



City of Portland Remote Charter Commission Meeting

October 27, 2021 at 6:00 PM

1. Call the Meeting to Order

- a. Due to the existence of an "emergency or urgent issue" the Charter Commission will conduct this meeting by remote methods/technology at the Zoom link provided below, in accordance with the requirements of 1 M.R.S. section 403-B and the Charter Commission Remote Participation Policy.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/83763124874?pwd=KytJbGNSWmh3T2thUFAySkV4aDRzUT09>

Passcode: 967122

Or One tap mobile :

US: +13126266799,,83763124874#,,, *967122# or

+16465588656,,83763124874#,,, *967122#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 720

707 2699 or +1 253 215 8782

Webinar ID: 837 6312 4874

Passcode: 967122

International numbers available: <https://us06web.zoom.us/j/83763124874?pwd=KytJbGNSWmh3T2thUFAySkV4aDRzUT09>

Commission Chair Kebede called the meeting, held by remote participation by Zoom videoconference, to order at 6:03 PM.

Present were Chair Kebede, Vice Chair Stewart-Bouley, Secretary Eglinton, Commissioners Barowitz, Buxton, Chann, Houston, Lizanecz, O'Brien, Sheikh-Yousef, and Washburn. Commissioner Waxman was absent. (Quorum established)

2. Approval of the Prior Meeting Minutes

- a. Motion to approve meeting minutes of August 25, 2021, prepared by Commissioner Barowitz, and additional meeting notes provided by Commissioner Buxton.

Moved by Commissioner Washburn, seconded by Commissioner Eglinton. Motion passes 11-0.

3. Committee Reports

a. Elections

Chair Chann presented a report explaining the three principal topics they have covered in three meetings: Clean Elections, Ranked Choice Voting, and Universal Resident Voting. See attached committee document for additional information.

b. Departments

Chair Lizanecz provided an overview of the research the Committee has been conducting and the considerations and concepts it is mulling over regarding creation of an independent police oversight review board. See attached committee document for additional information.

c. Education

Chair Houston described the Committee's workshop meeting and the major issues raised at that time: parity between School Board and City Council; Greater cooperation between School Board and City Council; more budget autonomy for School Board; and whether the School Board can be a legislative body. See attached committee document for additional information.

d. Governance

Chair O'Brien explained the Committee's work with facilitator David Plumb on a values chart to guide their process, and recounted the public meeting in which they spoke with former Portland mayors about their experience with the current Charter and the previous Charter.

e. Procedures

Chair Washburn outlined the topics the Committee is addressing: Compensation of Officials, Participatory Budgeting, Conflict of Interest/Code of Ethics, Staff Relationship to Elected Officials, Citizen Initiatives and a revised Preamble to the Charter. See attached committee document for additional information.

4. Public Comment

Five members of the public spoke. Topics included:

- Offer of commission support related to participatory budgeting.
- Positive feedback on committees' seeking input from a range of voices; taking on rank choice voting; clean elections; more predictable charter review.
- Importance of ensuring that Charter revisions are compatible with one another.
- Request for committee reports in the next packet.
- Request for agendas to be posted the Friday before the meeting, with clear indication of whether public comment will or will not be taken.
- Recommendation to consider which aspects of citizen initiatives are high-level and more appropriate to address in the Charter.
- Importance of participatory budgeting as active civic participation and a "powerful entry point for democracy" for people who are less able to engage.

- Recommendation to consult with police union, given pending vote on police collective bargaining agreement.
- Request for a record of expenditures to see who is getting paid.
- Concern about restricting “neighborhood participation” to individuals who have time and inclination to participate and may not be the ones affected.

5. Scheduling

After a discussion, the commission agreed that the next meeting will occur on December 22 and will include informational updates from each committee and public comment. In the meantime, committees may hold their own public hearings on proposed Charter revisions, if any.

6. New Business

Commissioner Washburn encouraged everyone to vote on Election Day.

7. Motion Adjourn

Moved by Commissioner O’Brien and seconded by Commissioner Washburn. Motion passes 10-0 (adjourned at 7:45 PM).



MEMORANDUM

Portland Charter Commission
Ad Hoc Elections Committee Activities To-Date

TO: Chair Michael Kebede, Portland Charter Commission

FROM: Ad Hoc Elections Committee (Marpheen Chann (AL); Catherine Buxton (AL); Patricia Washburn (AL))

SUBJECT: Memorandum On Elections Committee Activities To-Date

DATE: October 26, 2021

Introduction

Since the creation and appointment of members, Commissioners Buxton (AL), Chann (AL), and Washburn (AL), to the Portland Charter Commission ("Commission") Ad Hoc Elections Committee ("Committee"), the Committee has been hard at work addressing some of the issues raised by public comment submitted to Commission email and those heard at the Commission's Public Hearing on July 28, 2021.

At its first meeting held on September 7, 2021, the Committee elected Commissioner Chann as chair, Commissioner Buxton as vice-chair, and Commissioner Washburn as secretary. The Committee then established a rough timeline and topics to discuss in accordance with guidance provided by the Portland Charter Commission Executive Committee. The Committee elected not to hold a public hearing but to provide a public comment period at each of its meetings.

The major issues the Committee decided to address first were: (1) Clean Elections; (2) Ranked Choice Voting; and (3) Universal Resident Voting. A summary of those meetings is provided in this memo for the benefit of the full Commission and the public.

Clean Elections

The Committee held a workshop on September 21, 2021, to examine the issue of clean elections and to hear from experts about implementation and applicability at the municipal level and best practices and models. The Committee invited and heard from Emily Burke, Candidate Registrar at the Maine Ethics Commission, which oversees and administers Maine's clean elections

program; Anna Kellar, executive director of the League of Women Voters of Maine and Maine Citizens for Clean Elections (LWV/MCCE); and Thomas Latkowski and Cindy Black from FixDemocracyNow.

Burke from the Maine Ethics Commission gave the Committee an overview of the state clean elections programs and answered questions from Committee members regarding implementation and the interplay between the state and municipalities. Overall, Burke indicated that Portland can administer a clean elections program with relative ease given the smaller number of candidates running for local office, compared to the number of candidates running across the state in hundreds of districts. Kellar from LWV/MCCE presented on a variety of models and best practices from states and municipalities across the country, including Maine. In addition, Kellar estimated that the cost of a clean elections program in Portland would run approximately between \$100,000 to \$250,000 per year, or 0.05% of Portland's budget. Latkowski and Black from FixDemocracyNow presented on variations of clean elections programs that included the use of vouchers in Seattle.

A memo from the Maine Ethics Commission and slides from the LWV/MCCE presentation can be found in Appendix A.

Ranked Choice Voting

A workshop was held on October 5, 2021, to address concerns raised about ranked-choice voting as it relates to multi-winner elections. In a letter to the full Commission dated July 27, 2021, City Clerk Katherine Jones referenced Article II, section 3, of the City Charter, specifically the 50% threshold, and relayed a recommendation that the Commission rework the language in the City Charter to allow for proportional ranked-choice voting (PRCV).

To learn more about PRCV, the Committee invited Chris Hughes, policy director and counsel at the Ranked Choice Voting Resource Center; Deb Otis, Senior Research Analyst at FairVote; and Deb McDonough from the League of Women Voters. Hughes provided information on how PRCV works and Otis presented on the benefit of PRCV in terms of proportional representation and the inclusion of minorities (not just racial, but also political and ideological). McDonough followed up with a discussion about how this would benefit Portland's elections generally.

A memo from LWV/MCCE and the letter from the City Clerk are attached and can be found in Appendix B.

Universal Resident Voting

The Committee held a workshop on Universal Resident Voting (URV) on October 19, 2021, to hear from experts and gather information about allowing residents to vote in municipal elections, regardless of citizenship status. The Committee invited Dr. Ron Hayduk, an academic scholar on the history of immigration and voting in the United States and professor at San Francisco State University; Lado Lodoka, voting rights advocate and immigrant; Beth Stickney, Esq., executive

director of the Maine Business Immigration Coalition; and Julia Brown, Esq., advocacy and outreach director at the Immigrant Legal Advocacy Project (ILAP).

Dr. Ron Hayduk presented on the history of noncitizen voting rights in the U.S., and the shift toward tying voting to citizenship in the 1920s during a period of nativism and xenophobic attitudes. Dr. Hayduk also gave an overview of municipalities that allow noncitizens to vote, including those in Maryland and California. Lodoka advocated in favor of URV as an immigrant and the benefits of allowing all residents, regardless of citizenship status, to vote in municipal elections. Both Stickney and Brown raised privacy concerns around data (such as street, phone, etc.) collected during voter registration could fall into the wrong hands and that noncitizens inadvertently voting in federal elections (made illegal by Illegal Immigration Reform and Immigrant Responsibility Act of 1996) could result in deportation and inadmissibility. Stickney suggested that if Portland was to go this route, that keeping separate voter rolls and providing clear and abundant warnings and directions would be needed.

A letter from Beth Stickney, Esq., a memo from Former Corporation Counsel Gary Wood to the 2009-2010 Commission regarding this issue, and research articles from Dr. Hayduk are included in Appendix C.

Conclusion

In conclusion, the meetings held by the Committee to date were organized and advertised as workshops and no votes were held on any recommendations to revise the City Charter. The Committee will continue to research and engage in fact-finding on several issues before compiling, voting on, and moving forward its recommendations to the full Commission for consideration. The Committee expects this will take place sometime in December of 2021.

APPENDIX A
SUPPLEMENTARY MATERIALS FOR
SEPTEMBER 21, 2021 WORKSHOP ON CLEAN ELECTIONS



Expanding Participation in Municipal Elections: Assessing the Impact of Seattle's Democracy Voucher Program

Executive Summary

In 2015, voters in Seattle approved the Democracy Voucher program to radically reshape the way municipal elections are funded. By providing vouchers to every registered voter in the city, the program aimed to broaden the donor pool and diversify contributors in local elections. Seattle is the first city in the United States to implement this type of public financing program.

Launched in the 2017 election, the Democracy Voucher initiative successfully increased the number of residents participating in the campaign finance system. In total, 20,727 residents in Seattle returned their vouchers – more than twice the number that made a cash contribution to a local political candidate. About four percent of Seattle residents participated in the program.

While the Democracy Voucher initiative increased participation in the campaign finance system, some groups of Seattle residents were more likely to return their vouchers than others. Wealthy, white and older residents were more likely to participate in the

program than low-income, younger and non-white residents. Individuals who were already politically engaged, as measured by previous voting behavior, were more likely to return their vouchers than registered voters who rarely voted in elections. These differential rates of return by race, income, age and political engagement create opportunities for program improvements in 2019.

The Democracy Voucher program is beginning to move the contributor pool in a more egalitarian, representative direction. Compared to cash contributors in the 2017 election, participants in the Democracy Voucher program were generally more representative of the Seattle electorate. Low- and moderate-income residents comprise a substantially larger share of voucher users than cash donors. Voucher users are more likely than cash donors to come from the poorest neighborhoods in the city. Residents under 30 years old make up a larger share of voucher users than cash donors.

Who Participated in the Democracy Voucher Program?

The Democracy Voucher program substantially increased the number of Seattle residents participating in the campaign finance system. The number of Seattle residents making a cash contribution in the municipal elections rose from 8,234 in 2013 to 10,297 in 2017. Of these contributors in 2017, 4,960 contributed to a candidate for City Attorney or City Council. By contrast, 20,727 people in Seattle returned their vouchers. [Figure 1]

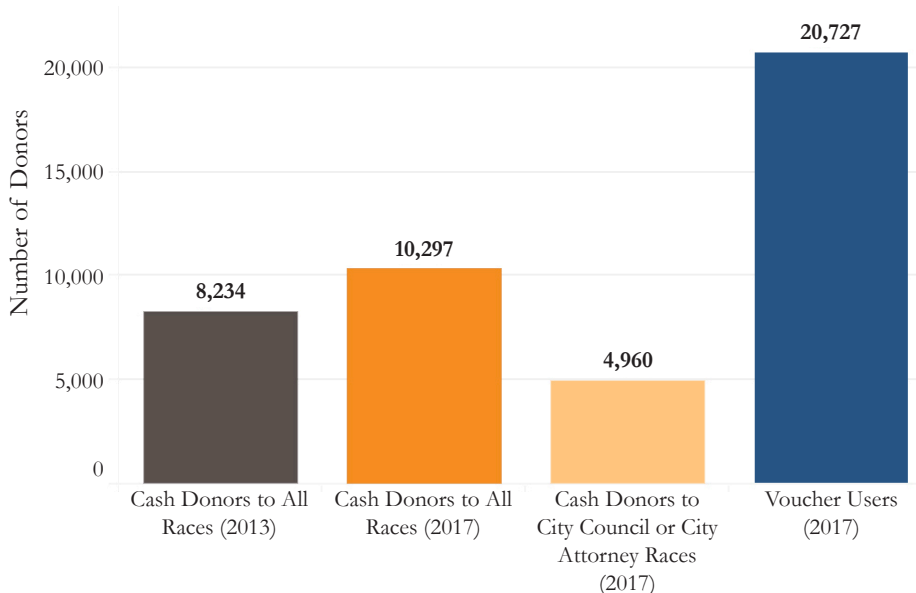


Figure 1: Total Number of Cash Donors and Voucher Users

While the absolute number of Seattle residents participating in the local campaign finance system increased, participants still represent only a small fraction of the electorate. About 4 percent of eligible individuals returned their vouchers.

Participation in the Democracy Voucher program varied substantially across demographic groups. Older residents in Seattle were three times more likely to participate than younger residents. More than 6 percent of Seattle residents over the age of 60 returned their vouchers, but only 2 percent of residents between the ages of 18-29 did so. [Figure 2]

Whites were almost twice as likely to return their voucher as blacks. More than 4 percent of white Seattle residents returned their voucher but only 2.4 percent of black residents participated. In fact, whites were substantially more likely to return their voucher than every other racial and ethnic group in the city. [Figure 3]

High-income residents in Seattle participated in the Democracy Voucher program at a substantially higher rate than low-income residents. More than 5 percent of individuals with an annual income above \$75,000 participated in the Democracy Voucher program, but only about 2 percent of individuals with an annual income below \$30,000 participated in the program. [Figure 4]

Finally, citizens who were already engaged in the political system by regularly voting in general elections were much more likely to return their vouchers than those who voted infrequently or not at all. Among registered voters who voted in every election for which they were registered, more than 8 percent returned their Democracy Vouchers. On the other hand, among registered voters who voted in fewer than half of the elections for which they were eligible to vote, only about 1 percent participated in the Democracy Vouchers program. [Figure 5]

While the Democracy Voucher program increased the number of people participating in the local campaign finance system, the rate of participation varied widely across groups. Although the program pushed participation in the local campaign finance system to an all-time high in Seattle, historically under-represented groups were less likely to participate in the program. These findings create an opportunity for community stakeholders to further engage under-represented groups to increase their participation in the Democracy Voucher program.

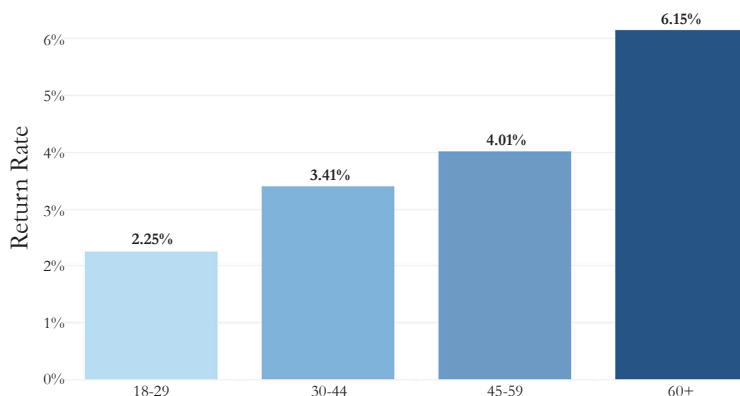


Figure 2: Democracy Voucher Return Rate, by Age

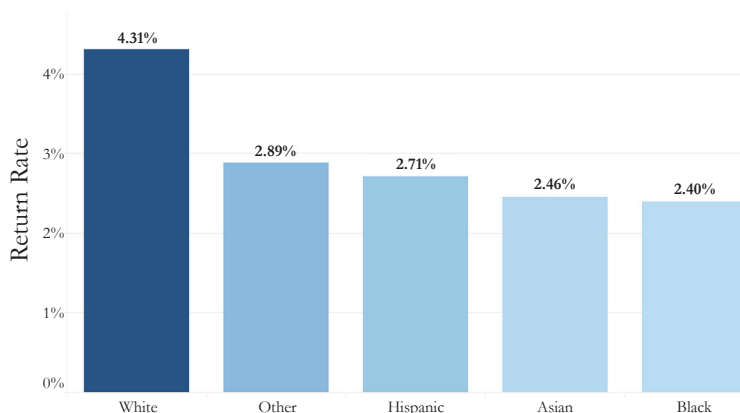


Figure 3: Democracy Voucher Return Rate, by Race

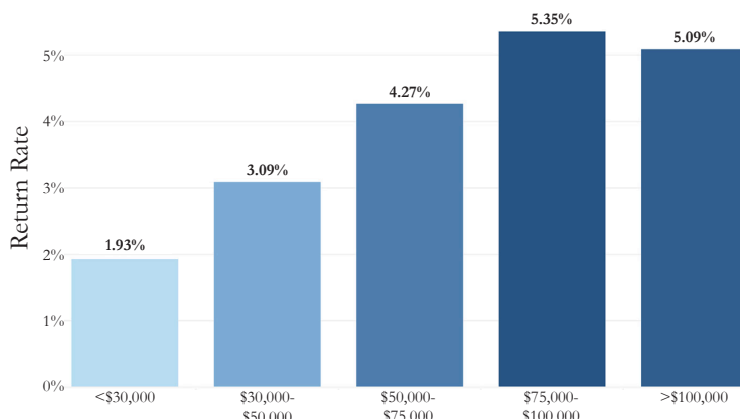


Figure 4: Democracy Voucher Return Rate, by Income

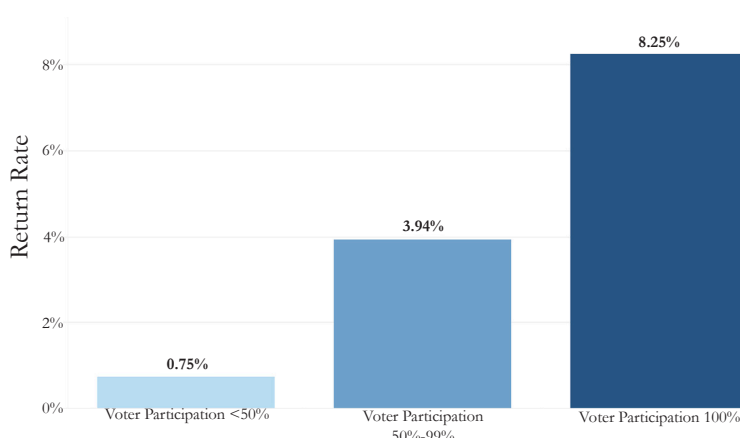


Figure 5: Democracy Voucher Return Rate, by Political Participation

How Do Participants in the Democracy Voucher Program Differ from Cash Donors?

The Democracy Voucher program aimed to diversify the pool of campaign contributors in local elections. In previous election cycles, candidates overwhelmingly relied on a small number of high-dollar donors concentrated in a handful of wealthy neighborhoods. By providing vouchers to every registered voter in Seattle, the Democracy Voucher program endeavored to create a pool of donors that looked more like the pool of eligible voters. This section compares the profile of participants in the Democracy Voucher program (“voucher users”) with the profile of cash contributors in the 2017 election (“cash donors”).

Older residents in Seattle make up a larger share of participants in the Democracy Voucher program than they do in the pool of cash donors. In fact, 36

percent of voucher users were 60 years old or older compared to slightly more than 33 percent of cash donors. Young donors (under the age of 30) make up a larger share of donors in the voucher program than in the pool of cash donors. [Figure 6]

Although the Democracy Voucher program aimed to diversify the racial composition of the donor pool, white residents comprise a disproportionate share of both voucher users and cash contributors. While 79 percent of registered voters in Seattle are white, whites comprise 86 percent of participants in the Democracy Voucher program and 87 percent of cash contributors. In fact, the racial composition of voucher users is nearly identical to the composition of cash donors. [Figure 7]

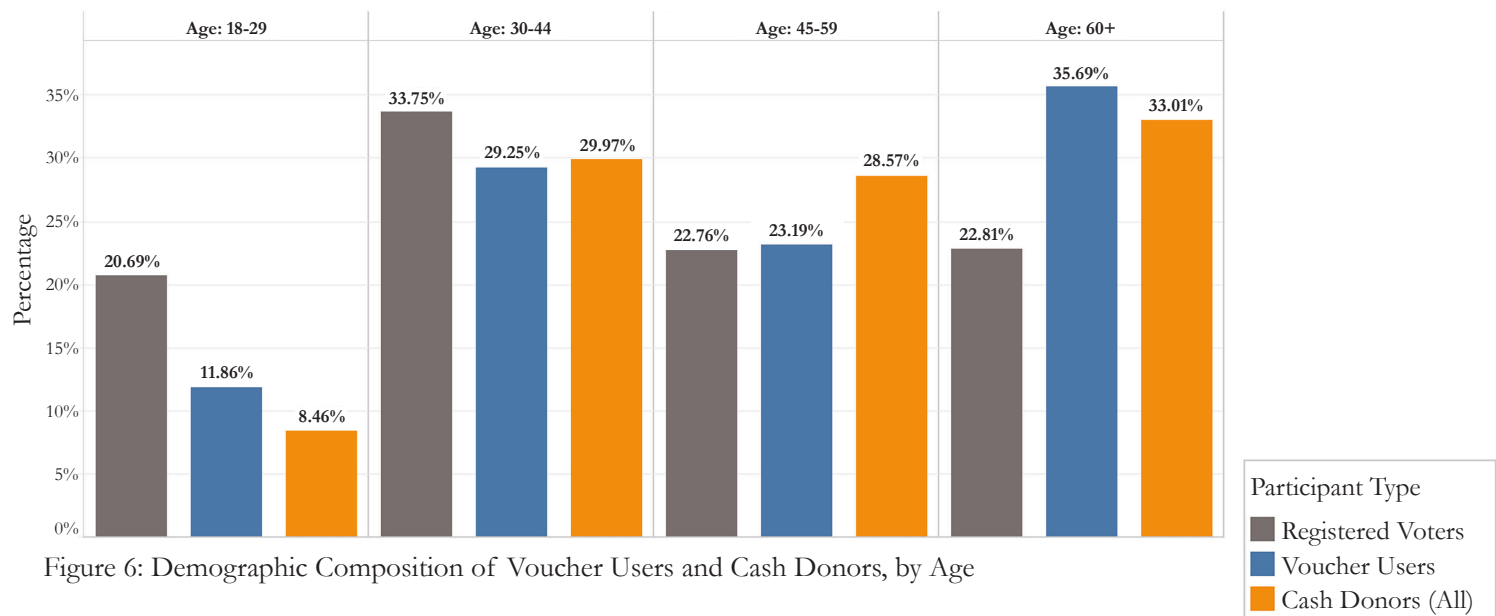


Figure 6: Demographic Composition of Voucher Users and Cash Donors, by Age

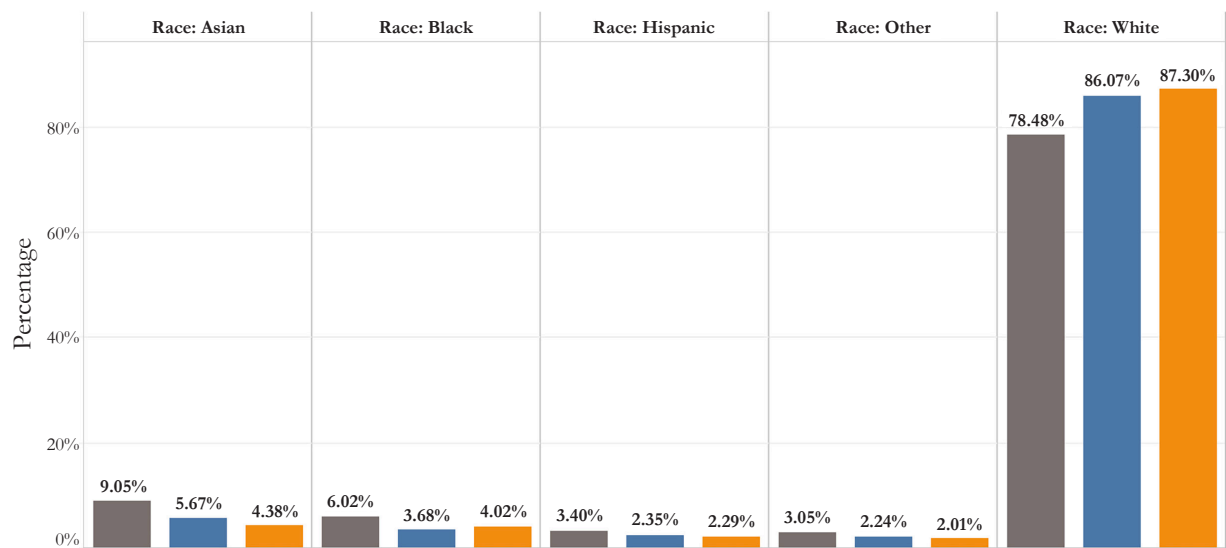


Figure 7: Demographic Composition of Voucher Users and Cash Donors, by Race

The Democracy Voucher program relied less heavily on wealthy Seattle residents than the pool of cash contributors. It increased the representation of low-income residents in the campaign finance system, although high-income households continue to make up a disproportionate share of contributors. Individuals with an income of \$100,000 or more make up 24 percent of cash donors, but they comprise only 16 percent of voucher users. On the other hand, only 4 percent of voucher users – and 2 percent of cash donors – have an income below \$30,000. [Figure 8]

Voucher users were slightly more likely to come from poor neighborhoods – and slightly less likely to come from wealthy ones – than cash donors. Overall, about 22 percent of voucher users live in the wealthiest quintile of neighborhoods in the city and nearly 13

percent live in the poorest quintile of neighborhoods. By contrast, 29 percent of cash donors come from the wealthiest quintile of neighborhoods and only 11 percent come from the poorest neighborhoods. [Figure 9]

Overall, voucher users were more representative of the electorate than cash contributors. Participants in the Democracy Vouchers program were more likely to come from poor neighborhoods than cash donors. The pool of voucher users also includes a larger share of residents earning \$30,000 or less, suggesting that the program has diversified the socioeconomic composition of the donor pool. While the composition of the voucher users does not fully match the composition of the electorate, it is – on the whole – more representative than the composition of cash donors.

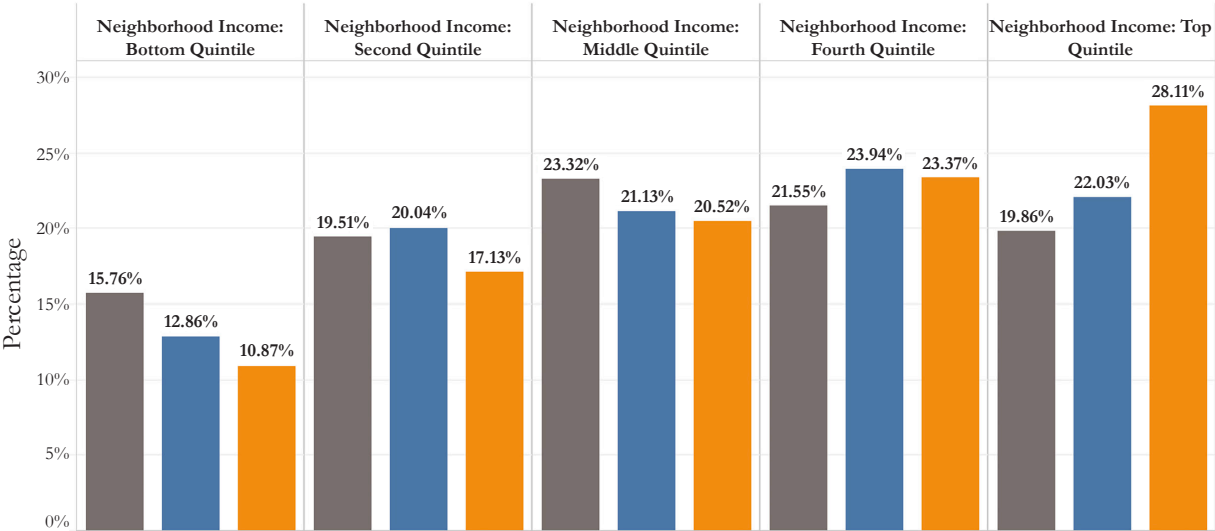
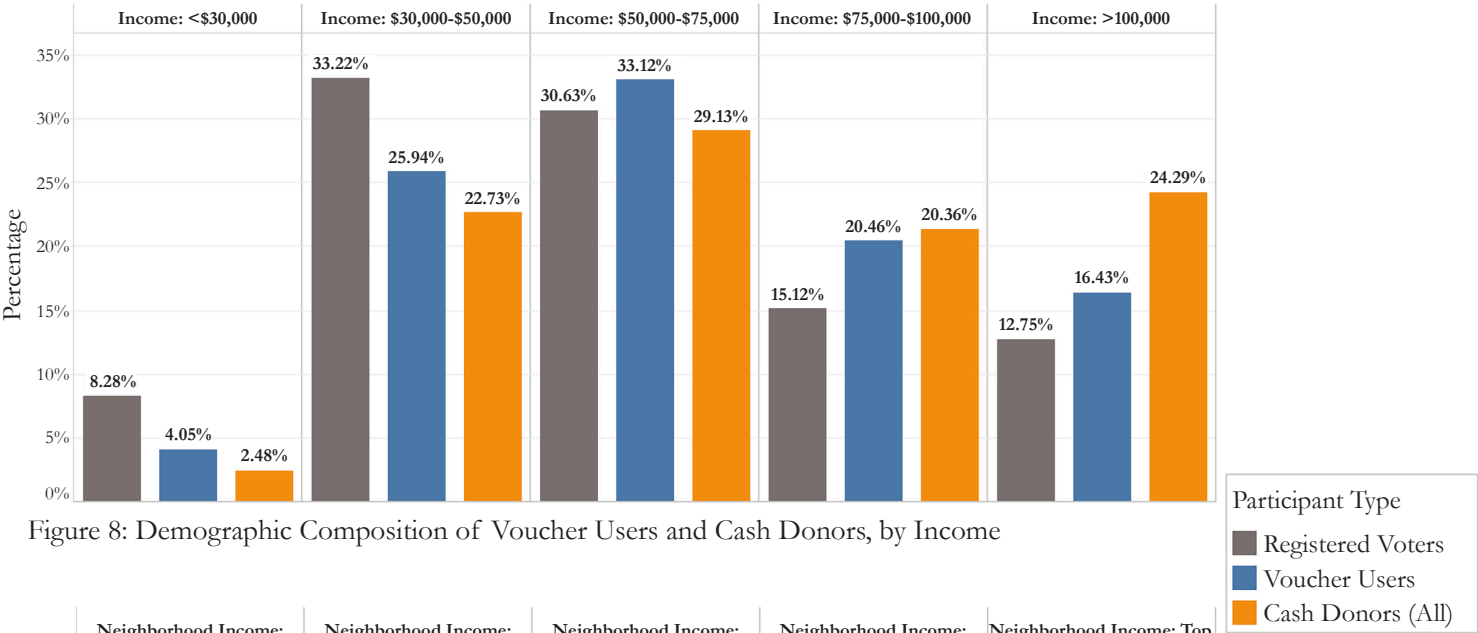


Figure 9: Demographic Composition of Voucher Users and Cash Donors, by Neighborhood Income

Did Voucher Participants Vote at Higher Rates in the 2017 Election?

Seattle residents who used their vouchers were substantially more likely to vote in the 2017 election. Nearly 90 percent of Seattle residents who used their vouchers voted in the 2017 election, but only 43 percent of those who did not use their vouchers voted.

Even after accounting for previous political engagement, these differences between voucher users and non-users persist. Among Seattle residents who voted in fewer than half of the previous elections for which they were eligible, voucher users were four times as likely to vote in the 2017 election. Overall, 53 percent of these voucher users voted in the 2017 election compared to only 12 percent of those who did not return their voucher. Among those who voted in at least half of the elections for which they were registered, about 88 percent of voucher users voted

in the 2017 election compared to only 56 percent of those who did not return their vouchers. [Figure 10]

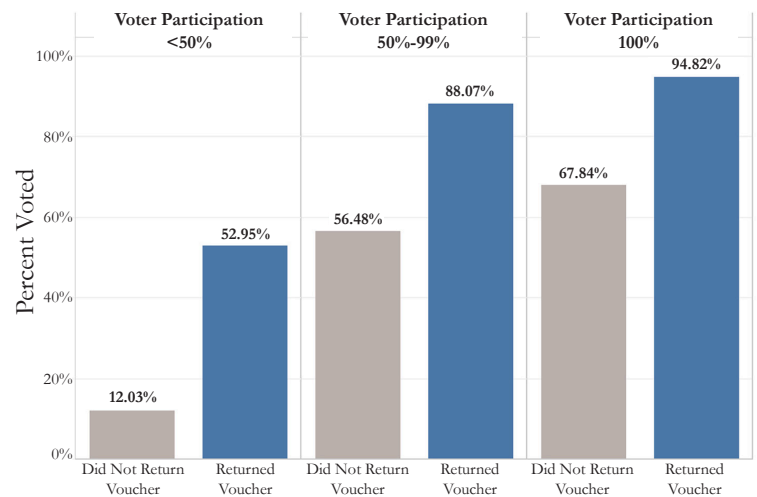


Figure 10: Voter Participation Rate, by Previous Voter Participation and Voucher Status

Program Background

In 2015, voters in Seattle overwhelmingly passed an initiative to create the Democracy Voucher program. Recognizing the disproportionate influence of a small number of wealthy donors in local elections, advocates for the initiative hoped that a publicly-financed voucher program would increase the number of contributors, create a more diverse donor pool and address concerns about the demographic representativeness of donors in local elections. While several municipalities nationwide have public financing schemes to provide matching funds in local elections, Seattle is the first city to implement a universal voucher program.

Every registered voter in Seattle was mailed four, \$25 vouchers in January 2017. Voters redeemed their vouchers by assigning them to qualified candidates

and returning them to the candidate's campaign or the Seattle Ethics and Election Commission. Upon certifying each returned voucher, the Commission then transferred funds to the assigned campaign.

In 2017, candidates for City Council and City Attorney could participate in the Democracy Voucher program after agreeing to several public debates and adhering to spending and contribution limits. At-large City Council candidates qualified for the program by receiving 400 qualifying donations of \$10. Candidates for City Attorney qualified after receiving 150 qualifying donations of \$10. In future elections, the Democracy Voucher program will expand to include candidates vying for mayor and each of Seattle's seven district-level City Council seats.

About the Authors

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About the Data

These analyses were derived from a dataset compiled by the authors. The authors merged data on Seattle voters and their vote history from the Washington Secretary of State with campaign finance and voucher records from the Seattle Ethics and Elections Commission. Catalyst provided the demographic data on registered voters. Geographic information came from the 2016 American Community Survey.

Media inquiries or requests for additional information should be made via email to both authors.





Seattle
Ethics & Elections
Commission



DEMOCRACY VOUCHER PROGRAM

Biennial Report

2019

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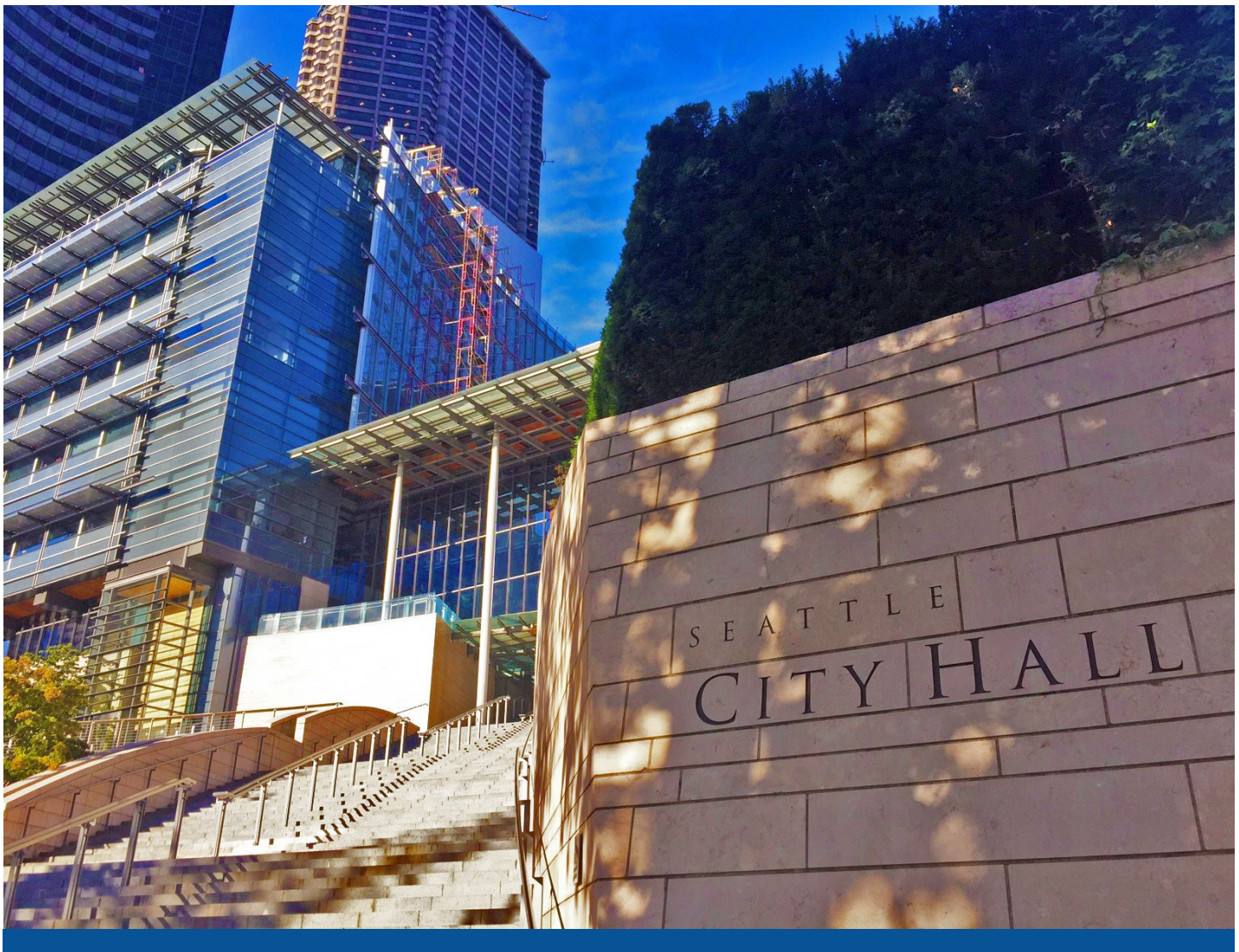


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Message from the Executive Director

It is an honor to present the second Democracy Voucher Program biennial report. The Seattle Ethics and Elections Commission (SEEC) is deeply committed to upholding the spirit of the “Honest Elections Seattle” initiative, while ensuring accountability and transparency for how public dollars are spent.

It has been inspiring to watch Seattle residents and candidates use the Democracy Voucher Program to amplify their voices in the political process. From candidates who said they would not have considered running for office, to residents who made their first-ever contributions to support candidates in their communities, the Democracy Voucher Program continues to engage our city.

I am pleased to present the following accomplishments from the second election cycle. Thank you to our community partners, residents, and candidates for championing this program!



Wayne Barnett
Executive Director

2019 Accomplishments



INCREASED PARTICIPATION

- 38,092 residents returned more than 147,128 Democracy Vouchers, nearly doubling the 2017 participation rates.
- 53 candidates pledged to participate in the program and 35 candidates completed the qualifying process.



CONDUCTED OUTREACH IN SEATTLE’S SEVEN DISTRICTS

- Staff and community-based organizations (CBOs) attended 356 outreach events and interacted with more than 28,000 residents.
- The SEEC managed \$150,000 in contracts with 10 CBOs to conduct outreach in hard-to-reach communities.



LAUNCHED ONLINE PORTAL IN 15 LANGUAGES

- 6,204 residents successfully assigned 24,105 vouchers using the Democracy Voucher Online Portal.

Introduction

This report summarizes the administration and implementation of the Democracy Voucher Program (DVP) in the 2019 election cycle.

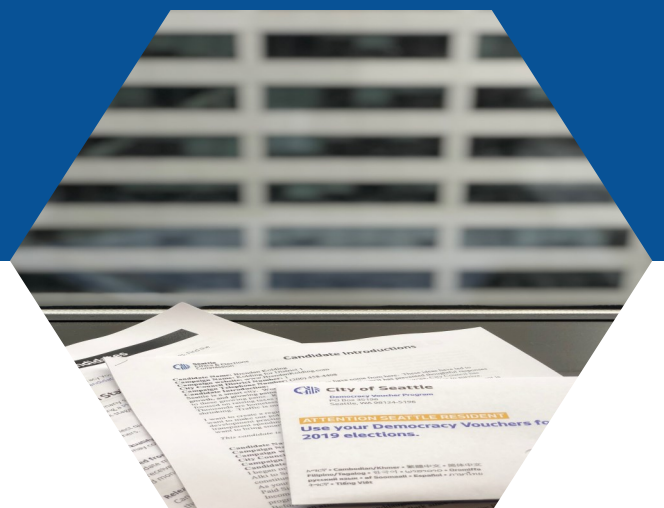
Seattle's program remains the only form of public campaign financing of its kind. Residents receive four \$25 Democracy Vouchers they can use to support candidates running for local office.

In 2019, the races eligible for DVP funding were the seven city council district positions. Residents could give their vouchers to candidates in any council district.

Program Background

In November 2015, Seattle voters approved a citizen-led initiative known as "Honest Elections Seattle" (I-122).

Among the many campaign finance reforms included in I-122, one led to the creation of the public campaign finance program known as the "Democracy Voucher Program." I-122 required the Seattle Ethics and Elections Commission to implement and administer the DVP with a high degree of transparency and accountability. The DVP is funded by a 10-year property tax levy of \$3 million per year.



Program Objectives

The program aims to increase civic engagement in two key ways.

First, encourage more Seattle residents to run for local office.

Second, increase the number of Seattle residents active in local elections.



2019 Program Updates



Changed Mailing Date

In 2017, both residents and candidates felt the January mailing date for vouchers was too early.

In 2019, vouchers were mailed to residents on February 12, 2019.

Launched Online Portal

For 2019, the SEEC launched the Democracy Voucher Online Portal. This secure portal allows residents to assign their vouchers online and is available in 15 languages.

In its first year of operation, the online portal accounted for 17% of returned vouchers.

Once a resident signs up for online vouchers, they will no longer be mailed paper vouchers. Instead, they will receive an e-mail with access to their online vouchers.

Targeted Outreach Through Community-Based Organizations

The SEEC contracted with 10 community-based organizations for a total cost of \$150,000. The goals of the contracts were to increase program awareness and participation in Seattle's hard-to-reach communities.

In total, the 10 organizations completed 276 outreach events and interacted with more than 23,000 residents.



Lake City Collective/Literacy Source interpreting at a candidate forum at North Seattle College.



Chinese Information Service Center explaining the program to a resident at Byrd Barr Place.

How the Program Works



During City of Seattle elections, the SEEC mails four \$25 Democracy Vouchers to Seattle residents.

Residents may assign their vouchers to any candidate participating in the program. Residents may give their vouchers to a single candidate or to multiple candidates.

Residents may return their vouchers by:

- Using the prepaid envelope addressed to the SEEC,
- Giving their vouchers directly to a campaign or candidate,
- Accessing the Democracy Voucher Online Portal to assign their vouchers,
- Dropping their vouchers in a King County Elections ballot box (during an active election), or
- Handing in their vouchers at any of the Seattle Public Libraries or City of Seattle Customer Service Centers.

Once the voucher is received by the SEEC, there are several methods to verify the voucher.

- King County Elections verifies the signatures on paper vouchers from registered voters.
- Trulioo, a third-party verification system, verifies Online Portal users when they create an account.
- The SEEC verifies signatures from residents who apply for vouchers.

For candidates who have completed the qualifying process, the SEEC releases the value of the verified vouchers to the candidate's campaign.

Eligibility

Participant eligibility requirements align with the federal requirements establishing who may contribute to political campaigns. To receive vouchers, an individual must be:

- At least 18 years or older,
- A U.S. citizen, U.S. national, or lawful permanent resident, and
- A Seattle resident.

The SEEC receives participant data from two sources. Under an agreement with King County Elections, the SEEC receives the list of registered voters in Seattle. Residents who are not registered voters may apply to receive vouchers.

Distribution of Vouchers

The SEEC mailed vouchers to 450,293 residents on February 12, 2019. Thereafter, the SEEC periodically mailed vouchers to newly registered voters and to those who applied to receive vouchers.

In total, more than 476,000 residents received vouchers for the 2019 election.

The average cost to produce and mail each voucher packet was 56 cents.

Replacement Vouchers

The SEEC and campaigns were able to issue new vouchers to residents who no longer had their vouchers.

Residents had the option to contact the SEEC to request replacements by phone, e-mail, completing an online webform, or in-person. Replacements were issued to residents immediately by mailing a new set of vouchers or emailing an invitation code to access their vouchers through the Online Portal.

The SEEC sent new vouchers to 2,215 residents. Of those residents, 52% used their vouchers.

Campaigns and their registered representatives were allowed to reissue vouchers using the Campaign Replacement Form. This made it easier for residents to give vouchers directly to a candidate of their choice.

In total, 5,466 residents used a Campaign Replacement Form.

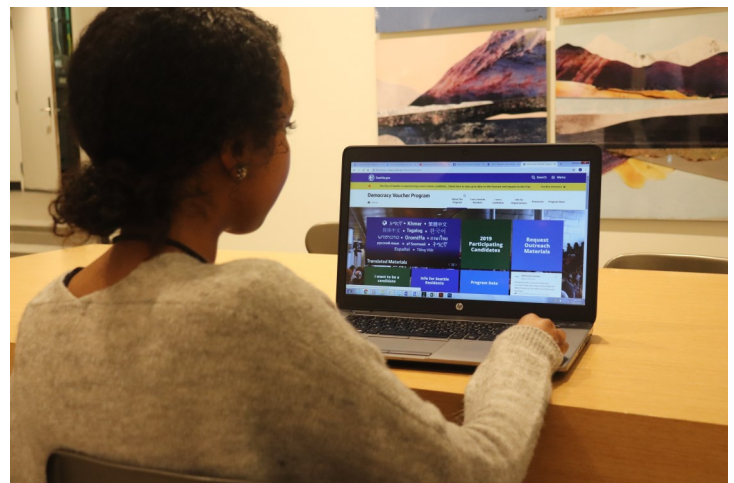


Online Portal

An I-122 requirement was to have an Online Portal available for the 2019 election cycle.

The web-based portal allows residents to validate their identity and assign their vouchers online.

The Online Portal was launched and had 6,204 users assign 24,105 vouchers.



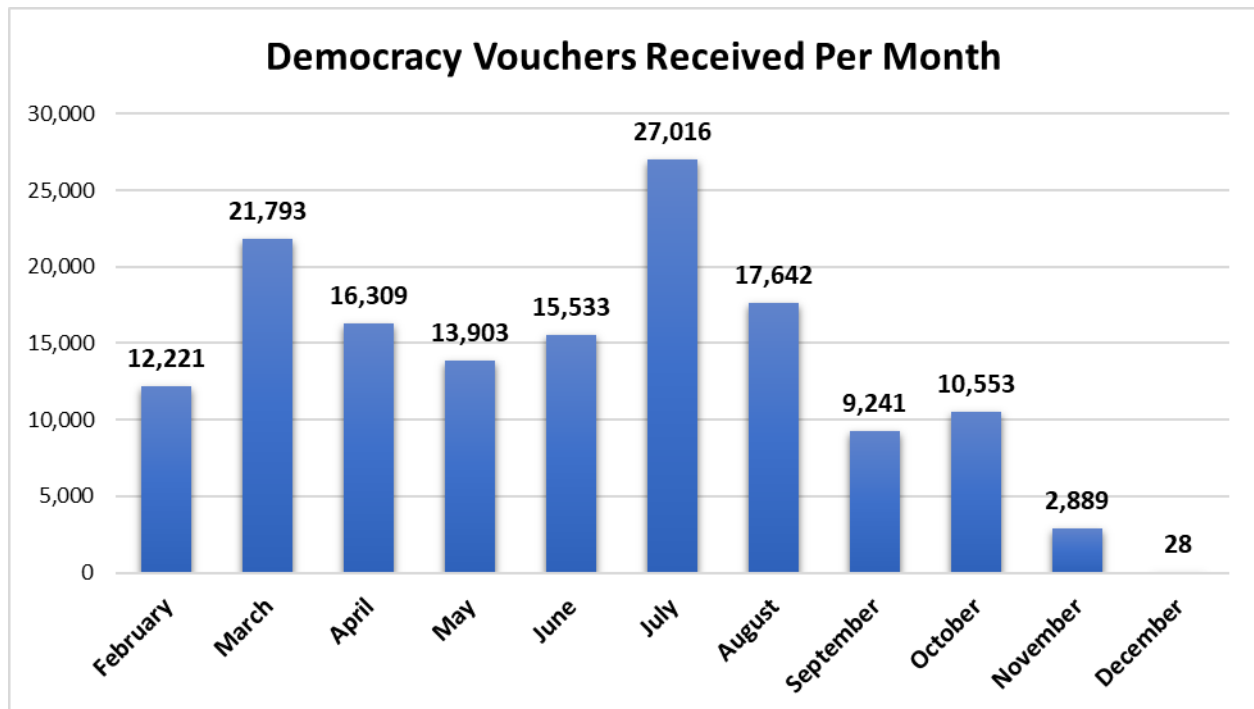
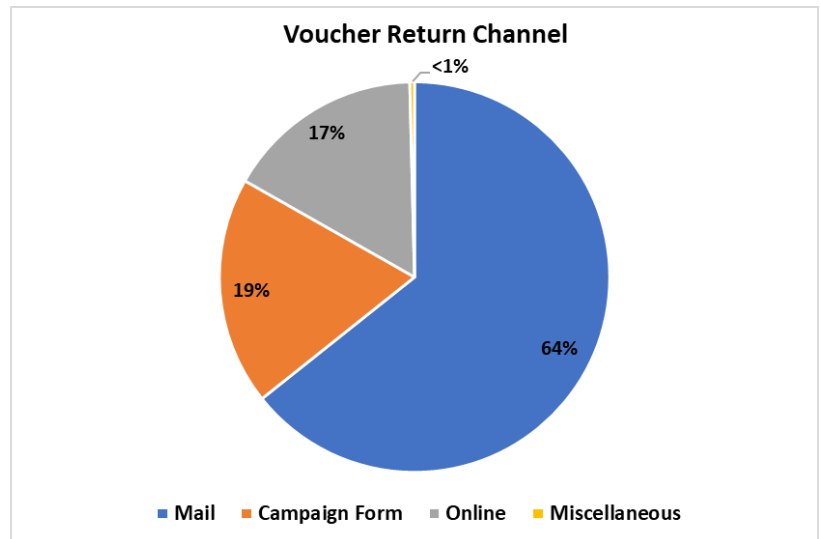
Processing Vouchers

The SEEC hired 3.5 temporary staff to process vouchers. Vouchers received were recorded in the Democracy Voucher database.

Signatures on the vouchers were verified by King County Elections or the SEEC. Vouchers assigned in the Online Portal were pre-authenticated.

Voucher signatures passed with a 99.5% success rate. For vouchers that did not pass, the SEEC notified participants and provided an opportunity to correct the issue. Nearly half of those participants corrected their signatures.

Sixty-four percent of vouchers were returned directly to the SEEC by mail. In addition, 19% of vouchers were given directly to candidates and 17% of vouchers were assigned through the Online Portal. Less than one percent of vouchers were returned to King County Elections' ballot boxes, Seattle's Customer Service Centers, libraries, and through e-mail to the SEEC.



Voucher return rates peaked in July, just before the August primary. In total, the SEEC office processed 147,128 vouchers from 38,092 residents.

Democracy Voucher Program: 2019 Participation by City Council District

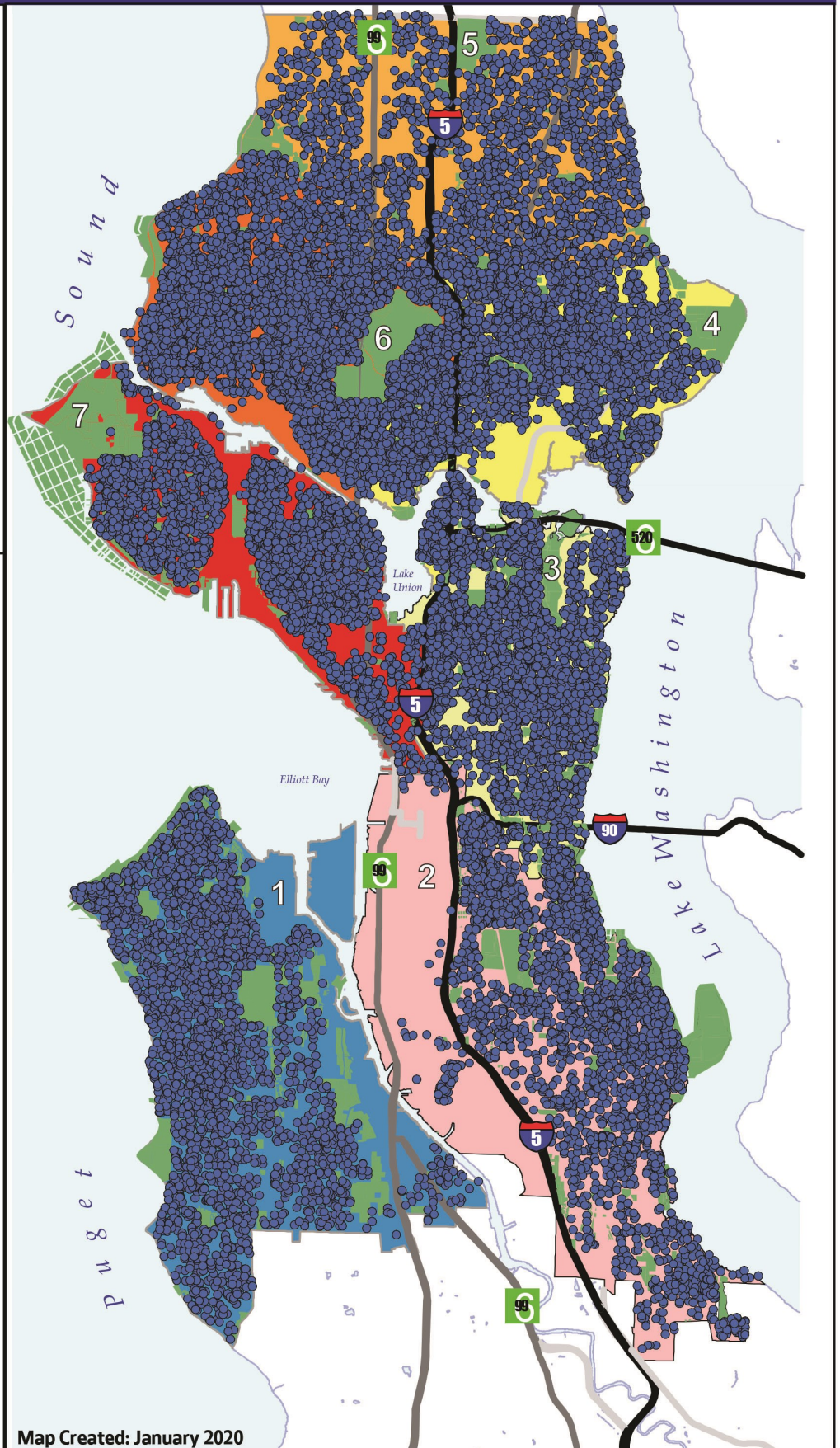


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This map shows Seattle residents who submitted at least one Democracy Voucher to a participating candidate for the 2019 election.

Legend

- Democracy Voucher Participant
- Parks
- Waterbodies
- 520
- 99
- I-5
- I-90
- Council District 1
4,278 residents participated
- Council District 2
4,584 residents participated
- Council District 3
6,941 residents participated
- Council District 4
6,189 residents participated
- Council District 5
3,397 residents participated
- Council District 6
7,089 residents participated
- Council District 7
5,614 residents participated



Candidates



Pledging

Candidates signed a pledge agreeing to program rules, which included limiting individual contribution amounts and overall campaign spending. Candidates also agreed to a minimum number of public debates.

Once pledged, the candidate's name appeared on the SEEC website and as an option on the online portal as a voucher-eligible candidate.

Of the 72 City of Seattle candidates who filed to run, 53 pledged to participate in the Democracy Voucher Program.

Qualifying

To receive funds, candidates completed a qualifying process by collecting at least 150 (minimum \$10) contributions and 150 signatures from Seattle residents. At least 75 of the qualifying contributions and signatures each had to come from within the candidate's district.

The SEEC audited the campaign filings, signature forms, and online donations. Signatures were validated by King County Elections.

Campaign Disbursements

During the 2019 election cycle, the SEEC generated 273 checks, distributing nearly \$2.5 million to campaigns. Unused voucher funds remain in the program budget for future election years.

Democracy Voucher Program Contribution and Expenditure Limits	City Attorney	City Council At-large	City Council District	Mayor (2021)
Individual Contribution Limit*	\$250*	\$250*	\$250*	\$500
Campaign Expenditure Limits Primary Election Only	\$150,000	\$150,000	\$75,000	\$400,000
Campaign Expenditure Limits for Primary and General Election Combined	\$300,000	\$300,000	\$150,000	\$800,000

****These limits do not include Democracy Voucher values.***

Communication Channels

에 또는 선거 연도 전체에 걸쳐
공할 수 있습니다.



Language Access

I-122 requires key program materials be available in 15 languages: Amharic, Cambodian, English, Korean, Lao, Oromo, Russian, Simplified Chinese, Somali, Spanish, Tagalog, Thai, Tigrinya, Traditional Chinese, and Vietnamese.

Translated materials included the Democracy Voucher mailer, Online Portal, how-to videos, candidate qualifying documents, candidate introductions, dedicated language web pages, advertisements, and posters.

In all, 197 unique communications were translated for a total cost of \$48,000.

Website

The voucher website had more than 232,000 total page views. 193,000 of those views were unique.

Language pages offered information about how to apply for vouchers, how to run as a candidate, how to use the program, and links to candidate introductions.

Social Media

Facebook and Twitter were used to distribute information quickly to Seattle residents and media contacts. For only \$892, Facebook ads reached 31,863 people and received 58,135 impressions. Additionally, Twitter received 297,000 impressions during the election cycle.

In 2019, the program's social media presence expanded to include Instagram and Nextdoor.

Nextdoor proved to be an effective and cost-free platform for distributing key messages. Nextdoor accounted for 81,000 impressions and Instagram added another 5,100.

Voucher Hotline

The Democracy Voucher Hotline received 1,268 calls from January 2019 to December 2019. February received the highest number, with 233 calls.

In 2019, 37 callers requested language assistance. The most requested language was Vietnamese. Staff also received phone calls for Spanish, Tigrinya, Cantonese, Cambodian, Russian, Laotian, Korean, Somali, and Arabic.

Candidate Introductions

During the 2017 election, residents indicated there was limited information about the candidates available before voter pamphlets were mailed.

As a result, a new resource called "Candidate Introductions" was created. All candidates were invited to submit 150-word-statements. Introductions were translated and then made available online and in printed form.

In total, 47 candidate introductions were made available in 15 languages.

Outreach

Candidate Outreach

Ahead of 2019, staff created a candidate brochure to inform residents about how to fund their own campaign. This brochure was available in 15 languages.

In addition to distributing the brochure, staff presented to boards, commissions, and leadership groups.

Staff also created the “Candidate Toolkit”, which included information about using the Democracy Voucher Program to run for office.



Candidate resources were distributed at outreach events.

Contracts with Community-Based Organizations

The SEEC contracted with 10 community-based organizations for a total cost of \$150,000 to increase program awareness and participation levels in Seattle’s hard-to-reach communities.

Organizations awarded contracts served Seattle’s seven districts with an emphasis on populations



including communities of color, limited English proficiency, lawful permanent residents, immigrant/refugees, Latinx, low-income, LGBTQ, unsheltered individuals, unregistered voters, aging populations and more.

The following organizations conducted 276 outreach events and interacted with 23,800 residents:

- APACEvotes
- Asian Counseling and Referral Service (ACRS)
- Chinese Information Service Center (CISC)
- Coalition of Immigrants, Refugees and Communities of Color (CIRCC)
- Eritrean Association in Greater Seattle
- Literacy Source and the Lake City Collective
- Somali Health Board
- South Park Information and Resource Center (SPIARC)
- Washington Bus Education Fund (WBEF)
- WashPIRG



SEEC staff train Lake City Collective’s and Literacy Source’s community ambassadors.

Outreach

In-person Outreach

Staff conducted outreach at 80 events and interacted with more than 5,000 residents.

Activities included 26 presentations, 37 tabling events, and 15 networking events. Outreach occurred at district candidate forums, cultural events, and leadership group meetings.



Community Liaisons

The SEEC also utilized the Department of Neighborhoods' community liaison program.

The unhoused community liaison completed five outreach events and interacted with 57 residents. Outreach efforts included visiting tiny villages and presenting to the Downtown Emergency Service Center.

The Cambodian community liaison completed seven outreach events and interacted with 26 residents. Outreach efforts included presenting at various locations in High Point and SW Seattle.



The SEEC's communications intern staffing the Somali Celebration at the New Holly Community Center.

How to Use Your Vouchers Video

Residents from the first election cycle expressed a need to understand how to use their vouchers. In response, staff created a 45-second "how to" video made available in 15 languages. This three-step video informs residents how to receive vouchers, how to assign vouchers, and how to return vouchers.



Community liaison visiting with tiny-house builders at Camp Second Chance in West Seattle.

Media

Candidate Media Campaign

Staff coordinated media campaigns throughout the election cycle. Beginning in July of 2018, staff promoted how to run for office using Democracy Vouchers.



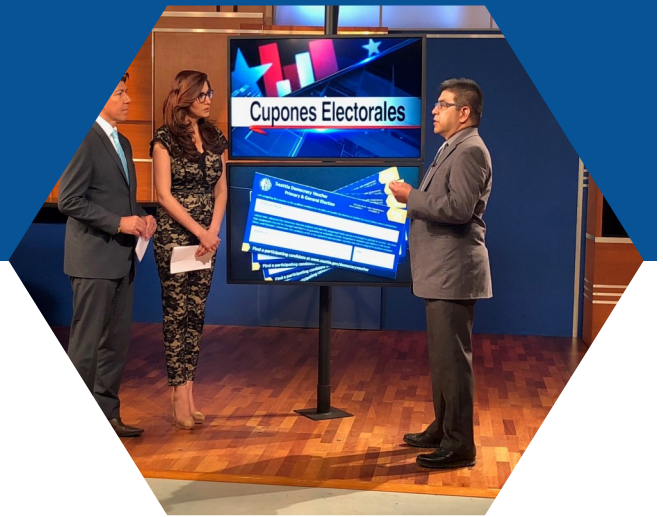
Press releases were distributed to local and ethnic media in Amharic, English, Somali, Spanish, Traditional Chinese, and Vietnamese.

2019 Program Launch

To alert residents to look for their vouchers after February 12, staff purchased web, print, social media, radio, and television ads with general and ethnic media outlets.

Staff used a local poster company to distribute posters to 100 businesses in Seattle.

The media spend for the 2018-2019 election year was \$21,839. The program also received coverage from a number of local media outlets.



Mid-year Reminder Campaign

A mid-year campaign, launched in July, encouraged residents to use their vouchers ahead of the primary.

Television interviews were conducted in Amharic, English, Oromo, Spanish, Somali, and Tigrinya.

To remind residents they could request replacement vouchers, roughly 265 posters were placed in restaurants, community centers, libraries, markets, and gathering places across Seattle.



Closing Out the Program

By October, 11 of the 12 Democracy Voucher candidates had reached their limits. Two press releases were distributed to over 50 media contacts to alert residents to this fact.

Budget Summary Report

Democracy Voucher Program Budget Summary Report	2016	2017	2018	2019
--	------	------	------	------

Implementation				
Technology	\$263,200	\$36,000	\$17,200	\$459,497
Office construction	\$225,000			
Informational mailer	\$127,636			
Focus group	\$45,000			
Office hardware and supplies	\$25,000			
Implementation Cost Total	\$685,836	\$36,000	\$17,200	\$459,497

Administration				
Voucher production and mailing		\$358,000	\$1,140	\$326,309
Outreach media and materials	\$5,000	\$85,000	\$53,099	\$39,333
Translation	\$22,000	\$16,000	\$10,763	\$48,208
Outreach contracting and events		\$30,000		\$149,885
Program evaluation		\$30,000	\$43,410	\$22,541
King County Elections signature verification		\$18,500		\$34,580
Administration		\$84,700	\$5,077	\$91,456
Staff: Program staff	\$273,000	\$359,400	\$343,873	\$343,678
Staff: Temporary staff		\$55,000		\$103,407
Yearly Administration Cost	\$300,000	\$1,036,600	\$457,362	\$1,159,397

Candidates				
2017 Primary and General Election				
Disbursements		\$1,140,525		\$2,454,475

Total Program Costs	\$985,836	\$2,213,125	\$474,562	\$4,073,369
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Funding				
Levy	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
Returned unused voucher funds		\$34,958		\$22,854



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DEMOCRACY VOUCHER PROGRAM

BIENNIAL REPORT 2017

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9	Implementation & Administration		

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"Seattle is the first city in the nation to put democracy vouchers in the hands of its residents."



Wayne Barnett

Executive Director
Seattle Ethics and Elections Commission

I am pleased to present the first biennial report for the Democracy Voucher Program. After the citizen-led initiative known as the Honest Elections Seattle initiative passed in November 2015, our Commission quickly geared up to administer this brand-new program. In 10 short months, we designed and implemented a program with no parallel in the world. It was an honor to have the trust of the public to administer this first-of-its-kind public finance program.

The Seattle Ethics and Elections Commission is committed to upholding the spirit of the initiative throughout the implementation and administration of the Democracy Voucher Program. The initiative set the framework for how we implemented the program and strategically reached Seattle residents. The purpose of the initiative was to give more Seattle residents the opportunity to have their voices

heard in our democracy, to preserve values of accountability and transparency in Seattle campaigns, and to encourage more Seattle residents to support their candidates or even to consider running for office themselves.

I am proud to say, after the first-year of implementing the Democracy Voucher Program, we achieved the following:

- Successfully launched a brand-new program and mailed Democracy Vouchers to 540,000 Seattle residents, meeting the January 3, 2017 launch date.
- Provided all key program communications in 15 languages.
- Successfully tracked and processed 80,000 vouchers while fully accounting for \$1.04 million in candidate distributions.
- Facilitated a 300% increase in the number of Seattle residents contributing to campaigns.
- Attracted five of the six general election candidates to participate in the program.

After the first year, it is safe to say we learned many lessons. We are excited to use this year's experiences to improve for the 2019 election and continue engaging more Seattle residents in the election process.



INTRODUCTION

This biennial report includes a summary of the administrative processes and program results from the initial implementation of the Democracy Voucher Program (DVP). In 2017, the races eligible for DVP funding included the two at-large city council positions and the city attorney's position. The program will expand to include the mayor's race in 2021.

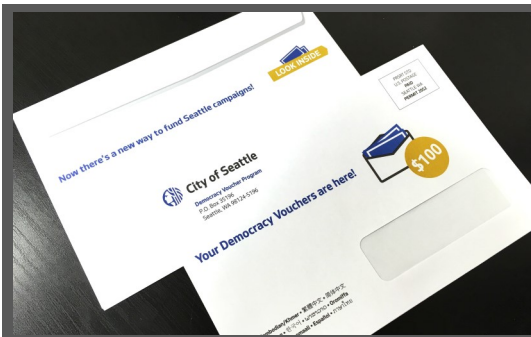
PROGRAM BACKGROUND

In November 2015, Seattle voters approved a citizen-led initiative known as "Honest Elections Seattle" (I-122). Among the several campaign finance reforms I-122 initiated, one of the major reforms led to the creation of a new public campaign finance program known as the "Democracy Voucher Program." I-122 required the Seattle Ethics and Elections Commission (SEEC) to implement and administer the DVP with a high

degree of transparency and accountability. The DVP is funded by a 10-year property tax levy of three million dollars per year. The intended goals of the program were to increase the number of contributors in Seattle and increase the number of candidates who run for office. The City of Seattle is the first municipality to implement this innovative public campaign finance program.

The SEEC is an independent nonpartisan commission that enforces the ethics, elections, whistleblower, and lobbying municipal codes for the City of Seattle.

KEY ACCOMPLISHMENTS



SUCCESSFUL LAUNCH

In under 10 months, implemented the nation's first ever Democracy Voucher Program, meeting the January 3, 2017 launch date.

TRANSLATED MATERIALS

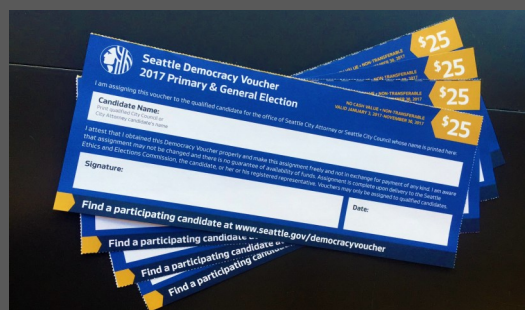
Provided all key program communications in 15 languages.



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现在就申请您的100美元“民主代金券”吧！
www.seattle.gov/democracyvoucher

🇰🇭 Khmer • 繁體中文 • Tagalog • 한국어 • ספרדי •
Oromiffa • русский язык • af Soomaali • Español • עברית • Tiếng Việt



TRACKED ALL VOUCHERS

Successfully tracked and processed 80,000 vouchers while fully accounting for \$1.14 million in candidate distribution.

CANDIDATE PARTICIPATION

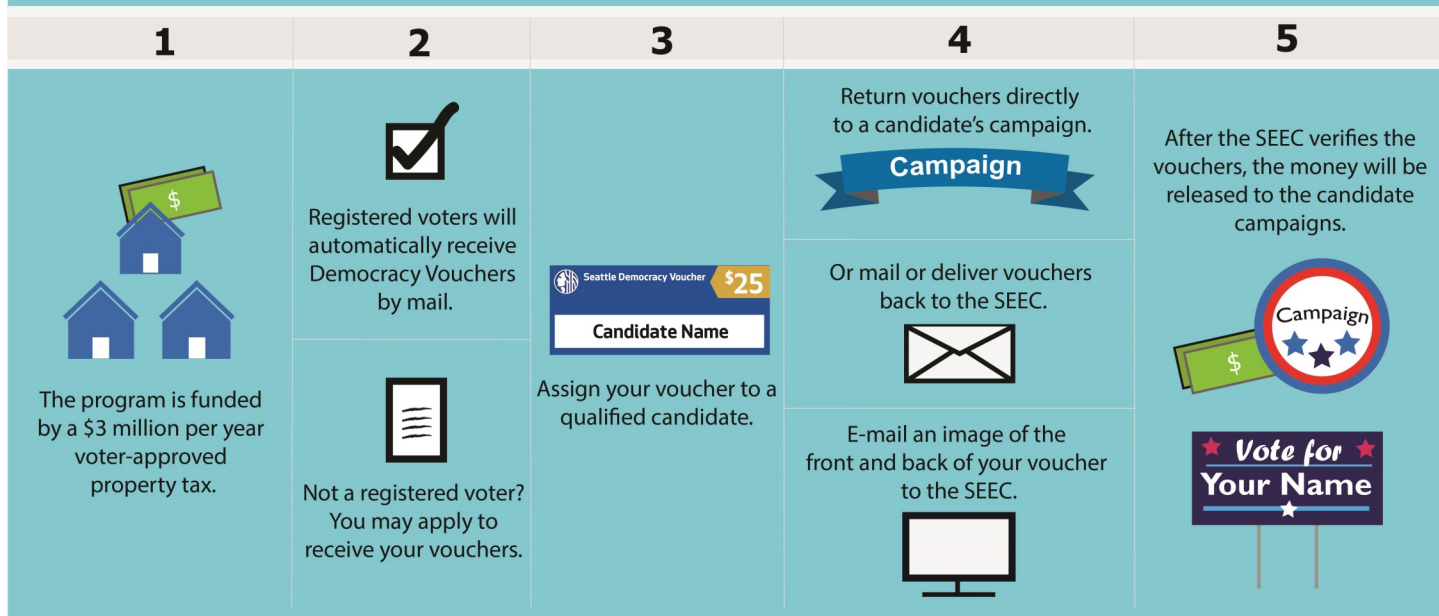
Attracted five of the six general election candidates to participate in the Program.



MORE SEATTLE CONTRIBUTORS

Increased the number of Seattle contributors by 300% in 2017.

HOW DOES THE DEMOCRACY VOUCHER PROGRAM WORK?



During the City of Seattle election year, residents receive four \$25 Democracy Vouchers from the SEEC. Residents assign their voucher(s) to any candidate(s) participating in the program. Seattle residents then return voucher(s) to the SEEC by mail or e-mail, or return them directly to a campaign. Once the voucher has been validated and after the candidate has completed the qualifying process, the SEEC releases the value of the voucher to the candidate's campaign.

PARTICIPANT ELIGIBILITY

Participant eligibility requirements align with the federal requirements establishing who may contribute to political campaigns. To participate in the Democracy Voucher Program, an individual must be:

- At least 18 years or older,
- A U.S. citizen, foreign national, or lawful permanent resident, and
- A Seattle resident.

The SEEC receives participant data from two sources.

1. Under an agreement with King County Elections (KCE), the SEEC receives the list of all registered voters in Seattle.
2. Residents who are not registered can apply to receive their vouchers. In designing the application process, the SEEC considered several competing priorities, primarily the City's directive to limit the amount of personally identifying information collected, Seattle's very open public disclosure laws, the need to ensure that vouchers are not distributed to ineligible residents, and the desire to protect residents who are ineligible to participate from inadvertently violating federal law. These factors compounded the complexity inherent in reaching out to Seattle's diverse language and cultural communities.

The Democracy Voucher Program staff consulted

with stakeholders to ensure the application was designed to present a low barrier to entry while protecting both public funds and those who are ineligible to make a contribution. The following groups contributed significantly to the development of the application:

- Northwest Immigrants' Rights Project
- City of Seattle Attorney's Office
- Democracy Voucher Program Advisory Committee
- City of Seattle IT Privacy Group

IMPLEMENTATION & ADMINISTRATION

Establish Resident Communication Channels

Language Services

I-122 requires key program materials to be made available in 15 languages: Amharic, Cambodian, English, Korean, Lao, Oromo, Russian, Simplified Chinese, Somali, Spanish, Tagalog, Thai, Tigrinya, Traditional Chinese, and Vietnamese. Key documents included informational mailers, the Democracy Voucher packet, candidate qualifying documents, resident application, dedicated language web pages, advertisements, and posters.

In all, 21 pages of key materials were translated for a cost of \$42,000.

Democracy Voucher Hotline

The Democracy Voucher Hotline (206-727-8855) received 1,622 calls from December 2016 to

December 2017. January saw the highest number of incoming calls by far, with 470 calls.

Seventy-three calls requesting language assistance were placed to the hotline in 2017, totaling 700 minutes for a total cost of \$518. Languages served included Vietnamese, Cantonese, Mandarin, Russian, Amharic, Spanish, Korean, Somali, Oromo, Tagalog, Laotian, and Arabic.

Program Website

In 2017, there were 2,312,845 page views of the program website and 1,848,199 unique views of the program website.

The program website included language pages translated in 15 languages offering information about eligibility, how to apply, how to run as a candidate, and how to use the program.

Social Media

The program used Facebook and Twitter to disseminate information quickly to Seattle residents and media outlets.

In 2017, the program spent \$1,000 purchasing Facebook advertisements to connect residents with information about participating candidates, how to apply, how to request replacement vouchers, and where outreach events occurred in Seattle neighborhoods.

Focus Groups

With guidance from the program Advisory

Committee, the SEEC identified a vendor and four communities to conduct focus groups designed to:

- Determine a baseline knowledge or awareness of the Democracy Voucher Program and Honest Elections Initiative (or I-122).
- Improve the messaging and design of the vouchers and an introductory mailer.
- Inform the messaging, design, and the communications strategies of the program.

The focus groups were conducted in English, Somali, Spanish, and Vietnamese. Some key findings were:

1. The majority of focus group participants (65%) had never contributed to a candidate or campaign.
2. Ninety-five percent had never heard of the Democracy Voucher Program.
3. Reaction to the program ranged from excitement to skepticism.
4. Many participants wanted to know more about the purpose of the program and how it was funded.



Programmatic impacts included:

- Enlarged the City of Seattle logo and added the dates the vouchers could be used.
- Refined program messaging such as adding the word "local" to the phrase "a new way to fund local campaigns" and included more information about the program's purpose.
- Participants also shared that some individuals might wrongly believe that vouchers are a new way to vote, which influenced program messaging in presentations and conversations with the public.

Open Registration

In December 2016, the SEEC opened registration to all Seattle residents, focusing on resident communities who may not be part of the initial voucher distribution. In total, only six applications were received from this December effort.

Press releases went out to over 150 media contacts and local media purchases included Real Change, Somali Runta News, International Examiner, a PSA with Chinese Seattle Radio in Mandarin, and Northwest Vietnamese News.

Several local ethnic media and local media outlets covered this event at no cost.

Informational Mailer

Also in December, the SEEC sent an informational mailer to 340,000 Seattle residential addresses. The

mailer introduced the program to Seattle residents as well as invited residents to apply for vouchers who might not be on the initial voucher distribution list. The mailer included the statement below, translated into 14 languages, and contained a link to a language-specific landing page on the program website.

"Beginning January 2017, the new Democracy Voucher Program makes it easier to participate in local elections. To learn more or apply, visit [www.seattle.gov/democracymail/\[language\]](http://www.seattle.gov/democracymail/[language])."



Technology and Administration

Voucher Tracking and Accountability

The SEEC worked with Seattle IT to identify a technology solution able to track the progress of vouchers from distribution to redemption and to set up a program Steering Committee.

Steering Committee members included City representation from the Mayor's office, the Office of Immigrant and Refugee Affairs, City Budget Office

and Finance and Administrative Services, as well as Council central staff.

Early efforts to locate a secure and accountable tracking system were met with issues of high cost and/or long lead time for development of this unique program. The system had to be in production by December 2016 to generate more than two million unique vouchers and get the print file off ready for the January 3, 2017 mailout date.

Requirements included:

- Accurate voucher tracking from the time of initial generation and delivery, to the return of the voucher to SEEC for processing, and through assignment to a campaign or other status.
- Provide transparent data for external review and analysis of program participation.
- Establish rule checking and error handling to identify duplicate, incomplete, or erroneous data.
- Ensure system security is auditable, able to provide notification of access as well as notification and refusal of unauthorized access.

The SEEC selected a technology vendor and finalized requirements by July 2016. The system was in production on time and successfully generated and accounted for over two million vouchers.

Combined costs for technology solution and staffing were under \$300,000.

Voucher Printing and Mailing

Another significant implementation project was selecting a vendor to assist with designing, printing, and mailing more than 500,000 voucher packets to Seattle residents.

Vendor requirements included:

- Print, mail, and deliver Democracy Vouchers to participants through a partnership with the United States Postal Service.
- Print and prepare Democracy Vouchers for on-time mailing to participants.
- Ensure that Democracy Vouchers were accurate, legible, and the barcodes were machine readable.

The SEEC worked with City purchasing to identify potential vendors. The winning bid was awarded to a Women and Minority Business Enterprise, for a contract valued at \$350,000. The vendor met all mail out deadlines.

Democracy Voucher printing and mailing services totaled \$358,000.

Office and Staffing

With the Democracy Voucher Program added to the SEEC's existing responsibilities, staffing and space needs grew by nearly half. A program manager was hired February 2016 and two public relations specialists were hired in June. By October, the team had moved into a newly constructed space that allowed for additional temporary staffing and voucher processing.

Office construction costs totaled \$250,000 and two-year staffing costs totaled \$687,000.

DISTRIBUTING DEMOCRACY VOUCHERS

In the initial distribution of Democracy Vouchers, the SEEC mailed more than two million Democracy Vouchers to more than 508,000 Seattle residents on January 3, 2017. The SEEC mailed vouchers to new Seattle residents through October.

Cumulatively, the SEEC distributed Democracy Vouchers to a total of 546,258 residents in 2017, including 187 Seattle residents who applied for Democracy Vouchers.



Printing and Mailing Paper Vouchers

The SEEC mailed the majority of vouchers through a vendor and also had the ability to issue and mail vouchers on demand.

Each packet that was mailed contained:

- A 6x9" outbound envelope with a window for the resident name and address.
- One Business Reply Mail (BRM) envelope with which the resident could return their vouchers postage paid.

- An informational sheet explaining how to use the vouchers as well as a statement in 15 languages describing where to find materials in additional languages.
- An 11x17" sheet containing answers to frequently asked questions as well as four vouchers, perforated for easy separation.

The average cost to print and mail a paper voucher packet was \$0.63.

Replacement Voucher Options

The SEEC and campaigns facilitated voucher replacements for residents who no longer had their vouchers.

Residents could request replacements by phone/e-mail, a webform, or in person. Residents provided minimal information including name, date of birth, and e-mail/mailling address. The SEEC then used this information to determine if the resident was still eligible for vouchers and if so, issued the replacements immediately.

- The SEEC reissued 13,000 Democracy Vouchers to 3,500 Seattle residents. Of those, 8,500 replacement vouchers were returned for a 65% return rate.
- Over 550 Seattle residents accessed a web-based replacement form.
- Another 208 residents completed replacement requests in person through staff outreach at community events.

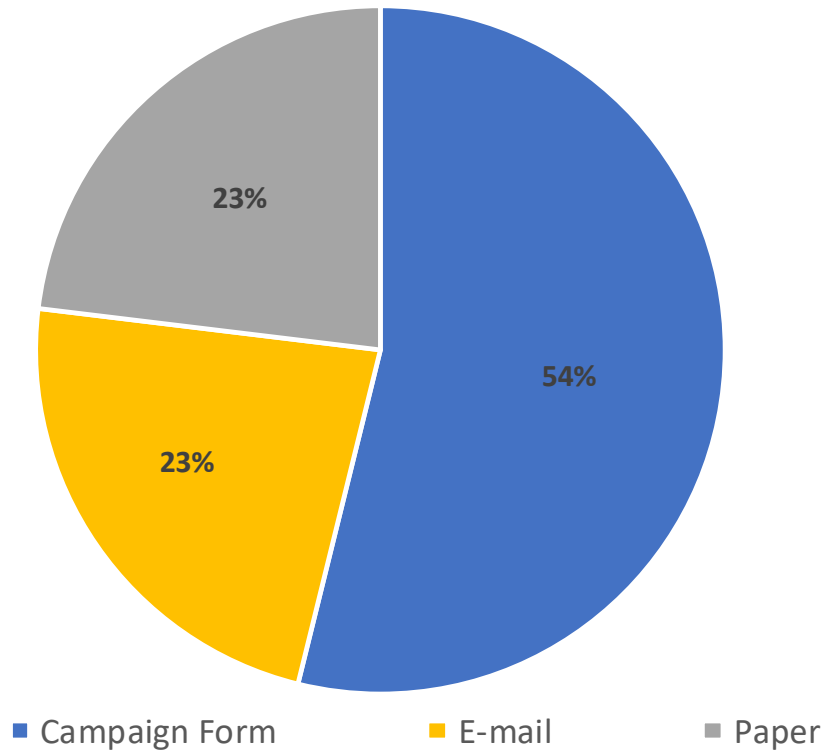


Campaigns had the option of using a Democracy Voucher Replacement Form for campaigns. This option was developed with input from campaigns, local community groups, and members of the program's Advisory Committee.

Campaigns and their registered representatives used this form to facilitate an immediate replacement option when interacting directly with residents. Completed forms were returned to the SEEC and processed using the same standards as regular vouchers. Fifty-four percent of replacement vouchers were completed through a campaign form.

Campaigns interacted with 2,071 residents using this form, collecting 7,192 vouchers.

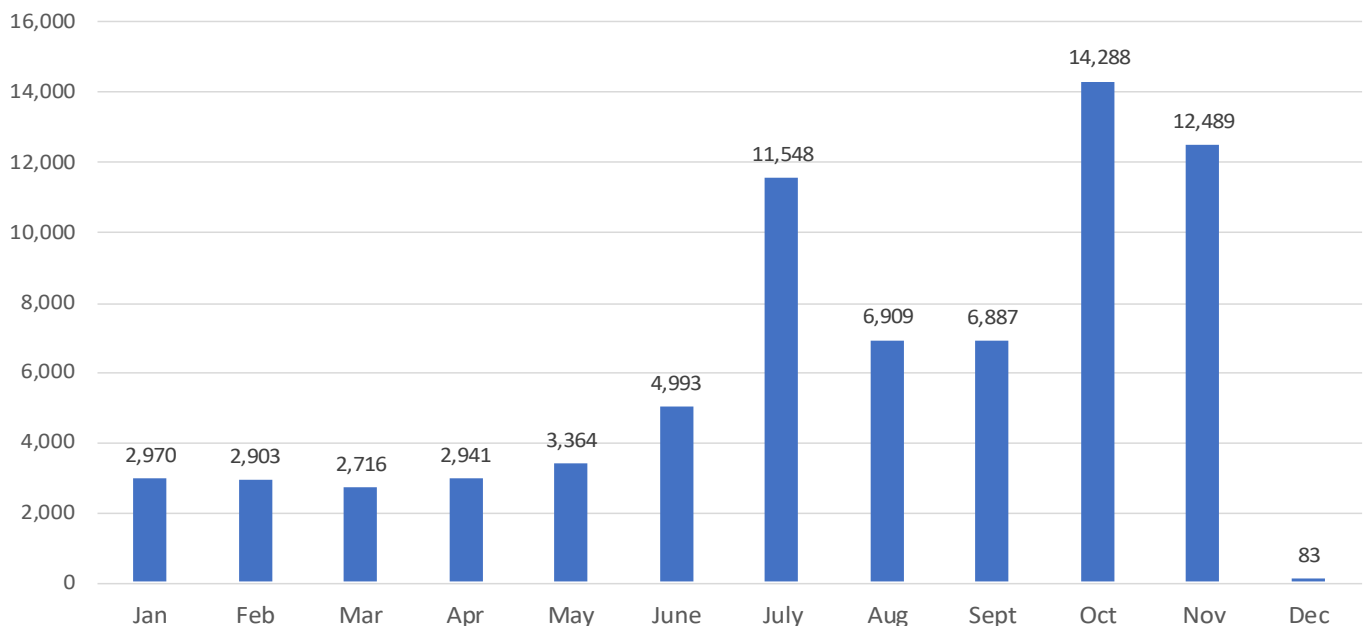
Replacement Democracy Vouchers by Type



Returned Democracy Vouchers

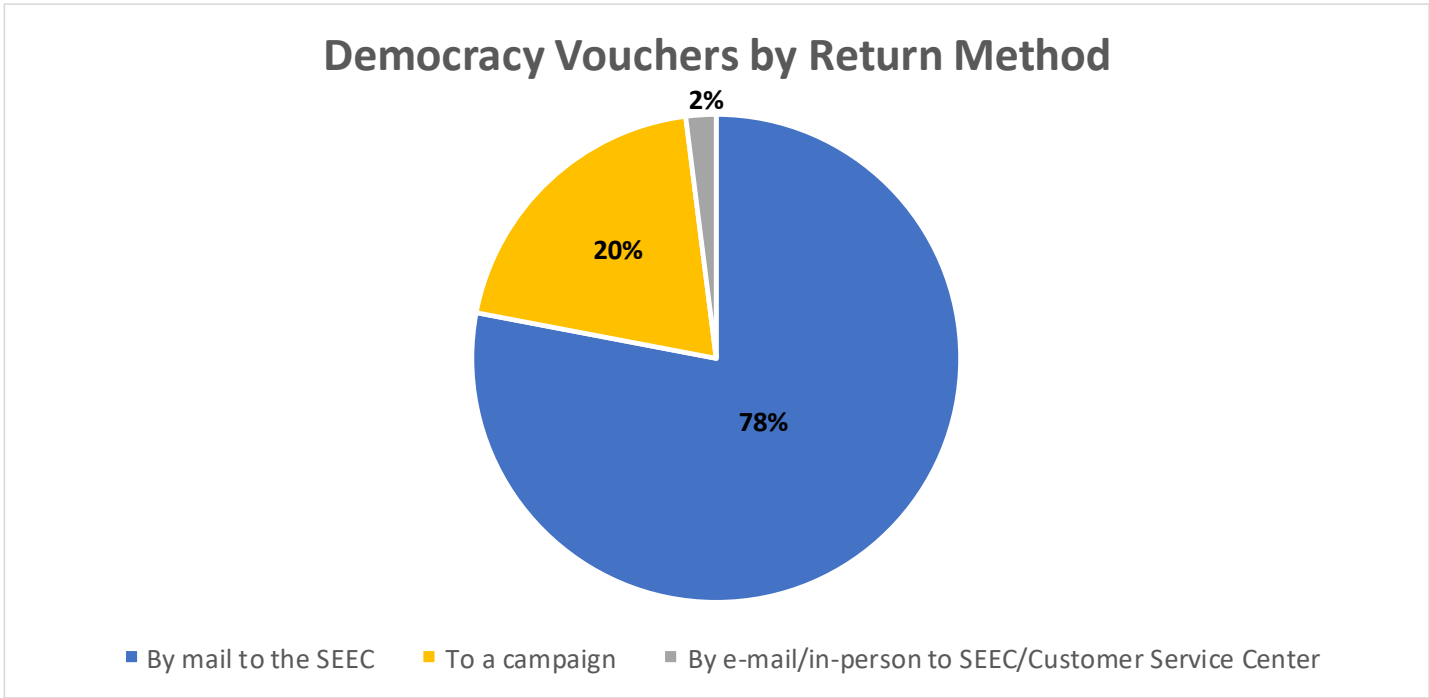
Voucher returns peaked just before the primary and general elections. The chart below tracks vouchers assigned to participating candidates through 2017. In 2017, Seattle residents assigned 72,091 vouchers. This number does not include vouchers returned to a non-participating candidate.

Democracy Vouchers Received by Month



Residents had several options to return vouchers. Residents used the postage-paid envelope, returned an image of the voucher by e-mail, or handed their vouchers directly to a campaign.

Seventy-eight percent of Seattle residents returned their vouchers using the postage-paid envelope. Over 16,000 BRM envelopes were returned at \$0.56 per envelope. Twenty percent of vouchers were returned directly to campaigns and the remaining two percent of vouchers were returned in person/by e-mail to the SEEC office or delivered to a City of Seattle Customer Service Center.



Democracy Voucher Program: Participation by City Council District

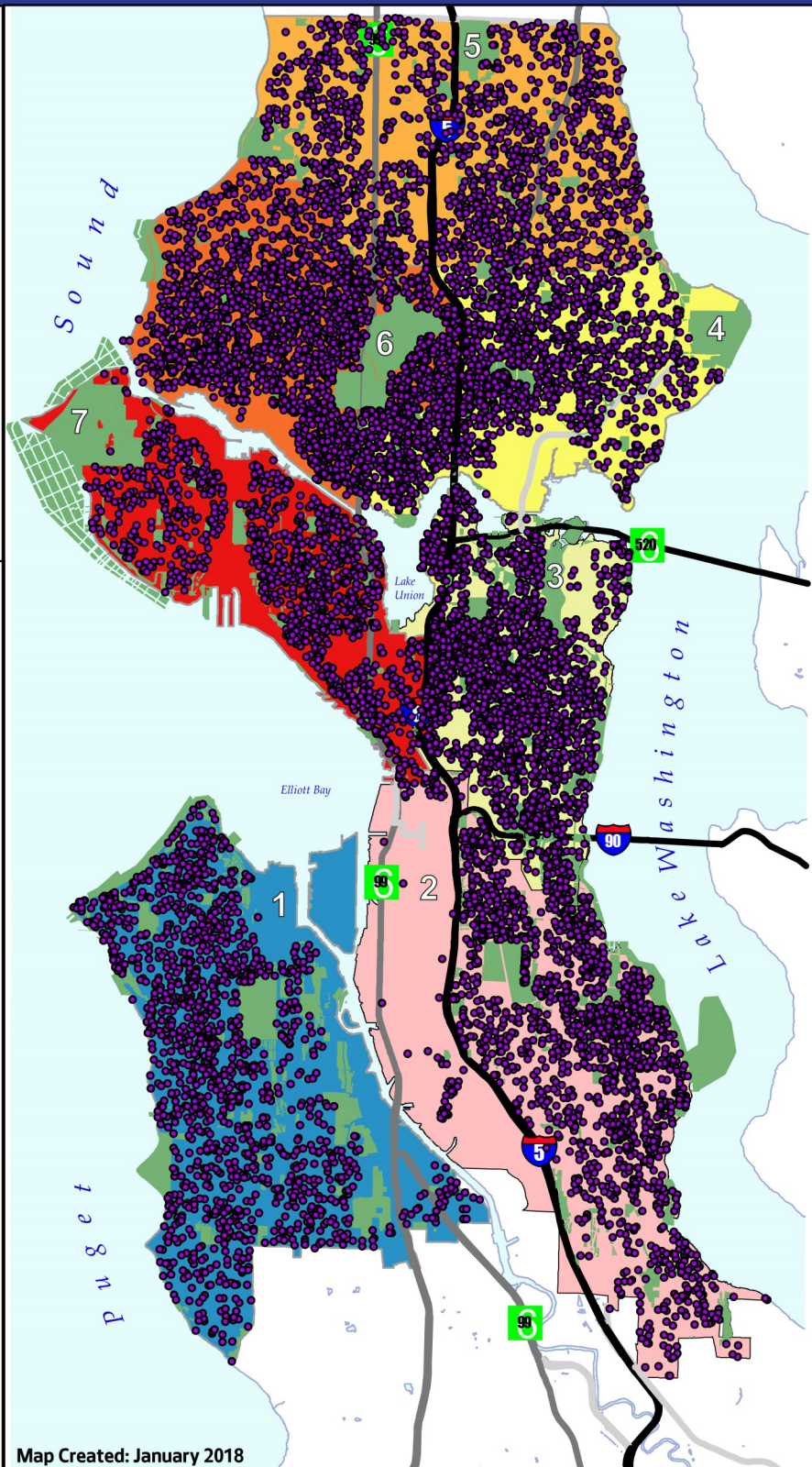


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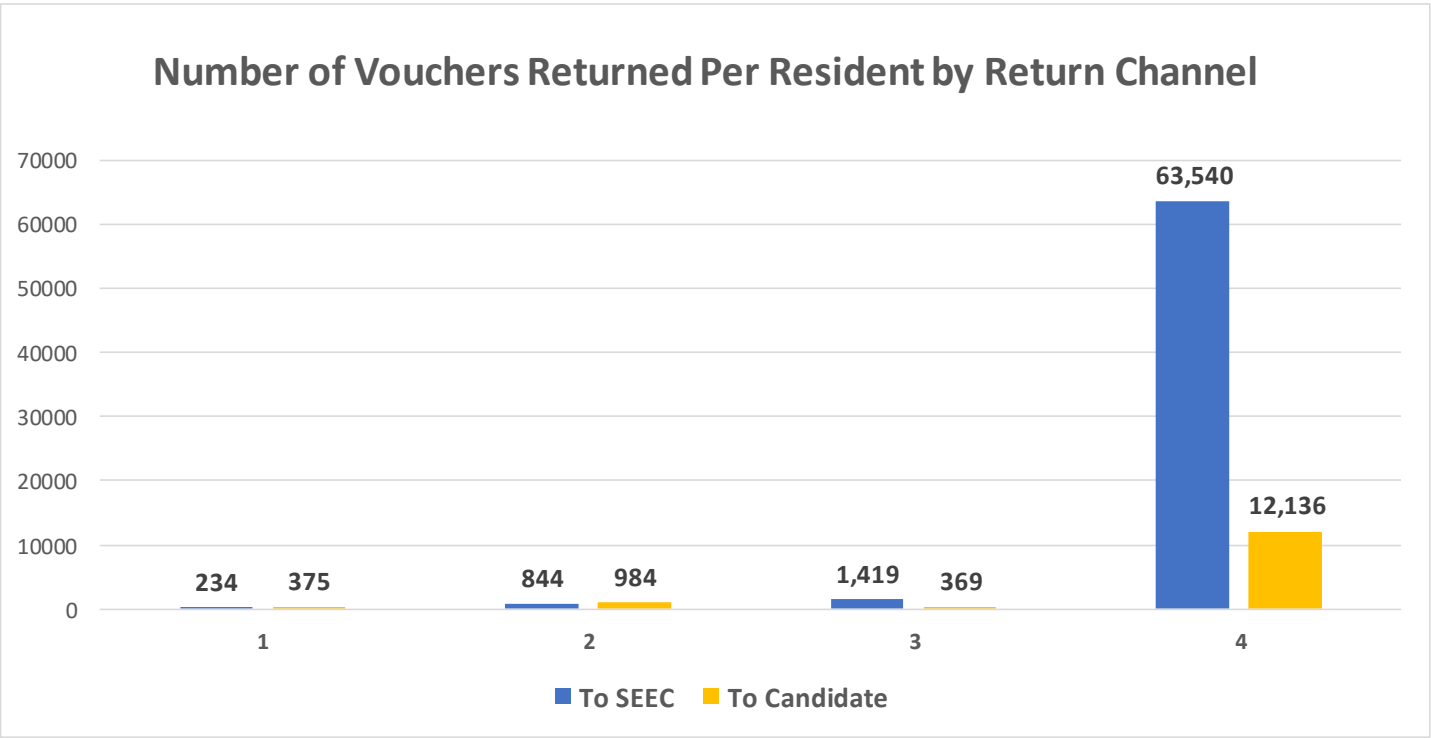
This map shows Seattle residents who submitted at least one Democracy Voucher to a participating candidate.

Legend

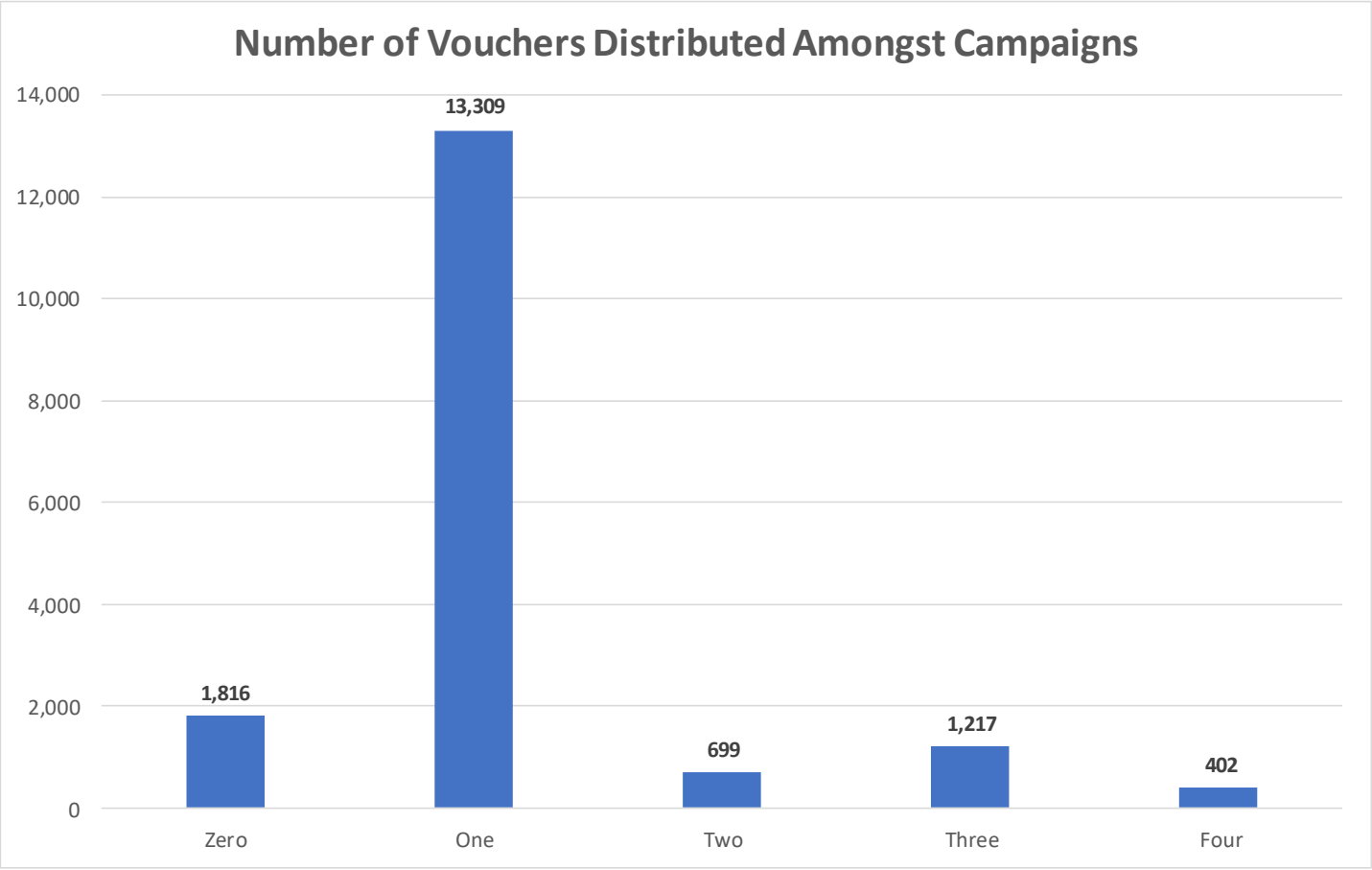
- Democracy Voucher Participant
- Parks
- Waterbodies
- 520
- 99
- I-5
- I-90
- Council District 1
2,172 residents participated
- Council District 2
2,664 residents participated
- Council District 3
3,731 residents participated
- Council District 4
2,627 residents participated
- Council District 5
2,141 residents participated
- Council District 6
3,326 residents participated
- Council District 7
2,413 residents participated



Vouchers were returned from all over the city and there was representation from all seven council districts. The map shows the number of Seattle residents who returned at least one voucher.



Participants had the option of returning 1, 2, 3, or all four vouchers. The majority of participants returned all four.



Participants could assign their vouchers to a single candidate or distribute among multiple candidates. Seventy-six percent of participants gave all four vouchers to a single candidate.

Processing Vouchers

In addition to regular program staff, three temporary staff were hired to process vouchers.

After receiving vouchers at the SEEC, staff scanned the voucher's barcode and updated the participant's record in the Democracy Voucher database. From there, the voucher was either delivered to King County Elections, where the signature was checked against the voter registration record, or was checked by the SEEC against the signature on an individual's program application. After verification, the participant's record was updated with the result.

Ninety-eight percent of vouchers were accepted on the first pass. Most of the remaining two percent were signatures that did not match. The SEEC notified participants of the issue and provided an opportunity to respond.

- Timely file the declaration of candidacy.
- Agree not to accept contributions from any individual or entity in excess of \$250, not including \$100 in vouchers.
- Abide by campaign spending limits.
- Participate in at least three public debates or similar events each for the primary and general elections.
- Agree not to solicit money for or on behalf of any political action committee, political party, or any organization that will make an independent expenditure for or against any City of Seattle candidate during the current election cycle.

Once pledged, the candidate's name appears on the SEEC website and hotline as an eligible candidate able to receive assigned vouchers from residents.

Participating candidates are also subject to contribution and spending limits.

In 2017, 17 City of Seattle Candidates pledged to participate in the Democracy Voucher Program.

CANDIDATES

Pledging

To participate in this program and collect Democracy Vouchers, candidates must first sign a program pledge, agreeing to program rules including:

Democracy Voucher Program Contribution and Expenditure Limits	City Attorney	City Council At-large	City Council District	Mayor (2021)
Individual Contribution Limit*	\$250*	\$250*	\$250*	\$500
Campaign Expenditure Limits Primary Election Only	\$75,000	\$150,000	\$75,000	\$400,000
Combined Campaign Expenditure Limits for Primary and General Election	\$150,000	\$300,000	\$150,000	\$800,000

*These limits do not include Democracy Voucher values.

Qualifying

To receive funds, candidates must complete a qualifying process, collecting a minimum number of qualifying contributions between \$10 and \$250 from Seattle residents who are eligible to make campaign contributions. After collecting the required number of qualifying contributions, campaigns deliver the lists of names/ contributions to the SEEC.

Candidate Position	City Council At-large	City Council District	City Attorney	Mayor
Number of Contributions	400	150*	150	600

**Half (75) of the 150 qualifying contributions for the City Council District position must come from within the district.*

Two audits are performed by the SEEC:

- Review campaign filings to ensure the contribution was at least \$10.
- Confirm the individual is a Seattle resident who made the contribution. For 2017, campaigns collected a contributor signature that was submitted to King County Elections to confirm the named individual made the assignment and resides in Seattle.

Candidate	Position	Pledge Signed	Date Qualified	Weeks to Qualify
Pete Holmes	City Attorney	12/7/2016	2/8/2017	9
Jon Grant	City Council Pos. 8	11/30/2016	2/10/2017	10
Mac Scotty McGregor	City Council Pos. 8	1/6/2017	N/A	-
Teresa Mosqueda	City Council Pos. 8	1/6/2017	3/2/2017	8
Sheley Secrest	City Council Pos. 8	1/13/2017	N/A	-
Hisam Goueli	City Council Pos. 8	1/30/2017	07/28/2017	26
Jennifer Huff	City Council Pos. 8	2/15/2017	N/A	-
Rudy Pantoja Jr	City Council Pos. 8	4/7/2017	N/A	-
Roger Kluck	City Council Pos. 9	1/6/2017	N/A	-
Lorena González	City Council Pos. 9	1/9/2017	9/19/2017	36
Ryan Edward Asbert	City Council Pos. 9	1/13/2017	N/A	-
James Passey	City Council Pos. 9	2/22/2017	N/A	-
Eric Smiley	City Council Pos. 9	3/2/2017	N/A	-
Ian Affleck-Asch	City Council Pos. 9	5/11/2017	N/A	-
Pat Murakami	City Council Pos. 9	5/12/2017	8/11/2017	13
Pauly Giuglianotti	City Council Pos. 9	5/19/2017	N/A	-
Ty Pethe	City Council Pos. 9	5/31/2017	N/A	-

In the first year, 13 Democracy Voucher Program Candidates appeared on the primary ballot and five appeared in the general election.

2017 Primary Candidates		
City Council Position 8	City Council Position 9	City Attorney
Hisam Goueli*	Eric Smiley	Pete Holmes*
Jon Grant*	Ian Affleck-Asch	Scott Lindsay**
Mac McGregor	Lorena González	
Rudy Pantoja	Pat Murakami	
Sheley Secrest	Pauly Giuglianotti	
Teresa Mosqueda*	Ty Pethe	
Charlene Strong**	David Preston**	
Sara Nelson**		
2017 General Election Candidates		
City Council Position 8	City Council Position 9	City Attorney
Jon Grant*	Lorena González*	Pete Holmes*
Teresa Mosqueda*	Pat Murakami*	Scott Lindsay**

*Qualified to receive Democracy Voucher funds **Not a Democracy Voucher Program Candidate

Campaign Disbursements

I-122 requires the SEEC set a budget ensuring that for any given election year, the program can fully fund six candidates per race. For 2017, \$3 million of the budget was reserved for candidate disbursements.

During the 2017 election cycle, the SEEC generated 64 invoices and distributed more than one million to campaigns. The unused voucher funds remain in the program budget for future election years.

Candidate Name	Candidate Position	Vouchers Redeemed	Total
Hisam Goueli	City Council Position 8	1,102	\$27,550
Jon Grant	City Council Position 8	12,000	\$300,000
Teresa Mosqueda	City Council Position 8	12,000	\$300,000
Lorena González	City Council Position 9	8,527	\$213,175
Pat Murakami	City Council Position 9	6,107	\$152,675
Pete Holmes	City Attorney	5,885	\$147,125
Total		45,621	\$1,140,525

Advisory Committee

The purpose of the Advisory Committee is to provide the SEEC staff with input on program implementation, communications, outreach, and evaluation. Committee members met 13 times beginning in 2016 and throughout 2017. Topics included whether to provide a postage-paid envelope with the voucher mailing, communication strategies for Seattle resident communities, the voucher application form, voucher packet design, and designing the campaign replacement form.

The Advisory Committee is responsible for:

- Advising the SEEC staff on program and policy design to ensure compliance with applicable policies and the intent of the initiative;
- Providing recommendations for program implementation alignment with participation and access for diverse community groups;
- Advising and informing program outreach and communication;
- Planning for and advising on program evaluation;
- Participating in design and user acceptance testing;
- Attending meetings regularly; and
- Representing a variety of local community organizations.

Advisory Committee member organizations have included:

- Sightline Institute
- League of Women Voters
- Chief Seattle Club
- LGBTQ Allyship
- The Seattle Public Library
- Latino Community Fund
- King County Elections
- Asian Counseling and Referral Service
- Washington Democracy Hub
- Washington CAN
- Municipal League of King County
- Washington State Public Disclosure Commission
- Win/Win Network

Outreach

Candidates and Campaigns

Beginning in late 2016, Democracy Voucher Program staff met individually with campaign consultants and treasurers to discuss implementation efforts and understand these groups' unique concerns. During the election, each candidate met with Campaign Finance Auditor and Trainer Polly Grow to learn about campaign finance rules and the Democracy Voucher Program. Democracy Voucher Program staff sent frequent communications to candidates via e-mail, held call-in question-and-answer sessions, and maintained an open-door policy for individual campaign consultations with candidates and/or staff.

Residents

To communicate with Seattle residents, DVP staff employed several strategies:

- Conducted four focus groups in English, Spanish, Somali, and Vietnamese in October 2016 to determine best strategies for program messaging and inform the December 2016 mailer designed to announce the coming voucher program.
- Targeted community groups that have not traditionally been included in the political process, focusing both on attending events in specific communities and collaborating with organizations that serve those communities. SEEC provided 25,000 pieces of program documents and postage-paid envelopes to organizations serving these communities.
- Partnered with the City of Seattle's Department of Neighborhoods (DON) Community Liaison program to inform and perform targeted outreach. Attended 13 multilingual "Community Conversations," with organizations such as Cham Refugee Center and the Ethiopian Community Center.
- Additionally, program staff conducted a mid-year focus group with Community Liaisons both to familiarize Community Liaisons with the program and to receive feedback about program messaging.
- Hosted the 2017 candidate forum, "Our Seattle: Meet the Candidates," in partnership with Rainier Beach Action Coalition, Town Hall Seattle, The Municipal League of King County, Washington Bus, and The Seattle Public Library. Provided ASL and interpreter services. More than 130 Seattle residents attended, and the event was live streamed and recorded for later viewing. To publicize the event, the SEEC purchased advertisements with seven ethnic media outlets for \$1,425. Advertisements included print, social media, newsletters, and web advertisements. The target audiences included Chinese, Vietnamese, Somali, LGBTQ, and South Seattle residents.

- The Democracy Voucher Program employed several strategies to outreach to lawful permanent residents (LPRs), also known as "green card holders." The SEEC tailored program materials such as the informational mailer sent to all Seattle households in December 2016 with translated messages, distributing materials in bulk to organizations that work with immigrants and refugees, such as the Northwest Immigrants' Rights Project, and staffing events such as the Office for Immigrant and Refugee Affairs (OIRA)'s New Citizen Workshops. The SEEC worked with OIRA's New Citizen Program, a consortium of 12 community-based organization partners. The New Citizen Program provides free naturalization services to immigrants and refugees living in Seattle/King County who are low-income, elderly, illiterate, or have limited English skills.

In total, staff attended 101 events to increase public awareness, distributed program materials, and answer questions from Seattle residents.

Media Campaigns

Media Launch

During the initial launch of the Democracy Voucher Program in December 2016 and January 2017, the SEEC staff purchased a series of advertisements with 13 ethnic media outlets for \$8,583. Advertisements included print, web, and social media.

The advertisements were directed toward the following audiences: low-income, API, LGBTQ, East

African, Latinx, and South Seattle communities.

Advertisements were translated in Chinese, Korean, Somali, Spanish, and Vietnamese.

The SEEC staff wrote and widely distributed press releases to traditional media outlets, neighborhood blogs, and ethnic media.

Mid-Year Replacement Voucher Media Campaign

In June 2017, the SEEC staff launched a mid-year campaign to remind Seattle residents to use their vouchers and provide information about requesting replacement vouchers. The media campaign included the following key messages:

- Missing your Democracy Vouchers? Call us or go online to request replacement vouchers.
- Find the list of candidates who can accept Democracy Vouchers on our website.
- Apply to receive your Democracy Vouchers.

The SEEC staff purchased advertisements with 18 ethnic media outlets and eight general market outlets. Advertisements included television, print, web, and social media.

Advertisements were directed toward the following audiences: African American, API, Latinx, LGBTQ, Russian, Somali, South Seattle, and low-income communities.

Advertisements were also translated into Chinese, Vietnamese, Korean, Somali, Spanish, and Russian.

The mid-year media campaign cost \$44,876.



The SEEC collaborated with the Seattle Channel and DON and recorded one-minute public service announcements (PSA) in 15 languages. The PSAs aired and were made available on the Seattle Channel, local ethnic media channels, the DVP website, and social media.



Posters in Seattle

The DVP placed over 400 promotional posters in Seattle neighborhoods between June and October 2017.

The mid-year messaging announced the final list of candidates and focused on three key messages:

- Missing your Democracy Vouchers? Call us or go online to request replacement vouchers.
- Find the list of candidates who can accept Democracy Vouchers on our website.
- Apply to receive your Democracy Vouchers.

During this time, the SEEC placed 100 posters in 20 neighborhoods in retail establishments (ex. cafes, restaurants, small locally-owned businesses). The total cost of this work amounted to \$350.

Fall Community Targeting

Democracy Voucher Program staff placed a total of 247 posters at 202 locations in September and October 2017. Neighborhoods included South Park, West Seattle, Belltown, South Lake Union, University District, International District, North Beacon Hill, Georgetown, Phinney Ridge, Greenwood, Columbia City, Othello, Beacon Hill, Central District, Ballard, Fremont, Ravenna, Pioneer Square.

Poster languages included English, Spanish, Vietnamese, Traditional Chinese, Simplified Chinese, Somali, Amharic, and Tigrinya.

In total, the SEEC spent \$2,600 on printing and placing posters in business districts around Seattle.

Democracy Voucher Program Budget Summary Report	2016	2017
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Implementation		
Technology	\$263,200	\$36,000
Office construction	\$225,000	
Informational mailer	\$127,636	
Focus group	\$45,000	
Office hardware and supplies	\$25,000	
Implementation Cost Total	\$685,836	\$36,000

Administration		
Voucher production and mailing		\$358,000
Outreach media and materials	\$5,000	\$85,000
Technology		\$76,000
Translation	\$22,000	\$16,000
Outreach contracting and events		\$30,000
Program evaluation		\$30,000
King County Elections signature verification		\$18,500
Office supplies		\$8,700
Staff: Program staff	\$273,000	\$359,400
Staff: Temporary staff		\$55,000
Yearly Administration Cost	\$300,000	\$1,036,600

Candidates		
2017 Primary and General Election Disbursements		\$1,140,525

Total Program Costs	\$985,836	\$2,213,125
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Funding		
Levy	\$3,000,000	\$3,000,000
Returned unused voucher funds		\$34,958

Racial Justice Advocates Provide Essential Leadership in Pioneering Seattle Democracy Vouchers Victory

In 2015, a coalition of local activists helped enact a first-of-its-kind program in which Seattle residents receive four \$25 “democracy dollar” vouchers to give to candidates of their choice. Concerned with rising housing costs and the power of the city’s largely white donor class to thwart popular solutions, organizations representing communities of color engaged to improve the proposed program and push it over the finish line.

The Context: Inequality in Seattle Leads to Housing Insecurity

Seattle has historically had a “boom and bust” economy.¹ Amazon, Boeing, and tech giants account for the city’s current wealth, but very little of it is broadly shared. The median income for white families in Seattle in 2018 was \$105,000, more than double that of Black households—45 percent of whom make less than \$30,000 a year in one of wealthiest cities in the world.²

Housing prices have skyrocketed recently, causing many Black and brown residents and working families to either move hours outside of the city or to stay and scrape by.³ Washington State passed a state-wide ban on rent control in the 1970s, which survives today.⁴ And wealthy developers and other big money donors have used their power to thwart affordable housing initiatives in the city. Despite sympathetic voices on the Seattle City Council, city government as a whole continued to pursue the priorities of the mostly white donor class.

For example, the council unanimously passed a per-employee tax on Seattle businesses making more than \$20 million per year, with revenues intended to help solve the city's housing crisis, only to repeal it less than a month later.⁵ The repeal came as a direct result of threats from wealthy donors that they would spend big money both to repeal the tax and “flush progressives from office in Seattle.”⁶ Immediately after the tax measure passed, a new group called No Tax on Jobs collected \$25,000 each from Amazon, Starbucks, Kroger, Albertsons, and Microsoft founder Paul Allen's private company Vulcan, and used these funds to successfully qualify a repeal measure for the ballot.⁷ This corporate fundraising compared to a total \$30,000 budget to fight the repeal.⁸ Business leaders confirmed privately that their campaign was not just about the tax, but also about pushing aside city leaders who would stand up to their agendas. A No Tax on Jobs consultant told a Downtown Seattle Association meeting, “What do we want? A new city council.”⁹

According to activist and policy advocate Liz Dupee, who led the coalition of groups working on democracy reforms in Seattle, a lack of affordable housing, gentrification, and all the consequences (e.g. people being forced to move out of the city and commute hours to work) were some of the primary reasons that working people of color decided to get involved in the campaign for democracy dollars.¹⁰ Residents in these communities realized the program would build their political power as a community and create pathways for candidates from their communities, who understand the issues and will fight for change, to run for public office themselves.¹¹

Seattle's Political Donor Class

A 2015 study showed that, like political donors across the country, Seattle's political donor class was overwhelmingly white and wealthy. They also tended to live in homes with waterfront views—a detail that put a fine point on an already unmistakable reality: the presence of big money in politics prevents working people of color from equally participating in government.¹² The research revealed that just 4 percent of Seattle residents contributed 21 percent of donations, and the bulk of the cash came from wealthy neighborhoods dubbed “Big Money Zones.” Another 28 percent came from the next wealthiest neighborhoods called “Middle Money Zones.” All told, half of campaign funds raised came from the richest and second richest neighborhoods in the city, which account for only 13 percent of Seattle's total population.¹³

The Solution: Democracy Dollars

In 2013, a coalition of young policy advocates called Fair Elections Seattle pushed the City Council to refer a proposition to the ballot to address the city's big money problem. The measure failed narrowly (by approximately 1,000 votes), due largely to the coalition's lack of outreach capacity.¹⁴

Organizations working to fight Seattle's housing crisis and build power for Black and brown communities saw an opportunity. In 2014, groups such as the Win/Win Network and Washington Community Action Network (Washington CAN) decided to engage with 2 goals in mind: make the policy to reduce the impact of big money as inclusive as possible, and help enact it into law.¹⁵ The newly expanded, more diverse coalition decided to bypass the City Council and go straight to the voters with an innovative solution: address the dominance of big money by giving all Seattle residents \$100 in "democracy dollars" to contribute to candidates for city office.¹⁶

Crucially, the coalition, newly named Honest Elections Seattle, adopted a formal decision-making structure and committed to values around racial equity.¹⁷ As a result, the community-based organizations succeeded on both of their key goals. Originally, democracy dollars were only going to be available to registered voters, but community-based advocates pushed for a more inclusive program open to any Seattle resident eligible to make campaign contributions. In 2015, the Democracy Vouchers proposal passed in a ballot referendum with a whopping 63 percent of the vote.¹⁸ Washington CAN and its allies knocked on thousands of doors to help achieve this historic victory—ultimately contacting 22,000 voters concentrated in neighborhoods with the highest proportion of people of color and youth voters.¹⁹

"Having community-based coalition leadership ensured that BIPOC community interests would be prioritized by the campaign, which paved the way for the victory we saw in 2015," said Estevan Muñoz-Howard, an early coalition leader and Senior Program Officer at the Piper Fund. "Without BIPOC leaders, the policy wouldn't have been as inclusive, which would have dampened support from key partners and limited the impact of the Democracy Voucher program."²⁰

The Results: A Stronger Voice for Communities of Color in Seattle

Results from democracy dollars' first 2 election cycles show the program is working to diversify the donor pool to give Seattleites of color a stronger voice in their local democracy and open pathways to elected office for candidates of color who otherwise would not run.

In the 2017 cycle, the number of small donors tripled in comparison to the 2013 elections, from 8,200 to 25,000, and were largely from low-income neighborhoods.²¹ Nearly 90 percent of voucher users in that initial cycle hadn't made a contribution to a city candidate in recent years.²² In majority people of color neighborhoods, participation rates were 46 percent higher in City Council and City Attorney races than in the mayoral race. This suggests that the program also significantly expanded participation by people of color.²³ Strikingly, among irregular voters, those who used their vouchers were 4 times more likely to vote in 2017 than those who did not.²⁴ In 2019, nearly twice as many Seattle residents made voucher contributions as cash contributions, and voucher users were more racially and economically diverse than donors as a whole.²⁵

Dupee said, "By connecting the issues that impact Seattleites to the need for more community control over who ends up on the ballot, the coalition effort that brought Democracy Vouchers from idea into reality has changed the face of who interacts in the Seattle donor community. Now, every voting-age Seattleite can financially support their choice candidates regardless of income level."

Gina Owens, a community activist and Washington CAN member and leader, was able to donate to a political campaign for the first time as a result of the Democracy Voucher program. She explained, "I've always been a voter, but my income has never been the highest in Seattle, so I always had a problem using my finances for campaigns, when I have to take care of home."²⁶ Susan Russell, another housing activist who is herself experiencing homelessness, said, "Being homeless feels like getting erased. The Democracy Voucher program made me feel like becoming visible in our local democracy... I got to donate to a candidate who made clear my voice mattered. It was huge. When you have nothing, the vouchers made me feel like I had value in a community. It gave me the opportunity to make a decision and a contribution."²⁷

According to 2019 polling by an independent consulting firm, 45 percent of first-time candidates said they would not have run if the Democracy Vouchers program didn't exist.²⁸ As one candidate put it bluntly on Twitter: "I'm a Black working-class Millennial candidate with a net worth of approximately \$10,000. If it weren't for the democracy voucher program, running for office would be a pipe dream."²⁹

City Council Member Teresa Mosqueda, who was elected in 2017, raised two-thirds of her funds through the program and said the same thing.³⁰ Mosqueda doesn't come from a wealthy family, and like many working-class Seattleites, is burdened with rent and student debt to pay off every month. She described Seattle's program as similar to "winning the lottery" for someone like her. Just as it enabled her, as an unlikely candidate, to run, it also enabled her to seek the support of the communities she comes from and wants to represent. Mosqueda faced 8 opponents in the primary and did not get the endorsement of Seattle's newspapers, but, she said, "What I did have was the power of the movement that the democracy vouchers helped fuel. I ran a worker-powered campaign with union members, women, people of color, health care advocates, and urbanists who went door-to-door talking about the importance of the race and democracy vouchers." In the end, Mosqueda won by 20 points in the general election.³¹

Ami Nguyen put her hat into the ring for a City Council slot in 2019 as well. She ultimately lost to an incumbent, but the democracy dollars program allowed her to run differently. "Coming from a low-income family, I would have never imagined that one day I would be running for office," she told *Northwest Asian Weekly*.³² Nguyen told Next City, "The democracy voucher program has allowed me to connect with communities who don't have any money to spare but are in the most need of a political voice, including seniors relying on social security benefits or families who are living paycheck-to-paycheck."³³ A Seattle Times article described her campaigning:

In other cities, the senior housing complex where Hoa Chau lives might not be a lucrative destination for political candidates seeking campaign donations. The building is occupied by many Vietnamese immigrants who speak little English and have little disposable income.

But Seattle has democracy vouchers, and Ami Nguyen is using them to bankroll her City Council bid. Nguyen spent hours at the building recently, chatting with residents and collecting dozens of the \$25 vouchers.

She walked the halls with Chau, who had never been visited by a candidate, and hasn't donated to a campaign before. "Because I'm old and I'm very poor," the 77-year-old said bluntly, through an interpreter. "I don't have any money."³⁴

This stronger voice for Seattle's immigrant communities has translated into policy wins. According to Dupee, "Because of Democracy Vouchers, the people giving to campaigns reflect the diversity of the city for the first time. We can already see ripple effects into policy with slight reductions in the Seattle Police Department budget and eviction moratorium extensions in response to the COVID-19 pandemic."

The city may finally be standing up to big business to get a handle on its housing crisis as well. Councilmember Teresa Mosqueda, who is a former Washington CAN board member, led her colleagues to revisit and successfully pass a second version of the big-business tax in 2020.³⁵ This came after Amazon ran a slate of candidates that largely came up short in 2019, the second cycle democracy dollars were available.³⁶ Former Washington CAN organizer and democracy dollar campaign steering committee member Chris Genese said, "Democracy dollar vouchers played a significant role in keeping grassroots candidates viable in 2019 as Amazon had geared up to take them out. After that cycle, Amazon lost influence at the council, which opened up a path for the City Council to repass the tax in 2020."³⁷

The democracy dollars campaign also helped build power for people of color beyond Seattle's borders. Washington CAN subsequently ran a successful eviction reform ballot initiative in a majority BIPOC suburb called Federal Way.³⁸ According to Genese, "Washington CAN learned a lot about how to pass ballot initiatives from the democracy vouchers campaign, and we applied that knowledge to our very successful anti-eviction campaign. We saw that leading on the fight against big money was a triple win for the community we represent. We were able to craft and pass great policy to create a more inclusive democracy in our city. That policy has helped our constituents have a stronger voice to win other victories like the big business tax. And we were able to build our organization's capacity along the way so we're stronger for the next fight."

High Hopes for the Future

In 2021, candidates for mayor will be eligible to seek democracy dollars for the first time, and the open-seat race will be the next big opportunity to amplify the voices of ordinary Seattle residents over large donors.³⁹ Advocates are optimistic about how that will help communities of color push their policy priorities.

"Already, the Democracy Voucher program has had a dramatic impact on political discourse in Seattle," said Muñoz-Howard. "We're seeing more BIPOC candidates run for office than ever before, increased voter participation among residents who have historically been left out of the democratic process, and a more widespread rejection of corporate influence on the city's policy priorities. I expect this to translate into an increasing number of concrete victories to improve the lives of Seattle's robust and engaged BIPOC communities in the years ahead."⁴⁰

Endnotes

- ¹ Jon Talton, “Seattle’s boom and bust cycle may not be behind us,” *The Seattle Times*, June 10, 2017, <https://www.seattletimes.com/business/our-boom-and-bust-cycle-may-not-be-behind-us/>.
- ² Charles Mudede, “White Wealth in Seattle Is the Problem (It’s Too Much), Not Black Poverty,” *The Stranger*, September 26, 2019, <https://www.thestranger.com/slog/2019/09/26/41507525/white-wealth-in-seattle-is-the-problem-its-too-much-not-black-poverty>.
- ³ Khaleda Rahman, “Protestors Want Seattle De-Gentrified—This is How it Could Happen,” *Newsweek*, June 16, 2020, <https://www.newsweek.com/seattle-capitol-hill-protesters-gentrification-black-lives-matter-1511192>.
- ⁴ Seattle.gov, “Rent Control FAQs and Myths,” <https://www.seattle.gov/council/meet-the-council/kshama-sawant/rent-strike/rent-control/rent-control-faqs-and-myths#:~:text=In%20response%20to%20grassroots%20organizing,from%20carrying%20out%20rent%20control>.
- ⁵ Alana Semuels, “How Amazon Helped Kill a Seattle Tax on Business,” *The Atlantic*, June 13, 2018, <https://www.theatlantic.com/technology/archive/2018/06/how-amazon-helped-kill-a-seattle-tax-on-business/562736/>.
- ⁶ *Id.*
- ⁷ *Id.*
- ⁸ *Id.*
- ⁹ *Id.*
- ¹⁰ Ms. Dupee, a longtime leader and advocate in Seattle, was formerly Director of Research and Strategy at Win/Win Network, and the Director of the Washington Democracy Hub Coalition.
- ¹¹ Phone interview with Liz Dupee and Amshula Jayaram, Senior Campaign Strategist at Demos, November, 2020.
- ¹² Alan Durning, *Who Funds Seattle’s Political Candidates?*, Sightline Institute, 2015. https://www.sightline.org/research_item/who-funds-seattles-political-candidates/. See also Sean McElwee, Brian Schaffner, and Jesse Rhodes, *Whose Voice, Whose Choice?*, Demos, December 8, 2016, <https://www.demos.org/research/whose-voice-whose-choice-distorting-influence-political-donor-class-our-big-money>; and Adam Lioz, *Stacked Deck: How the Racial Bias in Our Big Money Political System Undermines Our Democracy and Our Economy*, Demos, 2015. <https://www.demos.org/research/stacked-deck-how-racial-bias-our-big-money-political-system-undermines-our-democracy-and>
- ¹³ Durning, *Who Funds?*. Broken down by income, “Big Money Zones” denote areas where the median income is \$106,000; “Middle Money Zones” describe areas where the median income is \$92,000; “Little Money Zones” indicate areas where the median income is \$80,000; and “Micro Money Zones” have a median income of \$61,000.

- ¹⁴ Liz Dupee and Alissa Haslam, *The Honest Elections Seattle Story: The Path to Democracy Vouchers, the Campaign, and What We Learned Along the Way*, Win/Win Network and Washington Democracy Hub, (on file with author) at 6.
- ¹⁵ *Id.* at 6.
- ¹⁶ *Id.* at 6.
- ¹⁷ *Id.* at 6.
- ¹⁸ *Supra* note 17.
- ¹⁹ Dupee and Haslam, at 12.
- ²⁰ Phone interview and email discussion with Estevan Muñoz-Howard by Adam Lioz, Senior Counsel at Demos, February, 2021.
- ²¹ *First Look: Seattle's Democracy Voucher Program: Reducing the Power of Big Money and Expanding Political Participation*, Win/Win Network and Every Voice, November 15, 2017. <https://www.proteusfund.org/wp-content/uploads/2018/09/FINAL-Seattle-Post-Election-Report-1-Nov2017.pdf>.
- ²² City of Seattle Ethics and Elections Commission, Seattle Democracy Voucher Program Evaluation, April 20, 2018, <https://www.seattle.gov/Documents/Departments/EthicsElections/DemocracyVoucher/DVP%20Evaluation%20Final%20Report%20April%2025%202018.pdf>, at 22.
- ²³ *First Look* at 5.
- ²⁴ Jennifer A. Heerwig and Brian J. McCabe, *Expanding Participation in Municipal Elections: Assessing the Impact of Seattle's Democracy Voucher Program*, University of Washington Center for Studies in Demography and Ecology, https://www.seattle.gov/Documents/Departments/EthicsElections/DemocracyVoucher/UW_Seattle_Voucher_Final.pdf, at 5.
- ²⁵ Jennifer A. Heerwig and Brian J. McCabe, *Building a More Diverse Donor Coalition: An Analysis of the Seattle Democracy Voucher Program in the 2019 Election Cycle*, Georgetown University, December 16, 2020, <https://mccourt.georgetown.edu/news/building-a-more-diverse-donor-coalition/>.
- ²⁶ Gene Balk, “Do Seattle’s democracy vouchers work? New analysis says yes,” *The Seattle Times*, October 13, 2017, accessed November 11, 2017, <https://www.seattletimes.com/seattle-news/data/do-seattles-democracy-vouchers-work-new-analysis-says-yes/>.
- ²⁷ *Elster vs. City of Seattle*, May 31, 2018, <https://www.demos.org/sites/default/files/2019-04/Elster%20Wash%20CAN%20Appeals%20Brief%20FILED.pdf>, at 8.
- ²⁸ Seattle Medium, *The Democracy Voucher Program is Now Open for 2021 Candidates*, July 8, 2020, <http://seattlemedium.com/the-democracy-voucher-program-is-now-open-for-2021-candidates/>.
- ²⁹ Gregory Scruggs, “Can Small-Money Democracy Vouchers Balance Out Big-Money PACs in Seattle’s Municipal Elections?,” Next City, August 6, 2019, <https://nextcity.org/daily/entry/can-small-money-democracy-vouchers-balance-out-big-money-pacs-in-seattle>.

- ³⁰ Teresa Mosqueda, “I’m Still Paying off My Student Loans—Here’s How I Funded My Campaign (and Won),” *Bustle*, August 14, 2018, <https://www.bustle.com/p/seattles-democracy-vouchers-helped-me-get-elected-heres-what-i-want-you-to-know-10052772>.
- ³¹ *Id.*
- ³² Meera Maaytah, “Ami Nguyen—Daughter of Vietnamese refugees, King County public defender running for City Council,” *Northwest Asian Weekly*, May 3, 2019, <http://nwasianweekly.com/2019/05/ami-nguyen-daughter-of-vietnamese-refugees-king-county-public-defender-running-for-city-council/>.
- ³³ Scruggs, “Can Small-Money Democracy Vouchers Balance Out?”
- ³⁴ Daniel Beekman, “These voters are using democracy vouchers to influence Seattle’s City Council races,” *The Seattle Times*, September 27, 2019, <https://www.seattletimes.com/seattle-news/politics/candidates-for-seattle-city-council-have-collected-1-6-million-in-democracy-vouchers-so-far/>.
- ³⁵ Annie Palmer, “Seattle passes payroll tax targeting Amazon and other big businesses,” July 7, 2020, CNBC, <https://www.cnbc.com/2020/07/07/seattle-passes-payroll-tax-targeting-amazon-and-other-big-businesses.html>.
- ³⁶ Daniel Beekman & Jim Brunner, “Amazon lost the Seattle City Council Elections after a \$1 million power play. Will it see a new head tax?,” *Seattle Times*, November 10, 2019, <https://www.seattletimes.com/seattle-news/politics/amazon-lost-the-seattle-city-council-elections-after-a-1-million-power-play-will-it-see-a-new-head-tax/>.
- ³⁷ Interview with Chris Genese, February, 2021.
- ³⁸ Shauna Sowersby, “Federal Way made it harder to evict renters without ‘good cause.’ The entire state might do the same,” *Crosscut*, January 8, 2020, <https://crosscut.com/2020/01/federal-way-made-it-harder-evict-renters-without-good-cause-entire-state-might-do-same>; Simone Alicea, “Federal Way just-cause eviction initiative could pave the way for statewide protections,” November 14, 2019, KNKX, <https://www.knkx.org/post/federal-way-just-cause-eviction-initiative-could-pave-way-statewide-protections>.
- ³⁹ David Moore, “Seattle’s Public Financing Breakthrough,” *The American Prospect*, December 25, 2020, <https://prospect.org/power/seattles-public-financing-breakthrough/>.
- ⁴⁰ *Supra* note 20.



Dēmos is an organization that powers the movement for a just, inclusive, multiracial democracy. Through cutting-edge policy research, inspiring litigation, and deep relationships with grass-roots organizations, Dēmos champions solutions that will create a democracy and economy rooted in racial equity.

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With more than 44,000 members, Washington CAN is the state's largest grassroots community organization. Together, we work to achieve racial, social, gender, and economic justice in Washington state and our nation. We believe we can only achieve our goals when people become involved and take action for justice.



**Honest Elections Seattle Initiative
Democracy Voucher Usage and Low-Turnout Voter Engagement
Evaluation in 2017 and 2019**

Prepared for

Piper Fund, a Proteus Fund initiative.

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August 14, 2021

Summary

Participation in the City of Seattle's Democracy Voucher Program through using at least one Democracy Voucher in either 2017 or 2019 was associated with a higher likelihood of voting in the 2017 and 2019 Seattle elections among low-turnout voters. The three categories of low-turnout voters examined are "First-Time Eligible Voters": new voters that can register and vote for the first time, "Non-Voters": voters who never voted in the previous eight eligible odd-year Seattle elections, and "Low Propensity Voters": voters who had up to a 25% voting record in the previous eight eligible odd-year Seattle elections. "Odd-year Seattle elections" refers to both primary and general Seattle municipal elections held during each odd-year. The comparison of likelihood to vote is between that of low-turnout voters who used at least one voucher and that of low-turnout voters who did not use a voucher.

- First-Time Eligible Voters who used at least one voucher in 2017 were 11.75 times more likely to vote in 2017.
- First-Time Eligible Voters who used at least one voucher in 2019 were 6.02 times more likely to vote in 2019.
- Non-Voters who used at least one voucher in 2017 were 10.2 times more likely to vote in 2017.
- Non-Voters who used at least one voucher in 2019 were 6.4 times more likely to vote in 2019.
- Low Propensity Voters who used at least one voucher in 2017 were 7.4 times more likely to vote in 2017.
- Low Propensity Voters who used at least one voucher in 2019 were 4.5 times more likely to vote in 2019.

When analyzing combined 2017 and 2019 voucher program participation and voting, it is clear the more elections in which low-turnout voters participated in the voucher program, the higher their propensity to vote was through those years. The four elections in 2017 and 2019 were the 2017 Primary, 2017 General, 2019 Primary, and 2019 General elections.

- Low-turnout voters from all three voter categories who used at least one voucher in both 2017 and 2019 on average voted in 3 more elections than a low-turnout voter who did not use a voucher in any election.
- Low-turnout voters from all three voter categories who used at least one voucher in exactly one election year on average voted in 2 more elections than a low-turnout voter who did not use a voucher in any election.

1 Introduction

During the last decade, several different forms of local public financing options¹ have been piloted or established in municipalities throughout the U.S. The City of Seattle's 'Democracy Voucher' Program, created via the "Honest Elections Seattle"² (HES) initiative in 2015, represents one such model fully implemented within a jurisdiction via the Seattle Ethics & Elections Commission (SEEC). Data analysis on Democracy Voucher usage during the program's first six years of implementation yielded some encouraging civic participation outcomes.

During the 2017 election, which was the first election Democracy Vouchers were distributed and accepted as contributions to Seattle City Council candidates, nearly 9 out of 10 voucher users had never previously contributed to a candidate for local office in Seattle.³ The percentage of Seattle residents donating to any candidate also increased from 1.3% of all eligible adults in 2015 to 3.4% in 2017.⁴ 84% of Democracy Voucher users in 2017 were "new donors," meaning they had not previously made a cash donation to a political candidate according to campaign finance records.⁴ These results suggest progress toward a primary goal of the original HES initiative: enabling constituents who are not traditional donors to contribute to candidates that best reflect their values and priorities.

Another core goal of the original HES initiative was to increase voter participation among underserved communities and infrequent voters by removing barriers that encumbered them from contributing to supported candidates during the election cycle.⁵ Preliminary analysis from 2017 shows that among Seattle residents who voted in fewer than half of the previous elections for which they were eligible, voucher users were four times as likely to vote in the 2017 election than non-voucher users were.⁶

The impact of voucher usage on voting among low-turnout voters is the main focus of this report. Our working hypothesis is that participation in the Democracy Voucher Program positively impacted voting rates among low-turnout voters and this impact on voting behavior persisted beyond a single election cycle. While our analytical methods will not result in causal conclusions, we predict findings will suggest a positive relationship between the Democracy Voucher program and voting behavior.

¹["Faces of Small Donor Public Financing 2021."](#) Brennan Center for Justice. March 11, 2021.

²["Honest Elections Seattle Initiative \(I-122\)."](#) City of Seattle.

³["Seattle Democracy Program Evaluation."](#) BERK. April 25, 2018. Page 2.

⁴["Seattle Democracy Program Evaluation."](#) BERK. April 25, 2018. Page 18.

⁵Liz Dupee and Alissa Haslam. ["The Honest Elections Seattle Story: The Path to Democracy Vouchers, the Campaign, and What We Learned Along the Way."](#) Win|Win Network and Washington Democracy Hub. Page 3.

⁶Jennifer Heerwig and Brian J. McCabe. ["Expanding Participation in Municipal Elections: Assessing the Impact of Seattle's Democracy Voucher Program."](#) University of Washington. Page 5.

2 Research Scope, Methods, and Data Sources

2.1 Voter Categories

Voters are segmented into six different categories based on their prior vote history. For every voter category that has a percentage range, the lower percentage is not included in the voter category, while the upper percentage is included in that voter category.

Super Voter

75% - 100% vote history for past eight eligible odd-year primary and general elections

Frequent Voter

50% - 75% vote history for past eight eligible odd-year primary and general elections

Infrequent Voter

25% - 50% vote history for past eight eligible odd-year primary and general elections

Low Propensity Voter

0% - 25% vote history for past eight eligible odd-year primary and general elections

Non-Voter (never voted)

0% vote history for past eight eligible odd-year primary and general elections

First-Time Eligible Voters (new voter)

This is the first election in which the individual was eligible to vote

When determining voter categories, only prior odd-year elections are used. This is to avoid comparing odd-year elections to even-year elections, which are different in nature. Someone who may be a low-turnout voter in odd-year elections may have a much better voting record in even-year elections, which often include statewide or federal races. Given one of the goals of the voucher program is to increase civic engagement in municipal elections, the focus on only odd-year elections is an appropriate approach.

Low-turnout voters examined in this report encompass three voter categories: Low Propensity Voters, Non-Voters, and First-Time Eligible Voters.

2.2 Research Scope and Methods

We first quantify the likelihood of low-turnout voters voting in an election year when at least one voucher was used that same year, compared to low-turnout voters who did not use a voucher that year. Specifically, we investigate whether low-turnout voters using at least one voucher in Seattle municipal elections in 2017 and 2019 increased the likelihood of a low-turnout voter participating in those elections

by either voting in the primary or general elections of those years. This first question looks at the presence or absence of voting in an election year and looks at 2017 and 2019 separately.

Bar graphs are used to visualize the likelihood increase of voting in an election between voucher users and non-voucher users for each year and each of the three low-turnout voter categories of interest (Fig. 4-9). Likelihood is measured in terms of the odds ratio (OR) of voting with voucher usage and voting without voucher usage.

Calculating Odds Ratio (OR): Let V_c = voucher users who voted, V_u = voucher users who did not vote, N_c = non-voucher users who voted, and N_u = non-voucher users who did not vote. Then, $OR = (V_c / V_u) / (N_c / N_u)$. In our analysis, the OR gives how much more likely a voucher user was to vote than a non-voucher user in a given year, for each of the three low-turnout voter categories.

Our second analysis considers the combined number of votes cast by low-turnout voters in the 2017 and 2019 Primary and General elections compared to each group's participation in the 2017 and 2019 voucher programs. This looks at 2017 and 2019 combined and compares either zero, one, or two election years of voucher program participation to the exact number of votes that were cast spanning the two years, which was between 0-4. The average (median) value is reported, and is compared to the levels of voucher program participation over the two election years (0, 1 or 2). The population of voters in this analysis that is used are those who were eligible to both vote and use a voucher in 2017 and 2019. Hence 2017 voter categories were used for the combined analysis.

Some of the voters after 2017 moved into higher-turnout voter categories in 2019; thus, the average change to individuals' past vote histories between 2017 and 2019 as a percentage is also given for each of the three categories. Boxplots are created for each voter category to illustrate the correlation between the number of elections a voter used at least one voucher in and the increase in the amount of votes cast (and the related increase in vote history percentage) (Fig. 11-16).

Unregistered or ineligible voters who were voucher users are not considered in this analysis.

2.3 Data Sources

The voter data for analysis in this report was obtained from the 2017 and 2019 Seattle voter files⁷ and then appended to expanded vote history data sourced from Catalist.⁸ The 2017 and 2019 Democracy Voucher program data was sourced from the Seattle Ethics and Elections Commission (SEEC)⁹, which administers the Democracy Voucher Program.

⁷"[Research and Past results - Elections and Voting](#)." *WA Secretary of State*.

⁸"[Progressive data](#)." *Catalist*.

⁹"[Seattle Ethics and Elections Commission](#)." *City of Seattle*.

2.4 Why Low Turnout Voters?

To examine low-turnout voter behavior, we are focusing specifically on registered voters who are Low Propensity Voters, Non-Voters, and First-Time Eligible Voters. The correlation between voucher usage and vote propensity with these voter categories is more relevant, given that higher propensity voters are more likely to vote regardless of any external factors.

Critical in shaping the focus of our analysis is an understanding of the makeup of registered, voucher-using voters. Voucher users who were registered voters in 2017 were overwhelmingly Super Voters (44.5%), followed by Frequent Voters (15.9%), Infrequent Voters (13.7%), Low Propensity Voters (12.8%), Non-Voters (12.5%), and finally First-Time Eligible Voters (0.5%) (*Fig. 1*).

Figure 1. 2017 Voucher Usage by Voter Type

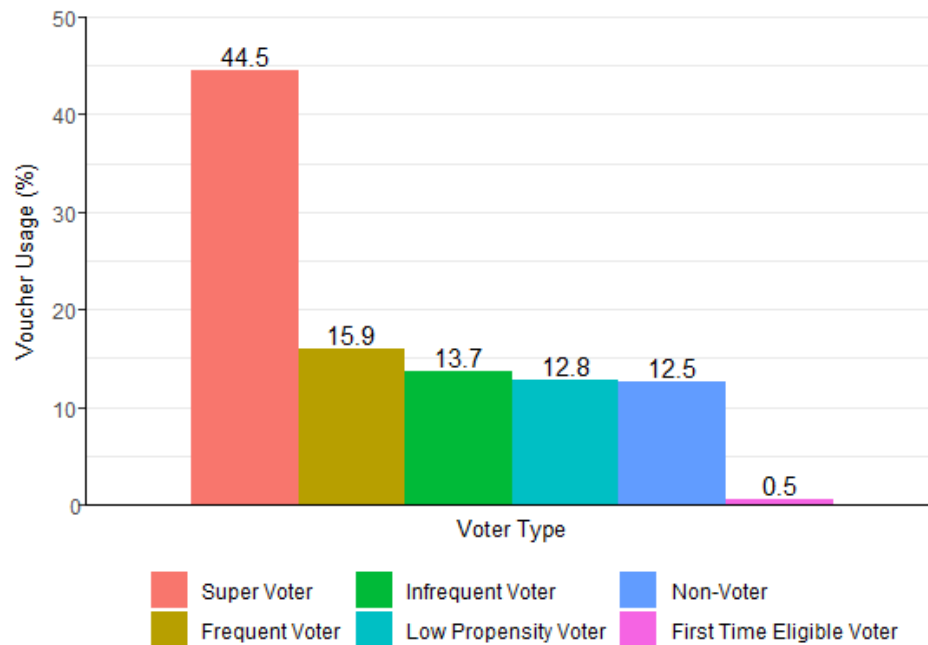


Fig. 1. Breakdown of Voucher Usage (%) by Voter Type in the 2017 Primary and General Elections in Seattle (N = 19426).⁷⁻⁹

The same pattern is seen when looking at 2019 voucher usage, during which voucher users who were registered voters were again predominantly Super Voters (41.7%), followed by Frequent Voters (17.4%), Infrequent Voters (14.6%), Low Propensity Voters (14.3%), Non-Voters (11.3%), and First-Time Eligible Voters (0.7%) (*Fig. 2*).

Figure 2. 2019 Voucher Usage by Voter Type

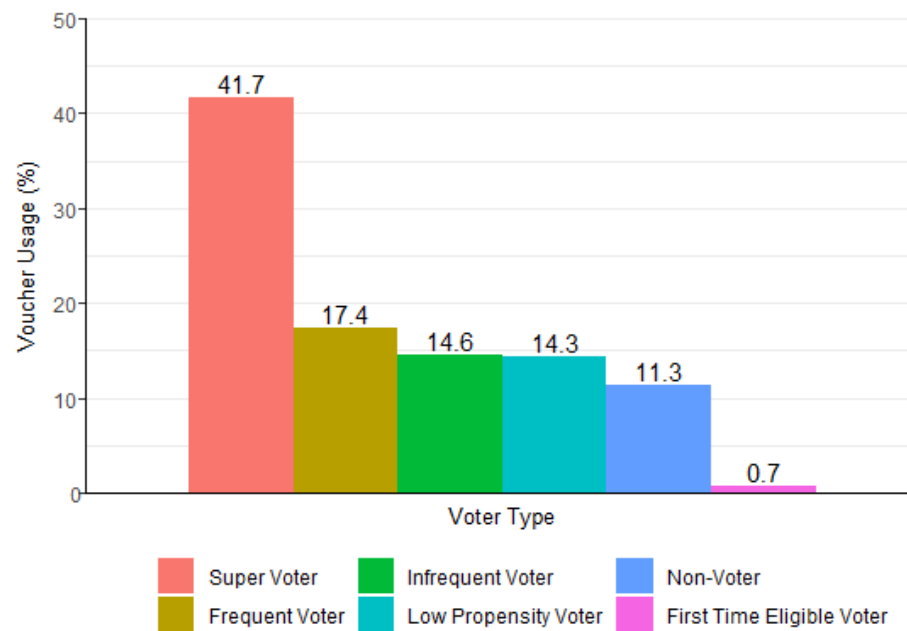


Fig. 2. Breakdown of Voucher Usage (%) by Voter Type in the 2019 Primary and General Elections in Seattle (N = 37941).⁷⁻⁹

Figure 3 shows the distribution of voucher users who were registered voters by vote percentage in both 2017 and 2019, with the black dot indicating the mean value. Noticeably, the distributions are identical for both years. The average (median) voucher user had a prior vote history of 75% in both 2017 and 2019. In other words, the average voucher user was a Frequent Voter.

Figure 3. Voucher Users Vote History Distribution in 2017 and 2019

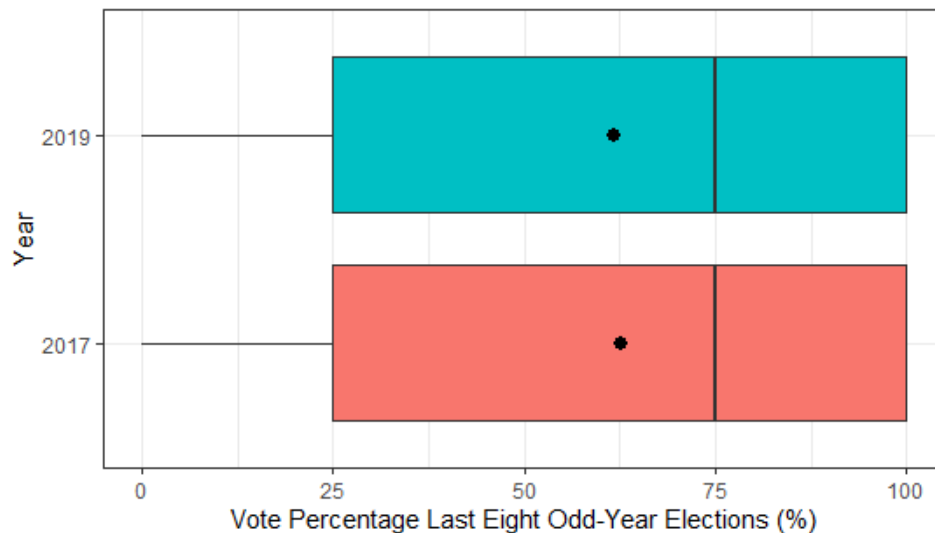


Fig. 3. Boxplot of vote history distribution for voucher users in the 2017 and 2019 Primary and General Elections in Seattle. For 2017, N = 19426, Mean (black dot) = 62.7% , Median (vertical black line) = 75%.. For 2019, N = 37941, Mean (black dot) = 61.9%, Median (vertical black line) = 75%.⁷⁻⁹

Examining any differences in likelihood of voting when comparing voucher and non-voucher usage among high propensity voters, while interesting, is not particularly salient. What is noteworthy to examine is if voucher usage increases the likelihood of low-turnout voters participation. The voters characterized by the “whisker” portion of the boxplots depicted in *Figure 3* are the focus of our analysis, namely Low Propensity or Non-Voters, along with First-Time Eligible Voters, who are not represented on the plot due to having no prior voting ability.

3 Results: Single Election Comparison

In this section, for each low-turnout voter category, we examine how much more likely it was for a voucher user to vote compared to a non-voucher user for both the 2017 and 2019 Seattle elections (summarized in *Figures 4-9*). The calculation for this likelihood is the OR calculation, which is found in **Section 2.2** of this report.

3.1 First-Time Eligible Voters: 2017

Figure 4. First-Time Eligible Voters: 2017 Vote History

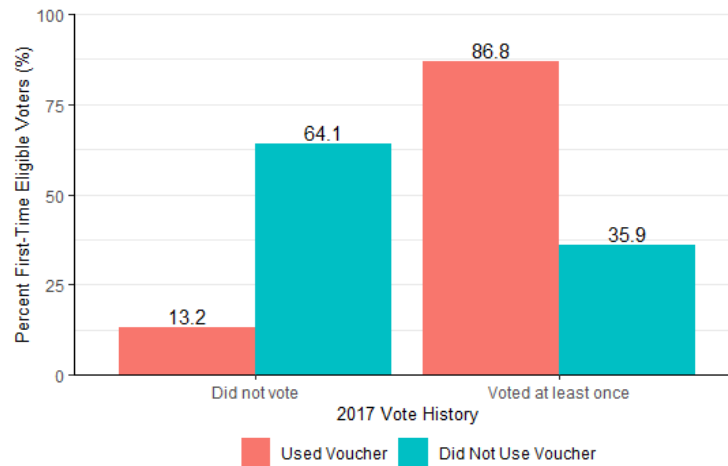


Fig. 4. Percentage of registered First-Time Eligible Voters, Vote History, and Voucher Usage in the 2017 Primary and General Elections in Seattle. For Voucher Users, N = 106. For Non-Voucher Users, N = 5493.⁷⁻⁹

First-Time Eligible Voter Voucher Users were 11.75 times more likely to vote at least once in 2017 compared to First-Time Eligible Voter Non-Voucher Users.¹⁰

3.2 First-Time Eligible Voters: 2019

Figure 5. First-Time Eligible Voters: 2019 Vote History

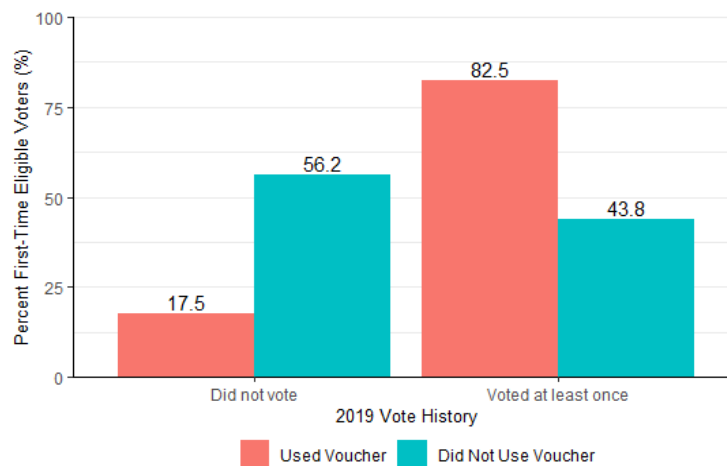


Fig. 5. Percentage of registered First-Time Eligible Voters, Vote History, and Voucher Usage in the 2019 Primary and General Elections in Seattle. For Voucher Users, N = 268. For Non-Voucher Users, N = 6072.⁷⁻⁹

First-Time Eligible Voter Voucher Users were 6.02 times more likely to vote at least once in 2019 compared to First-Time Eligible Voter Non-Voucher Users.¹¹

¹⁰The 95% Confidence Interval is from 6.68 to 20.68

¹¹The 95% Confidence Interval is from 4.38 to 8.29

3.3 Non-Voters: 2017

Figure 6. Non-Voters: 2017 Vote History

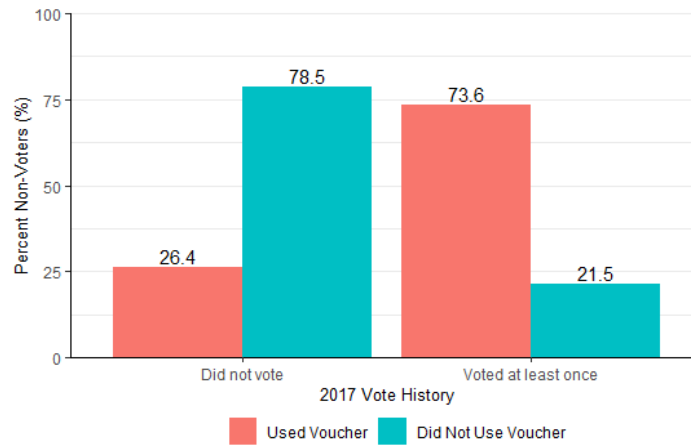


Fig. 6. Registered Non-Voters (%), Vote History, and Voucher Usage in the 2017 Primary and General Elections in Seattle. For Voucher Users, N = 2428. For Non-Voucher Users, N = 185573.⁷⁻⁹

Non-Voter Voucher Users were 10.2 times more likely to vote at least once in 2017 compared to Non-Voter Non-Voucher Users.¹²

3.4 Non-Voters: 2019

Figure 7. Non-Voters: 2017 Vote History

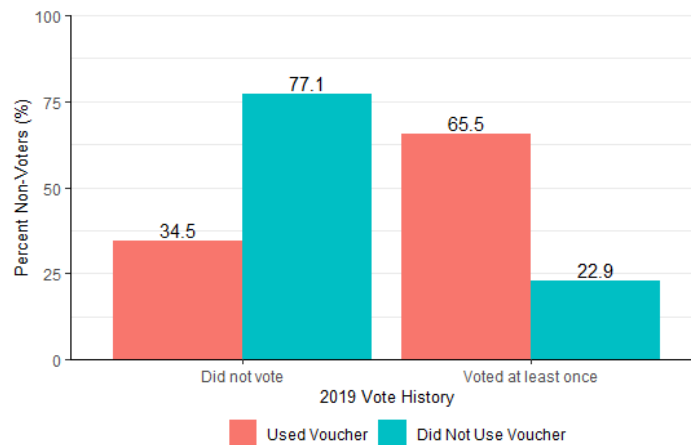


Fig. 7. Registered Non-Voters (%), Vote History, and Voucher Usage in the 2019 Primary and General Elections in Seattle. For Voucher Users, N = 4282. For Non-Voucher Users, N = 199100.⁷⁻⁹

Non-Voter Voucher Users were 6.4 times more likely to vote at least once in 2019 compared to Non-Voter Non-Voucher Users.¹³

¹²The 95% Confidence Interval is from 9.32 to 11.18

¹³The 95% Confidence Interval is from 6.01 to 6.83

3.5 Low Propensity Voters: 2017

Figure 8. Low Propensity Voters: 2017 Vote History

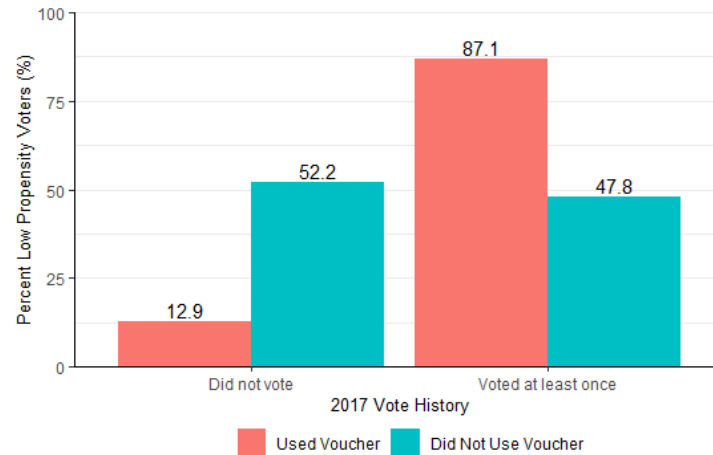


Fig. 8. Registered Low Propensity Voters (%), Vote History, and Voucher Usage in the 2017 Primary and General Elections in Seattle. For Voucher Users, N = 2494. For Non-Voucher Users, N = 91108.⁷⁻⁹

Low Propensity Voucher Users were 7.4 times more likely to vote at least once in 2017 compared to Low Propensity Non-Voucher Users.¹⁴

3.6 Low Propensity Voters: 2019

Figure 9. Low Propensity Voters: 2019 Vote History

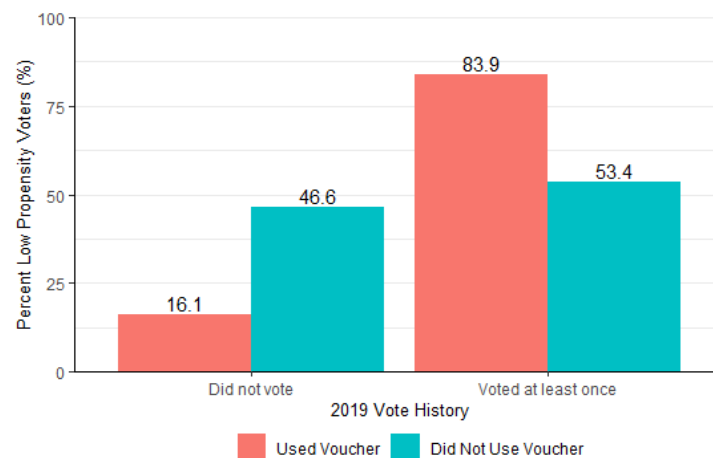


Fig. 9. Registered Low Propensity Voters (%), Vote History, and Voucher Usage in the 2019 Primary and General Elections in Seattle. For Voucher Users, N = 5437. For Non-Voucher Users, N = 102516.⁷⁻⁹

Low Propensity Voter Voucher Users were 4.5 times more likely to vote at least once in 2019 compared to Low Propensity Voter Non-Voucher Users.¹⁵

¹⁴The 95% Confidence Interval is from 6.55 to 8.29

¹⁵The 95% Confidence Interval is from 4.21 to 4.88

4 Results: Comparison of Combined 2017 and 2019 Elections

In the previous section, analysis is confined to a single election, examining using at least one voucher and voting at least once in that same election. In this section, we additionally examine the impact of using at least one voucher in 0, 1, or 2 elections between 2017 and 2019 on the exact number of votes cast between the two years, namely in voting in 0, 1, 2, 3, or 4 elections in 2017 and 2019 combined (Primary and General elections in both years).

This analysis is confined to those individuals who were able to both use a voucher and cast a vote in both the 2017 and 2019 elections. Voter categories are based on 2017 voter groupings.

Figure 10 illustrates the pattern we expect: regardless of the low-turnout voter category, we see an increase in the number of elections in which individuals voted with an increase in the number of elections in which individuals used at least one voucher.

Figure 10. Vouchers Used and Voting in 2017 and 2019

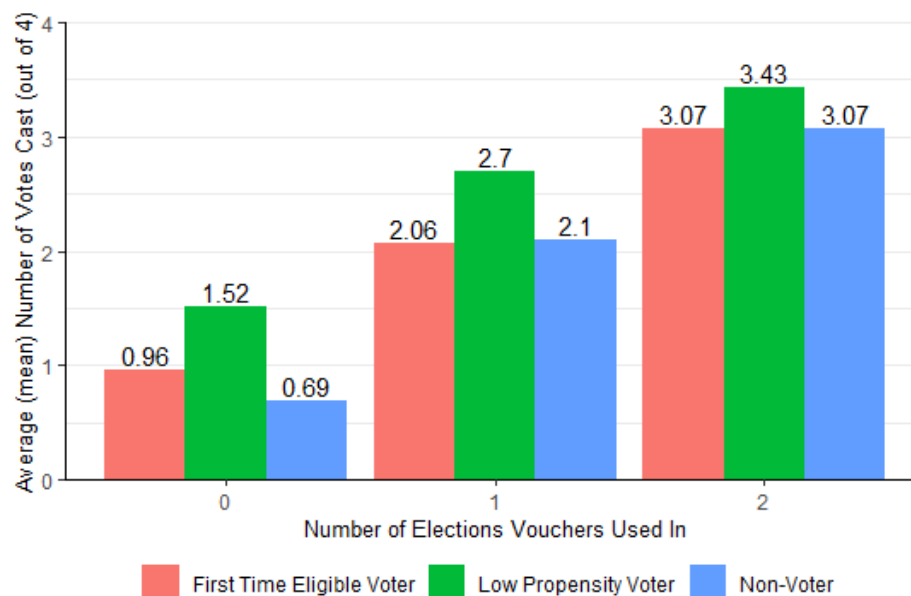


Fig. 10. Average (mean) number of votes cast (out of 4) and number of elections (either 2017, 2019, or both) Democracy Vouchers were used in (0, 1 or 2). For First-Time Eligible Voters, N = 4987. For Non-Voters, N = 153112. For Low Propensity Voters, N = 78833.⁷⁻⁹

Figure 10 depicts mean values as the average. *Figures 11, 13, and 15* in the next subsections depict median average votes cast for each low-turnout voter category, and these median values are used for analysis.

4.1 First-Time Eligible Voters: 2017 and 2019 Elections Combined Analysis

Figure 11. First-Time Eligible Voters: Vouchers and Voting (2017/2019)

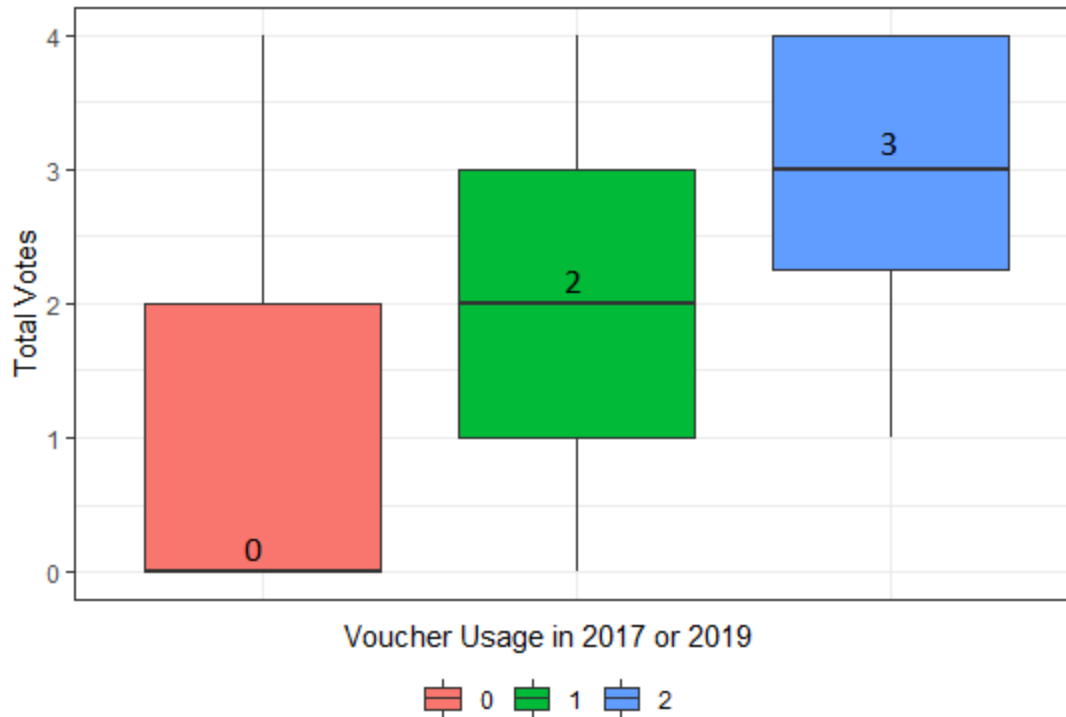


Fig. 11. Total votes cast (0-4) and total years voucher program participation (0-2) for 2017 and 2019 elections combined. Median values represented by black solid lines. For First-Time Eligible Voters who did not use a voucher in 2017 or 2019, N = 4690. For First-Time Eligible Voters who used at least one voucher in 2017 or 2019, but not in both years, N = 267. For First-Time Eligible Voters who used at least one voucher in both 2017 and 2019, N = 30.⁷⁻⁹

A First-Time Eligible Voter who didn't use a voucher in either election had an average (median) vote record of 0 votes. A First-Time Eligible Voter who used at least one voucher in either 2017 or 2019 (but not both) had an average vote record of 2 votes. A First-Time Eligible Voter who used at least one voucher in both 2017 and 2019 had an average vote record of 3 votes (*Fig. 11*).

A First-Time Eligible Voter who used at least one voucher in both 2017 and 2019 on average voted in 3 more elections than a voter who did not use a voucher. Just using at least one voucher in one election made the First-Time Eligible Voter on average vote in 2 more elections than if no voucher was used (*Fig. 11*).

Figure 12. First-Time Eligible Voters: Vouchers and Vote History Change (2017/2019)

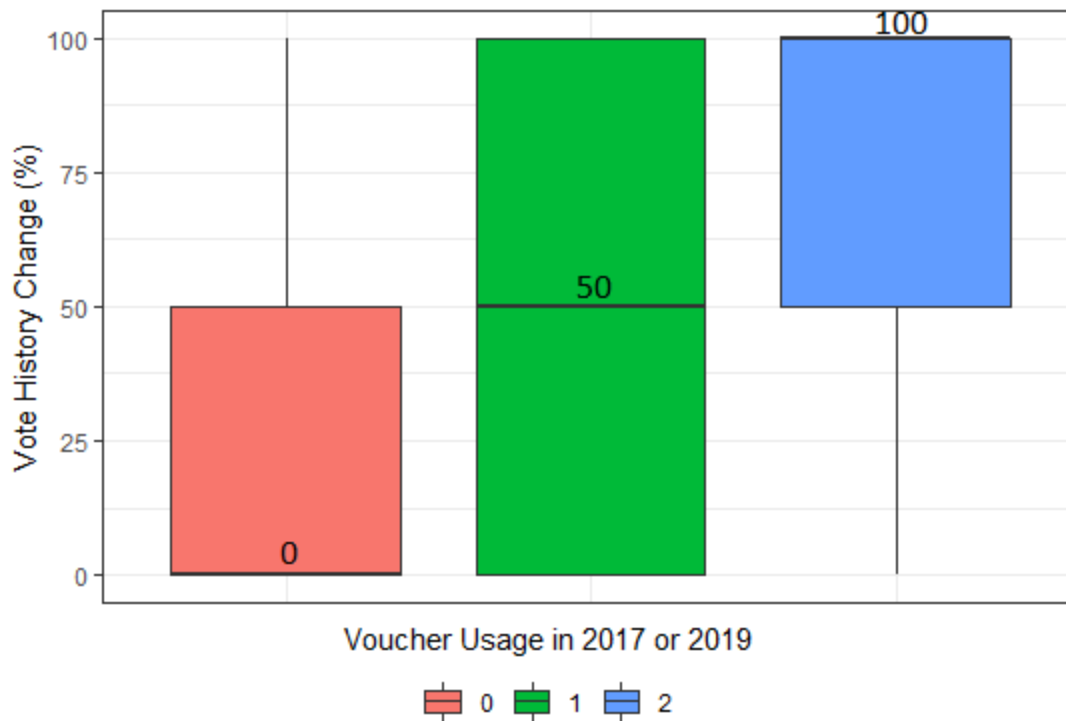


Fig. 12. Vote history change (%) and total years voucher program participation (0-2) for 2017 and 2019 elections combined. Median values represented by black solid lines. For First-Time Eligible Voters who did not use a voucher in 2017 or 2019, N = 4690. For First-Time Eligible Voters who used at least one voucher in 2017 or 2019, but not in both years, N = 267. For First-Time Eligible Voters who used at least one voucher in both 2017 and 2019, N = 30.⁷⁻⁹

A First-Time Eligible Voter who didn't use a voucher in either election had an average (median) vote history change of 0% by the end of 2019. A First-Time Eligible Voter who used at least one voucher in either 2017 or 2019 (but not both) had an average vote history change of +50% by the end of 2019. A First-Time Eligible Voter who used at least one voucher in both 2017 and 2019 had an average vote history change of +100% by the end of 2019 (*Fig. 12*).

4.2 Non-Voters: 2017 and 2019 Elections Combined Analysis

Figure 13. Non-Voters: Vouchers and Voting (2017/2019)

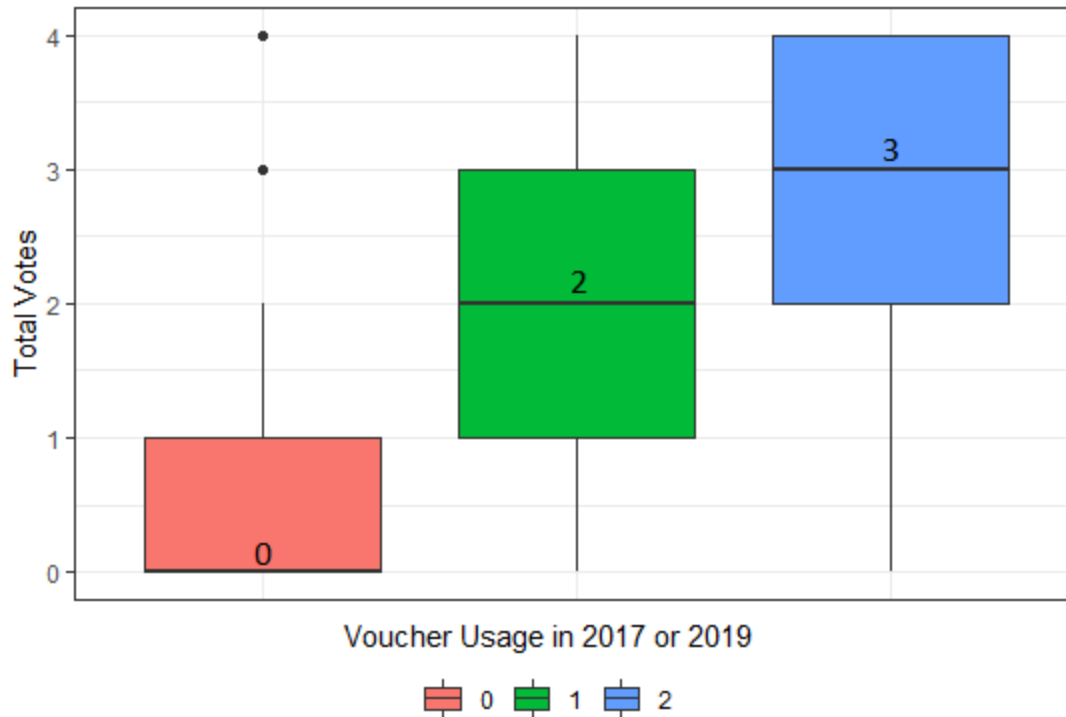


Fig. 13. Total votes cast (0-4) and total years voucher program participation (0-2) for 2017 and 2019 elections combined for Non-Voters. Median values represented by black solid lines. For Non-Voters who did not use a voucher in 2017 or 2019, N = 147260. For Non-Voters who used at least one voucher in 2017 or 2019, but not in both years, N = 5313. For Non-Voters who used at least one voucher in both 2017 and 2019, N = 539.⁷⁻⁹

A Non-Voter who didn't use a voucher in either election had an average (median) vote record of 0 votes. A Non-Voter who used at least one voucher in either 2017 or 2019 (but not both) had an average vote record of 2 votes. A Non-Voter who used at least one voucher in both 2017 and 2019 had an average vote record of 3 votes (*Fig. 13*).

A Non-Voter who used at least one voucher in both 2017 and 2019 on average voted in 3 more elections than a voter who did not use a voucher. Just using at least one voucher in only one election made the Non-Voter on average vote in 2 more elections than if no voucher was used (*Fig. 13*).

Figure 14. Non-Voters: Vouchers and Vote History Change (2017/2019)

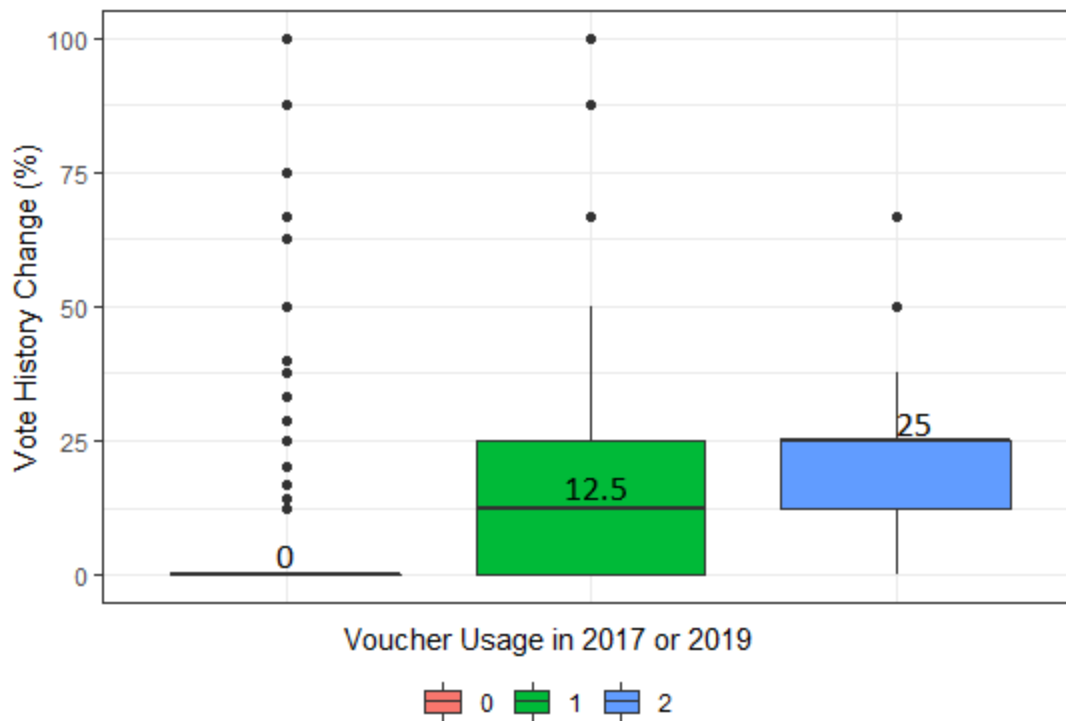


Fig. 14. Vote history change (%) and total years voucher program participation (0-2) for 2017 and 2019 elections combined for Non-Voters. Median values represented by black solid lines. For Non-Voters who did not use a voucher in 2017 or 2019, N = 147260. For Non-Voters who used at least one voucher in 2017 or 2019, but not in both years, N = 5313. For Non-Voters who used at least one voucher in both 2017 and 2019, N = 539.⁷⁻⁹

A Non-Voter who didn't use a voucher in either election had an average (median) vote history change of 0% by the end of 2019. A Non-Voter who used at least one voucher in either 2017 or 2019 (but not both) had an average vote history change of +12.5% by the end of 2019. A Non-Voter who used at least one voucher in both 2017 and 2019 had an average vote history change of +25% by the end of 2019 (*Fig. 14*).

4.3 Low Propensity Voters: 2017 and 2019 Elections Combined Analysis

Figure 15. Non-Voters: Vouchers and Voting (2017/2019)

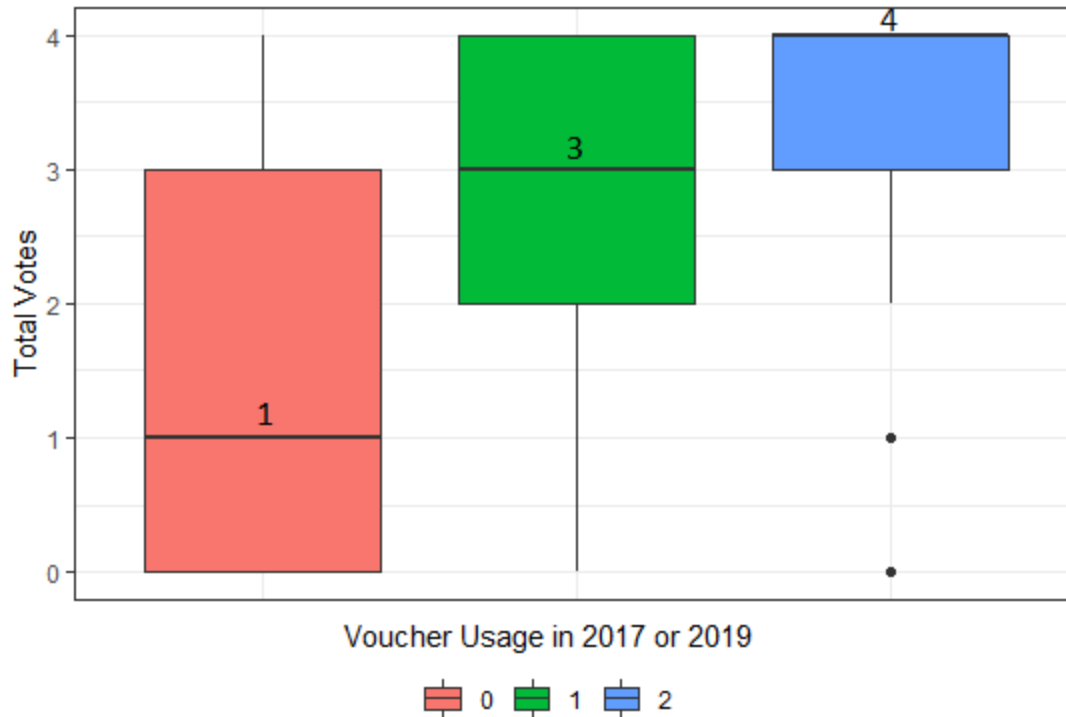


Fig. 15. Total votes cast (0-4) and total years voucher program participation (0-2) for 2017 and 2019 elections combined for Low Propensity Voters. Median values represented by black solid lines. For Low Propensity Voters who did not use a voucher in 2017 or 2019, N = 72911. For Low Propensity Voters who used at least one voucher in 2017 or 2019, but not in both years, N = 5304. For Low Propensity Voters who used at least one voucher in both 2017 and 2019, N = 618.⁷⁻⁹

A Low Propensity Voter who didn't use a voucher in either election had an average (median) vote record of 1 vote out of 4. A Low Propensity Voter who used at least one voucher in either 2017 or 2019 (but not both) had an average vote record of 3 votes. A Low Propensity Voter who used at least one voucher in both 2017 and 2019 had an average vote record of 4 votes-- the voter participated in every election in both 2017 and 2019 (*Fig. 15*).

A Low Propensity Voter who used a voucher in both 2017 and 2019 will have on average voted in 3 more elections than a voter who did not use a voucher. Just using at least one voucher in one election made the Low Propensity Voter on average vote in 2 more elections than if no voucher was used (*Fig. 15*).

Figure 16. Low Propensity Voters: Vouchers and Voting (2017/2019)

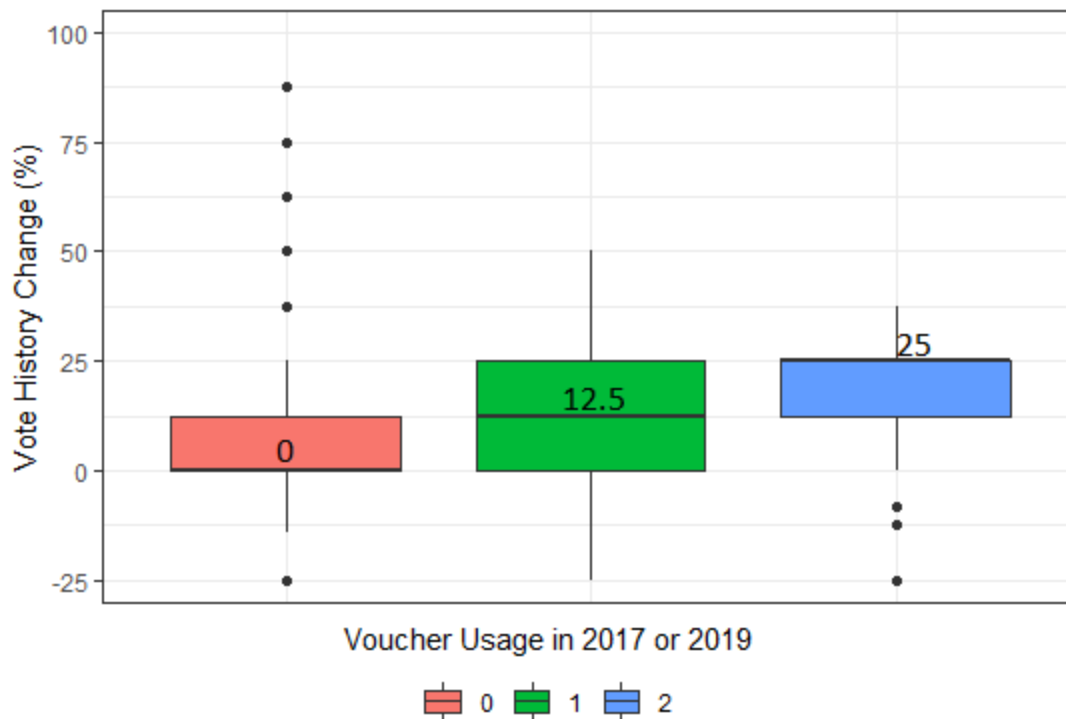


Fig. 16. Vote history change (%) and total years voucher program participation (0-2) for 2017 and 2019 elections combined for Low Propensity Voters. Median values represented by black solid lines. For Low Propensity Voters who did not use a voucher in 2017 or 2019, N = 72911. For Low Propensity Voters who used at least one voucher in 2017 or 2019, but not in both years, N = 5304. For Low Propensity Voters who used at least one voucher in both 2017 and 2019, N = 618.⁷⁻⁹

A Low Propensity Voter who doesn't use a voucher in either election had an average (median) vote history change of 0% by the end of 2019. A Low Propensity Voter who used at least one voucher in either 2017 or 2019 (but not both) had an average vote history change of +12.5% by the end of 2019. A Low Propensity Voter who used at least one voucher in both 2017 and 2019 had an average vote history change of +25% by the end of 2019 (*Fig. 16*).

5 Conclusions and Recommendation

The analyses in this report suggest a strong relationship between participation in the Democracy Voucher Program and voting behavior among low-turnout Seattle voters. In every category of low-turnout voter in both the 2017 and 2019 Seattle elections, it is shown that a voucher user was more likely to vote than a non-voucher user. It is furthermore shown that the number of elections in which a low-turnout voter participated using a Democracy Voucher positively correlates with the total number of votes cast in those elections by that voter.

In this report, we are only able to draw correlational conclusions that suggest a strong positive likelihood between participation in the Democracy Voucher Program and increased voter participation

among low-turnout voters in both individual and multiple elections. Additionally, because all analyses were conducted in 2021, there was no opportunity to create control groups or prescribed conditions during the 2017 or 2019 cycles to establish more nuanced, causal conclusions. There is a clear need for more comprehensive research that would allow for prescribed conditions, control groups, and collection and analysis of data during a local election cycle to further understand the nature of these relationships.

Despite the aforementioned limitations, it is clear there exists a strong potential for greater participation in the voting process by removing financial and bureaucratic barriers to supporting candidates in local elections through the Democracy Voucher Program. Expanding the Democracy Voucher Program in Seattle and other jurisdictions could be an impactful way to increase equitable voting participation in a sustainable manner in local elections.



Clean Elections: Context and Best Practices

Presentation to Portland Charter Commission, Elections Committee
Anna Kellar, Executive Director, Maine Citizens for Clean Elections

Nationwide Examples

New York City, NY	1988, 2018	Small Donor Match
Maine (1st State!)	1996, 2015	Clean Elections Grant
Arizona	1998	Clean Elections Grant
Boulder, CO	2001	Small Donor Match
Connecticut	2005	Clean Elections Grant
Santa Fe, NM	2008	Grant + Small Donor Match
Seattle, WA	2015	Voucher
Washington, DC	2018	Small Donor Match
Portland, OR	2018	Small Donor Match

...and more!

Goals

- Eliminate corruption or appearance of corruption
- Expand political equity
- Improve representation by allowing diversity of candidates
- Limit cost of elections

Key Features

A Starting Point: Public Funding Charter Amendment

Section 12. Public Financing of Municipal Elections

The city council shall establish and fund a mechanism providing public campaign funds to qualified candidates for mayor, city council, and school board. The mechanism must provide sufficient funds to allow candidates who meet qualifying criteria to conduct competitive campaigns, must be voluntary, must limit the amount of private funds a candidate may raise, must only be available to candidates who demonstrate public support, and must be limited to candidates who enter into a binding agreement not to accept private contributions other than those allowed by the public funding program. The mechanism must be available by the 2021 municipal elections.

Key Features

1. **“Provide sufficient funds to allow candidates who meet qualifying criteria to conduct competitive campaigns...”**

Candidates who use public funding must receive sufficient funds to get their message out to voters and respond to messages from opponents. However, competitive does not mean unlimited funding. Seed money or Seed Grants are also important elements.

Key Features

2. Must be voluntary

The US Supreme Court has ruled that public funding programs are constitutional so long as they are not mandatory. This means that no candidate can be legally compelled to participate. It also means that the overall campaign finance regulatory system cannot make it impossible or impractical to conduct a viable campaign with private funding.

Key Features

3. May limit the amount of private funds a candidate in the program may raise

Early campaign reforms focused on limiting candidate spending. But over three decades ago the Supreme Court ruled that limits on candidate spending are unconstitutional unless they are part of a voluntary system. The public strongly supports limits on campaign spending, and experience with the Maine Clean Election Act shows that candidates also like spending limits.

Key Features

4. Must only be available to candidates who demonstrate public support

Public funding should support viable candidates, who are willing to work hard and have the support of a significant number in the community. For example, under the Maine Clean Elections Act, candidates demonstrate public support by collecting a set number of \$5 contributions from their constituents before they qualify for public funds. This ensures that limited public resources are targeted to candidates who can show that they are truly viable.

Key Features

5. Must be limited to candidates who enter into a binding agreement not to accept private contributions other than those allowed by the public funding program

A voluntary public funding system not only allows for overall spending limits, but it also allows strict limits on what any one contributor may give to a candidate. This helps prevent corruption and the appearance of corruption, freeing elected officials to vote their conscience and the best interests of their constituents. With private funding, a single contributor can often give a very large amount, making many candidates feel a sense of obligation and indebtedness.

Additional Considerations

- Dedicated fund w/ annual appropriation and rollover, insulated from politics
- Independent administration w/ commission
- Public education and engagement mandate
- Allowing those with low/no disposable income to participate
- Date for implementation



Types of Programs

- Grant (ME, CT)
- Small Donor Match (NYC)
- Voucher (Seattle)
- Cost of fund is similar
 - Approx 100,000-250,000 per year
 - Less than 0.05% of budget

	JURISDICTIONS			
COST METHOD	ME (2018)	CT (2018)	Seattle (2019)	NYC (2021)
Annualized Cost per Person	\$1.68	\$2.79	\$1.63	\$3.43
Annualized Cost as % of Budget	0.025%	0.048%	0.021%	0.031%
Pro-rated for Portland per person	\$110,880.00	\$184,140.00	\$107,580.00	\$226,380.00
Pro-rated for Portland % of budget	\$67,050.00	\$128,736.00	\$56,322.00	\$8,314.20



What to consider

- Variation between administrative burdens
- Equity - how many people are donors? How can they participate?
- Albuquerque and Santa Fe examples





Questions?

Mainecleanelections.org
anna@mainecleanelections.org



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

To: City of Portland Charter Commission
From: Emma Burke, Candidate Registrar
Date: September 22, 2021
Re: Best Practices for Administering Public Financing Program

This memo is in response to Commissioner Marpheen Chan's request for recommended best practices when administering a public campaign financing program. Below are my professional recommendations, as an administrator of the Maine Clean Election Act for the past four elections.

Fraud Reduction/Elimination: An obvious concern when administering a public financing program is fraudulent applications and fraudulent use of the public funds. To reduce and eliminate fraud from the program, the following practices are recommended:

- **Thorough Review Process** - All parts of requests to receive public funding must be thoroughly reviewed to make sure all elements have been completed appropriately and in a valid fashion. Forms and documents that require signatures should require two signatures from each contributor/supporter so signature comparisons can be performed. All elements of contributor/supporter information should be required to be completed, such as signature, date of signature, and contributor's/supporter's name and residential address.
- **Form Creation & Circulation Process** - All forms should be designed with clear disclaimers on them as to what their purpose is, so all contributors/supporters understand what they are signing. There should also be a circulator signature/affirmation so the candidate/campaign

worker can legally affirm they collected the signatures via the prescribed methods.

- **Auditing & Recordkeeping-** Some percentage of all publicly financed candidates should be *randomly* selected to be audited and undergo a thorough audit of their campaign's financial activity. The administrator of the program should also be able to request *for-cause* audits of candidates they have significant concerns about. The auditors should be third-party auditors. All publicly financed candidates should have to keep all records related to the campaign for a set amount of time after the campaign is over.

Financial Activity Reporting & Restrictions: If a candidate is receiving public funds to finance their campaign, they should have sensible and fair limitations on how those funds are spent and should also be required to publicly disclose how those funds are spent.

- **Spending Guidelines & Restrictions** - Publicly financed candidates should be able to spend their funds in efforts to directly influence the outcome of their election, but also be restricted from spending funds that could personally benefit themselves, their family, or be spent on non-traditional or unnecessary goods or services. Examples of allowed purchases would be campaign advertising and mailers, campaign websites, office supplies, staff costs, etc. Examples of disallowed purchases would be payments to the candidate or family members for campaign work, payments to staff above the market rate, expensive promotional items, etc. Some expenditures may be allowed but also restricted in amount, such as the mileage rate used for travel reimbursements, or the amount spent per promotional item, etc.
- **Reporting** - Publicly financed candidates and traditionally financed candidates should be required to follow the same reporting schedule, and the reports should be made available to the public *upon filing*. It is important to the concept behind publicly funded candidates that their activity is disclosed to the public without delay.

Public Support of Candidates: No matter the model used, for candidates to qualify to receive public funding, they should have to provide evidence of public support for their campaign.

- **Goals, Not Barriers** - The design of the program should set attainable but also challenging requirements so that any candidate who works towards becoming certified in the program can do so, but the process is not so easy that it does not take hard work and organization to receive public funds.
- **Simple for the Public** - The token by which members of the public show their support for candidates attempting certification should be easy and simple for them to use, so it does not become overly burdensome to either the candidate or the contributor/supporter to participate in the program. If a monetary component is required, such as with the Maine Clean Election Act program, the required amount should be quite low, to reduce the number of contributors who cannot participate.

APPENDIX B
SUPPLEMENTARY MATERIALS FOR
OCTOBER 5, 2021 WORKSHOP ON PROPORTIONAL
RANKED CHOICE VOTING

July 27, 2021

Dear Members of the Charter Commission,

My name is Katherine Jones and I am the City Clerk of Portland. I am unable to attend the public hearing on July 28th, but I wanted to draw your attention to the following items regarding the City Charter:

First, Article II section 3 requires that for the Mayor, all City Councilors and School Board members, the City Clerk must do the following:

“If a candidate receives a majority, i.e., at least one more than fifty percent (50%) of the first-choice votes cast, that candidate is elected. When we first implemented Ranked Choice Voting at the time, we had only single winner contest.”

This language has resulted in an issue every time we have an election involving more than one candidate that must be chosen for At Large seats (i.e. a multi-seat race). This includes positions like the Charter Commission and the School Board seats (which require a voter to vote for two).

Additionally, the Charter language requires that “if a candidate receives a majority, i.e., at least one more than fifty percent (50%) of the first-choice votes cast, that candidate is elected. In section (c) If no candidate receives a majority of first choice votes, an instant run of re-tabulation shall be promptly conducted by the city clerk and completed within five (5) business days of the elections.” As a result of this language, the City had to use a Multi Pass Ranked Choice Voting method during the Charter Commission election process.

In discussing this process with Elections System and Software (the company that the City has a contract with to run Ranked Choice Voting) and Ranked Choice Voting Policy Center Policy Director, Chris Hughes, (which received many phone calls after the Charter Commission election) it was apparent that a Multi Pass Ranked Choice Voting Method may not be the best representation of the voters. Consequently, it has been recommended that the City instead re-work the language of the City Charter to allow the use of a Proportional representation process for multi seat races.

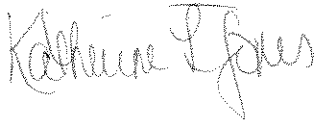
If the City were to implement this process, there is nothing different we would need to do to mark the ballots. Voters would still choose their first choice, second choice, etc. Voters can still mark as few or as many as they wish.

The difference will be in the tabulation process. Cambridge Mass is a good example of how this process works. Cambridge has used Proportional representation since 1939 for all of their multi seat elections: including their nine-seat City Council and their six-seat School Committee. Tabulation begins with everyone’s first choice, just as in Portland’s ranked choice voting elections now. The difference is that if we were to use Proportional Representation a candidate will need to win a certain proportion of the vote to be elected. This winning fraction of the votes is referred to as the “quota”. The quota is determined by dividing the total number of valid

ballots cast by the number of positions to be elected plus one and then adding one to the resulting dividend. For example, if 25,000 valid ballots are cast for City Council, the quota will be 2,501 (25,000 divided by ten, plus 1).

If you would like to learn more about this process and potential change to the Charter language, please let me know so that I can request that Chris Hughes attend one of your future meetings in order to describe the process in more detail and answer questions.

Thank you for your consideration.

A handwritten signature in cursive script, appearing to read "Katherine M. Jones".

Katherine M. Jones

Portland, City Clerk



To: Portland Charter Commission

From: Debra McDonough

Date: October 6, 2021

Re: Election Methods

. . . the Representative Assembly, should be an exact Portrait, in Miniature, of the People at large, as it should think, feel, reason and act like them. . .

John Adams, letter to John Penn
March 27, 1776

Summary: The League of Women Voters supports election methods that elect policy-making bodies that proportionally reflect the people they represent. Proportional representation can be achieved through multi-seat races, with ranked choice ballots and a tabulation process designed for multi-winner elections.

Why proportional representation?

Before choosing an election method, it is useful to articulate the values against which the options will be evaluated. Proportional representation ensures that a majority coalition (whether a formal coalition, an informal collection of individuals with similar priorities, or a transient coalition formed around a particular issue) will hold the majority of the seats on City Council, School Board, and future Charter Commissions, while ensuring that minority voices are also at the table.

Proportional RCV (aka Single Transferable Vote)

The "Single Transferable Vote" method of tabulating ranked-choice ballots measures the strength of each coalition (again, whether formal coalitions or simply collections of individuals with similar priorities) and elects a Council/Board which reflects the population across whichever parameters the voters found compelling when marking their ballots. Experts recommend electing between 3 and 7 individuals from a single slate.

Please see **Appendix A** for a vegetable-based example of this tabulation procedure.

Common election methods fail to achieve proportional representation.

Single-winner elections and “vote-for-N” multi-winner elections both favor a majority coalition at the expense of minority representation. While we want Presidents, Governors, and Mayors to have majority support, it is not fair for a majority to capture all seats on a Council or Board.

- a) Single member districts. (Currently five of nine seats on Portland’s City Council, School Board, and Charter Commission. Maine House and Senate. Federal House.)

The use of single member districts ensures geographical representation but may not reflect ideological diversity. For example, if individuals in a minority coalition are evenly distributed across the community, a majority coalition will be able to capture all of the district seats, even if the ideological split is 51-49.

We may see some variability in municipal politics, as informal majority coalitions may not field a candidate in each district. Without party affiliation as a guide, some voters will base their selection on name recognition, rather than evaluating candidate positions. Some candidates may choose not to articulate their positions in an effort to appeal more broadly.

When geography does support districts with different ideological majorities, a sizable minority of the population may find themselves with a district representative who lives nearby, but with whom they have substantial ideological disagreements.

The details of district boundaries can affect the composition of a Council or Board. We know that gerrymandering can be used to consolidate political power. We are also aware that districts can be intentionally drawn to protect specific groups (racial/ethnic/religious minorities or perhaps Portland’s island communities), but recognize that it may not be possible to draw districts that fairly reflect all constituencies.

It can be difficult to balance the value of natural boundaries with the value of equal-sized districts. For example, if there is a mismatch between district size and the population of the island communities, there may be a pocket of islanders left out of the island district or a pocket of mainland voters included in the district. These outliers are unlikely to feel well represented.

In addition, the issues addressed by municipal governments are not static, and we may find that lines carefully drawn to support a specific geographic coalition (eg: neighborhood with a historical designation) end up dividing a natural coalition on a different issue (eg: renters).

Please see **Appendix B** for an example, using the same vegetable data.

- b) At-large seats elected in rotating single-winner races (Currently, three of nine seats on Portland Council, two of 9 seats on Portland School Board. Federal Senate.)

With a single winner in each race, a stable majority coalition -- even when representing a narrow majority -- is likely to capture each seat as long as the majority coalition fields a candidate and voters are able to identify each candidate's positions.

- c) Multi-winner at-large seats (Currently, two of nine seats on Portland School board, four of nine seats on Portland Charter Commission. Councils and boards in many other communities.)

Multi-winner elections across much of the country (and previous multi-winner elections in Portland) are generally conducted through 'plurality bloc voting,' (aka 'Vote-for-N', where 'N' is the number of open seats.) This approach has been found to violate the Voting Rights Act because it can deliver all of the available seats to a majority coalition.

In practice, the specific slate of candidates can affect the outcome in ways that may not be intuitive. For example, if an informal majority coalition unintentionally fields more candidates than the available seats, the majority vote can be sufficiently diluted that one or more minority candidates win a seat.

In fact, a well organized minority coalition (eg. individuals who oppose the teaching of evolution in public schools) can use Plurality Bloc Voting to engineer a surprise takeover by carefully coordinating a slate of candidates matched to the number of open seats and communicating the details of the slate only to known supporters. Even if an informal majority happens to run the right number of candidates, the organized minority can count on all of the votes from their supporters as well as some votes from individuals who know the candidates but are not aware of the nature of the minority slate.

See **Appendix C** for examples, again using the same vegetable data..

(Note: The four at-large members of the current charter commission were elected using a ranked choice ballot, but as described in a memo from the Ranked Choice Voting Resource Center, the tabulation method delineated in the existing charter was designed for single-winner races. When the majority threshold of a single-winner race is applied to a multi-winner race, candidates representing minority coalitions are systematically excluded. This was the only legal option under Portland's existing charter.)

Appendix A: Proportional Representation: A Tale Told in Vegetables.

Imagine that we're 'electing' four vegetables to serve at a community Thanksgiving dinner. Here are the first choice votes:

250	Broccoli
220	Carrots
180	Peas
120	Beans
110	Brussels Sprouts
70	Kale
50	Sweet Potatoes

1000	

Perhaps there are three 'coalitions'. (In the context of elections, coalitions could be as formal as registered political parties, as informal as people who hold similar positions and tend to support similar candidates, or anywhere in between. If we have ranked choice ballots, we can recognize coalitions through groups of ballots which highly rank the same set of candidates. It is not necessary for candidates or voters to articulate, or even to notice, the coalitions.)

In this case:

43%	Brassicas (Broccoli, Brussels Sprouts, Kale)
30%	Legumes (Peas, Beans)
27%	Roots (Carrots, Sweet Potatoes)

If our task is to choose four, it would feel 'fair' to 'elect' two Brassicas, a Legume and a Root.

Process: Proportional RCV (aka Single Transferable Vote)

In proportional RCV, the election threshold is set at $1/(n+1)$, so with four 'seats' the threshold is $1/(4+1)$ or 20%. With 1000 ballots, it will take 200 votes to win. (If the four winning candidates each have at least 20%, there won't be enough residual votes to elect a fifth.¹ It may help to recognize that in single-winner RCV, the threshold is $1/(1+1)$ or 50%.)

Using the first choice votes, we see that Broccoli and Carrots have both surpassed the threshold and will be elected.

¹ The precise details of thresholds and potential ties have been resolved differently in different implementations of Proportional RCV. In this example, we've set the threshold at exactly $1/(n+1)$ and would assume resolving any ties in the method to which Portland is accustomed. Some implementations set the threshold at $1/(n+1) + 1$. Some use fractional thresholds, others round up to a whole vote. We recommend consulting with the Ranked Choice Voting Resource Center when developing statutory language.

Round 1: Broccoli elected with 50 'extra' votes, which are distributed to the second choices of the Broccoli voters. If the coalition is tight, all the extra votes will go to Sprouts and Kale in the ratios of those second choice votes, perhaps 30.6 to Sprouts and 19.4 to Kale². (The transfer of excess votes is a critical part of measuring the size of the coalition. Another way to think about this is that each Broccoli voter used 4/5 of their ballot to elect Broccoli and sent the remaining fifth to their second choice.)

After Round 1, the vote totals are:

220	Carrots
180	Peas
120	Beans
140.6	Brussels Sprouts
89.4	Kale
50	Sweet Potatoes

Round 2: Carrots elected with 20 extra votes, all of which go to Sweet Potatoes. (Again, assuming tight coalitions. In real life, we'll see more scatter. . .)

After Round 2, the vote totals are:

180	Peas
120	Beans
140.6	Brussels Sprouts
89.4	Kale
70	Sweet Potatoes

Round 3: Since no remaining candidate has met the threshold, the lowest ranking candidate is eliminated and those votes are distributed. With no remaining Root Vegetables, some of those ballots are likely exhausted, but other voters will have expressed a preference. Maybe 30 are exhausted, 35 go to the Legumes and 5 to the Brassicas.

After Round 3, the vote totals are:

197.4	Peas
137.6	Beans
143.6	Brussels Sprouts
91.4	Kale

² In this example, we assume that 60% of the Broccoli voters ranked Brussels Sprouts second with the remaining 40% ranking Kale second. 60% of the 35 extra votes are transferred to Brussels Sprouts and the remainder to Kale. Of course, in a real election we are likely to find that some of the Broccoli voters marked non-Brassiccas as their second choice, even if the Brassicas have been actively campaigning as a coalition.

Round 4: Still no winner, so Kale is eliminated. Again assuming tight coalitions, Kale votes go to Sprouts.

After Round 4, the vote totals are:

235	Brussels Sprouts
197.4	Peas
137.6	Beans

Round 5: Brussels Sprouts leaps over the Legumes and is elected with 35 extra votes. (You'll notice that the Legume candidates split their vote more evenly than the Brassicas or the Roots. This has prevented an early round victory, but it's ok because all of the Legume coalition ballots are still on the table.) Maybe the Brassica voters chose not to rank any Legumes because they really, really don't like them. The 35 extra votes are exhausted.

After Round 5, the vote totals are:

197.4	Peas
137.6	Beans

Round 6: Beans eliminated, with votes transferred to Peas.

Round 7: Peas elected.

So. That's Broccoli, Carrots, Brussels Sprouts and Peas. Two Brassicas, a Legume and a Root, which is just what we said would feel 'fair'.

Appendix B: Four Single-Winner Districts

We're still choosing four vegetables, but now we'll vote in four geographic districts, each with 250 voters. Our population remains 43% Brassicas, 30% Legumes and 27% Roots.

If our coalitions are evenly distributed across the city and each coalition fields a candidate in each district, the vote totals in each district will be approximately:

108	Brassica candidate
75	Legume candidate
67	Root candidate

Plurality ballots elect a Brassica in each district, leaving the Legumes and Roots unrepresented. Ranked Choice ballots might change the outcome, but would not increase the diversity of the elected vegetables. For example, if the Roots tend to side with the Legumes in our Brassica/Legume animosity, RCV would elect a Legume in each district, leaving the Brassicas and Roots unrepresented. This might all feel very unfair, except that it often goes unnoticed in nonpartisan municipal elections with informal, leaky coalitions.

We might get some representation for a minority coalition if the majority doesn't field a candidate in one of the districts, or if the majority candidate was compromised in some way (perhaps arrested on a DUI in mid-October). This feels like a sloppy and unreliable way to achieve an ideologically diverse council.

If the coalitions are not evenly distributed geographically, it may be possible to draw districts 'for' each coalition, carefully drawing a district around the Roots, who otherwise will never pick up a seat. This approach might yield a diverse council, but Brassica voters in the Root district will find themselves represented by someone who lives nearby, but with whom they have ideological disagreements.

Or the Legumes-in-charge might draw the next set of districts to ensure 3 Legume districts, and one toss-up district for the Brassicas and Roots to fight over. . .

Appendix C: Vote-for-4 at-large election

Now our 1000 voters will each be able to choose their four favorite candidates, for a total of 4000 votes. Our population remains 43% (or 430) Brassicas, 30% (or 300) Legumes and 27% (or 270) Roots.

If each coalition fields exactly four candidates (and the coalitions are tight), we expect the 430 Brassica voters to select each of the four Brassica candidates, the 300 Legume voters to select each of the four Legume candidates and the 270 Root candidates, the 4000 votes would be distributed as follows:

430 Brassica A	300 Legume C
430 Brassica B	300 Legume D
430 Brassica C	270 Root A
430 Brassica D	270 Root B
300 Legume A	270 Root C
300 Legume B	270 Root D

. . . and the Brassicas take all of the seats, leaving Legumes and Roots unrepresented.

But what if there's big Brassica energy one year and 6 excellent Brassicas run? What sounds great for our Brassica friends turns out to be their undoing. 430 Brassica voters have 1720 total votes. If they split evenly over 6 strong candidates, each candidate will get 287 votes - and the Legumes will sweep the election. Pretty head-spinning for our enthusiastic — and majority coalition — Brassicas. . .

If the elections are typically pretty sleepy, with maybe six candidates running for four open seats and leaky, informal coalitions, we may regularly see an ideologically diverse council and feel like the system works. Until a couple of Legumes, who've never really thought about themselves as a coalition, notice over coffee that they haven't elected a candidate they like in a couple of cycles and that the council seems packed with Brassicas, whom they deeply dislike. They start having meetings, maybe sending out some fliers to find other like-minded individuals. They choose four personable candidates with some local name recognition and get their paperwork in early. Maybe a Brassica runs. Maybe a Root. But for the most part, everybody is just happy that somebody else has stepped up. The Legumes are already organized, due to all those meetings they've been having, so they've got volunteers to help candidates get signs on the roadways and fliers on doors. They send mailings to all known Legume-ish voters. The Legume candidates all get a vote from each Legume voter, plus a bunch of votes from Brassica and Root voters who only had one obvious affinity candidate on the ballot (and who also haven't been thinking of themselves as part of a coalition). And they saw all those signs. Maybe one of the Legume candidates coached their kid's soccer team. Maybe another is a deacon at their church. Legumes take three - or maybe all four - of the seats. Brassicas (and maybe also Roots) take notice and begin their own organizational efforts. An arms race ensues. . .

APPENDIX C
SUPPLEMENTARY MATERIALS FOR
OCTOBER 19, 2021 WORKSHOP ON UNIVERSAL
RESIDENT VOTING

BETH STICKNEY, ESQ.
Consulting on Immigration Law and Related Policy

October 27, 2021

Mr. Marpheen Chann
Chair, Elections Subcommittee
Portland Charter Commission
Portland City Hall
389 Congress Street
Portland, ME 04101

Via e-mail

RE: Adopting Universal Voting on Municipal Issues in a Revised City Charter

Dear Mr. Chann:

Thank you for the opportunity to speak with the Elections Subcommittee on the issue of universal voting on October 19, 2021. I submit this letter to put in writing my support for universal voting on municipal issues, but only if it is offered to all Portland residents without regard to immigration status, and only if important safeguards and warnings are also implemented by ordinance.

As I mentioned at the meeting last week, I am a lawyer who has specialized in Immigration and Nationality law and related policy since 1986, including over twenty years of practice in Maine since cofounding and serving as executive director until 2011 of the Immigrant Legal Advocacy Project (ILAP). I am very familiar with the issue of noncitizen/universal voting. I was called to speak as an immigration expert, and was also consulted by city staff, when the last Charter Commission was considering adding universal voting to the city charter in 2009-2010.

I write to express my support for universal voting, if made available to all of Portland's noncitizens regardless of immigration status, and not restricted to only so-called "legal immigrants".

I also write to express my strong concern about the importance of implementing noncitizen voting in a responsible way in order to avoid unintended, and extremely severe, negative immigration repercussions (including risk of prison time and financial penalties, but even worse, risk of permanent banishment from the U.S., even if one has U.S. citizen immediate family members), and to the maximum extent possible, to protect the privacy of noncitizens who might choose to register to vote should the Charter be amended to allow that.

Regarding the latter issues, I fully agree with the concerns articulated in a memo submitted to Portland's City Council by ILAP and the ACLU of Maine dated August 10, 2018, and with the suggestions made there, and will not repeat them. (See Attachment A). However, I also believe that if universal voting is added to the city Charter, Portland should follow San Francisco's lead, and pass an ordinance that requires certain notices, warnings, and public education so that before doing so, noncitizens considering registering to vote locally will be

fully aware to the extent possible of the privacy risks, and of the severe immigration and criminal law consequences should they mistakenly vote in any election other than a municipal election in this jurisdiction. I would propose that the City Council enact an ordinance modeled after the language that San Francisco adopted (see Attachment B, Section 1003), so that notice and education efforts are consistent year after year, regardless of any turnover in the City Clerk's office. Note that San Francisco maintains a [website devoted to universal voting](#) that includes information and warnings in 46 languages. Additionally, San Francisco's ordinance requires that noncitizen voters re-register prior to each election. This ensures that at each election they are reminded of the privacy risks and potential immigration consequences. Portland should adopt similar ordinance language if universal voting is approved. I also believe that Portland should require, by ordinance, that the City will give noncitizens who register to vote proof to provide to immigration authorities that they are legally allowed to vote in Portland, as San Francisco requires (see Section 1004 of Attachment B), and as is done in several municipalities in Maryland that permit local universal voting. Note that properly implementing universal voting in this way requires properly funding all the steps required (including translations of materials, additional staff time, etc.)

I will now address why I support universal voting. I do so because while of course, if a noncitizen "simply" becomes a U.S. citizen, s/he can vote in local elections, not every long-term city resident is able to become a U.S. citizen. U.S. immigration laws allow many individuals to live their entire lives in this country without the possibility of ever becoming U.S. citizens. For example, a Portland resident with Convention against Torture status may live, work, pay taxes, and contribute in this community for decades, and send her/his child(ren) to Portland Public Schools, but under U.S. immigration law, that status offers no path to U.S. citizenship. In addition, unless disabled in ways that impair learning and memory, noncitizens cannot ordinarily naturalize without a strong command of written and spoken English. Noncitizens who never acquired literacy in their native language or who immigrated when elderly often are unable to gain sufficient English fluency to become a U.S. citizen, and must have had permanent residency for at least 15 or 20 years before they will be allowed to take the citizenship test with an interpreter. However, they are no less contributing community members with a stake in Portland during those years when they are unable to attain citizenship.

I support universal voting as well because I believe it gives immigrants in Portland more of a voice and more visibility in the community, and encourages civic engagement that will only deepen when those who are eligible to do so naturalize to U.S. citizenship.

This year, both Montpelier and Winooski, Vermont, became towns that allow universal voting, after charter amendments were approved by the Vermont Legislature. However, those towns opted to allow universal voting on local matters only for "legal residents". Portland should avoid such a restriction, and should instead allow all noncitizens, regardless of status, to vote in local elections if the city goes down this road. There is precedent for the broader approach in San Francisco and most of the jurisdictions in Maryland that have enacted universal voting.

Immigration law is extremely complicated. There are dozens upon dozens of legal statuses and a vast array of documents to evidence one's legal presence or status. These can and do change over time due to federal agency interpretation or implementation, and

congressional action. Would the city have the resources to stay up to date on changes in immigration laws and implementation? It is simply inadvisable for the city to get into the business of trying to determine a person's immigration status, and inevitable that city staff would on occasion get it wrong. For example, a person who is in deportation proceedings is legally here while those proceedings are ongoing, a process that can take years and even a decade or more, but a city clerk could logically think that a such a person is not legally here.

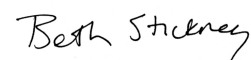
Second, how would "legal resident" be defined? Undoubtedly lawful permanent residents (LPRs, also known as "green card" holders) would be included, but who else would be included? Would it include refugees and asylees? What about asylum seekers who may be waiting more than a decade for a decision on their claims? What about those with Temporary Protected Status (TPS), many of whom have lived here already for more than 20 years, paying taxes and raising U.S. citizen children who attend Portland Public Schools, despite the word "temporary" in their status? What about any noncitizen with a work permit? What about a noncitizen domestic violence victim and mother of U.S. citizen children with a USCIS filing receipt showing her application for protection is in process with USCIS? What about the noncitizen on a temporary student visa who plans to pursue not just an undergraduate degree but also a Master's and PhD at USM, and who has a child attending Portland Public Schools during that time? What about someone with DACA, or the aforementioned person in removal proceedings who is lawfully present during that process? What about someone with a status that does not yet exist but is created in a future change to our federal immigration laws? I believe each of these individuals should qualify as a "legal resident" entitled to vote in Portland, but this list is only the tip of the iceberg of the ever-changing types of noncitizens living in Portland. It is far simpler to not to impose an immigration status restriction.

This leads to my third rationale. To the extent that support for universal voting is rooted in encouraging civic participation of all those who live and have a stake in Portland, and in the argument that those who pay taxes in Portland should have representation, all noncitizens, regardless of immigration status, should be able to register. Many households in the U.S. and Portland are "mixed status" families comprised of U.S. citizens, legal immigrants, and undocumented individuals, many of whom are waiting to gain permanent residency but due to harsh immigration laws and policies, may be unable to do so for years. These undocumented individuals work, pay taxes, send their U.S. citizen children to Portland Public Schools, and are an integral part of the fabric of this community to the same extent as any "legal" noncitizen. Should they wish to have a voice in local government, after considering the warnings about privacy concerns and potential immigration issues that the city must responsibly provide to them, in my opinion, they deserve that voice as much as any other Portland noncitizen.

Therefore, should you vote to support amending the City Charter to allow for universal voting, please make it truly universal and open to all, regardless of immigration status.

Thank you very much for your consideration of this important and complex issue.

Very truly yours,



Beth Stickney, Esq.

Attachment A

MEMO

To: Ethan Strimling, Mayor of Portland, and Pious Ali, Portland City Councilor
cc: Portland City Councilors Brian Batson, Kimberly Cook, Justin Costa, Jill Duson, Nicholas Mavodones, Jr., Belinda Ray, Spencer Thibodeau
From: Immigrant Legal Advocacy Project and the American Civil Liberties Union of Maine
Date: August 10, 2018

Dear Mayor Strimling and City Councilor Ali:

Thank you for asking for input on non-citizen voting in Portland. ILAP and the ACLU of Maine know you share our deep commitment to protecting and expanding both voting rights and immigrants' rights. Everyone who pays taxes, lives in the community, and sends their children to local schools should have a voice in how their community is governed.

We also know that this issue is complicated, and that you and the Council will approach this initiative with thorough research and extreme care. Any non-citizen voting initiative should be designed to protect voters against serious unintended consequences including deportation, prison time, and ineligibility for naturalization.

Additionally, you may be under a tight time limit and should consult with Corporation Counsel about all legal requirements for implementation. Specifically, the proposed charter amendment does not contain an "effective date," which could mean that all implementation issues need to be addressed in time for the June 2019 election or at the latest by the November 2019 election. We encourage you to consider:

1. A comprehensive plan, including city-funded public education for City employees, poll workers, and non-citizens, to ensure that all voters vote only in elections for which they are eligible. This is important because municipal elections occur on the same day as state and federal elections, in which non-citizens are ineligible to vote.

The Immigration and Naturalization Act ("INA") imposes strict penalties for non-citizens who vote in a federal election. A non-citizen found to have done so becomes: (1) deportable, (2) subject to a possible 1-year prison sentence, and (3) ineligible for naturalization. This could easily become a reality.

Consider how easily a newly trained or overworked poll worker could accidentally hand a non-citizen a federal or state ballot. If the non-citizen, trusting the process and the poll worker, fills out that ballot, she could be imprisoned and suffer the harsh immigration consequences detailed above even though it is an innocent mistake on everyone's part.

And, during adjustment of status interviews (for example, after marrying a citizen and applying for a green card), immigration officers may ask non-citizens the following questions:

- "Are you registered to vote anywhere?" *If the answer is yes, officers have started following with, "prove that you haven't voted in a federal election." Proving the negative is nearly impossible.*
- "Have you voted in federal elections?" *A non-citizen could mistakenly answer "yes" based upon her legal voting history in municipal elections. That response could cost her the chance to remain in the*

Because of these dangers, we recommend that any City plan include:

- Safe voting procedures that avoid separate lines for immigrants or other segregation tactics that visibly single-out non-citizens,
- educational materials in multiple languages and extensive city-wide trainings for clerks, poll workers, and voters,
- exploring the possibility of supplying proof of proper voting, such as a paper receipt, in case it is needed in future immigration or legal proceedings, and
- adequate staffing and funding, as local agencies and non-profit organizations are already under-resourced and may not have the capacity to support these efforts.

2. A robust data privacy system to protect against misuse of non-citizen voter information by Immigration and Customs Enforcement (ICE), lawmakers, or anti-immigrant members of the public.

Under Maine election law, the registrar must add all people registered to vote to a central voter registry, including their name, date of birth, and address. Implementing non-citizen voting could require the creation of separate non-citizen and citizen voting lists, which would raise serious privacy concerns.

The City will be required to share the registration data with many different groups including the Secretary of State, political parties, individuals and organizations engaged in ‘get out the vote’ efforts, and elected municipal, county, state and federal officials. Although these groups and individuals are not permitted to share the information for non-voting purposes, it is not unheard of for such lists to be shared improperly.

Certain voter information is also available as a public record, creating further risks. Specifically, “[a]fter the incoming voting list is unsealed following the election, the list must be made available for public inspection and copying in accordance with” state open records laws. Such “public” records could be posted to the internet, accessed by ICE, or otherwise used to target and harass non-citizen voters.

Privacy protections to consider include:

- prohibiting any marking indicating that a voter in a municipal election is a noncitizen,
- preventing the creation of two separate voter lists if at all possible, and
- thorough education of any City employee who might have access to the records about what information is available to whom under the law, and what their legal obligations are if ICE seeks access to the data.

3. A plan for posting warnings on ballots, at polling places, and on informational websites about the privacy and immigration risks posed by non-citizen voting, translated into multiple languages.

No matter how many precautions are taken, voting in a local election will expose non-citizens to potential complications. City leaders have a responsibility to make sure all voters are informed about the nuances of the law – especially when so much is at stake. San Francisco, which will allow non-citizen voting in the 2018 school board election after nearly two years of implementation, will reportedly translate their materials into nearly 50 languages.

4. A process for evaluating the safety and effectiveness of the program after implementation.

For example, San Francisco is proceeding with caution – beginning by extending the non-citizen vote only to school board elections, and including a four-year sunset clause.

We thank you for taking these privacy and safety concerns seriously.

Attachment B

San Francisco Ordinance no. 128-18 available at

<https://sfgov.legistar.com/View.ashx?M=F&ID=6284985&GUID=446D8290-14DC-45B4-8044-64F176D642CA>

The San Francisco ordinance allows for universal voting in School Board elections only, not in other municipal matters, and sunsets after four years unless a vote is made to extend it.

Screen shots of the relevant sections of the Ordinance:

Beginning at Section 1002:

.....

3 *(d) Validity. An individual's voter registration affidavit shall be valid for one School Board*
4 *Election. An individual must submit a new voter registration affidavit prior to voting in each School*
5 *Board Election.*

6

7 **SEC. 1003. NOTICE.**

8 *(a) The Department shall place the following notice in the locations described in subsection (c)*
9 *of this Section 1003:*

10 *"IMPORTANT NOTICE FOR NON-UNITED STATES CITIZENS. Any information you provide*
11 *to the Department of Elections, including your name and address, may be obtained by Immigration and*
12 *Customs Enforcement (ICE) and other agencies, organizations, and individuals. In addition, if you*
13 *apply for naturalization, you will be asked whether you have ever registered or voted in a federal, state,*
14 *or local election in the United States. You may wish to consult with an immigration attorney, an*
15 *organization that protects immigrant rights, or other knowledgeable source before providing any*
16 *personal information to the Department of Elections and before registering to vote in San Francisco*
17 *Board of Education Elections. You can find on the Department of Elections' website a list of nonprofit*
18 *organizations and lawyers that specialize in protecting the rights of immigrants."*

19 *(b) The notice described in subsection (a) of this Section 1003 shall appear in conspicuous type*
20 *in contrast by typography, layout, or color with all other words on each document or website where the*
21 *notice appears. The words "IMPORTANT NOTICE FOR NON-UNITED STATES CITIZENS" shall*
22 *appear in capital letters. The Director may replace the words "Department of Elections' website" in*
23 *the notice with the exact web address where the list described in subsection (d) of this Section 1003*
24 *appears.*

continued on next page

1 (c) The notice described in subsection (a) of this Section 1003 shall appear on the voter
2 registration affidavit described in Section 1002 of this Article X and on any other written materials
3 mailed to non-United States citizen voters by the Department. The notice shall also appear on pages of
4 the Department's website that include information as to how non-United States citizens may register to
5 vote in School Board Elections. The Department may also include the notice on additional materials
6 related to School Board Elections.

7 (d) The Department shall maintain a devoted page on its website that includes a list of
8 lawyers, law firms, and organizations with tax exempt status under 26 United States Code Section
9 501(c)(3) or 501(c)(4) and with a primary mission of protecting the rights of immigrants. To be
10 included on that list, an organization must certify, on a form to be developed by the Department, that it
11 meets the criteria set forth in the previous sentence.

12 (e) The Department shall translate the notice described in subsection (a) of this Section 1003
13 into the following languages: Amharic, Arabic, Armenian, Assyrian, Bengali, Burmese, Cantonese,
14 Cebuano (Visayan), Chaozhou, Dutch, Farsi (Persian), Tagalog, French, German, Greek, Gujarati,
15 Hebrew, Hindi, Hmong, Hungarian, Ilocano, Indonesian, Italian, Japanese, Khmer (Cambodian),
16 Korean, Lao, Mandarin, Mien (Yao), Pashto, Polish, Portuguese, Punjabi, Rumanian, Russian,
17 Samoan, Serbo Croatian (Bosnian), Serbo Croatian (Croatian), Spanish, Taiwanese, Thai, Tigrinya,
18 Toishanese, Tongan, Turkish, Ukrainian, Urdu, and Vietnamese. The Department shall post these
19 translated notices on its website.
20

21 **SEC. 1004. OTHER DOCUMENTS**

22 (a) The Department shall, upon request, provide a letter stating the criteria set forth in Charter
23 Section 13.III(a)(1) for non-United States citizens to vote in School Board Elections, and indicating
24 whether a particular person voted in a particular School Board Election.
25

continued on next page

1 (b) The Department shall develop a checklist of all criteria for non-United States citizens to
2 vote in School Board Elections. This checklist shall include the notice described in subsection (a) of
3 Section 1003. This checklist shall state that registering to vote in School Board Elections does not
4 entitle a person to vote in other elections. In drafting this checklist, the Department shall achieve the
5 closest proximity to the sixth-grade level of readability as possible. The Department shall translate this
6 checklist into Spanish, Chinese, Tagalog, Vietnamese, and Arabic. The Department shall endeavor to
7 provide this checklist to each person who receives the voter registration affidavit described in Section
8 1002. The Department shall post this checklist on its website, including the translations of this
9 checklist.

**CITY OF PORTLAND
M E M O R A N D U M**

TO: Members of the Portland Charter Commission

FROM: Gary Wood, Corporation Counsel 

DATE: July 29, 2009

RE: **Legality of Allowing Non-Citizens to Vote in Municipal Elections and on Municipal Referendum Questions.**

This issue has been identified by several members of the Commission as an important one for the Commission to consider. Commissioner Treverrow asked MMA for an opinion about the legality of providing such authority in a City Charter.

Bill Livengood, the Director of MMA's Legal Department, issued an informal opinion by e-mail on Wednesday, July 28th. A copy of that opinion is attached. His conclusion is that the legality of a Charter provision allowing non-citizens to vote on municipal issues and for municipal officers (Councilors and School Committee members) is questionable at best.

I have known and worked extensively with Bill on municipal legal issues since 1981. He is in my opinion the most well-versed attorney in the State on municipal law and in particular on home rule, having been MMA's lead person at the State Legislature in 1987 during the recodification of Title 30-A the principle state law addressing municipal legal authority.

On December 24, 2008 I issued a brief memorandum to the members of the City's Legislative Committee (attached) in which I concluded that under Maine's Home Rule provision a city could by charter allow residents who are non-citizens to vote on municipal issues, notably the election of councilors and school committee members and on municipal referenda questions. A copy of this memorandum is attached.

Bill's opinion rests on his analysis of 30-A M.R.S.A. § 2501 (attached) which states in pertinent part:

2. Qualifications for voting.

The qualifications for voting in a municipal election conducted under this Title are governed solely by Title 21-A section 111¹.
(emphasis added)

In addition to this specific language the first paragraph of §2501 explicitly provides Charter authority that supercedes state law on the issues of the method of voting and conduct of a municipal election but doesn't extend that authority to the qualifications for voting in par. 2.

¹ Title 21-A §111 requires a person to be a citizen as one of the eligibility requirements for voting.

In issuing my opinion on December 24th I did not consider the impact of 30-A M.R.S.A. 2501(2) on a municipality's home rule charter powers. Those powers flow from Article VIII part second, Section 1 of the Maine Constitution which states as follows:

Section 1. Power of municipalities to amend their charters. The inhabitants of any municipality shall have the power to alter and amend their charters on all matters, not prohibited by Constitution or general law, (emphasis added) which are local and municipal in character. The Legislature shall prescribe the procedure by which the municipality may so act.

The current legal question upon which Bill and I agree and to which there is no easy answer, is what do the words "conducted under this Title" mean in 30-A M.R.S.A. § 2501(2) cited above.

The inclusion of those words suggest that there are elections held at the local level that are not conducted under Title 30-A and the answer to that question may be that those elections conducted under a home rule charter are not conducted under Title 30-A, and for that reason the qualifications for voting on municipal issues and positions can be determined by the charter as opposed to state law.

A countervailing argument that adds to the confusion is that Title 30-A in Chapter 121 Subpart III still has laws (see 30-A M.R.S.A. § 2551-2556) which preceded the home rule amendment to the Maine Constitution in 1969. Many of these laws contain conflicting messages when it comes to statutory interpretation regarding the legal ability of a City charter to create different or contradictory requirements. For example, §2551 that requires a City election to be called by a warrant, references a section (§2523) that is applicable to town meetings and is in itself a law that has existed since at least 1954. It is totally silent on the authority of a charter to provide a different way to call an election. On the other hand, §2553, Nomination to City Office by Petition, creates legal authority for a person to be nominated to any City office by following a state statutory procedure in Title 21-A Chapter 5, Subchapter 2 that is inconsistent with the procedure that has been long-standing and practiced under the current City charter. Furthermore, that same section goes on to recognize the power of a city charter by stating that a person seeking nomination under the section may use a political designation only if permitted by a city charter.

One another issue of importance to some members of the Commission, runoff voting, 30-A M.R.S.A. §2555 clearly recognizes the authority of a municipal charter to provide by election by other than a plurality, stating: "In a city election, unless otherwise provided by municipal charter, (emphasis added) the person who receives a plurality of the votes cast for election to any office is elected to that office."

The Immigrant Voting Project, an effort organized to support voting by immigrants concludes that Maine State law would have to be changed to allow non-citizens to vote on municipal issues. (See attached)

At this point my recommendation to the Commission, because of the legal uncertainty surrounding this issue, is that the Commission should take up the issue on its merits and decide if a majority of the Commission wish to submit it to the voters. If a majority of the Commission decides to submit the question and the necessary Charter language to the voters for approval, it should be submitted as a stand-alone question so that, if approved by the voters, a legal decision from a court in the form of declaratory judgment can be obtained to resolve the issue clearly and finally, as it is not one that can be resolved by an opinion of legal counsel. In such circumstances, it would be imperative to seek and obtain a legal decision on the issue before any election was held at which non-citizens were allowed to vote.

The legal Rubicon that has to be crossed on this issue is imposed by 30-A M.R.S.A. §2103(5)(D) which requires the final report of the Charter Commission to include a written opinion by an attorney admitted to the bar of this state that the proposed charter or charter revision does not contain any provision prohibited by the United States Constitution, the Constitution of Maine or the general laws.

Based on the Home Rule argument articulated above that the words “under this Title” are designed to recognize the ability of a charter to create different qualifications for voting on municipal issues and for municipal positions, I will certify that such a provision is not prohibited by state law and go to court to get a definitive answer if the provision is submitted to and approved by the voters.

Cc: Elizabeth Boynton, Esq.
Linda Cohen, City Clerk

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Urban Citizenship: Campaigns to Restore Immigrant Voting Rights in the US

Ron Hayduk & Kathleen Coll

To cite this article: Ron Hayduk & Kathleen Coll (2018): Urban Citizenship: Campaigns to Restore Immigrant Voting Rights in the US, New Political Science, DOI: [10.1080/07393148.2018.1449408](https://doi.org/10.1080/07393148.2018.1449408)

To link to this article: <https://doi.org/10.1080/07393148.2018.1449408>



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SYMPOSIUM



Urban Citizenship: Campaigns to Restore Immigrant Voting Rights in the US

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ABSTRACT

International migration challenges traditional notions of citizenship as mobile citizens may retain or regain their right to vote in elections. This paper examines the rebirth of noncitizen voting rights in US local elections during the past decades. While some campaigns provide voting rights only to authorized immigrants, other campaigns extend voting rights to all noncitizens regardless of their status. Some efforts have been led by immigrant rights organizations and other campaigns arose at the initiative of elected officials. Some measures have been passed—or were defeated—by a majority of voters in a jurisdiction (ballot proposal) while other measures have been passed—or were defeated—by elected representatives (as local statutes). Who spearheaded these campaigns for immigrant voting rights and why? What are key ingredients to the success or failure of these campaigns? What have been their impacts? Using qualitative and quantitative data gathered from field research and public records over the past decade, this paper addresses these questions and their implications for advancing immigrant incorporation and democratic practice.

Introduction

Today, mass migration challenges dominant notions of citizenship as mobile citizens may retain or regain their right to vote in elections. While mass migration is not new, the diversity of migrants and scale is, as well as the intensity of national and local responses to it. Moving in one direction, many regimes seek to secure their borders and stem the tide of immigration. A resurgent nationalism and nativism is manifest in many regimes that seek to tighten borders and restrict immigrants, and those noncitizens within national borders are finding more limited pathways to citizenship and the curtailment of rights. The basic philosophical position embodied in such policies, what David Owen calls the “liberal nationalist” view, maintains the stable reproduction of a national state requires citizenship for membership of the political community.¹ Granting voting rights without citizenship would allow nonmembers of a

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¹David Owen, “Transnational Citizenship and the Democratic State: Modes of Membership and Voting Rights,” *Critical Review of International Social and Political Philosophy* 14:5 (2011), pp. 641–63.

political community to shape laws and policies affecting members of a state, which from this view, is improper or worse, particularly as security concerns have pushed to the forefront of national political agendas. Voting, from this logic, is properly restricted to national citizens.²

Moving in the other direction, other regimes are providing refuge and seek to integrate migrants by providing entry, rights and benefits. Undergirding such policies is a philosophic view Owen calls the “all affected interests principle,” which asserts that any person subject to the coercive power of a state should be entitled to membership therein, or at the least, voting rights in their local government. A prime example is the Maastricht Agreement in 1992 that ushered in the European Union, which provides voting rights to any EU member in local or regional elections. For example, a Polish plumber could vote in local elections in France.

Some countries go further, and provide voting rights to third-party nationals, such as in Ireland, New Zealand, and parts of the US. Such policies embody a view that sees residency as the measure of being a legitimate stakeholder (member), not citizenship. Rainer Bauböck elaborates such a “stakeholder” principle that sees each member of a self-governing political community as having a dual stake in that community’s future: a stake in preserving one’s own personal autonomy and well-being, and a stake in the collective investment in shaping the future of that community expressed through participation and holding political leaders accountable.³ The stakeholder principle asserts that members rely on that community for long-term protection of their basic rights similar, whether one is a citizen or noncitizen. Similarly, the notion of “social membership” developed in the work of Ruth Rubio-Marin and David Carens, which asserts the moral right of individuals to be “citizens” of any society in which they are residing (as members of a community).⁴ Living in a society *makes* residents members due to the connections, attachments, and relationships which interconnect an individual’s interests with other members of that society, just as living in a society subjects a person to the authority of that polity and thus provides the basis for a person’s political rights within that community.

In this essay, joining other contributors to this volume who present examples of immigrants seeking to expand conceptions of belonging and citizenship (Francisco-Menchavez et al., Colburn and Ramakrishnan), we contribute to the growing literature on “urban citizenship”⁵ that expands traditional and legal definitions of national citizenship which is evident in contemporary campaigns to restore voting rights to noncitizens in local elections in

²Stanley Renshon, *Noncitizen Voting and American Democracy* (Lanham, MD: Rowman & Littlefield, 2009); Rodolfo de la Garza, “Immigrant Voting: Counterpoint,” in Judith Gans, Elaine M. Replogle, and Daniel J. Tichenor (eds), *Debates on US Immigration* (Thousand Oaks, CA: Sage, 2012).

³Rainer Bauböck, “Stakeholder Citizenship and Transnational Political Participation: A Normative Evaluation of External Voting,” *Fordham Law Review* 75 (2006), pp. 2393–447. See also Jean-Thomas Arrighi and Rainer Bauböck, “A Multilevel Puzzle: Migrants’ Voting Rights in National and Local Elections,” *European Journal of Political Research* 56 (2017), pp. 619–39.

⁴Ruth Rubio-Marin, *Immigration as a Democratic Challenge: Citizenship and Inclusion in Germany and the United States* (Cambridge, UK: Cambridge University Press, 2000); Joseph H. Carens, *The Ethics of Immigration* (Oxford, UK: Oxford University Press, 2013).

⁵Elizabeth F. Cohen and Jenn Kinney, “Multilevel Citizenship in a Federal State: The Case of Noncitizens’ Rights in the United States,” in Willem Maas (ed.), *Multilevel Citizenship* (Philadelphia, PA: University of Pennsylvania Press, 2013), pp. 70–88; Michael Javen Fortner, “Urban Autonomy and Effective Citizenship,” in Amy Bridges and Michael Javen Fortner (eds), *Urban Citizenship and American Democracy* (Albany, NY: SUNY Press, 2016), pp. 23–65; Rogers Smith, “American Cities and American Citizenship,” in Amy Bridges and Michael Javen Fortner (eds), *Urban Citizenship and American Democracy* (Albany, NY: SUNY Press, 2016), pp. 211–22. Monica Varsanyi, “Interrogating ‘Urban Citizenship’ vis-à-vis Undocumented Immigration,” *Citizenship Studies* 10:2 (2006), pp. 229–249; Rainer Bauböck, “Reinventing Urban Citizenship,” *Citizenship Studies* 7:2 (2003), pp. 139–160; Engin F. Isin and Greg M. Nielsen *Acts of Citizenship* (Chicago, IL: University of Chicago Press, 2008).

the US. As we shall show, immigrants and their allies in these campaigns are essentially making membership claims on a local polity that they are legitimate stakeholders worthy of inclusion in political processes. Our main purpose, however, is to shed light on the accomplishments and challenges of these campaigns and their implications for scholars and practitioners interested in immigrant incorporation and democracy.

Context

The growing number of immigrants in the US is staggering: in many localities their number can reach a quarter to a half of the total population. For example, one of every four residents of the state of California is foreign-born, with more than a half being noncitizens. In seven California counties, including Santa Clara, San Francisco, and Los Angeles, one in three residents is an immigrant. In New York City, noncitizens comprise more than twenty percent of the total population in many city council districts, and more than forty percent of the population of several council districts. Similar proportions are found in “new immigrant destinations” in the US. If present trends continue, such conditions will only spread.

Even as the number of elected representatives from immigrant backgrounds has increased, their number lags far behind that of other resident groups. This is true at every level of government. While gerrymandering, racial bloc voting, at large elections, and single-member districts contribute to this “representation gap,” the lack of voting rights for noncitizens is also a factor. The cumulative lack of political power—from fewer votes to fewer representatives—translates into fewer pathways to opportunity, worse socioeconomic conditions, and government policies that slight immigrants. Although hardly homogeneous, as a group immigrants tend to score low on many social indicators of well-being, including income, poverty, housing, hunger, and education.⁶ Such outcomes in part result from immigrant political exclusion, which in many places now approximates that of women, African Americans, and youth before laws were changed to incorporate them into the electorate (in 1920, 1965, 1971, respectively).⁷ What do these conditions mean for such basic democratic principles as “one person, one vote,” “no taxation without representation,” and that a just “government rests on the consent of the governed”? Contemporary immigrant political exclusion challenges the ideals of a modern democracy, cutting to the heart of our political practice.

In response to these conditions, several jurisdictions have expanded voting rights to newcomers in local elections, including ten jurisdictions in Maryland and San Francisco. Dozens of other localities have considered or are currently considering restoring immigrant voting rights, including in New York, California, Massachusetts, Vermont, Maine, Seattle, and Washington D.C. (see Table 1). A prominent slogan of the massive 2006 immigrant rights protests was “today we March, tomorrow we vote.” Campaigns to restore immigrant voting rights⁸ can be seen as efforts that ground claims to civic belonging and rights in local

⁶David Card and Steven Raphael, *Immigration, Poverty, and Socioeconomic Inequality* (New York, NY: Russell Sage, 2013).

⁷Parallels exist for two additional disenfranchised groups: the four and a half million mostly black and Latino ex-offenders who are denied voting rights by state felony disenfranchisement laws; and the approximately five million residents in US Territories who cannot vote in US federal elections.

⁸Although different terms are used to describe immigrant voting, including “noncitizen voting,” “resident voting,” “local citizenship,” and “alien suffrage,” they all mean essentially the same thing: enfranchising or restoring voting rights to residents who are excluded from the electorate because they are not US citizens.

Table 1. Contemporary immigrant voting campaigns in the US.

Jurisdiction	Type of law	Year	Coverage	Outcome(s)
NYC (a) schools (b) city elections (c) state elections	Statue	(a) 1969–2002 (b) 2005, 2013 (c) 2014	(a) School Elections—parents of school children (b) Lawful residents (c) All residents	(a) Implemented (b) Not enacted (c) Not enacted
Chicago Maryland ^a	Local statue 10 Local Statues	1989 to date 1990s to 2017	School site elections All residents	Implemented 10 towns implemented
SF	Ballot proposal	2004 2010 2016	School Board Elections All parents or guardians of children under 18	51–49% failed 2004 54–46% failed 2010 53–47% passed 2016 Implemented 2018
Massachusetts ^b	4 Local Statues	1990s, 2000s, 2016	LPRs	Passed; need state approval
Texas	State Statute	1995	LPRs	Not enacted
Connecticut	State Statute	2003	LPRs with property	Not enacted
Minnesota	State Statute	2007	LPRs	Not enacted
Washington D.C.	Local Statue	1991; 2004; 2010; 2014	LPRs	Not enacted
Portland, ME	Ballot proposal	2010	LPRs	Failed
Burlington, VT	Ballot proposal	2015	LPRs	Failed

^aIn 2016, Hyattsville Maryland granted immigrant voting rights, approving an amendment to the city's charter, in December 2016, and Mount Rainier followed suit on January 3, 2017. Candace Rojo Keyes, "Mt. Rainier Extends Vote to Non-citizens," *The Sentinel*, (January 18, 2017).

^bIn 2007, The Boston City Council narrowly rejected by a vote of 7–6 a proposal to grant LPRs voting rights in local elections. Cambridge, Amherst, Newton, and Brookline passed local laws allowing noncitizens to vote in local elections, but have not gotten state enabling legislation needed to allow the localities to implement the local laws. In January 2018, the President of the Boston City Council Andrea Campbell proposed holding a hearing to explore a bill that would restore voting rights to noncitizens in local elections. Dan Atkinson, "Council Prez mulls noncitizen voters," *Boston Herald*, (January 30, 2018), available online at: http://www.bostonherald.com/news/local_coverage/2018/01/council_prez_mulls_noncitizen_voters.

residence and participation,⁹ as well as part of larger movement for immigrant rights and social justice.

Campaigns for Immigrant Voting Rights—Who, Why, How, and to What End(s)?

Our aim is to shed light on contemporary campaigns to restore noncitizen voting in local elections and to explore their implications for democratic theory and practice. While some campaigns have been led by immigrant rights organizations, others arose due to the initiative of elected officials. Some campaigns have sought to extend voting rights only to legal permanent residents (LPRs), or specific stakeholders such as parents in public school board elections, while other campaigns are more expansive and seek voting rights for all adult residents, regardless of status, in all local elections in a jurisdiction. Only a few proposed laws sought to grant voting rights in state elections. Political and policy impacts of campaigns to extend noncitizen voting rights have been mixed.

⁹Monica Varsanyi, "Interrogating 'Urban Citizenship' vis-à-vis Undocumented Immigration," *Citizenship Studies* 10:2 (2006), pp. 229–49.

This paper is a small part of a larger project to chronicle and analyze the developments in noncitizen voting rights and build upon our previous work.¹⁰ Our analysis is based on dozens of interviews, surveys, and participant observation with stakeholders, including immigrant voting rights advocates, opponents, community organizations, elected officials, government agency personnel, members of the media, and nonpartisan policy organizations. We conducted this research in cities and states across the US, including in Massachusetts, New York, California, Connecticut, Vermont, Maryland, Maine, and Illinois. In addition, we draw upon other academic studies, government reports and policy papers, census and election data, public opinion polls, public testimony, and news articles.

Contemporary Campaigns and Practices

Today, twelve jurisdictions allow all residents to vote in local elections, regardless of citizenship or immigration status, including ten towns in Maryland, in local school council elections in Chicago, and in School Board Elections in San Francisco. All of these jurisdictions grant voting rights to local residents without regard to immigration status. More than a dozen additional jurisdictions have considered restoring immigrant-voting rights. Some campaigns seek to restore immigrant voting to all residents—both documented and undocumented immigrants (NYC, MD, SF)—while other campaigns seek to enfranchise only legal permanent residents (Washington D.C.; Portland, ME; Burlington, VT; MA). Some campaigns are waged via ballot proposals (SF, Portland, Burlington) while others seek to enact local laws via legislative processes (NYC, D.C. MA, MD). Some campaigns have not led to the introduction of legislation (Pasadena, CA; Albuquerque, NM; New Haven and Bridgeport, CT; Carrboro, NC; Madison, WI; Seattle, WA; Portland, OR; and Denver, CO).¹¹ In nearly every case, campaigns are contentious and the outcomes quite close.

Whether campaigns for immigrant voting rights were initiated by elected officials or immigrants, several characteristics stand out in each case: (1) demographic shifts propelled immigrant mobilization; (2) proponents of noncitizen voting engaged in grassroots organizing, coalition building, lobbied elected officials, and engaged local media; and (3) supportive politicians, mostly liberal Democrats, some Green Party members and representatives of immigrant and minority background, enacted or supported legislation. Opponents—pro-immigration control and restrictionist groups as well as conservative or incumbent Democrats and Republicans—have raised a series of objections to immigrant voting rights campaigns.

Campaigns have often appeared in clusters. For example, several campaigns occurred in the early 1990s, including the successful campaigns in Takoma Park, Maryland and Amherst, Massachusetts. In 2004, three campaigns were launched— in New York City, Washington D.C. and San Francisco (all three unsuccessfully). In 2010, campaigns were conducted in Portland,

¹⁰Ron Hayduk, *Democracy for All: Restoring Immigrant Voting in the United States* (New York, NY: Routledge, 2006); Ron Hayduk, “Political Rights in the Age of Migration: Lessons from the United States,” *Journal of International Migration and Integration* 16:1 (2015), pp. 99–118; Kathleen Coll, “Citizenship Acts and Immigrant Voting Rights in the US,” *Citizenship Studies* 15:8 (2011), pp. 993–1009.

¹¹The City of Seattle, for example, issued an *Immigrant Voting Task Force* in 2015 that concluded: “In community dialogs the Task Force learned that there was significant interest in creating new mechanisms that would allow all Seattle residents the right to vote in municipal elections regardless of citizenship status. At this time we view this as an aspirational goal, but one fraught with significant legal administrative and political obstacles,” available online at: <https://www.seattle.gov/Documents/Departments/OIRA/OIRA-Voting-Report.pdf>.

Maine; Brookline, Massachusetts; New York City and San Francisco (Brookline was successful). In 2015–2016, San Francisco, Burlington VT, New York City, Cambridge MA, and Pasadena CA entertained immigrant voting proposals (SF successfully).

Our research suggests campaigns have contributed to community building and more responsive local governance in some places, particularly when immigrants lead campaigns and related policy initiatives. Immigrant leadership looks different in each context—a consultative process regarding whether or not to launch a campaign, the drafting of legislation, grassroots base-building approaches to outreach and win support of elected and other key local officials, or legal research and support for administering and implementing new voting rules, or generating coverage by local media including ethnic media. Coalition building with other stakeholders and key elected officials is critical to waging viable campaigns. Essentially, immigrants are enacting urban citizenship through their engagement in such coalitions, and their work for inclusion, empowerment, and improved local self-governance. Results are shaped by several factors, including the relative strength or weakness of community-based support and organized opposition to immigrant voting rights, particularly in the case of ballot measures. Regional and national political context can affect outcomes as well.

The “success” of local immigrant voting efforts cannot be judged solely by whether or not they achieve the goal of establishing local voting rights. Success can also be measured by local stakeholders as advancing other goals, such as when immigrant advocates build coalition and solidarity with other social groups across sectors (policy, geography), which can increase community-based power. Mobilization for immigrant voting can educate community members and elected officials alike about immigrant concerns and provide support for other pro-immigrant policies and community benefits, such as language access, school and neighborhood improvement, legal services, municipal ID, or police reform. Campaigns can build immigrant leadership, increase civic skills, community capacity and alliances with other groups capable of winning greater government responsiveness, and improvements in the quality and implementation of policies (housing, education, cultural) that affect immigrant communities.¹² In other words, immigrant voting campaigns can contribute to expansive practices of active “citizenship” at the local level, particularly if immigrants lead the way.

Moreover, the effort to expand the franchise to immigrants is a global phenomenon. More than 45 countries on nearly every continent allow resident noncitizens to vote at the local, regional, or national level in the host countries’ elections, and most adopted such legislation during the past three decades.¹³ Europe provides a compelling case for noncitizen voting rights. The 1992 Maastricht Treaty granted all Europeans the right to vote in European countries other than their own, expanding what has been practiced for years in Sweden (1975), Ireland (1975), the Netherlands (1975), Denmark (1977), and Norway (1978); in the 1980s, the Netherlands, Venezuela, Ireland, Spain, and Iceland enacted legislation enfranchising resident aliens; several Swiss cantons (Neuchâtel and Jura) have long permitted noncitizen voting; Finland and Iceland allow Nordic citizens voting rights; and Estonia allows noncitizen voting at the local level. In fact, noncitizen immigrants vote on nearly every continent,

¹²Els de Graauw, *Making Immigrant Rights Real: Nonprofits and the Politics of Integration in San Francisco* (Ithaca, NY: Cornell University Press, 2016).

¹³David C. Earnest, *Old Nations, New Voters: Nationalism, Transnationalism, and Democracy in the Era of Global Migration* (Albany, NY: SUNY Press, 2008).

including in Latin America, New Zealand, the Caribbean, Barbados, Belize, Canada, Chile, Iceland, Israel, New Zealand, Uruguay, and Venezuela¹⁴

The Rise and Fall—and Reemergence—of Immigrant Voting in the US

Although surprising to many, in most of colonial America and the newly independent US, any 21-year-old or older white male with property was eligible to vote, regardless of citizenship status. In fact, from 1776 to 1926, noncitizens exercised the right to vote at the local, state and even federal levels of government, and in some cases held office, in as many as 40 states.¹⁵ For most of this period, noncitizen voting was seen as a means to train newcomer white Christian men to be good neighbors and promote active participation in the life of their new adoptive homes before their eventual naturalization. In frontier states, it was also a way to lure new white male immigrants to permanently occupy Native lands, diffusing pressure from women, Native Americans, and African Americans who demanded political and property rights. Following the War of 1812 and leading up to the Civil War, some states began rescinding immigrant voting provisions. The influx of the Irish, for example, who were likely to be hostile to slavery, sparked opposition to immigrant voting. The first plank in the Confederate Constitution limited voting rights to only those born in the US.¹⁶ Following the Civil War, however, alien suffrage expanded in the South and westward, reaching its peak in the 1880s when almost 20 states allowed it. In short, immigrants as voters and candidates could and did make the difference between winners and losers throughout early American history.

However, by the 1910s, most states had rescinded immigrant voting provisions and closed the door to immigrants for decades thereafter.¹⁷ Arkansas was the last state to eliminate alien suffrage in 1926, after 150 years of the practice. The rollback of immigrant voting rights—along with the disenfranchisement of African Americans and poor whites by a host of infamous voting restrictions, such as poll taxes, literacy tests, grandfather clauses, felon disenfranchisement laws, and restrictive voter registration and residency requirements—combined to disenfranchise millions of voters. Taken together, this constriction of the franchise limited democratic possibilities of American political development for decades.¹⁸

Yet during its heyday, immigrant voting and holding office promoted civic education, participation and eventual citizenship. It was seen not as a substitute to citizenship but as a pathway to citizenship; a kind of pre-citizen voting. In today's lexicon, it facilitated immigrant political incorporation. Noncitizen voting rights are more consistent with democratic ideals than current practices of exclusion. And while it is curious that this 150-year history has been eviscerated from American national memory, it may not be accidental given its

¹⁴Ibid.; Rainer Bauböck, "Expansive Citizenship—Voting Beyond Territory and Membership," *PS: Political Science & Politics* 38:4 (2005), pp. 683–7; Cristina Escobar, *Migration and Franchise Expansion in Latin America*. Global Citizenship Observatory (GLOBALCIT) European University Institute, (2017), available online at: http://cadmus.eui.eu/bitstream/handle/1814/45709/GLOBALCIT_Comp_2017_01.pdf?sequence=1&isAllowed=y.

¹⁵Hayduk, *Democracy for All*, pp. 19–21.

¹⁶Raskin, Jamin. B. *Overruling Democracy: The Supreme Court vs The American People*. (New York, NY: Routledge, 2003), p. 238.

¹⁷Following the consolidation of the Midwest and West, the exclusion of Asian immigrants beginning with the Chinese in 1882, and the increase of immigrants from Southern and Eastern Europe between the 1880s and WWI, immigrant voting was repealed in state after state.

¹⁸Voter participation declined from seventy to eighty percent in presidential elections during the mid to late 1900s to forty-nine percent in 1924. Frances Fox Piven and Richard A. Cloward, *Why Americans Still don't Vote: and Why Politicians want it that Way* (Boston, MA: Beacon Press, 2000).

power to spark campaigns to restore immigrant voting today. Contemporary advocates draw heavily on this history to disrupt the “common sense” thinking that ties voting to national citizenship. Understanding the extension and withdrawal of noncitizen voting rights highlights important elements and challenges for contemporary voting rights struggles.

The Case for (and Against) Immigrant Voting Rights

The effort to create a truly universal suffrage is one tactic among many in the struggle to achieve economic and social justice. Toward these ends, immigrant rights advocates today invoke this history as well as to utilize moral and political claims to achieve voting rights for noncitizens. There are three basic arguments: voting rights are embodied in the social contract, where a just government rests on the consent of the governed; the vote helps guard against discrimination and bias, which is often a consequence of being politically excluded; and the vote can help win mutual benefits for all community members of a polity.

The Social Contract

One of the basic tenets of democratic theory is found in the notion of the social contract: the legitimacy of a just government rests on the consent of the governed. Citizens consent to be governed and obey governing laws in exchange for the power to select their representatives, a mechanism that can hold elected officials accountable to the people. The Founding Fathers enshrined this notion in the phrase “no taxation without representation,” which provided a rallying cry for the American Revolution.

This argument emphasizes the rights of all members of communities—including immigrants—in a democratic polity. Indeed, immigrants were signatories to the Declaration of Independence. Many of the early colonies had already allowed noncitizen residents to vote, and the practice was continued when the new states formed their constitutions. The emerging republicanism and liberalism in early America made noncitizen voting a reasonable practice tied to inhabitants and difficult to challenge. Formal procedural rights, however, do not guarantee substantive equality. Many liberal theorists did not (and do not) adequately contemplate how real world differences in group status can create second class members. Political inclusion of African Americans and women did not bring equal treatment and equal outcomes. Thus, African American men who were legally enfranchised after emancipation could be subject to segregation and oppression; women could be subordinated even after their enfranchisement; and poor and working people could be relegated to the lower social orders. Today, because not all noncitizens can become citizen members, liberal democratic theory and practice is similarly challenged by this reality.

In the case of immigrants in a democratic polity, there are two typical theoretical and policy responses to this problem. One is to draw a sharper line between immigrants and citizens. Noncitizens are not entitled to the same rights and privileges as citizens, it is argued, because certain immigrants are not eligible to become full citizen members of their host society. In the case of undocumented immigrants, their violation of US law makes them

ineligible for any such rights.¹⁹ Even for legal immigrants, Schuck for example, identifies five exceptions to the principle of equity embodied in the Fourteenth Amendment, whereby a government is justified in differential treatment of citizens and noncitizens, including: legal residents are subject to deportation; legal aliens do not have as great ability as citizens to have their relatives immigrate to the US; and legal residents cannot serve on juries, vote, nor run for office or be appointed to certain government jobs.²⁰ This general position is taken up by opponents to immigrant voting.²¹

Immigrant advocates move in the opposite direction, arguing for expansion of the equal protection principle and to adjust democratic norms to the new demographic realities. Aleinikoff and Klusmeyer argue, "Any discussion of the franchise for immigrants must consider the basic democratic premise that what concerns all should be decided by all . . . laws of democratic states apply not only to their citizens, but to all who live in the territory."²² Lisa Garcia Bedolla takes the argument a step further. She contends that liberal democratic theorists who focus "solely on the actions and responsibilities of individual immigrants . . . ignore the role of the state, and state-sanctioned economic actors, in facilitating, subsidizing and making possible, migration."²³ In fact, Bedolla argues, migrants have the "tacit consent" of powerful economic and governmental actors which benefit—even require—a cheap and pliable labor supply to fuel global capitalism, particularly guest worker schemes. Instead of viewing migrants as coming here on their own, which ignores "the web of economic interdependence that connects all of us," Bedolla views migration as the result of "structural, rather than individual, processes." Immigrants are important and permanent parts of our political community, she argues, and we have a reciprocal responsibility for noncitizens whose presence is integral to the functioning of our economy and society.

A corollary argument is that without voting rights noncitizens are at risk of bias in majoritarian electoral systems because politicians can ignore their interests. Discriminatory public policy and private practices—in employment, housing, education, healthcare, welfare, and criminal justice—are the inevitable by-products of immigrant political exclusion, not to mention xenophobic political campaigning and racial profiling. As Jamin Raskin stated, "If you can't vote, you tend to be disregarded politically. It [voting rights] has extended real visibility to a formerly invisible population."²⁴ The problem is not merely that immigrants pay taxes and do not have the vote; the problem is that the US is undergoing another nativist period that threatens rights and civil liberties of those who have no formal voice to protect themselves. Witness the violation of civil liberties evident in the arbitrary detention of many immigrants today and the host of restrictionist legislation proposed and/or enacted at the federal level and in several states, let alone the rising number of racially motivated bias attacks on immigrants.

¹⁹Peter Schuck and Rogers Smith, *Citizenship without Consent: Illegal Aliens in the American Polity* (New Haven, CT: Yale University Press, 1985).

²⁰Peter Schuck, "Membership in the Liberal Polity: The Devaluation of American Citizenship," in William Rogers Brubaker (ed.), *Immigration and the Politics of Citizenship in Europe and North America* (New York, NY: German Marshall Fund of the United States and the University Press of America, 1989).

²¹Renshon, *Noncitizen voting*; de la Garza, "Immigrant Voting."

²²T. Alexander Aleinikoff and Douglas Klusmeyer, *Citizenship Policies for an Age of Migration* (Washington, DC: Carnegie Endowment for International Peace, 2002), p. 46.

²³Lisa Garcia Bedolla, "Rethinking Citizenship: Noncitizen Voting and Immigrant Political Engagement in the United States," in S. Karthik Ramakrishnan and Ricardo Ramirez (eds), *Transforming Politics, Transforming America: The Political and Civic Incorporation of Immigrants in the United States* (Charlottesville, VA: University of Virginia Press, 2005).

²⁴Jeff Donn, "Massachusetts Town Considers Granting Vote to Noncitizens," *Associated Press*, October 21, 1998.

Contemporary immigrant voting rights advocates draw parallels between the pre-suffrage plight of women and African Americans and conditions of immigrants today. Joaquin Avila has argued for immigrant voting rights in California stating,

A society's interests are not furthered when a substantial number of its inhabitants are excluded from the body politic and have no meaningful way to petition for a redress of grievances through the electoral process... The ultimate product of such exclusion is a political apartheid.²⁵

Mutual Benefits

Another frame of immigrant voting rights focuses on the benefits that would accrue to other community members who have common interests. Advocates contend immigrants strengthen communities. Immigrants not only contribute materially but they also enhance the quality of life in communities and add richness to neighborhoods. Working-class individuals and people of color—particularly in metropolitan regions—face many of the same problems that immigrants do, including discrimination in employment, housing, education and so on. Common interests can forge common ground, reduce competition, and enhance mutual understanding and cooperation. While the struggle for scarce economic resources, cultural differences and prejudice can breed inter-group conflict, universal voting rights can provide a buffer against potential social strife or segmented assimilation. In fact, alliances among competing minority groups in struggles for fair employment practices, living wage campaigns, affordable housing, and quality education, have formed the basis of effective coalitions in electoral contests and public policy formation. Ultimately, campaigns need to make the case that immigrant enfranchisement and political equality benefits everyone.

An example from New York City provides a case in point. During the 1980s, many NYC school districts were characterized by overcrowding, out-of-date books, lack of language access or cultural competency, crumbling facilities, no after school programs—all combining to produce poor education for the students, which contributed to and further perpetuated the low socioeconomic status of their families. In Washington Heights, a section of northern Manhattan, more than eighty percent of the 25,000 students attending elementary and intermediate schools in District 6 were Dominican.²⁶

At that time their schools were the most overcrowded in the city and the students' reading scores ranked the lowest... The fight for community control and empowerment in District 6 began in 1980 when the Community Association of Progressive Dominicans confronted the school board and superintendent to demand bilingual education and programs for recently arrived immigrant families.²⁷

In 1986, a vibrant voter registration drive brought in 10,000 parent voters—most of them Dominican noncitizen immigrants—who turned out in record numbers in the Community School Board races, elections that permitted noncitizens to vote. This political mobilization led to the election of a majority of advocates for immigrants to the local community school board, including the first Dominican ever elected in the US, Guillermo Linares, who became

²⁵ Joaquin Avila, "Political Apartheid in California: Consequences of Excluding a Growing Noncitizen Population," *Latino Policy and Issues Brief* 9 (2003). Chicano Studies Research Center, UCLA, available online at: <http://www.chicano.ucla.edu/publications/report-brief/political-apartheid-california>.

²⁶ Guillermo Linares, "Dominicans in New York: Superando los Obstáculos y Poder: The struggle for Community Control in District 6," *Centro Bulletin* 2:5 (1989), p. 78.

²⁷ Julissa Reynoso, "Dominican Immigrants and Social Capital in New York City: A Case Study," *Latino Intersections* 1:1 (2003), available online at: <http://journals.dartmouth.edu/cgi-bin/WebObjects/Journals.woa/xmlpage/2/article/104>.

the president of the school board.²⁸ As Julissa Reynoso observed, Dominicans made concrete gains:

Over the years Dominicans have gained a greater representation on the school board. Other subsequent gains have included the construction of additional public schools in the district and the appointment of a Dominican principal to head one of the community high schools.²⁹

Not only did the mobilization of Dominicans eventually contribute to improvements in the public schools, it also helped reshape community politics.

Their mobilization, replicated by other racial and ethnic minorities in other neighborhoods, led to the election of a larger number and proportion of people of color on the school boards, which in turn, fueled political support to improve the quality of schools and education in other neighborhoods. For example, an analysis by the Center for Voting and Democracy of the 1993 and 1997 NYC Community School Board Elections showed an *overrepresented* number of “black and Latino candidates compared to voting-age population.” Over time, the study shows,

representation of blacks, Latinos and eventually Asian Americans [as elected representatives on NYC Community School Boards] has generally grown steadily, closely matching and often surpassing voting-age population for those groups [N]ot only have the districts been representative of racial and ethnic minorities citywide, but also within most districts.³⁰

Indeed, greater community representation and political mobilization led the city to devote more funds to schools in Washington Heights and in other neighborhoods in New York City. Similarly, community pressure supported the development of a multicultural curriculum (“Rainbow Curriculum”) and improvements to bilingual education and programs for English Language Learners (ELL). In the end, it was not only Dominicans that benefited. All community residents—including older stock Irish, Italian, Jewish, Puerto Rican, and Black families who lived there—benefited from improved education opportunities. Moreover, it was not just residents in Washington Heights who benefited: similar voter mobilization efforts yielded school budgets that grew in other districts in New York City, producing improvements in student and family outcomes. Such community political mobilization had spillover effects, such as advocacy for affordable housing that led to a city-financed program launched in the 1980s to build and rehabilitate hundreds of thousands of low and moderate-income housing units.³¹ Positive results are evident in other cities where immigrants have voted (and still do), such as in Chicago and in Maryland, and in other countries that allow it.³²

Opponents of immigrant voting raise several objections, including that granting voting rights to noncitizens would diminish the value and meaning of citizenship; limit the capacity

²⁸Linares, 1989. Linares later became the first Dominican New York City Council Member, serving two terms, after which he was appointed the head of Mayor Bloomberg’s Office of Immigrant Affairs, and was subsequently elected to the New York State Assembly where he serves today.

²⁹Reynoso “Dominican Immigrants and Social Capital in New York City.”

³⁰Rob Richie, “Improving New York City’s Community School Board Elections.” Testimony to the Citywide Community School Board Elections Committee on December 2, 1997. The Center for Voting and Democracy, available online at: http://archive.fairvote.org/library/geog/cities/ny_school_board.htm. The focus of Richie’s testimony was to highlight the role played by a type of proportional representation (ranked choice voting) in promoting diversity on the community school boards.

³¹Jonathan Soffer, *Ed Koch and the Rebuilding of New York City* (New York, NY: Columbia University Press, 2012).

³²Ron Hayduk, *Democracy for All: Restoring Immigrant Voting Rights in the US* (New York, NY: Routledge, 2006); Melissa Marschall, “Parent Involvement and Educational Outcomes for Latino Studies,” *Review of Policy Research* 23:5 (2006) pp. 1053–76; Susan Ryan, Anthony S. Bryk, Gudelia Lopez, Kimberly P. Williams, Kathleen Hall, and Stuart Luppescu, *Charting reform: LSCs—Local leadership at work* (Chicago, IL: Consortium on Chicago School Research, 1997); Kåre Vernby, “Inclusion and public policy: Evidence from Sweden’s Introduction of Noncitizen suffrage,” *American Journal of Political Science* 57:1 (2013) pp. 15–29.

for citizens to regulate rights and benefits; reduce incentives for immigrants to naturalize; create divided loyalties; skew the results in close elections; increase vote fraud; and affect contentious public policy issues.³³ Even some immigrant advocates and civil libertarians worry that immigrants would be further exposed and made more vulnerable if voting rights laws were not crafted carefully, particularly the undocumented. And some African Americans and other minority groups worry that their hard won gains in voting power and increased number of representatives could be diluted, at a time they are reaching parity with whites at some levels of governance.

Lessons Learned Across Campaigns

What lessons can be gleaned from reform efforts in these diverse campaigns and locales? Why do campaigns happen where they do? Who initiates them, how are campaigns waged, do they win or lose, and to what ends?

First, immigrant voting rights campaigns have emerged most often in culturally and politically progressive small to mid-sized towns and cities, such as Takoma Park, MD; Amherst and Cambridge, MA; Burlington, VT; and San Francisco, CA. These cities include university towns with large numbers of professional class immigrants and histories of welcoming immigrants and refugees, including local “Sanctuary” ordinances.³⁴ More politically and culturally moderate and larger cities have also mounted local campaigns, including New York City, Washington D.C., and Portland, Maine. Less frequently, more conservative localities have entertained campaigns or legislation (but rarely wage full-scale campaigns), such as in Denver, CO; San Bernardino and Pomona, CA; Carrboro, NC; FL, Minnesota and Texas.

Second, campaigns usually occur in areas with a growing immigrant population that has active community-based organizations. Such campaigns are either immigrant-led or in alliance with civil rights and progressive groups. For example, in Cambridge, MA, Haitian immigrants during the 1990s spearheaded a campaign for immigrant voting seeking to protect rent control that was under threat and later allied with Latino community-based organizations and diverse individuals from Europe, Africa, Asia, and the Middle East; in Amherst, MA, Puerto Ricans and Central Americans along with progressives led the campaign, following enacting sanctuary policies; in Portland, ME, Somalis and other refugees, along with progressives, led the campaign; in Washington D.C., Central Americans in alliance with civil rights leaders led the campaign during the 1990s and 2004; in Burlington, African immigrants who organized after being rebuffed from gaining access to public recreation fields to play soccer worked on the campaign in alliance with a range of progressive organizations and individuals; in Hyattsville a Latino community-based organization (CASA) was one of main campaign proponents along with civil rights allies and progressive whites. In San Francisco’s 2010 and 2016 campaigns, Chinese American and Latino organizations seeking to organize immigrant public school parents responded to local elected officials who initiated campaigns for a charter amendment for immigrant parent voting.

Campaigns tend to gain traction when led by immigrants who develop a broader coalition among diverse groups of allies: in New York City, a coalition formed in 2004 comprised community-based organizations—faith-based, immigrant and civil rights, unions, and

³³Renshon, *Noncitizen voting*; de la Garza, “Immigrant Voting.”

³⁴Takoma Park sought to integrate Salvadorans, diplomats and other global citizens in their midst. Raskin *Legal Aliens, Local Citizens*.

progressive groups—which later expanded and built greater capacity to lobby for a City Council measure that gained broad support in 2013; in San Francisco, Latino, Asian and Black alliances have been key; in Portland Maine, alliances between young Green party activists, Somali refugees and policy organizations disrupted traditional notions of who constituted natural political allies. The outcome of the 2010 ballot initiative was close (Yes: forty-eight percent No: fifty-two percent) largely because they conducted a strong grassroots door-to-door canvass style campaign. During the 1980s and 1990s many of cities still had large and active working class and minority communities, but more recently have experienced gentrification and large-scale displacement of these populations (for example Cambridge, Washington D.C., San Francisco, Berkeley). Nonetheless, they continue to be committed politically to the empowerment of those who remain, including immigrants.

Third, gaining the support of established and influential organizations, such as labor unions or civil and voting rights organizations—and funders—has proven significant. Alliances can increase a campaign's capacity, provide broader legitimacy, and help increase media attention—all of which can help propel immigrant voting campaigns forward. Lead organizers in the 2010 campaigns in San Francisco and Portland contended they might have been able to win if they had had funding for at least one full-time organizer and modest funds for outreach, given the close vote in their respective ballot initiatives. In the era of \$100,000 initiative campaigns at the local level, even the most robust grassroots of organizing efforts need adequate resources to be successful, particularly in the face of opposition. Organizing events that create positive news, such as NYC's Mock election or "Tax Day" rallies, can boost visibility and community support. Engaging social media and ethnic media can augment the necessary "face to face" organizing strategies. But most nonprofit organizations have limited staff and budgets to carry out such activities effectively.

Fourth, in every jurisdiction the support of credible and visible elected officials who can effectively champion the cause has been critical to wage viable campaigns. Unless people in power can craft and propose legislation or submit ballot initiatives, immigrant voting campaigns do not get far. However, campaigns that are primarily led by elected officials—with little participation by community-based organizations capable of generating broad-based support—have mixed results at best. Planning and carrying out an immigrant voting rights campaigns without first obtaining the buy-in and support of immigrant rights organizations and grassroots community leaders can be detrimental. In Rockville, MD, for example, Mayor Larry Giammo pursued immigrant voting rights soon after being elected in 2001. Because he did not sufficiently consult with community stakeholders and lay the groundwork for a viable campaign, however, opposition thwarted the idea and he was left out on a limb. As is the case for campaigns in most other policy arenas, the combination of inside and outside strategies is usually what proves to be most effective, but the push and continued involvement from community groups is especially critical to wage viable immigrant voting rights campaigns.

Fifth, the level of opposition and political context matters. In some cases, opponents of noncitizen voting measures counter mobilized and proved decisive, such as in the SF 2004 ballot initiative campaign where Don Fischer (former CEO of the GAP) contributed \$50,000 for anti-immigrant voting mailings as well as activity by an anti-immigrant organization called Save our State (SOS), which has been described as a hate group by the Southern Poverty Law Center. In 2015 in Burlington, Vermont, a front-page article in the largest newspaper printed two days before the election appeared to contribute to the defeat of their

immigrant voting ballot initiative (along with a lack of effective grassroots mobilization). For the most part, however, organized opposition to immigrant voting campaigns has been fewer in number and less visible than proponents. This may be a function, in part, of the fact that many immigrant voting campaigns have been waged in politically liberal locales.

In jurisdictions using ballot initiatives, the timing of the election can also affect outcomes. Midterm elections have low voter turnout and fewer sympathetic voters, as was the case in 2010 in San Francisco, while presidential elections have higher turnout—particularly of minorities—who can help propel a ballot measure to victory, as was the case in 2016. Gaining the support of most residents—usually progressive whites, people of color, and naturalized immigrants—was necessary for success, such as in San Francisco in 2016.

Changing political contexts can expand or contract opportunities for organizing and strategic intervention. During 2010–2012, the NYC Coalition to Expand Voting Rights had struggled with relatively weak support among key City Council members, which was partly a byproduct of the opposition to immigrant voting by Mayor Bloomberg and then City Council Speaker Christine Quinn who had effectively stymied the effort for several years. Sustained lobbying by advocates and legislative leaders who championed the bill, and a set of unique election year dynamics created by term limits: nearly half of the elected officials were no longer eligible to stand for re-election, including Mayor Bloomberg and Speaker Christine Quinn, which provided more latitude for councilmembers to support immigrant voting. In this way, a change to the “political opportunity structure”³⁵ due to term limits and election year maneuvering by various Democratic Party factions in the City Council opened up new avenues for advocates to make gains. Such changes can come simply from more diverse public officials, where non-white, immigrant, and self-identified “progressive” candidates and politicians demonstrate stronger support for immigrant rights, as in the case of NYC. Although NYC has yet to pass an immigrant voting bill, progressive city council members and Mayor de Blasio have passed immigrant friendly legislation, including Municipal Identification Cards, a bill limiting ICE in New York City jails, funding to provide legal assistance to immigrants, expanding ESL opportunities, paid sick days, among other bills.

Sixth, convincing stakeholders of the merit of immigrant voting often requires a good amount of time for political education and debate, both within the immigrant rights community (leadership and rank and file) and among other stakeholders, let alone the public more generally. Grappling with complexities involved in immigrant voting campaigns are not as simple as efforts to win \$15 an hour; they do not translate as easily onto a bumper sticker. Most people who first hear about immigrant voting think it is illegal or improper. It takes time to delve into the issues, and challenge existing norms, beliefs and misunderstandings. Building knowledge of historical practices and previous patterns of integration (and resistance to) women and African American voters, and countering persistent mischaracterizations of “the proper pathway to voting” as limited to citizenship (via naturalization) is the constant job of the advocate. Shifting fundamental understandings of social norms, and political patterns requires willingness and time.

Advocates have had to grapple with how to frame campaigns. Some seek to address narrow goals, such as parents’ interests and student outcomes, or immigrant integration, while others frame campaigns as promoting more general interests such as increasing civic

³⁵David S. Meyer and Suzanne Staggenborg, “Movements, Countermovements, and the Structure of Political Opportunity,” *American Journal of Sociology* 101:6 (1996), pp. 1628–60.

education, voter participation, and government accountability. Focusing on narrower interests can appear to be more strategic, such as San Francisco's emphasis on "increasing parent involvement in public schools," rather than emphasizing immigrant empowerment. Ironically, it appears the heightened polarization around immigration during the November 2016 election effectively elevated the cause of immigrant rights, pushing up popular support in San Francisco to pass the parent immigrant voting ballot initiative (Proposition N). Looking back, even sympathetic liberals in San Francisco did not believe the earlier 2010 campaign's assertions that the proposition was strictly about "closing the achievement gap by increasing immigrant parents' participation in school policy." It is difficult to assess now if the campaign might have been more open to appeals on the basis of fairness and respect for immigrant contributions and participation in the city, and if a broader campaign vision might also have attracted more participation and support from immigrant rights advocates for whom public education was not a central part of their organizational priorities.

Immigrant Agency in Voting Rights Campaigns

The most effective advocates are immigrants themselves, and they are most powerful in coalition with allies. The importance of immigrant leadership becomes even more crucial in the implementation of these policies in the wake of the 2016 elections and increased federal enforcement. How can jurisdictions balance the need for transparency in elections with protections against voter suppression? Should proposals include all immigrants or only LPRs? These are questions localities are grappling with in the current political climate.

Our research suggests immigrants themselves must weigh in on such matters. Immigrants are the most credible spokespeople for noncitizen voting rights and their personal stories about the adverse impacts of disenfranchisement are often the most effective arguments that win over both voters and policy-makers. The experience of guiding campaigns and carrying out voter outreach is also an important leadership development opportunity for new potential voters themselves. These findings are consistent with immigrant led victories of other rights and services.³⁶ One lesson from the immigrant voting successes across the nation, as well as from the declining voter turnout overall in the US, is that without investment in and leadership of organized immigrant communities committed to voter engagement for the long haul, it is less likely that immigrants will themselves turn out to vote even after gaining the formal right to do so.

Conclusion

Imagine if the nearly 25 million immigrants who are not yet US citizens could vote? It would change political dynamics, particularly in states and locales where noncitizen immigrants are concentrated, potentially changing patterns of voter participation, representation, policy, and perhaps alter the balance of power among contending social and political groups. Demographic change provides new incentives for insurgent factions and candidates to challenge dominant political organizations and leaders. As the population of cities and states diversifies, political groups have sought to enlist and mobilize—or demobilize and neutralize—new emerging constituencies. The reason, though obvious, merits underscoring:

³⁶de Graauw, *Making Immigrant Rights Real*.

expanding or limiting the scope of the electorate can determine who are winners and losers and thereby shape politics.³⁷ The stakes and prizes of elections for political contenders are manifold, from shaping policy agendas to rewarding allies and punishing enemies. After all, constituencies that are better organized and more actively engaged in political activity tend to receive the lion's share of material benefits from government. Of course, the flip side is also true: electorally marginalized constituencies can more easily be ignored and subjected to discrimination.

Immigrant voting campaigns highlight the myriad ways noncitizens act as good citizens, employing liberal democratic discourses, dedicating time and effort to win a modest electoral reform. Despite the messiness of their engagement with the state, advocates organized, developed their capacities, leadership, built coalitions, and advanced agendas. Sometimes they changed laws and policies and advanced immigrant political incorporation. These local voting rights campaigns appropriated official discourses of legal and political rights that are often exclusive and put them in service to support popular grassroots efforts for inclusion and equality. What is clear to us after talking with people in meetings at schools, churches organizations, and in City Halls is this issue can sustain interest, whether or not individual measures or efforts prevail, which can further efforts to advance immigrant incorporation.

Such campaigns, even where they are characterized as eccentric or marginal, can be seen as efforts to democratize politics. This is one of the reasons campaigns for noncitizen voting rights continue to emerge in diverse locales across the US, and precisely in an era of tremendous hostility to newcomers and noncitizens. Campaigns for voting rights represent immigrants' efforts to write themselves into a national story that reframes them as future citizens rather than permanent aliens. These campaigns become opportunities for immigrants to speak with citizens about the history of immigrant voting, but also to make manifest their own engagement in and commitment to their local communities and institutions. In an era in which immigrants of color especially are treated with hostility and disrespect, these campaigns are affirmative, positive political interventions that organize both immigrants and citizens around principles of justice and inclusion. We can learn as much about citizenship from the resilience of community groups who try and fail to pass such measures as we do from those that succeed in gaining formal rights.

The lessons here may seem obvious to immigrant community organizers, but are so uncommon in practice that they need to be restated here and underscored. It is insufficient to merely have the political will at the local level to initiate a campaign for immigrant voting rights; you have to have robust independent immigrant-community capacity with public support. While these conditions are not unique to immigrant voting—the same may be true for gaining and implementing language access, municipal ID cards, and other immigrant inclusion initiatives³⁸—they are especially important ingredients to wage a viable campaign on immigrant voting rights.

Given the current state of affairs, however, the stakes are markedly higher for immigrants and their allies than prior to 2016. We can no longer discuss immigrant political empowerment at the local level without considering the harsh anti-immigrant measures being pursued at the federal level and their dire impacts in communities across the country. Just as we have learned that sanctuary cities cannot function as sanctuaries absent of state

³⁷Piven and Cloward, *Why Americans Still Don't Vote*.

³⁸de Grauw, *Making Immigrant Rights Real*.

protections, so too immigrant voting at the local level needs careful and sophisticated policies at the state and local level to advance immigrant power while limiting federal enforcement possibilities. The case of a LPR woman in Texas with US citizen children and no criminal record who voted illegally and who was sentenced to 8 years in prison to be followed by deportation illustrates this new harsh political landscape.³⁹ Prior to 2017, one could have imagined the penalty for voting illegally would have been the denial of a naturalization application, not a long prison sentence and deportation. The stark reality of this new terrain underscores the point that immigrants need be at the table in deciding whether or not to wage a campaign for immigrant voting rights, and if so, when and how to do so.

Disclosure statement

No potential conflict of interest was reported by the authors.

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³⁹Michael Wines, "Illegal Voting Gets Texas Woman 8 Years in Prison, and Certain Deportation," *New York Times* (February 10, 2017).

CONTEMPORARY IMMIGRANT VOTING LAWS AND CAMPAIGNS IN THE UNITED STATES

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Author, [*Democracy for All: Restoring Immigrant Voting in the U.S.*](#) ([Routledge](#))

Fourteen jurisdictions allow noncitizen residents to vote in local elections in the U.S., regardless of citizenship or immigration status:

1. Eleven towns in Maryland: Takoma Park, Barnesville, Martin's Additions, Somerset, Garrett Park, Chevy Chase, Chevy Chase Section Three, Chevy Chase Section Five, Hyattsville, Glen Echo and Mount Rainer. Most of these towns have allowed the foreign born to vote in local elections since the 1990s.
2. San Francisco in School Board Elections (since 2016).
3. Two towns in Vermont (Montpelier and Winooski, 2021).¹

More than a dozen additional jurisdictions have considered restoring immigrant-voting rights. Some campaigns seek to restore immigrant voting to all residents -- both documented and undocumented immigrants (MD, LA) -- while other campaigns seek to enfranchise only legal permanent residents (NYC, MA, Washington D.C., Portland, ME, Burlington, VT). Some campaigns have been waged via ballot proposals (San Francisco, Portland ME, Winooski and Montpelier VT) while others seek to enact local laws via legislative processes (NYC, D.C. MA, MD). In nearly every case, campaigns are contentious and the outcomes have often been close.

State constitutions in 45 states include language referring to national citizenship (e.g., "every citizen" or "all citizens"), but they do not explicitly preclude noncitizen voting. Five states recently enacted constitutional changes that explicitly prohibit non-citizens from voting.²

The following Table provides a summary:

¹ New York City allowed noncitizen immigrants to vote in the 32 Community School Board Elections from 1969 to 2002.

² Amy Garner and Alice Crites, "Secret donors and Trump allies: Inside the operation to push noncitizen voting laws in Florida and other states," [Washington Post](#), July 22, 2019. Colorado, Alabama, and Florida passed constitutional amendments in 2020 banning noncitizens from voting. Patty Nieberg, "Three states pass amendments that 'only citizens' can vote," [Associated Press](#), November 7, 2020. Arizona and North Dakota passed similar measures in 2019.

Contemporary Immigrant Voting Campaigns in the U.S.

Jurisdiction	Type of Law	Year	Coverage	Outcome(s)
NYC a) schools b) city elections c) state elections d) city elections	Statue	a) 1969-2002 b) 2005; 2013; c) 2014 d) 2020-21	a) School Elections b) Lawful residents c) All residents d) Lawful residents	a) implemented b) not enacted c) not enacted d) introduced/pending
Chicago	Local Statute	1989 to date 2021-2022	Local school council elections School Board Elections	Implemented Pending
Maryland	11 Local Statutes	1980s to 2020	All residents	11 towns implemented ³
San Francisco	Ballot proposal	2004 2010 2016	School Board Elections	51-49% failed 2004 54-46% failed 2010 53-47% passed 2016 Implemented in 2018/20
Los Angeles Pasadena Richmond	Sent for “study” Proposal Proposal	2020-21 2016-2021 2021	School Board Elections Undecided Undecided	Pending Pending Pending
Massachusetts	4 Local Statutes ⁴	1990s, 2000s	LPRs	Passed; need state action
Washington D.C.	Local Statute	2004; 2010; 2014; 2021	LPRs	Not enacted
Portland ME	Ballot proposal	2010 2021-22 [?]	LPRs LPRs	Failed Charter Commission?
Burlington, VT Montpelier, VT Winooski, VT	Ballot proposal Ballot proposal Ballot proposal	2015 2018 2020 2021	LPRs LPRs LPRs	Failed Passed Passed VT Legislature Approved Court Challenge pending
Texas	State Statute	1995	LPRs	Not enacted
Connecticut	State Statute	2003	LPRs	Not enacted
Minnesota	State Statute	2007	LPRs	Not enacted

³ Takoma Park, Barnesville, Martin’s Additions, Somerset, Garrett Park, Chevy Chase, Chevy Chase Section Three, Chevy Chase Section Five, Hyattsville, Glen Echo and Mount Rainer.

⁴ Amherst, Cambridge, Brookline, and Newton Massachusetts.

Whether campaigns for immigrant voting rights were initiated by immigrants or elected officials, several characteristics stand out in each case: (1) demographic shifts propelled immigrant organizing and mobilization; (2) proponents engaged in grassroots organizing, coalition building, lobbying, and media; and (3) supportive politicians enacted or supported legislation. In some cases, opponents raised objections to immigrant voting proposals, while in other cases there was little to no opposition.

Campaigns often appear in clusters. For example, several campaigns occurred in the early 1990s, successfully in Takoma Park Maryland and Amherst Massachusetts. In 2004, three campaigns were launched– in New York City, Washington D.C. and San Francisco (all three unsuccessfully). In 2010, campaigns were conducted in Portland Maine, Brookline Massachusetts, New York City and San Francisco (Brookline was successful). In 2015-16, San Francisco, Burlington VT, New York City, Cambridge MA, and Pasadena CA entertained immigrant voting proposals (SF successfully). In 2017, Hyattsville, Mount Rainer, and Chevy Chase Maryland passed noncitizen voting laws. In 2018 and 2020 voters in Montpelier and Winooski Vermont passed ballot measures granting Legal Permanent Residents (LPRs) voting rights, both of which were approved by the state legislature in 2021, overturning a governor's veto. In 2021 in Chicago, immigrant and parent groups are supporting a state measure (SB 1565) that would enfranchise all parents regardless of status in school board elections. In 2021 in Portland ME, a Charter Revision Commission is taking up a proposal to allow LPRs voting rights in local elections; in Richmond, CA a city council proposal granting all noncitizens voting rights is under consideration; and in NYC, advocates have garnered a “supermajority” of members of the City Council who support [Intro 1867](#) that would restore voting rights to nearly 900,000 residents, a bill supported by presumptive Mayor Eric Adams ([press](#); [press](#)).

California: After two close defeats of ballot measures (2004, 51% to 49% and in 2010 54% 46%, San Francisco voters granted all parents and guardians of children in the public school system voting rights in school board elections, regardless of their immigrant status, on November 8, 2016 by a margin of 54.39% to 45.61%. [Press](#), [Press](#), [Press](#), [Press](#), [here](#), [here](#). Several other jurisdictions in California are also considering NCV, including in Pasadena ([press](#), [press](#), [press](#)), Los Angeles ([press](#) and [press](#)), and Richmond ([press](#)).

New York City: Advocates formed the Coalition to Expand Voting Rights in 2004 and have successfully pressed for the introduction of legislation in 2005, 2009, and 2010. The legislation gained support of a majority of City Council members in 2013 but was not voted on. The 2013 legislation would have allowed all residents legally residing in the U.S. to vote in municipal elections ([Press](#)). Additional information at the New York City [Council website](#). In 2020, similar legislation was reintroduced into the NYC City Council ([Intro #1867](#), [press](#), [press](#), [press](#), [press](#)), which has gained the support of a supermajority of city council members and presumptive mayoral-elect Eric Adams ([Our City](#), [Our Vote](#); [press](#); [press](#), [press](#)).

Maryland: In December 2016, [Hyattsville](#) granted immigrant voting rights and soon after [Mount Rainer](#) followed suit in January 2017. Chevy Chase became the 11th town in Maryland to grant voting rights to noncitizens in 2018 ([press](#)). Maryland's state

constitution and election code allows municipalities, except for Baltimore, gives municipalities the authority to govern their own elections beyond state qualifications.⁵ For example, the Barnesville town charter defines qualified voters as “having resided therein for six months previous to any town election and being eighteen years of age”⁶; the charter of Chevy Chase Section 3 states, “‘Qualified Voter’ shall mean any person who is a resident of Chevy Chase Section 3, without regard to citizenship, and is at least eighteen (18) years of age.”⁷

Vermont: 1) **Burlington** In 2014, the City Council of Burlington approved a measure that put a ballot measure for voters to consider, which would give Legal Permanent Residents (“green card holders”) the right to vote in local elections, but the measure was defeated in [March 2015](#) by 56% to 44%. In December 2019, the Burlington City Council Voted 9-1 to approve another ballot measure, to be voted on in [March 2020](#). 2) **Montpelier** put a [proposal](#) on the 2018 ballot and voters [approved](#) it by 2,857 to 1,488. The measure allows noncitizens who are legal residents to vote in city elections. 3) The [Winooski City Council](#) voted against a noncitizen voting ballot proposition in 2018 but then passed it in 2020 ([press](#)).

The Vermont House approved Montpelier's amended charter 103-39 on March 10, 2021 and Winooski's amended charter 99 to 44 on April 1, 2021. Governor Phil Scott (R) vetoed both measures, blocking Montpelier's and Winooski's local measures ([press](#)), but legislators in the House overrode the Governor's veto on June 23, 2021, and the Senate soon followed suit, clearing the path for these localities to implement their local laws.

Washington D.C.: In 2015, a bill similar to a 2004 bill was considered by the City Council, which would have granted voting rights to LPRs in local elections, but it failed to pass ([Public Hearing](#) and [Press](#)). In 2021, a similar bill was re-introduced, which has broad support in the City Council ([press](#)).

Maine: In 2010, Voters in **Portland** Maine considered a ballot proposal that narrowly lost by a margin of 53% to 47% which would have granted voting rights in all municipal elections to legal permanent residents. More recently, in 2018, the [mayor a city council](#) member proposed reviving the campaign for immigrant voting in Portland. The Portland School Board [voted to support](#) the measure.

In 2021, voters elected representatives to Portland's Charter Revision Commission including members who support allowing noncitizens to vote in local elections. If the Commission approves such a reform, a ballot measure would appear before the voters later in the next year. ([Press](#), [press](#)).

⁵ Douglas, “The Right to Vote Under Local Law,” 1105; § 2-202. Powers and duties of local boards, MD Code, Election Law, § 2-202.

⁶ Sara Grossman, “Voting Rights for Immigrants & the Incarcerated; The Case for Inclusion,” *Othering & Belonging Institute*, <https://belonging.berkeley.edu/voting-rights-immigrants-incarcerated-case-inclusion>

⁷ “Charter of Incorporation for the Section 3 of the Village of Chevy Chase,” <https://www.chevychasesection3.org/sites/g/files/vyhlif406/f/uploads/charter-revised-2014-2015.pdf>

Chicago/Illinois: A Chicago-based effort to allow noncitizens to vote in School Board Elections led to the Illinois Senate taking up a “trailer bill” (SB 1565) to a new state law that would create elected school boards in 2024–2027. The trailer bill (SB 1565), if passed, would allow noncitizens to vote in those future school board elections. A public hearing on this question was held in June 2021 ([Press](#), [press](#), [press](#)); advocates and legislators continue to debate the trailer bill ([press](#)).

Massachusetts: Beginning in the 1990s, Amherst, Cambridge, Newton, and Brookline Massachusetts (2010) have passed home rule petitions that would allow resident immigrants who are not citizens to vote in their local elections, but these towns need state enabling legislation to implement their local laws. In 2014, Amherst again passed its home rule petition for immigrant voting rights. Cambridge passed legislation again in 2015 to allow LPRs voting rights ([Bill](#) and [Press](#)). Boston considered a similar bill in 2008 (it lost in the Council by a vote of 8–7) and Boston again entertained consideration of a bill to restore NCV in 2018 ([Press](#), [press](#)). In 2017, a State Rep. [filed](#) a bill that would allow cities and towns to permit legal permanent residents to vote in local elections, but it was not taken up for a vote. [Sommerville](#) and [Northampton](#) are also considering similar measures.

Globally, 45 countries allow immigrant voting, at the local, regional and even national levels ([Journal of International Migration and Immigrant Integration, 2019](#)).

Research and Information about Noncitizen Voting

Research shows that immigrants vote in significant numbers in some districts, on par with citizen neighbors in some cases, contributing to electoral and policy outcomes.

New York City

During the 1980s when New York City allowed noncitizens to participate in the city’s 32 Community School Boards, which had the power to hire superintendents and principals and allocate funding for certain programs, many school districts were characterized by over crowded schools, out of date books, lack of language access or cultural competency, crumbling facilities, no after school programs—all combining to produce poor education for the students, which contributed to and further perpetuated the low socio-economic status of their families. In Washington Heights, a predominantly Dominican section of northern Manhattan, a vibrant voter registration drive in 1986 brought in 10,000 parent voters—most of them immigrants—who turned out in record numbers. This political mobilization led to the election on the local school board of a majority of advocates for immigrants, including the first Dominican ever elected in the U.S., Guillermo Linares, who became the president of the school board. These developments, in turn, contributed to improvements in the schools and helped reshape community politics. (Linares became a City Councilmember, head of the Office

of Immigrant Affairs, and is currently a New York State Assemblyman.) As a result of this mobilization the city devoted more funds to improve and build new schools in Washington Heights ([Hayduk, 2006](#), pp. 101-104; [Julissa Reynoso, 2003](#)).

In the end, it was not only Dominicans that benefited. All community residents -- including Irish, Italian, Jewish, Puerto Rican and Black families who lived there -- benefited from improved education opportunities. Moreover, it was not just residents in Washington Heights who benefited: similarly, voter mobilization efforts yielded school budgets that grew in other districts in New York City, producing improvements in student and family outcomes. Although these patterns were not evident in all 32 school boards, data shows during the 1990s parent voters comprised between 15% and 41% of votes cast in school board elections ([Hayduk, 2006](#), pp 102-103). Importantly, these examples were not isolated to districts in New York City; similar positive results are also evident in other cities where immigrants have voted, such as in Chicago and Maryland ([Hayduk and Coll, 2018](#)).

Chicago

Chicago was the second city to restore NCV in 1988 in local school council elections, which are not as powerful at setting policy, that produced more **modest gains** and similar **mixed results** ([Hayduk, 2006](#), pp 104-107).

Maryland

In *Takoma Park* Maryland, immigrant political engagement has been robust, with noncitizens voted a nearly comparable rates as citizen voters in districts where they were concentrated during the 1990s, though their turnout declined after September 11th when anti-immigrant sentiment and surveillance grew (Hayduk, 2006, pp. 89-95), and as federal enforcement grew ([Hayduk and Coll, 2018](#)).

More recently, however, noncitizen voting has increased in places. For example, *Hyattsville* Maryland election's office devoted significant staff time to voter outreach, education and registration. (They have four full time staff and one part-time staff person for the town's total population of 20,000). They employed use of social media to get the word out, especially paid locally-targeted adverts in Spanish on Facebook, introduced same-day voter registration for local elections, and conducted a fully mail-in election for the first time that entailed hiring a private company (Ballot Scout) to support mailings and follow-up to increase transparency -- all of which boosted their overall voter turnout by almost 100% from previous local elections.

International Cases

Sweden

A study of Sweden showed "the effect of enfranchising noncitizens on public policy was large, causing spending on education and social and family services to increase substantially in municipalities where noncitizens made up a nonnegligible share of the electorate ([Vernby, 2012](#))."

Vernby found local government spending on education and

family services increased by as much as six percent after Sweden enfranchised noncitizens. Investment also increased in adult education and job skills, programs that noncitizens enrolled in at a much higher rate than the majority population.

A more recent study of Sweden found voting before citizenship substantially increased the propensity of immigrants to naturalize for migrants from places with poor standards of living ([Slotwinski, Stutzer and Bevelander, 2020](#)).

Norway

A study of Norway found that immigrants who received access to voting before citizenship were more likely to participate in subsequent electoral contests and other forms of political engagement, with the strongest effects among immigrants from dictatorships and weak democracies ([Ferwarda, Finseraas and Bergh, 2019](#)).

Administrative Features of NCV Measures: Maryland and NYC

Municipalities designed programs and dedicated funds to conduct voter education, outreach and effectively implement noncitizen voting.

New York City (1969-2002)

Voter participation in New York City's Community School Board Elections ranged from a high of 14 percent of the total eligible voters (i.e., registered voters) in 1970 (or 427,110 voters out of 2,971,707 registrants), which was the first school board election year; to a low of 3.3 percent in 1999 (or 112,610 voters out of 3,342,168 total registrants), the last year when school board elections were held. Turnout hovered at about 10 percent in seven out of the ten elections held, mostly in the first decade and a half. Voter turnout was only 5.3 percent in 1996 and 3.3 percent in 1999 but it was 15 percent in 1993 (Hayduk, 2006).

The 1993 elections were characterized by sharp debate about the introduction of a Rainbow Curriculum, which garnering media attention and mobilization, and in addition, then Mayor David Dinkins made \$600,000 available to the New York City Voter Assistance Commission, a nonpartisan charter agency mandated to facilitate voter participation of underrepresented groups, to send a notification to all registered voters notifying them of their eligibility to vote, the location of their polling place, and the times the polls were open, and encouraging them to vote in the community school board elections. This was unprecedented and contributed to the spike in turnout in 1993. By contrast, in 1996 and 1999, no voter notification or guides were mailed or distributed, and media coverage was virtually nonexistent. Voter turnout also ranged widely among school districts (Hayduk, 2006).

Election Administration

NYC's Community School Board Elections were jointly administered by the NYC Board of Education and the NYC Board of Elections. The NYC Board of Education notified all parents of their eligibility to vote and provided voter registration forms to every parent. The Board of Elections printed ballots, trained and staffed poll sites and administered the elections.

New York City's current bill (Intro 1867), which was crafted in consultation with immigrant organizations, would grant voting rights to Legal Permanent Residents and people with work visas. It would not enfranchise the undocumented.

NYC elections take place in years that don't include state or federal elections, which can help insulate immigrant voters from mistakenly voting in a state or federal election. Municipalities in Maryland also take place in "off" years (i.e., non-state and federal election years). The bill directs the NYC Board of Elections to create a new "municipal voter registration form" and keep list of those registered for municipal elections (designated "M"). These voters would not appear on voter registration lists for state and federal elections, which similarly helps insulate immigrant voters. If and when an immigrant naturalizes AND registers to vote for state and federal elections, their municipal registration would become invalid.

Maryland

Maryland's election administrators keep two separate voter registration lists: the state keeps a list of citizen voters for state and federal elections and local city clerks keep a separate list of noncitizen voters who can vote in local elections (they also have the list of their local citizens). Election administrators have developed two types of voter registration forms and use them to draw up the two different lists. For local elections—where both citizens and noncitizens vote—the clerks merge the two lists. In this way, the only people who know citizens from noncitizen voters are the election clerks. From the vantage point of an observer, all voters look the same.

After a local election, however, noncitizen voter cards are removed from the voter lists and kept separately. Only citizens will appear on the voter lists for elections of state and federal offices. Similar systems are in place for the other five jurisdictions that allow noncitizens to vote in local elections in Maryland. Towns in Maryland have successfully implemented resident municipal voting for more than two decades without reporting incidents of illegal voting, successfully building a firewall between local elections that occur in different years than in state and federal races.

Voter Education and Outreach

More recently, Hyattsville Maryland hired an additional full-time staff person in 2018 to do voter outreach, voter education, create new materials, and to help with implementation. They also hired a full-time bilingual Communications Specialist to help with outreach, especially to Spanish speakers. Hyattsville has a total population of only 18,000 people but like San Francisco, it about one third of its total population are foreign born (36%), and about 23% are noncitizens (13% are naturalized citizens). In

2018, Hyattsville expended approximately \$5 per resident to foster immigrant voting. San Francisco, by contrast, spent about \$3 per resident to implement Prop N in 2018.

In 2020, the election's office in Hyattsville devoted significant staff time to voter outreach, education and registration. They have four full time staff and one part-time staff person for the town's total population of 20,000. In 2020, they employed use of social media to get the word out, especially paid locally-targeted adverts in Spanish on Facebook, introduced same-day voter registration for local elections, and conducted a fully mail-in election for the first time that entailed hiring a private company (Ballot Scout) to support mailings and follow-up to increase transparency – all of which boosted their overall voter turnout by almost 100% from previous local elections.

Election Administration:

Election officials nearly everywhere had to previously develop procedures to meet new mandates, including to accommodate people with disabilities (ADA), language minorities, new requirements for voter registration and voting (the National Voter Registration Act of 1993, the Help America Vote Act of 2002) – all of which required adjustments to their methods over ensuing years to inform eligible residents, register voters, train election personnel, and count and certify election results. This suggests they can similarly adapt their procedures to design and effectively implement immigrant voting. Such changes are most successfully implemented if done in partnership with impacted community groups and voting rights organizations.

Departments Committee Initial Report/Update to Commission

10/27/2021

Membership: Ryan Lizanecz (D5), Marcques Houston (D4), Zack Barowitz (D3)

POLICE REVIEW BOARD OVERVIEW

FRAMING

1. What is the structure that we should be looking at?
 2. What do we want to send to our council to decide?
 3. What are the basics we think a police review board should include?
 - a. Do we need specifics?
 4. **Tentative deadline: Draft amendment (Early Jan. 2022)**
-

Provisional list of what a police review board could potentially include: NOTES

Shall/Delegated/May/NA = how language could potentially be framed

1. **Independent: (SHALL)**
 - a. Who does the board report to? Council? Mayor? Manager?
 - i. Public elected officials?
 - ii. The current PCRS reports to the City Manager
2. **Full cooperation: (N/A)**
 - a. Police involvement
 - i. Labor concerns
 - ii. Statutory considerations
3. **Defined jurisdiction: (DELEGATED)**
 - a. Types of cases board can and can't take on
 - b. When should the board take on cases & complaints?
 - c. "The Council shall determine... etc"
4. **Unfettered access (state statutory concerns) (SHALL/MAY)**
 - a. Subpoena power?
 - b. Access to documents, files, etc.
 - i. "The Board shall be..."
5. **Support from city officials (DELEGATED)**
 - a. Council and senior staff support
 - b. What does this support look like? This would likely be delegated to the council to consider.
6. **Funding: (SHALL)**
 - a. Amount? How much to charter in? Any?
 - b. Do we want to tie funding up in this permanently?
 - c. "Shall be funded..."
7. **Transparency & Communication: (SHALL)**
 - a. Balance between privacy and needs of board

- b. Confidentiality concerns
 - i. “The Board shall be provided with...”
- 8. Analysis of patterns: (MAY)**
 - a. Professional auditor?
 - b. Look at systematic issues and patterns in the community
 - c. Proactive
 - i. “The Council may hire...”
- 9. Community Outreach: (SHALL)**
 - a. Broad access
 - b. Communication with city residents on how to file complaints, and what the powers of the board are.
 - i. “The board shall provide...”
- 10. Community Involvement: (N/A)**
 - a. Trust in the institution to do the work, that your concerns will be addressed.
 - b. Credible messengers
- 11. Procedural Justice: (MAY/SHALL)**
 - a. Proper procedures that are being followed.
 - b. Policy recommendations
 - i. Are the procedures working?
- 12. Direct complaints to board: (SHALL)**
 - a. Investigative powers
 - b. In house investigator? Internal affairs person for this? Ability to conduct separate investigations.
 - c. Who do they go to first?
- 13. Staff: (SHALL/MAY FOR SOME)**
 - a. Community liaison/credible messenger
 - b. Director
 - c. Investigator
 - d. Independent legal counsel
 - e. Auditor/monitor
- 14. Review focused, auditor/monitor, investigative, hybrid, policy focused: (N/A)**
 - a. What model do we want to embrace?
- 15. Recommendations for discipline (*statutory/labor concerns*)**
 - a. Likely a council conversation
- 16. Compel officers to participate (MAY)**
 - a. Or city employees more generally? How does this look?
- 17. Committee (DELEGATED FOR SOME/SHALL FOR SOME)**
 - a. Membership
 - b. Composition (diversity and access)
 - c. (dis)Qualifications (removal or not)

- d. Members/staff appointed by mayor/council? Or staff hire? Elected?
- e. Other members (police rep?)

18. Make Recommendations

- a. **Make recommendations to the police department/mayor/city council/city manager**

***NOTE:** this is not an outline of the potential board. These are the key aspects of boards that appeared important to us. This is purely a speculative list of potentials based on what we have heard thus far. This is not an exclusive or exhaustive list. Nor is this any sort of outline.

EXPERT SPEAKERS CONSULTED:

1. **Emily West** (Current Chair of PCRS)
2. **Maria Testa** (Former Member of the PCRS)
3. **Dr. Lelia DeAndrade** (Former Member of Portland's Racial Equity Steering Committee)
4. **Ali Ali** (Former Member of Portland's Racial Equity Steering Committee & Currently with Maine Youth Justice)
5. **Dr. Brendan McQuade** (USM Criminology)
6. **Cameron McElhiney** (Director of Training & Education | NACOLE)
7. **James Katsiaficas, Esq.** (Charter Commission Attorney)
8. ***Pending*** Portland Police Chief/Department (awaiting further policy development per email)

DOCUMENTS CONSULTED:

1. **Portland Racial Equity Steering Committee Final Report**
<https://www.portlandmaine.gov/DocumentCenter/View/31260/Racial-Equity-Steering-Committee-Final-Report-April-26-2021>
2. **NACOLE (National Association of Civilian Oversight of Law Enforcement) (various reports, research, etc)** <https://www.nacole.org/resources>
3. **PCRS (various documents - meeting minutes & annual reports)** (memos and reports from the PCRS to City Manager, available upon request from Ryan but will be included in any final recommendation)
<https://portlandmaine.gov/1476/Police-Citizen-Review-Subcommittee>
4. **Notable examples of Charter Amendments Regarding Police Oversight:**
 - a. **San Jose City Charter Article VIII, §§ 809, 809.1:**
<http://www3.sanjoseca.gov/clerk/charter.asp>
 - b. **Los Angeles City Charter § 573:**
https://codelibrary.amlegal.com/codes/los_angeles/latest/laac/0-0-0-2663
 - c. **Cleveland City Charter Chapter 25, §§ 115-2-115-4)**
https://clevelandcitycouncil.org/ClevelandCityCouncil/media/CCCMedia/Documents/CHARTER-OF-THE-CITY-OF-CLEVELAND_page-numbers.pdf

- d. **Portland (Oregon) City Charter** Article 10, §§ 2-1001-2-1009
<https://www.portland.gov/charter>
 - e. **N.Y.C Charter** Chapter 18-B, §§ 450-458
<https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCcharter/0-0-0-1>
-

NEXT STEPS:

- 1. Workshop on what we want to see on the board:
 - a. How broad?
 - b. How much do we want to be deferential and how strong of an outline do we need?
 - i. Consulting other charter languages, expert speakers from the community and prior reports, including national and local reports.
 - ii. Potential legal barriers regarding discipline
 - iii. What should be given to the council (legislative branch) to consider?
 - iv. Funding concerns?
 - 2. Amendment language & text
-

Other topics under future consideration:

- 1. **Office of civic engagement, constituent services and communication**
- 2. **Bicycle committee/board**
- 3. **Other/Etc**



Since the creation of the committees and members were appointed, Commissioners Houston (D4), Chann (AL), and Eglinton (AP), have been working to address some of the issues raised through public comment or other outlets to members of the Charter Commission. At the first meeting on September 1, 2021, the Committee elected Commissioner Houston as chair, Commissioner Eglinton as vice chair, and Commissioner Chann as secretary. The committee then established a rough work plan on how to proceed throughout the revision process.

The Education Committee is in the information gathering stages of the review process. Up to this point, we have not formulated any opinions or taken any stances as a committee. We have committed the early stages of this process to inviting guests to speak at our meetings, getting their perspective on the topics the full Charter Commission had brainstormed for the Education Committee to discuss.

The following people have spoken at workshops organized by the Education Committee:

- Aga Dixon, Drummond Woodsum
 - Kate Snyder, Mayor of Portland
 - Ethan Strimling, former Mayor of Portland
 - Rep. Michael Brennan, former Mayor of Portland
 - Nick Mavodones, Portland City Councilor
 - Xavier Botana, Superintendent of Portland Public Schools
 - Emily Figdor, Chair of Portland Board of Education
 - Anna Trevorow, School Board member and former Charter Commissioner
 - Danielle West, Corporation Counsel
-

A guiding document for the Education Committee's process has been a memorandum prepared by Drummond Woodum and sent to the committee by Superintendent Xavier Botana¹. The memorandum presents what the Charter Commission is and is not able to do as it pertains to education related matters. The memorandum also compares components of Portland's existing Charter to charters of other related cities in Maine. Prior to the workshop, the committee provided all guests with the memorandum. During

¹Memorandum was sent along with this report

the workshop, the committee asked three questions and allowed speakers to answer the questions and elaborate as they wished. The questions the committee asked were as follows:

- What has worked well in the past?
 - What could be improved going forward?
 - What are some constraints that the committee should be aware of as we go through the process?
-

Below is a list of suggestions that the Education Committee has heard so far:

1. Parity between School Board and City Council
2. There could be more room for collaboration in joint meetings
3. More budget autonomy for School Board
4. Universal Resident Voting
 - a. This is something that several of our guests have brought up. It may not be in the purview of the Committee, but it is something that the Committee is hearing.
5. One outstanding question that the Committee has from listening to guests and reading the memorandum is: Can the School Board be the legislative body?

Next Steps

1. Invite More Potential Guests
 - a. Representative from Multilingual and Multicultural Center
 - b. Representative from Portland Adult Education
 - c. Representative from PATHS
 - d. Representative from Maine School Management Association
 - e. Representatives from municipalities mentioned in the memorandum
 - i. Auburn
 - ii. Biddeford
 - iii. Sanford
 - iv. Lewiston
 - v. Bangor
 - f. Representative from Department of Education and/or Maine Legislature's Education Committee
 - i. This will provide the committee with more clarity when it comes to state statute.
2. Start discussing potential revisions and language changes in early 2022.

Possible constraints when it comes to the Education Committee's work are going to be home rule and State of Maine statute. The Committee had discussed inviting guests from other states or national organizations to meetings, but at this time, have decided not to because so much of the work will be dependent upon State of Maine statute.

Conclusion

In conclusion, the meetings held by the Education Committee have solely been to plan logistics or hold workshops on matters that the Committee is charged with addressing. The Committee is committed to not taking any positions on issues and no votes have been cast on any recommendations. The Committee will continue the research and fact-finding process before compiling all the information they have and moving forward with recommendations to the full Charter Commission in early 2022.



Report on the activities of the Procedures Committee of the Portland Charter Commission

The Committee began its work by electing Commissioner Washburn (AL) chair, Commissioner Barowitz (D3) vice chair, and Commissioner Waxman (AP) secretary.

The Committee then reviewed the issues assigned to its purview and developed the following matrix:

	IMPORTANT	LESS IMPORTANT
HIGH EFFORT	• Compensation of Officials	• Participatory Budgeting • City Charter revision process
LOWER EFFORT	• Conflict of Interest • Term Limits/Length of Terms • Staff Relationship to Elected/Appointed Officials	• Citizen Initiatives • Emergency Ordinances • Preamble

Compensation of Officials: *Research ongoing*

Commissioner Washburn developed a spreadsheet of city council pay for the cities in the U.S. which are the largest in their states, as Portland is. Research is continuing so that we can compare Portland's situation to other cities with reference to the tax base and budget for each city.

Participatory Budgeting: *Research ongoing*

Commissioner Waxman is gathering information on this topic.

City Charter revision process

State law requires a Charter Commission for any substantive revisions.

Conflict of Interest and Code of Ethics: *Research ongoing*

Term Limits and Length of Terms

The Committee has deprioritized this issue but will take it up if a need is perceived.

Staff relationship to elected officials

Commissioner Kebede researched this issue and produced a memorandum. The Committee discussed the approaches he discovered and made a preliminary decision to craft language requiring the city council and the city's chief executive to collaborate on a policy to guide such communications.

Citizen initiatives

The following speakers provided perspectives on citizen initiatives in the city:

- Eamon Dundon - Portland Chamber - Director of Advocacy
- Kim Cook - Former Portland City Councilor - Small Shelter Advocate
- Jack O'Brien - Professor of Statistics at Bowdoin College and Housing referendum advocate

Discussion followed but no decision was taken.

Emergency Ordinances

The Committee has deprioritized this issue but will take it up if a need is perceived.

Preamble: *Research ongoing*

The Committee considered revisions to the Preamble for brevity and clarity, as follows. We also considered whether to adopt a land acknowledgment to be included before the Preamble. We are continuing to seek input from members of Maine's Indigenous tribes on the question of whether a land acknowledgment is appropriate and what it should include. A draft follows.

Current version (adopted 2010)

We, the People of Portland, Maine, establish this Charter to secure the benefits of local governance and to provide for the general health, safety and welfare of our community. In so doing, we build a government that meets the needs of the people it serves and whose character it reflects. Our government shall further cooperation, encourage leadership, solicit our input and support the active participation of our residents in their governance. Our government shall be effective and accountable and shall promote equal rights and representative democracy. Our government shall provide public education that enables all residents to acquire the knowledge and skills necessary to participate fully in Portland's civic, intellectual, cultural and economic life, in order to enrich and strengthen our community and our common future.

Proposed new version

Portland's land is unceded territory of the Aucocisco band of Wabanaki. European colonizers displaced Wabanaki people by force and went on to displace and harm Native tribes in Maine and elsewhere. We acknowledge that displacement and that harm with sorrow, even as we celebrate the knowledge and culture that continue to flow and thrive in Maine's Native tribes.

We, the people of Portland, Maine, establish this Charter to secure the benefits of local governance and to provide for the health, safety, and common good of all people in our community. In so doing, we seek to build a representative, responsive, and effective government that encourages leadership and participation from all members of that community, with an emphasis on accountability, equity, and inclusion, and a system of public education that supports Portland's civic, intellectual, cultural, and economic life.

