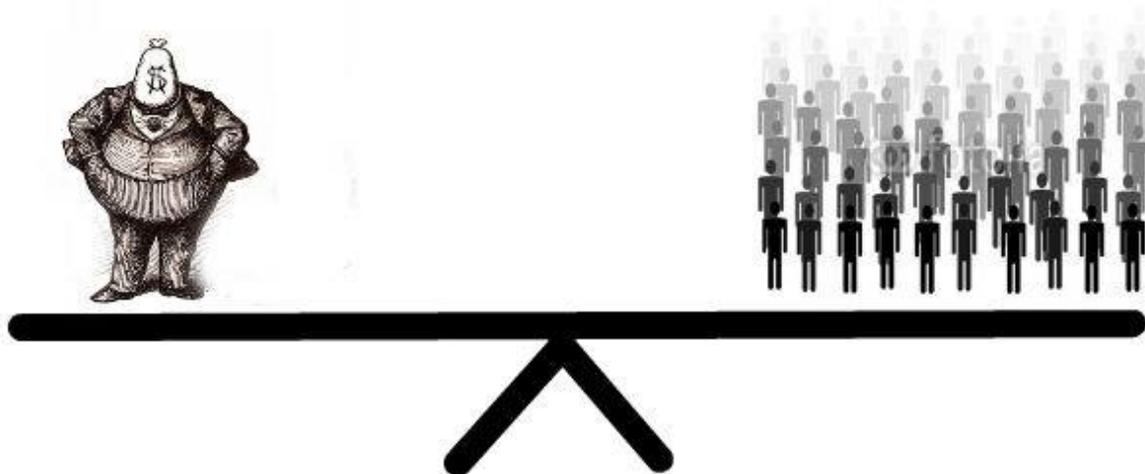


# Balancing the Scales

## *The Fight for Our Democracy*

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A Follow-on Report to Voqal's Strategic Review of Its  
Money-in-Politics Grants Portfolio

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Cover image:

Income Inequality Thomas Nast Style by democracychronicles.

<https://www.flickr.com/photos/democracychronicles/14891362140/in/album-72157646591024039/> Viewed 6/15/17

*The outsize role of big money in politics is both a symptom and source of inequality in America – making money in politics a civil rights issue of the 21st century*<sup>1</sup>

– Brennan Center for Justice

## **Background**

In 2016, Voqal, a social justice philanthropic organization, completed a [strategic review](#) of its multi-year, nearly \$2 million grant-making strategy aimed at reducing the influence of wealthy and corporate interests in politics. With the learning from that research, as well as a deepening understanding that money in politics is a root cause of social, economic and political inequality, Voqal honed its approach and invested an additional \$415,000 in support of:

- Public financing campaigns in Albuquerque, New Mexico; Berkeley, California; Howard County, Maryland; and Miami-Dade County, Florida.
- Implementation of recently achieved reforms in Maine, Maryland and Seattle.
- Continued partnership with Piper Fund, a funding collaborative dedicated to diminishing the influence of money in politics and preserving judicial independence.

As of this writing, wins were scored in Berkeley and Howard County. The new programs are underway in Seattle, Maine and two Maryland counties. Campaign work continues in Miami-Dade, Albuquerque and additional Maryland counties. In a related portfolio, and in addition to the investments mentioned above, Voqal supported a victorious small donor campaign finance reform campaign in Portland, Oregon. New opportunities continue to develop that are beyond the scope of this report.

## **Evaluation Purpose and Approach**

In the wake of the 2016 presidential election, Voqal embarked on a follow-on research effort to understand more deeply the shifting dynamics of the money-in-politics (MiP) field and identify the best role for Voqal going forward. Intended to inform Voqal's future grant-making strategy, this report supplements and concludes the strategic review presented to the Voqal board in May 2016. The Executive Summary of the first report is attached as [Appendix B](#).

Voqal commissioned Hollis Hope, of Hope Strategies, Inc., to gather data to inform this supplementary analysis. She conducted in-depth interviews between March and May 2017 with five grantees, funders and allies (see [Appendix A](#) for a list of individuals interviewed). She reviewed grant documents, relevant media articles and recent literature from the field. Hollis also attended the April meeting of the Piper Fund Grants Committee and the May 2017 Funders' Committee for Civic Participation annual convening and participated in relevant online issue briefings.

For sake of simplicity and to protect respondents' anonymity, all interviewees are quoted without attribution in this report and are identified as "key informants."

## **Key Findings and Observations**

Six months after the election, advocates and funders seemingly have adjusted to the grim new political reality at the national level and in many states. They are settling in for the long haul, focused on places where progressive policy advances can be achieved, while battling to stave off increasingly aggressive, concerted attacks on hard-fought gains. At this unprecedented time, it is clear "big money" in politics jeopardizes the very foundation of American representative democracy.

Interviews surfaced a surprising degree of unity in perspectives across the five key informants consulted for this research, particularly around inequality in the United States. One key informant characterized money in politics as the nexus between the “political and economic manifestations of inequality.”

*“The lack of economic justice in our country is intrinsically linked with the lack of access people have to the political process, particularly in underrepresented communities.”*

– Roadmap to 2020 Theory of Change,  
Ballot Initiative Strategy Center

The cost of running for election continues to skyrocket, with no signs of slowing down. Before it was over, Georgia’s special election and runoff to replace Rep. Tom Price, for example, became the costliest U.S. House race in history, running up approximately \$55 million in campaign spending, according to [The New York Times](#).<sup>2</sup> This trend has major implications for who can run as a candidate for public office and participate meaningfully in basic civic engagement activities such as supporting candidates with modest contributions and voting.

Thus, it is no wonder that the voices of ordinary people are crowded out in the policymaking arena by those of wealthy donors and special interests once candidates are elected. Further, it is well documented that the Supreme Court’s 2010 Citizens United decision has fueled this surge in campaign spending. An investigative report by [The New York Times](#) found that just 158 families contributed \$176 million to the first phase of the 2016 presidential campaign.<sup>3</sup> Most of these donors were right leaning, older, white males who control corporations with fortunes made mostly in the finance (by an overwhelming margin) and energy sectors.<sup>4</sup>

Money in politics continues to be a major obstacle in our march toward social justice and equity, even as the United States “is being remade by the young, by women, and by black and brown voters.”<sup>5</sup> According to the Brennan Center for Justice, public and small donor finance reforms hold the most promise for systemic change and are the critical path for campaign finance reform.<sup>6</sup> Such reforms supported by Voqal in Howard County, Berkeley and Seattle now have the very real potential to diversify candidate and donor pools, both of which are good for democracy and help to create more representative and reflective local democratic processes.

Every campaign is different and the political and legislative dynamics of each state and locality also vary. Key informants routinely cited several critical ingredients that make victory possible, including:

- Identifying and enlisting champions, including elected officials (such as New Mexico State Sen. Peter Wirth and Congressman John Sarbanes who represents many Howard County residents), influential leaders of color, labor, business and other key constituencies.
- Building broad and diverse coalitions, as was the case in Seattle, Berkeley, Howard County and Montgomery County campaigns.
- Investing early in local organizational development capacity (i.e., leadership, communications, organizing and coalition building).
- Identifying and supporting inspiring, diverse, talented candidates who will be responsive to the communities that elect them.
- Sharing persuasive messaging and individual stories from elected officials and communities who have experienced campaign finance reform, or conversely, been shut out or silenced by the undue influence of wealthy interests.
- Tapping into an established progressive infrastructure of donors and advocates.

## Recurring Themes

In conversations with expert key informants, four major themes surfaced that are key to reducing money in politics and the resulting perpetuation of inequality and reduced participation in democracy:

1. State and local reform efforts are where the action is for the foreseeable future.
2. Reform strategies and policies must place at the center those most affected by harmful policies to ensure equitable outcomes and to avoid unintended consequences.
3. Issue framing – a persuasive narrative delivered by those who have benefited directly or stand the most to gain (or lose) from the policy change – is essential.
4. Collaborative approaches among funders and allies are needed and proving to be effective in bringing about transformational change at the grassroots level and influencing other funders.

### *Theme 1: State and local reform efforts are paying off*

Interviewees were nearly unanimous in linking recent policy victories to the intentional engagement of communities at the local level (e.g., in Berkeley, Montgomery County and Howard County, New Mexico and Seattle). “I think it’s very much grassroots movements that are thinking out of the box, that are connecting the dots, that are recognizing the limits of their ability to make change without addressing the fundamental question of money and power,” said one key informant when asked to attribute credit for the recent spate of successful MiP campaigns.

Recent victories in Seattle, WA; Howard County, MD; Albuquerque, NM; Berkeley, CA; Portland, OR; and the states of California, Maine and South Dakota<sup>7</sup> have buoyed reformers. “Because the prospects of federal action are bleak, it will take sustained efforts at the state and local levels to advance the values of an open, transparent and inclusive democracy,” wrote former Federal Election Commission (FEC) Commissioner Ann Ravel in a January 2017 op-ed for The Sacramento Bee,<sup>8</sup> just before submitting her resignation from the FEC in February.

According to one key informant who also supports litigation, data and transparency, “We want to engage and mobilize people in communities, particularly in low-income communities,

*“Last November, Howard County MD residents voted to take back their elections by fighting big money. On Monday night [June 5, 2017], the Howard County Council voted 4-1 to stand with their constituents and establish the Citizens’ Election Fund. ... This was a big win for Howard County, for Maryland, and for the country.”*

– Common Cause Maryland

communities of color and young people, in being able to participate more powerfully in democratic processes locally and nationally.” Key informants cite promising momentum that has the potential to counteract the “outsized power of Wall Street with people power from the ground up.”

Grassroots power is not the only factor, but it was seen as significant by all interviewed. A recent [report](#), produced by University of California Santa Barbara Political Science Professor Hahrie Han for the Ford Foundation, is instructive on this point and describes traits of grassroots organizations that can lead to more meaningful and active community participation.<sup>9</sup>

One key informant suggested that, while they may be limited geographically, these local victories are resonating more broadly and have the potential to spur a fundamental shift in perspective by advocates and funders nationwide.

*Theme 2: Center those most affected by the dominance of big money and special interests in campaign strategies and policy solutions*

According to most of the key informants interviewed, the culture of the progressive movement and, in particular, the MiP field continues to be dominated by white-led organizations. Following the success of small donor campaigns in Seattle, Berkeley and in Maryland's Montgomery and Howard counties, for example, there is a growing sense of urgency and desire to create coalitions that reflect the values of diversity and grassroots mobilization that progressives hold dear, not just for a short-term win but in ways that build power for the long term.

Instead of looking at MiP from the top down in terms of who has the power and how can it be limited, she suggests the field could “think about it from the bottom up – who are the folks who don't have as much power and how can we increase their power and their agency and their voice in our democracy.” Voqal is already practicing this theory of change by supporting local, grassroots, coalition-led campaign efforts designed to create structural reforms to strengthen democracy and level the playing field for low-income Americans and people of color. Limiting campaign spending and providing ways for small donors to have an impact is making a difference at the local level that people can see and relate to. They can taste the opportunity for a representative democracy and for their voices to be heard.

*“Increasing political participation in the U.S. will also require strengthening organizations. [Hahrie] Han argues that funders need to invest in developing the strategic capacity of organizations so they can translate individual participation into long-term systemic change.”*

– Ford Foundation

Another key informant proposed that funders convene the leading state-based organizations that are led by people of color, or working in or representing communities of color, to talk about how to change the structural and implicit biases that are deeply ingrained in progressive culture. “It feels to me like the money automatically goes to organizations that are white and have historically worked on this issue. Then the money flows through there, potentially reaches some groups that work in communities of color, but if they're lucky it's a small grant to talk to people. It's not about [the work] being centered there. So what if the money flowed differently and went to the community of color group and the community of color group said, ‘we'll give you a small grant to advise us about what your area of expertise is,’ instead of the other way around.”<sup>10</sup>

Yet it is not just where the money goes, but how. Several key informants noted that typical campaign funding cycles serve to undermine capacity, infrastructure and movement building. “If you want to engage organizations who work with and are led by people of color who most often do not have the same staff capacity as mainstream organizations, it takes a longer period of time and it takes a level of intention.” Some expressed frustration, victories notwithstanding, at the uneven capacity at the grassroots and noted that truly transformative and lasting change may also require funds and opportunities for leadership development, planning and technical assistance to bring skills and quality of work up to a standard so that groups can participate and contribute in equal measure to others in coalition. Historically, many grassroots organizations have operated at the margins and, as such, they may arrive at the table with a deficit in talent and resources. Everyone interviewed agrees that campaign finance reform is a high stakes enterprise that requires data, testing, analysis and tracking of voter behavior as well as savvy communications skills, message crafting and trained, influential messengers.

### *Theme 3: Issue framing is critical*

The jury is still out about the merits of pursuing efforts to diminish the influence of wealthy and special interests in politics solely or to broaden the approach to encompass “democracy reforms.” How to frame the issue was a common thread on which each key informant opined. Some mused about the need to broaden the narrative to a larger frame. As one key informant noted, a shift may be needed “that talks about the broader threats to our democracy and how

*“The pool of state-based advocates and actors working on campaign finance is often small and often siloed from other efforts around democracy reform that are taking place.”*

these solutions are addressing the most essential problems that we’re facing as Americans, which tend to be economic problems, and are the real drivers around voting and engagement in the process.”

Another was more emphatic about the need to “pivot to democracy” at a time when democratic institutions are perceived to be under siege and consider where tactics to reinforce and preserve voting rights, (e.g., automatic voter registration and ranked choice voting), intersect with MiP. “When [conservatives] introduce voting suppression tactics, like voter ID, we should be in there raising legislative endpoints with our friends and legislators around the need for corporate donation limits and get the conversation started about leveling the playing field. The silos have to end.” Several cited as a sign of optimism the solidification of new coalitions and the “cross-pollination” among issues that is occurring, making the field stronger and more fertile. It wasn’t long ago that these goals were aspirational. The operating environment has started to shift, in part driven by intentional funder investment strategies responding to the need to eliminate issue silos.

One key informant was pessimistic about the prospects for future victories when pursuing MiP reform by itself. “I would say the opportunities for moving money-in-politics reform solely are incredibly minimal and dwindling day by day, primarily because of the limitations that legislators are putting on access to the ballot and this preemption question.” Preemption is the displacement effect (or trumping) of state law by federal law or local law by state law. It is tantamount to the power struggles between governmental jurisdictions. Preemption is often used as a tactic at the state level by governors and state legislators to supersede local control (i.e., rules and ordinances passed by mayors, city councils and the will of the voters through ballot initiatives).<sup>11</sup>

Another argued that reformers are not capitalizing on the increasing “salience” of the money-in-politics issue among voters. According to the polling data, said this key informant, “When we look at democracy reform more broadly, people have no idea what you’re talking about, like what [the] specific policies are around reforming our democracy that should happen, with the exception of getting money out of politics. That is the number-one thing that pops.”

Finally, it comes down to resources, and on this topic, people are of two minds. Some key informants feel that a “combined agenda” helps leverage existing resources, while others fret that funding for reducing the influence of money from politics is woefully scarce and broadening the focus may further strain the coffers.

*“Maybe [it’s that] money in politics is not an issue so much as it’s a virus throughout our political system and what we need to do is make sure that in all of the prescriptions that we’re using, that that medicine is in there so that when we’re working on education we’re not ignoring the role of money in politics. And when we’re working on voting we’re not ignoring money in politics and when we’re working on whatever else.”*

Advocates and funders alike in this space agree that all of these efforts are aimed at creating and preserving equity and a healthy democracy – particularly for those at the margins of society – to shore up basic democratic rights, like free speech and voting rights, while addressing badly corroded campaign finance systems. Executive director of Rainier Valley Corps and intrepid blogger Vu Le implores nonprofits to take a page from the conservative right’s playbook, find new ways of working together by embracing “intersectionality,” and stop playing the “nonprofit hunger games” (partly fueled by donor funding practices).<sup>12</sup>

Key informants are unified in believing that a) framing matters and b) this battle is about removing barriers to participation. As one said, “[Automatic Voter Registration] is one solution, campaign finance reform is another.” In other words, it is possible and perhaps wise to use the same frame for various issues.

*Theme 4: Collaboration is essential to advance reforms for campaign finance reform and a functioning democracy*

Voqal is viewed as a key ally with a rare and treasured direct advocacy resource. Voqal’s partnerships with the Democracy Initiative, Dēmos, Every Voice, Piper Fund and New Mexico’s Thornburg Foundation are commonly recognized as trail-blazing, particularly because of Voqal’s deployment of (c)(4) funds. The right-time, “right-lever” intervention is viewed as crucial to fighting bad bills and ballot initiatives and advancing good ones. One key informant noted that (c)(3) and (c)(4) strategies are increasingly connected: “The actual work is connected and organizations are really skilled at mixing the two.” In her mind thinking about where (c)(4) dollars and tools can add the most value as opposed to thinking about them as separate efforts is critical.

Notably, the relatively young Democracy Initiative (DI) is now at scale, under new leadership and effectively marshaling and mobilizing constituents of 58 civil rights, labor, environmental and civic organizations “to restore the core principles of democracy and political equity.” Launched in 2013, the DI’s partner organizations pursue many progressive goals, including civil, workers’ and women’s rights, and climate justice. Collectively 30 million members strong, these groups share in the belief that success in any of these areas depends on a healthy, representative democracy. They hold a vision for a political process that counts every voice and every vote equally. “Amidst our tapestry of just causes, democracy is our north star, the bedrock of our shared beliefs and the strategic center of gravity around which we agitate,” says the DI website.<sup>13</sup>

Since its inception in 1997, Piper Fund has invested \$31 million to promote a healthy democracy that works for all. Fueled by the belief that its work is now more important than ever, it has just launched a State Democracy Rapid Response Fund to “protect democratic institutions” and counter attempts to criminalize and discourage peaceful protest.<sup>14</sup> Piper is only as strong as

*“Maybe the best role for a (c)(4) funder like Voqal can play is to actively and vocally support a strategic and informed ballot measure approach to our issue/policy area.”*

its partners’ contributions. Its impact lies in the transformation created by its grantees and the learning, exchange and adoption of best practices among its funder partners.

The field remains very fluid and dynamic. The absence of one central place or clearinghouse of information on the status of various initiatives won or lost over time is symptomatic of this constant state of flux and resource limitations. Victories may be won in state capitols or at the ballot box and, just as swiftly, they can be overruled or repealed by the power of the courts and

state lawmakers, preemption or a veto pen (e.g., in New Mexico this spring). Piper Fund probably comes closest of any organization to filling that gap as it tracks, manages and shares shifting data inputs and intelligence regarding the impact and outcomes of strategic investments.

As the field evolves, there is growing awareness and intention around becoming less siloed and more intentional about addressing structural inequality, racism and misogyny. On these issues, the Piper Fund is a leader and benefits from the support of Voqal and its other progressive funder partners that are willing to take risks and choose values over expediency in developing investment strategies and tactics.

All informants stressed the continued need for movement building, the benefits of collaboration over uncoordinated efforts, and a gaping opportunity for a clear and sustained strategy for advancing both democracy and economic reforms rather than one-off campaign efforts that are not intentionally connected.

### **Opportunities and Challenges Related to Ballot Initiatives**

Ballot measures and proactive legislative campaigns to introduce or fix existing public finance and “clean elections” systems are widely perceived as critical stepping stones to building progressive power. With conservatives having a strong grip over state legislatures and governorships, however, opportunities for legislative victories have become elusive.

Voqal has supported numerous ballot initiatives in recent years, related to campaign finance reform and other issues, as an effective tool for systemic change. The Ballot Initiatives Strategy Center (BISC) sees ballot measures as one of the few pathways to progressive power and policy change in this current climate where conservatives control the majority of governorships (31) and state legislative chambers (68 of 98).<sup>15</sup> Permitted in just 24 states, ballot initiatives are a tricky business and are by no means a sure path to victory. Indeed it can be a costly route with numerous roadblocks along the way.

*“In 2016 alone there were a total of 31 proactive ballot measures across the country and 27 of them passed.”*

If not worded or executed properly, noted one key informant, ballot initiatives can have unintended consequences and the opposition is skilled at anticipating those to torpedo policies well in advance of voters getting to the ballot box. In recent ballot box “wins” (e.g., ranked choice voting in Maine and campaign finance and lobbying reform in South Dakota), the will of the voters has been challenged, thus hampering implementation. Dating back to 1998, Massachusetts voters overwhelmingly approved a “clean elections” law but legislators have steadfastly refused to fund its implementation. Similarly, Arizona has faced ongoing struggles to retain funding for and fend off attacks from opponents of its clean elections act, also passed in 1998, as well as numerous legislative assaults just this year on the ballot initiative process.<sup>16</sup>

According to one key informant, few progressive funders view ballot measures as a tool for progressive change in the same way Voqal does, adding “There is an even smaller pool of people, whether investors or advocates, who know how to use them properly.” Several key informants cited the importance of broad coalitions to getting measures passed (or bad measures defeated), while noting the challenge in threading the needle on the substance of the policy target: “If you go narrow, you’re likely to get stopped before you get very far by more entrenched political folks, even on the progressive side,” said another interviewee. “Then, once you start broadening the coalition, things can get watered down policy-wise.”

Finally, opportunities for legislative reform are still very much on the table at the municipal, county and state level in places like California, the District of Columbia, New Mexico, New York, North Carolina, Oregon and others, where the climate is deemed to be neutral or amenable, rather than hostile, to change. An important example is New Mexico, where after two years of concerted advocacy and a previous loss, the state legislature passed a bill to increase campaign finance disclosure, reporting and transparency. The bill was subsequently vetoed by the Governor, but awareness, education and mobilization of legislative champions has paid off in New Mexico.

Challenges are many and include emerging efforts in numerous states, intended to thwart communities' access to the ballot measure process and voting generally (see BISC fact sheet and op-ed piece on this topic, included as [Appendices C and D](#)). While the nature of the laws vary state by state, over the last seven years 20 states have imposed voter ID laws, reduced early voting opportunities and restricted voter registration. And more changes are on the way: 99 bills in 31 states to restrict voting access were introduced in 2017 alone – five have passed and one more is pending.<sup>17</sup> The intent on the part of conservatives to limit participation and voice in the democratic process is clear, carefully orchestrated and unrelenting.

Preemption (defined above) is another tactic employed to block or reverse the will of the voters. A March 2017 article in [The Atlantic](#) cites the growing rural/urban divide in the nation while chronicling “events in red states where cities are pockets of liberalism are instructive, and cautionary.”<sup>18</sup> The issue is complicated and preemption challenges often end up in the courts, as was the case in Ohio recently around a proposed municipal minimum wage hike opposed by state lawmakers.<sup>19</sup>

### **Recommendation**

Findings from this study reinforce and validate Voqal's role and continued engagement in this policy arena. Campaign finance reform is closely tied to long-term movement building for political and economic power. Voqal must be mindful that organizations are picking from a suite of reforms and campaign tactics suitable to their situations and political reality. While Voqal should try to maintain its niche, there is a need to be nimble and responsive to what the specific circumstances may dictate as appropriate to their community or region. Thus, the following recommendation is offered for consideration:

*Stay the course: Invest in advocacy campaigns intended to a) advance campaign finance and democracy reforms and b) to fend off attempts to cripple democracy.*

Now is not the time to retreat. This work is needed now more than ever, for example, in Missouri where campaign organizers are working to create grassroots mobilizing capacity to prepare for a win in 2018.<sup>20</sup> Voqal can continue and reinforce its leadership in this space by renewing its funding commitment to MiP with annual appropriations of up to \$500,000 for another three-to-five years, with a primary focus on building leadership and capacity of local groups led by those most affected by the policy change sought.

I recommend that the following grantee strategies be eligible for consideration, to be more specifically defined as real events unfold:

- Early stage research and development to assess campaign climate and readiness and support local coalition and infrastructure building.
- Development and implementation of campaigns to secure the win (using (c)(4) dollars).
- Project-specific, general support and rapid response grants to improve capacity and infrastructure for: a) local organizations and regional coalitions for effective

campaigns, defense and implementation of victorious reforms and b) funding collaboratives to build Voqal's knowledge and expertise while strengthening the field.

Time will tell what other specific needs will surface, but one thing is certain: the needs will emerge and make themselves plain in the next three-to-five years.

### **Conclusion**

Voqal's first grant-making priority is to support movement building for social justice and equity (particularly movements to achieve and sustain economic, ethnic, social and racial justice and gender equality). The fight for our democracy is a battle for the long term. Funders and advocates alike are intent that the whole of these investments will amount to a sum greater than its parts, united behind a vision of a future with a more equitable and representative democracy.

Money in politics has infected our democracy. It is a rallying cry that "connects the economic and political manifestations of inequality" and this alone is validation of Voqal's continued engagement and investment in the field. This work complements Voqal's social and economic justice grant-making in support of fair wages, fair and affordable housing, voting rights, efforts to promote and preserve ballot access as a change-making tool, and protection of vulnerable populations. Reducing the influence of big money in politics can, in fact, be a catalyst for success in these policy fights.

Voqal's ability to bring (c)(4) dollars to collaborative efforts is its single greatest attribute. It's willingness to take risks on funding the entire lifespan of ballot initiative work – from signature gathering and ballot qualification to implementation, which sometimes takes years from the actual ballot box win – is commendable.

Finally, this issue is proving to be galvanizing in the wake of the election of a billionaire president who daily flaunts his determination to take from the middle class and the poor to enrich himself and his cronies. Amidst this troubling political climate that has resulted from a deliberate, well-funded, years-long assault on civil rights and civic participation, coalition builders and grassroots leaders are sanguine about the opportunities that exist for advancing power for the people – most especially for those that comprise the New American Majority (communities of color, women, youth and LGBTQ).

Inequality undermines democracy by preventing anyone but wealthy individuals and special interests to participate and engage. Voqal has long been focused on attacking the root causes of structural inequality and amplifying the voices of those who too often are silenced.

### **Appendices**

- A. List of Interviewees
- B. Executive Summary from "Taking Money Out of Politics  
*A Weighty Lift*"
- C. BISC Fact Sheet: A Coordinated, Conservative Attack on Direct Democracy
- D. Direct Democracy In Danger, Morning Consult Op-ed by Justine Sarver

## Endnotes

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<sup>1</sup> “A Civil Rights Perspective on Money in Politics,” Brennan Center for Justice and Dēmos, 2016. <https://www.brennancenter.org/analysis/civil-rights-perspective-money-politics> Viewed on June 1, 2017.

<sup>2</sup> The New York Times, June 20, 2017 [https://www.nytimes.com/interactive/2017/06/20/us/politics/georgia-6th-most-expensive-house-election.html?\\_r=0](https://www.nytimes.com/interactive/2017/06/20/us/politics/georgia-6th-most-expensive-house-election.html?_r=0). Viewed June 21, 2017. Also reported by EveryVoice on May 30, 2017 <http://www.everyvoice.org/daily-clips/expensive-house-race-history-news-53017> and Politico on May 6, 2017 <http://www.politico.com/story/2017/05/06/georgia-special-election-spending-record-238054> Viewed on June 7, 2017. The Republican candidate won the race, 52% to 48%. See <https://www.nytimes.com/elections/results/georgia-congressional-runoff-ossoff-handel> Viewed on June 21, 2017.

<sup>3</sup> “But interviews and a review of hundreds of public documents — voter registrations, business records, F.E.C. data and more — reveal a class apart, distant from much of America while geographically, socially and economically intermingling among themselves. Nearly all the neighborhoods where they live would fit within the city limits of New Orleans. But minorities make up less than one-fifth of those neighborhoods’ collective population, and virtually no one is black. Their residents make four and a half times the salary of the average American, and are twice as likely to be college educated.” Excerpts from “The Families Funding the 2016 Presidential Election,” *The New York Times*, October 10, 2015. [https://www.nytimes.com/interactive/2015/10/11/us/politics/2016-presidential-election-super-pac-donors.html?\\_r=0](https://www.nytimes.com/interactive/2015/10/11/us/politics/2016-presidential-election-super-pac-donors.html?_r=0) Viewed on June 7, 2017.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> As part of its effort to elevate the discussion on money in politics as a civil rights issue, The Brennan Center published a white paper in 2016 entitled, “Breaking Down Barriers: The Faces of Small Donor Public Financing,” edited by DeNora Getachew and Ava Mehta. The paper presents a compelling argument about why public financing of elections is the most important campaign finance reform and shares experiences of 20 elected officials who support it. <https://www.scribd.com/document/314968247/Breaking-Down-Barriers-Faces-of-Public-Financing> Viewed on June 15, 2017.

<sup>7</sup> On February 2, 2017, South Dakota’s GOP took emergency action to repeal the set of reforms passed by voters with 52% of the vote in November 2016. <http://edition.cnn.com/2017/02/02/politics/south-dakota-corruption-bill-republican-repeal/index.html> Viewed on June 15, 2017.

<sup>8</sup> “When citizens feel that their voice doesn’t matter, that their vote cannot make a difference, and that they are powerless, our democracy is in danger. We should encourage efforts at the state and local level to enact campaign finance and other reforms that enable greater participation in the political life of the community.” *The Sacramento Bee*, January 23, 2017. <http://www.sacbee.com/opinion/op-ed/soapbox/article128256484.html> Viewed on June 7, 2017.

<sup>9</sup> A report produced for the Ford Foundation in 2016 by University of California Santa Barbara Political Science Professor Hahrie Han, suggests that for organizations to achieve more meaningful and active participation, they must adopt a framework comprised of three inter-related characteristics: powerful, possible, and probable:

- Powerful: People’s participation in the political process must be impactful—having a tangible effect on policy decisions, and improving the lives of the public.
- Possible: All people must have the ability to actively participate; being wholly achieved by removing societal barriers that prohibit participation and the implementation of policies.

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- Probable: People must want, and should be encouraged to, take part in the political process. For more information and to download Han's report, visit the Ford Foundation's website: <https://www.fordfoundation.org/library/reports-and-studies/a-review-of-the-promoting-electoral-reform-and-democratic-participation-initiative/> Viewed on June 1, 2017

<sup>10</sup> This key informant echoed something Voqal has heard about time and time again from grantees at funder briefings and site visits. That it is important to engage those most affected by the policy changes sought in discussions at the early stage of campaign development when the "win" is being defined, rather than being invited to the table after the fact and being told what the win will look like.

<sup>11</sup> See National League of Cities: <http://www.nlc.org/preemption>. Viewed on September 6, 2017. Also see Ballotpedia: [https://ballotpedia.org/Preemption\\_conflicts\\_between\\_state\\_and\\_local\\_governments](https://ballotpedia.org/Preemption_conflicts_between_state_and_local_governments)

<sup>12</sup> Vu Le is executive director of Rainer Valley Corps, a social justice leadership development organization in Seattle, WA and writes a blog called Nonprofit AF (aka Nonprofit with Balls). <http://nonprofitwithballs.com/2015/08/the-nonprofit-hunger-games-and-what-we-must-do-to-end-them/> Viewed on June 8, 2017.

<sup>13</sup> <http://www.democracyinitiative.org/about-democracy-initiative> Viewed on June 15, 2017.

<sup>14</sup> Piper Fund proposed the rapid response fund at the April spring briefing and docket meeting and announced it on June 6, 2017. [https://gallery.mailchimp.com/09c0c7e6fdb4a8b5b0de94774/files/d9310c45-8f82-4049-9cbe-73151b3ff865/RRF\\_concept\\_paper\\_6\\_5\\_17.pdf](https://gallery.mailchimp.com/09c0c7e6fdb4a8b5b0de94774/files/d9310c45-8f82-4049-9cbe-73151b3ff865/RRF_concept_paper_6_5_17.pdf)

<sup>15</sup> BISC website. <https://ballot.org/why-were-here/what-we-stand-for/> Viewed on June 8, 2017. Interestingly, the ballot initiative dates back to 1900 and was rooted in progressivism as a check on corporate power. To learn more, see the video at this link: <https://www.youtube.com/watch?v=cJEM336UUQ&feature=youtu.be> Viewed on June 7, 2017.

<sup>16</sup> See Arizona Capitol Times, February 16, 2017. <http://azcapitoltimes.com/news/2017/02/16/claims-against-arizona-clean-elections-commission-are-misleading/> and <http://azcapitoltimes.com/news/2017/02/03/legislature-vs-the-people-a-raft-of-bills-would-make-arizonas-initiative-process-more-difficult/> Viewed on June 8, 2017.

<sup>17</sup> Brennan Center for Justice website, <http://www.brennancenter.org/new-voting-restrictions-america> Viewed June 7, 2017.

<sup>18</sup> "Red State, Blue City," by David Graham, The Atlantic, March 2017. <https://www.theatlantic.com/magazine/archive/2017/03/red-state-blue-city/513857/> Viewed on May 22, 2017.

<sup>19</sup> "Judge tosses out state minimum wage law and micro-wireless law cities opposed," Cleveland.com, June 4, 2017. [http://www.cleveland.com/metro/index.ssf/2017/06/judge\\_tosses\\_out\\_state\\_minimum.html](http://www.cleveland.com/metro/index.ssf/2017/06/judge_tosses_out_state_minimum.html) Viewed on June 9, 2017.

<sup>20</sup> Other examples of emerging needs include: The District of Columbia and other states including Arizona, Connecticut, North Carolina and Ohio are testing the waters and trying to prepare for opportunities to launch initiatives, fix existing clean elections measures and preempt legislative assaults and launch proactive reforms. All eyes continue to be on Seattle to observe its first election with the voucher program in 2017. New Mexico continues to marshal support of its long-range, comprehensive plan led by Common Cause NM and Olé, a grassroots nonprofit working to "enrich and empower" NM's working families, in coalition with other partners.

## **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:

### **Winter 2016**

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

### **Additional interviews conducted Spring 2017**

Amy Brown, Ford Foundation  
Wendy Fields, Democracy Initiative  
Estevan Munoz-Howard, Piper Fund  
Justine Sarver and Dana Laurent, Ballot Initiative Strategy Center  
Joanne Schwartz, Civitas

# Taking Money Out of Politics

## *A Weighty Lift*

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### A Strategic Review of Voqal USA'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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## 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 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

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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>

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.



**8 STATES HAVE INTRODUCED LEGISLATION TO AFFECT THE SIGNATURE PROCESS\***

State	Bill	Status	Description
AR	HJR 1003	Failed	Increase Signature Thresholds, Passage Thresholds
AZ	HB 2404	Signed Into Law	Pay-Per-Signature Ban
AZ	HBR 2909	Failed	Signature Requirements by Legislative District
AZ	SB 1236	Failed	Increased Signature Disqualification Standards
AZ	HB 2244	Signed into Law	Strictly Apply State Ballot Process to Local Initiatives
CO	HB 1088	Failed	Verify Petitions with Voter Signature on file with SOS
KY	HB 319	Signed into Law	New Requirements to Post Bond to Pay for Local Option Election
ME	LD 31	Active	Signature Requirements by Congressional District
ME	LD 212	Failed	Signature Requirements by State Senate District
ME	LD 715	Active	Increases Signature Threshold to 15% of Voters by County
ME	LD 564	Failed	Increase Statutory Measure Signature threshold to 15%
OK	SB 459	Active	Changes to Calendar deadlines, Title Requirements
SD	HB 1035	Signed Into Law	District Court Challenge, New Affidavit Requirements
SD	SB 67	Failed	Changes Qualifications by Which Signature Thresholds are Based

**5 STATES HAVE INTRODUCED ADDITIONAL BALLOT PROCESS CHANGES\***

State	Bill	Status	Description
AL	SB 101	Active	Prohibits Education Institutions from Supporting Ballot Measures
AZ	HB 2255	Failed	Bans Out of State Contributions for Ballot Measures
AZ	HCR 2002	Failed	Asks Voters to Repeal Prop 105 Voter Protection Act
AZ	HB 2320	Failed	Requires Printed Petitions to Disclose Prop 105 Provisions
FL	SJR 866	Failed	Increases Voter Approval threshold to 2/3 on Const. Measures
ND	SB 2135	Signed into Law	Study Commission to Study Initiative Process
SD	HB 1074	Failed	Limits on Out-of-State Contributions on Ballot Measures
SD	HB 1130	Failed	Eliminates Pro/Con Statements on Ballot Measures for Voters
SD	SB 77	Signed into Law	Fiscal Impact Statement on Ballot Measures
SD	SB 59	Signed into Law	Delays Effective Date of Measures and Referred Laws

**IN 4 STATES ELECTED OFFICIALS HAVE TRIED TO ALTER THE RESULTS OF MEASURES WHICH PASSED IN 2016\***

State	Bill	Status	Description
CO	NA	NA	Blocks money for medical-aid-in-dying initiative
MA	Multiple	Active	Modifies the state's new marijuana legalization law
ME	NA	NA	Gov. LePage ordered the Department of Labor to not enforce the state's new tipped minimum wage law;
ME	NA	NA	Gov. LePage proposed a budget which effectively nullified the revenue measures
ME	Multiple	Active	Invalidates parts of the state's new minimum wage law
OK	Multiple	Active/ Passed	Undoes the criminal justice reforms passed by voters in November
SD	SB 53	Passed	Eliminates the Ethics Commission established by voters

\*This document is not comprehensive. Thousands of pieces of legislation are filed every year. Only specific areas of work that BISC and its partners are most focused on are included.

OP-ED CONTRIBUTOR

## Direct Democracy in Danger

JUSTINE SARVER (HTTPS://MORNINGCONSULT.COM/AUTHOR/JSARVER/) | JUNE 2, 2017 | 05:00 AM

As legislative sessions end in states from Maine to Arizona, one dangerous trend has mostly flown under the radar: There is a coordinated, conservative attack on the ballot measure process throughout the country.

While not available everywhere, the 24 states that utilize citizen initiatives give voters the opportunity to directly vote on many crucial issues, including increasing the minimum wage, voting rights, and revenue for public services. For voters in states with citizen initiatives, voting on ballot measures are as much a part of the democratic process as electing the governor or state representatives.

My organization, the Ballot Initiative Strategy Center, is tracking more than 40 attacks on the ballot measures process, and a number of attacks directly on 2016 ballot measure results. Virtually all of these attacks have been perpetrated by Republicans. The intent is clear: to eliminate one of progressives' last avenues for reform. The Republican lock hold on the federal government, 33 governorships and 32 state legislatures means that ballot measures are of little use to conservatives, but they are one of the last avenues for progressives to pass much-needed policies for working families.

For this reason, conservatives have explicitly declared war on ballot measures. A joint New York Times/Pro-Publica investigation (<https://www.nytimes.com/2016/11/05/us/politics/secretaries-of-state-elections-ballot-initiatives.html>) published last fall quoted a 2015 memo from the Republican State Leadership Committee that stated, "Ballot initiatives will not be the left's mechanism for gaining power and advancing their agenda when voters have already rejected them." On their website ALEC also links to sample legislation that allows state lawmakers to draft legislation that prevents municipalities from mounting local ballot measures.

In 2017, Arizona has been ground zero for ballot measure attacks. There, the conservative state legislature has passed bills that fundamentally alter the ways in which a measure qualifies for the ballot. Arizona conservatives have made it so difficult to initiate the ballot process that it's now possible to disqualify ballot petitions for reasons as arbitrary as an incorrect font size or margin width. By holding petitions to this standard, the ballot measure process in Arizona will be reduced to a tangle of technicalities, court battles and lawyers' fees rather than a substantive debate on the issues. There are attacks on the signature gathering process in six other states from Maine to Colorado. While not all the legislation we've been tracking has passed, the trend is clear.

Perhaps even more shockingly, a number of elected officials around the country are refusing to honor the measures passed by the same voters who elected them into office. Incorrectly calling ballot measures "recommendations," Maine Gov. Paul LePage has waged a war on the state's newly approved minimum wage law. Meanwhile, legislators in Oklahoma have undone many of the criminal justice reforms passed by voters last November. And in South Dakota, legislators eliminated the ethics commission that voters created to regulate them. This is not how a democracy should work. Elected officials do not get to pick and choose which election results they are willing to accept.

What all these attacks have in common is a blatant contempt for the will of the voters. Conservatives' disregard for ballot measures is especially hypocritical because they were once an important political tool for them. In the 1990s and 2000s, conservatives used ballot measures to advance policies such as the Tax Payer Bill of Rights, discriminate against immigrants, restrict a woman's right to choose, enact marriage equality bans, and attack affirmative action. But now that conservatives control both the federal and many state governments, and they no longer need ballot measures, they are doing everything in their power to eliminate them.

Like most aspects of our democracy, the ballot measure process is imperfect. Over the years, we at BISC have called for reforms ourselves and still believe the process can be made more accessible and transparent. We have advocated for ballot titles to be written in a clear, straightforward manner, for donor disclosure on petitions, and for more protections to ensure the sanctity of the signature gathering process. The

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difference between these reforms and what is happening in state legislatures and governors' mansions this year, is that we support both accessibility and integrity in the process. The reforms proposed by conservatives this year will primarily have the effect of making it prohibitively expensive and difficult for all but the wealthiest organizations and individuals to mount a ballot initiative campaign.

The modern ballot initiative arose in an age not very different from our own. In 1911, against a backdrop of rising inequality and a legislature beholden to special interests, California Gov. Hiram Johnson created ballot initiatives as a check on money in politics. Once again, we find ourselves in a political era dominated by special interests, and one where voters increasingly feel unrepresented by their elected officials. In our current political climate, ballot measures provide a means for alternative issues to be heard and for issues to rise to the forefront. But that can only happen if the ballot measure process is protected.

*Justine Sarver is the executive director of the Ballot Initiative Strategy Center.*

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#### **Justine Sarver**

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**Washington Brief: Week in Review & What's Ahead (<https://morningconsult.com/briefs/washington-brief-week-review-whats-ahead-26/>)**

President Donald Trump's approval rating went underwater for the first time since he took office after the failure to advance a