



BISC 2020

Landscape Analysis - Executive Summary Strategic Imperatives for 2021-2022

Protecting Direct Democracy
Campaigning for the Future
Building Bold, Long Term Strategy



EXECUTIVE SUMMARY

Summary Analysis:

At BISC, we see opportunity in the midst of the crises we are experiencing.

Despite proactive ballot measure campaigns being set-back by the novel coronavirus, 50 proactive ballot measure campaigns, half of which sought to reform our democracy and our economy, were on the ballot across the country this November, along with a dozen criminal justice reform measures. Through the ballot measure landscape in 2020 we were able to glimpse the resilience of “we the people” and our tool--direct democracy.

Since the start of the COVID-19 shutdowns in March, we have seen significant shifts in voter attitudes. An overwhelming majority of voters feel the government isn’t doing enough to take care of its people and it’s time for big changes in the way the government works. And, for the first time in recent history, we have seen a rise in support to increase the role of government to address the collective needs of its people.

As a result of the uprisings and racial reckoning across the country, we continue to see voter attitudes toward addressing race and racism shift. **Voters don’t just want policy change as usual, they want bold structural changes--and they see ballot measures as the vehicle to make those changes.** We know that these large shifts in voter attitudes, especially these types of views which rarely shift at all, present an incredible opportunity for real change. That’s why BISC is working with our partners now to identify bold policies that center the needs of Black and Brown and other directly impacted people and communities and build a ten-year long term strategic framework for change through direct democracy – the Roadmap to 2030.

In BISC’s Trendency research, **we saw major shifts in support from May through this Fall for economic justice measures** like Paid Family Leave in Colorado and Minimum Wage in Florida--suggesting that the pandemic and economic crisis were top of mind to people when voting on these types of measures, which was reinforced in our Pre and Post Election research project.

Additionally, BISC’s online research platform, Trendency, showed the largest shifts in defensive campaigns from September 30th to October 30th, where there was significant opposition spending.

With regard to the importance of funding - and specifically the timing of that funding - in looking at our post-election Trendency report, we saw that an average of 60% of Democrats said they voted by mail and an average 37% decided their vote on ballot measures one month out from Election Day--right when mail in or absentee ballots were sent out to them. An additional 26% of voters said they decided their vote on ballot measures more than 3 months out from Election Day. **With so many campaigns not able to scale up capacity in time to communicate with voters receiving vote-by-mail ballots, and with the delay in funding, we saw that where there was a dedicated and resourced opposition, we lost.** This further reinforces the need for early funding (for education and persuasion) and communications.

It's important to note that in our Pre and Post Election research this year, focused on Black, Latinx, AAPI, Native American and Gen Z voters, it was clear that, as in our 2018 research, **voters have little faith in candidates or institutions; however, there is trust and hope tied to direct democracy to affect real change.** Moving forward proactive ballot integrity policies is essential to our long-term strategy to protect our wins and the ballot measure process in order to keep BIPOC voter support of and faith in direct democracy.

Though many proactive ballot measure campaigns were stalled due to the impacts of COVID-19, advocates re-defined what ballot measure campaigns looked like this cycle as a result. Despite short timelines and inadequate funding, grassroots leaders from across the country took offline organizing online through social ambassador programs; they took complex-conversation canvassing programs and turned them into phone canvasses; they provided PPE to volunteers in the field and created innovative "sandwich" programs, running digital ads and texting voters before and after dropping literature at doors; and they created mobile signature gathering 'units' and 'voter hubs' out of the back of volunteer vehicles and in the driveways of volunteers--all while prioritizing the health and safety of campaign staff, volunteers, and the public. The innovations in voter engagement accomplished by ballot measure campaigns this year had a ripple effect across the progressive ecosystem and informed the late Summer and Fall voter engagement programs for organizations that run large electoral programs. Such innovation not only helped win campaigns this cycle, it is informing the campaigns of the future.

Since the Spring of 2020, BISC has been consistently working with ballot measure campaigns to compile information on their campaigns and the programs they are running. Post-election, through our ongoing evaluative work with these campaigns and consistent data collection (both qualitative and quantitative), we have done a close examination of the impact and effectiveness of the strategies and tactics employed by ballot measure campaigns through extensive campaign debriefs, an examination of campaign

finance data, the elections results, and available voter data. More analysis and further recommendations will be forthcoming after voter file updates are completed in the first quarter of 2021.

Here's what we know now:

- For many campaigns unable to scale up in-person field organizing, digital organizing and communications were key to their voter engagement strategies. Even so, as money once again arrived late due to slower than usual qualification, many organizations had a hard time scaling up these programs without the time and the resources to build needed capacity.
- Contacting voters was expensive this year! Both Montana and Arizona costs were on par, if not more than, broadcast costs in California, as both states faced competitive Senate races and Arizona received a lot of attention in the Presidential race.
- In 19 out of 21 progressive wins, we outspent our opposition on communications - and got out of the gate with our narrative first. The two campaigns where progressives did not outspend their opposition on communications - Colorado's Prop 113 and Washington's Referendum 90 - they did out-organize opponents through phone and digital programs.
- We have to be prepared from a resource and strategy perspective when we take on big corporations--this is not new. We saw corporations outsized opposition spending have a huge impact in Prop 22 in California and with Alaska's Ballot Measure 1, which would have increased taxes on a large portion of the oil industry in Alaska.
- The timing of the resources a ballot measure campaign receives has a direct and irrefutable impact on whether that campaign succeeds or not. When the funding doesn't come soon enough to scale up, or money is not spent soon enough to get our message out, as was the case in Illinois' Fair measure, campaigns cannot catch up.
- It's clear, since the massive victories on the ballot in 2018 where over two dozen progressive ballot measures passed across the nation, that our opponents would stop at nothing to further encroach on our ability to exercise our right to access democracy. Since those victories in 2018, we've seen constant and varied attacks on direct democracy in the form of legislation introduced and passed to impede direct democracy. We've also seen legal and legislative challenges to specific measures.

This year, 95 bills related to the ballot measure process--the vast majority of which were geared toward making the ballot measure process more cumbersome, expensive and difficult--were introduced in state legislatures.

Now, two cycles into these types of attacks, we are beginning to understand the trends and opportunities. **Based on the attacks to date and the proactive measures on the ballot in 2020, BISC and our partners have a strategy and a plan to focus on several core states to protect direct democracy itself (Florida, Missouri, Arizona) and a plan to prepare for implementation fights on specific measures in at least four states.** Working with our partners on the ground in states, BISC is also in the process of developing proactive model policies that can help states protect their direct democracy process and rights.

The results of our national election show a portion of our nation divided, but the results of ballot measure campaigns illustrate unity across diverse communities on progressive policies including a focus on systemic racism, protecting our democracy, and economic justice. Ballot measures in 2020 brought together unique coalitions of voters bent on progress, even in conservative states like Nebraska, Utah, Oklahoma and Missouri.

And the results show that **years of sustained investment in organizing and leadership development in states like Arizona created victories such as Prop 208, Invest in Education**, where leaders like Anabel Maldonado and Ellie Perez steered that campaign to victory restoring hundreds of millions of dollars annually in education funding for 1.2 million students in Arizona.

All in all, **voters approved 28 proactive ballot measures and rejected 6 harmful attacks.** Voters across the nation expressed broad support for progressive reforms by voting beyond candidates and for policies that would create immediate positive changes in their lives.

Voter response to economic justice and revenue measures was mixed. Six proactive measures were approved, but we lost and/or were unable to block attacks on 7 measures. BISC tracked 12 measures intended to **reform the criminal legal system and drug policies. Progressives won all but two of these measures.** Democracy, civil rights, election reform, and the ballot process were on the ballot across the nation. **All 3 attacks on direct democracy in North Dakota, Arkansas and Florida were defeated.** Abortion restrictions were on the ballot in Colorado and Louisiana, and a referendum on Washington State's law requiring schools to teach comprehensive sexual and reproductive health was on the ballot as well. **We were able to defend reproductive health in Colorado and Washington**, but the Louisiana constitutional amendment banning abortion in the state constitution, unfortunately passed. And lest we forget, **Medicaid**

expansion passed in Oklahoma and Missouri earlier this year during primary and special elections.

Key Recommendations & Actions:

Protecting Direct Democracy

As we head into 2021, the results from ballot measure campaigns—and also the results from the 2019/2020 legislative session tell us where we need to go. **The results of the election show us we will need to double down to protect direct democracy in Florida, Arizona and Missouri.**

The win on minimum wage and the defeat of Amendment 4 in Florida—which would have made passing citizen initiated constitutional amendments in Florida nearly impossible—means that Florida politicians are not going to stop and may even step up their attacks. The win in Arizona for Invest in Ed and Marijuana legalization provide fuel to the fire for conservative legislators there. In Missouri, where Medicaid expansion won earlier this year, and the attack on Clean Missouri prevailed, conservative legislators who want to block the ballot measure process are not likely to let up.

BISC has been actively working with leaders in these states to defend direct democracy since 2017, and leaders have stepped up, with very little resources to defend the ballot measure process and their wins. In all of these states, where conservative legislators continue to hold large majorities, ballot measures are still our only tool for progress.

Our long-term strategy to protect direct democracy needs to be three pronged as we head into the 2021 session:

1. **We need to defend progressive wins and weaken bad policies** that may have passed. Proactive measures including CO (Paid Family Leave) and NE (Payday Lending Interest Rate Cap) are the most likely to be challenged at the legislature. We should also look to defend Medicaid Expansion wins in MO and OK. In states like CA where Prop 22 (Gig workers exemption/anti-labor measure) and in MT where LR-103 (local gun preemption measure) passed, it may be difficult to amend language because of the political climate, but we should try.
2. Next, we need to **proactively draft and move policies in the 2021 and 2022 legislative sessions that strengthen the ballot measure process.** BISC is actively working to do this with partners in our priority states of Missouri, Arizona and Florida—along with our national partner SiX.

3. Lastly, we need to **actively track and rapidly respond to legislative and legal attacks on the ballot measure process** in states such as Idaho, South Dakota, and Utah, where progressive measures have passed. And plan for the legal and legislative implications of the legal challenges and rulings that were so prevalent this year.

Effective Campaign Strategy

2021 should be used as an opportunity to invest in digital and communications capacity so that organizations and campaigns can more easily scale up and adapt tactics if needed for 2022 campaigns.

Additionally, **we need to find a way to strengthen the ballot measure process against the influence and resources of corporations**--as much as possible considering the impacts of Citizens United. Maybe even more importantly, in campaigns where we plan to take on corporations - and where we can't outspend them - we need to be prepared to fund those campaigns early and to scale, be creative with the resources we have, and outwork them every step of the way.

A 360 life cycle funding model for ballot measures that supports campaigns in early planning, policy, messaging and coalition development, all the way through to implementation, is critical to maximizing our resources, building power, and winning. BISC is working with members of the Roadmap 2030/Alignment Group, which includes funders, national and state leaders, to co-create a tool and resource that can be used to budget for the 360 life cycle of a ballot measure campaign.

Building Power for the Long Term

We need clear alignment amongst funding partners and practitioners to ensure the resources are sequenced in a way that sets campaigns, and our broader movement, up for success. BISC has been working on this since 2018 and heading into 2021--looking at the 2022 cycle and beyond--we have 2 new tools to help us get there in our Declaration of Cooperation Toolkit and the Project 360 funding model--both are tools that help funders and advocates alike align around shared principles, specific practices and a co-creative budgeting process that seeks to smartly fund ballot measures in a way that will build long-term, independent political power.

We also need to be ready to plan for and **move a bold, people's agenda in 2022, consisting of reforms on our economy, our democracy, and racial justice issues** and be able to tie that agenda together through an intersectional and power

building narrative using a multi-pronged approach--including ballot measures, civic engagement, legislative efforts, legislator accountability, and candidates who are representative of the directly impacted communities we seek to engage.

In both an effort to protect one of our last and most important levers of power in our democracy and as a way of engaging BIPOC voters--as a way to strengthen and keep intact one of the only systems they actually trust--**we must not only move to protect direct democracy at the legislature but develop a ballot measure strategy that protects direct democracy and ensures it remains the people's tool.**

