



**Testimony before the Committee on the Judiciary and Public Safety
Performance Oversight Hearing: Office of Campaign Finance
March 8, 2018**

Thank you for the opportunity to testify here today.

My name is Allie Boldt and I'm a Counsel for Demos. Demos is a non-partisan, national public policy organization working for an America where we all have an equal say in our democracy and an equal chance in our economy. One of our major focus areas is public financing of elections. We believe that adequately resourced public financing programs are key to ensuring that the voices of people of color and working-class people are heard in the democratic process. Demos is a member of the D.C. Fair Elections Coalition, which is made up of more than 70 organizations representing diverse residents, community organizations, ANCs, and interests across the District.

We're very thankful for the efforts of Chairman Allen and the whole Council for their vote on the Fair Elections Act and hope very much that Mayor Bowser will sign and fund this game-changing program in her budget. As numerous Council Members and experts have previously spoken to, the success of this program is really tied to it being fully funded. We agree. D.C.'s unique, well-designed program can help bring democracy into balance and advance racial equity in the District, but only if it is fully funded. That is why, like other members of the Coalition, I'm here today to ask that the Office of Campaign Finance ("OCF") be provided the funding it needs to successfully implement the D.C. Fair Elections program, and to pledge that we will continue play an active role throughout the budget and implementation processes.

First, we ask this Committee and the Mayor to make sure that OCF is provided the resources it needs to successfully implement this significant new program, beginning in FY19.

We have concerns that the cost estimates from the December 13, 2017 Financial Impact Statement ("FIS") are too low. The only OCF costs that appear to be accounted for in the FIS are three auditors and a one-time cost of \$62,000 to upgrade OCF's filing technology. Yet, there are other, critical elements that must be provided for. For instance, in June, OCF Direct Collier-Montgomery testified that for the program to be successful, OCF would need to develop regulations, forms, an education program for candidates and the public, a separate audit unit for the program, and an e-filing system.¹ Director Collier-Montgomery was also clear that resources will be required upfront, well *before* the 2020 election cycle when the program will be in full swing, and we agree. It is critical that resources are committed for FY19, and not just out-years.

¹ See Council of the District of Columbia, Committee on the Judiciary & Public Safety, Report on B22-0192, the "Fair Elections Act of 2017," December 13, 2017, at 49-50.

D.C. should follow the lead of other jurisdictions that have been very thoughtful about the resources needed to make a public financing program successful and widely-utilized – including the development of forms and materials, community outreach and education, and technology upgrades and maintenance. These elements were considered by Montgomery County, Maryland during the budgeting process for its small donor matching program. There, the funding advisory committee recommended allocating \$11 million for the 2018 Montgomery County elections: a good deal more than what we believe is needed here, due to the county’s larger population and the fact that they had a big County Executive race in FY2018. Yet, we can learn a lot from the types of costs that Montgomery County accounted for in its process: including \$45,000 for a consultant to develop program forms, a one-time cost of \$160,000 for initial software upgrades in FY2017 *and* \$50,000 for software *maintenance* in FY2018 (compared to just \$62,000 in technology costs estimated in the FIS here).² Similar care and attention to detail should go into the funding process here, to make the Fair Elections program as user-friendly, and widely participated in, as possible.

Second, the Coalition is committed to supporting the Fair Elections Program throughout the budget, implementation and oversight processes. Demos and our coalition partners have contacts in jurisdictions outside of D.C. that are implementing similar public financing programs. Coalition members can play an active role in connecting the Council and OCF staff with their peers in these jurisdictions, to help share their expertise and lessons learned.

Finally, as we go forward in the process to fund Fair Elections, this Committee should remember that budgeting for public financing of elections is not use-it-or-lose-it. Other jurisdictions have deliberately engaged protective budgeting for public financing programs, to ensure these programs are resourced for success even if participation rates exceed everyone’s expectations. As Montgomery County’s funding advisory committee put it: “protective over-budgeting in this type of program does not waste any public monies: only the amounts actually earned by candidates are paid out; any surplus remaining is unspent, simply rolling over to the next election cycle.”³

Thank you again for the opportunity to provide testimony in support of this important new program.

² See Memorandum to Montgomery County Government Operations and Fiscal Policy Committee re: FY17 Operating Budget: NDA: Public Election Fund, March 31, 2016; Memorandum to Montgomery County Government Operations and Fiscal Policy Committee re: FY18 Operating Budget: NDA: Public Election Fund, April 19, 2017.

³ 2017 Report of the Montgomery County Committee to Recommend Funding for the Public Election Fund.