

# DEMOCRACY IS FOR PEOPLE



A Public Citizen project

## How does *Citizens United* affect our city?

The U.S. Supreme Court's ruling in *Citizens United v. Federal Election Commission* has transformed government in America, and the widespread consequences are already being felt at the federal, state, and local level. While City Council resolutions – like the ones that have already passed in over 150 towns and cities – call for a federal amendment, at the core they are a response to a crisis in our democracy that impacts each and every one of our communities.

The federal impact of *Citizens United* is well publicized, but it is also important to understand the effect this ruling has on local towns and cities throughout the nation.

### **Corporate Spending Can Have an Even Greater Impact Locally**

The egregious levels of outside spending on the federal level are well documented. In the 2010 Congressional elections, spending by corporations and wealthy individuals totaled almost \$300 million.<sup>i</sup> In the 2012 election, the largest super PAC spent an astounding \$142 million.<sup>ii</sup> Altogether, super PACs spent \$609 million during the 2012 election cycle. Overall outside spending topped \$1.29 billion.<sup>iii</sup> **In comparison to these mammoth sums of money, it only takes a modest amount of money to have a transformative impact on a local election.** If multi-million dollar Super-PACs can buy the victory of even presidential candidates, then what's stopping them from influencing local political elections?

**Consider This:** In the April 2012 elections for Oklahoma City Council the Super-PAC “Committee for Oklahoma City Momentum” spent \$400,000 on four candidates.<sup>iv</sup> The annual salary for an Oklahoma City Council member is \$12,000 annually.<sup>v</sup> Three of these four candidates won their campaigns. The only candidate who was able to defeat one of these Super Pac candidates noted deep concerns he saw with the democratic implications of a Super-PAC spending large sums on campaign ads without disclosing its donors.<sup>vi</sup>

**Or This:** Durham County in North Carolina is also experiencing the effects of SuperPACs. The SuperPAC “Durham Partnership for Progress” – funded by a developing firm – spent thousands of dollars on a mailer supporting four council people who support a controversial development project the that the firm, Southern Durham Development, plans to build. The SuperPAC's support helped elect two of those council people into office in elections held on May 8, 2012.<sup>vii</sup>

### **Small businesses oppose *Citizens United***

88 percent of small business owners believe that money in politics is having a negative impact and a vast majority are opposed to the *Citizens United* Supreme Court's ruling.<sup>viii</sup> They are simply concerned that



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the very wealthiest will “set us back in our efforts to operate our businesses responsibly and promote a vibrant, equitable, and sustainable economy”<sup>ix</sup>.

Big corporations’ ability to run small businesses out of town has significant effects on the health of the local economy, the employment rate and the diversity and survival of small businesses in a town. Elected officials generally understand this dynamic and are inclined to take actions to protect small businesses. However, when larger business interests can provide unlimited funds to influence elections, elected officials can no longer afford to make decisions they know are best for their community and those who do can be run out of office.

Further, *Citizens United* gives large corporations more ability to abuse tax loopholes and offshore tax havens. Currently this abuse results in each small business owner in America being shortchanged by an average of \$2,116.<sup>x</sup> These practices, which also funnel money away from services essential to cities and towns, will only be exacerbated in a post *Citizens United* world.

## **Super-PACs decrease voter turnout**

Recent polling conducted by the Brennan Center for Justice further demonstrates that *Citizens United* and the rise of Super PACs have harmed local democracy at its core by further sapping voter enthusiasm for the idea that their vote matters.<sup>xi</sup> It shows that people are in fact **less** likely to vote as a result of the ruling; this especially holds true among less wealthy individuals and among people of color.<sup>xii</sup>

Corporations’ and wealthy individuals’ unparalleled ability to drown out the voices of ordinary people through unlimited spending in elections inevitably wears down an electorate. Citizens’ disengagement from the democratic process is a huge threat to our representative democracy both on a local and federal level.

## **Communities nationwide must demand a constitutional amendment to overturn *Citizens United* and restore First Amendment rights to We the People**

The movement for a constitutional amendment to redress *Citizens United* is, at its core, a grassroots one driven by very real concerns about challenges to our democracy that reverberate in each and every community. In fact, while Article V of the Constitution provides a legislative process for amending the constitution, traditionally the call for an amendment has begun at the ground level. This has certainly been the case in movements like Women’s Suffrage, where citizens’ actions, in the face of institutional complacency, forced the issue to be addressed.

The movement to overturn *Citizens United* and related cases continues in this proud tradition, addressing a crisis that impacts each and every citizen and community. Uniting to pass a local resolution in your town is a necessary step towards restoring free and fair elections rights to the people both locally and nationally.



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<sup>i</sup> Public Citizen's analysis of Federal Election Commission (FEC) data. See Congress Watch (January 2011). "12 Months After: The Effects of *Citizens United* on Elections and the Integrity of the Legislative Process." Retrieved 15 Sept, 2011, from <http://www.citizen.org/documents/Citizens-United-20110113.pdf>.

<sup>ii</sup> Center for Responsive Politics, "Restore Our Future" Retrieved 22 April 2013 from: <http://www.opensecrets.org/outsidespending/detail.php?cmte=C00490045&cycle=2012>

<sup>iii</sup> Center for Responsive Politics. "Outside Spending." Retrieved 22 April 2013 from: <http://www.opensecrets.org/outsidespending/index.php>.

<sup>iv</sup> NewsOk (2012). "Oklahoma elections: Ed Shadid wins Oklahoma City Council Ward 2 seat", [newsok.com](http://newsok.com) . Retrieved 5/1/2012 from <http://newsok.com/oklahoma-elections-ed-shadid-wins-oklahoma-city-council-ward-2-seat/article/3555775/?page=1>.

<sup>v</sup> City of Oklahoma "Mayor and Council", [okc.gov](http://www.okc.gov). Retrieved 5/10/2012 from <http://www.okc.gov/council/index.html>

<sup>vi</sup> NewsOk (2012). "Oklahoma elections: Ed Shadid wins Oklahoma City Council Ward 2 seat", [newsok.com](http://newsok.com). Retrieved 5/1/2012 from <http://newsok.com/oklahoma-elections-ed-shadid-wins-oklahoma-city-council-ward-2-seat/article/3555775/?page=1>.

<sup>vii</sup> Sorg, L. (26 April 2012). "Durham's first Super PAC has ties to Southern Durham Development." [IndyWeek.com](http://www.indyweek.com). Retrieved 5/10/2012 from <http://www.indyweek.com/triangulator/archives/2012/04/26/durhams-first-super-pac-has-ties-to-southern-durham-development>

<sup>viii</sup> Dunbar, J. (26 April 2012). "Top 10 donors make up a third of donations to Super PACs." [IWatch News](http://www.iwatchnews.org). Retrieved 3 May 2012 from <http://www.iwatchnews.org/2012/04/26/8753/top-10-donors-make-third-donations-super-pacs>.

<sup>ix</sup> ASBCouncil (2012). "Business Statement in support of government by the people", [asbcouncil.org](http://www.asbcouncil.org). Retrieved 1/5/2012 from [http://www.asbcouncil.org/sites/default/files/files/Business\\_Case\\_for\\_Business\\_for\\_Democracy.pdf](http://www.asbcouncil.org/sites/default/files/files/Business_Case_for_Business_for_Democracy.pdf).

<sup>x</sup> U.S. PIRG (2012). "[Picking Up the Tab: Average Citizens and Small Businesses Pay the Price for Offshore Tax Havens.](http://www.mainstreetalliance.org/5712/tax-haven-abuse-picking-up-the-tab/)" Retrieved 3 May 2012 from <http://www.mainstreetalliance.org/5712/tax-haven-abuse-picking-up-the-tab/>

<sup>xi</sup> Brennan Center for Justice (2012). "Poll: Super PACs Leave Americans Less Likely to Vote", [brennancenter.org](http://www.brennancenter.org). Retrieved 1/5/2012 from [http://www.brennancenter.org/content/resource/poll\\_super\\_pacs\\_leave\\_americans\\_less\\_likely\\_to\\_vote/](http://www.brennancenter.org/content/resource/poll_super_pacs_leave_americans_less_likely_to_vote/).

<sup>xii</sup> The Nation (2012). "People of Color Less Likely to Vote Because of Super PAC Influence", [thenation.org](http://www.thenation.com). Retrieved on 5/1/2012 from <http://www.thenation.com/blog/167579/people-color-less-likely-vote-because-super-pac-influence>.



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