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Make People Matter



More Than Money!

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## Citizens unite against 'Citizens United'

Despite sub-freezing temperatures and biting winds, several hundred people rallied at the State Capitol on February 16 and then marched to the nearby federal courthouse to protest the recent U.S. Supreme Court decision on election financing.

In its January 21 ruling in *Citizens United v. Federal Election Commission*, the sharply divided court overturned two key Supreme Court precedents and invalidated longstanding laws governing how elections are financed, sweeping away virtually all restrictions on campaign spending by corporations.

Joining the Democracy Campaign in the coalition of democracy reform groups that organized the demonstration were the Center for Media and Democracy, Liberty Tree Foundation, Wisconsin Network for Peace and Justice, and the Wisconsin Public Interest Research Group, in coordination with MovetoAmend.org. The aim of the protest was to push for legislative remedies counteracting the effects of the ruling and build momentum for adoption of constitutional amendments overruling the court.

After rallying on the steps of the Capitol and then marching to the nearby courthouse, participants returned to the Capitol to visit their legislators and urge them to pass Democracy Campaign-backed reform legislation (SB 43/AB 63) closing a loophole allowing corporate donors to secretly funnel money to front groups to avoid public disclosure.



Participants in the Feb. 16 March to Overrule the Court jam the front steps outside the State Capitol and make clear their opposition to the Supreme Court's ruling on election financing.

## On the march: Turning anger into action to counteract court's harm



## Large majority opposes Supreme Court ruling on election finance

Americans across the political spectrum overwhelmingly oppose the recent Supreme Court ruling allowing corporations and unions to spend as much as they want on political campaigns, and most favor new limits on such spending, according to a new Washington Post-ABC News poll.

Eight in 10 poll respondents say they oppose the high court's January 21 decision to allow unlimited corporate political spending, with 65% "strongly" opposed. Nearly as many backed congressional action to curb the ruling, with 72% in favor of reinstating limits.

The poll reveals little difference of opinion on the merits of the decision, with 85% of Democrats, 76% of Republicans and 81% of independents opposed to the ruling.

Support for reinstatement of limits on corporate and union spending on elections also cuts across party lines, with 77% of Democrats and 71% of Republicans and independents favoring such congressional action.

After the court's ruling in *Citizens United v. Federal Election Commission*, the Democracy Campaign launched "Citizens United Against Citizens United" in protest of the decision and started an online petition at [www.wisdc.org/wdc\\_petition.php](http://www.wisdc.org/wdc_petition.php). WDC then joined with other democracy reform groups to organize the February 16 "March to Overrule the Court."



## Senate OKs WDC-backed reform

Two days before the U.S. Supreme Court issued its decision in *Citizens United v. Federal Election Commission*, Wisconsin's state Senate approved bipartisan legislation strongly supported by the Democracy Campaign closing the "issue ad" loophole special interests have exploited for years to skirt longstanding disclosure requirements and campaign contribution limitations in Wisconsin law and secretly spend unlimited sums of money to influence state elections.

The vote in the Senate was 26-7. Before the debate and vote, the Democracy Campaign sent a memo to all senators calling approval of the legislation the "single most significant action" senators could take to make elections in Wisconsin better.

The legislation (SB 43 in the Senate and AB 63 in the Assembly) will need to be changed slightly because of the court's ruling that no limits can be placed on corporate election spending, but it certainly can move forward. Eight of the nine justices upheld the constitutionality of disclosing money spent on elections. This leaves the door open to meaningful disclosure reform at the federal and state levels.

The Democracy Campaign began discussions with legislative sponsors of the bill about what changes are needed immediately following the Supreme Court's ruling. After marching in protest of the court decision, participants in the February 16 demonstration then delivered statements to their legislators calling on the Assembly to pass the legislation and urging the Senate to make necessary changes and approve it again.

In addition to the strong support in the Senate evidenced by the 26-7 vote on January 19, the legislation already has received committee approval in the Assembly and a majority of members are on record in favor of the bill.



## Democracy Campaign comes to defense of Impartial Justice Act

In early February the Democracy Campaign joined with the League of Women Voters of Wisconsin and Common Cause in Wisconsin in petitioning the United States District Court to formally intervene as defendants against two federal lawsuits challenging the constitutionality of Wisconsin's new law creating publicly financed state Supreme Court elections.



Weeks after the Legislature passed the Impartial Justice bill and Governor Jim Doyle signed it into law, the anti-abortion group Wisconsin Right to Life filed a lawsuit seeking to have a portion of the new law struck down. The group is being represented by James Bopp, an Indiana-based attorney and Republican National Committee member who is spearheading national legal efforts to invalidate campaign finance reform laws around the country.

A few days later, a second lawsuit seeking to have the entire law overturned was filed by Jefferson County Circuit Judge Randy Koschnick, who ran unsuccessfully for the state Supreme Court in 2009. Koschnick is being assisted by the national Center for Competitive Politics, a Virginia-based group devoted to campaign finance deregulation started by former Federal Election Commission chairman Bradley Smith.

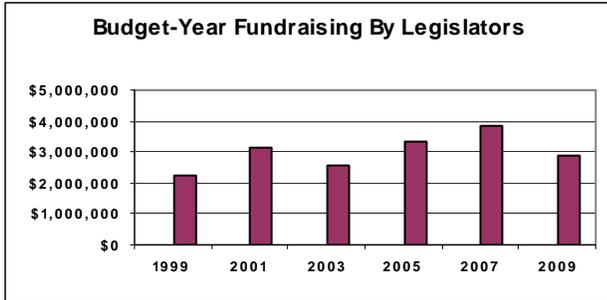
## New rule: Money doesn't matter

On the same day the U.S. Supreme Court struck down limits on corporate election spending, the Wisconsin Supreme Court finalized new rules allowing judges to rule on cases involving their biggest campaign supporters. The new rules were proposed by Wisconsin Manufacturers and Commerce and the Wisconsin Realtors Association. The Democracy Campaign strongly opposed adoption of the rules, and WDC's director appeared before the court in late October to call for mandatory disqualification of a judge in cases involving individuals or groups that have financially supported the judge's election.

## Fundraising ban proves effective

The amount of campaign money raised by state legislators fell by 25% in 2009 due to a WDC-supported ban on fundraising during the state budget process that was put in place in the Assembly.

A report issued by the Democracy Campaign earlier this month shows legislators accepted \$2.91 million in campaign contributions in 2009, the lowest total since 2003.



Legislators and four leadership-controlled campaign committees raised \$931,758 in the first half of 2009 during the Assembly fundraising ban. It was the first time in 10 years legislators raised less than \$1 million in a six-month period.

However, the ban did not cause a fundraising surge in the last half of 2009 when there was no prohibition. Legislators raised \$1.98 million in the second half of 2009 – 15% less than the \$2.33 million they accepted in the last six months of 2007. It was only six-tenths of a percent more than the \$1.97 million they raised between July and December 2005.

The full report is available on WDC's web site at [www.wisdc.org/pr021710.php](http://www.wisdc.org/pr021710.php). The Democracy Campaign's statement in support of the fundraising ban is at [www.wisdc.org/pr020409.php](http://www.wisdc.org/pr020409.php).



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