

THE HORRORS OF DARK MONEY IN POLITICS - A HALLOWEEN FORUM RAISES THE ALARM FOR REFORM

(by Bill Woods for StreetVibes)

Advertised as "The Horrors of Dark Money in Politics and Government," the Community Issues Forum held a Halloween Day Forum focusing on how "big money" is negatively impacting the political process in this country. Billed as a Halloween party featuring scary politics, it offered reformers an opportunity to have fun with this theme while also seriously discussing the need to take on a problem that is currently warping our democracy. Catherine Turcer, Executive Director of Common Cause/Ohio was the principal speaker, and the League of Women Voters of the Cincinnati Area and Common Cause were additional sponsors of this event.



Catherine Turcer began her talk with a wave of her witch's hat and some humorous remarks about the horrors of dark money, but she quickly turned to the serious side of this subject. She noted that Ohio was the scene of a well-planned campaign using dark money in 2018 and 2019. She briefly told the story of how First Energy Solutions, the operator of two failing nuclear power plants, engineered the passage of a bailout bill in the Ohio General Assembly worth \$1.1-billion.

The plan first called for finding and financing candidates in Republican primaries for the Ohio House who would support a bailout, while also championing behind the scenes the replacement of the House Speaker with a sympathetic spokesperson. Once that goal was achieved, First Energy and its coal company allies launched an expensive advertising and lobbying effort to steer bailout legislation to passage in both House of the General Assembly.

House Bill 6 was signed into law by Governor DeWine in July. The next step of the bailout campaign was to protect this billion-dollar boondoggle from a citizen ballot initiative to repeal it. Bailout advocates created Ohioans for Energy Security, a limited liability corporation, to run an expensive but successful operation to smear the repeal effort and prevent it from collecting sufficient petition signatures. Thus in 2019 alone, it is estimated that \$16.56 - million were spent on the passage and protection of House Bill 6.

Turcer offered House Bill 6 as one of many horror stories that portray the power of "big money" to shape public policy and dominate campaigns for public office. The problem confronting reformers, noted Turcer, is the limited number of legal remedies now available to combat the influence of "big money." Supreme Court cases over the years, she continued, have tied our hands in terms of limiting spending. First, the Buckley v. Valeo Case in the 1970s equated spending money to free speech, and the Citizens United decision in 2010 argued that corporations have the status of individuals and have the right to spend unlimited amounts of money on public issue campaigns.

What can be done? Turcer acknowledged that reformers can either take on the huge task of overturning the Buckley and Citizens United cases with Constitutional amendment campaigns, or support a series of smaller reforms such as the public financing of candidates for public office and disclosure laws that

reveal the names of major corporate, union, or individual contributors. For instance, Move to Amend is a national organization with local chapters established for the sole purpose of overturning Citizens United. Meanwhile, effective public financing and disclosure laws exist in a number of states and cities across the country.



Turcer averred that Ohio is badly in need of more comprehensive donor disclosure laws. The ad blitzes for House Bill 6 provide a mountain of evidence of why citizens need to know who is paying for issue campaigns as well as for individual candidate's races. Ohioans, she noted, almost got an effective disclosure law in 2010. The Ohio Senate unanimously passed a Bill, but it died in the House. With the prospect of huge amounts of dark money being spent in 2020, Turcer says it's time for reform groups and citizens to lobby their legislators that comprehensive

disclosure is necessary.

Public financing of campaigns for public office was talked about during the Forum discussion period. Ohio has no experience with this reform. Although the Charter Amendment that was passed by Cincinnati voters in 2001 included it for Council and Mayoral races, public financing was taken out of this reform Amendment in a second referendum in 2002. Meanwhile, public financing has helped level the campaign-spending playing field for candidates in states such as Arizona, Vermont and in cities like New York City and Los Angeles.

In conclusion, Turcer called attention to one very positive piece of legislation that the U.S. House of Representatives passed last March. H.R. 1, the For the People Act, contains an array of good reform measures, but it has not even received a hearing in the Senate. It includes partial public financing for Congressional campaigns that agree not to accept large PAC donations, and a section that establishes disclosure regulations for large donations to PACs or campaign committees. An anti-gerrymandering section sets up non-partisan commissions in the states to draw Congressional District lines. Finally, the Bill calls for a series of protections for individual voting rights, while it makes Election Day a national holiday. Make a commitment, declared Turcer, to call or write Senator Portman's Office and demand that the Senate at least give such an important piece of legislation a fair hearing.