

PHILADELPHIA DEMOCRACY IS FOR PEOPLE



A Public Citizen project

TALKING POINTS IN SUPPORT OF BALLOT QUESTION TO OVERTURN CITIZENS UNITED

What happened in *Citizens United*?

On January 21, 2010, the U.S. Supreme Court unleashed a flood of corporate money into our political system. Contrary to longstanding precedent, the Court in *Citizens United v. Federal Election Commission* ruled that corporations have a first amendment right to spend unlimited amounts of money to promote or defeat candidates for political office. The decision in this historic case overturned a century of campaign finance law and stands to deal a devastating blow to our democracy.

Overturing *Citizens United* Requires A Constitutional Amendment

A constitutional amendment is the long-term solution to fully reverse the Supreme Court's ruling, restore our rights and assert that democracy is for people, not corporations.

Campaign Spending Has Skyrocketed Because of *Citizens United*

Spending by outside groups rose 243% in 2012 over the previous presidential election cycle. Super

PACs, which became funnels for outside spending after an appeals court applied *Citizens United*, collectively spent more than \$609 million during the 2012 election cycle. Overall outside spending topped \$1.29 billion. In the 2012 election, the largest super PAC spent an astounding \$142 million. The 2012 election was the most expensive in history, costing more than \$7 billion.

Corporate Spending Can Have an Even Greater Impact Locally

In the April 2012 elections for Oklahoma City Council the SuperPAC "Committee for Oklahoma City Momentum" spent \$400,000 on four candidates. The annual salary for an Oklahoma City Council member is \$12,000 annually. Three of these four candidates won their campaigns. The SuperPAC "Durham Partnership for Progress" – funded by a developer – spent thousands of dollars on a mailer supporting four council people who support a controversial development project that the firm, Southern Durham Development, plans to build. The

SuperPAC's support helped elect two of those council people into office in elections held on May 8, 2012.

Support is growing quickly for an amendment

So far, **more than 2 million people** have signed petitions in support of an amendment. At least **135 members of Congress** have declared their support. More than 120 national organizations – groups concerned about civil rights, the environment, climate change, open government and workers' rights – have endorsed the call for a constitutional amendment. Sixteen states – California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Montana, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, West Virginia – and the District of Columbia have called for an amendment. Nearly 500 local municipalities have called for a constitutional amendment to overturn *Citizens United* and rein in corporate influence. Nearly 2,000 Philadelphia voters have



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signed petitions supporting the Philadelphia Citizens United ballot question.

Small businesses oppose Citizens United

88 percent of small business owners believe that money in politics is having a negative impact and a vast majority are opposed to the *Citizens United* Supreme Court's ruling. Their concern? That the excessive influence of the very wealthiest will "set us back in our efforts to operate our businesses responsibly and promote a vibrant, equitable, and sustainable economy". Big corporations' ability to run small businesses out of town has significant effects on the health of the local economy, the employment rate and the diversity and survival of small businesses in a town.

Super-PACs decrease voter turnout

Recent polling conducted by the Brennan Center for Justice further demonstrates that *Citizens United* and the rise of Super PACs have harmed local democracy at its core by further sapping voter enthusiasm for the idea that their

vote matters. It shows that people are in fact **less** likely to vote as a result of the ruling; this especially holds true among less wealthy individuals and among people of color.

A Philadelphia ballot question would energize voters and strengthen the movement for a constitutional amendment

The latest national survey by Stan Greenberg and James Carville shows: A significant majority (57%) say that reducing the influence of money in politics and special interest lobbyists is *one of the most important* factors in deciding which candidate to vote for. Key swing voters come down strongly on this issue. Two-thirds of independents (67%) say it is one of the most important issues and more than half of all independents (52%) strongly believe it is one of the most important issues in selecting a candidate. A majority of all voters (52%) and more than half of all independents (55%) say that they *won't* vote for candidates who will not commit to reducing money in politics.

Putting this question on the ballot will increase voter turnout

and help elect progressive candidates

Every time a Citizens United ballot question has appeared on the ballot, voters approved it by close to 75%. Examples include: Montana – 75%, Colorado -73.8%, San Francisco CA -81%, Los Angeles CA - 77% , Chicago IL - 74%, and almost half the towns in Massachusetts by an average of 78%.

According to a survey of published data by the Ballot Initiative Strategy Center: "Between 1972 and 1996, holding other factors constant, the presence of "salient" initiative and legislative referenda led to an average increase in turnout in midterm elections by roughly 3% over states without measures on the ballot, but had no effect in presidential elections....[C]itizens exposed to initiatives on their ballot are more likely to vote, all else equal, in midterm elections and some presidential elections.... [E]ach additional initiative on a statewide ballot increased the likelihood of an individual voting by one percentage point."



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