

WV Citizens for Clean Elections January 10 Meeting Notes

1. Welcome & Introductions

On phone: Ryan Frankenberry - WV Working Families Party, Angie Rosser - WV Rivers Coalition, Beth White – WV Association for Justice,

Present in person: Kathy Stoltz - League of Women Voters of WV, Gates Campbell - WV FREE, Sally Rogers Wilson - Rise Up WV, Eli Baumwell - ACLU of WV, Andrew Caldwell - Fayette Fair Share, Kayla Young - WV Environmental Council, Natalie Tennant, Julie Archer – WVCAG, Vivian Stockman - OVEC, Carey Jo Grace - Our Future West Virginia, DL Hamilton – Mountain Mamas, Karan Ireland - WV Environmental Council

2. Review Meeting Goals and Agenda

Shared agreement for priorities' to focus on this session

3. Updates and Shout Outs

•Pro-Democracy Match Fundraising Update

Challenge grant-CAG and OVEC--\$5k challenge—via partners and individuals and in-kind we raised \$7,560 dollars! Grateful for support and excited we went over the goal.

•Voter Registration Address Confirmation Process

Secretary of State's office reached out to some of the groups here about the address confirmation process. The SOS receives lists from USPS of people who have filed a change of address, and from DMV of people who have updated their driver's license or state issued ID. County clerks sent postcards to those who's addresses differ from their voter registration, asking them to confirm their address and update their registration. They offered to meet to answer questions and address any concerns we might have.

NT - They should also be getting information via ERIC (Electronic Registration Information Center - a multi-state partnership that uses data sharing and matching to improve the accuracy and efficiency of state voter registration systems, to keep voter rolls more complete and up to date. should be asking people to register to vote). They should also be using information from ERIC to reach out to people who are eligible but not currently registered.

Ask SOS: If ERIC notices sent to people who are eligible to register?

If you don't send postcard back you could be made "inactive" and if you don't vote after a period of time you're registration will be cancelled and removed from the voter rolls.

If you are taken off you can use provisional ballot—but this can provide false sense of security—some counties count, others don't. That is why same day registration is so important. Long discussion ensued during which I failed to take notes!

Carey Jo: would be nice to have a campaign—if you are unsure, register—a campaign from the SOS office

Also important for our groups to education people about the process.

•Other?

Karen Williams with NAACP and other organizations have been working together as part of ad hoc Get Out the Vote coalition. MLK, Jr birthday party at MLK Jr Community Center in Charleston on Jan. 20. Volunteers are needed to help register people to vote at the event. See your flier!

Beth: series of judicial town halls scheduled statewide to educate voters about Supreme Court elections. Several groups within WVCCE want to be partners.

Sally made an announcement about the Grassroots WV Summit is Feb 2 and 3 being hosted by several partners and allies. —Julie will send info

Our Future WV - Census mini-grants for teams and individuals to do get out the count work. Applications due Jan. 22 for work in Feb, March, April. Funding can be used to pay for printing, hosting events, etc. Carey Jo will send info to Julie to circulate.

WVCCE has a page in The Lobby publication put together by the WV Press Association paper distributed to all legislators.

4. Discussion of 2020 Legislative Session Goals:

•Strategy on Public Financing

Take Away: Be quiet but ready if there is a repeal effort.

Public financing brought this coalition together. Loughry scandal makes defending/continuing the judicial public financing program a challenge. We had to fend off a repeal attempt in 2017. We don't want to draw attention, but want to be ready to defend if a repeal bill is introduced.

Three races on ballot unprecedented. Nobody has indicated they were attempting to qualify.

What if someone does qualify and there is no money? There's \$5-\$15 K. If there's not enough money, available funds are divided among qualifying candidates and they are allowed to raise private donations up to the amount they would have received from the fund.

How do you know what is there now in terms of money? There is \$5-\$15K in the fund. Need to confirm the amount with the SOS. There would have been money for this election but Governor Tomblin and the Legislature “borrowed” \$1.5 million from the fund in 2013 to help balance the budget. This was not repaid.

People do want to keep public financing on the books, but wait until next year, when hopefully the political climate is more favorable, to propose changes and request funding. One option would be to propose proactive legislation suggesting reforms to way program is currently structured. Funding is currently capped at \$500,000 from the fund. The Brennan Center suggests removing the cap and allowing candidates to raise money in small donations. Also could switch to a matching system — \$X dollars for every \$1 raised, rather than a grant system where candidates qualify and receive a lump sum.

Alternatively, we could acknowledge problems and propose a interim study or study commission to consider fixes and identify funding.

DL- A potential source of funding is licensing board fines. Undedicated amount of money comes in that fund every year.

The filing period starts Monday. Discussion around what happens if someone qualified and threatened to sue if they didn’t get the money, and whether the fact that no one using it would be used as an excuse to eliminate the program. We can counter that no one is using it because of the problems with it because it is a disincentive, also that it isn’t funded for this election.

Someone could get publicity for suing and use that as a means to propel them to the office. This actually helped Loughry because he did not get matching funds provided for under the original pilot project. Then in 2016, Beth Walker sued to keep other candidates from getting it, then had outside groups spending big money on her behalf.

If there is a repeal effort let’s be ready to respond with our talking points and potential fix bill, but keep quiet until then.

•Elevate the Pro-Democracy Platform with Emphasis on Priority Planks for Partners and Allies

In regards to the pro democracy agenda these items surfaced as priorities for our partners and allies at our strategy session in April.

Disclosure of Dark Money - We put up a good fight last year. Citizens United upheld disclosure 8-1 but opponents of transparency disingenuously argued that it was not constitutional. Especially important to talk about disclosure in the context of Supreme Court elections. Senator Romano and Hamilton have introduced perennial bills (SB 27 and SB 113).

Redistricting Reform - At least four bills have been introduced.

Access to the Polls - Same Day Registration and Election Day Registration bills have been introduced (SB 99 and HB 3077). Delegate Evan Hansen is planning to introduce a vote-by-mail bill. He has been working with one of his constituents who lived in Oregon for several years. Natalie talked about the vote-by-mail pilot project that happened when she was SOS. It was successful in Morgantown in increasing turnout in the election, but the city government that was elected did not continue it. Harrisville (in Ritchie County) also used it and liked it. Natalie also suggested we contact Amber McReynolds at the Vote-at-Home Institute as a resource. The bill would be an opt-in for counties and municipalities, and could be a cost saving measure.

Reform Supreme Court Elections - Eli drafted a bill for rank choice voting (RCV) for Supreme Court election using the model from FairVote.org. He and Julie are working to find sponsors in the Senate. A bill for run-off elections has already passed the House Judiciary Committee.

Run-off elections have low turnout. They also cost money unless held in conjunction with another election. Ranked choice voting addresses both issues. A run-off also gives special interests more time, opportunity to influence the outcome.

Beth will check with her executive committee.

Another possibility would be a bill that let counties and municipalities opt into ranked choice as a pilot project.

We should be also on the lookout for risk limiting audits. There are pilot projects all over the country it's a statistical check of ballots/results after the election.

•Oppose Attacks on Voting Rights and Measure to Restrict Access to the Polls

•Oppose Intermediate Court of Appeals, Constitutional Amendment on Impeachment Powers, and Other Attacks on the Courts

Intermediate court of appeals discussion. This would be the first bench of unelected judges in the history of the state. Not a transparent selection process.

Two bills introduced today. Senate Judiciary Chair Charlie Trump is a sponsor of one of them.

Some conservative groups are also opposed to these judicial appointments. The WV Royalty Owners' Association wants the judges to be elected.

As proposed, criminal appeals would not go through the ICA. Family court appeals would be moved from circuit courts to the ICA. Down to two three judge panels so child support, child custody cases would be the ones to be backlogged.

Special interests are for the intermediate court. They are only important to groups like the Chamber of Commerce and ALEC. They are about the civil cases, dragging things out, make things more expensive for regular people who don't have the same financial resources.

Only 13% of the courts caseload is civil tort cases.

For family court appeals thing will take more time. They would have to wait for the traveling court and/or travel further at additional expense — gas money, child care, etc.

What are our talking points on immediate courts? Beth will be getting talking points to Julie

What isn't getting funded to fund this court / these courts? Other funding priorities — school backpacks to send home with kids, fix potholes, etc.

5. Discussion on Reconvening Working Groups

We need to email about reconvening our working groups and figure out regulars times to stay in touch. Working groups include legislative, communications, planning and outreach.

Re: outreach — We will have a table at the Capitol on Presidents' Day — also woman's suffrage day /Centennial Celebration of the 19th Amendment. Julie will check about getting a table. DL will help staff the table.

Other:

ACLU is working on a resolution for a Dual Employment amendment to the state constitution so that state workers could also run for office. This would be something the coalition could support to make it possible for more people to run for office.

Monday (January 13) is the Many Roads to Home Governor's press conference about honoring the contribution of immigrants to the state.

Also see the Martin Luther King Day flyer. We're looking for people to help register voters.

6. Recap next steps; next meeting date etc.

We will schedule over email after the session.