

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH**

In the Matter of: Validation  
Proceeding to Determine the  
Legality of City of Portland  
Charter Chapter 3, Article 3 and  
Portland City Code Chapter 2.10  
Regulating Campaign Finance and  
Disclosure.

Civil No. 19CV06544

**SECOND DECLARATION OF  
COUNSEL DANIEL MEEK  
IDENTIFYING DECLARATIONS  
FILED IN NO. 17CV18006**

I, Daniel W. Meek, declare:

1. I am an attorney in private practice and one of the attorneys who has represented the Citizen Parties in this cause since its initiation.
2. All of the declarations which I now identify and attach hereto are true copies made from originals or duplicate originals from electronic files or copies retained after filing originals in Multnomah County Circuit Court No. 17CV18006.
3. I attach for the record the declarations of Kristen Eberhard, Mitch Greenlick, Jo Ann Hardesty, Sarah Iannarone, Diane Linn, and Chip Shields.

**I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and subject to penalty for perjury.**

Dated: May 3, 2019

*/s/ Daniel W. Meek*

\_\_\_\_\_  
Daniel W. Meek

Signed in Portland, Multnomah County, Oregon

1  
2  
3  
4  
5 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**  
6 **FOR THE COUNTY OF MULTNOMAH**  
7

8 In the Matter of: Validation Proceeding  
9 to Determine the Regularity and Legality  
10 of Multnomah County Home Rule  
11 Charter Section 11.60 and Implementing  
12 Ordinance No. 1243 Regulating  
13 Campaign Finance and Disclosure.  
14

Civil No. 17CV18006

DECLARATION OF  
KRISTEN EBERHARD

15 I, Kristen Eberhard, declare:

- 16
- 17 1. I am a Senior Researcher with the Sightline Institute, a regional think tank in  
18 the Pacific Northwest.  
19
  - 20 2. For the past five years Sightline has been researching how to improve the  
21 performance of democratic institutions, including the effects of current  
22 campaign finance laws on governance. We have researched how large  
23 campaign contributions and independent expenditures change who is able to  
24 run for office, how they run, how they govern, and how voters perceive the  
25 situation.  
26
  - 27 3. Through our research, we have come to understand that large campaign  
28 contributions change each aspect of campaigns in the following ways.  
29
    - 30 A. Often, only people who have access to big donor networks are able to run  
31 for office, even for local offices.  
32
    - 33 B. Candidates must spend a lot or even most of their time fundraising from  
34 big donors, rather than connecting with the regular people they are  
35 supposed to represent.  
36
    - 37 C. Candidates spend so much time talking to big donors while running and  
38 while in office (if they plan to run again) that they naturally adopt the  
39 views of their big donors.

1 D. Public officials make decisions that favor big donors. A recent study by  
2 Princeton University and Northwestern University concluded that, when  
3 the preferences of elites diverge from those of middle-class and poorer  
4 Americans, elected officials are more likely to enact the policies preferred  
5 by the elites. See Exhibit D.  
6

7 E. Ninety-three percent of Americans believe that elected officials listen to  
8 big donors, not to voters. See Exhibit C.  
9

10 F. The Center for Public Integrity in November 2015 gave Oregon an F in  
11 "Political Financing," ranking it above only Mississippi on that criterion.  
12 See Exhibit E.  
13

14 4. Unlimited contributions in Oregon drive up the costs of campaigns and keep  
15 qualified candidates out of office. For example, in the 2012 Portland Mayoral  
16 race, three candidates each raised over one million dollars. They were able to  
17 rack up that much cash by soliciting checks of over \$1,000 each from a few  
18 wealthy donors. See Exhibit B. In Seattle, a larger city, no mayoral  
19 candidates raises over one million dollars.  
20

21 5. The Oregon fundraising bar shuts out even experience, networked candidates.  
22 In 2016, candidate Jules Bailey voluntarily limited his contributions to no more  
23 than \$250 per donor, and got blown out of the water by his opponent, Ted  
24 Wheeler, who accepted large contributions. See Exhibit A. Wheeler raised  
25 over \$800,000 before the primary and won at the primary without going on the  
26 general election. Bailey and Wheeler had nearly the same number of  
27 individual supporters, but Wheeler raised \$470,000 from just 400 wealthy  
28 individuals.  
29

30 6. Independent expenditures can be just as powerful as campaign contributions in  
31 shaping who can run, how they govern, and how voters perceive them.  
32 Especially in a competitive campaign, candidates can benefit enormously from  
33 independent expenditure on their behalf and are well aware of who they have  
34 to thank for those expenditures.  
35

36 7. I have attached these exhibits that I have consulted in preparing this  
37 declaration:  
38

39 A. Sightline article from May 27, 2016: "In Portland elections, 600 big  
40 donors tip the campaign scales."

1 <http://www.sightline.org/2016/05/27/in-portland-elections-600-big-donors-tip-the-campaign-scales>

- 2  
3  
4 B. Sightline article from June 7, 2016: "Big donors dominated Portland's  
5 2016 mayoral race."

6  
7 <http://www.sightline.org/2016/06/07/big-donors-dominated-portlands-2016-mayoral-race>

- 8  
9  
10 C. Sightline article from October 5, 2016: "Poll: Americans feel elected  
11 serve big interests over 'people like me.'"

12  
13 <http://www.sightline.org/2016/10/05/poll-americans-feel-elected-serve-big-interests-over-people-like-me>

- 14  
15  
16 D. "Testing Theories of American Politics: Elites, Interest Groups, and  
17 Average Citizens."

18  
19 [https://scholar.princeton.edu/sites/default/files/mgilens/files/gilens\\_and\\_page\\_2014\\_-testing\\_theories\\_of\\_american\\_politics.doc.pdf](https://scholar.princeton.edu/sites/default/files/mgilens/files/gilens_and_page_2014_-testing_theories_of_american_politics.doc.pdf)

- 20  
21  
22 E. The Center for Public Integrity, "Oregon gets F grade in 2015 State  
23 Integrity Investigation."

24  
25 <https://www.publicintegrity.org/2015/11/09/18502/oregon-gets-f-grade-2015-state-integrity-investigation>

26  
27  
28  
29 **I hereby declare that the above statement is true to the best of my  
30 knowledge and belief, and that I understand it is made for use as evidence in  
31 court and subject to penalty for perjury.**

32  
33  
34 */s/ Kristen Eberhard*

35  
36 \_\_\_\_\_  
37 Kristen Eberhard

38  
39 Dated: this 24th day of July, 2017  
40 Signed in Portland, Multnomah County, Oregon



## IN PORTLAND ELECTIONS, 600 BIG DONORS TIP THE CAMPAIGN SCALES

But Portlanders can restore balance.



Author: **Kristin Eberhard**

(@KristinEberhard) on May 27, 2016 at 6:30 am

This article is part of the series [Money in Politics](#)

The wave of big money that has crashed over US politics since *Citizens United* has not spared Portland, Oregon, Cascadia's third largest city. Just 600 big donors (including individuals, business entities, labor organizations, and PACs) accounted for nearly 60 percent of all money given to city campaigns in the last completed election cycle.

***Just 600 big donors  
accounted for nearly 60% of  
all money given to city  
campaigns in 2012.***



In 2012, Portland voters elected two city commissioners and a new mayor. Mayoral candidates raised more than \$1 million dollars each, and even though one winning council candidate won in the primary and the other was an incumbent, their campaign costs averaged nearly \$300,000 each.

That's a lot of money. How and from whom did candidates raise that money? With whom did local candidates spend their days and evenings on the phone and at events? Who had the future electeds' ears as they were developing their priorities for the city?

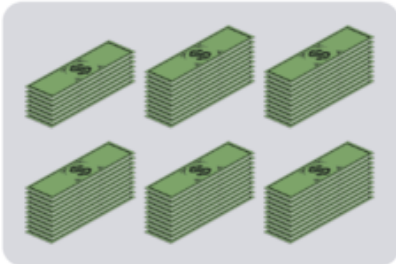
### Big donors and out-of-towners drown out regular Portlanders' voices

Individuals and organizations who could write checks for \$1,000, \$5,000, or \$10,000 played an outsized role in candidates' campaigns compared with regular people who could only spare \$10, \$50, or \$100. At least 6,000 individuals contributed checks of \$250 or less, for a total of \$570,000 in donations. Their voices were overwhelmed by just 600 big donors—both individuals and organizations—who wrote checks for \$1,000 or more, jointly contributing a whopping \$1.7 million to local campaigns.

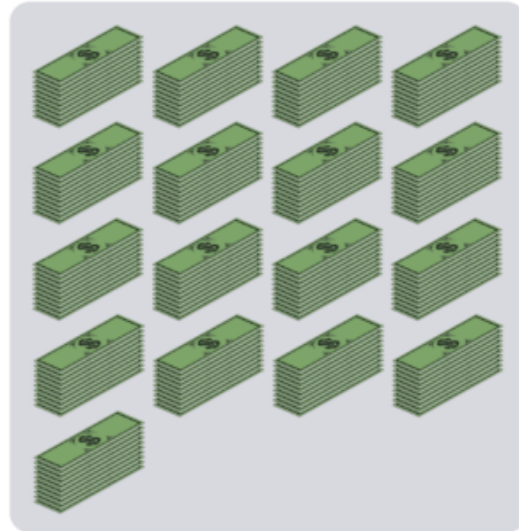


# Big donors drown out small donors in Portland elections.

**At least 6,000 small donors gave \$570,000.**



**Just 600 big donors gave \$1.7 million.**



**\*Small donors gave \$250 or less. Big donors gave \$1,000 or more. All data for 2012.**



**= Approx. 100 donors**



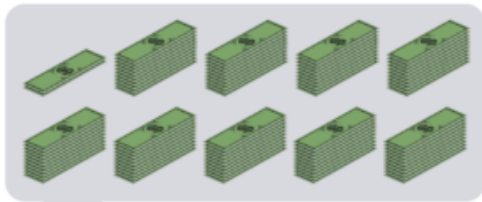
**= \$10,000**

Original Sightline Institute graphic, available under our free use policy.

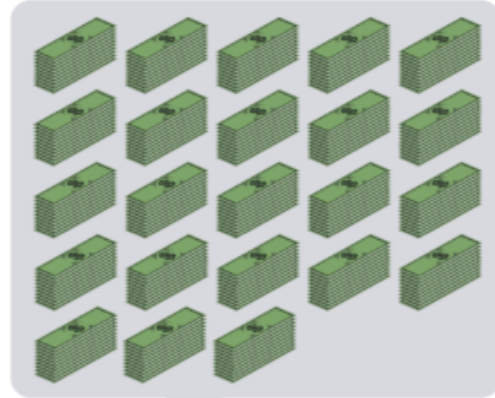
Similarly, out-of-town interests have outsized sway over local elections. One thousand Portland residents writing checks for \$100 to \$200 contributed \$92,000 between them. But that figure was swamped by the \$230,000 that only 20 out-of-town donors gave to Portland campaigns.

# Big donors from outside the city drown out local voices in Portland elections.

**At least 600 Portland residents gave \$92,000.**



**Just 20 out-of-town big donors gave \$230,000.**



**\*Portland residents gave \$100-200. Big donors gave \$1,000 or more. All data for 2012.**

 = **Approx. 20 donors**

 = **\$1,000**

Original Sightline Institute graphic, available under our free use policy.

Imbalance between regular Portlanders and big donors throws lots of things out of balance. It can dictate who is able to run for local office. It eats away at civic engagement as people feel alienated from the system. And with such a big thumb on the city scale, big donors can tilt Stumptown policies their way.

## It doesn't have to be this way

This lopsidedness between regular people and big donors is not unique to the Rose City. But other cities and states have pioneered ways to restore balance, to remove barriers to running for office, and to give everyone a voice in local democracy.

For decades, **New York City has run a highly successful public match system to amplify the voices of small donors.** And it works. Without the match, candidates for state assembly received contributions from less than one-third of New York neighborhoods. But under the public match system, city council candidates engage with and win contributions from people in fully *90 percent* of their city's neighborhoods.

Find this article interesting? [Please consider making a gift to support our work.](#)

And last November, Portland's northern neighbors overwhelmingly approved the [Honest Elections Seattle](#) initiative. Starting in 2017, Seattle will rebalance local elections by giving every voter \$100 worth of Democracy Vouchers they can use to fund their favorite candidates for city office.

While the match and vouchers differ in their details, they both work to even the playing field, letting candidates from any neighborhood run for office and encouraging people from every neighborhood to participate in the civic process, regardless of their income.

**LIKE WHAT YOU'RE READING? SIGN UP FOR OUR MONTHLY DEMOCRACY NEWSLETTER  
HERE.**

## The Portland opportunity

Portland, true to its progressive values, is about to propose its own public match system, innovating smart, local solutions that allow more people to run, more people to support their favorite candidates, and more voices to be heard in Rose City. Under the soon-to-be-announced "Accountable Elections Portland" ordinance, people making small donations to their favored candidates for city office would receive a public match. Candidates who opt into the program would refuse to accept donations of more than \$250 and instead receive this public match to amplify the voices of their small donors.

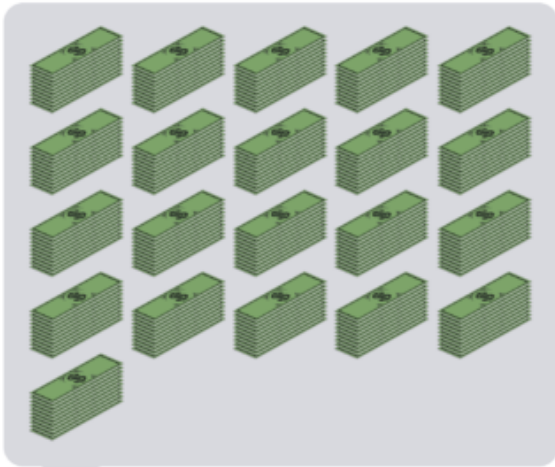
If such a program had been in place in Portland in 2012, the fundraising scales would have tipped away from wealthy donors and towards ordinary people. Six thousand Portlanders could have out-contributed the 600 biggest donors. Put another way, a campaign powered by Portland residents of modest means would have handily out-raised a campaign backed exclusively by wealthy donors.



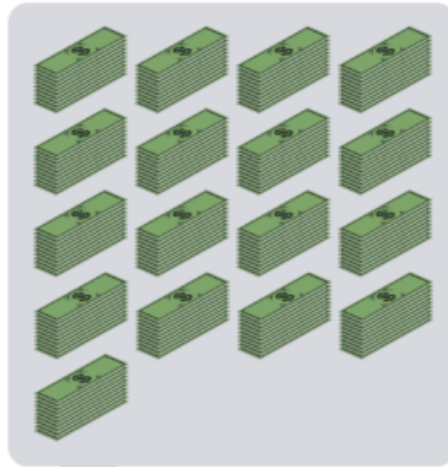


# A public match would balance the scales between regular Portlanders and big donors.

**6,000 small donations would become \$2.1 million.**




**600 big donors gave \$1.7 million.**



**\*Assumes small donors give \$250 or less and are matched 6-to-1 up to \$50. Big donors gave \$1,000 or more in 2012.**

 = **Approx. 100 donors**

 = **\$10,000**

Original Sightline Institute graphic, available under our free use policy.

Accountable Elections Portland would empower ordinary people over wealthy donors and could fundamentally change the way campaigns are run in Rose City. It would mean that candidates would seek out their constituents—and not just the elite 600 donors they’re used to receiving big checks from but a much broader swath of Portland’s population, across diverse backgrounds and income levels. And it would mean that more Portlanders could run for office, even if they don’t have a rolodex of wealthy friends or family to tap for campaign funds.

At its heart, Accountable Elections Portland means more ordinary Portlanders having a stronger voice in the choices that shape the city and its future. That’s the opportunity here. And it’s now up to Portland to seize it.

LEARN HOW SEATTLE LIMITED MONEY IN POLITICS THROUGH HONEST ELECTIONS SEATTLE.

Power our brains! We're a reader-supported nonprofit.

Please make a gift today to support our work!

Tagged in: [Campaign Finance](#), [Citizens United](#), [Election Reform](#), [Honest Elections Seattle](#), [Money in Politics](#), [Portland Accountable Elections Act](#)

**Previous article in series:**

« [TEDx Video: How to Limit Big Money in Politics](#)

**Next article in series:**

[Big Donors Dominated Portland's 2016 Mayoral Race](#) »

© 2017 Sightline Institute. All Rights Reserved.



## BIG DONORS DOMINATED PORTLAND'S 2016 MAYORAL RACE

### But a public match could have balanced the scales for a small donor-powered campaign.



Author: **Kristin Eberhard**

(@KristinEberhard) on June 7, 2016 at 6:30 am

This article is part of the series [Money in Politics](#)

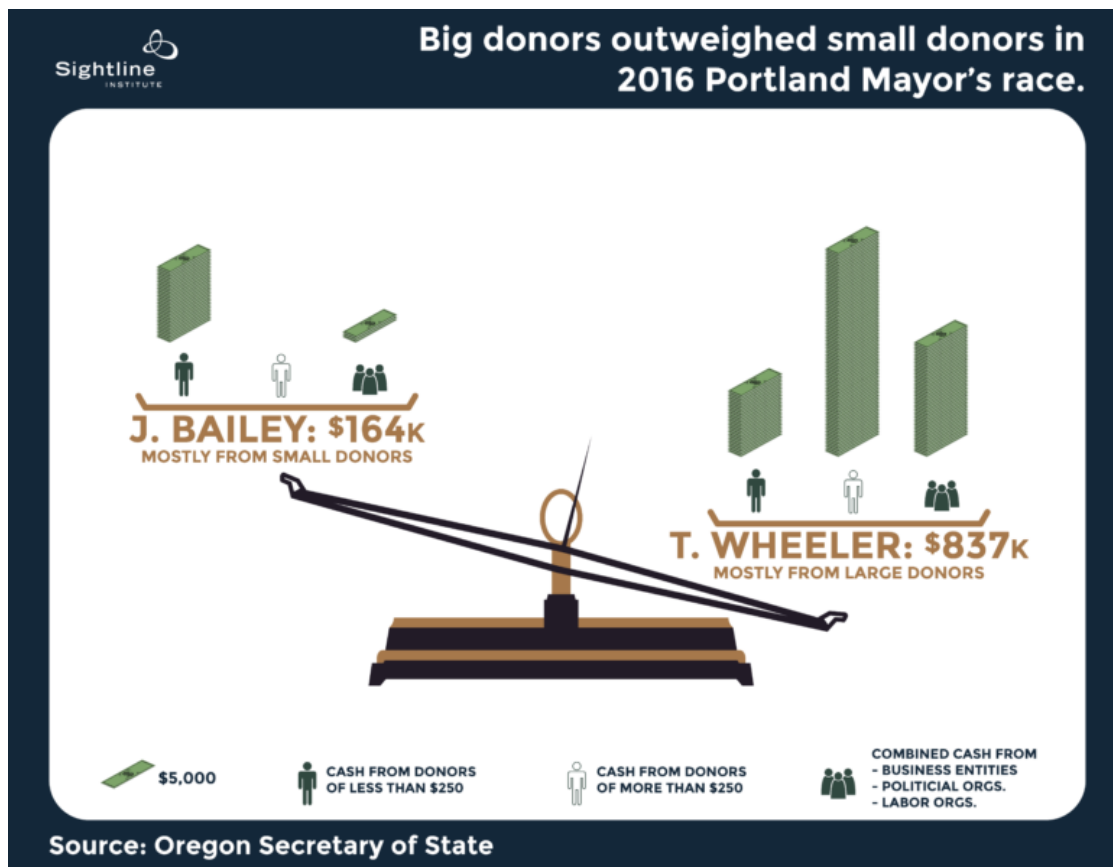
In 2016, one Portland mayoral campaign funded entirely by small donors giving \$250 or less faced off against another campaign funded mostly by wealthy donors and business interests giving unlimited amounts. The big checks from a few donors far outweighed the small checks written by thousands of Portlanders. But if the Portland Open and Accountable Elections ordinance had been in place, everyday Portlanders could have given the big donors a run for their money.

***All candidates should have the option to run for office with support from everyday people, not just those who can write big checks.***

Portland mayoral candidate Jules Bailey voluntarily limited campaign donations to no more than \$250, while candidate Ted Wheeler did not. The result was a fundraising blowout. Wheeler, [state treasurer](#) of Oregon, raised nearly \$840,000 in the eight months from when he declared his candidacy until the primary election in May. Bailey, a [Multnomah County commissioner](#), raised just over \$160,000 in his five months on the campaign trail.

Wheeler won handily, with [55 percent of the vote to Bailey's 17 percent](#), ending the contest.

Notably, Bailey attracted nearly the same amount of support from individual small donors as did Wheeler: Bailey raised \$150,000 from nearly 1,300 people giving \$250 or less, and Wheeler raised \$130,000 from 1,500 people giving at the same level. But Wheeler also raised \$470,000 from just 400 wealthy individuals and nearly \$140,000 from business donors, tipping the scales.

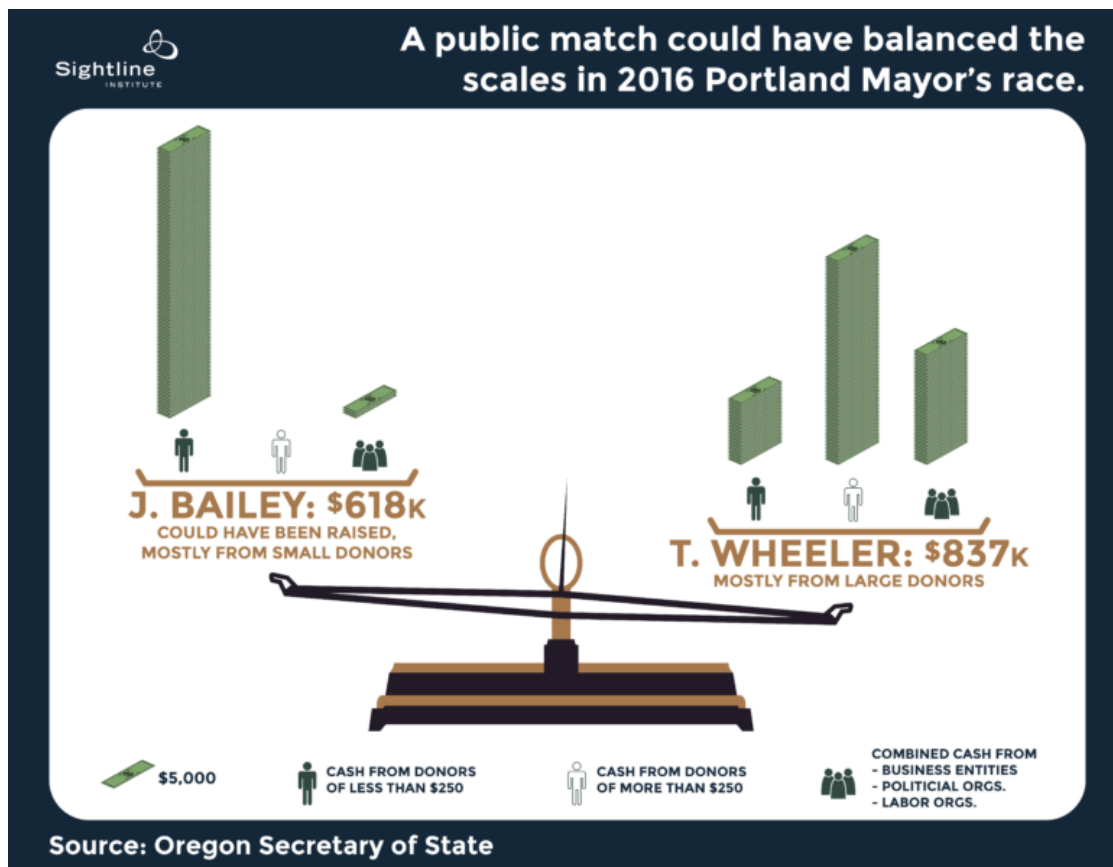


Original Sightline Institute graphic, available under our free use policy.

To compete with Wheeler, Bailey could have lifted his self-imposed donation cap and courted wealthy donors. Or if Portland, like many [other US cities](#), had had a public match program in place, small donors could have competed on a more level playing field with big donors. With a public match of 9-to-1 for donations up to \$30 and 1-to-1 for donations up to \$250, Bailey would have raised nearly \$620,000 from the same donor base.

Likely, with a public match, a strong small-donor candidate like Bailey would have raised even more money and reached a more diverse pool of Portland voters. [Other cities' experience with public match programs](#) indicates that when a \$10 donation is actually worth, say, \$70, candidates reach out to more people, including those who have not previously donated to campaigns, and candidates end up raising more money and engaging more people in civic life.

But even conservatively assuming that under a match system, Bailey would not have expanded his donor base, a match system, applied to the donors who did give to Bailey, would have balanced the scales. It would have significantly leveled the playing field between a campaign powered exclusively by small donors and a campaign bankrolled by wealthy donors and business interests.



Original Sightline Institute graphic, available under our free use policy.

Wheeler's campaign raised over \$800,000 and won over 100,000 votes, a ratio of about \$8 per vote. Bailey's campaign raised \$160,000 and won nearly 32,000 votes, or about \$5 per vote. If Bailey's small donors had been matched and his dollars per vote ratio held, he may have won 120,000 votes and overtaken Wheeler.

Find this article interesting? [Please consider making a gift to support our work.](#)

Of course, campaign contributions don't buy votes, and none of this suggests that Bailey could have or should have won the 2016 competition. Better funded candidates do not always win, as Jeb Bush could tell you, and some better funded candidates are better funded because they're better candidates: more inspiring, better organized, and better at mobilizing contributors and volunteers.

But all candidates should have the option to run for office with support from everyday people, not just those who can write big checks. With a public match program, Ted Wheeler could have capitalized on his broad base of small donors and foregone asking for money from his list of 400 large donors and nearly 100 business contributors.

Moreover, a public match system allows more of those same everyday people to run for office themselves. Sarah Iannorone also made a good showing in the Rose City mayoral race this year. As [a car-free working mom from southeast Portland](#), she might have been able to run an even more competitive campaign under a public match system.

Indeed, the entire field of candidates and their respective campaign strategies might have been different if a public match had amplified everyday Portland voters' donations against those of big donors. Portland Open and Accountable Elections has the potential to unleash this kind of change, enabling candidates to run campaigns by appealing to everyday people, and empowering average Portlanders to participate in local elections and help shape the city's future.

IN 2012, 600 BIG DONORS TIPPED THE PORTLAND CAMPAIGN SCALES. READ ABOUT IT  
HERE.

**Power our brains! We're a reader-supported nonprofit.**

**Please make a gift today to support our work!**

Tagged in: [Election Reform](#), [Money in Politics](#), [Open and Accountable Elections Portland](#), [Politics](#), [Portland](#)

**Previous article in series:**

« In Portland Elections, 600 Big Donors Tip the Campaign Scales

**Next article in series:**

Money is Breaking Our Democracy. So, Now What? »



## POLL: AMERICANS FEEL ELECTEDS SERVE BIG INTERESTS OVER “PEOPLE LIKE ME”

The silver lining? Political opportunity for candidates who really want to change that.



Author: **Colin Lingle**

(@cjlingle) on October 5, 2016 at 6:30 am

This article is part of the series [Money in Politics](#)

The *Washington Post* reported last April that “money in politics is [unexpectedly a rising issue in the 2016 campaign](#).” Every Voice has a blog where it is [keeping track of what all the candidates have said](#) about the issue—from the Sanders, Cruz, Carson, and Kasich campaigns past, through the Trump and Clinton campaigns present. It’s a long list and every candidate is on it.

And a [recent poll](#) conducted by [Ipsos](#) for [Issue One](#) confirmed what many have observed as the 2016 campaign season has unfolded: people across the political spectrum believe that the influence of money in politics is pervasive and dangerous—and yet, we have not seen national legislation addressing the problem for more than a decade.

Could 2016 mark a political tipping point? Public opinion already seems to have tipped. The poll found significant agreement on the problem of money in politics across a broad range of demographics: by region, by generation, by economic status, and by gender. Likewise, the views captured here are broadly shared by Democrats, Independents, and Republicans. Unfortunately, as much as people want to see real solutions, many are skeptical that change is likely.

### Electeds listen to big donors, not “people like me”

Fully 93 percent of those surveyed believe that their elected officials listen to their big donors, rather than voters like them. [Pew Research Center](#) also found that 74 percent of US voters say elected officials “don’t care what people like me think,” and 76 percent think the [the government is run by a few big interests](#).

Only 19 percent feel it works “for the benefit of all the people.” It’s not a stretch to see how these attitudes about *governance* [erode Americans’ faith in government](#) more generally.

### Seniors and millennials alarmed by big money’s influence



Among older respondents (those over 55 years of age), Issue One found that 90 percent say money in politics is a bigger problem than ever before. Overall, a robust 80 percent say it's worse than ever.

As [Issue One points out](#), a May 2016 [Greenpeace poll](#) of US *millennial* voters found that money in politics was their third-ranked most important issue, “trailing the usual suspects, the economy and national security,” but ahead of income inequality, student loan debt and climate change. The Issue One take: “Either party is in a position to take the lead with millennials.”

## A political opportunity for candidates?

For about one-third of Independents, Issue One found that money in politics is one of their top three concerns. Similarly, seven in 10 US voters overall (and 75 percent of Independents) think that “money in politics is a legitimate risk to our democracy.” And more than 3 out of 4 (78 percent) agree that we need some kind of sweeping change to address this problem.

When voters' concerns are this highly activated, it suggests that the issue could prove useful for candidates who want to distinguish themselves.

Find this article interesting? [Please consider making a gift to support our work.](#)

However, candidates also face a good deal of skepticism. On the one hand, Issue One found that four out of five Democrats and Republicans want their elected officials to work across the aisle to minimize the impact of money in politics. On the other hand, though, a much slimmer 40 percent of voters think that either party is likely to pass new laws to control it. Somewhat stronger numbers attest to belief that voters' *own* party would do something about it if they could. This is strongest among Democrats.

It is reasonable to conclude that US voters would respond positively to candidates offering credible solutions to boost voter power and stem the influence of big money in politics. It is potentially a good plank for coalition-building, especially among Democrats and Independents. As [Yes! Magazine reported a while back](#), grassroots and advocacy groups are already gathering steam on the ground. And look no further than Cascadia for examples of *big money down, people up* efforts are steaming full speed ahead: [Honest Elections Seattle](#) was passed by voters with flying colors and will be implemented over the coming year; [Open and Accountable Elections Portland](#) is building support; and the [Washington Government Accountability Act](#) is on the ballot.

For those willing to take the issue seriously, fixing the problem of money in politics might actually be more valuable than the money itself.

*A note on methodology: “These are findings from an [Ipsos poll conducted June 17-20, 2016 on behalf of Issue One](#). For the survey, a sample of roughly 1,006 adults age 18+ from the continental U.S., Alaska and Hawaii was interviewed online in English.”*

**Power our brains! We're a reader-supported nonprofit.**

[Please make a gift today to support our work!](#)



Tagged in: [Every Voice](#), [Ipsos](#), [Issue One](#), [Money in Politics](#), [Pew Research](#), [Polling](#), [Washington Post](#), [Yes! Magazine](#)

**Previous article in series:**

« [Money is Breaking Our Democracy. So, Now What?](#)

**Next article in series:**

[Poll: US Voters Positive About Democracy Fixes](#) »

© 2017 Sightline Institute. All Rights Reserved.



# Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens

Martin Gilens and Benjamin I. Page

Each of four theoretical traditions in the study of American politics—which can be characterized as theories of Majoritarian Electoral Democracy, Economic-Elite Domination, and two types of interest-group pluralism, Majoritarian Pluralism and Biased Pluralism—offers different predictions about which sets of actors have how much influence over public policy: average citizens; economic elites; and organized interest groups, mass-based or business-oriented.

A great deal of empirical research speaks to the policy influence of one or another set of actors, but until recently it has not been possible to test these contrasting theoretical predictions against each other within a single statistical model. We report on an effort to do so, using a unique data set that includes measures of the key variables for 1,779 policy issues.

Multivariate analysis indicates that economic elites and organized groups representing business interests have substantial independent impacts on U.S. government policy, while average citizens and mass-based interest groups have little or no independent influence. The results provide substantial support for theories of Economic-Elite Domination and for theories of Biased Pluralism, but not for theories of Majoritarian Electoral Democracy or Majoritarian Pluralism.

Who governs? Who really rules? To what extent is the broad body of U.S. citizens sovereign, semi-sovereign, or largely powerless? These questions have animated much important work in the study of American politics.

While this body of research is rich and variegated, it can loosely be divided into four families of theories: *Majoritarian*

*Electoral Democracy*, *Economic-Elite Domination*, and two types of interest-group pluralism—*Majoritarian Pluralism*, in which the interests of all citizens are more or less equally represented, and *Biased Pluralism*, in which corporations, business associations, and professional groups predominate. Each of these perspectives makes different predictions about the independent influence upon U.S. policy making of four sets of actors: the *Average Citizen* or “median voter,” *Economic Elites*, and *Mass-based* or *Business-oriented Interest Groups* or industries.

Each of these theoretical traditions has given rise to a large body of literature. Each is supported by a great deal of empirical evidence—some of it quantitative, some historical, some observational—concerning the importance of various sets of actors (or, all too often, a single set of actors) in U.S. policy making. This literature has made important contributions to our understanding of how American politics works and has helped illuminate how democratic or undemocratic (in various senses) our policy making process actually is. Until very recently, however, it has been impossible to test the differing predictions of these theories against each other within a single statistical model that permits one to analyze the independent effects of each set of actors upon policy outcomes.

Here—in a tentative and preliminary way—we offer such a test, bringing a unique data set to bear on the problem. Our measures are far from perfect, but we hope that this first step

---

A permanent link to supplementary materials provided by the authors precedes the References section.

*Martin Gilens is Professor of Politics at Princeton University (mgilens@princeton.edu). His research examines representation, public opinion, and mass media, especially in relation to inequality and public policy. Professor Gilens is the author of Affluence & Influence: Economic Inequality and Political Power in America (2012, Princeton University Press). Benjamin I. Page is Gordon S. Fulcher Professor of Decision Making at Northwestern University (b-page@northwestern.edu). His research interests include public opinion, policy making, the mass media, and U.S. foreign policy. He is currently engaged in a large collaborative project to study Economically Successful Americans and the Common Good. For helpful comments the authors are indebted to Larry Bartels and Jeff Isaac, to the anonymous reviewers from Perspectives on Politics, and to seminar participants at Harvard University and the University of Rochester.*

will help inspire further research into what we see as some of the most fundamental questions about American politics.

The central point that emerges from our research is that economic elites and organized groups representing business interests have substantial independent impacts on U.S. government policy, while mass-based interest groups and average citizens have little or no independent influence. Our results provide substantial support for theories of Economic-Elite Domination and for theories of Biased Pluralism, but not for theories of Majoritarian Electoral Democracy or Majoritarian Pluralism.

In what follows, we briefly review the four theoretical traditions that form the framework for our analyses and highlight some of the most prominent empirical research associated with each. We then describe our data and measures and present our results. We conclude by discussing the implications of our work for understanding American democracy and by identifying some of the directions for future research that our findings suggest.

## Four Theoretical Traditions

Each of the four theoretical traditions we are addressing has produced a body of literature much too vast to review in detail here. We can only allude to a few central pieces of work in each tradition. And we must acknowledge that a particular scholar's work does not always fall neatly into a single category. Some scholars work across—or independently of—our theoretical categories, embracing multiple influences and complex processes of policy making. Here we focus on ideal types of theory, for the purpose of outlining certain distinctive predictions that those types of theory tend to make. Given the nature of our data, we focus on the societal *sources* of influence that these theories posit, rather than on the *mechanisms* of influence that they discuss.

### *Majoritarian Electoral Democracy*

Theories of majoritarian electoral democracy, as positive or empirical theories, attribute U.S. government policies chiefly to the collective will of average citizens, who are seen as empowered by democratic elections. Such thinking goes back at least to Tocqueville, who (during the Jacksonian era) saw American majorities as “omnipotent”—particularly at the state level—and worried about “tyranny of the majority.”<sup>1</sup> It is encapsulated in Abraham Lincoln's reference to government “of the people, by the people, for the people,” and was labeled by Robert Dahl “populistic democracy.”<sup>2</sup>

An important modern incarnation of this tradition is found in rational choice theories of electoral democracy, in which vote-seeking parties or candidates in a two-party system tend to converge at the mid-point of citizens' policy preferences. If preferences are jointly single-peaked so that they can be arrayed along a single dimension, the “median voter theorem”—posited verbally by Harold Hotelling, proved by Duncan Black, and popularized by Anthony

Downs in his *Economic Theory of Democracy*—states that two vote-seeking parties will both take the same position, at the center of the distribution of voters' most-preferred positions. Under the relevant assumptions, public policy that fits the preferences of the median voter is not only the empirically-predicted equilibrium result of two-party electoral competition; as the “Condorcet winner” it also has the normative property of being the “most democratic” policy, in the sense that it would be preferred to any alternative policy in head-to-head majority-rule voting by all citizens.<sup>3</sup>

Subsequent “chaos” results by social choice theorists, starting with Kenneth Arrow, have indicated that the median voter prediction follows logically only for unidimensional politics. If citizens' preference orderings are not unidimensional and are sufficiently diverse, majority rule—hence also two-party electoral competition—might not lead to any equilibrium outcome at all.<sup>4</sup> It is important to note, however, that what *might* theoretically happen will not necessarily ever happen in practice. Real-world outcomes depend upon how institutions are organized and how preferences are actually configured.

Despite the “chaos” results, and despite many criticisms of the median-voter theorem as simplistic and empirically inapplicable or wrong,<sup>5</sup> a good many scholars—probably more economists than political scientists among them—still cling to the idea that the policy preferences of the median voter tend to drive policy outputs from the U.S. political system. A fair amount of empirical evidence has been adduced—by Alan Monroe; Benjamin Page and Robert Shapiro; Robert Erikson, Michael MacKuen, and James Stimson (authors of the very influential *Macro Polity*); and others—that seems to support the notion that the median voter determines the results of much or most policy making. This evidence indicates that U.S. federal government policy is consistent with majority preferences roughly two-thirds of the time; that public policy changes in the same direction as collective preferences a similar two-thirds of the time; that the liberalism or conservatism of citizens is closely associated with the liberalism or conservatism of policy across states; and that fluctuations in the liberal or conservative “mood” of the public are strongly associated with changes in the liberalism or conservatism of policy in all three branches of government.<sup>6</sup>

The fly in the ointment is that none of this evidence allows for, or explicitly assesses, the impact of such variables as the preferences of wealthy individuals, or the preferences and actions of organized interest groups, which may independently influence public policy while perhaps being positively associated with public opinion—thereby producing a spurious statistical relationship between opinion and policy.

Recent research by Larry Bartels and by one of the present authors (Gilens), which explicitly brings the preferences of “affluent” Americans into the analysis along

with the preferences of those lower in the income distribution, indicates that the apparent connection between public policy and the preferences of the average citizen may indeed be largely or entirely spurious.<sup>7</sup>

The “electoral reward and punishment” version of democratic control through elections—in which voters retrospectively judge how well the results of government policy have satisfied their basic interests and values, and politicians enact policies in anticipation of judgments that they expect will later be made by what V.O. Key, Jr., called “latent” public opinion—might be thought to offer a different prediction: that policy will tend to satisfy citizens’ underlying needs and values, rather than corresponding with their current policy preferences.<sup>8</sup> We cannot test this prediction because we do not have—and cannot easily imagine how to obtain—good data on individuals’ deep, underlying interests or values, as opposed to their expressed policy preferences. But the evidence that collective policy preferences are generally rather stable over time suggests that expressed collective policy preferences may not often diverge markedly from subsequently manifested “latent” preferences. They may do so only under special circumstances, such as economic recessions or disastrous wars.<sup>9</sup> If so, the electoral-reward-and-punishment type of democratic theory, too, predicts that most of the time public policy will respond to the current policy preferences of the average citizen.

### ***Economic-Elite Domination***

A quite different theoretical tradition argues that U.S. policy making is dominated by individuals who have substantial economic resources, i.e., high levels of income or wealth—including, but not limited to, ownership of business firms.

Not all “elite theories” share this focus. Some emphasize social status or institutional position—such as the occupancy of key managerial roles in corporations, or top-level positions in political parties, in the executive, legislative, or judicial branches of government, or in the highest ranks of the military. Some elite theories postulate an amalgam of elites, defined by combinations of social status, economic resources, and institutional positions, who achieve a degree of unity through common backgrounds, coinciding interests, and social interactions.

For example, C. Wright Mills’ important book, *The Power Elite*, offers a rather nuanced account of how U.S. social, economic, political, and military elites have historically alternated in different configurations of dominance. Mills noted that his elites derived in substantial proportions from the upper classes, including the very rich and corporate executives, but their elite status was not defined by their wealth.<sup>10</sup> Our focus here is on theories that emphasize the policy-making importance of *economic* elites.

Analyses of U.S. politics centered on economic elites go back at least to Charles Beard, who maintained that

a chief aim of the framers of the U.S. Constitution was to protect private property, favoring the economic interests of wealthy merchants and plantation owners rather than the interests of the then-majority small farmers, laborers, and craft workers. A landmark work in this tradition is G. William Domhoff’s detailed account of how elites (working through foundations, think-tanks, and an “opinion-shaping apparatus,” as well as through the lobbyists and politicians they finance) may dominate key issues in U.S. policy making despite the existence of democratic elections. Philip A. Burch has exhaustively chronicled the economic backgrounds of federal government officials through American history. Thomas Ferguson’s analysis of the political importance of “major investors” might be seen as a theory of economic elites. Most recently, Jeffrey Winters has posited a comparative theory of “Oligarchy,” in which the wealthiest citizens—even in a “civil oligarchy” like the United States—dominate policy concerning crucial issues of wealth and income protection.<sup>11</sup>

Our third and fourth theoretical traditions posit that public policy generally reflects the outcome of struggle among organized interest groups and business firms.<sup>12</sup>

### ***Majoritarian Pluralism***

The roots of what we can characterize as theories of “majoritarian” interest-group pluralism go back to James Madison’s *Federalist Paper* No. 10, which analyzed politics in terms of “factions”—a somewhat fuzzy concept that apparently encompassed political parties and even popular majorities, as well as what we would today consider organized interest groups, business firms, and industrial sectors. Madison argued that struggles among the diverse factions that would be found in an extensive republic would lead to policies more or less representative of the needs and interests of the citizenry as a whole—or at least would tend to defeat “tyrannical” policies, including the much-feared issuance of inflationary paper money that might cater to local majority factions of farmer-debtors but would be costly to merchant creditors.<sup>13</sup>

In the twentieth century, Arthur Bentley’s *The Process of Government* and then David Truman’s monumental *The Governmental Process* put groups at the center of political analysis, laying out a detailed picture of how organized interest groups might get their way. Truman offered a comprehensive and still-interesting catalogue of lobbying techniques and other methods of group influence. He also added an ingenious gloss to Madison that tends to increase both the plausibility and the normative appeal of majoritarian interest-group pluralism: the assertion that *all* interests have at least a minimum of influence in group-dominated policy making, because policy makers must (in order to avoid subsequent punishment) heed all “potential” groups that would form if their interests were trampled upon.<sup>14</sup>

Robert Dahl’s analysis of New Haven city politics was Madisonian or Truman-like in its insistence that many

(all?) diverse interests were represented, though Dahl focused as much on active members of the general public as on organized groups. Dahl's analyses of American politics in terms of "polyarchy" or "pluralist democracy" also come close to our ideal type of majoritarian pluralist theory, since they imply that the wants or needs of the average citizen tend to be reasonably well served by the outcomes of interest-group struggle. Several contemporary analysts of interest-group politics likewise appear to accept (at least implicitly) a picture of group struggle that results in more or less majoritarian results.<sup>15</sup>

A major challenge to majoritarian pluralist theories, however, is posed by Mancur Olson's argument that collective action by large, dispersed sets of individuals with individually small but collectively large interests tends to be prevented by the "free rider" problem. Barring special circumstances (selective incentives, byproducts, coercion), individuals who would benefit from collective action may have no incentive to personally form or join an organized group. If everyone thinks this way and lets George do it, the job is not likely to get done. This reasoning suggests that Truman's "potential groups" may in fact be unlikely to form, even if millions of peoples' interests are neglected or harmed by government. Aware of the collective action problem, officials may feel free to ignore much of the population and act against the interests of the average citizen.<sup>16</sup>

### ***Biased Pluralism***

Olson's argument points toward an important variant line of thinking within the pluralist tradition: theories of "*biased*" pluralism, which posit struggles among an unrepresentative universe of interest groups—characterized by E.E. Schattschneider as a heavenly chorus with an "upper-class accent," and more recently dubbed by Kay Lehman Schlozman, Sidney Verba, and Henry Brady an "unheavenly chorus." Theories of biased pluralism generally argue that both the thrust of interest-group conflict and the public policies that result tend to tilt toward the wishes of corporations and business and professional associations.<sup>17</sup>

Schattschneider suggested that policy outcomes vary with the "scope of conflict": for example, that business-oriented interest groups tend to prevail over ordinary citizens when the scope is narrow and visibility is low. Grant McConnell added the idea that the actual "constituencies" of policy implementers can consist of powerful groups. George Stigler (articulating what some economists have scorned as "Chicago Marxism") analyzed the politics of regulation in terms of biased pluralism: the capture of regulators by the regulated. Charles Lindblom outlined a number of ways—including the "privileged position" of business—in which business firms and their associations influence public policy. Thomas Ferguson has posited an "investment theory" of politics in which "major

investors"—especially representatives of particular industrial sectors—fund political parties in order to get policies that suit their economic interests. Fred Block's "neo-Polanyian" analysis emphasizes groups. Jacob Hacker and Paul Pierson's analysis of "winner-take-all-politics," which emphasizes the power of the finance industry, can be seen as a recent contribution to the literature of biased pluralism.<sup>18</sup>

Marxist and neo-Marxist theories of the capitalist state hold that economic *classes*—and particularly the bourgeoisie, the owners of the means of production—dominate policy making and cause the state to serve their material interests. As the *Communist Manifesto* put it, "The bourgeoisie has . . . conquered for itself, in the modern representative State, exclusive political sway. The executive of the modern State is but a committee for managing the common affairs of the whole bourgeoisie."<sup>19</sup> We cannot precisely test the predictions of such theories, because we lack good measures of policy preferences by economic class. (In Marxist theory, neither income nor wealth accurately signals class position.) We can note, however, that certain "instrumentalist" Marxist theories, including the important version put forth by Ralph Miliband, make predictions resembling those of theories of Biased Pluralism: that interest groups and corporations representing "large scale business" tend to prevail.<sup>20</sup>

As to empirical evidence concerning interest groups, it is well established that organized groups regularly lobby and fraternize with public officials, move through revolving doors between public and private employment, provide self-serving information to officials, draft legislation, and spend a great deal of money on election campaigns.<sup>21</sup> Moreover, in harmony with theories of biased pluralism, the evidence clearly indicates that most interest groups and lobbyists represent business firms or professionals. Relatively few represent the poor or even the economic interests of ordinary workers, particularly now that the U.S. labor movement has become so weak.<sup>22</sup>

But do interest groups actually influence policy? Numerous case studies have detailed instances in which all but the most dedicated skeptic is likely to perceive interest-group influence at work. A leading classic remains Schattschneider's analysis of the 1928 enactment of the Smoot-Hawley tariff, an astounding orgy of pork-barrel politics.<sup>23</sup> Still, many quantitatively-oriented political scientists seem to ignore or dismiss such non-quantitative evidence. There have also been some efforts (particularly during the Cold War era, when unflattering depictions of U.S. politics may have been thought unpatriotic) to demonstrate that interest groups have no influence on policy at all. Raymond Bauer, Ithiel Pool, and Lewis Anthony Dexter argued that business had little or no effect on the renewal of reciprocal trade authority. Lester Milbrath, having conducted interviews with lobbyists and members of Congress, rated lobbyists' influence as very low.

More recently, Fred McChesney has made the ingenious argument that campaign contributions from interest groups may not represent quid pro quo bribery attempts by groups, but instead result from extortion by politicians who threaten to harm the groups' interests.<sup>24</sup>

Very few studies have offered quantitative evidence concerning the impact of interest groups based on a number of different public policies. Important exceptions include the work of Mark Smith and that of Frank Baumgartner, Jeffrey Berry, Marie Hojnacki, David Kimball, and Beth Leech.<sup>25</sup>

Mark Smith examined 2,364 "business unity" issues—over a period of four decades—on which the U.S. Chamber of Commerce (arguably a reasonable proxy for business groups as a whole, on this particular set of issues where most businesses agreed) took a public stand for or against. He then calculated six measures of the Chamber's annual rate of "success" at getting the action or inaction it favored from Congress.<sup>26</sup> The Chamber's average success rate in terms of proportion of bills enacted or defeated appears to have been fairly high,<sup>27</sup> but Smith did not argue that such success necessarily demonstrates influence. (A batting-average approach to influence would have to assume that stand-taking is unrelated to expectations of success. Further, in order to gauge business's independent impact and avoid spurious results, data on stands taken by other actors would need to be included as well.) Instead, Smith devoted most of his effort to analyzing the over-time correlates of high or low success, such as variations in the public "mood" and in the partisan composition of Congress.

Frank Baumgartner and his colleagues, in their meticulous examination of 98 cases of congressional policy making in which interest groups were active, investigated whether the magnitude of group resources that were deployed was related to outcomes across those cases. In their multivariate analyses, Baumgartner et al. found a modest tendency for policy outcomes to favor the side that enjoyed greater resources (PAC contributions, lobbying expenditures, membership size, etc.).<sup>28</sup>

Prior to the availability of the data set that we analyze here, no one we are aware of has succeeded at assessing interest-group influence over a comprehensive set of issues, while taking into account the impact of either the public at large or economic elites—let alone analyzing all three types of potential influences simultaneously.

## Testing Theoretical Predictions

What makes possible an empirical effort of this sort is the existence of a unique data set, compiled over many years by one of us (Gilens) for a different but related purpose: for estimating the influence upon public policy of "affluent" citizens, poor citizens, and those in the middle of the income distribution.

Gilens and a small army of research assistants<sup>29</sup> gathered data on a large, diverse set of policy cases:

1,779 instances between 1981 and 2002 in which a national survey of the general public asked a favor/oppose question about a proposed policy change. A total of 1,923 cases met four criteria: dichotomous pro/con responses, specificity about policy, relevance to federal government decisions, and categorical rather than conditional phrasing. Of those 1,923 original cases, 1,779 cases also met the criteria of providing income breakdowns for respondents, not involving a Constitutional amendment or a Supreme Court ruling (which might entail a quite different policy-making process), and involving a clear, as opposed to partial or ambiguous, actual presence or absence of policy change. These 1,779 cases do not constitute a sample from the universe of all possible policy alternatives (this is hardly conceivable), but we see them as particularly relevant to assessing the public's influence on policy. The included policies are not restricted to the narrow Washington "policy agenda." At the same time—since they were seen as worth asking poll questions about—they tend to concern matters of relatively high salience, about which it is plausible that average citizens may have real opinions and may exert some political influence.<sup>30</sup>

For each case, Gilens used the original survey data to assess responses by income level. In order to cope with varying income categories across surveys, he employed a quadratic logistic regression technique to estimate the opinions of respondents at the tenth income percentile (quite poor), the fiftieth percentile (median), and the ninetieth percentile (fairly affluent).<sup>31</sup>

Here we use these policy preference data to measure—imperfectly, but, we believe, satisfactorily—two independent variables posited as major influences upon policy making in the theoretical traditions discussed above.

Policy preferences at the fiftieth income percentile—that is, the preferences of the *median-income* survey respondent—work quite well as measures of the preferences of the average citizen (or, more precisely, the median non-institutionalized adult American), which are central to theories of Majoritarian Electoral Democracy.<sup>32</sup> In all cases in which the relationship between income and preferences is monotonic, and in all cases in which there is no systematic relationship at all between the two, the preferences of the median-income respondent are identical to those of the median-preference respondent. In the remaining cases the two are very close to each other.<sup>33</sup>

We believe that the preferences of "affluent" Americans at the ninetieth income percentile can usefully be taken as proxies for the opinions of wealthy or very-high-income Americans, and can be used to test the central predictions of Economic-Elite theories. To be sure, people at the ninetieth income percentile are neither very rich nor very elite; in 2012 dollars, Gilens' "affluent" respondents received only about \$146,000 in annual household income. To the extent that their policy preferences differ from those of average-income citizens, however, we would

argue that there are likely to be similar but bigger differences between average-income citizens and the truly wealthy.

Some evidence for this proposition comes from the 2011 Cooperative Congressional Election Study.<sup>34</sup> Based on 13 policy-preference questions asked on this survey, the preferences of the top 2 percent of income earners (a group that might be thought “truly wealthy”) are much more highly correlated with the preferences of the top 10 percent of earners than with the preferences of the average survey respondent ( $r=.91$  versus  $.69$ ).<sup>35</sup> Thus, the views of our moderately high-income “affluent” respondents appear to capture useful information about the views of the truly wealthy.

In any case, the imprecision that results from use of our “affluent” proxy is likely to produce *underestimates* of the impact of economic elites on policy making. If we find substantial effects upon policy even when using this imperfect measure, therefore, it will be reasonable to infer that the impact upon policy of truly wealthy citizens is still greater.<sup>36</sup>

In order to measure interest-group preferences and actions, we would ideally like to use an index of the sort that Baumgartner and his colleagues developed for their ninety-eight policy issues: an index assessing the total resources brought to bear by all major interest groups that took one side or the other on each of our 1,779 issues. But it is not feasible to construct such an index for all our cases; this would require roughly twenty times as much work as did the major effort made by the Baumgartner research team on their cases. Fortunately, however, Baumgartner et al. found that a simple proxy for their index—the number of reputedly “powerful” interest groups (from among groups appearing over the years in *Fortune* magazine’s “Power 25” lists) that favored a given policy change, minus the number that opposed it—correlated quite substantially in their cases with the full interest-group index ( $r=0.73$ ).<sup>37</sup>

Gilens, using a modified version of this simple count of the number of “powerful” interest groups favoring (minus those opposing) each proposed policy change, developed a measure of *Net Interest Group Alignment*. To the set of groups on the “Power 25” lists (which seemed to neglect certain major business interests) he added ten key industries that had reported the highest lobbying expenditures. (For the final list of included industries and interest groups, refer to Appendix 1.) For each of the 1,779 instances of proposed policy change, Gilens and his assistants drew upon multiple sources to code all engaged interest groups as “strongly favorable,” “somewhat favorable,” “somewhat unfavorable,” or “strongly unfavorable” to the change. He then combined the numbers of groups on each side of a given issue, weighting “somewhat” favorable or somewhat unfavorable positions at half the magnitude of

“strongly” favorable or strongly unfavorable positions. In order to allow for the likelihood of diminishing returns as the net number of groups on a given side increases (an increase from 10 to 11 groups likely matters less than a jump from 1 to 2 does), he took the logarithms of the number of pro groups and the number of con groups before subtracting. Thus,

$$\text{Net Interest-Group Alignment} = \ln(\# \text{ Strongly Favor} + [0.5 * \# \text{ Somewhat Favor}] + 1) - \ln(\# \text{ Strongly Oppose} + [0.5 * \# \text{ Somewhat Oppose}] + 1).^{38}$$

We also report here results for comparable group alignment indices that were computed separately for the mass-based and for the business-oriented sets of groups listed in Appendix 1.

Our dependent variable is a measure of whether or not the policy change proposed in each survey question was actually adopted within four years after the question was asked. (It turns out that most of the action occurred within two years). Of course there was nothing easy about measuring the presence or absence of policy change for each of 1,779 different cases; Gilens and his research assistants spent many hours poring over news accounts, government data, *Congressional Quarterly* publications, academic papers and the like.<sup>39</sup>

In order to test among our theoretical traditions, we begin by considering all organized interest groups together, not distinguishing between mass-based and business-oriented groups. Within a single statistical model, we estimate the independent impact upon our dependent variable (policy change) of each of three independent variables: the average citizen’s policy preferences (preferences at the fiftieth income percentile); the policy preferences of economic elites (measured by policy preferences at the ninetieth income percentile); and the stands of interest groups (the Net Interest-Group Alignment Index).

Later, in order to distinguish clearly between Majoritarian Pluralism and Biased Pluralism, we will use two separate measures of net interest-group alignment, one involving only mass-based interest groups and the other limited to business and professional groups. The main hypotheses of interest, summarized in table 1, follow fairly straightforwardly from our discussion of our four ideal types of theory.

In their pure form, theories of Majoritarian Electoral Democracy (for example, rational models of electoral competition that include no societal actors other than average citizens), predict that the influence upon policy of average citizens is positive, significant, and substantial, while the influence of other actors is not.

Theories of Economic-Elite Domination predict positive, significant, and substantial influence upon policy by economic elites. Most such theories allow for some (though not much) independent influence by average citizens, e.g., on non-economic social issues. Many also



**Table 1**  
**Theoretical predictions concerning the independent influence of sets of actors upon policy outcomes**

Theory (ideal type)	Sets of Actors				
	Average Citizens	Economic Elites	All Interest Groups	Mass Interest Groups	Business Interest Groups
Majoritarian Electoral Democracy	Y	n	n	n	n
Dominance by Economic Elites	y	Y	y	n	y
Majoritarian Pluralism	y	n	Y	Y	Y
Biased Pluralism	n	n	y	y	Y

n = little or no independent influence  
 y = some independent influence  
 Y = substantial independent influence

allow for some independent influence by business interest groups—and therefore probably by interest groups taken as a whole—though their emphasis is on wealthy individuals.

In general, theories of interest-group pluralism predict that only organized interest groups will have positive, significant, and substantial effects upon public policy. Influence proceeds from groups, not from wealthy (or other) individuals. Depending upon the type of pluralist theory, average citizens may or may not be well represented through organized groups, but they do not have a great deal of independent influence on their own.

Theories of Majoritarian Pluralism predict that the stands of organized interest groups, all taken together, rather faithfully represent (that is, are positively and substantially correlated with) the preferences of average citizens. But since most political influence proceeds *through* groups, a multivariate analysis that includes both interest-group alignments and citizens’ preferences should show far more independent influence by the groups than the citizens. Truman’s idea of “potential groups” does, however, leave room for some direct influence by average citizens.

Theories of Biased Pluralism, too, see organized interest groups as having much more influence than average citizens or individual economic elites. But they predict that business-oriented groups play the major role.

Recognizing the complexity of the political world, we must also acknowledge the possibility that more than one of these theoretical traditions has some truth to it: that several—even all—of our sets of actors may have substantial, positive, independent influence on public policy. And we must consider the null hypothesis that *none* of these theoretical traditions correctly describes even part of what goes on in American politics.

### **Influence upon Policy of Average Citizens, Economic Elites, and Interest Groups**

Before we proceed further, it is important to note that even if one of our predictor variables is found (when controlling for the others) to have no independent impact on policy at all, it does not follow that the actors whose preferences are reflected by that variable—average citizens, economic elites, or organized interest groups of one sort or another—always “lose” in policy decisions. Policy making is not necessarily a zero-sum game among these actors. When one set of actors wins, others may win as well, if their preferences are positively correlated with each other.

It turns out, in fact, that the preferences of average citizens are positively and fairly highly correlated, across issues, with the preferences of economic elites (refer to table 2). Rather often, average citizens and affluent citizens (our proxy for economic elites) want the same things from government. This bivariate correlation affects how we should interpret our later multivariate findings in terms of “winners” and “losers.” It also suggests a reason why serious scholars might keep adhering to both the Majoritarian Electoral Democracy and the Economic-Elite Domination theoretical traditions, even if one of them may be dead wrong in terms of causal impact. Ordinary citizens, for example, might often be observed to “win” (that is, to get their preferred policy outcomes) even if they had no independent effect whatsoever on policy making, if elites (with whom they often agree) actually prevail.

But net interest-group stands are *not* substantially correlated with the preferences of average citizens. Taking all interest groups together, the index of net interest-group alignment correlates only a non-significant .04 with average citizens’ preferences! (Refer to table 2.) This casts grave doubt on David Truman’s and others’ argument that

**Table 2**  
Correlations among independent variables

	Average citizens' preferences	Economic elites' preferences	All interest groups	Mass public interest groups	Business interest groups
Average citizens' preferences	—				
Economic elites' preferences	.78***	—			
All interest groups	.04	.05	—		
Mass public interest groups	.12***	.01	.47***	—	
Business interest groups	-.10***	-.02	.96***	-.05	—

\*\*\*p<.001; n=1779.

Note: Entries are correlation coefficients corrected for measurement error as explained in Appendix 2.

organized interest groups tend to do a good job of representing the population as a whole. Indeed, as table 2 indicates, even the net alignments of the groups we have categorized as “mass-based” correlate with average citizens’ preferences only at the very modest (though statistically significant) level of .12.

Some particular U.S. membership organizations—especially the AARP and labor unions—do tend to favor the same policies as average citizens. But other membership groups take stands that are unrelated (pro-life and pro-choice groups) or negatively related (gun owners) to what the average American wants.<sup>40</sup> Some membership groups may reflect the views of corporate backers or their most affluent constituents. Others focus on issues on which the public is fairly evenly divided. Whatever the reasons, all mass-based groups taken together simply do not add up, in aggregate, to good representatives of the citizenry as a whole. Business-oriented groups do even worse, with a modest *negative* over-all correlation of -.10.

Nor do we find an association between the preferences of economic elites and the alignments of either mass-based or business-oriented groups. The latter finding, which surprised us, may reflect profit-making motives among businesses as contrasted with broader ideological views among elite individuals. For example, economic elites tend to prefer lower levels of government spending on practically everything, while business groups and specific industries frequently lobby for spending in areas from which they stand to gain. Thus pharmaceutical, hospital, insurance, and medical organizations have lobbied for more spending on health care; defense contractors for weapons systems; the American Farm Bureau for agricultural subsidies, and so on.

### Initial Tests of Influences on Policy Making

The first three columns of table 3 report *bivariate* results, in which each of three independent variables (taking all

interest groups together, for now) is modeled separately as the sole predictor of policy change. Just as previous literature suggests, each of three broad theoretical traditions—Majoritarian Electoral Democracy, Economic-Elite Domination, and interest-group pluralism—seems to gain support. When taken separately, each independent variable—the preferences of average citizens, the preferences

**Table 3**  
Policy outcomes and the policy preferences of average citizens, economic elites, and interest groups

	Model 1	Model 2	Model 3	Model 4
Preferences of average citizens	.64 (.08)***	—	—	.03 (.08)
Preferences of economic elites	—	.81 (.08)***	—	.76 (.08)***
Alignment of interest groups	—	—	.59 (.09)***	.56 (.09)***
R-sq	.031	.049	.028	.074

\*\*\*p<.001

Note: All predictors are scaled to range from 0 to 1. The dependent variable is the policy outcome, coded 1 if the proposed policy change took place within four years of the survey date and 0 if it did not. Predictors are the logits of the imputed percent of respondents at the fiftieth (“average citizens”) or ninetieth (“economic elites”) income percentile that favor the proposed policy change, and the Net Interest-Group Alignment Index described in the text. Standard errors are asymptotically distribution-free, and all analyses reflect estimated measurement error in the predictors, as described in Appendix 2. The standardized coefficients for model 4 in this table are .01, .21, and .16 for average citizens, economic elites, and interest groups, respectively. N=1,779.

of economic elites, and the net alignments of organized interest groups—is strongly, positively, and quite significantly related to policy change. Little wonder that each theoretical tradition has its strong adherents.

But the picture changes markedly when all three independent variables are included in the multivariate Model 4 and are tested against each other. The estimated impact of average citizens' preferences drops precipitously, to a non-significant, near-zero level. Clearly the median citizen or "median voter" at the heart of theories of Majoritarian Electoral Democracy does not do well when put up against economic elites and organized interest groups. The chief predictions of pure theories of Majoritarian Electoral Democracy can be decisively rejected. Not only do ordinary citizens not have *uniquely* substantial power over policy decisions; they have little or no independent influence on policy at all.

By contrast, economic elites are estimated to have a quite substantial, highly significant, independent impact on policy. This does not mean that theories of Economic-Elite Domination are wholly upheld, since our results indicate that individual elites must share their policy influence with organized interest groups. Still, economic elites stand out as quite influential—more so than any other set of actors studied here—in the making of U.S. public policy.

Similarly, organized interest groups (all taken together, for now) are found to have substantial independent influence on policy. Again, the predictions of pure theories of interest-group pluralism are not wholly upheld, since organized interest groups must share influence with economically-elite individuals. But interest-group alignments are estimated to have a large, positive, highly significant impact upon public policy.

These results suggest that reality is best captured by mixed theories in which both individual economic elites and organized interest groups (including corporations, largely owned and controlled by wealthy elites) play a substantial part in affecting public policy, but the general public has little or no independent influence.

The rather low explanatory power of all three independent variables taken together (with an R-squared of just .074 in Model 4) may partly result from the limitations of our proxy measures, particularly with respect to economic elites (since our "affluent" proxy is admittedly imperfect) and perhaps with respect to interest groups (since only a small fraction of politically-active groups are included in our measure). Again, the implication of these limitations in our data is that interest groups and economic elites actually wield *more* policy influence than our estimates indicate. But it is also possible that there may exist important explanatory factors outside the three theoretical traditions addressed in this analysis. Or there may be a great deal of idiosyncrasy in policy outputs, or variation across kinds of issues, that would be

difficult for any general model to capture. With our present data we cannot tell.

The magnitudes of the coefficients reported in table 3 are difficult to interpret because of our transformations of the independent variables. A helpful way to assess the relative influence of each set of actors is to compare how the predicted probability of policy change alters when moving from one point to another on their distributions of policy dispositions, while holding other actors' preferences constant at their neutral points (50 percent favorable for average citizens and for economic elites, and a net interest-group alignment score of 0). These changing probabilities, based on the coefficients in model 4 of table 3, are line-graphed in figure 1 along with bar graphs of the underlying preference distributions.

Clearly, when one holds constant net interest-group alignments and the preferences of affluent Americans, it makes very little difference what the general public thinks. The probability of policy change is nearly the same (around 0.3) whether a tiny minority or a large majority of average citizens favor a proposed policy change (refer to the top panel of figure 1).

By contrast—again with other actors held constant—a proposed policy change with low support among economically-elite Americans (one out of five in favor) is adopted only about 18 percent of the time, while a proposed change with high support (four out of five in favor) is adopted about 45 percent of the time. Similarly, when support for policy change is low among interest groups (with five groups strongly opposed and none in favor) the probability of that policy change occurring is only .16, but the probability rises to .47 when interest groups are strongly favorable (refer to the bottom two panels of figure 1).<sup>41</sup>

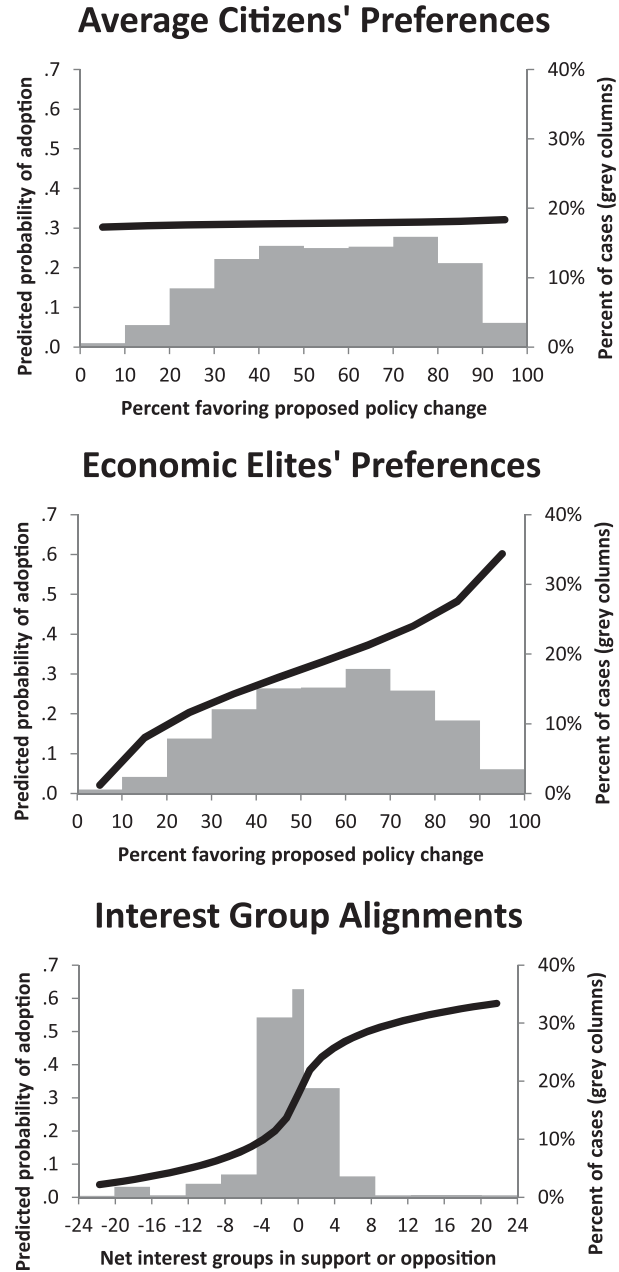
When both interest groups and affluent Americans oppose a policy it has an even lower likelihood of being adopted (these proposed policies consist primarily of tax increases). At the other extreme, high levels of support among both interest groups and affluent Americans increases the probability of adopting a policy change, but a strong status quo bias remains evident. Policies with strong support (as defined above) among both groups are only adopted about 56 percent of the time (strongly favored policies in our data set that failed include proposed cuts in taxes, increases in tax exemptions, increased educational spending for K–12, college support, and proposals during the Clinton administration to add a prescription drug benefit to Medicare).

### *Majoritarian Electoral Democracy*

What are we to make of findings that seem to go against volumes of persuasive theorizing and much quantitative research, by asserting that the average citizen or the "median voter" has little or no independent influence on public policy?

As noted, our evidence does *not* indicate that in U.S. policy making the average citizen always loses out. Since

**Figure 1**  
**Predicted probability of policy adoption (dark lines, left axes) by policy disposition; the distribution of preferences (gray columns, right axes)**



the preferences of ordinary citizens tend to be positively correlated with the preferences of economic elites, ordinary citizens often win the policies they want, even if they are more or less coincidental beneficiaries rather than causes of the victory. There is not necessarily any contradiction at all between our findings and past bivariate

findings of a roughly two-thirds correspondence between actual policy and the wishes of the general public, or of a close correspondence between the liberal/conservative “mood” of the public and changes in policy making.<sup>42</sup> Our main point concerns causal inference: if interpreted in terms of actual causal impact, the prior findings appear to be largely or wholly spurious.

Further, the issues about which economic elites and ordinary citizens disagree reflect important matters, including many aspects of trade restrictions, tax policy, corporate regulation, abortion, and school prayer, so that the resulting political losses by ordinary citizens are not trivial. Moreover, we must remember that in our analyses the preferences of the affluent are serving as proxies for those of truly wealthy Americans, who may well have more political clout than the affluent, and who tend to have policy preferences that differ more markedly from those of the average citizens. Thus even rather slight measured differences between preferences of the affluent and the median citizen may signal situations in which economic-elites want something quite different from most Americans and they generally get their way.

A final point: Even in a bivariate, descriptive sense, our evidence indicates that the responsiveness of the U.S. political system when the general public wants government *action* is severely limited. Because of the impediments to majority rule that were deliberately built into the U.S. political system—federalism, separation of powers, bicameralism—together with further impediments due to anti-majoritarian congressional rules and procedures, the system has a substantial status quo bias. Thus when popular majorities favor the status quo, opposing a given policy change, they are likely to get their way; but when a majority—even a very large majority—of the public favors change, it is not likely to get what it wants. In our 1,779 policy cases, narrow pro-change majorities of the public got the policy changes they wanted only about 30 percent of the time. More strikingly, even overwhelmingly large pro-change majorities, with 80 percent of the public favoring a policy change, got that change only about 43 percent of the time.

In any case, normative advocates of populist democracy may not be enthusiastic about democracy by coincidence, in which ordinary citizens get what they want from government only when they happen to agree with elites or interest groups that are really calling the shots. When push comes to shove, actual influence matters.

**Economic Elites**

Economic-Elite Domination theories do rather well in our analysis, even though our findings probably understate the political influence of elites. Our measure of the preferences of wealthy or elite Americans—though

useful, and the best we could generate for a large set of policy cases—is probably less consistent with the relevant preferences than are our measures of the views of ordinary citizens or the alignments of engaged interest groups. Yet we found substantial estimated effects even when using this imperfect measure. The real-world impact of elites upon public policy may be still greater.

What we cannot do with these data is distinguish definitively among different versions of elite theories. We cannot be sure whether we are capturing the political influence of the wealthiest Americans (the top 1 percent of wealth-holders? the top one-tenth of 1 percent?), or, conceivably, the less affluent but more numerous citizens around the ninetieth income percentile whose preferences are directly gauged by our measure.

In any case, we need to reiterate that our data concern *economic* elites. Income and wealth tend to be positively correlated with other dimensions of elite status, such as high social standing and the occupancy of high-level institutional positions, but they are not the same thing. We cannot say anything directly about the non-economic aspects of certain elite theories, especially those that emphasize actors who may not be highly paid, such as public officials and political party activists.

### **Organized Interest Groups**

Our findings of substantial influence by interest groups is particularly striking because little or no previous research has been able to estimate the extent of group influence while controlling for the preferences of other key non-governmental actors. Our evidence clearly indicates that—controlling for the influence of both the average citizen and economic elites—organized interest groups have a very substantial independent impact upon public policy. Theories of interest-group pluralism gain a strong measure of empirical support.

Here, too, the imperfections of our measure of interest-group alignment (though probably less severe than in the case of economically-elite individuals) suggest, *a fortiori*, that the actual influence of organized groups may be even greater than we have found. If we had data on the activity of the thousands of groups not included in our net interest-group alignment measure, we might find many cases in which a group (perhaps unopposed by any other groups) got its way. This might be particularly true of narrow issues like special tax breaks or subsidies aimed at just one or two business firms, which are underrepresented in our set of relatively high-salience policies. (Our data set includes only policies thought to be important enough for a national opinion survey to ask a question about it.)

An important feature of interest group influence is that it is often deployed *against* proposed policy changes. On the 1,357 proposed policy changes for which at least one

interest group was coded as favoring or opposing change, in only 36 percent of the cases did most groups favor change, while in 55 percent of the cases most groups opposed change. (The remaining cases involved equal numbers for and against.)<sup>43</sup>

### **Distinguishing between Majoritarian Pluralism and Biased Pluralism**

Can we say anything further about whether processes of interest-group influence more closely resemble Truman-like, broadly representative Majoritarian Pluralism, or Schattschneider-style “Biased” Pluralism, in which business interests, professional associations, and corporations play the dominant part?

We have already reported several findings that cast serious doubt upon Majoritarian Pluralism. If the net results of interest-group struggle were to help average citizens get their way—with organized groups perhaps representing citizens more effectively than politically-inattentive Americans could do for themselves—we would expect that the net alignment of interest groups would be positively and strongly correlated with the policy preferences of the average citizen. But we know from table 2 that they are not in fact significantly correlated at all. Interest-group alignments are almost totally unrelated to the preferences of average citizens. Moreover, there is no indication that officials’ anticipation of reactions from “potential groups” brings policies in line with what citizens want.<sup>44</sup> Empirical support for Majoritarian Pluralism looks very shaky, indeed. We also know that the composition of the U.S. interest-group universe is heavily tilted toward corporations and business and professional associations.<sup>45</sup> This fact certainly points toward Biased rather than Majoritarian Pluralism.

To go a step further, theories of Majoritarian Pluralism predict relatively more independent influence upon policy by mass-based interest groups than do theories of Biased Pluralism. It may be useful, therefore, to distinguish between mass-based and business-oriented interest groups and to investigate how much policy influence each group actually has.

Accordingly, we computed separate net-interest-group-alignment indices for business-oriented and for mass-based groups (refer to Appendix 1 for lists of each) and included both of them in a new multivariate analysis, along with the preferences of average citizens and economic elites—dropping our previous measure of the net alignment of *all* interest groups.

The results of this analysis are given in table 4. Clearly the predictions of Biased Pluralism theories fare substantially better than those of Majoritarian Pluralism theories. The influence coefficients for both mass-based and business-oriented interest groups are positive and highly significant statistically, but the coefficient for business groups is nearly twice as large as that for the mass groups.

**Table 4**  
**The separate policy impact of business-oriented and mass-based interest groups**

Average citizens' preferences	.05 (.08)
Economic elites' preferences	.78 (.08)***
Mass-based interest groups	.24 (.07)***
Business interest groups	.43 (.08)***
R-sq	.07

\*\*\* $p < .001$

Note: All predictors are scaled to range from 0 to 1. The dependent variable is the policy outcome, coded 1 if the proposed policy change took place within four years of the survey date and 0 if it did not. Predictors are the logits of the imputed percent of respondents at the fiftieth ("average citizens") or ninetieth ("economic elites") income percentile that favor the proposed policy change, and the Net Interest-Group Alignment Indices described in the text. Standard errors are asymptotically distribution-free, and all analyses reflect estimated measurement error in the predictors, as described in Appendix 2.  $N = 1,779$ .

Moreover, when we restricted this same analysis to the smaller set of issues upon which both types of groups took positions—that is, when we considered only cases in which business-based and mass-based interest groups were directly engaged with each other—the contrast between the estimated impact of the two types of groups was even greater.<sup>46</sup>

The advantage of business-oriented groups in shaping policy outcomes reflects their numerical advantage within the interest-group universe in Washington, and also the infrequency with which business groups are found simultaneously on both sides of a proposed policy change.<sup>47</sup> Both these factors (numerical dominance and relative cohesion) play a part in the much stronger correlation of the overall interest-group alignment index with business groups than with mass-oriented groups (.96 versus .47, table 2). The importance of business groups' numerical advantage is also revealed when we rescale our measures of business and mass-oriented interest-group alignments to reflect the differing number of groups in each of these categories. Using this rescaled measure, a parallel analysis to that in table 4 shows that *on a group-for-group basis* the average individual business group and the average mass-oriented group appears to be about equally influential. The greater total influence of business groups in our analysis results chiefly from the fact that more of them are generally engaged on each issue (roughly twice as many, on average), not that a single business-oriented group has more clout on average than a single mass-based group.<sup>48</sup>

Taken as a whole, then, our evidence strongly indicates that theories of Biased Pluralism are more descriptive of political reality than are theories of Majoritarian Pluralism. It is simply not the case that a host of diverse, broadly-based interest groups take policy stands—and bring about actual policies—that reflect what the general public wants. Interest groups as a whole do not seek the same policies as average citizens do. "Potential groups" do not fill the gap. Relatively few mass-based interest groups are active, they do not (in the aggregate) represent the public very well, and they have less collective impact on policy than do business-oriented groups—whose stands tend to be *negatively* related to the preferences of average citizens. These business groups are far more numerous and active; they spend much more money; and they tend to get their way.

Table 4 also confirms our earlier findings about economic elites and median voters. When the alignments of business-oriented and mass-based interest groups are included separately in a multivariate model, average citizens' preferences continue to have essentially zero estimated impact upon policy change, while economic elites are still estimated to have a very large, positive, independent impact.

## American Democracy?

Each of our four theoretical traditions (Majoritarian Electoral Democracy, Economic-Elite Domination, Majoritarian Interest-Group Pluralism, and Biased Pluralism) emphasizes different sets of actors as critical in determining U.S. policy outcomes, and each tradition has engendered a large empirical literature that seems to show a particular set of actors to be highly influential. Yet nearly all the empirical evidence has been essentially bivariate. Until very recently it has not been possible to test these theories against each other in a systematic, quantitative fashion.

By directly pitting the predictions of ideal-type theories against each other within a single statistical model (using a unique data set that includes imperfect but useful measures of the key independent variables for nearly two thousand policy issues), we have been able to produce some striking findings. One is the nearly total failure of "median voter" and other Majoritarian Electoral Democracy theories. When the preferences of economic elites and the stands of organized interest groups are controlled for, the preferences of the average American appear to have only a minuscule, near-zero, statistically non-significant impact upon public policy.

The failure of theories of Majoritarian Electoral Democracy is all the more striking because it goes against the likely effects of the limitations of our data. The preferences of ordinary citizens were measured more directly than our other independent variables, yet they are estimated to have the least effect.

Nor do organized interest groups substitute for direct citizen influence, by embodying citizens' will and ensuring that their wishes prevail in the fashion postulated by theories of Majoritarian Pluralism. Interest groups do have substantial independent impacts on policy, and a few groups (particularly labor unions) represent average citizens' views reasonably well. But the interest-group system as a whole does not. Overall, net interest-group alignments are not significantly related to the preferences of average citizens. The net alignments of the most influential, business-oriented groups are *negatively* related to the average citizen's wishes. So existing interest groups do not serve effectively as transmission belts for the wishes of the populace as a whole. "Potential groups" do not take up the slack, either, since average citizens' preferences have little or no independent impact on policy after existing groups' stands are controlled for.

Furthermore, the preferences of economic elites (as measured by our proxy, the preferences of "affluent" citizens) have far more independent impact upon policy change than the preferences of average citizens do. To be sure, this does not mean that ordinary citizens always lose out; they fairly often get the policies they favor, but only because those policies happen also to be preferred by the economically-elite citizens who wield the actual influence.

Of course our findings speak most directly to the "first face" of power: the ability of actors to shape policy outcomes on contested issues. But they also reflect—to some degree, at least—the "second face" of power: the ability to shape the agenda of issues that policy makers consider. The set of policy alternatives that we analyze is considerably broader than the set discussed seriously by policy makers or brought to a vote in Congress, and our alternatives are (on average) more popular among the general public than among interest groups. Thus the fate of these policies can reflect policy makers' refusing to consider them rather than considering but rejecting them. (From our data we cannot distinguish between the two.) Our results speak less clearly to the "third face" of power: the ability of elites to shape the public's preferences.<sup>49</sup> We know that interest groups and policy makers themselves often devote considerable effort to shaping opinion. If they are successful, this might help explain the high correlation we find between elite and mass preferences. But it cannot have greatly inflated our estimate of average citizens' influence on policy making, which is near zero.

What do our findings say about democracy in America? They certainly constitute troubling news for advocates of "populistic" democracy, who want governments to respond primarily or exclusively to the policy preferences of their citizens. In the United States, our findings indicate, the majority does *not* rule—at least not in the causal sense of actually determining policy outcomes.

When a majority of citizens disagrees with economic elites or with organized interests, they generally lose. Moreover, because of the strong status quo bias built into the U.S. political system, even when fairly large majorities of Americans favor policy change, they generally do not get it.

A possible objection to populist democracy is that average citizens are inattentive to politics and ignorant about public policy; why should we worry if their poorly-informed preferences do not influence policy making? Perhaps economic elites and interest-group leaders enjoy greater policy expertise than the average citizen does. Perhaps they know better which policies will benefit everyone, and perhaps they seek the common good, rather than selfish ends, when deciding which policies to support.

But we tend to doubt it. We believe instead that—collectively—ordinary citizens generally know their own values and interests pretty well, and that their expressed policy preferences are worthy of respect.<sup>50</sup> Moreover, we are not so sure about the informational advantages of elites. Yes, detailed policy knowledge tends to rise with income and status. Surely wealthy Americans and corporate executives tend to know a lot about tax and regulatory policies that directly affect them. But how much do they know about the human impact of Social Security, Medicare, food stamps, or unemployment insurance, none of which is likely to be crucial to their own well-being? Most important, we see no reason to think that informational expertise is always accompanied by an inclination to transcend one's own interests or a determination to work for the common good.

All in all, we believe that the public is likely to be a more certain guardian of its own interests than any feasible alternative.

Leaving aside the difficult issue of divergent interests and motives, we would urge that the superior wisdom of economic elites or organized interest groups should not simply be assumed. It should be put to empirical test. New empirical research will be needed to pin down precisely who knows how much, and what, about which public policies.

Our findings also point toward the need to learn more about exactly which economic elites (the "merely affluent"? the top 1 percent? the top one-tenth of 1 percent?) have how much impact upon public policy, and to what ends they wield their influence. Similar questions arise about the precise extent of influence of particular sets of organized interest groups. And we need to know more about the policy preferences and the political influence of various actors not considered here, including political party activists, government officials, and other non-economic elites. We hope that our work will encourage further exploration of these issues.

Despite the seemingly strong empirical support in previous studies for theories of majoritarian democracy,

our analyses suggest that majorities of the American public actually have little influence over the policies our government adopts. Americans do enjoy many features central to democratic governance, such as regular elections, freedom of speech and association, and a widespread (if still contested) franchise. But we believe that if policymaking is dominated by powerful business organizations and a small number of affluent Americans, then America's claims to being a democratic society are seriously threatened.

## Notes

- 1 Tocqueville 2000, 235–49. Tocqueville focused on state governments, which he said “really direct[ed]” American society; he noted that the Founders had imposed limits on direct democracy in the federal government (235, n. 1.) Yet he asserted in general terms that “[t]he laws of democracy . . . emanate from the majority of all citizens”; 222.
- 2 Lincoln 1863. Dahl 1956, ch. 2, defined “populistic democracy” in terms of pure majority rule and traced its theoretical roots to Aristotle’s political equality, Locke’s “majority power,” Rousseau’s “general will” of the majority, and James Madison’s “republican principle,” and critically analyzed its normative properties.
- 3 Hotelling 1929; Black 1948, 1958; Downs 1957. In his full-information ch. 2, Downs offers a clever though somewhat indeterminate non-dimensional version of the theory; in ch. 8 he explicates a variant of Hotelling’s single-dimensional version. For extensions to multiple dimensions see Davis, Hinich, and Ordeshook 1970. May’s Theorem establishes that simple majority rule is the only collective decision rule for choosing between two alternatives that satisfies the Arrow-type democratic conditions of decisiveness, anonymity, neutrality, and positive responsiveness to individuals’ preferences; May 1952.
- 4 Arrow 1963, McKelvey 1976. See Sen 1970.
- 5 A particularly trenchant critique is given in Ferguson 1995 (Appendix: “Deduced and Abandoned”).
- 6 Monroe 1979, 1998; Page and Shapiro 1983; Erikson, Wright, and McIver 1993; Stimson, MacKuen, and Erikson 1995; Erikson, MacKuen, and Stimson 2002.
- 7 Bartels 2008, Gilens 2012. See also Jacobs and Page 2005, which indicates that the general public may have little or no influence on U.S. foreign policy, when the preferences of business leaders and other elites are taken into account.
- 8 Key 1961, ch. 11 and 472–76; Fiorina 1981; Zaller 2003. A variant on this logic that focuses on the possibility of politicians “pandering” to current preferences under certain conditions is given in Canes-Wrone, Herron, and Shotts 2001. “Latent” preferences are the collective policy preferences that citizens would derive from their basic needs and values if they had accurate information about the future unfolding of policy results. Such “latent” preferences are related to the ideal, “authentic” preferences that some political theorists see as superior to, and more worthy of governmental responsiveness than, the policy preferences that citizens actually express. This can be seen as adding normative appeal to an electoral-reward-and-punishment system of democratic control. See Mansbridge 2003.
- 9 See Page and Shapiro 1992.
- 10 Mills 1959, ch. 12, especially 279. Robert Michels 2001, a founder of modern elite theory, emphasized positions of leadership in political parties. Some of Theda Skocpol’s early work (e.g., Skocpol and Finegold 1982) can be seen as based on a state-centric elite theory that emphasizes public officials. Beginning with *Protecting Soldiers and Mothers* (1992), however, Skocpol’s analyses of American politics have paid more attention to non-state elites, social movements, organized interest groups, and the preferences of the general public. Thus Skocpol’s work, like that of a number of other important scholars of American politics (e.g., Katznelson 2013), does not fit neatly into our simple theoretical categories.
- 11 Beard 1913; Domhoff 2013; Burch 1980–1981; Ferguson 1995; Winters 2011; Winters and Page 2009. The boundary between elite theories that focus on economically-elite individuals, and interest group theories that focus on organized corporate interests (discussed later), is not always a sharp one. Here we treat most theories that emphasize corporate organizations or industrial sectors (e.g., Block 2007, Ferguson 1995) as primarily constituting “interest group” rather than elite theories. We categorize self-identified elite theorists like Domhoff as such even if they emphasize business elites and treat corporate organizations as important mechanisms of influence. Winters 2011 may come closest to an exclusive focus on wealthy individuals rather than organizations. One might argue that the economic *classes* central to classical Marxist theories amount to “economic elites.” But Marxist theorists see class position as only imperfectly related to wealth or income, and their focus on ownership of the means of production suggests that business firms and business associations may be the key political actors. Hence we will discuss these theories in connection with corporations and organized interest groups, noting the kinship of “instrumentalist” Marxist theories to theories of biased pluralism.
- 12 The term “interest group” tends to evoke images of membership groups like the League of Women Voters or the National Rifle Association, but many politically important “groups” are in fact business corporations.
- 13 Hamilton, Madison, and Jay 1961, 77–84.
- 14 Bentley 1908; Truman 1971, especially 511.



- 15 Dahl 1956, 1989. Berry 1999 emphasizes the rising power of “citizen groups.”
- 16 Olson 1965.
- 17 Schattschneider 1960, 35; Schlozman, Verba, and Brady 2012, ch. 10–14.
- 18 Schattschneider 1960, ch. 1; McConnell 1966; Stigler 1971; Lindblom 1977, parts IV and V; Ferguson 1995; Block 2007; Hacker and Pierson 2010.
- 19 Marx and Engels 1972. This English-language text comes from the 1888 publication edited by Engels.
- 20 Miliband 1969, ch. 6. Fred Block (1977) makes a critical distinction between “instrumentalist” Marxist theories like Miliband’s, in which politically conscious members of ruling class use their economic resources to shape state action in their own material interests, and “structural” theories, in which the capitalist economic system itself tends to shape state policies and the preferences of its citizens—including workers, who are compelled to accept low wages and high capitalist profits for the sake of future investment and growth. On alternative Marxist theories of power, see also Isaac 1987b. For a formalized structural Marxist theory, see Przeworski and Wallerstein 1982.
- 21 Again, our data can do little to distinguish among these or other *mechanisms* of political influence. We focus on possible *sources* of influence among individuals and groups in society.
- 22 Schlozman, Verba, and Brady 2012, ch. 10–14, especially 321, 329, 356.
- 23 Schattschneider 1935.
- 24 Bauer, Pool, and Dexter 1963; Milbrath 1963; McChesney 1997.
- 25 Smith 2000; Baumgartner et al. 2009.
- 26 Smith 2000, ch. 3.
- 27 Numerical success rates are not reported in Smith 2000, but the “enactment scorecard” line in figure 4.1 (83) appears to show Chamber success on 60 percent or more of the bills in most years, with very substantial variation from year to year.
- 28 Baumgartner et al. 2009, 233, 235. These multivariate results may be biased downwards because the regressions include as independent variables congressional and executive branch officials’ active support for (or opposition to) policy changes. Since officials’ behavior may well have been influenced by the interest groups themselves, the inclusion of these predictors restricts the estimates of group influence to *direct* effects, excluding any indirect impact that was channeled through interest groups’ influence over officials. On the other hand, the omission of other influential actors from the analysis could (if their preferences were positively correlated with those of interest groups) produce spuriously inflated estimates of interest-group influence. A further complexity in assessing interest-group influence involves policy cases in which groups take no stand at all, which are not included in the analysis by either Smith or Baumgartner et al. Inclusion of no-stand cases would be necessary if one sought to assess the extent to which groups affect overall policy results—though not for assessing the extent of group influence in the cases where influence attempts are actually made.
- 29 Appreciation for their fine work in assisting with the colossal task of collecting and coding these data goes to Marty Cohen, Jason Conwell, Andrea Vanacore, and Mark West at UCLA, and Oleg Bespalov, Daniel Cassino, Kevin Collins, Shana Gadarian, Raymond Hicks, and Lee Shaker at Princeton.
- 30 Arguments for the normative and empirical relevance of the “survey agenda” are discussed in Gilens 2012, 50–56. Note that if (as we find) the public has little or no influence on our issues, which tilt toward high salience, it is unlikely that the public has much influence on more technical or obscure matters.
- 31 In 2012, the tenth percentile of household income was about \$12,200, the fiftieth percentile about \$51,000, and the ninetieth percentile about \$146,000 (U.S. Census Bureau, 2013). For further detail on these data, see Gilens 2012, 57–66.
- 32 Of course the average (median) citizen is not identical to the eligible or actual “median voter.” But the generally small magnitude of differences between the policy preferences of voters and those of all citizens (Wolfinger and Rosenstone 1980, 109–114; Schlozman, Verba, and Brady 2012, 120–21) suggests that our measure captures the spirit of median voter theories. To the extent that differences exist, we consider the average citizen to be of greater normative—though less empirical—importance.
- 33 To make an approximate assessment of the fit between the preferences of the median-preference respondent and those of the median-income respondent we calculated the median preference within each of five income groups (at the tenth, thirtieth, fiftieth, seventieth, and ninetieth percentiles). For example, if, on a particular non-monotonic item, the five income groups had imputed median preferences of .50, .60, .70 .65 and .55 (for the tenth to ninetieth income percentiles, respectively), then the estimated over-all median preference would be .60 (in this case equaling the preference at the thirtieth income percentile). In most cases the over-all median preference is the same as the median income (fiftieth percentile) preference. When it is not, the preference differences across income levels tend to be small. Using this technique, the median over-all preferences and the median-income preferences track each other very closely:  $r = .997$ .
- 34 This study is one of the few surveys that meets the two criteria of having a sufficiently large sample size ( $n = 20,150$ ) and a high enough top-coded income

- category to provide information on the policy preferences of very affluent Americans.
- 35 Correlations of the policy preferences of the top 2 percent with those of the top 10 percent are based on the 76 CCES respondents who reported at least \$350,000 in family income. Using the 179 CCES respondents who reported at least \$250,000 (roughly the top 4.5 percent of the income distribution), the corresponding correlations are .97 and .76. Some corroborating evidence comes from a comparison of the Survey of Economically Successful Americans (Page, Bartels, and Seawright 2013), based on a local sample of the wealthiest 1 percent or 2 percent of Americans, and the Inequality Survey (Page and Jacobs 2009), which was based on a representative sample of the American public. Eight policy-preference questions that were included on both surveys showed that the preferences of the top 25 percent of income earners generally fell about half way between those of the average citizen and those of the wealthy. For similar findings concerning the policy preferences of the top 4 percent or so of income earners, see Page and Hennessy 2008.
- 36 We distinguish conceptually between two sorts of deficiencies in our measures: flaws that affect the relationship between our indicators and their underlying concepts (such as the random and correlated measurement errors we discuss in the appendix), and flaws that arise from the imperfect fit between those concepts and the characteristics we would prefer to measure. For example, the adjustments described in the appendix help us to improve our estimates of the preferences of Americans at the ninetieth income percentile, but they cannot help to make those estimates any more accurate as indicators of the preferences of the truly rich Americans whose views we would prefer to include in our models.
- 37 Baumgartner et al. 2009, 225. We believe that our measure of net interest group alignment (described later) is actually superior to the Fortune 25 proxy examined by Baumgartner et al. because it includes industries that do not lobby through centralized trade organizations, it is nonlinear in net number of groups, and it reflects the extent to which a particular issue is central to the concerns of an interest group or industry.
- 38 For more detail on the Index of Net Interest Group Alignment, see Gilens 2012, 127–30.
- 39 On the measurement of policy change, see Gilens 2012 (60) and note 18 (284).
- 40 For correlations of individual groups' positions with average citizens' preferences see Gilens 2012, 156–57.
- 41 These particular values for low and high levels of support among affluent Americans and interest groups were chosen because about 15 percent of all proposed policy changes generated either less than 20 percent or more than 80 percent support among the affluent, and about fifteen percent of all proposed changes on which interests groups took a position generated a raw net interest group score of either more than five groups strongly in favor or more than five groups strongly opposed (counting "somewhat" favorable or opposed as one-half of a group).
- 42 See Monroe 1979, 1998; Page and Shapiro 1983; Stimson, MacKuen, and Erikson 1995.
- 43 Perhaps counterintuitively, it turns out that business groups tilted somewhat *less* toward opposing proposed changes (33 percent opposed, 26 percent in favor) than mass-based groups did (38 percent opposed, 20 percent in favor.)
- 44 Even if existing organized groups did not reflect the wishes of average citizens, officials' anticipated reactions to unformed "potential groups" might in theory provide some representation for average citizens, as David Truman argued they do. But our table 3 finding of negligible independent influence by average citizens when existing organized interest groups' positions are controlled for, leaves little room for potential groups (and officials' anticipation of them) to advance the preferences of ordinary citizens.
- 45 Schlozman, Verba, and Brady 2012, ch. 10–14, especially 321, 329, 356.
- 46 For the 369 out of 1,779 cases in which both business-based and mass-based interest groups took a stand, the coefficients are just .09 (n.s.) for mass groups but .48\*\* ( $p < .001$ ) for business groups.
- 47 For those proposed policy changes on which at least one business-oriented group took a position, another business-oriented group was found on the opposite side less than 5 percent of the time. Interestingly, mass-based groups were somewhat more likely to take stands on both sides of an issue, for example pro-life and pro-choice groups on abortion, or the AARP which opposed the Clinton health reform plan and the AFL-CIO that favored it.
- 48 For the analysis in table 4, both the business and mass interest group indices were scaled to run from 0 to 1. When we rescaled these indices to reflect the differing numbers of business and mass-based groups engaged on each issue, the standard deviation of the business alignment index was .158 and the mass-oriented index .096; their associations with policy outcomes (analogous to those shown in table 4) were almost identical, at .38 ( $p < .01$ ) and .40 ( $p < .001$ ), respectively.
- 49 Bachrach and Baratz 1962, Lukes 1974. See Isaac 1987a.
- 50 On the normative argument, see Dahl 1989, especially ch. 7. For empirical evidence that its conditions tend to be satisfied, see Page and Shapiro 1992 and Gilens 2011.

## Supplementary Materials

- Business- and Mass-Based Interest-Groups Included in Net Group Alignment Indices
- Correcting for Measurement Error
- Table A1. Ordinary least squares analysis parallel to the structural equation model presented in table 3.
- Data/code for replicating results <http://dx.doi.org/10.1017/S1537592714001595>

## References


- Arrow, Kenneth J. 1963 [1951]. *Social Choice and Individual Values*. 2d ed. New York: Wiley.
- Bachrach, Peter, and Morton S. Baratz. 1962. "Two Faces of Power." *American Political Science Review* 56(4): 947–52.
- Bartels, Larry M. 2008. *Unequal Democracy: The Political Economy of the New Gilded Age*. New York: Russell Sage Foundation and Princeton University Press.
- Bauer, Raymond A., Ithiel de Sola Pool, and Lewis Anthony Dexter. 1967. *American Business and Public Policy: The Politics of Foreign Trade*. New York: Atherton.
- Baumgartner, Frank R., Jeffrey M. Berry, Marie Hojnacki, David C. Kimball, and Beth L. Leech. 2009. *Lobbying and Policy Change: Who Wins, Who Loses, and Why*. Chicago: University of Chicago Press.
- Beard, Charles A. 2012 [1913]. *An Economic Interpretation of the Constitution of the United States*. New York, Simon and Schuster.
- Bentley, Arthur F. 1908. *The Process of Government: A Study of Social Pressures*. Chicago, IL: University of Chicago Press.
- Berry, Jeffrey M. 1999. *The New Liberalism: The Rising Power of Citizen Groups*. Washington, DC: Brookings.
- Black, Duncan. 1948. "On the Rationale of Group Decision-making." *Journal of Political Economy* 56: 23–34.
- . 1958. *The Theory of Committees and Elections*. Cambridge: Cambridge University Press.
- Block, Fred. 1977. "The Ruling Class Does Not Rule: Notes on the Marxist Theory of the State." *Socialist Revolution* 7(3): 6–28.
- . 2007. "Understanding the Divergent Trajectories of the United States and Western Europe: A Neo-Polanyian Analysis." *Politics and Society* (March): 1–31.
- Burch, Philip H. 1980–81. *Elites in American History*. 3 vol. New York: Holmes & Meier.
- Canes-Wrone, Brandice, Michael C. Herron, and Kenneth W. Shotts. 2001. "Leadership and Pandering: A Theory of Executive Policymaking." *American Journal of Political Science* 45: 532–50.
- Dahl, Robert A. 1956. *A Preface to Democratic Theory*. Chicago, IL: University of Chicago Press.
- . 1961. *Who Governs?* New Haven, CT: Yale University Press.
- . 1989. *Democracy and its Critics*. New Haven, CT: Yale University Press.
- Davis, Otto A., Melvin J. Hinich, and Peter C. Ordeshook. 1970. "An Expository Development of a Mathematical Model of the Electoral Process." *American Political Science Review* 64(2): 426–48.
- Domhoff, G. William. 2013. *Who Rules America: The Triumph of the Corporate Rich*. 7th ed. New York: McGraw-Hill.
- Downs, Anthony. 1957. *An Economic Theory of Democracy*. New York: Harper & Row.
- Erikson, Robert S., Michael B. MacKuen, and James A. Stimson. 2002. *The Macro Polity*. New York: Cambridge University Press.
- Erikson, Robert S., Gerald C. Wright, and John P. McIver. 1993. *Statehouse Democracy: Public Opinion and Policy in the American States*. New York: Cambridge University Press.
- Ferguson, Thomas. 1995. *Golden Rule: The Investment Theory of Party Competition and the Logic of Money-Driven Political Systems*. Chicago, IL: University of Chicago Press.
- Fiorina, Morris. 1981. *Retrospective Voting in American National Elections*. New Haven, CT: Yale University Press.
- Gilens, Martin. 2011. "Two-thirds Full? Citizen Competence and Democratic Governance." In *New Directions in Public Opinion*, ed. Adam Berinsky. New York: Routledge.
- . 2012. *Affluence and Influence: Economic Inequality and Political Power in America*. New York: Russell Sage Foundation and Princeton University Press.
- Hacker, Jacob S., and Paul Pierson. 2010. *Winner-Take-All Politics: How Washington Made the Rich Richer—and Turned its Back on the Middle Class*. New York: Simon & Schuster.
- Hamilton, Alexander, James Madison, and John Jay. 1961 [1787–88]. *The Federalist Papers*, ed. Clinton Rossiter. New York: New American Library.
- Hotelling, Harold. 1929. "Stability in Competition." *Economic Journal* 39: 41–57.
- Isaac, Jeffrey. 1987a. "Beyond the Three Faces of Power: A Realist Critique." *Polity* 20(1): 4–31.
- . 1987b. *Power and Marxist Theory*. Ithaca, NY: Cornell University Press.
- Jacobs, Larry R., and Benjamin I. Page. 2005. "Who Influences U.S. Foreign Policy?" *American Political Science Review* 99(1): 107–23.
- Katznelson, Ira. 2013. *Fear Itself: The New Deal and the Origins of Our Time*. New York: Liveright.
- Key, V.O., Jr. 1961. *Public Opinion and American Democracy*. New York: Knopf.
- Lindblom, Charles E. 1977. *Politics and Markets*. New York: Basic.
- Lincoln, Abraham. 1989 [1863]. "Address at Gettysburg, Pennsylvania." In *Speeches and Writings 1859–1865*. New York: Library of America.

- Lukes, Steven. 1974. *Power: A Radical View*. London: Macmillan.
- Mansbridge, Jane. 2003. "Rethinking Representation." *American Political Science Review* 97(4): 515–28.
- Marx, Karl, and Friedrich Engels. 1972 [1848–1888]. *Manifesto of the Communist Party*. In *The Marx-Engels Reader*, ed. Robert C. Tucker. New York: W.W. Norton. See also <http://www.marxists.org/archive/marx/works/1848/communist-manifesto/ch01.htm>
- May, Kenneth O. 1952. "A Set of Independent Necessary and Sufficient Conditions for Simple Majority Decisions." *Econometrica* 20: 680–84.
- McChesney, Fred S. 1997. *Money for Nothing: Politicians, Rent Extraction, and Political Extortion*. Cambridge, MA: Harvard University Press.
- McConnell, Grant. 1966. *Private Power and American Democracy*. New York: Random House.
- McKelvey, Richard. 1976. "Intransitivities in Multidimensional Voting Models and Some Implications for Agenda Control." *Journal of Economic Theory* 12: 472–82.
- Michels, Robert. 2001 [1911]. *Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracy*. Kitchener, Ontario: Batoche Books.
- Milbrath, Lester W. 1963. *The Washington Lobbyists*. Chicago, IL: Rand-McNally.
- Miliband, Ralph. 1969. *The State in Capitalist Society*. New York: Basic.
- Mills, C. Wright. 1959 [1956]. *The Power Elite*. Galaxy edition. New York: Oxford University Press.
- Monroe, Alan D. 1979. "Consistency between Public Preferences and National Policy Decisions." *American Politics Quarterly* 7: 3–18.
- . 1998. "Public Opinion and Public Policy 1980–1993." *Public Opinion Quarterly* 68: 6–28.
- Olson, Mancur, Jr. 1965. *The Logic of Collective Action: Public Goods and the Theory of Groups*. Cambridge, MA: Harvard University Press.
- Page, Benjamin I., Larry M. Bartels, and Jason Seawright. 2013. "Democracy and the Policy Preferences of Wealthy Americans." *Perspectives on Politics* 11(1): 51–73.
- Page, Benjamin I., and Cari Lynn Hennessy. 2008. "What Affluent Americans Want from Politics." WP-11-08. Institute for Policy Research, Northwestern University.
- Page, Benjamin I., and Lawrence R. Jacobs. 2009. *Class War? What Americans Really Think about Economic Inequality*. Chicago, IL: University of Chicago Press.
- Page, Benjamin I., and Robert Y. Shapiro. 1983. "Effects of Public Opinion on Policy." *American Political Science Review* 77(1): 175–90.
- . 1992. *The Rational Public: Fifty Years of Trends in Americans' Policy Preferences*. Chicago, IL: University of Chicago Press.
- Poole, Keith, and Howard Rosenthal. 2007. *Ideology and Congress*. New Brunswick, NJ: Transaction Publishers.
- Przeworski, Adam, and Michael Wallerstein. 1982. "The Structure of Class Conflict in Democratic Capitalist Societies." *American Political Science Review* 76(2): 215–38.
- Schattschneider, E.E. 1935. *Politics, Pressures and the Tariff*. New York: Prentice-Hall.
- . 1960. *The Semi-Sovereign People: A Realist's View of Democracy in America*. New York: Holt, Rinehart and Winston.
- Schlozman, Kay Lehman, Sidney Verba, and Henry E. Brady. 2012. *The Unheavenly Chorus: Unequal Political Voice and the Broken Promise of American Democracy*. Princeton, NJ: Princeton University Press.
- Sen, Amartya K. 1970. *Collective Choice and Social Welfare*. San Francisco, CA: Holden-Day.
- Skocpol, Theda. 1992. *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States*. Cambridge, MA: Harvard University Press.
- Skocpol, Theda, and Kenneth Finegold. 1982. "State Capacity and Economic Intervention in the Early New Deal." *Political Science Quarterly* 97: 255–78.
- Smith, Mark A. 2000. *American Business and Political Power: Public Opinion, Elections, and Democracy*. Chicago, IL: University of Chicago Press.
- Stigler, George J. 1971. "The Theory of Economic Regulation." *The Bell Journal of Economics and Management Science* 2(1): 3–21.
- Stimson, James A., Michael B. MacKuen, and Robert S. Erikson. 1995. "Dynamic Representation." *American Political Science Review* 89(3): 543–65.
- Tocqueville, Alexis de. 2000 [1835–1840]. *Democracy in America*. Trans. and ed. Harvey C. Mansfield and Delba Winthrop. Chicago, IL: University of Chicago Press.
- Truman, David B. 1971 [1951]. *The Governmental Process*. 2d. ed. New York: Alfred A. Knopf.
- U.S. Census Bureau, 2013. "Income, Poverty, and Health Insurance Coverage: 2012" (September). Available at [http://www.census.gov/newsroom/releases/pdf/20130917\\_ip\\_slides\\_with\\_plotpoints.pdf](http://www.census.gov/newsroom/releases/pdf/20130917_ip_slides_with_plotpoints.pdf).
- Winters, Jeffrey A. 2011. *Oligarchy*. New York: Cambridge University Press.
- Winters, Jeffrey A., and Benjamin I. Page. 2009. "Oligarchy in the United States?" *Perspectives on Politics* 7(4): 731–51.
- Wolfinger, Raymond E., and Steven J. Rosenstone. 1980. *Who Votes?* New Haven, CT: Yale University Press.
- Zaller, John. 2003. "Coming to Terms with V.O. Key's Concept of Latent Opinion." In *Electoral Democracy*, ed. Michael B. MacKuen and George Rabinowitz. Ann Arbor: University of Michigan Press.

## State Integrity 2015

# Oregon gets F grade in 2015 State Integrity Investigation

## Land of ethics, manners hurt by rare scandal

By Lee van der Voo  12:01 am, November 9, 2015 Updated: 5:37 pm, November 20, 2015

### Oregon

GRADE: **F**<sub>(59)</sub> RANK: **42**<sup>ND</sup>

Assessing the systems in place to deter corruption in state government

Click on each category for more detail

[OUR METHODOLOGY](#)

#### Public Access to Information

GRADE: F<sub>(38)</sub> RANK: 34<sup>th</sup>

#### Political Financing

GRADE: F<sub>(37)</sub> RANK: 49<sup>th</sup>

Are there regulations governing the financing of candidates and political parties? CLOSE X

In law, there are limits on individual donations to candidates and to political parties. NO

In law, there are limits on corporate donations to candidates and to political parties. NO

In law, there are limits on political action committees' donations to candidates and to political parties. NO

In law, there are limits on lobbyists' donations to candidates and to political parties. NO

In law, funds raised by outside groups in coordination with a candidate and then spent in support of that candidate are subject to donation limits. NO

In law, all current and former candidates/elected officials are prohibited from the personal use of campaign contributions. YES

Are the regulations governing the political financing of candidates and political parties effective?

In practice, the limits on individual donations to candidates and political parties are respected. 0

In practice, the limits on corporate donations to candidates and political parties are respected. 0

In practice, the limits on political action committees' donations to candidates and political parties are respected. 0

In practice, the limits on lobbyist donations to candidates and political parties are respected. 0

In practice, the funds spent by an outside group in support of a candidate remain within the donation limits if that candidate helped raise funds. 0

In practice, candidates/elected officials do not use campaign contributions for personal purposes. 25

Is monitoring and enforcement of political finance effective?

In law, there is an entity/ies to monitor the financing of candidates, political parties and PACs. YES

In law, there are sanctions for political finance violations, and the oversight entity/ies has the power to sanction offenders. YES

In practice, the campaign finances of candidates, political parties and PACs are independently audited. 50

In practice, when necessary, the entity/ies monitoring the campaign financing of candidates, political parties and PACs independently initiates investigations. 25

In practice, when necessary, the entity/ies monitoring the campaign financing of candidates, political parties and PACs imposes sanctions on offenders. 100

Can citizens access political finance records?

In practice, the entity/ies monitoring the campaign financing of candidates, political parties and PACs publishes the results of its investigations or audits.	0
In law, the names of campaign contributors and amounts donated to candidates and political parties must be disclosed to the public.	YES
In law, all groups that make political ad buys (broadcast, print and direct mail) are required to publicly disclose their contributors.	NO
In practice, candidates and political parties regularly disclose data publicly about their contributions and expenditures during campaigns.	100
In practice, citizens can access the financial records of candidates and political parties within a reasonable time period and at no cost.	75
In practice, the publicly available records of candidate and political party finances are complete and detailed.	50
In practice, all groups that make political ad buys (broadcast, print and direct mail) publicly disclose their contributor information.	0
In practice, ballot measure committees and their contributor information are disclosed to the public.	25
In practice, records of political finance information are accessible to the public in open data format.	100

<b>Electoral Oversight</b>	GRADE: C <sup>(74)</sup>	RANK: 11 <sup>th</sup>
<b>Executive Accountability</b>	GRADE: F <sup>(55)</sup>	RANK: 38 <sup>th</sup>
<b>Legislative Accountability</b>	GRADE: D <sup>-(61)</sup>	RANK: 31 <sup>st</sup>
<b>Judicial Accountability</b>	GRADE: F <sup>(55)</sup>	RANK: 32 <sup>nd</sup>
<b>State Budget Processes</b>	GRADE: B <sup>(84)</sup>	RANK: 13 <sup>th</sup>
<b>State Civil Service Management</b>	GRADE: D <sup>(66)</sup>	RANK: 12 <sup>th</sup>
<b>Procurement</b>	GRADE: F <sup>(55)</sup>	RANK: 45 <sup>th</sup>
<b>Internal Auditing</b>	GRADE: C <sup>+(77)</sup>	RANK: 36 <sup>th</sup>
<b>Lobbying Disclosure</b>	GRADE: F <sup>(58)</sup>	RANK: 30 <sup>th</sup>
<b>Ethics Enforcement Agencies</b>	GRADE: F <sup>(56)</sup>	RANK: 28 <sup>th</sup>
<b>State Pension Fund Management</b>	GRADE: F <sup>(49)</sup>	RANK: 43 <sup>rd</sup>

**Updates and Corrections**

**Tell your legislators about their grade**

Provide us with your street address and Zip code and we will find your state representatives so you can tell them how your state ranked.

We will not save or share the personal information after using it to send emails on your behalf. See our [privacy policy and terms of use](#).

**State Integrity Investigation**

Explore the full interactive to learn more about other states.

Credit: Yue Qiu, Chris Zubak-Skees and Erik Lincoln, Center for Public Integrity with Global Integrity

5 likes

92 tweets

Comment E-mail Print

**November 10, 2015:** This story has been **corrected**.

One day before Oregon's usual Valentine's Day statehood celebration this year, the Capitol was awash with reporters chasing

The *State Integrity Investigation* is a comprehensive assessment of state government accountability and

a rare story on the abuse of access to power rather than the frosted sheet cake being handed out by the Oregon Wheat Growers League to mark the state's 156th birthday. *transparency done in partnership with [Global Integrity](#).*

In a state where ethical behavior is assumed rather than regulated, former Gov. John Kitzhaber offered his resignation in a pre-recorded speech heard in his reception room, while de facto-governor Kate Brown prepared for duty in the secretary of state's office a floor below.

Kitzhaber was being investigated following [media reports](#) that his fiancé, a consultant, [was selling access to the governor's office and using state resources for personal gain](#), and that he [blurred the line between his job as governor and his re-election campaign](#).

For many in the state, Kitzhaber's resignation is a thing of the past. But the scandal that ensnared the former governor highlighted a wobbly legal framework in Oregon's government, where good behavior is taken for granted rather than enforced.

That framework explains why Oregon fared poorly in this year's [State Integrity Investigation](#), earning an overall score of 59 – an F grade – and [ranked 42nd among the 50 states](#) in the data-driven assessment of state government accountability and transparency by the Center for Public Integrity and Global Integrity.

"It's not like Chicago or something," said Dan Lucas, a researcher, policy advocate and chief editor of the blog Oregon Catalyst. Noting four of the last seven Illinois governors went to jail, he said, "We don't have that level of corruption."

But Oregon's relative lack of scandal may be a function more of good manners rather than of law. As Lucas and others note, and this year's failing grade suggests, lines are easily blurred in Oregon government, and ethical lapses and partisan abuses of power – while often not criminal – have been smoothed over by both political maneuvering and etiquette.

Kitzhaber's resignation caused Oregon to receive an F in the category of executive accountability. The debacle also ensnared the Oregon Government Ethics Commission, and highlighted why Oregon is one of the worst performing states with regard to access to information (F).

Oregon's overall failing grade represented a substantial dip from [the C- the state received from the last State Integrity Investigation scorecard in 2012](#), but the grades and scores are not directly comparable due to changes made to improve and update the questions and methodology—like eliminating the category for redistricting, a process that generally occurs only once every 10 years.

## Don't miss another investigation

Sign up for the Center for Public Integrity's Watchdog email and get the news you want from the Center when you want it.



Emilie Udell for the Center for Public Integrity

### **Ethics Commission missteps**

Oregon's ethics commission didn't move quickly to investigate complaints regarding Kitzhaber, and more importantly, his fiancé Cylvia Hayes. At the time, officials said they struggled with whether she was covered by state ethics law.

But the law is clear – Hayes, as a member of Kitzhaber's household, was subject to the rules. Yet – until ethics reform passed the legislature afterwards – the ethics commission was unprotected from political interference by the governor's office. The governor either appointed its directors, or gave names to the Democratic-controlled legislature for nomination by party leaders, one possible explanation why the commission didn't act. Even after reforms, Oregon's ethics commission still lacks budget protections and the staffing and technical support to see its mission through.

The commission's lack of rigor hurt most every other category of this assessment.

As the keeper of records designed to collect robust information about the state's elected officials and civil servants, the commission never audits the asset-disclosure forms it collects, the State Integrity Investigation revealed. Enforcement has been so lax that political leaders have been able to fudge on specifics in their disclosure forms or simply fail to provide significant information. The forms aren't available online so that members of the public can check. And the State Integrity probe discovered that people who examine the forms universally report that the quality of information is substandard.

### **Holes in public records law**

Such issues underscore why Oregon remains one of the worst performing states regarding access to information (an F grade), ranking tied for 34th even in a category where only six states earned a passing grade. The state has no open data laws or independent

### State Integrity 2015



How do each state's laws and practices deter corruption, promote



agency charged with overseeing citizen access to government. Oregon's Public Records Law is also full of exemptions – at least 480 – and lacks firm deadlines for delivery of public records. The Kitzhaber debacle underscored the consequences when public information doesn't flow freely or in a timely way; substantive deadlines might have allowed voters a closer look at Kitzhaber's issues before he was re-elected, only to resign a month after his swearing-in.

Oregon's lawmakers (D- in legislative accountability), like the ethics commission, operate without legal safeguards against unethical conduct. The state legislature still does not have laws prohibiting nepotism and cronyism in hiring, for example – a situation intended to allow rural legislators to support a family in the state capital of Salem but that leaves the government vulnerable to abuse. And low pay combines with a lack of campaign finance law to eliminate a buffer between Oregon legislators and special interests in the private sector.

As a result, legislators can grow accustomed to practices that cut corners. They may fudge the lines between their part-time legislative duties and their other jobs, angle for work in places where they shouldn't or find themselves enormously dependent on campaign contributors as state races get more expensive.

"The problem in our legislature regarding integrity is not about the ethics stuff. Or going to jail. These are intellectual integrity issues..." said Phil Keisling, Director of the Center for Public Service of the Hatfield School of Government at Portland State University.

### **Few requirements for judges, courts**

The judicial branch is also plagued by potential for conflict and a lack of legal safeguards; the category grade for judicial accountability is F. While, again, Oregon judges don't seem to have overt corruption issues – judges weren't sanctioned for bad behavior at any point during the study period – staffing shortages prevented many state-level judges from offering full opinions on their rulings. And Oregon lacks laws to force its judges to explain their decisions to the public. The state also lacks judicial performance evaluations, and is behind other states in making court data publicly available. Unless a complaint is filed, the Oregon Commission on Judicial Fitness lacks the power to investigate problems, and even then, those records are sealed unless they lead to discipline.

There were some bright spots: the state's budgeting process earned a B and the secretary of state's audits division a C+. Both were sufficiently staffed, transparent, and had the authority to act with independence, suffering only from the same lack of legal safeguards that brought state scores down overall.

And while Oregon's civil service system scored only a 66 – a D grade – that ranked the state 12th, the highest of all its category rankings. Government

transparency and enforce accountability?

### Stories in this series



**flunk**

By Nicholas Kusnetz November 9, 2015



**How does your state rank for integrity?**

By Yue Qiu, Chris Zubak-Skees and Erik Lincoln November 9, 2015



**States flunk at integrity**

By Nicholas Kusnetz November 9, 2015

[Click here for more stories in this investigation](#)

workers aren't always protected from political interference in Oregon, but the civil service system in the Beaver State does seem to be better than most.

**Correction, November 10, 2015, 4:15 p.m.:** An earlier version of this story incorrectly reported that the ethics commission lacks the authority to independently investigate bad behavior.

**Correction, November 20, 2015, 6:00 p.m.:** Due to a data error, this article incorrectly stated the article's score and rank, and the category grade for state budget processes. The article has been corrected.

### More stories about

[John Kitzhaber](#), [secretary of state, Oregon](#), [Oregon Government Ethics Commission](#), [Cylvia Hayes](#)

26 Comments

Sort by Oldest



Add a comment...



**Sumir Varma** · University of Texas at Dallas

Of course Oregon is rated an "F". No one should really be surprised. One party state with massive "under-the-table" contributions from Lobbyists. Never met a tax or fee to be paid for by "someone else" that they did not like. The utopia of the perennially victimised.

Like · Reply · 8 · Nov 9, 2015 6:05am



**Levi Barnes** · Programmer at NVIDIA

Must be why Texas is doing so well. None of those perennial victims. No, wait...

Like · Reply · May 17, 2017 10:18am



**Alice Ivany**

Too few are screaming Holy Hell...we just assume "It's everywhere else and Not in "my" state! I'd like to see a county by county breakdown as well.

Like · Reply · 3 · Nov 9, 2015 7:11am



**Eric Rhodes** · Works at Disabled

A county by county audit would be most revealing, great idea! It's the only way to expose the waste and corruption, here's a tool available right now to start using as it opens the door to the accounting end of outing waste and coorruption in spending and rainy day funds the Government is holding right now in your city and county. You can find out a lot by visiting the following wabsite: [CAFR1.com](#).

Walter Burién is an expert on the Comprehensive Annual Financial Report that EVERY single government agency MUST file every year with the Secretary of States Office in our State. [CAFR1.com](#) is where ... [See More](#)

Like · Reply · 7 · Nov 9, 2015 9:19am



**Gene Martin** · Owner at Self Employed (Business)

Kathleen Brady The Caferman site is a governmental watchdog agency that primarilyt audits finance. They can tell you where the money is being hidden by what agency. It's not the CFR.

Like · Reply · 4 · Nov 14, 2015 11:24pm



**Eric Rhodes** · Works at Disabled

Not too suprising given Kitzhaber's third term and basically set this in motion with his three previous elections and then his disaterous forth term which the voters foolishly handed to him. Goodridence I say. He violated a public trust, and his acitivites should have been revealed prior to his reelection for his forth term. His administration saw a lot of wasted tax dollars, the failed roll out of Care Oregon, and the bridge to nowhere that basically was a washout between Oregon and Washington on the Columbia River Crossing that wasted a lot of Federal Government dollars just as was the Care O... [See More](#)

Like · Reply · 3 · Nov 9, 2015 8:16am



**Dana Cofer** · Supervisor at Oregon Shakespeare Festival

1  
2  
3  
4  
5  
6  
7 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**  
8 **FOR THE COUNTY OF MULTNOMAH**  
9

10 In the Matter of: Validation Proceeding  
11 to Determine the Regularity and Legality  
12 of Multnomah County Home Rule  
13 Charter Section 11.60 and Implementing  
14 Ordinance No. 1243 Regulating  
15 Campaign Finance and Disclosure.

Civil No. 17CV18006

DECLARATION OF  
MITCH GREENLICK

16  
17  
18 I, State Rep. Mitch Greenlick, make the following declaration:  
19

- 20 1. My experience in the Oregon State Legislature, from District 33 of Northwest  
21 Portland and parts of Washington County, in which I have served as a  
22 representative for 8 terms or 15 years, has demonstrated to me that large  
23 donors to candidates can have undue influence.  
24
- 25 2. An example presented itself in the last session of the Oregon State Legislature  
26 in which I served as Chair of the House Health and Health Care Committee.  
27 Some Coordinated Care Organizations ("CCOs") have been taken over by  
28 private corporations, yet these CCOs receive their revenues wholly from  
29 Oregon taxpayers and are charged to serve the public. Yet, these private  
30 corporations have made large contributions to the campaigns of other  
31 representatives and then lobbied those members successfully for outcomes  
32 which favor their profits.  
33
- 34 3. It is unfortunately true that public officeholders often accede to the wishes of  
35 big donors and potential big donors. Public officeholders often give undue  
36 weight to the views of these donors who can give unlimited contributions to  
37 candidates. And public officeholders frequently feel that they must spend large  
38 amounts of time listening to the demands and views of big donors and/or  
39 potential big donors.

1 4. It is for these reasons in the public interest that I support limits on the receipt  
2 of unlimited large contributions by candidates for political office.  
3  
4

5 **I hereby declare that the above statement is true to the best of my**  
6 **knowledge and belief, and that I understand it is made for use as evidence in**  
7 **court and subject to penalty for perjury.**  
8  
9

10 */s/ Mitch Greenlick*

11 \_\_\_\_\_  
12 MITCH GREENLICK  
13  
14

15 Dated: this 24th day of July, 2017  
16 Signed in Portland, Multnomah County, Oregon

1  
2  
3  
4  
5 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**  
6 **FOR THE COUNTY OF MULTNOMAH**  
7

8 In the Matter of: Validation Proceeding  
9 to Determine the Regularity and Legality  
10 of Multnomah County Home Rule  
11 Charter Section 11.60 and Implementing  
12 Ordinance No. 1243 Regulating  
13 Campaign Finance and Disclosure.

Civil No. 17CV18006

DECLARATION OF  
JO ANN HARDESTY

14  
15  
16 I, JO ANN HARDESTY, swear and affirm under penalty of perjury the following:  
17

- 18 1. I have run for office here locally in the Portland area and for the Oregon  
19 Legislature four times. I served in the Oregon Legislature as a State  
20 Representative from 1995-2001.  
21  
22 2. I have worked on dozens of campaigns locally over my adult life.  
23  
24 3. Several times in the last decade I have weighed running for office but never  
25 believed I could raise enough money to be competitive. I haven't given up on  
26 serving in elected office again but know it is an uphill battle without access to  
27 big money donors and they only give money to the people who will protect  
28 their interests.  
29  
30 4. I plan to run for office locally in the future.  
31  
32 5. I am currently the President of the Portland Chapter of the NAACP.  
33  
34 6. I have spent decades lobbying as a citizen at the Portland City Council,  
35 Multnomah County Commissioners, and the Oregon State Legislature.  
36  
37 7. The following observations are based upon my decades of political experience  
38 here locally, and around the State of Oregon.  
39

- 1 8. Powerful business entities such as the Portland Business Alliance, the Portland  
2 Metropolitan Association of Realtors, and Associated Oregon Industries are  
3 treated differently by elected officials than are average citizens. Many pieces  
4 of legislation are in fact crafted and written by lobbyists and members of  
5 special interests and business-association types behind closed doors with local  
6 elected officials. Citizens are then often only given an opportunity to make  
7 public comment on already written legislation in 2-3 minute time slots before  
8 the Portland City Council, Multnomah County Commissioners, and the Oregon  
9 Legislature.
- 10  
11 9. A good local example of the power of big contributors to our local elected  
12 officials is the fact that community members in the eastern portion of our  
13 Portland and Multnomah county are given significantly less resources per  
14 capita than the citizens living in the inner city. This includes sidewalk,  
15 transportation funding, and public transit. (Most public transit is focused on  
16 north-to-south commuting, not commuting into or out of East Portland.)  
17
- 18 10. Additionally, I have witnessed on many occasions the unfair ability of large  
19 unlimited donations to affect races in which I have run. When I ran for  
20 Multnomah County Commission Chair in 2001, against Diane Linn in a special  
21 election, I was outspent three to one and was not able to compete effectively to  
22 reach voters because of the unlimited donations that Linn was able to collect.  
23
- 24 11. As a leader in our local African American community, I have observed many  
25 potential candidates from communities of color who have wanted to run for  
26 local office but, because they could not get the large donations that established  
27 local politicians could collect, they choose not to run. They believed,  
28 correctly, that they could not effectively compete against politicians with war  
29 chests stocked with large contributions from organizations and individuals with  
30 financial interests in the acts of government.  
31
- 32 12. Another example of the power of big donors in Portland is the lack of  
33 minority contractors who are given City contracts. There has been talk about  
34 changing this for over 30 years, and yet, due to large financial contributions by  
35 real estate developers and other contractors, those jobs have not been given to  
36 contractors and developers who represent communities of color.  
37
- 38 13. Limits on campaign contributions are absolutely necessary to counter  
39 corruption and the appearance of corruption. In order to obtain large campaign  
40 contributions, candidates need to tailor their views and policies to satisfy the

1 desires of the large donors. Public officials need to accede to the wishes of  
2 large donors in order to secure funding for future elections and to avoid having  
3 those large donors support their political opponents. And, because the way  
4 Oregon's political system works is not a secret, even the appearance of  
5 corruption discourages persons who are not wealthy from fully participating in  
6 elections and government processes. During my campaigns for public office, I  
7 heard, essentially every day, from Oregonians who said that the political  
8 system is corrupt and rigged by big money.  
9

10 **I hereby declare that the above statement is true to the best of my**  
11 **knowledge and belief, and that I understand it is made for use as evidence in**  
12 **court and subject to penalty for perjury.**  
13

14  
15 */s/ Jo Ann Hardesty*

16  
17 \_\_\_\_\_  
18 JO ANN HARDESTY  
19

20 Dated: this 24th day of July, 2017

21 Signed in Portland, Multnomah County, Oregon

1  
2  
3  
4  
5  
6  
7 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**  
8 **FOR THE COUNTY OF MULTNOMAH**  
9

10 In the Matter of: Validation Proceeding  
11 to Determine the Regularity and Legality  
12 of Multnomah County Home Rule  
13 Charter Section 11.60 and Implementing  
14 Ordinance No. 1243 Regulating  
15 Campaign Finance and Disclosure.

Civil No. 17CV18006

DECLARATION OF  
SARAH IANNARONE

16  
17  
18 I, SARAH IANNARONE, declare:  
19

- 20 1. I ran for Mayor of Portland in the 2016 primary election.  
21  
22 2. In January 2016--a time of unprecedented growth and social upheaval in the  
23 City of Portland--I watched with dismay as then State Treasurer and Oregon  
24 timber aristocrat Ted Wheeler was on target to raise nearly \$1 million in the  
25 Portland Mayoral race. I jokingly referred to him as "King Ted," because  
26 fundraising these sums meant he was running essentially unopposed.  
27  
28 3. Ted Wheeler's donors included industrial polluters (at a time when our air  
29 quality was among the worst in the nation); developers, landlords and their  
30 lobbies (while we were in the midst of a housing and homelessness crisis); and  
31 the big business establishment (who were actively anti-active transportation and  
32 affordable housing), etc--the list goes on.  
33  
34 4. I decided to enter the race as a matter of principle, despite my lack of personal  
35 wealth or the backing of financial elites. As a small business owner and  
36 expert in sustainable urban development, I was certain there were important  
37 tools to direct Portland's growth with which Ted Wheeler was completely  
38 unfamiliar, including urban renewal, tax-increment financing, land-use and  
39 transportation planning, and neighborhood economic development. Wheeler's



1 "coronation" meant we would inevitably see more status quo at a time when  
2 we needed civic innovation most.  
3

- 4 5. As an underdog, I did not expect to win the primary. My goal was to garner  
5 enough votes (along with the other candidates in the race) to force a run-off in  
6 the November 2016 general election and thus expose Wheeler's policy  
7 proposals (or lack thereof) to greater public scrutiny, debate, and refinement.  
8
- 9 6. Fundraising to get out my message, however, proved much harder than I  
10 anticipated. Meeting after meeting I was told, "I like your ideas for this city,  
11 but Ted Wheeler is raising all the money, so you can't compete. I have to  
12 donate to him because he's a sure thing."  
13
- 14 7. I was excluded from two debates for the mayoral candidates (The Oregonian  
15 and American Association of Retired Persons) based solely on the low level of  
16 my fundraising.  
17
- 18 8. Needless to say, Wheeler won handily in the primary with an \$850,000 war  
19 chest--with roughly one third of his cash coming from less than three dozen  
20 contributors.  
21
- 22 9. Please rein in this abysmal practice of leaving campaign contributions  
23 unchecked. Our sustainable future depends on fair and equitable elections.  
24

25 **I hereby declare that the above statement is true to the best of my**  
26 **knowledge and belief, and that I understand it is made for use as evidence in**  
27 **court and subject to penalty for perjury.**  
28

29  
30 */s/ Sarah Iannarone*

31  
32 \_\_\_\_\_  
33 SARAH IANNARONE  
34

35 Dated: this 24th day of July, 2017  
36 Signed in Portland, Multnomah County, Oregon

1  
2  
3  
4  
5  
6  
7 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**  
8 **FOR THE COUNTY OF MULTNOMAH**  
9

10 In the Matter of: Validation Proceeding  
11 to Determine the Regularity and Legality  
12 of Multnomah County Home Rule  
13 Charter Section 11.60 and Implementing  
14 Ordinance No. 1243 Regulating  
15 Campaign Finance and Disclosure.

Civil No. 17CV18006

DECLARATION OF  
DIANE LINN

16  
17  
18 I, DIANE LINN, swear and affirm under penalty of perjury the following:  
19

- 20 1. I was elected to the Multnomah County Commission and served there from  
21 1999 to 2007. I was elected as Multnomah County Chair and served in that  
22 position from 2001 to 2007.  
23
- 24 2. When I ran for public office for two Multnomah County Commission  
25 positions, there were overtures from potential or actual donors that they  
26 expected access to me, if I were elected. Some made it clear that if I took a  
27 position on an issue in which they had an interest, they would base future  
28 support on my adherence to their position. I lost support from several large  
29 donors when I voted against their interests, or took controversial positions.  
30
- 31 3. When a company or major donor could give unlimited amounts, their  
32 expectations of how I should vote were, in some cases, made very clear to me.  
33 The larger the donor, in some cases, the more influence they expected to have.  
34 When sometimes I did not agree, I lost their future support. In Oregon, I  
35 believed that there should no direct threats for voting choices, and nothing was  
36 put in writing, but everyone understood the expectations that large  
37 contributions or major donors could carry with them and their issues when  
38 arose at the County.  
39

- 1 4. In the course of my political career at Multnomah County, I certainly  
2 witnessed many times when the wishes of major donors were prioritized over  
3 community need and benefit. I tried very hard not to do this myself and did  
4 meet with resistance when I stood firm against the position of large  
5 contributors.  
6
- 7 5. As public officials, we clearly spent more time with large donors and potential  
8 major givers, attempting to meet their expectations and provide deference.  
9 This was particularly true when comparing the large donor to the average  
10 constituent or public interest group. You felt you had no choice but to play  
11 the game, or lose to someone who would play it.  
12
- 13 6. The time spent fund raising and cultivating major donors is significant and  
14 takes away from the work of serving the community. In my experience, major  
15 donor fundraising was dominated by those who could afford to give an  
16 unlimited amount, and they often asserted themselves in the public process  
17 disproportionately.  
18
- 19 7. I believe limits on contributions and on independent expenditures would help  
20 eliminate the appearance of improprieties or corruption and any of the subtle  
21 reality surrounding this appearance.  
22

23 **I hereby declare that the above statement is true to the best of my**  
24 **knowledge and belief, and that I understand it is made for use as evidence in**  
25 **court and subject to penalty for perjury.**  
26  
27

28 */s/ Diane Linn*

29 \_\_\_\_\_  
30 DIANE LINN  
31  
32

33 Dated: this 24th day of July, 2017

34 Signed in Portland, Multnomah County, Oregon

1  
2  
3  
4  
5 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**  
6 **FOR THE COUNTY OF MULTNOMAH**  
7

8 In the Matter of: Validation Proceeding  
9 to Determine the Regularity and Legality  
10 of Multnomah County Home Rule  
11 Charter Section 11.60 and Implementing  
12 Ordinance No. 1243 Regulating  
13 Campaign Finance and Disclosure.

Civil No. 17CV18006

DECLARATION OF  
CHIP SHIELDS

14  
15  
16 I, CHIP SHIELDS, swear and affirm under penalty of perjury the following:  
17

- 18 1. I served for 12 years as both a Representative and Senator in the Oregon  
19 Legislature.  
20
- 21 2. I have seen the many ways in which unlimited contributions to candidates  
22 gives major donors undue influence over legislative outcomes.  
23
- 24 3. Many full-time lobbyists in the Oregon Legislature, well-known in the Capitol,  
25 have multiple clients who give very large donations to legislative candidates.  
26 These lobbyists operate in the "Oregon Way," which means they do not  
27 directly threaten legislators to withdraw support, and they never put their  
28 communications in writing when they are urging legislators to support the  
29 outcomes they want. Nevertheless, it is understood by all parties that these  
30 lobbyists will withdraw from any legislator all future large donations from  
31 their clients, if the legislator does not vote for the legislative outcomes they  
32 desire.  
33
- 34 4. When these lobbyists represent clients who give large donations, and are hired  
35 to come together on a piece of legislation, the combination can become quite  
36 compelling. Such an event occurred in the 2013 session when I sponsored a  
37 bill that would have included the insurance industry in the Unlawful Trade  
38 Practices Act, thereby allowing consumers to sue insurance companies for  
39 wrongfully denying claims. As The Oregonian reported in a June 14, 2013,

1 story, headlined "*Dozens of Lobbyists tie up bill to let consumers sue insurance*  
2 *companies*":  
3

4 "Forty-seven lobbyists signed a letter to lawmakers urging them to  
5 vote against the bill. That includes representatives for 48 insurance  
6 companies, business associations and other groups"  
7

8 The bill failed, not because the 47 lobbyists were so eloquent but because the  
9 legislators knew that supporting the bill would probably result in huge amounts  
10 of money flowing to their potential opponents in the next election. They also  
11 knew that opposing the bill would pave the way for those huge amounts of  
12 money to flow into their own campaigns, if needed.  
13

- 14 5. Ambitious legislators in the House of Representatives, who desire to become  
15 committee chairs in their primary areas of interest, soon discover that the way  
16 to become a committee chair is to raise money to give it to the party caucus  
17 leadership to distribute in the swing district races which are highly competitive  
18 and which determine which party controls the Legislative houses. Oregon,  
19 with its unlimited contributions and many major donors, has the most  
20 expensive per capita swing races in the country -- more money is spent in  
21 those races by all candidates per voter than in any other state. Some  
22 candidates for the Oregon House or Oregon Senate now raise and spend more  
23 than \$1 million in a single election. Since House races can be won with about  
24 11,000 votes, that amounts to nearly \$100 per vote necessary to prevail.  
25
- 26 6. It is also true that these large unlimited donations, which the donors know will  
27 be directed or redirected to target swing races, cause those donors to have  
28 undue influence on legislation and on the selection of leadership in the Oregon  
29 Legislature.  
30
- 31 7. Limits on campaign contributions are needed to prevent corruption and the  
32 appearance of corruption. In order to obtain large campaign contributions,  
33 candidates shape their views, how they vote on bills, and which bills they  
34 introduce and work on. They believe, correctly, that they need to follow the  
35 wishes of the large contributors in order to fund their future campaigns and to  
36 de-fund their opponents.  
37
- 38 8. Oregon's unrestricted big-money system erects high barriers to entry by the  
39 average person or anyone who cannot satisfy the large contributors.  
40

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

9. In a nutshell, these are the reasons why, to avoid what many would call political bribery or corruption, Oregon must limit political campaign contributions and independent expenditures.

**I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and subject to penalty for perjury.**

*/s/ Chip Shields*

---

CHIP SHIELDS

Dated: this 24th day of July, 2017  
Signed in Portland, Multnomah County, Oregon

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing DECLARATION OF COUNSEL DANIEL MEEK IDENTIFYING EXHIBITS IN SUPPORT OF MOTION FOR MOTION FOR SUMMARY JUDGMENT BY THE CITIZEN PARTIES by the following methods:

- Electronic service - UTCR 21.100(1)(a)
- hand delivery
- facsimile transmission
- overnight delivery
- USPS first class mail
- courtesy email

Naomi Sheffield  
Deputy City Attorney  
City of Portland  
1221 SW 4th Avenue, Room 430  
Portland, OR 97204

Dated: May 3, 2019

*/s/ Daniel W. Meek*

\_\_\_\_\_  
Daniel W. Meek