful campaign.

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"I've got to question what this is intended to effect," Floreen said. "There are lots of ways to get name recognition."

Most council members lauded the bill, but through different lenses. Some emphasized how it will force candidates to seek out and engage small individual donors. Others said that even if it doesn't dramatically change the outcome of elections — studies of other public finance systems show incumbents still usually win — it will increase small donors' sense of investment in the system.

"This is very much a historic moment for Montgomery," said council member Nancy Navarro (D-Mid-County).

Council members also lavished praise on Andrews for his perseverance on this bill and through his 16 years of council service.

"This is a signature accomplishment," said council member Roger Berliner (D-Potomac-Bethesda). "When you get your teeth into something, you don't let it go," Berliner said. "We are in your debt, sir."

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Bill Turque, who covers Montgomery County government and politics, has spent more than thirty years as a reporter and editor for The Washington Post, Newsweek, the Dallas Times Herald and The Kansas City Star.

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## Billionaire David Koch resigns from NYC's Natural History museum board

Published time: 23 Jan, 2016 00:49



Businessman David Koch © Carlo Allegri / Reuters

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Oil billionaire and industrialist David Koch has resigned from the board of the American Museum of Natural History amid scientists' calls to cut ties with him over climate change denial. Koch, who donated over \$20 million, served for 23 years.

According to the New York City-based museum, Koch's term on the board of trustees ended on December 9. A museum spokeswoman, Anne Canty, denied any links between the resignation and the criticism that Koch faced over his business and support for anti-climate change groups.

*"This change was one of several that took effect at the meeting as part of the normal course of business,"* another spokesman for the museum confirmed to the Guardian.

Koch's spokesman, Cristyne Nicholas, has also denied that calls for his dismissal had affected his removal from the board.

*"He was not swayed by that at all and it absolutely did not factor into his decision,"* she said, according to the New York Times.

She added that

different boards around the US, was *"honored to have served on the* inciner research.



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New book finds father of Koch brothers built Nazi's third largest oil refinery [on.rt.com/71mi](http://on.rt.com/71mi)

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However, despite the statements, Koch's resignation has been welcomed as a victory among the scientists who have been calling for the museum to cut ties with fossil fuel companies and those who head them.

In March 2014, nearly 150 scientists signed an [open letter](#) in which they accused Koch and his manufacturing conglomerate Koch Industries of contributing to greenhouse gas emissions in the US. They also noted his financial support for "a large network of climate-change-denying organizations" and "spending over \$67 million since 1997."

"This corporate philanthropy comes at too high a cost," the scientists concluded, stressing that the only "ethical way" for the museum to operate would be to sever relations with him.

Nevertheless, Koch remains on the advisory board of the Smithsonian National Museum of Natural History. In response to the last year's letter from the scientists, the institution [said](#) that "donors and supporters have no influence on the content or presentation" of exhibitions, regardless of their private interests.

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Now he is going concentrate on contributions to Cancer Research?? God help us all.



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**The New York Times**

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# David H. Koch Leaves Natural History Museum Board

By **Serge F. Kovalski** January 20, 2016 5:20 pm

David H. Koch, a philanthropist who has given millions of dollars to the American Museum of Natural History in New York but whose businesses in energy and other industries have drawn criticism from climate scientists and environmental groups, has left the museum's board after serving on it for 23 years.

A museum spokeswoman, Anne Canty, said Mr. Koch's last day on the board of trustees was Dec. 9 and that his departure was not related to the criticism, but simply because his term was ending.

Mr. Koch, who served on the board since 1992, has donated some \$23 million to the museum and his name adorns its dinosaur wing.

More than nine months ago, dozens of members of the scientific community signed a letter that called for museums of science and natural history to "cut all ties" with fossil fuel companies and philanthropists like Mr. Koch, who also sits on the advisory board of the Smithsonian National Museum of Natural History. A separate petition by environmental activists urged the museums to remove him from their respective boards.

The letter expressed deep concern about "the links between museums of science and natural history with those who profit from fossil fuels or fund lobby groups that misrepresent climate science." The letter was the project of

the Natural History Museum, a mobile museum “that highlights the socio-political forces that shape nature,” according to its co-founder and director, Beka Economopoulos.

But Cristyne Nicholas, a spokeswoman in New York for Mr. Koch, said that the letter and petition had nothing to do with Mr. Koch’s departure. “He was not swayed by that at all and it absolutely did not factor into his decision,” Ms. Nicholas said.

She noted that Mr. Koch is on about 20 different boards around the country and that he is cutting that number back while he focuses more time on cancer research. Last year, Mr. Koch, 75, who was once diagnosed with prostate cancer, donated \$100 million to New York-Presbyterian Hospital and \$150 million to Memorial Sloan Kettering Cancer Center to help researchers develop a cure for prostate cancer.

Ms. Nicholas said that Mr. Koch had missed board meetings at the natural history museum and other institutions because of scheduling conflicts. “He remains supportive of the museum,” she said. “It is just that he does not have time to attend the board meetings.”

Ms. Canty said that Mr. Koch had served as an at-large trustee. These types of board members are up for re-election every year, she said.

**The New York Times** | <http://nyti.ms/22oqdrp>

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ART & DESIGN

# Making Museums Moral Again

By HOLLAND COTTER    MARCH 17, 2016

IN THE PAST, when people wondered how to live moral lives, they could look to the saints, or take their questions to church. Today, some of us might instead turn our attention to art and the institutions that house it.

That's what several dozen artists did, for a related but different reason, last December during the United Nations climate talks in Paris. One afternoon, in a week when crucial policy negotiations were underway, hundreds of environmental activists gathered outside the Louvre to protest the museum's sponsorship ties to two of the world's largest oil companies. Among the demonstrators were members of politically minded art collectives like Occupy Museums and Not an Alternative, from the United States, and Liberate Tate, from England.

Carrying open black umbrellas that spelled out the phrase "Fossil Free Culture," most of them stayed in the plaza around the museum's glass pyramid, singing and reading position statements. Meanwhile, inside the museum, another action was in progress. Ten performers poured an oily liquid onto the atrium floor and walked barefoot through it, creating a chaotic pattern of footprints before the police moved in.

The Louvre performance was one of a growing number of protests recently directed at large international art institutions, among them the

Metropolitan Museum of Art and the Guggenheim Museum in New York. Some museums were urged to stop taking money from ethically dubious corporate or personal sources, including board members who deny that climate change is underway. Others were called out for condoning, if not actively supporting, inhumane labor practices, like those imposed on migrant workers building new Guggenheim and Louvre franchises in Abu Dhabi.

Comparable protests in the past were usually aimed directly at corporations or at major universities, like Harvard, with elaborate corporate connections. That museums are now targets says something about their newly perceived status. Once considered standoffish, genteel and politically marginal, they are now viewed as being emblematically engaged players within the power network of global capitalism. And some are seen as using that status badly.

Public art museums have long engaged in the exchange of cultural and corporate capital. Museums get money, and in exchange, corporations get to look somewhat nice. In 1983, the Whitney Museum of American Art opened a Midtown branch that was paid for, and named for, the Philip Morris tobacco company, which for decades had steadfastly denied that smoking causes lung cancer. The Whitney escaped sustained censure for its alliance, partly because America was still a cigarette culture, but also because museums still retained an aura of moral superiority left over from a more romantic era. They were still temples of art, repositories for the creative best that humanity had to offer.

Few people see them that way anymore. In the 21st century, greater and greater wealth is concentrated in fewer and fewer hands. And a significant number of those hands are snapping up investment-worthy contemporary art. Much of the art in these competing, market-vetted private and corporate collections is being consigned to museum premises. Aggressively shaping themselves into this new dynamic, museums have, in turn, adopted corporate strategies: relentless expansion, user-friendliness, slick advertising.

To some degree, the museums have benefited, at least financially. Urban museums that have mastered these strategies most successfully are crowded places — destination brands; busy, event-driven entertainment centers. But as generators of life lessons, shapers of moral thinking, explainers of history, they no longer matter, because they're not asking people to look for any of that.

Could anything change this dynamic? Maybe telling the truth about history, including their own, could. Periodically, in past decades, they've been forced to do this. Such was the case in the 1960s, when a group of antiwar, pro-labor artists, loosely united under the name Art Workers' Coalition, connected the dots linking some members of the Museum of Modern Art's board of trustees to the governmental and economic forces backing the Vietnam War, including companies that manufactured napalm.

The artists staged guerrilla performances inside MoMA and designed one of the most potent art images, a poster using a photograph of the dead at My Lai, with the caption "Q. And babies? A. And babies." The museum stonewalled, and the moment passed. But the reality that museums are, or can be, ethically and politically compromised had been exposed.

It was exposed again in 1969, when the Met mounted the exhibition "Harlem on My Mind." The Met's stated purpose was to attract African-American visitors, a neglected constituency, to the museum. But actions speak louder than words. The show consisted of photomurals, slides, films, texts and audio recordings, but no art, in the traditional sense, at all. The takeaway was that the Met had deemed no work by Harlem artists worthy of display. In the view of some visitors, the show had inadvertently betrayed the curators' real feelings about their target audience. And members of that audience pushed back.

Black artists picketed the show, and soon afterward took their activist anger to other New York museums. (This history is fully documented in Susan E. Cahan's new book, "Mounting Frustration: The Art Museum in the Age of

Black Power.”) By organizing the show, the Met had, in ways it could not have predicted, raised political consciousness about de facto racial segregation and exclusion in American art and its institutions. That segregation would loosen only gradually, in what is still very much a work in process. But a crucial impetus for progress can be traced to that exhibition.

Exhibitions come and go; displays of work from a museum’s permanent collection are on view all the time. Supervised by staff curators, these exhibits are the true indicators of how an institution thinks about art as evidence of history. Yet even in a museum like the Met, whose globe-spanning collections are rich and deep enough to yield many narratives, and opportunities to revise, correct and expand these narratives, very little attempt at exploratory truth-telling can be found.

The Met’s Egyptian galleries are among its top audience attractions, partly because ancient burial customs allowed unusual numbers of artifacts from daily life to survive. Wall labels explain that the objects were meant to reconstitute and celebrate the pleasures of earthly existence. What the labels do not say, though they could, is that this art reflects a profound fear of mortality on the part of a slave-supported ruling elite. The slaves themselves had no afterlife, except in the form of continuing service to their masters. The funerary art of ancient Egypt called on extraordinary skill and beauty to ensure that domination and servitude would be immortal conditions.

The museum’s Classical Greek and Roman galleries are also full of fascinating objects, yet similarly refuse to tell a sociopolitical story. The word “classical” has roots in a Latin term for a Roman tradition of calling on citizens to assemble in hierarchical formation, ranked by bloodline and wealth, for military action. In its modern usage, the word continues to imply a qualitative ranking of objects and ideas in categories of superior or less-than. The Met doesn’t tell us, though it could, that for Greeks of the Classical age, the world beyond Greece itself failed the quality test.

We are not told of the intense xenophobia that, as the art historian J. J. Pollitt once noted, shaped ancient Greek life, conjuring an image of populations outside Greece's borders — Persians, for example — as dark, disease-carrying agents of chaos, an image often applied in many cultures to immigrants today. Greek Classical art is an embodiment of ideals to be admired, but it is also an assertion of ethnic exceptionalism in a barbaric, Other-filled world.

At the Met's Fifth Avenue building, the European medieval art is mostly installed in one large hall. (There is much more at the Cloisters in Washington Heights.) A scattering of individual objects united by no overarching curatorial theme, the installation seems based on an assumption that visitors will have a context for its largely religious Christian imagery. That may have been so generations ago, but no longer. To many visitors today, figures of saints and Bible stories are as arcane as Egyptian gods and myths.

This leaves forms of art that helped create and police the moral universe we inhabit today inaccessible. It's an art about being saved or damned, with religious authorities wielding the judicial or executive power to decide which. Clerics of many religions are still making those edicts, with dire consequences for the lives and psyches of millions of people.

All these interpretive readings are incomplete, debatable, correctable. But all point to the indisputable fact that, throughout history, art has created and reflected realities that remain deterministic. The Met, like many of our most powerful and visible museums, doesn't tell such stories in its permanent galleries, and hasn't in the disappointingly traditionalist inaugural display in the Breuer building it is leasing from the Whitney. But a recent temporary exhibition at the Met, "Kongo: Power and Majesty," did.

Using a spectacular array of sculptures and textiles produced by the Kongo peoples of Central Africa from the 16th through the 19th centuries, the show detailed an African-European encounter that began as a fruitful

exchange — an ambassador from the Kongo court traveled to papal Rome — and disintegrated into a nightmare of white-on-black exploitation. The curator Alisa LaGamma, head of the Met's department of the arts of Africa, Oceania and the Americas, fleshed out this narrative with objects but also, more important, with words. Her wall texts pulled no punches.

During four centuries of the slave trade, she wrote, "some 20 million Africans were subjected to the most massive deportation in history." While thousands of the Kongo were shipped across the Atlantic, forced labor at home led to "the decimation of the remaining population by disease, the reduction of the agricultural system to subsistence, the dismantling of existing commercial networks and the abandonment of traditional vocations such as ironworking and woodcarving."

"From the first moment of contact with Europe," she writes, "exploitation of its wealth ushered in foreign intervention on a massive scale that has continued unabated into the present."

I've rarely read a text so forthrightly polemical in an exhibition organized by the Met. I don't remember ever reading anything like it in any of the permanent galleries. But it is a model for the kind of truth-telling approach that museums could, and should, be taking to art: factual, incisive, politically astute, connecting the past to the present and inviting argument.

My sense is that such a tactic could encourage viewer "engagement," to invoke a term that buzzes around the fraught subject of audience-building. It could wake people up; compel them to stop, look and read when they might have passed by; and prompt them to see that art isn't just about objects — it's about ideas, histories and ethical philosophies that they may have a stake in, and an opinion about. It seems to me that one point of museum programming is to get people to think, as opposed to endlessly snapping selfies.

Of course, the "truth" brings risks. There are truths we don't want to know, and so-called truths can be applied damagingly to one person or culture,

but not another. What about beauty? Will magnificent objects suffer if they are found to have unbeautiful back stories? Many objects in museums fall into this category.

If museum officials begin to sense that visitors are becoming more involved in what the curators are saying and thinking, not just what they're showing, maybe they will come to feel a more immediate stake in the preoccupations of audiences.

Local artists, for example, make up a substantial percentage of regular visitors to New York museums. Gentrification, and the relentless shrinking of affordable places to live, is a subject heavy on their minds. In the last two decades, it has transformed Manhattan into a cultural empowerment zone for the wealthy and the tourist trade. (The activist-curator Nato Thompson provides a vivid account of how this has happened in “Seeing Power: Art and Activism in the 21st Century.”) Museums are not passive inhabitants of that zone. They've helped to create it, and perpetuate it. In so doing, they've gone against the best interests of some of their most devoted customers and contributors — artists — and remained silent.

Gentrification makes for a ruinous moral ecology. When the artists go, resistance goes, and rebellion is the foundation of interesting art and a moral life. Fortunately, some artists, like those of Occupy Museums and Not an Alternative, stay light on their feet and don't stray far. I savor the prospect, any day now, of glancing out a window at the new Whitney, or gazing across MoMA's atrium, or walking through one of the Met's little-traveled permanent-collection galleries, and, suddenly, there they are.

A version of this article appears in print on March 17, 2016, on page F6 of the New York edition with the headline: Making Museums Moral.



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**MONDAY, AUGUST 10, 2015**

## NY Times & Houston Chronicle profile TPJ

The felony indictment of AG Ken Paxton has prompted the NY Times and the Houston Chronicle to publish profiles on TPJ's work.

### NY Times: Texas Watchdog Group Calls Another Political Titan to Account

**BY MANNY FERNANDEZ AUG. 6, 2015**

MCKINNEY, Tex. — When Attorney General Ken Paxton of Texas was [booked at the county jail here Monday](#) on felony fraud charges, he joined some pretty high-powered company, including Tom DeLay, the former House majority leader, and former Gov. [Rick Perry](#), as powerful Texas officials indicted while in office over the last decade.

The three had something else in common: a former Michigan community organizer named Craig McDonald. The cases leading to the indictments, [Mr. DeLay's in 2005](#) and [Mr. Perry's in 2014](#), started with the low-budget, nonprofit government watchdog group Mr. McDonald runs out of a basement office in Austin, with 30-year-old furniture and few frills. ([Read more.](#))



## Watchdog makes big waves with small resources

By Peggy Fikac August 9, 2015

AUSTIN — Attorney General Ken Paxton and former Gov. Rick Perry may have a long legal slog ahead as they battle their indictments. But Craig McDonald, whose watchdog group filed the criminal complaints that spurred both cases, isn't saying where he thinks their road should end. The job he sees for himself with regard to their cases was all but over when the indictments were delivered. [Read the full profile.](#)



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WEDNESDAY, JANUARY 28, 2015

## Post-Perry Corruption OP-ED in Austin Statesman



Austin American-Statesman

By Craig McDonald and Andrew Wheat

Cronyism and entitlement flourish when one political party controls every statewide office for 20 years. Indicted former Gov. Rick Perry created the ultimate crony-corrupt state. He rewarded political supporters with appointments, no-bid contracts and huge handouts from the public purse. The few

people who stood up to this corruption notably don't include Texas' new leaders.

[Read the full op-ed.](#)

LABELS: [GREG ABBOTT](#), [NEWS CLIPS](#)

WEDNESDAY, OCTOBER 8, 2014

## Backgrounder on Rick Perry: A bully indicted for abuse of office

The Perry indictments have triggered a flood of misinformation about the case. TPJ's fact sheet rebuts major spin-machine fallacies and includes links to numerous sources that document the facts.

[Read TPJ's spin-busting fact sheet.](#)

Dallas Morning News:

[Group whose complaint led to Rick Perry indictment no stranger to political retaliation](#)

Texas Tribune: [Five things to know about the Perry indictment](#)

Dallas Morning News: [Governor Perry indicted for abuse of power](#)

Houston Chronicle: [Perry indicted on two felony charges](#)

MSNBC: [Rick Perry Indicted for Abuse of Power](#)

Read TPJ's [June 14, 2013 complaint](#).

Read TPJ's [June 14 media release](#).

LABELS: [ETHICS COMPLAINTS](#), [NEWS CLIPS](#), [RICK PERRY](#)

## DMN: Abbott relies on mega-donors

Christy Hoppe: [Greg Abbott has far more big-dollar donors than Wendy Davis](#)

Democrat Wendy Davis has had to reach out to many more contributors.

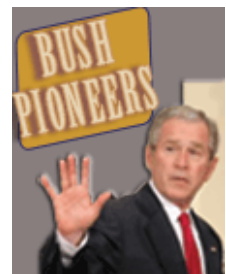
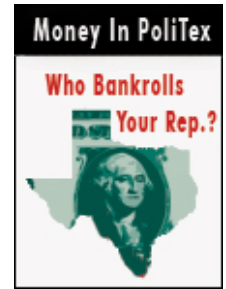
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THURSDAY, MAY 15, 2014

## Gov. Rick Perry asks to enter grand jury courtroom through back door

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## ★ THE TEXAS TRIBUNE

## Despite Support, Former Lawmaker Ousted From Statewide Race

by [Jim Malewitz](#) | March 2, 2016 | [23 Comments](#)[Enlarge](#)

Photo by Bob Daemmrich

Former state Rep. Lon Burnam.

Former Texas Rep. [Lon Burnam](#) went into Tuesday's Democratic primary for a spot on the Texas Railroad Commission with a litany of high-profile endorsements — from top

party officials, watchdog groups and six major Texas newspapers.

But the longtime Fort Worth lawmaker will exit the race empty-handed, failing to advance to a runoff that will feature two candidates who spent less money and have never held public office.

His loss illustrates how unpredictable a down-ballot race can be, particularly for the perennially misunderstood office of railroad commissioner — an oil and gas regulator that has nothing to do with trains.

[Grady Yarbrough](#), a former schoolteacher from San Antonio, will advance to a runoff against Cody Garrett, a former party campaign director and journalist from the Austin area. The

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by [Jim Malewitz](#) | 9 hours 42 minutes ago | [🔊 \(4\)](#)

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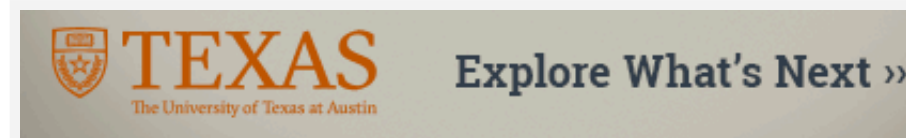
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## Suburban Population Continues to Surge in Texas

by [Alexa Ura](#) and [Lauren Flannery](#) | 18 hours 8 minutes ago | [🔊 \(4\)](#)

winner of that runoff will face the winner of the GOP primary: either real estate mogul [Gary Gates](#) or former state Rep. [Wayne Christian](#).

A Democrat hasn't sat on the three-member commission in more than two decades.



Burnam represented House District 90 from 1997 to 2014, where he solidified relationships with state environmental and consumer groups — those engaged in Railroad Commission issues — by advocating for more scrutiny of the petroleum industry.

His endorsements included Wendy Davis, the party's 2014 candidate for governor; former state Sen. [Leticia Van de Putte](#), the party's last nominee for lieutenant governor; and two sitting congressmen — U.S. Reps. [Lloyd Doggett](#), of Austin, and [Marc Veasey](#), of Fort Worth.

But Burnam — who campaigned as the “progressive voice” for the commission — finished last in the three-way race, drawing just 25 percent of the vote with 80 percent of precincts reporting.

Burnam was not available to comment early Wednesday morning. But Lee Henderson, his campaign manager, said the former lawmaker “has for decades, and continues to be, the true representative of our progressive Democratic values in Texas.”

Yarbrough, who does not appear to have a campaign website, took 40 percent of the vote. Garrett earned 35 percent.

Neither man has held public office, though Yarbrough ran unsuccessfully for U.S. Senate in 2012.

Railroad Commission insiders have complained and joked for years about how little everyday Texans know about the curiously named agency or the candidates vying to run it.

Burnam was among those who advocated changing its name to the Texas Energy Commission.

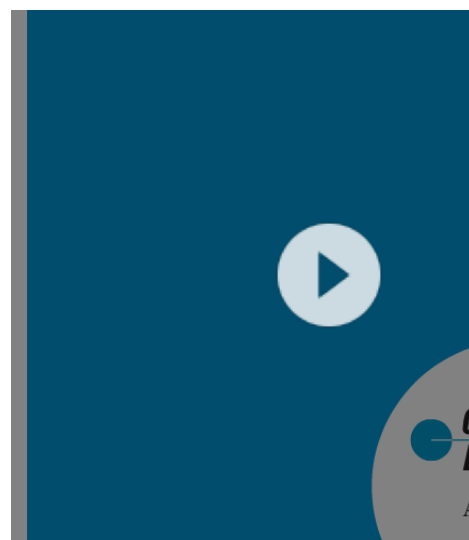


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Most people don't think about judicial elections until they find themselves staring at a group of unfamiliar names on the ballot. But judges are selected by voters in 39 states, whether in an initial election or a retention election after being appointed. The explainer below details how special-interest money has increasingly flooded the system over the last several decades—including the first ever set of data on campaign money in lower court races.

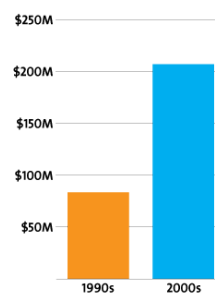


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## Best Little Courthouse in Texas

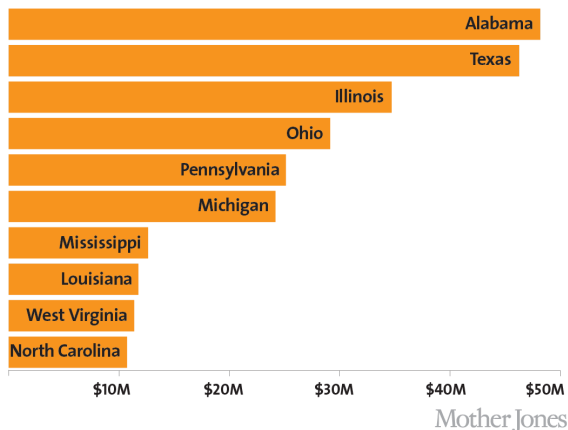
Historically, judicial elections involved little in the way of campaign spending, but in Texas in the 1980s, Karl Rove recognized the potential of backing judges favoring a conservative agenda. The strategy soon spread, with donations to state supreme court candidates nationwide totaling \$83 million in the 1990s and more than \$206 million in the 2000s.

Direct spending on state judicial campaigns



Mother Jones

Direct spending on supreme court races, 2000-14



## The GOP's Sweet Home, Alabama

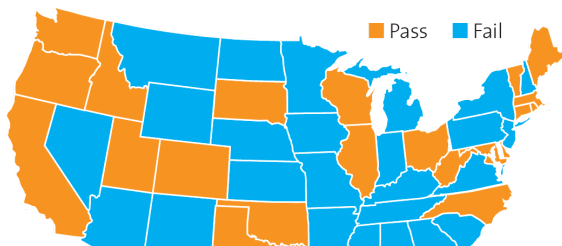
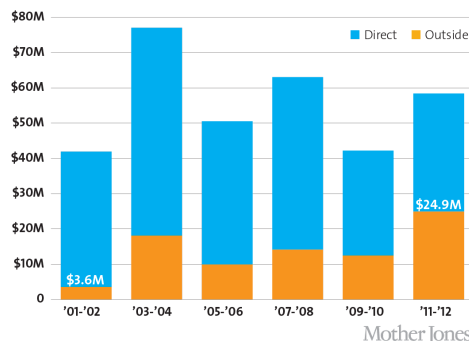
Rove went on to work with business power brokers in Alabama; donations to that state's Supreme Court candidates since 2000 (including "Ten Commandments Judge" Roy Moore) have been higher than in any other state, totaling more than \$48 million.

## The Rising Tide of Special-Interest Money

But direct spending by judicial campaigns was just the beginning. Over the last decade, outside spending by special-interest and partisan groups has soared. And *Citizens United* is accelerating that trend: In the 2011-12 cycle, spending from outside groups came in at a record \$24.9 million—a nearly sevenfold increase since 2000.

This year, partisan groups have continued to spend millions in states like North Carolina and Tennessee, aiming to unseat supreme court justices. Judges in these scenarios "have had to become professional fundraisers," says Bert Brandenburg, executive director of the judicial-reform group Justice at Stake, "often soliciting money from parties who will appear before them in court."

Direct vs. outside spending (in 2014 dollars)



## State Secrets

No one knows exactly how much money is spent on judicial races, in part because state disclosure laws are weak. An analysis by the National Institute on Money in State Politics gave 26 states a failing grade on monitoring

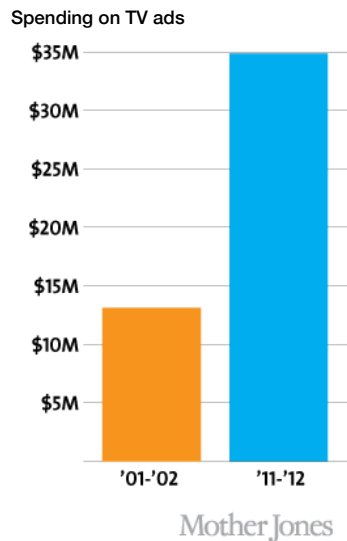
gave 20 states a failing grade on monitoring such spending.



## Where Are the Roughest Campaigns?

Fewer than two dozen big players were behind nearly \$72 million in campaign spending on supreme court races nationwide between 2000 and 2012. They included business heavyweights such as the US Chamber of Commerce and partisan groups focused on specific races in states like Michigan (where an estimated \$13-\$18 million was spent in 2011-12), Florida (at least \$4.8 million in 2011-12), and North Carolina (at least \$4.5 million in 2011-12).

The outside money, which has more than tripled over the last decade, primarily funds TV attack ads. In 2012, an ad backing a Republican judicial candidate in Ohio said his Democratic opponent "expressed sympathy for rapists." In the North Carolina Supreme Court primary this year, an ad blasted a candidate who "sides with child predators." The local bar association condemned that ad, as did six former state justices, calling it "disgusting" and "false."



State	Lower-court contribution
Texas	\$18,124,729
Illinois	\$8,987,496
Florida	\$7,874,947
Michigan	\$4,531,056
California	\$4,436,461
New York	\$3,933,427
Pennsylvania	\$2,438,094
Washington	\$2,430,281
Wisconsin	\$1,883,062
Oregon	\$425,199

## The Hidden Spending on Lower Courts

Campaign funding in races for lower courts is even more obscure—despite the fact that these races produce the vast majority of judges, and those most citizens will face. The first ever set of data on these races, compiled for 10 states, shows that more than \$55 million was raised during the 2011-12 election cycle alone.

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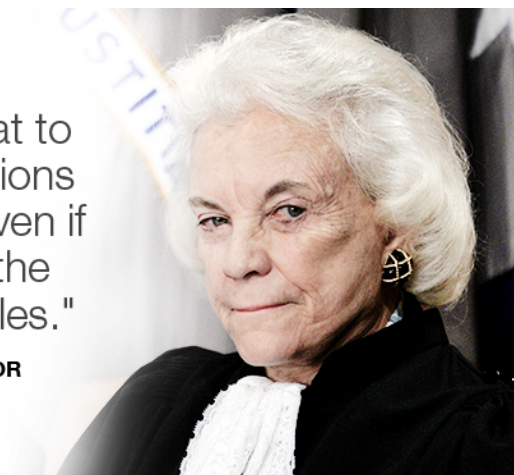
The total cost of judicial elections (\$288 million since 2000) is still nowhere near that of congressional races (\$17 billion since 2000). Donors potentially buy a lot more influence, with less money, when they back judges: In West Virginia in 2004, the CEO of Massey Energy spent \$3 million on his preferred Supreme Court candidate; that justice later cast the deciding vote to overturn a \$50 million verdict against the company—a nearly 1,600 percent return on investment.



Mother Jones

"Judicial elections pose a serious threat to judicial independence. If judicial decisions are in fact not fair and impartial—or even if they are perceived as being biased—the basis of support for our courts crumbles."

—RETIRED US SUPREME COURT JUSTICE SANDRA DAY O'CONNOR



### Is Your Judge for Sale?

Read our story on how judicial elections have been overtaken by secretive interest groups, nasty ads, and the constant hustle for campaign cash.

### 7 Sleazy Campaign Ads

Terrorist sympathizer? Friend to criminals? Pedophile supporter? These videos reveal the increasingly nasty world of judicial elections.

### Judicial Races to Watch

From North Carolina to Michigan to Texas, here are the states where the big-money slugfests are playing out in 2014.

Read the story » (<http://www.motherjones.com/politics/2014/10/judicial-elections-dark-money/>)

**DARK MONEY**

Support for *Mother Jones'* dark money reporting comes in part from the Puffin Foundation's First Amendment program. [Find all of our dark money reporting here.](#)

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## Latest News

# Oregon's Jackson County Votes Today on Whether to Ban Transgenic Crops

BY ANDREW STELZER – MAY 20, 2014

**Measure 15-119 is the opening salvo of Oregonians' high-stakes campaign against Big Biotech**

**Update, 11:30 p.m: Jackson County voters approved the measure by an overwhelming 2 to 1 margin. A similar measure was approved in neighboring Josephine county.**

Yellow signs dot the rural landscape of Oregon's Jackson County, most of them urging local to vote "Yes" to "Protect Family Farms." Meanwhile, in the population centers of Medford and Ashland, volunteers frantically work the phones trying to get out the vote before 8 p.m. Tuesday.

*Photo by Andrew Stelzer* Good Neighbor Farmers, the primary group campaigning against the measure, has raised almost \$1 million to date. Over \$644,000 of that money came from out-of-state biotech companies like Monsanto and Syngenta.

At stake is the sovereignty of hundreds of farmers in the fertile Rogue Valley. And a victory by GMO opponents could signify a new chapter in the debate over genetic engineering in the United States — a country far behind much of the world in regulating GMOs.

Jackson county residents are voting today on whether to ban genetically modified crops, in an area peppered with GMO farms operated by the Swiss Agribusiness giant Syngenta. In contrast to much of the discussion to date in the US, the conversation in Jackson County has been less about the potential health impacts of GMO's, and more about the right of farmers to determine the origin of the seeds they put in the ground.

The roots of the **Measure 15-119**, or the Jackson County Genetically Modified Organism Ban, go back to 2012, when local farmers realized that Syngenta had dozens of plots of land scattered throughout the narrow Rogue River Valley — with many growing genetically engineered trial crops. Characterized by strong winds, the valley is home to many organic and seed farms as well as farms that grow *beta vulgaris* — chard, beets, and other crops which are easily cross-pollinated in those windy conditions.

Oshala farms' Elise Higley, who grows 66 different crops on her farm, says Syngenta grows GMO beets down the road from her. As a result, she has to purchase beet and chard seeds every year.

"If we saved our own seed like we want to, then we would be growing GMO beets and chard. It would be contaminated with that pollen," said Higley, who also serves as director of **Our Family Farms Coalition**, the primary group supporting measure 15-119. "It's a real economic risk for farmers having those GMO crops so close by."

Back in 2012, Higley and several other area farmers came together to try and organize a "pinning" map, where farmers would coordinate where they grew which crop, to minimize the risk of cross pollination. Syngenta was invited, but soon backed out of participating. Although the company did not respond to a request for comment, several members of the Southern Oregon Seed Growers Association say the sticking point was that Syngenta wanted a disproportionate number of votes — one for each plot, as opposed to one per farmer.

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If measure 15-119 gets a majority at the polls, Syngenta would have one year to dig any GMO crops out of the ground. The company isn't backing away from the fight.

Good Neighbor Farmers, the primary group campaigning against the measure, has raised almost \$1 million to date. Over \$644,000 of that money came from out-of state, including \$75,000.00 from Syngenta, \$183,294.10 from Monsanto, \$129,647.05 from Dupont, \$22,352.95, from Dow Agrisciences, and \$22,352.95 each from BASF and Bayer Crop Science.

Good Neighbor Farmers' TV and radio ads criticize the measure as "big government", which takes away the right of farmers to choose to use GMOs if that's their preference. In both Washington and California, similar well-financed advertising campaigns swung the polls on GMO labeling initiatives, which failed in 2013 and 2012 respectively.

Meanwhile, Our Family Farms Coalition has raised less than \$400,000, and is relying largely on volunteer labor.

"I've seen people from all walks of life coming in to work here," says Magdeleno Rose-Avila, standing outside the Ashland campaign office, where he just finished a shift on the phones. A veteran civil rights organizer, Rose-Avila moved to Ashland earlier this year and quickly plugged into the campaign, which he says has reached out to different constituencies. "If we're going to win, we need everybody. That's what this community has done. Its taken the farmers, its taken the business people, its taken the students, people of color, and it has talked to everybody ... We have Republican farmers, Republican businessmen, we have organic people, we have non-organic people," he says.

The ban could be the last of its kind in Oregon. Last fall, when volunteers began collecting signatures, the state legislature passed a law preventing local governments from making laws regulating the use of seed. The Jackson County effort was grandfathered in. As was a similar one in neighboring Josephine County.

But that statewide preemptive legislation may have backfired, riling up Oregonians who pride themselves on having local control. Many conservatives have expressed support for the ban based on that principle, not necessarily on knowledge of GMOs.

Campaign volunteer Greg Marcasius says much of the public, including farmers, had to be educated. "In the early tabling I remember people saying, 'what's a GMO?'," he says, adding that there are a variety of constituencies who have banded together to oppose transgenic crops.

"Some people are concerned about the herbicide use; pesticide impacts.... Many groups are definitely concerned about the influence of outside corporations.... Other people are concerned more about how the genetic drift will affect our local farms.... So there's a wide range of beliefs on a pretty wide range of sub-issues," Marcasius says.

Regardless of whether 15-119 passes, GMO's will likely return to the ballot in November. A signature gathering campaign is already underway for a statewide initiative, which if approved, would require labels on all GMO products sold in Oregon. Currently, Vermont is the only state with a GMO-labeling law, which goes into effect in 2015.

*More on this story and related news on corporate control of our democracy and our dinner plates is available at [progressive.org](http://progressive.org), [ALECexposed.org](http://ALECexposed.org), on Making Contact at [radioproject.org](http://radioproject.org), and [fooddemocracynow.org](http://fooddemocracynow.org), in a collaborative reporting effort made possible in part by a grant from The Voqal Fund.*

### Andrew Stelzer

Andrew Stelzer is a Producer at Making Contact, a weekly social justice radio program that's been on the air for more than 20 years. He's also reported or written for NPR, Living on Earth, The Progressive, Latino USA, In These Times and other publications. Find him at [andrewstelzer.com](http://andrewstelzer.com).



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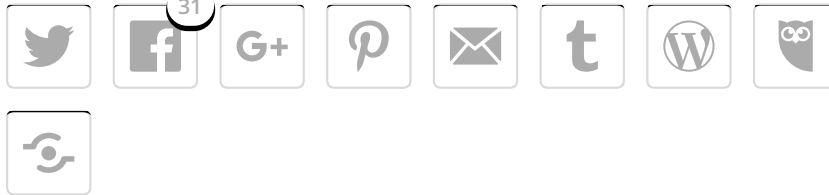


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## The Kaua`i Cocktail: Highly toxic pesticides and GMO testing



Paul Koberstein, [Cascadia Times](#)



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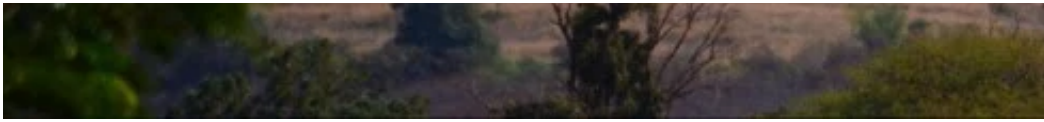


Image courtesy of Klayton Kubo

WAIMEA, HAWAII – The Hawaiian island of Kaua'i has become Ground Zero in the intense domestic political battle over genetically modified crops. But the fight isn't just about the merits or downsides of GMO technology. It's about regular old pesticides.

The four transnational agribusinesses that are experimenting with genetically engineered crops on Kaua'i have transformed part of the island into one of the most toxic chemical environments in all of American agriculture.

For the better part of two decades, Syngenta, BASF Plant Science, DuPont Pioneer and Dow AgroSciences have been drenching their test fields near Waimea, a small town on the southwest coast of Kaua'i, with some of the most dangerous synthetic pesticides in use in agriculture today, at an intensity that far surpasses the norm at most other American farms, an analysis of government pesticide databases shows.

Each of the seven highly toxic chemicals most commonly used on the test fields has been linked to a variety of serious health problems ranging from childhood cognitive disorders to cancer. And when applied together in a toxic cocktail, their joint action can make them even more dangerous to exposed people.

Last fall, the Kaua'i County Council enacted [Ordinance 960 \(pdf\)](#), the first local law in the United States that specifically regulates the cultivation of existing GMO crops, despite an aggressive pushback from the industry, which contends that existing federal regulations suffice.

The GMO field experiments are supervised by the US Department of Agriculture, and the pesticides have the Environmental Protection Agency's stamp of approval. But where some see oversight, others see blinders. Kaua'i County, which encompasses the entire island, contends that the federal agencies have ignored the health impacts while allowing the corporations to freely pursue profits, so it has claimed authority to regulate the pesticides used within its borders.

Ordinance 960 creates no-spray buffer zones near schools and other buildings where people live, work or receive medical care, but falls far short of a complete ban of GMO crops. In recent weeks, however, Kaua'i residents have proposed an amendment to the County Charter that would tighten the new regulations a lot further. If approved for the



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ballot and in a countywide vote, it would ban all GMO cultivation until the companies can prove to the county's satisfaction that their pesticide usage does not harm public health.

The agribusiness companies are not going to back down without a fight. In January, the companies filed suit in an effort to uproot Ordinance 960 in the courts; a court ruling on the suit is expected before it takes effect in August. They are also expected to mount a vigorous political campaign to fight the charter amendment and to support a slate of GMO-friendly candidates to compete with pro-960 candidates in the November general election, when the mayor and all seven County Council seats are on the ballot.

"Kaua'i is Ground Zero for the testing of GMO crops," said Gary Hooser, a member of the Kaua'i County Council and an author of Ordinance 960. "It is also Ground Zero for democracy in action."

### Why the locals are fighting

Perhaps no one personifies the battle better than Klayton Kubo who lives at the east end of Waimea, at the heart of what he calls "poison valley." He showed this reporter a brief video of himself cleaning the screen covering the window on the street side of his house. Clogged with reddish dirt similar in appearance to volcanic soils found throughout the island, the screen is his house's last line of defense against the dust. However, it blocks only the biggest chunks, and can do nothing to stop smaller pieces of grit, toxic vapors and chemical odors that appear to be emanating from test fields located just beyond the street and Waimea River in front of his house.

**[View the video of Kubo cleaning his contaminated screens on YouTube](#)**

Pesticide Ooze - Just Add Water



#wtfcorps

Hmm, an empty timeline. That's weird

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Kubo began looking for answers to his questions about what's in the air some 15 years ago. More than once, he says, a DuPont representative came to his house only to lower his head and mutter that it's "against company policy" to reveal any information about activities on the test fields. Kubo is among 150 of his neighbors who have joined a class action lawsuit against DuPont Pioneer, a subsidiary of DuPont that leases several thousand acres here. They are seeking an injunction against the use of suspected toxic chemicals and damages. At the other end of town, the Waimea Canyon Middle School, a health clinic and a veterans' hospital line up in front of another GMO test field operated by Syngenta.

Steady northeasterly trade winds averaging between 8 and 9 mph blow daily across the test fields and into town.

In two incidents in 2006 and 2008, students at the Waimea school were evacuated and about 60 were hospitalized with flu-like symptoms like dizziness, headaches and nausea. Many people in town blamed the outbreak on blowing dust from the GMO test fields. The companies blamed nearby fields of the noxious stinkweed.

To find out what actually happened, federal, state and local government agencies in 2010 collaborated to test the air at the school for the presence of 24 kinds of toxic pesticides used on the test fields as well as for chemicals emitted by stinkweed. The study was inconclusive, finding that the "symptoms could be consistent with exposure to certain pesticides, but could also be caused by exposure to volatile chemicals emitted from natural sources, such as stinkweed." It detected traces of the toxic pesticide chlorpyrifos in the air both inside and outside the school, but said it found "no evidence to indicate that pesticides had been used improperly." Concentrations of all chemicals were below EPA exposure limits.

But Gerard Jarvis, a Honolulu lawyer representing the residents in the class-action lawsuit, said he doubted stinkweed was the source of the problem. Chemicals emitted by stinkweed are found in the air at similar concentrations elsewhere on the island and to his knowledge have never caused any health problems, he said. Moreover, the concentrations of airborne pesticides were found at much higher levels in Waimea than elsewhere on the island.

Jervis also noted that the all quality study did not even try to look for more than 30 specific pesticides that have been used at the GMO test fields since 2007, including two of the most dangerous, paraquat, a weed-killer, and methomyl, an insecticide.

Ordinance 960 was designed to prevent such outbreaks from recurring.

### **Why the companies are fighting back**

The four agribusiness giants chose to locate their R&D work in the tropical climate of the Hawaiian Islands because they say it enables them to work their fields year-around, expanding the annual growing calendar to three or four seasons while compressing the time it takes to develop a new genetically altered seed by nearly half.

The companies produce much more than new-fangled seeds. At their core, they are large chemical companies that manufacture many types of agricultural chemicals. A major chunk of their income is generated from the sale of chemicals to farmers on the US mainland. The farmers are told that they must use the chemicals in order to protect their pricey GMO crops from never-ending attacks by bugs and weeds. The companies are like printer manufacturers that make their money selling high-priced ink cartridges.

An early achievement was Monsanto's development of "Roundup Ready" corn and soybean seeds that can resist applications of the herbicide glyphosate, also known as Roundup. Ideally, on Roundup Ready fields, the crops live while the weeds die.

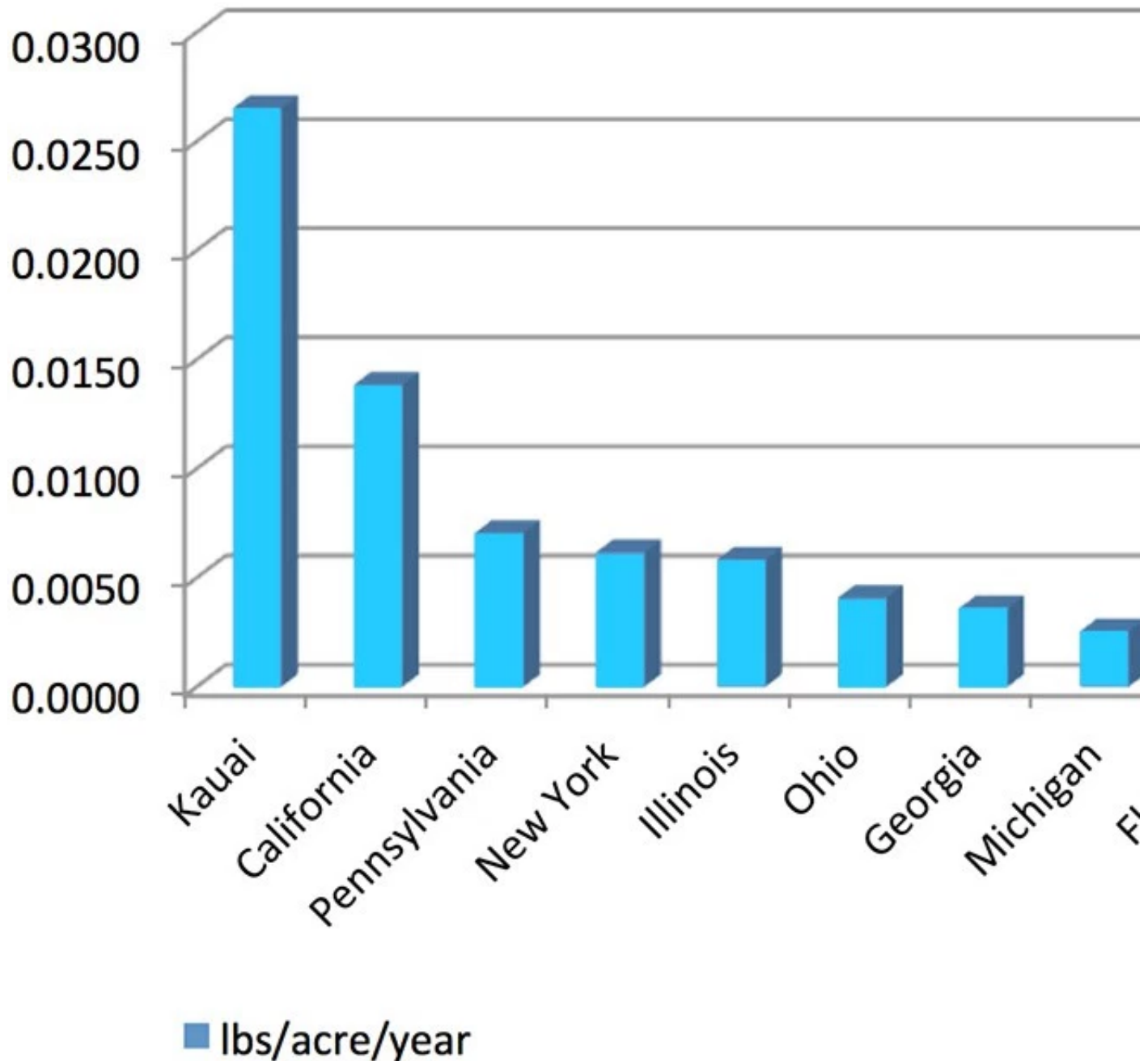
However, in the 18 years that Roundup Ready seeds have been on the market, they have lost much of their effectiveness. The crops still survive, but on many farms across the US a significant percentage of the weeds have mutated to the point that they no longer die as intended. Increasingly, varieties of herbicide-resistant superweeds are sprouting up in fields worldwide, wherever Roundup Ready crops are grown. On some fields, insecticide-resistant superbugs such as the corn rootworm are creating an additional set of problems for GMO farmers.

The companies have responded by trying to create new seed varieties that can coexist with other chemicals that they hope can be used to enhance or replace Roundup. For example, Dow has developed new corn and soybean seeds that are resistant to the herbicide 2,4-D — an older herbicide that was an active ingredient of the Vietnam War-era Agent Orange that's linked to reproductive problems and cancer. The company has asked the US Department of Agriculture to approve the seeds in hopes that a new generation of herbicide-tolerant crops can

come to the market. Dow has given no assurance that overuse of 2,4-D won't create additional new varieties of superweeds. Hooser said that Dow officials told him that research conducted on Kaua'i played a key role in the development of 2,4-D-resistant seeds.

#### Usage of chlorpyrifos on Kaua'i tops the nation

## Permethrin use



This chart compares usage of the insecticide permethrin on Kaua'i with usage on the mainland USA. The usage on pounds per acre of land controlled by the four Big Ag companies that operate on the island, as reported by the st program. The usage on the mainland is pounds of pesticides as reported for 2009 by the USGS. The acreage is the cropland reported by the USDA for 2012. *Chart by Paul Koberstein/Cascadia Times*

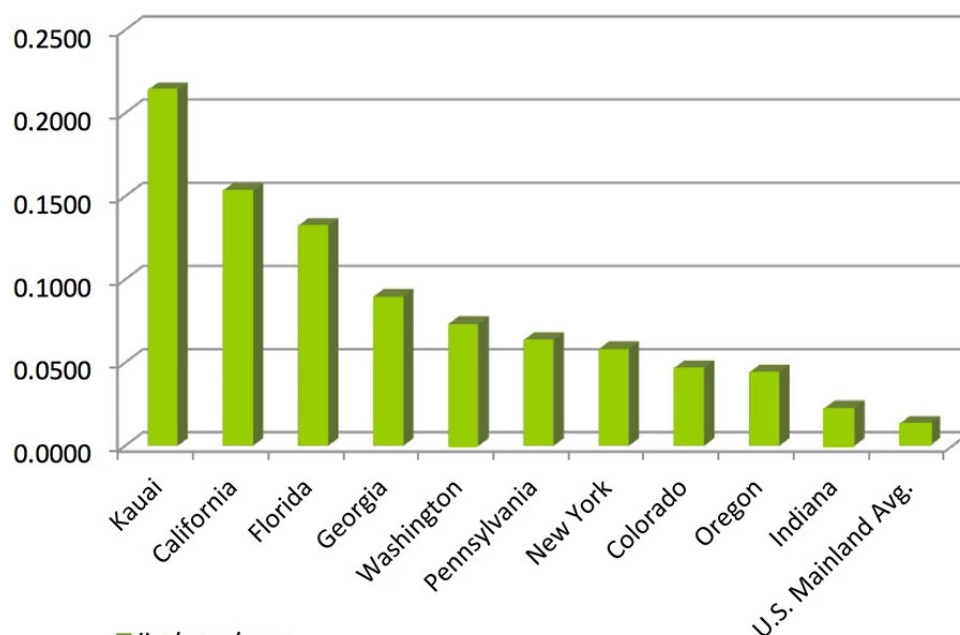
## Permethrin Use

Some of the pesticides in use on the test fields around Waimea are toxic enough to pose a serious health threat to its population of 1,855, even when used according to directions. These are classified as “restricted use pesticides,” meaning they are more tightly regulated by the Environmental Protection Agency than “general use pesticides.” The restricted-use chemicals used most heavily on the GMO test fields of Kaua'i are alachlor, atrazine, chlorpyrifos, methomyl, metolachlor, permethrin and paraquat.

A database showing how much of the restricted pesticides were used on Kaua'i from December 2013 through April 2014 was voluntarily released by the four companies and posted to the [Hawai'i Department of Agriculture](#). We compared that information to 2009 data from a US Geological Survey database on pesticide usage in the United States ([the USGS Pesticide National Synthesis Project](#)).

Our investigation found that annualized pounds-per-acre usage of the seven highly toxic pesticides on Kaua'i was greater, on average, than in all but four states: Florida, Louisiana, North Carolina and Indiana. (For the purpose of this comparison, the analysis assumed the chemical companies used pesticides on all 12,000 acres they control on the island. It also assumed that farmers used pesticides on all 314 million acres of harvested cropland on the mainland US. Yes, there are organic farms that don't use pesticides, but they encompass just slightly more than one percent of U.S. agricultural land, according to the U.S. Department of Agriculture's National Agricultural Statistics Service.)

## Chlorpyrifos use



## ■ lbs/acre/year

This chart compares usage of the insecticide chlorpyrifos on Kaua'i with usage on the mainland USA. The usage on Kaua'i is the annualized pounds per acre of land controlled by the four Big Ag companies that operate on the island, as reported by the state of Hawai'i Good Neighbor program. The usage on the mainland is pounds of pesticides as reported for 2009 by the USGS. The acreage is the amount of harvested cropland reported by the USDA for 2012. Chart by Paul Koberstein/Cascadia Times

As shown by the charts, the annualized per-acre usage of the bug-killers chlorpyrifos and permethrin on Kaua'i is tops in the nation and significantly greater than in California, which leads all mainland US states, as the charts below illustrate. The usage of these chemicals on Kaua'i is more than 10 times greater than the national average.

Our analysis also projects that Kaua'i would rank second nationally for methomyl use, fifth for metolachlor, sixth for alachlor, ninth for paraquat and 23rd for atrazine use.

Dr. Steve Savage, a former manager of research at DuPont and a former professor at Colorado State University, has also found that the overall pounds-per-acre pesticide usage on Kaua'i is among the highest in the nation, but he said that 98 percent of the pesticides used on the island are general-use ones that are less toxic than a cup of coffee.

Savage may be right on that point, but the remaining 2 percent give serious cause for concern. "Different pesticides can vary in something like their toxicity to mammals by more than 1000-fold," he said.

A study published in March in the British journal [The Lancet Neurology](#) in March 2014 found that chlorpyrifos, a neurotoxin, is one of a dozen chemicals commonly found in the environment that "injure the developing brain" of children.

Although it took scientists 30 years to detect the link between chlorpyrifos and cognitive problems in children, more troubling connections between agricultural chemicals and childhood development are being established. The American Association of Pediatrics contends that "a growing body of epidemiologic evidence" points to "associations between exposure to pesticides in young children and a range of diseases from childhood cancers to autism."

Six of the seven restricted-use pesticides are suspected of being endocrine disruptors, which can cause sexual-development problems in humans and animals, according to the EPA, including atrazine, a Syngenta product.

Tyrone Hayes, an endocrinologist at the University of California-Berkeley whose reputation has been viciously attacked by [Syngenta](#), has raised particular concerns about the potential gender-bending effects of even tiny amounts of atrazine.

"A little bit of poison to an adult is a lot of poison to a developing baby."

A little bit of poison to an adult is a lot of poison to a developing baby, said Hayes at a May 21 presentation on Kaua'i. He noted that the poisoning of a child at an early age can cause health problems that can last a lifetime.

Hayes, who found that frogs exposed to barely detectable levels of atrazine developed both male and female genitalia, said humans may also be vulnerable to the chemical's "gender-bender" effects.

Four of the seven heavily used restricted pesticides are also suspected carcinogens. And between them, the seven have been linked to, among other things, neurological and brain problems and damage to the lungs, heart, kidneys, adrenal glands, central nervous system, muscles, spleen and liver. The public has many other reasons to be wary of these chemicals.

One of the suspected carcinogens is the bug-killer permethrin. Permethrin is also thought to be toxic to the kidneys and liver, as well as to reproductive and neurological systems.

The EPA lists the weed-killer metolachlor as a possible carcinogen, based on studies that showed an increase in carcinomas in female rats given high doses. Metolachlor is also thought to affect the reproductive system and cause damage to the liver and kidneys.

Weed-killers alachlor and atrazine are also suspected carcinogens.

In 2008, the EPA determined that atrazine, which is also banned in Europe, is not likely to cause cancer. But in 2011, an EPA advisory panel did not agree with that conclusion. The EPA is now re-examining atrazine's potential to cause cancer during a review that began in 2013.

Alachlor degrades into about 20 metabolites, five of which are carcinogenic. At just five parts per billion, alachlor can cause a rare form of cancer of the lining of the nose, according to "Poison Spring: The Secret History of Pollution and the EPA (Bloomsbury Press, 2014)," a personal memoir by E. G. Vallianatos, drawn from his 25-year career in the EPA's Office of Pesticide Programs. Combine them together and the effects could be even worse, especially in the developing bodies and brains of children and fetuses.

Paraquat, a weed killer, is neither a suspected carcinogen nor endocrine disruptor, but is so toxic that it has been banned in all of Europe because of evidence linking it to Parkinson's Disease.

Finally, the bug-killer Methomyl, like chlorpyrifos, is a neurotoxin that affects brain functions.

The EPA knows little about the synergistic effects, or combined toxicity, of multiple chemicals when people are exposed to them at the same time. But it recently observed that the joint action of atrazine and chlorpyrifos can result in “greater than additive toxicity.” In other words, the whole cocktail can pack a bigger punch than the sum of its ingredients.

In another example, the combined action of the insecticides permethrin and chlorpyrifos has been shown to be “even more acutely toxic” than the sum of each, according to Vallianatos’ book.

As if all that weren’t bad enough, there’s reason to believe that the chemical companies might be violating federal rules about the application of the restricted-use pesticide products on Kaua’i. The rules are supposed to ensure that the pesticides do their damage to bugs and weeds, not kids.

Consider, for example, Dow’s Lorsban, which consists of about 45 percent chlorpyrifos. Lorsban is the single-most heavily used restricted-use pesticide product used on the Kaua’i test fields. The EPA prohibits its application whenever the wind blows greater than 10 mph. The average wind speed in Waimea is between 8 and 9 mph, according to the National Weather Service, meaning that on many days the spraying of Lorsban might not be legal.

When the Waimea school was tested for chemicals several years after the kids grew ill and had to be evacuated, chlorpyrifos – Lorsban’s active ingredient – was still present inside and outside the building, although at levels “well below health concern exposure limits.” However, some fear that its use in the fields may have contributed to the need to evacuate.

Moreover, the EPA says that applicators must “not allow spray to drift from the application site and contact people, structures people occupy at anytime and the associated property, parks and recreation areas, non-target crops, aquatic and wetland sites, woodlands, pastures, rangelands, or animals.”

“Avoiding spray drift at the application site,” the EPA points out, “is the responsibility of the applicator.”

In Waimea’s windy climate, it’s a rare day when Lorsban and the other heavily-used toxic chemicals can be applied to the test fields without the wind blowing them right into somebody’s face.

This article is cross posted at:

- <http://www.gardenisland.org/journal/index.php/environlisting/article/view/10000>
- <http://www.prwatch.org/news/2014/06/12512/kauai-cocktail-why-hawaiians-are-outraged-gmo-farming-kauai>

**Paul Koberstein** is editor of *Cascadia Times*, an environmental journal published online at [www.times.org](http://www.times.org) in Portland, Oregon. Paul is a former staff writer for *Willamette Week* and *The Oregonian*. In 2004 he won the John B. Oakes Award for distinguished environmental journalism for articles on the Northwestern Hawaiian Islands.

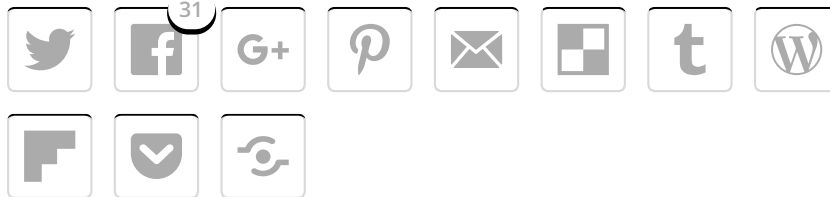
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June 16, 2014 By Paul Koberstein-Cascadia Times 1 Comment

GMO Hawaii Pesticides

Contamination of Natural Kaua'i: Rare Plants and Wildlife at Risk  
PAN Scientist Marcia Ishii-Eiteman explains how corporations push  
GMO foods on the public

## **APPENDIX II**



**PRESERVING OUR DEMOCRACY:**

# The Case for Campaign Finance Reform for New York State

A Briefing Paper Prepared by the League of Women Voters of New York State  
Education Foundation and the League of Women Voters of New York State



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### ***Preface***

Public awareness about the corruptive influence of money in politics has mushroomed in light of the decision of the United States Supreme Court in the *Citizens United* case. The public looks to campaign finance laws to protect our system of democracy. This background paper and the accompanying PowerPoint presentation examine how the present New York State system of campaign finance regulation falls short and offers suggestions for its improvement. While much has been written about the importance of campaign finance reform in restoring public trust in our political system, the public is not well aware of New York's specific shortcomings relating to sky-high contribution limits, loopholes and weak enforcement. Further, the paper proposes the adoption of a public finance system as a mechanism for increasing voter participation in elections, empowering small contributors to have significant impacts on campaigns, opening the doors to a more diverse pool of potential candidates for electoral office and blunting the power of wealthy contributors to affect our elections and influence our elected officials.

This paper was primarily written by Carol Mellor, with the assistance of Sally Robinson, of the League of Women Voters of New York State (LWVNYS). Financial support of this entire project was provided by the Robert Sterling Clark Foundation. We would also like to thank Laura Ladd Bierman, Executive Director of the LWVNYS, Janice Dow and Wachtell, Lipton, Rosen and Katz, as well as Russ Haven and Bill Mahoney of the New York Public Interest Research Group, and Susan Lerner of Common Cause New York, for their assistance in this project.

### ***Introduction***

Criticisms of New York State's campaign finance laws are plentiful and harsh. The contribution limits are far too high, enforcement is too lax, loopholes abound, and the influence of special interest groups and large donors is unfettered. But many believe the real problem with New York's campaign finance system is in the consequences of those laws. When most of the money spent on politics comes from a small number of people who can afford to contribute large amounts, the result is unequal political power.<sup>1</sup> Over one-third of the money that New York State candidates and political parties raised last year came from a group of just 127 large donors.<sup>2</sup>

In other words, the people lose. We lose when money unduly influences our elections. We lose when our elected officials spend inordinate amounts of time raising money for their reelection rather than attending to the business of government. We lose when people interested in running for office do not do so because of their inability to finance campaigns against entrenched incumbents. We lose when our elected officials depend on special interests to fill their election coffers, and when that dependence may influence the judgment of our legislators with respect to the laws that they vote upon.

The League of Women Voters of New York State believes that strong, well-enforced campaign finance restrictions, along with “matching grants” that multiply the impact of small donations, are a pathway to increasing voter participation, enabling candidates to compete more equitably for public office, and lessening the impact of special interests on governmental processes. Interest in reforming New York State campaign finance laws and public financing was heightened by their inclusion in Governor Cuomo’s agenda last January, and his continuing expressed interest in enacting reforms.

We believe the time for campaign finance reform is now.

### ***How do campaign finance laws work?***

In order to understand how New York’s campaign finance laws need to be remade, some basic facts about campaign finance law need to be clarified. Just as the governments of the United States are divided into federal and state jurisdictions, the laws governing the manner in which political campaigns are financed and run are divided among the federal laws, which govern the races for federal office (President, Senators, Representatives) and state laws, which apply to statewide government offices (Governor, State Senate, State Assembly, Attorney General and Comptroller). In addition, localities can, and often do, enact laws that govern the conduct of their campaigns for citywide or countywide office. Most notably, for purposes of the discussion of New York State law, New York City has enacted the New York City Campaign Finance Law that includes a system of public financing of elections through matching grants, thought by many to be a model worthy of emulation. See Appendix A for an explanation of how the federal and New York City campaign finance laws work.

### **What can be regulated by campaign finance law?<sup>3</sup>**

Election campaigns depend on communication and communication costs money. Campaign finance laws are intended to reduce the potential for corruption or even the appearance of corruption as candidates seek funds to run campaigns. Many believe that when voters see huge amounts of money being contributed by wealthy donors, corporations, unions and other entities to influence elections, the electorate becomes disenchanted with the electoral process and

withdraws from it. Therefore, campaign finance reforms have the potential to help re-engage the voters in the electoral process.

There are three primary methods for regulating campaign finance: disclosure, contribution limits, and public financing.<sup>4</sup> Not all campaign finance regulatory systems contain all three components. New York State, at the present time, regulates disclosure and contribution limits but provides no public financing.

### **Disclosure**

Disclosure is the most basic form of campaign finance regulation. All states require some level of disclosure from candidates, committees, and political parties of the amount and source of contributions and expenditures; they vary in the detail required to be disclosed and in the frequency of reporting.

Many states now generally require electronic disclosure. Candidates are required to file their reports electronically and the information is then posted on a public Web site. Electronic filing is favored because it is quick, accurate, and inexpensive and avoids a time-consuming, error-prone and expensive data entry process.

### **Contribution Limits**

Limiting the amount and source of campaign contributions is one of the most common tactics for regulating money in politics. States commonly place limits on contributions to candidates from various sources, and also on contributions to political action committees (PACs) and political parties. Just four states – Missouri, Oregon, Utah and Virginia – place no limits on contributions at all. Another seven states – Alabama, Indiana, Iowa, Mississippi, North Dakota, Pennsylvania, and Texas – have minimal contribution limits. These states limit or prohibit contributions by corporations and unions to candidates, but leave contributions from all other sources unlimited. In the remaining 39 states, contributions to candidates from individuals, political parties, PACs, corporations and unions are typically limited or, in the case of corporations and unions, prohibited outright.

### **Public Financing of Campaigns**

A number of states and localities have programs that give grants of public funds to candidates and/or political parties for their campaigns. The grants are small in some cases, while in others a public grant may cover nearly the entire cost of a candidate's campaign. In all cases, participation in public financing programs is voluntary. Candidates who choose to participate are required to (1) adhere to spending limits, and (2) limit or cease raising private contributions. Public campaign financing systems generally fall into one of two models: (1) matching funds systems (also known as “partial public funding” or “Fair Elections”), and (2) full public financing systems (also referred to as “Clean Elections”). In a matching funds system,

candidates raise private money throughout the campaign and are given public dollars that “match” (usually on a multiple basis) private contributions up to a capped amount. The New York City system, described in Appendix A, is an extensive matching system that has functioned well for over 20 years.

In a full public financing system a candidate qualifies by raising a certain number of small contributions at the beginning of the campaign, and is then eligible for a public grant sufficient to run a campaign. In a full public financing system, once the candidate has qualified for and decided to accept the public grant, the candidate may no longer raise private funds and must abide by strict spending limits. “Clean elections” programs have been operating in Arizona, Maine and Vermont since 2000 for gubernatorial candidates. In Arizona and Maine, public funding is also provided for legislative candidates. In Connecticut, a Clean Elections program began operating in 2008. In other states, the public funding program is less extensive: New Mexico and North Carolina offer full public financing for judicial candidates and candidates for selected statewide offices<sup>5</sup>.

### **Regulation of Political Expenditures by Entities Other Than Campaigns, So-called “Independent Expenditures”**

Traditionally, if a person wanted to support a political candidate, a check was written to the candidate directly. More recently, new ways have evolved to support or advocate defeat of a candidate that do not involve the direct donation of money to that candidate. Regulation of these types of political expenditures is more complicated than direct campaign donations because of the many types of entities involved, and the many ways in which money can be spent.

Money can be given to a political party, which can turn that money over to a candidate or use that money to help elect the candidate through advertisements, voter turn-out campaigns, mailings or other activity designed to assist the candidate’s election. Money can also be donated to a PAC (political action committee).<sup>6</sup> The rules governing PACs are often dependent upon whether the PAC gives money directly to candidates, or uses the money in other ways to influence the political process, such as for independent expenditures.

Independent expenditures are not given directly to particular candidates but are spent in an effort to affect the outcome of elections. These expenditures are termed as “independent” because they are not supposed to be coordinated with the candidate’s campaign operations, although the money may be spent in an attempt to have a particular candidate elected or defeated.

Individuals, political parties, PACs and Super PACs can make independent expenditures. Campaign finance laws can regulate disclosure of the source of funding of entities making political expenditures, and require attribution of the source of funding on the political communication itself. See Appendix B for a chart of the types of political fundraising organizations and their disclosure requirements.

Disclosure also falls into the purview of federal tax laws since the tax code requires disclosure of donors if the organization meets certain qualifications. Social welfare organizations organized under Section 501(c)(4) of the Internal Revenue Code are permitted to engage in political activity so long as participation in political campaigns is not the “primary activity” of the group. Organizations created under Section 501(c)(4) as well as unions and trade associations, are not required by Federal tax law to disclose their donors, although under Federal and state campaign finance laws, disclosure of donors may be required.<sup>7</sup>

Organizations organized under Section 527 of the Internal Revenue Code (“527’s”) are organized and operated primarily for the purpose of influencing or attempting to influence election to public office. There are no limits on the extent of their political activity under the Internal Revenue Code but they are required to disclose their contributors and expenditures. If the 527 qualifies as a political committee such as candidate committees, political parties and PACs it comes under the jurisdiction of Federal campaign finance laws, and thereby subject to more exacting disclosure requirements. Under Federal law, a 527 becomes a political committee if it accepts contributions or makes expenditures of over \$1000 and it has, as its major purpose, the nomination or election of one or more Federal candidates. Super PACs are a species of 527; they are registered Federal political committees that make only independent expenditures (i.e., a political organization which is not connected to a campaign, does not give money directly to, or coordinate its activity with, a particular campaign). They are subject to Federal political committee disclosure requirements that require disclosure of all receipts and disbursements, which information is available to the public.

### ***Citizens United* and subsequent cases**

Although the Supreme Court’s decision in the *Citizens United* case energized many to pay attention to the influx of money into political campaigns, that decision was part of a line of cases constraining Federal and state laws regulating the way money is collected and spent in political elections. Supreme Court decisions going back over thirty years have addressed campaign finance law questions relating to contribution limits, spending limits, restrictions on contributions and independent expenditures and provisions which attempted to “level the playing field” by providing for enhanced public funding monies for those candidates facing wealthy or well-funded opponents. See Appendix C for a discussion of how Federal constitutional law acts as a constraint on campaign finance laws.

*Citizens United* did not change laws that ban corporations from contributing directly to campaigns. Instead, it invalidated restrictions on corporations and unions spending funds from their general treasury on independent expenditures (i.e., communications that expressly advocate for the election or defeat of a candidate not coordinated with a candidate’s campaign), and electioneering communications (communications that refer to a clearly defined candidate within certain time limits before an election or primary).

Although corporations are using the opportunity after *Citizens United* to enter the political arena, their spending has not, thus far, overwhelmed election campaigns. A recent analysis by the Center for Public Integrity found *Citizens United* had not led to a tsunami of contributions flowing from the treasuries of Fortune 500 corporations. Instead *Citizens United* and subsequent rulings have made household names out of a group of previously relatively unknown, very wealthy donors. Of the top that 10 donors to super PACs as of April, 2012 seven are individuals — not corporations — and four of those individuals are billionaires. (The other three are two labor unions and a physicians' medical malpractice insurance group).<sup>8</sup>

To say that *Citizens United* alone did not result in a sea change in political spending does not mean that a sea change has not occurred. The change is more correctly attributed to the increased use of types of political organizations outside of the candidate's campaign and the political parties to produce ads aimed at the election of or defeat of a candidate. This includes the rise in use of the 501(c)(4) organizations, which can avoid the disclosure of donors, and the Super PAC described above.

### ***New York State's Deeply Flawed Campaign Finance Laws***

There has been much written about New York State's campaign finance law, and little of it has been complimentary. Even though there are constitutional limits on the scope and extent of permissible campaign finance regulation, the laws of New York, last significantly changed in 1975, are so deeply flawed that they can be materially improved while staying within those boundaries. For more than 20 years the League has lobbied extensively for both comprehensive campaign finance reform and instituting a system of public financing. Despite the publicly announced commitments of Governors Pataki and Spitzer for comprehensive campaign finance reform, and many legislative proposals over the years, nothing has been achieved. The closest point to actual reform was in 2007 when there was a three-way agreement in Albany between the then Governor, the Assembly Speaker, and the Senate Majority Leader but no legislation was passed. Similarly, with public financing there have been decades worth of legislative proposals but no achievements. The most recent discussions on campaign finance reform have emphasized public financing as an integral part of reform, given the new influx of money in politics post-*Citizens United*.

#### **High Contribution Limits**

State election law contains provisions that establish the maximum amount of money a candidate can accept from a contributor. These limits vary depending upon the nature of the contributor (e.g., individual or corporation), the office for which the candidate is running, and the nature of the race (e.g., primary or general election). There are also aggregate limits that apply to certain categories of contributors. See Appendix D for the 2012 campaign contribution limits. The candidate and his or her spouse are subject to separate rules, as are other family members of the

candidate. Money spent by the candidate or his or her spouse is not considered to be a contribution.

The first step to ascertaining the limit on campaign contributions is to determine the category into which the contributor fits, i.e., an individual, a corporation, another candidate's political committee, an unincorporated union or trade organization, a PAC or any other entity such as a league or association. A limited liability company ("LLC"), which is similar to a partnership and is a structure used by many businesses as well as professionals, is treated as an individual.

The current limits on campaign contributions have been termed "sky-high,"<sup>9</sup> creating conflicts for those raising funds from donors often interested in government access and outcomes and resulting in the perception that money exerts too much influence on New York State elections. The limits are much higher than Federal limits and average limits in other states. For example, an individual can contribute \$41,100 to a candidate for Governor in the general election, but can only contribute \$2,500 to a Presidential candidate. This election cycle gubernatorial limit of \$60,800 is the highest in the country and seven times higher than the national average of \$8,579 for gubernatorial elections. The \$16,800 limit applicable to candidates for the New York State Senate is four times greater than the national average of \$4,003 for comparable office and the New York State Assembly limit of \$8,200 is more than twice as high as the national average of \$3,632.<sup>10</sup>

Unlike in many states, even some that do not limit individual contributions to candidates, corporations are allowed to make contributions up to \$5,000 to candidates or political parties. An individual can also give up to \$102,300 to a political party. Political parties include County and State committees and legislative committees, such as the Republican Senate campaign committee. There are no limits on contributions for ballot issues, nor are there any limits on contributions to political parties for what are called "housekeeping expenses", a type of contribution sometimes referred to as soft money.<sup>11</sup> There are no limits on contributions to a PAC, other than the aggregate individual and corporate limits, and there are no limits on the amount of money political parties can give to candidates. Since transfers between parties and legislative committees and single candidate committees are not considered contributions, they are unregulated as to frequency or amount, although they have to be disclosed.

## **Loopholes**

In addition to the high limits, there are many loopholes in the law that allow contributors to give contributions far in excess of those limits. For example, although the putative limit of corporate giving is \$5,000, each subsidiary or affiliated corporation is considered to be a separate entity, with the result that an umbrella corporate entity can effectively contribute many times that amount. For example, records filed with the New York State Board of Elections show that on February 22, 2011 nine separate corporations affiliated with or a subsidiary of MetLife

contributed \$5,000 to a MetLife PAC, for a total of \$45,000 of corporate money that is then available for contributions.

Monetary limits are also avoided by sending money through limited liability companies (“LLC’s”), which the state Board of Elections has ruled have the same higher limits as individuals. Recently an Albany Times Union <sup>12</sup>article analyzed New York State Board of Elections filings and found that a property developer gave \$26,000 to a candidate for State Senate by writing a personal check for \$6,500, the legal maximum for a State Senate primary, and sent the same amount from three businesses he owns, each of which was a separate LLC controlled by the same individual. These contributions amounted to almost a quarter of the primary campaign money raised by the candidate at that time.

### **Pay to Play**

New York State has no separate rules relating to contributions by lobbyists or state contractors who contribute generously to state campaigns. A recent study of “pay to play” in New York State by NYPIRG showed that lobby firms, their PACs and their employees donated nearly \$2 million to state level candidates and party committees in 2011. Money from lobbyists thus amounted to 4% of all money raised during that time, leading NYPIRG to conclude, “. . . lobbyists working for retained firms donated nearly 70,000 times as much money *per capita* as other state residents.”<sup>13</sup>

Eighteen states place complete bans on donations from lobbyists or place stronger limits on their donations than on those made by other persons.<sup>14</sup> New York City’s campaign finance law has strict limits on the amounts of money that can be contributed to campaigns by lobbyists and persons doing business with the government. Connecticut campaign finance law contains an outright ban on contributions from state contractors, which was upheld by the U.S. Court of Appeals for the Second Circuit, although a similar ban on contributions by lobbyists was struck down.<sup>15</sup> Similarly, New York City’s limit on campaign contributions from persons that have business dealings with the City has survived a First Amendment challenge.<sup>16</sup>

### **Housekeeping Accounts**

The fact that unlimited contributions are made to so-called “housekeeping accounts” is an area generally acknowledged to be subject to abuse. Housekeeping accounts allow a party or constituted committee to receive contributions of any size to be used to maintain permanent headquarters and staff, and to carry on ordinary activities that are not for the express purpose of promoting or opposing specific candidates. As an example, Time Warner Cable was able to contribute \$162,662.52 to the NYS Senate Republican Campaign Committee – Housekeeping account<sup>17</sup>, a far cry from the putative \$5,000 yearly limit on hard contributions from a corporation. Mayor Bloomberg, who, as an individual, is limited to a maximum annual contribution total of \$150,000 for all candidates whom he might want to support, gave \$1.2 million to the New York State Independence Party, which had given the Mayor its 2009 ballot

line. More recently, he gave \$1 million to the state Senate Republicans, the largest single donation ever given to the legislative conference. The mayor had already given more than \$2 million to the conference since 2006.

In theory, housekeeping funds are to be used to maintain the committee office, fund “Get Out the Vote” campaigns, pay for polling and the like. In addition to payment for items clearly contemplated by the statute such as rent, the money also goes, in large sums, into fundraising events, which raise even more money that can be used for campaigns.

The New York Times has editorialized that the reporting requirements are so vague that it is almost impossible to figure out how the housekeeping money is actually spent.<sup>18</sup> Most importantly, the housekeeping loophole allows individuals, corporations and political committees that have “maxed out” on contributions that can be used to support or oppose candidates to continue to curry favor with candidates and parties.

### **Personal Use**

Current law purportedly prohibits the personal use of campaign funds, through a provision that states:

“[c]ontributions received by a candidate or a political committee may be expended for any lawful purpose. Such funds shall not be converted by any person to a personal use which is unrelated to a political campaign or the holding of a public office or party position.”<sup>19</sup>

Unfortunately the state Board of Election has construed this language to permit the use of campaign funds for virtually any purpose advanced as a justification. In 2006, the Brennan Center noted that candidates had interpreted this provision to allow their use of campaign monies for a variety of purchases, including country club memberships, leased cars, and other purchases that are not directly related to campaigning or governing.<sup>20</sup> In 2012, the situation has not changed. The Staten Island Advance recently reported that one of two State Senators representing the island spent \$9,147 on a 2010 Lincoln MKX Crossover from campaign funds and \$3,830 to pay for cigars given out at his annual golf-outing fundraiser. The other State Senator reported that she had spent \$3,836.73 on 16 funeral flower displays.<sup>21</sup> Recently, a representative of the Board of Elections stated that the use of campaign funds to pay for a babysitter during a campaign would be allowable since the candidate asserted that the presence of her spouse at the event “related to the campaign.”

### **Disclosure**

In addition to contribution limits, the Election Law regulates the disclosure of contributions and campaigns expenditures. The statute contemplates the broadest disclosure: The law states that “[i]t is the obligation of the candidate to disclose ALL of the receipts and expenditures of his/her campaign, including their own money.”<sup>22</sup> The amount of information required about the

contributors and the frequency of filing that information is, however, quite limited. The only information about the contributor that must be disclosed is his or her name and address. No information about the donor's profession or employer is required, nor does the person who acted as an intermediary to facilitate or deliver the contribution need to be disclosed.

There are two separate types of filings: election and periodic. Candidates or their committees need only file finance disclosure statements three times in connection with a particular election, twice before an election and once after the election has been held. Large contributions or loans of over \$1,000 received after the cut-off date for the last pre-election filing must be reported within 24 hours of receipt, and in the post-election report.

In addition to any required election reports, all candidates and committees who are obligated to file campaign financial disclosure reports must also submit periodic reports twice a year—in January and July.<sup>23</sup> The law requires that filings must be done electronically, unless exemption is authorized, and the information is available to the public on the day it is received.

## **Enforcement**

There are penalties for violations of the campaign finance law, which were recently modestly increased by the state Legislature. The prohibited acts include making, accepting or soliciting an improper contribution, as well as failure to comply with filing requirements. Penalties include return of improper contributions, civil fines and both misdemeanor and felony punishments, depending on the nature of the violation, the culpable intent and repetitive behavior.

Enforcement is by action of the New York State Board of Elections either through administrative action or by initiation of civil court proceedings, or through criminal prosecution. However, there are no periodic or random audits to ensure compliance; instead violations are uncovered from outside inquiries, and enforcement by the four-member bipartisan NYS Board of Elections is lax. Votes often end in a stalemate along party lines, with the result that appropriate action is not taken. Review of the annual reports of the NYS Board of Elections demonstrates that high rate of attrition between complaint and action. For 2008, the Board of Elections reported that it had received 108 complaints of violations of the Election Law; 70 were processed, three referred by the Board for investigation and one final determination was made. In contrast, good government groups reviewed the campaign filings for 2008 and promulgated a list of nearly 350 apparent violations of corporate campaign contribution limits alone.<sup>24</sup>

Any inference that the lack of enforcement actions is the result of full compliance by candidates, committees and PACs is belied by a recent analysis of filings completed by NYPIRG that found the following<sup>25</sup>:

- Every year, hundreds of donors give more money than is allowed by state law that has the highest limits of any state capping donation size;

- scores of candidates fail to disclose large contributions received in the run-up to Election Day;
- thousands of filings obfuscate the identity of donors or the purpose of expenditures through the inclusion of incomplete or incorrect information;
- dozens of incumbent lawmakers spend campaign funds for what reasonable people would consider to be non-campaign reasons;
- enforcement of late filings – the one violation for which the Board has played an active enforcement role – reveals that there is still significant room for improvement:
  - The fines the Board issues for this type of violation, usually between \$100 and \$1,000, clearly are not enough to deter candidates who appear to have no interest in filing on time or, in some cases, ever.
  - A full month after the latest filing deadline, 2,328 active committees with over \$31 million in the bank based on previous filings had still not disclosed any transactions. These included 622 non-filing committees with over \$12 million in the bank who have not filed, often for years, and, candidates who have filed recently, but have filed nothing but “no activity reports” for the past few reporting periods, authorized only when a committee has had no transactions over the course of a six month period. Many of the committees that have filed no-activity reports have bank accounts totaling tens of thousands of dollars or more; it is unlikely that each of them truly have not received as much as a dime in interest or paid a dollar in bank fees over the course of several years.

### ***Critically Needed Reforms to the System***

The League has long studied and advocated for campaign finance reform. We believe that it is necessary to establish a system of public financing of political campaigns in order to “ensure the public’s right to know, combat corruption and undue influence, enable candidates to compete more equitably for public office, and allow maximum citizen participation in the political process.” LWVUS, *Impact on Issues, 2010-2012*.

In addition to the need to institute a system of public financing as described more fully below, our position is that the following reforms to New York State’s campaign finance system are critical.

#### **Contribution Limits and Loopholes**

- Reduction of all contribution limits to levels more consistent with Federal limits, including limiting party transfers to candidates
- Special limit on contributions by lobbyists and contractors doing business with the state
- Close loopholes and place appropriate limits on corporations and unions
- Close the LLC and subsidiary loopholes

**Restrictions on Housekeeping Accounts**

- Ban or significantly limit party housekeeping accounts

**Restrictions on Personal Use**

- Clarify ban on personal use of campaign funds by candidates, including a ban on use of contributions to pay expenses related to holding office, fines and attorney fees

**Improved Disclosure**

- Significantly improve disclosure of political expenditures independent of the candidate's campaign
- Increased and more timely reporting of contributions and expenditures, especially immediately prior to an election
- New reporting requirements for bundlers of contributions as well as reporting of contributor's occupation and employer
- Immediate internet disclosure of alleged violations of campaign finance laws and dispositions

**Enforcement**

The League supports the following characteristics in an enforcement body, whether it is a new entity or a separate entity within the Board of Elections.

- Independent and nonpartisan
- Adequately financed
- Power and obligation to conduct independent audits
- Subpoena power
- Penalties should be substantially increased to further deter noncompliance
- Automatic enforcement and collection of civil penalties by administrative action, as opposed to court action

***The Case for Public Financing***

There is clear evidence that a well-regulated system of campaign finance laws containing public financing of campaigns has positive effects. Connecticut Secretary of the State Merrill recently issued a report evidencing the positive effects on the electoral process of that state's adoption of public financing system. Citing the fact that the lack of contested elections has been identified as a contributing factor to the public's disinterest in voting, she reported that

“In 1996, 41 Connecticut General Assembly candidates ran unopposed. In both 2000 and 2004 at least one of the major parties failed to field a candidate in nearly 40% of Connecticut’s legislative races. Residents are not motivated to vote in uncontested elections. By 2010, only 29% of Connecticut’s legislative races (or 30 legislative seats) did not have a candidate from both major parties. Primary challenges have also increased under the CEP. The success of this program opens the door for increased civic engagement and political involvement”.<sup>26</sup>

Connecticut’s Common Cause has observed that since the passage of the Connecticut public financing law, and its attendant diversification of candidates elected to the Connecticut General Assembly, that body has passed many bills that never would have seen the light of day before clean elections came to Connecticut – bills including the ban on junk food and soda in public schools; an expanded bottle deposit law, which included deposits on water bottles; paid sick days, and a ban on Bisphenol A usage for infant formula and baby food cans.<sup>27</sup>

The New York City public financing system is specifically designed to empower small donors. It does so by “rewarding” the ability of a candidate to obtain numerous small contributions by matching each eligible contribution (up to \$175) at a rate of 6 to 1. Thus, twenty contributions of \$50, totaling \$1,000, will result in public funding in the amount of \$6,000, whereas one contribution of \$1,000 will result in public funding of \$1,050. Only contributions from individuals who are New York City residents are eligible. There is strong evidence that New York City’s system results in participation of greater numbers of individuals in making contributions to political campaigns.

The Brennan Center for Justice concluded in 2010 that the New York City system had produced the following positive results:

- The program enjoyed robust participation by serious, credible candidates.
- Since the enactment of the multiple match, the number of overall contributors and the number of small donors increased.
- Participants relied on a greater number of smaller donors than do nonparticipants.
- The program encouraged candidates to combine fundraising and voter outreach efforts.
- The system promoted voter choice by enabling a diverse pool of candidates with substantial grassroots support but little access to large donors to run competitive campaigns.
- Finally, especially in open-seat elections, the system boosted competition by enabling greater spending parity between candidates.<sup>28</sup>

A more recent Brennan Center reported that New York City matching system for small donations incentivized candidates to seek donations from a wider range, more diverse contribution base.<sup>29</sup> Candidates who participated in both New York City and New York State elections reported to the Brennan Center that the New York City system gave them impetus to reach out to their own

constituents rather than focusing all their attention on wealthy out-of-district donors, a markedly different approach than that usually pursued during campaigns at the state level. These claims suggested to the Brennan Center that the City's public financing system contributed to a fundamental change in the relationship between candidates and their donors in New York City. The Brennan Center studied the issue and found that in fact small donors to 2009 City Council candidates came from a much broader array of City neighborhoods than did the City's small donors to 2010 State Assembly candidates.

## Conclusion

New York State campaign finance law is deeply flawed, poorly enforced and lacking public financing. At this time, while the interest of our elected officials and the electorate in campaign finance reform is at its height, the League of Women Voters of the State of New York and others should make every effort to educate the public about possibilities for reform, and encourage our elected representatives to act.

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<sup>1</sup> Michael J. Malbin and Peter W. Brusoe, "Small Donors, Big Democracy: New York City's Matching Funds as a Model for the Nation and States" *Election Law Journal*, Volume 11, Number 1, 2012. Available at <http://www.cfinst.org>.

<sup>2</sup> New York Public Interest Research Group, "Analysis: 127 Donors Each Gave \$50,000 or More to State Committees Over Past Year," February 3, 2012, available at <http://www.scribd.com/doc/80379931/NYPIRG-Largest-Donors-of-Past-Year>.

<sup>3</sup> Much of the information in this section has been adapted from the website of the National Conference of State Legislatures, <http://www.ncsl.org/legislatures-elections/elections/campaign-finance-an-overview.aspx>.

<sup>4</sup> The Supreme Court of the United States has held that an additional method of regulating campaign finance, spending limits, are not constitutional outside of voluntary public financing systems.

<sup>5</sup> <http://www.ncsl.org/legislatures-elections/elections/public-financing-of-campaigns-overview.aspx>. This information is verified as of October, 2011; there may have been changes since then.

<sup>6</sup> Federal law provides for several species of PACs, including connected PACs, that can receive money only from a particular class of donors, such as the members of a particular union; non-connected PACs, that can receive money from anyone; and leadership PACs, that can be established by elected officials and political parties.

<sup>7</sup> However, disclosure requirements can be avoided if the organization sticks to "issue advocacy" which does not mention a particular candidate by name or constitute electioneering communications. Non-profits affiliated with Super PACs can also make contributions to the Super PACs effectively shielding the original source of the funds since the Super PAC will list the name of the non-profit as the donor.

<sup>8</sup> <http://www.publicintegrity.org/2012/04/26/8753/top-10-donors-make-third-donations-super-pacs>.

<sup>9</sup> [http://articles.nydailynews.com/2012-04-16/news/31351333\\_1\\_campaign-finance-lobbyist-contributions-financing-of-state-elections](http://articles.nydailynews.com/2012-04-16/news/31351333_1_campaign-finance-lobbyist-contributions-financing-of-state-elections).

<sup>10</sup> <http://www.ncsl.org/legislatures-elections/elections/contributions-to-candidates-2008.aspx>.

<sup>11</sup> Housekeeping accounts are defined as receipts and expenditures of a party or constituted committee used to maintain permanent headquarters and staff, and to carry on ordinary activities that are not for the express purpose of promoting the candidacy of specific candidates.

<sup>12</sup> Vielkind, Jimmy "Campaign funds flow from within, without" Albany Times Union, Wednesday, July 18, 2012:

<http://www.timesunion.com/local/article/Campaign-funds-flow-from-within-without-3718164.php#ixzz216NmrcpS>.

<sup>13</sup> New York Public Interest Research Group, "NYPIRG Analyzes Albany's "Pay to Play Culture" Lobby Firms Pump in \$1.8 Million in Campaign Contributions Over Past Year," June 11, 2012, available at <http://www.scribd.com/doc/96700111/NYPIRG-Pay-to-Play-Analysis>.

<sup>14</sup> New York Public Interest Research Group, "NYPIRG Analyzes Albany's "Pay to Play Culture" Lobby Firms Pump in \$1.8 Million in Campaign Contributions Over Past Year."

<sup>15</sup> *Green Party of Conn. v. Garfield*, 616 F.3d 189 (2010).

<sup>16</sup> *Ognibene v. Parkes*, 671 F.3d 174 (2012)

<sup>17</sup> New York Public Interest Research Group, "Analysis: 127 Donors Each Gave \$50,000 or More to State Committees Over Past Year."

<sup>18</sup> "New York's Housekeeping money, The New York Times, editorial October 10, 2011" [http://www.nytimes.com/2011/10/11/opinion/new-yorks-housekeeping-money.html?\\_r=1](http://www.nytimes.com/2011/10/11/opinion/new-yorks-housekeeping-money.html?_r=1).

<sup>19</sup> New York State Election Law Section 14-130.

<sup>20</sup> Strengthening Ethics in New York: The Ethics in Government Act of 2006 The Brennan Center for Justice at NYU School of Law Common Cause/NY, League of Women Voters/N.Y.S., New York Public Interest Research Group, January 2006.

<sup>21</sup> Staten Island Advance, "Staten Island pols use campaign funds for car payments, funeral flowers," May 02, 2012, [http://www.silive.com/news/index.ssf/2012/05/staten\\_island\\_pols\\_use\\_campaign.html](http://www.silive.com/news/index.ssf/2012/05/staten_island_pols_use_campaign.html).

<sup>22</sup> New York State Board of Elections, Campaign Finance Handbook 2012, 5. EL 14-104 (1).

<sup>23</sup> New York State Election Law Section 14-108(1); NYCRR 6200.2.

<sup>24</sup> <http://www.gothamgazette.com/index.php/state/archives/402-campaign-finance-laws-fill-coffers-for-cars-coffee-and-court>.

<sup>25</sup> New York Public Interest Research Group, "NPIRG's closer Look: Campaign Finance Laws Routinely Flouted; Over \$30 Million in Candidate Funds Missing in Action," August 22, 2012, available at <http://www.scribd.com/doc/103584423/NYPIRG-31M-in-Campaign-Funds-Missing-in-Action>.

<sup>26</sup> [http://www.ct.gov/sots/lib/sots/releases/2012/3.2.12\\_election\\_performance\\_report.pdf](http://www.ct.gov/sots/lib/sots/releases/2012/3.2.12_election_performance_report.pdf).

<sup>27</sup> [http://www.commoncause.org/atf/cf/%7Bfb3c17e2-cdd1-4df6-92be-](http://www.commoncause.org/atf/cf/%7Bfb3c17e2-cdd1-4df6-92be-bd4429893665%7D/IMPACT%20OF%20CEP%20ON%202012%20RACES%20FROM%20WEBSITE.PDF)

[bd4429893665%7D/IMPACT%20OF%20CEP%20ON%202012%20RACES%20FROM%20WEBSITE.PDF](http://www.commoncause.org/atf/cf/%7Bfb3c17e2-cdd1-4df6-92be-bd4429893665%7D/IMPACT%20OF%20CEP%20ON%202012%20RACES%20FROM%20WEBSITE.PDF).

<sup>28</sup> Angela Migally, Susan Liss, Frederick A.O. Schwarz, "Small Donor Matching Funds: The NYC Election Experience," Brennan Center 2010.

<sup>29</sup> Genn, Elisabeth, Michael J. Malbin, Sundeep Iyer, Brendan Glavin, "Donor Diversity Through Public Matching Funds", Brennan Center and the Campaign Finance Institute, 2012.

## **Appendix A**

### **Examples of Campaign Finance Laws**

#### **FECA (Federal Election Campaign Act)<sup>1</sup>**

Review of the federal campaign finance law is provided since its provisions govern the election of the President and members of Congress. Beginning in 1905, President Theodore Roosevelt advocated for campaign finance reform legislation to ban corporate contributions for political purposes. In response, Congress enacted several statutes between 1907 and 1966 designed to limit the disproportionate influence of wealthy individuals and special interest groups on the outcome of federal elections regulate spending in campaigns and mandating public disclosure of campaign finances. Through amendments and review by the Supreme Court the federal campaign regulatory scheme has evolved into the following.

a. Disclosure. Candidate committees, party committees and PACs must disclose the money they raise and spend over \$200 in an election cycle.

b. Contributions to Candidates FECA places limits on contributions by individuals and groups to candidates, party committees and PACs. Corporations, labor organizations, federal government contractors, and foreign nationals are prohibited from making contributions or expenditures to candidates. Furthermore, nominee contributions are banned, as are cash contributions over \$100.<sup>2</sup>

c. Independent Expenditures Under federal election law, an individual or group (such as a PAC) may make unlimited "independent expenditures" in connection with federal elections.

d. Corporate and Union Activity although corporations and labor organizations may not make contributions or expenditures in connection with federal elections, they may establish PACs. Corporate and labor PACs raise voluntary contributions from a restricted class of individuals and use those funds to support federal candidates and political committees.

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<sup>1</sup> Material from this section was extrapolated from the Federal Election Commission publication: The FEC and the Federal Campaign Finance Law, Published in February 2004 (updated February 2011)

<sup>2</sup> Media reports are replete with stories about presidential fundraisers carrying price tags of thousands of dollars. Insight into how these fundraisers are sculpted to comply with FECA, with its \$5000 maximum individual contribution limit is found in the fine print of the Obama Victory Fund contribution form.

“ The first \$5,000 of a contribution to OVF 2012 will be allocated to Obama for America (with the first \$2,500 designated for the primary election, and the next \$2,500 for the general election). The next \$30,800 of a contribution will be allocated to the Democratic National Committee. Any additional amounts from a contributor will be divided among the State Democratic Party Committees as follows, up to \$10,000 per committee and subject to the biennial aggregate limits: FL (17%); OH (16%); PA (13); CO (11%); NC (11%); VA (11%); NV (6%); WI (6%); IA (5%); and NH (4%). A contributor may designate his or her contribution for a particular participant. The allocation formula above may change if following it would result in an excessive contribution. Contributions will be used in connection with a Federal election. Contributions to OVF 2012 may be spent on any activities of the participant committees as each committee determines in its sole discretion and will not be earmarked for any particular candidate.”

Mitt Romney’s Victory Fund contains similar information.

e. Political Party Activity State, national and local political parties who engage in federal campaign activities must register with and disclose their federal activities to the FEC (subject to threshold limits). They can contribute to candidates and make limited coordinated expenditures but they may make unlimited “independent expenditures”.<sup>3</sup>

f. Regulation and Enforcement

The Federal Election Commission has six voting members who serve staggered six-year terms. The Commissioners are appointed by the President with the advice and consent of the U.S. Senate. No more than three Commissioners may belong to the same political party.<sup>4</sup>

The FEC administers the public funding provisions, and, after the elections, the FEC audits each publicly funded committee. Disclosure reports are available to the public within 48 hours of receipt at the FEC Office and electronically. FEC staff is charged with review each report filed by federal candidates and committees.

The Commission has exclusive jurisdiction over the civil enforcement of the federal campaign finance law. Enforcement actions may be generated by FEC staff, by referral from other government agencies or by public complaint. Investigations require the concurrence of four of the six Commissioners. Upon a finding that the law has been violated, attempt is made to reach a conciliation agreement. . If an agreement cannot be reached, however, the Commission may file suit against the appropriate persons in a U.S. District Court. An Administrative Fine Program streamlines the enforcement process for violations involving the failure to file disclosure reports on time or at all pursuant to which published schedules of penalties are imposed that take into account the number of days a report is late, the election sensitivity of the report, the amount of activity disclosed on the report and the number of past violations (if any) by the filer.

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<sup>3</sup> Other rules pertaining to political parties include: National party committees, however, may not solicit, receive, direct, transfer, or spend nonfederal funds. Finally, while state and local party committees may spend unlimited amounts on certain grassroots activities specified in the law without affecting their other contribution and expenditure limits (for example, voter drives by volunteers in support of the party's Presidential nominees and the production of campaign materials for volunteer distribution), they must use only federal funds or "Levin funds" when they finance certain "Federal election activity."

<sup>4</sup> Other rules pertaining to political parties include: National party committees, however, may not solicit, receive, direct, transfer, or spend nonfederal funds. Finally, while state and local party committees may spend unlimited amounts on certain grassroots activities specified in the law without affecting their other contribution and expenditure limits (for example, voter drives by volunteers in support of the party's Presidential nominees and the production of campaign materials for volunteer distribution), they must use only federal funds or "Levin funds" when they finance certain "Federal election activity."

## **New York City:<sup>5</sup>**

The New York City Law Campaign Finance Law provides a good basis for study of campaign finance laws because it has been in effect since 1988, thus providing a good measure of effectiveness, and it has been lauded as effective, functional and well enforced. Over time, the NYC Campaign Finance Board has provided feedback to the City Council on the workings of the law and suggestions for improvements which have been enacted by the Council, resulting in a system which has been “tweaked” to reflect actual implementation, observation and problems with performance. Given the fact that about 42% <sup>6</sup> per cent of New York State’s population resides within the City of New York, the NYC law provides a familiar framework in which to carve out reforms to the New York State Law.

There are three classes of candidates subject to the NYC campaign finance law: participants, who receive public funding, non-participants, who do not, and limited participants who chose to forgo public funding but, nonetheless, agree to abide by most of the laws applicable to participants.

### **a. Disclosure**

New York City’s disclosure laws are broad and comprehensive. All candidates, be they participants, non-participants or limited participants must comply with disclosure requirements which apply to all contributions, and must contain the name, occupation and employer of the contributor, amount of contribution, whether or not it was collected by an intermediary, and how the campaign spent its contributions. Likewise, campaign expenditures must be disclosed. All candidates must make regular filings throughout the campaign, and must file daily reports of large contributions, loans, or expenditures that occur in the final two weeks of the election. Disclosure information is accessible through a searchable database.

### **b. Permitted Contributions and Contribution Limits**

Individual contribution limits are low. For the 2009 City elections, the limit for an individual contribution for office of Mayor, Public Advocate or Comptroller was \$4,950. Contributions from entities doing business with the city are sharply limited and contributions from nominees are prohibited. Contributions from corporations, LLCs, LLPs are prohibited. By contrast, candidates may accept contributions up to the same contribution limits as apply to individuals from unincorporated organizations such as community groups, employee organizations/unions, and associations.

Candidates may accept contributions (subject to the same limits as individuals) from party committees or PACs.

### **c. Regulation and Enforcement**

The New York City Campaign Finance Board is noted for being independent, nonpartisan and effective. Appointments are made by the Mayor and the City Council Speaker, each of whom appoint two people

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<sup>5</sup> Much of the material for this section has been extrapolated from the 2005 and 2009 Campaign Handbooks published by the NYC Campaign Finance Board.

<sup>6</sup> [quickfacts.census.gov/qfd/states/36/3651000.html](http://quickfacts.census.gov/qfd/states/36/3651000.html) (visited 7/28/2012)

of different parties to the Board, with the fifth person appointed by the Mayor in consultation with the Speaker. Regular audits are conducted by the CFB. New York City's CFB has the power to audit and subpoena campaigns before or after the election and can withhold public funds from candidates the Board believes are not in compliance. The Board cannot levy fines directly; it can make civil penalty assessments and then must go court to enforce them. Penalties are significant, ranging as high as \$10,000 per violation—or even higher when participants exceed spending caps—and the Board can require campaign committees and candidates themselves to repay public funds.

Eligible participating candidates receive six dollars for each one dollar of a \$175 or below contribution to use on qualified campaign expenditures. The Program limits how much money participants can spend on their campaigns, including limiting the candidate's own contributions to the campaign. Other provisions of the New York City law require participating candidates to participate in at least one debate and provide for publication of Voters Guides to help educate the voter about the candidate.

## Appendix B Chart of Political Organizations

(IRC section)	Tax Treatment?	Lobbying permitted under Internal Revenue Code (IRC)?*	Political Campaign Activity permitted under Internal Revenue Code (IRC)?*	Disclosure under Internal Revenue Code (IRC)?*	Disclosure under Federal Election Campaign Act (FECA)?**
<b>501(c)(3)</b> Public charities and private foundations	Tax exempt. Contributions are tax-deductible and generally are not subject to the gift tax.	Permitted to engage in lobbying, so long as it constitutes “no substantial part” of the organization’s activities.	Prohibited from “participating in, or intervening in ... any political campaign on behalf of (or in opposition to) any candidate for public office.”	Must file an annual information return with the IRS using the Form 990 series disclosing all funds raised and spent. Contributor information is not made public, except in case of private foundations.	Because a 501(c)(3) is not permitted to engage in political campaign activity under the IRC, it typically would not have any political campaign spending to report under FECA.
<b>501(c)(4)</b> Social welfare organizations ( <i>E.g.</i> , NRA, Sierra Club, Crossroads GPS)	Tax exempt; but if the group engages in political campaign activities ( <i>i.e.</i> 527 “exempt function activities”), its investment income (if any) is subject to tax. Contributions are not tax-deductible. Certain contributions may be subject to the gift tax.	Permitted to lobby without limitation provided that all lobbying is consistent with the group’s tax-exempt purpose.	These groups cannot have as their “primary activity” participation in “political campaigns on behalf of or in opposition to any candidate for public office.” The IRS uses a “facts and circumstances” test to determine when a group sponsoring ads is participating in political campaign activity. Factors include: (1) Whether an ad identifies a candidate for public office; (2) Whether the timing of the ad coincides with an electoral campaign; and (3) Whether the ad targets voters in a particular election.	Must file an annual information return with the IRS using the Form 990 series disclosing all funds raised and spent. Contributor information is not made public, even if the group engages in political campaign activity.	All persons and groups must file “ad specific” disclosure reports with the FEC if they purchase two types of ads: (1) Ads that expressly advocate the election or defeat of a federal candidate ( <i>e.g.</i> “vote for,” “vote against”). (2) “Electioneering communications,” <i>i.e.</i> TV or radio ads that mention a federal candidate, are targeted to the relevant electorate, and run within 30 days preceding a primary and 60 days preceding a general election.  These reports must disclose: the identity of the person or group funding the ad (“ad sponsor”); the recipients of disbursements for the ad; and contributors to the ad sponsor whose contributions were made for the purpose of furthering the express advocacy or electioneering communications.

**501(c)(6)**

Trade associations

(*E.g.*, U.S. Chamber of Commerce)

**527**

Political organization that is not registered as a federal political committee

Tax exempt; but may be subject to tax if the group engages in activities that do not relate to political campaign activities, *e.g.* lobbying, or if the group does not disclose all of its donors. Contributions are not tax-deductible. Contributions are not subject to the gift tax.

Permitted to lobby subject to certain restrictions and only if it is not the group's "primary activity."

Tax law does not limit political campaign activity by 527s. A 527 is a group "organized and operated primarily" for the purpose of "influencing or attempting to influence the selection, nomination, election, or appointment of any individual to any Federal, State, or local public office or office in a political organization, or the election of Presidential or Vice-Presidential electors...." Not all 527s are required to register as federal political committees, only those 527s that meet the definition of a political committee, described *below*.

Must notify the IRS of their existence within 24 hours of formation. 527s are required to file with the IRS an annual information return, and periodic reports disclosing all contributions and expenditures for which the group seeks tax exemption. 527 reports are publicly available on the IRS' Web site. Contributor information is thus public. If a 527 does not disclose a contribution, it must pay tax on that contribution.

527s are subject to the "ad specific" reporting requirements under FECA described *above*

Organization (IRC section)	Tax Treatment?	Lobbying permitted under Internal Revenue Code (IRC)?*	Political Campaign Activity permitted under Internal Revenue Code (IRC)?*	Disclosure under Internal Revenue Code (IRC)?*	Disclosure under Federal Election Campaign Act (FECA)?**
<b>527</b> Political organization that is registered as a federal political committee ( <i>E.g.</i> , federal candidate committees, national political parties, political action committees (PACs))	<p>A group must register with the FEC as a federal “political committee” if:</p> <p>(1) It accepts “contributions,” or makes “expenditures,” as defined by FECA, of over \$1000 in a calendar year, and</p> <p>(2) Has as its “major purpose” the “nomination or election” of one or more federal candidates.</p> <p>Tax law does not limit political campaign activity by 527s registered as political committees.</p> <p>Under FECA, however, committees are subject not only to disclosure requirements, but also to contribution limits and source restrictions.</p>		527s that register and report to the FEC as political committees are relieved of many of their IRS reporting obligations.	<p>Federal political committees are subject to extensive reporting and organizational requirements under FECA, including:</p> <p>(1) Registration;</p> <p>(2) Designation of a treasurer and committee bank account(s);</p> <p>(3) Filing periodic disclosure reports with the FEC disclosing all receipts and disbursements (contributor information is thus public);</p> <p>(4) Maintaining records for receipts and disbursements from the beginning of the committee’s operations.</p> <p>Subject to certain exceptions, federal political committees do not have to file the “ad specific” reports described <i>above</i>, because they are already required to disclose all receipts and disbursements to the FEC in their periodic reports.</p>	

“Super-PACS” are registered federal political committees that make only independent expenditures and do not contribute to candidates or parties. Due to *Citizens United* and other judicial decisions, these “Super PACs” are now exempted from the federal contribution limits and from the restrictions on corporate and union contributions. Super-PACs remain subject to the federal political committee disclosure requirements, however.

## **Appendix C**

### **Limitations on Campaign Finance Restrictions under the United States Constitution**

Neither the states nor the federal government have free reign to enact laws to regulate campaign finances. Such laws must withstand scrutiny under the First Amendment to the Constitution which protects the rights of free speech and of association because donations of money to candidates and political parties is engagement in political speech and therefore spending money on elections is viewed as an exercise of the rights of free speech and association. Campaign finance laws which place limits on contributions and expenditures restrict the freedom to express political speech and to affiliate with political allies.

The First Amendment is not absolute; governments have the right to restrict the exercise of First Amendment rights when the government can show that the restriction is necessary to protect an interest of the government which is important enough to justify the restriction. The most common example of this would be laws against shouting “Fire” in a crowded theatre. The public interest involved: preventing panic and injury to the patrons, is sufficiently important to support a law banning conduct which is an exercise of the right of free speech.

It has been found that many aspects of campaign finance laws restrict free speech: those include laws limiting contributions, laws limiting expenditures, laws requiring disclosure of information about contributions and expenditures, and laws requiring recordkeeping. That does not end the matter, for it must then be determined whether the campaign finance laws under consideration, despite the fact that they limit the freedoms of speech and association, are nonetheless constitutional.

In determining whether a law that infringes on First Amendment rights passes constitutional muster, the following factors are weighed

- What is the important public interest which the restriction is designed to protect,
- Does the burden on the free exercise of speech and association actually protect that interest,
- Is the burden imposed unduly onerous in relation to the public interest sought to be protected,
- Is the law carefully constructed so as to not unduly impose more of a burden than is necessary to protect the interest.

In applying these factors, a court first determines the extent of the burden imposed by the law. That is to say, does the law impact on the First Amendment rights in a minor way, or is the infringement more substantial. It then looks at the public interest sought to be protected, and determines just how important that interest is. If the burden is great, then the public interest which justifies that burden must be compelling. If the burden is less onerous, the public interest need only be found to be “important”. Finally, the court looks at whether the provisions of the law are narrowly and carefully drawn so that they actually address the harm sought to be prevented. If the burden is great, the law must be narrowly drawn

to impact on the protected rights in the least intrusive manner. If the burden is less onerous, the law need only be crafted to avoid unnecessary abridgment of the right.

The Supreme Court has held limitations on contributions, limitations on expenditures and disclosure and recordkeeping requirements all implicate the First Amendment in different ways, requiring application of different criteria to determine constitutionality.

As they affect protected speech, the Supreme Court has held:

--limitations on campaign expenditures constitute more substantial restraints political speech because virtually every means of communicating idea's in today's society requires the expenditure of money;

--limits on contributions were seen as more symbolic expressions of support which are not translated into political debate until spent.

As they affect the right of association, the Supreme Court has held:

--limits on campaign expenditures impose more significant restrictions on the right to associate than do limits on campaign contributions because the limits on expenditures inhibit the ability of candidate organizations and PACs to amplify the voices of their adherents,

-- limits on contributions, while limiting an important means of association, do not prevent contributors from aggregating large sums of money or prevent other means of association.

--compelled disclosure can infringe on the aspect of the First Amendment that insures the privacy of one's association and beliefs.

The application of these principles to the particular statutory provisions in the consideration of campaign finance laws by the Supreme Court resulted in the following:

### **Limitations on Contributions**

Contributions by individuals to candidates: limits on the amount of money an individual can contribute to a candidate are constitutional. (the impact on the right of speech was symbolic and the impact on the right of association was not absolute, so that the government interest in preventing corruption and the appearance of corruption was sufficiently important to justify the intrusion on First Amendment rights, and the statute drawn sufficiently narrowly to avoid unnecessary intrusion on those rights).

How much of a limit is permitted. Initially, the court held that a \$1000 limit contributions to federal candidates was constitutional.<sup>1</sup> In 2000, the Supreme Court, in addressing a \$1075 limit on contributions to statewide candidates in Missouri, reaffirmed the constitutionality of campaign contribution limits and established the following standard for determining the minimum permissible monetary threshold: a limit is not too low unless it rendered political association ineffective, or drove the "sound of a candidate's

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<sup>1</sup> *Buckley v. Valeo*, 424 U.S. 1 (1976). The Court also upheld a \$5,000 limitation on contributions to candidates by certain PACs, limitations on volunteer's incidental expenses and a \$25,000 limit on total contributions from any one individual to all candidates per calendar year.

voice below the level of notice” rendering contributions pointless<sup>2</sup>. Thus far, the only time the Supreme Court has struck down an individual contribution limit was in holding a \$100 Vermont limit unconstitutional.<sup>3</sup>

Corporate contributions to candidates: Corporations have been, and, as of this date, continue to be banned from contributing to federal candidates.

Contributions to political parties:. Federal law attempted to regulate donations to the national political parties, as contrasted to donations directly to candidates and their campaigns, known as “soft money” because they were unregulated. The McCain-Feingold Act contained provisions which limited the amount individuals could give to national political parties, prohibited corporations and labor unions from making such contributions, prohibited political parties from soliciting receiving, directing or spending any soft money, and contained provisions designed to prevent the national political parties from using state and local political parties to evade the strictures of the federal law. All these provisions have been upheld, the Supreme Court finding that the interested in combating real and apparent corruption justified them.<sup>4</sup>

## **Limitations on Expenditures**

Expenditures fall broadly into one of several categories: spending by a candidate or his/her campaign committee, spending by a political party in support of a candidate, and spending by individuals and entities in an effort to have a particular candidate elected or defeated. Limits on expenditures have not fared well under constitutional challenge.

The provisions which have been struck down include:

- limitations on candidates spending of their own or their families’ money It was held that people are not corrupted by spending their own money and the equalization of candidates’ resources was not a sufficient reason to override free speech. Further, trying to equal the playing field in races where one candidate has spent great amounts of his own money by raising the contribution limit for his opponent has been stricken.<sup>5</sup>

- restrictions on spending by a candidate’s campaign committee<sup>6</sup>.

- limits on independent expenditures by political parties.<sup>7</sup>

- Restriction on independent expenditures (not coordinated with a candidate’s campaign) Federal law provisions prohibited any person from spending more than \$1000 relative to a clearly identified

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<sup>2</sup> *Nixon v. Shrink Missouri Government PAC*, 528 U.S. 377, 397 (2000).

<sup>3</sup> *Randall v. Sorrell*, 548 U.S. 230 (2006).

<sup>4</sup> *McConnell v. FEC*, 540 U.S. 93 (2003).

<sup>5</sup> *Davis v. FEC*, 128 S. Ct 2759 (2008).

<sup>6</sup> *Buckley v. Valeo*, supra. This case also defined the distinction between “issue advocacy” and “express advocacy”. “Express advocacy” is that which advocates for the election or defeat of a clearly identified candidate; “issue advocacy” discusses issues or candidates, without expressly advocating the election or defeat of particular person.

<sup>7</sup> *Colorado Republican Federal Campaign Committee v. FEC*, 518 U.S. 604 (1996).

candidate. In *Buckley*, the Court found that, to avoid “void for vagueness” issues, the expenditure limits could only be applied to expenditures used for communications which expressly advocated for the election or defeat of a candidate, as opposed to those that discuss issues or candidates without expressly advocating for the election or defeat of particular candidates. It then found that this limit was unconstitutional, the court rejecting the two state interests offered as the justification for the restrictions: avoidance of corruption being found to be unrelated to the restriction and equalization of the relative ability of people and groups to affect the outcome of elections being deemed an insufficient interest upon which to rest the restriction of first amendment rights.

-corporations and unions cannot be restricted from spending treasury funds on either independent expenditures or electioneering communications.<sup>8</sup>

### **Limitations on Disclosure of information about contributions and expenditures**

Reporting and disclosure requirements have been, in large part, upheld. The Court has held that

-compelled recordkeeping disclosure by PAC’s and candidates was constitutional. Although such disclosure can infringe on privacy of association and belief, the interests of providing the electorate with information of where the money came from and how it was spent; the deterrence of corruption and appearance of corruption and gathering the data necessary to enforce contribution limits were all accepted as sufficient to outweigh the infringement.

--reporting by individuals and groups (other than PAC’s) who exceeded threshold contributions or “express advocacy” independent expenditures to entities other than candidates or PACs was constitutional. It was found that, although mandatory reporting might deter some contributions, compulsory reporting was the least restrictive means of curbing campaign ignorance and corruption.

--disclosure can be compelled of the sources of funding for and amount spent on electioneering communications by individuals, PACs and other associations.

There have also been challenges to the federal laws providing for the federal “check-off” system to fund presidential campaigns. Against challenges that the system was beyond the scope of Congress’ legislative power and that the system abridged free speech, the Supreme Court held that the public funding system promoted the general welfare by reducing the deleterious effects of large contributions, facilitating communication between candidates and the electorate and freeing candidates from the rigors of fundraising, as well as facilitating and enlarging public discussion and participation in the electoral process.

After the *Citizens United* case, the Supreme Court addresses a challenge to an Arizona law relating to public funding of campaigns.<sup>9</sup> The extra matching funds were triggered when privately funded candidates or independent groups reached certain spending caps. The Supreme Court found that the

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<sup>8</sup> *Citizens United v. FEC*, 130 S. Ct. Electioneering communications are a hybrid between “express advocacy” (calling for the election or defeat of a particular person” and “issue advocacy” (communications which take positions on issues). They are defined as communications that refer to a clearly defined candidate within certain time limits before an election or primary.

879 (2010).

<sup>9</sup> *Arizona Free Enterprise Club’s Freedom Club PAC v. Bennett*, 2011)

trigger provisions violated the First Amendment rights of independent expenditure groups because their support of one candidate could trigger extra funds being made available to the opposition candidate. The Court held that "The group can either opt to change its message from one addressing the merits of the candidates to one addressing the merits of an issue, or refrain from speaking altogether," he added. "Presenting independent expenditure groups with such a choice makes the matching funds provision particularly burdensome to those groups. And forcing that choice -- trigger matching funds, change your message, or do not speak -- certainly contravenes 'the fundamental rule of protection under the First Amendment, that a speaker has the autonomy to choose the content of his own message.'" "

Although the case struck down this provision, it did not affect the underlying principle that public funding of campaigns is viable. As the Brennan Center for Justice Executive Director stated: "one key fact is clear. Public financing remains constitutionally strong. The Court recognized public funding can 'further significant governmental interest[s], such as the state interest in preventing corruption.' These voluntary systems strengthen democracy."<sup>10</sup>

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<sup>10</sup> <http://www.acslaw.org/acsblog/all/arizona-free-enterprise-club's-freedom-club-pac-v.-bennett>

## Appendix D

### New York State Contribution Limits 2012

<b>Limit</b>	<b>To Candidates for House</b>	<b>To Candidates for Senate</b>	<b>To Candidates for Governor</b>	<b>To PACs, - To Political Parties,</b>	<b>To Party Housekeeping Accounts</b>
<b>From Individuals,</b>	<b>\$4,100 (Primary) \$4,100 (General) \$8,200 (Total)</b>	<b>\$ 6,500 (Primary) \$10,300 (General) \$16,800 (Total)</b>	<b>\$19,700 (Primary) \$41,100 (General) \$60,800 (Total)</b>	<b>\$150,000 (Year) - \$102,300 (Year)</b>	<b>Unlimited</b>
<b>From Unions,</b>	<b>\$4,100 (Primary) \$4,100 (General) \$8,200 (Total)</b>	<b>\$ 6,500 (Primary) \$10,300 (General) \$16,800 (Total)</b>	<b>\$19,700 (Primary) \$41,100 (General) \$60,800 (Total)</b>	<b>\$150,000 (Year) - \$102,300 (Year)</b>	<b>Unlimited</b>
<b>From Corporations</b>	<b>\$5,000 aggregate, (Year)</b>	<b>\$5,000 aggregate, (Year);</b>	<b>\$5,000 aggregate (Year),</b>	<b>\$5,000 aggregate (Year), - \$5,000 aggregate (Year),</b>	<b>Unlimited</b>
<b>From PACs</b>	<b>\$4,100 (Primary) \$4,100 General) \$8,200 (Total)</b>	<b>\$ 6,500 (Primary) \$10,300 (General) \$16,800 (Total)</b>	<b>\$19,700 (Primary) \$41,100 (General) \$60,800 (Total)</b>	<b>\$150,000 (Year) - \$102,300 (Year),</b>	<b>Unlimited</b>
<b>From Political Parties</b>	<b>Unlimited</b>	<b>Unlimited</b>	<b>Unlimited</b>	<b>Unlimited</b>	<b>Unlimited</b>

Adapted from Torres-Spelliscy and Ari, Weisbard, **WHAT ALBANY COULD LEARN FROM NEW YORK CITY: A MODEL OF MEANINGFUL CAMPAIGN FINANCE REFORM IN ACTION**, Albany Law Review, 2008