



EVERYONE'S AMERICA

State Policies for an Equal Say
in Our Democracy and an Equal
Chance in Our Economy

POLICY SUMMARIES

SUMMER 2018 EDITION



Dēmos

ABOUT DĒMOS

Dēmos is a public policy organization working for an America where we all have an equal say in our democracy and an equal chance in our economy. Our name means “the people.” It is the root word of democracy, and it reminds us that in America, the true source of our greatness is the diversity of our people. Our nation’s highest challenge is to create a democracy that truly empowers people of all backgrounds, so that we all have a say in setting the policies that shape opportunity and provide for our common future. To help America meet that challenge, Dēmos is working to reduce both political and economic inequality, deploying original research, advocacy, litigation, and strategic communications to create the America the people deserve.

ACKNOWLEDGEMENTS

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SPECIAL THANKS TO

Shanaé Bass, Viviana Bernal, Arlene Corbin Lewis, Katherine Culliton-González, Liz Doyle, Tamara Draut, Gwyn Ellsworth, Lynn Kanter, Carol Lautier, Adam Lioz, Rodney McKenzie, Adrien Salazar, Brenda Wright, and our designers at Sidedoor Studio.

Thanks also to the many leaders of movement organizations who took the time to talk with us and share and share the expertise and perspectives of their members.

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This booklet contains the introduction and brief summaries of the policies in *Everyone's America*. It also includes one sample policy to provide a sense of the policy briefs included in the full briefing book. To download and read all of the policies in *Everyone's America*, please visit demos.org/everyones-America

INTRODUCTION

The promise of America is that each of us has an equal say in our democracy and an equal chance in our economy. In *Everyone's America: State Policies for an Equal Say in Our Democracy and an Equal Chance in Our Economy*, we offer an inclusive, race-forward, working-class platform that policymakers, grassroots organizations, and community members can move in their states to help achieve this vision. The progressive economic agenda centers both race and class, and motivates working people of all races to engage in the civic life of their communities and our nation. The inclusive democracy agenda breaks down barriers to meaningful participation and representation, and creates a democracy that is of, by, and for the people—and not just the wealthy special interests. These 2 key objectives support each other: With equal representation in our democracy, we will help ensure that the benefits of our economy are shared fairly; and with a more balanced economy, we will help ensure that Americans across race and class can fully and fairly participate in our democracy.

Taken together, this suite of policies advances progressive values and activates a broad base, including the “New American Demos” of people of color, single women, young people, and working-class Americans of all races. The inclusive, multi-racial populism that these policies embody stands in stark contrast to the phony populism that today divides, distracts, and disempowers working people, and people of color in particular.

With national politics tangled in scandal and stalemate, this work at the state level is more vital

than ever. Not only can real progressive policies take shape on the state level, they can take root and blossom into national action in the future.

Everyone's America lays out 26 policies—from raising job standards to protecting consumers from high-interest debt, from modernizing voter registration and making it more inclusive to shifting power from wealthy donors to working people—that contribute to a race-forward, populist agenda and empower all Americans to participate more fully in our democracy. We have developed this briefing book through partnerships with grassroots organizations across the country.

Each policy section briefly details the problem, summarizes national polling on the issue, and outlines recommended policy solutions. Since each state faces different challenges, opportunities, and legal, economic, political, and geographic conditions, no single solution will suit every state, and each briefing offers a variety of policy options. Each section also includes messaging guidance for talking about the policy with the public, examples of how similar policies have worked in other states or cities or would work according to studies, and links to further resources.

Everyone's America is a resource for policymakers, grassroots organizations, and other leaders, aimed at meeting 3 essential needs:

- **Collecting state-level policies that substantially address the economic challenges faced by working people and the families they support.** Policymakers, grassroots organizations, and other community leaders must oppose xenophobic, false populism with concrete policies that are rooted in the realities of people's lives and that genuinely elevate the dignity and economic well-being of all working Americans and their families. Most Americans recognize that policies that overwhelmingly serve the interests of wealthy individuals and corporations have distorted the economic rules to benefit those already on top and hold the rest of us back.
- **Bringing together state-level policies to create a free, fair, and inclusive democracy.** Americans overwhelmingly agree that our democracy is out of balance and needs fundamental change. Policymakers, grassroots organizations, and community leaders can bring our democracy into balance by:
 - shifting power from wealthy donors to everyday people;
 - modernizing and increasing the inclusivity of voter registration and voting; and
 - expanding the freedom to vote and the principle of “one person, one vote” where it is still being systemically denied, particularly to people of color.
- **Directly challenging the deeply rooted racism that pervades American politics and policy.** Policymakers, grassroots organizations, and other community leaders need to confront racism primarily because it menaces the safety, security, economic opportunity, and democratic rights of people of color. Additionally, the relentless racial scapegoating aimed at white Americans makes them cynical about the role of government and fosters resentment about the policies

that strengthen democratic participation and advance economic opportunity and security for all working Americans. Our future depends on leaders across the board confronting this strategic use of racism with straightforward talk and action to advance racial equity. Failing to do so demotivates and demobilizes black, Latino/a, Asian American and Native American individuals, who seldom see their representatives address the ways that racism constrains their lives. Racist scapegoating and the failure to address it keep us from fulfilling our potential as a nation.

Americans recognize that corporations and the very wealthy—and the politicians who are beholden to them—have manipulated the rules of our economy and our democracy to consolidate their own wealth and power, at the expense of working people and communities. In a 2017 survey, 73 percent of American adults agreed that, “The economic system in the U.S. is rigged in favor of certain groups.”¹ When an earlier iteration of the same survey asked which groups the economy was rigged to benefit, 86 percent stated it was rigged for corporations and 91 percent asserted it was rigged to favor the rich.² Across partisan lines, a supermajority of Americans (94 percent) agreed that money in politics and wealthy donors are sources of political dysfunction, and that the wealthy have more power over politicians than constituents do.

Politicians backed by an elite donor class have long deployed racism to make wealthy Americans richer and working Americans more divided, and this strategy is alive and well today. In the same survey, 49 percent of white Americans who believe the economy is rigged said the system favors people who receive government assistance, and 35 percent said the economy is rigged in favor of minority groups—which could not be further from the truth.³ Remaining silent on racial injustice and the way that coded racist appeals underlie the major policy issues of our day enables those who deliberately divide us, and undercuts our power to win solutions that work for all of us.

Of course, those beholden to the very wealthy deploy more weapons than race to divide and distract Americans. They stoke fear and anxiety about Muslims, LGBTQ people, and women’s efforts to assert equality, fueling a larger culture war that goads working-class Americans to resent one another and fear the political empowerment of fellow working people rather than direct their rage at corporate greed. While this briefing book focuses on race, Dēmos does not shy away from confronting inequities of gender and gender identity, sexual orientation, and other social cleavages that are used to oppress and divide us.

Political, economic, and racial justice are interconnected, and we must pursue them together. To elevate the policy conversation and advance the interests of working people in 2018 and beyond, state-level policymakers, grassroots organizations, and other thought leaders must commit to a race-forward economic and pro-democracy agenda that will allow all of us to thrive.

This briefing book is a living document and will be updated. We welcome your feedback, thoughts, and suggestions via email at briefingbook@demos.org.

POLICY SUMMARIES

ECONOMIC JUSTICE POLICIES

Investing in Our Future

Promote Climate Equity

Human beings are a part of the natural world: We all need clean air, water, and land in the communities where we live and raise our children. Yet corporate interests have put our health and environment at risk by continuing to extract, peddle, and burn fossil fuels. Skewed policies and dependence on yesterday's technologies have long put communities of color directly in the line of impact, even as just 100 companies are responsible for 71 percent of the global fossil fuel emissions that are destroying our communities and our climate. *State policymakers should invest in an equitable transition to clean energy, end the extraction of fossil fuels, stop greenhouse gas pollution, and direct responsible recovery and building in the wake of climate events.*

Advance Opportunity through Transit

Mobility is critical to our communities' ability to thrive. Growing numbers of Americans rely on public transit to get to work, school, health care, and recreation. However, much of our transit infrastructure is old and deteriorating; many communities lack access to reliable and affordable transportation options; and many of our transit systems were not designed to handle such heavy use. *State policymakers should invest in public transit to fix, modernize and expand systems so that more Americans have access to quality transportation options. Revenue sources for transit should favor progressive taxes, since low-income households are disproportionately hurt by increases in user fees and fares.*

Invest in Infrastructure

Americans rely on roads, bridges, airports and transit to get us where we need to go; sewer and water systems to keep our families healthy; safe and well-maintained schools, libraries, and other public buildings; and energy to power it all. Our economy depends on strong infrastructure. Yet America's infrastructure is crumbling; our roads are congested, our bridges are deteriorating, our school buildings are dilapidated, and the pipes that carry our drinking water are in a state of disrepair. *State policymakers should increase infrastructure spending to create good jobs and boost the economy, with funds targeted to engage and benefit communities of color that have been historically shut out of economic growth due to discrimination and underinvestment.*

Creating Better Jobs

Raise Job Standards

Americans work hard, and that should provide enough to sustain our families. Yet too many employers structure jobs in ways that prevent working people from being able to get by. Today, as women and people of color make up a growing share of America's working class, employers are weakening job standards for all working people. ***State policymakers should raise the standards for American jobs so that all working people get paid fairly for their efforts and have work schedules that take their basic needs into account. Vital elements include a higher minimum wage, stable scheduling, paid sick time, prevention of wage theft, protections from being improperly classified as an independent contractor, and increasing the number of working people who are guaranteed overtime pay.***

Guarantee Fair Employment

We all deserve an equal opportunity to be hired based on our abilities and to work free of discrimination and harassment. However, discriminatory hiring, firing, harassment, promotions, and pay continue to block opportunity for people of color, women, LGBTQ workers, people with disabilities, and other targeted groups. ***State policymakers should provide additional resources to strengthen enforcement of existing fair employment laws and expand civil rights laws to clarify that discrimination and harassment based on sexual orientation, gender identity or expression, personal credit history, pregnancy status or caregiving responsibilities are illegal. Policymakers should also ensure that people with arrest or conviction records have a fair chance to work.***

Restore Freedom to Negotiate at Work

Our American tradition guarantees working people the freedom to join together with co-workers to negotiate for a fair return on work. When workers have the freedom to band together in unions and negotiate with their employers, they and their families gain from improved wages and benefits, safer working conditions, and fairer treatment on the job. Yet because unions successfully enable working people to build power, the freedom to come together in unions is under attack by corporate interests aiming to maximize their own wealth and power. ***State policymakers should restore workers' freedom to join together in unions by eliminating so-called "right to work" laws, expanding freedom to negotiate to public employees and other workers left out of federal labor law, leveraging state purchasing power, and banning non-compete agreements.***

Ensure Paid Time to Care

At some point in our lives, we all need time to care for loved ones or ourselves, whether we are bonding with a new child, caring for an ailing parent, or recovering from a serious personal illness. Yet in 2017, only 13 percent of private sector workers had access to paid family leave through their employer. Without paid time away from work, Americans put their health at risk, face economic hardship, and are unable to care for those who matter most to them in a time of need. ***State policymakers should set up a system to provide paid benefits to working people who need time away from their jobs to care for a new child, a loved one with a serious health condition, or their own serious health condition.***

Rebuilding Opportunity

Provide Preschool for All

Parents want the best start for their children. In fact, our entire society benefits when children enter kindergarten with a strong educational foundation and when parents can go to work knowing their children are participating in the early learning that will enable them to thrive. Yet even as the benefits of preschool grow increasingly clear, policymakers in many states have failed to invest in providing preschool to all kids regardless of family wealth. At the same time, preschool teachers who do the crucial work of educating young children are typically paid such low wages that they struggle to sustain their own families. ***State policymakers should guarantee universal, voluntary access to high-quality public preschool programs for all 3- and 4-year-olds, and improve compensation and training for preschool teachers.***

Establish Education Equity

Equal opportunity is a cornerstone of the American ideal. To make that a reality, every child deserves a quality public education, with an opportunity to learn, flourish, and become a full citizen of our democracy. This commitment to universal education is enshrined in state constitutions across the country. Yet in practice, the majority of states provide students with dramatically unequal educational resources and fail to adequately fund schools that serve students of color and students from struggling families. Students are increasingly clustered in schools that are isolated by race and class, and racialized disciplinary policies result in students of color being disproportionately suspended or expelled. ***State policymakers should change funding formulas to ensure adequate and equitable school funding, promote school integration, create community schools that provide enhanced services and engage parents and the broader community, respect and compensate teachers as professionals, and prevent schools from moving students into the juvenile justice system for minor offenses.***

Guarantee Debt-Free College

In America, we should all have the opportunity to dream big, develop our potential, and realize our greatest aspirations, and that means making our public colleges affordable to all of us. At a time of persistent racial and economic inequality, many Americans envision higher education as a pathway to a better life, regardless of race, gender, or class. But just as more Americans pursue this aspiration, the rising cost of college and the specter of large student loan debt—particularly at public institutions, which have traditionally been the most affordable and accessible—are eroding this pathway to security. *State policymakers should increase per-student support for public 2- and 4-year colleges so that the total price of attending college—including tuition, fees, room and board and other living expenses—is no more than what working and middle-class students can reasonably pay with need-based grant aid and a part-time job.*

Achieving Justice for Communities

Secure Access to Justice

The courthouse doors should be open to everyone. When we are caught in legal proceedings that could cause us to lose our homes, families, or ability to live in the country, we should have access to an attorney who can stand up for our most basic rights. However, legal representation is only guaranteed in criminal cases, despite the devastating ramifications of many civil cases. In other circumstances, corporations force employees and customers into binding arbitration, denying individuals who are cheated or discriminated against their day in court. *State policymakers should increase access to justice in the civil legal system by expanding access to legal aid services, ensuring that people facing deportation have access to an attorney, and enabling Americans to access the courts despite forced arbitration agreements.*

Reinvest in Justice

All Americans should feel safe and protected in their communities. But our criminal justice policies promote mass incarceration and over-policing, rather than actual public safety. As a result of harsh sentences, over-criminalization, and discriminatory policing, our criminal justice system is tearing apart families—disproportionately immigrant families and families of color. *State policymakers should reject costly over-incarceration and invest in programs that address the root causes of crime, including amending sentencing laws, modifying prison and jail release practices, and improving access to community services that can help reduce recidivism. Policymakers should also act to end the use of private prisons and curtail cooperation with federal immigration enforcement.*

Decriminalize Poverty

Every one of us should be treated equally under the law. This idea is so fundamental to our justice system that it is carved above the doors of the Supreme Court. Yet every day, criminal justice policies penalize people for being poor. People who are unable to pay bail, fines, and fees are forced to remain in jail or take on debt for their involvement in the justice system, contributing to a cycle of poverty and tearing families apart. ***State policymakers should guarantee that people are not held in jail before trial because of an inability to pay, and should reduce and eliminate fines, fees, and other ways our justice system criminalizes poverty.***

Sustaining Our Families

Ensure Health Care for All

When a child is injured or a loved one is suffering from a serious illness, no one wants to think about co-pays and deductibles. We want compassionate, effective medical care, delivered quickly and accessibly. Yet ideologically driven politicians continue to threaten recent gains to health care access in the United States. Many Americans still struggle to get the health care they need and to know that they won't go bankrupt if they get sick. People of color, undocumented people and low-income Americans all suffer disproportionately under our current health coverage scheme. ***State policymakers should expand Medicaid and take advantage of other options under the Affordable Care Act to extend health care to all residents.***

Make Homes Affordable for All

A home is more than a roof over our heads. It's the opportunity to raise our families in a safe neighborhood with clean air and water, and to live in a place where we can access good jobs, efficient transportation, and high-quality schools. Yet there is no county in the nation where a full-time worker earning the minimum wage can afford to rent a modest two-bedroom home, and even a one-bedroom is out of reach in most of the country. ***State policymakers should invest in affordable housing including state housing trust funds, encourage localities to bundle federal grants to address the affordable housing crisis, and strengthen and expand homeownership programs.***

Achieve Reproductive Justice

Making their own decisions about whether and when to have children is critical to the economic security of women and their families. Having a child is one of life's most serious commitments, economically and otherwise. An unintended pregnancy can upend financial stability, making it difficult for mothers in particular to pursue education and maintain employment. Equal access to affordable, accessible reproductive health services, including abortion, is critical. ***State policymakers should guarantee insurance coverage of a full range of contraceptive methods and services as well as coverage for abortion, and should eliminate obstructive restrictions on abortion providers.***

Protect and Improve the Safety Net

To live up to America's deepest values of human dignity and equality, we must protect and expand our social safety net. Families should not go to bed hungry, be out on the streets as they search for a new job, or lay awake at night wondering how they will afford child care. Throughout our history, we have valued public programs that protect basic living standards for our fellow Americans and enable us to get back on our feet when we fall on hard times. Programs including Temporary Assistance for Needy Families (TANF), Unemployment Insurance (UI), Supplemental Nutrition Assistance Program (SNAP), and the Child Care and Development Block Grant (CCDBG) provide much-needed support for households facing economic hardship, stabilize families' access to necessities and care, and keep millions of Americans out of poverty. ***State policymakers should expand eligibility and state funding for safety net programs, remove punitive requirements and restrictions on accessing programs, and allow struggling families to save money or own assets while receiving public benefits.***

Building Wealth with Equity

Stop Predatory Lending

Fair and affordable access to credit is vital for American consumers and our economy. Yet today, predatory lenders target low-income communities and communities of color with high-interest loans that trap many of the most disadvantaged consumers in debt. Each year, 12 million Americans take out payday loans, spending more than \$9 billion on fees. Payday and car title lenders target low-income neighborhoods with high populations of people of color, promoting quick-fix loans with annual interest rates of nearly 400 percent on average. ***State policymakers should curb predatory installment loans, cap interest rates, limit loan fees, and require lenders to evaluate a borrower's ability to repay all loans.***

Make Taxes Fair

We pay taxes because all of us together can do what any of us alone cannot. But our tax policy is upside down, with low- and middle-income Americans paying a higher proportion of their incomes in taxes than high-income Americans. At a time when our infrastructure is crumbling, when aid for public colleges and universities is being cut, and when federal lawmakers are threatening the safety net, states urgently need to protect and expand their revenues. ***State policymakers should stabilize state resources in the face of federal tax changes and make income taxes more progressive by raising taxes at the top of the income ladder, collecting estate and inheritance taxes, taxing investment income at the same rate as income from work, and closing corporate tax loopholes.***

Establish State Partnership Banks

Investment enables our communities to thrive. Traditionally, banks provided up-front investments in local businesses and public projects. In recent decades, however, federal policymakers de-regulated the financial industry. Traditional banking, which focused on caretaking of deposits and lending to businesses and individuals, was transformed into a high-risk, high-reward wealth machine for a tiny elite. The “financialization” of our economy is crippling long-term innovation and job creation in the real economy, as community banks fail and small businesses cannot access the credit they need. *State policymakers should establish a publicly run state partnership bank to support community banks and make loans that address needs in the real economy, offsetting the financial imbalances created by Wall Street.*

DEMOCRACY POLICIES

Reducing the Influence of Big Money in Politics

Center Constituents and Small Donors through People-Powered Election Campaigns

We need a government that is of, by, and for the people—not just the wealthy donors. People from all walks of life should be able to run for office and win. When a political donor class that is wealthier, whiter, and more male than the rest of us has the biggest say in who gets elected, the result is a democracy that is not reflective of We the People. *State policymakers should pass and fund public financing programs that allow candidates without deep pockets to compete at every stage of the election cycle. Programs should be designed to amplify the voices of everyday people and to advance racial equity.*

Rein in Wealthy Donors and Corporations

When ultra-wealthy individuals and profit-seeking corporations can pour millions into state elections, they drown out everyone else and thwart the will of the people. Historically marginalized communities bear the brunt of this imbalance: job quality and standards diminish, while wealth accrues to the top 1 percent; public infrastructure deteriorates, while oil pipelines are built at the expense of the environmental health of Native Americans and other communities of color; and investments in education and social services shrink, while public spending to incarcerate people in private prisons soars. *State policymakers should limit campaign contributions and prohibit corporations from contributing; rein in sham vehicles for big-money spending like single-candidate Super PACs; and strengthen disclosure requirements and enforcement. Over the horizon, policymakers should push for a Supreme Court that will respect our freedom to limit the influence of big money in politics or amend the U.S. Constitution to restore power to the people.*

Advancing and Expanding the Freedom to Vote

Modernize Voter Registration

Though voter registration is the on-ramp to participating in elections, nearly 1 in 4 eligible voters is not registered. Voters of color and low-income voters are registered at even lower rates, due to a long history and persistent practice of exclusion from our democracy. Outdated voter registration systems that rely on paper forms and early, arbitrary registration deadlines make voter registration much harder than it needs to be. ***States should harness technological advances to modernize the voter registration process; offer accessible, online voter registration, and use information already on file with state agencies to automatically register eligible individuals to vote and update their voter information; allow voters to register and cast their ballot on the same day, during early voting and on Election Day; and pre-register eligible 16- and 17-year-olds to vote.***

Make Voting Accessible

In a democracy, our votes are our voice. Yet in many parts of the country, voting times, places, and forms are so restrictive that they impose often insurmountable hurdles to exercising our fundamental freedom to vote. For instance, state laws limiting voting to a single Tuesday, or restricting who can vote absentee (in person or by mail), block eligible voters from casting their ballots. Voters with disabilities and limited English proficiency often face additional hurdles, including polling sites and ballots that are not compliant with laws designed to protect these voters' freedom to cast a private, independent ballot. ***Policymakers should create robust voting options both before and on Election Day; ensure that polling hours and locations are accessible to all eligible voters, including working poor people and people who rely on public transit; and guarantee that all polling sites, ballots, and other voting materials are fully accessible for voters with disabilities and limited English proficiency.***

End Felony Disenfranchisement

The answer to the question “Who can vote?” tells you who has a voice in a democracy. Today, more than 6.1 million Americans are barred from voting by state laws that disenfranchise individuals convicted of felonies. Like Jim Crow laws, these voter disenfranchisement laws disempower people of color (particularly African Americans) by linking our right to vote to a criminal legal system that is deeply infected by racism. And, while incarcerated individuals are stripped of their voices in our democracy, they are nevertheless counted for the purposes of drawing voting maps—but as part of the districts in which they are confined, and not the districts they call home. ***States must abolish felony disenfranchisement laws and restore voting rights to people who have been stripped of their right to vote by such laws; require corrections agencies, including parole boards and probation offices, to offer voter registration and voting services; and draw voting maps using data that counts incarcerated people at their home addresses, not where they are confined.***

Enhancing Democratic Representation

Make Representation Real

Too often, election rules undermine the power of everyday people to elect officials who will represent their interests. Partisan and race-based gerrymandering, the use of at-large districts that dilute the representation of people of color, and the Electoral College all prevent people across the United States from having an equal say in our democracy, and actively devalue the participation of parts of the electorate. Some states also use laws (sometimes dubbed “emergency manager” laws) to divest locally elected officials of power and appoint an unelected decision-maker in a community to which they are not accountable. ***States must establish independent redistricting commissions to draw voting maps and stop drawing winner-take-all, at-large districts. States must also ensure that government officials are responsive to the people they represent, by overhauling “emergency manager” and similar laws, and adopting mechanisms like fusion voting that make candidates more responsive and accountable to a broader range of people.***

NOTES

REIN IN WEALTHY DONORS AND CORPORATIONS

“When we get big money out of state politics, candidates work to win our votes, debate the issues, and represent us—their constituents.”

— REVEREND STARSKY D. WILSON, DEACONESS FOUNDATION,
PASTOR OF ST. JOHN’S CHURCH, SPEAKING IN FAVOR
OF THE CLEAN MISSOURI INITIATIVE⁴

THE PROBLEM

Americans agree that our government should be of, by, and for all the people, not just the wealthy few. But across the country, wealthy donors and corporations pour millions of dollars into state elections, running roughshod over the will of the people. Much of the blame lies with the Supreme Court. For decades, the Court has narrowly framed the problem of big money in politics as only about corruption or the appearance of corruption, and *not* about equality, representation, or the broader threat to democracy when wealthy interests can translate economic might directly into political power.⁵ Against all experience to the contrary, the Court has insisted that big money is not problematic if it is spent by donors themselves (rather than given to the candidates those donors support). As a result, wealthy donors can funnel unlimited sums of money into elections, including through groups called “Super PACs.” Although Super PACs are deeply unpopular, Super PAC spending is increasingly flooding into state and local elections.⁶

Part of the responsibility rests with states. More than half of all states allow corporations to contribute directly to candidates, a practice that is prohibited in federal elections and that decreases the role that actual human beings play in funding elections.⁷ In addition to corporations, ultra-wealthy individuals can easily out-fundraise and outspend everyday Americans. In 11 states, there are no limits on how much wealthy people can contribute to candidates or political committees.⁸ Allowing wealthy donors to contribute tens of thousands—or even millions—of dollars makes state elections less competitive and makes it harder to disrupt the status quo or hold elected representatives accountable.⁹ Further, despite the influx of Super PAC and other big spending at the state and local levels, in most states, it’s impossible for the public to see where the money is really coming from.¹⁰ Weak enforcement is also a problem: Nearly 1 in 3 state legislators are aware of at least one intentional violation (either in their campaign or in others’) of campaign finance laws in their states.¹¹

Wealthy donors who fund political campaigns are not just richer, whiter, and more often male than the rest of us; they also have very different views and priorities, especially about how to

structure our economy and how to prioritize the issues that matter most to communities of color.¹² Although they do not represent the breadth of the American *demos*, our policies and laws nonetheless overwhelmingly address the concerns of the donor class, while crucial problems affecting everyday Americans are overlooked.¹³

When our government's choices reflect the will of wealthy special interests instead of the will of the people, we all pay the price. Historically marginalized communities bear the brunt of the consequences of this imbalance: diminishing job quality and standards, while wealth accrues to the top 1 percent; deteriorating public infrastructure, while oil pipelines are built at the expense of the environmental health of Native Americans and other communities of color; and decreasing investments in education and social services, while public spending on incarcerating people in private prisons increases. A private prison company invests lobbyists and thousands of dollars in Arizona elections, and the state's private prison industry booms—despite increased rates of violence associated with for-profit prisons, where inmates of color are more likely to be confined.¹⁴ An oil company donates millions of dollars to candidates for state elections, overpowering the voices of the communities that experience higher rates of cancer, asthma, birth defects, and lung diseases, in addition to substantial economic and environmental injuries, from living near the company's oil refineries.¹⁵

We can reverse course and build a democracy where we all have an equal say over the decisions that affect our lives—and the vast majority of Americans agree with this goal.

POLLING AND DATA

> 80 % OF AMERICANS agree that corporate political spending drowns out the voices of everyday people.¹⁶ Across political parties, a supermajority of **94%** believes that money in politics and wealthy donors are sources of political dysfunction.¹⁷

85 % OF AMERICANS believe we must “fundamentally change” or “completely rebuild” the current system of funding political campaigns.¹⁸ And, across educational and partisan categories, majorities say that new laws can be written to effectively reduce the role of money in politics.¹⁹

60 - 70 % OF AMERICANS consistently support limits on what individuals, corporations, and unions can contribute to campaigns.²⁰

60 - 78 % OF AMERICANS also consistently support a constitutional amendment to overturn the Supreme Court's ruling that has allowed outside groups, corporations, unions, and wealthy individuals to spend unlimited amounts of money on elections, and to allow Congress to limit the amounts these groups can spend on elections.²¹

POLICY SOLUTIONS

Create a democracy that works for everyone by reining in the oversized influence of an ultra-wealthy donor class.

- **Limit contributions to candidates and political committees, taking into account what everyday people can afford to give.** For examples of reasonable contribution limits, look at [Alaska](#) (for individuals, \$500/calendar year to candidates and political committees) and [Colorado](#) (for individuals, \$575/election for statewide candidates and political committees, \$200/election for legislative candidates, but with doubled limits for candidates who agree to voluntary spending limits and who face high-spending opposition).
- **Ban corporations from directly contributing to state candidates.** This is the practice at the federal level and in more than 20 states.²² Minimally, corporations should face the same contribution limits that state residents do.
- **Rein in sham vehicles for big-money spending, including Super PACs.** Require Super PACs and other spenders that raise money to spend on state elections to file state disclosure reports. [California](#) does this whenever a Super PAC or other spender raises more than \$2,000 to spend on California elections. States desiring to lead the way forward can also ban sham Super PACs that are really only established to elect a single candidate.²³
- **Strengthen disclosure requirements and enforcement.** Update archaic disclosure systems to provide constituents with a more complete picture of money spent on elections in real time, and strengthen enforcement to help create accountability. Disclosure requirements should apply to all organizations and corporations spending substantial sums on elections (not just PACs and Super PACs), *and* all groups that *donate* to spender groups.²⁴
- **Advocate that your state's U.S. Senators only confirm nominees to the Supreme Court who are open to limiting the influence of big money in our democracy.** Ask your Senators to join the growing number of [Senators](#) who take a Supreme Court nominee's position on money in politics into account when deciding how to vote on the nomination.
- **Advance a resolution calling to amend the U.S. Constitution to restore power to the people.** Join the [19 states](#) (and more than 750 local jurisdictions) that have passed resolutions calling for a Twenty-eighth amendment to override the Supreme Court's pro-big money understanding of our constitution.

HOW TO TALK ABOUT IT

- **Our democracy is out of balance.** Big money yells the loudest, and the voices of everyday Americans are drowned out. We need a government that is of, by, and for the people. For

instance, when government is in the hands of big polluters and the fossil fuel industry, the voices of communities of color facing environmental injustices are ignored. To protect our communities and our environment, we need to ensure that every voice counts, not just the voices of oil companies and other wealthy interests funding political campaigns.²⁵

- **Our government should be responding to all Americans, not just ultra-wealthy donors.** We can bring our democracy into balance by making it more inclusive and representative. We can multiply the power of everyday Americans by creating public financing of elections and setting reasonable limits on how much outside groups, corporations, unions, and wealthy individuals can contribute to political campaigns.
- **We can rein in Super PACs and other big spenders and require them to disclose the wealthy donors funding them.** Americans should be able to easily look up candidates, online and in real time, to see who has spent money for that candidate, both during the election and afterwards. Politicians who break the rules should be held accountable.
- **Creating a democracy that works for all of us will help create an economy that works for all of us.**

Tips for framing:

- Open and close with an aspirational message of a democracy in which we all have an equal voice and an equal say. Along the way, show that you understand the problem, but most importantly, emphasize the solutions that will bring balance to our democracy.
- While Americans overwhelmingly agree that our government is “corrupt,” overemphasizing the corrupting influence of money in politics builds on people’s existing cynicism about government and viable solutions and leads the public into what some term a “vortex of despair.”²⁶ Instead, describe a vision of an America where we all have an equal voice and an equal say, and focus on solutions to bring our democracy into balance.
- Tie the problem of big money in politics to issues that people already care about, to show the price we pay for a big-money democracy. It’s helpful to point to specific, big-money villains—which might be big polluters and the fossil fuel industry, real estate developers, big Pharma, or something else.
- Note the communities that are most directly impacted, and particularly historically under-represented communities.

HOW IT WORKS

- » Lower contribution limits offset incumbent advantage, help challengers compete for office, and help make elections fairer.²⁷ Contribution limits are a very popular solution and can help address a valid public perception that our democracy is broken. For instance, the Illinois legislature passed contribution limits after former Governor Rod Blagojevich was convicted on public corruption charges.²⁸
- » In states where corporations are prohibited from making political contributions, a larger portion of all candidate contributions come from human beings (as opposed to entities like PACs or nonprofit corporations).²⁹
- » Legislators in states with random campaign finance audits, and in which candidates must disclose detailed “substantive information...with relative frequency” are more likely to view their state’s campaign finance enforcement regime as effective.³⁰
- » Thanks to the California DISCLOSE Act, Californians now have a more complete picture of who is influencing their elections.³¹ The law creates a follow-the-money disclosure system that allows the public to see where money originated: not just the obscurely-named nonprofit where it ended up.³² The law also requires a disclaimer to be made in the beginning of political advertisements (whether by TV, radio, internet, etc.) to disclose the advertisement’s top 3 funders.

MORE RESOURCES

- » Rethink Media message guides for [democracy advocates](#) and [environmental advocates](#)
- » Dēmos reports on the impact of [racial bias in our big-money political system](#) and the distorting influence of the [political donor class](#) in our big-money elections
- » [Testimony of Dēmos President Heather McGhee](#) before the Senate Judiciary Committee, opposing the confirmation of Neil Gorsuch to the Supreme Court
- » Every Voice briefing book for state and local candidates on [connecting with voters on money in politics](#)
- » Movement For Black Lives on [money-in-politics reform](#)
- » [Graphic](#) from Women’s Donor Network connecting the problem of underrepresentation with key issues
- » To conduct research on money in state elections, visit [FollowTheMoney.org](#)
- » To view existing state contribution limits, including corporate contributions, see the National Conference of State Legislatures, [State Limits on Contributions to Candidates, 2017-2018 Election Cycle](#)

ENDNOTES

- ¹ *Marketplace Edison Anxiety Index*, Edison Research, April 2017, 48. <https://cms.marketplace.org/sites/default/files/Marketplace%20edison%20anxiety%20index%20spring%202017.pdf>.
- ² *Anxiety Index Data*, Edison Research, October 2016, 31-33. <https://cms.marketplace.org/sites/default/files/anxiety-index-data.pdf>.
- ³ *Anxiety Index Data*.
- ⁴ The Clean Missouri Initiative, <http://cleanmissouri.org> (last visited Feb. 1, 2018).
- ⁵ See, e.g., Adam Lioz, *Breaking the Vicious Cycle: Rescuing Our Democracy And Our Economy By Transforming The Supreme Court's Flawed Approach To Money In Politics*, Dēmos, Dec. 15, 2015, <http://www.demos.org/publication/breaking-vicious-cycle-rescuing-our-democracy-and-our-economy-transforming-supreme-court>.
- ⁶ E.g., Paul Blumenthal, “Your State And Local Elections Are Now A Super PAC Playground,” HuffPost, Oct. 31, 2015, https://www.huffingtonpost.com/entry/2015-elections-super-pac_us_5633d165e4b0c66bae5c7bbb; Derek Willis, “The Special Powers of Super PACs, and Not Just for Federal Elections,” *The New York Times*, Dec. 8, 2014, <https://www.nytimes.com/2014/12/09/upshot/the-special-powers-of-super-pacs-and-not-just-for-federal-elections.html>; J T Stepleton, *When State Laws Are Away, Federal PACs Will Play*, FollowTheMoney.org, Jan. 8, 2018, <https://www.followthemoney.org/research/blog/when-state-laws-are-away-federal-pacs-will-play/>;
- ⁷ Denise Roth Barber, *Corporations Can—and Do—Contribute to State Candidates*, FollowTheMoney.org, Dec. 18, 2017, <https://www.followthemoney.org/research/blog/corporations-can-and-do-contribute-to-state-candidates/> (noting the absence of corporate contribution limits in 29 states, and concluding that “[c]ontributions from non-individual... business donors accounted for 25 percent of the money raised in these 29 states. But in the other 21 states, non-individual business donors provided just 16 percent of the total raised.”) For a round-up of state contribution limits (including corporate contributions), National Conf. of State Legislatures (“NCSL”), *State Limits on Contributions to Candidates, 2017-2018 Election Cycle*, June 27, 2017, http://www.ncsl.org/Portals/1/Documents/Elections/Contribution_Limits%20_to_Candidates_%202017-2018_16465.pdf.
- ⁸ NCSL, *State Limits on Contributions to Candidates, 2017-2018 Election Cycle*. In 11 states, there are no contribution limits (Alabama, Indiana, Iowa, Mississippi, Nebraska, North Dakota, Oregon, Pennsylvania, Texas, Utah, and Virginia). *Ibid.* Limits are upwards of \$10,000 per candidate per election cycle for certain statewide candidates in California, New York, Ohio, and Wisconsin. *Ibid.* Even when states place relatively reasonable limits on contributions to candidates, they may not place limits on what wealthy individuals can give to PACs. E.g., Commissioner Of Political Practices, *State of Montana Political Campaign Contribution Limits Summary*, Dec. 8, 2017, <https://politicalpractices.mt.gov/contributionlimits>.
- ⁹ See Kahlil Williams, Ciara Torres-Spelliscy, & Dr. Thomas Stratmann, *Electoral Competition and Low Contribution Limits*, The Brennan Center for Justice, May 4, 2009, at p. 2, <http://www.brennancenter.org/publication/electoral-competition-and-low-contribution-limits>. (concluding, after a decades-long study of contributions in various states, that contribution limits of \$500 or less for individual contributors and political action committees made elections for state assembly more competitive than other states).
- ¹⁰ See Stepleton, *When State Laws Are Away, Federal PACs Will Play*. See also Chisun Lee et al., *Secret Spending in the States*, The Brennan Center for Justice, 2016. https://www.brennancenter.org/sites/default/files/analysis/Secret_Spending_in_the_States.pdf (detailing the rise of secret money in state elections from 2006 through 2014, and how secret money works in state and local elections, as and provides recommendations about what should be done).

- ¹¹ Maya Gold & Walker Davis, *How To Keep Campaigns Honest By Improving Enforcement Agencies*, CREW, Aug. 24, 2016. available at <https://www.citizensforethics.org/keep-campaigns-honest-improving-enforcement-agencies/>.
- ¹² David Callahan & J. Mijin Cha, *Stacked Deck: How the Dominance of Politics by the Affluent & Business Undermines Economic Mobility in America*, Dēmos, Feb. 2013, http://www.demos.org/sites/default/files/imce/StackedDeck_1.pdf; Adam Lioz, *How the Racial Bias in Our Big Money Political System Undermines Our Democracy and Our Economy*, Dēmos, July 23, 2015, http://www.demos.org/sites/default/files/publications/StackedDeck2_1.pdf. See also, e.g., Every Voice Center, *The Color of Money: Early Presidential Fundraising Shows White, Wealthy Donor Base*, Aug. 2016, <http://www.everyvoicecenter.org/wp-content/uploads/2015/08/ColorOfMoneyFinalVersion.pdf>; Rahna Epting, *Race, Presidential Politics, and the Challenge of Creating a Democracy for All of Us*, HuffPost, Aug. 7, 2016, https://www.huffingtonpost.com/rahna-eping/race-presidential-politic_b_7956634.html.
- ¹³ Sean McElwee, *Whose Voice, Whose Choice? The Distorting Influence Of The Political Donor Class In Our Big-Money Elections*, Dēmos, Dec. 8, 2016. <http://www.demos.org/publication/whose-voice-whose-choice-distorting-influence-political-donor-class-our-big-money-electi>.
- ¹⁴ See ACLU, *Banking on Bondage: Private Prisons and Mass Incarcerations*, Nov. 2, 2011, at 40, <https://www.aclu.org/banking-bondage-private-prisons-and-mass-incarceration> (offering a Case Study: More Prisons For Profit in Arizona, detailing CCA's campaign contributions and use of lobbyists to obtain a 5,000-bed contract in 2011). The company also played a significant role in lobbying for passage of racist SB 1070, which would radically increase the number of people behind bars for immigration violations in Arizona. See, e.g., Center for Responsive Politics, *Private Prisons: Public Safety v. Profit Motive*, Sept. 2016, <https://www.opensecrets.org/news/issues/prisons/>; See also Justice Policy Institute, *Gaming the System: How the Political Strategies of Private Prison Companies Promote Ineffective Incarceration Policies*, June 2011, http://www.justicepolicy.org/uploads/justicepolicy/documents/gaming_the_system.pdf at p. 30 (offering a Case Study: CCA and the Immigration Debate in Arizona); *ibid.* at 32 (describing increased rates of violence in private prisons). The private prison industry has only expanded in Arizona ever since. See, e.g., David McGlothlin, *Arizona tops in guaranteeing private prisons new customers*, Justice Policy Institute, Feb. 18, 2016, <http://www.justicepolicy.org/news/10144>. For a broader discussion of private prison companies and money in politics, see Ciara O'Neill, *Prisons & Politics: Profiling the Pecuniary Political Persistence of Private Prisons*, FollowTheMoney.org, Jan. 24, 2017, available at <https://www.followthemoney.org/research/institute-reports/prisons-and-politics-profiling-the-pecuniary-political-persistence-of-private-prisons/>. For a discussion of why the private prison industry disproportionately hurts people of color, see Rina Palta, *Why For-Profit Prisons House More Inmates Of Color*, NPR Codeswitch, March 13, 2014, <https://www.npr.org/sections/codeswitch/2014/03/13/289000532/why-for-profit-prisons-house-more-inmates-of-color>.
- ¹⁵ Koch Industries is one of the biggest polluters in the country. See Greenpeace, *Koch Industries Pollution*, <http://www.greenpeace.org/usa/global-warming/climate-deniers/koch-industries/koch-industries-pollution/> (last visited Feb. 1, 2018); Sue Sturgis, *Koch Industries tops list of water polluters spending big on politics*, *Environment America*, March 2, 2015, <https://environmentamerica.org/media/ame/koch-industries-tops-list-water-polluters-spending-big-politics>. For a detailed look at a community hurt by a Koch Industries oil refinery, see Melissa del Bosque & Jen Reel, "Kochworld: To see how the Koch brothers' free-market utopia operates, look no further than Corpus Christ," *Texas Observer*, Oct. 24, 2014, <http://www.texasobserver.org/kochworld/>. According to FollowTheMoney.org, Koch Industries has contributed \$4.8 million to candidates for state legislatures, governorships, and other statewide races; they have likely spent even more than this on state elections through super PACs and affiliated groups. See [https://www.followthemoney.org/show-me?d-eid=1457#\[{1}gro=c-r-ot](https://www.followthemoney.org/show-me?d-eid=1457#[{1}gro=c-r-ot).
- ¹⁶ Liz Kennedy, *Citizens Actually United: The Bi-Partisan Opposition To Corporate Political Spending And Support For Common Sense Reform*, Dēmos, Oct. 25, 2012. <http://www.demos.org/publication/citizens-actually-united-bi-partisan-opposition-corporate-political-spending-and-support>.

- ¹⁷ See, e.g., Washington Post/Univ. of Maryland, *Democracy Poll, Sept. 27-Oct. 5, 2017*, http://apps.washingtonpost.com/g/page/national/washington-post-university-of-maryland-democracy-poll-sept-27-oct-5-2017/2251/?utm_campaign=c2bf180cda-EMAIL_CAMPAIGN_2017_11_10&utm_medium=email&utm_source=Democracy%20Collaborative%20at%20ReThink%20Media (94% of respondents believe that “money in politics” and “wealthy political donors” are sources of political dysfunction).
- ¹⁸ The New York Times & CBS polling, *Americans’ Views on Money in Politics*, June 2, 2015, <https://www.nytimes.com/interactive/2015/06/02/us/politics/money-in-politics-poll.html>.
- ¹⁹ Pew Research Institute, *6. Perceptions of elected officials and the role of money in politics*, Nov. 23, 2015, <http://www.people-press.org/2015/11/23/6-perceptions-of-elected-officials-and-the-role-of-money-in-politics/>. For instance, 71% of Democrats and 58% of Republicans believe that new laws would be effective in limiting the influence of money in politics. *Ibid.*
- ²⁰ ReThink Media, *Polling Memo: How do Americans think about big money in politics?*, Feb. 6, 2017, (citing Gallup, 10/09; ABC/WaPo, 2/10; NYT/CBS, 10/10; NYT/CBS, 1/12; AP/National Constitution Center, 8/12; YouGov, 4/14; CBS, 5/14).
- ²¹ See, e.g., Karin Kamp, *Majority of Americans Want Money Out of Politics*, Moyers & Co., Nov. 21, 2014, <http://billmoyers.com/2014/11/21/majority-americans-want-money-politics/> (more than 60% polled opposed the Citizens United); Cristian Farlas, *Americans Agree On One Thing: Citizens United Is Terrible*, HuffPost, Sept. 29, 2015 (citing a Bloomberg poll showing that 78% of respondents would like to see *Citizens United* overturned).
- ²² NCSL, *State Limits on Contributions to Candidates, 2017-2018 Election Cycle*.
- ²³ For an example of a local jurisdiction pushing the envelope to rein in Super PACs, check out the St. Petersburg, FL ordinance establishing contribution limits for municipally active outside-spending groups, available at <http://www.stpete.org/agenda%20packets/2017-10-05%20Council%20Agenda.pdf> (“An Ordinance Making Findings Regarding The Need To Enact Campaign Finance Reform For Municipal Elections In The City Of St. Petersburg; Amending The City Code To Add Contribution Limits For Municipal Elections; And Providing An Effective Date”).
- ²⁴ Chisun Lee, et al., *Secret Spending in the States*.
- ²⁵ ReThink Media, *Moving Americans to Action: Democracy Messaging for Environmental Advocates*, April 10, 2017, <https://rethinkmedia.org/opinion/analysis/moving-americans-action-democracy-messaging-environmental-advocates?authkey=b78daea7ee6e94d884c44dbc06583c5f80b0f97d7a8a03d07a85a74fa76ebe63>.
- ²⁶ ReThink Media, *Moving Americans to Action, A Message Guide for Democracy Advocates*, June 13, 2016, <https://rethinkmedia.org/content/moving-americans-action-messaging-guide-democracy-advocates>.
- ²⁷ See Williams, Torres-Spelliscy, et al.; Jonathan Backer, *NYC’s Contribution Limits Benefit Challengers*, The Brennan Center for Justice, March 5, 2013, <https://www.brennancenter.org/blog/nyc%E2%80%99s-contribution-limits-benefit-challengers>.
- ²⁸ See *Brief For Amicus Curiae Campaign Legal Center Supporting Defendants-Appellants And Urging Reversal*, Case No. 16-35424 at 33 (Oct. 5, 2016), <http://www.campaignlegalcenter.org/sites/default/files/Lair%20v.%20Motl%20Amicus%20Filed%2010.5.16.pdf> (citing 794 F.3d 729, 733. . . 2009 Ill. Legis. Serv. P.A. 96-832, Sec. 5).
- ²⁹ See Denise Roth Barber, *Corporations Can—and Do—Contribute to State Candidates*.
- ³⁰ Gold & Davis, *How to Keep Campaigns Honest By Improving Enforcement Agencies*.

- ³¹ California Clean Money Campaign, *About SB 52, California DISCLOSE Act*, <http://www.caclean.org/progress/ab1148.php> (last visited Feb. 1, 2018); Paul Blumenthal, *California Moves To Crack Down On Super PAC Coordination*, HuffPost, Oct. 15, 2015, https://www.huffingtonpost.com/entry/california-super-pac_us_56156780e4b0cf9984d80b16.
- ³² California Clean Money Campaign, *SB 52 Reporting Disclosure That Follows the Money*, http://www.caclean.org/content/pdf/ccmc_sb52_followthemoney.pdf (last visited Feb. 1, 2018).



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