



July 31, 2018

By Electronic Mail ([Steve.Adler@austintexas.gov](mailto:Steve.Adler@austintexas.gov))

The Honorable Steve Adler  
Office of the Mayor  
P.O. Box 1088  
Austin, TX 78767

Re: 2018 Charter Review Commission Recommendations

Dear Mayor Adler,

On behalf of the Campaign Legal Center (CLC), I write to respectfully urge you to fully support the Charter Review Commission's recommendations by placing on the November ballot measures to establish both an Independent Ethics Commission and a Democracy Dollars public campaign financing program in Austin. CLC is a nonpartisan, nonprofit organization that works to implement and defend effective campaign finance, lobbying, and ethics law. Our work promotes every voter's right to participate in our democratic processes and to know the true sources of money spent to influence elections.

Recent polls reveal the American public's growing distrust of government institutions and, to a degree, democracy itself.<sup>1</sup> Americans expect public officials to be accountable for their actions, and a strong Independent Ethics Commission is an essential part of a government that is representative and responsive.

This type of commission provides oversight necessary to a functional democratic system by overseeing ethics, financial disclosure, lobbying, and campaign finance laws.<sup>2</sup> These laws, in turn, are intended to provide citizens with a level of transparency regarding who is trying to influence government and to hold officials accountable for real and perceived conflicts of interest.

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<sup>1</sup> *Public Trust in Government 1958-2017*, PEW RESEARCH CENTER (Dec. 14, 2017), available at <http://www.people-press.org/2017/12/14/public-trust-in-government-1958-2017/>; Jeffrey Jones et al., *How Americans Perceive Government in 2017*, GALLUP (Nov. 1, 2017), available at <https://news.gallup.com/opinion/polling-matters/221171/americans-perceive-government-2017.aspx>.

<sup>2</sup> *Principles for Designing an Independent Ethics Commission*, CAMPAIGN LEGAL CENTER (May 17, 2018), available at <https://campaignlegal.org/sites/default/files/2018-06/Principles%20for%20Designing%20an%20Independent%20Ethics%20Commission.pdf>.

Taking steps at the local level is critical to the success of instilling ethical standards and principles in government. And a well-designed and well-resourced independent ethics commission can help build public trust in government by creating a culture of integrity and accountability. For these reasons, CLC strongly urges you to place this important reform on the ballot this November.

In addition to the integrity of government institutions, voters are concerned with the role of money in politics and its effect on our democracy.<sup>3</sup> Multimillion dollar contributions from individuals to super PACs and other political entities have left many Americans feeling excluded from the democratic process. Public financing offers an alternative.

Public financing can elevate the voices of all citizens in the political process, not just those who write large checks. Public funding programs can also reorient our elections by facilitating dialogue between voters and elected officials and increasing participation in the electoral process.

Cities across the country have already opted for public financing as an alternative to the status quo of privately-financed campaigns. New York City's successful program has increased the number of residents—and new donors—giving in city elections. In 2017, Seattle completed its first election under its new program, a voucher system similar to the Democracy Dollars program Austin is considering. Early studies show that the 2017 donor base in Seattle was younger, more racially and socio-economically diverse, and included more women than in previous elections.<sup>4</sup> In addition, the democracy voucher program increased voter participation and turnout: nearly 90 percent of residents who used their vouchers voted in 2017, compared to only 43 percent of those who did not use their vouchers.<sup>5</sup> These examples, and many more, demonstrate the potential impact of public financing programs as an alternative to our current campaign finance system.

Although there are many important and effective reforms the city may wish to consider, CLC believes that public funding is a particularly promising option. A local public financing program would give candidates an incentive to reach out to small-dollar donors and help engage more local residents in the democratic progress. Your support is critical to putting public financing on the ballot and we hope you will endorse this important reform.

Finally, it is particularly important for Austin to pursue and enact these reforms together. An independent ethics commission would be well equipped to provide dedicated, independent oversight of the city's public financing program. And such oversight is necessary to ensure the integrity, accountability, and transparency of a public financing program. Indeed, the legitimacy and efficacy of public financing require independent oversight, as evident in Portland, Oregon, where the city council directly controls the public

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<sup>3</sup> [The Democracy Project: Reversing a Crisis of Confidence](http://www.democracyprojectreport.org/report) is a report by the George W. Bush Institute, Freedom House, and the Penn Biden Center for Diplomacy and Global Engagement, available at [www.democracyprojectreport.org/report](http://www.democracyprojectreport.org/report).

<sup>4</sup> [Expanding Participation in Municipal Elections: Assessing the Impact of Seattle's Democracy Voucher Program](https://www.jenheerwig.com/uploads/1/3/2/1/13210230/mccabe_heerwig_seattle_voucher_4.03.pdf) is a report by Jennifer Heerwig and Brian McCabe, published by the University of Washington, available at [https://www.jenheerwig.com/uploads/1/3/2/1/13210230/mccabe\\_heerwig\\_seattle\\_voucher\\_4.03.pdf](https://www.jenheerwig.com/uploads/1/3/2/1/13210230/mccabe_heerwig_seattle_voucher_4.03.pdf).

<sup>5</sup> *Id.*

financing program, raising a number of ethical concerns.<sup>6</sup> Austin may avoid these concerns and bolster local democratic processes by enacting simultaneously a public financing program and an independent ethics commission.

The Charter Review Commission's recommendations are an important first step toward a more accountable and responsive city government. CLC urges you to take the next step by placing these reforms on the November ballot. With your support, Austin could be a leader in innovative democracy reforms that put the concerns of its citizens ahead of special interests.

We would be happy to answer any questions you might have about the various programs mentioned in this letter or independent ethics commissions or public financing in general.

Sincerely,

/s/

Catherine Hinckley Kelley  
Director of Policy & State Programs

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<sup>6</sup> Dirk VanderHart, *With Dan Saltzman Absent, City Council Passes a Campaign Finance Tweak He Stopped Yesterday*, THE PORTLAND MERCURY (Mar. 8, 2018), available at <https://www.portlandmercury.com/blogtown/2018/03/08/19729032/with-dan-saltzman-absent-city-council-passes-a-campaign-finance-tweak-he-stopped-yesterday>.