



**Testimony of  
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President  
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**In Support of the Fair Elections Act of 2017 (B22-0192)  
Thursday, June 29, 2017 Hearing  
Committee on the Judiciary & Public Safety  
Chaired by Councilmember Charles Allen**

**Introduction**

My name is Karen Hobert Flynn and I am the President of Common Cause and former Chair and Executive Director of Common Cause in Connecticut. Common Cause is a nonpartisan, nonprofit citizen lobby that works to create open, honest, and accountable government that serves the public interest; promote equal rights, opportunity, and representation for all; and empower all people to make their voices heard in the political process. We have more than 850,000 activists and members in all fifty states and 4,246 activists and donors in the District of Columbia.

Common Cause strongly supports the Fair Elections Act of 2017 (B22-0192), which would create a public campaign financing system for District of Columbia candidates.

We have seen states and counties across the country embrace small donor democracy reforms like the one contained in the Fair Elections Act of 2017.

## Connecticut Experience

On December 1st, 2005, the Connecticut General Assembly did what no one thought was possible: It voted to radically reform the way in which they would be elected. In one night, the state Legislature passed the strongest campaign finance law in the country that banned lobbyist and state contractor contributions, closed exploited loopholes, and, most significant, established a system that provided full public financing for all elections to statewide and General Assembly offices.

Without a doubt, widespread pay-to-play scandals in Connecticut, including one that landed ex-Gov. John G. Rowland in prison, helped create a political climate ripe for reform. The way business had been conducted at the Connecticut Capitol was dramatically changed.

The District of Columbia's Council should be commended for holding this hearing and advancing the conversation about fair elections. The District has the opportunity to enact this public financing law and avoid the scandal and crisis that preceded my home state of Connecticut's adoption of public financing. The impacts of public funding are clear: empowering citizens, diversifying representation, and reducing the power of special interest influence in campaigns.

From our perspective, the Connecticut reform brought many benefits. First, the program enjoys broad and bipartisan support. The measure passed with a Democratic-controlled legislature and a Republican Governor, Jodi Rell, signed it into law. A third of the Republicans in the Senate supported the measure and there was Republican support in the House as well. Since the program's inception in 2008, participation has ranged from 70% to 78%. In the 2016 elections, 76% of Republican candidates, 91% of Democratic candidates, and 17% of candidates not affiliated with a major party

participated in the program. Minor party candidates have participated in other years, as well as in special elections.

Connecticut has had fewer uncontested races, more primary challenges, and more competitive elections. We have seen the program impact candidate emergence – with more candidates participating from diverse backgrounds. Under a system of public financing, like the one in Connecticut and the one I urge you to enact in the District of Columbia, candidates do not need to be wealthy, or connected to special interests to run for office. Since 2012, Connecticut has seen record numbers of women participate and more candidates of color win office in state legislative races.

Candidates run differently under Connecticut’s public financing system. They need to collect a certain number of contributions from constituents who reside in their districts. Therefore, they spend their time talking to constituents about their concerns, rather than raising money at high-dollar lobbyist functions. And once elected, officeholders have talked about the fact that they can focus on the issues that they see as important, and they feel free to prioritize their constituent’s needs and their conscience, rather than feel obligated to wealthy interests who donated to their campaigns.

The District of Columbia will see the same benefits from the program created by the Fair Elections Act of 2017, with B22-0192 requiring participating candidates to collect “qualified small-dollar contributions” from District residents in order to receive public funds.

In Connecticut, we have also seen that candidates rely on a more even distribution of income brackets, and less on the wealthiest zip codes in the state. In gubernatorial races, that change is quite dramatic. In 2014, gubernatorial candidate reliance on the wealthiest zip codes for donations went from 71 percent to 44 percent, while reliance on middle income zip codes nearly doubled.<sup>1</sup>

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<sup>1</sup> Public Campaigns “Small Donor Solutions for Big Money: The 2014 Elections and Beyond November 21, 2014 (UPDATED JANUARY 13, 2015)” <http://everyvoice.org/wp-content/uploads/2015/04/2014SmallDonorReportJan13.pdf>.

Fair Elections Act of 2017 would incentivize candidates to raise money from average District residents—by matching small contributions from District residents 5-1 with public funds. A \$50 contribution from a District resident would be matched with \$250 for an effective contribution of \$300 to the recipient candidate.

Even at a time when a conservative majority on the Supreme Court has delivered the *Citizens United* decision that says that corporations have the same rights to political speech as individuals and that independent expenditures are not corrupting, there is a reform that meets that court's test of constitutionality – small donor public financing. We believe the best hope for reigning in the power of wealthy special interests and ensuring the voices of ordinary people can be heard rests in citizen funded elections programs such as the one that would be created in the District by the Fair Elections Act of 2017.

As you know, campaign finance is constantly evolving, and as with any program, the Connecticut legislation has required regular tweaks and changes to keep it relevant and responsive. Common Cause has led at least 7 revisions to the legislation over the last 12 years. The requirement in the Fair Elections Act of 2017 that the Office of Campaign Finance regularly review and evaluate the effects of the Act, and submit reports to the Mayor and Council, are important provisions, and should be used to monitor the need for reforms or changes as the realities of campaigns evolve over time. The best public financing programs in the nation rely on such periodic review to continue functioning well.

### **Strong Model for Reform**

Connecticut's experience is just one of many successful public funding programs in action across the country. From block grants to vouchers, public funding has taken many forms as different jurisdictions experiment with different programs. The model that would be established by the Fair Elections Act of 2017 is a strong one that combines

elements of programs working in other jurisdictions—with eligible candidates receiving an initial block grant of funds, as well as additional public funds to match small-dollar contributions from District residents.

- Most successful programs follow the same basic model, where a candidate declares intent to run, meets qualifying thresholds, and then receives matching funds as they continue to raise small-dollar donations. Both New York City and Los Angeles, our nation’s two most populous cities, have had such systems since the 1980s.
- The Fair Elections Act of 2017’s 5-1 match gives the greatest voice to the smallest donors. As we have seen in places such as New York City, elevating these small donors achieves one of the most important goals of the program – engaging more people in our democratic process. Indeed, analysis of the New York City program proves that donors to the candidates in the public funding system come from a much broader array of city neighborhoods than donors to the state legislative races, which are run under traditional campaign systems.
- We also applaud the program for creating a strong bright-line regarding fundraising by participating candidates. These programs cannot eliminate the influence of PACs and independent expenditures in our campaigns. But by requiring that participating candidates accept, solicit or direct only individual contributions and a limited amount of contributions from small-donor political committees, the District of Columbia can ensure that special interests and wealthy donors are not directly influencing a candidate.

You will hear much more this morning on why these programs are important – both from other advocates but also, and most importantly, from your constituents. Common Cause has worked on public funding programs in many different jurisdictions, from cities to states, from West Coast to East Coast, from Republican to Democratic leaning jurisdictions. We are thrilled to see the District of Columbia become a national leader for this core pro-democracy reform.

Voters from coast to coast agree that public financing programs shift the power from wealthy special interests to the people by reducing barriers for candidates who are not wealthy or connected to special interests to run for office. We urge a favorable vote on the Fair Elections Act of 2017 (B22-0192), which is a critical investment in elections in the District of Columbia.